

## **Plan Commission Summary Minutes Virtual Web Conference Meeting**

**September 13, 2021 - 5:30 pm**

*Plan Commission minutes are transcribed in a summarized manner. Video footage is available for viewing in the (CATS) Department of the Monroe County Public Library, 303 E Kirkwood Avenue. Phone number: 812-349-3111 or via e-mail at the following address: [moneill@monroe.lib.in.us](mailto:moneill@monroe.lib.in.us).*

The City of Bloomington Plan Commission (PC) met on September 13, 2021 at 5:30 p.m. via a virtual (Zoom) meeting due to COVID-19. Members present: Flavia Burrell, Beth Cate, Andrew Cibor, Chris Cockerham, Israel Herrera, Jillian Kinzie, Susan Sandberg, Karin St. John, and Brad Wisler.

### **ROLL CALL**

**APPROVAL OF MINUTES:** August 2021

**\*\*Kinzie moved to approve the August 9, 2021 minutes, with one change. Change the word “video” to “UDO”. Sandberg seconded the motion. Motion carried by roll call vote 9:0- Approved.**

### **REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

#### **RS-25-21 Jordan Avenue Renaming**

Scott Robinson, Director of Planning & Transportation presented RS-25-21. The passing of Resolution R-25-21 will rename Jordan Avenue to Eagleson Avenue and if approved would take effect February 1, 2022. This date will allow time for Jordan Avenue property owners to be notified of the official name change. This will also allow time for staff to coordinate with the United States Postal Service (USPS) and other agencies. This date will avoid the holiday season, for those with concerns about packages and other deliveries that might happen over the holidays. The city doesn't charge any fees associated with the name change, but they do recognize there may be some expenses to the Jordan Avenue property owners if the name change is approved, such as printing new checks or stationary. The name change was triggered largely by the actions of Indiana University and the decision IU Board of Trustees on their research on the seventh President David Starr Jordan and his teachings associated mostly outside of Indiana University, but they had again decided to remove the name from several buildings, as well as a river on campus. The City like to focus on what this name change represents and how it celebrates and acknowledge the significant contributions by the Eagleson family over four generations.

#### **Public Comments:**

Suzann Owen has lived at 611 S Jordan Avenue for 53 years and as an undergraduate she lived on Jordan Avenue for an additional four years. She acknowledges the Plan Commission was given the responsibility for street names, thinking it would most often be designating a new street name for a subdivision or avoiding duplication, but not changing the name of a residential street. She feels that Bloomington is caught up in a national rush to rename streets, like Lakeshore Drive in Chicago and Lee Highway in Virginia, but rarely is a street renamed that goes through a residential neighborhood. This presents a number of complications she wanted to call to the Commissioners attention before they take action.

More than 120 years ago the street was named for David Starr Jordan, he had been an IU President who had the vision to move the campus from 2<sup>nd</sup> and College to Dunn Woods, where the campus could grow. And being a scientist, he also launched the university to a path to become a research institution, rather than a teachers college. If it were not for David Starr Jordon IU might have been landlocked at 2<sup>nd</sup> and College and another Ball State or Indiana State Teachers College, rather than a full scale

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research institution.

The street name Jordan is a biblical name, but in present day, it has been given to both men, women and African Americans. Quite often athletic teams have a least one Jordan on their roster. People who have made important contributions have also carried the name of Jordan, including Michael Jordan and Barbara Jordan. IU has 44 staff and faculty on the Bloomington campus with the family name of Jordan, hundreds have been given the name of Jordan and they are proud to have their own street name. Today over 3000 students have Jordan Avenue addresses, 1000 in Reed Center, and close to 2000 in Greek chapter houses from 13<sup>th</sup> to 17<sup>th</sup> Street. Many streets are named for historical figures like Grant and Lincoln, they are simply thought of as streets years after, unless they are named for a full name like P. Dallas Drive or Mel Curry Road. Jordan Avenue lost its front name many years ago, many residents do not even know the origin of the name because it is so common. Renaming Jordan Avenue has been called an inconvenience to the residents, she asserts it is more than that, it will be confusing to the general public, who do not read the Herald Times and who are unaware that the Mayor's Task Force has proposed a new name. Many locals and out of town people come to the Neil Marshall Center, the IU Theatre, the Hamilton Luger School and the library, all of which have Jordan Avenue address. These are some of the issues that can be associated with a street name change, as well as licenses, vehicle registrations, passports, Indiana Department of Revenue, IRS, Banks, credit card companies, internet providers, video providers, phone company, gas company, electric company, newspapers, magazines, doctors, accountants, mortgage companies, voter registration, all of the county offices, churches, community organizations, service clubs, direct mail services, food delivery services, i.e. Grub Hub, and package delivery services like UPS and FedEx.

Jackie Scanlan told Ms. Owen she was out of time.

**Commission Comments:**

Cockerham thanked Suzann Owen for her comments, he appreciates her input. Cockerham noted that he grew up on Jordan Avenue and is proud to still live on Jordan Avenue, he delivered papers in that area, and so he knows the neighborhood very well. Never really considered the depth of the name, it was just a name, it was a street in a neighborhood which he loved. So, when he first heard of the name change it bothered him, he was a little challenged with it, he did read the report and read the Board of Trustees comments, thanked both for sending those out to everyone. You can't deny the reasons or the motives behind this recommendation and he understands Ms. Owen's concerns regarding the use of names for street names. It was not until he read the book "Been lucky on Herman B Wells" that he understood more on who Professor Jordan or President Jordan was at the time. Cockerham would like to keep the South Jordan Avenue name, but he supports the motives behind the name change.

Cate asked if there was anyone from the City or IU in attendance who can ease the burden that comes along with some of administrative realities of changing addresses. She believes for some people who have gone digital it may be faster than paper, but if you don't have a good sense of technology, she wants to know how much can be alleviated for individuals having to make those changes. Robinson believes it will be fairly seamless to change addresses. Once the City starts coordinating with the USPS, internet providers, other companies like Google Maps, making these changes should be seamless. Changing your checks and notifying the bank is an inconvenience but typically those things don't cost money so once the post office makes the change the coordination happens. Mike Stewart, with the Engineering Department, commented that Robinson was correct, the City will notify numerous entities, including USPS dispatch, all emergencies services, and all utilities. Most banks and insurance companies will pull the list from USPS, so once USPS does update their lists everything should be updated, in the meantime we do provide a letter that will show verification that the address is valid as

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of February 1, 2022, if it is approved. Cate noted the compelling reasons given for this particular name change and a lot of attention has been given to the origin of the name, Cate supports the change to Eagleson, believes it is a tremendous family to elevate.

Kinzie would like a clarification on the letter that will be sent to residents who will be affected by the name change. She was unaware that USPS would create a systemic notification process, but is glad to hear that they do that. She does not believe all residents are aware of this procedure and is wondering if there isn't more that can be done to relieve people who worry that this all has to be done right away. Some timeline perhaps could help them in understanding when this goes into effect, for example letting them know don't need to do anything until xyz date, wondering if those kinds of details can be provided. Maybe a checklist of the items that may not be included in the notifications from USPS. Stewart wanted to clarify there will be a letter sent to the tenants as well as the owner of the property. As for outlining exact steps to take, he doesn't necessarily want to deal with certainties because there are a lot of uncertain things. He noted that if there are questions he is always happy to answer questions with a call or email, which will be listed in the notification letter. One of the things that would help is a least letting people know when they should be reaching out to their organizations to make the address change. Kinzie stated of all the things that happen in this community this is the right thing to do and to be consistent with what has already been done on the campus, in terms of buildings and water ways and parking structures that have already been changed. She just wants to ask people for their belief in the importance this of Act, particularly for students of color and people in our community of color and how important it is to represent history in this way. This is a way to celebrate and honor an important member of our community.

Sandberg noted this body was not involved in the vetting of this very important decision and we have great respect for the members of this community that did serve on the task force and did their due diligence in the research, and in many respects, we are signing off on the good work when we vote for this or however we vote this evening. With respect to the individual residents who are going to be inconvenienced and perhaps have some costs involved in the change, she believes, the amount of time that is going to be given in order to make those adjustments is fair and she agrees with Commissioner Kinzie with respect to anything the City can do to get information out in advance of this change to assist with the communication efforts will help. Traditions are hard to change, and this has been a long held one here at IU, we have all experienced them.

Wisler wanted to follow up with a question to Stewart or Robinson about the dependence of digital records for example, Google Maps and Apple Maps, how the name change will be reflected if someone is still searching for a Jordan Avenue address because they are not aware of the name change. Robinson noted there are no businesses that are impacted by this name change, when you use Jordan Avenue in Google or Apple maps it will automatically go to the correct address even with the name change. Robinson referenced the change from Vernal Pike to Fountain Drive. When we are looking a priorities, the USPS and emergency services is really the ones we need to be mindful of and the coordination happens on the back end that's really important. Stewart commented that he doesn't have a ton of insight, but he searched Dreams Road which became Discovery Parkway on January 1, 2020 and it still pops up when you look on Google Maps so he knows, for at least some amount of time, these mapping features will be able to find an address with both names. Stewart did check with emergencies services to verify with dispatch that Jordan Avenue is saved as an alias if this is approved tonight. It will be saved as an alias moving forward so if somebody does call into dispatch and uses the Jordan Avenue address it will flag immediately and responders will be sent to the correct location.

St. John wanted to follow up on Commissioner Kinzie's request about, and Director Robinson's response, to adjust the letter and add to the letter a checklist of places people need to reach out to, for

those who may not have much experience with the internet. Also suggested instead of use acronyms to spell out everything, i.e. USPS means United States Postal Service. Renaming the street is definitely the right thing to do. Change is hard, so she will be voting in favor of the name change.

Burrell says like Cockerham she has mixed feelings about this resolution. There are several facets that we can talk about, which none are going to make any difference. She feels the residents will take the brunt of this decision. She understands the hard work the University and Commission put into this resolution. She would caution that we are changing the name because we discovered something that was abhorrent about someone, but we are going to honor someone who has been thoroughly vetted and she believes they have done an excellent job, but what if 20 years from now, they do something that we don't agree or the future residents don't agree. So we when we honor people it comes with warts and all, wouldn't it be earlier to call it Elm Heights Road something that would remain the same forever. She is not defending in any way the actions of Mr. Jordan, which she didn't know until she received the report, and she is sure many of the residents have never heard the full story, she wants to leave this with a caution to rethink the name. But she having a hard time with this resolution, because if you vote no you represent one way and to vote yes you represent the other way, so she feels trapped.

Herrera asked why the task force used two names, one name that corresponds with the City and the other name corresponding to the segment of the University. He is asking Robinson and Stewart how the names for the City and University sections were decided within the task force. Robinson said he didn't have the list of criteria in front of him, but he does recall their criteria is based on the named after people and they had to be deceased for a number of years. There were two sections of Jordan Avenue, the northern portion which is completely under IU jurisdiction and the southern portion, which is shared between the City and IU, with coordination with IU these are the recommendations that we are moving forward with and in the packet was the criteria listed by the task force and vetting those 500 names that they reviewed. Herrera asked how they got two names how it was decided, North Fuller Lane for the University section and Eagleson for the City portion, he is just trying to understand why both sections couldn't have been named the same. Scanlan explained the task force split the names as they did because Eagleson is not one person it is a family, which had a larger impact on the community and there was natural break in Jordan Avenue at 17<sup>th</sup> Street, where the sections don't line up. So the northern portion, which is the smaller portion, was named Fuller Lane which was named for Matty Jacob Fuller, one women since it was a small distance as opposed to Eagleson which is a large family with a number of prominent people from living history, being the bigger portion to the south.

Cate wanted to respond to Commissioner Burrell's comment and say that she would not take a voting against this name change or the arguments that were raised by people in the community who are affected the name change as any indication of endorsement of eugenics or endorsement of those aspects of David's life that are so highly problematic to put it mildly. She thinks there were cogent arguments sent and received, I can understand why this is a difficult decision. She thinks conditions around our own personal reasons and she thinks there should be no sense whatsoever regardless of how people react to this change that is reflective of racism or would not conclude that in any way and she doesn't think anyone else should, she just wanted to be clear on that issue.

St. John completely agrees with Commissioner Cate and supports that statement as well.

Wisler would like to say he whole heartily agrees with Commissioner Burrell, Cate and St. John, he thinks there are some very legitimate reasons that you might oppose this, generally speaking that naming streets for humans is problematic as Commissioner Burrell said, we are all flawed and you can find a reason to disagree with anyone, any name that's put on a street. None of us are perfect and we tend not to stand the test of time very well, certainly David Starr Jordan is among the worst and Wisler

believes this is an appropriate step, but he does think going forward, and he has thought since the beginning of this process, that replacing one human name with another is a risky approach. He believes going forward, there are plenty of ways that they can make statements and honor people without putting people's names on the streets and going forward we ought to look for ways to do that, because this really could be a never ending cycle. He knows in this case the argument is very compelling and he thinks it is important for a statement to be made, so he is happy to support this resolution. Asked for someone to make a motion, Kinzie motioned to approve Resolution RS-25-21 to rename Jordan Avenue, St. John seconds.

**\*\*Kinzie motioned to approve petition RS-25-21. St. John seconded the motion. Motion carried by roll call vote 9:0—Approved.**

**PETITIONS:**

Cibor would like to hold off on voting for SP-18-21 until the traffic impact study for the project has been completed, feels it is an important piece of information for when they consider the driveway permit application. It could potentially impact the site plan, INDOT just received the plans a few hours earlier and have not had time to review the documents. Wisler asked Cibor if the petitioner would like to continue this petition until the next meeting, Cibor does not know if the petitioner is agreeable to move the petition. Scanlan feels it is unlikely that the petitioner would like to have this item postponed, however if INDOT does not issue this permit, then the site plan will have to be drastically changed, because of the access drives off both control roads. Because this is such a large project Planning was not sure what the vehicular impacts would be, the department would be more comfortable having them wait a month. Did not realize that plans had not gone to INDOT until today, so they haven't even looked at it much less given our local staff time to look at it, it could end up looking fine but in the interest of saving everyone time and not going through the petition today. They discussed potentially, for example, putting a conditional approval, if they don't issue the permit then you will have to see a different site plan. It will have to come back different than what it is now, so we would rather defer to Cibor's judgement and ask the Commission to continue so it can be cleared up before that discussion occurs. The petitioner has been notified that INDOT only today received the documents to review this petition. Wisler acknowledges that Bill Beggs is present and asked him to respond on behalf petitioner. Wisler wants to be careful not to rearrange the agenda, but would like to let Beggs make a very brief comment and then Cibor can make a motion. Beggs takes great issue with the continuance, it is disappointing, they got to the brink of last month's hearing and found out less than 24 hours before the hearing that there was a concern about utilities and now we find out, about 45 minutes before this hearing, that there is another issue. It seems to Beggs that the jurisdiction of this question lies exclusively with INDOT and so what they would ask you to please do this rather continue again. We would ask that the Commission to move forward with the hearing, add as a condition of approval that we would comply with any INDOT requirements, whatever those may be, and that this goes forward tonight. It is in INDOT jurisdiction, so for those reasons, they would asked you to please hear this case and not delay.

Cibor would like to motion to continue SP-18-21 to the October Plan Commission meeting, to provide the city and INDOT time to review the traffic impact study and to understand how that could impact the site plan. Kinzie seconds the motion.

**\*\* Cibor motions to postpone petition SP-18-21 to October Plan Commission Meeting. Kinzie seconded the motion. Motion fails by roll call vote 3:6—Denied.**

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SP-18-21     **Overlook on 46, LLC**  
4550 E Third Street  
Request: Site Plan review for 175 unit multifamily apartments. A self-storage building is also included in this petition.  
Case Manager: Keegan Gulick

The property is currently zoned Mixed-Use Corridor (MC) and located at the southwest corner of E. 3<sup>rd</sup> St. and State Road 446. The properties to the north and east are also zoned MC. The properties to the east that are east of State Road 446 are zoned MC. The properties to the south are zoned as Residential Multifamily (RM) and Residential High Density (RH). The properties to the west are zoned as MC and RH. The property fronts along E. 3<sup>rd</sup> St and S. SR 446. The site is currently undeveloped and sits vacant.

The petitioner is requesting major site plan approval for a new 176-unit multifamily development with a separate self-storage facility. This property was approved for rezoning to MC under ZO-25-20. A conceptual plan was presented at the time of rezoning. The petitioners would now like to move forward on their proposed development by receiving major site plan approval. The existing Century Village property is not a part of the development and will remain. This site sits largely vacant except for a small parking lot on the north end of the property.

The proposed site plan features three multifamily buildings that contain a mix of one and two-bedroom units for a total of 176 units and 236 bedrooms. There is also a clubhouse building with a pool and amenity area to serve the residents of the development. A self-service storage facility is also proposed on the southern portion of the site. Approximately 210 parking spaces will be provided with the surface parking lot and "on-street" parking spaces on the driveway through the site. Access to the site will come from 3<sup>rd</sup> Street/E SR 46 and SR 446 with a private driveway. Street trees and additional landscaping will be added to the site as well. The proposal will add a 10' shared use path along 3<sup>rd</sup> Street and a 12' shared use path along SR446. Two new bus shelters will be constructed along the driveway so Bloomington Transit can service this development as well as the adjacent multifamily use to the south. Bloomington Transit Route 6 currently uses the parking lot of the Knightridge apartments in order to turn around. With this new development they will be able to use the new private driveway to turn around instead of the parking lot.

**CONCLUSION:** This petition meets all requirements of the UDO and will add 176 dwelling units near other high-density uses and amenities. The development will be serviced by Bloomington Transit and provide improved transit facilities for the area. This petition is also in line with the goals of the Comprehensive Plan and in line with the intent of the Urban Corridor district by providing a higher intensity residential use near SR 46 and SR 446.

**RECOMMENDATION:** The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-13-21 with the following conditions:

1. Any future subdivision of the property will require the site to be brought into compliance with the City's Transportation Plan.
2. The petitioner will provide the required number of bicycle parking spaces on the site plan prior to the issuance of a grading permit.
3. A landscape plan that meets all UDO requirements, including required street trees, must be submitted and approved prior to issuance of a grading permit.
4. The petitioner will work with Bloomington Transit on a final design and location of the on-site transit facilities to be determined before a grading permit is issued.

5. The petitioner will record an access easement for Bloomington Transit before final occupancy is issued.

Item No. 6 will be added as a condition in case INDOT does not approve the site plans.

6. Per General Criteria Condition ii, the petitioner shall comply with INDOT regulations or requirements that result from the traffic study and driveway applications submitted for this petition.

**PROJECT REPRESENTATIVE COMMENTS:**

Bills Beggs thanked the Planning Commission for hearing their case. He agrees with the Planning staff recommendation, and agrees with all the conditions, including item No. 6. He understands that they must comply with all requirements set forth by the Planning staff. The following people are here today for this petition, Sanjay Patel, Neil Patel are representing the petitioners, Josh Riders with American Structurepoint, Mike Johnson is with Studio Architecture and Jerry Hoffman from US Architecture.

**COMMISSIONER COMMENTS:**

Kinzie commented on the information presented regarding postponing the vote to allow staff more time to consider the request and she understands the proposed condition seems good and it specifies both the traffic study and the driveway permit application. She asked if someone can speak about what it entails or what new information they might gain from the study, changing its designation from a PUD. There were concerns about traffic in this area so she would like to hear of any concerns that staff may have about traffic in this area. Gulick replied that INDOT has to approve the driveway cut on 3<sup>rd</sup> Street which is a state road, so the concern is if there is something that comes out of INDOT's findings it would require a redesign of the site. One of the criteria in the UDO is they have to meet other applicable regulations, the thought process is if they are not meeting INDOT regulations then they are not meeting the criteria in the code. Scanlan says not all projects require a traffic study but they are doing a traffic study here because of working with INDOT. She doesn't know what they will see from this study, maybe Mr. Cibor could speak to that. We want to make sure that INDOT and the engineering staff are comfortable with the results of what is shown, you have seen a traffic study done here before, with a previous development. That study showed that most traffic would be going west on 3<sup>rd</sup> Street, they worked with the developer and ended up doing a right out only. There may be certain types of manipulations to the entrance that may be required by INDOT what has come up in previous discussions for the particular site. We would just like to make sure it is understood that those things will have to be included if there is a concern about safety. Is the intent to rely on the INDOT traffic study that is already going to happen or was that not part of the original discussion. Scanlan said the end traffic study will be based on the projected use of this particular site with this number of units. One thing found useful in the past is to ask the engineering staff to look and see if they agree with the numbers being put out, we do not want to question the engineers hired by the petitioner but we know the area better than others and we have to agree on this type of use in this area. We will be looking at what the effects are on the surrounding roads. For example, this area was thought about quite a bit in the transportation plan and there are road connections that are in the transportation plan we've talked to the petitioner ad nauseam, they're not interested in make road connections, which we can't compel them to do and that is why it is discussed and included in the conditions. If they ever decide to subdivide this property they will have to put those roads in. So they are now choosing to build in a way they will have to tear down buildings and move dirt, but they are making that choice. We think, as a community, those road connections

could help with the diversion of cars so that they're not all pouring out onto 3<sup>rd</sup> Street. Again they are not interested in doing that right now and we can't compel them to do what we want, but we wanted to draw their attention to previous conversations, that in five years when they come back to ask for a subdivision and ask for a waiver for road connections we won't do that because they were told up front that they could build to meet those requirements and they chose not to do so. We are in an odd position because we do think road connections would mitigate some of the traffic concerns that we hear from the community about, a large project going in at this site and everyone using the majority of the people using the 3<sup>rd</sup> Street exit. But the petitioner is not interested in doing that so we will, along with the Engineering staff, look and see if it doesn't seem that this driveway can be put in a safe manner, without additional changes to 3<sup>rd</sup> Street. That is something that the Engineering staff and Planning staff will have to discuss if there are items that need to be upgraded in the roadway. The petitioner will then be responsible for that and is what will happen and we will make it as safe as possible. Kinzie feels there is going to be a lot more going on here and can anticipate public comment on this regarding traffic concerns, she might hold back on additional questions right now but to her it seems appropriate to have the petitioner at some point respond to the traffic and the driveway. Kinzie would like Josh Rodgers, of American Structurepoint, to respond about their approach to the traffic study and then the driveway cut and anything that you've determined about safety that would be useful. Rodgers mentioned that they did not perform the traffic impact study that was done by Traffic Engineering. They met with INDOT about two and half months ago to kick off the meeting and discuss the minutes and discuss the existing traffic conditions and what the fundamental assumptions of the study would be. Traffic Engineering prepared so INDOT could approve so then the study commences from those assumptions. Rodgers didn't want to speak in much detail because he wasn't really involved in that other than coordination aspects, he didn't want to miss speak on anything. They gathered data over the course of a few weeks during peak hours, and from there they prepared models and we sent out the actual study this morning to INDOT. Study was based on those assumptions they made and based on the approved volumes that INDOT gave them and those volumes were current existing volumes. The post construction volume in the short term and then a post constructed volume in 2026 was a forecasting and then maybe 2036 as well. There is a number of scenarios on how everything would fit together, and there were some recommendations. Kinzie asked if there was any further information about the driveway cut and safety concerns. Rodgers asked if she was referring to the realignment with Morningside Drive and the new cut on State Road 46. Kinzie clarified that she was actually talking about the cut that is on the existing 3<sup>rd</sup> Street. Rodgers said the traffic study that was out today definitely spoke a lot to that connection, a general summary of that particular connection with the realignment with Morningside Drive was that a full study if they wanted to see full access movements at that location to allow left and right turns in through movements to take full advantage of that realignment. With the recent improvements on 3<sup>rd</sup> Street they didn't feel confident that channelization of traffic was possible without significant improvements on 3<sup>rd</sup> Street, such as paved medians or channelization of that nature, that is his understanding of the study. Kinzie asked if staff had any further comments. Scanlan replied on previous petitions with different engineers, staff did agree with those engineers that aligning this entrance with Morningside was beneficial and would be an improvement for safety, which is something we are looking for with any development of this site.

Sandberg asked about the traffic study in its totality. City Council got an email from a constituent who was really concerned about the traffic signaling and the difficulties of making turns on College Mall and 3<sup>rd</sup> Street, which is controlled by INDOT and not the City of Bloomington, so her question has to do with how comprehensive this INDOT study is going to be throughout the entire quarter of 3<sup>rd</sup> Street, as the Planning Commission knows we have a lot of things popping up that are going to impact traffic and if we are already getting constituent concerns about things related to traffic, Sandberg is concerned. Does the staff have any input about that is report is going to mean for the entire 3<sup>rd</sup> Street. Scanlan replied this is why they wanted to push this petition off, but based on what they have seen in the past she



believes it will be pretty tight to this new street cut intersection and the immediate areas of the highway around it. Sandberg replied that this will be problematic and she is certain that if we have to make improvements they really need to be planning ahead for those improvements. Rodgers said the scope of the study that was sent extends as far west as South Park Ridge Road, to the northwest intersection of 3<sup>rd</sup> Street and State Road 446 and to just south of the Knightridge entrance.

Cibor pointed out the transportation plan appears to show a new north/south road essentially continuing Morningside to the south through this site all the way down to Janet. This project is currently designed so it won't allow the connection to the east, west connection through this property. His question is to the petitioner, was making those connections considered. Beggs replied that it was considered at great length and there was a great deal of conversation, he started with the transportation plan itself, the map does show that east/west line, the text however does not, the text only shows activity down to Janet Drive which would imply knocking down Knightsbridge apartments and some houses to get to Janet Drive. With respect to the east/west we paid great deal of attention to that, we consulted with the neighbors and we got strong feedback from the neighbors. Rather than the west connection at Montauk Point, that is a parking lot and it's not a straight through parking lot, but instead it's a fork if you are coming from east going west. They got a very strong feedback regarding the safety that would have been compromised by sending traffic through a parking lot, as opposed to a through street. Cibor noted that the city transportation plan is a long range plan, what the system could look like 100 years down the road. A more detailed question, a part of the project includes some great amenities to transit for the Knightbridge apartments, will there be access to the new bus stop, he knows that accessibility and ADA is an important issue for transit, just want to make sure we are not missing something that we should be considering. Rodgers noted that there is a sidewalk connection shown to Knightridge, it is difficult to show proposed construction on property that is not within the scope of your project. Cibor commented this may be something that needs to be coordinated between this project and Knightridge. Rodgers agrees that this will need some coordination.

**PUBLIC COMMENTS:**

No public comments.

**\*\*Kinzie motioned to approve petition SP-18-21, including the six conditions outlined in the staff report. Cate seconded the motion. Motion carried by roll call vote 9:0—Approved.**

SP-19-21      **Strauser Construction Co. Inc.**

1300 N Lincoln Street

Request: Site plan approval to allow the construction of a 16 unit, Multifamily structure in the mixed-use student housing zoning district.

Case Manager: Keegan Gulick

The property is located at the northeast corner of the intersection of 17<sup>th</sup> and Lincoln Streets. This property is currently zoned Mixed-Use Student Housing (MS) and has been developed with a single-family structure and 6-unit multifamily structure. All surrounding properties are also zoned MS. The petitioner is proposing to demolish the existing structures and construct a 16-unit multifamily structure on the property. The UDO requires that new developments that contain more than 15,000 sq. ft. be reviewed by the Plan Commission.

The proposed site plan shows a 4-story structure with a mix of studio and 2-bedroom apartments for a total of 24 bedrooms. Within the parking garage is a bicycle storage room to service residents. The property will be accessed by a driveway cut on Lincoln Street to access a basement level parking garage. This development will extend the 10' multiuse path that was started at the adjacent Evolve development to the intersection of 17<sup>th</sup> and Lincoln. They will also construct a 6' sidewalk along Lincoln Street. Street trees will be provided along both frontages.

**CONCLUSION:** This petition meets all requirements of the UDO. The petitioners will bring the site into full compliance and add 16 dwelling units to an area with high demand for student-oriented housing options. The multiuse path will be extended along 17<sup>th</sup> Street and sidewalks added along Lincoln Street, improving the pedestrian realm and removing a large driveway along 17<sup>th</sup> Street.

**RECOMMENDATION:** The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-19-21 with the following conditions:

1. Approval is contingent on the petitioner receiving a development standards variance to allow for a maximum of 5' side parking setback.
2. The petitioner will provide the required number of bicycle parking spaces on the site plan prior to the issuance of a grading permit.
3. A landscape plan that meets all UDO requirements, including required street trees, must be submitted and approved prior to issuance of a grading permit.

**PROJECT REPRESENTATIVE COMMENTS:**

Ryan Strauser, owner representative, introduced Kendall Knoke of Smith Design Group, he is the civil engineer on this project and Madeline with Matt Black Architect is also present. Knoke wanted to clarify the request for the variance. The site is tight so the building is at the front building setback which is 15 feet and we inside garage space at 20 feet 4 inch drive aisle, and 18 foot parking stalls, so it is the portion of the parking which sticks out from the building. The inside parking is encroaching into the eight foot side yard setback slightly. They could reduce the parking to 16 foot stalls with a 20 foot drive, but inside the garage is very tight and that would be the minimum, but even if the stalls were reduced they still would not be meeting the 8 foot parking setbacks. For these reasons they felt it was necessary to ask for the variance. Matt, with Matte Black Architecture, wanted to address some of the work they are planning for the exterior, on the south elevation they have incorporated some retaining walls and landscaping to help buffer the edge of the blank wall along the 17<sup>th</sup> Street, they feel this will address some of the concerns of the parking at the lower level. It also offsets some of the loss of landscaping from the north side of the property where we are encroaching on that setback and they believe this will be better. The south facing side of the building is on the public way and they feel they have done a good job of addressing the environmental commission's report. You will see the awnings and balconies on the south side of the building is to provide extra space for the tenants, but also to provide some shading to the MR glass on that side of the building. They have used high insulation values, high reflective roof on the top of the building. It is a compact footprint on the roof, so there is an extra balcony on the north side of the building for access to the stair towers, so it limits the amount of additional mechanical and lighting needed to heat and cool corridors. So they feel like it is a pretty compact urban design that meets all the other requirements of the UDO. Scanlan wanted to suggest to the Plan Commission to alter the first condition, for approval, that it would say a "maximum" of five feet, in the event that the Board of Zoning Appeals does find it appropriate to have those parking stalls be 16 feet. Scanlan thought the petitioners had already reduced the parking spaces to the minimum allowed and still needed five feet. We would ask for the amendment to condition number one if anyone would be

interested in doing that later. Scanlan also wanted to clarify that there have always been setbacks in the code, which has always been a part of the discussion of the design of the sites.

**COMMISSIONER COMMENTS:**

Kinzie wanted to clarify the depth issue of the parking stalls, is there another way to configure the parking so that it would not lose the setback. Could they cut one of the parking spaces on the end and would that option fix the setback violation. Knoke says it is a really in depth issue and they can almost get there if the change the 20 feet stalls to 16 feet, but they will still be short maybe six inches or so, between their parking setbacks.

Scanlan says the lot is only so wide if you have your front building walls set back and then you start your aisle immediately then you have to go 20 feet and additional 16 feet and now there are eight feet left before the rear wall, actually it is 7 feet and something, which is closer than what you are seeing at this time. Which is why she is suggesting to add the max in case the Board of Zoning Appeals finds that more appealing.

Cibor had a question about the driveway and the retaining wall, he wanted to make sure that people leaving that parking garage are able to see pedestrians. Knoke responded with he believes the retaining wall is set back approximately six feet from the edge of the sidewalk, so there is space for visibility before you reach the sidewalk. They can look at that more to see if they need to pull the wall back a little more.

Kinzie has one more clarification about sidewalks, this allows for better pedestrian access on Lincoln which will get students to and from campus and existing walkways. Gulick says they will be extending the Multi-Use path the entire length of the project. Kinzie replied that is a bonus to have clear walkways for students.

**PUBLIC COMMENTS:**

No public comments

**FINAL COMMISSIONER COMMENTS:**

Cibor had a quick comment, he really likes the project, really appreciates the path and the changes to access a very busy street. He believes there is a lot of good community benefits to this project, so he is in support of the project.

**\*\*Cibor motioned to approve petition SP-19-21, including the three conditions outlined in the staff report, including the change in condition one changing to add “maximum” five feet side parking setback. Kinzie seconded the motion. Motion carried by roll call vote 9:0—approved.**

DP-23-21      **Privet Drive, LLC**  
1211-1213 S High Street  
Request: Petitioner requests Primary Plat approval to change 3.5 lots to 4 lots and  
Waiver of second hearing.  
Case Manager: Jackie Scanlan

The site is located at 1211-1213 S. High Street and is zoned Residential Medium Lot (R2). The site currently contains one single-family structure and one large garage accessory structure. Surrounding land uses are all single-family and zoned R2. The petitioner went through the Demolition Delay process and has received approval from the Historic Preservation Commission to demolish the home on the property.

The site currently contains 3 and one half lots. The other portion of the half lot was subdivided at some point and a single-family structure was built on that half lot. All existing lots maintain frontage on S. High Street. There is floodplain located on the southern portion of the site. The petitioner is requesting to re-plat the lots to create four lots, two with frontage along S. High Street, and two behind those lots, all to utilize a shared access driveway from S. High Street.

With this petition, the petitioner is requesting a waiver from Section 20.05.050(e)(3)(D) of the UDO that requires all new single-family, duplex, triplex, and fourplex residential lots to have frontage on a public street right-of-way.

**PROPOSED FINDING:** The subdivision proposal does allow for adequate development area outside of the floodway on the southern portion of the property. However, no drainage proposal has been submitted to address potential exposure to flood hazards.

The petition does not meet all UDO requirements related to design and configuration of lots in the R2 zoning district. The Unified Development Ordinance (UDO) requires that all new single-family and plex residential lots maintain frontage along a public right-of-way. The petitioner is proposing two lots to be located behind lots with frontage. This petition was taken to the Development Review Committee where concerns were raised regarding providing City services to the rear lots. Those lots would not be eligible for City waste and recycling services. Rear lots traditionally also create safety concerns for emergency management providers, which is part of why they are not allowed in the UDO. These concerns were shared with the petitioner, but no changes were made. The petition does not meet the General Compliance Criteria requirements.

**CONCLUSION:** While the Department encourages density in the developed portions of Bloomington, lot creation and alteration must be done in a way that is consistent with safety and access standards that are established in the UDO. The Department has encouraged the petitioner to redesign the lots so that each can meet the frontage requirements, but has seen no such design. The Department believes that an improved design could occur that meets code, while allowing for shared driveway access, and continues to encourage the petitioner to explore that option.

**RECOMMENDATION:** Staff recommends adopting the proposed findings for DP-23-21 and the associated waiver and denial of this petition.

**PROJECT REPRESENTATIVE COMMENTS:**

Daniel Butler with Bynum Fanyo & Associates and Evan Martin, petitioner's representative are in attendance. Butler said they did some research on the older deed and it turned out that half of one parcel was sold years ago. Their desire is to create four lots, and there is plenty of land to do so with the layout you see before you. They believe this is the safest layout, also lines up the driveway with the adjacent property owner across High Street. With only having one driveway they recommend having the totes for trash services, mail boxes and any other necessary services at High Street so those services would not be coming in and out of the complex. Having one drive, they believe, is best rather than having multiple drives coming off of High Street, so that people don't have to back onto High Street

creating more of a traffic issue. So having a private drive that connects four drives would allow those who are coming into the main drive to pull in and then pull into the driveway, then they can back out onto the private street before going out to High Street safely. And having site distance to do so without backing out that is why they have designed it this way. Evan Martin added that if at all possible they would like to preserve the mature trees that line the property and doing separate driveways would eliminate those trees. Butler said they have not had any direct contact with the fire or emergency services. But the trash and mail services would be at the end of the private drive. Martin has had some very loose contact with the fire department.

Cibor notes that it would be very hard for him to move forward with the request without hearing more specifically what options may have been considered or reasons why they are not acceptable, like sanitation. He would just like to understand things more in order to feel comfortable voting in favor of this petition.

**COMMISSIONER COMMENTS:**

Cibor appreciated the petitioner's comments about being some benefits to have a single consolidated access point, but there are also concerns for sanitation pickup and emergency response. He was wondering if the petitioners have tried to follow up with the departments that expressed those concerns.

Kinzie if the petitioner is proposing to have the totes on High Street along with common mailboxes is it allowed or is that just speculation, will sanitation even be able to pick up multiply totes at the same location. Scanlan said one concern they heard at DRC (Development Review Committee) from Public Works said imagine one driveway on High Street and instead of two totes there every week, there were eight all line up opposed to every 30 or 40 feet, that is not ideal for them to access the totes. Even if sanitation does not serve them, someone else will have to, Scanlan doesn't know if there is a rule that says all those totes can't be in the same area. Butler said they took the DRC comments into account but believes their option of having one driveway and the safety outweighed some of items we might be able to work through and so that is why they still brought this before this Commission. He does not disagree that there are a couple of items here, that Cibor brought up, that they still need answers for, but felt the benefits of having a line of totes and figuring out the services part would outweigh having the alternative. Scanlan added the Planning Department is not saying that a shared driveway is bad, we actually agree that four driveways on this portion of High Street is not as good as one driveway, it is the lots in the back that literally have frontage. When a large fire truck is coming to your house and their not pulling into your driveway to find you, they are stopping on the road, they would typically have access from a public way. From our experience and the experience of our address coordinators, this is why EMS often pushes back about having units in the back, especially their own lots with their own separate address. What we have asked the petitioner for, and haven't seen, is for a design where each of the lots would have frontage. They could potentially share one of the two driveways but that could be explored and we haven't seen that done yet. The way the homes are oriented, which he has called a private street but it is not, it is just a driveway that is connecting those four lots, which are facing this driveway and not facing out. With the pedestrian realm that we are used to where when we are walking along the street and you are engaging with these homes, with this format we would be losing this interfacing. Wisler wanted to clarify that Scanlan is suggesting long skinny lots that would each be facing High Street. Scanlan is asking there was some way Mr. Butler could design a driveway in a similar location, or on the north end of the lots, and having it function similarly to an alley along the back of the lots even though it wouldn't technically be an alley, something along those lines. It would just be oriented slightly different, and it would meet code. They would have frontage along High Street as opposed to being turned away from High Street. Wisler asked does that change anything with regards to the recycling because you will still have bins lined up on High Street. Scanlan doesn't believe that

all the home owners will go to the driveway to deposit their bins, if they have frontage to High Street, she believes, they will deposit their bins in front of their house. We have a lot of long deep lots in Bloomington and we get a lot of people asking if they could cut the back off and share a driveway, but EMS has been an opponent of that for a long time and that is why the code has been written this way for some time. We are just hesitant to set a precedent that this design is okay. Butler wanted to respond to Scanlan's comment about the front lots along High Street, those homes still have the potential to be facing out toward High Street, but yes the two in the back would be facing each other. He would like to have easements along the private drive and as well as along High Street for trash bins and mail boxes.

Burrell asked about the flood way, is that just an intermittent flood way. Won't that make building in that lot significantly difficult? Butler noted that they have talked to the neighbors about flooding and they indicated that the levels never get very high. They understand the buffer needed per city code and would be to maintain the 25 feet barrier. Burrell wanted to make sure they understood that since it is designated as a flood way they cannot touch it. Butler said they aware of the implications of what the FEMA flood line means and will make it clear where building can and cannot occur. With that said they still feel there is enough room for four lots.

Evan Martin wanted to note that the home in the second half of lot number five is completely in the flood way and is currently available for sale. We have looked at the flood way and with respect to the line we think there is a buildable area there. And regards to services, the current home sits on what is one of the proposed back lots and there is current mail service reaching up to the house.

Wisler asked for an explanation of what is a "cottage home development". Scanlan read from the UDO that a cottage home development you don't have to be a subdivision but you have to meet a number of regulations. It would be like a small development on one large lot without having to do a subdivision. Wisler asked what would have to change to make it a cottage home development. Scanlan said they couldn't separate in individuals' lots/home, this would be more like a cooperative type situation.

Scanlan said one of the reasons to exclude this type of design is it, unintentionally, subverts some of our subdivision requirements. Daniel is calling this a private road, it is not a private road it is just a driveway. It is used in the way that a road would be used, which is to access those properties, but we don't get sidewalks, street trees, don't necessarily get the opportunity for utility connections, like we would get in a typical subdivision. With our frontage and roadway requirements this is one reason that has been used in the past, as well to discourage these types of behind the front lot submissions.

**PUBLIC COMMENTS:**

Eric Garabrant lives north of this proposed development, he is happy to see that Mr. Martin does plan to live on this property and his desire to preserve the existing landscape in mature trees. But Mr. Garabrant is concerned regarding drainage runoff. Many of the surrounding lots drains through the back of his property and then through these lots to the watershed on the south end. His concern is that changes to any grading or additional structures on this property may have an impact, causing backup and pooling in the back of his property which is at the lowest part. In its current state his property already can accumulate a significant amount of water. He is interested in seeing a drainage plan.

Dan Conkle has concerns about privacy issues regarding the location of the houses on the eastern part of the property and there currently is a metal fence that he likes. He would prefer there be a second hearing so that there could be further discussions about his issues.

**FINAL COMMISSIONER COMMENTS:**

Kinzie had a question that commenter Garabrant raised about flooding, she was looking for additional information that could relieve his concern about any flooding. Scanlan said one of the requirements for approval is that the petitioner has shown a drainage proposal addressing potential exposure to flood hazards on the property of the petitioners, not necessarily neighboring properties.

St. John asked for clarification on petitioner waiving the second hearing. Scanlan said because we did not have any real response from them on any of the concerns raised, by either us or anyone at the Development Review Committee, we just decided to go forward with the denial recommendation. You can always continue to the next hearing anyway. St. John asked if they could support the denial or approve petition or ask for a second hearing, Scanlan said yes, it could be denied, approved with conditions or ask for a second hearing.

Cate asked if petitioner could talk with the Plan Department and see whether there's something that could be worked out. It sounds like there may be some way to find something that would be workable that could address the issues and environmental conditions and come up with something that works for the petitioner.

Sandberg said she would want to deny the petition at this point unless they can significantly change the petition so it does not cause concerns raised by the public and the committee. She would not want to set this kind of precedent.

Cockerham does support density and especially in areas that have bus stops and city services, but he does have an issue with the utility services and all the things that were mentioned, fire services, flooding issues, etc. So there are parts of this project that would lead me towards denial, however, as Commissioner Cate mentioned if these areas could be addressed and maybe come to us with some other recommendations he might think differently. His other concern is not the first generation owners, but is the second and third owners, to have a subcontractor handle trash service for only two homes in the area is a struggle for him, he sees issues down the road. He is leaning towards denial unless during a second hearing the Commission is presented some solutions or alternatives to the issues.

Kinzie thinks the speculation around where the totes could be placed and whether there could be mailboxes in common area is a little too speculative for her so she would want to know that the petitioner and staff have worked through those issues. These issues are too important to leave to speculation. She also has serious concerns about emergency services, believes there needs to be evidence this is a viable plan. So unfortunately at this point her vote would be for denial.

St. John asked if there was a way to assess with the petitioner if they would be in favor of a second hearing with changes. If we were to vote denial, unless they are willing to come back for a second hearing and bring change, and they have already been asked to submit changes and didn't. It looks like they are willing to, to some degree, of working with neighbors, so it doesn't sound like they are unwilling to address some things, we want to give them a chance but they have not replied during this meeting so it is a little hard to understand. Wisler said he would imagine any petitioner would prefer continuation over denial. Martin's reply was that they would be having conversations with the utilities and trash services.

Scanlan said this drawing is never going to a positive recommendation from the Planning staff. We have been administrating in subdivision and UDO for decades and these types of lots are not ideal for

a number reasons. She would be happy to do a continuance and discuss it more if they are willing to make actual changes. In the discussions we have had internally at the Development Review Committee meeting and separately with the Public Works staff they are never going to service the back lots and they are not comfortable with this type of arrangement. The point of the Development Review Committee is give the petitioner feedback so they have an opportunity to make changes to meet code before the petition is heard by the Plan Commission. If they can make the design meet code then we will recommend approval. Eric Greulich wanted to say the idea of trash pickup and emergency services are certainly important aspects to the bigger problem and is just a fundamental planning principle, we want all new single family lots to face the front on a public street. That is how we get public improvements like sidewalks and street trees and we get road connections through neighborhoods. Provide drives are not required to follow the transportation plan, which is something we looked at with the Overlook project and the problems that were encountered with that.

Burrell agrees with the other Commissioners, that the design that has been presented to them today merits denial because it is not following the UDO. If they could bring a design meets code and also taking consideration the drainage issues that might be caused by these new structures, then until that happens her for would be denial.

Wisler would prefer a continuance, he doesn't believe the challenges in the project are not insurmountable. If the motion fails then they could entertain another motion for a continuous for this petition.

**\*\*Sandberg motioned to deny petition DP-23-21. Kinzie seconded the motion. Motion carried by roll call vote 8:1—Denied.**

SP-26-21      **Aspen Topco II Acquisitions, LLC**  
703 W Gourley Ave  
Request: Major site plan approval to allow the construction of a 241 unit student housing development in the MS zoning district.  
Case Manager: Eric Greulich

The property is located at 703 W. Gourley Pike and is currently zoned Mixed-Use Student Housing (MS). The property is currently developed with a "dwelling, multifamily" use with 206 units and 393 bedroom 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 Residential High-Density Multifamily (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).

This property received major site plan approval and primary plat approval in June under case #SP/DP-14-21 for two student housing buildings and one multi-family dwelling unit building. That approval was filed under the previous zoning on the property of Residential High-Density Multifamily (RH) prior to the updated zoning code and change in zoning on this property to Mixed-Use Student Housing (MS). The petitioner has chosen to file a new petition to develop the property under the current MS zoning district.

The petitioner is requesting major site plan review approval to allow for the construction of three "student housing or dormitory" buildings and one "dwelling, multi-family" building. Buildings #1 and #3 are proposed to be 4-story buildings which each contain 4 one-bedroom units, 1 three-bedroom unit,



23 four-bedroom units, and 15 five bedroom units for a total of 174 beds and 43 units in each building. The inclusion of four and five bedroom units within these buildings classifies them as “student housing or dormitory.” Building #2 is proposed to be a 5-story building and will contain 2 studio units, 31 one-bedroom units, 84 two-bedroom units, and 34 three-bedroom units for a total of 303 beds and 151 units. Since there are no 4 or 5-bedroom units within this building and less than 30% of the units within this building are 3-bedroom units, this building is classified as “dwelling, multi-family”. Building #4 is proposed to be a 2-story building and is proposed to contain 4 six-bedroom units, however these are not allowed and must be reduced to five-bedroom units only. Since all of the units within this building will be 5-bedroom units, this building is also classified as “student housing or dormitory”. In total (with the modification to the 6-bedroom units in Building #4) there will be 241 units and 671 bedrooms. Surface parking will be provided throughout the site by the construction of 495 on-site parking spaces. The petitioner is also proposing to add 11 parking spaces along the north property frontage along Gourley Pike.

The petitioner has committed to designing and certifying the project to the Silver level certification from the National Green Building standard, this would allow them to not be restricted to the maximum 20,000 square foot floor plate per building of the MS zoning district.

**CONCLUSION:** This petition meets the MS development standards by utilizing the Sustainable Development Incentives. The project will redevelop an existing multifamily site that has drainage and age issues with new buildings designed to a Silver Level certification from the National Green Building Council. The site has been designed to all of the required standards of the UDO.

**RECOMMENDATION:** The Planning and Transportation Department recommends that the Plan Commission approve the use of the Sustainable Development Incentives and adopt the proposed findings and approve SP-26-21 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 facades including all doorway openings, including those not facing a public street must still meet the Building Design requirements of 20.04.070(d)(2).
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 prior to recommendation of issuance of final occupancy.
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.
6. The proposed 6-bedroom units in Building #4 must be modified to show no more than 5 bedrooms in each unit.
7. This approval does not approve any changes shown to the Gourley Pike. Separate approval from the Board of Public Works and Engineering Department, and potentially the Common Council, are required prior to the creation of any new on-street spaces.
8. The transformer box shown in front of Building #1 must be modified to meet screening requirements.
9. Certification of at least a Silver level certification from the National Green Building Certification Program must be submitted prior to recommendation of issuance of final occupancy.
10. All proposed parking areas must be at least 8' from property lines, the parking area along

the outside curve must be adjusted to meet this setback requirement.

11. The petitioner will work with Bloomington Transit on a final design and location of the on-site transit facilities to be determined before a grading permit is issued.
12. The petitioner will record an access easement for Bloomington Transit before final occupancy is issued.

**PROJECT REPRESENTATIVE COMMENTS:**

Kendall Knoke with Smith Design Group introduce the design team, David Helfrich of Aspen Heights and Andrea Garland of Kitchen & Associates, Architect.

David Helfrich briefly described Aspen Heights as a national firm based out Austin, TX. They are involved throughout the project, development to construction and property management, marketing and leasing process. They have 1.6 billion dollars in project developed, one of the top 10 developers in the country for student housing.

Andrea Garland gave a detailed description of the project, the structure and the aesthetics and materials used on the buildings. She talked about the mechanical equipment being housed on the flat roof and hidden from public view.

Knoke wanted to talk about has changed from the first petition, the biggest change is that there is no longer public roads. The previous road design has turned into drive isles and parking area and a building has been added to the southeast corner of the site, otherwise the buildings have stayed the same. They have narrowed the road to an aisle, by 10 feet gives them space to add a 10 foot wide path. Their intent was to add pedestrian connectivity with the community. These changes have added parking spaces, there is now a total of 489 spaces available, and these lots would be all private so the city would not have to maintain. They have backed off the riparian buffer, they have pulled everything back to make sure the retaining wall is off the buffer.

**COMMISSIONER COMMENTS:**

Kinzie had a question about the total housing gain that is being seen for this redevelopment and what the bedroom count is from the old units that is coming down. Greulich said there were 260 units with 393 bedrooms on site now, with the redeployment there will be 241 units and 671 bedrooms, we are getting 273 new bedrooms. Kinzie stated that she is excited to see that they are going for the Silver LEED certification. Helfrich said they pride themselves in trying to take the initiative on this and as you know it is unique and challenging, thinks they have done a good job trying to meet the standard. Garland added that it is not LEED Silver, but National Green Building Standards Silver, they are different. They take into account a lot of mechanical, HVAC, electrical, LED lighting typically involved. We use low flow fixtures, use higher SEER readings for mechanical equipment, and a lot of sustainable features. They have gone through the National Green Building Standard checklist have meet the silver standards.

Cibor asked the petitioners to expand on the utility improvements that was referenced in the petitioner's letter. Knoke said the existing 10 inch sanitary sewer is being replaced by upsizing the sewer pipe as requested by CBU (City of Bloomington Utilities), and they are doing private utilities on the site so there is no additional publicly owned water or sewer. Cibor asked what led to the new application and the changes within that application. Knoke said with the recent rezoning of RH to MS led to the refiling, MS fits our needs better. Cibor wonder if all the cost of the public improvements was not necessary any longer. Knoke said yes, but another big concern was most of the parking was public vs. private.

**PUBLIC COMMENTS:**

No public comments

**FINAL COMMISSIONER COMMENTS:**

No additional comments

**\*\*St. John motioned to approve petition SP-26-21, including the twelve conditions outlined in the staff report. Cate seconded the motion. Motion carried by roll call vote 9:0—Approved.**

Meeting adjourned at 8:51 p.m.