

CITY OF BLOOMINGTON



**MARCH 10, 2014 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL**

TENTATIVE AGENDA

**CITY OF BLOOMINGTON
PLAN COMMISSION AGENDA
March 10, 2014 @ 5:30 p.m.**

❖ City Hall Council Chambers, #115

ROLL CALL

MINUTES TO BE APPROVED: Feb. 24, 2014

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

PETITIONS CONTINUED TO APRIL 7, 2014:

**SP/UV-38-13 ERL-14, LLC
1250 N. College Ave.**
Site plan review for a 4-story mixed-use building. PC review of a Use Variance to allow first floor residential use *(Case Manager: Jim Roach)*

**SP/UV-34-13 GMS – Pavilion Properties
306 E. Kirkwood Ave.**
Site plan approval for a 3-story mixed-use building. Also, Plan Commission review of a Use Variance for a bank drive-through in the CD zoning district. *(Case Manager: Jim Roach)*

APPROVAL OF CONSENT AGENDA:

**UV-6-14 Root-Deckard
1512 S. Walnut St. & 106 W. Southern Drive**
Use Variance review to allow a photographic studio in an Industrial General (IG) zoning district *(Case Manager: Patrick Shay)*

PETITIONS:

**PUD-03-14 Bloomington Cohousing LLC
2005 Maxwell St.**
Rezone to PUD, approval of a PUD district ordinance, and preliminary plan for 25 mixed housing units. *(Case Manager: James Roach)*

ZO-7-14 City of Bloomington
To act on a pending resolution from the City of Bloomington Common Council to prepare an ordinance amending the Unified Development Ordinance to create a new land use known as Standardized Restaurant. A Conditional Use permit from the BZA will be required to establish this land use within two Downtown zoning overlays: the Courthouse Square Overlay and the University Village Overlay districts.

***Next Plan Commission hearing scheduled for April 7, 2014*

Last Updated: 3/6/2014

**BLOOMINGTON PLAN COMMISSION
FIRST HEARING STAFF REPORT**

**CASE #: PUD-03-14
DATE: March 10, 2014**

LOCATION: 2005 S. Maxwell Street and 1325 E. Short Street

PETITIONER: Bloomington Co-Housing LLC
2201 S. Bent Tree Drive, Bloomington

COUNSEL: Marc Cornett
101 E. Kirkwood Ave., Bloomington

REQUEST: The petitioners are requesting a rezoning of approximately 2.58 acres from Residential Single-Family (RS) to PUD and approval of a new PUD District Ordinance and Preliminary Plan for a mixed residential PUD. Also requested is a waiver from the 5 acre minimum PUD size.

BACKGROUND:

Area:	2.58 acres
Current Zoning:	RS
GPP Designation:	Urban Residential
Existing Land Use:	Single family
Proposed Land Use:	Single family and attached single family
Surrounding Uses:	North – Single family
	West – Single Family
	East – Single Family (Mayfair subdivision)
	South – Institutional (YMCA)

REPORT SUMMARY: The property in question is two parcels totaling 2.58 acres bounded by S. Maxwell Street and single-family lots to the west, E. Short Street and single-family lots to the north, the YMCA to the south and the Mayfair Subdivision common area to the east. The property is zoned Residential Single Family and has been developed with two single family houses and various outbuildings.

The petitioners propose to demolish several of the outbuildings and the house on the southern parcel. They propose to rezone this property from RS to Planned Unit Development and have prepared a PUD District Ordinance and Preliminary Plan. This PUD would facilitate redevelopment of the property with a “Co-housing neighborhood” with 22 attached single family units, reuse of the northern existing house, a guest house and a common house with an accessory apartment. According to the Cohousing Association of The United States, “Cohousing is a type of collaborative housing in which residents actively participate in the design and operation of their own neighborhoods. Cohousing residents are consciously committed to living as a community. The physical design encourages both social contact and individual space. Private homes contain all the features of conventional homes, but residents also have access to extensive common facilities such as open space, courtyards, a playground and a common house.” (http://www.cohousing.org/what_is_cohousing)

The PUD can be broken down into two main areas. Parcel A includes 2.14 acres south of Short St. This area will be developed with 20 attached single family units and a common house, garden and barn for residents. The existing house and one other outbuilding would be demolished. An existing log cabin would remain and be used as a guest house for residents. The units would be developed as condominiums with the remainder of the property owned in common by an association. The homes are clustered around a central main courtyard. Individual homes do not contain garages or driveways. Instead, parking is located at the periphery of the project; one parking area is at the northwest corner and the second parking area is mostly located within an unbuilt section of Short St. right-of-way. The rear of the property can be accessed by the Fire Department through an emergency access lane and turn-around.

Parcel B includes an existing 0.44 acre platted lot and an existing single family house. The petitioners propose that this lot be split into 3 lots. One would contain the existing house and the other two would be developed with two attached single family units with the property line separating the units.

The PUD also includes a commitment to connecting the two dead end sections of Short St. This connection will be the minimum necessary to allow for a secondary access into the area for current and future residents, emergency services, bicycles, and pedestrians. The connection is proposed to be a 12 feet wide “alley style” street without curbs or sidewalks. 12 feet is the typical alley width in the City.

The neighborhood south of E. Miller Drive and east of S. Highland Ave. is a mix of single family and duplex units. Many properties are larger than the average lots in RS zoning district. There are 60 housing units in this area with 53% in 2-unit structures. Due to the large lots, the density is relatively low; approximately 4 gross units/acre including right-of-way. By comparison, the gross density of the proposed PUD is 9.7 units per acre.

GROWTH POLICIES PLAN: The GPP designates this 2.58 acre site as “Urban Residential.” Staff notes the following policy statements that apply to this development:

Compact Urban Form

- (Compact urban form) should be supplemented by strategies to increase housing densities within the planning jurisdiction. (Page 5)
- (Compact Urban Form) does not imply the intrusion of higher density development into established housing, crowding, or high rise development of a scale more appropriate to larger cities. (Page 5)
- Bloomington must look inward for opportunities to accommodate continued growth within the existing limits of the community (page 5)

Mitigate Traffic

- MT-13: Ensure provisions and linkages of street stubs to improve connectivity within all sectors of the community. (Page 16)

Conserve Community Character

- Neighborhood character can evolve in a gradual and compatible way to allow additional density through subdivision lots and the creation of granny flats and duplexes. (page 17)

Urban Residential Land Use Category

- (The Urban Residential Land Use) category identifies existing residential areas with densities generally ranging from 2 units per acre to 15 units per acre. Additional, this category also includes individual vacant lots and smaller acreages, known as neighborhood conservation areas. (page 31)
- The fundamental goal for (neighborhood conservation) areas is to encourage the maintenance of residential desirability and stability. Where new infill development is proposed, it should be consistent and compatible with preexisting developments. (page 31)
- (The Urban Residential areas should be developed) for predominately residential uses; however, incorporate mixed residential densities, housing types, and non-residential services where supported by adjacent land use patterns. (page 31)
- Thus, the main objectives for (the Urban Residential) areas are to maintain adequate levels of service when possible to improve the capacity and aesthetic of all urban services. (page 31)
- (The Urban Residential areas should) optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as community activity centers. (page 31)
- (The Urban Residential areas should) ensure that new common open space is truly usable and accessible. (page 31)
- (The Urban Residential areas should) provide for marginally higher development densities while ensuring preservation of sensitive environmental features and taking into consideration infrastructure capacity as well as the relationship between new development and adjacent existing neighborhoods. (page 31)
- ...development of...small parcels should respect the unique character and development pattern of the neighborhood. The development should emphasize building and site compatibility with existing densities, intensities, building types and other site planning features. (page 31)

PUD REVIEW ISSUES:

Use Issues: The petitioners have proposed a short list of uses for the PUD, including attached and detached single family homes, a common house (clubhouse, accessory workshops, artist studio) home occupations, common barn and agricultural activities. While not listed as a separate use, the District Ordinance makes reference to a single 1-bedroom apartment that might be located in the common house.

Occupancy: Occupancy of all dwelling units would be limited to the single family definition of “family” which includes not more than 3 unrelated adults.

Chickens: The PUD proposes that the development be permitted up to 6 flocks of 5 chickens (hens only). This could account for up to 30 chickens. This is very similar to the standard approved for the “Bloomington Cooperative Plots Eco-Village” PUD in 2011. The animal usage standards for that PUD were based on the maximum number of homes that were feasible if the land was developed as a conventional single family subdivision. The 2.58 acres of this petition site could be developed with approximately 11-13 single family lots. Eleven lots would be permitted 55 chickens, whereas the PUD District Ordinance proposes no more than 30 chickens.

Parcel A Density: The petitioners propose 20 total attached single family units, one guest house and one apartment on Parcel A. This equates to 10.28 dwelling units per acre. (the district ordinance lists 9.68 u/a but this includes the proposed platted lots in Parcel B). In comparison, the RM zoning district permits 7 units per acre and the RH zoning district permits 15 units per acre. While the petitioners have not committed to a specific bedroom mix for the units, which will depend on buyers’ interest, they estimate a mix of 2 and 3 bedroom units. Based on these assumptions, the dwelling unit equivalencies would lower the perceived density down to around 8 DUEs per acre. All units would be individually owned as condominiums except for the common log cabin and the 1-bedroom apartment in the common house.

Parcel B Lot Size: Parcel B is currently one 0.44 acre lot. This PUD proposes to subdivide that property into three platted lots. These lots would be at least 5,000 square feet in size. In comparison, the existing Residential Single Family (RS) zoning district permits lots as small as 8,400 square feet. One lot would contain the existing house while the other 2 lots would be developed with a single attached single family structure.

SITE DESIGN:

Development Standards: The submitted PUD District Ordinance provides the development standards for the PUD. This includes minimum and maximum height and setbacks. The proposed standards are based off of the Residential Multifamily (RM) district with some exceptions.

Impervious Surfaces: The petitioners propose a maximum impervious surface coverage of 45%. This percentage is more than the RM and RS districts (40%) and less than the RH district (50%).

Access and Parking layout: One of the goals of this PUD was to push the parking to the edges of the development and cluster homes along a walkable common greenspace. Because of this, the individual units do not have driveways or garages, but instead utilize two shared parking lots. Fire Department access is provided to the rear of the site through a dedicated emergency access lane and turn-around.

One parking area would be located between Parcel A and Parcel B and would contain approximately 30 spaces. This parking area is mostly within the un-built right-of-way for

Short St. Access to this lot comes at the intersection of Short St. and Maxwell St. The second parking lot would be located in the northwest corner of Parcel A. This parking lot is substandard in terms of access aisle width and parking space dimensions. The petitioners propose that these 7 spaces be designated as “compact car only.” The spaces are 8 feet wide by 16 feet deep, whereas UDO standard dimensions are 9’x18’. The access aisle is proposed at 20 feet instead of the standard 24 feet. These compact car spaces amount to 19% of the parking spaces for the PUD. The UDO does not currently allow compact car spaces. The Plan Commission most recently approved 7.5’x16’ compact car spaces for up to 20% of the spaces in the Trinitas Venture PUD (Patterson Park, PUD-39-12).

Finally, the PUD District Ordinance calls out for a 9 foot landscaped setback between the right-of-way and the parking spaces. It also calls out for a zero foot sideyard setback against the house to the east. The petitioners have also shown a schematic parking lot landscaping plan that is heavy on trees and vining “arbors” but does not show any shrubs. Staff requests guidance on parking lot shrubs, but recommends compliance with current UDO landscaping requirements.

Number of parking spaces: The Preliminary Plan shows 37 parking spaces for the 25 units. This amounts to 1.5 spaces per unit. If the PUD is developed with the number of bedrooms anticipated by the petitioner, this would amount to 0.74 spaces per bedroom. The petitioners argue that the nature of a co-housing development will allow for increased shared vehicle trips and car sharing and will not create the same parking demands and trip generation as a traditional development.

Short Street: Short St. currently does not connect Maxwell St. to S. Highland Avenue. With this PUD, the petitioners propose to connect the street with a 12-foot wide “alley like” connection that will allow the connection to be used by bicycles, pedestrians, emergency service vehicles and the general public. This connection will allow a secondary outlet for traffic from the PUD and a secondary access point for emergency services to the site. The connection will be built without curbs or sidewalks.

Right-of-Way: The petitioners have agreed to dedicate five feet of additional right-of-way on Maxwell St. and Short St. (west of Maxwell St.) to increase the ROW to 25 feet from centerline. They have not yet shown right-of-way dedication for the portion of Short St. between Parcel A and B. This section of ROW will not be constructed but will instead contain a parking lot encroachment. This street cannot be extended to the east due to a platted conservancy area associated with the Mayfair subdivision.

Phasing and Final Plan Review: The petitioners have developed a phasing plan for the public and private improvements in the PUD.

- Existing: single family house in Parcel B, reuse of barn and log cabin “guest house.”
- Phase 1: First 8 units (4 buildings), main parking lot and all utilities.
- Phase 2: Common house

- Phase 3: Short St. “alley” connection and remaining units in Parcel A.
- Phase 4: Final 2 units in Parcel B.

Staff requests guidance from the Plan Commission on the phasing plan. Staff does recommend that if construction of the Short St. extension is delayed until Phase 3, that the petitioners still be required to bond for the Short St. “alley” connection in conjunction with Phase 1.

In addition to the proposed phasing plan, the petitioners have requested staff level Final Plan review. Staff level final plan is typically reserved for projects where there is a high level of detail already provided with the Preliminary Plan and District Ordinance. Staff requests guidance from the Plan Commission on whether to delegate Final Plan review to staff.

Architecture: The petitioners have submitted schematic renderings of the potential architecture. Prior to the second hearing, written architectural standards are required.

Transit: The PUD site is approximately 550 feet (1/10th mile) from a transit line. The #4 bus line travels along S. Highland Ave. and will be accessible once the petitioners connect Short St.

Bicycle and Pedestrian Design: The PUD preliminary plan attempts to provide walkable, pedestrian friendly common areas. Sidewalks and tree plots are shown on Maxwell St. and Short St. The interior of the site is well connected with pedestrian walkways throughout the common area. Along the parking lot the petitioners have designed pedestrian access points that feed into the larger pedestrian network of the development.

Long term bicycle storage will be provided in a room in the common house. Bicycle parking for 20 bicycles is proposed near the common house. Half of this parking will be covered.

Utilities: A schematic utility plan has been submitted to CBU and is under review. Water and sewer are already available on the site. Interior water and sewer mains will be private facilities.

Stormwater: A schematic stormwater plan has been submitted to CBU and is under review. This plan includes stormwater quality measures within rain gardens in the southeast corner of Parcel A.

Developer Track Record: This is the first Plan Commission petition and first development project for Bloomington Co-Housing LLC.

CONCLUSIONS: Staff supports the project and finds that this petition satisfies many of the GPP goals including mixed residential housing types, creation of usable open

space, and connectivity. Some topics for discussion at the hearing, or between staff and petitioner prior to the second hearing, include the following:

- Is the proposed 10.28 dwelling units/acre on Parcel A appropriate?
- Should Parcel B be designed to be more similar to the RS zoning district to allow for a transition from the PUD into the rest of the neighborhood? Detached single family instead of attached single family? 8,400 square foot lots instead of 5,000 square foot lots?
- Should a side parking setback be provided against the single family house to the west?
- Should the PUD be required to meet current UDO parking lot landscaping requirements?
- Should the PUD be allowed to include “compact car” parking spaces? If so, is 19% compact appropriate?
- Is the proposed 45% impervious surface coverage appropriate? Should pervious pavers be required to reduce the impervious surface coverage percentage?
- Is the proposal to allow 30 chickens appropriate, given the size of the property?
- Should right-of-way be dedicated for the section of Short St. between Parcel A and Parcel B.
- How should phasing of the Short St. “alley” connection work?
- Is the Plan Commission comfortable with staff level Final Plan review?

RECOMMENDATION: Staff recommends forwarding this petition to the required second hearing at the April 7, 2014, Plan Commission meeting.

MEMORANDUM

Date: January 24, 2014

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-3-14, Bloomington Cohousing
2005 S. Maxwell St. & 1325 E. Short Street

This memorandum contains the Environmental Commission's (EC) recommendations regarding the request for changing about 2.6 acres zoned Residential Single Family to Planned Unit Development (PUD), and approval of a new PUD District Ordinance and Preliminary Plan. This request proposes redevelopment and infill of mostly vacant property to a Co-housing neighborhood, and adding an alley to connect the two dead-end sections of E. Short Street. The EC applauds the Petitioner for its forward-thinking plan for such a green, Low Impact Development (LID) community.

The EC had only a few concerns with this plan and many of those have now been addressed. The remaining suggestions are as follows.

1.) ROOF MATERIALS:

In the PUD District Ordinance there is a Materials List. Listed under Roofs, are several types of typical roof materials. The EC recommends that the Petitioner add to the list composite plastic materials, which can look like cedar shakes or slate. These products are generally made of recycled materials, can be recycled at the end of their very long lives, and usually have reflective material embedded within them.

2.) FENCES:

The EC suggests that the petitioner reconsider a maximum fence height of six feet. In the future when fruits and vegetables grow abundantly on the site, there is the potential for deer damage to the gardens. Generally recommended height for deer-protective fencing is eight to ten feet tall.

3.) CLOTHES LINES:

The EC suggests that clothes lines be specifically allowed in this PUD. Automatic clothes dryers consume from 6% (Energy Information Administration) to 12% (Ask Mr. Electricity: <http://michaelbluejay.com/electricity/dryers.html>) of household electricity per year. Using a clothes line instead of a dryer can reduce your carbon footprint, allow your clothes to last longer, make your clothes smell better, and save you 100% in energy cost for that chore. Moreover, clothes will dry on a clothes line even when it's cold outside if the air is dry.

4.) PERVIOUS PAVEMENT:

The EC recommends that the Petitioner be required to install pervious pavement in the parking areas. The neighborhood appears to have many impressive green features and the EC believes that the impervious surface requirement should not be an exception and at least follow Unified Development Ordinance (UDO) requirements.

5.) LEED ND:

The plan for this site has many notable environmentally-sustainable features. With definite commitments to the suggested goals in the District Ordinance, and perhaps only a few additional best management practices, this site could probably attain a U.S. Green Building Council, Leadership in Energy and Environmental Design for Neighborhood Development (LEED ND) rating. The Green Building Council describes LEED ND as follows.

“LEED for Neighborhood Development integrates the principles of smart growth, urbanism and green building into the first national system for neighborhood design. Whole neighborhoods, portions of neighborhoods, multiple neighborhoods—there is no minimum or maximum size for a LEED for Neighborhood Development project.

Thoughtful neighborhood planning can limit the need for automobiles and their greenhouse gas emissions. Mixed-use development and pedestrian-friendly streets encourage walking, bicycling and public transportation. Green buildings and infrastructure also lessen negative consequences for water resources, air quality and natural resource consumption.

The character of a neighborhood, including its streets, homes, workplaces, shops and public spaces, affects quality of life. Green developments respect historic resources and the existing community fabric. They preserve open space and encourage access to parks.

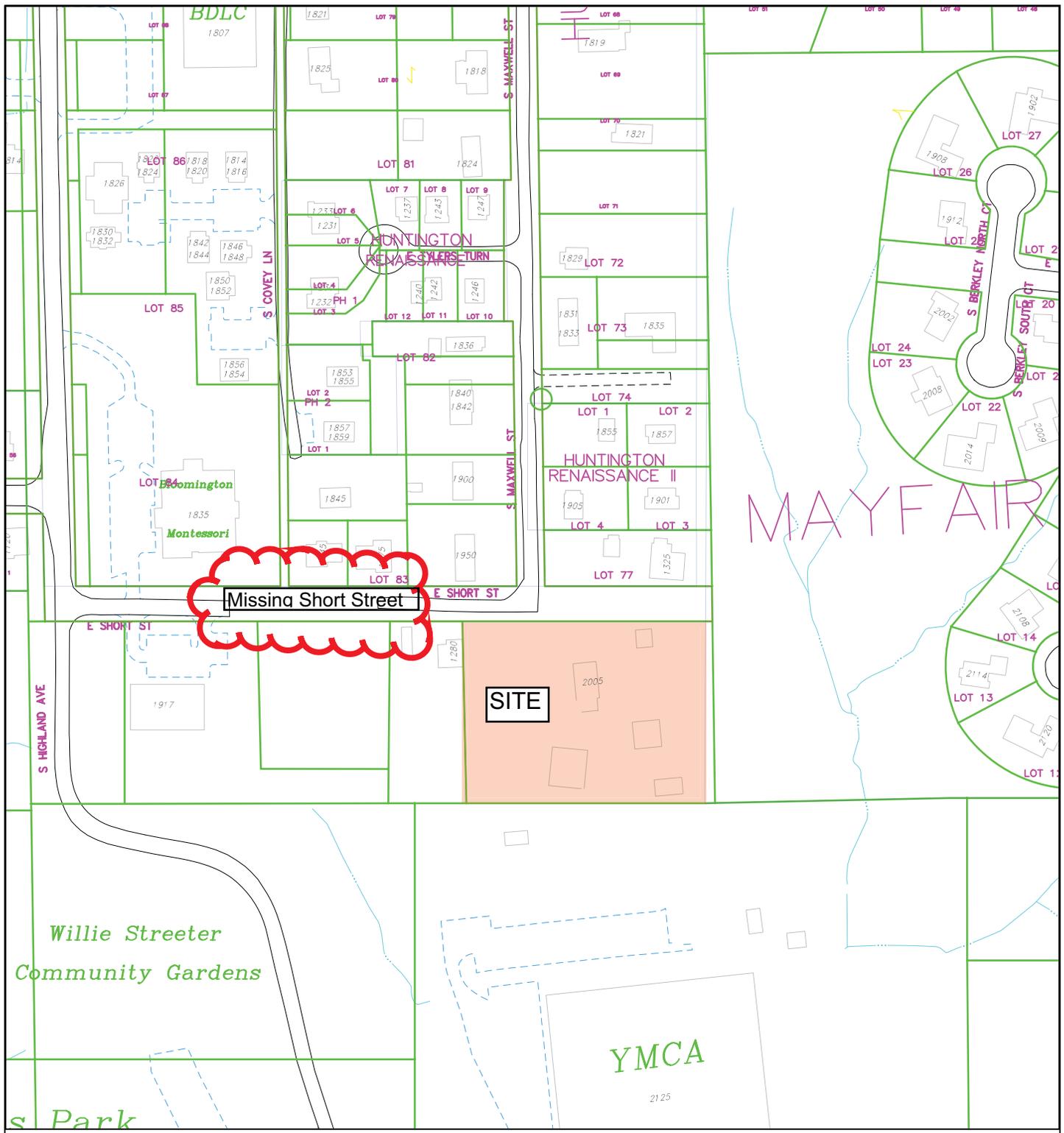
Combine the substantial environmental and social benefits, and the case for green neighborhoods makes itself. Unlike any other [rating system], LEED for Neighborhood Development developed in collaboration with [Congress for the New Urbanism](#) and the [Natural Resources Defense Council](#), emphasizes elements that bring buildings and infrastructure together and relates the neighborhood to its local and regional landscape.”

6.) LANDSCAPE PLAN:

The EC suggests that when the Petitioner creates a landscape plan including a planting schedule for the detention basin, the EC and Environmental Planner should be consulted for native and rain garden plant species.

7.) ELECTRIC VEHICLE CHARGING STATIONS:

The EC recommends the Petitioner add electric vehicle charging station adjacent to the parking lots.



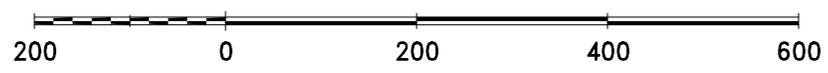
Missina Short Street

SITE

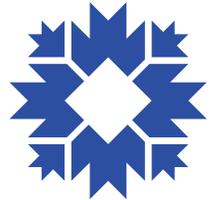
MAYFAIR

PUD-03-14
Location Map

By: roachja
27 Sep 13

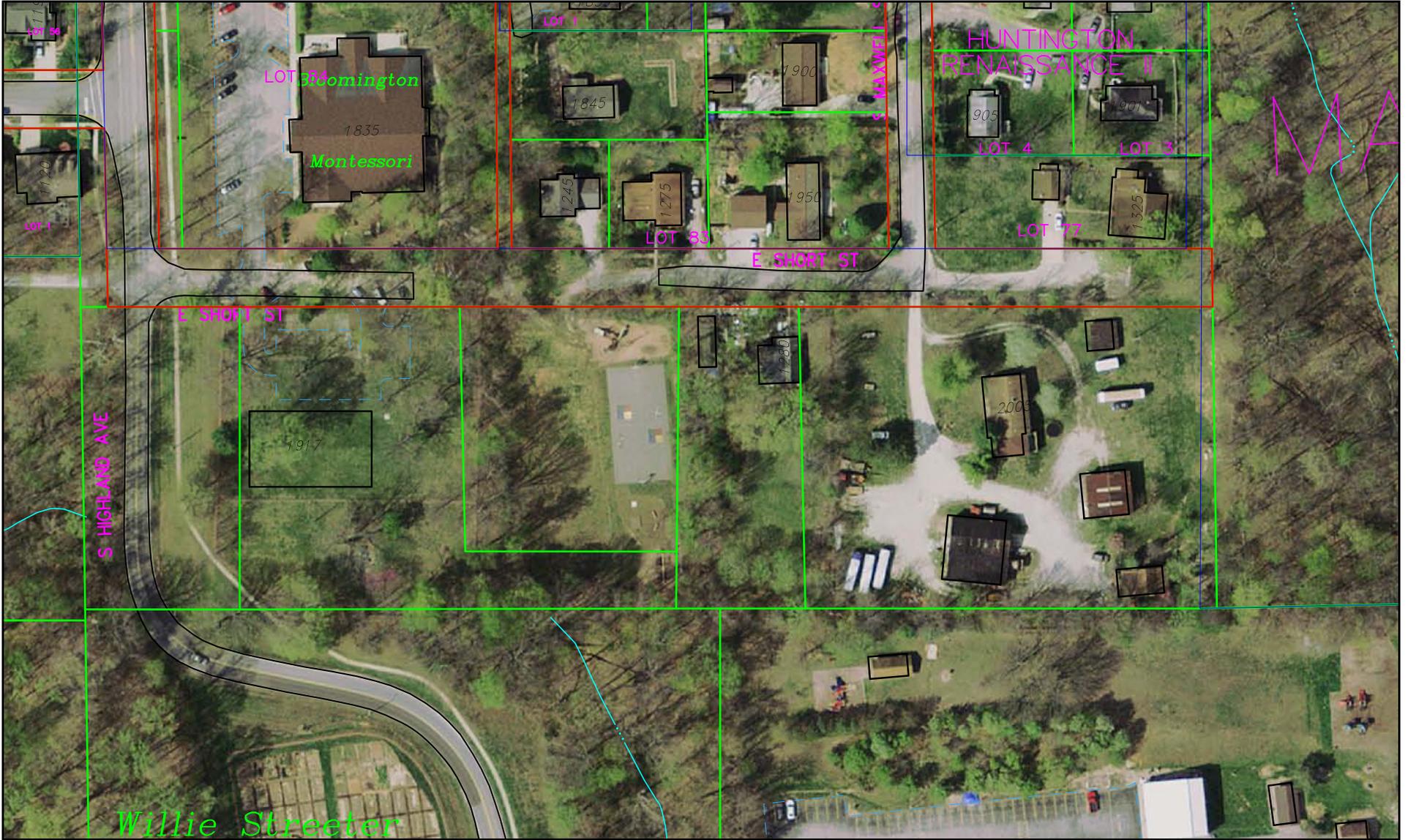


City of Bloomington
Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



PUD-03-14
2011 Aerial Photo

By: roachja
27 Sep 13



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 120'

BLOOMINGTON COHOUSING

PUD District Ordinance

2005 S. Maxwell Street
Bloomington, IN

Prepared By:
Bloomington CoHousing, Members
&
MCA-Marc Cornett, Architect

BLOOMINGTON COHOUSING

Community by Design

Bloomington Cohousing
2201 S Bent Tree Drive
Bloomington, IN 47401
Email: BtownCoho@gmail.com
Website: BloomingtonCohousing.org

2201 S Bent Tree Drive

BLOOMINGTON COHOUSING#

2201 S Bent Tree Drive
Bloomington, IN 47401
BtownCoho@gmail.com

Dear City of Bloomington,

Bloomington Cohousing is entering the PUD process to obtain permission to design and build a Cohousing community in Bloomington. We have purchased 2.58 acres in the southeast of Bloomington with the intention of creating a sustainable community within an existing neighborhood to link land use and development with municipal services, public transportation, and infrastructure.

Cohousing provides a way to live lighter on the land while providing a child- and senior-friendly neighborhood. In cohousing, each household has a private residence designed to be self-sufficient, but every household shares extensive common facilities within the neighborhood such as a large Common House that includes a big kitchen and dining room, children's playrooms, workshops, guest rooms, and laundry facilities. Our community will include a large garden and vehicle-free common spaces with walking paths and trails. Our values include bike riding whenever possible and car-sharing. Thus, one goal of our community is to conserve resources while building community.

We plan to build houses that sit on a smaller footprint relative to the larger site. We also plan to cluster our houses, to foster community, to economize on building materials and to save on future energy costs. Energy saving techniques and green technology will be used during construction of our homes.

We will be glad to provide any additional information needed at your request. Thank you very much for your time and consideration.

Sincerely,

Marion Sinclair
Janet Greenblatt
Nancy Shin
Douglas Hanvey
Bloomington Cohousing

Website: www.BloomingtonCohousing.org

Email: BtownCoho@gmail.com

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

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BLOOMINGTON COHOUSING - Maxwell Street

Community by Design



(Not the actual design)

I. Introduction

Bloomington Cohousing-Maxwell Street (BCH) is a new type of community for Indiana that combines the autonomy of privately owned dwellings with the advantages of community living. Cohousing residents are consciously committed to living as a community. The physical design encourages both social contact and individual space. Private homes contain all the features of conventional homes, but residents will also have access to extensive common facilities such as open space, courtyards, a community garden, a playground and a Common House.

Bloomington Cohousing is comprised of a group of people of various ages and family styles who share common values and goals. We particularly share the goals of wanting to live lighter on our planet while improving people's quality of life in a child and senior friendly neighborhood. We want to create a sustainable way of life that will satisfy our needs today without compromising the needs of future generations. To that end, we have chosen to build our community within an existing neighborhood to link land use and development with municipal services, public transportation, and infrastructure.

II. What is Cohousing?

The first Cohousing development was built in 1972 outside Copenhagen, Denmark, by 27 families who wanted a greater sense of community than that offered by suburban subdivisions or apartment complexes. Then, as now, their custom neighborhood was people- and elder- friendly. Its design created opportunities for daily cooperation in shared meals and childcare. Along the way, their neighborhood deemphasized the automobile. Every household shared extensive common facilities such as a big kitchen and dining room, children's playrooms, workshops, guestrooms, and laundry facilities. Today, there are more than 700 Cohousing communities in Denmark ranging in size from 6 to 34 households. The trend continues throughout Europe, the United States and Canada, with projects being built in Sweden, Germany, New Zealand and Australia to name just a few. It's a contemporary answer to the loneliness and isolation too many people feel in our society that is increasingly made up of single-parent households and retired persons who live on their own with little or no support.

Today, there are over 200 cohousing communities in the United States, about 137 complete or nearly so with the other 77 in the planning or formation stages. Bloomington Cohousing will be the first such community in

Indiana. We intend to build Bloomington Cohousing in accordance with the principles of other traditional Cohousing communities.

The primary characteristics of cohousing are:

Participatory process. Residents organize and participate in the planning and design process for the cohousing community, and are responsible as a group for all final decisions. A feeling of community emerges when residents are working together to reach their common goal. Despite inevitable disagreements, the intensity of the planning period forms bonds that contribute to the success of the community after move-in.

No shared community economy. The community is not a source of income for its members, in other words, residents have their own primary incomes. The community does not directly generate income for its residents. All the residents pay a monthly fee, in addition to membership dues, to a homeowner's association to cover shared costs, as is typical of a condominium arrangement.

Neighborhood design. The physical layout and orientation of the buildings encourage community. Private residences are clustered, leaving more shared open space, with cars parked on the periphery. Parking is placed at the edge of the site which allows the majority of the development to be pedestrian-oriented and safe for children. The physical design is critical in facilitating a social atmosphere in its placement of the Common House, porches and play areas.

Extensive Common facilities. Facilities, such as a Common House and other common facilities, are designed as an integral part of the community. The Common House can include a kitchen, dining area and sitting area, a children's playroom, a laundry, an arts and crafts studio, a library, an exercise room, and one or two guest rooms. Common resources provide both practical and social benefits. For instance, one lawnmower for 25 households represents a huge savings over one lawnmower per household. Expensive tools such as a drill press or a table saw become affordable when households share the cost. Private dwellings can be reduced in size when: storage is available elsewhere on the property; guest rooms are available in the Common House; and the Common House is available for large parties.

Complete Resident Management. Residents manage their own cohousing communities and perform much of the work required to maintain the property. They participate in the preparation of common meals one or two nights a week and meet regularly to solve problems and develop policies for the community. Major decisions are made at common meetings, which are usually held once a month, and minor decisions take place in committee meetings. Residents invest the time in learning how to govern by consensus and peaceful conflict resolution.

Cooperative decision-making. Leadership roles exist in cohousing communities; however no one person has authority over others. Most cohousing groups make decisions by consensus and techniques of facilitation of meetings are used to run meetings efficiently.

III. Who were the founding members of Bloomington Cohousing?

Bloomington Cohousing was founded by Marion Sinclair and Janet Greenblatt. Marion has lived in Bloomington for the last 36 years. Janet has lived in Bloomington for the last 5 years. Currently Bloomington Cohousing has 5 full members and 7 associate members

IV. Where will Bloomington Cohousing be located?

The site is on Bloomington's near south side. The northern border of the site is the intersection of South Maxwell Street and Short Street. Its southern border is the northern border of the YMCA. The eastern border of the site is a private nature preserve belonging to the Mayfair Homeowners Association.

On August 16, we purchased the property north of our original purchase which is at 1325 E. Short Street. The southern boundary of this property is adjacent to the Maxwell Street property. Its eastern border also abuts the nature preserve. The western property line is on Maxwell Street and its northern border is separated from its immediate neighbors by a tall fence.

V. Will Bloomington Cohousing Residents Be Able to Use Existing Public Transportation?

The site is located within close walking distance to three bus stops. It is also within easy biking distance of Indiana University and downtown Bloomington. Bike travel is a value that Bloomington Cohousing will encourage as will be car sharing.

VI. What is the financial structure that will be used for Bloomington Cohousing?

The houses in Bloomington Cohousing will be privately owned, using a standard American condominium ownership model in which each resident owns a house and a portion of the common areas. Members will pay a monthly homeowners' association fee that is based on the size of their individual home.

VII. What are the Passive Solar and Energy Efficient Features that Bloomington Cohousing plans to include in their design plans?

A major design feature of Bloomington Cohousing will be its green energy efficient features. Research has shown that, depending on the design, residents of a cohousing community use 50 to 75 percent less energy for heating and cooling than they did in their previous homes. Cohousing residences are about 60 percent the average size of a new house in the U.S. Cohousing neighborhoods, on average, occupy less than half as much land as the average new subdivision for the same number of households and 75 percent less land as the same individuals did before moving into cohousing. Cohousing members also drive about 60 percent less than their suburban counterparts.

The following are featured in various Cohousing building designs and will be considered for use in our design if feasible:

- Infill development or sites near public transit and services
- Sustainably harvested lumber and flooring materials
- Advanced framing techniques (about 25 percent less wood than typical framing per sq. ft.)
- Tight building envelopes
- Passive heating
- Passive cooling
- Radiant floor heating systems
- High R-value blown-in cellulose insulation
- Renewable energy systems
- Low-water and Low-energy-use appliances
- Fly ash in concrete (more durable, requires less concrete)
- Pervious paving to increase water absorption
- Low-toxic and low-volatile organic compounds (VOC) adhesives, sealants and paints
- Waste stream management

- Permaculture landscape principles
- High-grade erosion control
- Low-energy use fixtures
- Grey water recycling (drip system)
- Cool roofs
- Front and back porches as extensions of indoor space.

In addition, the following concepts can be incorporated;

- Support the local economy when possible by building with local labor and with locally available and/or locally produced materials as much as possible,
- Minimize pollutants in the building process by using low volatile organic compound (VOC) emitting and formaldehyde-free materials,
- Use energy modeling to ensure that mechanical systems are correctly sized, that windows and door specifications can be fine-tuned, that insulation levels can be modified for a reasonable return on investment,
- Build a tight house, with minimal air-leakage rates,
- Use mechanical ventilation with an HRV, an ERV, or in some cases, an exhaust-only ventilation system with passive makeup air,
- Look at incorporating universal design for homes regardless of age or disability so visitors or future owners can have access to any area of a house.

VIII. Advantages of Cohousing

On average, residents of Cohousing communities consume less energy, meaning they spend less and consume less energy and spend less on utilities, and own fewer cars, and drive less than people who do not live in cohousing. Houses sit on a smaller footprint relative to a larger site.

Clustering. Clustered and attached housing requires less building materials than stand-alone construction. Households can combine resources during the construction process so that each house is created with sustainable, higher quality materials. High ticket items like solar arrays and super high-efficiency heating and cooling systems may become affordable.

Orientation. The majority of our roofs will be south facing to maximize solar orientation year round and to allow for photovoltaic roof panel installation. It also provides for passive heating and cooling opportunities.

Footprint. Decreased square footage will be a factor in disturbing less of the surrounding environment and consuming fewer materials and creating a more eco-friendly structure. Those who want larger structures can build up instead of out.

Building Envelope & Air Quality. A well-insulated home, including super-tight walls, windows and doors will reduce overall energy requirements. This reduction can increase the need to maintain air-quality in the home. We will minimize pollutants in the building process by using low volatile organic compound (VOC) emitting and formaldehyde-free materials and will utilize fresh air makeup as a part of the HVAC systems.

IX. The Story of Bloomington Cohousing

Bloomington Cohousing was founded by Marion Sinclair and Janet Greenblatt. Marion and Janet met on the first day of their freshman year at Indiana University in 1967. Marion came from Indianapolis and Janet from Memphis.

After college, Marion lived on a kibbutz in Israel for six months. While she was drawn to the idea of communal living, she felt that she needed more privacy. When she later heard about the concept of Cohousing, she knew that it was for her. Marion told Janet about cohousing and Janet investigated the idea in the Washington, D.C. area where she was now living. Marion continued to visit Cohousing communities around the United States over the years and attend workshops on cohousing, while Janet toured Cohousing communities in the DC area and also attended Cohousing workshops. Time went by. Eventually the time came for Janet to retire and she decided to move back to Bloomington. Once again the two friends began to discuss the idea of cohousing, this time for Bloomington.

One day, while driving around the area around S. Maxwell Street, looking for available acreage, they came upon the land north of the YMCA. They felt that it would be a perfect spot for their Cohousing venture. Less than three months later, it came up for sale and they were able to purchase it for Bloomington Cohousing. More recently they purchased an adjoining lot and house along the North edge of the original property. In total they have approximately 2.58 acres.

To date, the group has:

- Conducted an environment survey of the property

- Conducted a boundary and topographic survey of the property

- Created a web site: www.bloomingtoncohousing.org

- Created a meetup.com site: www.meetup.com/bloomington-cohousing

- Created a video on youtube.com: <http://youtu.be/JAHsINxUDvQ>

- Created a Facebook page called: <https://www.facebook.com/BloomingtonCohousing>

- Conducted more than 30 meetings and pot-lucks

- Conducted a three-day design workshop to design the number of units and their layout on the property.

- They are in the process of preparing to submit a PUD to rezone the property. They will be applying to have up to 25 dwellings/households.

Bloomington CoHousing

BLOOMINGTON COHOUSING - Maxwell Street PUD District Ordinance

Mission Statement

The mission of Bloomington CoHousing LLC is to build a residential community of up to 25 households that will incorporate the principles of CoHousing, which are:

1. **The Participatory Process:** The design of the site and buildings will include input of the future residents working with design professionals. Decision making will be by consensus with high majority vote used for impasses.
2. **Neighborhood Design:** The design of the community will foster interaction among community members and promote a neighborhood feel. The community will be pedestrian friendly, with parking at the perimeter.
3. **Extensive Common Facilities:** The design will include a Common House along with private residences, which will provide residents the option for shared resources and activities which may include shared meals, child care, laundry facilities, office space, and workshops.
4. **Resident management:** The residents themselves will manage the community through a homeowner's association.

We also seek to develop the community with a focus on environmental and sustainability issues. Within parameters of natural affordability, the community will be built using "green" and recycled materials. The buildings will be clustered on the site so as to preserve green space, and living units will be attached in at least double units so as to increase insulation value and to reduce building materials and cost of construction.

Our vision is a community open to singles, couples and families of all ages, holding the common values of peaceful conflict resolution and cooperative living.

Bloomington CoHousing

BLOOMINGTON COHOUSING - Maxwell Street PUD District Ordinance

Design Goals

1. Buildings clustered on the property
 - to maintain green space
 - to promote social interaction
2. Buildings oriented for maximum solar gain
 - to minimize use of utilities
3. Building with recycled and green materials within affordable limits
 - to minimize environmental impact
4. Parking at the periphery
 - to create a pedestrian community
 - to provide safety for children
5. Joined residential units in at least twos, of one to two stories, built in a small-sized, compact manner
 - to maintain green space
 - for insulative value
 - to reduce construction costs
6. Centrally located common house
 - to promote social interaction
 - for the location of shared community resources , such as:
 - Laundry facilities
 - Kitchen and dining room for optional shared meals
 - Office space
 - Library
 - Craft room / Workshop
 - Children's play areas
 - Guest room(s)
 - Extra storage
7. Residential units will contain living and dining space, bedroom(s), bathroom(s) and full but downsized kitchen facilities
 - to provide independence and privacy to residents as well as shared spaces within the community

Bloomington CoHousing

BLOOMINGTON COHOUSING - Maxwell Street PUD District Ordinance

GPP-Growth Policies Plan Guiding Principles

It is not the intent of the Plan to have one principle take precedence over the other. Each principle is critical and contributes to the strength of the entire policy document. When evaluating the comprehensive plan compliance of a particular proposal, decision-makers should recognize that determining project compliance will often not be a black and white issue. Decision-makers must determine which principles and underlying policies are most relevant to a given proposal. In many cases, certain proposals will comply with some principles, be unrelated to others, or even appear to be in conflict with a particular principle. In this case, it is incumbent upon the Planning staff to provide a detailed analysis and recommendation concerning the applicability of each principle and its underlying policies.

In order to help achieve the community's planning goals outlined in the Vision Statement, the GPP outlines Seven Guiding Principles which, taken together, form the policy essence of the Plan. These Principles are as follows:

1. Compact Urban Form - We are a compact land use development pattern. We are utilizing the existing infrastructure. We are limiting sprawl. We are increasing density in a low impact scenario.
2. Nurture Environmental Integrity - We are promoting sound environmental design through building clustering, and less traffic on-site. We are advancing sustainability through living smaller while using less resources.
3. Leverage Public Capital - We are utilizing the existing capital improvements in place in the area.
4. Mitigate Traffic - We are creating a development that promotes less driving. We are locating two blocks from Public transit (multiple routes) and we are less than 15 minutes from downtown by transit.
5. Conserve Community Character - We are proposing a development that fosters a high quality of life opportunity. We are promoting a small scale neighborhood feel.
6. Sustain Economic and Cultural Vibrancy - CoHousing is by definition culturally vibrant with many different types of owners and households as typical members.
7. Advance Communication and Coordination - We are working with the various departments within the City to coordinate the GPP Goals and the PUD Process. We have had preliminary meetings with the Mayor and other city officials as well as neighbors to the project to get initial input.

Bloomington CoHousing

BLOOMINGTON COHOUSING - Maxwell Street PUD District Ordinance

Benefits to the Bloomington Community:

1. Environmental Sustainability - Green Aspects:

- A. Buildings clustered on the property and adjoined by at least two building footprints to preserve more green space.
- B. Buildings oriented for maximum solar gain to minimize use of energy from fossil fuels.
- C. Building with recycled and green materials within affordable limits to minimize environmental impact on natural resources.
- D. Residences built on a compact, downsized scale to minimize use of energy from fossil fuels and minimize environmental impact on natural resources.
- E. Shared common buildings (Common House, Barn and Cabin) and amenities (such as laundry facilities, etc...) and tools (such as lawnmowers, etc...) to reduce need to replicate these in each residence and to reduce need of these to be bought by each individual or household.
- F. Less use of cars since there can be car-pooling and since many of the resident's needs (for social interaction, entertainment, etc...) will be fulfilled within the community.
- G. Project is near public transportation-within two blocks (Bloomington Transit bus line service).
- H. Smart development – urban infill reduces urban sprawl.

2. Benefits for Families with Children:

- A. Safer for children since parking is at the periphery.
- B. Children have increased opportunities for sociability in a pedestrian community with common green and shared amenities.
- C. Children learn skills by being part of cooking teams for common meals and from being with many adults with various skills.
- D. Children are monitored and given feedback by others besides their parents.
- E. Parents may take advantage of common meals which relieve them of daily cooking for their family.

Bloomington CoHousing

Benefits to the Bloomington Community, contin.

F. Parents have a resource pool for baby sitters and caregivers.

3. Natural Affordability: affordable housing is usually subsidized by other homeowners involved in the project or by taxes. The Cohousing project is “naturally affordable” because of:

A. Smaller and more compact unit designs.

B. Attached units built with optimum insulation to reduce utility costs.

C. Quality construction using recycled building materials and elements when possible rather than luxury construction.

D. Carpooling and proximity to public transportation and recreational facilities reduce use of and need for cars.

E. Having shared amenities and meals reduces costs of these to individuals.

F. Having some shared meals and recreational needs fulfilled within the community reduces need for driving to more costly outside venues.

4. Options for the Aging:

A. General caring and familiarity of neighbors makes for a safer, healthier community.

B. Pedestrian community offers exercise, sociability and safety since cars are parked at the periphery.

C. Units can be designed for accessibility.

D. Project is located adjacent to family YMCA with special programs for those 50+ years in age.

E. Community is a resource pool for caregivers.

F. Elders have opportunities for interaction with others of all age levels.

5. Benefits to the Larger Community:

A. Bloomington can boast of having the first CoHousing community in Indiana.

B. Bloomington will draw in people who are familiar with CoHousing from other communities.

C. People living in Cohousing tend to be more active in their larger communities.

D. Common house can be used for meetings and events of the larger community.

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

Public Input

Cohousing by its very nature depends on community participation from concept through operation.

Public knowledge and input have been an integral part of this project since its inception. In November of 2011, Marion Sinclair and Janet Greenblatt met with Jim Roach at the city planning office to apprise him of their desire to start a cohousing project and get his thoughts on how this concept would fit into Bloomington's long range development plans. The first public information meeting was held January 25, 2012 at the library and was attended by 10 people. A web site and meetup.org page were developed to allow anyone interested to keep up with the progress of the plan, including pictures, minutes of meetings, etc.

A membership structure was created to allow interested people to participate at various levels, whether that meant just getting the meeting minutes, or actively participating in the decision-making.

Public meetings were held every two weeks at the library for a year to apprise potential residents or neighbors to find out what was being planned.

Three pitch in dinners have been held either at the principals' homes or the development site to welcome newcomers and include anyone interested in the planning process.

In September of 2012, outreach efforts included an information table at the Farmer's Market and a public forum at the Unitarian Universalist Church.

On October 18, 19, 20th, 2012 a design workshop was conducted on the property with a dozen participants walking the property, brainstorming possible housing layouts, and ultimately settling on a template site design that has since been tweaked half a dozen times, with the inclusion of the newly purchased lot north of the original property in August of 2013 prompting this pre-application.

The design was presented at a public meeting at the Monroe County Library on October 25.

Meetings were set with all city departments to get input on fire, water, and safety planning to ensure the submitted design met city standards.

Per the suggestion from Jim Roach, a public meeting to inform all neighbors of our plans and get their input was held at the YMCA on Sunday, March, 17, 2013. A one-page flyer was hand delivered by the principals to every property within three blocks in every direction of the property on March 9, 2013, and in addition, flyers were mailed to all landlords on March 10 inviting them to come and give input on the preliminary plan. Reaction from residents we spoke with was highly positive.

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

Public Input, contin.

Leaders of two neighboring community cornerstones, The Montessori School and the YMCA were very supportive.

Seven residents from the neighborhood attended the meeting, as well as Jim Roach from the Planning Department, our architects, and principals. The principals presented the draft site plan, and a vision for how this community would fit in with the neighborhood and with Bloomington's growth plans. Questions and concerns were invited. Three of the attendees had concerns about any development in the area, as they felt the previous development at Tyler's turn had overloaded the neighborhood with cars and traffic. They preferred to keep the site as is so as to preserve the natural features, bluebirds, deer, etc. They expressed concern at the potential for the project to be visually unappealing with all parking on the periphery. Two attendees expressed support for the project, and thought it would be a great addition. Attendees were unanimous in their opposition to connection/completion of Short Street through to Highland Avenue to the west

Regular public meetings will continue to be held, with a greater emphasis on recruiting residents to participate in decision-making NOW for occupancy within the next year or two. It is anticipated that we will be making more presentations, advertising in local media, improving our web site and increasing our visibility in social and other media.

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

PUD District Ordinance, Zoning Standards

Specify Uses:

Dwelling Units - Single family attached, Single family detached,

Dwelling Unit Occupancy - 3 unrelated adults, per C.O.B. UDO, Single Family Zoning Districts Standards

Common house (ClubHouse)

Accessory Workshops and Artists' Studios to be located in Common Buildings (Common House and Barns)

Home Occupation, Conditional Use Approval by C.O.B. BZA or Plan Comm.; and with the use approved by the Co-Housing Homeowners Association.

Urban agriculture, common chicken flocks, (5) hens per flock, up to (6) flocks permitted

Dumpster and Enclosure – Located at the East end of Main Parking Lot

Bicycle Parking - (2) 10 Bike parking areas, (1) area covered, Winter, Long-term parking in basement of Common House

RM District

The RM, Residential Multi-family District intent

It is intended to be used as follows:

- Allow medium density residential development to ensure an adequate mix of housing types throughout the community.
- Facilitate compact development patterns in locations where there are high levels of public infrastructure capacity.

Plan Commission Guidance

- Discourage the location of student-oriented housing distant from the main Indiana University-Bloomington campus.
- Restrict the location of new multi-family development to areas serviced by public transportation. We are two blocks from a transit stop/route #4
- Encourage proposals that further the GPP, Growth Policies Plan, goal of sustainable development design featuring conservation of open space, mixed uses, pervious pavement surfaces, and reductions in energy and resource consumption. See green features.

How does cohousing embody these principles - get statistics from other cohousing communities. See Ten Great Reasons to Live in CoHousing in Appendix.

BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance

PUD District Ordinance, Zoning Standards

Lot Area for Subdivision	Parcel A - One Lot, Condos and Common Buildings with Common Land-Homeowners Assoc. Parcel B - (3) Lot Subdivision, 5000 Sf Min.
Lot Width	Zero Lot Line, 12 FT min.
Building Setbacks	Front-15' or (5' existing ranch) from ROW Side-15', West; 10' East Internal Side, 0' - Parcel B Internal Front, Side, Rear, 0', - Parcel A Rear-15'
Parking Setbacks	9' From Front Yard Setbacks on Short and Maxwell Sts. None on Side and Rear None on Front, Unimproved Short St – Main Parking Lot
Building Heights	Primary Structure = 40' max. Accessory Structure = 20' max.
Impervious Surface Coverage	45% max. of lot area
Density	10 units per acre
D.U.E.	3 BR = 1 unit
Dwelling	2 BR with less than 950 sf = 0.66 unit
Unit	1 BR with less than 700 sf = 0.25 unit
Equivalency	Efficiency/Studio with less than 550 sf = 0.20 unit

BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance

Architectural Standards:

Materials List

Foundations (exposed)

Materials - Poured Concrete, Standard CMU or Split-faced CMU (concrete block), Brick, Limestone
Finishes - Painted, Sealed, Natural

Walls

Materials - Fiber Reinforced Cement Siding, Wood Siding, Composite Siding, Corrugated Metal, Steel
Patterns - Horizontal Lapped, Vertical Board and Batten, Smooth Panels, Shingle
Finishes - Painted, Stained, Sealed, Natural

Exterior Trim

Materials - Fiber Reinforced Cement, Wood, Composite, Treated Wood, Corrugated Metal, Steel
Finishes - Painted, Stained, Sealed, Natural

Porch and Deck Floors

Materials - Wood, Composite, Treated Wood,
Patterns - T and G or Butted Joints
Finishes - Painted, Stained, Sealed, Natural

Roofs

Materials - Asphalt Shingles, Standing Seam Metal, Corrugated Metal, Single-Ply Membrane
Patterns - Standard or Architectural (shingles); V-groove or Corrugated (metal);
Finishes - Painted, Pre-finished, Natural

Fences

Materials - Wood, Composite, Treated Wood, Woven Wire or Chain Link Fence
Patterns – Lapped, Skip, Decorative
Finishes - Painted, Stained, Sealed, Natural
Height - 3' tall for opaque, 6' tall for open weave

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

SITE DENSITY

Description	SF	Dwelling Units	Subtotals	Totals
Site/Land Areas (Gross)				112,357 SF (2.58 Acres)
Parcel-A	93,065			
Parcel-B	19,292			
Dwelling Units				
Houses (without DUE)		25		25 Units
RM Zoning District Standard =	7 Units/Acre			
Actual Density (without DUE)		25	2.58 Acres	(10) 9.68 U/Acre
Parcel-B, Lot Breakdown				
Parcel-B		Three Lots		
Lot-1	5,000 SF			
Lot-2	5,000 SF			
Lot-3 (Existing Ranch)	8,000 SF			

**PUD-03-14
PUD Preliminary Plan**

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

SITE DENSITY with D.U.E. Comparison Table

Description	SF	Dwelling Units	Subtotals	Totals
Site/Land Areas (Gross)				112,357 SF (2.58 Acres)
Parcel-A	93,065			
Parcel-B	19,292			
Dwelling Units				
Houses (without DUE)		25		25 Units
RM Zoning District Standard = 7 Units/Acre				
Actual Density w/o DUE	25 Units / 2.58 Acres			9.68 U/Acre
With DUE (see below)	20 Units / 2.58 Acres			7.75 U/Acre
Dwelling Units using DUE (EXAMPLE)				
Houses				19.83 (20) Units
Unit Mix Scenario-Highest Density Version-(Not all 2BR units would be 950 sf)				
Type-1BR Apt	up to 700 SF	1 Unit	0.25/Unit	0.25 U
Type-2BR	up to 950 SF	12 Units	0.66/Unit	7.92 U
Type-2BR or 3BR	over 950 SF	10 Units	1.00/Unit	10.00 U
Log Cabin (existing)	850	1 Unit	0.66/Unit	0.66 U
Ranch (existing)	1400	1 Unit	1.00/Unit	1.00 U
		25 Units		19.83 Units/ DUE

**** Other scenarios might include more 1BR Units and fewer 2BR and 3BR Units...
We will be going through a workshop process to determine final homeowner preferences on a unit by unit basis. We will provide updates as they become available.

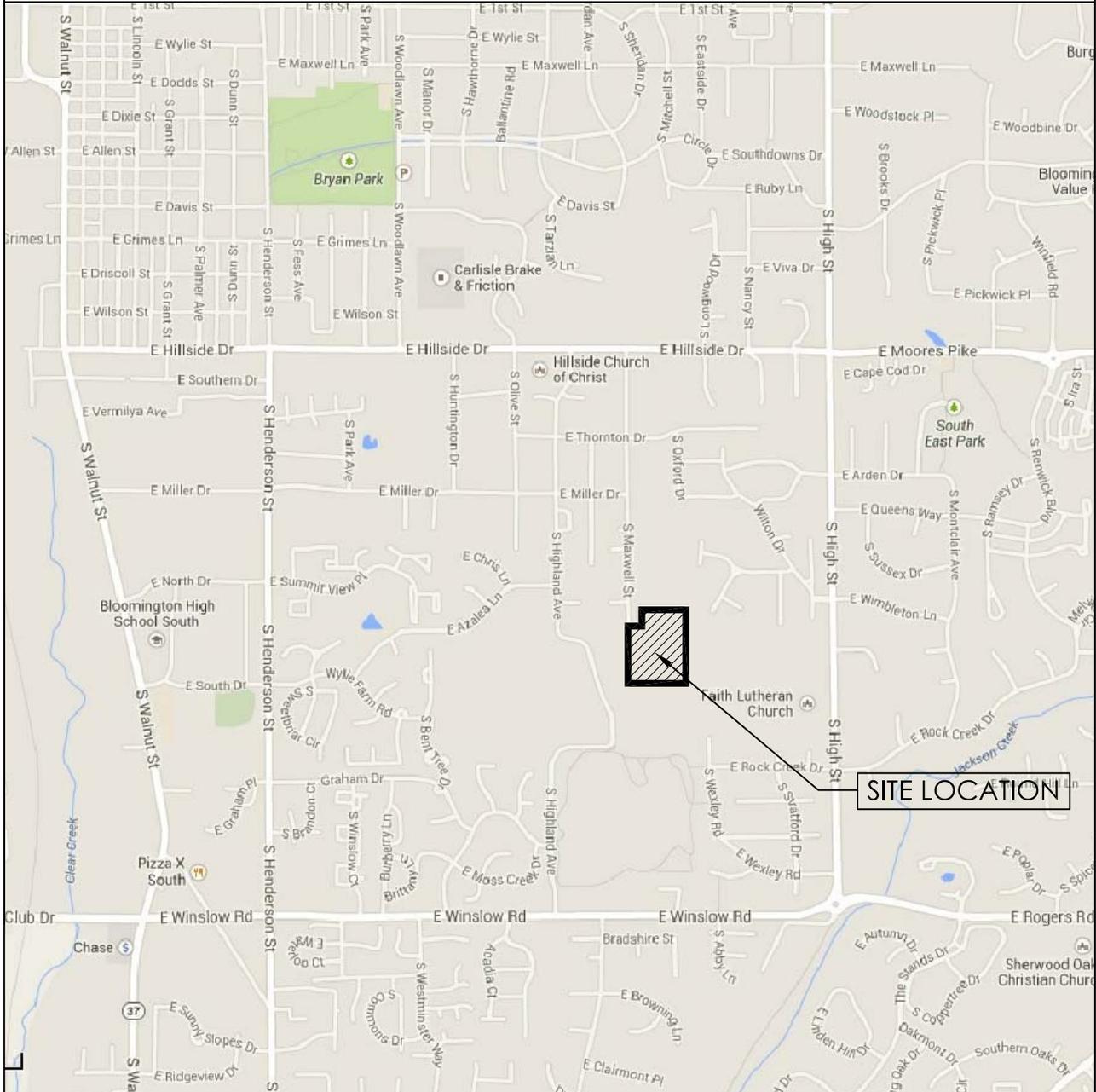
**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

SITE AREA(S) and IMPERVIOUS SURFACES

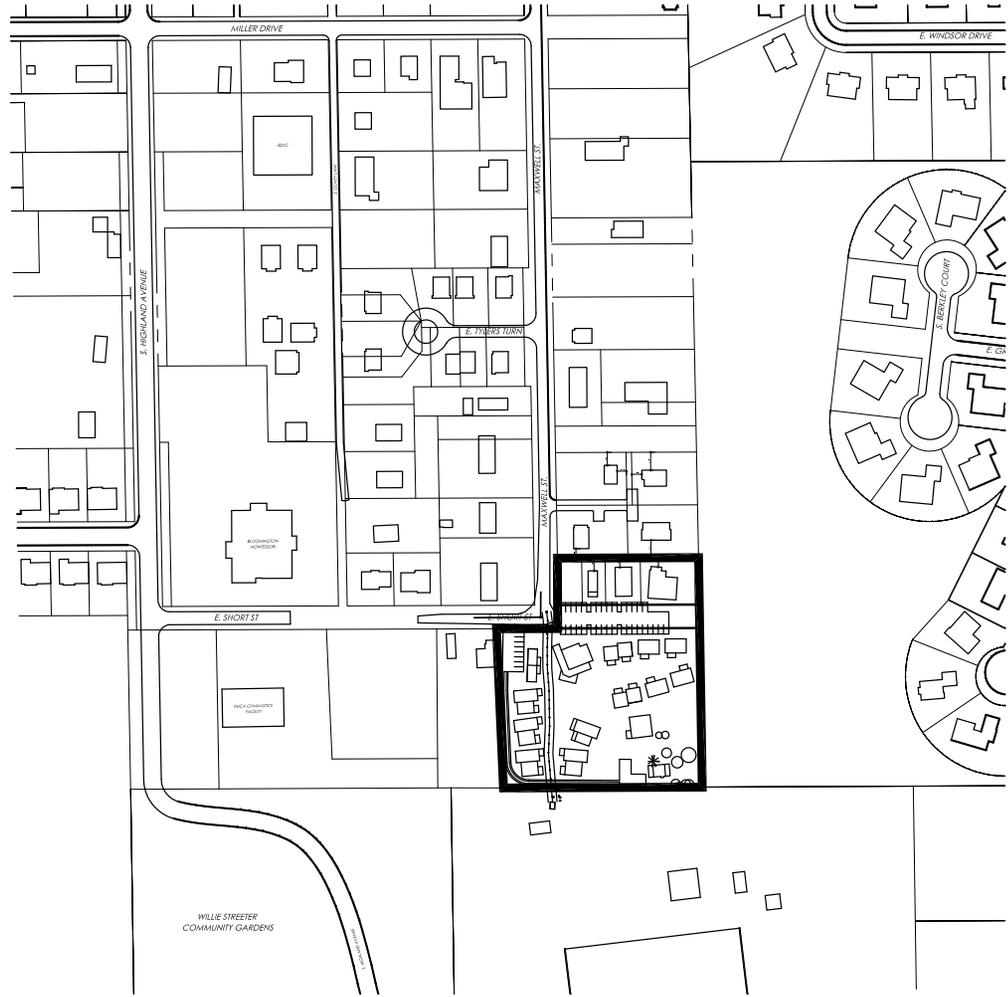
Description	SF	Subtotals	Totals
Site/Land Areas (Gross)			122,007 SF
(2.80 Acres)			
Parcel-A	93,065		
Parcel-B	19,292		
Unimproved ROW (Short St)	9,650		
Impervious Surfaces			52,487 SF
Rooftops		22,890	
Houses	17,616		
Common House	2,850		
Barn	1,574		
Log Cabin	850		
Parking Lots		11,011	
Main	8,316 (4,860 P Spaces + 3,456 Drives)		
			(if we used pervious paving in the parking bay area we would reduce the area by 4,860 SF)
Guest	2,695		
Fire/Emergency Access Lane		3,246	
Driveway	1,846		
Turnaround	1,400		
Pedestrian Facilities		15,340	
Sidewalks	7,950		
Paths	2,800		
Trails	1,280		
Decks	2,160		
Plaza	750		
Steps	400		
Impervious Surface Percentage of Overall Site Area			44% Actual
(if we used pervious paving in the parking bay area we would reduce the area by 4,860 SF and the total would be 47,627 SF)			39% Actual

RM Zoning District Standard = 40% = 48,803 SF

LOCATION MAP



PUD-03-14
PUD District Orinace



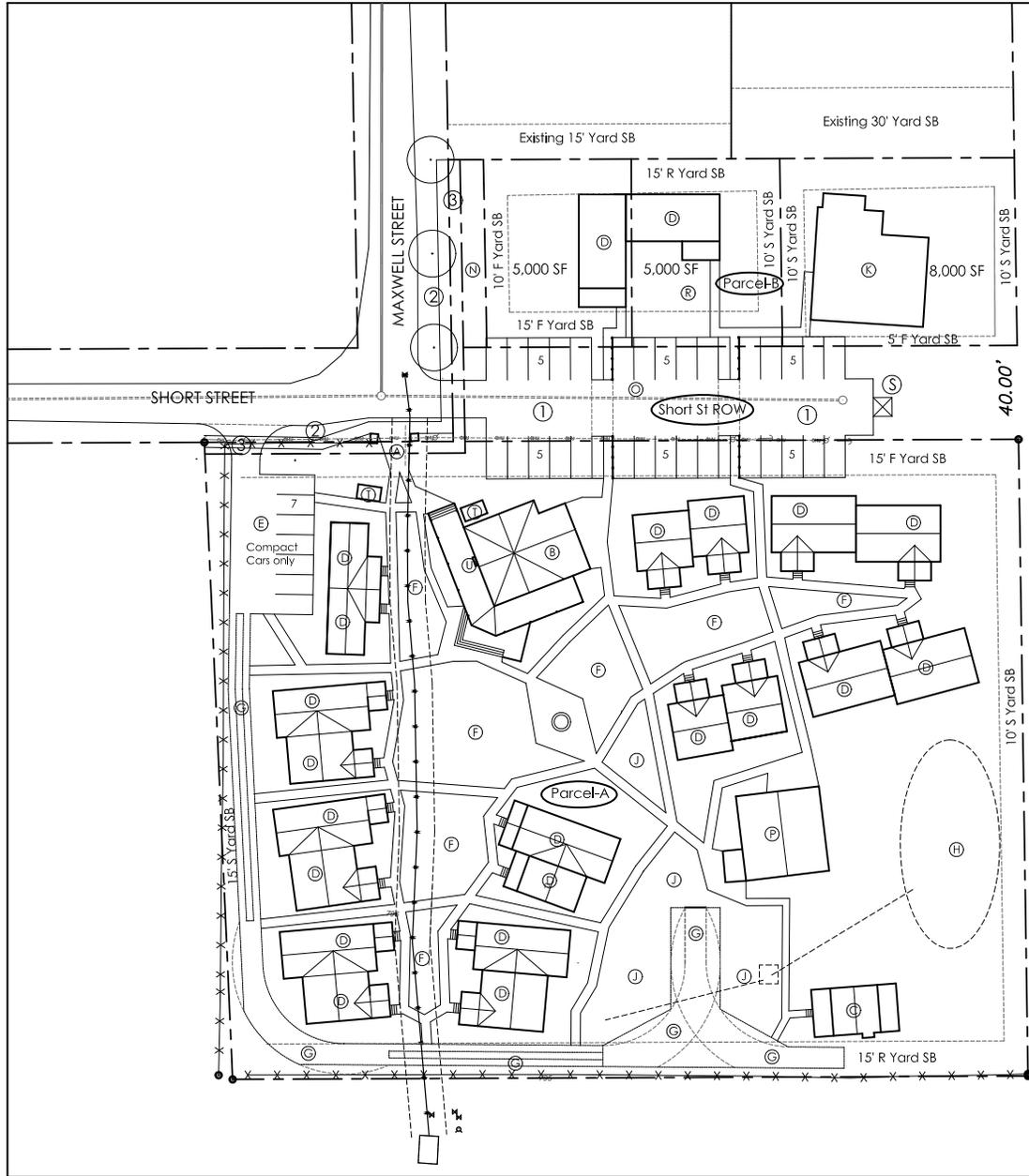
PROPOSED
A CONTEXT PLAN
 SCALE: NTS



M.C.A. - Marc Connett Architects © 2013

BLOOMINGTON CO-HOUSING DEVELOPMENT

PUD-03-14
 PUD Preliminary Plan



HOUSE DETAILS KEY

NEW HOUSE FOOTPRINTS	NEW HOUSE SQUARE FEET
450 - 950 SF	450 - 1500 SF

PROJECT TOTALS

PARCEL-A	NEW DWELLING UNITS - UP TO (20) NEW COMMON HOUSE with GUEST DWELLING APARTMENT - (1) EXISTING BARN - (1) EXISTING LOG CABIN DWELLING UNIT - (1)
PARCEL-B	NEW DWELLING UNITS - UP TO (2) EXISTING DWELLING UNIT - (1)
DWELLING UNITS - UP TO (25) TOTAL	

LEGEND / KEY

- ① ROW ENCROACHMENT, PARKING DRIVE AND SPACES
- ② PUBLIC SIDEWALK AND TREEPLOT
- ③ ADDITIONAL ROW - 5' ALONG SHORT ST & MAXWELL ST
- Ⓐ MAIN ENTRY TO SITE
- Ⓑ COMMON HOUSE, PROPOSED
- Ⓒ LOG CABIN GUEST HOUSE, EXISTING
- Ⓓ INDIVIDUAL DWELLING, PROPOSED
- Ⓔ SMALL CAR PARKING, PROPOSED (7) SPACES
- Ⓕ MAIN COURTYARD, PROPOSED
- Ⓖ EMERGENCY ACCESS LANE & TURNAROUND, PROPOSED
- Ⓗ STORMWATER MANAGEMENT SITE AREA, PROPOSED
- Ⓙ COMMON GARDENING AREA, PROPOSED
- Ⓚ EXISTING DWELLING TO BE REMODELED
- Ⓝ NEIGHBORHOOD GARDEN AREA, PROPOSED
- Ⓞ MAIN PARKING AREA, PROPOSED (30) SPACES
- Ⓟ BARN, EXISTING
- Ⓡ COURTYARD
- Ⓢ DUMPSTER ENCLOSURE
- Ⓣ BIKE PARKING
- Ⓤ MAILBOXES

SITE PLAN

SCALE: 1" = 50'-0" DATE: 1-27-2014



BLOOMINGTON CO-HOUSING DEVELOPMENT

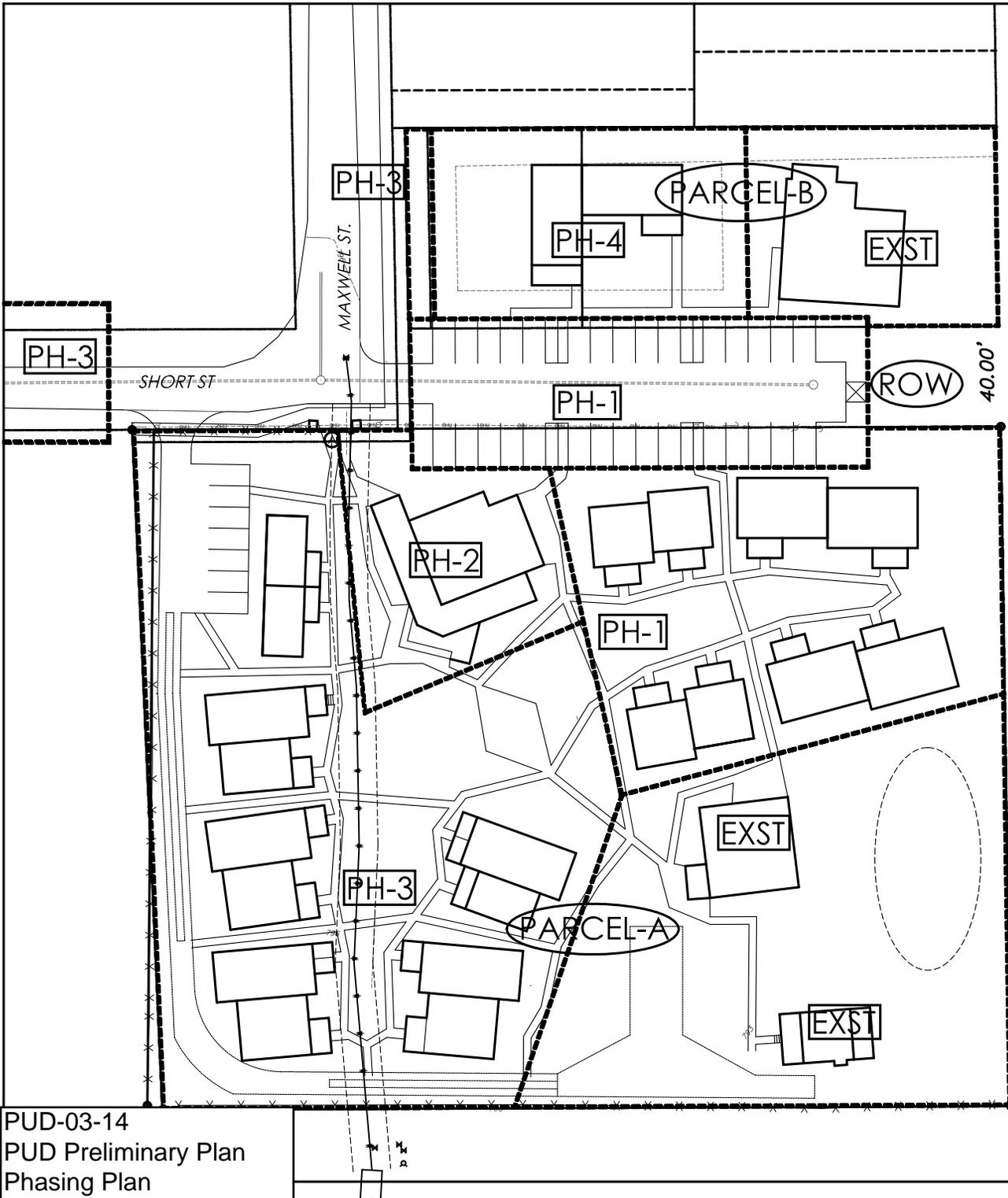
PUD-03-14
PUD Preliminary Plan



PROPOSED SITE PLAN
 SCALE: 1" = 60'-0"
 DATE: 1-27-14



PUD-03-14
 Preliminary Plan
 Color Version



PUD PHASING KEY

- EXST - EXISTING RESIDENCE TO REMAIN
EXISTING BARN TO REMAIN
EXISTING LOG CABIN TO REMAIN
- PHASE 1 - OVERALL INFRASTRUCTURE FOR PARCEL-A
(8) HOUSES
(30) PARKING SPACES
- PHASE 2 - COMMON HOUSE
- PHASE 3 - SHORT STREET CONNECTION IMPROVEMENTS
(12) HOUSES
(7) PARKING SPACES
SHORT and MAXWELL ROW IMPROVEMENTS
- PHASE 4 - PARCEL-B INFRASTRUCTURE
(2) HOUSES
GARDEN

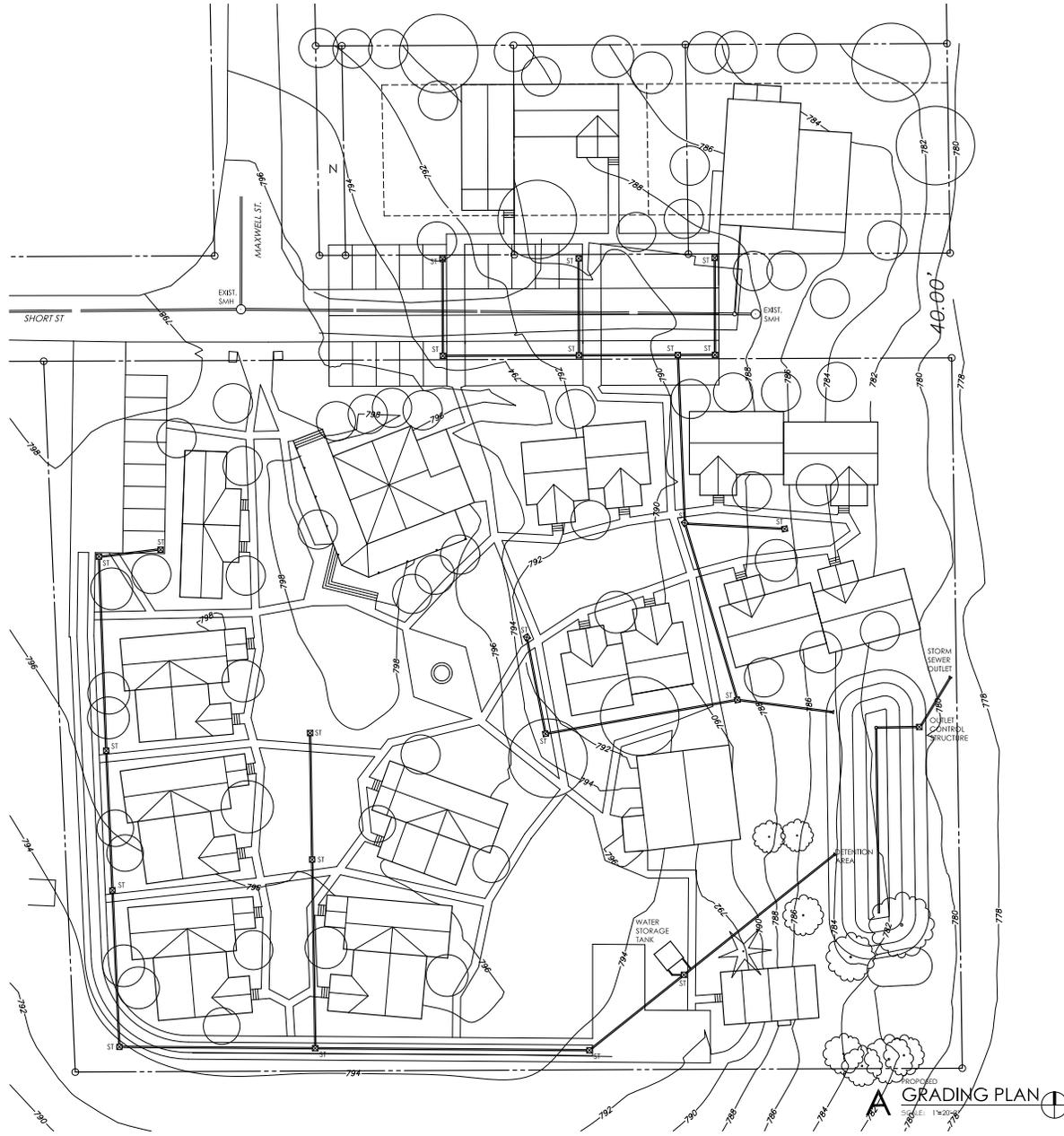
PROPOSED PHASING PLAN

SCALE: 1" = 60'-0"

DATE: 1-27-14



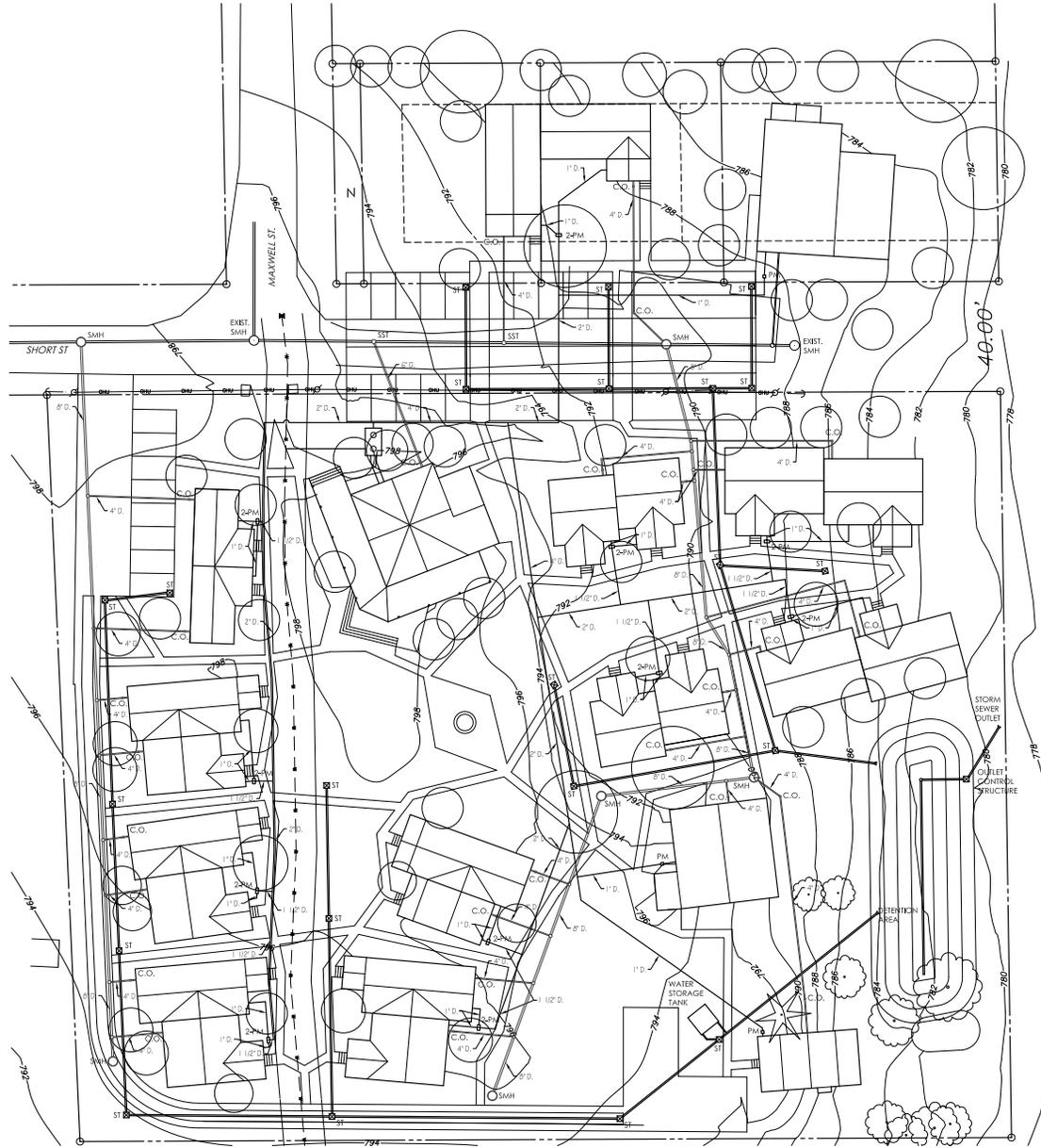
PUD-03-14
 PUD Preliminary Plan
 Phasing Plan



PUD-03-14
 PUD Preliminary Plan
 Schematic grading plan

	<p>mca MARC CORNETT ARCHITECTS 101 EAST BIRWOOD AVE. BLOOMINGTON, INDIANA 47403 P. 317.325.5244 E. 317.325.5244 Email: mcorne@mail@verizon.com</p>
<p>CERTIFIED</p>	<p>REVISIONS</p>
<p>PROPOSED BLOOMINGTON COHOUSING PROJECT SOUTH MAXWELL STREET BLOOMINGTON INDIANA</p>	<p>PROJECT NO.: 2012-08 DATE: 09.20.13 DRAWN BY: CHECKED BY: MHC</p>
<p>GRADING PLAN C.103</p>	

PUD-03-14
PUD Preliminary Plan
Schematic Utility Plan



A PROPOSED UTILITIES PLAN
SCALE: 1"=20'-0"

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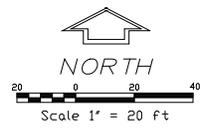
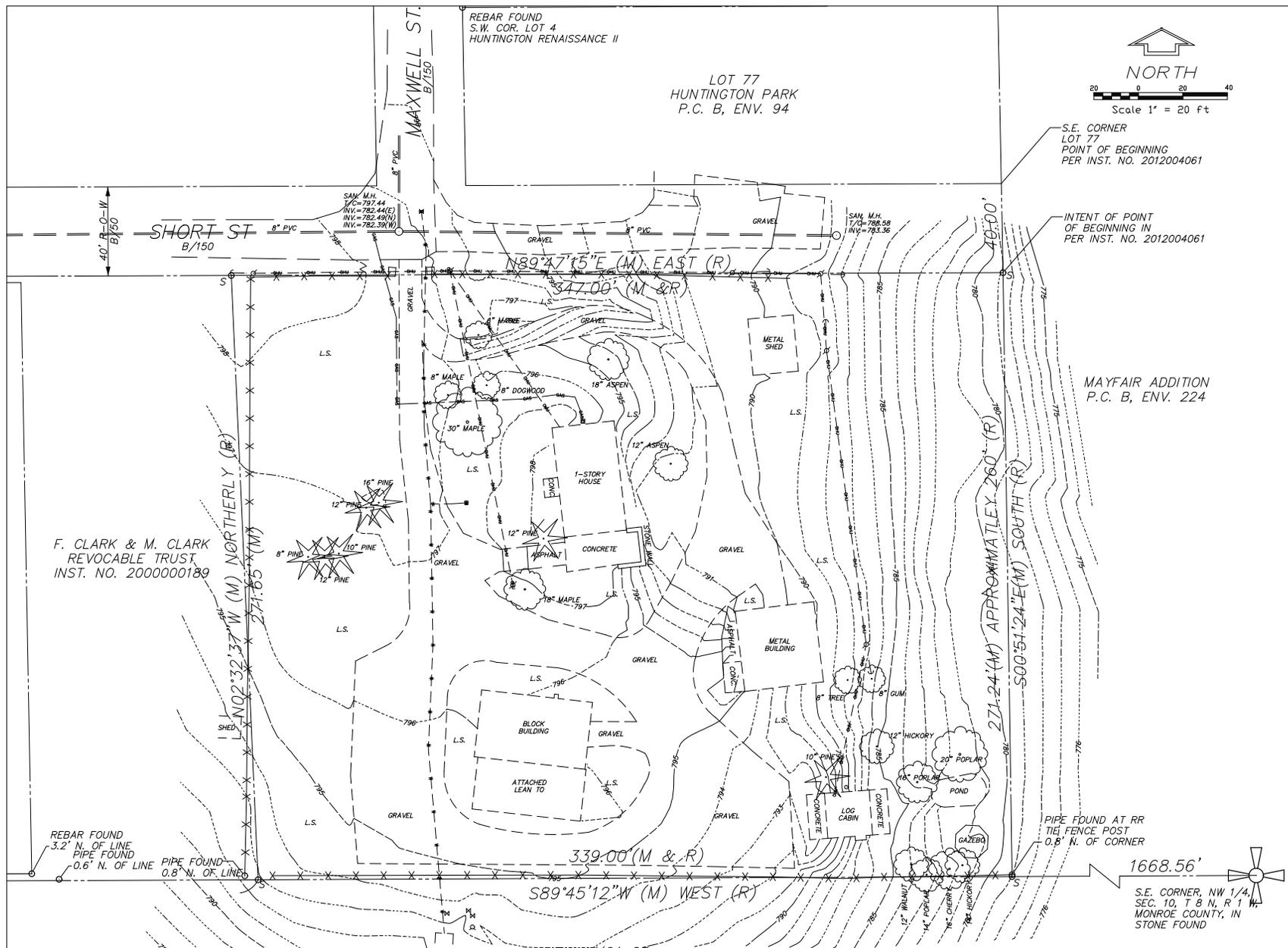
CERTIFIED

REVISIONS

PROPOSED
BLOOMINGTON COHOUSING PROJECT
SOUTH MAXWELL STREET
BLOOMINGTON INDIANA

PROJECT NO.: 2015-08
DATE: 09.20.13
DRAWN BY:
CHECKED BY: MHC

UTILITIES PLAN
C.104



S.E. CORNER
LOT 77
POINT OF BEGINNING
PER INST. NO. 2012004061

INTENT OF POINT
OF BEGINNING IN
PER INST. NO. 2012004061

MAYFAIR ADDITION
P.C. B, ENV. 224

PIPE FOUND AT RR
TIE FENCE POST
0.8' N. OF CORNER

1668.56'

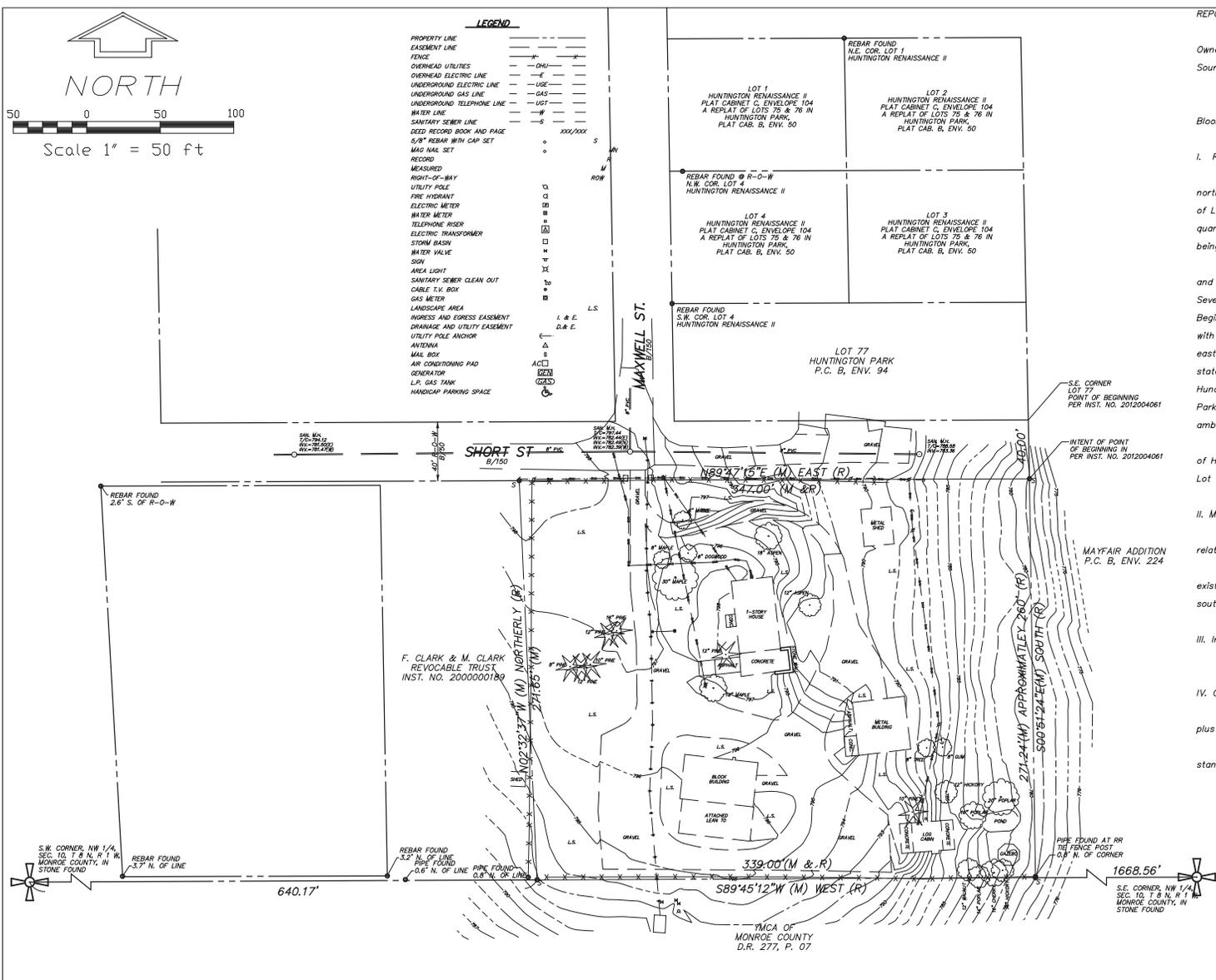
S.E. CORNER, NW 1/4,
SEC. 10, T 8 N, R 1 W
MONROE COUNTY, IN
STONE FOUND



SHORT & MAXWELL
EXISTING TOPO

DRAWING NO. 401226
SHEET 2 OF 2

PUD-03-14
PUD Preliminary Plan
Existing conditions



REPORT OF SURVEY

Owners: Marian Sinclair & Janet Greenblatt
Source: Inst. 2012004061

A part of the Northwest quarter of Section 10, T 8 N, R 1 W, Perry Township, City of Bloomington, Monroe County, Indiana

I. Records

The Instructions in the deed of the Property indicate that the Property is bounded on the north by the south side of Short Street, on the east by the prolongation of the east line of the plat of Lots 67 through 95 of Huntington Park, and on the south by the south line of the Northwest quarter of Section 10. The west line of the Property is defined by the south line of the Property being 339 feet long and the north line being 347 feet long.

The Point of Beginning for the Property is erroneously defined in the deed's instructions and causes an ambiguity. The deed states, "Beginning at the Southeast corner of Lot Number Seventy-seven (77) in Huntington Park Sub-division." This instruction should read as follows: Beginning at the intersection of the prolongation of the east line of Lot 77 in Huntington Park with the south line of Short Street. This interpretation is confirmed on this project because the east distance of "approximately 260 feet" measures 311.24 feet and later on a call in the deed states "to a point on the South line of Huntington Park Subdivision, said point being Three Hundred Forty-seven (347) feet West of the point of beginning." The south line of Huntington Park is the south line of Short Street. A new legal description is suggested to eliminate the ambiguity.

The subdivision plat of Huntington Renaissance II (HRII) is used to locate the east line of Huntington Park. HRII is a replat of Lots 75 and 76 in Huntington Park. HRII sits on top of Lot 77. Therefore, HRII locates the east line of Lot 77 and the Short Street right of way.

II. Monuments

Three monuments (rebars) are found in HRII. These monuments exist with a good relative positional relationship with each other. They are used to define the location of HRII. A stone exists at the southwest corner of the Northwest quarter of Section 10. A stone exists at the southeast corner of the Northwest quarter of Section 10. These stones define the south line of the Northwest quarter and the south line of the Property.

III. Inconsistencies in lines of occupation

As shown on the survey drawing a fence straddles the west boundary line.

IV. Comments

The relative positional precision of the measurements on this project is 2 cm (0.07 feet) plus 50 parts per million.

To the best of my knowledge and belief the work on this project follows the state standards for the practice of land surveying.

The last day of fieldwork on this project is September 4, 2012.

Douglas R. Curry
Indiana L.S. No. 890006
Bynum Fanyo & Associates, Inc.
528 N. Walnut Street
Bloomington, IN 47404
812-332-8030 tel

I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Douglas R. Curry

This instrument prepared by Douglas R. Curry.

PT. OF THE N.W. QUARTER,
SEC. 10, T 8 N, R 1 W,
MONROE COUNTY, INDIANA
SHEET 1 OF 1
JOB NO. 401226

PUD-03-14
PUD Preliminary Plan
Survey

PARTIAL SITE PLAN PARKING LOT & ROW DETAILS

SCALE: 1" = 30'-0" DATE: 1-14-2014



LEGEND / KEY

- ① ROW ENCROACHMENT, PARKING DRIVE AND SPACES
- ② PUBLIC SIDEWALK AND TREEPLOT
- ③ ADDITIONAL ROW - 5' ALONG SHORT ST & MAXWELL ST
- Ⓐ MAIN ENTRY TO SITE
- Ⓑ COMMON HOUSE, PROPOSED
- Ⓓ INDIVIDUAL DWELLING, PROPOSED
- Ⓔ SMALL CAR PARKING, PROPOSED (7) SPACES
- Ⓕ MAIN COURTYARD, PROPOSED
- Ⓖ EMERGENCY ACCESS LANE & TURNAROUND, PROPOSED
- Ⓚ EXISTING DWELLING TO BE REMODELED
- Ⓝ NEIGHBORHOOD GARDEN AREA, PROPOSED
- Ⓞ MAIN PARKING AREA, PROPOSED (30) SPACES
- Ⓢ DUMPSTER ENCLOSURE
- Ⓣ BIKE PARKING
- Ⓤ DUMPSTER ENCLOSURE



PUD-03-14
Preliminary Plan
Parking lot details



PUD-03-14
PUD District Ordinance
Schematic renderings



PUD-03-14
PUD District Ordinance
Schematic renderings



PUD-03-14
PUD District Ordinance
Schematic renderings





PUD-03-14
PUD District Ordinance
Schematic renderings



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Schematic renderings





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Schematic renderings



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Schematic renderings

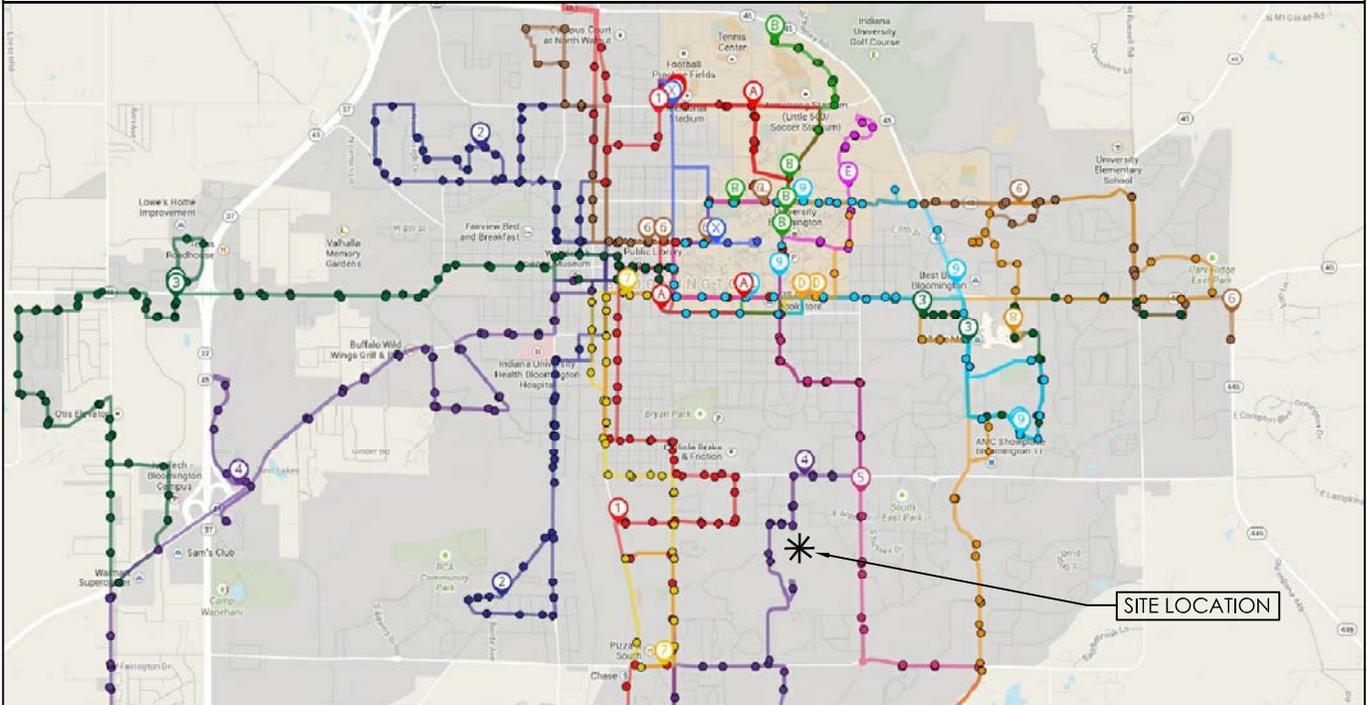


PUD-03-14
PUD District Ordinance
Schematic renderings



PUD-03-14
PUD District Ordinance
Schematic renderings

BLOOMINGTON TRANSIT MAP



Cohousing

Cohousing is a type of intentional community composed of private homes supplemented by shared facilities. The community is planned, owned and managed by the residents – who also share activities which may include cooking, dining, child care, gardening, and governance of the community.

Common facilities may include a kitchen, dining room, laundry, child care facilities, offices, guest rooms, and recreational features.

There are over 200 cohousing communities in the US today. About half are complete or nearly so. The other half are in the planning or formation stages.

Cohousing can be the ideal housing solution for people living in neighborhoods that leave us feeling isolated and lonely. The days of allowing your children to just go outside to play seem to be gone as do neighborhood cookouts and dropping over for a cup of coffee. We feel it's not too late to recapture that lifestyle.



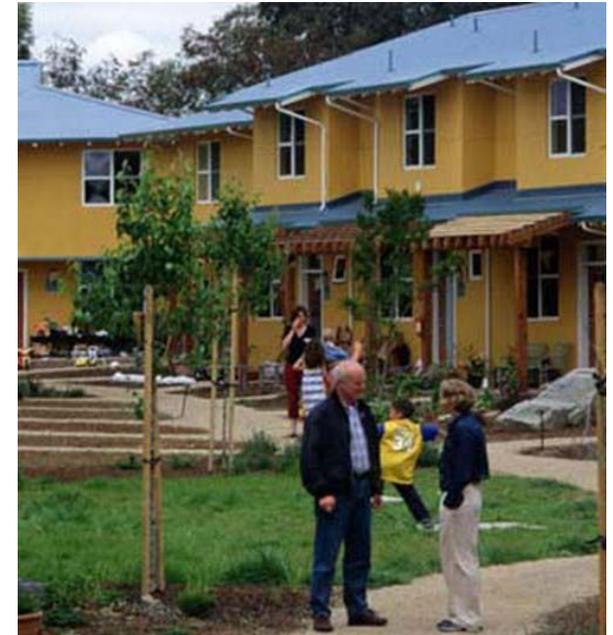
BloomingtonCohousing.org

**Phone: 812-287-8899 or
812-336-4486**

**E-mail: jgreen8790@aol.com
maclair@sbcglobal.net**

PUD-03-14
Supplemental Materials

Bloomington Cohousing



Bloomington, Indiana



Cohousing is a new type of housing, pioneered in Denmark in the 1970's which combines the autonomy of privately owned dwellings with the advantages of community living.

If you are interested in:

- ◆ Living in a small social community
- ◆ Participating in planning your own house and community
- ◆ Having a safe, supportive environment for your children,

Then Cohousing is for you!

PUD-03-14
Supplemental Materials

Cohousing Characteristics:

- **Participatory process.** Future residents participate fully in the design of the community.
- **Neighborhood design.** The physical layout and orientation of the buildings encourage community. Private residences are clustered, leaving more shared open space, with cars parked on the periphery. The intention to create a strong sense of community,.
- **Common facilities.** Facilities, such as a common house, are designed as an integral part of the community. The common house will include a kitchen, dining area and sitting area and may include a children's playroom, a laundry, an arts and crafts studio, library, exercise room, crafts room and one or two guest rooms. Lawns and gardens are included as well.
- **Resident Management.** Residents manage their own cohousing communities, and also perform much of the work required to maintain the property. They participate in the preparation of common meals one or two nights a week and meet regularly to solve problems and develop policies for the community.
- **Cooperative decision-making.** Leadership roles exist in cohousing communities, however no one person has authority over others. Each member takes roles consistent with his or her skills, abilities or interests. Most cohousing groups make decisions by consensus.

Bloomington Cohousing is a group of people of various ages and family styles who share common values and goals.

We want to create a sustainable way of life that fulfills our needs today without compromising the needs of future generations.

We have purchased 3 acres of land north of the YMCA and are currently designing our community. We will begin building in 2014.



Phone: 812-287-8899 or
812-336-4486

E-mail: jgreen8790@aol.com
maclair@sbcglobal.net

Herald Times Article

Cohousing group offers information meeting



Posted: Saturday, September 15, 2012 12:00 am

Cohousing group offers information meeting

Bloomington Cohousing is a group of people of various ages and family styles who share common values and goals. An informational meeting about Cohousing will be held at the Monroe County Public Library on Tuesday, September 18th at 7:00 p.m. A video on cohousing will be shown followed by a discussion with time for questions.

Cohousing is a type of collaborative housing in which residents actively participate in the design and operation of their own neighborhoods. Cohousing residents are consciously committed to living as a community. The physical design encourages both social contact and individual space. Private homes contain all the features of conventional homes, but residents also have access to extensive common facilities such as open space, courtyards, a playground and a common house.

If you are interested in a small social community, participating in planning your own private home and having a safe supportive environment for your children, then cohousing is for you! The community is planned, owned and managed by the residents, who also share activities which may include cooking, child care, and gardening. Common facilities may include a community kitchen and dining room, a laundry, a woodworking shop, guest rooms, and recreational features. We plan to include the latest green technology in our design.

Bloomington Cohousing has purchased property north of the YMCA and we expect to start building in spring 2013. Find out more about Bloomington Cohousing at: www.BloomingtonCohousing.org or www.meetup.com/Bloomington-Cohousing.

Cohousing group offers information meeting

Courtesy Bloomington Cohousing
0/0/

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'Cohousing' community seeking more members as it prepares to launch: www.heraldtimesonline.com

By Kasey Husk
331-4243 | khusk@heraldt.com
9/27/2012

Two Bloomington women are seeking people interested in living cooperatively as they prepare to launch the state's first "cohousing" community on Bloomington's south side.

Longtime friends Marion Sinclair and Janet Greenblatt have purchased almost three acres of land near the Monroe County YMCA where they will build a community "designed to facilitate social interaction and sharing," while at the same time allowing residents to maintain their privacy. Participants in the community would purchase studio, one-, two- or three-bedroom units on the property, but will also own a share of all the land and a "community house."

In March, Sinclair and Greenblatt purchased the land east of Highland Street near where South Maxwell Street ends, and they have spent much of this year spreading the word about the community. Anyone interested is encouraged to attend an informational meeting planned for 7 tonight at the Monroe County Public Library.

"The whole idea is to recreate the old-time neighborhoods of the past, where people watch out for each other and help each other, and people choose to live in community," Greenblatt said.

The idea, Sinclair and Greenblatt said, is that residents will have their own space that they own but also access to community amenities, including a collaborative garden and a community house that includes a children's play area, tea room, laundry facilities, guest rooms and a kitchen and dining room where residents would likely share meals once or twice a week. The pair has a long list of other goals, including a shared library where community members all contribute their books, a woodworking shop where they share tools, an arts and crafts room where people combine supplies and a barn where the community could raise chickens and bees.

"You could downsize, you don't need a bedroom sitting empty just in case a guest comes," because you can use guest rooms in the community house, Greenblatt noted. "It's really very, very practical."

Creating such a community has long been a dream of Sinclair's, who was first exposed to the concept of community living while living on a kibbutz in Israel, where she loved "the community feeling and the sharing and that you could have so much by sharing so many resources." She looked into similar collective communities in the United States in the 1970s, but determined they weren't a good fit for her.

"I found out about cohousing, and it was just such a wonderful balance of privacy and community, because in a way I'm a private person, but I need people around me, too," she said. "So you have the community there as much as you want it. It's available to you, but it's your choice."

Sinclair said cohousing is not the same as a "commune," because there is no "shared economy" in cohousing and individuals own their own residences.

The community has not yet been designed, but Sinclair and Greenblatt said they planned to meet with an architect to discuss a design for what will likely be cottage-style buildings that contain perhaps 16 to 25 units built together "condo-style." Units will likely range from 700 square feet to 1,200 square feet, depending on the bedrooms, Sinclair said. Since a design has not yet been created, it is hard to estimate the price, but Sinclair said a one-bedroom unit could be perhaps \$125,000 to \$140,000, about market rate for a similar unit, but with the added benefits of ownership in community lands and amenities.

Those who plan to purchase a home within the community will have an opportunity to have a say in what that design looks like. Right now, Bloomington Cohousing has three membership levels — observer, associate member and full member — and only those with "full membership," so far just Greenblatt and Sinclair, get input into the design. People who are interested start at observer level, then work their way up to associate and full member status.

Sinclair said the property needs to be rezoned to fit the plan, something she hopes will happen by the end of this year. She hopes to have about 10 people committed to buying one of the homes so that a developer will take on construction, with the intention of selling remaining units after they are completed, perhaps as early as next fall.

Sinclair said the group wants to attract people who share common values of "peaceful coexistence" and "respect for other people." It is open to people of any gender, religion, sexual orientation, ethnicity or age; in particular, she said, they hope the community will be "intergenerational."

"It's a great place for families, because you have all these grandparents and people to watch out for your children," Greenblatt said.

Green building features and sustainability will also be an emphasis within the community, which is located near bus stops and is "a quick bike ride" from downtown.

For more information about the organization, visit bloomingtoncohousing.org, www.meetup.com/Bloomington-Cohousing or contact Sinclair at maclair@sbcglobal.net or Greenblatt at jgreen8790@aol.com.

Herald Times Posted: Wednesday, October 17, 2012 12:00 am

Letter: Living in community

To the editor:

I wish Janet Greenblatt and Marion Sinclair much success with their planned cohousing community (H-T, Sept. 27). I admire their stated goal of creating a new southside neighborhood, "where people watch out for each other and help each other." We also have every opportunity  to "choose to live in community" in our existing neighborhoods.

I live in the southside Bloomington neighborhood of Sherwood Oaks, where we have abundant sidewalks and green  space that encourages neighboring. Friendly faces and greetings are common, when going out for a stroll. When my family has needed help, my neighbors have always been there.

Last year, several Sherwood Oaks neighbors got together to form a neighborhood association to create even more ways for residents, of our large neighborhood, to connect. We discovered that the Bloomington Housing and Neighborhood Development department (HAND) is an incredible resource in supporting community within neighborhoods.

In particular, HAND program manager Vickie Provine has been an invaluable help with organizing, grant opportunities , and anything else we could possibly need to grow in community. Thank you, Vickie! So yes, let's create new neighborhoods designed with community in mind. But let us also recognize, celebrate, and preserve the community in our established neighborhoods.

IISA WRASSE, Bloomington

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

**Ten Great Reasons to Live in Cohousing
Rob Sandelin, Sharingwood, Snohomish County, Washington**

Living in a community offers security. You can rely on your neighbors to help you, even when you don't ask. This is huge for me, that my family is in a safe and supportive place. My grandmother died recently. My neighbors knew all about it and sent cards and sympathy and support to my family. Her neighbors didn't even know she was sick. Most of them didn't even know her name. How many of them could she ask for help if she needed it?

1. **Community offers social opportunities.** I can have wonderful and meaningful interactions with people I like—my neighbors—just by sitting out on my porch. I really enjoy hanging out and talking with folks about everything—politics, the news, kids. Sharing our histories and ourselves grows a wonderful bond among us—I suppose much like encounter groups do. I know more about my neighbors' histories and lives and why they do things the way they do than I know about some of my family members.
2. **Cohousing is a supportive place for kids to grow up.** Cohousing is safe and there are lots of friends—both other kids and adults. Kids can play and I know any adult in the neighborhood will be there for them in case of need. It's also a fun place to be an adult. There are lots of opportunities to play with the kids and other adults.
3. **Cohousing is a great place to collaborate with people who share similar interests.** Small groups form that revolve around shared common interests such as beer making, sewing, gardening, music, and so forth. I don't have to "go" anywhere to enjoy a beer-making club; my neighbors and I can do that. The common house is great for that.
4. **There is a sense of togetherness and belonging.** I am part of something that is really wonderful: it is a model for a better way to live, and together we are doing it. I can't explain this in words very well, but there is a strong feeling of happiness in me that comes from working toward a common good. I used to get this feeling as a teacher and environmentalist, and now I get it as I work with my neighbors on a variety of projects.
5. **There is a great restaurant in the middle of my neighborhood—called the common house**—where I can go have dinner and great conversation with friends.
6. **Cohousing is a great place to learn new things.** I always wanted to try making beer. Having a couple of neighbors share that interest got me into home brewing. We learn and try new stuff all the time.
7. **Cohousing is a great place to share ownership of things that I couldn't really afford by myself,** such as a workshop, play structures, tools, a library, and so on.

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

Ten Great Reasons to Live in CoHousing, contin.

8. **Many personal resources are available.** Want to know about bee keeping? I ask Mel and get all kinds of information. Having problems with my car? Mary knows a lot about such things. Want to build a shed? Bob can give me advice and help me scrounge for materials. A neighborhood like mine is a collection of twenty-six lifetimes' worth of experience in all manner of things. What a treasure trove!
9. **Privacy.** I get all the great benefits of cooperative living and also get privacy whenever I want just by going home and closing the door or going into the twenty-five acres of woods that surround my house that everybody shares ownership of.
10. **To me, the monetary value of all these things would be in the million-dollar range.** My house cost me less than market value to build and is worth much more than I paid for it should I ever move to another community—notice that I said move to another community. It is inconceivable for me to ever move back to a “normal” neighborhood, where everyone is a stranger and I have to be afraid every time my kid goes out the door.

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

Exerpts from *Creating Cohousing, Building Sustainable Communities* by Kathryn McCamant and Charles Durrett, 2011

Americans say they are not as happy, on average, as they were 50 years ago, despite a trebling of “living standards”, and the reason they give is loss of community, loss of connection.

Cohousing maintains the elements of traditional neighborhoods – family, community, a sense of belonging. Intro.

Cohousing is generally more affordable than single-family housing. Residents contend that other living expenses are less than those of isolated households. p. 20

There is the opportunity to work at home in Cohousing without the isolation of working from an isolated home. Work can be done in shared office space in the Common House, or even in private units, there is more opportunity to see or interact with neighbors. This also means less driving. p. 25

Common facilities are an asset for the surrounding neighborhood. A Common House can be used for large neighborhood meetings, classes, group organizing and day care programs. p. 29

Common dinners – up to ½ the residents participate on any given day. p. 29

Renters in Cohousing tend to participate as much as anyone else. p. 30

On average, residents of cohousing communities consume less energy (meaning they spend less on utilities), own fewer cars, and drive less than people who do not live in cohousing. p. 34

Each household saves the environment the cost of owning “one of everything”. p.34

Clustered housing requires less building materials. p.34

Smaller units cost less to furnish and clean . . . and are also less costly to heat and cool. p.

Having friends and activities on-site also means less driving and less spending for off-site entertainment.p.35

Crime is non-existent. p. 40

Cohousing addresses the social ills of loneliness and isolation, and provides an effective social-services network. p. 40

Cohousing communities (in Denmark) are now considered “a preferred risk” since most units are pre-sold long before construction is completed. p.47

Cohousing developments also have an excellent track record of good management and for paying back their loans. p. 47

Trudesland (Denmark) – common dinners in particular, have cut down the amount we spend on food and the frequency with which we eat out. p.55

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

Exerpts from *Creating Cohousing, Building Sustainable Communities* by Kathryn McCamant and Charles Durrett, 2011, contin.

Sun & Wind (Denmark) – kids, on average, got much better grades because there was always someone to mentor them. p.69

Jerngarden (Denmark) – 5 of the original 8 households remain 30 years after move in. p.75

Tornevangsgarden (Denmark) – as in almost every built cohousing community, resale is no problem . . demand outstrips supply. After 12 years, only one household had moved out. p.87

Statistics show that the divorce rate for people in cohousing is lower than for comparable segments of the general population in Denmark. p.103

Drejerbanken (Denmark) - There are favorable conditions for children here – socially, physically, and educationally. They are exposed to many more interest and stimulations than usual – participating in meetings and learning to work cooperatively. They also have a strong sense of identity. They are not anonymous here; and like the children of any village, they know that there is a place they are recognized and have a sense of belonging. This enhances their self-confidence. Children who live in cohousing are usually “can do” people because they learn from participating in so many kinds of activities, and receive recognition for their accomplishments. p.104

Frogsong – Cotati, California, recognized in 2004 by the National Home Builders Assn. as the best smart growth project in the US. p.113

Bellingham – Washington, 25% less driving per household compared to neighboring single-family households.

Opposing Neighbor Turned Supporter – I owned the property next door to Emeryville Cohousing (Calif.) When I first learned of the project, I was up in arms. I fought the project and, if fact, I was the lead organizer to counter the development. We had fears of traffic, noise, density, and loss of privacy. Eventually they got approval from city council, built the project, and I started reviewing my resistance to this idea, because I saw how the presence of this community became a benefit for me, in terms of friends I made. All the resistance I had really didn't have a lot of basis. When I refinanced my property, my bottom line went up and I thought, “What was my objection in the first place?” The other thing is, the cohousers now live next door to me, and I couldn't appreciate them more. Our fears turned out to be unwarranted. I've had dinner in their common house many times. They have hosted several neighborhood meetings. They have been the most contributing neighbors in our neighborhood – they have participated on our school board and they've participated on many town commissions. If I had better understood what an immense contribution they would make and what absolutely great neighbors they would be, I would never have opposed this project. p. 146

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

Exerpts from *Creating Cohousing, Building Sustainable Communities* by Kathryn McCamant and Charles Durrett, 2011, contin.

Doyle St. Cohousing – had 1 parking space/household. They squeezed in 3 more spaces which were abandoned later as unnecessary. p.147

Cohousing has had one house foreclosed on in the entire US. p.150

Jamaica Plain (Boston) – share several autos. p.164

Quayside (Van Couver, Canada) – Achieves a 90% recycling rate – has only 2 twenty gallon cans of trash/week for 19 units, compared to local limit of 2 cans/household. p.191

Fresno – Energy bill for one month was minus \$16. They have solar panels. p.200

Twenty years of resales in North America have shown that cohousing appreciates over itme at a greater rate than houses in more conventional developments. p.201

Most cohousing groups try to use consensus as much as possible, but fall back on a majority or 2/3 vote when time pressures require a prompt decision. P.223

Density – usually at least 6-7 units/acre and often 10-15, creates enough density so that people feel like they are part of a neighborhood, while enough land remains for shared open space and common facilities. p. 250

Nothing contributes more to energy efficiency than common walls. p.250

Clustering residences and common spaces will create a cohesive community by proximity. P.256

Elements in a site plan that encourage a positive social atmosphere:

1. opportunities for casual interaction
2. spaces where children can play safely in proximity to private houses and/or within view of adults
3. open spaces that allow for a variety of activities to accommodate different age groups and interests
4. pedestrian paths that encourage engagement without sacrificing privacy within private homes
5. a relationship of the Common House, private houses, and parking facilities that provide for easy mobility without sacrificing safety. p.253

Soft edges or semi-private spaces, such as gardens, landscaping, and porches, help create an intermediary zone between private space and the public realm. p.253

Cohousing adds a realm to our lives. The community domain, or the “common”, is different from most environments that are limited to “public” and “private” space. The community realm gives us the opportunity to lead more fulfilling personal lives by cooperating with thirty, forty, or fifty adults – a scale at which so much more can be accomplished for some of our life’s needs than at the private or public scale. p.253

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

Exerpts from *Creating Cohousing, Building Sustainable Communities* by Kathryn McCamant and Charles Durrett, 2011, contin.

Clustered housing fosters a sense of commonality, shared responsibility, and mutual support. Clustered housing helps to create a vibrant community while still allowing residents to incorporate the distinctive elements that offer privacy or personality to a house. p. 256

We typically try not to exceed 1.5 parking spaces per residence in the US, and strive for less in urban areas. Ideally, cohousing allows households to reduce their auto use by encouraging car-pooling, shared tasks, and even shared cars and bicycles. p.257

In a high-functioning cohousing community, residents talk of common meals as the highlight of their cohousing experience. p.261

Children in cohousing enjoy more freedom. p. 264

Teenagers in our cohousing have about an A minus grad point average. p. 265

Cohousing uses land, energy, and materials more economically than detached houses, and its relatively high density supports more efficient forms of public transit. P. 266

Cohousing communities achieve sustainability in several facets: environmental, social, and economic. P. 273

Research has shown that, depending on the design, residents of a cohousing community use 50% to 75% less energy for heating and cooling than they did in their previous homes (for a family of three). Cohousing residences are about 60% the average size of a new house in the US. Cohousing neighborhoods, on average, occupy less than half as much land as the average new subdivision for the same number of households, and 75% less land as the same individuals did before moving into cohousing. Cohousers also drive about 60 % less than their suburban counterparts. p. 275

We have seen the average size of private residences within cohousing communities shrink dramatically, as people learned to use common facilities as an extension of their private house. We've also seen the design of cohousing communities evolve to include greater density or a closer clustering of houses. p. 277

Residents of senior cohousing talk of savings of over \$1000/mo., compared to their previous living situations, through lower energy bills, less driving, more on-site activities, not having to own a second vehicle, and more. p. 279

The Danish concept of villinage lives on in cohousing. That is, cohousing residents take personal responsibility for "public" works, and the expectations for community participation are clear and obvious before move-in. p. 283-4

Turnover rate in cohousing is quite low. In the US, families move every seven years on average. Cohousing residents are about 2 to 3 times more stable. p. 287

**BLOOMINGTON COHOUSING – Maxwell Street
PUD District Ordinance**

Exerpts from *Creating Cohousing, Building Sustainable Communities* by Kathryn McCamant and Charles Durrett, 2011, contin.

A well-designed community has a consistently high resale value. The demand still far exceeds the supply. p. 288

Participation in the design process gave the residents a sense of emotional ownership, and they were therefore invested not only in their own success, but also in the success of the other residents and the development itself. p. 292

If we are going to have community in our neighborhoods, if we are going to relate to each other in a healthful manner, it has to become a conscious act. p. 300

Ownership Structures for Cohousing

1. Condominium – a means of separating legal ownership of a building or a piece of land into smaller parts.

It is commonly used for townhouse projects or building where individual units are above one another. Each individual owns and has a deed for his own unit, has obtained his own mortgage, and has his own property tax obligation.

Common facilities and areas are owned as an individual share (“undivided interest” shared with other condominium owners).

All condominiums have owner associations and a governing board that is responsible for management of the complex (Homeowner’s Assn.). These associations are classified under section 528 of the Internal Revenue Code which defines Homeowner’s Assn. as a type of tax-exempt organization which pays no federal taxes on the money collected to manage and maintain the property.

Each owner is assessed regular fees to cover management and upkeep expenses, and special fees that can be assessed for extraordinary expenses. An agreement, called “Covenants, Conditions, and Restrictions” (CC&Rs), specifically regulates use of common areas and other matters of interest to owners.

Some Cohousing communities attempt to strengthen their cooperative community aspirations with special by-laws and operating agreements, but the CC&Rs are still the legal basis for resale of the unit.

The problem with condo ownership is that sustainability of the original community objectives and resale price limits (permanent affordability) can become difficult to enforce, and can cause gentrification. A condominium unit can be defined as the airspace within a dwelling unit, with the common area being the structure that encloses the space.

Private ownership can also include interior paint or part of the structure itself. Transferability is very straight forward, just like selling a single-family house, unless the group writes special restrictions into the Homeowners’ Agreement. However, any restrictions may be difficult to have approved by banks.

Generally, the documents to create a condominium cannot be filed until after the project has been substantially completed since the documents are based on real, three-dimensional spaces that don’t exist until the buildings are constructed.

Most Cohousing communities in the U.S. have used this model, and it is generally the easiest form because it is the most typical structure for multi-family housing, and banks understand it.

An issue with construction may be that running infrastructure may require easements if it goes under another unit.

2. Planned Unit Development (PUD) - the only info for this was “a resident owns a house and lot (as in a standard subdivision), together with an undivided interest in certain common areas (as in a condominium). The common areas are usually owned by a homeowner’s association.” (contradictory statements?). The Homeowners’ Assn. is classified as a 528 organization as under condominium.

3. Cooperatives – Instead of buying your dwelling, you purchase shares in a housing corporation that owns the development. Each co-op member buys a proprietary lease to a particular unit instead of a deed, and pays a monthly fee which covers their share of the mortgage as well as operating costs.

Many co-ops are limited equity, so that appreciation at resale may not exceed initial price plus a certain amount per year based on the consumer price index, and an amount for improvements. It is used by non-profit developers to create short and long- term affordable housing.

The coop has a blanket mortgage on the property instead of individual mortgages on the dwellings. This structure makes you and the other co-op members responsible for non-payment by others. It is a creature of state law and not available in all states.

Banks are not as eager to loan on this type, and if they do, the interest rates may be higher, sometimes much higher. The National Cooperative Bank gives loans for co-ops. It is often financed in whole or in part by federal, state or local government.

Should the entire property be sold, profits go to a designated nonprofit organization. It is also possible to structure the development as a "stock cooperative" with no limitations on equity. The departing resident can sell the share for whatever the market will bear (although restrictions could be imposed).

Stock cooperatives are usually financed through a combination of blanket loans (taken out by the corporation) and share loans (taken out by individuals). With cooperatives, transferability is more difficult as it is difficult to get share financing.

Construction can be easier in that there is no problem running infrastructure under other units.

4. Mutual Housing Association (MHA) – “is a public benefit, nonprofit organization that may have a range of “umbrella” functions, including development, ownership, and management of cooperative and resident-controlled housing.” Sounds like an organization that assists Limited Equity Cooperatives.

5. Community Land Trust – a Trust owns a property to preserve it for a particular purpose; originally to preserve land in its natural state. The movement has broadened to preserve affordable housing. Has elements of a MHA and Limited Equity Cooperative.

6. Nonprofit-owned Rentals – a nonprofit housing corporation would obtain government (federal, state, and/or local) funds and private foundation grants to subsidize the construction costs and/or provide low-interest loans so dwellings can be rented at below-market rates.

7. Other options – none of these were recommended.

more info available on all the above.

Resources:

- Hanson, Chris. *The Cohousing Handbook*. 1996
- Norwood, Ken. *Rebuilding Community in America*. 1995
- CoHousing Journal*. Winter 1996
- “*Getting It Built*” manual. The CoHousing Co. 1994

**BLOOMINGTON COHOUSING - Maxwell Street
PUD District Ordinance**

Information on Renter/Owner Conventions

From *Creating Cohousing*:

Today (in Denmark), many communities are functioning successfully as nonprofit-owned rentals. Two are Bondebjerg – 80 units in 4 clusters; all rental, and Drejerbanken – 20 units; half owners, half renters; the mixed tenure allows people to move from renter to owner, which has been done, and from owner to renter, which has not yet been done. Renters and owners are equally involved in all aspects of management, and visitors cannot distinguish who rents and who owns. Several myths were dispelled:

1. that renters have a higher turnover than the owners. After 10 years, 3 owners and 2 renters have moved out.
2. That owners take better care of their homes and gardens than renters. The homes and yards are indistinguishable.
3. That rental units slow the appreciation rate of owner occupied units. Units have appreciated more than non-cohousing homes.

Fresno Cohousing (California) - to cope with the worst of the recession (of 2008), we explored rental and rent-to-own options. While potential renters are told about the emphasis on community and expectation to participate, the group soon realized that the expectations of new renters and long-term homeowners are inherently different. A renter that has just visited the community a couple of times has a very different relationship to it than a homeowner who has put in many years to create it. Despite this challenge, the community has successfully incorporated renters into common meals and landscape workdays. But the group is looking to sell all of the homes as soon as possible.

Some communities have found that a rental unit or supplementary rooms in the common house are the most economical means to offer some flexible space for short periods of time.

Completed in 2009 in Sebastopol, CA, Petaluma Avenue Homes is a 45-unit affordable rental community for households that make less than 60% of the area's median income. McCamant and Durrett, worked with a non-profit developer and designed the community with many elements of cohousing. Financing was from state tax credits and other subsidies and came with restrictions that made it impossible to pre-select residents prior to construction.

From *The Cohousing Handbook*:

Some groups choose to have control over rentals, fearing that renters will not be as committed to sustaining community as owners. However, most of the time I found that the control of rental units is not necessary. Most often, who cohousing groups deal with this issue, they decide that all initial owners will have the right to rent their unit out any time they want.

From manual for *Getting It Built Workshop*:

A nonprofit housing corporation would obtain government (federal, state, and /or local funds and private foundation grants to subsidize the construction costs and/or provide low-interest loans so that the dwellings can be rented at below-market rates. Residents may manage the development but do not obtain right of ownership. Tenant Association may establish tenant application and selection process. Funding sources typically have tight restrictions on the income levels of households who can live in these units (e.g. 60-80% of median income for the area).

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT****CASE #: UV-6-14
DATE: March 10, 2014****Location: 1512 S. Walnut Street & 106 W. Southern Drive**

**PETITIONER: Root-Deckard. LLC
1512 S. Walnut Street, Bloomington****CONSULTANT: Bailey-Weiler
700 N. Rogers Street, Bloomington****Bledsoe Riggert & Guerrettaz
1351 W. Tapp Road, Bloomington**

REQUEST: The petitioner is requesting a use variance to allow a photography studio within an Industrial General (IG) zoning district.**SITE DESCRIPTION:** The petitioner owns an existing commercial structure at the northwest corner of S. Walnut Street and W. Southern Drive. This structure is currently occupied by an accountant's office and a photography studio. The petitioner has gained control of an adjacent property to the north. This property is 0.18 acres and will allow the petitioner to expand the existing accounting office.

In addition to this property, the petitioner has also gained control of a 0.36 acre property to the west that is at the northeast corner of W. Southern Drive and S. College Avenue. This property is located across an alley and is currently vacant. The property has had several mobile homes in the past that have been removed. The property is also encumbered by regulated floodplain on the western (approximately 25%) portion of the side along S. College Ave.

The petition is proposing to construct a new structure along Southern Dr. and relocate the photography studio that is currently housed in the building along Walnut St. to the new building. A second building is planned for a future phase, but would not be constructed at this time.

The property along Walnut Street is zoned Commercial Arterial (CA) while the properties west of the alley are zoned Industrial General (IG). The majority of these Industrial properties are currently being used as residential structures. Office uses are permitted within this district, but photography studios are a specific use listed in the UDO. Therefore, a use variance is being sought by the petitioner to allow the relocation of the photography studio into the proposed building. A use variance recommendation to the Board of Zoning Appeals is the only request before the Plan Commission with this request.

SITE PLAN: As previously stated, the existing structure along Walnut St. is proposed to be expanded to the north. The new structure on the western property has been designed as a two-story structure with a building forward design oriented toward Southern Dr. New five-foot wide sidewalks are required to be installed along all frontages of the property.

Variances: The proposed development is seeking a package of variances from the Board of Zoning Appeals to allow both the expansion and the new construction. These variances include front building and parking setbacks to allow the new structure to be located with a similar setback to the petitioner's existing building. The petitioner is also seeking a variance from maximum impervious surface coverage for the eastern lot and buffer lot landscaping for the usual buffer requirements between an industrial property and a commercial property. This variance is being sought due to the back-out parking in this area and the fact that the use that is being proposed is commercial in nature and not industrial, therefore making the need for a buffer unnecessary.

Parking: To minimize surface parking and to better utilize the areas of the property outside of the floodplain, the petitioner has proposed to utilize back-out parking along the alley to the east as well as installing on-street parking spaces along Southern Dr.

Floodplain: The 100-year floodplain is located along the western portion of the property adjacent to College Ave. The petitioner is not proposing any construction in this area except for sidewalk installation.

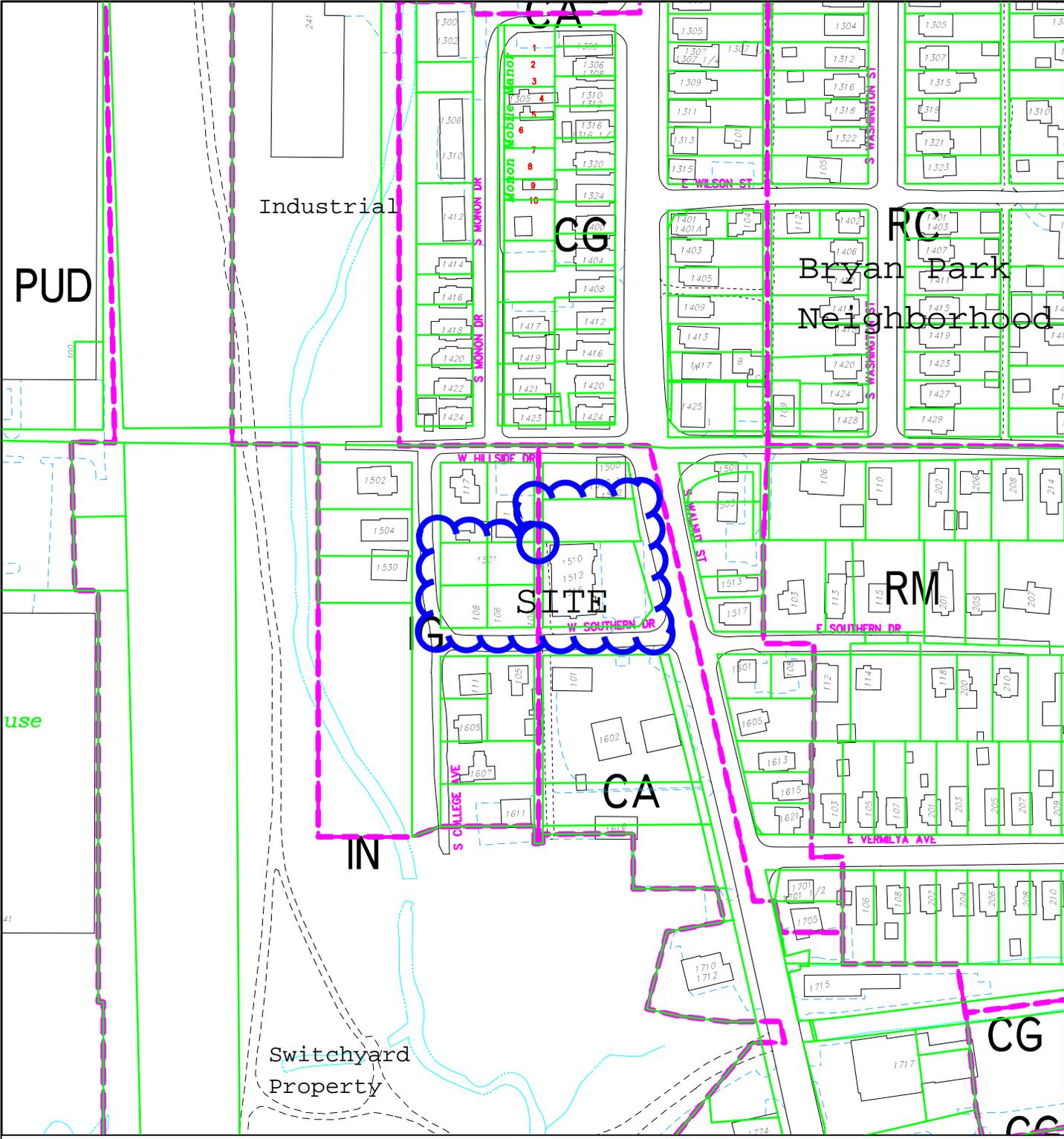
GROWTH POLICIES PLAN: This property is designated as Urban Residential by the Growth Policies Plan (GPP). The GPP gives the following land use guidance for this area:

- *Develop sites for predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns.*

Although this area is designated as Urban Residential, it is zoned Industrial General. Residential uses are not permitted. The floodplain in the area also makes any new residential very difficult as well as any large redevelopment projects. Staff finds that the low intensity commercial use as proposed will allow for a desirable redevelopment of the property and will bring additional stability to the surrounding area. It is a small scale project that respects the existing residential structures in the area with minimal negative impacts.

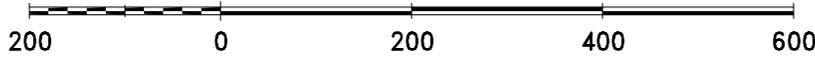
CONCLUSIONS: Staff finds the proposed photography studio to be an appropriate use for this property and a more desirable use than others that would be permitted by the existing zoning. Staff finds the proposed development will enhance the character of the surrounding area as well as facilitate the expansion of a successful local business.

RECOMMENDATION: Based upon the written report, staff recommends forwarding UV-6-12 with a positive recommendation to the Board of Zoning Appeals.

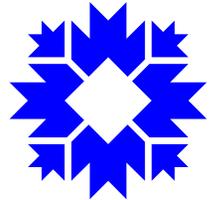


UV-6-14 Root-Deckard, LLC
Location Map

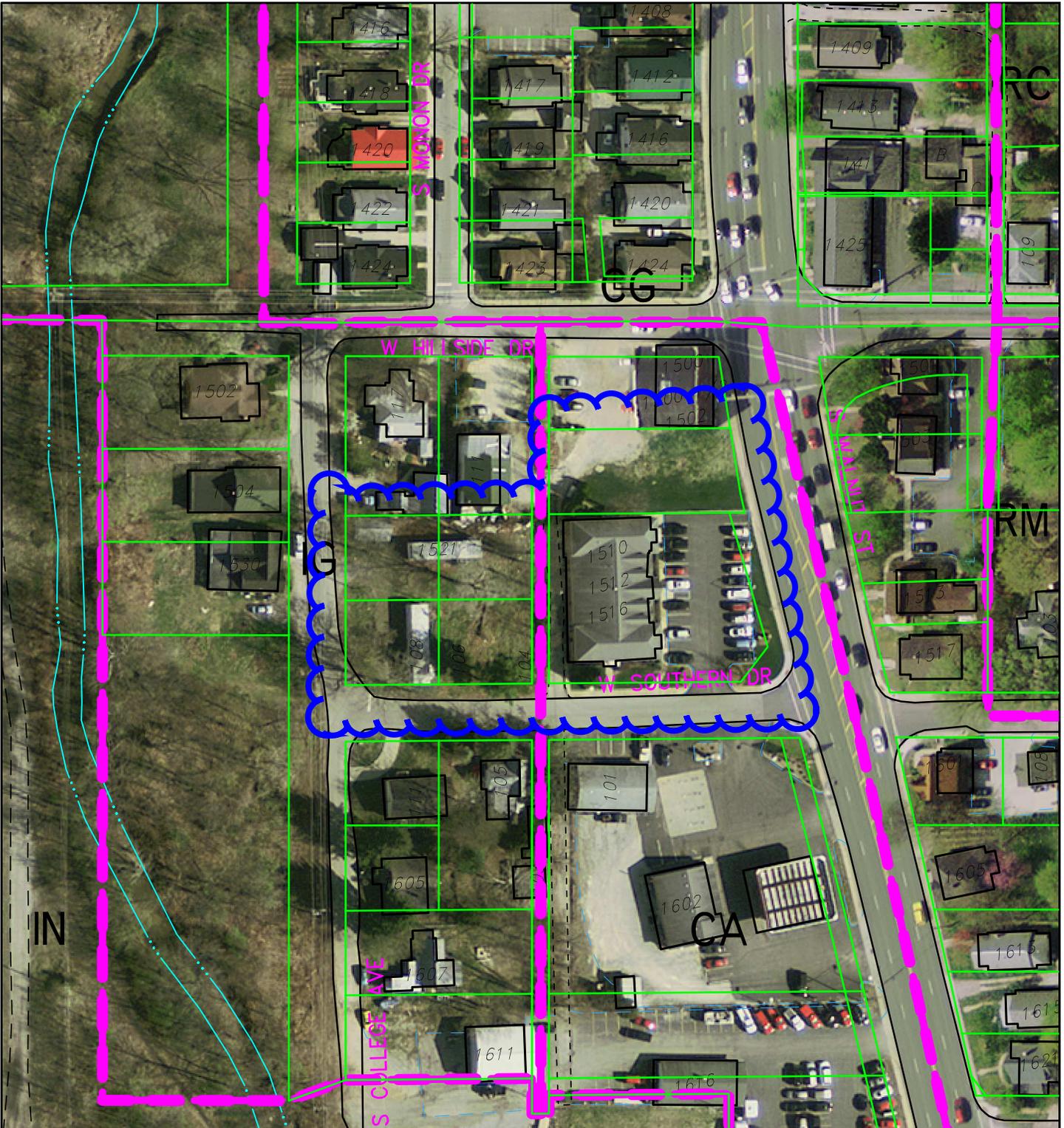
By: shapp
6 Mar 14



City of Bloomington
Planning

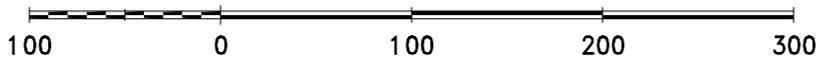


Scale: 1" = 200'

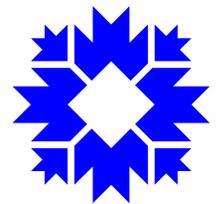


UV-6-14
Aerial Photo

By: shayp
6 Mar 14



City of Bloomington
Planning



Scale: 1" = 100'

February 11, 2014

Patrick Shay
City of Bloomington, Planning Department
401 N. Morton St., Suite 160
PO Box 100
Bloomington, IN 47402-0100

Re: Root Deckard Development
Petitioner's Statement
BRG Project No. 5472

Dear Patrick,

On behalf of Root-Deckard, we are requesting review by the Plan Commission and approval from the Hearing Officer for a use variance as well as a package of incidental variances necessary to utilize the site effectively for the intended use. Proposed is building expansion of the existing Root building, which is located at 512 S Walnut and a new building on the site to their immediate west, along Southern Drive. We would like to be placed on the next available Plan Commission meeting agenda and subsequently on the Hearing Officer agenda once heard by the Plan Commission.

The building expansion will take place predominantly on a small lot immediately north of the existing Root building, both zoned CA. The proposed new development is accessed from Southern Driver and the existing alley behind and west of the Root building is zoned IG. This new facility will include a photography studio, which is generating the need for a use variance. Surrounding land uses are mixed, with zoning in the area consistently IG or CA.

The requested variances, listed below, are needed to adapt the new site to this use as well as utilize the existing non-conforming Root building site.

1. Use variance to allow photography studio use within IG district on the west site
2. Front building setback on the west site
3. Front parking setback on the west site
4. Landscape bufferyard requirements on the west site along the alley
5. Maximum impervious coverage for the east site

The use variance is necessary since the IG zone does not allow photography studio and plans are for a photography studio user in the existing building to be relocated to this new building.

The front building setback for the west site, while short of meeting code, is situated 10' further back from Southern Drive than the existing Root building.

The front parking setback is to allow the alley back out parking to be setback even with the new building, but 10' back of the existing Root building.

The landscape bufferyard is required between the IG zone and the CA zone. However, in this case there are several relevant factors. In order to reduce impervious surface and stay out of floodplain along the west side of the west site, we are proposing back out parking into the alley. This is the most efficient solution for providing the necessary parking as well as presenting the least amount of new impervious surface. However, in doing so, we are left with only 5' of space between the sidewalk edge and proposed buildings. This is not enough area to meet bufferyard requirements. In addition, the proposed use is the same as the existing use on the CA site (existing Root building).

UV-6-14
Petitioner's Statement

Maximum impervious surface allowed in the CA zone (east site) is 60% and 70% in the IG zone (west site). Proposed on the CA lot is 68.5%. By using on street and alley parking, we have been able to hold the impervious surface on the west site at around 45%. That figure would be if both buildings were developed on the west site. Combined, the east and west sites have less about 60% impervious surface.

The subject plans have been submitted to CBU for review. We understand, from initial consultation with CBU, that stormwater detention will not be required, due to the project proximity with the adjacent floodway. At this time, there is no planned extension of what or sewer mains, simply laterals to serve the new building.

Included with this petitioners statement is the application form and fee, as well as site, grading and drainage, utility and landscape plans. We will follow up with additional detail and revisions based upon staff feedback prior to the final application deadline.

Please contact me if you have any questions.

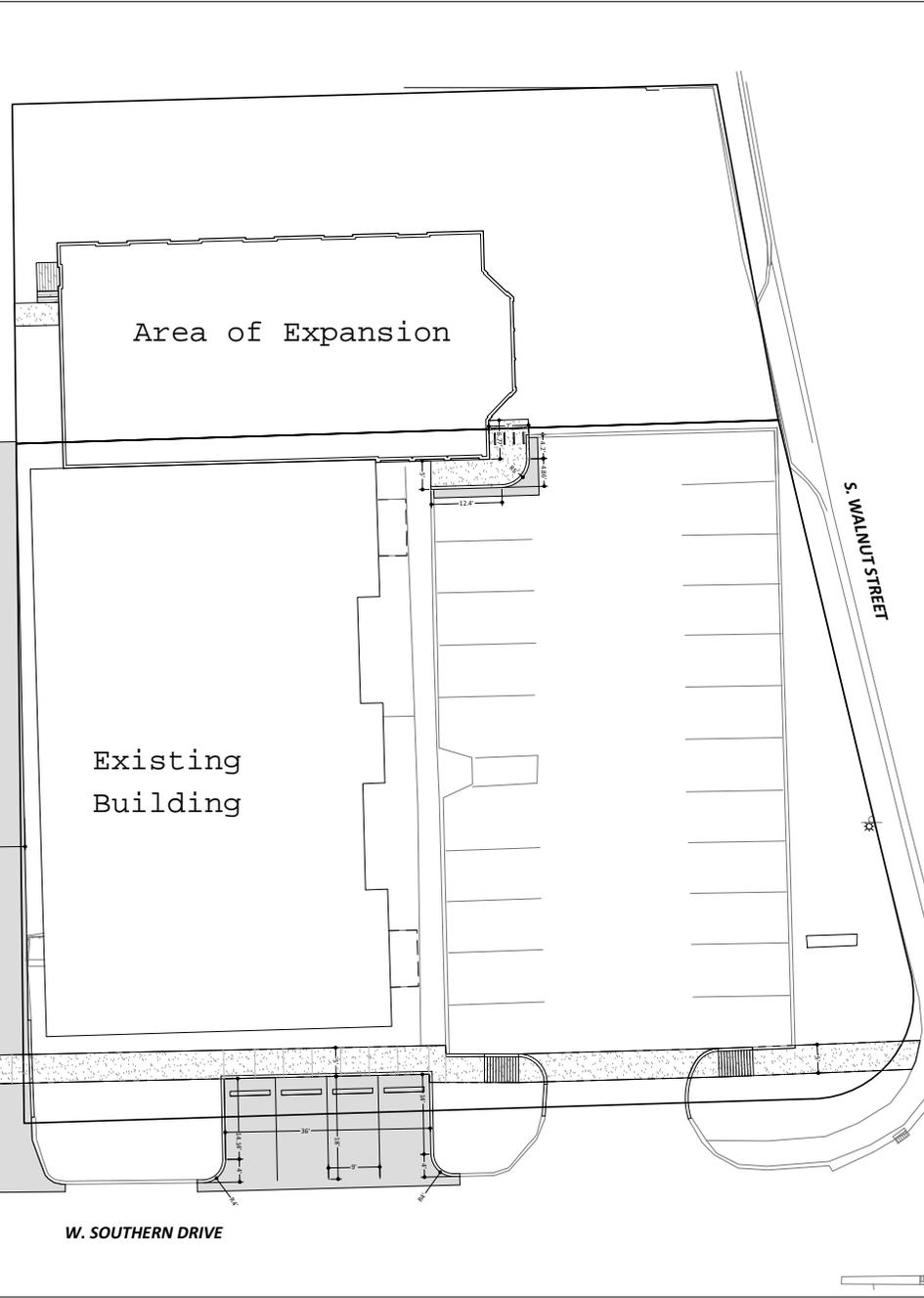
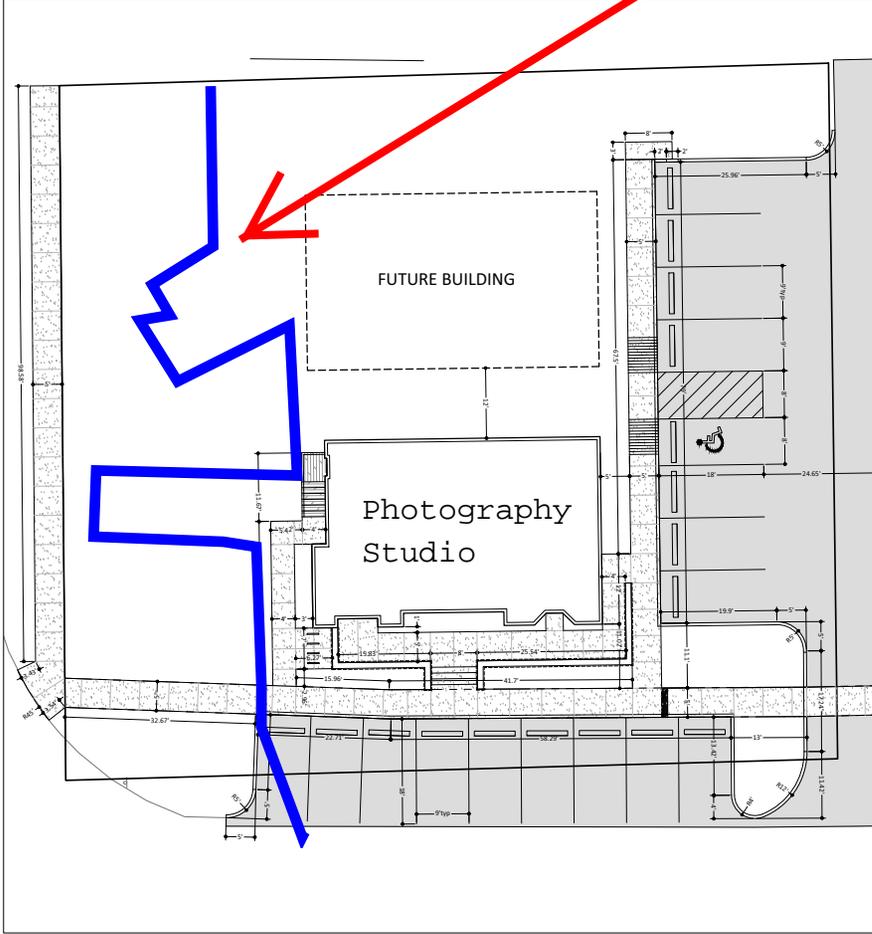
Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Neubecker".

Dan Neubecker, Project Manager

xc: Craig Bailey, Bailey-Weiler
File – Project No. 5472

LEGEND	PLAN NOTES
LIMITS OF NEW ASPHALT SIDEWALK	① ASPHALT PAVEMENT - REFER TO DETAILS
LIMITS OF NEW 4" THICK CONCRETE PAVING	② CONCRETE PAVEMENT, 4" THICK - REFER TO DETAIL
PAVEMENT STRIPING 2" O.C.	③ INTEGRAL CURB AND WALK - REFER TO DETAIL
LIMITS OF ASPHALT PAVEMENT PATCH	④ ADA COMPLIANT RAMP AND CONCRETE CURB TRANSITION, 1:12 SLOPE MAX. WITH 3/8" DEEP GROOVES AT 9" O.C. - REFER TO DETAILS
	⑤ DERESSED INTEGRAL CURB AND WALK - REFER TO DETAIL
	⑥ 4" STANDING CONCRETE CURB - REFER TO DETAIL
	⑦ PAVEMENT MARKING, 4" WIDE, WHITE - AUTO PARKING
	⑧ ADA COMPLIANT CAR PARKING SPACE INCLUDES PAVEMENT MARKING, 4" WIDE, BLUE, PAINTED WHEELCHAIR SYMBOL, CONCRETE WHEEL STOP AND ACCESSIBLE RESERVED PARKING SIGN - (SEE DETAILS)
	⑨ ADA COMPLIANT VAN PARKING SPACE INCLUDES PAVEMENT MARKING, 4" WIDE, BLUE, PAINTED WHEELCHAIR SYMBOL, CONCRETE WHEEL STOP AND VAN ACCESSIBLE RESERVED PARKING SIGN - (SEE DETAILS)
	⑩ ASPHALT PAVEMENT PATCH - REFER TO DETAIL
	⑪ HANDRAIL-REFER TO DETAIL
	⑫ CONCRETE CURB TRANSITION, REFER TO DETAIL
	⑬ BICYCLE RACK - TO INCLUDE 4 PARKING SPACES
	⑭ CONCRETE WHEEL STOP (TYPICAL) - REFER TO DETAIL
	⑮ EXPANSION JOINT (TYPICAL) - REFER TO DETAIL
	⑯ SCORE JOINT (TYPICAL) - REFER TO DETAIL
	⑰ SEGMENTAL BLOCK WALL - REFER TO DETAIL
	⑱ CONCRETE STEPS - REFER TO DETAIL
	⑳ SPECIAL PAVING - REFER TO DETAIL



1351 West Tapp Road
 Bloomington, Indiana 47403
 Phone: 812.336.8277
 Fax: 812.336.0817
 www.brgovl.com

BLOOMINGTON BEDFORD PAOLI

PRELIMINARY
 NOT FOR
 CONSTRUCTION

ROOT-DECKARD PLAN DEVELOPMENT
 Street Address
 City, State ZIP
 BRG Project No: 5472

SITE IMPLEMENTATION PLAN

10' 0' 5' 10' NORTH
 SCALE: 1" = 10'

Date: Issue:
 00-00-0000 NOT FOR CONSTRUCTION

REVISION SCHEDULE		
Rev. #	Rev. Description:	Issue Date

Drawn By: DLN
 Designed By: DLN
 Checked By: WSR

C301

UV-6-14
 Site Plan



UV-6-14
Proposed Building
Front Elevation
(Southern)



UV-6-14
Proposed Building
Rear View

ROOT DEVELOPMENT



NEW ADDITION



UV-6-14
Building Addition

Staff Report:

To: City of Bloomington Plan Commission
From: Patty Mulvihill, Assistant City Attorney
Tom Micuda, Planning Director

Date: March 7, 2014

Re: Amendments to UDO Regarding Standardized Restaurants

The City's Courthouse Square and University Village Overlays exemplify the uniqueness of Bloomington—they quintessentially and uniquely define the Bloomington community. These two portions of the City contain the historic Courthouse area—an area which still very much resembles how the Courthouse looked when it was first established, and which is one of only three (3) historic courthouse districts in the State of Indiana with a historic courthouse, opera house and jail. Kirkwood Avenue is comprised of one-of-a-kind shops and restaurants, many unique and locally significant. When one thinks of Kirkwood they think of Nick's English Hut, the Buskirk Chumley Theater and the Trojan Horse Restaurant—all unique and locally-grown. Kirkwood Avenue is the City's main pedestrian corridor to and from Indiana University and a favorite of ESPN's to film during game days. Restaurant Row is contained within these Overlays; a tiny local street that packs a big global punch—in repurposed bungalow homes. A dozen or so ethnic restaurants that one would typically only find in a major metropolitan area, Ethiopian food as an example, have made Restaurant Row their home. Because these two Overlays contain the cornerstones of what make Bloomington the town it is and drives the economy envisioned by Bloomington leadership, their uniqueness must be protected and preserved. In an effort to protect the delicate balance of these two Overlays, the City of Bloomington Common Council passed Resolution 14-03 on Wednesday, March 5, 2014, which directs the City of Bloomington Plan Commission to prepare an ordinance which will regulate and monitor the creation and expansion of standardized restaurants in these two Overlays and to hear and discuss said ordinance at the Plan Commission's regularly scheduled meeting on Monday, March 10, 2014.

Since 1991, with the adoption of that year's Growth Policies Plan the City has affirmatively stated that these areas of Downtown warrant more stringent protection than other areas of town. The Growth Policies Plan of 1991 made it clear that the areas contained a mix of uses, that this mix of uses should be maintained and that the City should strive to keep the areas pedestrian in scale.

As the years progressed the statements made in the 1991 Growth Policies Plan were reiterated, emphasized and expounded upon in other important City documents and plans. The message from all statements is loud and clear: protect and preserve Bloomington's unique culture and economy by protecting and preserving these areas. For example, the 2002 Growth Policies Plan noted that these areas have a "small town" atmosphere that must be enriched and maintained. The 2005 Downtown Vision and Infill Strategy Plan specifically highlighted the Courthouse Square, Kirkwood Avenue and Restaurant Row as being one-of-a-kind and in need of preservation. Additionally, the City's Historic Preservation Commission adopted its 2002 Survey and noted that over fifty (50) structures in the Overlay districts are in some way historic.

Also, with the adoption of BEAD in 2006 the City specifically created three BEAD Districts which almost wholly encompass the two Overlays—these Districts note that these Overlays contain the heart of Bloomington and are worthy of special recognition.

Because the richness of character in the Courthouse Square and University Village Overlays has been consistently recognized by the City, it is imperative that the City continue to actively protect this character. In determining how to best continue its preservation efforts of these Bloomington-only features, an examination of other communities was undertaken. Results from this examination were clear: multiple cities and towns have begun regulating the creation and expansion of standardized restaurants in their core areas so as to properly maintain their unique character. In all, it appears, at a minimum, that at least twenty-two (22) cities or towns (predominantly in eastern and western coastal towns) have chosen to regulate different types of standardized businesses in an effort to protect their unique community character.

The regulation of standardized restaurants has not been without challenges in these other areas of the country. Challengers to the new protections claimed such protections violated what is known as the Dorman Commerce Clause of the United States Constitution. Some challengers were successful, but others failed. What the court decisions of these challenges revealed leads the City to believe that if done properly, and in accordance with long-standing legal principles, regulation of standardized restaurants via a conditional use permit is permissible and proper. The thoughtful effort, attention, and intense scrutiny Bloomington has already paid to the planning and design of the Courthouse Square and University Village Overlays laid the groundwork and provides the explanation for the proposed legislation.

Standardized restaurants are not currently regulated or defined by the Unified Development Ordinance (UDO). As such, standardized restaurants would be a new use and require the creation of a definition. After a careful reading of existing standardized restaurant ordinances from other communities, the City's proposed definition of this new use is as follows:

“A restaurant or bar devoted to the preparation and offering for sale of food or beverages to the public for consumption either on or off the premises, which is required by contractual or other arrangement to offer standardized menus, ingredients, food preparation, employee uniforms, company logos, or exterior design.”

Any current or new business that meets this definition will be classified as a standardized restaurant. Current businesses who meet this definition will be considered lawfully nonconforming uses; in other words, they will be grandfathered and their business will continue uninterrupted as long as they maintain in their current location and do not expand. New businesses that meet this definition and want to locate in either Overlay may do so long as they obtain a conditional use permit from the City's Board of Zoning Appeals. The regulation will also apply to an existing standardized restaurant which opts to expand its square footage.

In order to obtain a conditional use permit from the Board, applicants will need to meet the current standards in obtaining such a permit, and also meet special standards for standardized restaurants. The current standards in place are standards that any and all conditional uses

throughout the City must meet—these are standards mandated, at least in part, by the Indiana Code. These current standards include the following:

- The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies Plan;
- The proposed use and development will not create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;
- The proposed use and development will not have an undue adverse impact upon adjacent property, the character of the area, or the public health, safety and general welfare;
- The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, storm water management structures, and other services, or that the applicant will provide adequately for such services;
- The proposed use and development will neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- The proposed use and development will not result in excessive destruction, loss or damage of any natural, scenic or historic feature of significant importance;
- The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood; and
- Signage shall be appropriate to both the property under consideration and to the surrounding areas. Signage that is out of character in the Board of Zoning Appeals' determination shall not be approved.

These standards are all currently located in Section 20.05.023 of the UDO.

Aside from meeting the above-stated requirements, an applicant for a conditional use permit to establish or enlarge a standardized restaurant in either the Courthouse Square Overlay or University Village Overlay would also need to meet additional standards. Based on the review of standardized restaurant ordinances from other communities, the City proposes the following additional standards:

- Approval of the proposed use is strictly conditioned upon the proposed use contributing to an appropriate balance of local, regional, and national-based businesses within the regulated area;
- The proposed use must utilize a unique visual appearance that reflects or compliments the community character of the regulated area and not project a visual appearance that is homogenous with its design elements in other communities; and
- The proposed use will not result in an over-concentration of standardized restaurants within the regulated area.

These new standards would be established as a new Section in the UDO, presumably Section 20.05.034 (all other remaining Sections in the Chapter would be renumbered accordingly).

In order to fully create a conditional use permitting process for standardized restaurants in the two Overlays several changes to the UDO must occur. Most changes are non-substantive, but

necessary for consistency and procedural accuracy. Here is a quick synopsis for the changes to be found in the ordinance amendment proposal:

- The addition of Purpose language to Section 20.01.130 of the UDO.
- The addition of “Standardized Restaurant” as a permitted land use to the CL, CG, and CA zoning districts. For the CD zoning district, the use is permitted without restrictions in four or the six overlay districts. However, a note is also added to the use referencing the reader to the Courthouse Square and University Village Overlay sections of the ordinance for further regulations.
- The “Effect on Uses” section of the Courthouse Square and University Village Overlays has been modified to note that Standardized Restaurants are to be treated as Conditional Uses.
- The Conditional Use section of the UDO has been modified to add the three specific review criteria for Standardized Restaurant proposals already explained in this memo.
- Because the Standardized Restaurant use is being added to the ordinance as a new land use, it must be noted for reference in the UDO’s parking and change of use tables. This is done just for housekeeping purposes and has no substantive impact.
- A definition of Standardized Restaurants has been added as already explained in this memo. Additionally, the definitions of “Restaurant” and “Limited Service Restaurant” have been modified for code clarification purposes.

RECOMMENDATION: Staff recommends that the Plan Commission send this text amendment proposal, Case # ZO-7-14, with a positive recommendation to the City Council.

Amendment #: UDO-001**Synopsis:**

This amendment creates a process whereby businesses known as ‘Standardized Restaurants’ are required to obtain Conditional Use approval in order to locate in two downtown overlay districts. These districts are the Courthouse Square Overlay (CSO) and the University Village Overlay (UVO). The purpose of the amendment is to ensure balance and diversity of restaurant activity in the most historic, vibrant, and eclectic areas of the downtown. The amendment adds a new definition to the Unified Development Ordinance for Standardized Restaurants to clearly distinguish them from the broader land use category of Restaurants and Limited Service Restaurants. Additionally, the amendment creates specific Conditional Use criteria to provide the Board of Zoning Appeals with guidance in determining whether proposals for Standardized Restaurants do not negatively impact: 1) the balance of business activities in these overlays, 2) historic architectural character of these areas, and 3) diversity and uniqueness of restaurant offerings that help set Bloomington apart from other communities.

Proposed Amendment:

Page 1-4

20.01.130 Purpose (adds an additional purpose statement to the UDO)

(u) Protect the historic integrity and unique, diverse character of the Courthouse Square Overlay and the University Overlay areas.

Page 2-16

20.02.260 Commercial Limited (CL) Permitted Uses (Adds a new land use, Restaurant, Standardized, to the list of uses)**20.02.260 Commercial Limited (CL); Permitted Uses (excerpt from entire use list)**

- pet grooming
- pet store
- photographic studio
- restaurant
- restaurant, limited service
 - restaurant, standardized
- retail, low-intensity
- shoe repair
- social service
- sporting goods sales
- tailor/seamstress shop
- tanning salon
- utility substation and transmission facility*
- video rental

Page 2-18

20.02.300 Commercial General (CG) Permitted Uses (Adds a new land use, Restaurant, Standardized, to the list of uses)**20.02.300 Commercial General (CG); Permitted Uses (excerpt from entire use list)**

- parking garage/structure
- pawn shop
- pet grooming
- pet store
- photographic studio
- place of worship
- plant nursery/greenhouse
- police, fire or rescue station
- recreation center
- restaurant
- restaurant, limited service
 - restaurant, standardized
- retail, low intensity
- rooming house
- school, preschool
- school, primary/secondary
- school, trade or business
- shoe repair
- skating rink
- social service
- sporting goods sales
- tailor/seamstress shop
- tanning salon
- tattoo/piercing parlor
- transportation terminal
- utility substation and transmission facility*
- vehicle accessory installation
- veterinarian clinic
- video rental

Page 2-20

20.02.340 Commercial Arterial (CA) Permitted Uses (Adds a new land use, Restaurant, Standardized, to the list of uses)

20.02.340 Commercial Arterial (CA); Permitted Uses (excerpt from entire use list)

- pawn shop
- pet grooming
- pet store
- photographic studio
- place of worship
- plant nursery/greenhouse
- police, fire or rescue station
- radio/TV station
- recreation center
- research center
- restaurant
- restaurant, limited service
 - restaurant, standardized
- retail, low-intensity
- retail, outdoor
- rooming house
- school, preschool
- school, primary/secondary
- school, trade or business

- sexually oriented business
- shoe repair
- skating rink
- social service
- sporting goods sales
- tailor/seamstress shop
- tanning salon
- tattoo/piercing parlor
- theater, indoor
- transportation terminal
- utility substation and transmission facility*
- vehicle accessory installation
- vehicle repair*
- vehicle sales/rental
- veterinarian clinic
- video rental

Page 2-22

20.02.380 Commercial Downtown (CD) Permitted Uses (Adds a new land use, Restaurant, Standardized, to the list of uses as well as creates a cross-reference to the CSO and UVO districts for additional requirements)

20.02.380 Commercial Downtown (CD); Permitted Uses (*excerpt from entire use list*)

* Additional requirements refer to Chapter 20.05; §SC: *Special Conditions Standards*.

Additional requirements refer to Chapter 20.03.040; §Courthouse Square Overlay (CSO); *Effect on Uses and University Village Overlay (UVO); Effect on Uses*

- post office
- radio/TV station
- recreation center
- research center*
- restaurant
- restaurant, limited service
 - restaurant, standardized #
- retail, low intensity
- school, preschool
- school, primary/secondary
- school, trade or business
- shoe repair
- social service
- sporting goods sales
- tailor/seamstress shop
- tanning salon
- tattoo/piercing parlor
- theater, indoor
- transportation terminal
- utility substation and transmission facility*
- veterinarian clinic
- video rental

Page 3-5

20.03.040 Courthouse Square Overlay (CSO): Effect on Uses (Rewrites entire section as follows:

* Additional requirements refer to Chapter 20.05; §SC: Special Conditions Standards.

Additional Permitted Uses other than those listed in 20.02.380:

- dwelling, upper floor units*

Excluded Uses:

- assisted living facility
- convenience store (with gas or alternative fuels)
- dwelling multifamily
- medical care clinic, immediate

Conditional Uses:

- (a) as listed in Section 20.02.390
- (b) Restaurant, Standardized (see Section 20.05.034 for additional Conditional Use Standards)

Page 3-17

20.03.180 University Village Overlay (UVO): Effect on Uses (Rewrites entire section as follows:

* Additional requirements refer to Chapter 20.05; §SC: Special Conditions Standards.

Additional Permitted Uses other than those listed in 20.02.380:

- convenience store (with gas or alternative fuels)

Restaurant Row Area Excluded Uses:

- amusements, indoor
- assisted living facility
- bank/credit union
- bar/dance club
- billiard/arcade room
- brewpub
- cellular phone/pager services
- coin laundry
- community center
- computer sales
- convenience store (without gas)
- day-care center, adult
- day-care center, child
- department store
- drug store
- dry-cleaning service
- fitness center/gym
- fitness training studio
- hardware store
- home electronics/appliance sales
- hotel/motel
- license branch
- liquor/tobacco sales
- lodge
- medical care, immediate

- office supply sales
- park
- pawn shop
- pet grooming
- pet store
- radio/TV station
- recreation center
- research center
- school, preschool
- school, primary/secondary
- school, trade or business
- tattoo/piercing parlor
- theater, indoor
- transportation terminal
- utility substation and transmission facility
- veterinarian clinic

Conditional Uses:

(b) as listed in Section 20.02.390

(b) Restaurant, Standardized (see Section 20.05.034 for additional Conditional Use Standards)

Page 5-25

20.05.034 CU-12 [Conditional Use; Restaurants, Standardized] (Creates New Section as follows and renumbers remaining sections of Chapter 5 accordingly):

This Conditional Use Standards section applies to the following zoning districts:

[CD] [CSO] [UVO]

- (a) (a) The use shall be located on a site that is not at a street corner, except such a use may be located on a street corner where the immediate prior use was a standardized restaurant;
- (b) Approval of the proposed use is conditioned upon the use contributing to an appropriate balance of local, regional, and national-based businesses within the regulated area;
- (c) The use must utilize a unique visual appearance that reflects or compliments the historic character of the regulated area and not project a visual appearance that is homogenous with its design elements in other communities;
- (d) The proposed use will not result in an over-concentration of standardized restaurants within the regulated area; and
- (e) The use is in a building that is shared with at least one other business that is not a standardized restaurant.

Page 5-77

20.05.075 Exhibit PK-A [Maximum Number of Permitted Spaces by Land Use] (Add Restaurant, Standardized to the list of land uses, excerpt from table)

Land Use
multi-tenant nonresidential center
less than 100,000 sq. ft. GFA
100,000 sq. ft. GFA or greater

Required Number of Parking Spaces

1 space per 250 sq. ft. GFA
1 space per 300 sq. ft. GFA

museum	1 space per 300 sq. ft. GFA
musical instrument sales	1 space per 250 sq. ft. GFA
music/media sales	1 space per 250 sq. ft. GFA
nursing/convalescent home	1 space per employee on the largest shift plus 1 space per 4 person maximum occupancy
office supply sales	1 space per 250 sq. ft. GFA
oil change facility	1 space per employee on the largest shift plus 2 stacking spaces per bay
orchard/tree farm	0.75 spaces per employee on the largest shift plus 1 space per 500 sq. ft. GFA of retail sales
outdoor storage	1 space per 2,000 square feet of storage area
outpatient care facility	1 space per 250 sq. ft. GFA
park	5 spaces per acre
pawn shop	1 space per 300 sq. ft. GFA
pet grooming	1 space per 400 sq. ft. GFA
pet store	1 space per 250 sq. ft. GFA
photographic studio	1 space per 400 sq. ft. GFA
place of worship	1 space per 4 fixed seats or 1 space per 50 square feet of seating area in sanctuary, whichever results in the greater number of spaces
plant nursery/greenhouse	0.75 spaces per employee on the largest shift plus 1 space per 500 sq. ft. GFA of retail sales
police, fire or rescue station	1 space per employee on the largest shift
post office	1 space per employee on the largest shift plus 1 per 200 sq. ft. GFA accessible to the public
print shop	1 space per employee on the largest shift
prison	1 space per employee on the largest shift plus 1 visitor space per 15 cells
quarry	1 space per employee on the largest shift
radio/TV station	1 space per employee on the largest shift plus 1 visitor space per 3 employees
recreation center	1 space per 250 sq. ft. GFA
rehabilitation clinic	1 space per employee on the largest shift plus 1 space per 2 client capacity
research center	1 space per employee on the largest shift plus 1 visitor space per 10 employees
restaurant	
<i>under 5,000 sq. ft. GFA:</i>	1 space per 200 sq. ft. GFA
<i>5,000 sq. ft. GFA or greater</i>	1 space per 100 sq. ft. GFA
restaurant, limited service	1 space per 300 sq. ft. GFA customer seating area
restaurant, standardized	
<i>Under 5,000 sq. ft. GFA:</i>	1 space per 200 sq. ft. GFA
<i>5,000 sq. ft. GFA or greater</i>	1 space per 100 sq. ft. GFA
retail, low intensity	1 space per 300 sq. ft. GFA
retail, outdoor	1 space per 500 sq. ft. of outdoor display area
rooming house	2 spaces plus 1 space for each room for rent
school, business/trade	1 space per employee plus 1 space per two students maximum capacity
school, college/university	1 space per two employees plus 1 space per 4 students maximum capacity
school, preschool	1 space per employee plus 1 space per 6 students maximum capacity
school, primary/secondary	1 space per employee plus 1 space per 10 students maximum capacity
sexually oriented business	1 space per 200 sq. ft. GFA
shoe repair	1 space per 400 sq. ft. GFA
skating rink	1 space per 200 sq. ft. GFA
social services	1 space per 250 sq. ft. GFA
sporting goods sales	1 space per 250 sq. ft. GFA
stone processing	1 space per employee on the largest shift
storage tanks	1 space per employee on the largest shift

RESOLUTION 14-03

**TO INITIATE A PROPOSAL TO AMEND THE TEXT OF
THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 20
OF THE BLOOMINGTON MUNICIPAL CODE, IN ACCORDANCE
WITH INDIANA CODE SECTIONS 36-7-4-602(b) & 36-7-4-607(b)**

**(Proposal to Protect the Character of the Courthouse Square and University Village
Overlay Districts by Treating the Location or Expansion of a "Standardized Restaurants"
in those Districts as a Conditional Use)**

- WHEREAS, the Common Council, via the City's zoning ordinance, known locally as the Unified Development Ordinance (Title 20 of the Bloomington Municipal Code), is required by Indiana Code 36-7-4-601(c)(3) to act for the purpose of promoting the public health, safety, comfort, morals, convenience, and general welfare of the City of Bloomington; and
- WHEREAS, the Common Council, via the Unified Development Ordinance, is required by Indiana Code 36-7-4-601(d)(2)(E) to regulate districts within the City to ensure that the historic and architectural heritage of the Bloomington community is protected; and
- WHEREAS, the Common Council, via the Unified Development Ordinance, is required by Indiana Code 36-7-4-601(d)(2)(G) to regulate districts within the City by placing restrictions on particular kinds of intensities of uses; and
- WHEREAS, the Common Council has the authority under Indiana Code 36-7-4-602(b) and 36-7-4-607(b) to initiate a proposal to amend the text of the Unified Development Ordinance; and
- WHEREAS, the Common Council finds that the properties contained within the City's Courthouse Square Overlay and University Village Overlay combine to create a very unique atmosphere in the heart of downtown Bloomington; and
- WHEREAS, the Common Council values the importance of the connections between community character and commerce; and
- WHEREAS, the Common Council finds that the geographic areas defined by the Courthouse Square and University Village Overlays have a history of being specifically identified as unique and in need of protection via a variety of sources, including, but not limited to, the following: the 1991 Growth Policies Plan; the 2000-2001 "Big Dig" improvements along Kirkwood Avenue; the 2002 Growth Policies Plan; the 2002 Interim Report of Indiana Historic Sites and Structures Inventory; the 2005 Downtown Vision and Infill Strategy Plan; the 2006 creation of the Bloomington Entertainment and Arts District; and the 2007 Unified Development Ordinance, which codified the two Overlays; and
- WHEREAS, the Common Council reasonably believes additional standardized restaurants could, in the foreseeable future, make their way to those areas contained within the Courthouse Square and University Village Overlays due to the popularity and vitality of these areas; and
- WHEREAS, the Common Council believes the addition or expansion of excessive standardized restaurants in the boundaries of the Courthouse Square and University Village Overlays, if not monitored and regulated, will conflict with the City's goal of a diverse and unique restaurant base and continued and sustainable economic growth as envisioned by the Mayor and the Common Council in these areas; and
- WHEREAS, Indiana Code 36-7-4-602(b)(1) gives the Common Council authority to initiate a proposal to amend the text of the Unified Development Ordinance and require the Plan Commission to prepare said proposal;

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The public health, safety, comfort, morals, convenience, and general welfare of the City of Bloomington will best be served and advanced by monitoring and regulating the establishment of new and expanded standardized restaurants in the Courthouse Square Overlay and University Village Overlay through the issuance of Conditional Use Permits by the City's Board of Zoning Appeals, which shall require the amendment and supplementation of certain provisions of the City's Unified Development Ordinance.

SECTION II. The City of Bloomington Plan Commission is hereby required to prepare a proposal to amend the City's Unified Development Ordinance ("Ordinance") which does the following:

- A. Defines a standardized restaurant in the Ordinance as "a restaurant or bar devoted to the preparation and offering for sale of food or beverages to the public for consumption either on or off the premises, which is required by contractual or other arrangement to offer standardized menus, ingredients, food preparation, employee uniforms, company logos, or exterior design.";
- B. Requires the issuance of a Conditional Use Permit by the City's Board of Zoning Appeals before a standardized restaurant may be established or expanded in the Courthouse Square Overlay and University Village Overlay areas; and
- C. Establishes specific conditional use standards in the Ordinance to guide the Board's review so that proposed standardized restaurants in the Courthouse Square and University Village Overlay areas must comply with:
 1. The conditional use standards currently found in Section 20.05.023(b); of the Ordinance; and
 2. Additional conditional use standards that shall read as follows:
 - a. Approval of the proposed use is strictly conditioned upon the proposed use contributing to an appropriate balance of local, regional, and national-based businesses within the regulated area;
 - b. The proposed use must utilize a unique visual appearance that reflects or complements the community character of the regulated area and not project a visual appearance that is homogenous with its design elements in other communities; and
 - c. The proposed use will not result in an over-concentration of standardized restaurants within the regulated area.

SECTION III. The City of Bloomington Plan Commission is hereby required to prepare and consider the above-described proposal to amend the City's Unified Development Ordinance in accordance with Indiana Code Sections 36-7-4-604, 606 and 607.

SECTION IV. The City of Bloomington Plan Commission is hereby required to consider the above-described proposal to amend the City's Unified Development Ordinance at its March 10, 2014, meeting in order to fulfill the legal requirement that the proposal be heard within sixty (60) days.

SECTION V. If any sections, sentence or provision of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

SECTION VI. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2014.

DARRYL NEHER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

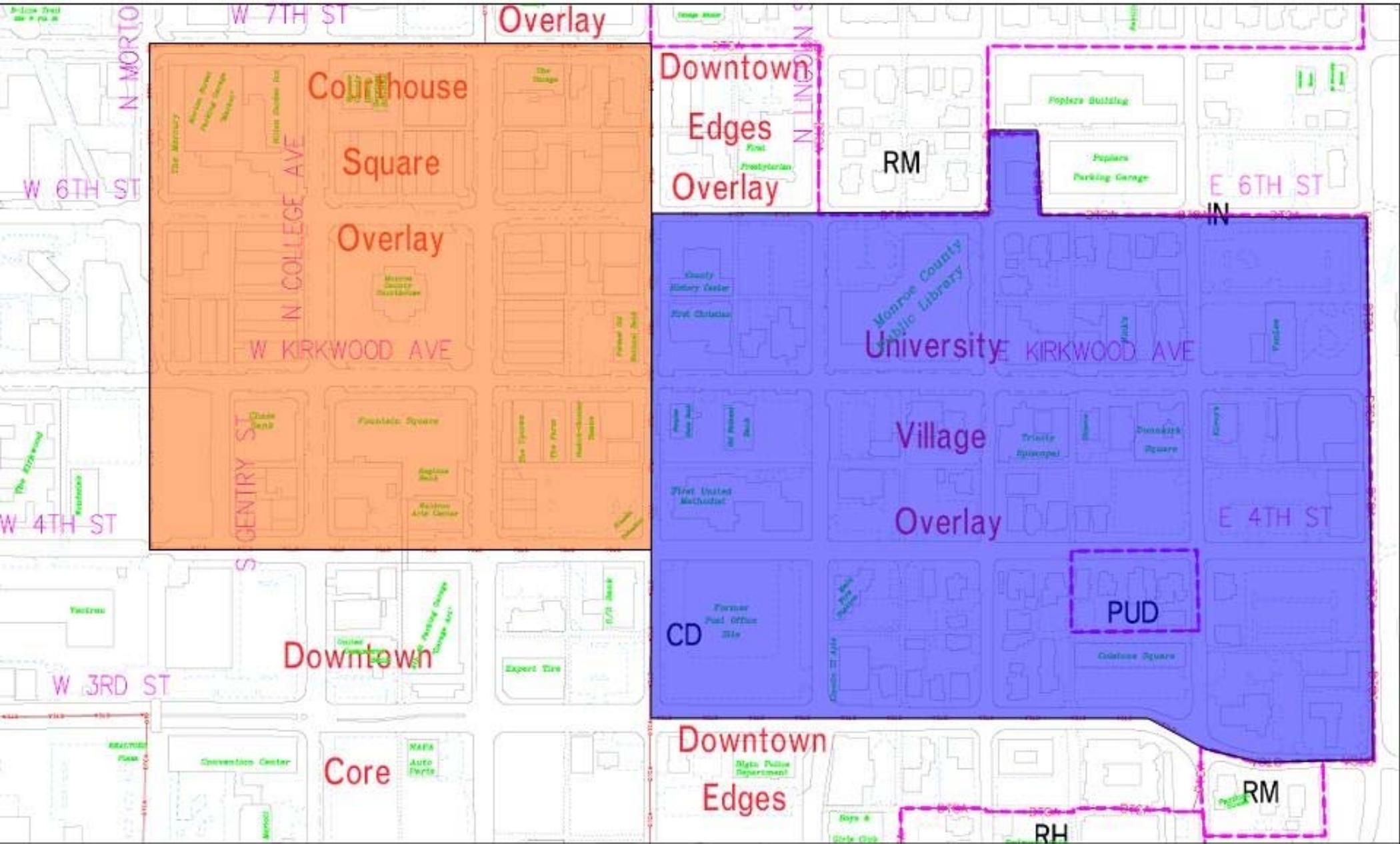
PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2014.

SIGNED and APPROVED by me upon this _____ day of _____, 2014.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution directs the City of Bloomington Plan Commission to prepare a proposal to amend the City's Unified Development Ordinance to create a process whereby businesses known as 'Standardized Restaurants' are required to obtain Conditional Use approval in order to locate and expand in two downtown overlay districts. These districts are the Courthouse Square Overlay (CSO) and the University Village Overlay (UVO). The purpose of the amendment is to ensure balance and diversity of restaurant activity in the most historic, vibrant, and eclectic areas of the downtown—areas which the City relies upon heavily for economic development purposes. The amendment directs the Commission to prepare the proposal by creating specific Conditional Use criteria to provide the Board of Zoning Appeals with guidance in determining whether proposals for Standardized Restaurants do not negatively impact these two downtown overlay districts, to wit: (1) Approval of the proposed use is strictly conditioned upon it contributing to an appropriate balance of local, regional, and national-based businesses within the regulated area; (2) The proposed use must utilize a unique visual appearance that reflects or complements the historic character of the regulated area and not project a visual appearance that is homogenous with its design elements in other communities; and (3) The proposed use will not result in an over-concentration of standardized restaurants within the regulated area.





Jane Weiser <weiserj@bloomington.in.gov>

[Planning] Conditional Use - Standardized Restaurants

2 messages

Lori Abram <Lori@callchoicerealty.com>

Thu, Mar 6, 2014 at 9:54 AM

Reply-To: lori@callchoicerealty.com

To: council@bloomington.in.gov, planning@bloomington.in.gov

Cc: mayor@bloomington.in.gov

Dear Council & Plan Commission,

I'm sure you will be bombarded with calls and emails regarding this contentious issue and with the Plan Commission meeting just four days away, there is a lot of discussion that needs to take place in a very short amount of time. I appreciate your time in reading my email and considering my comments.

I understand the positive vote to allow the resolution to live and be considered/developed. However, I would like to encourage all of you to take time to research, talk to the business owners in your districts as well as to reach out to the real estate experts who best understand the commercial market and deal with all types of restaurant owners on a regular basis. To ignore the expert opinions because you may not agree is not fulfilling your duty.

I think nearly all Realtors would agree that government involvement with zoning, planning, signage, etc. are all very important to a successful municipal and provides structure and protection for property owners. I personally have excellent relations with all City Departments and enjoy working with staff to help myself and my clients and have had mostly great experiences. Proudly, my real estate career's oath is 100% based on protecting the rights of property ownership as well as treating all property owners equally.

I believe there are two questions that require some serious discussion.

1. IF this type of conditional use is actually constitutional?
2. WHY does this restriction even need to be implemented?

The market, the consumers, control what businesses survive. I know several local, entrepreneurial business owners who have chosen to buy a franchise/standardized business because structure and systems were already put in place and that concept allows business owners to have a better chance of success. The location of their business should be their choice and those businesses should locate where consumers are in demand. Where businesses, restaurants, retailers, etc. are located does, in fact, greatly impact many factors, including residential (owned & rental) property market and property values which affect property taxes. Whatever adjective one chooses to use for description, it IS discrimination against property owners.

Things in life change regularly. Weather affects business. School sessions affect business. Demographics of

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consumers greatly affect business. I'm a lifelong resident of Bloomington. I have owned over \$2M in residential rental property and own an independent real estate office. Our town is very diverse and is agreeably one of the greatest assets we have. With that diversity, along with cultural diversity, there are also multi-generations who frequent restaurants around Bloomington daily. I'm sure all of us when traveling have chosen to visit a local restaurant to add to the experience but I'm also sure many tourists visit franchised restaurants whether it is for convenience, familiarity, or preferred established.

I understand the ordinance would not take away current businesses, but it would greatly affect future business and all that spirals from that. I honestly do not understand how implementing a set plan for conditional use on standardized restaurants can be achieved when markets, economy, demographics are constantly changing.

Respectfully,

Lori A. Abram, Broker/Owner

ABR, CRB, CRS, e-Pro, GRI

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