CITY OF BLOOMINGTON

PLAN COMMISSION

September 13, 2021 5:30 p.m. Zoom Meeting:

https://bloomington.zoom.us/i/96983722763pwd=d3UwakViS1UwbmViOHhhVml 6eTB2dz09

Meeting ID: 969 8372 2763

Passcode: 889762

CITY OF BLOOMINGTON PLAN COMMISSION September 13, 2021 at 5:30 p.m.

***Virtual Meeting:**

https://bloomington.zoom.us/j/96983722763pwd=d3UwakVjS1UwbmViOHhhVml6eTB2dz09 Meeting ID: 969 8372 2763 Passcode: 889762

ROLL CALL

MINUTES TO BE APPROVED: August 9, 2021

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

RS-25-21 Jordan Avenue Renaming

PETITION CONTINUED TO: October 18, 2021

DP-20-21 Bledsoe Riggert Cooper James 3111 S Walnut Street Pike Request: Primary Plat approval of 33 single family lots on 10.34 acres in Ivy Chase Subdivision Phase II. <u>Case Manager: Eric Greulich</u>

PUD/DP-24-21 **Robert V Shaw** N Prow Road: 3500 block of N Hackberry Street Request: Petitioner requests Final Plan and Preliminary Plat amendment for Ridgefield PUD and Subdivision Section V. <u>Case Manager: Jackie Scanlan</u>

SP-27-21Michael Cordaro (Johnson Creamery)
335 W 8th Street
Request: Major site plan approval to allow for the construction of a 5 story building
with 51 dwelling units in the MD zoning district.

Case Manager: Eric Greulich

PETITIONS:

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*

**Next Meeting September 13, 2021 Last Updated: 9/10/2021 Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call <u>812-349-3429</u> or e-mail <u>human.rights@bloomington.in.gov</u>.

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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. <u>Case Manager: Keegan Gulick</u>

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. <u>Case Manager: Jackie Scanlan</u>

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. <u>Case Manager: Eric Greulich</u>

Petition Map: <u>https://arcg.is/10y8qq</u>

BLOOMINGTON PLAN COMMISSION STAFF REPORT Location: 4500 E Third Street

CASE #: SP-18-21 DATE: September 13, 2021

PETITIONER:	Overlook on 46, LLC (Hiren Patel) 1220 Brookville Way Indianapolis, IN 46239
CONSULTANT:	American Structurepoint (Josh Rodgers) 9025 River Road Indianapolis, IN 46240

REQUEST: The petitioner is requesting major site plan review for a new 176-unit multifamily development with a separate self-storage facility in the Mixed-Use Corridor (MC) zoning district.

BACKGROUND:	
Area:	10.07 acres
Current Zoning:	Mixed-Use Corridor (MC)
Comprehensive Plan	
Designation:	Urban Corridor
Existing Land Use:	Vacant
Proposed Land Use:	Dwelling, Multifamily
Surrounding Uses:	North – Commercial/Dwelling, Multifamily
	South – Dwelling, Multifamily
	East – Communication Tower/Commercial/Dwelling, Single-
	Family
	West – Commercial/Restaurant

REPORT: The property is currently zoned Mixed-Use Corridor (MC) and located at the southwest corner of E. 3rd 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. 3rd 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 from Planned Unit Development (PUD) to MC under petition #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 twobedroom 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. Vehicular access to the site will come from 3rd Street/E SR 46 and SR 446 with driveways. Street trees and additional landscaping will be added to the site as well. The proposal will add a 10' shared use path along 3rd Street and a 12' shared use path along the frontage on SR 446. 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 access 3rd Street/E SR 46 and SR 446 instead of turning around in the Knightridge Apartments parking lot.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 50 dwelling units and developments that contain more than 15,000 square feet of gross floor area. This proposed site plan will create 176 one and two-bedroom dwelling units with roughly 198,191 square feet of gross floor area and a self-service storage facility with 117,525 square feet of gross floor area.

SITE PLAN ISSUES:

Dimensional Standards:

- **Setbacks:** The MC zoning district requires a 15' front setback and 7' side and rear setback. This site plan demonstrates compliance with required setbacks.
- **Height:** The maximum height in the MC zoning district is 4 stories not to exceed 50'. Each proposed building in this development is 3 stories, not exceeding 50'.
- **Impervious Surface Coverage:** The maximum impervious surface coverage in the MC zoning district is 60%. The impervious surface coverage for this development is approximately 53%.

Environmental: A tree preservation easement will be created on the southeast portion of the site. A copy of the Environmental Commission's memo is included in the packet.

Bicycle Parking/Alternative Transportation: Residential uses in the MC zoning district are required to provide bicycle parking spaces at 10% of the provided vehicle parking or 1 space per 5 bedrooms, whichever is more. This development will require 47 bicycle parking spaces. A minimum of 6 bicycle parking spaces will be required at the storage facility.

Landscaping: A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way. The proposed site plan meets this requirement of 4 street trees along 3rs Street but will also need street trees along State Road 446. The City's Urban Forester will need to be consulted about the species of street trees which can be utilized with this development. A compliant landscape plan for the interior of the site including parking areas, as well as the street trees, is required before a grading permit will be issued. A condition has been added.

Access: This proposed development will create new driveway access points on SR 46 and SR 446. They will be removing the existing drive cut on SR 46 and adding a new access point. The north-south driveway is in the same location as a proposed roadway in the Transportation Plan. The proposed driveway has been designed to Neighborhood Residential street standards and offers some 'on-street' parking. A major site plan approval does not require right-of-way dedication or construction of roads shown on the Transportation Plan. However, future subdivision will require right-of-way dedication and road construction. The petitioner has been advised of this, and has chosen not to plan for all roadway connections that appear on this parcel in the Transportation Plan. Changes to the design of the site will be required with any future subdivision. An egress

easement will be required to allow Bloomington Transit and to utilize the driveway. A condition has been added.

Parking: Minimum vehicle parking is not required for this use at this location as the property is not adjacent to R3 or in the Mixed-Use Downtown zoning district. The maximum vehicle parking allowance for multifamily dwellings is 1.25 parking spaces per bedroom. Giving them a maximum parking allowance of 295 vehicle parking spaces. They are proposing approximately 265 vehicle parking spaces.

Transit: Two new covered bus shelters will be constructed along the driveway to service the residents of this development and the adjacent Knightridge apartments to the south. The final design and location of the bus stop and shelter must be coordinated with and approved by Bloomington Transit. A condition has been added.

Architecture: The residential buildings will be finished with a mix of brick, cast stone, and fiber cement siding. The exterior façade of the building incorporates wall elevation projections, a regular pattern of glass on the first floor, and changes in façade height to comply with the patterns requirements of the UDO. The flat roof features parapets on the supporting walls to meet the roof design requirements.

The storage building will be finished with a mix of brick, solid color EIFS, and limestone banding. The exterior façade follows the same design pattern around the entire building to meet the 360-degree architecture requirement. The exterior façade design incorporates wall elevation projections, changes in façade height, and awnings to meet the design requirements.

GENERAL COMPLIANCE CRITERIA: All petitions shall be subject to review pursuant to the following criteria and shall only be approved if they comply with these criteria 20.06.040(d)(6)(A).

Compliance with this UDO: *The proposed use and development shall comply with all applicable standards in this UDO, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.*

Proposed Finding: This development will meet all applicable standards in the UDO.

Compliance with Other Applicable Regulations: The proposed use and development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant entities with jurisdiction over the property or the current or proposed use of the property. This includes, but is not limited to, floodplain, water quality, erosion control, and wastewater regulations.

Proposed Finding: This development is in compliance with other city regulations.

Compliance with Utility, Service, and Improvement Standards:

- 1. As applicable, the proposed use and development shall comply with federal, state, county, service district, city, and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.
- 2. Municipal sewer and water hookup are required for all developments except for instances

where written approvals by the City Utilities Department and the County Health Department grant an exception to the hookup requirement. All sewer and water facilities shall meet the design specifications of the City Utilities Department.

3. When public improvements are required, the petitioner or authorized representative shall post performance and maintenance guarantees for such improvements. Such financial guarantees shall be submitted, reviewed, and approved per 20.06.060(c)(3)(E)iii (Financial Bond Required).

Proposed Finding: This development is in compliance with other applicable regulations. The petitioner has signed a memorandum of understanding with CBU to provide needed improvements to sewer capacity to ensure the development can be properly serviced.

Compliance with Prior Approvals: The proposed use and development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval for all or part of the property that is in effect and not proposed to be changed. This includes consistency with any approved phasing plan for development and installation of public improvements and amenities.

Proposed Finding: No relevant prior approvals are found with this petition. This property was rezoned to MC under ZO-25-20.

COMPREHENSIVE PLAN: The Comprehensive Plan designates this property as Urban Corridor. For multifamily uses in this district, the Comp Plan states, "Integrating multifamily residential uses into existing retail and commercial areas within the district can apply a mixed-use approach within individual buildings sites or between adjacent properties." Land use policies for this area state that:

- Development and redevelopment within the district is particularly suited to high-density residential and mixed residential/commercial uses.
- Consider opportunities for infill and development to increase residential densities.
- Districts are located along major roadways in order to provide convenient pedestrian, bicycle, transit, automobile, and truck access.

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-18-21 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.



City of Bloomington Bloomington Environmental Commission

MEMORANDUM

Date:September 13, 2021To:Bloomington Plan CommissionFrom:Bloomington Environmental CommissionSubject:SP-18-21: The Overlook on Third, LLC
4550 E. Third Street

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site.

Comments

1.) UNDERGROUND DETENTION SYSTEM

The EC recommends that the Petitioner provide a maintenance plan for the underground stormwater detention system. These systems usually require quarterly inspections of the entire Treatment Train, so please describe the process.

2.) LANDSCAPE PLAN

Although the Petitioner has already worked with the Senior Environmental Planner on the Landscape Plan, a few details still need to be worked out. The EC recommends that communication continue such that a compliant plan is submitted with the Grading Plan.

3.) GREEN BUILDING PRACTICES

The EC is disappointed that there are no green building products or practices used at a project of this size. This is something that the developer should incorporate regardless of the UDO incentives that could be granted, or of the outdated minimum building standards they are required by the state to follow. Buildings produce much of the CO₂ released to the atmosphere, so it is the responsibility of architects and builders to design and build buildings such that they do not continue to be one of our major polluters.

The EC believes that our city and our culture must embrace a paradigm to reduce building CO₂ emissions if we are going to combat our current climate crisis, and it is each petitioner's obligation to contribute. This includes calculating a building's total environmental footprint using the embodied energy expended as well as operational energy. Embodied energy is the energy used to make the materials and transport them, and to build the building, while operational energy is the energy used to heat, cool, and operate buildings –what we have traditionally looked at when considering energy efficiency. For example, in the past it was common to consider concrete efficient because it doesn't use any energy, but concrete has a very high embodied energy value –a large environmental footprint to manufacture, while its operational energy is not nearly as high. Therefore, it is the responsibility of everyone, especially builders, to contribute to the city's mitigation efforts.

Because modernizing building methods is so important to the future, and renters prefer a more modern approach of sustainable living, the EC also recommends that the Petitioner follow the guidelines from the US Building Council's LEED Platinum certification for green building specifications.

4.) RECYCLING SPACE

Space for recyclable materials staging is not obvious. Please show where recyclable materials are stored until pickup.

Recommended Conditions of Approval

1.) Submit for review and approval a maintenance plan for the underground stormwater detention system.

- 2.) Submit a compliant Landscape Plan with the Grading Permit..
- 3.) Incorporate green building practices in the design.
- 4.) Show where the space is dedicated for recyclable materials.







9025 RIVER ROAD, SUITE 200 INDIANAPOLIS, INDIANA 46240 TEL 317.547.5580 FAX 317.543.0270

July 6th, 2021

Mr. Keegan Gulilck City of Bloomington Planning & Transportation 401 N Morton St Suite 130 Bloomington IN 47404

Re: Petitioner's Statement

Mr. Gulick,

On behalf of MHG Hotels (Overlook on 3rd, LLC), we are pleased to submit the following set of design documents for Major Site Plan approval.

The project consists of the development of approximately 10+ acres at the southwestern intersection of E 3rd Street (SR 46) and SR 446 in Bloomington. The development will consist of 5 multi-family buildings consisting of 175 total units. In addition, a multistory climate controlled self-storage building will be built separate from the multi-family portion but is included in this petition. Utility extensions for sanitary and water, existing utility relocates, and electrical service will be provided as part of the detailed engineering plans. Stormwater runoff volume and quality control will be provided by an underground detention system and will eventually discharge into an existing storm sewer east of the site. This system will be sized for the fully developed condition and will control site discharge to that of the existing condition.

An existing restaurant immediately east of the site will stay in place with access provided from the proposed development. In addition to the existing access off of SR446 patrons may access the site from the proposed driveway alignment with Morningside Drive across from this site. This proposed driveway will connect East 3rd street to SR446 as well as serve as the primary north-south way for the proposed development. Furthermore, this drive will be designed per City of Bloomington standards for a Neighborhood Residential Street.

We feel that the proposed development is consistent with the Comprehensive Plan for this area and will provide much needed non-student multi-family housing. The architectural and engineering design will add character to property that has long been undeveloped. Walkability and interconnectivity is provided in this design in an effort to make this proposal a community



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along with the existing adjacent developments. It is these aspects of the development that we feel provide justification for approval of Major Site Plan.

Thank you for your consideration of this proposal. We look forward to working with the City of Bloomington throughout this process.

Very truly yours, American Structurepoint, Inc.

Josh Rodgers, PE

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BLOOMINGTON UTILITIES AND Overlook on 46, LLC FOR PAYMENT OF COSTS TO OFFSET PROPOSED SANITARY SEWER EFFLUENT FROM 4500 E. 3RD STREET BLOOMINGTON, INDIANA PROJECT

THIS MEMORANDUM OF UNDERSTANDING is entered into by and between the City of Bloomington Utilities Department by and through its Utilities Service Board (collectively the "USB") and **Overlook on 46**, LLC and its successors and assigns (collectively "Overlook") who may be referred to as the Party or Parties throughout this Memorandum of Understanding.

WHEREAS, CBU owns and operates a sanitary sewer wastewater utility for the City of Bloomington, Indiana; and

WHEREAS, Overlook proposes to construct a new multi-family development located at 4500 E. 3rd Street, Bloomington, IN, (the "New Development") which will generate a significant new source of sanitary sewage flow consisting of approximately 41,200 gallons per day ("gpd") with a peaking factor of 4 resulting in a peak flow of approximately 164,800 gpd ("new source of sanitary sewage"); and

WHEREAS, CBU is willing to accept Overlook's new source of sanitary sewage into its existing sanitary sewer system if certain conditions precedent are met; and

WHEREAS, to ensure that CBU's existing sanitary sewer system has adequate capacity to receive this significant new source of sanitary sewage without creating the potential for increased future sanitary sewer overflows, CBU plans to offset the increase in flow generated by the new source of sanitary sewage through reduced flow of clear water inflow and infiltration (I&I) into the sanitary sewer system and/or adding capacity by utilizing one or more of the following methods:

- Disconnecting sump pumps from the sanitary sewer system (estimated credit of 5,000 gpd per disconnection).
- Disconnecting illegal inflow sources such as: downspouts, area drains, garage drains (estimated credit of flows removed based upon a one-inch storm event over the drainage area for the drain/gutter).
- Sealing sanitary laterals for a length of 10-feet from the sanitary sewer main (estimated credit of flows removed based upon industry standards and/or EPA guidelines).
- Lining sanitary sewer mains (estimated credit of flows removed based upon industry standards and/or EPA guidelines).
- Sealing manholes (estimated credit of flows removed based upon industry standards and/or EPA guidelines).

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• Rehabilitation or replacement of existing sewer (including, but not limited to, sewer mains, interceptors, or laterals) that will reduce I&I and/or add capacity by upsizing (estimated credit of flows removed based upon industry standards and/or EPA guidelines).

(collectively, the "Project").

WHEREAS, Overlook agrees to pay to CBU an amount not to exceed \$155,644.00 to cover the cost of the Project.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties do hereby agree to be bound by the terms and conditions enumerated in this Memorandum of Understanding as follows:

- 1. <u>Project Location</u>: The location of the Project shall be contained to that part of CBU's Southeast Sanitary sewer basin as defined in the 2010 Greeley and Hansen report which the Parties have reviewed and agree shall serve as the boundaries for the Project. This area is further described as the area south of Indiana Railroad and north of Rogers Rd. Neighborhoods to concentrate on include Green Acres, Park Ridge and Hoosier Acres.
- 2. <u>Project Operation</u>: CBU shall be responsible for the management, operation and completion of the Project.
- **3.** <u>Contribution from Overlook</u>: Overlook shall pay to CBU One Hundred Fifty Five Thousand Six Hundred Forty Four and Zero/One-Hundredths (\$155,644.00) Dollars ("Contribution") in a cash payment no later than ten days after the date in which Overlook receives the building permit for New Development. The Contribution shall be earmarked and used solely by CBU to fund the Project.
- 4. <u>Sewer connection Fee</u>: As required by Bloomington Municipal Code, Overlook shall pay the CBU invoiced sanitary sewer connection fees for the connection of the new multi-family development located at 4500 E. 3rd Street, Bloomington, IN to CBU's sanitary sewer system. Both parties understand and agree that revenues from the sewer connection fees are separate from and not made a part of Overlook's Contribution to the Project.
- <u>IDEM Waste Load Allocation Letter</u>: CBU shall not sign the IDEM waste load allocation letter that is part of the IDEM sanitary sewer extension permit for Overlook's construction of its multi-family development located at 4500 E. 3rd Street, Bloomington, IN, until the Overlook has paid the Contribution in full to CBU.
- 6. <u>Easements:</u> Overlook shall convey any and all easements as necessary for installation of any new sewer lines on Overlook's property related to the Project.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding which shall become effective as of the date last entered below.

CITY OF BLOOMINGTON UTILITIES SERVICE BOARD

Overlook on 46, LLC

08/27/2021

Jean Capler, President Dated

Hirem Patel, Authorized Representative Dated

ATTEST:

LaTreana Harrington, Dated Secretary to the Board

Vic Kelson, Director Dated City of Bloomington Utilities











US Architects (765) 405-1220

Century Village Storage

Bloomington, Indiana July 2021 190



- SOLID COLOR EIFS, TYP.

3 SOUTH ELEVATION



Century Village Storage

Bloomington, Indiana July 2021

BLOOMINGTON PLAN COMMISSION STAFF REPORT Location: 1300 N Lincoln St.

CASE #: SP-19-21 DATE: August 12, 2021

PETITIONER:	Strauser Construction Co 453 S Clarizz Blvd. Bloomington, IN 47401
CONSULTANT:	Smith Design Group, Inc. 2755 E Canada Dr., Suite 101 Bloomington, IN 47401

REQUEST: The petitioner is requesting major site plan review for a new 16-unit multifamily dwelling in the Mixed-Use Student Housing (MS) zoning district.

BACKGROUND:	
Area:	0.21 acres
Current Zoning:	Mixed-Use Student Housing (MS)
Comp Plan Designation:	Neighborhood Residential
Existing Land Use:	Dwelling, Multifamily
Proposed Land Use:	Dwelling, Multifamily
Surrounding Uses:	North – Dwelling, Multifamily
	South – Dwelling, Single-Family
	East – Dwelling, Multifamily
	West – Dwelling, Single-Family

REPORT: The property is located at the northeast corner of the intersection of 17th 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 17th and Lincoln. They will also construct a 6' sidewalk along Lincoln Street. Street trees will be provided along both frontages.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 15,000 square feet. This development contains approximately 18,105 square feet.

SITE PLAN ISSUES:

Dimensional Standards:

- Setbacks: The MS zoning district requires a 15ft front, side, and rear setback. The

proposed development has met these setbacks.

- **Height:** The MS zoning district allows for a maximum height of 6 stories, not to exceed 75ft. The proposed development is 4 stories with an average height of 51.5 ft.
- Impervious Surface Coverage: The MS zoning district allows for a maximum impervious surface coverage of 70% and a required landscaped area of 30%. The proposed development has 67.3% impervious surface coverage and 32.7% landscaped area. The UDO allows for sidewalks, trails, and paths located on private property in a pedestrian easement to not count toward the maximum impervious surface coverage or against the minimum landscape area for the property.

Environmental: There are no known environmental constraints or regulated environmental features on this site. A copy of the Environmental Commission's memo is included with this packet. Comment #2 of the memo does not include the revised impervious surface calculations mentioned above.

Bicycle Parking/Alternative Transportation: Residential uses in the MS zoning district are required to provide bicycle parking spaces at 10% of the provided vehicle parking or 1 space per 5 bedrooms, whichever is more, a minimum of 6 bicycle parking spaces are required.

The petitioner will also extend the 10 ft multiuse path along 17th Street to Lincoln Street and a 6ft sidewalk along Lincoln to connect to the adjacent properties. The multiuse path along 17th Street will be located in a pedestrian easement. Per the UDO, the portions of the multiuse path within the pedestrian easement will not count towards the maximum impervious surface coverage or against minimum landscaping requirements.

Landscaping: A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way. A compliant landscaping plan will need to be submitted prior to the issuance of a grading permit. A condition of approval has been added.

Access: This proposed development will create a new driveway access point on Lincoln Street and remove the existing driveway along 17th Street.

Parking: 11 vehicle parking spaces will be provided in a basement level parking garage. This property does not have a minimum vehicle parking requirement. The maximum allowed vehicle parking is 1.25 spaces per bedroom which would allow for 20 parking spaces. The petitioner's current parking does not meet the side parking setback. Though the parking is located in the building, it sticks out below the northern building wall, and is therefore required to meet the setback. The requirement is 8' from the northern property line. They are requesting a variance from the Board of Zoning Appeals to allow for a 5' side parking setback. A condition of approval has been added to make this approval contingent upon receipt of appropriate variances.

Architecture: The exterior facade will be finished with a mix of stone and brick veneers, fiber cement siding, metal railings and awnings. The exterior façade of the building incorporates wall elevation projections, a regular pattern of glass on the first floor, and changes in façade height to comply with the patterns requirements of the UDO. The primary pedestrian entrance is located at the SE corner of the building and incorporates a large awning, building setback, and larger amounts of glass and building address/signage.

GENERAL COMPLIANCE CRITERIA: All petitions shall be subject to review pursuant to the following criteria and shall only be approved if they comply with these criteria 20.06.040(d)(6)(A).

Compliance with this UDO: The proposed use and development shall comply with all applicable standards in this UDO, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.

Proposed Finding: This development will meet all applicable standards in the UDO except for the side parking setback for which the petitioners are requesting a variance.

Compliance with Other Applicable Regulations: The proposed use and development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant entities with jurisdiction over the property or the current or proposed use of the property. This includes, but is not limited to, floodplain, water quality, erosion control, and wastewater regulations.

Proposed Finding: This development is in compliance with other city regulations.

Compliance with Utility, Service, and Improvement Standards:

- 1. As applicable, the proposed use and development shall comply with federal, state, county, service district, city, and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.
- 2. Municipal sewer and water hookup are required for all developments except for instances where written approvals by the City Utilities Department and the County Health Department grant an exception to the hookup requirement. All sewer and water facilities shall meet the design specifications of the City Utilities Department.
- 3. When public improvements are required, the petitioner or authorized representative shall post performance and maintenance guarantees for such improvements. Such financial guarantees shall be submitted, reviewed, and approved per 20.06.060(c)(3)(E)iii (Financial Bond Required).

Proposed Finding: This development is in compliance with other applicable regulations. No public improvements are required with this petition.

Compliance with Prior Approvals: The proposed use and development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval for all or part of the property that is in effect and not proposed to be changed. This includes consistency with any approved phasing plan for development and installation of public improvements and amenities.

Proposed Finding: No relevant prior approvals are found with this petition.

CONCLUSION: This petition meets all requirements of the UDO, except the parking setback on the northern property line. The petitioners will add 16 modern dwelling units to an area with high demand for student-oriented housing options. The multiuse path will be extended along 17th Street and sidewalks added along Lincoln Street, improving the pedestrian realm and removing a large driveway along 17th 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 appropriate development standards variances to allow for a 5' side parking setback, as shown on the northern side of the building.
- 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.



City of Bloomington Bloomington Environmental Commission

MEMORANDUM

Date:	September 13, 2021
То:	Bloomington Plan Commission
From:	Bloomington Environmental Commission
Subject:	SP-19-21: University Properties VI 1300 N. Lincoln St.

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site. This petition is seeking to reduce the landscape/greenspace required, thus, reducing the ecosystem services intended for infill.

Comments

1.) PARKING LOT PERIMETER LANDSCAPE AREA

The Parking Lot Perimeter landscape area is currently shown as 5 feet wide; not as wide as the 8 feet required. The shrubs shown in the Parking Lot Perimeter landscape area are shown to be planted about 3 feet from trunk to trunk (on center), which is too close for survivability. The large canopy trees will be planted in a bed about 3 feet wide, which is not enough root space for survivability.

The Petitioner is asking for a variance to encroach into the Parking Lot Perimeter landscaped area, and the parking lot setback area.

The parking lot is shown with typical 18-feet-deep parking spaces and a 20-foot two-way aisle. The EC recommends that the variance be changed to request a smaller width for the two-way aisle, and retain the 8-foot Parking Lot perimeter landscaped area (this also means the retaining wall cannot be within the landscaped area).

The EC is in favor of compact urban design, however, we do not think it should come at the expense of losing potential greenspace. Greenspace is an important ecosystem service that is part of the city's infrastructure portfolio. Given there is little an individual town can do to combat the climate crisis, planting more native vegetation, especially trees, is something we can, and should do.

Human activities coupled with natural variations in the carbon cycle have resulted in a significant increase in the concentration of carbon dioxide (CO_2) and other "greenhouse gasses" in the atmosphere, thus causing measurable

global warming. Controlling atmospheric CO_2 requires deliberate action that combines reducing emissions and increasing storage, while planning for adaptation to the changes that result. Addressing greenspace protection and enhancement are some of Bloomington's most important means to help reduce our own environmental footprint.

Absorbent vegetated land, otherwise known as greenspace, plays a central role in supporting community health; improving air, soil, and water quality; reducing energy use in buildings; and supporting climate-change mitigation. Greenspace may seem like a simple term and a mere aesthetic amenity, but greenspaces are very complex in the benefits they deliver to animals, insects, and microbes and in the protection they provide to the water, air, and soil systems.

An urban greenspace (or landscape area) includes any permeable vegetated surface, public or private, set apart for recreational, aesthetic, or ecosystem services in an otherwise urban environment. It is space set aside to provide life-essential benefits people and other living things obtain from properly-functioning ecosystems. Ecosystems include the dynamic complex of plant, animal, microorganism, and human communities living in the context of certain weather regimes in a certain geologic setting.

There is one design request that the commission cannot abide; the reduced amount of greenspace. We cannot justify allowing such a change from Bloomington's vetted regulations with nothing in return to benefit the community's environmental footprint.

The Environmental Commission is opposed to this greenspace/landscape reduction and recommends denial unless the full amount is dedicated and planted as mandated in the UDO's minimum requirements.

2.) IMPERVIOUS SURFACE COVERAGE

The Petitioner's Statement says that they have provided the required 30% landscape area. However 30% of 0.21 acres (total for the site) equals 0.063 acres, not 0.05 as the Landscape Plan says. Furthermore, 0.16 acres of impervious surface coverage equals 76.2% of 0.21 acres; not 70%. Please recalculate the pervious surface that is to be landscaped.

3.) <u>LANDSCAPE PLAN</u>

The Landscape Plan will need to be modified to reflect the correct amount of pervious surface and a full-sized Parking Lot Perimeter landscape area.

4.) GREEN BUILDING PRACTICES

The EC is disappointed that there are no green building products or practices used at this site. This is something that the developer should incorporate regardless of the UDO incentives that could be granted, or of the outdated minimum building standards they are required by the state to follow. Buildings produce much of the CO_2 released to the atmosphere, so it is the responsibility of architects and builders to design and build buildings such that they do not continue to be one of our major polluters.

The EC believes that our city and our culture has got to embrace a paradigm to reduce building CO₂ emissions if we are going to combat our current climate crisis, and it is each petitioner's obligation to contribute. This includes calculating a building's total environmental footprint using the embodied energy expended as well as operational energy. Embodied energy is the energy used to make the materials and transport them, and to build the building, while operational energy is the energy used to heat, cool, and operate buildings –what we have traditionally looked at when considering energy efficiency. For example, in the past it was common to consider concrete efficient because it doesn't use any energy, but concrete has a very high embodied energy value –a large environmental footprint to manufacture, while its operational energy is not nearly as high. Therefore, it is the responsibility of everyone, especially builders, to contribute to the city's mitigation efforts.

Because modernizing building methods is so important to the future, and renters prefer a more modern approach of sustainable living, the EC recommends that the Petitioner follow the guidelines from the US Building Council's LEED Platinum certification for green building specifications.



City of Bloomington Bloomington Environmental Commission

Recommended Conditions of Approval

1.) Recommend denial of the variance request to encroach into the Parking Lot Perimeter landscape area, and request a variance to reduce the width of the driving aisle in the parking lot, leaving the landscaped area 8-feet wide (from the outside of the retaining wall).

- 2.) Provide a corrected pervious surface calculation.
- 3.) The Landscape Plan needs a number of revisions.
- 4.) Incorporate green building practices in this plan.

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Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith

September 13, 2021

City of Bloomington Plan Commission City of Bloomington Planning & Transportation Department Showers Building Suite 130 401 N Morton St Bloomington, Indiana 47404

Dear Keegan and Members of the Plan Commission,

For your consideration, University Properties VI, LLC is submitting to you this petition for Major Site Plan Approval for a 0.21 acre property located at 1300 N Lincoln St. The site is zoned Mixed-Use Student Housing (MS).

The surrounding properties consist of single-family residential, multi-family residential, and office uses. The site is currently fully developed and there are no known environmental issues on site. There are two existing buildings on site: a six-unit multifamily residence and a single family residence. There are currently three driveways with 8 perpendicular parking spaces off of E 17th St and 2 off of N Lincoln St on the property.

The proposed project consists of the demolition of the two existing buildings on site and the construction of a four story multifamily residential building with 16 units and a basement level 10-space parking garage. Per the city's 2019 Transportation Plan guidance the street frontage along E 17th St will be improved to have a 5 foot wide street tree planter area and a 10 foot wide multi-use path. The street frontage along N Lincoln St will be improved to have a 6 foot wide street tree planter and a 6 foot wide sidewalk. The existing three driveways will be reduced to one driveway off of N Lincoln St and the existing perpendicular parking off of the public streets will be eliminated. Six bicycle parking spaces as required by the UDO will be provided near the building's primary entrance off of E 17th St. The project will provide a minimum of 30% landscape area and a maximum of 70% impervious surface area per the UDO. Drainage from the site will be managed as required by city utilities.



The architectural design responds to the scale and character of recent development in the area, particularly the Evolve complex directly to the east, by incorporating a playful mix of materials, balconies and scale. The exterior will consist of a mixture of stone and brick veneers, fiber cement siding, metal railings and awnings and large windows and glass doors. Each unit contains an ample patio or balcony that adds visual interest and activity along 17th Street. The main pedestrian entry at the SE corner of the building is highlighted by a large awning and building setback above as well as larger amounts of glass and building address/signage. The basement level parking will be wrapped with a combination of brick and thin stone veneer and broken up with ample patios and stairs that provide direct access to the new pedestrian pathway along 17th Street. The upper level apartments contain a mix of studio and 2 bedroom units accessed via an exterior balcony from the north that connects the stair towers at each end.

The desire is to begin construction in October of 2021 and be complete by August of 2022.

Thank you for your consideration of this petition.

Regards,

Stephen L. Smith

Kendall Knoke Smith Design Group, Inc. 812-336-6536 Ext. 3 kknoke@smithdginc.com






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UTILITY PLAN

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A20 BASEMENT FLOOR PLAN

















A23 THIRD FLOOR PLAN





UNIVERSITY PROPERTIES 1300 N LINCOLN STREET, BLOOMINGTON, IN 47408





PLAN







UNIVERSITY PROPERTIES 1300 N LINCOLN STREET, BLOOMINGTON, IN 47408



A 3. 1 EAST & WEST ELEVATIONS



BLOOMINGTON PLAN COMMISSION STAFF REPORT LOCATION: 1211-1213 S. High Street

CASE #: DP-23-21 DATE: September 13, 2021

PETITIONER:	Privet Drive LLC (Evan Martin) 2200 S. Walnut Street
CONSULTANT:	Daniel Butler, Bynum Fanyo Associates 528 N. Walnut Street

REQUEST: The petitioner is requesting a Primary Plat approval to change 3.5 lots to 4 lots and a waiver of second hearing.

REPORT: 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 lots and one half lot. 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.

PRIMARY PLAT REVIEW: The Plan Commission shall review the primary subdivision petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6) (Approval Criteria) and the following standards:

- i. All subdivision proposals shall be consistent with the need to minimize flood damage.
- ii. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- iii. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- iv. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of 50 lots or five acres.
- v. All subdivision proposals shall minimize development in the SFHA and/or limit intensity of development permitted in the SFHA.
- vi. All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians

and vehicles (especially emergency responders)

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.

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals
- v. Consistency with Comprehensive Plans and Other Applicable Plans
- vi. Consistent with Intergovernmental Agreements
- vii. Minimization or Mitigation of Adverse Impacts
- viii. Adequacy of Road Systems
- ix. Provides Adequate Public Services and Facilities
- x. Rational Phasing Plan

PROPOSED FINDING: 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.

PLAT REVIEW:

Right-of-Way Dedication: Right-of-way dedication along S. High Street is required and shown to meet the minimum requirements of the Transportation Plan. The petitioner will work with Planning and Transportation staff to ensure that the appropriate and required facility is installed. A condition of approval will be recommended if the petition is approved.

Floodplain: There is floodplain shown in the southern portion of the proposed subdivision. The Environmental Commission has concerns about that area, and its memo is included.

Development Standards: Each of the proposed lots can meet development standards such as minimum lot size, and setbacks for development. However, the two eastern lots do not meet the requirement of frontage on S. High Street. The petitioner is requesting a waiver from that requirement.

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.



City of Bloomington Bloomington Environmental Commission

MEMORANDUM

Date:September 13, 2021To:Bloomington Plan CommissionFrom:Bloomington Environmental CommissionSubject:DP-23-21: Privet Drive, LLC; Infill Subdivision
1211-1213 S. High St.

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site.

The subdivision standards state, among other things, that the purpose of a subdivision is to protect the natural environment by promoting the use of good design, landscape architecture, and civil engineering to preserve and enhance natural topographic features, watercourses, drainage ways, floodplains, native vegetation, and trees and to control erosion and minimize runoff. The EC does not believe this has been demonstrated.

Additionally, an Infill Subdivision's purpose is partially to facilitate development on existing parcels not characterized by significant environmental constraints. This site has considerable environmental constraints that must be avoided.

Comments

1.) ONE HEARING vs TWO

The EC believes that this case should have both required hearings. There are many issues with this petition that need to be discussed, therefore justification for both hearings seems prudent.

2.) FLOODPLAIN PROTECTION EASEMENT

The purpose of the city's Floodplain standards is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. It is evident that storms are getting stronger and more frequent with flood damage as one result. Therefore the EC will not endorse any development that does not fully protect all floodplains (Special Flood Hazard Area,

401 N. Morton St., Suite 130 • Bloomington, IN 40402

SFHA) and local flooding areas, nor will we endorse any variances to our minimum floodplain standards. This petition has made no attempt to protect the undevelopable floodplain or provide the required floodplain easement.

This Infill Subdivision is required to create a recorded easement for the floodplain following the General Standards in 20.05.040, and provide a facilities plan (maintenance plan) for the floodplain, which the lot owner is responsible for. The EC recommends that the Floodplain Easement follow the Conservancy Easement requirements also.

3.) RIPARIAN BUFFER EASEMENT

The Petitioner is responsible for creating a 25-foot Riparian Buffer Easement on the proposed lot # 4, per 20.04.030 (f) Riparian Buffer and 20.05.040, and provide two of the best management practices listed in the UDO.

4.) STORMWATER DRAINAGE PLAN

The Petitioner shall submit for approval a Stormwater Drainage Plan. The plan shall include, among other things, designs for a development proposed for sites that are adjacent to a floodplain area, located in an area with converging drainage flows, located in an area characterized by documented drainage problems, or located in an area with closed, depressed contour lines as shown on the City's GIS maps and shall be subject to a higher level of drainage plan review. Site plans for these areas shall include documentation that finished floor elevations of structures shall be at least two feet above areas that would be flooded during a one hundred-year storm event otherwise known as a 1% chance storm.

5.) Revise the Site Plan to show the exact surveyed boundary of the floodplain (SFHA).

Recommended Conditions of Approval

1.) The Plan Commission will contemplate this case at the required two hearings.

2.) Create a recorded easement for the floodplain following the requirements for a Conservancy Easement, and submit a Facilities Plan for its maintenance,

3.) Create the Riparian Buffer Easement.

4.) Submit a Stormwater Drainage Plan and provide documentation that the finished floor elevations of the new structures will be at least two feet above areas that would be flooded during a one-hundred-year storm).

5.) Show the exact, surveyed SFHA Easement and the Riparian Buffer Easement with the BMPs used.





Scale: 1'' = 100'

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Privet Drive LLC. 2200 S. Walnut St. Bloomington, IN 47401 8/18/21

Dear City of Bloomington Planning Commission:

We are requesting a primary plat approval with a waiver of 2nd hearing for the property located at 1211 & 1213 S. High St.

My wife and I purchased the property with the intent of building our family home on it. I am a born and raised Bloomington resident, and both my wife and I attended IU. I manage several local businesses, and we are both actively involved in several non-profit organizations. We are local people who care about the community we live in.

We do not need the entire property to build our home and are looking to divide the property into four parcels and sell the additional parcels to other people looking to build homes in this area as well. We would like the retain a central private drive to access the property. We request this for multiple reasons:

First, the location of the property is situated along a very busy section of High Street and entering the roadway can be difficult and dangerous. We believe that adding more curb cuts along here would not be in the best interest of traffic safety.

Second, the property is currently bordered by mature trees that offer great beauty and privacy. These would potentially have to be removed to create access to the new parcels, and we would very much like to preserve these trees.

The private drive would also only require city services, like trash, to make one stop at the curb instead of coming into the private drive. This could potentially apply to mail service as well.

In regards to the three vs. four lot discussion we have had with the planning department. We are asking for four lots in part because we believe that follows the city's new UDO increased density desire. All four of the proposed lots would be well over the minimum size required.

Thank you taking the time to consider our project proposal, and we look forward to working together to help make this project become a reality

Sincerely,

Evan Martin



SCALE: 1"=30"

SCHEMATIC SITE

DJB DJB JSF C301 223

CASE #: SP-26-21 DATE: September 13 2021

PETITIONER:	Aspen TOPCO II Acquisitions, LLC. 1301 S. Capital of TX Highway, Suite B201 Austin, TX 48746
CONSULTANTS:	Smith Design Group, Inc. 2755 E. Canada Dr. Ste. 101 Bloomington

REQUEST: Major site plan approval to allow for the construction of a 241 unit student housing development in the Mixed-Use Student Housing (MS) zoning district. The petitioner is also requesting to utilize the Sustainable Development Incentives.

BACKGROUND:	
Area:	12.34 acres
Current Zoning:	Mixed-Use Student Housing (MS)
Comp Plan Designation:	Neighborhood Residential
Existing Land Use:	Dwelling, Multifamily
Proposed Land Use:	Student Housing
Surrounding Uses:	North – Commercial (East) and Residential (West)
	South – Dwelling, Multifamily & Dwelling, Single Family
	East – Dwelling, Multifamily
	West – Manufactured home park

REPORT: 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 bulding of the MS zoning district.

DEVELOPMENT STANDARDS & INCENTIVES 20.04: The following UDO standards are required to be reviewed for all activities that require New Development approval.

MS Dimensional Standards:

Building setbacks: The minimum front, side, and rear building setbacks are each 15 feet. **Front parking setback (minimum):** The minimum front parking setback is 20 feet behind the primary structure's front building wall. All proposed parking areas meet the front parking setback.

Side parking setback (minimum): The side yard parking setback is 8'. There is a portion of the parking area along the outside curve along the north property line where the 8' setback has not been achieved, this must be fixed prior to issuance of a grading permit. A condition of approval has been added.

Minimum Landscape Area (minimum): The minimum landscape area required is 30% and they are proposing 41%, which meets this minimum standard.

Primary structure height: The maximum height is five (5) stories not to exceed 63 feet. Building #2 is the tallest structure and at its maximum height will be 5 stories tall and 62'6" along the west elevation.

Environment: The property does not have many naturally occurring environmentally sensitive areas.

Steep Slopes: Some steep slopes were identified and none will be disturbed.

Siltation and erosion prevention: An erosion control plan has been submitted as part of the proposal. Additionally, a Grading Permit will be required before development can begin on the property. There are no expected siltation or erosion control issues expected with this proposal.

Drainage: A grading and drainage plan has been submitted. A copy has also been submitted to City of Bloomington Utilities. There are no expected drainage issues expected with this proposal.

Riparian Buffer: There is a stream on the south end of the site that will require a 75 foot riparian buffer, which has been shown on the plat. A condition has been added that will require that the current design of the parking lot be accomplished without disturbance in the buffer.

Tree and forest preservation: There is closed canopy cover on the southern portion of Lot 3, and it is not expected to be disturbed and cannot be disturbed.

Karst Geology: There are no known karst features on the site.

Wetlands: No wetlands were identified on the site.

Floodplain: The property is not within a special flood hazard area, or known flood prone

area.

Lake Watershed: There are no watershed issues on the site.

Access and Connectivity:

Driveways and access: The proposed site will derive vehicular access from one driveway on Kinser Pike and one driveway on Gourley Pike. All internal drives will be private. The proposed driveway locations meet the 100 foot minimum separation from corners, and meet the requirements related to drives within the front parking setback running less than 45 degrees from parallel to the street right-of-way or ingress/egress easement. All entrances will be two-way and therefore meet the driveway width maximums. The site is designed to facilitate the Bloomington Transit #6 bus route that utilizes the existing site as a turn around. A bus shelter and bus stops are provided in the plan, as well as a bus layover area. **Pedestrian and bicycle circulation:** The proposal includes a 10 feet multi-use path along Gourley Pike and the west/north side of the internal drive, this will extend through the site and join with the new 10' multi-use path along Kinser Pike. All buildings will be accessible via sidewalks from the buildings to the adjacent parking areas and driveways to the public roads. There is an access easement and accompanying sidewalk that runs east/west between buildings 1 and 2 for pedestrian access to the property to the west.

Parking and Loading: The parking minimum for the Student Housing use is 184 and the parking maximum is 283. The parking maximum for the Multi-family units is 226. Therefore for the project as a whole, the parking minimum is 184 and the parking maximum is 509. The petitioner is proposing 495 spaces which is within the allowed range. The site meets parking total requirements.

Site and Building Design: The overall building design has not changed from the previous petition. Schmidt and Associates reviewed the previous building design and provided comments that are included.

Material: Buildings 1 and 3 will utilize fiber cement horizontal siding, brick veneer, and an aluminum storefront system. Building 2 will utilize fiber cement vertical panels, fiber cement board, and fiber cement wood.

Minimum Coverage: The primary materials used at the site will need to extend from the roofline to within 6 inches of finished grade.

Roof: All buildings will utilize flat roofs with parapets.

360-Degree Architecture: Those facades that face a public street need to match that of the front façade. That matching should occur using similar materials, window/doorway openings, variation in rooflines, or fenestration. Most of the facades seem to meet this requirement, but a condition has been added to ensure that all doorway openings are matching in material and design. In addition, the west sides of the buildings do not incorporate some of the stonework shown along the fronts, the petitioner will continue to work with staff to include these elements and this will be reviewed with the building permit. **Anti-monotony Standards:** Since there are more than 3 buildings shown with this petition, the building footprint, and number of floors between buildings. The proposed buildings feature a change in building height and floors between them and differences in building footprint. The petitioner has also varied finishing materials and colors between the buildings.

Refuse and Recycling Containers: Will be provided.

Utility Box Location: An electrical transformer box appears to be located in front of the Building #1 between the building and Gourley Pike and must be relocated to not be visible

from the street to be in compliance with Section 20.04.080(m)(2).

Neighborhood Transition Standards: Do not apply.

Universal Design: Because this project has more than 20 dwelling units, 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. A condition of approval has been included for clarity.

Landscape, Buffering, and Fences: The UDO requires that all portions of a site not covered by structure, parking lot, access way, required buffer yard, or other pervious surface be landscaped. The UDO requires that parking lots with 12 or more parking spaces provide one landscape bumpout, island, or endcap per every 10 parking spaces. Landscape bumpouts, island, and endcaps are required to contain at least one large canopy tree. The proposed site plan appears to meet landscape requirements, including street trees, buffer yards, and interior landscaping. The details of the landscape plan will be verified at the grading permit stage.

Outdoor Lighting: A lighting and photometric plan will have to be submitted which shows that the site meets UDO requirements for maximum light trespass and fixture types during the grading permit review process. No deviations from the lighting code are expected.

Sustainable Development Incentives: The petitioner has committed to achieving and certifying this building to the Silver level from the National Green Building Council. Submission of this certification must be achieved prior to recommendation of issuance of final occupancy. The incorporation of this development incentive allows the petitioner to utilized building footprints greater than 20,000 square feet. The UDO lists this specific certification as one of the allowed options under the Sustainable Development Incentives and the Department finds that this meets the UDO standards and should be approved.

SITE PLAN REVIEW: The Plan Commission shall review the major site plan petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria).

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals
- v. Consistency with Comprehensive Plans and Other Applicable Plans
- vi. Consistent with Intergovernmental Agreements
- vii. Minimization or Mitigation of Adverse Impacts
- viii. Adequacy of Road Systems
- ix. Provides Adequate Public Services and Facilities
- x. Rational Phasing Plan

PROPOSED FINDING: The petition meets all UDO requirements related to use and development standards for 'student housing or dormitory' and 'dwelling, multifamily' in the MS zoning district. The petitioner has worked with City of Bloomington Utilities to insure that all requirements are met for stormwater and detention. The petition is consistent with the

Comprehensive Plan which envisions student housing in and adjacent to the North Gateway. The petition provides a through connection through the site by connecting to both adjacent public streets. No phasing is planned.

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). Additional stone elements shown along the fronts of the buildings must be included along all sides.
- 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.



City of Bloomington Bloomington Environmental Commission

MEMORANDUM

Date:	September 13, 2021
То:	Bloomington Plan Commission
From:	Bloomington Environmental Commission
Subject:	SP-26-21: Aspen Heights, Bloomington; Aspen Topco II Acquisitions, LLC 703 W. Gourley Pike

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site. This is a large site that will influence over 12 acres of Bloomington's potential ecosystem services and carbon footprint.

Comments

1.) <u>RIPARIAN BUFFER</u>

The Petitioner is responsible for creating a 25-foot Riparian Buffer Easement per 20.04.030 (f) Riparian Buffer and 20.05.040, and provide two of the best management practices listed in the UDO.

The plan view of the Site Plan shows the edge of the riparian buffer and the edge of one of the parking lots, which will be removed and replaced, almost converging. Please show and describe how the parking lot work can be accomplished without encroaching into the riparian buffer. There should be a fence at the edge of the riparian buffer to protect it from construction activity.

2.) LANDSCAPE PLAN

The Landscape Plan needs to be finalized with the grading permit. Please state on the plan the acres of landscape/greenspace at the site, and change the invasive species to permitted species.

3.) REUSE CONSTRUCTION AND DEMOLITION MATERIALS

The existing structure and parking lot will be demolished for this project. The EC recommends that the Petitioner reuse or recycle all of the construction and demolition materials possible that result from demolition, especially the steel, aluminum, and wiring. Unfortunately there is no longer a Construction and Demolition (C&D) landfill in Monroe County, so all the asphalt will likely be landfilled unless a location can be found for "clean fill."

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4.) EROSION AND POLLUTANT CONTROL REQUIREMENTS

The design should employ current preferred practices (CPP) of Low Impact Development (LID) to establish new environmental benefits on this site. The UDO provides examples of CPPs that include filter socks, articulated concrete blocks, mechanically stabilized earth, and more. Therefore, the EC recommends that the plan be crafted to include state-of-the-art LID CPPs.

Low Impact Development is an integrated, holistic strategy for stormwater management, and thus is especially important at this site. The premise of LID is to manage rainfall at the source using decentralized small-scaled controls that will infiltrate, filter, store, evaporate, and detain runoff close to its source. Another purpose of the LID stormwater CPPs is to install native plant species, which will promote biodiversity and phytofiltration in the area, and thus will improve habitat for pollinators and other beneficial life.

Examples of some types of LID and green infrastructure practices:

- 1. Floodwater storage that can manage runoff timing
- 2. Multiple small biofiltration basins and trenches
- 3. Vegetated roofs
- 4. Increased greenspace
- 5. Well-planned native landscaping
- 6. Removal of curbs and gutters to allow sheet flow

5.) TREE and FOREST PRESERVATION

Please show the area calculations for the Tree Preservation Easement and show the overlay with the Riparian Buffer Easement.

Recommended Conditions of Approval

1.) Create a Riparian Buffer Easement and show the two best management practices you intend to use as required in 20.04.030 and 20.05.040.

- 2.) Revise the Landscape Plan prior to the Grading Permit issuance.
- 3.) Reuse or recycle all construction and demolition debris possiblt.
- 4.) Employ Low Impact Development in constructing green infrastructure on the site.
- 5.) Show the area for Tree Preservation Easement.





For reference only; map information NOT warranted.

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Zoning Districts

Zoning District Code and Description

R1 : Residential Estate R2 : Residential Medium Lot R3 : Residential Small Lot R4 : Residential Urban RH : Residential High-Density Multifamily RM : Residential Multifamily RMH : Manufactured/Mobile Home Park MC : Mixed-Use Commercial ME : Mixed-Use Employment MH : Mixed-Use Healthcare MI : Mixed-Use Institutional MM : Mixed-Use Medium-Scale MN : Mixed-Use Neighborhood-Scale MS : Mixed-Use Student Housing PO : Parks and Open Space PUD : Planned Unit Development MD-CS : Mixed-Use Downtown Courthouse Square





Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

August 9, 2021

City of Bloomington Plan Commission City of Bloomington Planning & Transportation Department c/o Mr. Eric Greulich Showers Building Suite 130 401 N Morton St Bloomington, Indiana 47404

Dear Members of the Plan Commission,

For your consideration, Aspen TOPCO II Acquisitions, LLC, is submitting to you this petition for Major Site Plan Approval for a property located at 703 W Gourley Pk currently known as "The Arch Apartments" and formerly known as "Colonial Crest Apartments". The site is zoned Mixed-Use Student Housing (MS) and was previously zoned Residential High Density (RH) prior to the 2021 city-wide rezone by city council. The existing site consists of a 206 unit / 393 bed multifamily residential development split up between 15 buildings, surface parking areas, and a pool. The buildings appear to have been constructed in 1967/68. There are existing issues with the existing buildings that have caused many of the units to not be occupied at this time.

The proposal consists of the demolition of the existing 206 unit / 393 bed multifamily residential development and the construction of a new 241 unit / 675 bed multifamily housing development consisting of four buildings and surface parking lots.

Location

The project is located on a 12.43-acre parcel that is currently known as "The Arch Apartments" and formerly known as "Colonial Crest Apartments". To the south is the Jackson Heights Apartments multifamily residential housing complex also zoned Residential High Density (RH). To the west is the Arlington Valley Mobile Home Community zoned Manufactured/Mobile Home Park (RMH). To the northwest are detached single family residential dwellings along W Cascade Ave all zoned Residential Multifamily (RM). To the north of the site are a variety of uses including single family detached dwelling, funeral home/crematorium, and storage all zoned Mixed-use Corridor. To the east are the Hoosier Court Apartments and the Northlane Condominiums



Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

multifamily residential dwelling units both also recently rezoned to the Mixed-Use Student Housing (MS) district.

Utilities

Preliminary coordination with the City of Bloomington Utilities (CBU) has identified offsite improvements that will be necessary for the city to adequately serve the new project. The petitioner has committed to making these improvements as part of this project. From CBU: "...There is approximately 575 feet of 10" VCP downstream from the development's connection that is undersized for the additional flows. This sewer will need to be replaced with, most likely, 12" PVC to provide enough capacity for the additional bedrooms."

Vehicle Parking

Surface parking lots will be provided on the project site to serve the proposed multifamily residential dwelling units. A total of 495 on-site, private parking spaces (0.73 spaces per bedroom) and 11 on-street public parking spaces on W Gourley Pk are proposed. This The UDO calls for a minimum of 0.50 spaces per bedroom. Electric vehicle charging stations will be required 1 space for every 25 on-site parking spaces per the UDO requirement.

Public Transportation

The project site currently provides the turnaround/layover location for Bloomington Transit's #6 bus route. The #6 route provides frequent service with buses running every 20 minutes. Coordination with Bloomington Transit has included the incorporation of the following into the design:

- 1) Stops located per Bloomington Transit guidance
- 2) Bus shelters provided per Bloomington Transit guidance
- 3) Bus Pull-Off Area provided for bus layover.
- 4) Bloomington Transit Drivers will have full access to building 2 restrooms during Bloomington Transit operating hours.



Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

Pedestrian Improvements and Connectivity

The site's frontage along N Kinser Pk and W Gourley Pk will be improved to provide a tenfoot-wide walk per the Transportation Plan guidance. A ten-foot-wide interior walk will connect all site buildings to the two public rights-of-way. Pedestrian walkways stubbed at the property line with the adjoining mobile home community to the west will be provided.

Environmental Constraints

There are no known karst features, wetland areas, or floodways or mature tree stands on site. There is a surface watercourse (considered waters of the US), steep slopes, and mature tree stands along the south part of the site. A riparian buffer along the surface watercourse will be established as required by the UDO. These areas are not proposed to be disturbed as part of this project. Stormwater quality measures as required by the City of Bloomington Utilities Department will be installed and maintained as part of this project. Proper erosion and sediment control measures will be implemented during construction as required by the UDO, state, and federal regulations.

Tentative Development Schedule

April 2022 - Begin Construction August 2024 – Construction Complete



Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

To the best of the petitioner's knowledge all requirements in the UDO are being met in this submission. Thank you for your consideration of this petition.

Regards,

2ht

Kendall Knoke Smith Design Group, Inc. 812-336-6536 Ext. 3 kknoke@smithdginc.com



То:	Eric Greulich Senior Zoning Planner City of Bloomington, Planning and Transportation Department
From:	Applicant – Aspen Topco II Acquisitions, LLC (dba Aspen Heights)
Date:	8/30/21
Re:	Aspen Bloomington – National Green Building Standard Commitment
Attached:	Aspen Bloomington NGBS New Construction Scoring Tool

Mr. Greulich,

The purpose of this letter is to express the Applicant's commitment to achieve a National Green Building Standard (NGBS) certification of Silver via the National Green Building Certification Program (NGBCP) for the Applicant's proposed multi-family project consisting of 241 units and located at 703 W. Gourley Pike currently known as "The Arch Apartments" and formerly known as "Colonial Crest Apartments" (the "Project").

The applicant has engaged a qualified 3rd party consultant to facilitate and verify the requirements of the NGBCP as well as certification of the same. This process will consist of a review of the construction documents to ensure the Project qualifies for NGBS Silver certification as well as site inspections of each dwelling unit at various stages of completion to assess and verify all requirements including but not limited to thermal bypass, air sealing, insulation, and finishes are met. After completion of the Project a final documentation packet will be provided to NGBCP by the 3rd party consultant for certification of the Project.

In conclusion, we'd like to thank the City of Bloomington for helping us continue the focus of sustainable building and operations. We believe it's a meaningful investment for Aspen, the City of Bloomington, and the occupant's well-being.

Thank you,

David Helfrich dhelfrich@ahpliving.com Authorized Signatory (704) 635-0225
























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