AGENDA
REGULAR SESSION
PLANNING COMMISSION MEETING
BLOOMINGTON POLICE DEPARTMENT, OSBORN ROOM
305 S. EAST STREET, BLOOMINGTON, IL 61701
WEDNESDAY, FEBRUARY 1, 2023, 4:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**

   Individuals wishing to provide emailed public comment must email comments to **publiccomment@cityblm.org** at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at **www.cityblm.org/register** at least 5 minutes before the start of the meeting.

4. **MINUTES**

   Review and approval of the December 7, 2022, minutes of the Planning Commission.

5. **REGULAR AGENDA**

   A. **Z-16-22** Public hearing, review and action on a petition submitted by OSF Healthcare System, requesting approval of a Zoning Map Amendment for the property located at 3 Moore Road, from R-1A (Single-Family Residence) District to P-2 (Public Lands and Institutions) District. PIN: 21-10-232-025. (Ward 4.) ***WITHDRAWN AT THE REQUEST OF THE PETITIONER***.

   B. **Z-01-23** Public hearing, review and action on a request by David R. Dow & James A. Neeley Trust for a S-4 (Historic Preservation District) Overlay for the property located at 33 Sunset Road. PIN: 14-34-402-016. (Ward 5.)

   C. **Z-24-21** Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules. ***CONTINUED FROM OCTOBER***.

6. **OLD BUSINESS**
7. **NEW BUSINESS**
8. **ADJOURNMENT**

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or mhurt@cityblm.org.

DRAFT
MINUTES
PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS
REGULAR MEETING
OSBORN ROOM, 2ND FLOOR POLICE DEPARTMENT
305 S. EAST STREET, BLOOMINGTON, IL
WEDNESDAY, DECEMBER 7, 2022 4:00 P.M.

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at www.cityblm.org/register at least 5 minutes before the start of the meeting

The Planning Commission convened in-person within the Osborn Room inside of the Bloomington Police Department at 4:00 p.m., Wednesday, December 7, 2022, with the following physically present staff members Mr. George Boyle, Assistant Corporation Counsel; Mr. Glen Wetterow, City Planner; and Mr. Jon Branham, City Planner.

The meeting was called to order by Vice-Chairperson Boyd at 4:05 p.m.

ROLL CALL

Attendee Name	Title	Status
Mr. Tyson Mohr	Chair	Absent
Mr. Justin Boyd	Vice Chair	Present
Mr. Thomas Krieger	Commissioner	Present
Mr. Mark Muehlek	Commissioner	Present
Mr. John Danenberger	Commissioner	Present
Mr. Brady Sant-Amour	Commissioner	Absent
Mr. Benjamin Muncy	Commissioner	Absent
Mr. Govardhan Galpalli	Commissioner	Absent
Ms. Anna Patino	Commissioner	Present
Ms. Jacqueline Beyer	Commissioner	Present
George Boyle	Assistant Corporation Counsel	Present
Glen Wetterow	City Planner	Present
Jon Branham	City Planner	Present
Alissa Pemberton	Assistant City Planner	Present
Kimberly Smith	Assistant Director of Economic and Community Development	Present

Mr. Wetterow called the roll. Mr. Krieger – Present, Mr. Danenberger – Present, Mr. Muehleck – Present, Ms. Patino – Present, Ms. Beyer – Present, and Vice-Chair Boyd - Present. With 6 members present, a quorum was established.

Vice-Chair Boyd announced that case Z-16-22 has been tabled until the January regularly scheduled meeting of the Planning Commission. Vice-Chair noted the date would be January 4, 2022, and the meeting time and location would be the same as today's meeting, 4:00pm in the Osborn Room at the Bloomington Police Station.

PUBLIC COMMENT

Vice-Chair Boyd notified those present that public comment is for items not on the agenda.

Lisa Rosen (1 Moore Road), stated her opposition to case Z-16-22. Ms. Rosen noted she was just notified of the item being pulled one and half hours ago. She stated she will try to come back for the January hearing but wanted to let the Commission know she is opposed.

John Brandt (702 Moore Street), stated that he believes the courtesy mail notices were not sent to residents within 500 feet, but a much smaller area. He asked the Board to delay the hearing longer than January, until residents in the area can return after the holidays. He also believes this would give the neighbors more time to contact the individuals he believes should have been contacted but were not. He expressed his opposition to the petition for case Z-16-22.

> Vice-Chair Boyd noted that the Commission does not set meeting dates an item is tabled to. This is something the petitioner requests, Vice-Chair Boy highlighted the public may communicate with Staff or email public comments as well. Mr. Wetterow noted that there is the ability to provide a Duly Authorized Agent as a way of speaking for those individuals unable to attend.

There was no additional public comment.

MINUTES

Commissioner Krieger motioned to approve the minutes from the November 2, 2022. Commissioner Patino seconded. A voice vote was held. All ayes. The motion passed.

REGULAR AGENDA

A. Z-14-22 Public hearing, review and action on a petition submitted by Green Fairways Development LLC, requesting approval of a Zoning Map Amendment for the property located at 1710, 1802, 1810 and 1818 Tullamore Avenue, from B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District. PIN(s): 22-18-203-011, 22-18-203-012, 22-18-203-013 and 22-18-203-014.

B. Z-15-22 Public hearing, review and action on a petition submitted by Green Fairways Development LLC, requesting approval of a Zoning Map Amendment for part of the property located at 3801, 3803, 3805, and 3807 Ballybunion Road, from B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District. Part of PIN(s): 22-18-203-006.

C. PS-05-22 Public hearing, review and action on a petition submitted by Green Fairways Development LLC, requesting approval of a Preliminary Plan for the Residences at The Links Subdivision for the properties generally located near the intersection of Ballybunion Road and Tullamore Avenue. PIN(s): 22-18-203-011, 22-18-203-012, 22-18-203-013, 22-18-203-014 and Part of PIN(s) 22-18-203-006 and 22-18-203-010.

City Staff, Glen Wetterow asked the Commission for approval to present all three related cases together. There was no objection. Mr. Wetterow presented the staff report for case Z-14-22, with a recommendation for approval. Mr. Wetterow noted this case is related to case Z-15-22 and PS-05-22. Mr. Wetterow highlighted the uses on the surrounding properties. He noted the development is "mixed." Mr. Wetterow highlighted that while this area is designated "Regional Commercial" on the Comprehensive Plan it has "not developed that way over time, and now leans more toward the "Local Commercial" and Mixed Use. Mr. Wetterow noted the Zoning Map Amendment meets numerous goals of the City's Comprehensive Plan. Mr. Wetterow noted the Petitioner has already initiated the process of combining all of the properties into one with County Assessor's Office. This new single lot will be combined with the property to the east to facilitate the creation the multiple-family dwellings identified in the Preliminary Plan, case PS-05-22.

There were no questions from the Commission for Staff on this case.

Mr. Wetterow presented the staff report for case Z-15-22, with a recommendation for approval. Mr. Wetterow noted this case is related to Z-14-22 and PS-05-22. He noted that on the portion of the property being rezoned is an existing building associated with the golf course/driving range and is not being utilized. The building would be demolished to facilitate the construction of the multiple-family dwellings proposed in the Preliminary Plan, case PS-05-22. Future plat work will be required to subdivide this piece of property and combine it with the property to the west. Mr. Wetterow pointed out the same relationship to the Comprehensive Plan as the prior case (Z-14-22).

> Commissioner Beyer asked whether the building needs to be demolished prior to zoning change, or whether that has any impact. Mr. Wetterow responded that there are no implications for the building, related to the rezoning, since the request is to zone to P-2 is more appropriate for golf course/driving range use.

Mr. Wetterow presented the staff report for case PS-05-22, with a recommendation for approval. He noted it is related to cases Z-14-22 and Z-15-22. Mr. Wetterow noted the development will occur where the existing driving range is located. Mr. Wetterow noted the driving range appears not to be

operational presently. Mr. Wetterow reiterated how the properties identified in case Z-14-22 and Z-15-22 would be combined with the existing driving range property to create one property upon which the proposed multiple-family dwellings would be constructed. Mr. Wetterow noted how the proposed use of the property is congruent with the uses of the surrounding properties. Mr. Wetterow noted the Preliminary Plan meets numerous goals of the City's Comprehensive Plan. Mr. Wetterow emphasized City Staff does not have any concerns with the initial development of this property, however Public Works staff is concerned about the total amount of traffic generated from this development when it is completed in its entirety. Thus, Public Works Staff is requesting a traffic impact study be provided by the Petitioner so that future street infrastructure needs/requirements can be determined. Mr. Wetterow highlighted how the traffic impact study was made a condition of approval of the request. Staff has consulted with the Petitioner and 30 days was a reasonable timeframe for completion of the study and to provide City Staff time to review the plan before it goes to City Council for approval. The information from the traffic impact study can be incorporated into revisions of this Preliminary Plan or future amendments to this Preliminary Plan as needed. Mr. Wetterow stated the Preliminary Plan conforms with the standards and purpose of the Subdivision Code and recommends approval.

> Commissioner Beyer asked how many buildings are represented on the Preliminary Plan. Mr. Wetterow noted that there are 17 buildings on the site, as presented. Ms. Beyer inquired how many units were planned for each building. Mr. Wetterow stated the Petitioner has an idea of how many units in total 292, but the exact number of units per building is not set and could change over time based upon market needs.
>
> Vice-Chair Boyd inquired about sidewalks. Mr. Wetterow noted sidewalks are included for both streets, Tullamore and Ballybunion and will go through the approaches.

Vice-Chair Boyd opened the public hearing for case Z-14-22.

Elizabeth Megli (115 W. Jefferson St), Attorney for the Petitioner, spoke on behalf of the Petitioner. Ms. Megli asked if she could speak on behalf of all three cases, Z-14-22, Z-15-22 and PS-05-22 as her comments will be similar for each as they are related. Ms. Megli noted the Zoning Map Amendment cases are taking B-1 zoned properties and making them P-2. Ms. Megli noted the Petitioner is not requesting for any exemptions or Variances for the Preliminary Plan. Ms. Megli highlighted how the units will be upscale units. Ms. Megli confirmed that 17 buildings are proposed with 292 total units. She emphasized that off-street parking has been considered and evaluated as part of the project. She noted her client is happy to provide the traffic study within 30 days, as required by staff. The findings of the plan will have to be evaluated to determine needs/requirements and her client will work with the City on addressing those items when appropriate.

> Vice-Chair Boyd asked Commission to limit questions to cases Z-14-22 and Z-15-22 for now as they are both rezoning cases. Questions for the Preliminary Plan, PS-05-22 can be asked after these questions.

Commissioner Beyer asked about use and the rezoning and if the use is considered in determining the rezoning, as compared to considering the specific use as related to the Preliminary Plan.

Vice-Chair Boyd noted that the use can be considered with the rezonings requested but the preliminary plan itself can't be considered in making the decision about the rezoning requests.

Mr. Wetterow added additional clarification. Mr. Wetterow noted the rezonings will facilitate the multiple-family dwellings use identified in the Preliminary Plan. Mr. Wetterow noted P-2 zoning permits multiple-family dwellings. Thus, the rezonings must be heard first. Ms. Pemberton noted that if the Zoning Amendments to not succeed then there is no need to proceed with the Preliminary Plan as the project is dependent on the Map Amendments moving forward.

Vice-Chair Boyd noted the considerations before the Commission right now are just related to the Zoning Map Amendments.

Ms. Beyer thanked Staff as that provided the clarification she needed and had no further questions.

No additional testimony was received. However, Mr. Wetterow noted that Staff did receive an email related to the case, but this can only serve as public comment. The email was from the President of the neighboring Dunraven HOA and was in favor of all three cases. Vice-Chair Boyd closed the public hearing.

Vice-Chair Boyd opened the public hearing for case Z-15-22.

No additional testimony was received. Vice-Chair Boyd closed the public hearing.

Vice-Chair asked for a motion to approve Case Z-14-22.

Commissioner Krieger made a motion to establish findings of fact that the proposed Zoning Map Amendment for case Z-14-22 is in the public interest and not solely for the benefit of the petitioner and recommend approval of the petition. The motion was seconded by Commissioner Muehleck.

Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Danenberger – Yes, Ms. Patino – Yes, Ms. Beyer – Yes, and Vice-Chair Boyd - Yes (6-0). The motion passed.

Mr. Wetterow noted that the case will go before City Council on January 23, 2023.

Vice-Chair noted Case Z-15-22 was already presented by staff and is not ready to be voted on.

Vice-Chair asked if the Petitioner had any additional comments related to Case Z-15-22. Ms. Megli stated she had nothing to add.

Vice-Chair Boyd asked if there was anyone present to speak for or against Case Z-15-22. There were none present. Vice-Chair Boyd closed the public hearing for Case Z-15-22 and asked the Commission if anyone wanted to make a motion for approval.

Commissioner Krieger made a motion to establish findings of fact that the proposed Zoning Map Amendment for case Z-15-22 is in the public interest and not solely for the benefit of the petitioner and recommend approval of the petition. The motion was seconded by Commissioner Danenberger.

> Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Danenberger – Yes, Ms. Patino – Yes, Ms. Beyer – Yes, and Vice-Chair Boyd - Yes (6-0). The motion passed.

Mr. Wetterow noted that the case will go before City Council on January 23, 2023.

Vice-Chair Boyd opened the public hearing for case PS-05-22. Vice-Chair noted this is specific to the Preliminary Plan.

Vice-Chair asked if the Petitioner had any additional comments.

Elizabeth Megli (115 W. Jefferson St), Attorney for the Petitioner, stated she did not have any additional comments, but was happy to answer any additional questions the Commission had.

Commissioner Beyer asked how many parking spaces are provided on the plan.

Elizabeth Megli (115 W. Jefferson St), Attorney for the Petitioner, stated there is some parking provided for underneath each building in addition to the parking provided throughout the development. Ms. Megli noted that there are 133 parking spaces provided underneath the buildings and 518 spaces throughout the rest of the development.

> Mr. Wetterow noted the numbers provided match the parking plan provided to staff that was reviewed and approved as it was found to have met code requirements.
>
> Vice-Chair Boyd asked if there was bicycle parking included. Ms. Megli stated that she did not believe that had been specifically addressed but this is something the developer would be willing to consider.

Vice-Chair Boyd asked Mr. Boyle if a vote was needed to make the email sent by the HOA a part of the record. Mr. Boyle asked which case the letter was supportive of. Mr. Wetterow responded that it was in support of the entire development, thus all three cases.

Vice-Chair asked for a motion to make the email comment from Dunraven HOA Exhibit 1A for Agenda item 5C.

Commissioner Danenberger made a motion to include the submitted email comment from Dunraven HOA as Exhibit 1A for Agenda item 5C. Commissioner Kreiger seconded.

Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Danenberger – Yes, Ms. Patino – Yes, Ms. Beyer – Yes, and Vice-Chair Boyd - Yes (6-0). The motion passed.

Commissioner Beyer asked whether any conversations have been had with Unit 5 School District. Mr. Wetterow explained that School District discussions happen at the time of Annexation, not as development occurs. Mr. Wetterow noted that Unit 5 was not specifically notified but this case was published in the newspaper and signs were placed on the property. Mr. Wetterow noted this area is still very undeveloped and Unit 5 will have to likely reevaluate as this area develops and based upon the type of development that occurs.

Commissioner Krieger made a motion to establish findings of fact that the proposed Preliminary Plan for the Residences at The Links Subdivision conforms with the standards and purpose of the Subdivision Code and recommend approval of the petition to City Council with the following condition: that a traffic impact study be provided within 30 days. The motion was seconded by Commissioner Patino.

Vice-Chair Boyd asked if there was any further discussion from the Commission.

Commissioner Beyer has significant concerns about the impact on Unit 5 due to lack of funding to serve existing students. Ms. Beyer noted Unit 5 is asking for a tax increase to provide additional funding. Vice-Chair Boyd explained that he shares the same concerns for Unit 5 but reminded the Commission that the scope of review for this case is related to the Preliminary Plan. Ms. Beyer is concerned the additional students generated from this development might require the construction of an additional school. Ms. Beyer is concerned this might overwhelm Unit 5 and be a burden on all taxpayers within the district.

Commissioner Beyer noted that the restaurant in the area closed abruptly and asked if Staff had any explanation or information on whether that was associated with the issuance of the notice for this case. Ms. Beyer wanted to know if the restaurant was contacted about any of their concerns as it related to this development. Mr. Wetterow noted that the Preliminary Plan focuses on multiple-family dwellings and does not include any commercial development. Mr. Wetterow noted that having some many residents within such a close proximity to the restaurant would likely have been an asset. Staff was not made aware of the restaurant closing and the reasoning for the closing was not availed to staff. This development is unlikely to have negative impact on the neighboring properties and businesses.

Vice-Chair Boyd noted he shares the concerns of Ms. Beyer related to Unit 5 but reminded the Commission that the scope before them is whether or not the Preliminary Plan meets the requirements set forth in the code. He hopes Unit 5 has further discussions but also noted that the community is in desperate need of housing which this project provides. The more the tax burden is spread between more individuals the better. He believes this development is for the betterment

of the community and will voting in favor.

Vice-Chair Boyd asked if any more questions. There were none, so Vice-Chair called the question on the motion to establish findings of fact that the proposed Preliminary Plan for the Residences at The Links Subdivision conforms with the standards and purpose of the Subdivision Code and recommend approval of the petition to City Council with the following condition: that a traffic impact study be provided within 30 days, as made by Commissioner Krieger and seconded by Commissioner Patino.

> Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Danenberger – Yes, Ms. Patino – Yes, Ms. Beyer – No, and Vice-Chair Boyd - Yes (5-1). The motion passed.

Mr. Wetterow noted that the case will go before City Council on January 23, 2023.

D. Z-16-22 Public hearing, review and action on a petition submitted by OSF Healthcare System, requesting approval of a Zoning Map Amendment for the property located at 3 Moore Road, from R-1A (Single-Family Residence) District to P-2 (Public Lands and Institutions) District. ***(Tabled to January 4th Regular Meeting per request of Petitioner.)***

Vice-Chair Boyd reiterated the item has been tabled to the January 4th Regular Meeting of the Planning Commission per the request of the Petitioner.

E. Z-17-22 Public hearing, review and action on a petition submitted by TKnTK, LLC, for approval of an Annexation Agreement and Zoning Map Amendment for the properties generally located near the intersection of E. Hamilton Road and Bunn Street. PIN(s): 21-15-152-010 and 21-15-151-020. ***(Withdrawn Per Request of Petitioner.)***

Vice-Chair Boyd noted the item has been withdrawn per the request of the Petitioner.

F. PS-06-22 Public hearing, review and action on a petition submitted by TKnTK, LLC, requesting approval of a Preliminary Plan for HDI Subdivision for the properties generally located near the intersection of E. Hamilton Road and Bunn Street. PIN(s): 21-15-152-010, 21-15-151-018, 21-15-102-005, 21-15-102-006 and 21-15-151-020.

City Staff, Mr. Wetterow presented the report with a recommendation for approval. Mr. Wetterow highlighted the location of the property and noted the uses located on the neighboring properties. Mr. Wetterow emphasized the purposed of the Preliminary Plan was to ensure the properties were subdivide and combined in a manner to facilitate in the development of the property, specifically for the development of a solid waste transfer station on one of the properties to the rear. The subdivision of the property ensures the proper separation from the proposed use and residential properties which is required for a license the Petitioner is seeking from the State. Mr. Wetterow noted that some of the existing buildings on the properties will be either demolished or modified to accommodate the solid waste transfer station. Mr. Wetterow reiterated the solid waste transfer station would be developed on the property furthest to the east which is the farthest away from the residential uses along Bunn Street and Hamilton Street. Mr. Wetterow noted the review of this Preliminary Plan was focused on standards for a Preliminary Plan. The siting of the solid waste transfer station will be

handled via a siting hearing which the County will host so any concerns related to the use would be more appropriately addressed at that meeting. Mr. Wetterow highlighted this property is not within the city limits and is not going to be annexed into the City. The City only has purview for approving the Preliminary Plan because it falls within the extraterritorial jurisdiction (ETJ) of the City. The City only has oversite on the layout of the property. Mr. Wetterow noted the Petitioner made a request to not provide any sidewalks but after consulting with Public Works Staff it was determined sidewalks need to be installed on at least one side of the street. The recommendation to the Commission reflects the installation of sidewalks on one side of the street.

Vice-Chair Boyd asked if there were any questions from the Commission. There were none, so he opened the public hearing on case PS-06-22 and asked if the Petitioner was present to speak on the case.

Tom Kirk (Bloomington, IL), spoke on behalf of the petition. Mr. Kirk noted the acronym TKnTK stands for Tim Kirk and Tom Kirk. They are both fifty percent owners of that business. Mr. Kirk also noted that he and his brother, Tim Kirk, also own Henson Disposal who provides trash service to those individuals not living in Bloomington or Normal. They have roughly 4,000 customers and one of the properties they use for this business is indicated on the Preliminary Plan and will be where they expand the business. Mr. Kirk noted the property is in the County and he has owned it for roughly 15 years. What he needed for the proposed business was a road, so they are subdividing the property to allow for the construction of the road leading back to the properties. A total of six lots will be created and will continue to be used by his company. The road being proposed is being designed to City specifications because at one point he was looking to annexa into the City but is no longer desiring to yet kept the road design standards the same. Mr. Kirk noted he has spent a lot of time and money on this project and is working with a lot of professionals to make sure the project is done correctly. Mr. Kirk believes the Preliminary Plan meets all of the requirements requested of them by the Code. Mr. Kirk noted the reasoning behind the request for the waiver to provide no sidewalks is safety related. Mr. Kirk does not want to encourage foot traffic on these properties. This area is going to be an industrial park with a lot of larger vehicles and heavy machinery moving around the area and on the road. He does not want people walking back into this area. He wants individuals to come back into this area in a vehicle, not on foot.

There were no questions from the Commission.

No additional testimony was received. Vice-Chair Boyd closed the public hearing on case PS-05-22 and opened up discussion within the Commission.

Vice-Chair Boyd noted that the old Code only required a sidewalk on one side, but the Commission requested that be changed to two in the new Code. The Petitioner's reasoning for the request makes sense to Vice-Chair Boyd and asked Staff is they had anything else to add as to why Public Works staff requested there be at least one sidewalk. Was the request a compromise? Mr. Wetterow stated the request for one sidewalk was deemed to be an appropriate compromise to the requested waiver.

There were no further discussions so Vice-Chair Body asked if there was a motion for approval.

Commissioner Krieger made a motion to establish findings of fact that the Preliminary Plan for the HDI Subdivision conforms with the standards and purpose of the Subdivision Code and recommend approval of the petition to City Council with the following waiver: to allow installation of a sidewalk on only one side of the street. The motion was seconded by Commissioner Danenberger.

> Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Danenberger – Yes, Ms. Patino – Yes, Ms. Beyer – Yes, and Vice-Chair Boyd - Yes (6-0). The motion passed.

Mr. Wetterow noted that the case will go before City Council on January 23, 2023.

G. Z-24-21 Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules. Continued from October Meeting.

City Staff, Ms. Pemberton presented the report. Ms. Pemberton noted the Commission is not voting on what is being proposed. The purpose of presenting amendments at this time is to make the Commission aware and provide significant time to review the proposed changes and address any. Staff plans to bring the amendments for a vote at the January or February meeting. Ms. Pemberton noted that the sections highlighted in green in the packet are amendments that have been already approved by the Commission. The sections highlighted in yellow and red are proposed amendments what the Commission should focus on during their review.

The first amendment Ms. Pemberton explained addressed allowing Use Provisions to be waived as part of a Special Use Permit process, removing the requirement to grant Variances for Use Provisions. By allowing conditions and waivers associated with Special Use Permits a conversation can be had with Petitioners by the Commission and City Council to determine what is appropriate for each specific site/use. This would eliminate Variances associated with uses, as variances are bulk and site specific and should be tied to the land not a use. Additionally, the conditions and waivers would fall off when discontinuance of use happens. If a Variance is still needed, it will need to be heard and approved by the ZBA. The variance would stay, but the conditions and waivers would cease with discontinuance of use. To improve efficiency, the amendments also suggest moving Special Uses to fall under the purview of the Planning Commission and provide waivers to use provisions. Ms. Pemberton noted the number of cases where a Special Use was applied for and a Variance for a use provision was requested.

Vice-Chair Boyd noted he had two concerns, which were really one concern and one question. His concern with moving Special Uses to the Commission was related to the potential increase in number of cases coming before the Commission would increase the length of their already-lengthy meetings. He inquired whether the Planning Commission and Zoning Board of Appeals could be combined into one, as he was aware of other communities that function in this manner. This would address his concern about being able to achieve quorum and finding individuals to serve on the Board and Commission. Vice-Chair Boyd asked if this this ever been previously considered. Ms. Pemberton noted that at least back to the 1960s the two have been separated and she has not seen evidence that the ZBA addressed items like text amendments. Ms. Pemberton explained how the Vice-Chair's concern related to the increased number of cases will be addressed by the next amendment for discussion that changes the applicability of Legislative Site Plan Review and would result in a reduction in the Site Plan cases coming before the Commission.

Ms. Pemberton presented a chart which indicated what Staff believes happened when the zoning districts were consolidated, and legislative site plan requirements were incorrectly transferred to the new districts. In the old Code the "B" districts did not require legislative site plans. The districts that were designed to have legislative site plans were the "C" districts, (C-2 and C-3). Ms. Pemberton noted the types of uses permitted within those districts and how the uses permitted aligned more with local commercial and office, both of which would likely be adjacent to residential properties. There were numerous site and size restrictions associated with these districts and the intent was to protect the surrounding residential properties. There were nuances with how the legislative site plans were assigned that were missed when the districts were consolidated. The requirement went from being applied to a couple of districts to all districts, which was not the original intent of the legislative site plan requirement. The intent appears to have been to review some commercial development but not every single commercial development. Evidence shows that the current regulation structure has slowed down development within the City. Additionally, Ms. Pemberton noted that legislative site plans as they exist now, are not providing any significant benefit to the community. Ms. Pemberton provided a chart indicating the legislative site plans cases that have come before the Commission in the last few years; the chart highlighted that when the case was adjacent residential properties was the best indicator of public participation. Staff's recommendation, based upon available case data and the intent of the previous code, is to amend the code so that the intent (protecting neighborhoods and residential properties) fits into our current districts. This would result in legislative site plan requirements falling under the C-1, B-2 and D-2 Districts. These are the districts designed to fall between commercial and residential. For any other projects that appear to be of concern, the current Code allows the Petitioner or Staff to request a Legislative Site Plan Review. This amendment would reduce the number of Plan Review cases coming before the Commission, but not remove the process where evidence shows it to be beneficial.

Vice-Chair Boyd wanted to clarify that it was just the three zoning districts in which a legislative site plan would be required. Ms. Pemberton responded in the affirmative. The Code still accounts for Special Use requirements when certain uses are adjacent to residential, regardless of District.

Vice-Chair Boyd would really like to have staff explore the idea of combining Planning Commission and Zoning Board of Appeals for purpose of ensuring thorough review and achieving quorum. Ms. Pemberton stated Staff would investigate this and would report back to the Commission.

Commissioner Krieger left at 4:58pm.

Ms. Pemberton discussed the next text amendment proposed to the Commission which addresses Commercial Parking Lot and Bus and Taxi Passenger Terminals. Ms. Pemberton noted staff is seeking guidance on these amendments. Ms. Pemberton highlighted that staff is looking through the old version of the Code and actively evaluating the B-1 zoning district to determine how to reduce overly-burdensome requirements and limit the number of cases that come before the Commission. When the districts were consolidated, the regulations got consolidated as well and resulted in a mismatch between the intent and regulations associated with some districts. An example would be that under the current Code, hospitals are a Special Use in B-1 zoning when previously they were permitted. Additionally, the intent and purpose of B-1 zoning would be supportive of the placement of a hospital within as a permitted use. Under the old code, both uses (Commercial Parking Lot and Bus and Taxi Passenger Terminals) were permitted uses, however under the current code they are Special Uses. Staff can't find any evidence of any discussion as to why this change occurred. They are beneficial uses, yet at the same time could have potential impacts associated with them. Ms. Pemberton asked the Commission to review these uses and think about if they should be permitted or Special Uses, as transportation and access uses can have significant impacts on economic development.

Ms. Pemberton noted the next proposed text amendment addressed Places of Worship. In the old code the use was permitted by right, but under the current code it is a Special Use in the B-1 zoning district. Staff is asking the Commissioner to consider reverting the use back to permitting by right in B-1. There have already been numerous Special Use requests for Places of Worship in B-1. The use aligns with the intent of B-1 and makes sense to be a permitted use.

Ms. Pemberton noted the next proposed text amendment addressed definitions related to industrial uses. Ms. Pemberton noted that text amendments will never fully cease because technologies and uses evolve, so definitions—and sometimes uses—need to be revised or added. The previous philosophy was to list every use and add more as they were needed; Staff is proposing more broad definitions that are category-based and well-defined by their impacts. Ms. Pemberton noted other communities that have shifted in this direction and only define a few specific uses that do not fit well into a category or need to be called out because of their unique nature and impact. Ms. Pemberton noted the current code already breaks up light and heavy industrial but there are no general definitions or use "line items" for each, and Staff struggles to match real-world uses with the uses and definitions currently in the code. Staff proposes adding "Light Industrial, not listed below" and "Heavy Industrial, not listed below" to the use tables, and intends to review definitions from other communities, but carefully evaluate those definitions to make sure they are succinct and applicable to our City. Staff will be bringing these definitions back before the Commission for their consideration. Ms. Pemberton and Mr. Wetterow noted the general locations within town where the

M-1 and M-2 zonings are located within town to give the Commission an idea of the areas of the City which would be impacted. The Commission was generally supportive of the concept.

Vice-Chair Boyd asked if there were any questions or comments from the Commission. There were none. Ms. Beyer noted she had not had a chance to review all the changes. Staff informed her that is ok as the intent was just to bring this before the Commission for discussion and review. Staff also encouraged the Commissioners to call, email or visit staff if they have questions.

Vice-Chair inquired if Staff was aware of how much of the code was changed in 2019 and how much of the code has been reverted since it was changed. Ms. Pemberton noted she has reviewed the minutes from the Commission meetings in which the text amendments were discussed and has received much insight; many of the changes being presented now are instances where the changes to the code that were adopted do not align with the discussions had at those meetings.

Mr. Wetterow noted there was an individual present who wished to speak about the proposed text amendments.

Vice-Chair Boyd opened the public hearing for case Z-24-21.

Neil Finlen of the Farnsworth Group (2709 McGraw Drive), wanted to applaud staff on the work they have done on addressing these issues and streamlining the development process. Mr. Finlen believes the changes will still ensure the integrity of the projects while removing unintended hurdles in the development process. Mr. Finlen noted the housing crisis the community is experiencing and how the changes staff have proposed have aided developers in providing a streamlined process to provide the much-needed housing. Mr. Finlen noted the Planning Department is finally fully staffed and with quality staff. Mr. Finlen applauded the relationship they have developed with the development community and businesses. Mr. Finlen emphasized that the amendments would shift putting more of the decision making into the hands of the planning staff and only have those items that rose to the need be brought before the Commission for review.

There were no other individuals present to speak. Vice-Chair Boyd closed the public hearing portion of case Z-24-21.

Vice-Chair Boyd inquired as to when the text amendments would be formally coming before the Commission. Ms. Pemberton noted it could be as early as the January meeting but most likely a meeting or two after that. Vice-Chair Boyd encourage the Commission to reach out to Staff is they have any questions or comments related to the information presented today.

No questions for Staff from the Commission.

OLD BUSINESS - None.

NEW BUSINESS

Ms. Beyer inquired if there was going to be a special meeting. Ms. Pemberton noted there was no longer a need for a special meeting as Mr. Danenberger was able to be present today to ensure quorum was achieved. The next meeting will be the regularly scheduled January meeting which is on January 4, 2023.

ADJOURNMENT

Vice-Chair Boyd asked for a motion to adjourn. Commissioner Patino made said motion. The motion was seconded by Commissioner Danenberger. A voice vote was held, and all Commissioners responded in the affirmative. Motion passed (6-0). The meeting adjourned at 5:10 P.M.

Exhibit 1A for Agenda item 5C (PS-05-22)

From: Dunraven Community <dunravencommunity@gmail.com>
Sent: Tuesday, December 6, 2022 5:50 PM
To: Public Comment
Subject: Planning Commission 12/7/22 Meeting

Dear Planning Commission Members,

The Board of Directors of The Dunraven Homeowners Association wishes to voice our support for the petitions submitted by Green Fairways Development LLC for Zoning Map amendment as cases Z-14-22, Z-15-22 and PS-05-22.

The Dunraven subdivision runs the entire east border of The Links golf course. Our community currently consists of 160 duplex and townhome residences, 40 of which directly back to The Links golf course.

The Links has always provided a green space and buffer from our nearest neighbors to the West. A number of our residents enjoy and use the facilities as well. This has always an been an attraction and our owners feel a benefit to our community. Upon hearing of the current owners intent to sell The Links, our residents had questions and concerns regarding property values and quality of life.

Very early in the process, the petitioning developers reached out to us to inform us of their interest in acquiring the property. The developers were genuinely interested in being a good neighbor and how their proposals would impact Dunraven. We soon learned that we share the goal of maintaining and continuing the golf course piece of the parcel. The developers embrace the benefit of the facility to our community at large.

The developers have been diligent through several meetings and numerous conversations in keeping our board informed with progress and developments with the city in making their petition. And we as a board, have kept our residents informed as well.

We feel that we have a good relationship with the developers, working toward a common goal.

Therefore, we support the developers petitions listed above.

Sincerely,

Mark Seyller
President
Dunraven HOA

PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	February 1, 2023
CASE NO:	Z-16-22, Zoning Map Amendment
REQUEST:	Public hearing, review and action on a petition submitted by OSF Healthcare System, requesting approval of a Zoning Map Amendment for the property located at 3 Moore Road, from R-1A (Single-Family Residence) District to P-2 (Public Lands and Institutions) District. PIN(s): 21-10-232-025. ***WITHDRAWN AT THE REQUEST OF THE PETITIONER.***

Case Withdrawn at the request of the Petitioner.

This case was originally tabled to the January 4th Planning Commission meeting. On December 15, 2022, the Petitioner withdrew application. As the January 4, 2023, meeting was cancelled the case has been placed on the February 1, 2023, agenda for conclusion.

Planning Commission

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	February 1, 2023
CASE NO:	Z-01-23, S-4 (Historic Preservation Overlay) District
REQUEST:	Public hearing, review and action on a petition submitted by David R. Dow & James A. Neeley Trust for an S-4 (Historic Preservation Overlay) District for property located at 33 Sunset Road (PIN: 14-34-402-016).

BACKGROUND

Request

The Petitioners are requesting to have the S-4 (Historic Preservation Overlay) District applied to the property. The request was heard by the Historic Preservation Commission (HPC) at their November and December, 2022, meetings. The HPC voted to recommend approval of the S-4 designation to the Planning Commission. Additionally, the HPC passed Resolution 2022-02 which recommends the property located at 33 Sunset Road be nominated as a local landmark and rezoned with the S-4 (Historic Preservation District) Zoning Overlay. This resolution found that the nominated property met the following criteria for consideration in § 44-804(B)2 of the Bloomington City Code, 1960, as amended: 1) its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation; 2) its embodiment of distinguishing characteristics of an architectural style value for the study of a period, type, method of construction, or use of indigenous materials, and its suitability for preservation or restoration; and 3) its suitability for preservation or restoration.

Property Characteristics

The subject property consists of 1.22 acres of land located on the south side of Sunset Road, just northwest of the intersection of Towanda Avenue and Emerson Street in Bloomington. The property is improved with a single-family residence that was constructed in 1948. 33 Sunset Road is not located within a nationally or locally designated historic district. Additional current and historic property characteristics are detailed in Historic Preservation Commission Resolution 2022-02 and the Staff Report transmitted from the HPC.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Wednesday, January 11, 2023. Courtesy notices were mailed to 24 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses:

	Zoning	Land Uses
North	R-1A (Single-Family Residence) District	Single-Family Dwelling Units
South	R-1B (Single-Family Residence) District	Place of Worship
East	R-1A (Single-Family Residence) District	Single-Family Dwelling Units
West	R-1A (Single-Family Residence) District	Single-Family Dwelling Units

ANALYSIS

*Comparison of Existing and Proposed Districts**

Existing Zoning: R-1A (Single-Family Residence) District

The R-1A Residence District is intended to provide for the establishment of areas characterized by large lot single-family dwelling units for occupancy by families, and related recreational, religious, and cultural facilities that serve the immediately surrounding residents, as well as those living in the district. The R-1A district provides for approximately two dwelling units per acre.

Proposed Zoning: R-1A (Single-Family Residence) District with S-4 (Historic Preservation District) Overlay

The S-4 (Historic Preservation District) is intended to promote the-protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value. The City of Bloomington finds that the preservation of such resources is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of its citizens. This S-4 Historic Preservation District shall be applied as an overlay district in combination with underlying base zoning districts as shown on the Official Zoning Map.

*A list of permitted uses for commercial and public interest districts can be found online in Chapter 44, Divisions 4-1 and 7-1, respectively.

Compliance with the Comprehensive Plan

The proposed Zoning Map Amendment contributes to Goals N-1.3e (Continue to enhance the City's designated historic districts), N-2. (Improve community identity and appearance by celebrating the unique nature and character of the City's individual neighborhoods), N-2.2a (Identify the unique qualities of each neighborhood and promote these as destinations for desirable areas to live, work, shop and play), and (N-1.1 Enhance the livability of all Bloomington neighborhoods).

Consideration of the 2035 Comprehensive Plan's Future Land Use and Land Use Priorities maps do not apply in this situation.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Request for Zoning Map Amendment for R-1A to R-1A/S-4

1. **The suitability of the subject property for uses authorized by the existing zoning.**

   The current use is a single-family home, a permissible use in the district.

2. **The length of time the property has remained vacant as zoned considering the context of land development in the area.**

   The standard does not apply.

3. **The suitability of the subject property for uses authorized by the proposed zoning.**

   The subject property meets the criteria for local designation and contributes to the historic and architectural heritage of the City.

4. **The existing land uses and zoning of nearby properties.**
   The subject property is located near the Franklin Square National Register historic district. The subject property is compatible with surrounding uses and zoning. The proposed zoning overlay is also compatible with the surrounding uses and zoning.

5. **Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.**

   The City, community, public and property owner benefit from designation of the subject property. The overlay ensures preservation of valuable historical and architectural features and requires review of building permit applications for alterations or demolition.

6. **The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.**

   No change to existing ingress/egress is proposed.

7. **The extent to which the proposed amendment is consistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage pattern in the area.**

   The amendment will not result in any change to the existing stormwater management.

8. **The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.**

   The property currently utilizes existing city services, water, and sewer. The property is served by existing fire and police protection.

9. **The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in § 44-1701 herein.**

   The map amendment ensures the restoration and preservation of a historic and architecturally significant structure which is in the best interest of the public as it will result in improving surrounding property values and encouraging reinvestment and maintenance of neighboring older, unique structures.

10. **The extent to which property values are diminished by the particular zoning restriction.**

    Local historic designation and the historic preservation program have a positive impact on property values for the property and for the neighborhood.

11. **The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.**

    The zoning amendment should not result in negative impacts on the surrounding property values. The zoning amendment will not result in the destruction of property values and will not negatively impact the surrounding properties in any way.

12. **Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it.**

    The subject property is located within the "Preservation Area" identified on Figure 4-1, Neighborhood Classification Boundaries, of the Comprehensive Plan (Pg 46). The S-4 overlay would be a means to preserve this home which is an objective within the Preservation area. Additionally, it will serve to stabilize property values.

13. **Whether the City needs the proposed use.**

    The City of Bloomington values historic preservation. The Preservation program provides homeowners with resources and expertise to maintain properties in good condition, increasing the value and investment in the neighborhood.

PROCEDURE

For Zoning Map Amendments related to the S-4 (Historic Preservation Overlay) District, the recommendation from the Planning Commission is transmitted to City Council in the form of a Resolution that reaffirms or rebuts the recommendation of the Historic Preservation Commission.

The Designating Ordinance, passed by City Council, may prescribe the significant exterior architectural features; the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness; the design guidelines for applying the criteria for review of appropriateness; and sign regulations (§ 44-804B(6)(d)). To that end, the Resolution transmitted to City Council that informs such Ordinance should include the same information and level of detail, and therefor, should be transmitted with the nomination report used to establish the initial findings of fact.

STAFF RECOMMENDATION

Staff finds that the request for a Zoning Map Amendment ***is in the public interest and not solely for the benefit of the applicant***, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

Motion to pass a Resolution recommending approval of the petition to City Council, that includes the following:

- Acceptance of the findings and recommendation of the Historic Preservation Commission;
- Establishment of findings of fact that ***the proposed zoning map amendment is in the public interest*** and not solely for the benefit of the Petitioner;
- Recommendation of ***approval*** of the petition by City Council;
- The form and content of Historic Preservation Commission Resolution 2022-02;
- and the Historic Preservation Commission Nomination Report & Supporting Documentation.

Respectfully submitted,
Planning Staff

Attachments:

1. Zoning Map
2. Aerial Image
3. Historic Preservation Commission Resolution 2022-02
4. Historic Preservation Commission Nomination Report & Supporting Documentation
5. Neighborhood Notice Map

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Historic Preservation Commission Resolution 2022-02

RESOLUTION NO. 2022-02

A RESOLUTION RECOMMENDING THAT THE PROPERTY LOCATED AT 33 SUNSET ROAD BE NOMINATED AS A LOCAL LANDMARK AND APPLY THE S-4 (HISTORIC PRESERVATION) OVERLAY DISTRICT TO THE PROPERTY

WHEREAS, a nomination was submitted to the City of Bloomington Historic Preservation Commission by David R. Dow & James A. Neeley Trust requesting that the property at 33 Sunset Road, legally described in Exhibit "A", attached hereto, be recognized for its historic and cultural significance with the S-4, (Historic Preservation) Overlay District Zoning; and

WHEREAS, the Historic Preservation Commission determined that the nominated property meets the following criteria for consideration in Chapter 44 8-4 (B) 2 of the Bloomington City Code, 1960, as amended:

1. ***Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;***

2. ***Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;***

3. ***Its suitability for preservation or restoration.***

WHEREAS, the Historic Preservation Commission has also determined that the nominated property has significant integrity of location, design, materials and workmanship and is therefore worthy of preservation or restoration; and

WHEREAS, the Historic Preservation Commission further recommend that he future decisions regarding the building consider the following architectural criteria for review of a certificate of appropriateness:

1) Architectural Details:

    a. pitched shed roof with wide overhanging eaves combined and exposed roof beams,

    b. flat roof on the long leg of the bedroom wing,

    c. north façade of east-west oriented wing, broad expanse of dark stained redwood board and batten siding,

    d. south facade of east west oriented wing window wall above which project large roof rafters,

    e. large Indiana Limestone fireplace on south facade of north-south wing,

    f. east and west facades of north-south oriented wing featuring bands of short sliding windows and dark stained redwood board and batten siding,

    g. north entry flanked by un-coursed, rough pointed rubble work of Indiana

Limestone which intersects a large glass picture window continuing into the interior entry way,

h. east façade of east-west oriented wing, a massive un-coursed, rough pointed rubble work of Indiana Limestone fireplace,

i. a breezeway between the house and garage featuring roof openings between exposed rafters and purlins and a vertical louver privacy divider wall,

j. original garage and its features.

2) Landscaping Details:

a. Osage Ornge Hedge along Emerson St.,

b. Kentucky Coffee and Elm trees, plus exotic mature trees,

c. Native plants throughout the large yard including blue stars, Virginia bluebells, ferns, lobelia, spring beauties, jack-in-the-pulpit, and violets.

WHEREAS, the Historic Preservation Commission has the power to adopt this resolution and make a recommendation to the Bloomington Planning Commission represented in the report attached to this resolution and hereby referred to as Exhibit "B".

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Bloomington, McLean County, Illinois:

SECTION ONE: That it is recommended to the Bloomington Planning Commission that the premises located at 33 Sunset Road legally described in Exhibit "A" be designated as a local historic landmark and have the S-4, (Historic Preservation) Overlay District applied.

ADOPTED this 15th of December, 2022

APPROVED this 15th of December, 2022

CITY OF BLOOMINGTON, ILLINOIS ATTEST

_____ _____

Paul Scharnett, Chair John Branham, Secretary

Exhibit A
Legal Description

FOX SUB LOT 3 EWING & EVANS SUB LOT 1

Attachment 4: Historic Preservation Commission Report & Supporting Documentation

Nomination Report

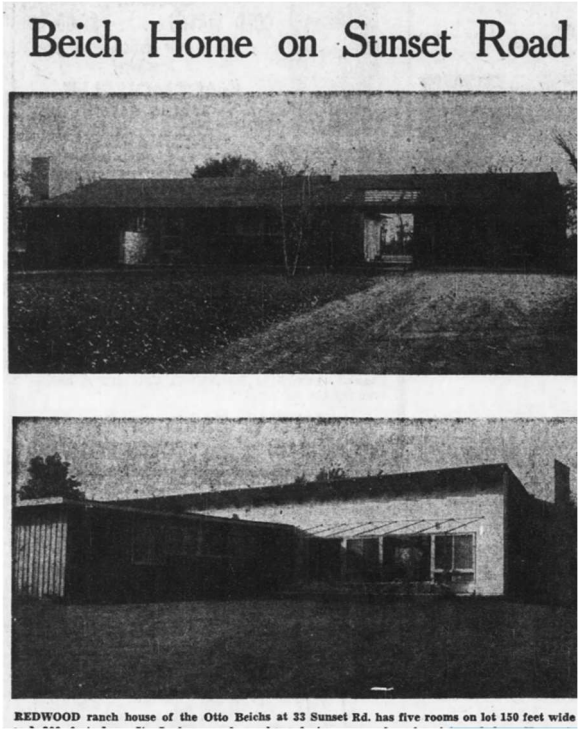
The City of Bloomington Historic preservation Commission supports the S-4 Zoning Nomination of the Otto and Lucille Beich House at 33 Sunset Rd for the following reasons:

1) It is the work of a master architect, Richard A Williams, who was raised on this community and became national recognized for his Mid-Century Modern design work. As Williams instructed generations of students at the University of Illinois, he served as the designer of numerous works in Bloomington in his collaborations with the Lundeen and Hilfinger architectural firm and its successors.

2) This house is exceptionally well preserved and has been thoughtfully cared for by the Beich family for many years.

3) The grounds of the house are on a lager tract of numerous lots whose original plantings were conceived by master landscape architect Jens Jensen. Through the years most of Jensen's principles have been discarded throughout the subdivision, but they have been maintained on this lot. This is important for the house was designed to blend and compliment this landscaping.

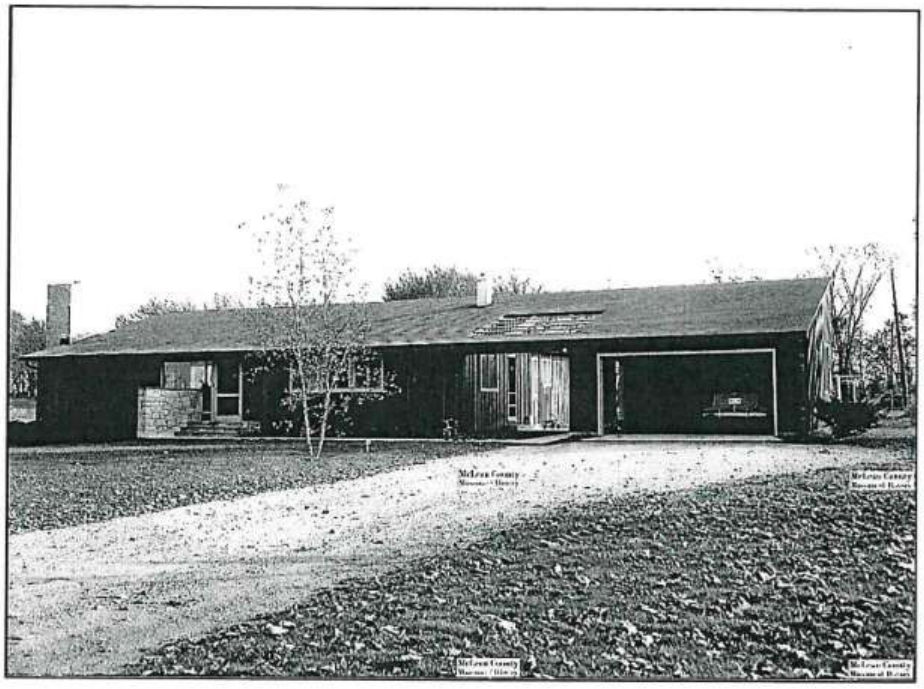
4) Overall, the house is among the best-preserved examples of Mid- Century Modern design in the community. The preservation of these buildings is specifically called out in the City of Bloomington Historic Preservation plan adopted in 2021.



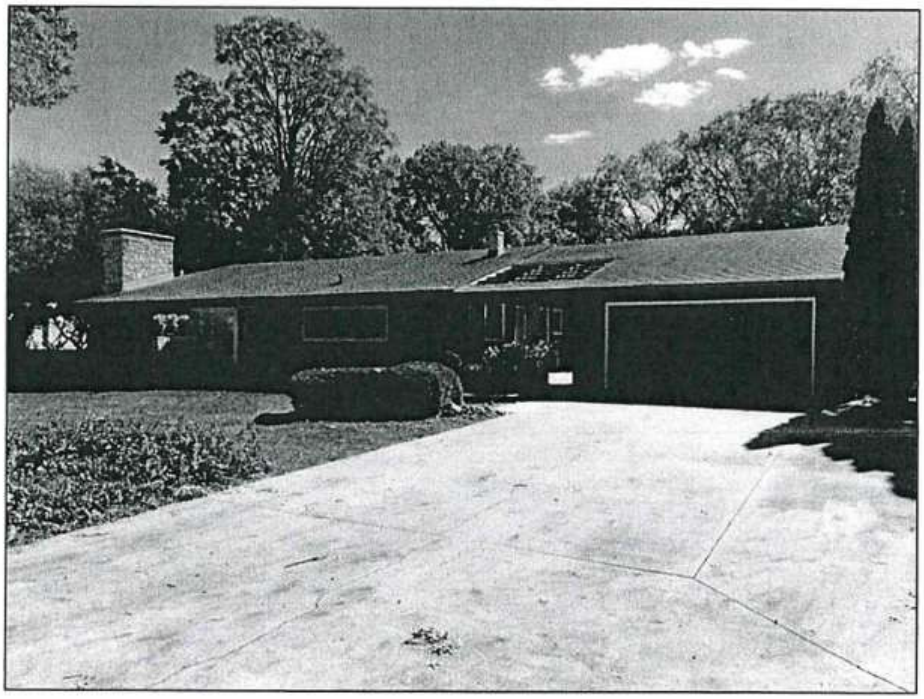
1950

2022

1950 façade photo
Courtesy of McLean County Museum of History archives from *The Pantagraph*

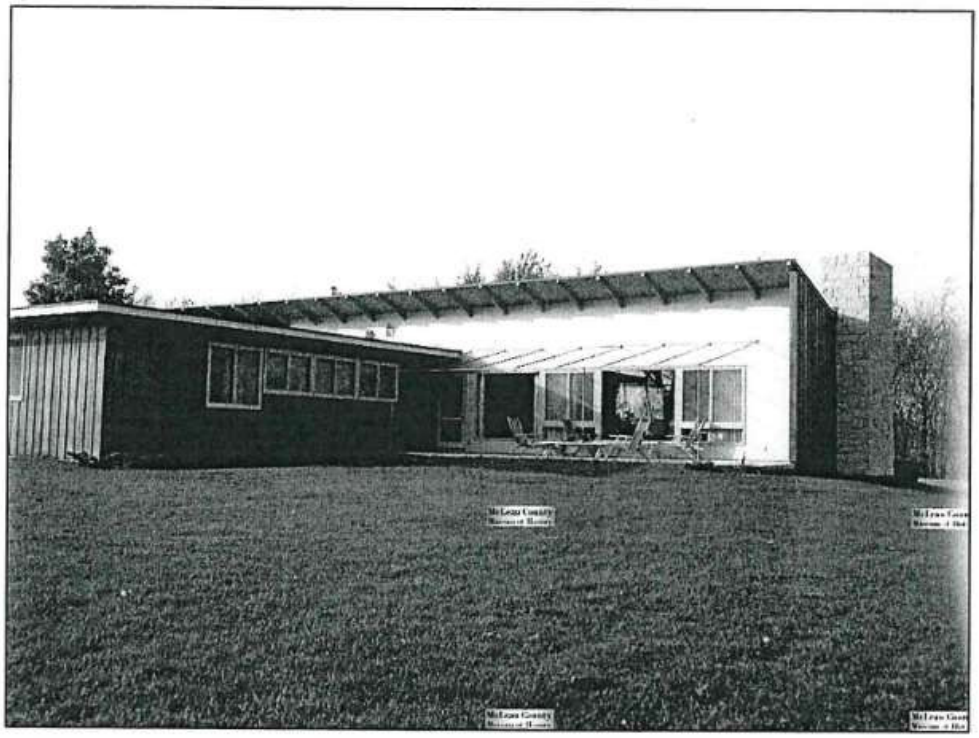


2022 façade photo in B&W
Photo by homeowners



2022 façade color phots
Photo by homeowners

1950 rear façade photo
Courtesy of McLean County Museum of History archives from *The Pantograph*



2022 rear façade photo in B&W
Photo by homeowners

Property History

Sunset Road was laid out in 1923 by famed landscape architect Jens Jensen at the request of Davis and Hazle Buck Ewing. The original hand drawn design hangs at Ewing Manor. The plan was to have 12 houses on the road and one where Ewing Park 1 is located, totaling 13 homes. A plat called the Ewing and Evans subdivision was recorded on October 4, 1928, by Davis Ewing, Hazle B. Ewing, Mark Evans, and Nan M. Evans. It consisted of approximately 66 acres. On October 13,1928, the Ewing's became the sole owner of the Ewing and Evans subdivision. The subdivision then consisting of 13 large lots which were bordered on the East by Towanda Avenue and on the South by Emerson Street and on the west by a hedgerow that ran along the west property line.

In 1930 the Ewing's sold four lots, including Lot 3 of the Ewing's Evans subdivision to Ralph M. Fox and Walter S. Fox. Subsequently Lot 1 of the Ralph M. Fox and Walter S. Fox subdivision became 33 Sunset Road. Both this unique vision for development, and specifically 33 Sunset Road itself, have a rich history and collaborations of important persons of the time including Davis Ewing and Hazle Buck Ewing, A. Richard Williams, Jens Jensen, Felmley-Dickerson Company, and Otto and Lucille Beich.

Identification with a person or persons of significance

Landscape Architect: Jens Jensen. The Ewing Manor gardens were designed and built by noted landscape architect Jens Jensen. This is the architect that also designed the Lincoln Memorial Gardens in Springfield. The curving pathways for the residence provided views of both sunrise and sunset, thus, the residence was named Sunset Hill.

Jens Jensen Immigrated to the United States in 1884 from his native Denmark, Jensen was a key figure in the Chicago Renaissance and, along with O.C. Simonds and Wilhelm Miller, played a prominent role in the creation of a uniquely North American design aesthetic, the Prairie Style. His pioneering work in the Chicago's West Parks, including the design of Columbus Park and extensive redesign of Humboldt, Garfield, and Douglas Parks, was informed by his philosophical belief in the humanizing power of parks and his commitment to working closely with indigenous plants and ecological processes of the region's prairie landscape. Incorporating such features as wetland gardens known as "prairie rivers" and council rings as places for gathering and performance, Jensen created parks throughout the Midwest as well as numerous residential gardens, including several estates for the Ford family, often in collaboration with leading Prairie School architects. A devout conservationist, Jensen organized movements leading to the creation of the Cook County Forest Preserve District, the Illinois state park system, and the Indiana Dunes State Park and National Lakeshore.

Builder: Felmley-Dickerson Company. The John Felmley Company was founded in 1936 by John Felmley and was incorporated in 1947. John Felmley was President of the company until 1958. John Felmley was the son of Dr. David Felmley, the sixth President of Illinois State University from 1900 to 1930. In 1952, Ray Dickerson was added as a partner and the company's name was changed to Felmley-Dickerson Co. Ray Dickerson became President of the company in 1958 and served in that role until 1977.

Original Owner: Thomas S. Blackman. According to records and neighborhood recollections Thomas S. Blackman, a civil engineer, was the original owner who commissioned the design of 33 Sunset.

Second Owners: Otto and Lucille Beich. 33 Sunset Road was built in 1948 and in 1950 was purchased by Otto and Lucille Beich for $37,500, the highest price paid for a Bloomington house that year. Otto was the son of Paul Beich who founded The Paul F Beich Candy Co. in Bloomington in the early 1920's. Otto went on to run the family business. In 1958 Otto suffered a stroke and an addition was added to the house so that he could continue to run the business from home. Mr. Beich's office is now the principal bedroom of the house.

Lucille Beich lived at 33 Sunset Road from 1950 to August 2021 when she passed at the age of 104. She lived independently through her entire life lovingly caring for the house and gardens, in addition to being an artist, primarily painting landscapes. McLean County Arts Center now has a few pieces of her work in their permanent collection. One of her final wishes was to see her house saved from the fate of other original properties on the road.

Embodiment of distinguishing characteristics of an architectural style

The House. 33 Sunset Road is a prime example of architect William's Mid Continent Modern style and the principles of minimalist simplicity, functional pragmatism, and environmental harmony. The one-story house is "L" shaped with a pitched shed roof, rising to the south, on the living room and kitchen wing and a flat roof on the long leg of the bedroom wing. The north façade has a broad expanse of dark stained redwood board and batten siding, and broad eaves which continue around the entire house. The south facade of this wing is composed or a window wall above which project large roof rafters. The east and west face of the bedroom wing features bands of windows and dark stained redwood board and batten siding. The entry is flanked by a rough pointed rubble work stone wall of Indiana Limestone which intersects the front window continuing into the interior entry way. The east façade features a massive Indiana Limestone fireplace, which serves the living room. There is a breezeway between the house and garage featuring roof openings between exposed rafters and purlins and a vertical louver privacy divider wall.

The house sits back from Sunset Road behind a woodland with mature trees, ivy, and seasonal blooms. Its modest facade belies a 3,300 sq ft home with 3 bedrooms, 2 ½ baths, large living room with vaulted ceilings and exposed beams, a grand Illinois Dolomite stone fireplace, separate dining room, which is delineated by a reeded glass partition wall, a functional kitchen, a 51' long "gallery" hall which brings natural light and air into the rooms lining it, and spacious principal bedroom (Otto Beich's former office) with full bath. The large office (now bedroom) was added in 1958, from plans by Bloomington architects Lundeen and Hilfiger.

Period details throughout the house have been well preserved or restored including the original "Bilt Well" kitchen cabinets, original vanities in the principle and second baths, original tile work, painted and stained wood paneling and millwork, and restored steel radiator covers. The large glider windows throughout the home have been replaced, without changing locations, opening sizes or functionality, with Marvin pultruded fiberglass windows. These were recommended by Landmarks Illinois, the state-wide historic preservation advocacy group. They provide multiple exposure views to the surrounding gardens and rear yard.

The Gardens. In the 1950's when the Beich's purchased the house there was a small grove of elm and maple trees - bordering Sunset Road, and on the back of the property bordering Emerson (which was then a gravel road) there was, remnant of an Osage Orange Hedge used as a living fence in the 19th century. These trees remain. The lot between Emerson and Sunset

had been a cornfield, and the house had been built in the middle of that old field. Mrs. Ewing sent her gardener over with two Kentucky Coffee trees and a bushel basket of bluebells, which he planted. Such planting was consistent with Jensen's plan for the subdivision. The spring display of bluebells continue to delight neighbors who live on the road as well as other members of the community who walk or drive by to take them in.

Today the front and far rear of the property are shaded woodlands with the whole of the property covered by Kentucky Coffee, Elm, Ginkgo, and Lilac trees as well as Illinois perennials including multiple Hosta varieties, daylilies, peonies, blue stars; as well as jonquils, bluebells, dragon's breath, lilies, irises, ferns, lobelia, spring beauties, jack-in-the-pulpit, violets, and "naked lady" lilies. Much of this is consistent with Jensen's ideas on the extensive use of native plants.

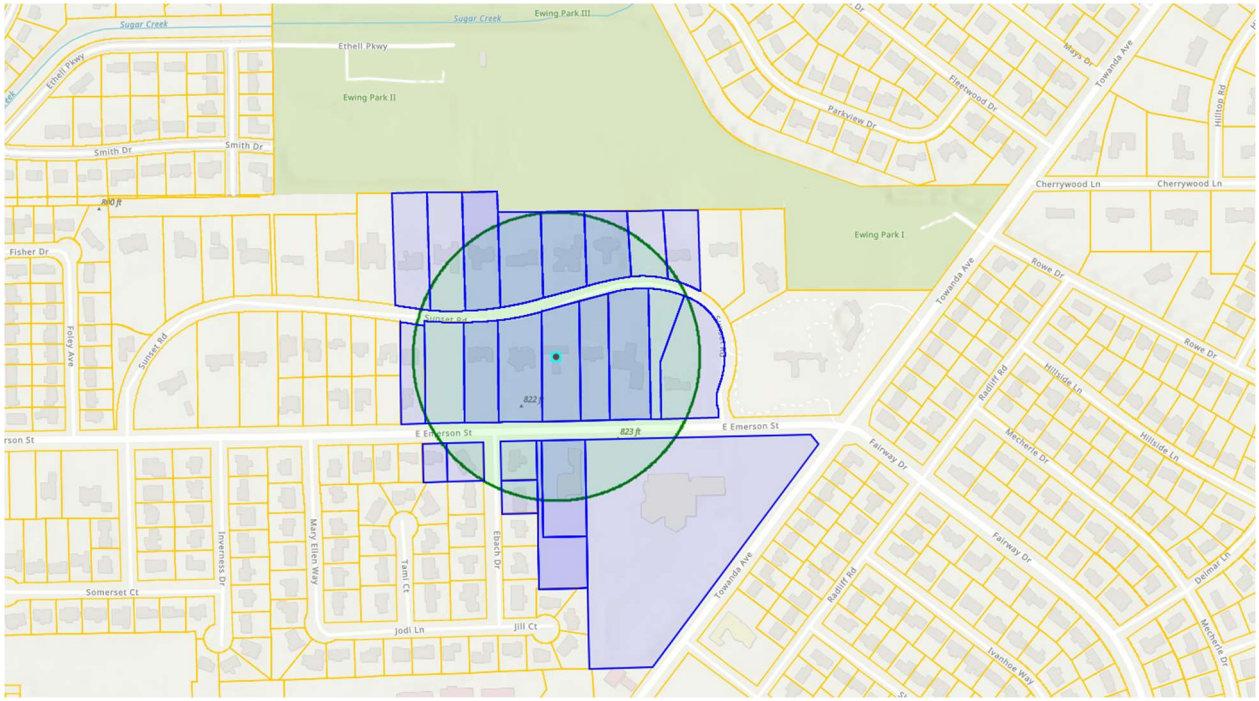
Identification as the work of a Master

Architect: A. Richard Williams (1914 - 2016). Williams was a professor at the University of Illinois' School of Architecture from 1946 to 1970 and a visiting professor of Architecture at the University of Arizona from 1988 - 2016. During his long and distinguished career, Professor William established a style of architecture coined Mid Continent Modern. It is characterized by minimalist simplicity, functional pragmatism, and environmental harmony. 33 Sunset Road embodies these principles. Williams, who was raised in Bloomington Normal was also the architect of Bloomington Savings and Loan (now enveloped by the McLean County Government Center), Bloomington's Oakland Elementary School, the award-winning Bloomington High School, and Wesley Methodist Church as well as several architecturally rich public buildings and private residences in Champaign-Urbana. Williams also served as a principal designer for the Lundeen and Hilfinger firm of Bloomington. In this relationship, his designs were detailed by the Hilfinger firm and the construction oversight was provided by the Hilfinger firm.

Embodiment of elements that render it architecturally significant

Richard Williams' design of 33 Sunset embraces and embodies Mid-Century Modern architectural movement. Those details include low pitched/flat roofs with wide overhanging eaves combined with a shed roofline and exposed roof beams. Use of organic materials including wood and stone. The facade is a combination of board and batten siding with a feature wall that begins on north facing exterior facade wall and seamlessly "passes through' a large glass picture window which terminates in the foyer. This unusual feature wall is fabricated of uncoursed, rough pointed rubble work of Indiana Limestone. Other details of the period are roof openings between rafters, a low broad chimney and fireplace laid from rough pointed rubble work of Indiana Limestone, short sliding windows in private spaces and a modified window wall in the social rooms. The large office now bedroom was added in 1958 from plans by Bloomington architects Lundeen and Hilfiger. It is composed of the same materials and is scaled as the 1948 section. Apart from replacement windows, there have been few changes to the house as it was originally designed and built.

Attachment 5 - Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	February 1, 2022
CASE NO:	Z-24-21, Text Amendments
REQUEST:	Continued discussion on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules.

The Planning Commission has discussed recommendations and text amendments, pursuant to Ordinance 2021-31, at multiple meetings over the past year and has relayed important feedback to staff.

These final proposed text amendments are intended to provide clarity and resolve some of the gaps that resulted from the comprehensive Zoning Code rewrite of 2019.

BACKGROUND

At the regular City Council meeting on August 23, 2021, the City Council approved Resolution 2021-31, per Chapter 44.17-6 of the Bloomington City Code, to initiate text amendments to the City's zoning regulations, Chapter 44 of the Bloomington City Code. Thus far, City Council has adopted Ordinance Number 2021-78 which addressed the primary issue with item one. On October 24, 2022, the City Council adopted Ordinance 2022-99, which completed the work on items three through five. The amendments proposed for this round of discussions are expected to complete the work instructed by Resolution 2021-31, the subject of focus being items two and six.

Recommendations for completing the remaining work are the subject of this memo.

IDENTIFIED ISSUES AND RECOMMENDATIONS COMPLETED OR IN PROGRESS

(1) Auto repair and sale exclusions, definitions, and zoning

Primary issue addressed through case Z-22-21 and Ordinance Number 2021-78.

(2) Updating certain zoning classifications

The remaining proposed changes do the following:

- Move existing text to more intuitive locations in the Code.
- Move Mobile Food and Beverage Vendors to the Accessory Use section and remove from primary Use Tables.

- Reduce Legislative Site Plan Review requirements to districts with direct local impact, per the intent of the previous code.
- Restore use permissions in B-1 when restrictions became unintentionally burdensome because of district roll-ups.
- Correct minor mistakes and scrivener's errors identified through the course of this work.

(3) Reviewing residential uses that were previously permitted by right or via special use in commercial districts that should be allowed again

Addressed through case Z-24-21 and Ordinance Number 2022-99.

(4) Zoning for snack food manufacturing

Addressed through case Z-24-21 and Ordinance Number 2022-99.

(5) Zoning for assisted living facilities

Addressed through case Z-24-21 and Ordinance Number 2022-99.

(6) The review and submission process

The remaining proposed changes do the following:

- Provide clarity that Use Provisions may be waived as part of the Special Use process.
- Update the Concurrent Review section to align with Use Provision waiver language.
- Align language with exiting requirements for reimbursement of recording costs.
- Align Mobile Food and Beverage Vendor regulations with those from other Departments.
- Remove differentiation of Legislative and Administrative hearing types; all hearings will be treated as equally important and given equal due process.
- Update quorum to be of those currently serving.
- Update language to allow Staff to be responsible for the administrative functions of a Board or Commission, such as taking meeting minutes and roll calls.
- Allow Staff, Planning Commission, or the Zoning Board to initiate text amendments.
- Clarify the Special Use Permit revocation process.
- Clarify factors for consideration of Zoning Map Amendments versus Text Amendments and verify that vital criteria are included in those factors.
- Correct minor mistakes and scrivener's errors identified through the course of this work.

The attached document is an updated and condensed version of the previously presented information, as proposed for recommendation by the Planning Commission.

In addition to the items discussed above, it does the following:

- Incorporates changes recommended by the Legal Department.
- Incorporates recommendations from the Historic Preservation Commission.
- Moves the GAP Form-Based code regulations out of the attachment and into the main text.

Respectfully Submitted,
Planning Division Staff

§ 44-501 **[Ch. 44, 5-1] (Business Districts) Purpose and intent.**

…

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
INSTITUTIONAL							
Religious							
Place of Worship	~~S~~ P[1]	S	P[2]	P[2]	P[2]		
Health							
…							
Hospital or Medical Center	~~S~~ P[1]		S				
…							
Retail and Service							
…							
~~Mobile Food and Beverage Vendor~~	~~P~~	~~P~~	~~P~~	~~P~~		~~P~~	~~§ 44-1027~~

…

§ 44-505 **[Ch. 44, 5-5] Development standards applicable to business districts.**

A. Site plan review. Development proposals meeting the following criteria shall be subject to Site Plan Review in accordance with the requirements of Article **XVII**.
   (1) New development, infill or redevelopment in any Business District.
   (2) Building or site alteration in any Business District that includes one or more of the following:
      (a) Expansion of the floor area or height of any building or structure by 20% or more.
      (b) Alterations to off-street parking areas that increase or decrease the number of parking spaces by 20% or more.
      (c) Exterior alterations that substantially modify a building's architectural appearance, including alteration of exterior building materials, rooflines or window openings.
      (d) Other significant changes to site access, landscaping, parking and site characteristics as determined by the Zoning Administrator.
   (3) Development proposals requiring Site Plan review that are in B-2, C-1, or D-2 shall require a public hearing in accordance with § 44-1709E.

   (~~3~~4) Regulations Applicable to the D-1, D-2 and D-3 Districts.

…

§ 44-602 **[Ch. 44, 6-2] Manufacturing District - permitted and special uses.**

…

Table 602A: Manufacturing District - Permitted and Special Uses			
	M-1	M-2	Reference
…			

Table 602A: Manufacturing District - Permitted and Special Uses			
	M-1	M-2	Reference
Retail and service			
…			
~~Mobile Food and Beverage Vendor~~	~~P~~	~~P~~	~~§ 44-1027~~
~~Professional Office Furniture Sales~~	~~P~~	~~P~~	
…			

§ 44-702 **[Ch. 44, 7-2] Public Interest Districts - permitted and special uses.**

…

Table 702A: Public Interest Districts - Permitted and Special Uses				
	P-1	P-2	P-3	Reference
Agricultural				
Agricultural		P	P	
Apiary, Beekeeping	S	S	S	**§ 44-1005**
Chicken-Keeping	S	S		§ 44-1011
…				
Retail and Service				
…				
~~Mobile Food and Beverage Vendor~~		~~P~~	~~P~~	~~§ 44-1027~~
…				

§ 44-801 **[Ch. 44, 8-1] (Zoning Overlay District Regulations) Purpose and intent.**

…

C. S-4 Historic Preservation District. The intent of this S-4 Historic Preservation District is to promote the~~-~~protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value. The City of Bloomington finds that the preservation of such resources is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of its citizens. This S-4 Historic Preservation District shall be applied as an overlay district in combination with underlying base zoning districts as shown on the Official Zoning Map. The purpose of the S-4 Historic Preservation District is to:

(1) Effect and accomplish the protection, enhancement, and perpetuation of such improvements ~~and of such districts~~ that represent or reflect elements of the City's cultural, social, economic, political, and architectural history;

…

§ 44-804 **[Ch. 44, 8-4] S-4 Historic Preservation District.**

A. Applicability.

…

B. Designation of Landmarks and Historic Districts.

(1) Nominations. A nomination for a historic landmark or historic district may be submitted by ~~a member of~~ the Preservation Commission, at least 51% of the owner(s) of record of the nominated property or structure(s), or the City Council, ~~or any other person or organization~~ and shall be submitted ~~made~~ on a form provided ~~prepared by it~~ by the ~~Preservation Commission~~ office of Economic and Community Development.

(2) Criteria for consideration of nominations. The Preservation Commission shall, upon such

…

[1] In the case of a nominated historic district found to meet the criteria for designation:

[a] The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;

[b] The types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of § 44-1710 of this Code.

~~[2] Proposed design guidelines for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district;~~

[3] The relationship of the nominated landmark or historic district to the ongoing effort of the Preservation Commission to identify and nominate all potential areas and structures that meet the criteria for designation;

…

~~(b)~~ Public notice. Notice for all public hearings shall be given in accordance with § 44-1705A. ~~Notice of the public hearing shall be distributed at least 15 days prior to the hearing, in the following manner:~~

~~[1] By mail. Notice shall be sent by mail to the owner(s) of record and to the nominators, as well as to property owners adjoining the nominated historic landmark or historic district. Notice shall include the date, time, place, and purpose of the public hearing and a copy of the completed nomination form.~~

~~[2] Newspaper. Notice shall also be published in a newspaper having general circulation in the City. Notice shall include the date, time, place, and purpose of the public hearing and shall state the street address and legal description of the nominated landmark and/or the boundaries of a nominated historic district.~~

~~(c)~~ Public hearing. Public hearings shall be conducted in the manner provided in § 44-1705. ~~Oral or written testimony concerning the significance of the nominated historic landmark or historic district shall be taken at the public hearing from any person concerning the nomination.~~ The Preservation Commission may present expert testimony or present its own evidence regarding the compliance of the nominated historic landmark or historic district with the criteria for consideration of a nomination set forth in **§ 44-804B(2).** ~~The owner of any nominated landmark or of any property within a nominated historic district shall be allowed reasonable opportunity to present evidence regarding significance and shall be afforded the right of representation by counsel and reasonable opportunity to cross-examine expert witnesses. The hearing shall be closed upon completion of testimony.~~

…

(d) Designating ordinance. Upon designation, the historic landmark or historic district shall be classified as a "S-4 Historic Preservation District" overlay district as provided in § **44-804A** of this Code. The designating ordinance may prescribe the significant exterior architectural features; the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness; the design guidelines for applying the criteria for review of appropriateness; and sign regulations. Procedures for issuance of certificates of appropriateness are contained in Article **XVII** of this Code.

(e) The City Clerk shall record on all directly affected parcels, in the Office of the Recorder of Deeds of McLean County, a certified copy of the Designating Ordinance including all Exhibits and any supporting information or documents necessary to further the explanation of significant of the Landmark or Historic District.

…

§ 44-908 **[Ch. 44, 9-8] Accessory buildings and uses.**

On a lot devoted to a permitted principal use, customary accessory uses, and structures are authorized subject to the following standards and any applicable off-street parking requirements:

A. Accessory uses shall be compatible with the principal use and shall not be established prior to the establishment of the principal use, except as permitted hereafter.

B. Temporary storage for goods, products and materials associated with construction or remodeling of the principal structure shall not be subject to this section.

C. Accessory uses. In addition to those uses permitted in a zoning district, the following accessory uses are permitted subject to the provisions of this subsection and any additional requirements of Article X.

(1) Beekeeping.

(2) Chicken keeping.

(3) Columbariums, when accessory to a place of worship, cemetery, mortuary.

(4) Home occupations.

(5) Roadside stands.

(6) Mobile Food and Beverage Vendors.

…

§ 44-1002 **[Ch. 44, 10-2] (Use Provisions) Applicability.**

The provisions of this section apply to all Zoning Districts unless indicated otherwise. If there is a conflict between this section and the individual requirements of the Zoning District, the Zoning Administrator shall determine which standards control.

Uses subject to a Special Use Permit may be granted a waiver to any use provision as part of that permit, subject to the approval of the reviewing Board or Commission.

…

§ 44-1027. **[Ch. 44, 10-27] Mobile food and beverage vending.**

~~A. Operated by principal use.~~ All mobile food and beverage vending businesses ~~operated by the principal use~~ shall be ~~registered~~ licensed with the City of Bloomington, per the requirements of § 38-923 and must operate within the confines of said license and the restrictions in Chapter 11 (Business Licenses, Registration and regulations) of the City Code. ~~Said registration shall require the submission of the following information:~~

~~(1) Description of goods to be sold;~~

~~(2) Hours of operation;~~

~~(3) Site plan showing proposed location of such business; and~~

~~(4) Name, address, and local telephone numbers of the person in charge of the portable food and beverage vending business.~~

B. All mobile food and beverage vending businesses shall comply with the following:

(1) Businesses operating on private property shall have the consent of the principal business owner/property owner;

(2) Operation may not obstruct traffic in the lot or reduce the number of parking spaces for the principal business below the number required by City Code.

(3) Operation shall be at least 15 feet from the front property line.

§ 44-1042 **[Ch. 44, 10-42] Single family detached new construction in R-D District.**

Move entire section to § 44-405 "Development standards applicable to residential districts."

§ 44-1043 **[Ch. 44, 10-43] Single family attached new construction in R-D District.**

Move entire section to § 44-405 "Development standards applicable to residential districts."

§ 44-1044 **[Ch. 44, 10-44] Multifamily new construction in R-D District.**

Move entire section to § 44-405 "Development standards applicable to residential districts."

§ 44-1045 **[Ch. 44, 10-45] Accessory dwelling unit conversion and new construction.**

Move entire section to § 44-908 "Accessory buildings and uses."

See "Article XVIII GAP (Gridley, Allin, & Prickett) Form-Based Code" for inserted content

§ 44-1604 **[Ch. 44, 16-4] Definitions "C."**

Chicken-Keeping – The maintenance of domesticated chickens for purposes including egg collection.

§ 44-1702. **[Ch. 44, 17-2] Decision-making bodies** (~~Board~~ Zoning Board of Appeals, Historic Preservation ~~Committee~~ Commission, Planning Commission).

…

(a) A quorum shall consist of a majority of the members currently serving. All decisions or actions of the Board or commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists.

…

D. Planning Commission.

(1) Creation. The Planning Commission of the City of Bloomington, Illinois, which has been duly created by the City Council is the Planning Commission referred to in this Code.

(2) Composition. The Planning Commission shall consist of 10 members who are residents of the City of Bloomington, Illinois, and all of whom shall be appointed by the Mayor and approved by the City Council.

(3) Powers and duties.

(a) To conduct ~~legislative~~ public hearings and submit reports and recommendations to the City Council on applications or proposals to amend the boundaries of the zoning districts created by this Code;

…

§ 44-1703. **[Ch. 44, 17-3] General application requirements.**

…

(2) Each application shall be accompanied by payment to cover the cost of publication, posting, and hearings. Each application shall also be accompanied by a payment to cover the cost of publishing any public notices and recording any required documents.

…

§ 44-1705 **[Ch. 44, 17-5] Notice and public hearings.**

A. Required legal notice. After an application has been certified complete as required by § **44-1704**, the applicable review or decision-making body shall fix a reasonable time for the required hearing of the application or appeal. Notice of the time and place of a ~~legislative or administrative~~ hearing shall be given in accordance with the laws of the State of Illinois. **[Amended 8-24-2020 by Ord. No. 2020-55]**

…

B. ~~Administrative p~~Public hearing procedures.

(1) Parties. The applicant, the City and persons filing a written entry of appearance may all be parties to a~~n administrative~~ public hearing;

(2) Testimony. Any person may appear and testify at a~~n administrative~~ public hearing, either in person or by a duly authorized agent or attorney;

(3) Oaths or affirmation. The chairperson or in his or her absence, the acting chairperson, may administer oaths or affirmations;

(4) Compelling the attendance of witnesses. The chairperson or in his or her absence, the acting chairperson, may compel the attendance of witnesses by mailing to such persons a notice compelling attendance, not less than five calendar days before the public hearing. Failure of a person to appear in response to such a notice shall constitute a violation of this Code.

(5) Hearing procedures. All public hearings shall be conducted in a manner that provides for both substantive and procedural due process. In order that the Board or commission may efficiently transact the business before it and provide an opportunity for all interested parties to be heard, the following rules and procedures shall be followed:

(a) The chairperson shall provide a short description of the application, the relief requested, and the procedures governing the public hearing;

(b) The secretary or City Staff shall report whether notice of the public hearing was given as required by this Code;

…

(c) At the end of such discussion the chairperson shall invite a motion of approval. After the motion of approval is seconded, those members who are in favor of approving the application shall vote "Yes," those in favor of denying the application shall vote "No," and those wishing to abstain from voting on the application shall vote "Present." Board members shall cast their votes on roll call by the Secretary or City Staff;

(d) The chairperson shall then review the decision of the Board or commission and discuss the procedures to be followed for the benefit of the applicant.

(6) Record keeping:

(a) The Board or commission shall make a sound recording of all ~~administrative~~ public hearings

and shall retain such recording for not less than six months following the closing of the hearing;

(b) Verbatim transcripts. In the event that any party desires a verbatim transcript of the ~~administrative~~ public hearing, a written request therefor shall be filed with the chairperson not less than three weeks before the hearing date. Any party desiring a transcript of the proceedings shall pay any transcription or copying costs;

(c) Decisions and orders. The Board or commission shall retain in the Office of the Economic and Community Development Department a copy of every ruling, decision, recommendation and/or determination. **[Amended 10-26-2020 by Ord. No. 2020-69]**

(7) Notification of decision. Copies of findings of fact and decisions or recommendations of the Board or commission shall be served by mailing a copy thereof to all parties within five business days of such decision.

(8) Legislative public hearings. The public hearing rules for public hearings on purely legislative matters may be less formal, although shall still comply with the requirements of substantive and procedural due process.

(9) Procedural Rules. The Board of commission ay adopt rules of procedures no inconsistent with this section.

~~C. Legislative public hearing procedure.~~

~~(1) Notice for all legislative public hearings shall be given in accordance with § **44-1705A**. All legislative public hearings shall be held at regularly scheduled meetings, except when conditions require a special meeting.~~

~~(2) Testimony. Any person may submit written comment which shall be made part of the public record or may appear and testify at a legislative public hearing, either in person or by duly authorized agent or attorney.~~

~~(3) Oaths. The chairperson may administer oaths.~~

~~(4) Compelling the appearance of witnesses. The chairperson may compel the attendance of witnesses by mailing to such persons a notice compelling attendance, not less than five days before the public hearing. Failure of a person to appear in response to such a notice shall constitute a violation of this Code.~~

~~(5) Record keeping. The commission shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote, indicate such fact.~~

~~(6) Transmittal of recommendation to Council. A copy of the meeting minutes and any reports or recommendations shall be filed with the Economic and Community Development Department prior to final action by the City Council on a particular item and shall become part of the public records of the municipality, provided however, the failure to file such minutes shall not invalidate final action of the City Council. **[Amended 10-26-2020 by Ord. No. 2020-69]**~~

§ 44-1706. **[Ch. 44, 17-6] Zoning Map (rezoning) and text amendments.**

A. Purpose. Recognizing that conditions may change subsequent to the adoption of the City's Zoning Map

…

B. Initiation of amendment. Amendments to the Zoning Map may be proposed by the City Council (by motion or resolution), property owners or parties to a valid and enforceable purchase option contract for the subject property. Amendments to the Zoning Ordinance, that is, zoning text amendments, may be proposed by ~~a motion or resolution of~~ the City Council (by motion or resolution). Text Amendments may also be proposed by City staff, or by motion of the Zoning Board of Appeals or Planning Commission.

C. Application.

(1) An application for a map or text amendment shall be submitted on the form provided by the Office of the Economic and Community Development Department.

…

E. Action by Planning Commission.

(1) Hearing. The Planning Commission shall give notice and hold a ~~legislative~~ public hearing on each application for a Zoning Map or zoning text amendment.

(2) Recommendation. At the close of the ~~legislative~~ public hearing, the Planning Commission shall make findings of fact and prepare a recommendation to the City Council. In making its recommendation, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant. In making such a finding, the Commission may consider:

(a) For Map Amendments

[1] The suitability of the subject property for uses authorized by the existing zoning;

[2] The suitability of the subject property for uses authorized by the proposed zoning;

[3] The length of time the property has remained vacant as zoned considered in the context of land development in the area;

[4] The existing land uses and zoning of nearby property;

[5] Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;

[6] The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;

[7] The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area;

[8] [8] The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;

[9] The extent to which property values are diminished by the restrictions of the proposed ~~particular~~ zoning ~~restriction~~;

[10] Whether a Comprehensive Plan for land use and development exists, and whether the amendment ~~ordinance~~ is in harmony with it;

[11] Whether the City needs more of the types of uses allowed in the proposed District ~~use~~.

(b) For Text Amendments

[1] The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in § 44-1701 herein;

[2] The extent to which property values are diminished by the ~~particular~~ proposed particular zoning restriction;

[3] The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public;

[4] Whether a Comprehensive Plan for land use and development exists, and whether the amendment ~~ordinance~~ is in harmony with it;

[5] Whether the City needs the additional types of uses or development allowed by the proposed amendment ~~use~~.

F. Action by the City Council.

…

(2) In case a written protest against any proposed amendment of the zoning districts created under this Code, signed and acknowledged by owners of 20% of the frontage proposed to be altered, or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered or by the owners of 20% of the ~~frontage~~ immediately adjoining or across the alley therefrom is filed with the Economic and Community Development Department, the amendment cannot be passed except on the favorable vote of 2/3 of the Aldermen of the City then holding office.

…

§ 44-1707. **[Ch. 44, 17-7] Special uses.**

…

F. Action by Zoning Board of Appeals.

(1) Hearing. Upon receipt in proper form of the application and supporting material referred to above, the Zoning Board of Appeals shall hold a least one ~~administrative~~ public hearing on the proposed Special Use in the manner provided in § 44-1705. If any variations to the regulations of this code would otherwise be necessary for the development proposal, such review procedure shall be deemed to occur simultaneously with the Zoning Board of Appeals' ~~administrative~~ public hearing and recommendation on the special use permit application.

…

K. Revocation of special use permits. In any case where a special use has not been physically undertaken within one year after the date of granting thereof, or if Conditions or Guarantees remain unmet for a period of one year following a prescribed date of completion, then without further action by the Council, the special use or authorization thereof shall null and void.

§ 44-1709 **[Ch. 44, 17-9] Site plan review.**

A. Purpose. It is the intent of the Site Plan Review procedure to facilitate the creative and coherent

…

Confusing order. Switch "D" and "E" so you know which process you're talking about before you place a caveat on it.

D. Concurrent applications. ~~If variations to the bulk, sign and off-street parking and loading regulations of this Code would otherwise be necessary for the development proposal, such proposal shall be exempt from the administrative public hearing on the variation request and such review procedure shall be deemed to occur simultaneously with the Planning Commission's review of the plan.~~ Land uses proposed to be included in a development requiring a ~~legislative~~ public hearing site plan review which would otherwise be allowed by special use permit only are exempted from the ~~administrative~~ public hearing normally required for such special use permit applications and the Planning Commission shall consider the standards for granting a special use and make a recommendation to the City Council on the granting of such site plan approval~~,~~ and special use ~~and variation and~~ at the ~~legislative~~ public hearing.

E. Public Hearing Site plan review ~~requiring legislative public hearing~~. Applications for site plan review required pursuant to § **44-505** ~~shall~~ that require a ~~legislative~~ public hearing.

(1) Procedure. ~~Legislative p~~Public hearings shall be conducted in accordance with § 44-1705 of

this Code.

…

F. Administrative site plan review. The Director of Economic and Community Development shall be authorized to conduct site plan review for off-street parking and loading facilities or landscaping as required pursuant to Articles **XII** and **XIII**, and any site plan reviews that do not require a public hearing. **[Amended 10-26-2020 by Ord. No. 2020-69]**

§ 44-1710 **[Ch. 44, 17-10] Certificate of appropriateness.**

A. Applicability.

(1) A certificate of appropriateness shall be required before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken:

…

(4) Maintenance of Historic Properties. Nothing in this article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated preservation district.

…

C. Action by Historic Preservation Commission.

(1) Every application for a certificate of appropriateness, including the accompanying plans and specifications shall be transmitted to the Preservation Commission within 20 days after the application is deemed complete, unless such time frame is extended in writing by mutual agreement of the City and applicant.

…

G. Certificate of economic hardship.

…

(3) The Preservation Commission shall review all required evidence and information, conduct a~~n administrative~~ public hearing, and make a determination on the application within 45 days of receipt of the completed application unless such time frame is extended in writing by mutual agreement of the City and applicant.

§ 44-1711 **[Ch. 44, 17-11] Demolition review.**

A. Applicability. Except for historic landmarks and buildings located in a historic district, buildings shall be subject to the requirements of this section where:

…

(b) If the chairperson or committee determines that the building is potentially significant, it shall schedule a~~n administrative~~ public hearing before the Preservation Commission to consider the building's historical or architectural significance. Said hearing shall be conducted within 45 days of initial submittal of the permit application. The City shall give notice in the manner prescribed by **§ 44-1705**.

C. Public hearing. The ~~administrative~~ public hearing shall be conducted in accordance with the procedures of **§ 44-1705**.

…

Article XVIII GAP (Gridley, Allin, & Prickett) Form-Based Code

Contents

44-1401 Introduction 2

44-1402 GAP Districts & Regulating Plans 3

Table 1402B: Summary of Districts by Building Types 4

Figure 1402B: GAP District Regulating Plan (Initial) 4

44-1403 Uses 4

Table 1403B: GAP Districts - Permitted and Special Uses 5

44-1404 ~~Building~~ Development Standards 8

Table 1404A(10): Building ~~Types~~ Siting Summary Table 9

Table 1404A(11): Building ~~Types~~ Development Criteria Summary Table 10

Table 1404A(12): Building ~~Types~~ Façade Requirements Summary Table 11

B. Development of building types 11

Figure 1404B: Typical Block 12

44-1405 Building Type Requirements 12

44-1406 Building Types 22

A. Commercial Building. 22

B. Cottage Commercial ~~Building~~ 24

C. Warehouse Building 26

D. Iconic Building 29

E. House 32

F. Estate House 34

G. Manor ~~MultiFamily~~ Multiple-Family (MF) 36

H. Rowhouse 38

I. Apartment Building 41

44-1407 Parking & Access Standards 44

Table 1407B: Off-Street & Bicycle Parking Standards Specific to the GAP Neighborhood 46

44-1408 Landscape Standards 47

44-1401 Introduction

A. Code Introduction. This document provides the development regulations for the Gridley, Allin, & Prickett Neighborhood. These regulations include uses, parking, and landscape standards, as well as building type standards.

B. How to use this Code. Each lot within the GAP Neighborhood is designated with a district that allows the development of at least two (2) building types, with the exception of GAP 6. The standards for the building types are located starting in § 44-1406. To determine which standards are applicable to a lot, follow these steps:
   (1) Determine District Designation. Using the Regulating Plan (Figure 1402B), determine the lot's district designation. This details which building types can be constructed on the lot and which uses are permitted on the lot.
   (2) Permitted Building Types. Starting in § 44-1406 are the building type standards.
   (3) Permitted Uses. The list of permitted uses is found in Table 1403B. It is organized by district. A permitted use within the district can be developed within any of the district's permitted building types.
   (4) Other Standards. The Landscape and Parking Standards apply to all lots within the GAP neighborhood, as outlined in § 44-1407 and § 44-1408.

C. Code definitions. These definitions are specific to the regulations outlined for the GAP Neighborhood and are in addition to the definitions in the Chapter 44 City of Bloomington Zoning Code. In cases where definitions in this Article conflict with those present in the City of Bloomington Zoning Code, the definitions hereunder shall control.
   (1) Accessory Unit. A dwelling unit in addition to the dwelling unit(s) within the primary structure on a lot.
   (2) Base Type. The permitted treatment types of the ground story façade of a structure.
   (3) Building Coverage. The percentage of a lot covered by structure(s), principal and accessory.
   (4) Building Type. A structure defined by the combination of configuration, form and function.
   (5) Build-to Zone. An area in which the front or side facade of a building shall be placed; it may or may not be located directly adjacent to a property line. The zone dictates the minimum and maximum distance a structure may be placed from a property line.
   (6) Cap Type. The detail at the top of a building that finishes a facade, including a pitched roof with various permitted slopes, and a parapet.
   (7) Corner Building. A building constructed on the corner lot of a block to hold the spatial definition of an intersection, often referred to as "holding the corner."
   (8) Entrance, Primary. Also referred to as main or principal entrance. The principal point of access for pedestrians into a building is typically located on the front and corner side facade.
   (9) Expression Line. An architectural feature. A decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented at least a quarter (1/4) inch from the exterior facade of a building. Element typically delineates the floors or stories of a building.
   (10) Façade. The exterior face of a building, including, but not limited to the wall, windows, window sills, doorways, and design elements such as expression lines, a cornice, and a parapet.

(11) Façade, Front. Any building face adjacent to the front property line.
(12) Ground Story. The first floor of a building that is level to or slightly elevated above the sidewalk, excluding basements and cellars.
(13) "Hold the Corner." Building up to both the front and side property lines on a corner lot, in a sense holding down or anchoring the corner.
(14) Impervious Surface. Any hard-surfaced, man-made area that does not absorb or retain water, including, but not limited to building roofs, parking, driveways, and other paved areas.
(15) Impervious Site Coverage. The percentage of a lot covered by buildings, pavement, and other impervious materials; the calculation is determined using total lot area.
(16) Pervious Surface. An area maintained in its natural condition or covered by a material that permits the infiltration or percolation into the ground of at least 80% of water.
(17) Principal Building. Also referred to as the principal structure or building on a lot; contains the dominant use of the lot. It is always located toward the front of the lot in the front build-to zone or behind the front yard setback.
(18) Regulating Plan. A plan that identifies the districts and the standards by which a lot or a street may be developed.
(19) Semi-Pervious. A material that allows at least 40% absorption of water into the ground or plant material, such as pervious pavers, gravel or green roofs. Also referred to as semi-permeable.
(20) Setback. The horizontal distance from a lot line inward, beyond which the building may be placed. It delineates the minimum distance a structure must be placed from a lot line.
(21) Story. A habitable level within a building measured from finished floor to finished floor.

44-1402 GAP Districts & Regulating Plans

A. GAP Neighborhood Districts. The following details the districts mapped throughout the GAP Neighborhood.
   (1) **GAP 1.** This district allows for the development of Estate and Manor Multiple-Family Buildings. These buildings are set back from the front property line, more so than the other districts. The lots on which these buildings are constructed are typically larger than the other residential districts.
   (2) **GAP 2.** This district allows for the development of House, Estate, and Manor Multiple-Family Buildings. GAP 2 is similar to the first, except that it also permits the House Building.
   (3) **GAP 3.** This district allows for the development of House, Manor Multiple-Family, and Iconic Buildings. Apartment Buildings are permitted on corner lots. This district also allows a select list of special uses to occur on Market Street. Refer to Table 1403B.
   (4) **GAP 4.** This district allows for the development of House, Manor Multiple-Family, Rowhouse, and Iconic Buildings. Apartment Buildings are permitted on corner lots. This district includes residential building types that are more dense than the previous districts.
   (5) **GAP 5.** This district allows for the construction of mixed-use neighborhood commercial centers to serve those residents within walking distance. The Commercial, Cottage Commercial, Apartment, and Iconic Buildings are permitted.
   (6) **GAP 6.** The Warehouse Building is the only permitted building type within this district. This district allows for the development of limited industrial uses with an absence of objectionable external effects in a manner that is appropriate given the proximity to residential uses. This includes small-scale industrial uses up to 12,000 square feet in size.

B. GAP Regulating Plan. GAP Districts 1-6 are mapped throughout the Neighborhood as detailed in Table 1402B and Figure 1402B.

Table 1402B: Summary of Districts by Building Types

Building Types	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
Commercial Building					X	
Cottage Commercial					X	
Warehouse Building						X
Iconic Building			X	X	X	
House		X	X	X		
Estate House	X	X				
Manor MF	X	X	X	X		
Rowhouse				X		
Apartment Building			C	C	X	

Notes:
"X" Denotes Buildings Permitted within a District
"C" Denotes Buildings Permitted only on Corner Lots within a District

Figure 1402B: GAP District Regulating Plan

* Subsequent amendments to the Zoning Map may have changed which GAP District applies to certain properties; current zoning should be verified prior to application of this Code.

44-1403 Uses

A. Permitted and special uses. The permitted and special uses for development in the GAP Neighborhood are listed in Table 1403B (GAP Districts – Permitted and Special Uses).

(1) Unlisted Similar Use. If a use is not listed, but is similar in nature and impact to adjacent properties, the City may interpret the use as appropriate.
(2) Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to adjacent properties, it shall only be permitted with special use approval or through amending the code.
(3) Location of Uses. Each use shall be located within a permitted building type, unless otherwise specified.

B. Specific standards.
(1) General Development Standards. All development shall adhere to the following standards:
(a) § 44-1405 and § 44-1406 - Building Type regulations.
(b) § 44-1407 - Parking & Access Standards.
(c) § 44-1408 - Landscape Standards.
(2) Special Uses. Uses listed as a special use ("S") follow the administrative procedures outlined in § 44-1707.
(3) Specific Development Standards. The following details specific use standards.
(a) ~~Churches, Synagogues, Temples, Religious Facilities~~ Places of Worship, Community Centers, Museums and Cultural Institutions ~~Activities~~, Libraries, Police and Fire Stations, and Post Offices are the only uses permitted to occur in the Iconic Building. See § 44-1406D for more details.
(b) Home Occupations. Home occupations are subject to the standards detailed in § 44-1020.
(c) Parking Lots. Parking lots, when located on a lot without a building type and as the lot's sole use, require a special use permit.
(d) GAP 3 Special Uses. A number of special uses listed in the GAP 3 district.
[1] These uses are noted in Table 1403B as "SM."
[2] These special uses may only be considered for GAP 3 lots with Market Street frontage (share a property line with the Market Street right- of-way line).
(4) GAP 6. The permitted uses in GAP 6 are the same as those in the M1 district detailed in Chapter 44, Article 6, however, when developed within GAP 6 the development size cannot exceed 12,000 square feet.

Table 1403B: GAP Districts - Permitted and Special Uses

	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
PUBLIC ASSEMBLY USES						
Bars and Taverns					X	
Billiard or Pool Halls					X	
Bowling Establishments					X	
~~Churches, Synagogues, Temples, & Religious Facilities~~ Place of Worship			S	S	X	
Community Center					X	
Museums and Cultural ~~Activities~~ Institutions			SM		X	

Table 1403B: GAP Districts - Permitted and Special Uses						
	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
Delicatessens					X	
Eating & Drinking Establishments					X	
Libraries			SM		X	
Parks & Playgrounds	X	X	X	X		
~~Penny Arcade~~ Entertainment and Exhibition Venues					X	
Police & Fire Station					X	
Post Office					X	
EDUCATION SERVICES						
Nursery & Pre-Schools					X	
INSTITUTIONAL USES						
Independent Living Facility					X	
Nursing Home					X	
Child/Day Care		S	S	S	X	
~~Halfway House~~ Group Homes for Parolees	S	S	S	S	S	
Agency-Operated Family/Group Homes	S	S	S	S	S	
RESIDENTIAL USES						
Dwelling, Single-Family	X	X	X	X		
Dwelling, Two-Family	X	X	X	X		
Dwelling, Multiple-Family	X	X	X	X	X	
Dwelling Unit, Accessory ~~Family~~	X	X	X	X		
~~Upper Story Residential~~ Live/Work Unit~~s~~					X	
Bed & Breakfast Establishments	S	S	S	S		
STORE & RETAIL USES						
Antique Store					X	
Apparel Shop					X	
Appliance Store					X	
Art Supply & Craft Store					X	
Bakery					X	
4					X	
Cameras & Photographic Supplies & Services					X	
Candy-Confectionary Sales					X	
Cigar & Tobacco Store					X	

Table 1403B: GAP Districts - Permitted and Special Uses						
	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
Dairy Sales					X	
Dressmaker/Tailor					X	
Drug Store					X	
Electronic Sales					X	
Florist Store					X	
Furniture Store					X	
Garden Supply Store					X	
General Merchandise					X	
Grocery Store/Convenience Store					X	
Hardware Store					X	
Hobby/Toy Shop					X	
Home Decorating Store & Services					X	
Housewares Sales					X	
Jewelry/Watch Shop/Repair					X	
Liquor Stores					X	
Medical Equipment Sales					X	
Music Shop					X	
Shoe Store & Repair					X	
Specialty Good Shops					X	
Sporting Goods Store					X	
Video Sales & Rental					X	
SERVICE & OFFICE USES						
Awning/Tent/Canvas Products Rental/Sales					X	
Banking & Financial Services					X	
Barber/Beauty Shop & Spa/Salon					X	
Dental, Medical & Health Services					X	
Laundromat or Dry Cleaner-No on-site processing					X	
Funeral Home			SM		X	
Health Club					X	
Professional Office Uses			SM		X	
Real Estate Services			SM		X	
Travel Agency			SM		X	

Table 1403B: GAP Districts - Permitted and Special Uses						
	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
Vehicle Supply (No Service)					X	
INDUSTRIAL & MANUFACTURING USES						
M1 District Uses						X
MISCELLANEOUS						
Parking Lot			S	S	S	S

Notes:
"X" - Permitted Uses
"S" - Special Uses
"SM" Special Uses Allowed in GAP 3 for Parcels with Market Street Frontage

C. Accessory structures. Within the boundaries of the GAP Neighborhood, accessory structures and buildings will follow the standards in § 44-908 unless otherwise noted below.
   (1) Location on a Lot. An accessory building or structure shall conform to the following location requirements:
      (a) Location. Accessory buildings and structures may be constructed in the rear and side yards.
      (b) Location on Corner Lots. On corner lots, accessory buildings and structures are permitted in the corner side yard build-to zone, but may not extend closer to the corner side property line than the principal structure.
      (c) Setback. Accessory building or structures shall be constructed according to the following:
         [1] Accessory buildings and structures shall be set back a minimum of three (3) feet from any property lines.
         [2] Two (2) story accessory buildings shall be set back five (5) feet from property lines.
   (2) Height. Single story accessory buildings and structures shall be a maximum of fourteen (14) feet in height, except detached garages may be up to two stories with a maximum height of twenty-eight (28) feet.
   (3) Lot Coverage Requirements. All accessory buildings and structures must meet the maximum building and impervious coverage requirements detailed within each building type.

44-1404 ~~Building~~ Development Standards

A. Building Types. The following outlines the building types permitted in the GAP Neighborhood. Refer to Table 1404A(10-12) (Building Summary Tables) for more details.
   (1) Commercial Building. This building type allows the development of commercial uses, such as retail and service uses on the ground story and office and residential uses on the upper floors. It can range in height between one (1) and four (4) stories and is constructed within a small build-to zone with parking located in the rear yard.
   (2) Cottage Commercial. This building type allows the same uses as the Commercial Building. The primary differences between the two are the cap type, which is pitched; the build-to zone, which is larger; and the height, which is a maximum of two and a half (2.5) stories.

(3) Warehouse Building. This building type allows for the construction of limited industrial uses on a small scale. Located in a build-to zone that is slightly set back from the front property line, this building type offers a flexible configuration. It allows for both a typical industrial warehouse building and an optional office or administration building on the front.
(4) Iconic Building. This building type allows for the development of community, cultural, civic, or government uses, such as a church and other religious assembly uses. Constructed in a build-to zone set back slightly from the front property line, it blends with the other building types within the neighborhood. It also allows for distinct features such as a spire.
(5) House. This building type allow for residential uses. It is located with a small build-to zone set in from the front property line. It ranges in height between one (1) and two and a half (2.5) stories.
(6) Estate House. Like the House, the Estate House allows for the development of the residential uses. It differs in its build-to zone, which is larger and set back further from the front property line, and its height, which can be as tall as three (3) stories.
(7) Manor Multiple-Family. This building type allows for two or more residential units to be developed within it. Manor Multiple-Family is similar to the House, but is typically located on a slightly larger lot to allow room for parking multiple owners' vehicles.
(8) Rowhouse. This residential building type, unlike previous types, allows for three (3) to five (5) single family residential units to be attached or joined together along the side walls. The height and set back from the front property line are similar to the House and Manor Multiple-Family allowing it to blend in with these building types.
(9) Apartment Building. This building type allows the development of three (3) or more units within it. The Apartment Building ranges in height between two (2) and four (4) stories and is constructed with the parking in the rear yard.

Table 1404A(10): Building ~~Types~~ Siting Summary Table

	Street Frontage				Side & Rear Yard Setbacks		Buildable Area		
	Front Yard BTZ (feet)	Corner Side Yard BTZ (feet)	Coverage of Front Property Line (Minimum)	Encroachment of Enclosed Porch, Stoop, or Steps	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Maximum Building Coverage	Maximum Impervious /Semi-Pervious Coverage	Minimum Lot Width (feet)
Commercial, Industrial, & Civic Buildings									
Commercial Building	0 to 5	0 to 5	95%	Permitted	0	5		100%	25
Cottage Commercial	5 to 15	0 to 10	60%	Permitted	5	5		65% + 15%	40
Warehouse Building	7.5 to 15	7.5 to 15	40%	Permitted	5	5		80% + 10%	50
Iconic Building	10 to 25	10 to 25	Does Not Apply	Permitted	5	5		60% + 20%	50
Residential Buildings									
House	7.5 to 17	5 to 15	Does Not Apply	Permitted	5	5	45%	55% + 5%	40

Table 1404A(10): Building ~~Types~~ Siting Summary Table									
	Street Frontage				Side & Rear Yard Setbacks		Buildable Area		
	Front Yard BTZ (feet)	Corner Side Yard BTZ (feet)	Coverage of Front Property Line (Minimum)	Encroachment of Enclosed Porch, Stoop, or Steps	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Maximum Building Coverage	Maximum Impervious /Semi-Pervious Coverage	Minimum Lot Width (feet)
Estate House	25 to 45	5 to 15	Does Not Apply	Permitted	5	5	30%	40% + 5%	50
Manor MF	10 to 25	5 to 15	Does Not Apply	Permitted	5	5	45%	55% + 10%	50, 40 on corner lots or lots with alley access
Rowhouse	7.5 to 15	7.5 to 15	Does Not Apply	Permitted	5	5	45%	80% + 10%	18
Apartment Building	7.5 to 20	7.5 to 20	75%	Permitted	5	5		70% + 15%	50

Table 1404A(11): Building ~~Types~~ Development Criteria Summary Table				
	Parking & Loading		Building Height	
	Location of Parking Facilities (yard)	Number of Permitted Cub Cuts	Minimum Principal Building Height (stories)	Maximum Principal Building Height (stories)
Commercial, Industrial, & Civic Buildings				
Commercial Building	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	1	3; 4 if upper stories are setback from front façade
Cottage Commercial	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	1	2.5
Warehouse Building	Rear & Side; cannot extend into BTZs beyond principal building	1/lot or 1/street frontage	1	3
Iconic Building	Rear & Side; cannot extend into BTZs beyond principal building	1/street frontage	1	3
Residential Buildings				
House	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	1	2.5
Estate House	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	1.5	3
Manor MF	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	2	2.5

Table 1404A(11): Building ~~Types~~ Development Criteria Summary Table				
	Parking & Loading		Building Height	
	Location of Parking Facilities (yard)	Number of Permitted Cub Cuts	Minimum Principal Building Height (stories)	Maximum Principal Building Height (stories)
Rowhouse	Rear; cannot extend into BTZs beyond principal building	1/lot, if no alley	1.5	2.5
Apartment Building	Rear & Side; cannot extend into BTZs beyond principal building	1/lot, if no alley	2	3; 4 if upper stories are setback from front façade

Table 1404A(12): Building ~~Types~~ Façade Requirements Summary Table					
	Transparency		Entrance	Cap & Base Type	
	Minimum Upper Story Front & Corner Side Façade Transparency	30% of Any Floor May Exist Without Fenestration	Principal Entrance Location	Allowable Cap Types	Allowable Base Types
Commercial, Industrial, & Civic Buildings					
Commercial Building	20%	Applies	Front or Corner Side Façade	Parapet & Tower	Storefront
Cottage Commercial	20%	Applies	Front or Corner Side Façade	Pitch & Tower	Shopfront, Porch, & Stoop
Warehouse Building	20% (of office/admin building only)	Does Not Apply	Front or Corner Side Façade	Parapet, Pitch, Low Pitch, & Tower	Shopfront & Stoop (on office/admin building only)
Iconic Building		Does Not Apply	Front or Corner Side Façade	Parapet, Pitch, Low Pitch, Tower, & Spire	Stoop
Residential Buildings					
House	15%	Applies	Front. Corner Side and Side Façade	Pitch, Low Pitch, & Tower	Stoop, Porch, & Enclosed Porch
Estate House	15%	Applies	Front. Corner Side and Side Façade	Pitch, Low Pitch, & Tower	Stoop, Porch, & Enclosed Porch
Manor MF	15%	Applies	Front or Corner Side Façade	Pitch, Low Pitch, & Tower	Stoop, Porch, & Enclosed Porch
Rowhouse	15%	Applies	Front. Corner Side and Side Façade	Parapet, Pitch, & Tower	Stoop, Porch, & Enclosed Porch
Apartment Building	20%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch

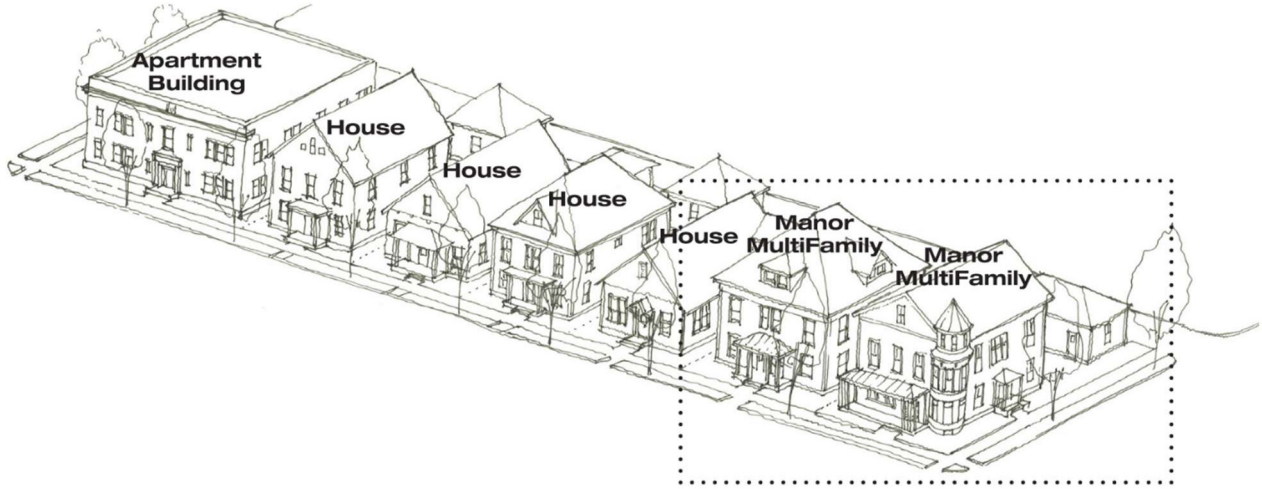
B. Development of building types. Figure 1404B illustrates how these buildings may be constructed on a typical block, on corner lots, and mid-block lots. Street design should result in the interaction of building types in order to create a street wall. Maintaining façade transparency adds visual interest as well as a sense of "eyes on the street." Adding to the sense of safety is the presence of welcoming entrances (either porches or stoops). Wherever possible, alleys should be implemented to access garages or parking lots.

Figure 1404B: Typical Block

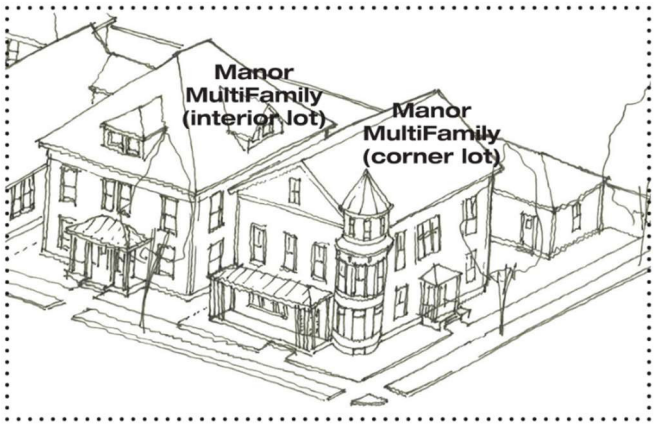
Apartment Building.
This building type blends in with the block by having a front entrance and a considerable amount of transparency on the front facade, similar to the other residential building types. The corner parcel allows for additional building entrances on the corner side facade.

House.
This building type may be utilized either on mid-block or corner lots. Its height falls between 1 and 2.5 stories.

Manor Multiple-Family (MF).
Similar in appearance to a house or estate building type, the manor multifamily building type consists of two or more units.



Manor Multiple-family on Interior Lots.
The use of this building type on a parcel not located on a corner requires a wider lot in order to allow room for additional entrances on the side or rear facades and adequate parking to the rear.



Manor Multiple-Family on Corner Lots.
When this building type is located on a corner parcel, it is preferable to use the corner side facade for additional building entrances. On any corner building, elements such as turrets (shown above) should be utilized to catch the attention of passers-by and draw them down the block.

44-1405 Building Type Requirements

A. Building Base Type.
   (1) Intent. To guide the design of the ground floor of all buildings to relate appropriately to pedestrians on the street.
   (2) Applicability. The entire ground floor front facade must meet the requirements of at least one of the base types permitted for the building type.

B. Building Base Type Requirements. The following details the base type requirements. Refer to each Building Type for permitted base types.

(1) Storefront Base Type. (Refer to Figure 1405B(1))

(a) Transparency. A minimum of 75% of the front facade between two (2) and eight (8) feet above the sidewalk must be comprised of transparent, non-reflective windows into the commercial space.

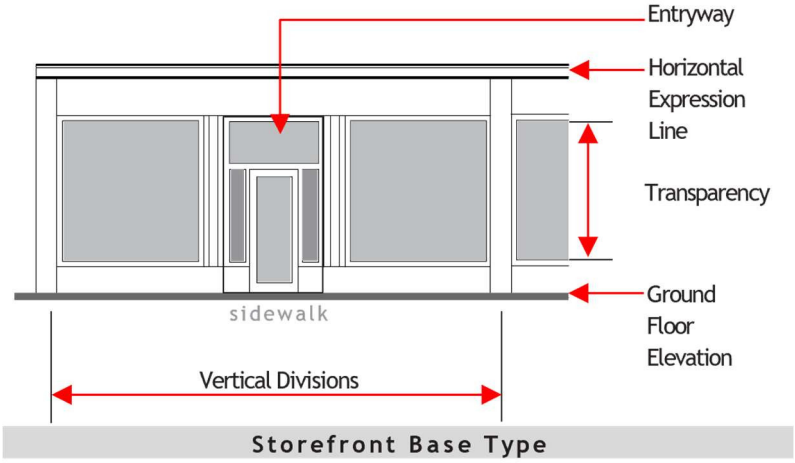
(b) Ground Floor Elevation. Ground floor elevation must be between zero (0) and one (1) feet above sidewalk.

(c) Vertical Division. Base facade shall be vertically divided into segments no greater than thirty (30) feet in width.

(d) Horizontal Expression Line. A horizontal expression line shall define the base from the upper floors of the building.

(e) Entryway. All entries shall be recessed a minimum of three (3) and a maximum of eight (8) feet deep, and be a width no greater than eight (8) feet.

Figure 1405B(1): Storefront Base Type



(2) Shopfront Base Type. (Refer to Figure 1405B(2))

(a) Transparency. A minimum of 50% of the front facade between three (3) and nine (9) feet above the sidewalk must be comprised of transparent, non-reflective windows into the commercial space.

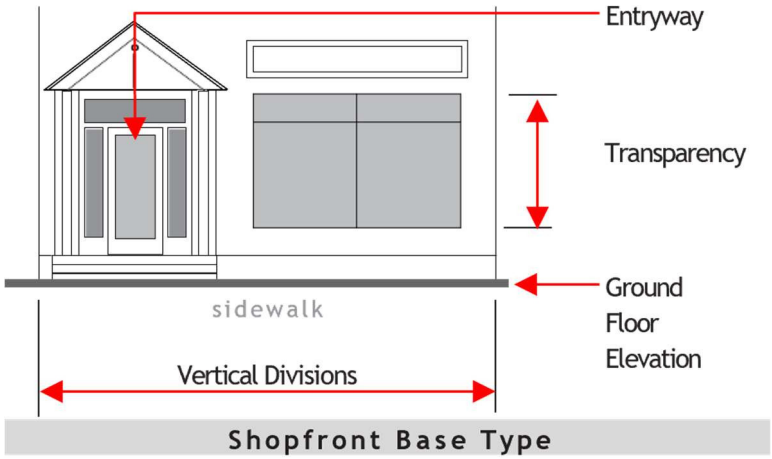
(b) Ground Floor Elevation. Ground floor elevation must be between zero (0) and three (3) feet above sidewalk. With a visible basement, a maximum of four and a half (4.5) feet is permitted.

(c) Vertical Divisions. For buildings wider than fifty

(d) (50) feet, base facades shall be vertically divided into segments no greater than thirty (30) feet in width.

(e) Entryway. Porch or enclosed porch entrance required. Porch shall be a minimum of four (4) feet deep and four (4) feet wide.

Figure 1405B(2): Shopfront Base Type



(3) Arcade Base Type. (Refer to Figure 1405B(3))

(a) Public Walkway. Provide an open-air public walkway from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet.

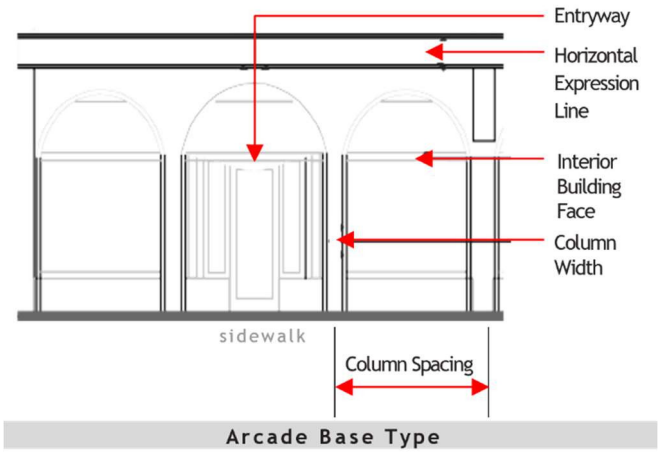
(b) Storefront. Building face inside arcade must meet the requirements of the storefront base type.

(c) Columns. Columns shall be spaced a minimum of ten (10) and a maximum of twelve (12) feet and be a minimum 1'-8", maximum 2'-4" in width.

(d) Arcade Openings. Opening may not be flush with interior arcade ceiling and may be arched or straight.

(e) Horizontal Expression Line. A horizontal expression line shall define the arcade base from the upper floors of the building.

Figure 1405B(3): Arcade Base Type



(4) Stoop Base Type. (Refer to Figure 1405B(4))

(a) Transparency. A minimum of 20% of the entire ground floor and optional visible basement facade must be comprised of transparent, non-reflective windows into the commercial space. An area no greater than 30% of the facade per floor may have no transparency.

[1] When one or more Warehouse Buildings are located on the same lot, only the building closest to the front property line is required to meet this requirement.

[2] Warehouse Buildings are exempt from the maximum area without transparency rule.

[3] Residential building types, except for the Apartment Building, do not have separate ground and upper floor transparency levels. See Figures 1405E(1) and 1405E(2) for measuring transparency.

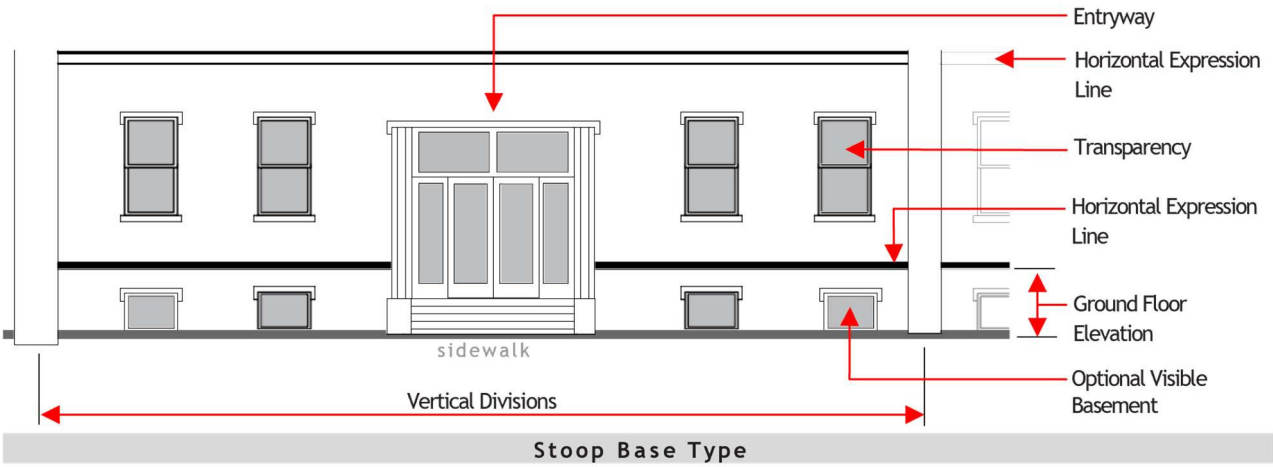
[4] Iconic Buildings are exempt from the stoop's transparency requirements.

(b) Ground Floor Elevation. Ground floor elevation must be located a maximum of 2'-6" above the sidewalk or with a visible basement a maximum of 4'-6" above the sidewalk.

(c) Vertical Division. Base facade for all building types, with the exception of all residential building types, shall be vertically divided into segments no greater than fifty (50) feet in width. Horizontal Expression Line. A horizontal expression line shall define the base from the visible basement and upper floors, except on residential and the Warehouse building types.

(d) Entryway. Stoops (raised, un-roofed, open platforms) shall be a minimum of three (3) feet deep and four (4) feet wide.

Figure 1405B(4): Stoop Base Type



(5) Porch Base Type. (Refer to Figure 1405B(5))

(a) Transparency. A minimum of 20% of the entire ground floor and optional visible basement facade must be comprised of transparent, non-reflective windows into the commercial space.

[1] An area no greater than 30% of the facade per floor may have no transparency.

[2] Residential building types, except for the Apartment Building, do not have separate ground and upper floor transparency levels. See Figures 1405E(1) and 1405E(2) for measuring transparency.

(b) Ground Floor Elevation. Ground floor elevation must be located a maximum of 2'-6" above the sidewalk and with a visible basement, a maximum of 4'-6" above the sidewalk.

(c) Vertical Division. Base facade for all building types, except residential and the Warehouse Buildings, shall be vertically divided into segments no greater than sixty (60) feet in width.

(d) Horizontal Expression Line. A horizontal expression line shall define the optional visible basement from the ground floor of the building for all building types, with the exception of all residential building and Warehouse Building types.

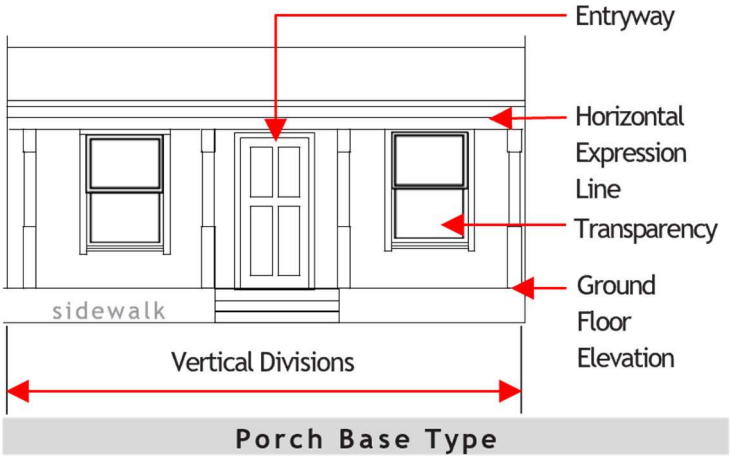
(e) Entryway. All entries shall be located off a porch (a raised, roofed platform).

[1] The porch shall be a minimum of (5) feet deep and (8) feet wide.

[2] If enclosed, a minimum of 40% of the enclosed porch must be comprised of transparent, non- reflective windows.

(f) Height. Porch may be two stories to provide a balcony on the second floor.

Figure 1405B(5): Porch Base Type



C. Building Cap Type.

(1) Intent. To guide the design of the cap of all buildings where a consistent character is desired.

(2) Applicability. All buildings must meet the requirements of at least one of the cap types permitted for the building type.

D. Building Cap Type Requirements. The following details the base type requirements.

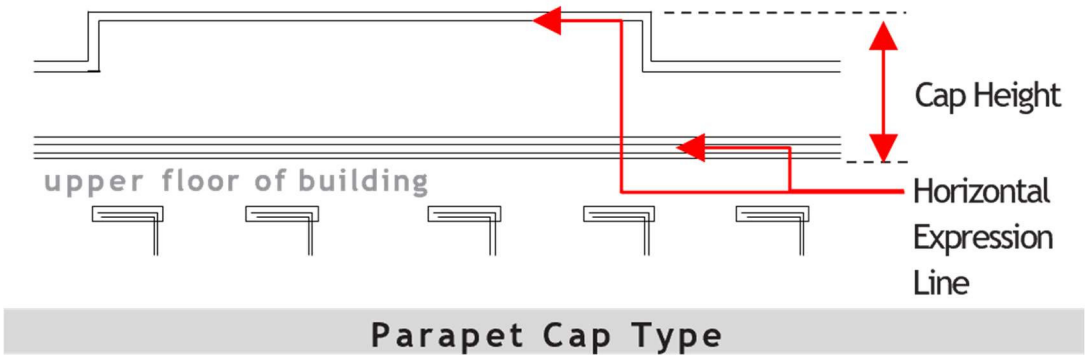
(1) Parapet Cap Type. (Refer to Figure 1405D(1))

(a) Height. Minimum cap height from the top of the upper floor to the top of the parapet is two (2) feet, maximum is six (6) feet. The cap shall be high enough to screen the roof and any roof appurtenances from view of any adjacent building of similar height.

(b) Horizontal Expression Line. Horizontal expression lines shall separate the cap from the upper floors of the building and shall define the top of the cap.

(c) Use. Occupied space may not be incorporated behind this cap type.

Figure 1405C(1): Parapet Cap Type



(2) Pitched Roof Cap Type. (Refer to Figure 1405D(2))

(a) Pitch. Pitched roof cap type may not be sloped less than a 6:12 (rise:run) or more than 12:12. Except in the following cases:

[1] Roofs located above a second story, except on Iconic Buildings, are permitted to have a pitch as low as 4:12.

[2] Pitched roofs on a tower are permitted to have a pitch steeper than 6:12.

(b) Roof Types: The following are permitted roof types:

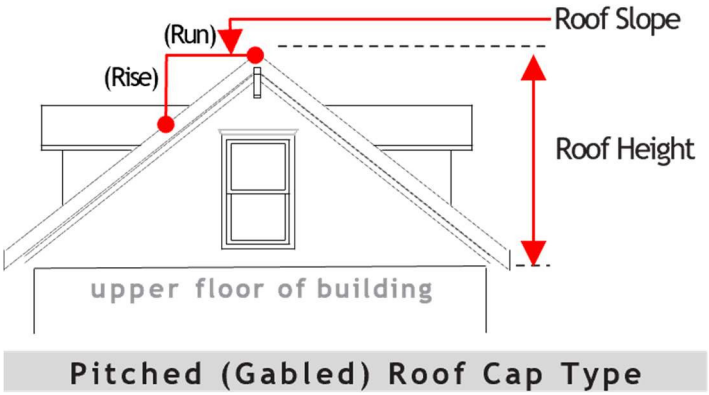
[1] Hipped, gabled, and combination of hips and gables with or without dormers are acceptable.

[2] Gambrel roofs are acceptable. If the ridge runs parallel to the street, one dormer per fifteen (15) feet of street face shall be included.

[3] Mansard roofs are acceptable but must include one dormer per fifteen (15) feet of street face.

(c) Height. Roof height may not be greater than the total of all floors below the roof.

Figure 1405C(2): Pitched Roof Cap Type

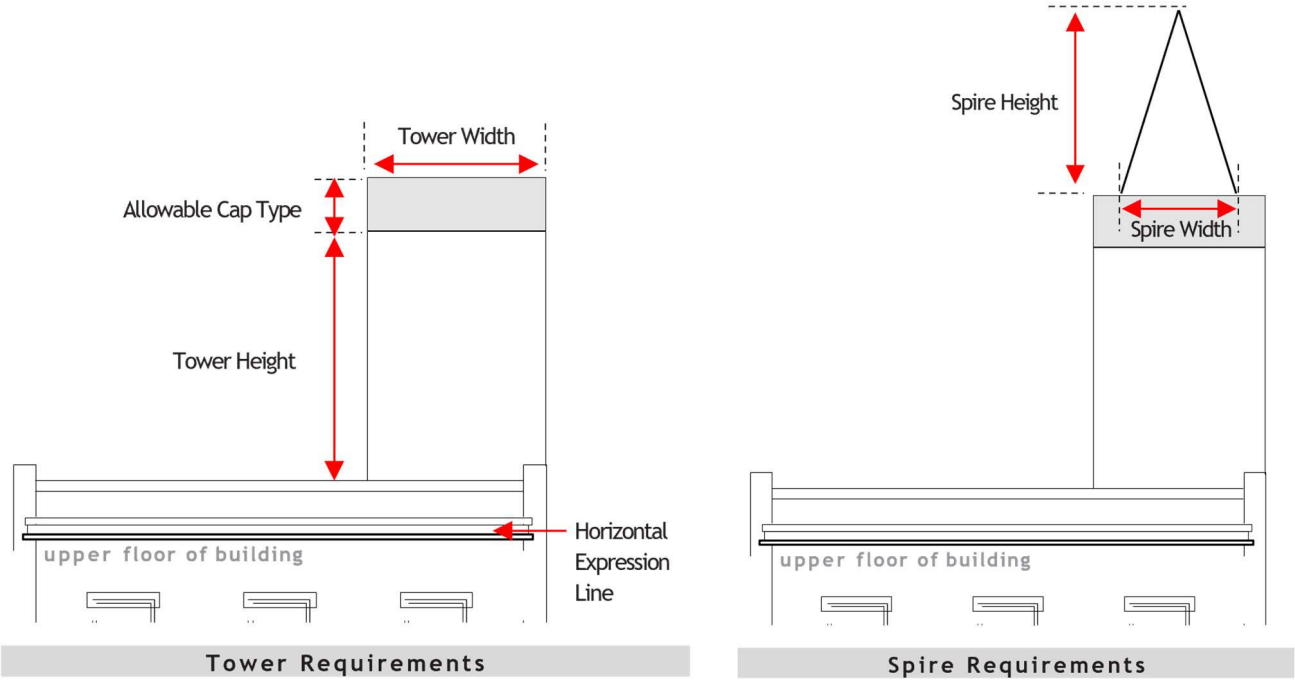


(3) Towers. (Refer to Figure 1405D(3)) One (1) tower is permitted per building as follows:

(a) Height. Maximum tower height from the top of the parapet or eave to the top of the tower is the equivalent of the height of one (1) upper floor of the building to which the tower is applied.

(b) Width. Maximum tower width from the front, corner side, side, and rear facade is one-third (1/3) the width of the front facade or thirty (30) feet, whichever is less.
(c) Horizontal Expression Line. Horizontal expression lines shall separate the tower from the upper floors of the building, except on residential building types.
(d) Use. Towers may be occupied by the same uses allowed in upper floors of the building type to which it is applied.
(e) Tower Cap. Allowable cap types are parapet and pitched roof on the top of the tower element.

Figure 1405C(3): Tower Requirements & Figure 1405C(4): Spire Requirements



(4) Spire. (Refer to Figure 1405D(4)) Spires are permitted only on Iconic Buildings.
(a) Height. Maximum spire height from the top of the tower to the top of the spire is thirty (30) feet, including any decorative elements atop the apex of the spire.
(b) Width. Maximum spire width is one-half (1/2) the width of the tower on which it is situated.
(c) Use. Spires may not be occupied; they are a decorative element.

E. Building Type Transparency, Height, & Coverage
(1) Intent. The parameters outlined in this section detail how to measure the transparency of a structure.
(2) Defining Transparency. Transparency is the degree, measured as a percentage, to which a facade has clear, transparent windows on each story.
(a) Tints, Films, & Mirrored Surfaces. Windows with tints, films, and mirrored surfaces detract from the level of transparency and are not included in the measurement.
(b) Measurement. The transparency measurement is taken inside the window frame, excluding the frame from the calculation.

(3) Measuring Transparency.

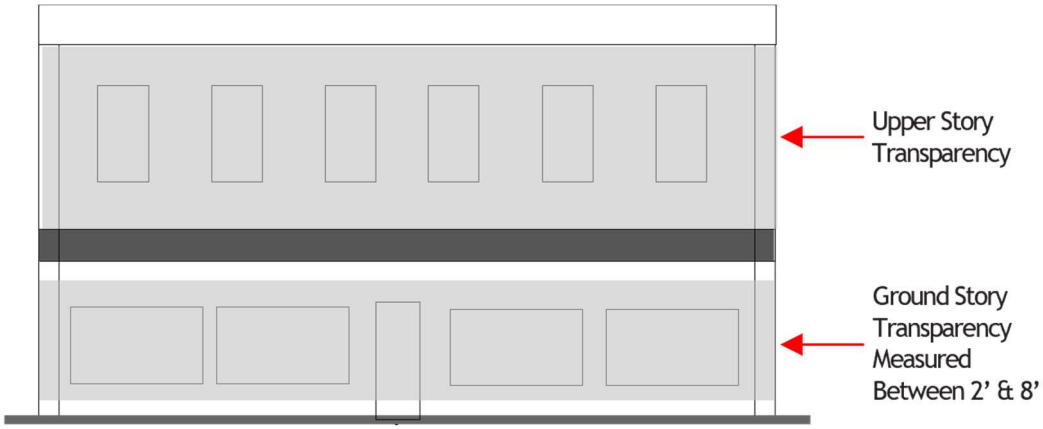
(a) Arcades, Storefronts, & Shopfront Buildings. (Refer to Figure 1405E(1)).

[1] Transparency Measured by Floor. On buildings with an arcade, storefront, or shopfront base types transparency is measured as a percentage of the ground story transparency and the upper story transparency. The residential building type Apartment Buildings are also measured using this method.

[2] Ground Story. The ground story transparency is measured on the facade between two (2) feet and eight (8) feet above sidewalk level on arcades and storefronts, between three (3) and nine (9) feet for shopfronts. Refer to the building type standards for the minimum percentage.

[3] Upper Story. The upper story transparency level of these buildings is measured from floor to floor. Refer to the building type standards for the minimum percentage.

Figure 1405E(1): Measuring Transparency on Arcade, Storefront & Shopfront Buildings



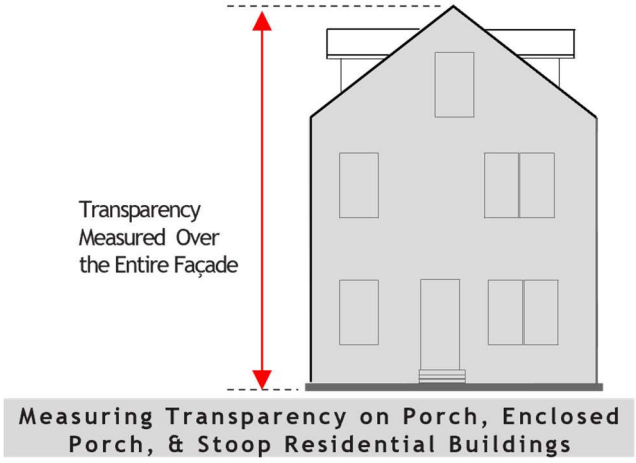
Measuring Transparency on Arcade, Storefront & Shopfront Buildings

(b) Porch, Enclosed Porch, or Stoop Residential Buildings. (Refer to Figure 1405E(2)).

[1] Transparency Measured by Facade. On residential buildings with a porch, enclosed porch, and stoop base type except the Apartment Building, transparency is measured as a percentage of the facade and not by story.

[2] Ground and Upper Stories. Transparency is measured along the full facade, including the facade of a story located within the roof structure. Refer to the building type standards for the minimum percentage.

Figure 1405E(2): Measuring Transparency on Porch, Enclosed Porch & Stoop Residential Buildings



(4) Measuring Height. The parameters outlined in this section detail how to measure the height of a structure. (Refer to Figure 1405E(3) and Figure 1405E(4)).

(a) Height is Measured in Stories. Each Building Type includes a provision listing the number of permitted stories, typically in a range of stories.

(b) Half-Stories. Half stories are located completely within the roof structure.

(c) Floor to Floor Height. Each Building Type includes a permitted range of height for each story.

[1] This is measured in feet, between the floor of a story to the floor of the next story.

[2] The exceptions for this measurement are for single story buildings and the uppermost story of a multiple story building. Single story buildings and the uppermost story of multiple story buildings shall be measured from the floor of the story to the ceiling.

Figure 1405E(3): Measuring Height on Arcade, Storefront & Shopfront Buildings

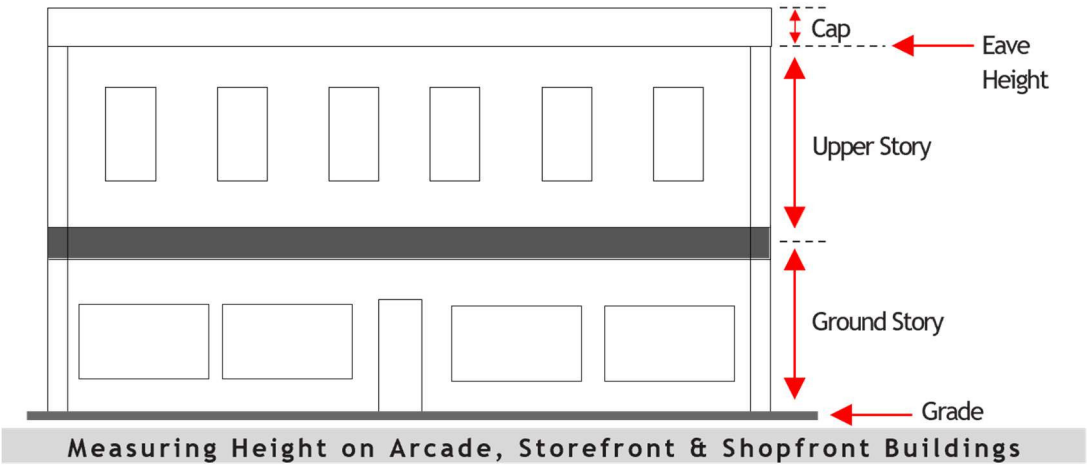
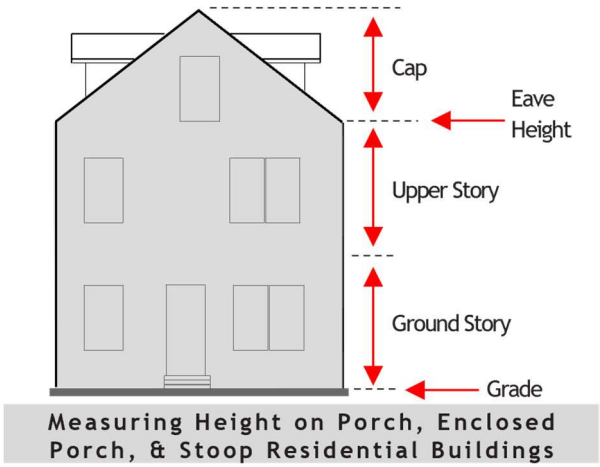


Figure 1405E(4): Measuring Height on Porch, Enclosed Porch & Stoop Residential Buildings



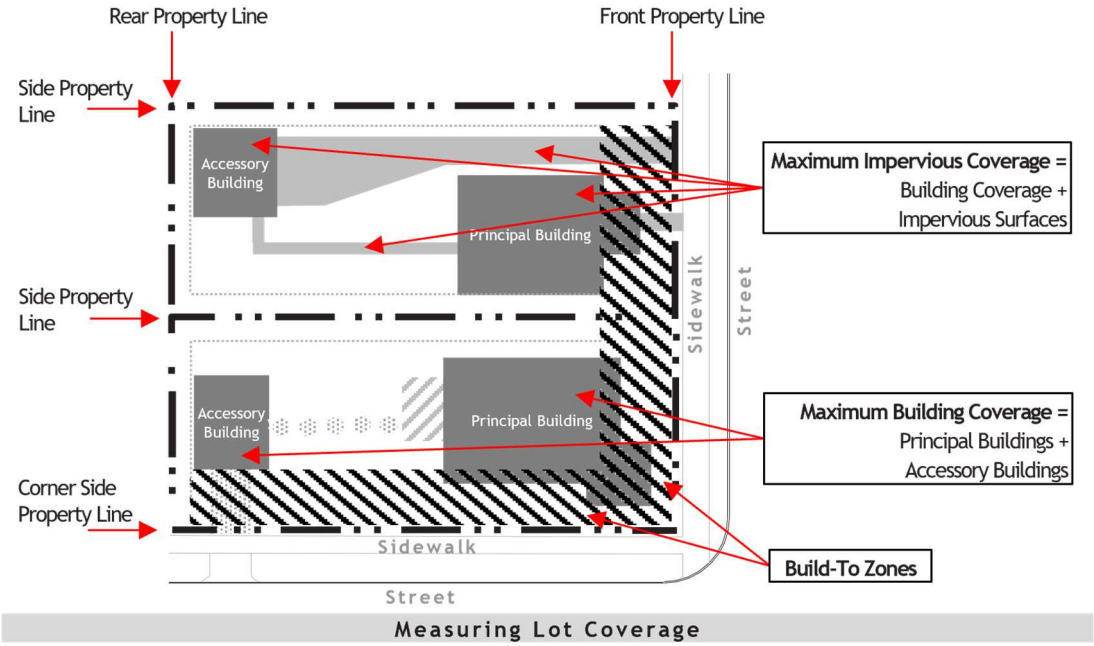
(5) Measuring Coverage. The parameters outlined in this section detail how to measure the height of a structure. (Refer to Figure 1405E(5))

(a) Intent. To limit the quantity of pavement and other impervious surfaces within the GAP Neighborhood.

(b) Building Coverage. The percentage of a lot covered by structures, principal and accessory.

(c) Impervious Lot Coverage. The percentage of a lot covered by buildings (principal and accessory) pavement, and other impervious materials that prevent at least 40% absorption of water into the ground or plant material.

Figure 1405E(5): Measuring Lot Coverage



44-1406 Building Types

A. Commercial Building.

(1) Building Siting. (Refer to Figure 1406A(1))

(a) Street Frontage.

[1] A minimum of 95% of the length of the front build-to zone must be occupied by building. The intersection of the front and corner side build-to zones (the corner) must be occupied by building.

[2] Front and corner side building facades must be constructed within a build-to zones located from the property line five (5) feet into the site.

[3] Eaves and upper floor bays, balconies, and awnings are permitted to extend over the front and corner side property lines to within five (5) feet of the curb, maintaining a minimum of ten (10) feet height clearance along public sidewalk.

(b) Side & Rear Yard Setbacks.

[1] Side yard setback is not required.

[2] Rear yard setback shall be a minimum of five (5) feet.

(c) Buildable Area.

[1] Maximum impervious site coverage shall be 100%.

[2] Minimum lot width is twenty-five (25) feet.

(d) Off-Street Parking & Loading.

[1] Parking is permitted in the rear yard.

[2] All loading facilities shall be located on the rear facade.

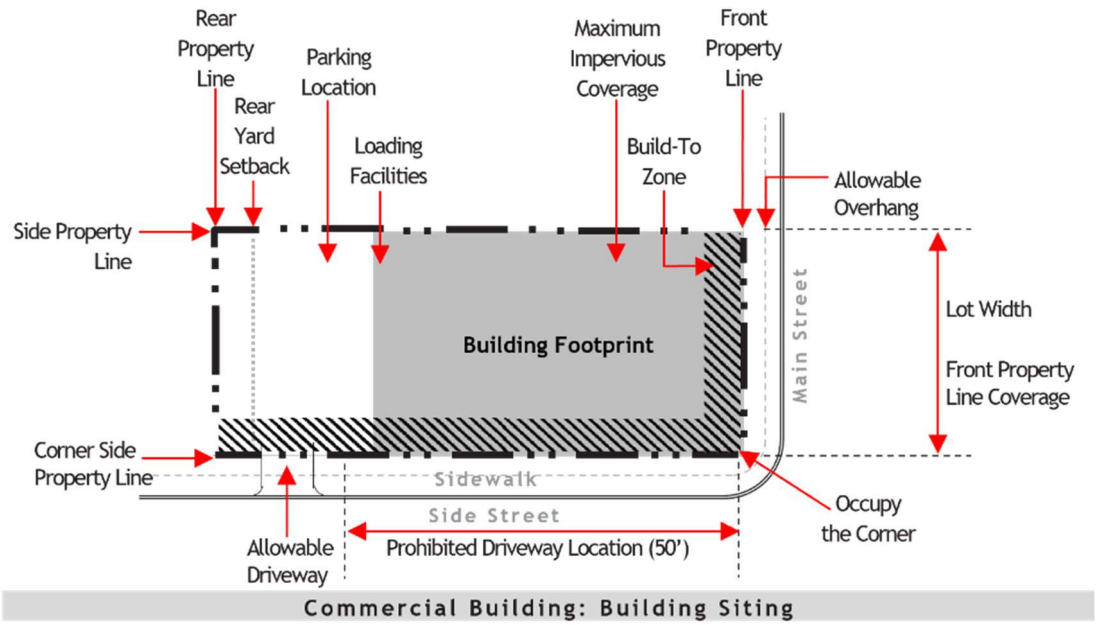
(e) Driveways & Access.

[1] If no alley exists, one (1) driveway per lot is permitted.

[2] Driveway location shall be at least fifty (50) feet from the intersection of the front and corner side property lines.

[3] Shared driveways are encouraged.

Figure 1406A(1): Commercial Building Siting



(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one (1) story and a maximum of three (3) stories. Up to four (4) stories in height are permitted, if the upper stories are set back a minimum of seven (7) and a maximum of fifteen (15) feet.

[2] Allowable ground floor height is a minimum of fifteen (15) feet, maximum thirty (30) feet, as measured from floor to floor. When the ground floor is twenty (20) feet or more in height, it shall count as two (2) stories in terms of measuring the overall building height.

[3] Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet, as measured from floor to floor.

[4] Accessory buildings shall not exceed the height of the principal building on the lot.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

[2] Parking is permitted internally in the rear of the building; a minimum of thirty (30) from the front facade of the ground floor must be occupied by a permitted use other than parking.

Figure 1406A(2): Commercial Building Height & Use Requirements

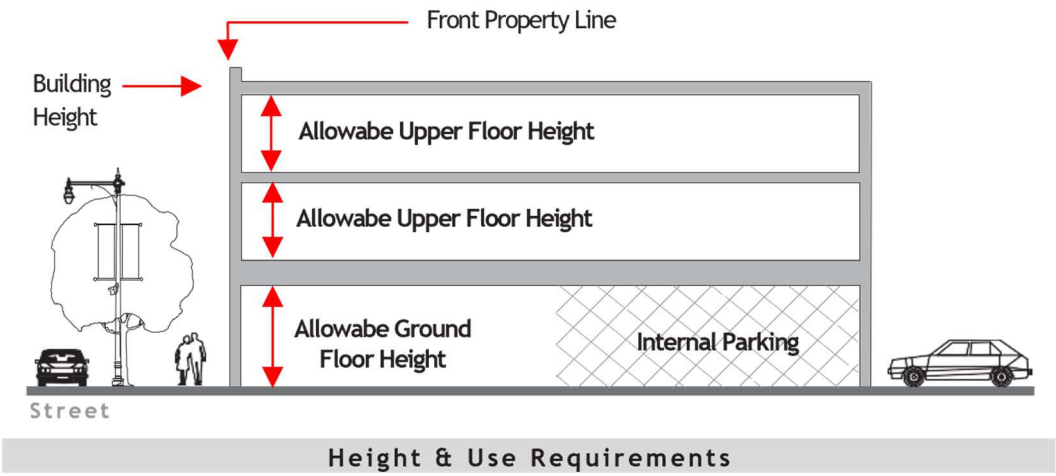
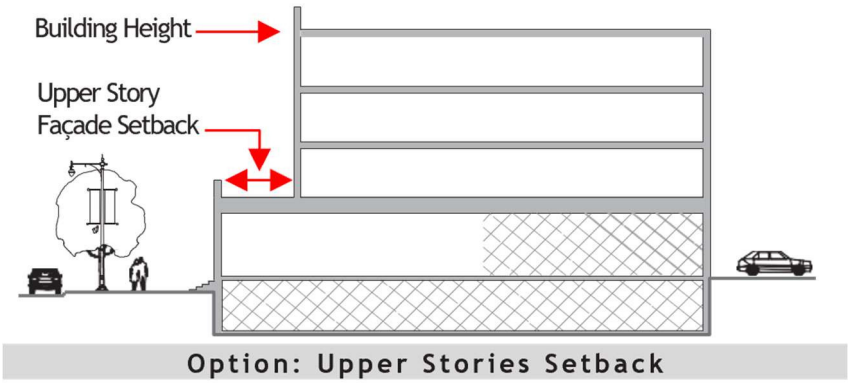


Figure 1406A(3): Commercial Building Height & Use Requirement Option: Upper Stories Setback



(3) Façade Requirements.

(a) Transparency.

[1] A minimum of 20% of the upper story front facade, measured floor to floor shall have transparent, non-reflective windows.

[2] An area no greater than 30% of the front and side facade per floor may have no transparency.

(b) Building Entrance.

[1] The building's principal entrance must be on the front or side building facade. Entrances at the corner of a building satisfy this requirement.

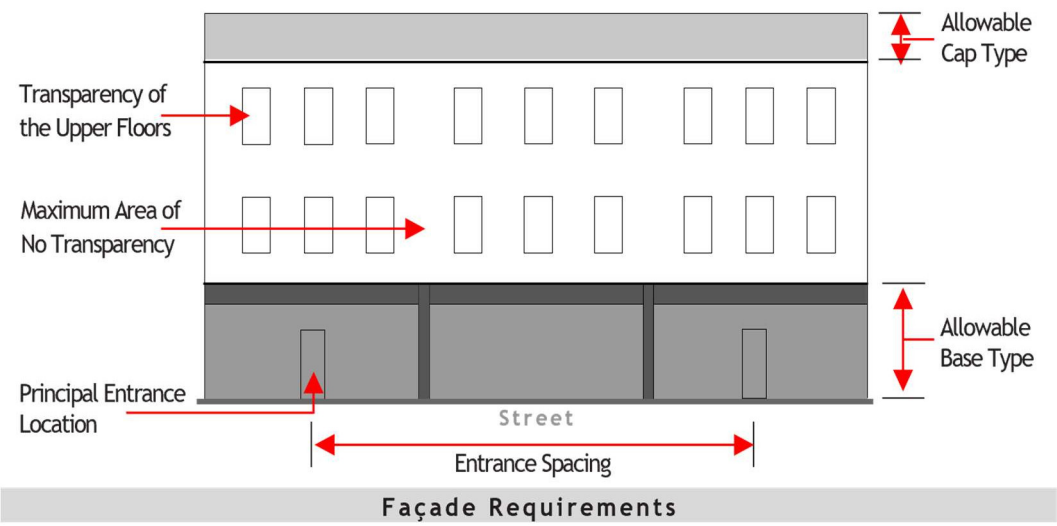
[2] Provide a minimum of one (1) entrance for every seventy-five (75) feet of building frontage on the front facade

(c) Allowable Cap & Base Types.

[1] Allowable Cap Type is the parapet and tower.

[2] Allowable Base Type is the storefront.

Figure 1406A(4): Commercial Building Façade Requirements



B. Cottage Commercial ~~Building~~

(1) Building Siting. (Refer to Figure 1406B(1))

(a) Street Frontage.

[1] A minimum of 60% of the length of the front build-to zone must be occupied by a building. The intersection of the front and corner side build-to zones (the corner) must be occupied by building.

[2] Front building facade must be constructed within a build-to zone located between five (5) and fifteen (15) feet from the front property line.

[3] Corner side building facades must be constructed within a build-to zone located ten (10) feet into the site.

[4] Eaves and upper floor bays, balconies, and awnings are permitted to extend over the side property line to within five (5) feet of the curb, maintaining a minimum of ten (10) feet height clearance along public sidewalk.

[5] Porches, stoops, and stairs may encroach into the front and corner side build-to zones.

(b) Side & Rear Yard Setbacks.

[1] Side yard setback shall be a minimum of five (5) feet.

[2] Rear yard setback shall be a minimum of five (5) feet.

(c) Buildable Area.

[1] Maximum impervious site coverage shall be 65%; an additional 15% of the site may be semi-pervious.

[2] Minimum lot width is forty (40) feet.

(d) Off-Street Parking & Loading.

[1] Parking is permitted in the rear yard of a lot.

[2] All loading facilities shall be located on the rear facade.

(e) Driveways & Access.

[1] If no alley exists, one (1) driveway per lot is permitted.

[2] Driveway location shall be at least fifty (50) feet from the intersection of the front and side property lines.

[3] Shared driveways are encouraged.

Figure 1406B(1): Cottage Commercial Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one (1) story and a maximum of two and a half (2.5) stories.

[2] Allowable ground floor height is a minimum of ten (10) feet, maximum fifteen (15), as measured from floor to floor.

[3] Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

Figure 1406B(2): Cottage Commercial Building Height & Use Requirements

(3) Façade Requirements.
  (a) Transparency.
    [1] A minimum of 20% of the upper story front façade, measured floor to floor shall have transparent, non-reflective windows.
    [2] An area no greater than 30% of the front and side facade per floor may have no transparency.
  (b) Building Entrance.
    [1] The building's principal entrance must be on the front or corner side building facade. Entrances at the corner of a building satisfy this requirement.
  (c) Allowable Cap & Base Types.
    [1] Allowable Cap Type is a pitched roof and tower.
    [2] Allowable Base Types are shopfront, porch, and stoop.

Figure 1406B(3): Cottage Commercial Building Façade Requirements

C. Warehouse Building
  (1) Building Siting.

(a) Street Frontage.
    [1] A minimum of 40% of the length of the front build-to zone must be occupied by building. Front and corner side building facades must be constructed within a build-to zones located
    [2] between seven and a half (7.5) and fifteen (15) feet into the site.
    [3] Front, corner side, and side yards not occupied by building shall be landscaped.

(b) Side & Rear Yard Setbacks.
    [1] Side yard setback shall be a minimum of five (5) feet.
    [2] Rear yard setback shall be a minimum of five (5) feet.

(c) Buildable Area.
    [1] Maximum impervious site coverage shall be 80%; an additional 10% of the site may be semi-pervious.
    [2] Minimum lot width is fifty (50) feet.

(d) Off-Street Parking & Loading.
    [1] Parking is permitted in the rear and side yards of a lot, but may not extend beyond the face of the principal building into front and corner side build-to zones.
    [2] All loading facilities shall be located on the side or rear facade.

(e) Driveways & Access.
    [1] If alley access is available, one (1) driveway per lot is permitted.
    [2] If alley access is not available, one (1) driveway per street frontage is permitted.
    [3] Driveway location shall be at least fifty (50) feet from the intersection of the front and side property lines.
    [4] Shared driveways are encouraged.

Figure 1406C(1): Warehouse Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.
    [1] Building height shall be a minimum of one (1) story and a maximum of three (3) stories.

[2] Allowable floor height of the office/administration building is a minimum of nine (9) feet, maximum of fourteen (14) feet, as measured from floor to floor.

[3] Allowable floor height of the primary building is a minimum of nine (9) feet and a maximum of fourteen (14) for two (2) or three (3) stories; a minimum of nine (9) feet and a maximum of thirty-six (36) feet when one (1) story.

[4] Accessory buildings shall be no taller than the primary building on the site.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

[2] Parking is permitted internally in the rear of the building; a minimum of thirty (30) from the front facade of the ground floor must be occupied by a permitted use other than parking.

Figure 1406C(2): Warehouse Building Height & Use Requirements

(3) Façade Requirements.

(a) Transparency.

[1] A minimum of 20% of the upper story front façade of the optional office/administration building shall have transparent, non-reflective windows.

[2] No minimum transparency is required for the upper stories of the primary building.

(b) Building Entrance.

[1] The principal entrance is encouraged to be located on the front or side facade. Entrances at the corner of a building satisfy this requirement.

(c) Allowable Cap & Base Types.

[1] Allowable Cap Types are parapet, pitched roof, low pitched roof, and tower.

[2] Allowable Base Types for this building type are:

a. Shopfront or stoop for the optional office/administration building.

b. No required base type for the primary building.

Figure 1406C(3): Warehouse Building Façade Requirements

D. Iconic Building

(1) Building Siting.

(a) Street Frontage.

[1] Front and corner side building facades must be constructed within build-to zones located between five (5) and twenty-five (25) feet into the site.

[2] The intersection of the front and corner side build-to zones (the corner) must be occupied by a building.

[3] Porches, stoops, and stairs may encroach into the front and side build-to zones.

[4] Areas not occupied with building along the front, corner side, and side property lines shall be landscaped.

[5] Multiple buildings may be constructed on a single lot; however, the minimum standards within this section ~~Section K~~ must be met.

(b) Side & Rear Yard Setbacks.

[1] Side yard setback shall be a minimum of five (5) feet.

[2] Rear yard setback shall be a minimum of five (5) feet.

(c) Buildable Area.

[1] Maximum impervious site coverage shall be 60%; an additional 20% of the site may be semi-pervious.

[2] Minimum lot width is fifty (50) feet.

(d) Off-Street Parking & Loading.

[1] Parking is permitted in the rear and side yards of a lot, but may not extend beyond the face of the principal building into front and corner side build-to zones.

(e) Driveways & Access.

[1] If alley access is available, one (1) driveway per lot is permitted.

[2] If alley access is not available, one (1) driveway per street frontage is permitted.

[3] Driveway location shall be at least fifty (50) feet from the intersection of the front and corner side property lines.

Figure 1406D(1): Iconic Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one (1) story and a maximum of three (3) stories.

[2] Allowable ground floor height.

a. With a one (1) story building, the minimum is fifteen (15) feet, maximum thirty (30) feet, as measured from floor to floor.

b. With a two (2) or three (3) story building, the maximum height for the ground floor is thirty (30) feet and the maximum upper story height is fifteen (15) feet, as measured from floor to floor.

[3] Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.

[1] Only ~~churches, synagogues, religious assembly~~ Places of Worship, Community or Cultural uses, Libraries, and Government or Civic uses are permitted in an Iconic Building Type.

[2] Additional use information can be found in § 44-1403.

Figure 1406D(2): Iconic Building Height & Use Requirements

(3) Façade Requirements.

(a) Transparency.

[1] A minimum of 10% of the upper story front façade, measured floor to floor shall have windows.

[2] An area no greater than 30% of the front and side facade per floor may have no transparency.

(b) Building Entrance.

[1] The principal entrance must be located on the front or corner side building facade. Entrances at the corner of a building satisfy this requirement.

(c) Allowable Cap & Base Types.

[1] Allowable Cap Types are parapet, pitched foot, tower, and spire.

[2] Allowable Base Type is stoop.

Figure 1406D(3): Iconic Building Façade Requirements

E. House

(1) Building Siting.

(a) Street Frontage.

[1] Front facade of the principal building must be constructed within a build-to zone, located

[2] between seven and a half (7.5) and seventeen (17) feet into the site from the property line.

[3] Corner side facade of the principal building must be constructed within a build-to zone, located between five (5) and fifteen (15) feet into the site from the property line.

[4] Unenclosed porches, stoops and stairs are permitted to within two (2) feet of the front or side property line.

(b) Side & Rear Yard Setbacks.

[1] Side yard setback for the building shall be a minimum of five (5) feet.

[2] Rear yard setback for the principal building shall be a minimum of five (5) feet.

(c) Buildable Area.

[1] Maximum building coverage shall be 45% of the net site area.

[2] Maximum impervious site coverage shall be 55% of the net site area and an additional 5% of the site may be semi-pervious.

[3] Minimum lot width is forty (40) feet at the front property line.

[4] Minimum lot size is 3,000 square feet.

(d) Parking & Accessory Buildings.

[1] Surface parking and garages are permitted in the rear yard, behind the back facade of the principal building.

[2] Parking and garages are permitted within the corner side yard build-to zone, but may not extend beyond the face on the principal building into this yard.

(e) Driveways & Access.

[1] If no alley exists, one (1) driveway per lot is permitted.

Figure 1406D(1): House Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one (1) story and a maximum of two and a half (2.5) stories.
[2] Accessory building height may not exceed the height of the principal structure.
[3] Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.
[1] Specific use information can be found in § 44-1403.

Figure 1406E(2): House Building Height & Use Requirements

(3) Façade Requirements.
(a) Transparency.
[1] A minimum of 15% of the front and the corner side facades shall have transparent, non-reflective windows.
[2] An area no greater than 30% of the front and side facade per floor may have no transparency.
(b) Building Entrance.
[1] The building's principal entrance must be located on the front, corner side, and side facades.
(c) Allowable Cap & Base Types.
[1] Allowable Cap Type is a pitched roof. Towers are permitted on Houses with two (2) or more stories.
[2] Allowable Base Types are stoop, porch, and enclosed porch.

Figure 1406E(3): House Building Façade Requirements

F. Estate House
  (1) Building Siting.
    (a) Street Frontage.
      [1] Front facade of the principal building must be constructed within a build-to zone, located
      [2] between twenty-five (25) and forty-five (40) feet into the site from the property line.
      [3] Corner side facade of the principal building must be constructed within a build-to zone, located between five (5) and fifteen (15) feet into the site from the property line.
      [4] Unenclosed porches, stoops, and stairs are permitted to encroach fifteen (15) feet into the front and side yard setbacks.
    (b) Side & Rear Yard Setbacks.
      [1] Side yard setback for the principal building shall be a minimum of five (5) feet.
      [2] Rear yard setback for the principal building shall be a minimum of five (5) feet.
    (c) Buildable Area.
      [1] Maximum building coverage shall be 30% of the net site area.
      [2] Maximum impervious site coverage shall be 40% of the net site area and an additional 5% of the site may be semi-pervious.
      [3] Minimum lot width is fifty (50) feet at the front property line.
      [4] Minimum lot size is 7,000 square feet.
    (d) Parking & Accessory Buildings.
      [1] Surface parking and garages are permitted in the rear yard.
      [2] Parking and garages are permitted within the corner side yard build-to zone, but may not extend beyond the face on the principal building into this yard.
    (e) Driveways & Access.
      [1] If no alley exists, one (1) driveway per lot is permitted.

Figure 1406F(1): Estate House Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one and a half (1.5) stories and a maximum of three (3) stories.

[2] Accessory building height may not exceed the height of the principal building.

[3] Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

Figure 1406F(2): Estate House Building Height & Use Requirements

(3) Façade Requirements.

(a) Transparency.

[1] A minimum of 15% of the front and the corner side facades shall have transparent, non-reflective windows.

[2] An area no greater than 30% of the front and side facade per floor may have no transparency.

(b) Building Entrance.

[1] The building's principal entrance must be located on the front, corner side, and side facades.

(c) Allowable Cap & Base Types.

[1] Allowable Cap Type is a pitched roof, low pitched roof, and tower.

[2] Allowable Base Types are stoop, porch, and enclosed porch.

Figure 1406F(3): Estate House Building Façade Requirements

G. Manor ~~MultiFamily~~ Multiple-Family (MF)

(1) Building Siting.

(a) Street Frontage.

[1] Front facade of the principal building must be constructed within a build-to zone, located

[2] between ten (10) and twenty-five (25) feet into the site from the property line.

[3] In GAP 1, the front facade shall be constructed within a build-to zone located between twenty

[4] (20) and thirty-five (35) feet.

[5] Corner side facade of the principal building must be constructed within a build-to zone, located between five (5) and fifteen (15) feet into the site from the property line.

[6] Unenclosed porches, stoops, and their associated stairs are permitted to within five (5) feet of the front or corner side property lines.

[7] Exterior entrances to upper stories are not permitted on the front facade.

[8] Exterior stairs to an upper story may not extend closer to the front property line than the front facade.

(b) Side & Rear Yard Setbacks.

[1] Side yard setback for the building shall be a minimum of five (5) feet.

[2] Rear yard setback for the building shall be a minimum of five (5) feet

(2) Buildable Area.

[1] Maximum building coverage shall be 45% of the net site area.

[2] Maximum impervious site coverage shall be 55% of the net site area and an additional 10% of the site may be semi-pervious.

[3] Minimum lot width is fifty (50) feet at the front property line. A width of forty (40) feet is
[4] permitted on corner lots and lots with alley access only.
[5] Minimum lot size is 3,000 square feet for a two
[6] (2) unit building; an additional five hundred (500) square feet are required for each additional unit.

(b) Parking & Accessory Buildings.
[1] Surface parking and garages are permitted in the rear yard, behind the back facade of the principal building.
[2] Parking and garages are permitted within the corner side yard build-to zone, but may not extend beyond the face on the principal building into this yard.

(c) Driveways & Access.
[1] If no alley exists, one (1) driveway per lot is permitted.

Figure 1406G(1): Manor Multiple-Family Building Siting

(3) Height & Use Requirements.

(a) Building & Floor Heights.
[1] Principal building height shall be a minimum of two (2) stories and a maximum of two and a half (2.5) stories.
[2] Accessory building height may not exceed the height of the principal building.
[3] Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.
[1] Specific use information can be found in § 44-1403.

Figure 1406F(2): Manor Multiple-Family Building Height & Use Requirements

(4) Façade Requirements.
  (a) Transparency.
    [1] A minimum of 15% of the front and the corner side facades shall have transparent, non-reflective windows.
    [2] An area no greater than 30% of the front and side facade per floor may have no transparency.
  (b) Building Entrance.
    [1] The principal entrance must be located on the front, corner side, or side facade.
  (c) Allowable Cap & Base Types.
    [1] Allowable Cap Types are the pitched and low pitched roof, and tower.
    [2] Allowable Base Types are stoop, porch, and enclosed porch.

Figure 1406F(3): Manor Multiple-Family Building Façade Requirements

H. Rowhouse
  (1) Building Siting.
    (a) Street Frontage.

[1] Front and corner side facades of the principal building must be constructed within a build-to zone, located between seven and a half (7.5) and fifteen (15) feet into the site from the property line.

[2] Unenclosed porches, stoops, and stairs are permitted to within two (2) feet of the front or corner side property line.

(b) Side & Rear Yard Setbacks.

[1] A minimum of two (2) and a maximum of five (5) continuous units are permitted to cluster without side yard setbacks.

[2] The interior side of a multi-unit cluster must be set back a minimum of five (5) feet from the side property line.

[3] The rear of the building must be set back a minimum of five (5) feet from the rear property line.

(2) Buildable Area.

[1] Maximum building coverage shall be 55% of the net site area.

[2] Maximum impervious lot coverage shall be 80% of the net lot area and an additional 10% of the site may be semi-pervious.

[3] Minimum lot width is eighteen (18) feet at the front property line per unit.

(b) Parking & Accessory Buildings.

[1] Surface parking and garages are permitted in the rear yard, behind the back facade of the principal building.

[2] Parking and garages are permitted within the corner side yard build-to zone, but may not extend beyond the face on the principal building into this yard.

(c) Driveways & Access.

[1] If no alley exists, one (1) driveway is permitted per set/cluster of rowhouses.

Figure 1406H(1): Rowhouse Building Siting

(3) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Principal building height shall be a minimum of one and a half (1.5) stories and a maximum two and a half (2.5) stories.

[2] Accessory building height may not exceed the height of the principal building.

[3] Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet, as measured from floor to floor.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

[2] Parking is permitted internally in the rear of the building; a minimum of fifteen (15) feet from the front facade of the ground story must be occupied by a permitted use other than parking.

Figure 1406H(2): Rowhouse Building Height & Use Requirements

(4) Façade Requirements.

(a) Transparency.

[1] A minimum of 15% of the front and the corner side facades shall have transparent, non-reflective windows.

[2] An area no greater than 30% of the front and side facade per floor may have no transparency.

(b) Building Entrance.

[1] The principal entrance must be located on the front or corner side facade.

(c) Allowable Cap & Base Types.

[1] Allowable Cap Types are the parapet and pitched roof. Towers are permitted only on end units.

[2] Allowable Base Types are stoop, porch, and enclosed porch.

Figure 1406H(3): Rowhouse Building Façade Requirements

I. Apartment Building
   (1) Building Siting.
      (a) Street Frontage.
         [1] A minimum of 75% of the length of the front build-to zone must be occupied by building.
         [2] The intersection of the front and corner side build-to zones (the corner) must be occupied by a building.
         [3] Front and side building facades must be constructed within a build-to zones located between seven and a half (7.5) and twenty (20) feet into the site.
         [4] Unenclosed porches, stoops, and stairs may encroach into the front and corner side build-to zones.
      (b) Side & Rear Yard Setbacks.
         [1] Side yard setback shall be a minimum of five (5) feet.
         [2] Rear yard setback shall be a minimum of five (5) feet.
      (c) Buildable Area.
         [1] Maximum impervious site coverage shall be 70% and an additional 15% of the site may be semi-pervious.
         [2] Minimum lot width is fifty (50) feet.
      (d) Off-Street Parking & Loading.
         [1] Parking is permitted in the rear yard of a lot, but may not extend beyond the face of the principal building into the corner side build-to zones.
         [2] All loading facilities shall be located on the rear facade.
      (e) Driveways & Access.
         [1] If no alley exists, one (1) driveway per development is allowed.
         [2] In GAP 5, one (1) driveway per street frontage is permitted.
         [3] Driveway location shall be at least fifty (50) feet from the intersection of the front and side property lines.
         [4] Shared driveways are encouraged.

Figure 1406I(1): Apartment Building Siting

(2) Height & Use Requirements.

(a) Building & Floor Heights.

[1] Building height shall be a minimum of one (1) story and a maximum of three (3) stories. Up to four (4) stories in height are permitted, if the upper stories are set back a minimum of seven (7) and a maximum of fifteen (15) feet.

[2] Allowable floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet, as measured from floor to floor.

[3] Accessory building height may not exceed the height of the principal building.

(b) Uses.

[1] Specific use information can be found in § 44-1403.

[2] Parking is permitted internally in the rear of the building; a minimum of thirty (30) feet from the front facade of the ground story must be occupied by a permitted use other than parking.

Figure 1406I(2): Apartment Building Height & Use Requirements

Figure 1406I(3): Apartment Building Height & Use Optional Upper Stories Setback

(3) Façade Requirements.

(a) Transparency.

[1] A minimum of 20% of the upper story front facade, measured floor to floor shall have transparent, non-reflective windows.

[2] An area no greater than 30% of the front and side facade per floor may have no transparency.

(b) Building Entrance.

[1] The principal entrance must be located on the front or corner side building facade. Entrances at the corner of a building satisfy this requirement.

[2] Provide a minimum of one (1) entrance for every seventy-five (75) feet of building frontage on the front facade.

(c) Allowable Cap & Base Types.

[1] Allowable Cap Types are the parapet, pitched roof, and tower.

[2] Allowable Base Types are the stoop and porch.

Figure 1406I(4): Apartment Building Façade Requirements

44-1407 Parking & Access Standards

A. General Requirements. Within the boundaries of the GAP Neighborhood, off-street parking shall follow the standards of this section ~~Section Q~~.
   (1) Parking Facility Materials. All parking facilities and driveways shall be constructed using asphalt, concrete, or pavers. The use of semi-pervious materials are encouraged whenever appropriate.
   (2) Building Type Standards. Each building type includes specific standards for locating parking and loading facilities, as well as the location and quantity of driveways permitted on a lot

B. Off-Street Parking Requirements. Development within the GAP Neighborhood shall adhere to the minimum number of off-street parking spaces listed in Table 1407B.
   (1) Required Number of Vehicular Parking Spaces. Refer to Table 1407B for standards specific to the GAP Neighborhood.
   (2) Maximum Allowable Vehicles Spaces. No use shall provide more than 10% over the minimum parking required without incorporating at least two (2) of the following mitigating design features, except in House and Estate Buildings:
      (a) The surface of all excess parking spaces shall be a semi-pervious surface that allows stormwater to filter naturally into the ground.
      (b) The frontage buffer shall be increased in width by 30% and the heavy side/rear buffer shall be used, regardless of the adjacent use.
      (c) The interior parking lot landscaping shall be increased by 10% over the minimum requirements.
   (3) Shared Vehicular Parking. An arrangement in which two (2) or more nonresidential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements.
      (a) General Provisions. The City may permit up to 100% of the parking required for a daytime use to be supplied by the off-street parking spaces provided for a nighttime or Sunday use and vice versa.
      (b) Approval. In order to approve a shared parking arrangement, the City must find, based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.
      (c) Description of Uses with Weekday, Nighttime, and Sunday Peak Parking.
         [1] The following are considered predominantly weekday uses: office, retail and industrial uses.
         [2] The following are typically considered predominantly nighttime or Sunday uses: entertainment, eating and drinking establishments, religious assembly, auditoriums accessory to schools and other similar uses with peak activity at night or on Sundays, as authorized by the City.
   (4) Cooperative Vehicular Parking. An arrangement in which two (2) or more categories of uses provide their required off-street parking in the same parking lot, thereby reducing the number of individual parking lots and the number of curb cuts used to serve the parking lots.
      (a) General Provisions. Cooperative parking will be approved in accordance with the following:

[1] Up to a 20% reduction may be approved when four (4) use categories are involved.

[2] Up to a 15% reduction may be approved when three (3) use categories are involved.

[3] Up to a 10% reduction may be approved when two (2) use categories are involved.

(b) Approval. The City must approve the cooperative agreement if any of the uses are not located in the same building.

(c) Location of Cooperative Parking. Any cooperative parking arrangements must be within five hundred (500) feet of the entrance of the use to the closest parking space within the cooperative parking lot, as measured along the shortest pedestrian path.

(d) Required Agreement. An agreement providing for cooperative use of an off-site parking lot, executed by the parties involved, shall be in a form approved by and filed with the City.

[1] Cooperative parking arrangements shall continue in effect only as long as the agreement remains in force.

[2] If the agreement is no longer in force, then parking must be provided as otherwise required.

(e) Parking Credits. The minimum off-street parking requirements may be reduced by achieving parking in one or all of the following credits.

[1] On-Street Parking Credit. On-street parking within five hundred (500) feet of any lot line may be credited to the parking requirement at a rate of one (1) credit for every two (2) on-street parking spaces.

[2] Public Parking Credit. Public parking within five hundred (500) feet of any lot line may be credited to the parking requirement at a rate of one (1) credit for every three (3) public parking spaces.

(f) Required Number of Bicycle Parking Spaces. A minimum of two (2) spaces are required for each use that requires bicycling parking, unless otherwise stated in Table 1407B.

[1] Dimensions. Required bicycle parking spaces shall have minimum dimensions of two (2) feet in width and six (6) feet in length.

[2] Location. Bicycle parking may be located in the following locations:

a. Required bicycle parking may be located indoors or outdoors, provided it is located on the lot with which it is associated.

b. Required bicycle parking for residential uses may be provided in garages, storage rooms or other secure areas that are accessible to residents. Spaces in individual dwelling units may not be counted toward bicycle parking requirements.

[3] Signage. If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.

[4] Maintenance and Lighting. Areas used for required bicycle parking must be well lighted and paved, with acceptable drainage to be reasonably free of mud and standing water.

Table 1407B: Off-Street & Bicycle Parking Standards Specific to the GAP Neighborhood		
Use	Required Vehicular Parking Spaces	Required Bicycle Parking Spaces
Public Assembly Uses		
~~Churches, Synagogues, Temples, & Religious Facilities~~ Places of Worship	0.33/Seat	
Libraries	1/400 Sq. Ft.	
Community Centers	0.33/Seat	
Police & Fire Station	0.5/Employee + 1/Office Vehicle	1/10 Vehicular Spaces, minimum of 4 Spaces
Post Office	1/300 Sq. Ft. + 1/Office Vehicle	
Neighborhood Entertainment Uses	0.33 / Seat	
Eating & Drinking Establishments	0.60 / Seat	
Parks ~~& Outdoor Spaces~~ and Recreation Facilities		1/1,000 Sq. Ft. of Land
Education Services		
Nursery & Pre-Schools	1.25/Employee	
Independent / Assisted Living Facilities	0.5/Bed + 1/Employee at Largest Shift	
Nursing Home	0.5/Bed	1/10 Vehicular Spaces, minimum of 4 Spaces
Child / Day-Care	1.35/Employee	
~~Halfway House~~ Group Home for Parolees	1/Employee + 1/5 Beds unless facility residents are not permitted to drive	
Residential Uses		
Dwelling, Single-Family / Two-Family	1/Dwelling Unit	
Dwelling, Multiple-Family: 1 Bedroom	1.25/Dwelling Unit	1/2 Vehicular Spaces (Buildings with 8+ Units Only)
Dwelling, Multiple-Family: 2 Bedrooms	1.5/Dwelling Unit	
Dwelling, Multiple-Family: 3 Bedrooms	1.75/Dwelling Unit	
Dwelling Unit, Accessory ~~Family~~	1/Dwelling Unit	
Bed & Breakfast Establishments	1.25/Room	
Store & Office Uses		
Retail & Service Uses	1/300 sq. ft.	
Office Uses	1/250 sq. ft.	
Garden Center	1/300 sq. ft. of Sales Area	1/10 Vehicular Spaces
Vehicle Supply (No Service)	1/300 sq. ft.	
Funeral Home	.33/Seat + 1/Company Vehicle	
Industrial & Manufacturing Uses		
Craftsman/Limited Industrial	1/Employee at Largest Shift	
Manufacturing/Assembly/ Distribution/Warehousing/ Packing	1/Employee at Largest Shift	

C. Access Requirements. Development of driveways within the GAP Neighborhood shall adhere to the standards in § 44-1206, with the following exceptions and additional provisions.

(1) Quantity and Placement. Refer to the building type standards starting in Section H for information on the quantity of driveways permitted and their appropriate location on a lot.

(a) Driveways shall be no closer than one (1) foot from the property line.

(b) Driveways shall be no closer than five (5) feet from the centerline of a hydrant, light standards, traffic signal, utility pole, or other similar facility.

(2) Dimensions. All Driveways shall have a maximum size of twenty-five (25), measured at the property line, unless otherwise specified below. Refer to Figure 1407C(1).

(a) Residential Building Types. Building types constructed in GAP 1-4 shall have a maximum curb cut size of twelve (12) feet.

(b) Shared Access. When possible, adjacent developments should share points of access to minimize the vehicular pedestrian conflicts and traffic congestion. This does not apply to development of single-family homes.

(c) Shared Driveway Width. When access is shared between two (2) or more users, a dedicated turn lane may be constructed with the City's permission. This would allow an increase in the maximum driveway up to thirty-two (32) feet.

Figure 1407C(1): Measuring Driveway Width

44-1408 Landscape Standards

A. Parking Lot Frontage Buffer. To lessen the visual impact of vehicular areas visible from the street, the following is required.

(1) Applicability. These requirements apply to all properties in the GAP Neighborhood where a vehicular area is located adjacent to a vehicular right- of-way.

(a) Exceptions. The exceptions to the application of the frontage buffer are:

[1] Single family residences.

[2] Vehicular areas along alleys.

(b) The City may reduce these screening requirements through crediting existing landscaping within the proposed buffer area.

(2) Requirements. These standards are illustrated in Figures 1408A(1) and 1408A(2).

(a) Depth. The landscape buffer shall consist of an area seven (7) feet in depth between the front and corner side property line and the vehicular area on the parcel with the following exception:

[1] When the parcel is located adjacent to GAP 1-4, the frontage buffer must be located from the face of the adjacent building located the furthest from the front property line. The additional yard between the buffer and the front property line must be landscaped.

(b) Uses and Materials. Uses and materials other than those indicated are prohibited in the buffer.

(c) A medium or large tree must be planted a minimum of every thirty-five (35) or forty (40) feet, respectively within the seven (7) feet of required landscape buffer, located on the street side of the fence.

[1] The spacing of these trees should alternate with street trees so that the final effect is a staggered tree line.

[2] All trees planted in the landscape buffer area shall be large or medium deciduous trees (Refer to § 44-1305 – Plant material requirements).

(d) Fence. A minimum of three (3) and a maximum four (4) feet in height steel or PVC picket fence is required, located two (2) feet from the back of curb of the vehicular area.

[1] No other fence material is permitted.

[2] Fence colors are limited to black, grey, or dark green.

[3] Fence opacity must be no greater than 60%, no less than 30%.

[4] A gate opening of five (5) feet is permitted every one hundred (100) feet.

(e) Hedge. A continuous hedge is required on the street side of the fence, located between required trees and in front of vehicular areas. The hedge must consist of individual shrubs with a minimum width of twenty-four (24) inches, spaced no more than thirty-six (36) inches on center.

(f) Vehicle Overhang. The front or rear bumper overhang of vehicles parked within the vehicular area may encroach upon the required setback up to a maximum distance of two (2) feet.

(g) Access. This screening requirement is not to be interpreted as prohibiting the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

Figure 1408A(1): Front Buffer Plan

Figure 1408A(2): Front Buffer Section

B. Side and Rear Yard Landscape Buffer. To minimize the impact that one land use may have on a neighboring land use, side and rear yard buffers are required to provide a transition between the uses.

(1) Applicability. Side and rear yard buffers are required as detailed in Table 1404A(10). The City may reduce the buffer requirements through crediting existing landscaping within the proposed buffer area.

(2) Requirements.

(a) Depth. Side and rear yard buffers are to be installed in an area five (5) feet in depth adjacent to rear and side property lines.

(b) Uses and Materials. Uses and materials other than those indicated are prohibited in the side and rear yard buffer.

(c) Trees. All trees planted in the landscape buffer area shall be small, medium or large trees (Refer to § 44-1305 – Plant material requirements) with at least one medium or large tree planted every forty (40) feet within the five (5) feet of required landscape buffer.

(3) Heavy Buffer Requirement, Fence, and Hedge Combination. Typical buffer requirements for the steel fence and hedge combination are illustrated in Figures 1408B(1) and 1408B(2).

(4) Fence. A minimum six (6) feet in height steel or PVC picket fence is required in conjunction with a continuous hedge.
   (a) No other fence material is permitted.
   (b) Fence colors are limited to black, grey, or dark green.
   (c) Fence opacity must be no greater than 60%, no less than 20%.
   (d) A gate opening of five (5) feet is permitted every one hundred (100) feet.

(5) A continuous hedge is required, located between required trees.
   (a) The hedge must consist of individual shrubs with a minimum width of twenty-four (24) inches at installation or at maturity within one year, spaced no more than thirty-six (36) inches on center.
   (b) A minimum of fifteen (15) shrubs per every one hundred (100) feet of fence is required as needed to achieve continuous hedge.

Figure 1408B(1): Side/Rear Yard Heavy Buffer Plan (Steel Fence and Hedge Combination)

Figure 1408B(2): Side/Rear Yard Heavy Buffer Section (Steel Fence and Hedge Combination)

(6) Light Buffer Requirement. Typical light buffer requirements are illustrated in Figures 1408B(3) and 1408B(4).

(a) A continuous double hedge is required, located between required trees. The double hedge must consist of two rows of individual shrubs with a minimum width of twenty-four (24) inch spaced no more than thirty-six (36) inches on center.

(b) A minimum of thirty (30) shrubs per every one hundred (100) feet of fence is required.

Figure 1408B(3): Side/Rear Yard Light Buffer Plan

Figure 1408B(4): Side/Rear Yard Light Buffer Section

C. Interior Parking Lot Landscaping. To provide shade, minimize paving and improve the aesthetic look of parking lots, the following standards apply.

(1) Applicability. Interior parking lot landscaping is required for all off-street parking areas, regardless of size. The requirements herein apply to all development, except House, Estate House, and Manor Multiple-Family Buildings.

(2) Requirements. Typical parking lot landscaping requirements are illustrated in Figure 1408C(1).

(a) Terminal Ends of Free-Standing Rows. Landscape islands are required at the terminal ends of any free-standing rows or bays of parking. Free-standing rows or bays of parking are those that are not abutting the parking lot perimeter, and can have a single or double row of parking.

(b) Landscape Islands. A landscape island shall be provided every ninth parking space for rows of parking that are more than eight (8) spaces in length. ~~There shall be no more than eight (8) continuous parking spaces in a row without a landscape island.~~

(c) Trees in Landscape Islands. Each landscape island must have one (1) medium or large tree planted within it.

(d) Internal Area Not Dedicated to Parking or Drive. Any space within the parking lot limits that is not dedicated to parking, loading or driveway path shall be landscaped.

[1] One (1) medium or large deciduous tree is required in such spaces for the first one- hundred fifty (150) square feet.

[2] Plus one (1) medium or large tree per each additional six-hundred fifty (650) square feet.

[3] Each parking space must be entirely located within fifty (50) feet of a tree on the interior of the parking lot.

[4] Trees and landscaping located outside of the exterior parking lot, in the side and rear yard buffer, or in the parking lot do not count toward any of the requirements of this section.

(e) Parking Lot Interior. The parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.

(f) Landscape Median. A landscape median is required in each free-standing bay of parking along the length of the bay of parking.

(g) Curbs. A variety of curb types maybe utilized for interior parking lot landscaped areas.

[1] Permitted types include ribbon, mountable, and slotted curbs.

[2] If curbs are not utilized in the landscape areas, wheel stops are required in each parking stall adjacent to the landscaped area.

Figure 1408C(1): Interior Parking Lot Landscape Requirements

D. Screening of Open Storage or Refuse Areas. To reduce the visual impact of open storage or refuse areas from public areas and adjacent properties, the following standards apply.

(1) Applicability. All dumpsters located in GAP 5.

(2) Requirements. Typical open storage or refuse screening illustrated in Figure 1408D(1).

(a) Opaque Screen Wall. An opaque screen wall (vertical structured barrier to visibility at all times such as a fence or wall) is required around three (3) sides of the dumpster and trash bin area.

(b) Screen Wall Height. The height of the screen wall shall be the higher of the following:

[1] The height of the use to be screened,

[2] Six (6) feet, or

[3] A height sufficient in the judgment of the City to accomplish the objective of the screen.

(c) Visible Openings. Openings visible from the public way or adjacent properties must be furnished with opaque gates.

(d) Location within Parking Lot. If refuse area is located within a larger paved area, such as a parking lot, landscape islands must be located on three sides of the area.

[1] One (1) medium or large tree must be located in one of these landscape areas.

[2] This tree, if located within fifty (50) feet of a parking space may be utilized to meet ~~R-3.~~ Interior Parking Lot Landscaping requirements.

Figure 1408D(1): Screening of Open Storage and Refuse Areas

E. Screening of Utility Appurtenances. To reduce the visual impact of utility appurtenances from public areas and adjacent properties, the following standards apply.

(1) Applicability. These standards apply to all districts.

(2) Requirements.

(a) Large Private Mechanical Equipment. Private mechanical equipment visible from the right-of- way and that is equal to or greater than four (4) feet in height and is equal to or greater than six (6) feet in any one direction shall be fenced with opaque wood or masonry on all sides facing the right-of-way.

(b) Small Private Mechanical Equipment. Private mechanical equipment smaller than four (4) feet in height shall have landscape screening and shrub bed containing shrubs spaced no more than thirty-six (36) inches on center.

(c) City Review. Utility appurtenances located adjacent to right-of-way shall be reviewed by the City for required screening.