

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

November 15, 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.

The City of Bloomington Plan Commission (PC) met on November 15, 2021 at 5:30 p.m. via a virtual (Zoom) meeting due to COVID-19. Members present: Flavia Burrell, Beth Cate, Andrew Cibor, Trohn Enright-Randolph, Israel Herrera, Jillian Kinzie, Susan Sandberg, and Brad Wisler.

ROLL CALL

APPROVAL OF MINUTES: October 18, 2021

****Kinzie moved to approve the October 18, 2021 minutes, with no changes. Cate seconded the motion. Motion carried by voice vote 7:0- Approved.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Jacqueline Scanlan, Development Services Manager, said the meeting schedule 2022 is ready and will be put on the Planning & Transportation website this week and emailed to Commissioners.

CONSENT PETITION:

DP-33-21 **Cedarview Management**
3391 S. Walnut Street
Request: Primary plat approval to allow for a two lot subdivision of 5.46 acres.
Case Manager: Eric Greulich

REPORT: The property is located at 3391 S. Walnut Street and is zoned Mixed-Use Corridor (MC). Surrounding zoning includes Mixed-Use Corridor (MC) to the north and south, Residential Multifamily (RM) to the east, and Mixed Use Institutional (MI) to the west. The surrounding properties have been developed with a mix of single and multi-family residences to the east, offices to the north and south, and public service facilities to the west. This site is undeveloped and has several trees along the property border with no known sensitive environmental features.

The Plan Commission approved a preliminary and final plat for this property in 2006 under case #DP-15-06 for a 12-lot commercial subdivision. A grading permit was also approved to allow for general site grading and installation of a side path and street trees along the frontage. Although the site improvements and limited infrastructure were completed, the plat was not recorded and has expired. The petitioner is now requesting primary plat approval to allow for a two-lot subdivision of the property. The proposed lots would be 3.28 acres and 2.187 acres in size. Delegation of secondary plat approval to staff has also been requested.

A separate petition has been filed (SP-37-21) to approve a new behavioral health facility on the proposed lot #1.

CONCLUSION: The proposed plat meets all of the requirements of the UDO.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve the primary plat of DP-33-21 with the following conditions:

1. Distance from road centerline to property line must be shown on secondary plat to verify compliance with required right-of-way.
2. All easements on secondary plat must use language outlined in the UDO.
3. The existing asphalt side path must be removed and a minimum 10' wide concrete sidewalk installed along the entire property frontage.
4. Secondary plat approval is delegated to staff.
5. All off-site encroachments on Lot #2 from the adjacent use must be resolved with site plan approval on Lot #2.

PETITIONER REPRESENTATIVE COMMENTS: None

COMMISSIONER COMMENTS: Cate motioned to approve DP-33-21 with the five conditions outlined in the staff report. Sandberg seconded the motion.

PUBLIC COMMENTS: None

****Cate motioned to approve petition DP-33-21, including the five conditions outlined in the staff report. Sandberg seconded the motion. Motion carried by roll call vote 7:0—Approved.**

PETITIONS:

SP-32-21 TCVC, LLC
532 N Morton Street
Request: Major site plan approval to extend a temporary approval of first floor residential instead of commercial space.
Case Manager: Eric Greulich

REPORT: The subject property is located at the southeast corner of W. 10th Street and N. Morton Street. The property is a 0.2 acre platted lot that contains a 4-story multi-family building called "Morton Mansions". This building was approved by the Plan Commission on April 5, 2010 (SP-08-10) and was occupied in August of 2010. The property is bordered on the east by a platted alley and is surrounded by commercial or multi-family uses on all sides. Properties to the north and northeast are multi-family and mixed use buildings also owned by the petitioner. The property is zoned Mixed-Use Downtown (MD) and is within the Downtown Core Overlay (DCO).

This site received site plan approval in 2010 to construct a mixed-use building (SP-08-10) with 1,200 square feet of ground floor commercial space and apartments above. In 2011, the petitioner received approval of a site plan amendment to convert the approximately 1,200 square feet of non-residential space on the first floor of the building to a single 3-bedroom apartment (SP-03-11). At the time of the approval in 2011, the UDO required that buildings in this area of the Downtown Core Overlay be constructed with 50% non-residential space on the first floor. The petitioner received a waiver with the original site plan approval in 2010 to reduce the amount of non-residential space to 24%. The 2011

petition dropped the first floor non-residential percentage from 24% to 0%. Also approved in 2011 was an amendment to the previously approved parking waiver to allow for a further reduction.

The Plan Commission approved the 2011 amendment and first floor commercial space waiver with a 5-year sunset clause. The initial 5-year sunset expired in July 2016, at which time the petitioner filed a petition to reapprove the ground floor use (SP-20-16). The Plan Commission reapproved the waiver in 2016 with another 5-year sunset expiration and required a zoning commitment stating the approval would expire in July 2021, unless reapproved. The Plan Commission felt it was appropriate to tie the waiver to the development of the Trades District, thus the reasoning behind the 5-year timelines. Other than the recently constructed Trades District Parking Garage and an approval to reuse the Mill Building, no new buildings have been constructed in the Trades District since 2011. In the 2011 and 2016 approvals, the Plan Commission stated the reasons for the approval and the sunseting were a desire to not see the space remain empty and they questioned the viability of commercial uses in this location, especially with the uncertain development timeline of the Trades District.

Currently, the UDO does not require ground floor commercial space at this location, however, any ground floor dwelling unit shall be located at least 20' behind the front façade of the building. The Department supports the renewal of this waiver for another 5 years, however after that 5 year period has expired, the property must be brought into compliance.

PROPOSED FINDING: The building and site plan have not been reviewed for compliance with the UDO since this waiver is related to a specific Plan Commission condition of approval that allowed a particular land use of this building only. This approval is consistent with the requirements of previous approvals, however as mentioned, the Department recommends that no additional time be granted beyond the proposed 5-year compliance deadline. No problems have been identified with meeting all storm water and utility connections. No adverse impacts on adjacent properties has been identified. The site is adjacent to existing public roads and alleys and will be easily accessed, with Bloomington Transit service immediately nearby also. The petition is consistent with the Comprehensive Plan which encourages infill development and reuse of underutilized properties. No phasing is planned.

CONCLUSION: This petition maintains the space as convertible and allows for the possibility of commercial space in the future. With future development of the Trades District, additional opportunities may arise for office, retail and restaurant uses in this building to serve the employees and residents of the Trades District.

RECOMMENDATION: The Department recommends approval of SP-32-21 with the following conditions of approval:

1. This approval allows for an additional 5-year compliance period. The property must be brought into compliance by November 15, 2026. A zoning commitment to the effect is required to be recorded.

PROJECT REPRESENTATIVE COMMENTS:

Michael Carmin, representative for petitioner, noted that a lot can happen in five years and mentioned the current vacancies in storefronts. He said the new parking garage on 4th Street still has empty storefronts. Extending this exemption and letting this space remain as living space benefits everyone.

COMMISSIONER COMMENTS:

Cate asked about the possibilities of converting that space to a smaller apartment to meet the 20' setback, what do they envision, if anything. Greulich said code requires the ground floor units must be set back 20' from the front and since this is a corner unit it will require 20' on the west and north sides. He doesn't have a solution, but the petitioner has five years to figure out how they could bring the property into compliance.

PUBLIC COMMENTS: None

ADDITIONAL COMMISSIONER COMMENTS:

Kinzie motioned to approve SP-32-21 to extend the temporary use of the first floor for residential use instead of commercial space with the condition that the space be brought up to compliance by November 15, 2026. Kinzie added she certainly would prefer this be in compliance and she is not in favor of ongoing waivers, because she knows they are administratively challenging to deal with, and doesn't want to have things like this lingering. Vacant storefronts are not better than occupied housing, hoping to get this project into compliance one way or another.

Sandberg seconded the motion.

****Kinzie motioned to approve petition SP-32-21, including the one condition outlined in the staff report. Sandberg seconded the motion. Motion carried by roll call vote 7:0—approved.**

DP-34-21 Habitat for Humanity of Monroe County, Inc.
650 W Guy Avenue
Request: Secondary plat approval for a subdivision of 5.34 acres for 30 residential lots and 3 common area lots in a Planned Unit Development (PUD) district.
Case Manager: Eric Greulich

REPORT: The property is located at 650 W. Guy Avenue and is zoned Planned Unit Development (Thomson PUD). The overall 12.5 acre property is located at the west end of the stubs of Cherokee Drive, Chambers Drive, Duncan Drive, and Guy Avenue with Bernard Drive to the south. Surrounding zoning includes the Thomson PUD to the north, Residential Medium Lot (R2) to the east and south, and Mixed Use Institutional (MI) to the west. The surrounding properties have been developed with a mix of single family residences to the east and south, industrial uses within the Thomson PUD to the north, and the RCA Community Park to the west. This site is undeveloped and has several trees along the property border and no known sensitive environmental features.

The Plan Commission approved an amendment to the Thomson PUD District Ordinance and a Preliminary Plan under PUD-10-20 to allow for this property to be redeveloped by Habitat for Humanity for a single family residential development known as "Osage Place". The petitioner received final plan and primary plat approval under case #SP/DP-24-20 to allow for 69 single family lots and 7 common area lots to be developed on the 12.5 acre property. The development would include 63 detached single family residences and 6 attached single family residences. A grading permit was issued under CZC-C20-482 to allow for the site grading and installation of infrastructure.

The petitioner is now requesting secondary plat approval to plat 5.34 acres of the 12.5 acres as Phase 1 of the development. The proposed plat would include 30 residential lots and 3 common area lots.

CONCLUSION: The proposed offers a highly needed housing type for the community, in an appropriate location. The lack of sensitive environmental features allows for a dense, infill project with a high degree of connectivity, while still allowing for preservation of the few high quality trees on the site. This petition accomplishes many of the goals of the Comprehensive Plan already outlined in this report, including providing owner occupied, single family housing adjacent to other single family residences, a major employment center, and a community park. The proposed secondary plat is consistent with the approved primary plat and final plan and meets the UDO requirements.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission approve the secondary plat with the following conditions:

1. Approved per terms and conditions of Plan Commission case #PUD-10-20 and SP/DP-24-20.
2. Addresses must be shown on the plat prior to signature.
3. All common area lots must be identified as not buildable lots of record.
4. All easements must be listed and defined on the final plat per the language outlined in the UDO.
5. The pedestrian easement shown through the common area lots should be placed within an easement and not as a centerline.

PROJECT REPRESENTATIVE COMMENTS:

Nate Ferreira, Director of Land Development and Production for Habitat for Humanity of Monroe County, said they are excited about this project and have already started on first phase of the project. This is the perfect location for affordable housing, amenities, jobs and services are within a short distance. The land itself is perfect because it has not been built on in the past.

COMMISSIONER COMMENTS: None

PUBLIC COMMENTS: None

ADDITIONAL COMMISSIONER COMMENTS:

Cate motioned to approve DP-34-21 with the five conditions in the staff report. Kinzie seconded the motion.

Kinzie said she appreciates this project and wanted to know if Mr. Ferreira could tell them the schedule for the project. Mr. Ferreira said the infrastructure is scheduled to finish next month and they are hoping to pour asphalt next Tuesday. They have already started a few houses that will be complete in the spring. They are hoping to finish phase I within the next three to three and half years.

****Cate motioned to approve petition DP-34-21, including the five conditions outlined in the staff report. Kinzie seconded the motion. Motion carried by roll call vote 7:0—approved**

Meeting adjourned at 6:02 p.m.