# CITY OF BLOOMINGTON



November 4, 2024, 5:30 P.M. Council Chambers, Room #115 Hybrid Zoom Link:

https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

#### CITY OF BLOOMINGTON

PLAN COMMISSION (Hybrid Meeting)

**❖**City Council Chambers, 401 N Morton Street Bloomington – Room #115 November 4, 2024 at 5:30 p.m.

#### ❖Virtual Link:

https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3 M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

Petition Map: https://arcg.is/05be9X1

#### **ROLL CALL**

MINUTES TO BE APPROVED: October 7, 2024

#### REPORTS, RESOLUTIONS AND COMMUNICATIONS:

### **PETITIONS TABLED:**

#### SP-24-22 Cutters Kirkwood 123 LLC

115 E Kirkwood Ave

Parcel: 53-05-33-310-062.000-005

Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.

Case Manager: Jackie Scanlan

### **ZO-34-23** City of Bloomington Planning and Transportation

**Text Amendment** 

Request: Text amendment related to Sign Standards and request for waiver of second hearing. Case Manager: Jackie Scanlan

#### **PETITIONS:**

#### SP-42-24 Blake Rowe

1006 S. Walnut Street

Parcel: 53-08-04-300-104.000-009

Request: Site plan approval to allow the construction of a 33,000 square foot "storage,

**Last Updated: 11/1/2024** 

self-service" building in the Mixed-Use Corridor (MC) zoning district.

Case Manager: Eric Greulich

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>.

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Melissa Hirtzel** at **hirtzelm@bloomington.in.gov** and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

<sup>\*\*</sup>Next Meeting November 4, 2024

### DP-44-24 Walnut Street Pike Development, LLC

3111 S. Walnut Street Pike

Parcel(s): 53-08-16-400-002.000-009

Request: Primary plat approval for a 75 lot subdivision if 15.56 acres for a Common Area Development Plat for the Residential Medium Lot (R2) zoning district. The

petitioner is requesting a waiver from the required second hearing.

Case Manager: Eric Greulich

\*\*Next Meeting November 4, 2024

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**Last Updated: 11/1/2024** 

CASE #: SP-42-24

# BLOOMINGTON PLAN COMMISSION

STAFF REPORT DATE: November 4, 2024

**Location:** 1006 S. Walnut Street

**PETITIONER:** Brawley Investment Group, LLC

1643 N. Milwaukee Ave, Chicago, IL

**CONSULTANTS:** Matt Ellenwood (Matte Black Architecture)

2021 E. Wexley Road, Bloomington, IN

**REQUEST:** The petitioner is requesting site plan approval to allow the construction of a 33,000 square foot "storage, self-service" building in the Mixed-Use Corridor (MC) zoning district.

**BACKGROUND:** 

Area: 0.55 acres

**Zoning:** Mixed-Use Corridor (MC) **Comp Plan Designation:** Urban Corridor/Gateway South

**Existing Land Use:** Vacant

**Proposed Land Use:** Storage, self-service

**Surrounding Uses:** North – Vehicle Sales/Rental (Budget Car Rental)

West - Vehicle Impound Storage (Auto Heaven)
East - Single and Multifamily dwelling units

South – Office

**REPORT:** The petition site is located at the southwest corner of S. Walnut Street and W. Allen Street and is zoned Mixed-Use Corridor (MC). The site was previously developed with a retail building that was removed several years ago and is currently occupied by a concrete slab and asphalt parking area from that previous use. The site is under enforcement action because it does not meet vacant lot landscaping requirements. The 100-year floodplain of Clear Creek encroaches onto a portion of the western side of the site. No disturbance or encroachment into the floodplain is proposed or approved with this petition.

The petitioner is requesting major site plan approval to allow the construction of a 33,000 square foot, four-story building that will be used for the use of "storage, self-service". There will be one drivecut on Allen Street to access the parking and loading area that is located on the west side of the building. There is a portion of a previous drivecut on Walnut Street that will be removed. A new 10' wide concrete sidewalk and 8' tree plot with street trees will be installed along Walnut Street and a 6' wide concrete sidewalk with a 5' tree plot with street trees will be installed along Allen Street. A sidewalk connection has been shown from both the east and north facades of the building that connects to the adjacent frontages.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 20,000 square feet. This proposed site plan will involve the construction of a 33,000 square foot building and therefore triggers major site plan review.

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

#### MC Dimensional Standards:

**Building setbacks:** The minimum front building setback is 60' from the centerline of Walnut Street and 15' from the north property line. The side and rear setbacks are 7'. The proposed building meets all of the setback requirements.

Front parking setback (minimum): The minimum front parking setback is 20 feet behind the primary structure's front building wall or for parking within a building, the parking area must be 20' back from the front facade. The portions of the site used for parking are located 20' back from the front façade and while there is an area within the building that will be used for loading, there is no parking proposed within the building.

**Side/Rear parking setback (minimum):** The side and rear parking setback is 8' and the proposed site plan meets that requirement.

**Minimum Landscape Area:** The minimum landscape area required is 40% and they are proposing 40%, which meets this minimum standard.

**Primary structure height:** The maximum height allowed in the MC district is four (4) stories not to exceed 50 feet. The proposed building is four stories and 50' tall and is therefore compliant.

**Environment:** Besides the presence of the floodplain on the west side of the site, there are no other known sensitive or regulated environmental features within the site.

Steep Slopes: No naturally occurring steep slopes are present.

**Siltation and erosion prevention:** An erosion control plan has been submitted as part of the proposal and will be approved with the site development and storm water management permits. A site development permit and storm water management permit will be required before development can begin on the property. There are no unique siltation or erosion control issues expected with this proposal.

**Drainage:** A grading and drainage plan have been submitted to City of Bloomington Utilities for their review. Storm water detention is proposed through detention areas on the north and southwest corners of the property. A copy of the storm water management plan and overall utility plans have been submitted to City of Bloomington Utilities for their review. At this time, there are no known problems with meeting storm water detention requirements with this proposal. Final approval from CBU is required prior to issuance of any permits.

**Riparian Buffer:** This site is outside of the regulated riparian buffer area of Clear Creek to the west.

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

Wetlands: No wetlands were identified on the site.

Tree and forest preservation: There is no closed canopy on the site.

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

**Floodplain:** The 100-year floodplain of Clear Creek encroaches onto the west portion of this property. There is a retaining wall shown around the portion of the site that contains the floodplain and no disturbance or placement of any structures within the floodplain is proposed or approved.

#### **Access and Connectivity:**

**Driveways and access:** There is only one vehicular access point proposed for the site and that will be from Allen Street into the parking area. There are pedestrian access points into the building from both street frontages. The proposed access drive meets the 100' separation requirement from the intersection of Allen Street and Walnut Street and also

meets the 50' separation requirement from the adjacent driveway to the west.

**Bicycle and Pedestrian Facilities:** Walnut Street is classified as a General Urban typology and requires a 10' wide concrete sidewalk with an 8' tree plot which have been shown on the site plan. Allen Street is classified as a Neighborhood Residential typology and requires a 6' sidewalk and 5' tree plot. These required facilities have been shown along both frontages. A minimum of 6 bicycle parking spaces are required and have been shown on the north side of the building. Since the building is larger than 20,000 square feet, all of the required bicycle parking spaces must be covered. A condition of approval has been included to that effect.

**Public Transit:** A bus stop has not been requested by Bloomington Transit at this location.

Parking and Loading: The maximum number of parking spaces allowed for this use is 2.85 spaces per 1,000 square feet of indoor sales/leasing/office space. Based on the 104 square foot office space only one parking space is allowed. For sites where 25 or less parking spaces are allowed, ADA accessible spaces do not count toward the maximum number of spaces. The proposed site plan shows 3 parking spaces, including one van accessible ADA space, and one of the proposed parking spaces must be removed. A condition of approval has been included to that effect.

#### Site and Building Design:

**Material:** The building exterior is predominantly horizontal fiber cement lap siding, fiber cement panels, and a brick veneer.

**Exterior Facade:** The petitioner has incorporated a series of changes in building height, awnings, and use of transparent glass throughout the four facades. The proposed elevations all meet the requirements of the UDO. Compliance with the architectural standards of the UDO has been outlined on page A3.0 of the petitioner's exhibits.

**Patterns:** A series of different elements and finishing materials have been incorporated within the modules to provide horizontal and vertical design elements and pattern. There are four different colors of the exterior finishing materials used on the facades.

Eaves & Roof: The buildings will utilize a flat roof with parapets which is allowed.

**360-Degree Architecture:** All four sides of the building show similar architecture and design elements. The building therefore meets the 360-degree architecture requirements.

**Pedestrian Entry:** Pedestrian entrances have been shown along both of the street frontages on the north and east sides of the building with sidewalk connections shown from the buildings to the adjacent sidewalk. Each entry has incorporated the required entrance requirements through a distinct modules, covered entry, and entrance lighting.

Windows on Primary Facades: All proposed windows on the first-story of the building are shown to be transparent and therefore are in compliance.

**Anti-monotony Standards:** There is only one building proposed for this lot, so the anti-monotony standards don't apply. These standards only apply if there are more than three buildings proposed.

Landscape, Buffering, and Fences: The petitioner has submitted a landscape plan for the property showing compliance with the UDO standards. In general the proposed landscape plan meets the UDO requirements except for two areas- 1) The street trees shown along Allen Street are not located within the tree plot and need to be adjusted. 2) A total of 5 street trees are required along Allen Street and only three are shown, two additional street trees are required along Allen

Street. A condition of approval has been included for both of these aspects.

**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. No deviations from the lighting code are expected. A condition of approval has been added.

**Utilities:** Two detention areas are proposed on the north and southwest corners of the site that include rain gardens, to meet storm water detention and water quality requirements. The City of Bloomington Utilities Department is still reviewing the proposed storm water management plan and utility plan. Existing sanitary and water service lines are anticipated to be adequate, but final acceptance and approval is required from CBU prior to issuance of any permits.

**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

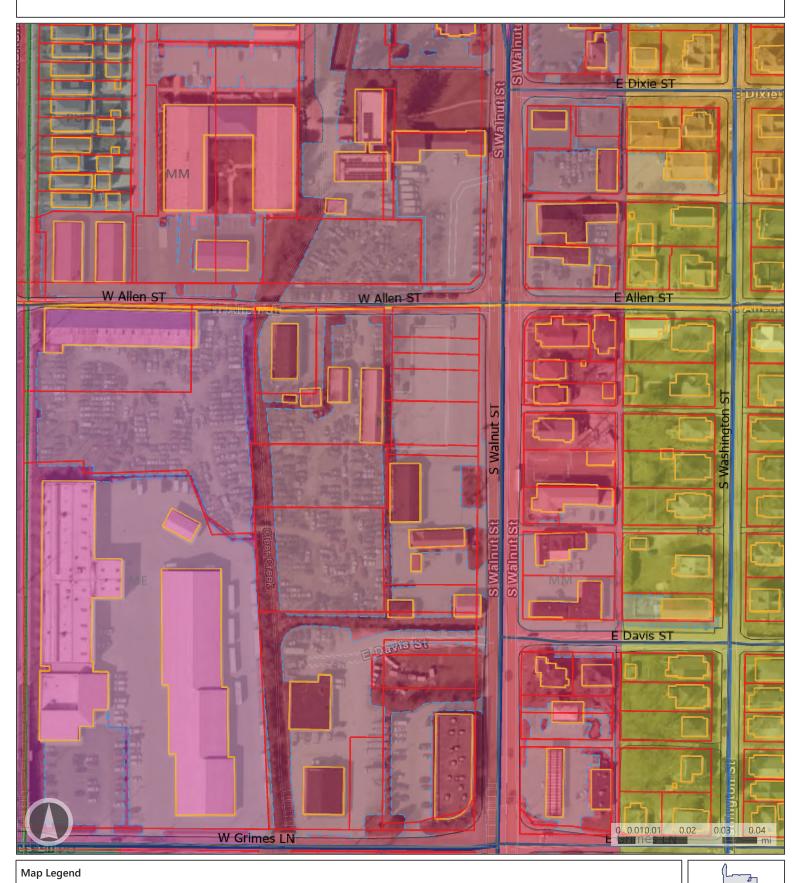
**PROPOSED FINDING:** The proposed site plan is compliant with all of the standards of the UDO with the exception of the changes outlined for the landscape plan and covered bicycle parking. Final acceptance and approval is required from City of Bloomington Utilities prior to the issuance of any permits. There are no prior approvals for this property or other known applicable regulations.

**RECOMMENDATION**: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-42-24 with the following conditions:

- 1. A maximum of one parking space is allowed, not including the ADA accessible space. Site plan must be adjusted to meet the maximum parking allowance.
- 2. A pedestrian easement is required for any portions of the sidewalk not located in the right-of-way and must be recorded prior to recommendation of issuance of final occupancy.
- 3. A lighting and photometric plan must be submitted and approved before issuance of the grading permit.
- 4. All exterior bicycle parking spaces must be covered.
- 5. Street trees along Allen Street must be located within the tree plot and compliant with the number of trees required.



# Planning and Transportation Department



Drive

Alley

Bridge; Footbridge; Drriveway-Bridge; Railroad-Bridge

Parcels

Buildings

Pavement

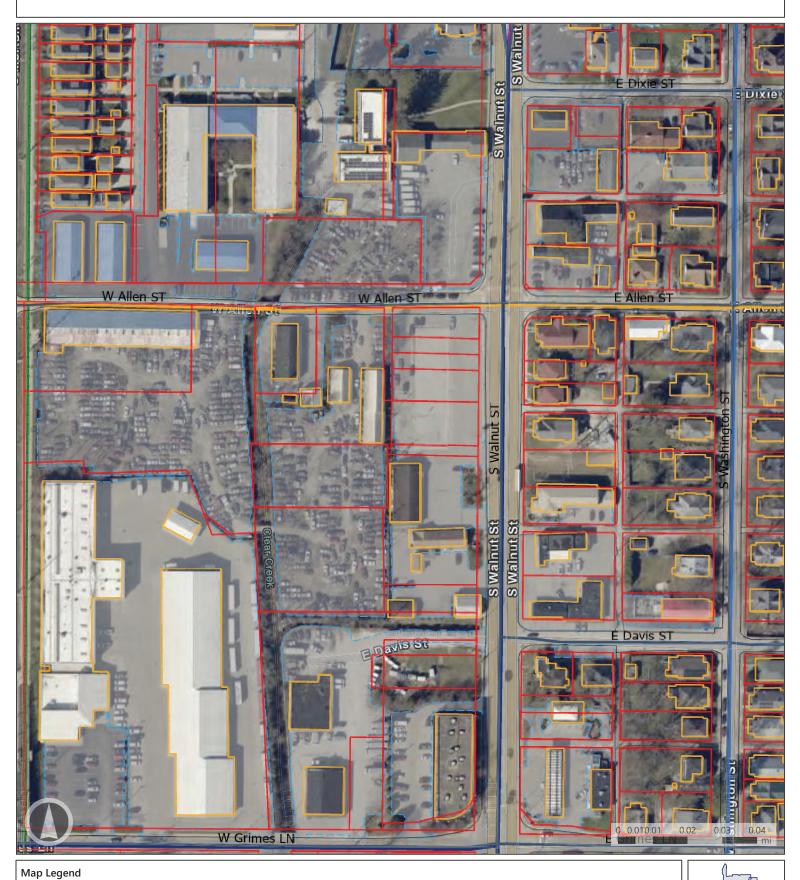
Parking Lot Type

Current

Paved Parking Lot



# Planning and Transportation Department



Drive

Alley

Bridge; Footbridge; Drriveway-Bridge; Railroad-Bridge

Parcels

Buildings

Pavement

Parking Lot Type

Current

Paved Parking Lot

# Petitioner's Statement

# 1006 S Walnut St Storage

Attention: City of Bloomington Planning Department

Petitioner: Blake Rowe, Brawley Investment Group, LLC

# **Property Description**

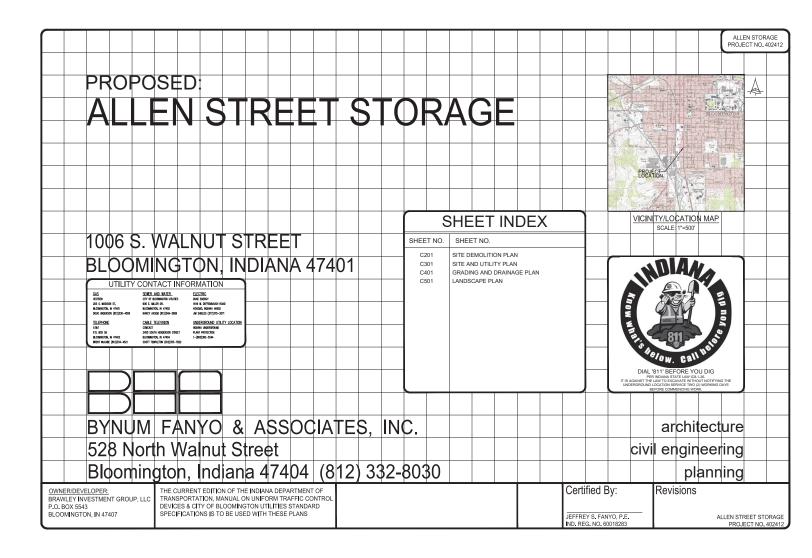
The property at 1006 S Walnut is currently vacant with an existing building slab from a former 1-story commercial structure that was demolished a few years ago. The zoning designation is **MC** (Mixed-use Corridor) which allows for **4 stories up to 50'h and 60% max impervious surface** coverage.

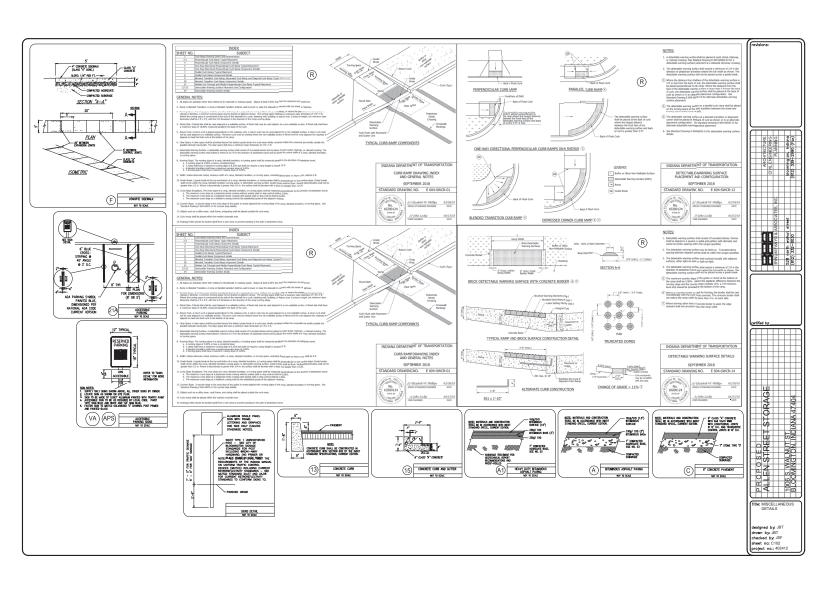
# **Project Description**

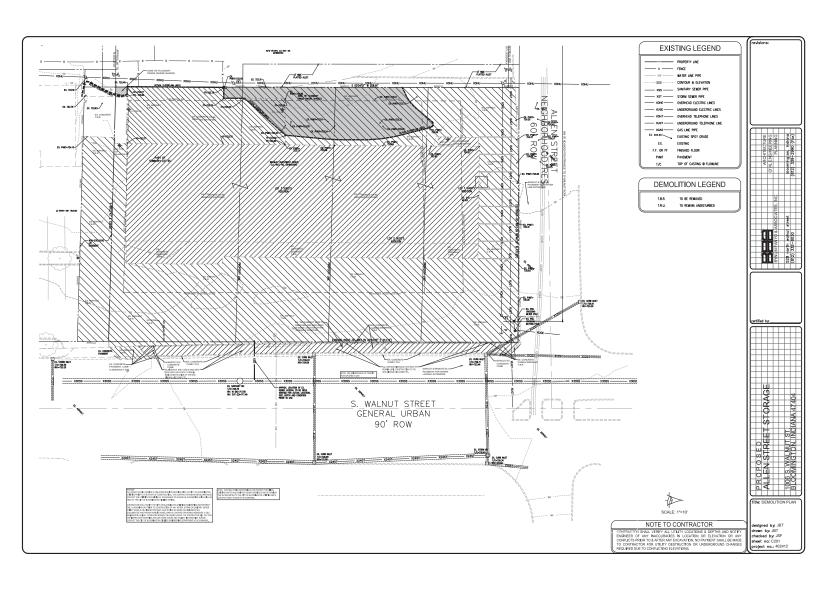
The petitioner is planning to build a new 33,000 sf 4-story self-storage structure. The building will primarily consist of a variety of storage units (5' x 5' to 10' x 20') and provide a loading/unloading space within the ground floor next to an elevator lobby to access the upper floors. The exterior of the building will consist of a mix of brick masonry, fiber-cement siding and metal awnings. The facades are broken into modules that utilize a 5' change in parapet height, awnings and at minimum 50% glazing along the ground floor to meet the UDO's "Exterior Facades" requirements. Each street-facing façade also incorporates a pedestrian entry that contains a change in building mass/façade projection, building name and lighting and framed sheltered element to meet the "Primary Pedestrian Entry" requirement.

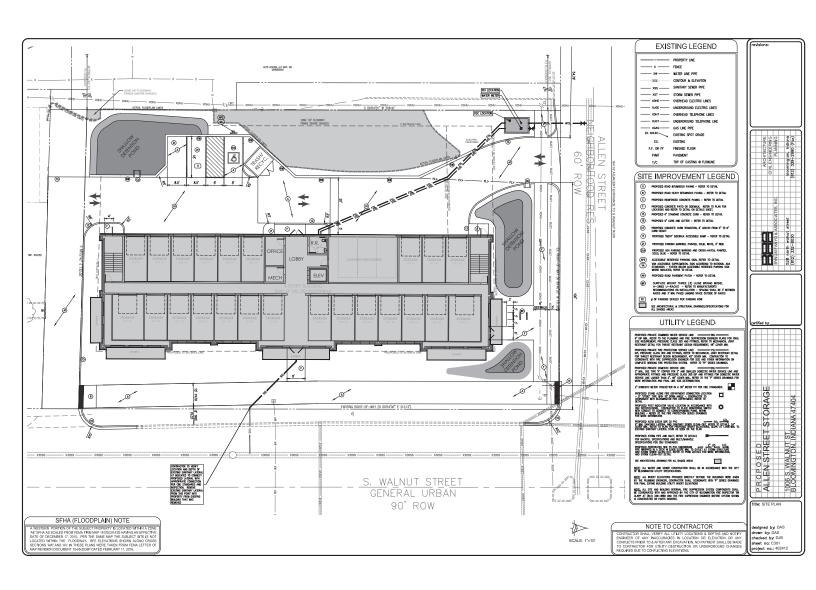
Thank you for your consideration of this petition.

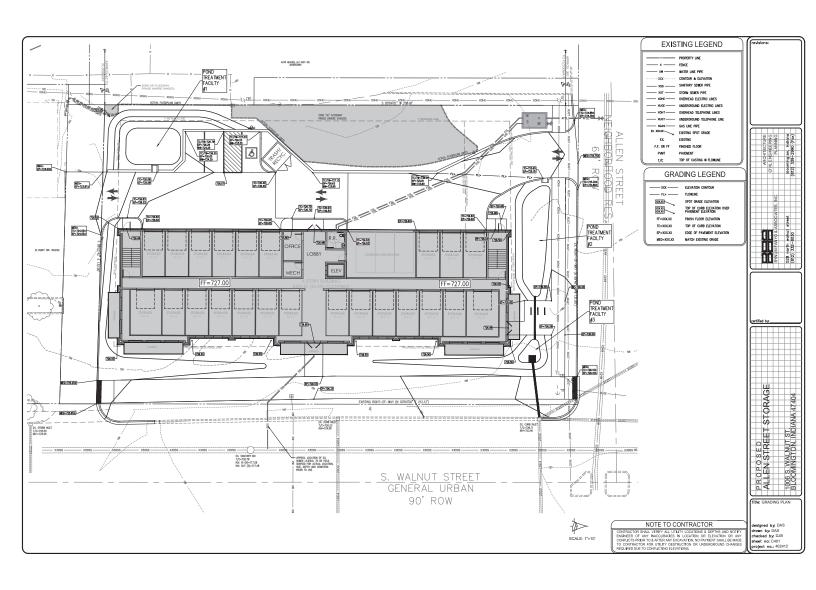
Matt Ellenwood, AIA (on behalf of the petitioner)

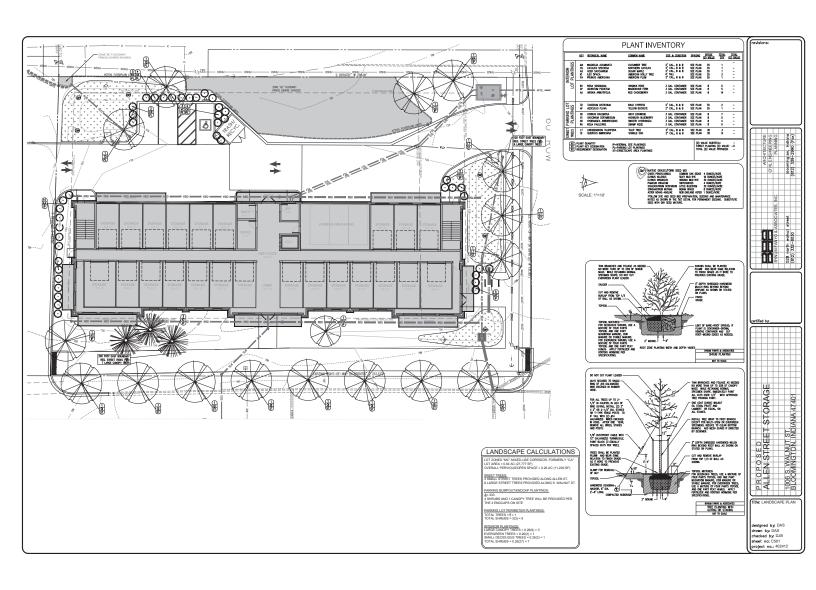


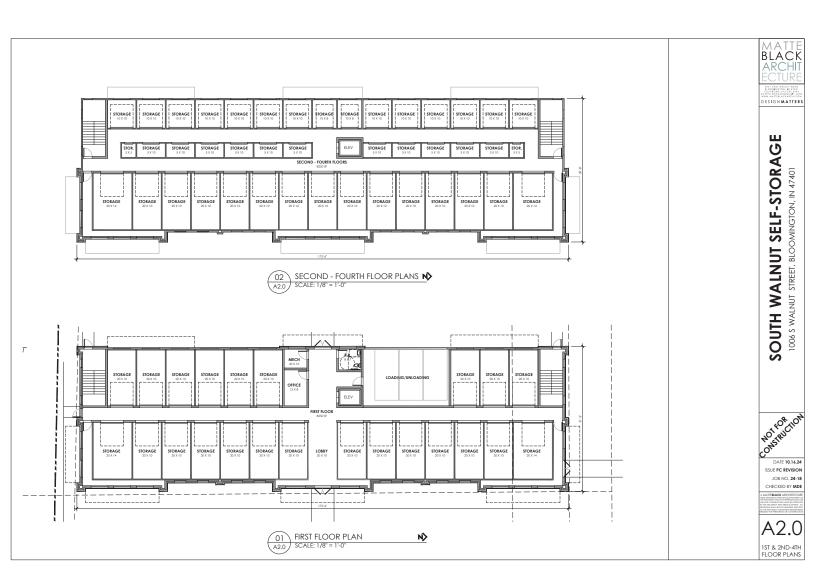


















CASE #: DP-44-24

DATE: November 4, 2024

# **BLOOMINGTON PLAN COMMISSION**

STAFF REPORT- First Hearing Location: 3111 S. Walnut Street Pike

**PETITIONER:** Walnut Pike Development, LLC

3039 W. Post Road, Indianapolis, IN

**CONSULTANTS:** Angela Parker

116 W. 6th Street, Bloomington, IN

Bledsoe Riggert Cooper James 1351 W. Tapp Road, Bloomington

**REQUEST:** Primary plat approval for a 75 lot subdivision of 15.56 acres for a Common Area Development Plat in the Residential Medium Lot (R2) zoning district. The petitioner is requesting a waiver from a Common Area development standard that requires lot lines to not extend more than 10' from any structure. The petitioner is also requesting a waiver from the required second hearing and for secondary plat approval to be delegated to staff.

**BACKGROUND:** 

**Area:** 15.56 acres

Zoning: Residential Medium Lot (R2)
Comp Plan Designation: Neighborhood Residential
Existing Land Use: Single family residences
Proposed Land Use: Single family residences

**Surrounding Uses:** North – Single family residence

West – Multifamily residence East – Single family residences

South - Place of Worship

**REPORT:** The property is located at 3111 S. Walnut Street Pike and is zoned Residential Medium Lot (R2). Surrounding zoning includes Residential Medium Lot (R2) to the north, east, and south and Residential High-Density Multifamily (RH) to the west. The surrounding properties have been developed with a mix single family residences to the north, east, and south with multifamily residences to the west. This site has a large stand of mature trees on the northern portion of the site as well as several karst features scattered throughout the site.

The Plan Commission approved a primary plat in 2022 (DP-08-22) to plat the property for 33 single family lots and 4 common area lots. However, a secondary plat was never approved and a new primary plat is being proposed for the property. The current petition involves developing this property as a Common Area Development plat as allowed under Section 20.05.050(e)(3)(E) of the Unified Development Ordinance. A common area development is a type of development where the lot area includes only the footprint of a building or the footprint and a limited area outside the footprint. The remainder of the area included in the parent parcel is owned in common by a homeowner's association. The UDO allows the Plan Commission to modify lot and setback standards to create a common area development plat subject to the following standards:

i. A petitioner shall request a common area development designation with the primary plat

- ii. All individual units shall be placed on an individual lot
- iii. All units shall have individual utility service.
- iv. Lot lines shall not extend more than 10 feet from any structure; and
- v. All areas outside of individual lots shall be placed in common area

This petition would involve the platting of this property into 75 lots, including three common area lots, and constructing attached single family residences that straddle each property line with each unit located on its own property. Each unit would be located on its own lot with a common wall. The respective lot lines are shown to extend no more than 10' from the structures as required, except along the front where a waiver is being requested. The petitioner is requesting a waiver from the requirement that lot lines extend not more than 10' from a structure in two aspects. One, since the front yard setback in the Residential Medium Lot (R2) zoning district is 15', the petitioner is requesting a waiver from the 10' lot line locational requirement to allow the 15' setback along the front as required for this zoning district. Two, there are two areas of the development where storm water infrastructure requires a space between lots (Lots #14/15 and Lots #68/67) and the lot lines must exceed the 10' requirement to accommodate storm water drainage.

The proposed plat would have two internal public roads with one main road connection to Walnut Street Pike and a road stub to the north and to the south. The plan shows a road stub to the south at the east end of the development to provide an additional future connectivity option. There are several karst features on the property that have been placed within the required Karst Conservancy easements, as well as large areas of tree preservation that are also located in Common Area. No driveways or parking areas are proposed on the individual lots and parking will be provided exclusively by the proposed on-street parking spaces.

**20.06.060(b)(3)(E) PRIMARY PLAT REVIEW:** The Plan Commission or Plat Committee 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:** Findings will be presented at the second hearing.

### 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**: Findings will be presented at the second hearing.

# 20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

i. Consistency with Comprehensive Plan and Other Applicable Plans

The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.

ii. Consistent with Intergovernmental Agreements

The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.

- iii. Minimization or Mitigation of Adverse Impacts
  - 1. The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.
  - 2. The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.
  - 3. The proposed use and development shall not result in significant adverse fiscal impacts on the city.
  - 4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.

### iv. Adequacy of Road Systems

- 1. Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.
- 2. The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

# v. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries,

and vehicle/pedestrian connections and access within the site and to adjacent properties.

## vi. Rational Phasing Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements

**PROPOSED FINDING:** Findings will be presented at the second hearing.

**20.06.060(b)(3)(F) Subdivision Waivers**: Waivers from any standards within Chapter 5 shall be reviewed according to the following criteria:

- 1. The granting of the subdivision waiver shall not be detrimental to the public safety, health, or general welfare, or injurious to other property; and
- 2. The conditions upon which the request for a Subdivision Waiver are based are unique to the property; and
- 3. The Subdivision Waiver shall not in any manner vary the provisions of the development standards, Comprehensive Plan, or Transportation Plan.

#### PROPOSED FINDING:

Lot Line Setback: Findings will be presented at the second hearing.

**PLAT REVIEW:** The proposed subdivision is following the Conservation Subdivision (CS) design standards.

#### **Conservation Subdivision Standards:**

**Parent Tract Size (minimum required):** The minimum parent tract size required is 5 acres and this tract is 16 acres.

**Open Space Required:** The minimum open space required is 50% and the petitioner is providing 9.25 acres (60%) of the overall property size in common area open space.

**Block Length:** The maximum block length allowed is 1,760 feet and they are showing block lengths of 550', 650', and 1,200' which all fall within the allowed limits.

Lot Establishment Standards: Although the minimum lot size in the R2 zoning district is 7,200 square feet and the minimum lot width is 60', the Common Area Development standards allow the Plan Commission the ability to modify those standards provided the outlined criteria are met. All of the proposed lots meet the standards for a Common Area Development as outlined under Section 20.05.050(e)(3)(E) if a waiver is granted to allow the front lot line to be 15' rather than 10' and to allow four of the lots to exceed the 10' requirement to accommodate storm water infrastructure.

**Right-of-Way standards:** Walnut Street Pike is classified as a Neighborhood Connector typology

and is required to have 74' of total dedication (37' from centerline). A total of 40' of right-of-way from centerline was dedicated with a previously recorded plat and no additional right-of-way dedication is required along Walnut Street Pike. The internal roads will all be public and have been shown with the required 61' of right-of-way. There are no alleys proposed and this subdivision type does not require any lots to be served by an alley. The stub street to the north will be constructed to the property line.

Street Design: The main internal street is proposed with two, 10' travel lanes and 7' wide onstreet parking on both sides for a total face-of-curb to face-of-curb width of 34'. This proposed
cross section does differ from what is outlined in the Transportation Plan as a typical cross section
for a street of this volume which would allow only a 28' wide street for parking on both sides,
however given the unique development proposal where there are no driveways or parking areas on
each lot and parking is provided exclusively by the on-street parking spaces, the additional travel
lane width is included to accommodate two-way traffic assuming all of the on-street spaces are
full and adequate area is available for emergency service vehicles. Traffic calming measures may
be required as a result of the increased travel lane width and will be finalized with the secondary
plat review.

The Public Works Department has requested that a portion of the proposed hammerhead intersection at the east side of the development be constructed of concrete to accommodate the three-point turning movements of the sanitation trucks that will be utilizing that area. There are bumpouts shown throughout the development to serve as collection areas for garbage and recycling totes, however the size and design of what has been proposed is not large enough to accommodate the number of totes and service area necessary for sanitation trucks. The size of the bumpouts will need to be modified to the Public Works Department requirements prior to the second hearing. In addition, on-street parking spaces must be added to both sides of the stub street to the north and the site plan and cross section for that street must also be adjusted accordingly prior to the second hearing.

**Alternative Transportation:** A 10' wide asphalt multiuse path is required along the Walnut Street Pike frontage and must be shown with the primary plat. All internal streets will be public with 6' sidewalks and 6' tree plots.

Environmental Considerations: The property currently has approximately 37% of the property covered with closed canopy tree coverage and they are required to save 80% of that area. The UDO requires that Karst Features greater than one-half acre and areas of tree preservation greater than one acre be set aside in common area lots. Compliance with this standard has been shown on the plat with the areas of required tree preservation and sinkholes shown within Common Area lots and the preservation of 83% of the existing tree coverage. All karst features have been shown with the required Karst Conservation Easements. The common area lots will be platted with a conservation easement.

**Bloomington Transit:** This property is serviced by Bloomington Transit and they have indicated that a bus stop at this location would be desired and is required by the UDO. The petitioners have worked with Bloomington Transit on the appropriate location for the shelter and this has been shown on the site plan.

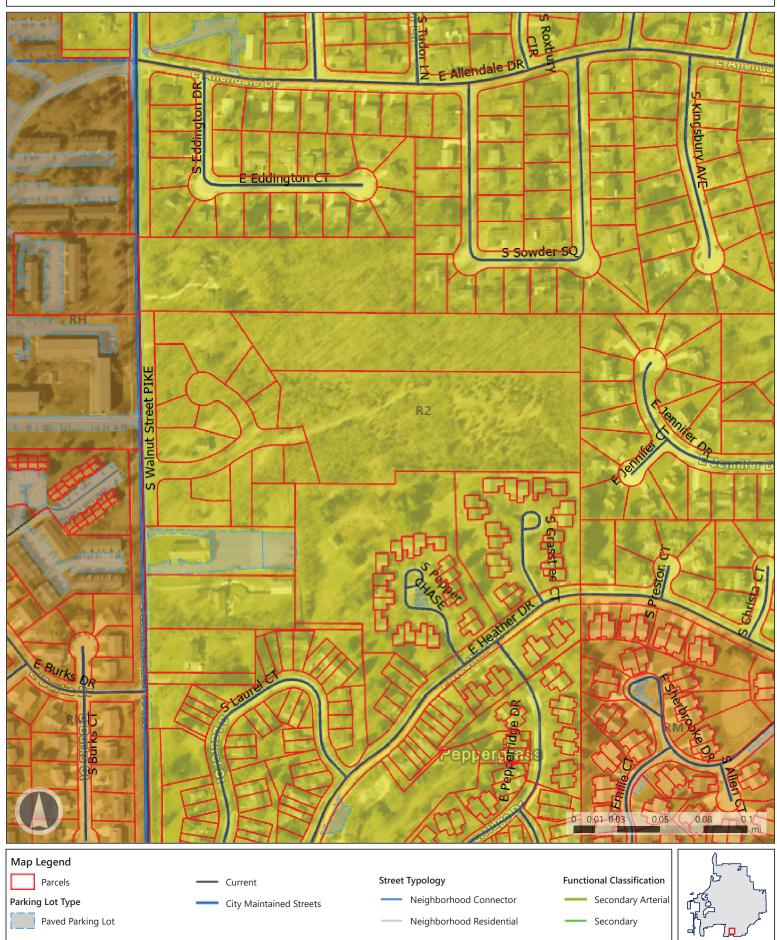
**CONCLUSION:** The petitioner is requesting a waiver from the subdivision standards to allow for a greater front yard setback that matches the base zoning district and to allow for four lots to have

side lot lines that are more than 10' from the building. Otherwise, the proposed plat meets all of the requirements of the UDO. The petitioner is also requesting a waiver of the required second hearing, which is required since a waiver from one of the subdivision standards is being requested. However, the design of the internal streets has not been resolved and modifications need to be made to the bumpouts to accommodate sanitation truck service for this development, which will further impact the number of on-street spaces shown. In addition, on-street spaces need to be added on the stub street to the north and the site plan and cross sections adjusted accordingly. Both of these aspects are very important to have resolved before the primary plat can be approved.

**RECOMMENDATION**: The Planning and Transportation Department recommends that the Plan Commission forward this petition to the required second hearing.

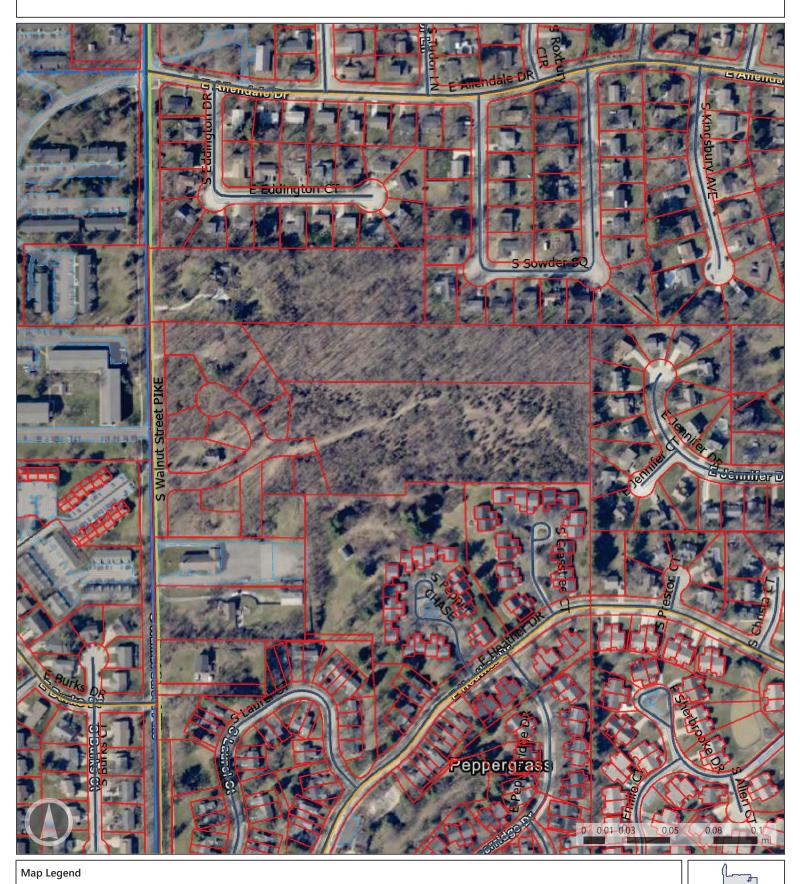


# Planning and Transportation Department





# Planning and Transportation Department



Street Typology

Neighborhood Connector

Neighborhood Residential

Parcels

Paved Parking Lot

Parking Lot Type

Current

City Maintained Streets

**Functional Classification** 

Secondary Arterial

Secondary Collector

# PAGANELLI LAW GROUP

ATTORNEYS AT LAW

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October 21, 2024

### Revised Petitioner's Statement: Ivy Chase Development

# A. The Neighborhood

Ivy Chase will be an inviting, caring and accessible place to live, focusing on "senior-age" residents, as an age 55+ community. The 15.56-acre site, located at 3111 S. Walnut Street Pike on the south side of the City of Bloomington, will be dedicated to quality of place and principles to create community and connection for its residents. It will also include nearly 50% (8.23 acres) dedicated to conservancy and greenspace for preservation and enjoyment by the residents. Those areas will include outdoor walking paths along with landscaped and hardscaped areas for residents to enjoy.

Ivy Chase will include an access street into the development, directly off Walnut Street Pike, with 2 bedroom-2 bath paired units along the way. The living units, each established on single/stand-alone legal lots of record, will provide private entrances on opposite sides of each building. Each building will house 2 residential units, connected as paired homes, but actually separated from foundation to roof by specially-designed air gaps and rubber gaskets to provide fire and sound barriers between living spaces. Each 868 square foot unit will be open in design on the interior and include no-step entries, single floor living and wider doors and halls to accommodate needed accessibility. The project will offer connectivity to the north and south if adjacent development occurs in that area in the future.

Outside amenities will provide residents with dedicated parking spaces, walking paths, a water retention area built as a visually-appealing amenity with benches and seating areas throughout to promote walkability and access. The project will include a place for meeting outdoors with a shelter-style (open) structure as a gathering place for residents. Tree preservation and maintaining buffers to the adjacent neighborhoods will be added features surrounding the residences.

### B. Development Plan

The legal description for the parcel is attached to this Statement (Warranty Deed). The parcel is currently zoned R2. It has a previously approved Plat and site plan for development of single-family housing, which Petitioner proposes modifying to a common area development with a particular focus on 55+ residential housing. Petitioner does not anticipate the use of incentives for affordability or sustainability although both are embedded in this project. This parcel has been the subject of site plans in 1998, 2000, 2006 and 2022 but has never been developed.



October 21, 2024 Page 2

A total of 36 buildings, or 72 residential units, will be constructed on property. The project is being proposed under a "common area" development under the Uniform Development Ordinance in that each lot will be separately, legally described and the remaining acreage ("Common Area") will be owned by a single homeowner's management entity. Individual lots with residential structures in this neighborhood *could* be legally conveyed to individual residential owners. A core value in this project is not only centrally maintaining the common areas, but also servicing the residential units with the highest standard of care. This enables senior residents to reduce, and even eliminate, burdens of ownership, if desired, representing further savings to residents by avoiding the increasing costs of insurance, taxes and homeowner fees to maintain the development. Initially, all of the neighborhood costs will be borne by the owner of the common area and units will be leased to the residents. Trash and recycling services will be offered to all residents, either through a private management or as coordinated with the City of Bloomington Public Works and discussions are underway to best accomplish this effort.

The target resident for this development are individuals that are over 55 years of age. By building units in the manner proposed, it keeps the construction costs manageable, which in turn, helps keep the rents at a reasonable level. The developer will commit to managing ten percent (10%) of the units as "affordable" at a standard *below* the stated UDO – at 100% AMI instead of the minimum standard of 120% AMI provided by the ordinance.

The parcel will be developed in accordance with the standards set forth in the Uniform Development Ordinance and no requested variances are expected from design or development standards. Waivers are requested as noted below, given the lay of the land and need to "stack" housing across the site to preserve environmental features and introduce connectivity to both the north and south of the development. Public transportation is available in the area. Parking along the street is anticipated with periodic "bump-outs" to both break-up the stretch of roadway and create greenspace and tree plots along the way.

UDO 20.05.050(e)(3)(E) sets forth the design standards for a common area development plat. Each of the following standards are met in this proposal:

- i. A common area development designation is requested with the primary plat;
- ii. All individual units will be placed on an individual lot;
- iii. All units shall have individual utility service;
- iv. Lot lines do not extend more then 10' from a structure; and
- v. All areas outside of individual lots are placed within a common area.

The Petitioner will place tree canopy, karst areas and open spaces in a conservancy easement, as well as for utilities and stormwater management as was previously proposed in the 2022 site plan submissions and reflected on the attached plat.

The developer held a neighborhood meeting (after providing the requisite notice to the two adjacent HOAs- Peppergrass and Sherwood Oaks). The meeting was held on June 19, 2024, with a commitment from the developer to update the HOAs as plans were revised and submitted. The

<sup>&</sup>lt;sup>1</sup> The Affidavit of Notice was provided by letter to the City of Bloomington Planning & Transportation Department on June 7, 2024.

October 21, 2024 Page 3

minutes from the June 19<sup>th</sup> meeting are attached here. All notices have issued to adjacent owners in accordance with the UDO.

# C. The Housing Need

In this common area development, the developer is meeting identified and unmet needs in providing housing for a senior population that is projected to grow significantly in the coming years in the City of Bloomington. According to the Housing Study completed by the City of Bloomington in 2020, the projected rate of growth from 2018 to 2030 in the over 55+ age group is 26.4% while the growth in the 65+ age group expects to see a 48.7% increase (Bloomington Indiana Housing Study, page 21). The recently completed Hoosier Uplands housing study, through Rural Opportunities Initiative, points to similar increases and expressly points to a finding that "seniors struggle to find housing." It also notes that a variety of types of options in housing is important. (Addendum 2.H. page 111, 127).

The City of Bloomington's Comprehensive Plan (2018) point to a policy objective that enables seniors to enjoy housing options with supportive services (Objective 5.3.2). The proposed plan is consistent with the goals of the Comprehensive Plan.

National studies have cited to the need for senior housing, finding that senior housing is one of the highest areas of need but one of the slowest in growth rate, point to a rate of 1.3% in 2024, year-over-year (cite: seniorsite.org. The State of Senior Housing in 2024). A study completed by the Harvard Joint Center for Housing Studies indicates that homeownership with the over 55-group is just under 80% nationally, a primary consideration for these residents evolve around the increasing costs and burdens of ownership. This aging population is less likely to seek homeownership particularly in situations where they do not want to incur mortgage debt.

Organizationally, the development will meet legally-required standards to be created as an "over-55+ community" so that the target population and goals to provide housing are appropriately met and maintained. The covenants and conditions for operating the neighborhood will be created in compliance with relevant legal standards to serve this population.

## D. The Developer

Walnut Pike Development, LLC is owned and operated as a subsidiary of Helix33. This organization has had wide-spread success in providing housing to the unhoused, creating affordable housing projects, co-work space to promote economic development, as well as over 55+ residential housing in other communities. The organization's founder, Ethan Fernhaber, set on this course over 20 years ago when he acquired his first housing unit (a double-wide) to provide a single house to someone in need. This has expanded into management of over 4,000 units along with supportive and connective services for job seekers, co-work job incubation/creation center, a security services company, and efficiently building 1,000 homes a year in an indoor, temperature controlled environmental at Volumod in Indianapolis, Indiana.

## E. The Request

Petitioner Walnut Pike Development LLC respectfully requests:

- Vacation of the existing Ivy Chase Subdivision Phase 1 Plat
- Approval of new Primary Plat with 76 total lots
- Waiver of 2nd Plan Commission hearing and delegation of Secondary Plat approval to staff
- Waiver of 10' lot line offset [per UDO 20.05.050(e)(3)(E)] to accommodate R2 front building setback of 15', and allow for ADA accessibility at the following lots:
  - 0 1-20
  - 0 23-58
  - 0 60-75
- Waiver of 10' lot line offset [per UDO 20.05.050(e)(3)(E)] to accommodate 30' drainage easement running between the following lots:
  - 0 67
  - 0 68
- Waiver dimensional standards, including 25' rear building setback, minimum 7,200 SF Lot Area, and minimum 60 ft Lot Width [per UDO 20.02.010.i.2] to accommodate 10' lot line offsets defined for common area development at the following parcels:
  - 0 1-20
  - 0 23-58
  - 0 60-75

Angela Harkes

Respectfully submitted,

Angela F. Parker

Counsel for Petitioner

Attachments

## Ivy Chase Project Neighborhood Meeting Minutes

June 19, 2024, 5:30 pm

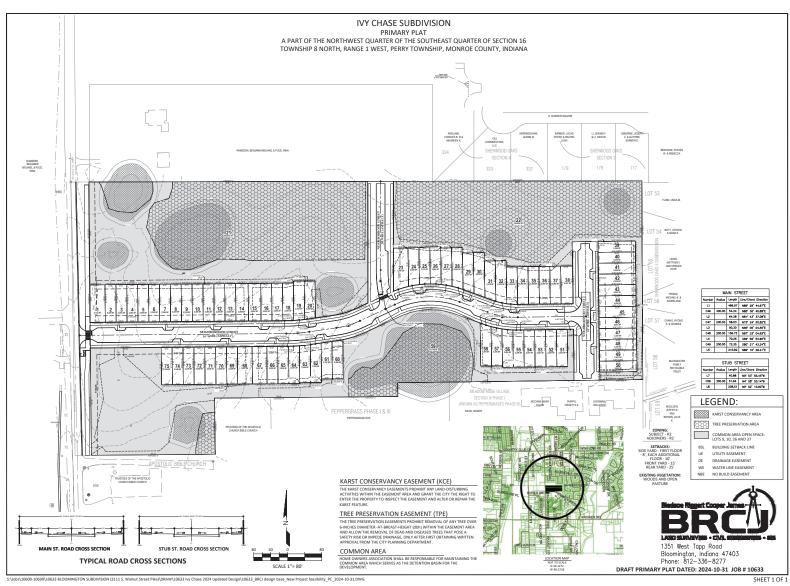
After notice issued more than ten (10) days prior, the Neighborhood Meeting required by the UDO was held regarding Ivy Chase's PUD proposal. The meeting commenced at 5:30 p.m. at the Peppergrass Clubhouse, 654 E Heather Drive, Bloomington, IN 47401.

26 people were in attendance in addition to the petitioner representatives, Angela Parker and Sib Sheikh. Notice was given to both the Sherwood Oaks HOA and the Peppergrass Homeowners Association.

- 1. The drawing of the revised plan and renderings of the residences was shared and discussed with those in attendance. Easels were set up to allow the residents to look at the intended plan and drawings. There was considerable discussion regarding the change in the development to a 55+ community, which residents spoke in favor of at the meeting.
- 2. One of the residents suggested that the shelter house located on the Peppergrass property could be upgraded and serve as a shared amenity for both communities. One was concerned that the homes were small in size and did not have garages.
- 3. Some residents expressed concern about the increase in traffic on Walnut St., Pike, which they deemed dangerous because there is no slowing down or stopping of traffic until you arrive at the Rhorer Road intersection to the south or Henderson Street to the north. Some neighbors suggested that the housing development on the west side of Walnut St., Pike was a high-crime area, that sometimes spilled into their neighborhood at Peppergrass.
- 4. Petitioner reported that the engineer's site plans were not yet completed, but we're expected to be for the meeting. As that information becomes available, it will be shared with the residents through their homeowner associations. Also offered additional opportunity for future meetings and invited any questions or discussion as the project proceeds forward.

The meeting adjourned at 6:45 PM.

Submitted by: Angela F. Parker, Paganelli Law Group



#### SITE DEVELOPMENT PLAN SET

ENGINEER'S PROJECT NO. 10633 PLAN COMMISSION REVIEW DATE: 10-21-2024

#### **SHEET INDEX**

C100 TITLE SHEET

C100 TITLE SHEET
C101 EXISTING SITE CONDITION PLAN
C201 STORMWATER POLLUTION PREVENTION PLAN NOTES
C202 STORMWATER POLLUTION PREVENTION PLAN PHASE 1
C203 STORMWATER POLLUTION PREVENTION PLAN PHASE 2
C204 STORMWATER POLLUTION PREVENTION PLAN PHASE 3
C205 STORMWATER POLLUTION PREVENTION PLAN DETAILS
C301 SELECTIVE SITE DEMOLITION PLAN

C401 SITE IMPROVEMENT PLAN C501 SITE GRADING PLAN

C600 SITE UTILITIES & STREET TREES COORDINATION PLAN
C601 SITE UTILITIES PLAN
C602 SITE ROAD PROFILES

C602 STE KOAD PROFILES

C603 STE UTILITY PROFILES - WALNUT ST. PIKE WATER MAIN EXTENSION

C604 SITE UTILITY PROFILES - SANITARY SEWER

C605 SITE UTILITY PROFILES - STORMWATER

C701 SITE LANDSCAPE PLAN

C801 SITE DETAILS
C802 SITE DETAILS

C901 MAINTENANCE OF TRAFFIC PLAN

\*GHOSTED SHEETS ARE OMITTED FROM THE PC SUBMISSION, BUT WILL BE UPDATED AND PROVIDED WITH LATER PLANS SUBMITTED FOR PERMITTING

# **IVY CHASE SUBDIVISION 3111 SOUTH WALNUT STREET PIKE**

#### **OWNER'S ADDRESS:**

WALNUT PIKE DEVELOPMENT, LLC 3039 NORTH POST RD., STE 1200 INDIANAPOLIS, INDIANA 46225

#### **PROJECT ADDRESS:**

3111 SOUTH WALNUT STREET PIKE BLOOMINGTON, INDIANA 47401

#### **STAMPS & APPROVALS:**

PRELIMINARY NOT FOR CONSTRUCTION





