CITY OF BLOOMINGTON

PLAN COMMISSION

December 5, 2011 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL

CITY OF BLOOMINGTON
PLAN COMMISSION AGENDA
Dec. 5, 2011 @ 5:30 p.m. ❖ **City Hall Council Chambers, #115**

ROLL CALL

MINUTES TO BE APPROVED: Oct. 10, 2001 & Nov. 7, 2001

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

- **GPP Update status report**

PETITION WITHDRAWN:

SP-23-11 **ERL-11, LLC**
626 N. Morton St.
Site plan approval to allow construction of a 40-unit apartment building
(Case manager: Patrick Shay)

CONTINUED TO Feb. 6, 2012:

SP-31-11 **KPM Hotel Group**
501 N. College Ave.
Site plan approval to construct a 155-room hotel project *(Case manager: Patrick Shay)*

SP-32-11 **North College Ave. Apartments LLC**
710 N. College Ave.
Site plan approval for a 4-story 20-unit apartment building *(Case manager: James Roach)*

PETITIONS:

PUD-20-11 **McDoel Garden (First Capital Mgmt)**
1140 S. Morton St.
Preliminary Plan Amendment to allow multifamily residential usage in former Thomson/RCA PUD and final plan approval for a commercial building and 16 multifamily units. *(Case manager: James Roach)*

ZO-27-11 **Cheryl Underwood**
718-720 E. 8th St.
Rezoning request from Institutional (IN) to Residential Multifamily (RM)
(Case manager: Tom Micuda)

PUD-28-11 **NSSX Properties, LLC (Warehouse Community Center)**
1525 S. Rogers
An amendment to the preliminary plan to amend the list of uses on Parcel E of the Thomson PUD. Also requested is final site plan approval. *(Case manager: Eric Greulich)*

PUD-33-11 **Ramsey Land Development**
1513 S. Piazza Dr.
Final plan approval to allow a revised sign package for the Renwick Village Center Arts Initiative in the Renwick PUD *(Case manager: Tom Micuda)*

End of Agenda
***Next Plan Commission hearing scheduled for Feb.6, 2012*

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-20-11**
SECOND HEARING STAFF REPORT **DATE: December 5, 2011**
LOCATION: 1140 S. Morton Street

PETITIONER: First Capital Management
1720 N. Kinser Pike, Bloomington

COUNSEL: Bynum Fanyo & Associates, Inc.
528 N. Walnut St, Bloomington

REQUEST: The petitioner is requesting a PUD District Ordinance amendment to allow multi-family use within Tract C of the Thomson Planned Unit Development. Also requested is a PUD Final Plan for 16 multi-family units.

SITE INFORMATION:

Lot Area:	1.47 Acres
Current Zoning:	Planned Unit Development (Thomson PUD)
GPP Designation:	Employment Center
Existing Land Use:	Vacant
Proposed Land Use:	Mixed-Use
Surrounding Uses:	North – Single Family (McDoel Gardens neighborhood) & Industrial South – Retail, Restaurant, & Single Family East – B-Line Trail, Bloomington Transit West – Vacant, Former Raintree Muffler

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REPORT: The petitioner is seeking approval to allow the redevelopment of the northeastern portion of Tract C of the Thomson Planned Unit Development also known as the Indiana Enterprise Center. This PUD was created in 1998 by the City to help guide future redevelopment of the Thomson Consumer Electronic site that had recently closed. The intent of this PUD was to recognize the former industrial use of the property and create incentives to redevelop this area with employment and ancillary uses.

Since that time, the PUD has slowly developed to reuse several existing buildings (Cook Pharmica, Upland/Indiana Warehouse, Schulte) and construct new buildings such as The McDoel Building (Sweetgrass, Clendening Johnson & Bohrer), Best Beers, Social Security, and two medical office buildings. Several public investments have also been made to the area, including street construction, streetscape and riparian buffer improvements, to promote development.

This portion of Tract C is approximately 1.47 acres and includes all of Tract C north of W. Patterson Dr. The site is currently vacant and is nearly entirely covered with a previously used surface parking lot. The original PUD permitted a variety of uses including several commercial and industrial uses. It also allowed for residential units located on the second floor and above.

This PUD District Ordinance amendment request would change the permitted use list for this portion of Tract C to include multifamily units on the ground floor and set development standards to allow the proposed site layout. This request requires two Plan Commission meetings and is ultimately decided by the Common Council.

The draft PUD Final Plan includes five buildings. The building at the immediate northwest corner of Patterson Dr. and Morton St. is planned to house a commercial use. This building has not yet been designed, but will be built to meet State floodplain construction requirements. Three residential buildings would be built that front on Patterson Dr. These would be 3-story buildings that each contain four 2-bedroom units. The fourth residential building is situated along Morton St. This building is set back from the road so that it is not within the floodplain. Parking and the main access drive to the site would be located between this building and Morton St. This building would be three stories and contain four 3-bedroom townhouse style units. The petitioner intends to develop this property as a condominium project with units for sale.

Changes since first hearing: Since the first hearing back in September, the petitioner has made several changes to the project:

1. Added lower level garages to the 4-unit flats. This increased parking on the site by 10 spaces and increased the height of the buildings.
2. Five on-street parking spaces added to Morton Street.
3. A rain garden/swale added north of the parking lot to further filter stormwater.
4. Schematic commercial building elevations and composite site elevations provided.
5. "Pocket park" details provided and park enlarged by reclaiming of unneeded Madison St. pavement at dead end.

Neighborhood Meeting: This petition was presented to the McDoel Gardens Neighborhood Association on September 1st. Approximately 20 neighborhood residents were in attendance. Concern was raised about connecting Madison St. to Patterson Dr., about connecting the project to Madison St. and the potential for cut-through traffic, project phasing, and stormwater and floodplain issues.

Growth Policies Plan: This property is located within the Employment Center land use category of the Growth Policies Plan (GPP). The GPP states that Employment centers should be located in close proximity or contain commercial and housing opportunities to minimize the traffic generated by their employment base. (page 37)

The GPP also notes that Employment Centers should include "supporting commercial uses" and the commercial uses should be "integrated within an employment center [and be] at a scale that services the employment center but does not generate significant additional business from the community at large." (page 37)

The GPP specifically notes that "former Thomson property" is an important site

for redevelopment. (page 21) The GPP's "McDoel Switchyard Subarea" states that the City should "promote mixed use development adjacent to the rail corridor that encourages retail services, new housing opportunities, and recreational amenities." It goes on to recommend that "In order to beautify the trailway, [the City should] explore redevelopment opportunities of industrial sites along the Morton Street corridor." (page 66)

While this property is not within the Core Residential land use category, it is adjacent to the McDoel Gardens Core Neighborhood to the north. The Core Residential policies may be appropriate to help guide redevelopment of this lot. The GPP states that while the predominate land use in Core Residential is single family, "Multi-family (medium and high-density) residential and neighborhood-serving commercial uses may be appropriate for this district when compatibly designed and properly located to respect and compliment single family dwellings. Neighborhood-serving commercial uses, and possibly even office uses, may be most appropriate at the edge of Core Residential areas that front arterial street locations." (page 30)

The GPP also notes that in Core Residential areas multi-family residential should be encouraged along "designated major streets" and can serve as transitional uses, but should be "appropriately integrated with adjacent uses…" and the City should "explore opportunities to introduce nodes of appropriately designed, neighborhood scaled commercial uses within the core neighborhoods. (page 30)

Finally, the GPP broadly recommends increasing residential densities in the urbanized area (page 6) and redirecting commercial development to vacant and underutilized commercial sites, particularly along arterial roadway corridors. (page 7)

PUD PRELIMINARY PLAN REVIEW ISSUES:

Permitted Uses: The approved PUD anticipated that Tract C would be developed with mostly industrial, office or commercial uses. The permitted use list included a wide range of uses. Because this PUD was adopted under the previous zoning ordinance, the list of permitted uses does not match the current UDO use names. Since the first hearing, the petitioner has agreed to utilize the Residential High-Density (RH) use list for buildings outside the floodplain and the Commercial Limited (CL) use list for the building located within the floodplain area. Staff finds these uses to be more consistent with current standards and more appropriate as a transition to the adjacent core neighborhood.

Development Standards: The petitioners propose RH standards for the residential section and CL standards for the commercial section. The project meets most of these standards. Deviations from these standards, including front setbacks, are highlighted in the report.

ROW Dedication: Since the first hearing, the petitioner has shown the required 25 foot from centerline right-of-way dedication for Morton Street.

Floodplain: This eastern portion of this site is located within the 100-year floodplain. The PUD anticipated redevelopment of this parking lot area including the area within the floodplain. However, residential uses are not permitted to be constructed within the floodplain. Therefore, the petitioner is proposing multifamily units only on the western portion of the site. While anticipated by the PUD, IDNR and FEMA have informed the City that there is no formal process within the PUD or the UDO to approve a building in the floodplain.

With this PUD amendment it is also necessary to include new language and updates to the floodplain development regulations of the UDO. Until the entire UDO can be rewritten to address PUD and variances, the IDNR has recommended that staff include the attached language to this petition. The exhibit titled "Rules for the Special Flood Hazard Areas within Tract C(a) of the Thomson Area Planned Unit Development" is proposed to be a part of the amended PUD District Ordinance. The document contains language from the State's model floodplain ordinance and has been reviewed and approved by IDNR.

SITE DESIGN/PUD FINAL PLAN REVIEW ISSUES:

Final Plans: Also requested is a PUD Final Plan approval for the site layout and multi-family uses as well as delegation of the PUD Final Plan for the commercial building to the Planning Staff. Due to the complexity of the Floodplain review and approvals, staff recommends that the PUD Final Plan for the residential uses instead be reviewed by the Planning Staff at a later date. Due to the uncertainty of the design of the commercial building, staff recommends Plan Commission review of the PUD Final Plan for this building.

Madison Street Extension, Connection and Pocket Park: Since the first hearing, the petitioner has further developed a plan for the "pocket park" which includes structures, walking path and landscaping improvements. Madison Street will be curved into the property to provide additional greensapce opportunities. The petitioner proposes a speed bump at the entrance to Madison St. This along with the indirect design of the parking lot will hopefully discourage cut-through traffic.

Stormwater: Due to the past use of the site as a large surface parking lot with little greenspace, the amount of impervious surface will decrease with the proposed site plan. Stormwater plans have been submitted to CBU and are under review. It is anticipated that no stormwater detention will be required. However, since the site is more than an acre in size, water quality improvements are required. The petitioner is proposing to install a mechanical stormwater separator (i.e. Aqua-Swirl) in the southeast portion and a vegetated swale north of the parking lot to fulfill these requirements. The vegetated swale was added since the first hearing.

Architecture: The petitioner is proposing three 3-story 4-unit structures along Patterson Dr. and a 3-story townhouse structure along Morton St. The building elevations utilize mostly cementitious siding and brick. Since the first hearing a

lower level garage has been added to the 4-unit structures. The garages would be accessed from the rear.

The petitioner has submitted schematic architecture of the commercial building. This building may be one or two stories, would utilize a pitched roof and be clad in brick and metal. The draft PUD Final Plan shows a footprint of approximately 3,100 square feet. Given the uncertainty of the height, size, design and use of the commercial building, staff recommends that the PUD final Plan for this building be reviewed and approved by the Plan Commission.

Parking: The UDO does not require any parking for the commercial use. The residential use requires a minimum of one space per bedroom. With the 36 proposed bedrooms, the residential portion requires at least 36 spaces.

Since the first hearing, the petitioner has increased the off-street parking from 38 spaces to 46 spaces. Additional spaces were added by the inclusion of 12 garage spaces under the 4-unit buildings. This will provide approximately 10 parking spaces for the future commercial use.

Since the first hearing, the petitioner has also designed 5 on-street parking spaces along the west side of Morton Street. Several on-street parking options were evaluated, including adding spaces to the east side on Morton St. and the north side of Patterson Dr. In the end, the petitioner determined that spaces on the west side of Morton St. were the easiest to accomplish and would provide convenient, high turn-over spaces for the commercial use.

Setbacks/Buffers: The proposed PUD Final Plan meets all CL and RH setback standards except for the front building and parking setbacks on Morton St. The deviation from the building setback requirements is necessary to push the building forward on the lot to frame the street. The building is proposed at 10 feet from the new Morton St. right-of-way instead of the required 15 feet. The building setback off of Patterson Dr. has been met since the first hearing.

The plan also violated the parking setback along Morton St. the UDO prohibits parking within 20 feet of the front wall of a building. In this case, this would require a 30 foot parking setback off of Morton St. The draft PUD Final Plan shows parking 0 feet from the right-of-way. The PUD Final Plan is designed to place the residential building out of the 100 year floodplain. The parking in front of this building also is necessary to ramp the access up to the commercial building. The commercial building must be 2 feet above the base flood elevation, and an accessible entrance is proposed on the rear (north) side of the building, adjacent to accessible parking. Without the grade change being compensated for through the parking lot and drive, creating the accessible route from the parking spaces to the commercial uses would be difficult.

Height: The standard height for the CL district is 40 feet and for the RH district is 50 feet. The petitioner is proposing three-story residential buildings and a two story commercial building, both of which will meet these standards.

Impervious Surface Coverage: The property is currently 63% impervious. With the proposed PUD Final Plan impervious surface coverage drops to about 56%. The petitioner is requesting a maximum impervious surface coverage standard of 60%. This is more impervious than the 50% permitted by the CL and RH districts. It is less than the 70% permitted in the IG (Industrial General) district, which is the most closely related district to the current PUD standards. Staff finds that the proposed impervious surface percentage is appropriate given the history of the property and the reduction from the existing impervious surface percentage.

Density: The petitioner has proposed to construct four multi-family buildings with a total of 16 dwelling units and 36 total bedrooms. With the 1.47 acre site, the proposed density is 10.9 DUEs/Acre. This is less that the 15 units per acre permitted by the RH and CL districts.

Landscaping: The site is currently covered with asphalt paving. This project would remove a large amount of this asphalt and replace it with buildings and new pervious parking areas. The setbacks and buffers are nearly all compliant with current standards. The petitioner has submitted a landscaping plan that shows that they have the ability to meet landscaping standards. The final landscaping plan will be reviewed with the staff level PUD Final Plan.

CONCLUSIONS: Staff is supportive of the proposed use of the property. Staff finds the multi-family use and commercial to be a better transition between the remainder of the PUD and the core neighborhood to the north than permitted commercial or industrial uses. Furthermore, staff finds the use and scale of development to be consistent with the Growth Policies Plan.

RECOMMENDATION: Staff recommends that the Plan Commission forward a positive recommendation to the Common Council with the following conditions:

1. This property shall be referred to as Tract C(a) for the purpose of this amended PUD District Ordinance.
2. The document titled “Rules for the Special Flood Hazard Areas within Tract C(a) of the Thomson area Planned Unit Development” shall be included as a part of the PUD District Ordinance.
3. Approval of this District Ordinance amendment specifically permits the depicted non-residential structure and parking within the floodway of Clear Creek, subject to the standards of the “Rules for the Special Flood Hazard Areas within Tract C(a) of the Thomson area Planned Unit Development” document.
4. Uses and development standards for this parcel shall be the same as the CL district for the commercial building and the same as the RH district for the residential buildings, except where noted in the report.
5. The PUD Final Plan for the residential buildings shall be reviewed by the Planning Department Staff.
6. The PUD Final Plan for the commercial building shall be reviewed by the Plan Commission.
7. Right-of-way dedication along Morton Street must take place concurrent with the first final plan approval.

MEMORANDUM

Date: December 1, 2011

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-20-11, Monon Crossing (First Capital Management)

This memorandum contains the Environmental Commission's (EC) recommendations regarding a PUD District Amendment and Final Plan approval for part of the Thomson Area Planned Unit Development (PUD), Tract C. If Tract C were not within a PUD and was regulated in accordance with the Unified Development Ordinance, the site would fall partially within both Industrial General (IG) and Commercial General (CG) Zoning Districts.

The EC supports the PUD amendment allowing residential use on the first floor outside of the floodplain. The site is divided from the rest of the PUD by Patterson Drive and appears to be a part of the McDoel neighborhood more than part of the rest of the PUD. The proposal illustrates a reasonable segue between residential and commercial/industrial uses.

The EC also supports the amended floodplain rules for this PUD. The original PUD District Ordinance was somewhat vague regarding development in a floodplain, and this amendment requires that the Petitioner follow State Department of Natural Resources (DNR) regulations.

The EC does not support approving a Final Plan at this time. This PUD District Amendment is not closely related enough to the Final Plan to approve them in the same action. There are still too many unknowns regarding floodplain, floodway, and floodway-fringe allowances, and also the EC has recommendations for modifications in the Final Plan that stress three major environmental categories. Specifically these are; low impact development, sustainable building and site design, and landscape design.

EC SPECIFIC CONCERNS

1.) FLOODPLAIN DEVELOPMENT:
Because of receiving comments from the DNR so close to the time of this meeting, the EC has not had sufficient time to review the floodplain section of the PUD District Ordinance amendment. Additionally, the EC believes that before a Final Plan is approved by the City, the Petitioner needs to have the required DNR Development in a Floodplain Permit in hand. This belief comes from Indiana State regulation 312 IAC 10-3-6 Sec. 6. (a) Local approval of

activities within a floodway, which states that a county or municipality shall not authorize a structure, obstruction, deposit, or excavation in a floodway until a license [permit] is issued by the department under IC 14-28 FLOOD CONTROL.

2.) LOW IMPACT DEVELOPMENT:
The original Thomson Area PUD allows development in the floodplain as long as State permits are obtained. Also, the PUD contains the requisite to "protect environmental quality as these parcels develop by ensuring adequate stormwater management, karst protection, and tree preservation." Therefore, the EC recommends that the plan be crafted to include state-of-the-art Low Impact Development (LID) best practices.

Low Impact Development is an integrated, holistic strategy for stormwater management, and thus is especially important at this site because just over one third of the site lies within a floodplain. The premise of LID is to manage rainfall at the source using decentralized small-scaled controls that will infiltrate, filter, store, evaporate, and detain runoff close to its source.

Examples of the types of LID practices that could be used are listed below.

1. Floodwater storage that can manage runoff timing
2. Multiple small biofiltration basins and trenches
3. Vegetated Roofs
4. Pervious pavement
5. Well-planned native landscaping
6. Remove curbs and gutters to allow sheet flow

3.) SUSTAINABLE BUILDING AND SITE DESIGN:
The location of this project is adjacent to the McDoel Neighborhood, the Indiana Enterprise Center, the downtown commercial area, and the B-Line Trail; therefore, its character will form an important transition between these important areas of our city. The PUD requires that the site design employ attractively landscaped roadways, entryways, berms, and parking lots. Therefore, the EC believes that this area is an excellent candidate for a "Complete Streets" approach (http://www.completestreets.org/) to enhance its navigability for all users – pedestrians, bicyclists, handicapped people, and others. While the EC recognizes that the developer is not responsible for the streetway itself, we encourage the developer to embrace a vision for the site that complements and anticipates the complete streets concept.

Beautiful, mixed-use development helps our city develop in a pedestrian-friendly fashion. The more walkable our city is, the less we rely on the use of automobiles, which translates into less oil depleted, less greenhouse gas emissions produced, cleaner air and a quieter, safer city. Walkable cities provide many tangible environmental benefits that contribute positively to high quality of life. All of these benefits help Bloomington to fulfill serious & important commitments to sustainability, including signing on to the Mayor's Climate Protection Agreement, passing resolutions supporting the Kyoto Protocol, and recognizing and planning for peak oil.

The EC encourages the developer to choose local and sustainably–manufactured building

materials, energy efficient architecture, appliances and windows, passive solar design, and climate-sensitive landscaping. Besides enhancing our city's overall value as a tourist destination and its native biodiversity, these efforts will attract residents and shoppers to the proposed site, thus helping to stimulate the economic vitality of the area.

4.) LANDSCAPE DESIGN:
The Landscape Plan submitted needs additional work. Specifically, more plant material should be added, an unacceptable and invasive species, Callery Pear (P*yrus calleryana*), is listed for use, and the plant diversity is limited. Some alternatives to the pear include Washington Hawthorn (*Crataegus phaenopyrum*), Eastern Redbud (*Cercis Canadensis*), or Red Buckeye (*Aesculus pavia*) Thus, the EC recommends that the Landscape Plan be revised to omit any invasive species, increase diversity, and include more native species.

With specific regard to the proposed street tree and lawn plantings, the EC recommends that the developer work with the Planning Department and the EC to create diverse tree, shrub, and native perennial plantings that exemplify Indiana's natural heritage. For suggestions, please see the EC's Natural Landscaping materials at www.bloomington.in.gov/beqi/greeninfrastructure/htm under 'Resources' in the left column. For additional suggestions plus an excellent guide to Midwest sources of native plants see: http://www.inpaws.org/landscaping.html. Attractive educational signage could also be considered for this area. Native plants provide food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Furthermore, native plants do not require chemical fertilizers or pesticides and are water efficient once established.

EC RECOMMENDATIONS:

1.) The EC recommends that the PUD District Ordinance amendment be approved.

2.) The EC recommends that the Final Plan is not approved because:

a. the final floodplain regulations have not been finalized and a permit from DNR for development in a floodway has not been issued;

b. Low Impact Development strategies should be used to enhance and protect stormwater quality and quantity;

c. the petitioner should use "green", resource-conserving construction practices, ecologically-revitalizing landscape design, and an inviting, neighborhood attractiveness to enhance the overall site plan; and

d. the Landscape Plan should be revised to omit plants that are not allowed under the UDO and provide a more diverse mix of native species.

MEMORANDUM

TO: MEMBERS OF THE PLAN COMMISSION

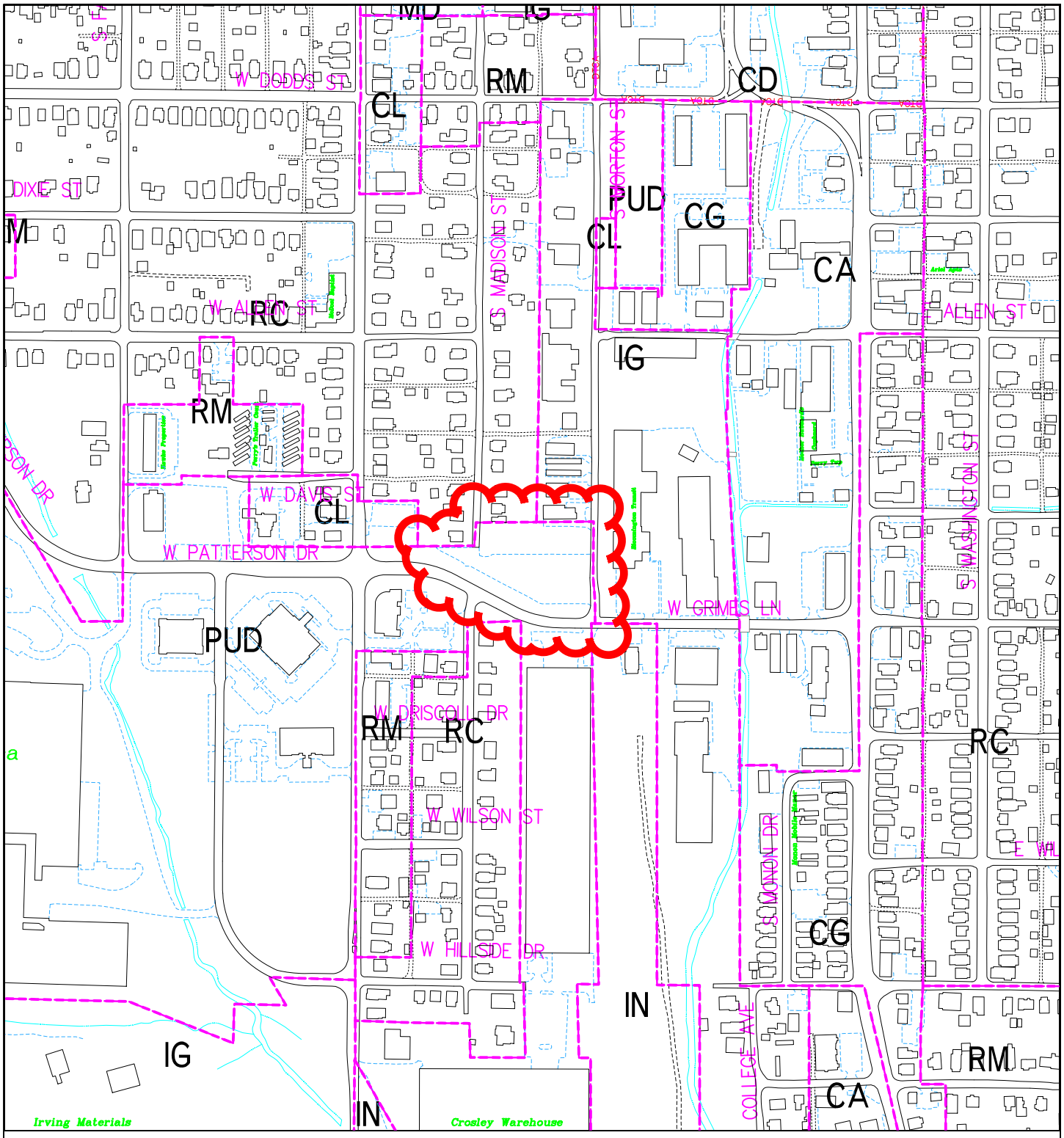
FROM: VINCE CARISTO/BICYLE AND PEDESTRIAN COORDINATOR
Planning Dept. liaison to the Bloomington Bicycle and Pedestrian Safety Commission

RE: MORTON MANSIONS **(**PUD-20-11)

DATE: December 1, 2011

The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the proposed final plan at their regular meeting on November 21, 2011 and made the following comments and recommendations:

- **Madison St Extension:** BBPSC expressed a preference to connect Madison to Grimes from the north in order to improve the urban street grid. If the street connection cannot be made, BBPSC recommends the Madison/Grimes connector path (currently 5') be made wider to be a true multi-use facility. Also if the street connection is not made, BPSC would like to see ramps from the Grimes Lane Sidepath to access Madison to the south
- **Parking:** BBPSC expressed a preference for on-street parking along Patterson Street. This would improve access to the commercial building, buffer the Patterson sidepath, and calm traffic.
- **Bike Parking:** Bike parking should be more conveniently located. Covered bike parking should also be provided.



PUD-20-11
Location map

By: roachja
8 Aug 11

400 0 400 800 1200

N

City of Bloomington
Planning

Scale: 1" = 400'

For reference only; map information NOT warranted.

BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

August 15, 2011

City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: Outline Plan Amendment to Tract "C" of The Thomson Area PUD;
BFA Project 400914

Attn: James Roach, AICP

Dear Plan Commission Members:

Our client, First Capital Management, respectfully request an amendment to the Thomson Area PUD Outline Plan and Final Plan approval. The purpose of the amendment is to add multifamily family dwellings to the approved list of uses that currently only allows for industrial, office and retail uses. The area we are proposing to allow multi-family uses consist of 1.47 acres and is located north of Patterson Drive, west of Morton Street and east of Madison Street.

We are proposing a mixed use development on this 1.47 acres consisting of a retail/ commercial building at the north west corner of Patterson Drive and Morton Street from the B-line trail, 16 apartments consisting of 36 bedrooms along Patterson Drive and the unimproved Madison Street right of way and a pocket Park in the triangular area west of the Madison Street right of way.

The proposed site plan proposes a building forward design with parking to the rear of the units. The parking lot has access to Morton Street and Madison Street.

The proposed retail/ commercial building is located in the flood fringe area of the flood plain, not the floodway, and will not infringe on the effective flow area. The building has been elevated more than the two feet above the 100-year flood elevation per the IDNR regulations.

Sanitary sewer exists in Morton Street and will serve the property. A 12-inch water main runs through the site and will be relocated along the Patterson Street frontage. This line will provide domestic and fire flows to the property. Storm water quality will be provided using a mechanical separator such as Aqua Swirl on the east side of the property.

The proposed apartment buildings are two stories and will step down in elevation following the existing slope of the site. The four townhouses are three stories and face the B-Line Trail. Landscaping is proposed to buffer this site from the commercial and residential used north of this property.

PUD-20-11
Petitioner's Statement

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

We have included site, grading and utility plans along with building elevations for your review of this request. In consideration of the detail of the proposed design, we would ask that the development plan be relegated to the staff for final review.

After reviewing our petition please feel free to contact this office at any time for clarification or questions. We thank you in advance for your consideration on this project.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM
Bynum Fanyo and Associates, Inc.
528 N. Walnut Street
Bloomington, IN 47404

Attachments: Site, grading and utility plans
Architectural elevations

XC: City of Bloomington Utilities
BFA file 400914

BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

October 24, 2011

City of Bloomington Planning Department
401 N. Morton Street, Suite 160
Bloomington, Indiana 47402

Re: Monon Crossing, a.k.a. McDoel Garden
PUD Outline Plan Amendment BFA Project #400914

Attn: James Roach, AICP

Attached please find our revisions to the original filing for the referenced project. The attached revisions include the following:

1. We have added exterior bike parking racks at the commercial building and a position central to the property. Twelve enclosed garage spaces with bike storage have also been added to the project.
2. We have attached architectural drawings showing the perspective from Patterson and Morton.
3. A curb, tree plot, street trees and side walk have been added to Morton within the 25-foot dedicated right of way.
4. Rain gardens/ swales have been added to the pavement edges to collect and treat storm water runoff from the site.
5. We have created a passive pocket park with a seating and landscape area. We have also made a physical connection to Madison Street with a sidewalk to the multi-purpose path.
6. We have removed the baricade at the end of Madison and replace the pavement with landscaping and lawn by curving our drive with curb and walk to connect to Madison Street. A speed hump has been added to this connection.
7. We have met with the City Engineering Department regarding parking on Morton Street and Patterson Drive. The most feasible parking on Morton would be on the east side of the street and due to the bridge pier locations perpendicular parking would achieve the most spaces. After discussions with Dave Williams we learned that using this area for parking would interfere with funding for the B-Line Trail and could not be done. Parking on Patterson was briefly discussed but due to road curvature and the grade exceeding 5% maximum for parking it was decided not to pursue parking at this location.
8. We propose using the CL uses in 20.02.260 and 20.02.270 and also allowing dwelling units on the first floor of our proposed residential buildings.
9. We will adopt the approved language for the use in the flood plain and make it a part of our amendments to the petition.

PUD-20-11
Petitioner's Statement

812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

10. We have developed elevations for the commercial building for the plan commission's review and to allow staff level approval for the final plan.
11. Green features for the design, construction and operation of the buildings include the following:
    - Fiber cement siding, energy efficient windows and appliances
    - Low/no VOC paints, recycled content for flooring where possible
    - Locally sourced masonry products
    - Rain garden and bio-swale storm water filtration
    - Covenants and restrictions in condominium documents requiring onsite recycling program
12. Variance from the CL development standards include impervious surface area allowed at 60%. Parking setback variance allowing parking in front of the townhouse building and at the Morton Street frontage of the commercial building to be flush with the east face of the building.
13. The zoning districts to be use for the development standards would be RH for the residential use allowing 21 units where we are proposing 16 and CL for the commercial use with a impervious surface variance to allow 60% coverage. The site is currently 63% impervious.
14. Phasing would be accomplished by constructing the site as shown and leaving a building pad for the commercial building for a future end user. The building pad would have an established turf cover to prevent erosive action.

After you have had a chance to review the attached documents and above information, please feel free to contact me at any time.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM
Bynum Fanyo and Associates, Inc.
528 N. Walnut Street
Bloomington, Indiana 47404

Attachments: two sets site, grading and landscape plan and architectural elevations along with digital copies of the above.

November 21, 2011

City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: Outline Plan Amendment to Tract "C" of Thomson Area PUD;
BFA Project 400914

Attn: James Roach, AICP

Dear Plan Commission Members:

Our client, First Capital Management, respectfully request an amendment to the Thomson Area PUD Outline Plan and Final Plan approval. The purpose of the amendment is to add multifamily family dwellings to the approved list of uses that currently only allows for industrial, office and retail uses. The area we are proposing to allow multi-family uses is located north of Patterson Drive, west of Morton Street and east of Madison Street.

We are proposing a mixed use development on this 1.47 acres consisting of 3000 to 6000 square feet of a retail/ commercial building at the north west corner of Patterson Drive and Morton Street across from the B-line trail, 12 condominium flats consisting of 24 bedrooms along Patterson Drive, four 3-bedroom townhouse condominiums facing Morton Street and a pocket Park in the triangular area north of Patterson Drive and south of the Madison Street right of way.

We are providing 12-garages with 12-stacked parking spaces in front of the garages and 22 surface parking spaces. In addition we are widening Morton Street to provide for five additional parallel parking spaces for a total of 51 parking spaces. We investigated adding parallel parking spaces along Patterson Drive but have declined the addition to our plan due to the expense of demolishing the existing curb, drainage system, multi-purpose path and having to reconstruct the same 8-feet north of the existing edge of pavement. The cost is prohibitive for this size of a project and the lack of desirability of having parallel parking on an arterial with a slope of 6.25% and on a curve.

The proposed retail/ commercial building is located in the flood fringe area of the flood plain, not the floodway, and will not infringe on the effective flow area. The building has been elevated more than the two feet above the 100-year flood elevation per the IDNR regulations. A permit has been applied for construction in the floodplain and is pending. The staff has worked with IDNR and FEMA to address necessary language in the original PUD document that will become a part of this amendment.

Sanitary sewer exists in Morton Street and will serve the property. A 12-inch water main runs through the site and will be relocated along the Patterson Street frontage. This line will provide domestic and fire flows to the property. Storm water quality will be provided using bio-swales on the north and east side of the property.

The proposed apartment buildings along Patterson Drive are two stories with garages below and will step down in elevation following the existing slope of the site. The four townhouses are three stories and face the B-Line Trail. Landscaping is proposed to buffer this site from the commercial and residential uses north of this property.

We have included site, grading and utility plans along with building elevations for your review of this request. In consideration of the detail of the proposed design, we would ask that the development plan be relegated to the staff for final review.

After reviewing our petition please feel free to contact this office at any time for clarification or questions. We thank you in advance for your consideration on this project.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM
Bynum Fanyo and Associates, Inc.
528 N. Walnut Street
Bloomington, IN 47404

Attachments: Site, grading and utility plans
Architectural elevations

XC: City of Bloomington Utilities
BFA file 400914

KIRKWOOD
designstudio
pc

113 east 6th street
bloomington, in 47408
812.331.0255 ph
812.331.0755 fax
kds@kdsarchitects.com
ARCHITECTURE + PLANNING

November 30, 2011

City of Bloomington Planning Department
P.O. Box 100
Bloomington, IN 47402
James Roach, Development Review Manager

Dear Mr. Shay,

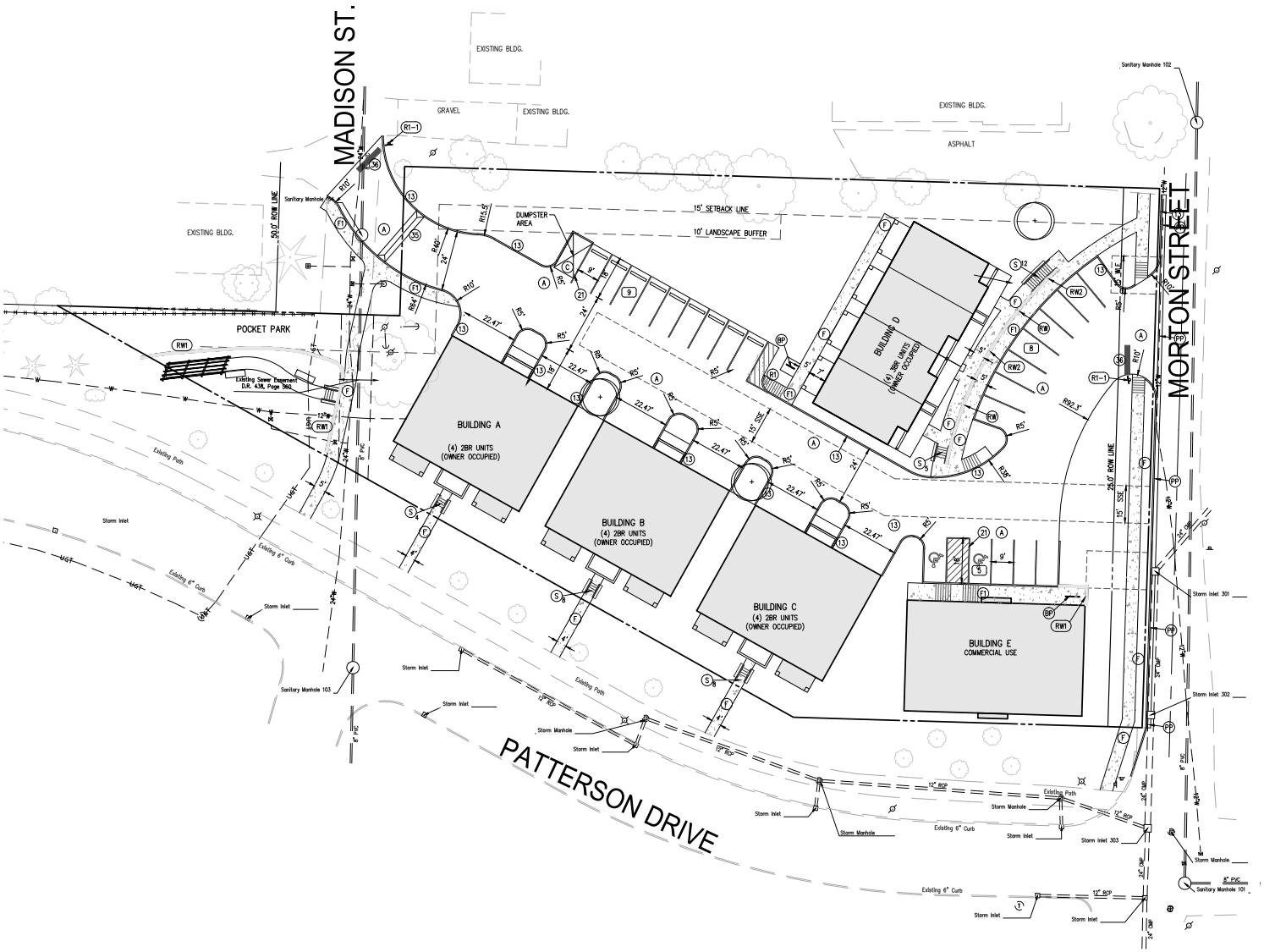
Monon Crossing

The architectural style of Monon Crossing is in response to the that of the adjacent McDoel Neighborhood and the brick commercial structures across Patterson Street. While this project has structures that range from one-story commercial to the 3-story townhouses, elements predominant in the McDoel area are used as a basis to integrate this project as part of the neighborhood. First of all the site planning has responded to a variety of conditions; the street structure, the topography, and the flood plain. The project will be perceived strongly from Patterson and the housing units there face frontally to Patterson and the streetscape in place there. The corner of the site at Morton Street is anchored with a commercial building that will address the street frontage of both. The Morton Street development is impacted by the floodplain and therefore the four townhouses located there are as forward as they can be and set at that reflective angle of the floodplain. These townhouses are also set perpendicular to the housing along Patterson and therefore have some logical geometric relationship to each other.

There are two types of residential condominium buildings. Each of them have hip roofs with gabled porch or bay elements. The quad units along Patterson are two stories plus a parking garage level. With the steeply sloping site, these will appear to be approximately elevated from the sidewalk level along Patterson. The porch columns and base of these buildings will be constructed of brick to relate to two elements: the first being the brick commercial structures on the south side of Patterson and secondly, the traditional use of brick on the otherwise predominant clapboard houses in the area. The gabled section of the porches will allow for some detail to again align with similar conditions in the McDoel neighborhood. The window style is consistent with the double-hung vertical emphasis of the neighborhood. The balance of these condominiums will be constructed of cement board executed in a clapboard style. The facades with the garages face the parking access route from within the site.

The four townhouse units that face Morton Street will take a similar aesthetic. The bays that delineate the front facades will be detailed in a panelized manner of cement board while the rest of the exterior cladding will be cement board executed in a clapboard manner. Again the windows will have a vertical emphasis, with the exception of bathroom/closet windows which will relate to the top half of the double hung window style. The top level of the bay elements become an outdoor room/ porch area. The rear facade will have a functional sitting/entry porch while the front entries have a protected covering complemented by a separate patio area.

The commercial building on the corner is being shown as either a one story or two story structure. In either scenario the building will have a hip roof form to complement that of the rest of the project. The building is executed with a rhythm of bays with brick pilasters and glass or metal infill. This patterning will complement the brick structures across Patterson and have window patterns with a vertical emphasis. Whether the building is one story or two will depend on the final tenant and market secured for this site. If it is a two story structure, there is a covered second floor outdoor patio that might serve for outdoor dining. It is also intended that the first floor area have an outdoor patio area as well. The roof material for all the structures will be similar and made of a fiberglass asphalt shingle, similar to that used within the balance of the neighborhood.



PUD-20-11
Draft Final Plan

SITE LEGEND

A	PROPOSED BITUMINOUS PAVING
C	PROPOSED CONCRETE PAVING
13	PROPOSED 6" STANDING CURB
R1	PROPOSED ACCESSIBLE RAMP
R2	PROPOSED ACCESSIBLE RAMP
35	PROPOSED SPEED HUMP
36	PROPOSED STOP BAR
21	PROPOSED MARKING; PAINTED, SOLID, WHITE, 4"
F	PROPOSED CONCRETE SIDEWALK
F1	PROPOSED MONOLITHIC CURB AND SIDEWALK
HR	PROPOSED HANDRAIL
RW1	PROPOSED MODULAR BLOCK RETAINING WALL
RW2	PROPOSED CAST-IN-PLACE REINFORCED CONCRETE RETAINING WALL
XX	PROPOSED NUMBER OF PARKING SPACES PER LOT
S	PROPOSED CONCRETE STEPS AS REQUIRED
BP	PROPOSED BIKE PARKING ORIGINAL CYCLOOPS MODEL 21-70-5 WITH 63"X72"X4" CONCRETE PAD

LEGAL DESCRIPTION

A PART OF LAND OF BLOOMINGTON LLC (D.R. 480, PG 774), BEING A PART OF CAMPBELL'S
ADDITION TO THE CITY OF BLOOMINGTON (P.C. "C", ENVELOPE 6) BEING A PART OF SEMINARY LOT 40 OF THE RESERVED TOWNSHIP OF LANDS OF MONROE COUNTY, INDIANA, BEING A PART OF THE
SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 1 WEST, IN MONROE COUNTY,
INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 76 IN SAID CAMPBELL'S ADDITION TO THE CITY OF BLOOMINGTON; THENCE ON THE SOUTH LINE OF SAID CAMPBELL'S ADDITION SOUTH 86 DEGREES 23 MINUTES 20 SECONDS EAST 197.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH LINE SOUTH 86 DEGREES 23 MINUTES 20 SECONDS EAST 138.02 FEET TO THE SOUTHWEST CORNER OF LOT 74 IN SAID CAMPBELL'S ADDITION; THENCE ON THE WEST AND NORTH LINE OF SAID LOT 74 AND CONTINUING ON THE NORTH LINE OF SAID LOT 75 THE FOLLOWING TWO (2) COURSES: 1) NORTH 03 DEGREES 47 MINUTES 35 SECONDS WEST 60.16 FEET TO A 3/8" REBAR 7" TALL; 2) SOUTH 86 DEGREES 23 MINUTES 20 SECONDS EAST 304.34 FEET TO THE NORTHEAST CORNER OF LOT 75 IN SAID CAMPBELL'S ADDITION; THENCE ON THE EAST LINE OF SAID LOT 75 AND CONTINUING ON THE EAST LINE OF LAND OF BLOOMINGTON L.L.C SOUTH 03 DEGREES 47 MINUTES 35 SECONDS WEST 217.32 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PATTERSON DRIVE, BEING RECORDED AS LAND OF THE CITY OF BLOOMINGTON (D.R. 480, PG 797); THENCE ON SAID NORTH RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) NORTH 86 DEGREES 21 MINUTES 17 SECONDS WEST 140.61 FEET; 2) NORTH 58 DEGREES 51 MINUTES 23 SECONDS WEST 339.81 FEET TO THE POINT OF BEGINNING, CONTAINING 1.47 ACRES MORE OR LESS.

SCALE: 1"=20'

NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

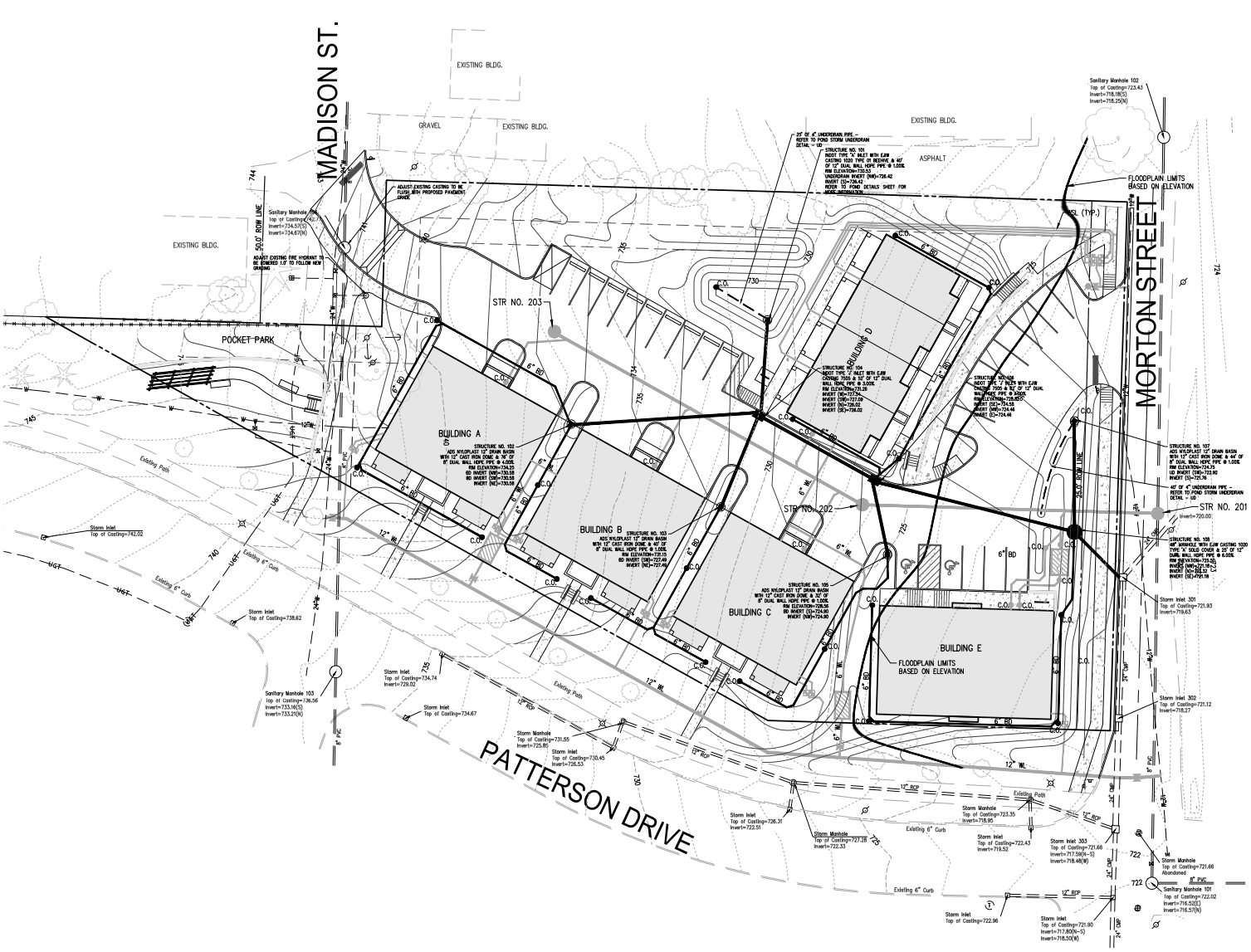
ARCHITECTURE
CIVIL ENGINEERING
PLANNING
BYNUM FANYO & ASSOCIATES, INC.
528 north walnut street
(812) 332-8030
bloomington, indiana
(812) 339-2990 (fax)

JEFFREY S. FANYO
No. 18283
STATE OF INDIANA
PROFESSIONAL ENGINEER
08.16.11
certified by:

Proposed:
MONON CROSSING
Bloomington, Indiana

title: SITE PLAN

designed by: JBT
drawn by: JR
checked by: JSF
sheet no: 3
project no.: 400914



GENERAL LEGEND

PROPERTY LINE	
CONSRUCTION LIMITS	CL
DEED BOOK AND PAGE	XXX/XXX
TO BE REMOVED	T.B.R.
TO REMAIN UNDISTURBED	T.R.U.
SETBACK LINE	X' SBL
PROPOSED 20'x10' DUMPSTER PAD SURROUNDED BY 6' SOLID WOOD FENCE WITH GATE	
PROPOSED ACCESSIBLE PARKING	
SANITARY SEWER EASEMENT	S.S.E.
GAS EASEMENT	G.E.
WATER LINE EASEMENT	W.L.E.
ELECTRIC EASEMENT	E.E.
DRAINAGE EASEMENT	D.E.
UTILITY EASEMENT	U.E.

UTILITY AND GRADING LEGEND

PROPOSED DIP WATER LINE	X"-WL
PROPOSED FIRE HYDRANT (FH)	
PROPOSED 8" ASTM 3034 SDR 35 PVC SANITARY SEWER AND SANITARY SEWER MANHOLE	LINE "S-X"
PROPOSED 6" ASTM 3034 SDR 35 PVC SANITARY LATERAL AND SANITARY SEWER CLEAN-OUT	6" SSL C.O.
PROPOSED STORM PIPE, INLET AND END SECTION	
PROPOSED BUILDING DOWNSPOUT DRAIN: SOLID SCHEDULE 40 PVC DRAIN PIPE TO POINT OF DISCHARGE – 1% MIN. SLOPE, 2.5' MIN. COVER	X"-BD
PROPOSED SCHEDULE 40 PVC PIPE, ELECTRICAL GRADE (GREY) CONDUIT BURRIED 36" BELOW FINISHED GRADE	X"-EC
PROPOSED CONTOUR	XXX
PROPOSED FLOW LINE	
PROPOSED TOP OF CURB ELEVATION	TC=XXX.XX
PROPOSED PAVEMENT ELEVATION	EP=XXX.XX
PROPOSED TOP OF WALL ELEVATION	TW=XXX.XX
PROPOSED FINISHED EARTH GRADE ELEVATION	FG=XXX.XX
FINISHED EDGE OF PAVEMENT OF TOP STAIR ELEVATION	TS=XXX.XX
FINISHED EDGE OF PAVEMENT OF BOTTOM OF BOTTOM STAIR ELEVATION	BS=XXX.XX
FINISHED FLOOR ELEVATION	FF=XXX.XX
FINISHED EDGE OF PAVEMENT ELEVATION	EP=XXX.XX
PROPOSED FIRE PIT/DOUBLEDETECTOR CHECK VALVE 6" FIRE SERVICE LINE 2" SERVICE LINE	6" WL FDC WSL

NOTE: ALL WATER AND SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF BLOOMINGTON UTILITY SPECIFICATIONS.

EROSION CONTROL LEGEND

	SILTATION FENCE (TEMPORARY)
CL	CONSRUCTION LIMITS
MS	MULCH SEEDING – SEE SPECIFICATIONS (TEMPORARY)
SP	20' X 50' STONE PAD, 6" DEEP TO KEEP FROM TRACKING MUD OFF SITE (TEMPORARY)
CW	CONCRETE WASHOUT AREA (TEMPORARY)

SCALE: 1"=20'

NOTE TO CONTRACTOR

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PUD-20-11
Draft Grading Plan

revisions:

BBB
ARCHITECTURE
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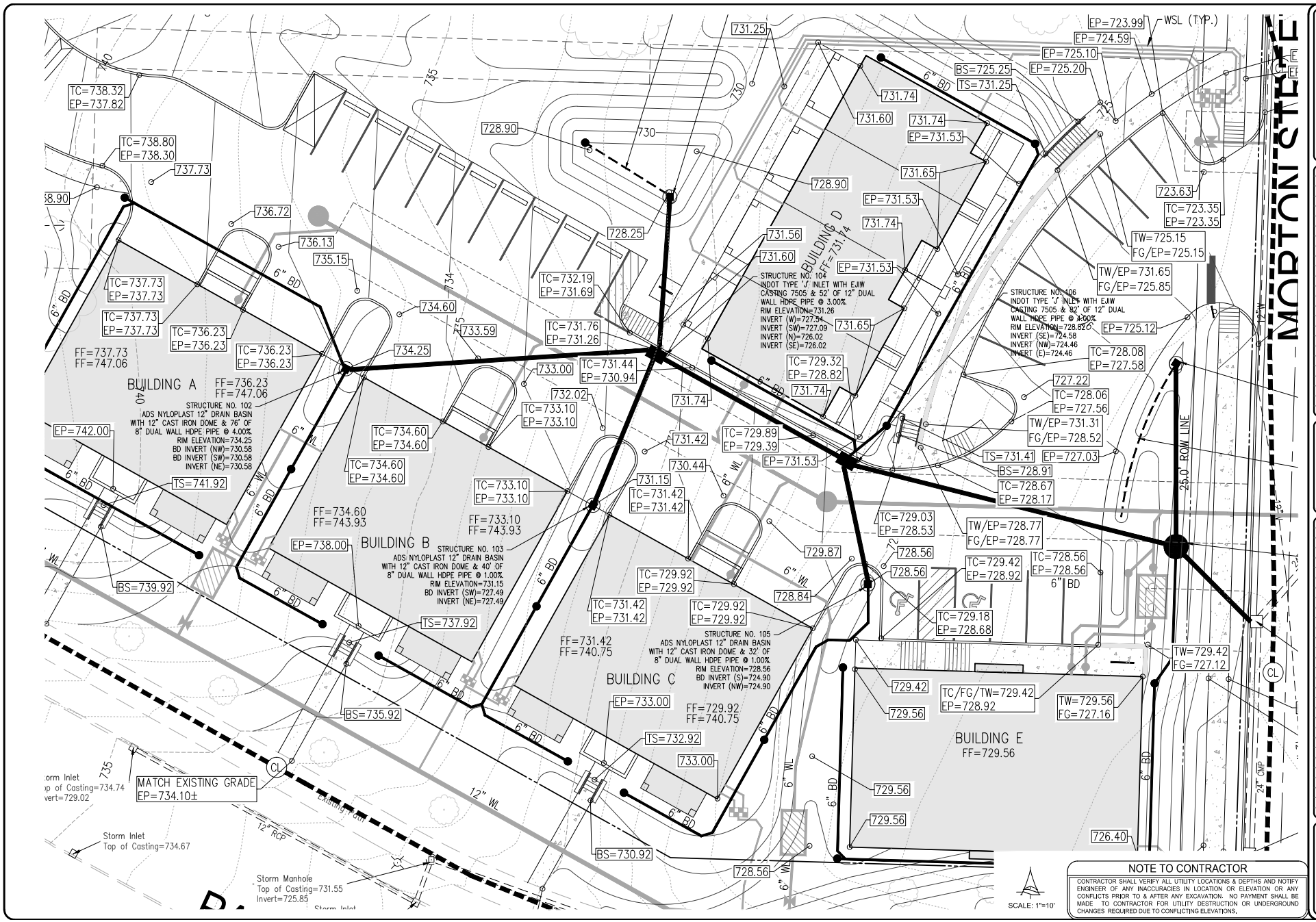
(812) 332-8030
(812) 339-2990 (fax)

JEFFREY S. FANYO No. 18283 STATE OF INDIANA PROFESSIONAL ENGINEER
08.16.11
certified by:

Proposed:
MONON CROSSING
Bloomington, Indiana

title: GRADING, UTILITY & EROSION CONTROL PLAN

designed by: DJB
drawn by: DJB
checked by: JSF
sheet no: 4
project no.: 400914



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revisions:

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PLANNING

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(812) 339-2990 (fax)

JEFFREY S. FANYO
No. 18283
STATE OF INDIANA
PROFESSIONAL ENGINEER
08.16.11

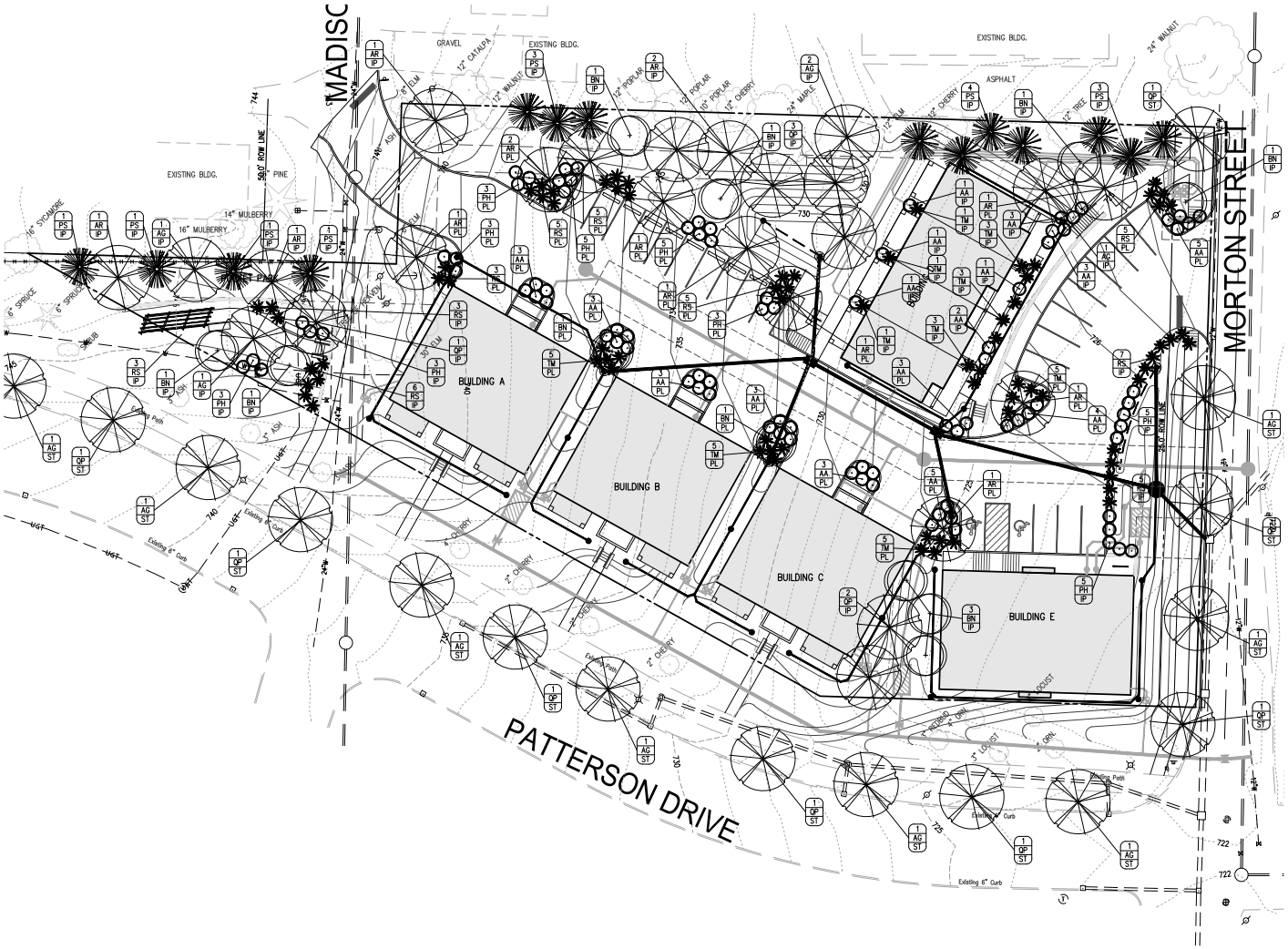
certified by:

Proposed:
McDOEL GARDEN
Bloomington, Indiana

title: GRADING, UTILITY & EROSION CONTROL PLAN

designed by: JBT
drawn by: JR
checked by: JSF
sheet no: 4A
project no.: 400914

PUD-20-11
Grading Plan Detail



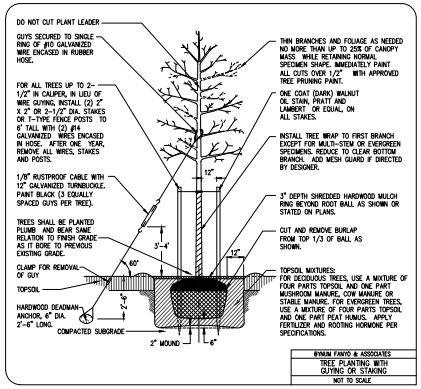
PLANT LIST

LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
LARGE CANOPY DECIDUOUS TREES					
	QP	QUERCUS PRINUS	CHESNUT OAK	14	2" CAL., B & B
	AG	AESCULUS GLABRA	OHIO BUCKEYE	14	2" CAL., B & B
	AR	ACER RUBRUM	RED SUNSET MAPLE	13	2" CAL., B & B
SMALL / MEDIUM DECIDUOUS TREES					
	BN	BETULA NIGRA	RIVER BIRCH	11	2" CAL., B & B
EVERGREEN TREES					
	PS	PINUS STROBES	WHITE PINE	14	5-6' HEIGHT
DECIDUOUS SHRUBS					
	AA	ARONIA ARBUTIFOLIA	BLACK CHOKEBERRY	44	24" SPREAD*
	PH	PHILADELPUS	MOCKORANGE	35	24" HEIGHT*
EVERGREEN SHRUBS					
	TM	TAXUS X MEDIA 'BROWNLI'	BROWN'S YEW	32	24" HGT., CONT.
	RS	RHODODENDRON SPECIES	RHODODENDRON	44	24" HGT., CONT.

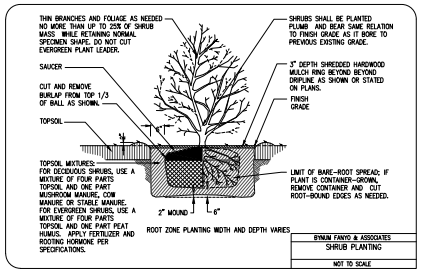
XX PLANT QUANTITY
XX PLANT TYPE
XX REQUIREMENT DESIGNATION
PL=PARKING LOT PERIMETER PLANTINGS
IP=INTERIOR PLANTINGS
ST=STREET TREES

*CONTAINER OR BALL AND BURLAP CONDITION ACCEPTABLE

NOTE: SPECIES SHOWN THAT ARE NOT LISTED IN THE CITY OF BLOOMINGTON ZONING ORDINANCE CHAPTER 20.06 TABLES OF RECOMMENDED PLANT MATERIALS ARE GIVEN BOTANICALLY COMPARABLE DENSITY VALUES.



BYNUM FANYO & ASSOCIATES
TREE PLANTING WITH GUYING OR STAKING
NOT TO SCALE



BYNUM FANYO & ASSOCIATES
SHRUB PLANTING
NOT TO SCALE

SCALE: 1"=20'

NOTE TO CONTRACTOR

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revisions:

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CIVIL ENGINEERING
PLANNING
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(812) 332-8030
(812) 339-2890 (fax)

JEFFREY S. FANYO No. 18283 STATE OF INDIANA PROFESSIONAL ENGINEER 08.16.11

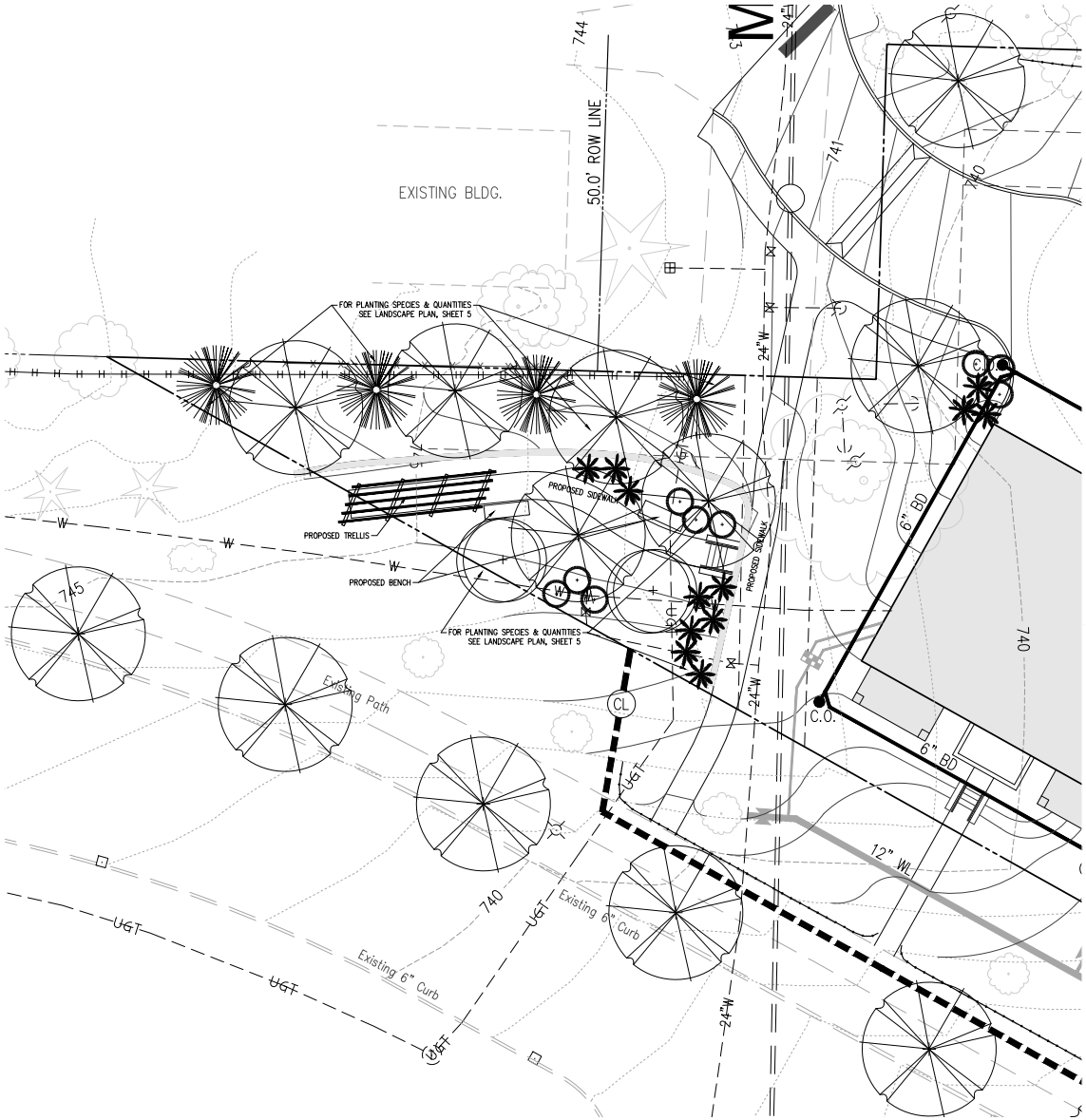
certified by:

Proposed:
McDOEL GARDEN
Bloomington, Indiana

title: LANDSCAPE PLAN

designed by: JBT
drawn by: JR
checked by: JSF
sheet no:
project no.: 400914

PUD-20-11
Draft Landscaping Plan



SCALE: 1"=10'

NOTE TO CONTRACTOR

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PUD-20-11
Draft Private Pocket Park Plan

revisions:

BYNUM FANYO & ASSOCIATES, INC.
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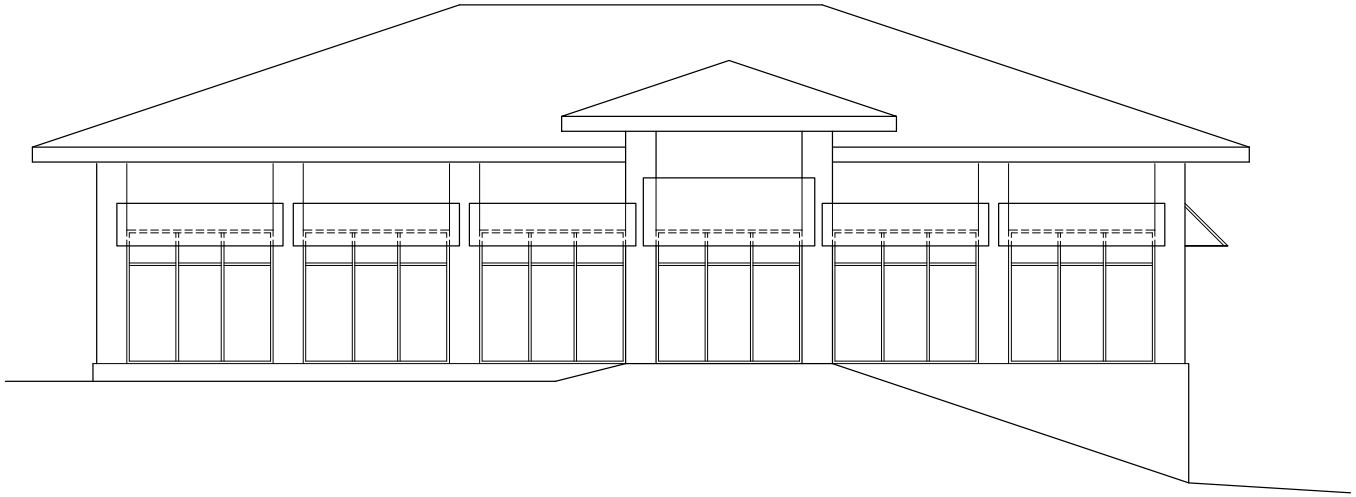
CIVIL ENGINEERING
PLANNING
528 north walnut street
bloomington, indiana
(812) 332-8030
(812) 339-2990 (fax)

JEFFREY S. FANYO
No. 18283
STATE OF INDIANA
PROFESSIONAL ENGINEER
08.16.11
certified by:

Proposed:
McDOEL GARDEN
Bloomington, Indiana

title: POCKET PARK

designed by: JBT
drawn by: JR
checked by: JSF
sheet no: A
project no.: 400914



COMMERCIAL BUILDING

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

PUD-20-11
Commercial Architecture

KIRKWOOD
designstudio
p.c.
ARCHITECTURE • PLANNING
113 S. COLLEGE
BLOOMINGTON, IN 47404
PH 812.331.4888
FAX 812.331.4889
www.kirkwoodarch.com

CERTIFIED

REVISIONS

FIRST CAPITAL
MONON CROSSING
BLOOMINGTON INDIANA

PROJECT NO.:
DATE: 11.30.11
DRAWN BY: JT
CHECKED BY: MJK

COMMERCIAL BUILDING ELEVATION

A.204

TOWNHOUSE - OPTION A

WEST ELEVATION

SCALE: 3/32" = 1'-0"

PUD-20-11
4 unit townhouse building elevation 1

PUD-20-11
Townhouse Architecture,
Version A

TOWNHOUSE - OPTION B

A ELEVATIONS

SCALE: 3/32" = 1'-0"

PUD-20-11
4 unit townhouse building elevation 2

PUD-20-11
Townhouse Architecture,
Version B

QUAD - OVER GARAGE

FRONT ELEVATION

SCALE: 1/8"=1'-0"

KIRKWOOD designstudio p.c.
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BLOOMINGTON, IN 47408
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FX 812.336.1889
JOB NO. 11-07
WWW.KIRKWOODDESIGN.COM

CERTIFIED

REVISIONS

FIRST CAPITAL
MONON CROSSING
BLOOMINGTON INDIANA

PROJECT NO.:
DATE: 11.30.11
DRAWN BY: JT
CHECKED BY: MJK

QUAD BUILDING ELEVATION

A.201

PUD-20-11
4-unit Flat Architecture, Front

QUAD - OVER GARAGE

REAR ELEVATION

SCALE: 1/8"=1'-0"

PUD-20-11
4-unit Flat Architecture,
Rear

KIRKWOOD designstudio p.c.
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JOB NO. 07-07
WWW.KIRKWOODDESIGN.COM

CERTIFIED

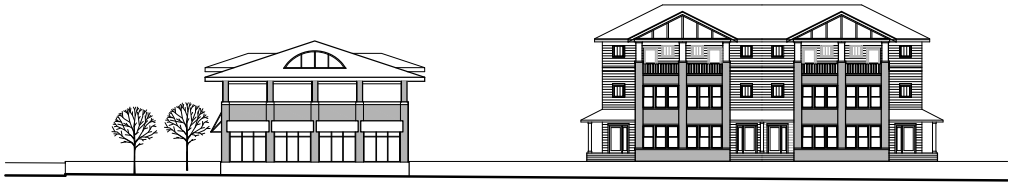
REVISIONS

FIRST CAPITAL
MONON CROSSING
BLOOMINGTON INDIANA

PROJECT NO.:
DATE: 11.30.11
DRAWN BY: JT
CHECKED BY: MJK

QUAD BUILDING ELEVATION

A.202



MORTON STREET ELEVATION

SCALE: 1/32" = 1'-0"

PATTERSON DRIVE ELEVATION

SCALE: 1/32" = 1'-0"

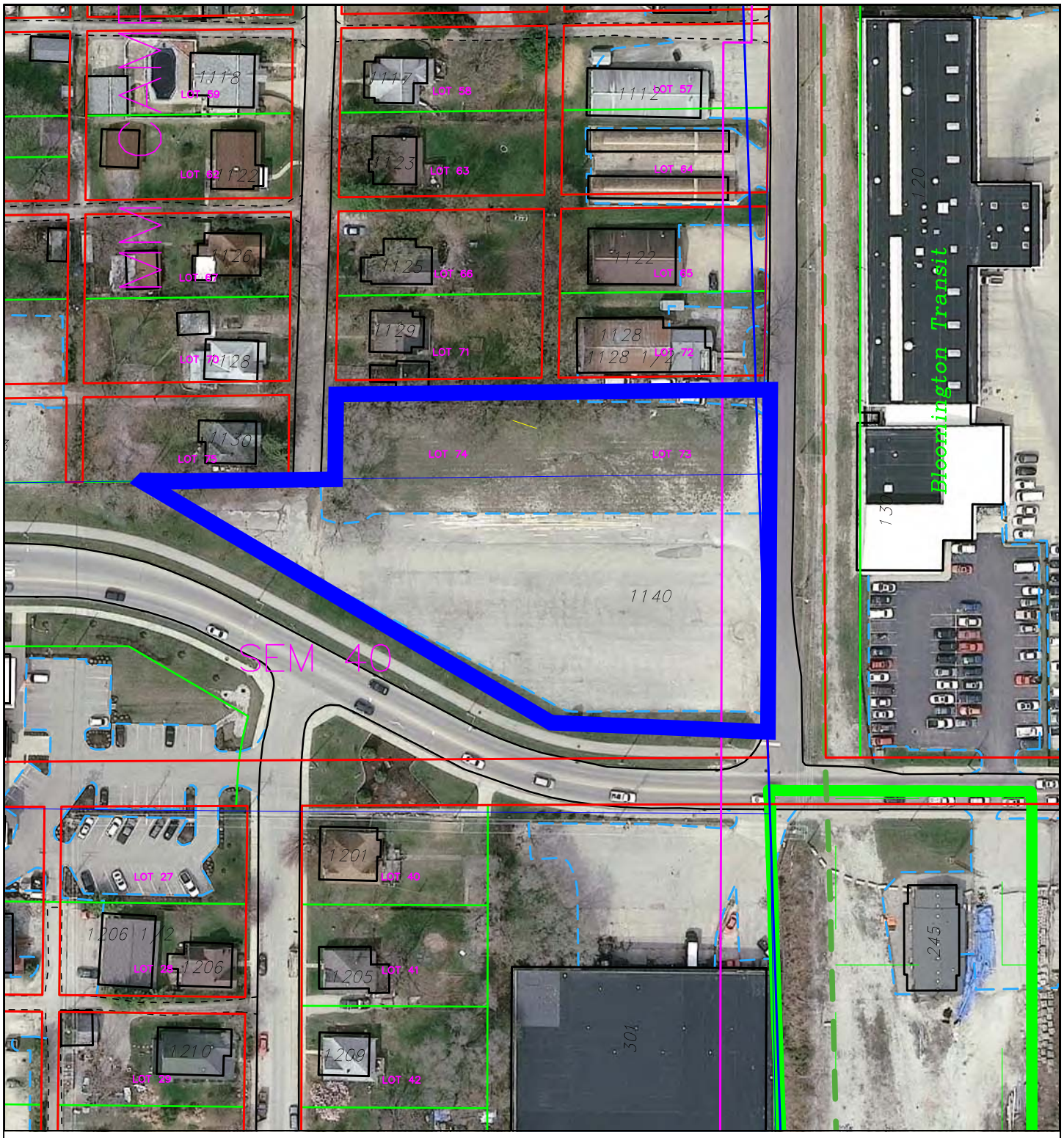
PUD-20-11
Proposed buildings placed on street grade

KIRKWOOD designstudio p.c.
ARCHITECTURE + PLANNING
113 east 6th street
bloomington, in 47408
ph 812.331.0255
fax 812.331.0755
www.kdsarchitects.com

MONON CROSSING
BLOOMINGTON INDIANA

PROJECT NO.: 2011-06
DATE: 10.24.11

1



PUD-20-11
2010 Aerial Photo

By: roachja
8 Aug 11

100 0 100 200 300

N

City of Bloomington
Planning

Scale: 1" = 100'

For reference only; map information NOT warranted.

RULES FOR THE SPECIAL FLOOD HAZARD AREAS WITHIN TRACT C(a) OF THE THOMSON AREA PLANNED UNIT DEVELOPMENT
PUD District Case number PUD-20-11, Ordinance number _____
1140 South Morton Street

Article 1. Statutory Authorization, Findings of Fact, Purposes, and Objectives.

Section A. Statutory Authorization.

The City of Bloomington Indiana Unified Development Ordinance (UDO) is adopted by the City pursuant to its authority under the laws of the State of Indiana, The Bloomington Municipal Code (BMC), Indiana Code IC 36-7-4 and IC 14-28-4, and all other applicable authorities and provisions of Indiana statutory and common law. Therefore, the City of Bloomington Indiana hereby adopts the following floodplain management regulations for the Thomson Area, Tract C(a) Planned Unit Development through Amendment PUD-20-11.

Section B. Findings of Fact.

(1) The flood hazard areas of Tract C(a) of the Thomson Area PUD are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose.

These floodplain regulations are being adopted in conjunction with a PUD Preliminary Plan Amendment within the Thomson Area PUD. This amendment will allow for multifamily uses outside of the floodplain on Tract C(a) of the Thomson Area PUD. Development of this portion of the Tract will also include a new commercial building to be built at or above the flood protection grade, and grading and parking lot construction within the floodway of Clear Creek.

The purpose of this PUD district ordinance is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging, and other development which may increase erosion or flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and,

(6) Make federally subsidized flood insurance available for structures and their contents in the PUD district by fulfilling the requirements of the National Flood Insurance Program.

Section D. Objectives.

The objectives of this PUD district ordinance are:

(1) To protect human life and health;

(2) To minimize expenditure of public money for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;

(6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and;

(7) To ensure that potential property owners are notified that this land is in a special flood hazard area.

Article 2. Definitions.

Unless specifically defined below, words or phrases used in this PUD district ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

A zone means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

Zone A: Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.
Zone AE and A1-A30: Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)
Zone AO: Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
Zone AH: Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.
Zone A99: Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

Accessory structure (appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Addition (to an existing structure) means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood Elevation (BFE) means the elevation of the one-percent annual chance flood.

Basement means that portion of a structure having its floor sub-grade (below ground level) on all sides.

Building - see "Structure."

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to:
(1) construction, reconstruction, or placement of a structure or any addition to a structure;
(2) installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;
(3) installing utilities, erection of walls and fences, construction of roads, or similar projects;
(4) construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
(5) mining, dredging, filling, grading, excavation, or drilling operations;
(6) construction and/or reconstruction of bridges or culverts;

(7) storage of materials; or
(8) any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Elevated structure means a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

Elevation Certificate is a FEMA form for recording a certified statement that verifies a structure's elevation information. Elevation Certificates can only be completed by a licensed land surveyor, engineer, or architect who is licensed by the State of Indiana to perform such functions. Elevation Certificates must be on file with the City of Bloomington Indiana for every structure within the SFHA that has been constructed or substantially improved since July 28, 1972.

Encroachment means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction means any structure for which the "start of construction" commenced before the effective date of the community's first floodplain ordinance.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community's first floodplain ordinance.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Five-hundred year flood (500-year flood) means the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) is the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood Prone Area means any land area acknowledged by a community as being susceptible to inundation by water from any source. (See "Flood")

Flood Protection Grade (FPG) is the elevation of the regulatory flood plus two feet at any given location in the SFHA. (see "Freeboard")

Floodplain means the channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations means this PUD district ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

Floodproofing (dry floodproofing) is a method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing certificate is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

Floodway is the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Freeboard means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Fringe is the portions of the floodplain lying outside the floodway.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities.
The term does not include long-term storage, manufacture, sales, or service facilities.

Hardship (as related to variances of this PUD district ordinance) means the exceptional hardship that would result from a failure to grant the requested variance. The City of Bloomington Indiana, Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic structure means any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Increased Cost of Compliance (ICC) means the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the Thomson Area PUD ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

Letter of Map Amendment (LOMA) means an amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F) means an official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Lowest adjacent grade means the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor means the lowest of the following:
(1) the top of the lowest level of the structure;
(2) the top of the basement floor;
(3) the top of the garage floor, if the garage is the lowest level of the structure;
(4) the top of the first floor of a structure elevated on pilings or pillars;
(5) the top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
a). the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area of one (1) square inch for every one square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and,
b). such enclosed space shall be usable solely for the parking of vehicles and building access.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map amendment means a change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

Map panel number is the four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

Market value means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mitigation means sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the cost of disaster response and recovery.

National Flood Insurance Program (NFIP) is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) of 1929 as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

North American Vertical Datum of 1988 (NAVD 88) as adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

Obstruction includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-hundred year flood (100-year flood) is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one percent annual chance flood. See "Regulatory Flood".

One-percent annual chance flood is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

Participating community is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Physical Map Revision (PMR) is an official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

Planned Unit Development (PUD) is a large-scale unified development approved under the provisions of Chapter 20.04: Planned Unit Development Districts of the Unified Development Ordinance. Generally a Planned Unit Development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of buildings, density, lot coverage, and/or required open space to the regulations established in any district of the Unified Development Ordinance. A planned development requires approval through a zoning map amendment. The uses and standards expressed in the PUD District Ordinance constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for a standard zoning district.

Post-FIRM construction means construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Pre-FIRM construction means construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Probation is a means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Public safety and nuisance, anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle means a vehicle which is
(1) built on a single chassis;
(2) 400 square feet or less when measured at the largest horizontal projections;
(3) designed to be self-propelled or permanently towable by a light duty truck; and
(4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Regular program means the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Article 3. Section B of this PUD ordinance. The "Regulatory Flood" is also known by the terms "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Repetitive loss means flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

Section 1316 is that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Special Flood Hazard Area (SFHA) means those lands within the jurisdictions of the City of Bloomington Indiana subject to inundation by the regulatory flood. The SFHAs of the Thomson Area PUD are generally identified as such on the Monroe County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010. These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO.

Start of construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing,

grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

Suspension means the removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

Variance is a grant of relief from the requirements of this PUD district ordinance, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation means the failure of a structure or other development to be fully compliant with this PUD district ordinance. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Water surface elevation means the height, in relation to the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Zone means a geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

Zone A means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM, and are all subject to mandatory flood insurance purchase requirements.

Zone B, C, and X means areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

Zone X means the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Article 3. General Provisions.

Section A. Lands to Which This Ordinance Applies.

This ordinance shall apply to all SFHAs and known flood prone areas within the jurisdiction of Tract C(a) of the Thomson Area PUD District.

Section B. Basis for Establishing Regulatory Flood Data.

This PUD district ordinance protection standard covers the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

(1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs within the jurisdiction of Tract C(a) of the Thomson Area PUD shall be delineated on the one-percent annual chance flood profiles in the Flood Insurance Study of Monroe County, Indiana and Incorporated Areas and the corresponding FIRM prepared by the Federal Emergency Management Agency and dated December 17, 2010.

(2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Tract C(a) of the Thomson Area PUD, delineated as an "A Zone" on the Monroe County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated December 17, 2010, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

(3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and floodway fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

Section C. Establishment of Floodplain Development Permit.

A Floodplain Development Permit, Building Permit, Grading Permit, or any other local, state, or federal permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities or land disturbing activities in areas of special flood hazard.

Section D. Compliance.

No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this PUD district ordinance and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions.

This PUD district ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions.

Section F. Discrepancy between Mapped Floodplain and Actual Ground Elevations.

(1) In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.

(2) If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.

(3) If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.

Section G. Interpretation.

In the interpretation and application of this ordinance all provisions shall be:
(1) Considered as minimum requirements; and

(2) Deemed neither to limit nor repeal any other powers granted under state statutes.

Section H. Warning and Disclaimer of Liability.

The degree of flood protection required by this PUD district ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the City of Bloomington Indiana, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

Section I. Penalties for Violation Within Tract C(a) of the Thomson PUD.

Failure to obtain a Final PUD Plan and all applicable local, state, and federal permits in the SFHA, or failure to comply with the requirements of them or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the City of Bloomington Indiana. All violations shall be punishable according to the rules in Title 20 of the UDO.
(1) A separate offense shall be deemed to occur for each day the violation continues to exist.

(2) The City of Bloomington Indiana shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

(3) Nothing herein shall prevent the City of Bloomington Indiana from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Article 4. Administration.

Section A. Designation of Administrator.

The City of Bloomington Indiana has appointed The Planning Director or his/her designee to administer and implement the provisions of this PUD district ordinance and is herein referred to as the Floodplain Administrator.

Section B. Permit Procedures.

Application for a PUD Final Plan shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

(1) Application stage.

a). A description of the proposed development;
b). Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;
c). A legal description of the property site;
d). A site development plan showing existing and proposed development locations and existing and proposed land grades;
e). Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD;
f). Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed, and;
g). Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(2) Construction stage.
Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification on a FEMA Elevation Certificate form of the NAVD 88 or NGVD elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Floodplain Administrator.

The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this PUD district ordinance. The administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

Duties and Responsibilities of the Floodplain Administrator shall include, but not be limited to:

(1) Review all floodplain development permits to assure that the permit requirements have been satisfied;

(2) Inspect and inventory damaged structures in SFHA and complete substantial damage determinations;

(3) Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to this PUD district ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment.)

(4) Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of such permits are to be maintained on file with the floodplain development permit;

(5) Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA;

(6) Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this PUD district ordinance.

(7) Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community;

(8) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;

(9) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures;

(10) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed;

(11) Review certified plans and specifications for compliance.

(12) Stop Work Orders

a). Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this PUD district ordinance shall immediately cease.
b). Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.

(13) Revocation of Permits

a). The floodplain administrator may revoke a permit or approval, issued under the provisions of this PUD district ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
b). The floodplain administrator may revoke a permit upon determination by the floodplain administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

(14) Other Enforcement and Penalties
In addition to the contents of this PUD district ordinance, all enforcement procedures and penalties described in the UDO, Chapter 20.10 Enforcement and Penalties, shall apply to this PUD district ordinance.

(15) Inspect sites for compliance. For all new and/or substantially improved buildings constructed in the SFHA, inspect before, during and after construction. Authorized City of Bloomington Indiana officials shall have the right to enter and inspect properties located in the SFHA.

Article 5. Provisions for Flood Hazard Reduction.

Section A. General Standards.

In all SFHAs and known flood prone areas the following provisions are required:

(1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

(2) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the Flood Protection Grade (FPG);

(3) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

(4) Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG;

(5) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(7) Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this PUD district ordinance shall meet the requirements of "new construction" as contained in this ordinance;

(8) Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not further, extended, or replaced;

(9) Whenever any portion of the SFHA is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by an equivalent volume of excavation taken below the BFE. The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of 1 to 1) due to the fill or structure.

a). The excavation shall take place in the floodplain and in the same property in which the authorized fill or structure is located;
b). Under certain circumstances, the excavation may be allowed to take place outside of but adjacent to the floodplain provided that the excavated volume will be below the regulatory flood elevation, will be in the same property in which the authorized fill or structure is located, will be accessible to the regulatory flood water, will not be subject to ponding when not inundated by flood water, and that it shall not be refilled;
c). The excavation shall provide for true storage of floodwater but shall not be subject to ponding when not inundated by flood water;
d). The fill or structure shall not obstruct a drainage way leading to the floodplain;
e). The grading around the excavation shall be such that the excavated area is accessible to the regulatory flood water;
f). The fill or structure shall be of a material deemed stable enough to remain firm and in place during periods of flooding and shall include provisions to protect adjacent property owners against any increased runoff or drainage resulting from its placement; and,
g). Plans depicting the areas to be excavated and filled shall be submitted prior to the actual start of construction or any site work; once site work is complete, but before the actual start of construction, the applicant shall provide to the Floodplain Administrator a

certified survey of the excavation and fill sites demonstrating the fill and excavation comply with this article.

(10) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

Section B. Specific Standards.

In the SFHAs of Tract C(a) of the Thomson Area PUD, the following provisions are required:

(1) In addition to the requirements herein this PUD district ordinance, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:

a). Construction or placement of any new structure having a floor area greater than 400 square feet;
b). Addition or improvement made to any existing structure:
(i) where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);
(ii) with a previous addition or improvement constructed since the community's first floodplain ordinance.
c). Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred;
d). Installing a travel trailer or recreational vehicle on a site for more than 180 days.
e). Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
f). Reconstruction or repairs made to a repetitive loss structure.

(2) **Residential Construction.** New construction or substantial improvement of any residential structure (or manufactured home) shall be prohibited in a floodway.

(3) **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards herein. Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:

a). A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure

design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth herein).
b). Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

(4) **Elevated Structures.** New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

a). provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area); and
b). all openings shall be located entirely below the BFE; and
c). the bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and
d). openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and
e). openings are to be not less than 3 inches in any direction in the plane of the wall. This requirement applies to the hole in the wall, excluding any device that may be inserted such as typical foundation air vent device; and
f). access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
g). the interior portion of such enclosed area shall not be partitioned or finished into separate rooms; and
h). the interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade; and
i). where elevation requirements exceed 6 feet above the highest adjacent grade, a copy of the legally recorded deed restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the structure's originally approved design, shall be presented as a condition of issuance of the final Certificate of Occupancy.

(5) **Structures Constructed on Fill.** A residential or nonresidential structure may be constructed on permanent land fill in accordance with the following:

a). The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with either the Standard or Modified Proctor Test method;
b). The fill shall extend at least ten feet beyond the foundation of the structure before sloping below the FPG;

c). The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical;
d). The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties; and
e). The top of the lowest floor including basements shall be at or above the FPG.

(6) **Standards for Manufactured Homes and Recreational Vehicles.** Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:

a). The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;
(i) outside a manufactured home park or subdivision;
(ii) in a new manufactured home park or subdivision;
(iii) in an expansion to an existing manufactured home park or subdivision; or
(iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.
b). The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.
c). Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.
d). Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.
e). Recreational vehicles placed on a site shall either:
(i) be on site for less than 180 days; and,
(ii) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
(iii) meet the requirements for "manufactured homes" as stated earlier in this section.

Section C. Standards for Subdivision Proposals.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty lots or five acres.

(5) All subdivision proposals should minimize development in the SFHA and/or limit density of development permitted in the SFHA.

(6) All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

Section D. Critical Facility.

Construction of new critical facilities should be located outside the limits of the SFHA. Construction of new critical facilities may be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities within the SFHA.

Section E. Standards for Identified Floodways.

Located within SFHAs are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential.

If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of IC 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5of this ordinance have been met.

The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot. For all projects involving channel modifications or fill (including levees) the City of Bloomington Indiana shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.

Section F. Standards for Identified Fringe.

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

Section G. Standards for SFHAs Without Established Base Flood Elevation and/or Floodways/Fringes.

(1) Drainage area upstream of the site is greater than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indian Department of Natural Resources for review and comment.

No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the one-percent annual chance flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.

Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Article 5of this ordinance have been met.

(2) Drainage area upstream of the site is less than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and one-percent annual chance flood elevation for the site.

Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this PUD district ordinance have been met.

(3) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages.

Section H. Standards of Flood Prone Areas.

All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet applicable standards as required per Article 5. Section A (1) through (10).

Article 6. Variance Procedures.

Section A. Designation of Variance and Appeals Board.

Because this document is a Planned Unit Development District Ordinance, the Plan Commission as established by the City of Bloomington Indiana shall hear and decide appeals and requests for variances from requirements of this PUD district ordinance. If an appeal or variance is granted to a Petitioner, the rule change shall be manifested through a PUD District Ordinance amendment.

Section B. Duties of Variance and Appeals Board.

The Plan Commission shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the Plan Commission may appeal such decision to the Board of Zoning Appeals.

Section C. Variance Procedures.

In passing upon such applications, the Plan Commission shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and;

(1) The danger of life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The importance of the services provided by the proposed facility to the community;

(4) The necessity to the facility of a waterfront location, where applicable;

(5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(6) The compatibility of the proposed use with existing and anticipated development;

(7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(8) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(9) The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site; and,

(10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Section D. Conditions for Variances.

(1) Variances shall only be issued when there is:

a). A showing of good and sufficient cause;
b). A determination that failure to grant the variance would result in exceptional hardship; and,
c). A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

(2) No variance for a residential use within a floodway may be granted.

(3) Any variance granted in a floodway will require a permit from the Indiana Department of Natural Resources.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

(6) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest

floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(7) The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request.

Section E. Variance Notification.

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

(1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and;

(2) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

Section F. Historic Structures.

Variances may be issued for the repair or rehabilitation of "historic structures" upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an "historic structure" and the variance is the minimum to preserve the historic character and design or the structure.

Section G. Special Conditions.

Upon the consideration of the factors listed herein, and the purposes of this PUD district ordinance, the Plan Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

Article 7. Severability.

If any section, clause, sentence, or phrase of this Tract C(a) of the Thomson Area PUD Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this PUD district ordinance.

Article 8. Effective Date.

This ordinance shall take effect upon its passage by the City of Bloomington Indiana, Common Council.

Passed and enacted by the Common Council of the City of Bloomington Indiana, on the (day of month) _____ day of (month) _____, 2011.

Common Council of the City of Bloomington Indiana

_____
(name of individual approving)

_____
(name of individual approving)

_____
(name of individual approving)

Attest:_____
(name of individual attesting)

BLOOMINGTON PLAN COMMISSION **CASE #: ZO-27-11**
FINAL REPORT **DATE: December 5, 2011**
LOCATION: 718-720 East 8th Street

PETITIONER: Cheryl Underwood
718-720 East 8th Street, Bloomington, IN

REQUEST: The petitioner is requesting that the property be rezoned from Institutional (IN) to Residential Multifamily (RM).

BACKGROUND:

Area:	0.18 acres
Current Zoning:	IN
GPP Designation:	Core Residential
Existing Land Use:	5 multifamily units over 2 structures
Surrounding Uses:	**North –** Residential; IU Trustees
	South – Residential; IU Foundation
	East – Residential; Private Ownership
	West – History Department offices; IU Trustees

REPORT: This is the second and final hearing report for a request from the petitioner to rezone property located at 718-720 East 8th Street from Institutional (IN) to Residential Multifamily (RM). The petitioner owns a 5-unit rental property located at the southwest corner of East 8th Street and Park Avenue. The property contains two structures and is registered for 5 multifamily units containing 9 bedrooms and a 14 person occupant load.

Between 1973 and 2007, the property was zoned medium density multifamily. The petitioner has been an owner or agent of the property since approximately 1993. In 2007, as part of the City's creation of the Unified Development Ordinance as well as the update of the City-wide zoning map, the property was rezoned from RM to IN. This zoning change was made for two principal reasons:

1) The property is located in an area designated by Indiana University as part of its campus master plan. Between 7th Street, Indiana Avenue, 10th Street, and Woodlawn Avenue, Indiana University currently owns approximately 82 lots while approximately 39 lots are owned by private parties.
2) The block face on the south side of 8th Street, between Park and Fess, contains 5 parcels. Four of the 5 parcels are owned by Indiana University.

Given that the petitioner's site is located within the University's Master Plan area, the University is the dominant lot owner in this area, and the University is the prevailing owner on the petitioner's particular block face, Planning staff opted to recommend rezoning this property and some other privately held properties Institutional rather than Multifamily. Essentially, staff reviewed property

ownership on a block by block basis. In cases where Indiana University ownership was clearly more dominant, multifamily zoned properties were rezoned Institutional. The Official Zoning Map was eventually adopted by the City Council in 2007.

During the UDO and zoning map update process, the Planning Department did not opt to notify all property owners who could potentially be affected by this and other zoning map changes. Rather, staff relied on substantial media coverage, public open house meetings, and the lengthy public review process to give property owners an opportunity to bring up concerns about any potentially negative zoning map proposals. The petitioner was not specifically notified.. For the record, staff notes that this notification process was never objected to by any Plan Commissioner, Council member, or property owner while the zoning map updates were being considered and is consistent with how zoning maps have been updated in the past by the City.

The petitioner's rezoning request was initiated as part of an enforcement case. In fall of 2010, City staff and the County Building Department discovered that two bedrooms each were added to two of the five units on the property. These bedrooms were added without any permit or approvals from City Planning, HAND, or County Building.

From a zoning perspective, this was a violation under either IN or RM zoning. With the current Institutional zoning, residential uses are not permitted. Therefore, the creation of two more bedrooms in each of the units is considered an illegal expansion of a lawful nonconforming use. If the property was still zoned RM, residential use is clearly permitted. However, the five units on 0.18 acre translate to a density of 28 units per acre. RM zoning allows 7 units per acre. Although the property was clearly grandfathered for the 5 existing units and 9 bedrooms, the addition of 2 bedrooms to 2 of these units required zoning approval. Such approval would never have been granted without a variance because the previous density already exceeded RM zoning district limits.

While this zoning violation is still being contested in the legal process, the petitioner has opted to exercise her right to rezone the property even though staff has indicated that the additional bedrooms are still illegal and would not have been permitted under either zoning designation.

ISSUES RAISED AT FIRST HEARING: The following is a list of questions raised at the November 7 Plan Commission hearing:

1. (From the petitioner) Why were privately owned properties in this area zoned Institutional when the purpose of the IN zoning district is to provide regulations for properties associated with public and quasi-public use?

Answer: Zoning districts are created both for land uses that are currently

present on properties as well as land uses that may be reasonably anticipated to occur in the future. Considering that Indiana University is the dominant land owner in the area, the dominant land owner on the block face containing the petitioner's property, and that the area is contained within the University's Master Plan, an Institutional zoning designation is not an unreasonable approach for the City to take. It is not unusual for zoning districts to create some nonconforming uses such as what is occurring on the petitioner's site.

2. (From the petitioner) – Why was the property rezoned to IN when such a land use was not recommended by the Growth Policies Plan?

Answer: A more detailed explanation to this question can be found in the GPP section below. Staff acknowledges that the staff recommendations concerning RM versus IN zoning in this area were made more based on dominant property ownership rather than strict adherence to the GPP. Parcel specific land use recommendations in the GPP were not made using the same, more rigorous block face analysis as occurred during the UDO process.

3. (From the petitioner/also asked by Commissioners) – Does Institutional zoning prevent changes from being made to the interior of the petitioner's property?

Answer: No. The petitioner or any future private owner may remodel the structure to add non-habitable space such as bathrooms, toilet compartments, closets, hallways, storage or utility space, and similar areas. The petitioner may not add bedrooms, units, living room/family room areas, or kitchen areas without going through a Use Variance process. However, bedrooms, living areas, and kitchens can be "swapped out" as long as the square footage or number of these spaces does not increase.

4. (From the petitioner) – Other properties zoned RM have been allowed by the City to add bedrooms so, by inference, an RM zoning designation would allow the petitioner to legalize the bedroom increases that occurred.

Answer: In situations where properties zoned RM have a single unit and less than 5 bedrooms, the addition of bedrooms up to a maximum of 5 is perfectly permissible according to zoning provided that the new bedrooms *may* need to meet Property Maintenance Code and Indiana Building Code requirements. As noted above, the swapping of bedrooms in multi-unit situations would also be permitted. In the first hearing, the petitioner noted several properties such as 528 North Washington St. and 816-820 East 8th Street where the petitioner believes that bedrooms have been impermissibly added. Staff has researched both cases and will follow up in an appropriate manner.

5. (From the Plan Commission) – Is the property located at 816 East 8th Street a lawful nonconforming use or a non-lawful nonconforming use? The question is whether the 5 units and 9 bedrooms occurring in the two structures were ever legally established under the controlling zoning ordinance at the time

Answer: Staff has researched the department's index of Plan Commission and Board of Zoning Appeals approvals. A Board of Zoning Appeals approval was granted in 1980 to allow the garage addressed off Park Avenue to be converted into three apartment units. At the time, the structure at 718 East 8th St. was already acknowledged as being used for a duplex. Based on this approval, the use and density of the project (5 units over 0.18 acres) was determined to comply with the zoning regulations in 1980. This means the property contains a lawful nonconforming use.

6. (From the Plan Commission) – Why would the City want to rezone the property Institutional when the University is not subject to City zoning laws and has the ability to tear down structures? Doesn't this go against the GPP's goal of protecting core neighborhoods?

Answer: Staff cannot rebut this argument. The only answer we can provide is that the area being evaluated is a mixture of Indiana University owned and privately owned properties. The University's ownership dominates both the general area as well as the block face in question. Both public entities, the University and the City, have master plans that overlap. If the GPP recommended Core Residential land uses throughout the area between 10th Street, 7th Street, Woodlawn Avenue, and Indiana Avenue, staff's recommendation would have been to zone the area RM. There's no certainty that the University will tear down the structures or use the property differently from the petitioner.

7. (From petitioner and Plan Commission) – Why weren't the structures located at 622, 707, and 713 East 8th Street zoned Institutional as well?

Answer: For 707 and 713 East 8th Street, they are part of 5 lots that front along 8th Street. Two of these lots are privately owned and three are owned by Indiana University. In this case, either Planning staff should have also recommended RM zoning for the whole block, or it made the conclusion that 60% University ownership wasn't sufficient.

As for 622 East 8th Street, the four lots fronting along 8th Street are all private in nature, that's why the area was not changed from its previous zoning designation.

8. Could City Planning have notified all property owners who were experiencing some change in zoning in 2007?

Answer: Yes. However, the policy decision of the City over the last two zoning map updates (1995 and 2007) has not been to utilize individual property owner notice. There are pros and cons concerning community-wide notice versus individual property owner notice. The bottom line is that the community-wide notice option was not a point of contention for Plan Commissioners, Council members, and property owners in the time leading up to the 2007 zoning map update. From staff's perspective, the merits of each approach should be discussed in association with future code updates, but should not be used to justify a single rezoning request for a platted lot.

GROWTH POLICIES PLAN: The GPP designates this lot as Core Residential. Obviously, there are discrepancies in how the zoning designations correspond to the GPP recommended land use designations of Core Residential and Public/Semi-Public/Institution. However, this should not be surprising or of concern to the Plan Commission because the actual property usage is still residential in nature. The area within the western edge of the IU Campus Master Plan and the eastern edge of the Old Northeast Neighborhood has always been a fine grained mix of public versus private ownership, private rental property and IU rentals, and a mix of institutional style buildings and older historic homes.

With the University's ownership in the area gradually increasing over the years, determining Institutional versus Multifamily zoning has always been a difficult zoning recommendation to make for the Planning staff. If these zoning decisions are only based on property ownership, the zoning map would become quickly out of date once properties change from private to public ownership (or visa versa).

In order to aid the Plan Commission's decision making to determine the appropriate zoning for this property, staff is including the following text from Page 30 of the GPP (Core Residential Land Use Policy).

Land Use

The predominant land use for this category is single family residential; however, redevelopment has introduced several uncharacteristic uses such as surface automobile parking, apartments, offices, retail space and institutional activities. This district is designed primarily for higher density single family residential use. The existing single family housing stock and development pattern should be maintained with an emphasis on limiting the conversion of dwellings to multi-family or commercial uses, and on encouraging ongoing maintenance and rehabilitation of single family structures. Multi-family (medium and high-density) residential and neighborhood-serving commercial uses may be appropriate for this district when compatibly designed and properly located to respect and compliment single family dwellings. Neighborhood-serving commercial uses, and possibly even office uses, may be most appropriate at the edge of Core Residential areas that front arterial street locations. More specific land use policies include:

• *Allow multi-family redevelopment along designated major streets, in transition areas between the downtown and existing single family residential areas, and when appropriately integrated with adjacent uses per adopted form district requirements.*
• *Explore opportunities to introduce nodes of appropriately designed, neighborhood scaled commercial uses within the core neighborhoods.*
• *Discourage the conversion of single family homes to apartments.*

FINAL ANALYSIS: In accordance with 20.09.160 (Amendment to Zoning Map), the Plan Commission shall base its rezoning decision on the following findings:

(A) The recommendations of the Growth Policies Plan;

Staff Finding: As noted above, staff concludes that the GPP does not provide adequate guidance in either direction. The property specific recommendation is Core Residential while the area-wide recommendation is dominated by a Public/Semi-Public/Institutional land use designation. Both recommendations are clearly valid.

(B) Current conditions and character of structures and uses in each zoning district;

Staff Finding: The structures on the site and surrounding area are located in the University Courts Survey District. For those structures not owned by Indiana University, this means that additions or demolitions of those structures are demolition delay review. The structures are largely residential in character, containing a mixture of institutional and residential land uses. Rezoning the property or larger area to Multifamily Residential would provide a greater certainty that these structures would be preserved.

(C) The most desirable use for which the land in each zoning district is adapted;

Staff Finding: Although RM zoning is conventionally associated with residential land uses while IN districts involve uses associated with public and semi-public institutions, the areas surrounding the IU campus are typically associated with both residential and institutional uses contained in residential style buildings. As a result, either zoning district can accommodate the current established residential use of this property.

(D) The conservation of sensitive environmental features;

Staff Finding: This criterion is not applicable since there are no environmental features in question.

(E) The conservation of property values throughout the jurisdiction;

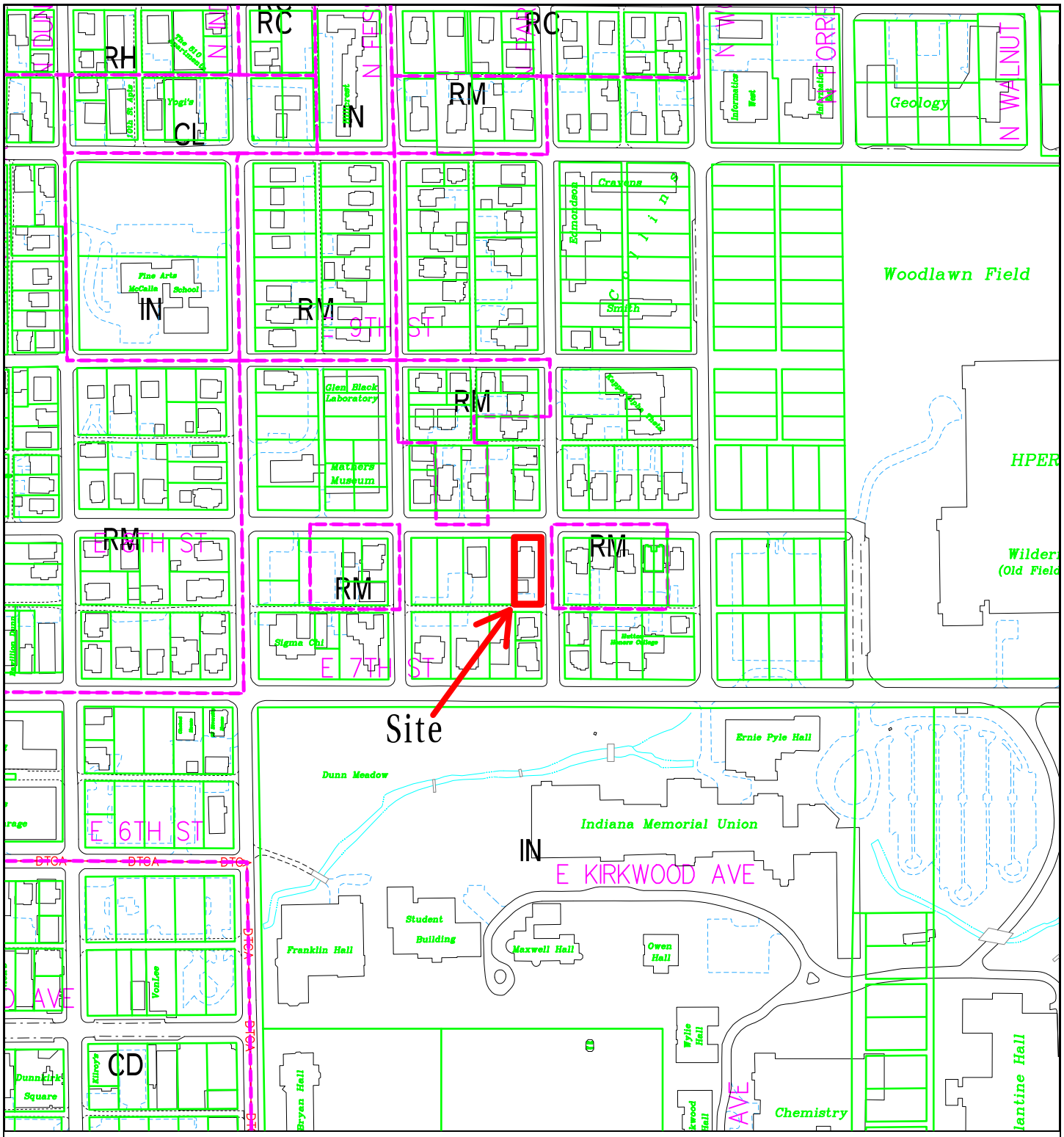
Staff Finding: Although staff and the petitioner disagree on this point, the value of the property is controlled less by zoning but rather because previous development has established five multifamily dwelling units containing nine bedrooms. Because the rezoned property is only 0.18 acres, a change of zoning would have a negligible affect on surrounding property values.

and (F) Responsible development and growth.

Staff Finding: This is the key finding that causes staff to recommend denial of the petition. When evaluating whether a single 0.18 acre platted lot in this neighborhood should be zoned Residential Multifamily or Institutional, staff recommends that the more responsible method for proceeding would be to review the entire multi-block area west of the IU campus. If it is determined that Institutional zoning should be changed to Residential Multifamily in order to make such zoning precisely consistent with either private property ownership or the Growth Policies Plan, such a determination should be made for the area as a whole rather than for an individual platted lot surrounded by IN zoning and university ownership on three of four sides.

Additionally, taking an area-wide approach to the zoning issue rather than a single lot approach makes more sense because if zoning changes end up being proposed by staff, full property owner notification and input from the University and Old Northeast Neighborhood could be incorporated. Finally, making an area-wide zoning decision would eliminate the need for the Plan Commission and Council to make additional lot by lot rezoning decisions in the future.

RECOMMENDATION: Staff recommends that this rezoning request be forwarded to the Common Council with a denial recommendation. If a majority of the Commission believes that the procedure utilized by staff to make zoning recommendations for this general area was not properly executed, staff is amenable to the adoption of a Plan Commission resolution directing staff to review the zoning procedure followed. The goal would be for staff to revisit the Plan Commission with a new proposal basing its zoning recommendation on either the GPP land use map or the presence of public versus private ownership.



ZO-27-11 Underwood

718 E 8th Street

Plan Commission

Site Location, Zoning, Land Use

By: greulice

1 Dec 11

300 0 300 600 900

N

City of Bloomington
Planning

Scale: 1" = 300'

For reference only; map information NOT warranted.

Cheryl L. Underwood
825 N Walnut St, Suite A
Bloomington, IN 47404
(812)334-0094
cunderwo@homefinder.org

6 October 2011

Planning & Zoning Department
City of Bloomington
401 N Morton St
Bloomington, IN 47404

To Whom It May Concern:

Is it my wish that my property at 718-720 E 8th be returned to its original zoning of Residential-Multi-Family. It was the only property of all the privately owned properties on 8th St between Fess & Woodlawn that was rezoned to INSTITUTIONAL. The intent of INSTITUTIONAL zoning as stated in the Unified Development Ordinance is "for publicly owned properties."

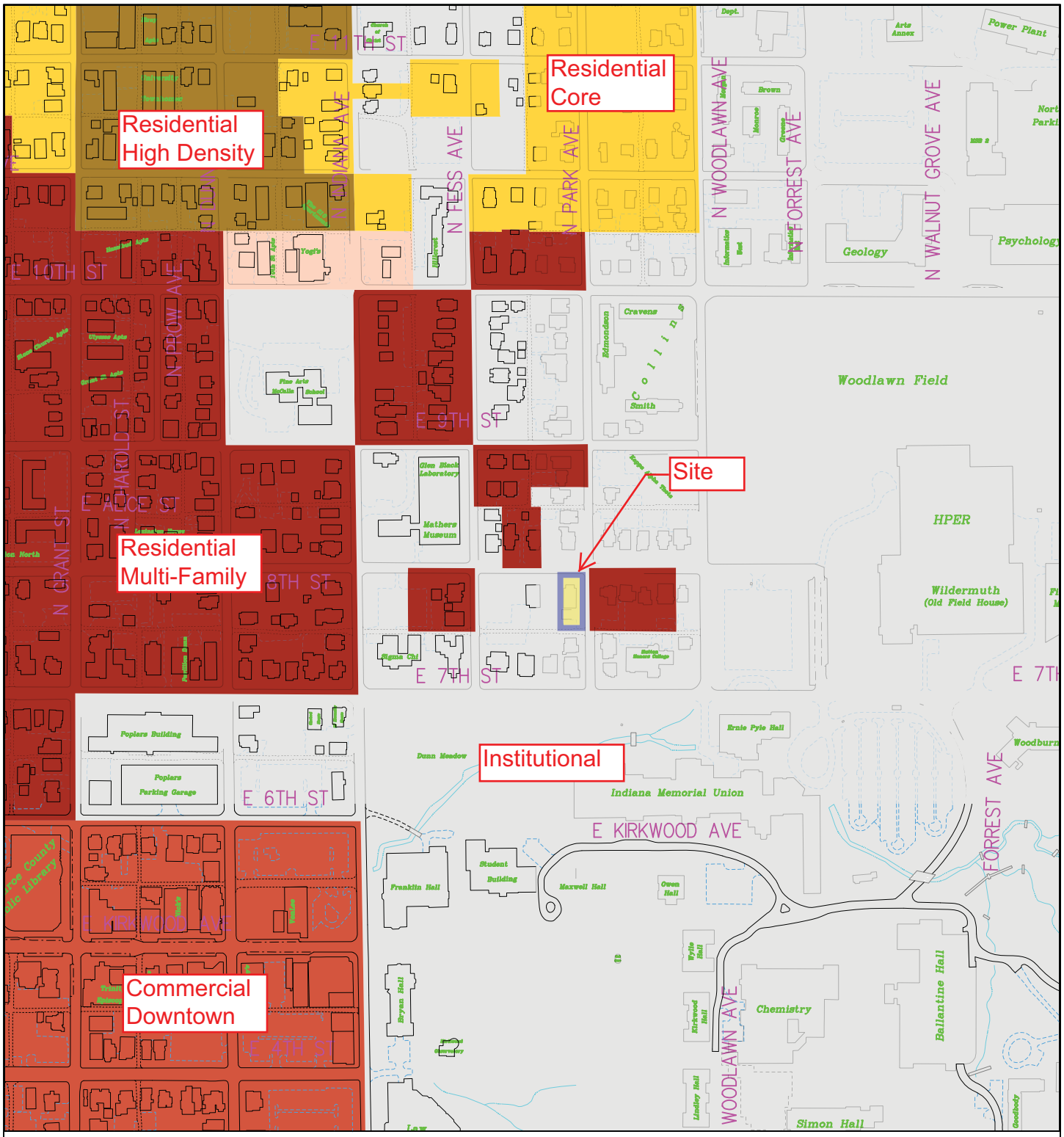
Sincerely,

Cheryl L Underwood

Cheryl L. Underwood

ZO-27-11 Petitioners Statement

received by
10/6/11 Thomas B. Miller



ZO-27-11 Underwood

718 E 8th Street

Plan Commission

2011 Zoning Map

By: greulice

30 Nov 11

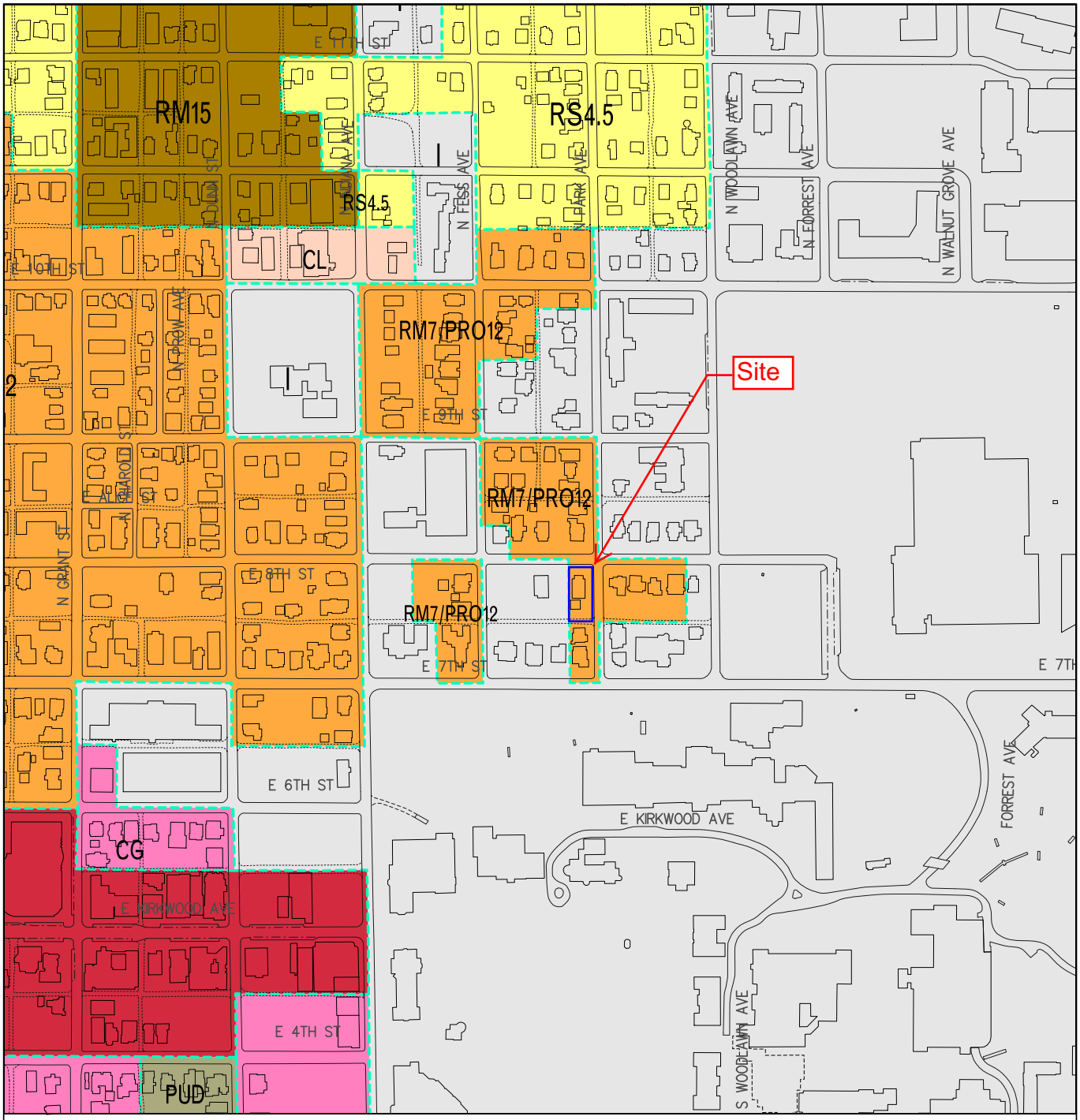
400 0 400 800 1200

N

City of Bloomington Planning

Scale: 1" = 400'

For reference only; map information NOT warranted.



City of Bloomington 1996 Zoning
around 718 E 8th St

By: haleyl
30 Nov 2011

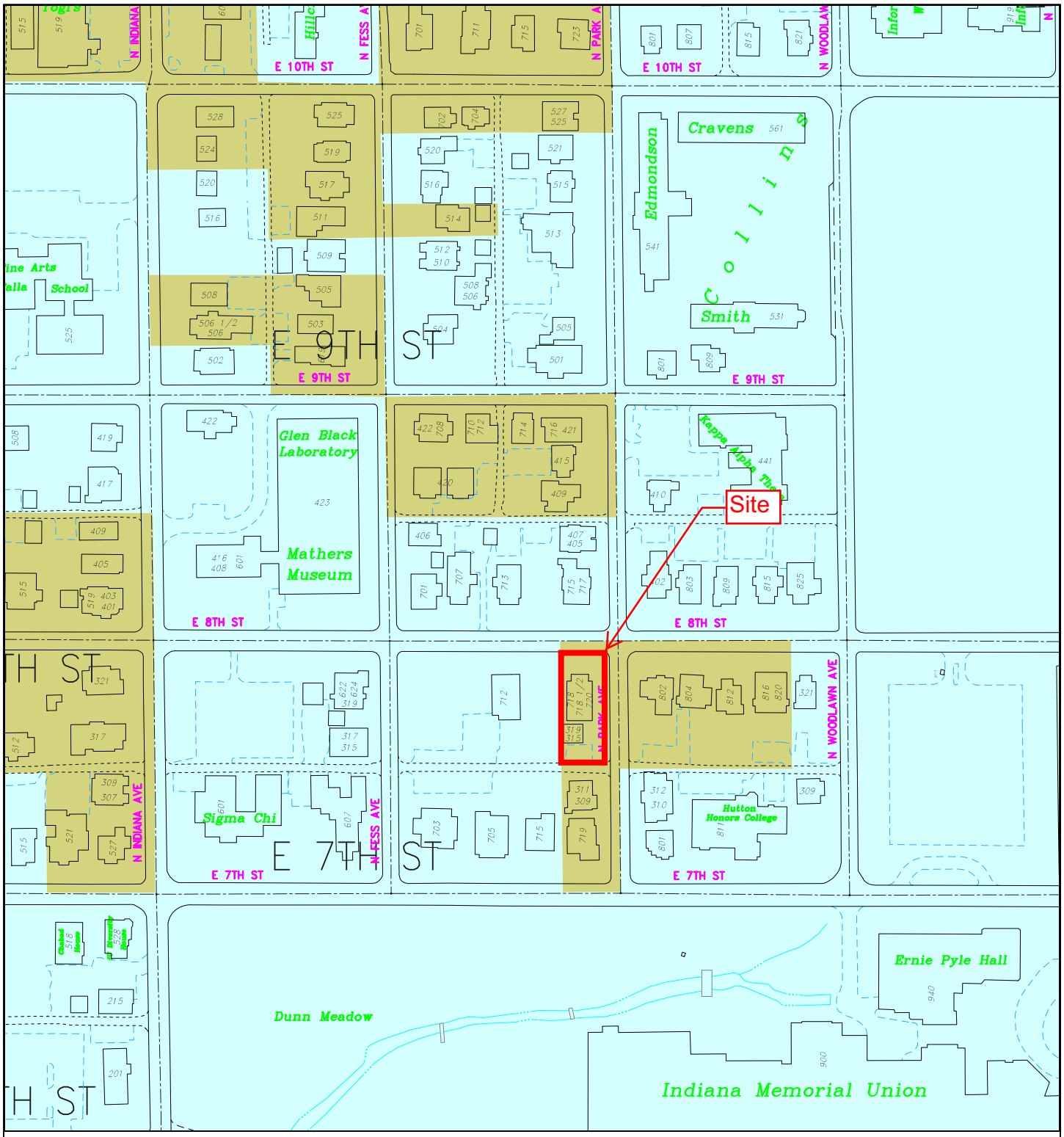
400 0 400 800 1200

N

City of Bloomington
ITS Department

Scale: 1" = 400'

For reference only; map information NOT warranted.



Growth Policies Plan Map

By: greulice
30 Nov 11

200 0 200 400 600

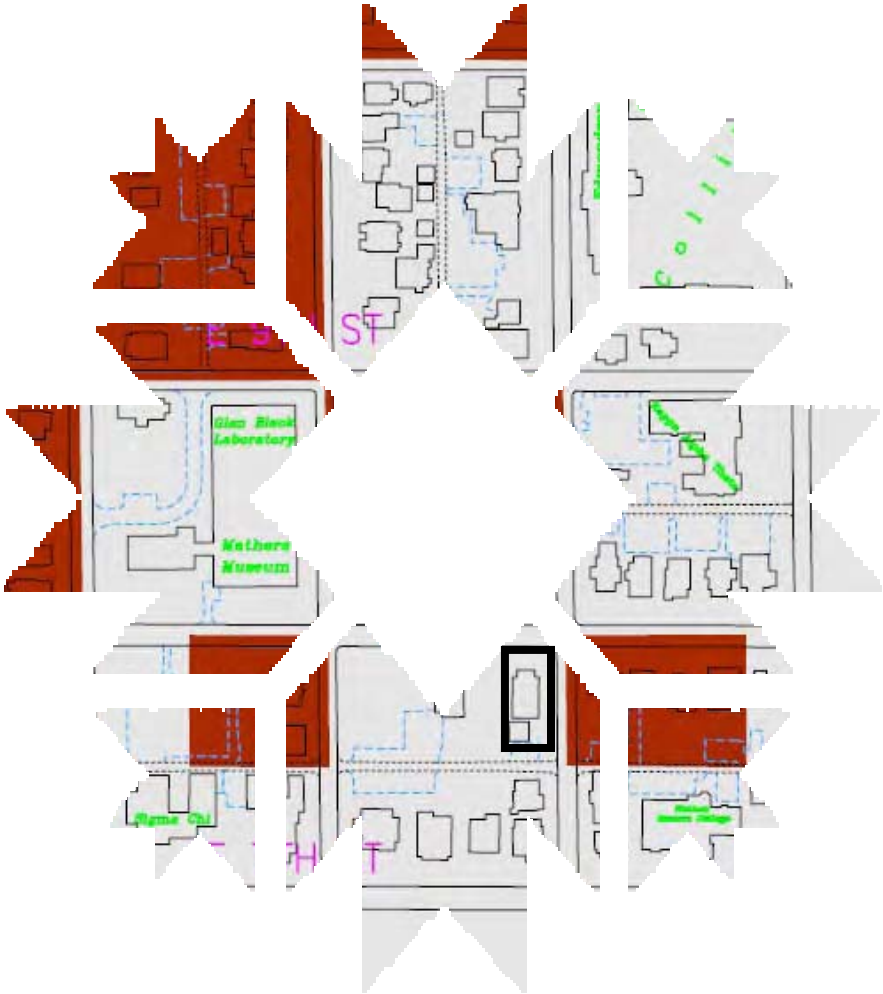
N

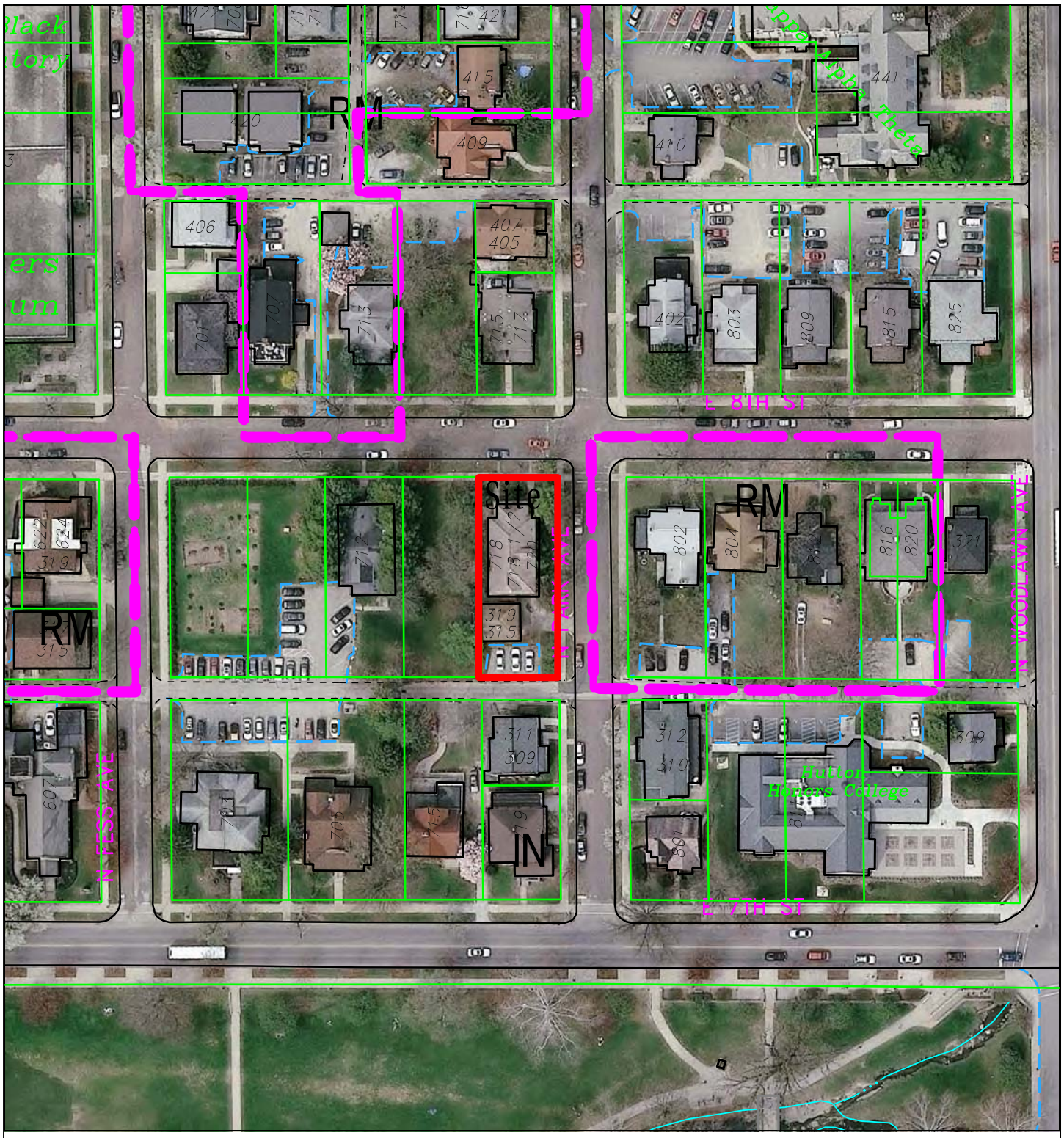
City of Bloomington
Planning

Scale: 1" = 200'

For reference only; map information NOT warranted.

Current Zoning and Growth Policies Plan





ZO-27-11 Underwood

718 E 8th Street

Plan Commission

2010 Aerial Photograph

By: greulice

1 Dec 11

100 0 100 200 300

N

City of Bloomington
Planning

Scale: 1" = 100'

For reference only; map information NOT warranted.

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-28-11**
SECOND HEARING STAFF REPORT **DATE: December 5, 2011**
LOCATION: 1525 S. Rogers Street

PETITIONER: Warehouse Community Center
1525 S. Rogers Street, Bloomington

COUNSEL: Michael L. Carmin
400 W. 7th Street, Bloomington

REQUEST: The petitioner is requesting a preliminary plan amendment to amend the list of uses within Tract E of the Thomson Planned Unit Development. Also requested is a PUD Final Plan approval.

SITE INFORMATION:

Lot Area:	8.56 Acres
Current Zoning:	Planned Unit Development (Thomson PUD)
GPP Designation:	Employment Center
Existing Land Use:	Warehouse/Offices
Proposed Land Use:	Community Center
Surrounding Uses:	North – Single Family (McDoel Gardens neighborhood) & Industrial South – Warehouse/Semi-tractor storage East – B-Line Trail, Commercial and Residential West – Irving Materials

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CHANGES SINCE FIRST HEARING: At the first hearing there were several comments solicited from Plan Commission members regarding the list of permitted uses that has been submitted as well as a possible cap on the maximum amount of space for an individual retail space. Staff also received comments on architecture, compact car parking spaces, the theater flyloft, the height of the building, and a second access point for the fire department.

The petitioner has agreed to revise the site plan to show an emergency secondary fire department access point from the parking lot to the B-Line trail. The widening of the access point from the previous 6' sidewalk to an 18' drive has resulted in the loss of 2 parking spaces. The petitioner has also added additional landscaping along the west side of the parking area adjacent to the B-Line trail spur that requested by Staff. In regards to the limitation on the specific size of retail type uses, Staff proposes a maximum cap of 20,000 sq. ft. allowed for retail uses on this parcel. Staff has marked the retail type uses on the proposed use list that would be limited.

At the request of the Plan Commission, the petitioner investigated the installation of compact car parking spaces and has modified the parking area to include 28 compact car spaces on the southwest corner of the parking area. The modification of the parking area for compact cars has also reduced the disturbance and grading in the area.

Floodplain Ordinance: With this PUD amendment it is also necessary to include new language and updates to the floodplain development regulations of the UDO. Until the entire UDO can be updated, the State of Indiana Department of Natural Resources has recommended that we include the attached language to this petition to address missing language from the UDO concerning how floodplain disturbance should be regulated in PUD's. The attached exhibit contains language based on the state's model floodplain code that will allow the PUD amendment to conform to both local and state codes. This language has been approved by DNR.

REPORT: The petition site is located on Tract E of the Thomson PUD and has been developed with a 200,000 sq. ft. warehouse. The property is surrounded by industrial uses to the west, south, and north with the McDoel neighborhood also to the north and the B-Line Trail/Switchyard property to the east. The property has several large trees on the south side of the property along the West Branch of Clear Creek. The floodplain of the West Branch of Clear Creek and Clear Creek encroaches along the west, south, and east sides of the property. The building itself is not located in the floodplain.

The petitioner is seeking approval to allow the redevelopment of a portion of Tract E of the Thomson Planned Unit Development also known as the Indiana Enterprise Center. This PUD was created in 1998 by the City to help guide future redevelopment of the Thomson Consumer Electronic site that had recently closed. The intent of this PUD was to recognize the former industrial use of the property and create incentives to redevelop this area with employment and ancillary uses.

Since that time, the PUD has slowly developed to reuse several existing buildings (Cook Pharmica, Upland/Indiana Warehouse, Schulte) and construct new buildings such as The McDoel Building (Sweetgrass, Clendening Johnson & Bohrer), Best Beers, Social Security, and two medical office buildings. Several public investments have also been made to the area, including street construction within the PUD, streetscape improvements along Rogers St, and riparian buffer improvements, all designed to help promote development in the area. Additional public improvements in the area include the recently completed Phase 2 of the B-Line Trail that runs along the east side of this property. Additional improvements and plans for the recently acquired Switchyard property are being developed through a master plan process being conducted by the City.

The petitioner is requesting to amend the list of uses for this property, located within Tract E, to allow for a new community center. In addition to allowing a community center, the proposed list of uses has also been expanded to allow retail, office, and recreational uses within the building or on the property. Also requested is preliminary plan approval of the community center including a 214 space parking lot and related site improvements. Final plan approval has been requested to be delegated to Staff. Staff is supportive of both requests and has proposed a condition of approval delegating final site plan approval to Staff.

With this petition there would be substantial improvements to the interior and exterior of the building. Exterior building improvements would consist of new siding and finishing materials on all four sides, the addition of a tower structure on the west side of the building, and construction of a theatre and fly loft on the east side of the building. Additional site improvements include installing parking and landscaping, as well as the installation of rain gardens to provide stormwater quality and detention requirements. A permit from the Department of Natural Resources for any work within the floodplain is required prior to the issuance of a grading or building permit.

The building would be used as a community center with a wide range of services and amenities. Interior features include a 1,500 seat theater/place of worship, approximately 30,000 sq. ft. of office space, skateboard park, bocce ball court, soccer court, basketball court, climbing wall, day care center, and several retail spaces. An outdoor patio area is being created around the retail spaces on the southeast corner of the building facing the B-Line trail. An outdoor stage is proposed on the east side of the building facing the B-Line trail that is connected to and extends from the internal stage to provide an opportunity for events utilizing the adjacent park property.

Growth Policies Plan: This property is located within the Employment Center land use category of the Growth Policies Plan (GPP). The GPP states that Employment Centers should be located in close proximity or contain commercial and housing opportunities to minimize the traffic generated by their employment base. (page 37)

The GPP also notes that Employment Centers should include "supporting commercial uses" and the commercial uses should be "integrated within an employment center [and be] at a scale that services the employment center but does not generate significant additional business from the community at large." (page 37)

The GPP specifically notes that "former Thomson property" is an important site for redevelopment. (page 21) The GPP's "McDoel Switchyard Subarea" states that the City should "promote mixed-use development adjacent to the rail corridor that encourages retail services, new housing opportunities, and recreational amenities." It goes on to recommend that "In order to beautify the trailway, [the City should] explore redevelopment opportunities of industrial sites along the Morton Street corridor." (page 66)

PUD PRELIMINARY PLAN REVIEW ISSUES:

Permitted Uses: The approved PUD anticipated that Tract E would be developed with mostly industrial or office uses. Therefore, the 1998 permitted use list included a narrow range of industrial uses. Because this PUD was adopted under the previous zoning ordinance, the list of permitted uses does not match the current UDO use names. The petitioner has worked with Staff to develop a use list using the current UDO use names that includes a wider range of commercial uses. The use list included with this petition would replace the list

of uses originally approved in the PUD for this property. The list of proposed permitted uses was chosen to avoid potential conflict with the adjacent single family residences as well as to fit with the future park. Per the Plan Commission recommendations Staff has written a condition of approval that places a maximum cap on the amount of overall retail space within the building. The maximum amount of retail space in the building, or for an individual future use, would be 20,000 sq. ft. The specific retail uses that would be subject to this limitation have been identified on the use list.

Development Standards: The development standards used in the original PUD for height, bulk, density, and setbacks were either the existing conditions or the applicable development standard set forth in the PUD for that use, whichever is the lesser. Since some of the uses and zoning districts used in the Thomson PUD are no longer present in the UDO, the petitioner is updating and expanding this section for this property specifically. With this petition, the development standards on this property would be those of the CG district, unless stated otherwise in the preliminary plan.

ROW Dedication: With this petition, there would be 40' of right-of-way dedicated along Rogers Street. A 5' wide concrete sidewalk and street trees are required as well.

Floodplain: This property is at the confluence of two floodplains that come together at the south end of the property. The floodplain of Clear Creek runs along the east side of the property and the floodplain of the West Branch of Clear Creek is to the south and west. The PUD anticipated redevelopment of the areas within the floodplain and required that all necessary local, state, and federal permits be obtained prior to work within the floodplain. A previous approval was granted to allow an even larger parking lot than proposed by this petition. That parking lot was never constructed.

SITE DESIGN/PUD FINAL PLAN REVIEW ISSUES:

Stormwater: The petitioner has submitted drainage and utility plans to City of Bloomington Utilities for review. The only major increase of impervious surface coverage on the property will be from the new parking area on the south side of the property. The petitioner is proposing several interior rain gardens to provide stormwater quality improvements and detention requirements.

Signage: The petitioner has proposed sign limitations for exterior wall signs. No box signs are allowed for external signage. In addition, external illumination for wall signs will be prohibited. All wall signs must be internally illuminated or utilize back-lit lettering.

Architecture: The petitioner is proposing to refinish the entire exterior of the building on all four sides. New siding and finishing will be installed and will consist of limestone, brick, horizontal and vertical corrugated metal with split face block around the foundation. A list of allowable exterior materials has been proposed in the preliminary plan.

Parking: The Thomson PUD recognized the constraints on this property in regards to the large warehouse building and adjacent creeks and floodplain. The petitioner has worked with staff to provide a 25' riparian buffer from the top of the bank of the creek and the adjacent parking. The petitioner has designed a parking area that provides a total of 214 parking spaces on the site. Of those 214, 28 spaces are for compact cars and are 8' wide rather than the required 9' wide. Permeable pavers will be utilized for 43 of the parking spaces to reduce stormwater detention requirements and improve water runoff quality. The petition will also be utilizing buses to provide transportation for special events. In addition, the petitioner has contacted some of the adjacent property owners about the possibility of leasing parking spaces when necessary.

Height: The standard height for the CG districts is 50 feet. The petitioner is proposing to amend this limit to allow for a 55' tower on the west side of the building and a 74' tall flyloft for the theatre on the east side of the building. Staff supports the proposed height for the flyloft and the tower shown on the west side of the building.

Impervious Surface Coverage: The property will have approximately 78% impervious surface coverage after development. This is above the CG zoning district standard, but completely consistent with the 1998 preliminary plan.

Landscaping: The Thomson PUD specifically stated that "due to the necessity to gain every available parking space on this parcel, landscaping opportunities will be limited. Perimeter parking lot landscaping/screening shall be installed where feasible, given site constraints. Parking lot landscaping code requirements are waived, given site constraints." The petitioner has submitted a landscape plan that places as much landscaping as possible around the site. In addition, the petitioner has taken Staff's recommendation to install additional landscaping between the parking area and the B-Line spur to the west.

CONCLUSION: Staff is supportive of the proposed use and modifications proposed. Staff finds the redevelopment of this property will greatly improve the look of the building and property from the B-Line trail. Leveraging the B-Line trail as an economic development tool is an en extremely important goal for the City.

RECOMMENDATION: Staff recommends approval of this petition with the following conditions of approval:

1. Final plan approval is delegated to Staff level.
2. A permit from IDNR is required prior to issuance of any staff level final plan approval.
3. This approval pertains to the reuse of the existing building and minor additions as submitted only. Any new construction on this parcel must go back to the Plan Commission for PUD review.
4. This property shall be referred to as Tract E(a) for the purpose of this amended PUD District Ordinance.

5. The document titled “Rules for the Special Flood Hazard Areas within Tract E(a) of the Thomson area Planned Unit Development” shall be included as a part of the PUD District Ordinance.
6. Approval of this District Ordinance amendment specifically permits the depicted building additions and parking within the floodway subject to the standards of the “Rules for the Special Flood Hazard Areas within Tract E(a) of the Thomson area Planned Unit Development” document.

MEMORANDUM

Date: December 1, 2011

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-28-11: Warehouse Community Center, second hearing

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This memorandum contains the Environmental Commission's (EC) recommendations regarding a Planned Unit Development (PUD) District Amendment and Final Plan approval for part of the Thomson Area PUD, Tract E. The entire lot outside of the building's foundation sits within a Special Flood Hazard Area (SFHA), specifically a floodway, based on the Federal Emergency Management Agency (FEMA) Digital Flood Insurance Rate Maps (DFIRM), which restrict the uses allowed by the City of Bloomington Indiana, the Indiana Department of Natural Resources, and the Federal Emergency Management Agency.

The EC supports the amendment allowing the use of a community center at this site. The proximity to the B-Line Trail melds well with the concept of this project.

The EC also supports the amended floodplain rules for this PUD. The original PUD District Ordinance was somewhat vague regarding development in a floodplain, and this amendment requires that the Petitioner follow State Department of Natural Resources (DNR) regulations.

The EC does not support approving a Final Plan at this time. This Final Plan is not closely related enough to the PUD District Amendment to approve them in the same action. There are still too many unknowns regarding floodplain, floodway, and floodway-fringe allowances, the EC does not support the building addition or the parking lot in the floodway, and the plan is too weak in regard to sustainable redevelopment.

EC SPECIFIC CONCERNS

1.) FLOODPLAIN DEVELOPMENT:
Because of receiving comments from the DNR so close to the time of this meeting, the EC has not had sufficient time to review the floodplain section of the PUD District Ordinance amendment. However, the EC believes that before a Final Plan is approved by the City, the Petitioner needs to have the required DNR Development in a Floodplain Permit in hand. This belief comes from Indiana State regulation 312 IAC 10-3-6 Sec. 6. (a) Local approval of activities within a floodway, which states that a county or municipality shall not authorize a structure, obstruction, deposit, or excavation in a floodway until a license [permit] is issued by the department under IC 14-28 FLOOD CONTROL.

Furthermore, the EC believes it is unlikely that the DNR will grant a permit for a building-footprint addition or the removal of a wooded area in a floodway to make way for a parking lot. If the permit was denied, this Final Plan would be unfeasible and the Petitioner would have to change the plan altogether and resubmit it for approval.

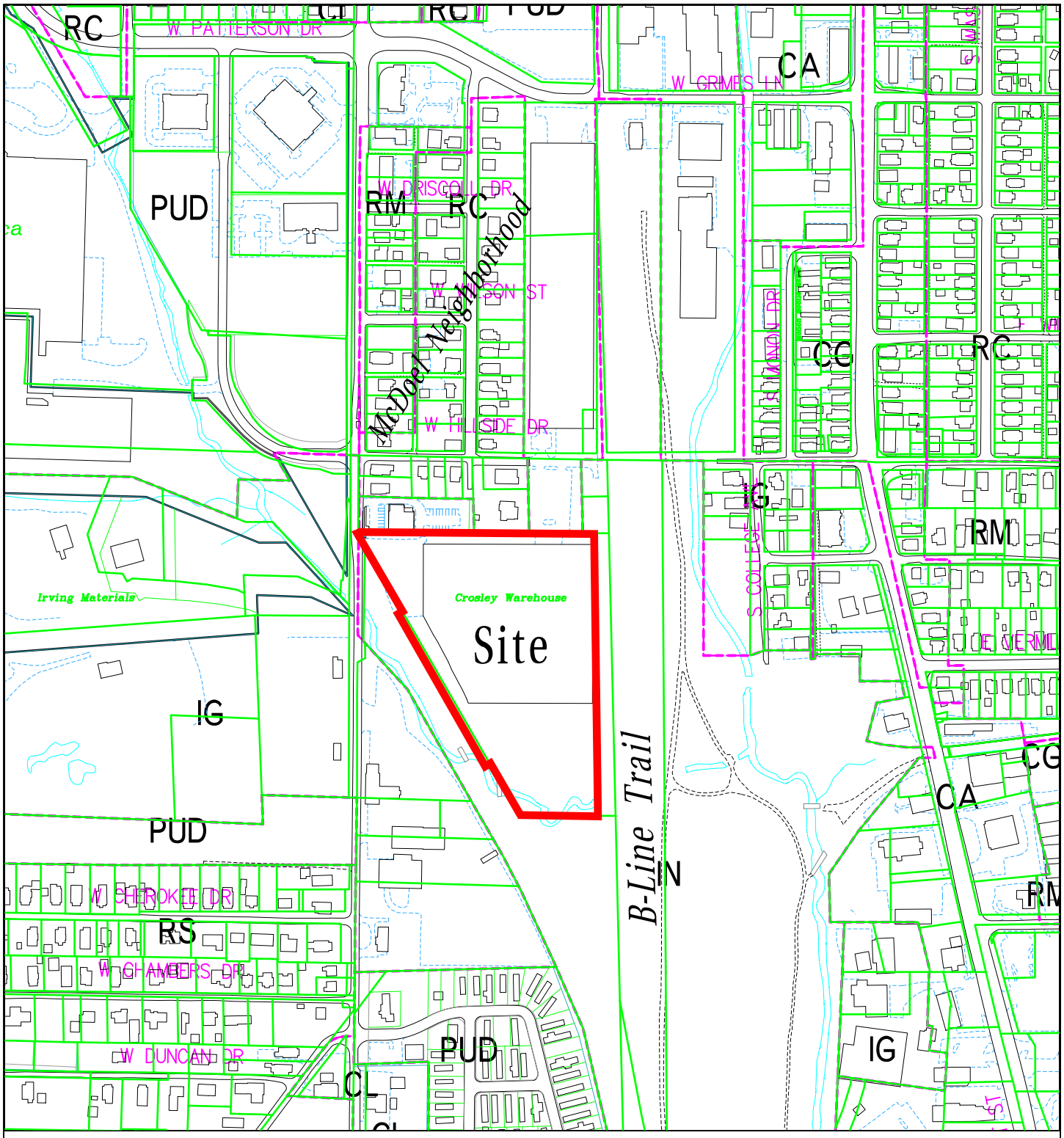
The EC is opposed to allowing the petitioner to clear-cut a wooded floodplain and riparian buffer in order to construct a parking lot. The site affords no room for any type of tree replacement ratio to make up for all those removed for the parking. The warehouse is sufficiently large enough to create parking inside of it. If the requested new uses cannot accommodate indoor parking and must have the parking in the floodplain, then the EC recommends denial of this use amendment and the Petitioner should find a different use for the building that doesn't require destroying a wooded floodplain.

2.) LOW IMPACT DEVELOPMENT AND SUSTAINABLE BUILDING AND SITE DESIGN:
This Final Plan is currently very weak in regard to "green" redevelopment. The building is huge and the location is prominent –almost part of the B-Line Trail and future City park, thus the EC recommends that the building and site be developed in a more sustainable fashion.

EC RECOMMENDATION:

1.) The EC recommends that the PUD District Ordinance amendment for change in use and floodplain rules be approved as long as the Final Plan not be approved at this time.

2.) The EC recommends denial of the Final Plan at this time and denial of the PUD Amendment if the Final Plan remains as it is now.



PUD-28-11 Warehouse Community Center

1525 S Rogers Street

Plan Commission

Site Location, Zoning, Parcels, Land Use

By: greulice

3 Nov 11

400 0 400 800 1200

N

City of Bloomington
Planning

Scale: 1" = 400'

For reference only; map information NOT warranted.

PUD PRELIMINARY PLAN AMENDMENT AND FINAL SITE PLAN STATEMENT

Petition

NSSX Properties, LLC ("Petitioner") petitions for preliminary plan amendment to the Thomson PUD and final Site Plan approval for redevelopment of the real estate at 1525 S. Rogers Street ("Real Estate").

Current Use

The Real Estate is an existing warehouse building with associates parking located on 8.5 acres.

Current Zoning

The Real Estate is a part of Parcel E, Thomson PUD. Permitted uses in the Thomson PUD Plan for Parcel E are limited and generally relate to industrial uses.

Petitioner's Use

Petitioner intends to remodel and renovate the existing warehouse building to a community center with additional mixed uses.

Changed Conditions

The major part of the Thomson PUD is located west of Rogers Street. Parcel E is east of Rogers Street. Parcel E and surrounding areas are not developing or being redeveloped for industrial uses. The area south of the Real Estate remains existing warehouse facilities primarily used in past years for a trucking, warehousing and transportation center. North of the Real Estate is the property recently acquired and remodeled by Community Kitchen. North of the Community Kitchen are mixed uses, including a recently developed commercial building with a restaurant. East of the Real Estate is the B-Line Trail and east of the trail is a large parcel owned by Parks & Recreation. The redevelopment of properties east of Rogers Street, particularly with the creation of the B-Line Trail, are tending to mixed uses more consistent with a Commercial Arterial Zone.

Petitioner's Redevelopment of the Warehouse

Petitioner will remodel and redevelop the warehouse building into a covered mall type arrangement allowing for interior offices, recreational uses, community center uses, restaurant and other compatible uses. Petitioner will preserve and adapt the existing warehouse building for the mixed commercial and related uses. The project will be known as The Warehouse. Petitioner proposes to reserve the core character of the building as a warehouse in the selection of exterior materials and preserving most of the existing roof line and exterior features. The existing building and site conditions limit and restrict opportunities to redesign the site. The Real Estate is bordered on the south by an existing stream. On the east is the B-Line Trail and on the west is the Rogers Street right-of-way.

Adaption of the existing building will include raising the height of a portion of the roof line on the existing building to accommodate the interior modifications for a mall design and pedestrian corridor and a proposed stage and recreational area.

PUD Amendments

1. Permitted Uses: The following list of permitted uses is extracted from the table of permitted uses for Commercial General Zone (omitting or deleting selected permitted uses in the CG zone deemed incompatible for this location). **+ =indicates uses with a maximum size restriction of 6,000 sq. ft.**

- antique sales +
- apparel and shoe sales +
- art gallery
- artist studio
- arts/crafts/hobby store +
- assisted living facility
- bank/credit union
- banquet hall
- barber/beauty shop
- bicycle sales/repair +
- billiard/arcade room
- bookstore +
- bowling alley
- brewpub +
- business/professional office
- cellular phone/pager services +
- community center
- computer sales +
- convenience store (without gas) +
- copy center +
- day-care center, adult
- day-care center, child
- drugstore +
- dry-cleaning service
- dwelling, upper floor units
- fitness center/gym
- fitness/training studio
- florist +
- gift shop/boutique +
- government office
- government operations (non-office)
- grocery/supermarket
- group care home for developmentally disabled*
- group care home for mentally ill*
- group/residential care home*
- hardware store +
- health spa
- jewelry shop +

- library
- license branch
- lodge
- miniature golf
- museum
- music/media sales +
- musical instrument sales +
- nursing/convalescent home
- park
- pet grooming
- pet store +
- photographic studio
- place of worship
- police, fire or rescue station
- radio/TV station
- recreation center
- research center
- restaurant
- restaurant, limited service
- retail, low-intensity +
- school, preschool
- school, primary/secondary
- school, trade or business
- shoe repair
- skating rink
- social service
- sporting goods sales +
- tailor/seamstress shop
- tanning salon
- theater, indoor
- theater, outdoor
- video rental +

2. Design Standards: Adopt the commercial arterial design and development standards as applicable to the Real Estate, except as follows:

a. Building height. The 50-foot maximum building height increased to 74 feet for a portion of the roofline of the existing building and tower structure as depicted on Petitioner's Development Plan.

b. Riparian Buffer to be 25 feet measured from the top of the stream bank closest to the Real Estate.

c. Exterior Finish Building Materials shall consist of limestone, masonry or brick, painted steel, cedar or other wood materials, and glass block. Split face cmu is restricted for use on exposed foundation walls. Synthetic stucco is restricted for use in sign face/panel areas.

d. Signs. No box signs will be permitted. No exterior illumination exclusive for signs. Sign letters to be internally illuminated or backlit lettering.

NSSX Properties, LLC is the owner of the real estate located at 1525 S. Rogers Street, described as:

Tract 1

A part of the Northeast quarter of the Northeast quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows:

Beginning at a point which is 220.5 feet South and 37.0 feet west of the Northeast corner of the aforesaid quarter-quarter, said point being 7 feet West of the West right-of-way of the Monon Railroad and on the South line of the property deeded to A. Helton Pauley and John L. and Lucretia H. Shirley, thence South, over and along a line 7 feet West and parallel to the West right-of-way line of the Monon Railroad, for a distance of 580.0 feet, thence East for a distance of 7 feet, and to the West right-of-way of the Monon Railroad, thence South, over and along the West right-of-way line of the Monon Railroad, for a distance of 222.5 feet, thence West for a distance of 218.9 feet and to the East right-of-way of the Illinois Central Railroad, thence North 31 degrees and 16 minutes West, over and along the East right-of-way of the Illinois Central Railroad for a distance of 933.7 feet, and to the centerline of South Rogers Street, thence North, over and along the centerline of South Rogers Street, for a distance of 7 feet, thence East, over and along the South line of the property deeded to A. Helton Pauley and John L. and Lucretia H. Shirley, for a distance of 697.5 feet, and to the place of beginning.

Tract 2

A parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 8, Township 8 North, Range 1 West of the Second Principal Meridian, Monroe County, Indiana, more particularly described as follows:

Beginning at a point which bears South 31 degrees 16 minutes East a distance of 250 feet from a point which is 7 feet south, as measured along the Center line of Rogers Street, of the intersection of the north line of the Arrow Construction Company land, formerly owned by Mary Burke, deceased, and said center line of Rogers Street; thence South 58 degrees 44 minutes West a distance of 15 feet; thence South 31 degrees 16 minutes East a distance of 500 feet; thence North 58 degrees 44 minutes East a distance of 15 feet; thence North 31 degrees 16 minutes West a distance of 500 feet to the point of beginning, containing an area of 7500 square feet, more or less.

RULES FOR THE SPECIAL FLOOD HAZARD AREAS WITHIN TRACT E(a) OF
THE THOMSON AREA PLANNED UNIT DEVELOPMENT
PUD District Case number PUD-28-11, Ordinance number _____
1525 South Rogers Street

Article 1. Statutory Authorization, Findings of Fact, Purposes, and Objectives.

Section A. Statutory Authorization.

The City of Bloomington Indiana Unified Development Ordinance (UDO) is adopted by the City pursuant to its authority under the laws of the State of Indiana, The Bloomington Municipal Code (BMC), Indiana Code IC 36-7-4 and IC 14-28-4, and all other applicable authorities and provisions of Indiana statutory and common law. Therefore, the City of Bloomington Indiana hereby adopts the following floodplain management regulations for the Thomson Area, Tract E(a) Planned Unit Development through Amendment PUD-28-11.

Section B. Findings of Fact.

(1) The flood hazard areas of Tract E(a) of the Thomson Area PUD are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose.

These floodplain regulations are being adopted in conjunction with a PUD Preliminary Plan Amendment within the Thomson Area PUD. This amendment will allow for new development of a building addition, stage, stairways, and parking lots within the floodway on Tract E(a) of the Thomson Area PUD. Development of this portion of the Tract will also include a remodel, including height increase, to a commercial building that appears to be out of the floodplain of Clear Creek.

The purpose of this PUD district ordinance is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging, and other development which may increase erosion or flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and,

(6) Make federally subsidized flood insurance available for structures and their contents in the PUD district by fulfilling the requirements of the National Flood Insurance Program.

Section D. Objectives.

The objectives of this PUD district ordinance are:

(1) To protect human life and health;

(2) To minimize expenditure of public money for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;

(6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and;

(7) To ensure that potential property owners are notified that this land is in a special flood hazard area.

Article 2. Definitions.

Unless specifically defined below, words or phrases used in this PUD district ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

A zone means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

Zone A: Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.
Zone AE and A1-A30: Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)
Zone AO: Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
Zone AH: Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.
Zone A99: Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

Accessory structure (appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Addition (to an existing structure) means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood Elevation (BFE) means the elevation of the one-percent annual chance flood.

Basement means that portion of a structure having its floor sub-grade (below ground level) on all sides.

Building - see "Structure."

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to:
(1) construction, reconstruction, or placement of a structure or any addition to a structure;
(2) installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;
(3) installing utilities, erection of walls and fences, construction of roads, or similar projects;
(4) construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
(5) mining, dredging, filling, grading, excavation, or drilling operations;
(6) construction and/or reconstruction of bridges or culverts;

(7) storage of materials; or
(8) any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Elevated structure means a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

Elevation Certificate is a FEMA form for recording a certified statement that verifies a structure's elevation information. Elevation Certificates can only be completed by a licensed land surveyor, engineer, or architect who is licensed by the State of Indiana to perform such functions. Elevation Certificates must be on file with the City of Bloomington Indiana for every structure within the SFHA that has been constructed or substantially improved since July 28, 1972.

Encroachment means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction means any structure for which the "start of construction" commenced before the effective date of the community's first floodplain ordinance.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community's first floodplain ordinance.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Five-hundred year flood (500-year flood) means the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) is the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood Prone Area means any land area acknowledged by a community as being susceptible to inundation by water from any source. (See "Flood")

Flood Protection Grade (FPG) is the elevation of the regulatory flood plus two feet at any given location in the SFHA. (see "Freeboard")

Floodplain means the channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations means this PUD district ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

Floodproofing (dry floodproofing) is a method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing certificate is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

Floodway is the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Freeboard means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Fringe is the portions of the floodplain lying outside the floodway.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities.
The term does not include long-term storage, manufacture, sales, or service facilities.

Hardship (as related to variances of this PUD district ordinance) means the exceptional hardship that would result from a failure to grant the requested variance. The City of Bloomington Indiana, Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic structure means any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Increased Cost of Compliance (ICC) means the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the Thomson Area PUD ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

Letter of Map Amendment (LOMA) means an amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F) means an official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Lowest adjacent grade means the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor means the lowest of the following:
(1) the top of the lowest level of the structure;
(2) the top of the basement floor;
(3) the top of the garage floor, if the garage is the lowest level of the structure;
(4) the top of the first floor of a structure elevated on pilings or pillars;
(5) the top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
a). the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area of one (1) square inch for every one square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and,
b). such enclosed space shall be usable solely for the parking of vehicles and building access.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map amendment means a change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

Map panel number is the four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

Market value means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mitigation means sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the cost of disaster response and recovery.

National Flood Insurance Program (NFIP) is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) of 1929 as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

North American Vertical Datum of 1988 (NAVD 88) as adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

Obstruction includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-hundred year flood (100-year flood) is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one percent annual chance flood. See "Regulatory Flood".

One-percent annual chance flood is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

Participating community is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Physical Map Revision (PMR) is an official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

Planned Unit Development (PUD) is a large-scale unified development approved under the provisions of Chapter 20.04: Planned Unit Development Districts of the Unified Development Ordinance. Generally a Planned Unit Development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of buildings, density, lot coverage, and/or required open space to the regulations established in any district of the Unified Development Ordinance. A planned development requires approval through a zoning map amendment. The uses and standards expressed in the PUD District Ordinance constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for a standard zoning district.

Post-FIRM construction means construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Pre-FIRM construction means construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Probation is a means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Public safety and nuisance, anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle means a vehicle which is
(1) built on a single chassis;
(2) 400 square feet or less when measured at the largest horizontal projections;
(3) designed to be self-propelled or permanently towable by a light duty truck; and
(4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Regular program means the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Article 3. Section B of this PUD ordinance. The "Regulatory Flood" is also known by the terms "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Repetitive loss means flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

Section 1316 is that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Special Flood Hazard Area (SFHA) means those lands within the jurisdictions of the City of Bloomington Indiana subject to inundation by the regulatory flood. The SFHAs of the Thomson Area PUD are generally identified as such on the Monroe County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010. These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO.

Start of construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing,

grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

Suspension means the removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

Variance is a grant of relief from the requirements of this PUD district ordinance, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation means the failure of a structure or other development to be fully compliant with this PUD district ordinance. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Water surface elevation means the height, in relation to the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Zone means a geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

Zone A means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM, and are all subject to mandatory flood insurance purchase requirements.

Zone B, C, and X means areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

Zone X means the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Article 3. General Provisions.

Section A. Lands to Which This Ordinance Applies.

This ordinance shall apply to all SFHAs and known flood prone areas within the jurisdiction of Tract E(a) of the Thomson Area PUD District.

Section B. Basis for Establishing Regulatory Flood Data.

This PUD district ordinance protection standard covers the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

(1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs within the jurisdiction of Tract E(a) of the Thomson Area PUD shall be delineated on the one-percent annual chance flood profiles in the Flood Insurance Study of Monroe County, Indiana and Incorporated Areas and the corresponding FIRM prepared by the Federal Emergency Management Agency and dated December 17, 2010.

(2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Tract E(a) of the Thomson Area PUD, delineated as an "A Zone" on the Monroe County, Indiana and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated December 17, 2010, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

(3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and floodway fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

Section C. Establishment of Floodplain Development Permit.

A Floodplain Development Permit, Building Permit, Grading Permit, or any other local, state, or federal permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities or land disturbing activities in areas of special flood hazard.

Section D. Compliance.

No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this PUD district ordinance and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions.

This PUD district ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions.

Section F. Discrepancy between Mapped Floodplain and Actual Ground Elevations.

(1) In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.

(2) If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.

(3) If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.

Section G. Interpretation.

In the interpretation and application of this ordinance all provisions shall be:
(1) Considered as minimum requirements; and

(2) Deemed neither to limit nor repeal any other powers granted under state statutes.

Section H. Warning and Disclaimer of Liability.

The degree of flood protection required by this PUD district ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the City of Bloomington Indiana, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

Section I. Penalties for Violation Within Tract E(a) of the Thomson PUD.

Failure to obtain a Final PUD Plan and all applicable local, state, and federal permits in the SFHA, or failure to comply with the requirements of them or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the City of Bloomington Indiana. All violations shall be punishable according to the rules in Title 20 of the UDO.
(1) A separate offense shall be deemed to occur for each day the violation continues to exist.

(2) The City of Bloomington Indiana shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

(3) Nothing herein shall prevent the City of Bloomington Indiana from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Article 4. Administration.

Section A. Designation of Administrator.

The City of Bloomington Indiana has appointed The Planning Director or his/her designee to administer and implement the provisions of this PUD district ordinance and is herein referred to as the Floodplain Administrator.

Section B. Permit Procedures.

Application for a PUD Final Plan shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

(1) Application stage.

a). A description of the proposed development;
b). Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;
c). A legal description of the property site;
d). A site development plan showing existing and proposed development locations and existing and proposed land grades;
e). Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD;
f). Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed, and;
g). Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(2) Construction stage.
Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification on a FEMA Elevation Certificate form of the NAVD 88 or NGVD elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Floodplain Administrator.

The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this PUD district ordinance. The administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

Duties and Responsibilities of the Floodplain Administrator shall include, but not be limited to:

(1) Review all floodplain development permits to assure that the permit requirements have been satisfied;

(2) Inspect and inventory damaged structures in SFHA and complete substantial damage determinations;

(3) Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to this PUD district ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment.)

(4) Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of such permits are to be maintained on file with the floodplain development permit;

(5) Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA;

(6) Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this PUD district ordinance.

(7) Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community;

(8) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;

(9) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures;

(10) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed;

(11) Review certified plans and specifications for compliance.

(12) Stop Work Orders

a). Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this PUD district ordinance shall immediately cease.
b). Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.

(13) Revocation of Permits

a). The floodplain administrator may revoke a permit or approval, issued under the provisions of this PUD district ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
b). The floodplain administrator may revoke a permit upon determination by the floodplain administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

(14) Other Enforcement and Penalties
In addition to the contents of this PUD district ordinance, all enforcement procedures and penalties described in the UDO, Chapter 20.10 Enforcement and Penalties, shall apply to this PUD district ordinance.

(15) Inspect sites for compliance. For all new and/or substantially improved buildings constructed in the SFHA, inspect before, during and after construction. Authorized City of Bloomington Indiana officials shall have the right to enter and inspect properties located in the SFHA.

Article 5. Provisions for Flood Hazard Reduction.

Section A. General Standards.

In all SFHAs and known flood prone areas the following provisions are required:

(1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

(2) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the Flood Protection Grade (FPG);

(3) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

(4) Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG;

(5) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(7) Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this PUD district ordinance shall meet the requirements of "new construction" as contained in this ordinance;

(8) Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not further, extended, or replaced;

(9) Whenever any portion of the SFHA is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by an equivalent volume of excavation taken below the BFE. The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of 1 to 1) due to the fill or structure.

a). The excavation shall take place in the floodplain and in the same property in which the authorized fill or structure is located;
b). Under certain circumstances, the excavation may be allowed to take place outside of but adjacent to the floodplain provided that the excavated volume will be below the regulatory flood elevation, will be in the same property in which the authorized fill or structure is located, will be accessible to the regulatory flood water, will not be subject to ponding when not inundated by flood water, and that it shall not be refilled;
c). The excavation shall provide for true storage of floodwater but shall not be subject to ponding when not inundated by flood water;
d). The fill or structure shall not obstruct a drainage way leading to the floodplain;
e). The grading around the excavation shall be such that the excavated area is accessible to the regulatory flood water;
f). The fill or structure shall be of a material deemed stable enough to remain firm and in place during periods of flooding and shall include provisions to protect adjacent property owners against any increased runoff or drainage resulting from its placement; and,
g). Plans depicting the areas to be excavated and filled shall be submitted prior to the actual start of construction or any site work; once site work is complete, but before the actual start of construction, the applicant shall provide to the Floodplain Administrator a

certified survey of the excavation and fill sites demonstrating the fill and excavation comply with this article.

(10) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

Section B. Specific Standards.

In the SFHAs of Tract E(a) of the Thomson Area PUD, the following provisions are required:

(1) In addition to the requirements herein this PUD district ordinance, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:

a). Construction or placement of any new structure having a floor area greater than 400 square feet;
b). Addition or improvement made to any existing structure:
(i) where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);
(ii) with a previous addition or improvement constructed since the community's first floodplain ordinance.
c). Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred;
d). Installing a travel trailer or recreational vehicle on a site for more than 180 days.
e). Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
f). Reconstruction or repairs made to a repetitive loss structure.

(2) **Residential Construction.** New construction or substantial improvement of any residential structure (or manufactured home) shall be prohibited in a floodway.

(3) **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards herein. Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:

a). A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure

design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth herein).
b). Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

(4) **Elevated Structures.** New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

a). provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area); and
b). all openings shall be located entirely below the BFE; and
c). the bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and
d). openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and
e). openings are to be not less than 3 inches in any direction in the plane of the wall. This requirement applies to the hole in the wall, excluding any device that may be inserted such as typical foundation air vent device; and
f). access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
g). the interior portion of such enclosed area shall not be partitioned or finished into separate rooms; and
h). the interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade; and
i). where elevation requirements exceed 6 feet above the highest adjacent grade, a copy of the legally recorded deed restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the structure's originally approved design, shall be presented as a condition of issuance of the final Certificate of Occupancy.

(5) **Structures Constructed on Fill.** A residential or nonresidential structure may be constructed on permanent land fill in accordance with the following:

a). The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with either the Standard or Modified Proctor Test method;
b). The fill shall extend at least ten feet beyond the foundation of the structure before sloping below the FPG;

c). The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical;
d). The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties; and
e). The top of the lowest floor including basements shall be at or above the FPG.

(6) **Standards for Manufactured Homes and Recreational Vehicles.** Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:

a). The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;
(i) outside a manufactured home park or subdivision;
(ii) in a new manufactured home park or subdivision;
(iii) in an expansion to an existing manufactured home park or subdivision; or
(iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.
b). The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.
c). Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.
d). Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.
e). Recreational vehicles placed on a site shall either:
(i) be on site for less than 180 days; and,
(ii) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
(iii) meet the requirements for "manufactured homes" as stated earlier in this section.

Section C. Standards for Subdivision Proposals.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty lots or five acres.

(5) All subdivision proposals should minimize development in the SFHA and/or limit density of development permitted in the SFHA.

(6) All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

Section D. Critical Facility.

Construction of new critical facilities should be located outside the limits of the SFHA. Construction of new critical facilities may be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities within the SFHA.

Section E. Standards for Identified Floodways.

Located within SFHAs are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential.

If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of IC 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5of this ordinance have been met.

The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot. For all projects involving channel modifications or fill (including levees) the City of Bloomington Indiana shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.

Section F. Standards for Identified Fringe.

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

Section G. Standards for SFHAs Without Established Base Flood Elevation and/or Floodways/Fringes.

(1) Drainage area upstream of the site is greater than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.

No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the one-percent annual chance flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.

Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Article 5of this ordinance have been met.

(2) Drainage area upstream of the site is less than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and one-percent annual chance flood elevation for the site.

Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this PUD district ordinance have been met.

(3) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages.

Section H. Standards of Flood Prone Areas.

All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet applicable standards as required per Article 5. Section A (1) through (10).

Article 6. Variance Procedures.

Section A. Designation of Variance and Appeals Board.

Because this document is a Planned Unit Development District Ordinance, the Plan Commission as established by the City of Bloomington Indiana shall hear and decide appeals and requests for variances from requirements of this PUD district ordinance. If an appeal or variance is granted to a Petitioner, the rule change shall be manifested through a PUD District Ordinance amendment.

Section B. Duties of Variance and Appeals Board.

The Plan Commission shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the Plan Commission may appeal such decision to the Board of Zoning Appeals.

Section C. Variance Procedures.

In passing upon such applications, the Plan Commission shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and;

(1) The danger of life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The importance of the services provided by the proposed facility to the community;

(4) The necessity to the facility of a waterfront location, where applicable;

(5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(6) The compatibility of the proposed use with existing and anticipated development;

(7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(8) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(9) The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site; and,

(10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Section D. Conditions for Variances.

(1) Variances shall only be issued when there is:

a). A showing of good and sufficient cause;
b). A determination that failure to grant the variance would result in exceptional hardship; and,
c). A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

(2) No variance for a residential use within a floodway may be granted.

(3) Any variance granted in a floodway will require a permit from the Indiana Department of Natural Resources.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

(6) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest

floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(7) The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request.

Section E. Variance Notification.

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

(1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and;

(2) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

Section F. Historic Structures.

Variances may be issued for the repair or rehabilitation of "historic structures" upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an "historic structure" and the variance is the minimum to preserve the historic character and design or the structure.

Section G. Special Conditions.

Upon the consideration of the factors listed herein, and the purposes of this PUD district ordinance, the Plan Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

Article 7. Severability.

If any section, clause, sentence, or phrase of this Tract E(a) of the Thomson Area PUD Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this PUD district ordinance.

Article 8. Effective Date.

This ordinance shall take effect upon its passage by the City of Bloomington Indiana, Common Council.

Passed and enacted by the Common Council of the City of Bloomington Indiana, on the (day of month) _____ day of (month) _____, 2011.

Common Council of the City of Bloomington Indiana

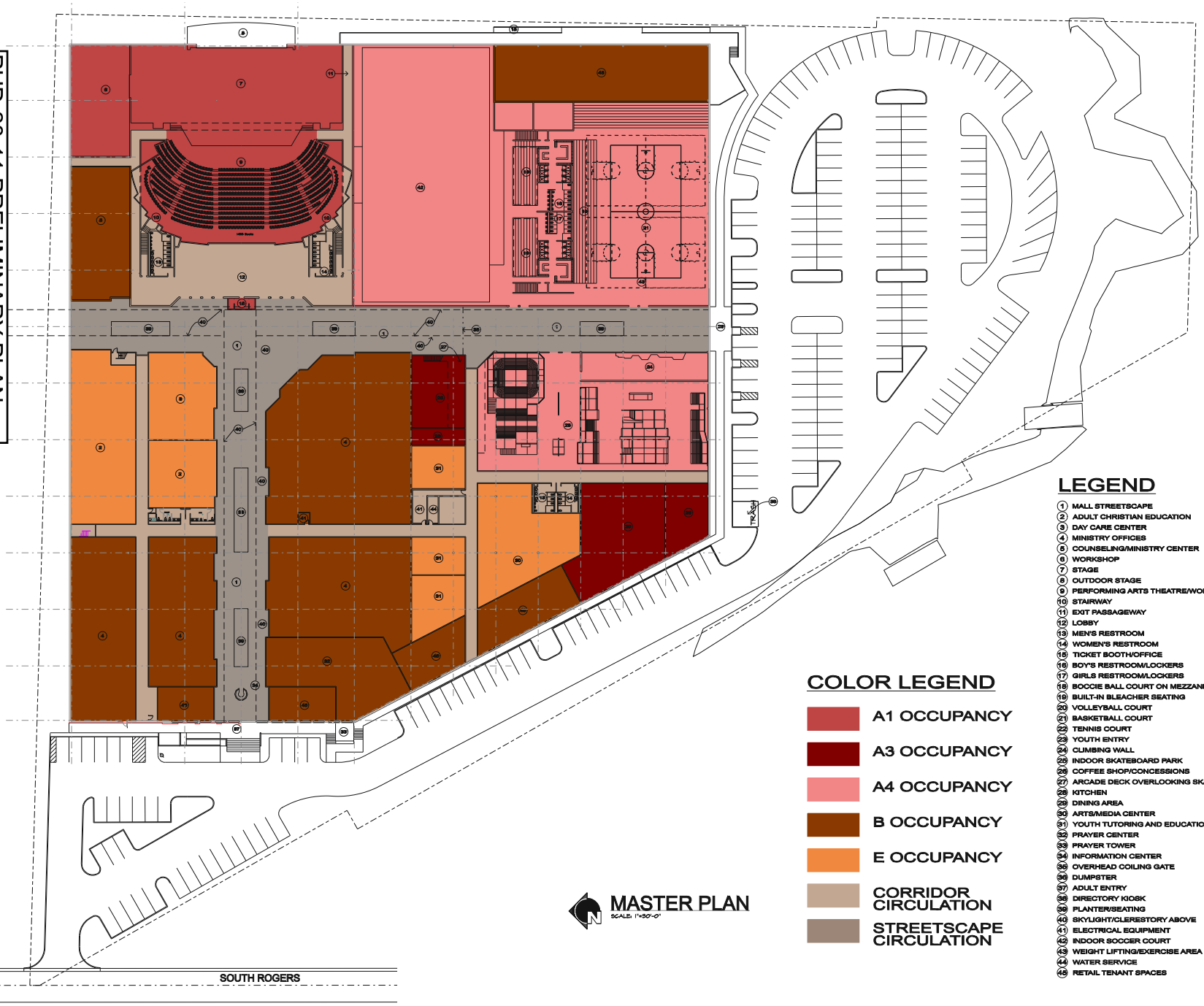
_____
(name of individual approving)

_____
(name of individual approving)

_____
(name of individual approving)

Attest:_____
(name of individual attesting)

PUD-28-11 PRELIMINARY PLAN



MASTER PLAN

SCALE: 1"=50'-0"

COLOR LEGEND

- A1 OCCUPANCY
- A3 OCCUPANCY
- A4 OCCUPANCY
- B OCCUPANCY
- E OCCUPANCY
- CORRIDOR CIRCULATION
- STREETSCAPE CIRCULATION

LEGEND

1. MALL STREETSCAPE
2. ADULT CHRISTIAN EDUCATION
3. DAY CARE CENTER
4. MINISTRY OFFICES
5. COUNSELING/MINISTRY CENTER
6. WORKSHOP
7. STAGE
8. OUTDOOR STAGE
9. PERFORMING ARTS THEATRE/WORSHIP CENTER
10. STAIRWAY
11. EXIT PASSAGEWAY
12. LOBBY
13. MEN'S RESTROOM
14. WOMEN'S RESTROOM
15. TICKET BOOTH/OFFICE
16. BOY'S RESTROOM/LOCKERS
17. GIRLS RESTROOM/LOCKERS
18. BOCCIE BALL COURT ON MEZZANINE LEVEL
19. BUILT-IN BLEACHER SEATING
20. VOLLEYBALL COURT
21. BASKETBALL COURT
22. TENNIS COURT
23. YOUTH ENTRY
24. CLIMBING WALL
25. INDOOR SKATEBOARD PARK
26. COFFEE SHOP/CONCESSIONS
27. ARCADE DECK OVERLOOKING SKATEBOARD PARK
28. KITCHEN
29. DINING AREA
30. ARTS/MEDIA CENTER
31. YOUTH TUTORING AND EDUCATION CLASSROOM
32. PRAYER CENTER
33. PRAYER TOWER
34. INFORMATION CENTER
35. OVERHEAD COILING GATE
36. DUMPSTER
37. ADULT ENTRY
38. DIRECTORY KIOSK
39. PLANTER/SEATING
40. SKYLIGHT/CLERESTORY ABOVE
41. ELECTRICAL EQUIPMENT
42. INDOOR SOCCER COURT
43. WEIGHT LIFTING/EXERCISE AREA
44. WATER SERVICE
45. RETAIL TENANT SPACES

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PLANNING
DESIGN

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REVISIONS

- △ ADDED EXIT 11.10.09
- △ SHIFTED MALL 11.10.09
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The Warehouse by the Family Center

1525 South Rogers Street, Bloomington, Indiana

COMMISSION
2009.01

DRAWN BY B. Perdue
CHECKED BY B. Perdue
ISSUE DATE 05.17.09

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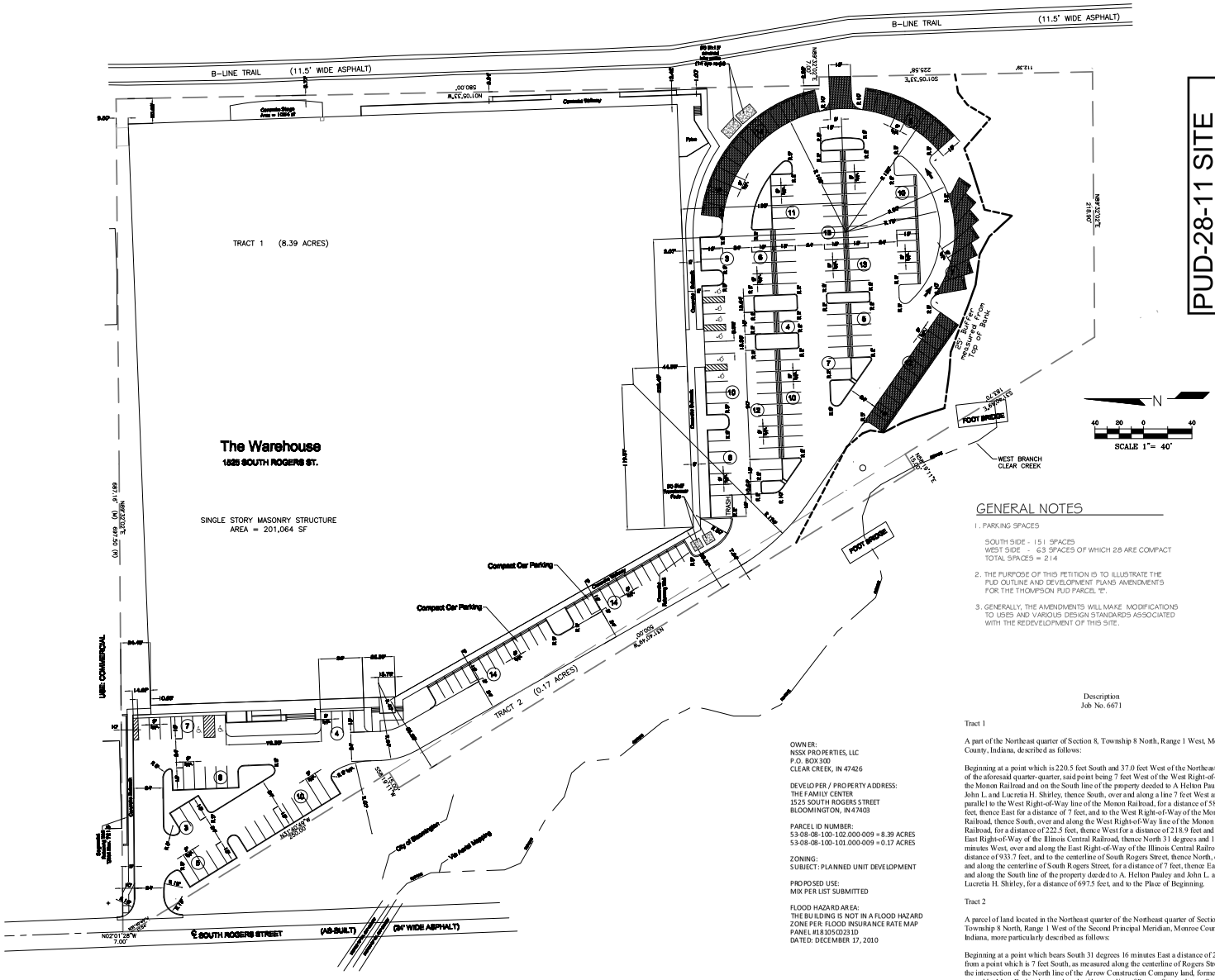

PUD-28-11 SITE PLAN

GENERAL NOTES

1. PARKING SPACES

   SOUTH SIDE - 151 SPACES
   WEST SIDE - 63 SPACES OF WHICH 28 ARE COMPACT
   TOTAL SPACES = 214

2. THE PURPOSE OF THIS PETITION IS TO ILLUSTRATE THE PUD OUTLINE AND DEVELOPMENT PLANS AMENDMENTS FOR THE THOMPSON PUD PARCEL "E".

3. GENERALLY, THE AMENDMENTS WILL MAKE MODIFICATIONS TO USES AND VARIOUS DESIGN STANDARDS ASSOCIATED WITH THE REDEVELOPMENT OF THIS SITE.

OWNER:
NSSX PROPERTIES, LLC
P.O. BOX 300
CLEAR CREEK, IN 47426

DEVELOPER / PROPERTY ADDRESS:
THE FAMILY CENTER
1525 SOUTH ROGERS STREET
BLOOMINGTON, IN 47403

PARCEL ID NUMBER:
53-08-08-100-102.000-009 = 8.39 ACRES
53-08-08-100-101.000-009 = 0.17 ACRES

ZONING:
SUBJECT: PLANNED UNIT DEVELOPMENT

PROPOSED USE:
MIX PER LIST SUBMITTED

FLOOD HAZARD AREA:
THE BUILDING IS NOT IN A FLOOD HAZARD ZONE PER: FLOOD INSURANCE RATE MAP PANEL #18105C0231D
DATED: DECEMBER 17, 2010

Description
Job No. 6671

Tract 1

A part of the Northeast quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows:

Beginning at a point which is 220.5 feet South and 37.0 feet West of the Northeast corner of the aforesaid quarter-quarter, said point being 7 feet West of the West Right-of-Way of the Monon Railroad and on the South line of the property deeded to A Helton Pauley and John L. and Lucretia H. Shirley, thence South, over and along a line 7 feet West and parallel to the West Right-of-Way line of the Monon Railroad, for a distance of 580.0 feet, thence East for a distance of 7 feet, and to the West Right-of-Way of the Monon Railroad, thence South, over and along the West Right-of-Way line of the Monon Railroad, for a distance of 222.5 feet, thence West for a distance of 218.9 feet and to the East Right-of-Way of the Illinois Central Railroad, thence North 31 degrees and 16 minutes West, over and along the East Right-of-Way of the Illinois Central Railroad for a distance of 933.7 feet, and to the centerline of South Rogers Street, thence North, over and along the centerline of South Rogers Street, for a distance of 7 feet, thence East, over and along the South line of the property deeded to A. Helton Pauley and John L. and Lucretia H. Shirley, for a distance of 697.5 feet, and to the Place of Beginning.

Tract 2

A parcel of land located in the Northeast quarter of the Northeast quarter of Section 8, Township 8 North, Range 1 West of the Second Principal Meridian, Monroe County, Indiana, more particularly described as follows:

Beginning at a point which bears South 31 degrees 16 minutes East a distance of 250 feet from a point which is 7 feet South, as measured along the centerline of Rogers Street, of the intersection of the North line of the Arrow Construction Company land, formerly owned by Mary Burke, deceased, and said center line of Rogers Street; thence South 58 degrees 44 minutes West a distance of 15 feet; thence South 31 degrees 16 minutes East a distance of 500 feet; thence North 58 degrees 44 minutes East a distance of 15 feet; thence North 31 degrees 16 minutes West a distance of 500 feet to the Point of Beginning, containing an area of 7500 square feet, more or less.

Revisions	By	Date

73

Bledsoe Riggert Guerrettaz
LANDSCAPE ARCHITECTS CIVIL ENGINEERING
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Bloomington, Indiana 47403
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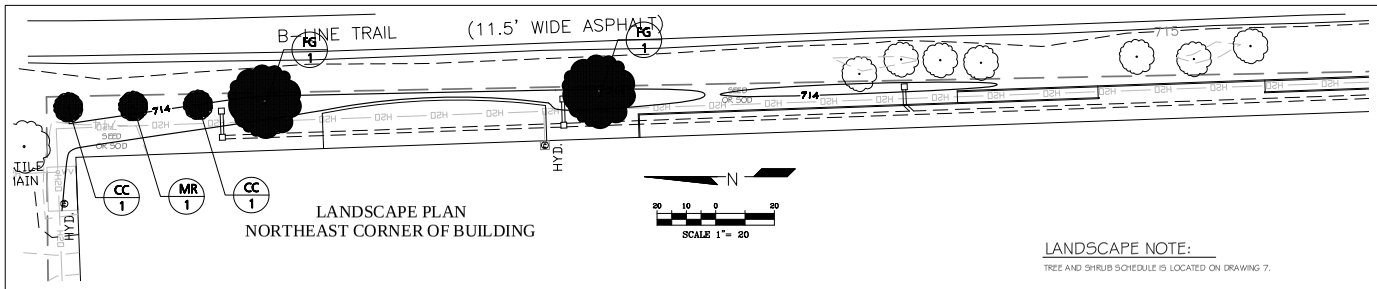
by
The Family Center
1525 South Rogers Street
Bloomington, Indiana

SURVEYED BY:
DRAWN BY: G.S.K.
CHECKED BY:
DATE: OCT. 2011

SITE PLAN

SHEET 3 OF 13

PROJECT NO. 6671



LANDSCAPE PLAN
NORTHEAST CORNER OF BUILDING

LANDSCAPE NOTE:

TREE AND SHRUB SCHEDULE IS LOCATED ON DRAWING 7.

SEEDING SPECIFICATIONS:

I. FINISH GRADING AND SEEDING

A. Topsoil-Topsoil shall be spread to a minimum depth of 4" over all graded areas. The finish grade shall reflect proposed contours and spot elevations as shown on the grading plan.

B. Temporary Seeding- All areas disturbed during construction shall be seeded as soon as possible after construction grading. Seeding shall be applied at a rate of 1 110 lbs/acre consisting of 45 lbs. Alta Fescue, 30 lbs. Perennial Rye, and 35 lbs. Annual Rye. The seeded areas shall be covered with free straw at a rate of 2 tons/acre.

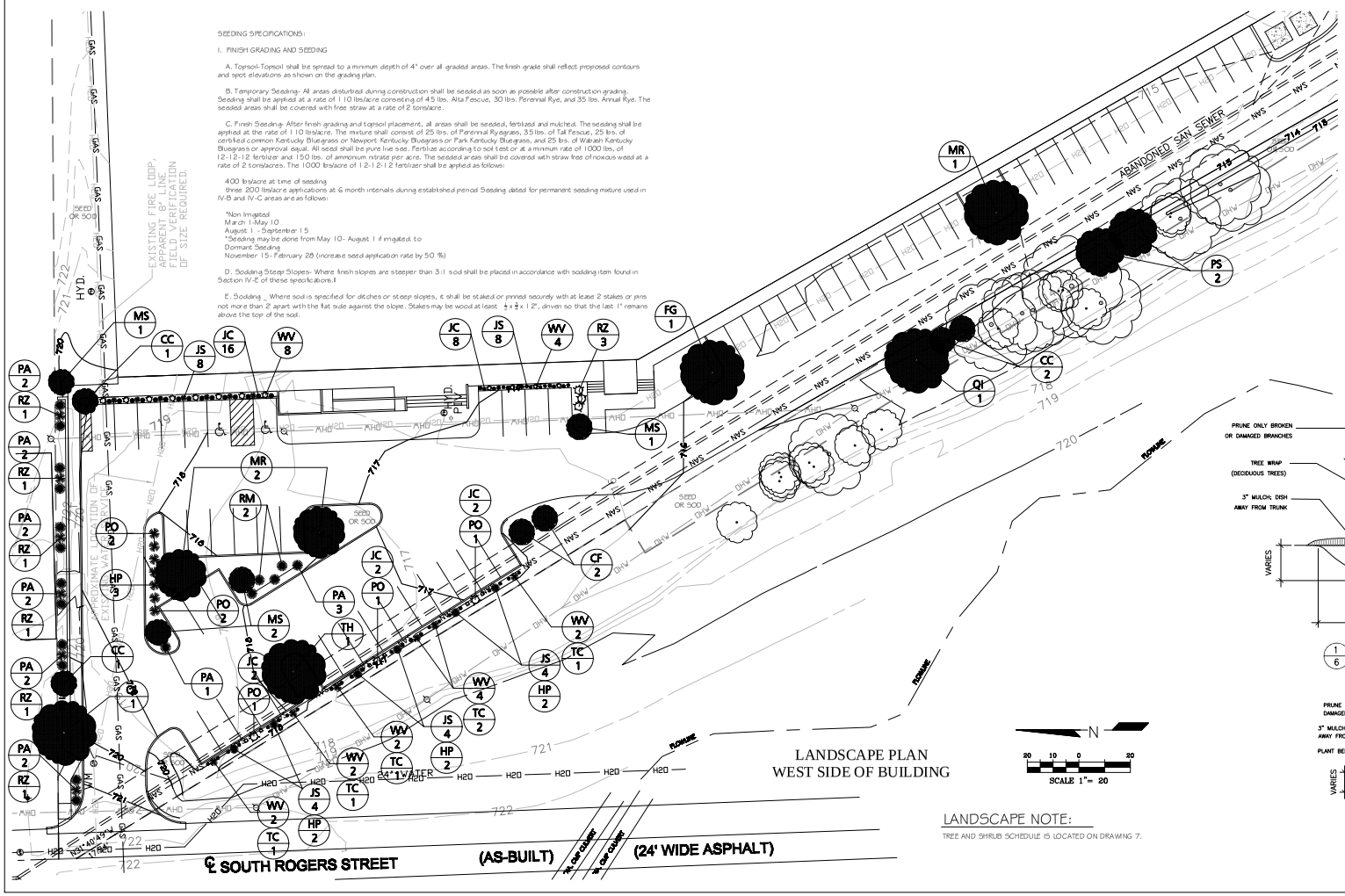
C. Finish Seeding- After finish grading and topsoil placement, all areas shall be seeded, fertilized and mulched. The seeding shall be applied at the rate of 1 110 lbs/acre. The mixture shall consist of 25 lbs. of Perennial Ryegrass, 35 lbs. of Tall Fescue, 25 lbs. of certified common Kentucky Bluegrass or Newport Kentucky Bluegrass or Park Kentucky Bluegrass, and 25 lbs. of Wabash Kentucky Bluegrass or approval equal. All seed shall be pure live see. Fertilize according to soil test or at a minimum rate of 1000 lbs. of 12-12-12 fertilizer and 150 lbs. of ammonium nitrate per acre. The seeded areas shall be covered with straw free of noxious weed at a rate of 2 tons/acre. The 1000 lbs/acre of 1 2-1 2-1 2 fertilizer shall be applied as follows:

400 lbs/acre at time of seeding
three 200 lbs/acre applications at 6 month intervals during established period Seeding dated for permanent seeding mixture used in IV-B and IV-C areas are as follows:

*Non Irrigated
March 1-May 10
August 1 - September 15
*Seeding may be done from May 10- August 1 if irrigated. to
Dormant Seeding
November 15- February 28 (increase seed application rate by 50 %)

D. Sodding Steep Slopes- Where finish slopes are steeper than 3:1 sod shall be placed in accordance with sodding item found in Section IV-E of these specifications.||

E. Sodding _ Where sod is specified for ditches or steep slopes, it shall be staked or pinned securely with at lease 2 stakes or pins not more than 2' apart with the flat side against the slope. Stakes may be wood at least $\frac{1}{4} \times \frac{1}{4} \times 12"$, driven so that the last 1" remains above the top of the sod.



LANDSCAPE PLAN
WEST SIDE OF BUILDING

LANDSCAPE NOTE:

TREE AND SHRUB SCHEDULE IS LOCATED ON DRAWING 7.

GENERAL SITE NOTES

1. THE CONTRACTOR SHALL LOCATE ALL UTILITIES AND VERIFY SITE CONDITION INFORMATION ON DRAWINGS PRIOR TO STARTING WORK. PROMPTLY REPORT ANY DISCREPANCIES OR DEVIATIONS FROM THE INFORMATION SHOWN ON THE PLAN TO DESIGNER AND OWNER. THE OWNER IS NOT RESPONSIBLE FOR UNAUTHORIZED CHANGES OR EXTRA WORK REQUIRED TO CORRECT UNREPORTED DISCREPANCIES.

2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIAL IN QUANTITIES AND CONDITIONS SUFFICIENT TO COMPLETE THE PLANTING AS SHOWN ON THE LANDSCAPE PLAN. PLANT MATERIAL QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE TO THOSE ON THE PLANT LIST.

3. ALL PLANT MATERIAL SHALL CONFORM TO ANSI Z 60-1996 AND CURRENT ASSOCIATION OF AMERICAN NURSERYMEN STANDARDS. NO PARK GRADE MATERIAL SHALL BE ACCEPTED.

4. SPECIMEN SIZES INDICATED ON PLANT SCHEDULE ARE MINIMUM ACCEPTABLE SIZES. LARGER SPECIMENS MAY BE UTILIZED.

5. ALL PLANTING MASSES TO BE CONTAINED WITHIN MULCH BEDS AND RECEIVE 4" THICK SHREDDED HARDWOOD MULCH OVER WEED BARRIER. ALL TREES OUTSIDE PLANTING BED AREAS SHALL RECEIVE A 5' MIN. DIAMETER MULCH RING AT BASE.

6. ALL LANDSCAPED AREAS NOT MULCHED SHALL BE SEEDED OR SODDED AS INDICATED, UNLESS NOTED OTHERWISE. ALL OTHER AREAS DISTURBED, GRADED OR OTHERWISE MODIFIED BY NEW CONSTRUCTION SHALL RECEIVE 6" OF TOP SOIL AND SEED. SEE SPECIFICATIONS FOR SEEDING REQUIREMENTS.

7. ALL PLANT MATERIAL SHALL HAVE THE SAME RELATIONSHIP TO FINISH GRADE AS THE PLANTS ORIGINAL GRADE PRIOR TO DIGGING. ALL PLANTS SHALL BE SET PLUMB. UNLESS NOTED OTHERWISE, IT IS THE CONTRACTOR'S OPTION TO STAKE TREES. HOWEVER, IT SHALL REMAIN THE CONTRACTOR'S RESPONSIBILITY TO ASSURE PLANTS REMAIN PLUMB UNTIL THE END OF CONTRACTED GUARANTEE PERIOD.

8. ALL PLANTINGS SHALL BE THOROUGHLY WATERED DURING THE FIRST 24 HOUR PERIOD AFTER PLANTING TO ENSURE ALL AIR POCKETS ARE REMOVED AROUND ROOT BALL.

9. CONTRACTOR IS RESPONSIBLE FOR WATERING AND MAINTAINING PLANT MATERIAL UNTIL TIME OF ACCEPTED ESTABLISHMENT.

10. ALL PLANTING BED EDGES TO BE SPADE CUT UNLESS SPECIFIED WITH MOW STRIP OR OTHER INSTALLED EDGING.

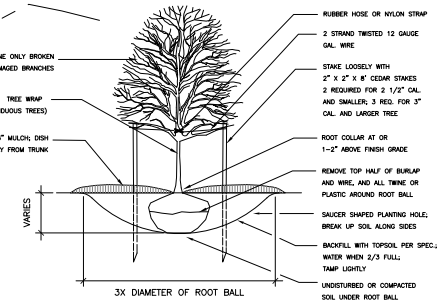
11. PLACE BIODEGRADABLE STRAW BLANKET NORTH AMERICAN GREEN S150BN OR APPROVED EQUAL ON SLOPES OF OR EXCEEDING 5:1 OR AS OTHERWISE INDICATED OR DIRECTED BY ENGINEER.

12. COORDINATE LANDSCAPE PLAN WITH ALL WATER QUAUTY AND EROSION CONTROL MEASURES.

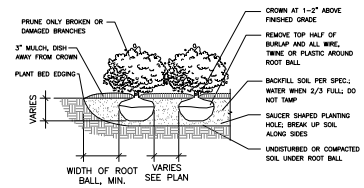
13. IF OWNER REQUESTS, PLANTS SHALL BE STAKED AND/OR FIELD-LOCATED BY DESIGNER WITH CONTRACTOR. FINAL LOCATIONS OF TREES SHOULD BE ADJUSTED IF NEEDED TO AVOID OVERHEAD AND UNDERGROUND UTILITIES.

14. ANY PLANT MATERIAL SUBSTITUTIONS INSTALLED WITHOUT APPROVAL FROM DESIGNER AND/OR OWNER SHALL BE REPLACED AT CONTRACTOR'S EXPENSE.

15. ALL PLANTING MATERIALS, REGARDLESS OF SIZE SPECIFIED, SHALL BE OF SIZES THAT COMPLY WITH THE CITY OF BLOOMINGTON UNIFORM DEVELOPMENT ORDINANCE SECTION 20.05.052, LANDSCAPING STANDARDS.



1/6 SHADE TREE PLANTING DETAIL



2/6 SHRUB PLANTING DETAIL

Date	By	Revisions

74

PUD-28-11 NORTH SIDE LANDSCAPING

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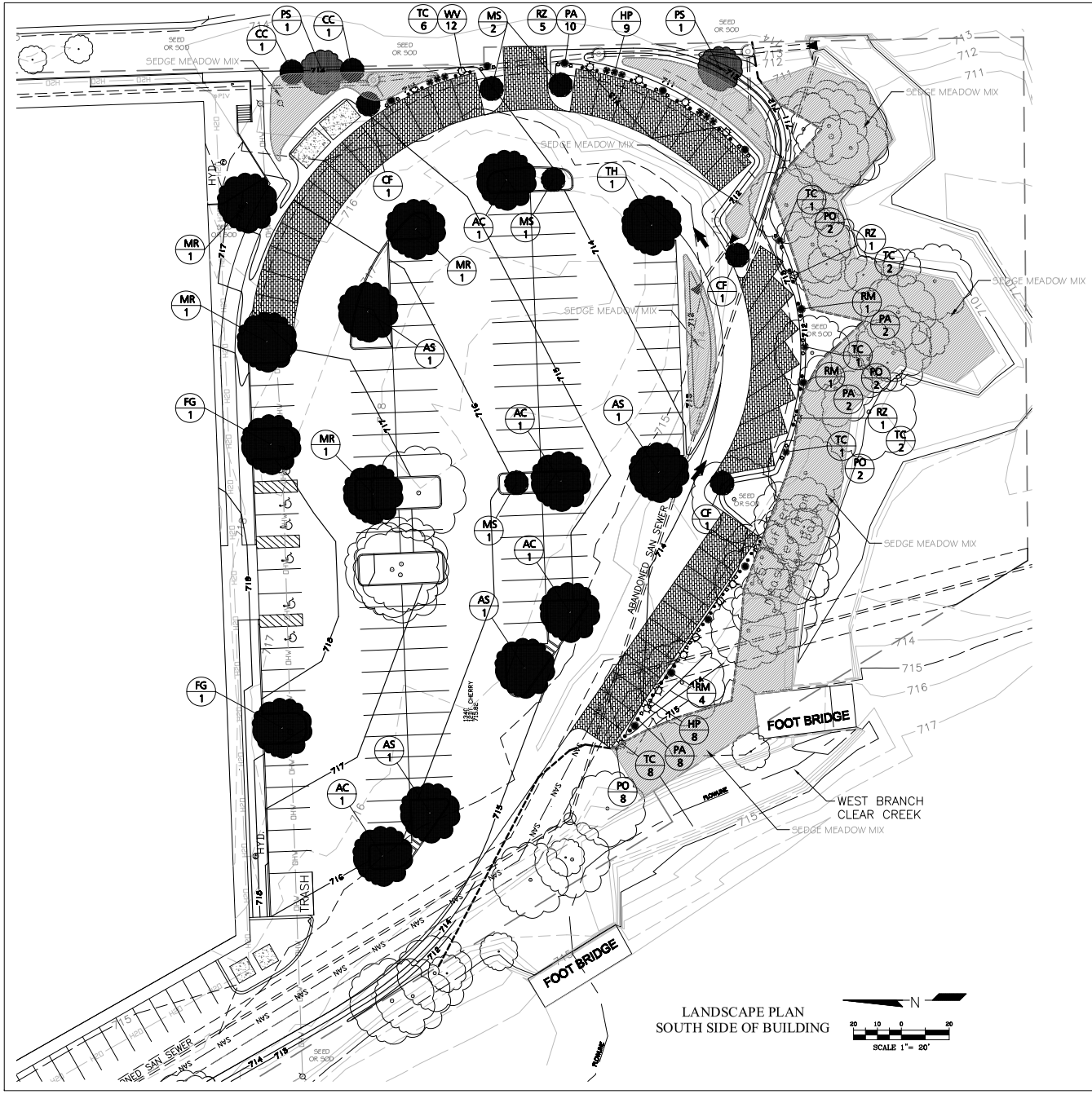
SURVEYED BY:
DRAWN BY: G.S.K.
CHECKED BY:
DATE: OCT. 2011

LANDSCAPE PLAN

SHEET 8 OF 13

PROJECT NO. 6671



LANDSCAPE PLAN
SOUTH SIDE OF BUILDING

TREE / SHRUB SCHEDULE

KEY	SCIENTIFIC NAME (TREES)	COMMON NAME	SIZE	CONDITION	# OF PLANTS
AC	AESCULUS X CARNEA	RED HORSE CHESTNUT	2 1/2" CALIPER	B & B	4
AS	ACER SACCHARUM	SUGAR MAPLE	2 1/2" CALIPER	B & B	4
CC	COTINUS COGGYGRIA	SMOKE TREE	1 1/2" CALIPER	B & B	6
CF	CORNUS FLORIDA	FLOWERING DOGWOOD	1 1/2" CALIPER	B & B	5
FG	FAGUS GRANDIFOLIA	AMERICAN BEECH	2 1/2" CALIPER	B & B	5
MR	MAGNOLIA STELLATA ROYAL STAR	ROYAL STAR MAGNOLIA	2 1/2" CALIPER	B & B	8
MS	MALUS SPECIES	FLOWERING CRAB APPLE	1 1/2" CALIPER	B & B	7
PS	PINUS STROBUS	WHITE PINE	1 1/2" CALIPER	B & B	4
QI	QUERCUS IMBRICARIA	SHINGLE OAK	2 1/2" CALIPER	B & B	2
TH	TSUGA CANADENSIS	EASTERN HEMLOCK	1 1/2" CALIPER	B & B	2

KEY	SCIENTIFIC NAME (SHRUBS)	COMMON NAME	SIZE	CONDITION	# OF PLANTS
HP	HYDRANGEA PANICULATA QUERCIFOLIA	OAKLEAF HYDRANGEA	30" HEIGHT	B & B	26
JC	JUNIPERUS CHINENSIS 'OLD GOLD'	OLD GOLD JUNIPER	5 GALLON	CONTAINER	30
JS	JUNIPERUS CHINENSIS 'SPEARMINT'	SPEARMINT JUNIPER	5 GALLON	CONTAINER	28
PA	PICEA ABIES	BIRD NEST SPRUCE	5 GALLON	CONTAINER	38
PO	PHYSOCARPUS OPULIFOLIUS	NINEBARK	5 GALLON	CONTAINER	21
RM	RHODODENDRON MAXIMUM	ROSEBAY RHODODENDRON	5 GALLON	CONTAINER	8
RZ	RHODODENDRON 'NOVA ZEMBLA'	NOVA ZEMBLA RHODODENDRON	5 GALLON	CONTAINER	16
TC	TAXUS CUSPIDATA CAPITATA	UPRIGHT YEW	5 GALLON	CONTAINER	27
WV	WEIGELA 'VANICEK'	CARDINAL SHRUB	5 GALLON	CONTAINER	34

SEDGE MEADOW SEED MIX

GRASSES & SEDGES: oz./acre

1 Carex comosa (Bristly Sedge)
1 Carex cristatella (Crested Sedge)
5 Carex frankii (Franks Sedge)
2 Carex hystericina (Porcupine Sedge)
2 Carex lunda (Lund Sedge)
1.5 Carex stipata (Awl Fruited Sedge)
1 Carex tribuloides (Pointed Oval Sedge)
4 Carex vulpinoidea (Fox Sedge)

64 Elymus virginicus (Virginia Wild Rye)
4 Glycena striata (Fowl Manna Grass)
4 Leersia oryzoides (Rice Cut Grass)
4 Panicum virgatum (Switchgrass)
0.5 Scirpus atrovirens (Dark Green Bulrush)
2 Spartina pectinata (Prairie Cordgrass)

FORBES: oz./acre

2 Angelica atropurpurea (Angelica)
2 Asclepias incarnata (Swamp Milkweed)
1 Aster firmus (Shining Aster)
1 Aster novae-angliae (New England Aster)
1 Aster puniceus (Swamp Aster)
1 Aster umbellatus (Flat-topped Aster)
1 Boltonia latisquama (False Aster)
3 Cassia hebecarpa (Wild Sienna)
2 Eupatorium perfoliatum (Boneset)
2 Helenium autumnale (Autumn Sneezeweed)
2 Liatris spicata (Dense Blazing Star)
.25 Lobelia cardinalis (Cardinal Flower)
.25 Lobelia siphilitica (Great Blue Lobelia)
.5 Mimulus ringens (Monkey Flower)
1 Penstermon digitalis (Foxglove Beardtongue)
1 Pycnanthemum virginianum (Mountain Mint)
3 Rudbeckia fulgida specoosa (Showy Black-eyed Susan)
4 Rudbecka hirta (Black-eyed Susan)
3 Rudbecka subtomentosa (Sweet Black-eyed Susan)
2 Silphium integrifolium (Rosinweed)
2 Silphium perfoliatum (Cupplant)
2 Silphium terebinthinaceum (Prairie Dock)
1 Solidago patula (Swamp Goldenrod)
2 Solidago riddellii (Riddell's Goldenrod)
2 Verbena hastata (Blue Vervain)
2 Vernonia fasciculata (Smooth Ironweed)
1 Veronicastrum virginicum (Culver's Root)
1 Zizia aurea (Golden Alexanders)

Date:
By:

PUD-28-11
SOUTH SIDE
LANDSCAPING

75

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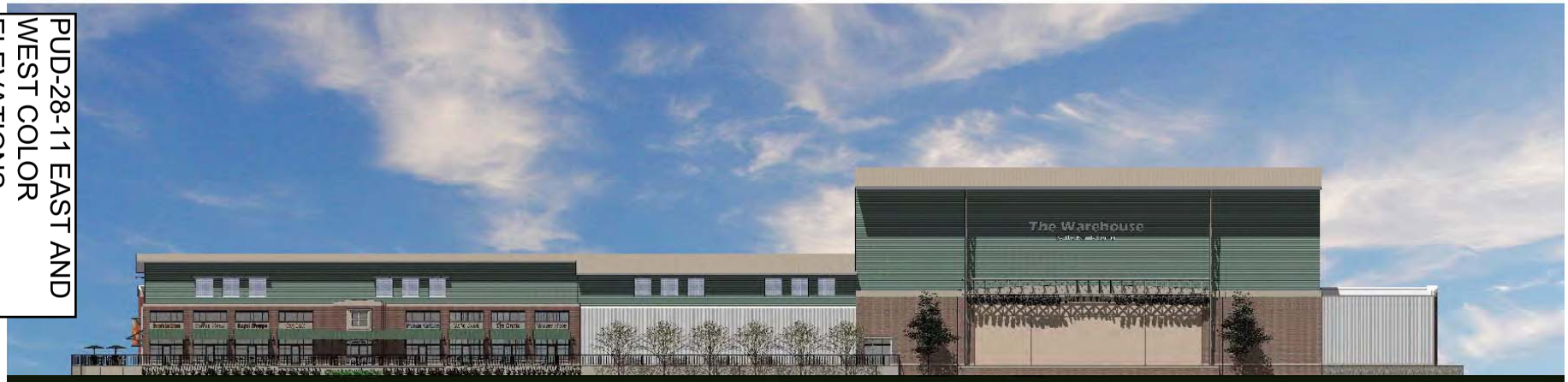
CHECKED BY:
DATE: OCT. 2011

LANDSCAPE PLAN

SHEET 9 OF 13

PROJECT NO. 6671

West Elevation



East Elevation

PUD-28-11 EAST AND WEST COLOR ELEVATIONS

ARCHITECTURAL DESIGN STUDIO
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NASHVILLE, IN 47448
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The Warehouse by the Family Center

1525 South Rogers Street, Bloomington, Indiana

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2009.01

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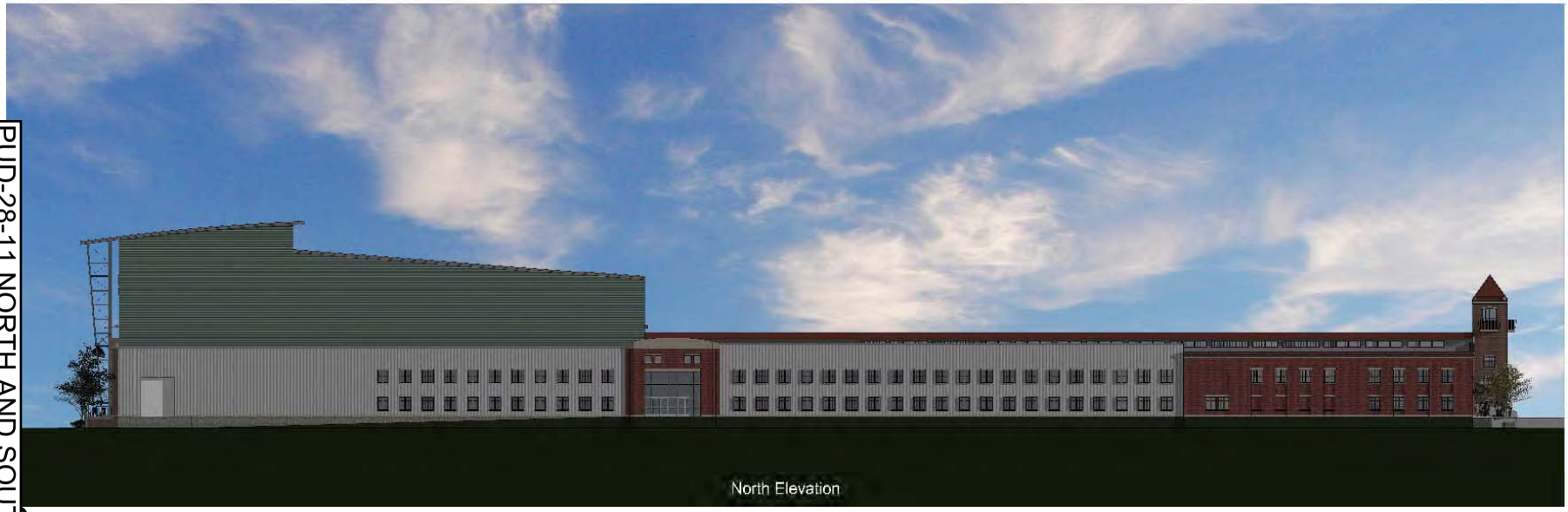
South Elevation



North Elevation

PUD-28-11 NORTH AND SOUTH COLOR ELEVATIONS

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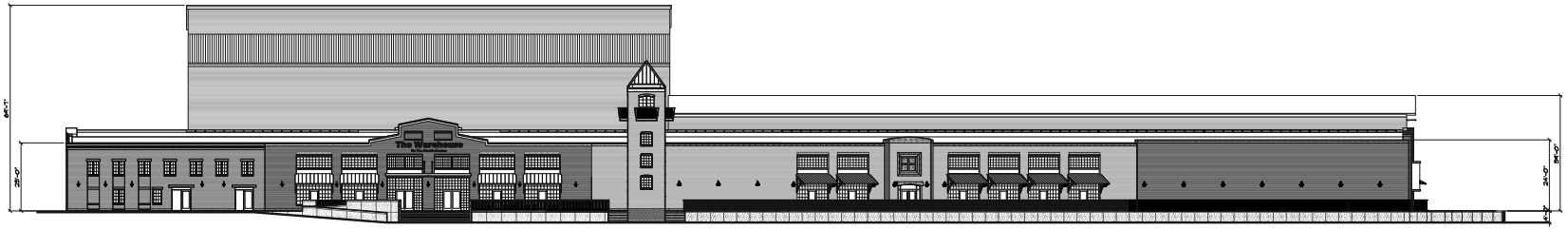
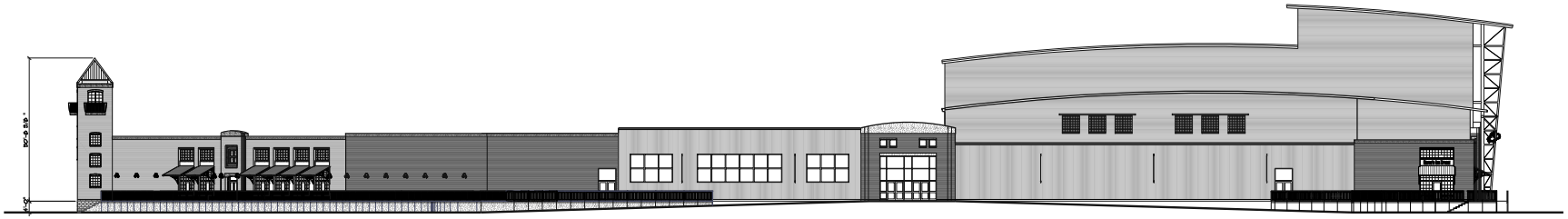
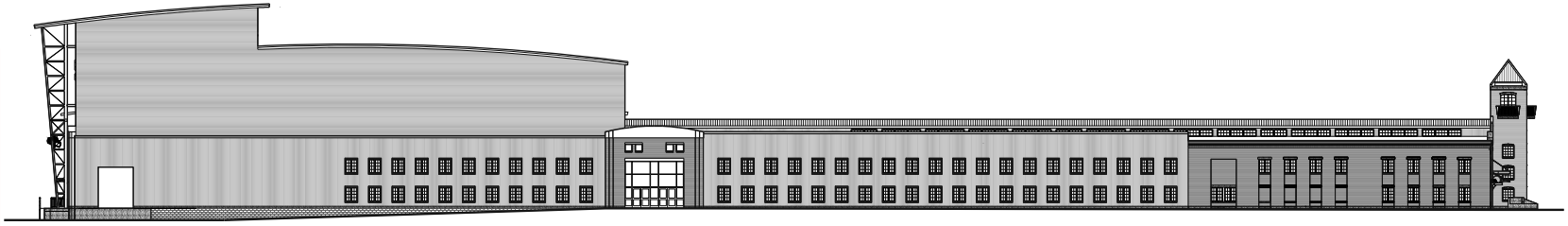


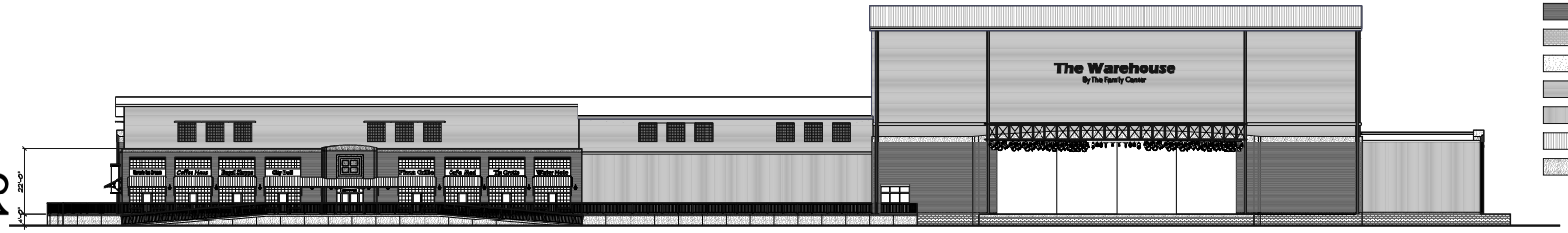
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION

- BRICK COLOR A
- BRICK COLOR B
- BRICK COLOR C
- SPLIT FACE BLOCK
- LIMESTONE TRIM
- HORIZONTAL CORRUGATED METAL SIDING
- VERTICAL CORRUGATED METAL SIDING
- METAL ROOFING
- EXPOSED CONCRETE

PUD-28-11 ELEVATIONS

91

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Main Entry Looking Southeast

Retail Spaces Along Trail Looking Northwest

PUD-28-11
COLOR
RENDERINGS

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REVISIONS

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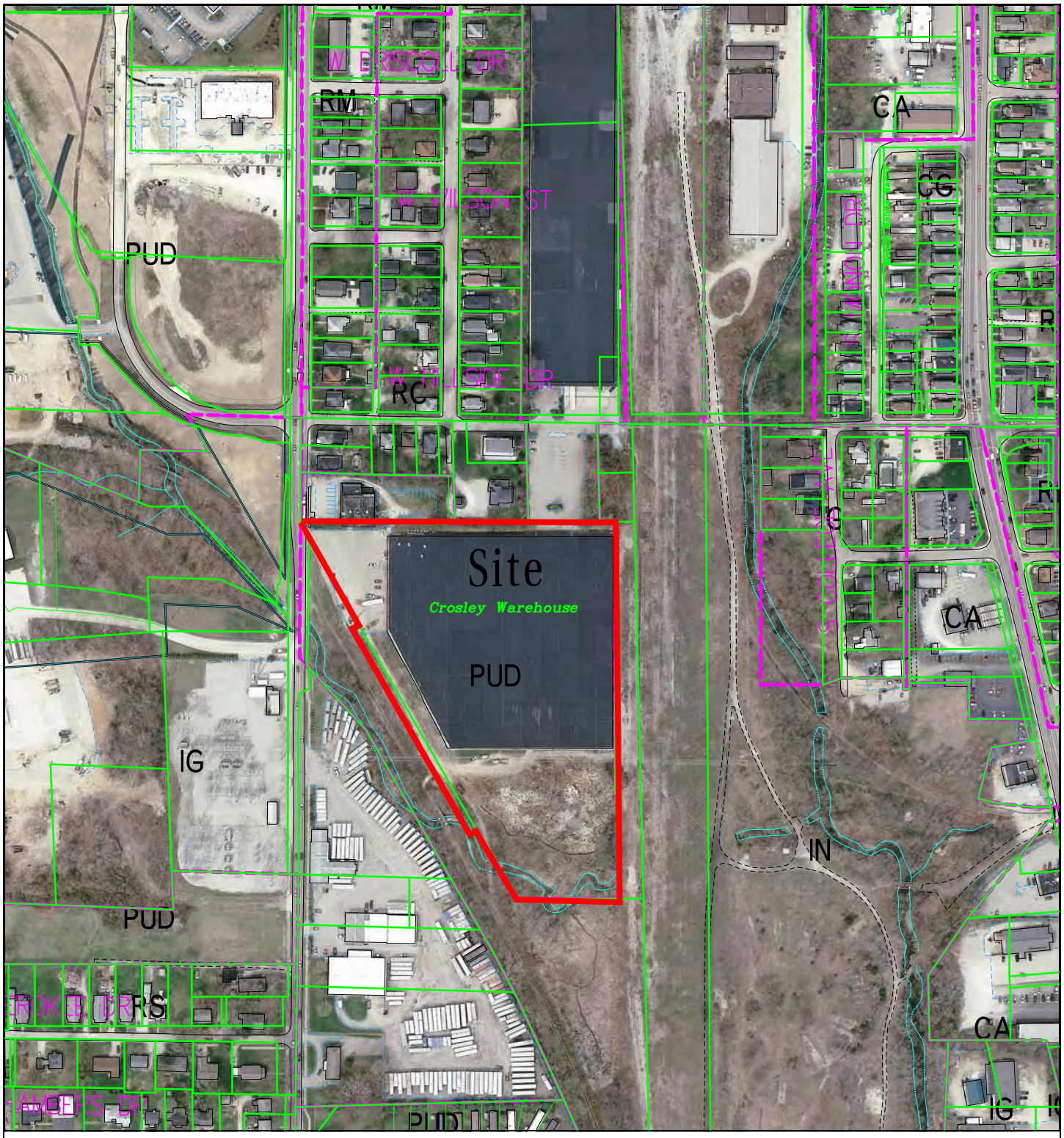


PUD-28-11 Warehouse Community Center

1525 S Rogers Street

Plan Commission

2010 Aerial Photograph

By: greulice

3 Nov 11

300 0 300 600 900

N

City of Bloomington
Planning

Scale: 1" = 300'

For reference only; map information NOT warranted.

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-33-11**
STAFF REPORT **DATE: December 5, 2011**
LOCATION: 1513 S. Piazza Drive

PETITIONER: Ramsey Land Development
1128 S. College Mall Rd, Bloomington

REQUEST: The petitioner is requesting a Final Plan approval to allow a sign package for the Renwick Village Center.

BACKGROUND:

Lot Area:	Approximately 2.11 Acres
Current Zoning:	Planned Unit Development (Renwick PUD)
GPP Designation:	Urban Residential
Existing Land Use:	Neighborhood Commercial Node
Proposed Land Use:	Same
Surrounding Uses:	**North**: Multifamily (Renwick PUD)
	East: Single family home (east side of Sare Road)
	South: Multifamily (Renwick PUD)
	West: Multifamily (Renwick PUD)

REPORT SUMMARY: The Renwick PUD is approximately 80 acres and was created in 2004 through a rezoning action by the City Council. Approved through this rezone is a mixed use development containing larger lot single family homes, small lot single family homes using alley access, paired homes, multifamily apartments, and a neighborhood-scale commercial node known as the Renwick Village Center near the intersection of Sare Road and Moores Pike.

Several months ago, City staff was approached by the petitioner requesting a sign package oriented towards making the Renwick Village Center an arts venue similar in concept to what the City has initiated through its downtown Bloomington Entertainment and Arts District (BEAD).

The Renwick Village Center contains a piazza area that would be ideal for outdoor art events, arts-related programming, and sculpture displays. The petitioner proposes to make this space available to area arts groups on weekends and evenings. Examples of events that are being considered are small art shows, wine tastings, acoustic music, small jazz trios, and chamber quartets. The piazza space can be arranged for events of up to 200 guests. Management for the Village Center would be charged with arranging these events and art displays, coordinating their activities with the City for referrals and artist selections.

None of the proposed arts related activities require Plan Commission review. However, in order to 'brand' the Village Center as an arts related destination, the

petitioner has proposed a unique signage/branding package that deviates from UDO standards. Because of this deviation, Plan Commission Final Plan approval for a sign package is required.

SIGNAGE/ARTS BRANDING PACKAGE:

In order to promote the Renwick Village Center as a unique eastside arts destination, the petitioner proposes the following branding elements:

1. **Mural –** Murals that do not contain commercial messages are not considered signs by the UDO. However, the mural will set the artistic tone for the Renwick Village Center and should be noted. The mural is proposed to be located along the east façade of one of the commercial buildings adjoining Sare Road. The mural will measure 25 feet in height (essentially two stories) by 15 feet in width (375 square feet). The mural will have a digital color vinyl sheet background and periodically feature new designs through the course of a year.
2. **Building Banners –** Two types of artistic banners are proposed. The first group, 10 in total number, would be mounted on four of the Village Center's commercial buildings. The banners will project just over 2 feet out from the building facades and be 13 feet in vertical length (26 square feet apiece). They are proposed to contain a specific color palette, consistent logos, and lettering. Final Plan approval is needed for these banners because they are not specifically enabled by the UDO. For example: 1) projecting signs are not allowed outside the Commercial Downtown zoning district, 2) the proposed 26 square foot size is 6 square feet more than a typical projecting sign, and 3) the number and total square footage of the signs promoting the Village Center exceeds what would typically be allowed by ordinance.
3. **Light Post Banners –** An additional 10 banners are proposed to be mounted on each side of 5 decorative light poles located in the piazza and parking area of the Village Center. These banners will project just over 18" away from the light posts and will be 7 feet in vertical length (10.5 square feet apiece). Final Plan approval is also needed for these signs because their number and square footage are greater than what would typically be allowed by ordinance.

ARTS RELATED ACTIVITIES: In addition to the arts related activities noted earlier in the report, the petitioner proposes the following events if the Plan Commission approves this Final Plan:

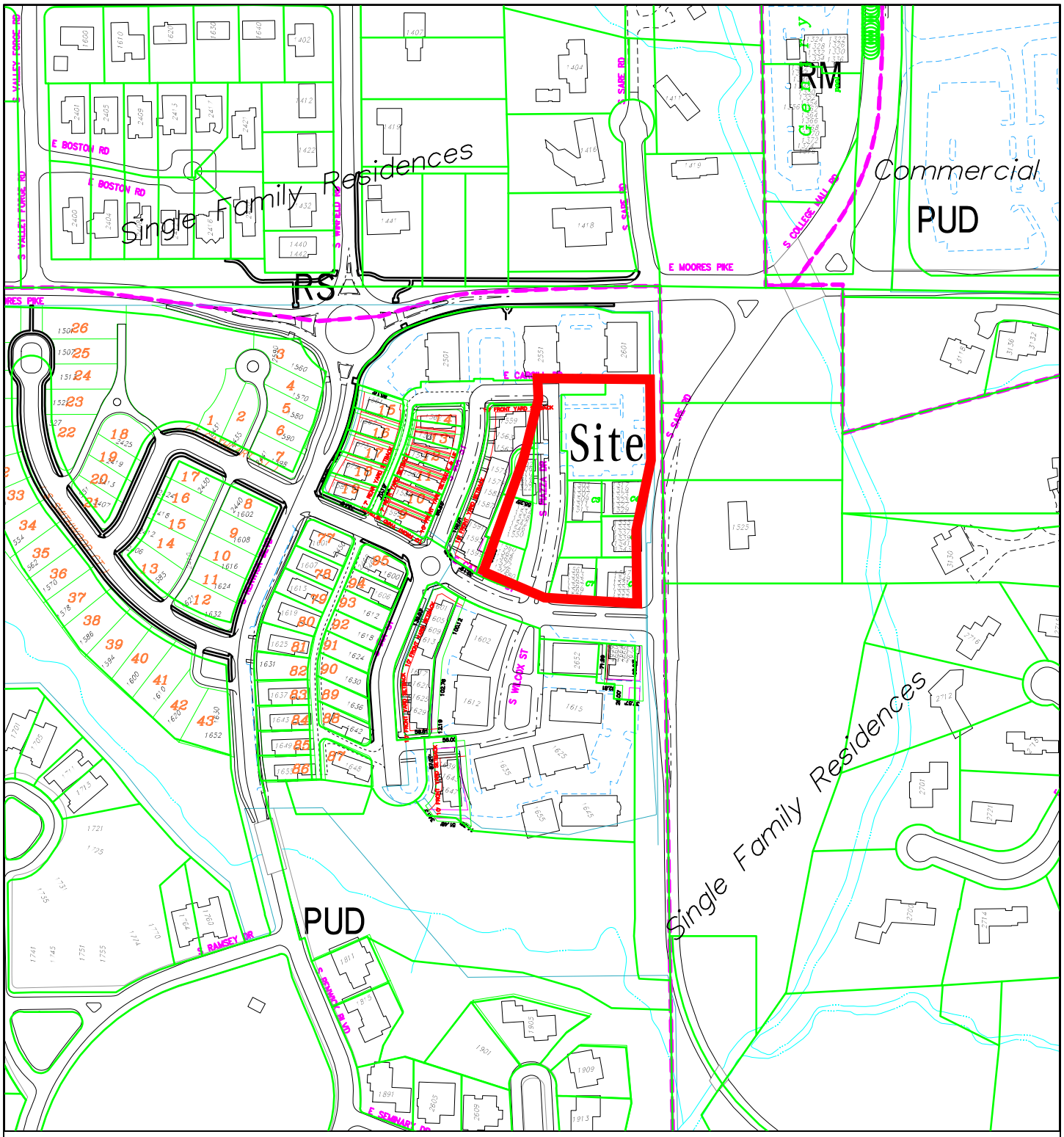
1. An inaugural art event will be held in conjunction with the large art mural unveiling
2. A second event celebrating the unveiling of the banners would occur.
3. Two other annual events, currently proposed as the *Art of Wine* and the *Renwick Arts festival,* would be held.

CONCLUSION: Planning staff supports the petitioners Final Plan request for the sign package based on the following rationale:

1. The petitioner is clearly making a significant commitment to creating an arts venue in the Village Center. The mural will be one of the most significant art exhibits in Bloomington. Additionally, the plan to install outdoor sculpture in the piazza and the petitioner's proposal to hold annual arts and music events are laudable and also reflect this commitment.
2. The presence of a large plaza space in this commercial development makes it a unique venue for artistic displays and events. The presence of such a plaza does not occur in conventional commercial developments in Bloomington. As a result, the Plan Commission can feel comfortable deviating from the sign code knowing that such requests cannot be easily duplicated in other commercial locations.
3. The "buzz" associated with creating a mini arts district in this Village Center will hopefully improve sales and leasing to the point where more neighborhood serving commercial activity can benefit surrounding residential development.

RECOMMENDATION: Staff recommends approval of PUD-33-11 with the following conditions:

1. That the proposed mural shall contain any commercial messages.
2. The signage package shall be installed based on the dimensions, locations, and designs represented in the petitioner's exhibits.
3. That the petitioner's commitments in terms of events and artistic displays be as generally described in the petitioner's statement.



PUD-33-11 Ramsey Land Development

1513 S Piazza Dr

Plan Commission

Site Location, Zoning, Land Use, Parcels

By: greulice

30 Nov 11

250 0 250 500 750

N

City of Bloomington
Planning

Scale: 1" = 250'

For reference only; map information NOT warranted.

RENWICK
VILLAGE CENTER

Renwick Village Center
Public Art Initiative

Petitioner's Statement

Objective

Strategy

Tactics

Exhibits

October 25, 2011

PUD-33-11 PETITIONER'S STATEMENT

Renwick Village Center Public Art Initiative

Petitioner's Statement
We respectfully request final Plan Commission approval of a signage package for the Renwick Village Center Arts Initiative located at Renwick Village Center, Sare Road and Moores Pike in Bloomington, Indiana.

Objective
To differentiate and promote Renwick Village Center within the community of Renwick as a place for public art. Ultimately, this would aid to expand Bloomington's arts leadership role by providing support and a venue for public art on Bloomington's east side.

Strategy
Renwick Village Center (RVC) features a wonderful piazza area that can be utilized to host outdoor art events and programming. Our signature public art element would be a two-story digital color mural featuring the work of a local artist and changing at determined intervals (Exhibit Page 6). In addition, the piazza is also an ideal location for outdoor sculpture, and we will provide space for outdoor sculptural installations (Exhibit Page 7).

An inaugural art event could be held in conjunction with the large art mural unveiling. This event would celebrate the featured artist and launch Bloomington's east side arts initiative. Additionally, RVC plans to host subsequent banner unveiling events and two annual events, currently proposed as the Art of Wine and the Renwick Arts Festival.

RVC also actively seeks new tenants such as art galleries, bistros, and cafes that would be likely to feature local artists to exhibit in their retail spaces. Also, we encourage current RVC tenants to feature and support local artists in their place of businesses.

Tactics
Critical to the success of this initiative is a building banner system to identify the Renwick Village Center as a destination to visitors and the community (Exhibit Page 5). This initiative will include artfully designed banners surrounding the perimeter of the RVC (Exhibit Page 2). In addition, coordinated banners will be installed in the parking areas (Exhibit Page 4), and temporary signage specific for arts events will be used as needed.

RVC would make its piazza area available to area arts groups during evenings and weekends, with management by and arrangements made through RVC. The piazza is a wonderfully open, yet intimate area. (Exhibit Page 8) This intimacy, in conjunction with being outdoors, will determine the size, type, and seasonality of events. Generally speaking, the venue could accommodate small art shows, wine tastings, acoustic music, small jazz trios, chamber quartets and the like, with events of up to 200 guests.

RVC would manage the scheduling and would coordinate with the City's Department of Economic and Sustainable Development's Miah Michaelsen, Assistant Director for the Arts, and Danise Alano-Martin, Director, and Maria Heslin, Deputy Mayor, for referrals, artist selections, and any additional development of art initiatives.

As the space is introduced through the inaugural celebration and subsequent events are held, connections will be made to groups and artists for whom this specific type of space is ideal. In addition to the special events taking place in the piazza, RVC will be an ongoing destination for public art to view the impressive two-story art mural and the sculptural installations. We cannot know all of the specifics or events that will unfold, but we are excited about the possibilities and the opportunities to provide the piazza at the Renwick Village Center as Bloomington's newest east side arts venue.

Building Banner Designs

Two-sided Digital Color Mesh Banner Material (2' X 13')
Supported by custom-made mast arms

Banner Color Palette

Northwest Corner

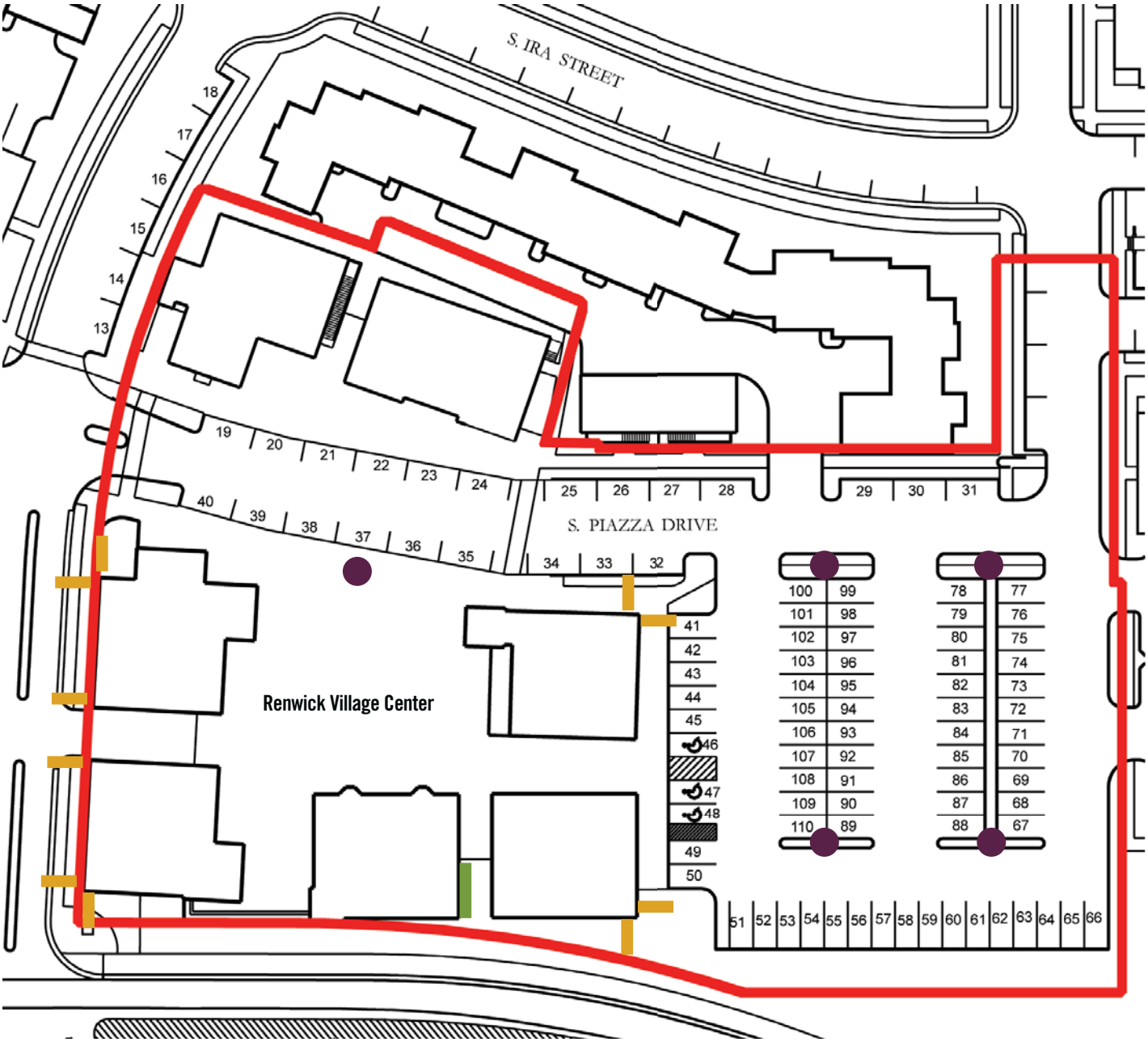
Southeast Corner

Northeast Corner

Southwest Corner

Street Lamp Banners

Two-sided Digital Color Mesh Banner Material (18” X 84”)
Supported by custom-made mast arms



RVC Arts Initiative Banner Locations

- Building Banners
- Street Lamp Banners
- Large Mural Banner

Exterior Digital Mural Banner by a Local Artist or Designer

This is proposed to be a digital color vinyl sheet securely attached with a frame structure to the North side of Renwick Village Center Building C-5. This mural would measure approximately 15' X 25'. The artwork would be rotated with other selections throughout the year at determined intervals.

(Artwork shown here for illustrative purposes only.)

Outdoor Sculpture in the Renwick Village Center Piazza

The welcoming open space of the Renwick Village Center Piazza would be suitable for the temporary placement and exhibition of three-dimensional sculpture created by a local artist. Above are several examples of the types of sculpture that could be considered.

(Artwork shown here for illustrative purposes only.)

Possible Renwick Village Center Piazza locations for Outdoor Sculptures

Renwick Village Center Event
in the Exterior Piazza

Examples of Public Art and District Identification in Bloomington

PUD–33–11 Ramsey Land Development

1513 S Piazza Dr

Plan Commission

2010 Aerial Photograph

By: greulice

30 Nov 11

250 0 250 500 750

N

City of Bloomington Planning

Scale: 1" = 250'

For reference only; map information NOT warranted.