

# CITY OF BLOOMINGTON



June 13, 2011 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL

**CITY OF BLOOMINGTON  
PLAN COMMISSION AGENDA  
June 13, 2011 @ 5:30 p.m.**

**❖ City Hall Council Chambers, #115**

**ROLL CALL**

**MINUTES TO BE APPROVED: May 9, 2011**

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

**APPROVAL OF CONSENT AGENDA:**

**PETITION WITHDRAWN:**

**PUD-05-11 McDoel Business Center  
301 W. Patterson Dr.**

Amendment to parcel E of the Thomson PUD to amend the list of uses. A waiver of the required 2<sup>nd</sup> hearing is requested. *(Case Manager: Eric Greulich)*

**UV-06-11 Gerald Sowders  
1461 W. Bloomfield Rd.**

PC recommendation to the BZA re: Use Variance to allow outdoor storage within a Commercial Arterial zoning district. *(Case Manager: Patrick Shay)*

**PETITIONS CONTINUED TO NEXT MEETING: July 11, 2011**

**PUD-02-11 Bloomington Cooperative Plots Eco-Village  
415½ N. Spring St.**

Rezone to Planned Unit Development from Residential Single-Family to allow development of a cooperative housing project. *(Case Manager: Patrick Shay)*

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**PETITIONS:**

**PUD-11-11 Golf Investors (Tee to Green)  
2101 W. Tapp Rd.**

Final plan amendment to revise a condition of approval regarding construction of Adams St. *(Case Manager: Patrick Shay)*

**UV-12-11 Omega Properties  
1200 N. Walnut**

PC recommendation to the BZA re: Use Variance to allow first floor apartments the Commercial General (CG) zoning district. *(Case Manager: James Roach)*

**UV-13-11 Michael Korus  
120 E. Dixie St.**

PC recommendation to the BZA re: Use Variance to allow multifamily occupancy within the Residential Core (RC) zoning district. *(Case Manager: Patrick Shay)*

**PUD-14-11 Patterson Pointe LLC  
420 S. Patterson Dr.**

Final plan for New Tech High School, a 60-unit senior apartment building, road construction, and initial grading for the Patterson Pointe PUD. Also requested is preliminary plat approval of a 7-lot subdivision. *(Case Manager: James Roach)*

End of Agenda

*\*\*Next Plan Commission hearing scheduled for July 11, 2011*

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 2101 W. Tapp Road**

**CASE #: PUD-11-11  
DATE: June 13, 2011**

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**PETITIONER:** Golf Investors, LLC  
2051 S. Ramsey Drive, Bloomington

**CONSULTANT:** Kevin R. Robling  
101 W. Kirkwood Ave, Suite 012, Bloomington

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**REQUEST:** The petitioner is requesting a final plan amendment to Parcel J of the Woolery Farm Planned Unit Development.

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**BACKGROUND:**

**Lot Area:** 16 Acres  
**Current Zoning:** Planned Unit Development (Woolery Farm PUD)  
**GPP Designation:** Community Activity Center  
**Existing Land Use:** Vacant, former Driving Range  
**Proposed Land Use:** Medical Office  
**Surrounding Uses:** **North:** Single Family (Adams Hill Farm)  
**East:** Office & Place of Worship  
**South:** Vacant  
**West:** Quarry (BG Hoadley Quarry)

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**REPORT SUMMARY:** This property was a part of the Woolery Farm that was originally zoned Planned Unit Development (PUD) in 1994. In 1996, the petitioner received a preliminary plan amendment that revised the permitted uses within Parcel J to include a golf driving range. The petitioner envisioned the driving range as an interim use until a larger development project of the site could be brought forward. A final plan for the driving range was approved in 1997 that allowed construction of the current building and parking area.

With the approved final plan, there was discussion surrounding the extension of Adams Street south of W. Tapp Road. It was determined that construction of Adams Street was not appropriate with the initial construction of the driving range building. Essentially, staff and the Plan Commission concluded that a relatively low intensity use of 16 acres was not significant enough to trigger construction of this public street. In addition to the approval of the driving range, a three-lot subdivision on just over 25.5 acres was also granted. This subdivision created the 16 acre tract for the driving range and two additional lots. With this subdivision, the right-of-way for the Adams St. extension was dedicated to allow for its future construction.

Although initial construction of Adams St. was not required at the time, the Plan Commission did require the recording of a written commitment by the petitioner

that outlined the circumstances by which the construction of Adams Street would be required. This agreement was recorded with the deed for the property and required construction of the Adams St. extension with any of the following events:

1. A change of use to anything other than a driving range
2. Development of the Hoadley Quarry property to the west that would result in more than 1000 new vehicular trips per day
3. Any combination of development in the general area of the Woolery Farm PUD, Sudbury PUD, Golf Course PUD (The Highlands and Batchelor Heights) and Eagleview PUD that would result in more than 2000 new vehicle trips per day
4. Any combination of development in the general area of the Golf Course PUD (The Highlands and Batchelor Heights) and Eagleview PUD that would result in more than 1000 new vehicle trips per day

It has been determined that the triggers described in #3 and #4 above have occurred with past development. Although enforcement of this provision could be initiated, the City has deemed it impractical to date. Enforcement of this provision would not result in the road extension being constructed, but rather would most likely cause the ownership of the property to become insolvent.

At this time, the driving range use has also vacated the property and the existing structure is currently vacant. Due to the petitioner's commitment attached to the property, no use other than a driving range can occupy the building prior to the construction of the Adams St. extension. The petitioner is seeking to amend the commitment made with the approved final plan to revise the events that require the construction of the Adams St. extension. Such an amendment would allow a new user, in this case a possible doctor's office, to reuse the existing structure and parking area.

With this request, the Plan Commission must answer the question of what the appropriate trigger for the construction of the Adams St. extension should be. The Plan Commission may also decide that the existing commitment should remain valid and enforcement action should be considered. Staff recommends that a revised commitment be considered and approved which would allow the reuse of the existing structure without requiring Adams St. construction until future development of the property including rezoning, subdivision or new construction occurs. A denial of this request would likely result in a prolonged vacancy of the existing structure and insolvency of the ownership of the property. Furthermore, it would not result in the desired construction of the road extension. Staff finds it more practical to allow the reuse of the building to avoid it becoming dilapidated and deferring construction of the road extension.

Staff has worked with the petitioner to propose a modification to the existing agreement that would remove the triggers that have already been met, allow for changes of use within the existing building, and create new triggers that better

recognize the economies of scale associated with constructing the Adams St. extension. Engineering staff estimates that this street extension would cost approximately \$500,000, so significant development is really needed to offset such cost. A draft revised commitment is included in the packet with the following new triggers:

1. Rezoning of the property
2. Subdivision of the property
3. New construction of a non-accessory structure

These conditions would allow a new user of the property to construct accessory structures which are limited by the UDO to only 1,500 square feet. Additionally, additions to the existing building could also occur. Since such additions could theoretically provide a significant enlargement to the building, staff would like Plan Commission input on whether a certain size of enlargement should trigger the road improvement. At this time, staff has not included this in the commitment since this may be a self-limiting issue due to grade or feasibility of construction.

If this request is approved, any new use of the property (including the proposed medical office use) must receive subsequent site plan approval that will require limited site plan compliance with current development standards of the Unified Development Ordinance. Compliance with these standards may include but is not limited to items such as landscaping, maximum parking, parking setbacks, bike parking and lighting.

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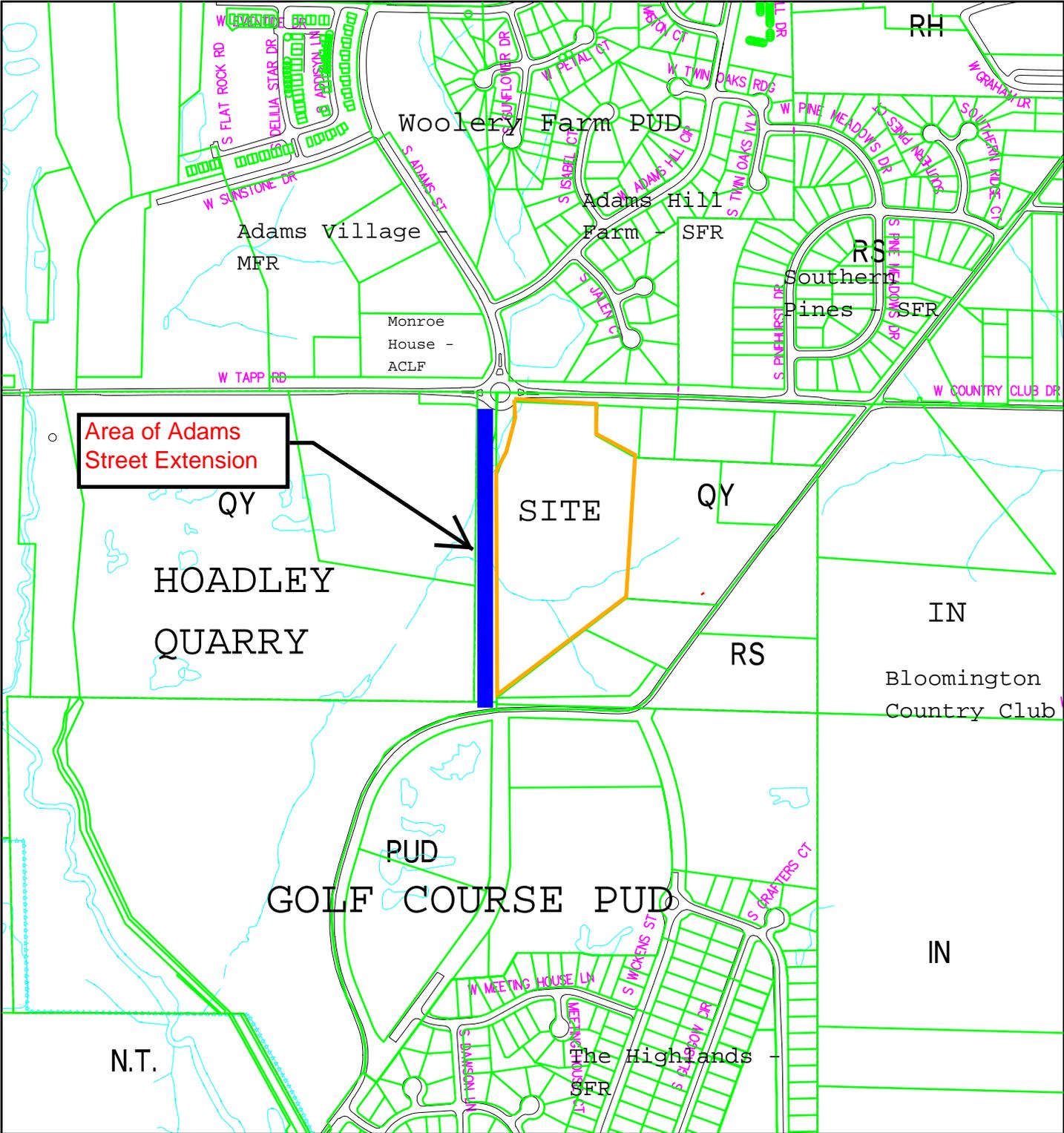
**CONCLUSION:** Although staff notes that the required roadway extension will eventually be useful in mitigating impacts associated with full development of the 16 acres as well as access to and from the Golf Course Community PUD, a denial of this petition would not result in immediate roadway construction. Staff finds that the reuse of the existing building is a positive alternative to a vacant building at this location. Staff recommends revising the written agreement to create a more practical trigger to the road extension.

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

1. This approval is intended only to revise an existing written commitment between the petitioner and the City for the property. All other terms and conditions of the preliminary and final plan for this property shall remain in full.
2. A revised commitment consistent with this report must be approved by staff and recorded with the Monroe County Recorder. A copy of the recorded document must be provided to staff prior to the issuance of any permits for use of this property.

3. This approval does not constitute a site plan approval. The site must be brought into compliance with current development standards of the Unified Development Ordinance with any change in use.

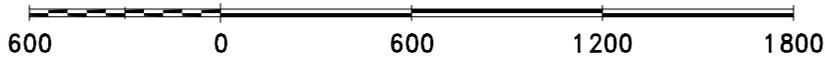


Area of Adams Street Extension

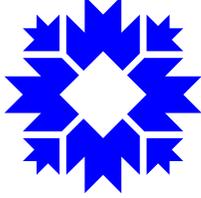


SITE

By: shayp  
6 Jun 11



City of Bloomington  
Planning



Scale: 1" = 600'

For reference only; map information NOT warranted.

June 4, 2011

Patrick Shay  
City of Bloomington Planning Department  
401 N. Morton Street  
Bloomington, IN 47404

Re: Petitioner's Statement – Golf Investors, LLC  
2501 W. Tapp Road, Bloomington, Indiana

Dear Mr. Shay –

Petitioner, Golf Investors, LLC, purchased the above-referenced property, which consists of approximately 16 acres and a 5200 square-foot structure, with the intent to develop or participate in the development of the property. Petitioner received final plan approval in April, 2007, for the interim use of the property as a golf driving-range. Both Petitioner and the City of Bloomington understood that the development of the property would require the construction of the extension of Adams Street south to Rockport Road. The language in the Final Plan approved by the City and the City's Plan Commission called for said extension to be constructed if one of a number of "triggers" occurred, to include a "change of use" in the property. Due to a variety of circumstances, to include the unprecedented downturn in the residential real estate market and the City's conscious effort to encourage development in its core rather than on the edge of the municipal boundaries or beyond, there has been no legitimate ability to develop the property. Accordingly, the value of the property is significantly less than it would be if development had been a possibility.

Petitioner currently has an opportunity to sell the property to a physician who would like to utilize the property for his medical practice. The buyer has no interest in developing the property but, rather, prefers to maintain the greenspace. The current deed language would require that the Adams extension be built if the Buyer wished to relocate his medical practice to the property, a requirement which is a financial impossibility given the cost of the Adams extension (as compared to the value of the property); would cause the current greenspace to be disturbed; and, is inconsistent with the City's stated intent to encourage building in its core as opposed to its edges. Petitioner, therefore, respectfully requests that the City's Plan Commission amend the Final Plan by approving the newly-drafted attached language.

Very Truly Yours,



Kevin R. Robling  
Attorney for Petitioner

AGREEMENT FOR CONSTRUCTION OF ADAMS STREET

This Agreement is made and entered into this ~~13<sup>th</sup> day of June 13, 2011~~ by and between Golf Investors, LLC, an ~~Indiana~~ Limited Liability company (hereinafter “Golf Investors”), and the City of Bloomington (hereinafter “City”)

**Deleted:** 11<sup>th</sup> day of April, 1997

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**WITNESSETH:**

WHEREAS, Golf Investors is the owner of sixteen (16) acres of land on Tapp Road, more particularly described in Exhibit A attached hereto, which is currently zoned Planned Unit Development (hereinafter “the Property”); and

WHEREAS, Golf Investors intends to ~~sell the Property for a land use permitted by PUD-64-94, and the proposed development is to re-use the existing structure on the Property; and~~

**Deleted:** construct and operate a golf driving range

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**Deleted:** ; and

**Deleted:** the use of the Property is changed to something other than that of a golf driving range

**Deleted:** the eastern ½ of the Hoadley Property is developed for any use that generates more than one thousand (1,000) total additional automobile trips per day in excess of the number generated by the Hoadley Property on the date of this Agreement

WHEREAS, the City has required, as a condition of the approval of PUD-~~64-94~~ for an extension of Adams Street to be constructed from Tapp Road to Rockport Road along the west edge of the Property (hereinafter, “Adams Street Extension”); and

WHEREAS, the real estate immediately to the west of and adjacent to the Property is owned by Hoadley Quarries (hereinafter, the “Hoadley Property”).

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

**Deleted:** more than two thousand (2,000) total additional automobile trips per day are generated by development of any portion of the land lying in the west ½ of Section 17, the east ½ of Section 18, the northwest ¼ of Section 20 and the northeast ¼ of Section 19, the east ½ of Section 7, the west ½ of Section 8, and/or the southwest ¼ of Section 5, all in Township 8 North Range 1 West in Monroe County, Indiana in excess of the number of trips generated by such real estate on the date of this Agreement, or (iv) when more than one thousand (1,000) total additional automobile trips per day are generated by the development of any portion of the land lying in the west ½ of Section 17, the east ½ of Section 18, the northeast ¼ of Section 20 and/or the northeast ¼ of Section 19 all in Township 8 North Range 1 West in Monroe County, Indiana in excess of the number of trips generated by such real estate on the date of this Agreement. In no event, and regardless of the earlier occurrence of one or more of the foregoing events, shall the City begin implementation of the requirement that Golf Investors, or its successors, grantees or assigns construct the Adams Street Extension prior to August 1, 2002. For purposes of this Agreement, “development” shall be deemed to occur upon the issuance of a building or grading permit for the use that generates the automobile trips.

1. The City shall delay implementation of the requirement for construction of the Adams Street Extension by Golf Investors or its successors, grantees or assigns until the first of the following events to occur (i) ~~the Property is rezoned,~~ (ii) ~~the Property is subdivided, or~~ (iii) ~~new construction of a non-accessory structure occurs.~~

2. Upon the imposition of the requirement to build the Adams Street Extension by the City pursuant to this Agreement, Golf Investors or its successors, grantees or assigns shall be obligated either to construct, or pay the City the cost of constructing the Adams Street Extension as required by PUD-64-94 from Tapp Road to Rockport Road, provided, however, that if the event that triggers the construction of the Adams Street Extension is the development of the Hoadley Property, or if the development, rezoning or PUD approval of the Hoadley Property occurs contemporaneously with any of the events which triggers the construction of the Adams Street Extension, the City shall, as a condition of approving such development, rezoning or PUD require the developer of the Hoadley Property to construct or pay for the cost of the construction of that part of the Adams Street Extension which is located on the Hoadley Property, to the extent permitted by law.

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3. If rezoning or PUD approval of the Hoadley Property takes place subsequent to the construction of the Adams Street Extension, the City shall request, but shall not be obligated to require, that the developer of the Hoadley Property reimburse Golf Investors, or its successors, grantees or assigns for a share of the cost of construction of the Adams Street Extension. The share of the cost of the Adams Street Extension to be requested of the developer of the Hoadley Property shall be proportionate to the use of the Adams Street Extension generated by the Hoadley Property development.

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4. Golf Investors, ~~or its successors, grantees or assigns~~ agree that ~~they~~ shall not construct any buildings or permanent improvements within fifty (50) feet, plus the required setback, of its west property line with the Hoadley Property or the east property line of the City of Bloomington Utilities “CBU” booster station (as it may be adjusted for

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the construction of the Adams Street Extension) so as to leave the route of the Adams Street Extension clear for construction of the roadway.

5. ~~Any additional~~ right-of-way ~~necessary~~ for the construction of the Adams Street Extension shall be dedicated to the City upon the recording of any plat which includes all or part of the Property, or upon the occurrence of any of the events set forth in Paragraph 1 of this Agreement, whichever first occurs. The ~~total~~ right-of-way shall be ~~in conformance with the City's Master Thoroughfare Plan.~~ Also, regardless of the event which triggers construction of the South Adams Extension, sufficient additional right-of-way shall be dedicated to the City by Golf Investors or its successors, grantees or assigns to insure that the turn south of the CBU booster station can be constructed with radii approved by the City and County engineers.

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Deleted: fifty (50) feet in width along the boundary of the CBU property (as such boundary may be adjusted to allow for the construction of the Adams Street Extension) and thirty five (35) feet in width along the boundary with the Hoadley Property. If the Adams Street Extension must be constructed before the Hoadley Property is developed, then at such time, Golf Investors or its successors, grantees or assigns shall dedicate an additional fifteen (15) feet of right-of-way (for a total of fifty (50) feet) along the boundary with the Hoadley Property.

6. In the event of default by Golf Investors, its successors in title to the Property, its grantees or assigns of the obligations hereunder, the City may file a lien upon the Property for the estimated cost of satisfying such owner's obligation hereunder with regard to the construction of the Adams Street Extension, provided however that before filing such lien, the City shall first give written notice of its intention to do so to the then owner of the Property at the address shown on the tax records maintained by the Monroe County Auditor, by certified mail, return receipt requested. If the then owner of the Property does not take steps satisfactory to the City to cure such default within thirty (30) days of the mailing of such notice then the City may file a lien, as in the manner of filing mechanics liens. The sixty (60) day period within which the City must record its notice of intention to hold a lien shall commence upon the date of the expiration of the

City's thirty (30) day written notice to the then owner of the Property. Enforcement of the lien shall occur in the manner in which mechanics liens are enforced.

7. This document shall be recorded in the Office of the Recorder of Monroe County Indiana, and the obligation to dedicate right-of-way, construct, or pay the cost of the construction of the Adams Street Extension shall be binding upon Golf Investors only so long as it is the owner of the Property, and the obligation to dedicate right-of-way, construct, or pay the cost of construction of the Adams Street Extension shall run with the Property, and shall be binding upon Golf Investors' successors in title to the Property, its grantees and assigns. The sixty (60) day period within which the City must record notice of its intent to hold a lien shall commence on the date of the expiration of the City's thirty (30) day written notice to the owner of the Property. Enforcement of the lien shall occur in the manner in which mechanics liens are enforced.

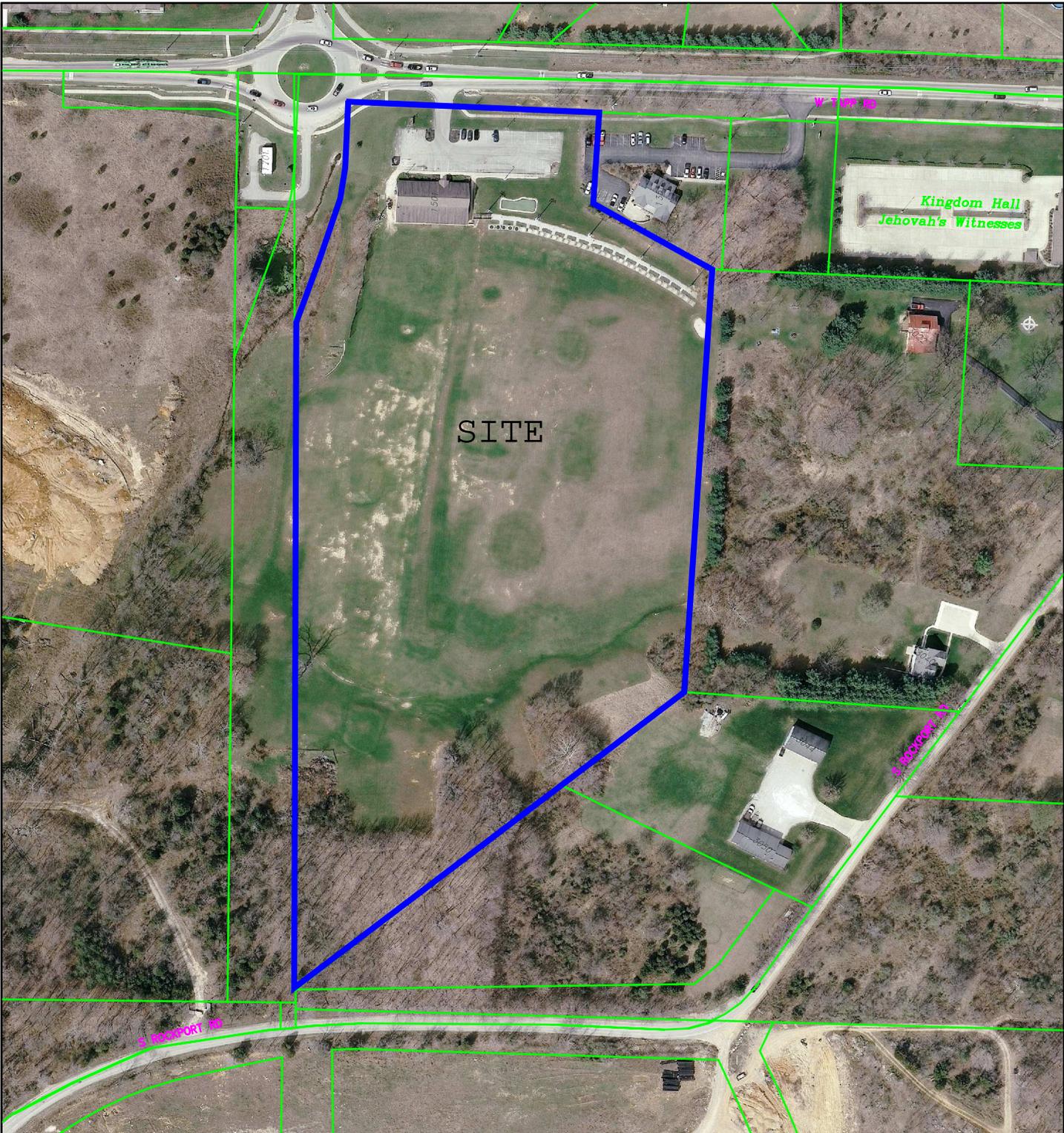
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All of which is agreed to this ~~13<sup>th</sup>~~ day of ~~June, 2011~~.

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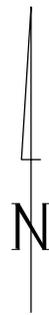
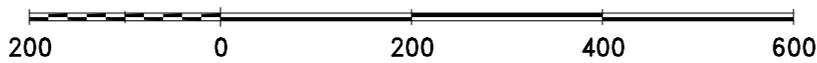
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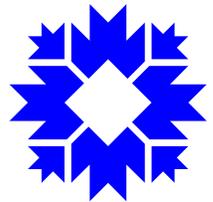


PUD-11-11 Golf Investors, LLC  
Aerial Photo

By: shayp  
23 May 11



City of Bloomington  
Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 1200 N. Walnut Street**

**CASE #: UV-12-11  
DATE: June 13, 2011**

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**PETITIONER:** Omega Properties/Vision Holdings, LLC  
3707 E. Winston St., Bloomington

**CONSULTANT:** Tabor/Bruce Architects  
1101 S. Walnut St., Bloomington

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**REQUEST:** The petitioner is requesting a use variance recommendation to allow for first floor residential dwelling units within the Commercial General (CG) Zoning District.

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<b>Zoning:</b>	<b>CG</b>
<b>Area:</b>	<b>0.23 acres (10,018 sq. ft.)</b>
<b>GPP Designation:</b>	<b>Community Activity Center</b>
<b>Existing Land Use:</b>	<b>3 Multi-Family homes</b>
<b>Proposed Land Use:</b>	<b>Multi-Family</b>
<b>Surrounding Uses:</b>	<b>North</b> - Multi-Family (Scholars Rock) <b>South</b> - Commercial <b>East</b> - Single Family (Garden Hill Neighborhood) <b>West</b> - Commercial

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**SUMMARY:** The property in question is located at the northeast corner of E. 16<sup>th</sup> Street and N. Walnut Street. The property is 0.23 acres in size, zoned Commercial General (CG), and has been developed with three single unit structures. The property is bordered by single family homes in the Garden Hill Neighborhood to the east, commercial uses to the south and west, and apartments (Scholar's Rock) to the north.

The petitioner previously applied to the Board of Zoning Appeals in 2007 (V-50-07) for a package of variances to remove all three residential buildings and construct one, three-story mixed-use building. That petition was denied in response to concerns raised by neighbors in the adjacent Garden Hill Neighborhood.

The petitioner has continued to work with the neighborhood to address their concerns and is now coming forward with a revised project that has been scaled back to resolve the issues raised by the neighborhood. The petitioner is now proposing to remove only two of the residential buildings and will replace them with two, one-unit residential buildings in the same approximate location. The existing two-story, 4-bedroom house at the northeast corner of 16<sup>th</sup> and Walnut will be replaced with another two-story, 4-bedroom house. The one-story house to the east of the corner, that currently has 2-bedrooms, will be replaced with a one-story, 3-bedroom house. There will be a total of 3 units and 10 bedrooms on the overall site. Parking for the project will be provided by six parking spaces directly off of the alley to the east.

To achieve this, the petitioner is requesting a package of variances and a use variance to allow for ground floor residential units in the Commercial General zoning district.

Staff is seeking the Plan Commission's guidance on the consistency of the proposal with the Growth Policies Plan for this area. The following are several portions of the Growth Policies Plan that should be considered with the use variance request:

The GPP designates this property as Community Activity Center (CAC). The CAC designation "is designed to provide community-serving commercial opportunities in the context of a high density, mixed-use development." The small size of the property does not provide an opportunity to really develop the site as envisioned by a typical CAC, however some of the relevant policies for this area state that:

- *Residential units may also be developed as a component of the CAC, and would be most appropriate when uses are arranged as a central node rather than along a corridor.*
- *Buildings should be developed with minimal street setbacks to increase pedestrian and transit accessibility.*
- *Street cuts should be limited as much as possible to reduce interruptions of the streetscape.*
- *Incentives should be created to encourage the inclusion of second-story residential units in the development of Community Activity Centers.*

In addition to the policies of the CAC, the GPP's guiding principles have several policy recommendations that relate to this petition. The "Sustain Economic and Cultural Vibrancy" guiding principle states:

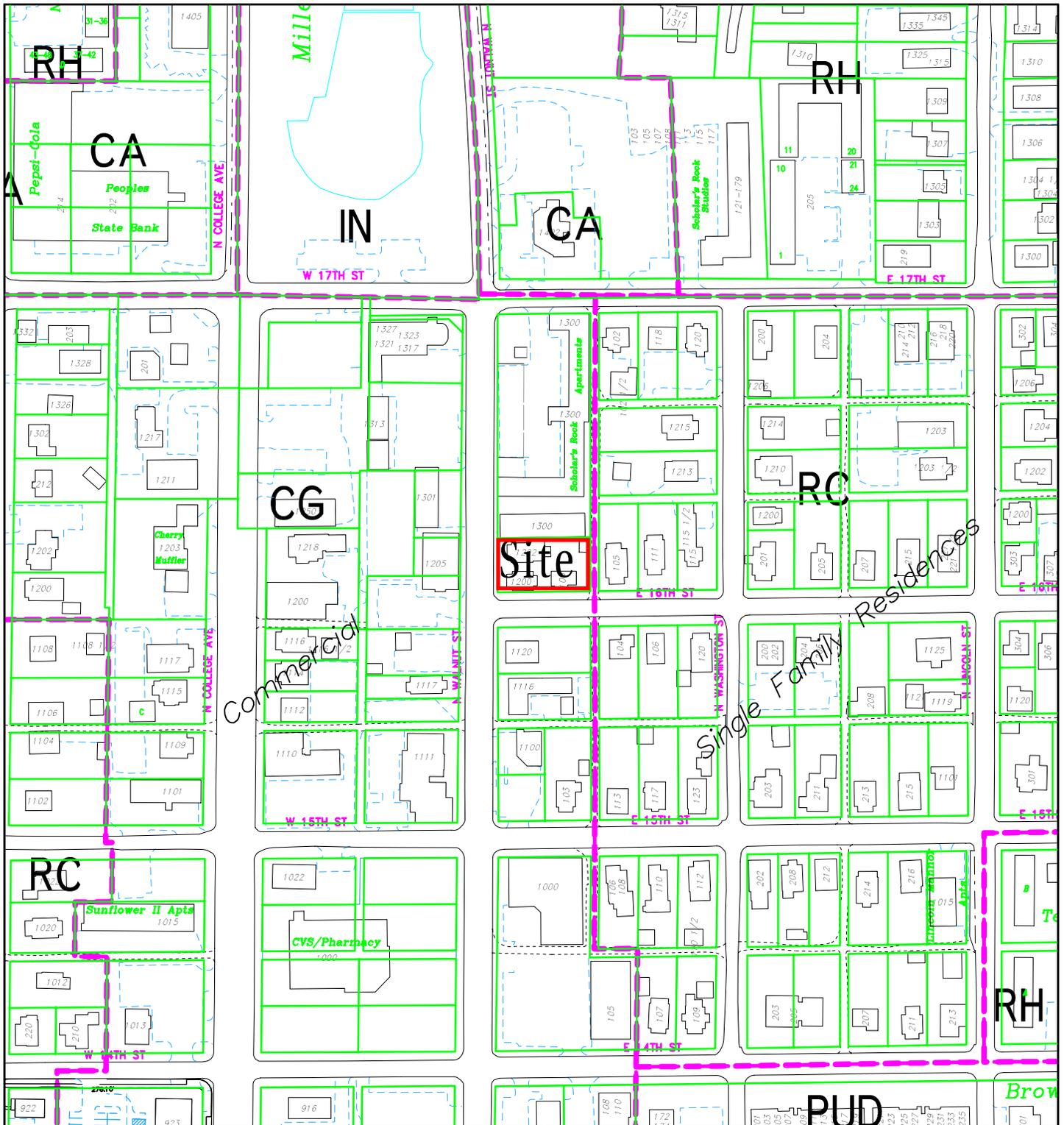
- *...the redevelopment of under-utilized parcels should not be neglected in favor of open land outside of the City.*
- *Within Bloomington, there are significant numbers of properties within downtown, along arterial roadways, and even in core neighborhoods that could be better utilized through redevelopment strategies.*

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**CONCLUSION:** Staff finds that the revised site plan provides a good balance between a reuse of the site that still compliments the adjacent residential neighborhood. The small size of this property does not provide a viable opportunity for a Community Activity Center or commercial space. The lack of ground floor commercial space at this location does not interfere with the goals and policies of the Growth Policies Plan and allows for the replacement of two single family homes with better quality residences.

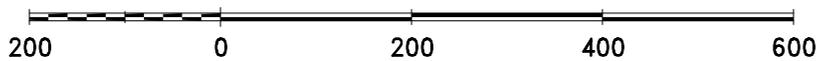
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**RECOMMENDATION:** Staff recommends forwarding this request to the Board of Zoning Appeals with a positive recommendation.



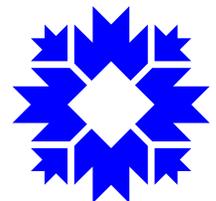
UV-12-11 Omega Properties  
 1200 N Walnut Street  
 Plan Commission  
 Site Location, Zoning, Parcels, Land Use

By: greulice  
 9 Jun 11



For reference only; map information NOT warranted.

City of Bloomington  
 Planning



Scale: 1" = 200'



## PLAN COMMISSION

### Petitioner's Statement

Concerning the petition of **Omega Properties** for the purpose of consideration of their Petition for

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#### Use Variance

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For the property located at **1200 N Walnut Street and 103 E 16<sup>th</sup> Street.**, Bloomington, Indiana.

After a previous proposal was denied for this site, the petitioner has met with the neighborhood committee, review and supported the proposed historic guidelines and is now bringing a smaller, revised petition for development of the small .23 acre site. The site is at the edge of the CG zone and borders the RC zone to the east alley/property line. The three existing structures on the site are all residential scale rentals and are also outlined within the proposed Garden Hill historic district. The structure at 103 East 16<sup>th</sup> Street has been un-occupied for the past year as a structural engineer has deemed is unsafe to occupy.

After several meetings with the Garden Hill subcommittee, the petitioner applied for and gained a Certificate of appropriateness for the demolition of 103 East 16<sup>th</sup> Street and a Certificate of Appropriateness for the design and construction of the replacement structure from the Bloomington Historic Preservation Commission.

The site currently contains the three residential structures with 9 total bedrooms and occupancy permits for 13. It is our intention to adhere to the proposed guidelines and create structures that re-create the dwellings found within the neighborhood. The petitioner shall re-use the structure as is at 1202 N Walnut Street which once was a single family home and replace the other two structures with structures similar to single family homes in scale, style and materials. The two story structure located at 1200 North Walnut Street will eventually be replaced with a new, Craftsman style two story structure containing 4 bedrooms and the two bedroom, 3 occupant, 1.5 story unit located at 103 East 16<sup>th</sup> street will be replaced with a one story, 3 bedroom residence.

The allowed density for the area is 15 units per acre which is 3.5 units per acre for the .23 acre site. In keeping with the residential scale of the neighborhood, we are not seeking a density waiver and will build 3 units that total 3.5 acres for the site with a total of the existing 3 bedroom unit, a new 4 bedroom unit and a new 3 bedroom unit. The design of 103 East 16<sup>th</sup> Street will follow a familiar scale of the Gabled Ell style that is found in many of Bloomington's older neighborhoods. Because we are designing smaller scale structures that mostly "replace" the existing structures, we are not changing the density nor the heights and even the parking demands than what currently exists now. This is the reason for our use variance request as we cannot justify the addition of commercial space in an area where a) There is an abundance of vacant commercial space and b) The neighbors do not wish to see the additional commercial space and related traffic that it may bring.

The "neighborhood" style of the proposed new structures does not easily support ground floor commercial space for we are purposefully trying to keep them as small scale structures that simply replace similar structures which are existing. Our neighborhood meetings and review of the previous proposal really drove the concept to create a small scale development. The last proposal had strong opposition from the neighborhood but support from the planning department; a mixed signal, and inevitably was denied by the Board of Zoning Appeals. This proposal seeks to replace one old, non original and structurally unsafe home with a more historically correct small scale residence and a non historic two story structure with a two story more significant gateway design.

The immediate neighbor and the subcommittee support the parking proposal, which will be more organized than what currently exists and the proposed landscape will meet as much as possible for such a small site, the required landscaping design.

We have tried to listen to the concerns of the neighbors in the creation of this proposal and hope as they that this plan will become a guide on how future development could occur in the Garden Hill neighborhood with structures rich in local historic character, smaller in scale, and greater input sought from the neighborhood and adjoining neighbors, we ask for your approval of our requests.

Sincerely,



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Doug Bruce LEED AP  
TABOR/BRUCE ARCHITECTURE & DESIGN  
1101 S Walnut Street  
Bloomington, IN 47401  
(812) 332-6258

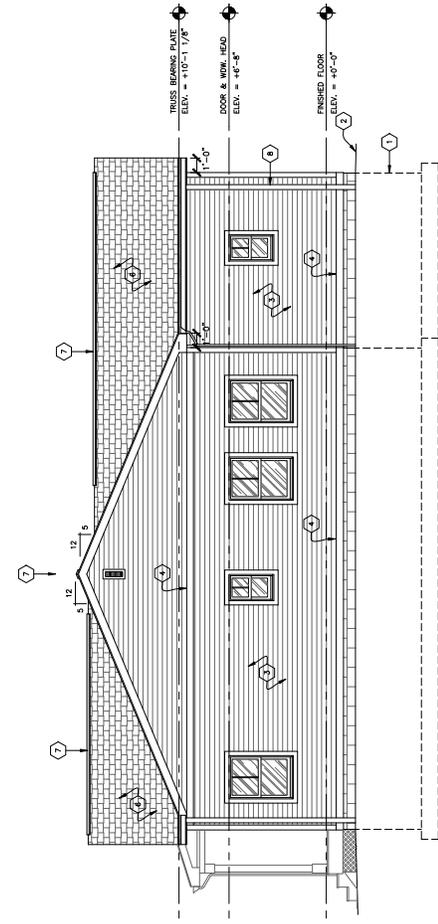
REVISIONS


A NEW RESIDENTIAL BUILDING FOR:  
**OMEGA PROPERTIES**  
 103 EAST 16TH STREET  
 BLOOMINGTON, INDIANA 47404-3534

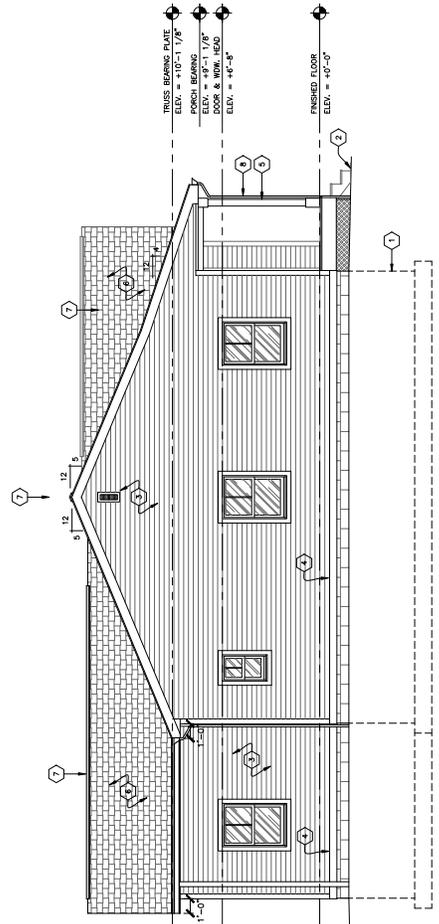
PROJECT NO. 2118  
 DATE 08/24/11  
 DRAWN BY T. POPE  
 CHECKED BY D. BRUCE

SHEET NAME  
**EXTERIOR ELEVATIONS**  
 SHEET NO.

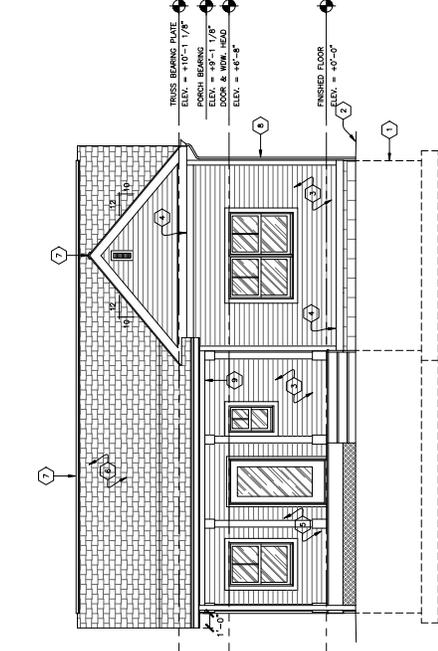
**AE201**



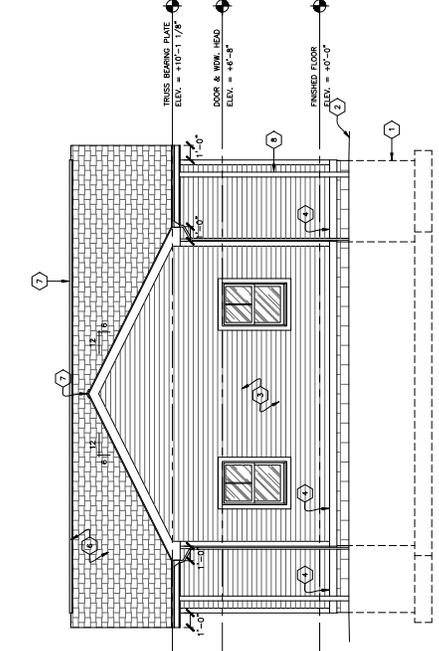
**1** SOUTH ELEVATION  
1/4" = 1'-0"



**2** EAST ELEVATION  
1/4" = 1'-0"



**3** NORTH ELEVATION  
1/4" = 1'-0"



**4** WEST ELEVATION  
1/4" = 1'-0"

- EXTERIOR ELEVATION NOTES:**
1. REPAIRED PAVED CONC. FOUNDATION WALL CONC. FITS & SUB SYSTEM. CONC. FINISH TO MATCH EXISTING.
  2. FINISHED GRADE ELEVATION VARIES. SLOPE MIN. 1/4" PER FOOT AWAY FROM BUILDING @ ALL LOCATIONS.
  3. ALL EXTERIOR FINISHES TO BE PERMANENTLY PROTECTED FROM WEATHER. W.P.C. INSTRUCTIONS: CALC. ALL JOINTS & ALL TRIM BOARDS.
  4. C. CERTAINTED FIBER CEMENT TRIM BOARD - PRIME & PAINT PER MFG.
  5. 1/2" X 1/2" X 1/2" FIBER CEMENT TRIM BOARD - PRIME & PAINT PER MFG.
  6. 1" X 4" WOOD SCAPING AND 1" X 4" WOOD PORCH COLLARS, 606 FT. WOOD NAILS & 2X2 P.T. WOOD BALUSTERS SPA. MAX. 3" APART.
  7. 1/2" X 1/2" X 1/2" FIBERGLASS SHIMMLES OVER JOY FELT PAPER OVER 5/8" STRUCTURE BOARD PER MFG. INSTRUCTIONS.
  8. CONTINUOUS ROSE VENT.
  9. 2"x3" ALUMINUM DOWNSPOUTS, CONNECT TO UNDERGROUND PIPE TO STORM DRAIN.
  10. PAINTED BEASBOARD ON PORCH CEILING.

THIS PLAN SET COMPRISES THE BASIS FOR CONTRACT PROTECTION IN SUBSTITUTION, COPY, REUSE, OR THE CONTRACT SET. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACCURACY OF ALL INFORMATION AND TO OBTAIN NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

REVISIONS

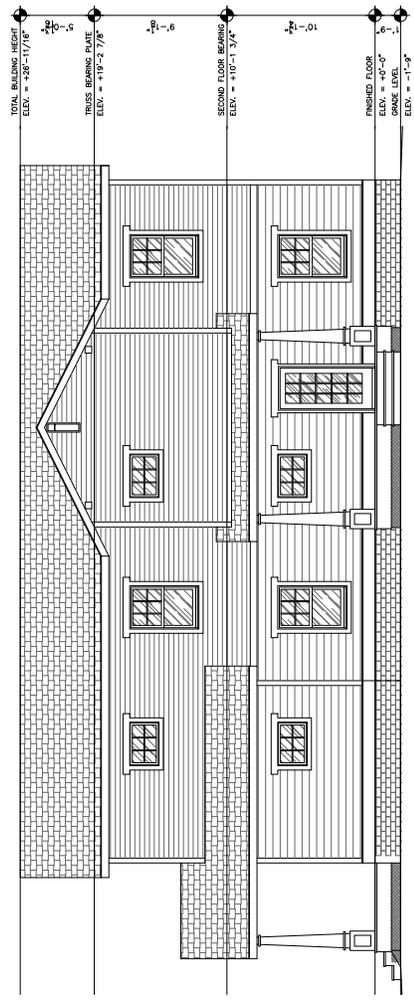
RENOVATION & ADDITION FOR:  
 PROJECT NAME  
 STREET  
 BLOOMINGTON, INDIANA 47404

SEAL

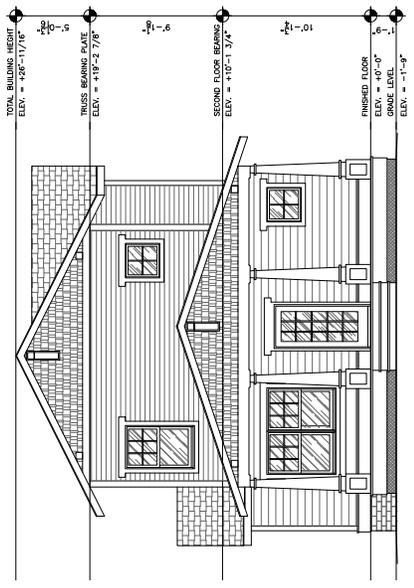
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 CHECKED BY

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 EXTERIOR ELEVATIONS  
 SHEET NO.

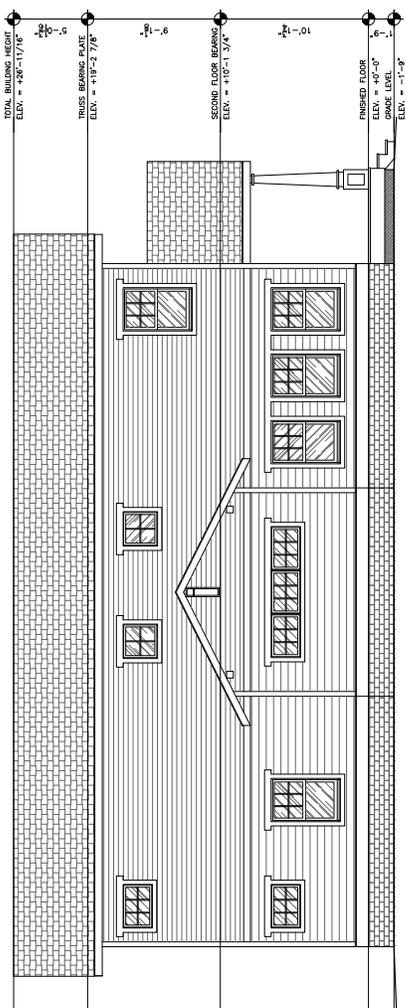
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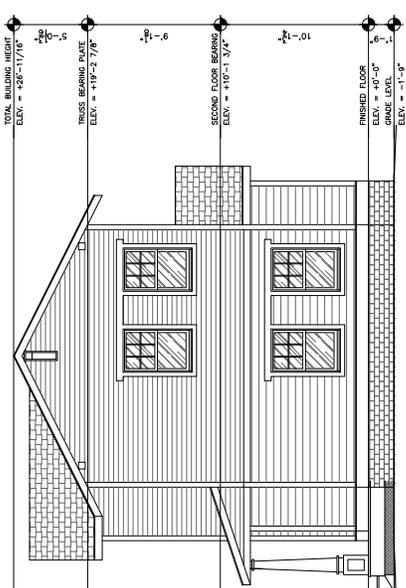
1  
 1/4" = 1'-0"  
 EXTERIOR ELEVATION



1  
 1/4" = 1'-0"  
 EXTERIOR ELEVATION



1  
 1/4" = 1'-0"  
 EXTERIOR ELEVATION

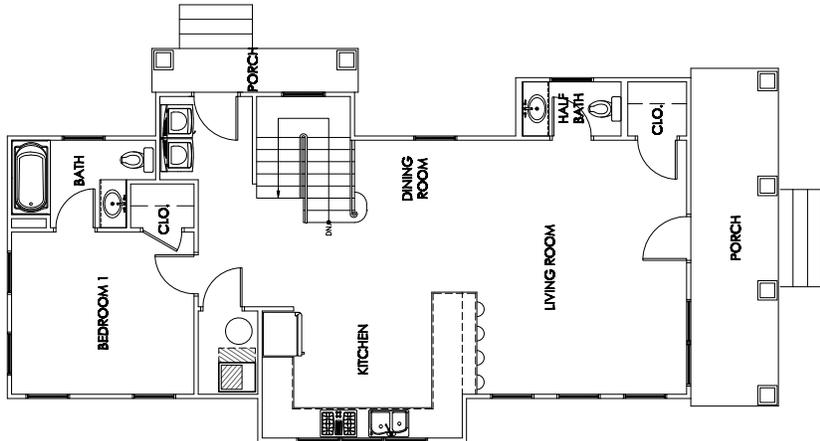


1  
 1/4" = 1'-0"  
 EXTERIOR ELEVATION

EXTERIOR ELEVATION NOTES:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
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1  
1/8" = 1'-0"  
FIRST FLOOR PLAN  
RFD SQ. FT.



- FLOOR PLAN NOTES:**
1. DIRECT LIGHT GAS ONLY FINISHES BY ELECTRONIC GUNTING (SMALL WALLS ONLY) SHALL BE 1/2" MIN. THICK PER IBC, IBC, & MFC.
  2. PROVIDE MIN. 208 BLDG FOR FUTURE GMB BAR TO BE INSTALLED. SHOWER STALL BLDG SHALL BE ADJACENT TO OTHER FIBERGLASS SHELL PER IBC & SHALL SUPPORT (LOAD UP 250 LBS. SLOPE DOWN FROM TO 1/4" DIA. (1/4" DIA. 100 FOOT AWAY FROM BLDG.)
  3. LIGHT BRICK FROM INTERIOR CORNER PER OWNER.

**GENERAL NOTES:**

- ALL DIMENSIONS SHALL BE TO FINISH UNLESS OTHERWISE NOTED.
- ALL INTERIOR DIMENSIONS ARE SHOWN STUD TO STUD AND DO NOT INCLUDE WALL FINISHES.
- ALL NEW WALLS SHALL BE FINISHED TO MATCH EXISTING SURFACES INCLUDING PRIMER & PAINT.
- FIELD VERIFY PLAN DIMENSIONS PRIOR TO ANY CASERWORK FABRICATION.
- ALL NEW WALLS SHALL BE FINISHED TO MATCH EXISTING SURFACES INCLUDING PRIMER & PAINT.

**SYMBOLS LEGEND**

- ▬ DENOTES NEW FULL-HEIGHT WALLS
- ▬ DENOTES EXISTING WALLS TO REMAIN
- DETAIL #
- SHEET #
- DENOTES SECTION INDICATOR
- DENOTES DETAIL INDICATOR
- ROOM #
- ELEVATION #
- DENOTES ELEVATION INDICATOR
- DENOTES SPACE IDENTIFIER
- DENOTES SPACE IDENTIFIER
- DENOTES TARGET ELEVATION
- DENOTES SPOT ELEVATION

DENOTES NEW DOOR AND FRAME SYMBOL TO REFERENCE OPENING SCHEDULE  
 DENOTES WINDOW #  
 DENOTES ELEVATION NOTE  
 DENOTES PLAN NOTE  
 DENOTES REVISION NOTE

**REVISIONS**

NO.	DATE	DESCRIPTION

**PROJECT NAME**  
RENOVATION & ADDITION FOR:  
STREET  
BLOOMINGTON, INDIANA 47404

**SEAL**

PROJECT NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
DRAWN BY \_\_\_\_\_  
CHECKED BY \_\_\_\_\_  
DATE \_\_\_\_\_

**FIRST FLOOR PLAN**

SHEET NO. \_\_\_\_\_

**AE101**

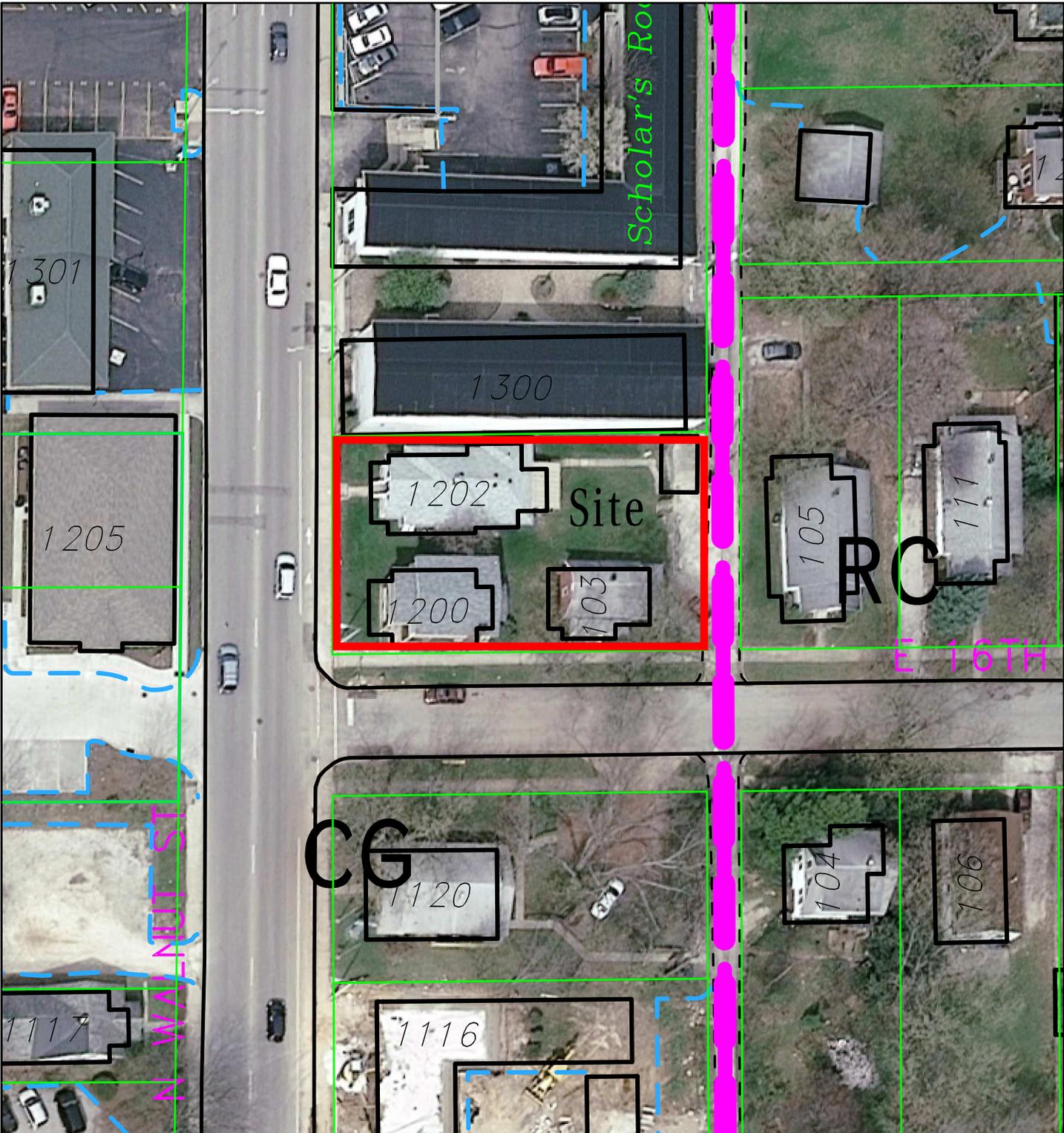
**TLABOR ARCHITECTURE & DESIGN INC.**  
111 S. WALKER STREET - BLOOMINGTON, IN 47401  
PHONE: 317.332.4488 FAX: 317.332.4489











UV-12-11 Omega Properties

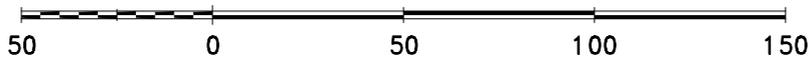
1200 N Walnut Street

Plan Commission

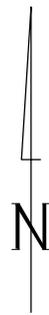
2010 Aerial Photograph

By: greulice

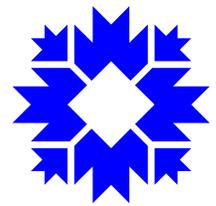
9 Jun 11



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 50'

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 120 E. Dixie Street**

**CASE #: UV-13-11  
DATE: June 13, 2011**

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**PETITIONER:** Michael Korus  
120 E. Dixie St., Bloomington

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**REQUEST:** The petitioner is requesting a use variance recommendation to allow a maximum of 5 unrelated adults to occupy a residential unit within the Residential Core zoning district.

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<b>Zoning:</b>	<b>RC</b>
<b>GPP Designation:</b>	<b>Residential Core</b>
<b>Existing Land Use:</b>	<b>Multi-family</b>
<b>Proposed Land Use:</b>	<b>Multi-family</b>
<b>Surrounding Uses:</b>	<b>East</b> – Mixed Residential (Bryan Park Neighborhood) <b>South</b> – Mixed Residential (Bryan Park Neighborhood) <b>West</b> – Commercial <b>North</b> – Mixed Residential (Bryan Park Neighborhood)

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**REPORT:** The property in question is located at the southwest corner of E. Dixie Street and S. Washington Street. There are two existing structures on the property. The corner building (900 S. Washington) has two, 1 bedroom units and the second structure (120 E. Dixie) has a single unit with 3 bedrooms. The property received variances in 1990 to allow the single unit structure to be relocated from a downtown location to this lot. The property was zoned multi-family (RM) at that time and allowed for multiple units on the property.

The petitioner purchased the property in 2004. He rented the two units in the corner building and occupied the single unit structure. The petitioner was aware of the multi-family zoning of the property and intended to use the owner-occupied unit as an additional rental in the future. Occupancy of individual units within this zoning district was limited to a maximum of 5 unrelated adults unless further reduced due to size restrictions of the Property Maintenance Code (PMC).

The two units in the corner building had a maximum occupancy of 2 unrelated adults each due to restrictions of the PMC, while the single unit structure would have had a maximum occupancy of 5 unrelated adults if it had been rented. Although the single unit structure would have been eligible for an occupancy limit of 5, that occupancy was not established since the structure was being utilized as an owner-occupied unit.

With the adoption of the Unified Development Ordinance in 2007, the Plan Commission and Common Council were asked to evaluate a few multi-family zoned areas within core neighborhoods to determine if they should be downzoned to single family to better achieve the City's goal of protecting and enhancing core neighborhoods. The petitioner's property was located within one of the discussion areas.

One of the areas considered for downzoning included 11 properties along S. Washington St. between commercially zoned properties along S. Walnut Street and residential properties within the Bryan Park Neighborhood that were already zoned single family. Although staff recommended retaining the multi-family zoning, the 11 properties were downzoned to Residential Core (RC). Staff's position was based on the fact that the rezoning would result in all 11 properties, including the petitioner's, being considered lawful non-conforming properties. Furthermore, 10 of the properties (again including the petitioner's) had multiple units.

With the zoning change, the maximum occupancy for any individual unit in the area was reduced from 5 to 3 unrelated adults. Four of the 11 properties had units with occupancy permits for more than 3 unrelated adults and were eligible for certificates of non-conforming use regarding occupancy. As previously stated, the petitioner would have been allowed to rent the structure to 5 unrelated adults. However, since it was utilized as an owner-occupied structure, it was not eligible for a certificate of non-conforming use.

The petitioner now intends to move from this structure and register it as a rental unit. With the RC zoning and without a certificate of non-conforming use, the structure may only be rented to a maximum of 3 unrelated adults. The petitioner is seeking a use variance to allow the 3 bedroom home to have an occupancy of 5 unrelated adults. The petitioner also stated that he had intended to finish the mostly unfinished basement and add two new bedrooms. Staff has notified the petitioner that additional bedrooms would not have been permitted with either the old zoning or the current zoning due to code limitations on maximum density and minimum parking.

---

**GROWTH POLICIES PLAN:** The petitioner's property is designated as a Core Residential area by the Growth Policies Plan (GPP). The intent of the Core Residential area states that:

*"The predominant land use for this category is single family residential; 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".*

The overall use of the petitioner's property is considered multi-family since there is more than one unit on the lot. The structure in question is a single unit with single family occupancy. He is seeking to have an allowance of multi-family occupancy within this structure.

The Core Residential also gives the following land use guidance:

- *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.*
- *Discourage the conversion of single family homes to apartments*

The Core Residential areas encompass several zoning districts including RC, RM and RH zones. Staff contends that the RM and RH zoned areas within the Core Residential designation are the appropriate multi-family redevelopment areas that were envisioned with the 2007 UDO update. Other areas, zoned RC, are areas where gradual encouragement of single family occupancy should be recommended. Furthermore, even though there was a high percentage of multi-family and rental usage in the 11-property area that was downzoned in 2007, there was still a decision made to rezone the area to single family to restrict occupancy and limit density impacts.

The Conserve Community Character guiding principle of the GPP observes that:

*"In 1985, the City, in response to community concerns, changed the zoning ordinance to restrict the occupancy of single family homes to three (3) unrelated adults. The zoning ordinance was further amended in 1995 to place more properties within the single family occupancy restriction. This was carried out in order to prevent core neighborhoods from going to a majority of rental units. The effect of this regulation has been that the proportion of owner occupied units has increased in some core neighborhoods"*

This principle is further supported by Implementation Measure #2 for Conserve Community Character that states "Maintain the current maximum occupancy standard of three (3) unrelated adults within single family residential zoning districts".

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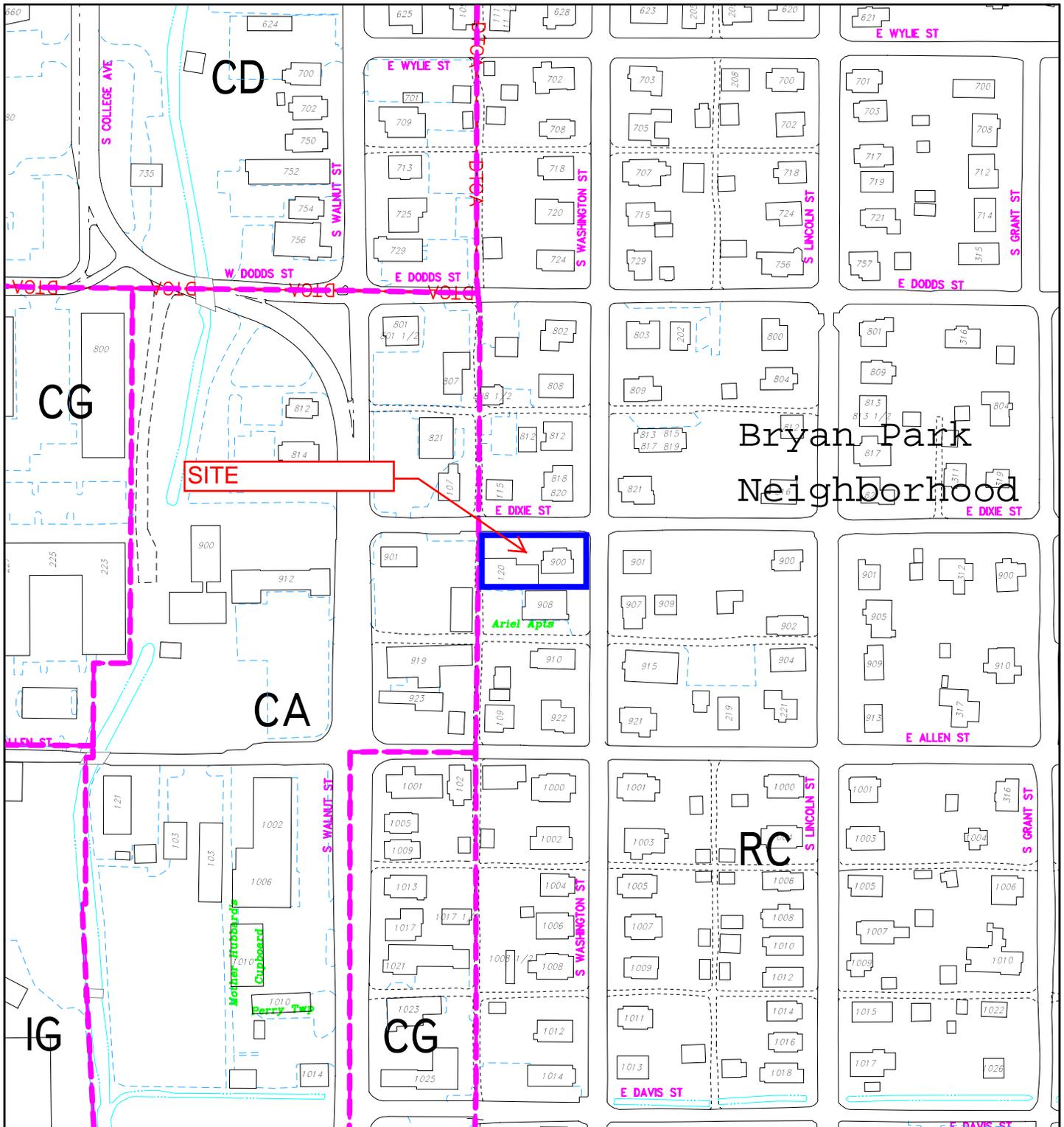
**NEIGHBORHOOD INPUT:** The petitioner presented their proposal to the Bryan Park Neighborhood Association. Overall, the neighborhood was not in favor of granting a variance to allow a higher occupancy.

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**CONCLUSION:** Staff is very sympathetic to the petitioner's case due to the heavy multifamily density in the area as well as the petitioner's inability to register the property for nonconforming status due to its owner-occupancy. However, staff ultimately finds that the Plan Commission and Common Council understood the potential impacts to individual properties that were rezoned in 2007. Even with the non-conformities that existed, it was determined that future increases in density and occupancy should not be permitted or encouraged. Staff also notes that the petitioner already has multiple units on the property, and that a 3 person occupancy restriction for the single unit structure precisely matches the structure's current bedroom count. The 2007 rezoning should be viewed as a policy change for this area intended to guide future development in the direction of single family use and occupancy.

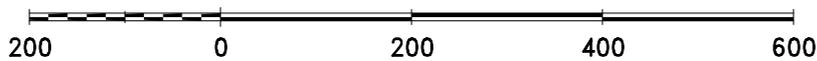
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**RECOMMENDATION:** Staff recommends forwarding UV-13-11 to the Board of Zoning Appeals with a Negative recommendation due its conflict with the Core Neighborhood policies outlined in the Growth Policies Plan.

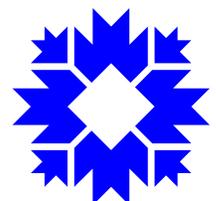


UV-13-11(PC) & UV-21-11(BZ)  
 Location/Zoning/Land Use Map

By: shapp  
 23 May 11



City of Bloomington  
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.

## **Use Variance Petition: History and Introduction**

### ***A note from the petitioner, Michael J. Korus, regarding his property at 120 E Dixie Street, Bloomington IN 47401***

I bought my home at 120 E Dixie Street in June of 2004. The owner of several different single family and duplex rental properties in the Bryan Park and nearby neighborhoods, I planned to live in the home for a number of years and to later use the house as a rental when my family situation called for a different neighborhood. The Dixie property was zoned multi-family.

In 2007, the new UDO rezoned the property to Core Residential. Affected property owners received notice of the change. The properties adjacent to my home were being used as rentals at the time and were granted Certificates of Non-Conforming use to keep their current occupancy. Since my home was owner occupied, unlike the properties that surround me, I was not eligible to be grandfathered for an existing use. If I would have made the property a rental immediately, I would not have this issue, a 5 person occupancy would have been available, and I would have been issued a Certificate of Non-Conforming Use, just as I received on the duplex I own next to me, and other surrounding neighbors received on their properties. In essence, because I chose to live in the neighborhood instead of making the house a rental earlier, I was put in this difficult position.

In 2010 I got engaged and my soon-to-be wife and I started looking for a new home for us to start our married life. When it came time to turn my home on Dixie into a rental, we came to grips with the true effect of the zoning on our family. Without a Use Variance, the 2,400 sq foot home would be unsustainable as a 3-person rental. And, we found the property to be devalued not because the desirability of the neighborhood or the quality of the home had changed, but because of a zoning decision.

As a landlord, I have a proven reputation of restoring homes in the Bryan Park and surrounding area and maintaining high quality rentals. I respectfully petition the board for a Use Variance allowing multi-family occupancy within a Residential Core Zoning District and appreciate your time and attention to consider the attached request.

## **Findings of fact**

### **1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

The change effects only use of the property with regards to occupancy of a single home and does not impact public health, safety, morals, and general welfare of the community. As a landlord, I have a proven record of maintaining high quality rentals for my tenants.

### **2) The use and value of the area adjacent to the property included in the Use Variance will not be affected in a substantially adverse manner**

The properties adjacent to 120 E Dixie Street include multi-family units, duplexes, a 12-unit apartment building and associated parking lot, a salvage yard, a commercial variety store, and a used car dealership. To grant the Use Variance would be in alignment with the surrounding property use and would not affect the properties in an adverse manner.

### **3) The need for the Use Variance arises from some condition peculiar to the subject property itself.**

#### **120 E Dixie St was Owner-Occupied in 2007 when the new UDO was Instated**

When the UDO was adopted, several properties around my home were rezoned from Multi-Family to Residential Core. Those rental property owners were allowed to apply for a certificate of nonconforming use, allowing them to maintain their 2007 occupancy levels going forward—up to 5-person.

Since I lived in the property, I was not eligible to apply for that same certificate of nonconforming use. Had I moved away from the neighborhood and rented the property before February 2007, I could have, like my neighbors, been issued a 5-person occupancy permit. And, I could have applied for a certificate of nonconforming use to maintain that occupancy level going forward. Because I continued to live in the house, the house is now only eligible for a 3-person occupancy permit.

#### **120 E Dixie St is located on a Single Parcel Containing Two Properties**

I own the parcel, which contains two properties. This makes the home difficult to sell and a financial burden to rent as an investment property with the 3-person occupancy that could be awarded with Residential Core zoning. Selling would require subdividing the lots and installing sidewalks. Since the original purchase price assumed multi-family zoning and an accompanying 5-person occupancy permit, it would be unrealistic to expect a similar price for a property that sits surrounded by high occupancy rentals but which can only rent to a maximum of 3 unrelated adults.

**4) The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if they are applied to the subject property.**

The Monroe County Assessor uses a gross rent multiplier of 118 to determine property value of investment properties in the Bryan Park neighborhood.

- 5-person occupancy house collecting \$400/month in rent from each tenant, the property is assessed at \$236,000.
- 3-person occupancy collecting \$400/month, the assessment would be \$141,600.

The change of zoning makes 120 E Dixie ineligible to be a 5-person rental and causes hardship on the owner by significantly reducing the property value.

Personally, this strict enforcement leaves me unable to sell or rent my home and to create a new home with my soon-to-be wife. The property is not sustainable with only a 3-person occupancy permit as afforded under the Core Residential zoning. To sell the house is to lose significant value not because of the property or the characteristics of the neighborhood, but because of a zoning decision.

**5) The approval of the Use Variance does not interfere substantially with the goals and objectives of the Growth Policies Plan.**

The Growth Policies Plan speaks of several areas, which indicate that a Use Variance for the property at 120 E Dixie would be in alignment with the overall plan.

*“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.”*

The property is located adjacent to commercial properties and is in a transitional zone between the major artery of Walnut and the beginning of the true residential neighborhood which begins at Washington.

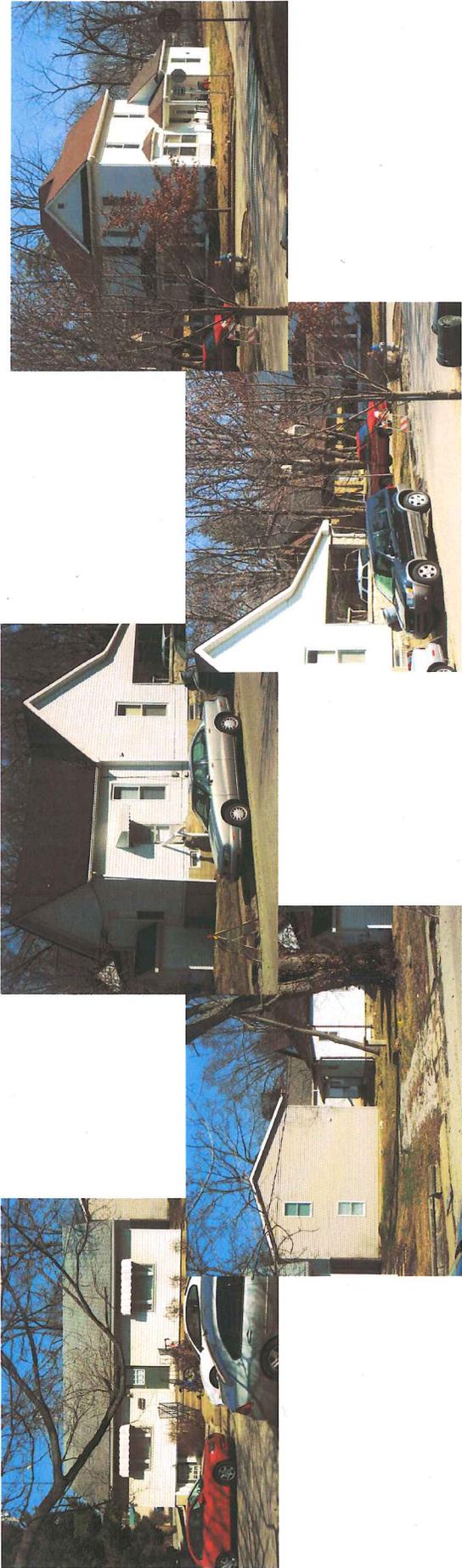
*“Multi-family residential . . . may be appropriate for this district when compatibly designed and properly located to respect and compliment single family dwellings . . .”*

*“Discourage the conversion of single family homes to apartments.”*

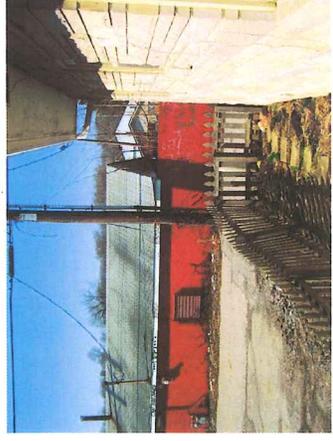
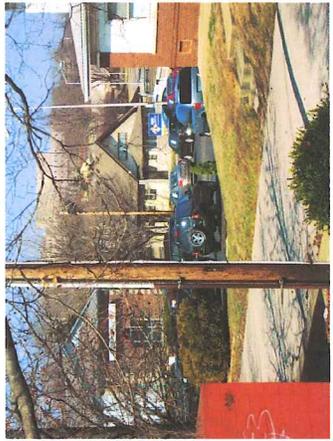
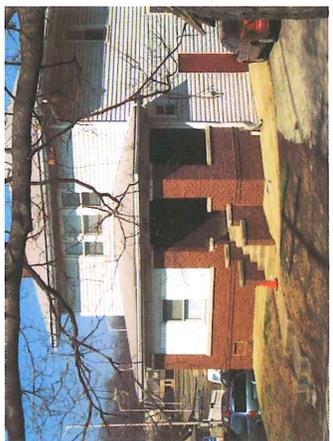
I desire to have the property retain its current residential feel and have no desire to convert the property to apartments or otherwise disrupting the residential feel of the property.

The home is not of significant historic nature to the neighborhood. Maps presented at the Bryan Park Neighborhood Association meeting designate the house as “non-contributing” to the overall feel of the neighborhood since it is not built in a traditional style. In fact, the house was moved from another location. It originally sat at the corner of 4<sup>th</sup> and Lincoln

downtown until it was condemned by the City so that a new fire house could be constructed. The house was then moved to its current location.



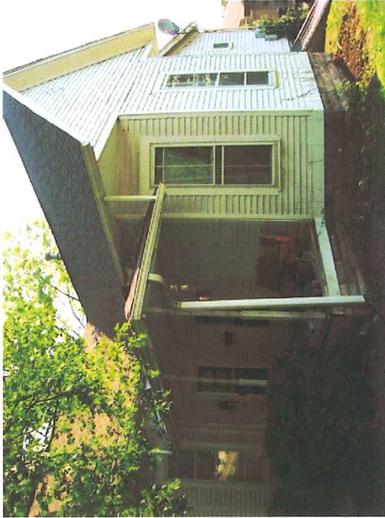
These are examples  
of the  
“Residential Core”  
And some commercial  
properties I see every day.

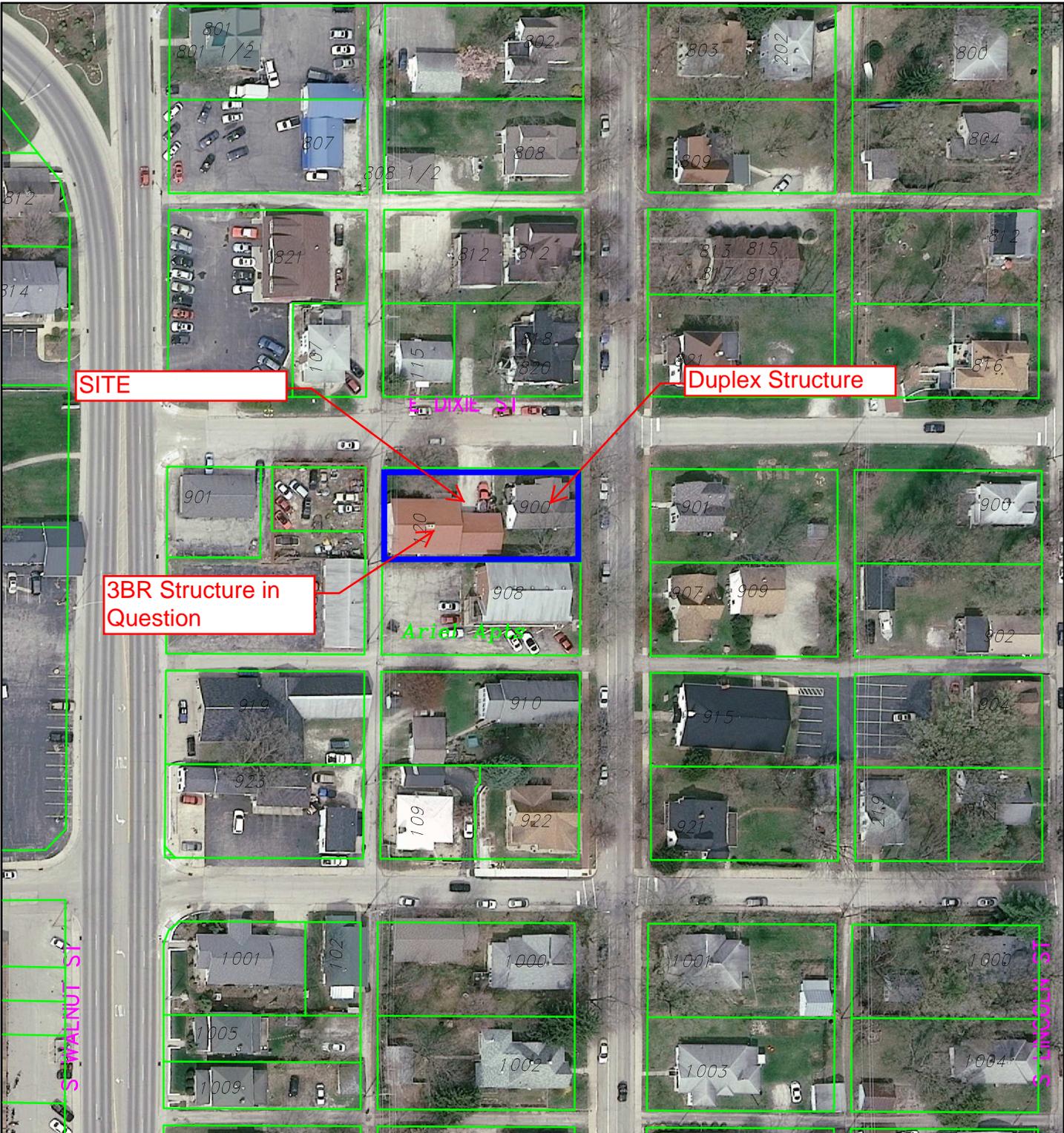




.....More of what I see each day. That 3 Story 12 Unit Apartment Complex is 11 feet from my house. It blocks the sun most of the morning. The Junk yard is 15 feet from my house. The duplex next to me is 7 feet from my House.

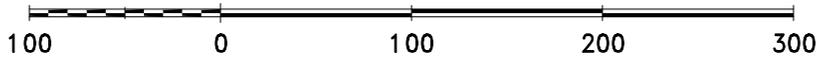
**This is the view of well  
maintained properties  
many wish for in the  
Bryan Park Neighborhood.**



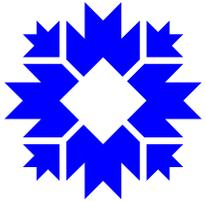


UV-13-11(PC) & UV-21-11 (BZA)  
 Michael Korus  
 Aerial Site Plan

By: shayp  
 23 May 11

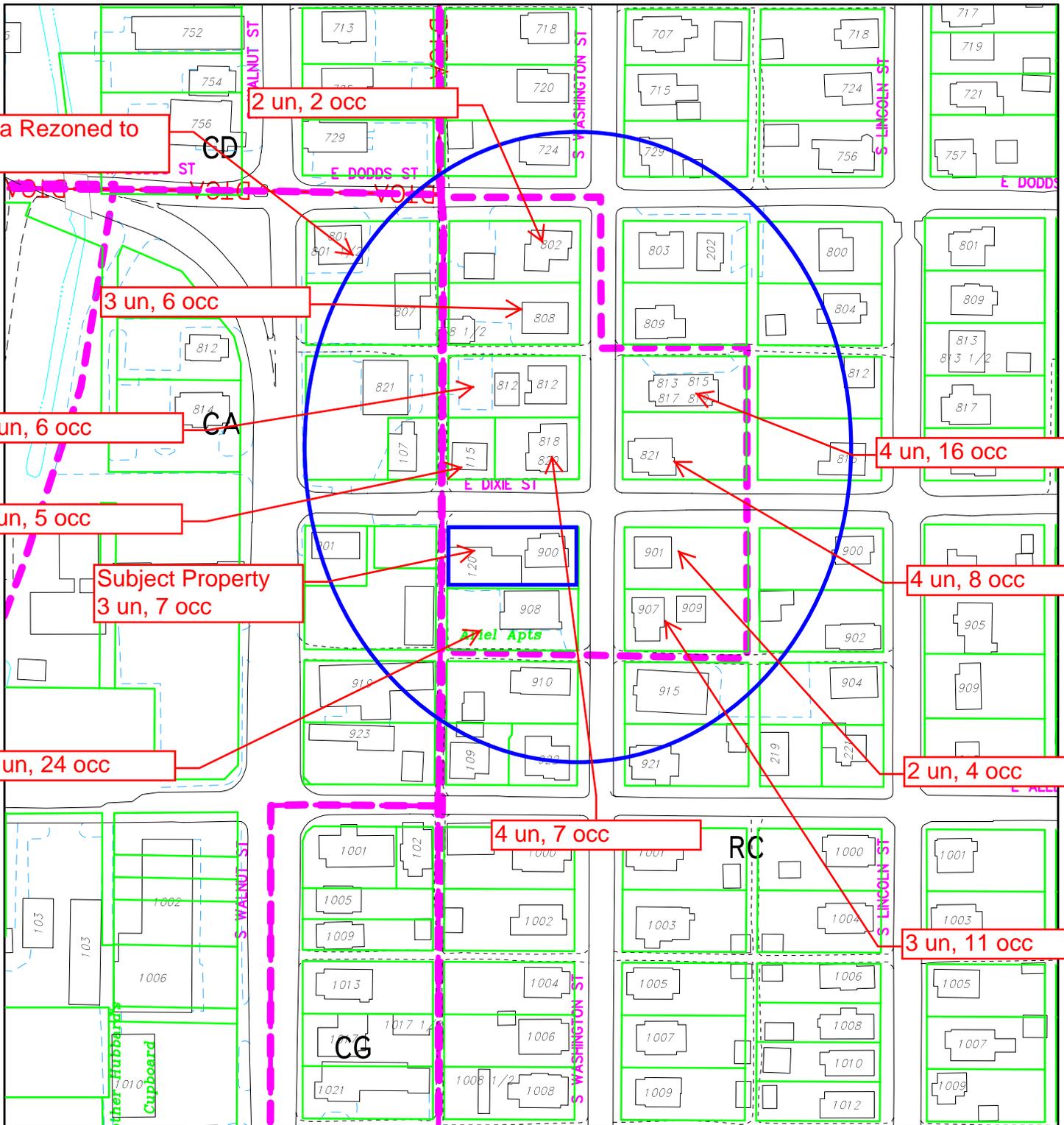


City of Bloomington  
 Planning



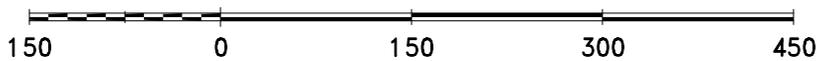
Scale: 1" = 100'

For reference only; map information NOT warranted.

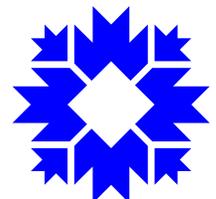


UV-13-11(PC) & UV-21-11(BZA)  
Unit and Occupancy Breakdown  
of 2007 Downzoned Area

By: shapp  
6 Jun 11



City of Bloomington  
Planning



Scale: 1" = 150'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 420 S. Patterson Drive**

**CASE #: PUD-14-11  
DATE: June 13, 2011**

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**PETITIONER:** Patterson Pointe, LLC  
2920 McIntyre Dr., Bloomington

**COUNSEL:** Smith Neubecker and Associates, Inc.  
PO Box 518, Bloomington

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**REQUEST:** The petitioner is requesting PUD Final Plan approval for New Tech High School, a 61 unit senior apartment building, road construction, creek restoration and initial grading. Also requested is a seven lot Preliminary Plat.

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**BACKGROUND:**

**Area:** 18.32 acres  
**Current Zoning:** PUD  
**GPP Designation:** Community Activity Center and Adams Street/Patterson Drive Subarea  
**Existing Land Use:** New Tech High School, vacant  
**Proposed Land Use:** Multi-family, school and future mixed use  
**Surrounding Uses:** North – Commercial (Westplex PUD)  
West – Medical offices (Landmark PUD)  
East – Commercial, industrial, vacant land  
South – Mixed use (Landmark PUD)

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**REPORT SUMMARY:** The Patterson Pointe PUD was created in 2010 (PUD-29-09). The property is an approximately 18.32 acre parcel bounded by W. 3<sup>rd</sup> Street to the north, S. Adams Street to the east, and the Landmark PUD to the south and west. The property had been used for many decades as the location of the Rogers Group and later Rogers Building Supply (RBS). The primary use of the property was a concrete product manufacturing operation but has been mostly vacant for the last 4 years. In 2008, the Board of Zoning Appeals approved a Use Variance to allow the Monroe County Community School Corporation to remodel the former Rogers Group showroom building into the New Tech High School, which opened in the Fall of 2008. The remainder of the property includes 14 buildings, in various states of disrepair. Approximately 86% of the property is covered with impervious surfaces. There are also two exposed bedrock ridges in the southern half of the property and approximately 26 feet of grade change between W. 3<sup>rd</sup> St. and a creek that cuts across the north half of the property; partially above ground and partially piped.

In 2010, the Plan Commission and City Council approved a PUD District Ordinance and Preliminary Plan to redevelop this property. This PUD can be broken down into three main areas. The northern 4.93 acres, Area A, includes the entire frontage along 3<sup>rd</sup> St. and will be developed with commercial uses. The southern 11.36 acres, Area B,

includes all of the remainder of the Landmark PUD and will be developed with multi-family housing. The remaining 2.00 acres, Area C, includes the existing New Tech High School. The plan also included construction of new public streets and the creation of a linear greenspace that would allow an existing piped drainage way to be opened and a riparian corridor re-created.

The petitioner has brought forward this first Final Plan for the PUD. This Final Plan can be broken down into seven parts:

1. Construction of a 61 unit, 80 bedroom affordable senior housing apartment building
2. Site work to bring New Tech High School into compliance with UDO standards
3. Stream channel restoration
4. Layout and design of all public streets
5. Traffic signal at "Old" 3<sup>rd</sup> St. and Patterson Dr.
6. General site clearing and grading
7. Preliminary Plat approval for a seven lot subdivision

While this Final Plan includes all of these elements, not all will be immediately constructed. The pedestrian improvements at 3<sup>rd</sup> and Patterson and the internal streets not immediately necessary for access to the two initial uses will not be initially constructed. They will however be constructed in connection with future phases, such as the balance of the multi-family units in Area B or the mixed use buildings in Area A. The buildings and parking lots shown in these areas are schematic in nature. No final plan is requested for the remainder of Area B or the mixed use Area A at this time.

The approved PUD Preliminary Plan included more details on street design than is typically expected at a PUD rezoning stage. The Final Plan presented closely matches the Preliminary Plan reviewed by the Plan Commission, but differs slightly in some areas. At the request of the City Council, the petitioner made modifications to the layout of the plan. The City Council required that all streets within the PUD be designed and dedicated as public streets, except for the section of street that immediately connects to the PUD to the south. Also, they committed to a new public street along the south side of the New Tech High School to connect to Adams Street. Finally, the City Council required that either the "parking boulevard" along the street side of Area A be designed to directly cross the extension of Westplex or that the PUD include on-street parking on 3<sup>rd</sup> St. This Final Plan, while not currently requesting approval for the mixed use buildings, does set the area up for the parking boulevard.

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## **PUD REVIEW ISSUES:**

**Senior Apartments:** The PUD Final Plan includes construction of a 4-story affordable senior apartment building in the northwest portion of the PUD, immediately south of the creek on a 1.34 acre lot. While the PUD Preliminary Plan showed schematically two buildings in this area, the Final Plan includes a single building. The building will contain 61 units, broken down into 42 1-bedroom units and 19 2-bedroom units. Fifty (50) parking spaces are located to the rear of the building. There is considerable grade

change between this site and the offices along Landmark Ave. to the west. In order to create a flat building and parking pad at the same grade as the street, a retaining wall is proposed near the west and south-west property line. This wall will be approximately 14 feet tall at its tallest.

**Affordable housing:** The PUD committed to developing at least 30 affordable bedrooms on this site or an off-site location. These units were to be geared toward tenants at 100% or less of the area median income. The current proposal greatly exceeds these commitments. The proposed building includes 80 bedrooms, 50 more than committed, they will remain affordable for 30 years, while the PUD only committed to 10 years, and residents cannot exceed 60% area medium income, as opposed to the 100% in the original commitment. Staff commends the petitioner for exceeding the PUD commitment and for building the affordable housing as the first phase of the development.

This building will be built with assistance from the Indiana Housing and Community Development Authority's Housing Tax Credit program. The petitioner is also working with the City's Housing and Neighborhood Development Department in hopes of receiving \$402,000 in HOME funds to assist the project.

**Density:** The 61 unit building contains 23.04 DUEs. This leaves 203.96 DUEs and 544 bedrooms that can be developed on the remainder of Area B.

**Bicycle parking:** The UDO requires an 80 bedroom apartment building to provide 14 bicycle parking spaces, 7 of which must be covered and 4 of which must be Class-1 spaces. The petitioner believes that while their future tenants will likely use bicycles, it will not be at the same rate as the general population. They request that the bicycle parking requirement be reduced to 8 spaces, including 4 covered spaces and 4 non-covered spaces with no Class-1 spaces. Staff recommends that this request not be approved and that the site plan meet the UDO requirements for bicycle parking.

**Build-to-line:** The majority of the proposed building meets the PUD's 10 foot build-to-line requirement. However, one section of the building extends into this area. The petitioner proposes a 45-foot long, 6-foot deep open sided porch at the entrance along the front of the building that intrudes into the build-to-line. Because this is an open sided structure, not the main mass of the building, and places usable pedestrian activity closer to the street, staff has no objection to this request.

**Impervious surface coverage:** The proposed site plan is 80.6% impervious. The PUD allowed for a maximum of 70% impervious surfaces, but stated specifically that impervious surfaces for Area B would be calculated as a whole, not on a lot by lot basis.

**Architecture:** The PUD committed to “townhouse style design” for building in Area B. These buildings should include pitched roofs, a regular pattern of windows, doors at approximately 40 foot intervals, breaks in façade that will include entries, change in material or color at 40 foot intervals and a specific list of materials. The petitioner has attempted to comply with these requirements. While the building will not include any townhouse units, the petitioner has included exterior entrances, façade color changes, façade recesses and projections, and changes in the roof and window style to attempt to create a “townhouse style design”

**MCCSC New Tech High School:** When originally approved as a Use Variance by the BZA in 2008, site plan compliance for the New Tech High School was delayed until the approval of this PUD and the start of redevelopment. With this Final Plan MCCSC and the petitioner have developed a site plan to meet UDO and PUD requirements. MCCSC has stated that they intend to complete the site work by the start of the school year in the Fall of 2012.

**Impervious surface coverage:** The proposed site plan is 62.1% impervious. The PUD allowed for a maximum of 60% impervious surfaces for Area C, but stated specifically these site development standards only applied to future redevelopment of the site. Site development standards for reuse of the school should attempt to meet these standards to the extent practical, at the discretion of the Plan Commission.

**Setback issues:** Because of the shape of the lot and the fact that the lot is surrounded on 4 sides by public streets, there are no locations on the lot where the petitioner can meet dumpster and accessory structure/playground setbacks. The site plan shows a gazebo near the intersection of Patterson and Adams and a dumpster and basketball court in the northwest corner of the site. Staff has no objection to the placement of these site features.

**Bicycle parking:** No bicycle parking spaces are shown on the plan. The school must meet minimum UDO standard, which is 5 spaces.

**Parking:** The site plan shows 75 parking spaces. While the UDO would only allow a school of this size a maximum of 65 parking spaces, this school was schematically approved for 99 spaces with the 2008 Use Variance. As with the impervious surface coverage requirements, site planning standards for the school are at the discretion of the Plan Commission. Staff has no objection to the number of parking spaces proposed.

**Bus pull-off lane:** Because of the request of the City Council to create a new public street on the south side of the school lot, the internal drives had to be redesigned from the schematic plans shown to the Plan Commission. This change, as well as the desire to separate school bus traffic from student, staff and parent traffic, led to the design of a bus pull-off lane along Patterson Drive.

**Riparian Corridor:** This Final Plan includes the reconstruction of what is currently a piped creek. On this site, 640 feet of the creek would be opened up to the sky, or “daylighted.” The reconstructed creek will provide greenspace, water quality and an amenity to the development. The riparian corridor reconstruction plan and facilities maintenance plan have been reviewed by the Environmental Commission and the City’s Environmental Planner. The plan includes the preservation of existing trees, systematic grading and soil and slope construction, removal of invasive species, planting of new trees, shrubs and grasses, pathway construction and the creation of water quality basins for stormwater quality. In addition to the on-site riparian corridor work, the petitioner has also reached an agreement with the upstream property owner to repair excessive erosion in the creek corridor immediate downstream of a box culvert outfall. The corridor on the PUD site will be platted as common area and owned and maintained in common amongst several lot owners. The final facilities maintenance plan will be reviewed with the Final Plat and recorded.

**Street design, sidewalks and connectivity:** This Final Plan includes the design of all public streets in the PUD. The new streets will include on-street parking, street trees and bump-outs at intersections. In addition, an eight-foot wide sidepath will be built on the north side of the extension of “old” 3<sup>rd</sup> Street that will parallel the creek and connect to the west property line. All streets shown on the plan will be dedicated as public streets, except for the street that connects to the Adams Crossing II PUD to the south. This section will be platted as an easement with specific language that it will be dedicated when the streets to the south become public. This is a change from the Preliminary Plan approved by the Plan Commission in 2009. At the request of the City Council, the petitioner agreed to make more streets public and to add a street on the south side of the school. These changes are reflected on the Final Plan.

In addition to the future connection to Adams Crossing II, this Final Plan still allows for future connection to Landmark Ave. through an easement. This easement will not be immediately connected, but can be dedicated to the public and constructed in the future, if the opportunity is presented to build a street through the office building lots to the southwest, along Landmark Ave.

The Plan Commission required with the Preliminary Plan a commitment to provide a detailed analysis of turning movements and the potential for conflicts at the intersection of 3<sup>rd</sup> St. and Westplex Dr. This analysis is included in the packet and has been reviewed by the City Engineer and Planning Staff. The intersection design shown on the Final Plan is in compliance with the plan presented to the City Council.

**Traffic signal:** This initial phase will include the design and construction of a new traffic signal at the intersection of “Old” 3<sup>rd</sup> St. and Patterson Dr. The intersection changes presented with the Preliminary Plan included 4 traffic lanes at this intersection. At the request of the City Council, this design was scaled back to 3 lanes, One east bound, one left turn lane and a right/west lane. The design of the intersection and signal has been reviewed by the City Engineer and has been approved in principle. Additional

details are needed prior to grading permit issuance concerning the timing and synchronization of this signal and the signal at 3<sup>rd</sup> St. and Patterson Dr. The timing of the signals should also be reviewed and approved by the City's Traffic Division.

**Site clearing and grading:** With the Final Plan approval for the streets, school and apartments, the petitioner is also requesting Final Plan approval for general site clearing and grading. All existing buildings on the site, other than the school, will be demolished. Grading in Area A is necessary to construct the extension of Westplex Dr. and raise the grade of the land to the street grade of W. 3<sup>rd</sup> Street. Grading of other areas of the site in Area B is necessary for street and utility construction and to prep the site for development. The PUD District Ordinance specified that as buildings are removed, the area would be stabilized with granular material or with grass.

**Landscaping:** Both proposed site plans meet the landscaping requirements of the UDO. The proposed street trees have been reviewed for placement, but not for species and species diversity. Prior to release of a grading permit, the street tree plan must be approved by the Urban Forester.

**Signage:** Signage designs have not been submitted with this Final Plan. Signage approved for the PUD matches closely the UDO standards, but deviates in a couple of places. In particular, the PUD allows the multi-family use in Area B to be included on a multi-tenant center sign within Area A. Future signage must meet the PUD District Ordinance and the UDO.

**Utilities:** A utility plan has been submitted to CBU and has been conceptually approved.

**Stormwater:** A stormwater plan has been submitted to CBU and is under review. Future phases of the PUD must incorporate stormwater detention and water quality features. Final approval of the stormwater plan is required prior to release of any permits.

**Preliminary Plat:** In addition to the proposed construction, the petitioner is also requesting a seven lot Preliminary Plat, with two additional common areas. Lots are defined by the public streets to be platted. This Final Plat will be recorded in at least two phases. A draft Final Plat for Phase 1 is provided. This shows the extension of Westplex Dr., the extension of "Old" 3<sup>rd</sup> St. and the partial platting of the street on the south side of the school. Other streets in the PUD will be platted with Phase 2. Phase 1 does not include the land that was part of the Adams Crossing II PUD. The petitioner has not finalized purchase of this land.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made 2 recommendations concerning this development.

- 1.) The petitioner should include space for recyclable material storage.

**Staff response:** While the City does encourage recycling whenever possible, neither the UDO nor the PUD District Ordinance requires the provision of recycling facilities.

2.) The petitioner should incorporate multiple green building strategies into the building design.

**Staff response:** While the City does encourage green building strategies whenever possible, neither the UDO nor the PUD District Ordinance requires them to be included in this PUD Final Plan.

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**BICYCLE AND PEDESTRIAN SAFETY COMMISSION RECOMMENDATIONS:** The Bloomington Bicycle and Pedestrian Safety Commission (BPSC) has made recommendations concerning this development. The recommendations below are paraphrased from their memo. These recommendations were received too late to be included in the staff review of the Final Plan.

- **3<sup>rd</sup> Street and Westplex Dr. Entrance:** The BPSC made several recommendations concerning this intersection, especially for the time period when the existing monolithic sidewalk is maintained and before the parking boulevard and plaza are built.

**Staff Recommendation:** Staff recommends that the petitioner provide a Maintenance of Pedestrian Traffic Plan for the transition period between Phase 1 and the future phases.

- **3<sup>rd</sup> Street and Patterson Dr.:** The BPSC made several recommendations concerning the design of the pedestrian crossing elements at this intersection.

**Staff Recommendation:** This intersection has not been fully designed. It does not have to be changed until the first Final Plan in Area A. Staff recommends that the City Engineering Department review future changes to this intersection to ensure safe pedestrian crossing design, prior to grading permit issuance.

- **Old 3<sup>rd</sup> St and Patterson Drive:** The BPSC recommends reducing the turning radii at this intersection, the inclusion of refuge islands and specific recommendations about the pedestrian signals.

**Staff Recommendation:** Staff recommends that this be further reviewed by the City Engineering Department at grading permit stage.

- **Bike Parking:** The BPSC recommends that the senior apartments provide some Class-1 bicycle parking spaces, but recommends some flexibility on the total number of spaces.

**Staff Recommendation:** Staff recommends full compliance with the UDO standards.

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**Developer Track Record:** The petitioner, Patterson Pointe, LLC, has no development history in Bloomington. Another company controlled by several members of Patterson Pointe LLC is Station 11. LLC, which is currently constructing a 4 story mixed use building at the northwest corner of N. College Ave. and W. 11<sup>th</sup> Street.

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**RECOMMENDATION:** Staff recommends approval of PUD-14-11 with the following conditions.

1. The street tree plan must be reviewed and approved by the City's Urban Forester prior to release of a grading permit.
2. A copy of a permit or a letter stating no permit is required from IDNR and/or IDEM concerning the daylighting of the creek is required.
3. Final CBU approval is required prior to issuance of a grading permit.
4. The petitioner shall either construct or bond for the traffic signal and pedestrian improvements at 3<sup>rd</sup> and Patterson prior to recording of the Final Plat.
5. The future Final Plat shall include a commitment to dedicate right-of-way for the private street to the south and the easement stub to the southwest if adjacent properties provide street connections in the future.
6. The future Final Plan shall include a facilities maintenance plan per the UDO.
7. Prior to recording of any future Final Plan, the triangular shaped piece of right-of-way needed from Stone Belt must be acquired by the petitioner.
8. Upgrades to the pedestrian signals and crosswalks at the intersection of 3<sup>rd</sup> and Patterson shall be required at the time of development of Area A, per PUD-29-09.
9. Final design and signal synchronization must be approved by City Engineering and Traffic Division prior to issuance of a grading permit.
10. Both New Tech High School and the senior apartments shall provide bicycle parking per UDO requirements.
11. Any encroachments into the public street right-of-way, such as the additional landscaping and paths for the New Tech high School gazebo, must receive a Right-of-Way Encroachment approval from the Board of Public Works.
12. Depressed corner curb ramps should be replaced with perpendicular curb ramps, where appropriate. Existing monolithic curb and sidewalk along 3<sup>rd</sup> St. and Patterson Dr. may remain in place and be tied into the on-site pedestrian network until a Final Plan is approved for Area A. The petitioner shall provide a Maintenance of Pedestrian Traffic Plan for the transition period between Phase 1 and the future phases when the existing sidewalk along 3<sup>rd</sup> St. will be replaced with the internal pedestrian plaza.

# MEMORANDUM

**Date:** 3 June 2011

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

**Through:** Linda Thompson, Senior Environmental Planner

**Subject:** PUD-14-11, Patterson Pointe Planned Unit Development, Phase 1  
West Third Street at Patterson Drive

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This memorandum contains the Environmental Commission's (EC) input regarding the request of a Final Plat for New Tech High School, a 60-unit senior apartment dwelling, and creek restoration for the Patterson Pointe PUD.

## **ISSUES OF SOUND ENVIRONMENTAL PLANNING:**

### 1.) RECYCLING:

The EC recommends that the petitioner allocate space within the site design to accommodate recycling. The pick-up service is readily available in Bloomington if space is planned in advance at the site. Recycling has become an important norm and has many benefits in energy and resource conservation. The EC feels that recycling is an important contributor to Bloomington's environmental quality and sustainability and should be embraced by all businesses.

### 2.) GREEN BUILDING:

The EC recommends that green building practices be incorporated into the building design. Green building supports Bloomington's overall commitment to sustainability and is being actively promoted by the city (<http://bloomington.in.gov/greenbuild>). Green building can provide substantial savings in energy costs to a building over its life cycle and is thus an especially prudent investment in this time of rising energy prices. Green building is also called for by the Mayors' Climate Protection Agreement and City Council resolution 06-05, which support the Kyoto Protocol and reduction of our community's greenhouse gas emissions, and resolution 06-07, which recognizes and calls for planning for peak oil.

Some examples of appropriate green building features for this site include: installation of high efficiency appliances and lighting; extra building insulation; more ceiling fans, zero to low VOC (volatile organic compounds) paint, carpet, and cabinetry; recycling or salvaging

construction and demolition material; and utilizing local building materials or products.

**EC RECOMMENDATIONS:**

Code Compliance Recommendations

- 1.) The petitioner should include space for recyclable material storage.
- 2.) The petitioner should incorporate multiple green building strategies into the building design.

# MEMORANDUM

**TO:** PLAN COMMISSION MEMBERS

**FROM:** VINCE CARISTO  
*Planning Dept. liaison to the Bloomington Bicycle and Pedestrian Safety Commission*

**RE:** PATTERSON POINTE PUD – FINAL PLAN

**DATE:** JUNE 7, 2011

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The Bloomington Bicycle and Pedestrian Safety Commission reviewed the proposed final plan for the Patterson Pointe PUD at its regular meeting on May 16, 2011 and again its regular work session on June 6, 2011. The following comments and recommendations were made.

## Comments

The commission finds many laudable aspects of this project relating to its accommodations for bicyclists and pedestrians - the boulevard along 3<sup>rd</sup> Street, narrow internal streets, generally clearly marked and shortened pedestrian crossings, multi-use trail that extends to the edge of the site, close and accessible bus stop on 3<sup>rd</sup> St, and new crosswalks and pedestrian signals at the intersection of 3<sup>rd</sup> and Patterson are all good examples.

However, the commission feels that the biggest asset of this project – its proximity to downtown and other locations which could allow its residents and workers to live car-less or car-free lifestyles – is compromised by poor off-site accessibility in several important ways. These present especially problematic barriers for the old, young, and disabled – groups we expect to be well represented among the residents. These barriers include:

- **Pedestrians will find it challenging to access the businesses on the north side of 3<sup>rd</sup> St without a marked or signalized pedestrian crossing at Westplex Dr.** It is unreasonable to expect a pedestrian to walk nearly 1/10 mile east to the signal at 3<sup>rd</sup> and Patterson, and then 1/10 mile west simply to access a destination across the street.
- **Pedestrians will find it challenging to access downtown.** Old 3<sup>rd</sup> St, which could be an ideal pedestrian route, lacks sidewalks on either side along much of its length approaching Patterson Dr. Additionally, the lack of a sidewalk on the south side of Adams St requires three additional crossings in order for pedestrians to safely access downtown via Kirkwood Ave. – a total crossing distance of at least 180' and 10 lanes of traffic.
- **There are no walking connections to the medical facilities along Landmark Dr.** We expect these to be heavily used by residents of the senior living facility. It is unreasonable to expect them to walk up to 3<sup>rd</sup> St to access the adjacent facilities on Landmark Dr, adding up to 2/5 mile on a roundtrip.
- **There are no connections to nearby sidepaths or bike lanes.** Quality sidepaths exist to the west and south of the site (on Landmark Dr. and Bloomfield Rd,

respectively), but there is no way to access them directly due to intervening properties. With the imminent completion of the W 3<sup>rd</sup> St road project, bike lanes will extend to Landmark Dr but not further east along the perimeter of the site.

- **Planned bike-ped facilities in the BPTGSP adjacent to the site are not being added.** Directly adjacent to the site, the BPTGSP calls for bike lanes on W 3<sup>rd</sup> St (high-priority) and a sidepath on Patterson Dr (medium priority).

The commission realizes these issues have prior causes that can't necessarily be remedied as part of this project at this time. However, the commission urges the City to address these issues as part of its capital improvement program, figure out ways that new developments can help mitigate poor off-site accessibility for its users, and continue to use foresight in setting up new developments to make important non-motorized connections.

## Recommendations

The commission has the following specific recommendations for the final plan under review for approval:

- **3<sup>rd</sup> Street and Westplex Dr. Entrance.**
  1. Until the parallel boulevard is built, the proposed design creates an unacceptable risk for pedestrians crossing Westplex Dr. using the existing sidewalk on 3<sup>rd</sup> St. The location of the stop bar leaves them vulnerable to moving vehicles because it's upstream of the pedestrian crossing. It's unreasonable to expect pedestrians to go out of their way to cross using the raised brick crosswalk to the south – we can expect many will use the dangerous crossing instead. To address this, a temporary design needs to be implemented until the boulevard is completed. The temporary design should include moving the stop bar behind the pedestrian crossing and adding a piano-key crosswalk across Westplex Dr. Additionally, the stop sign protecting the raised crosswalk should not be installed until the boulevard is completed in order to promote higher driver compliance with the proposed stop sign that will protect the temporary crosswalk.
  2. More should be done to safely accommodate pedestrians crossing 3<sup>rd</sup> St. The curb ramp on the east corner should be moved from behind the stop bar so that pedestrians using it will be in plain view of turning vehicles.
- **3<sup>rd</sup> Street and Patterson Dr.**

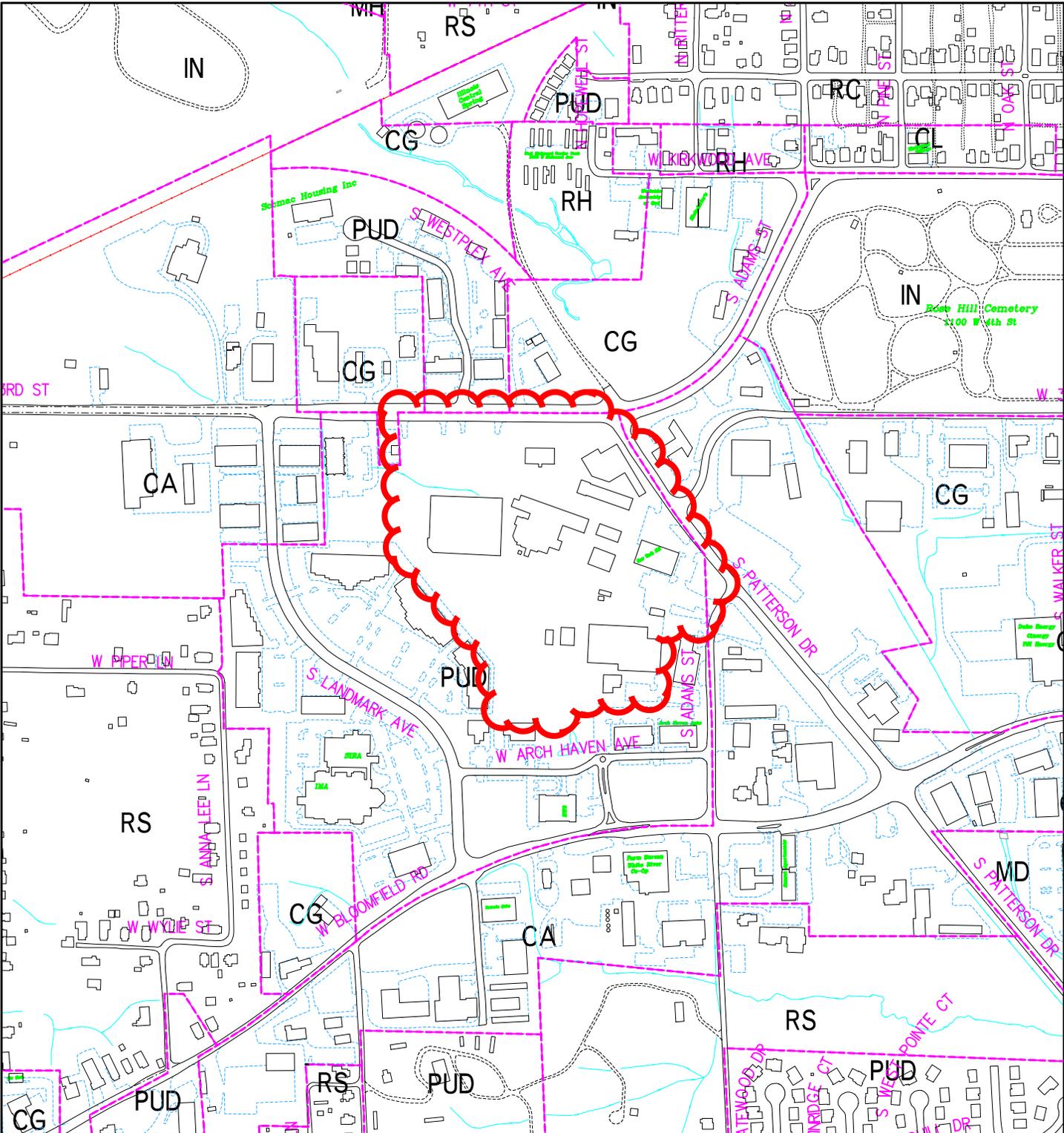
Because there is no sidewalk on the south side of Adams St, pedestrians walking downtown from the site will need cross the north or east side of this intersection to access the sidewalk on the north side of Adams St. Piano-key pedestrian crossings should be added to the north and east approaches of the intersection to replace the current severely faded ones. Also, perpendicular curb ramps, rather than depressed corners, should be provided where possible at each corner. Additionally, a walking speed of no more than 3.5'/second should be used in calibrating the pedestrian signals to account for the slower speed of older pedestrians (per ITE, AAA, AARP recommendations).
- **Old 3<sup>rd</sup> St and Patterson Drive.**

Pedestrian crossing distance on the east and west approaches is about 60', the west side being increased 10' to accommodate a turning lane for new traffic on Old 3<sup>rd</sup> St. Large

turning radii's at each corner of this intersection contribute to this problem, in addition to allowing vehicles to turn at high speeds – they should be reduced. The AASHTO Green Book and ITE list turning radii of 10'-15' as acceptable in situations where pedestrians are expected – the current range in this design is from 38.5'-40'. Pedestrian refuge islands should also be added to the east and west sides of the intersection. A walking speed of no more than 3.5'/second should be used in calibrating the pedestrian signals to account for the slower speed of older pedestrians (per ITE, AAA, AARP recommendations).

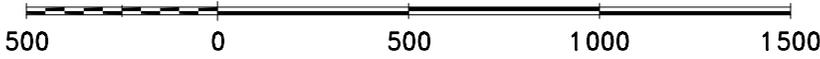
- **Bike Parking**

The commission finds that bike parking will be an important feature at the senior residence to accommodate the increasing desire for active lifestyles and the reduced driving ability of older residents. Secure bike parking or bike lockers are an important requirement because older residents may have difficulty bringing bikes to the upper floors of the multi-story residence. However, the commission finds it reasonable to allow some flexibility on the total number of required spaces.

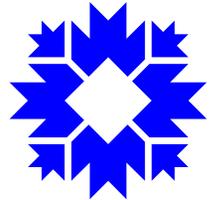


PUD-14-11  
 Patterson Pointe Final Plan  
 Location map

By: roachja  
 6 May 11



City of Bloomington  
 Planning



Scale: 1" = 500'

For reference only; map information NOT warranted.



Stephen L. Smith P.E., L.S.  
Daniel Neubecker L.A.  
Steven A. Brehob, B.S.Cn.T.

June 2, 2011

City of Bloomington Plan Commission  
C/o Jim Roach, Planner  
P. O. Box 100  
Bloomington, IN 47402

Re: Patterson Pointe Planned Unit Development  
Final Plan Application – Supplemental Submission

Dear Jim,

Several details in the Final Plan have been revised based on feedback and questions that have been generated since our application on May 17, 2011. These changes include minor adjustments to the right of way, landscaping, street trees, crosswalks, common area, street stub etc. Additional details have been added to the New Tech site that shows the service drive, dumpster, activity court and plaza area. A concept for the New Tech plaza is also included. This is an illustrative concept with the final plan being dependent on programming and available budget.

The following changed sheets and items are being submitted via e-mail pdf and paper copy;

- New Tech plaza concept
- Preliminary plat
- Site Plans sheets 4 and 5
- Grading Plans sheets 6 and 7
- Utility Plans sheets 8 and 9
- Intersection Plan sheet 15
- Channel Grading and Details sheets 16, 17 and 18
- School Landscape Plan sheet 22

Updated drawings for the Senior Housing site will be forwarded under separate cover later today or tomorrow.

Sincerely,

Stephen L. Smith  
Smith Neubecker & Associates, Inc.

City of Patterson Pointe LLC

PUD-14-11  
Patterson Pointe Final Plan  
Petitioner's Statement, addendum



Stephen L. Smith P.E., L.S.  
Daniel Neubecker L.A.  
Steven A. Brehob, B.S.Cn.T.

May 17, 2011

City of Bloomington Plan Commission  
C/o Jim Roach, Planner  
P. O. Box 100  
Bloomington, IN 47402

Re: Patterson Pointe Planned Unit Development  
Development Plan Application

Dear Jim,

We are pleased to make application for the Phase I Development Plan and Preliminary Plat for Patterson Pointe Planned Unit Development. Patterson Pointe is a substantial site restoration and development within the near downtown area. Plans and details have been evolving for the last several months as we have worked with various City Departments, staff and DRC. The documents for Phase I are now ready for formal submission for continued staff review and Plan Commission consideration.

Phase I is broken into three sections;

- Section 1 is those items required in the first phase and needed to serve the two users in the first Phase.
- Section 2 is improvements that we would like to do as soon as possible but is not essential for our first two users.
- Section 3 is the last section of street that may be delayed by cleanup.

Section 1 is to be substantially completed with occupancy of the senior housing project; late summer 2012. Section 2 and 3 will be completed as funding is available. The improvements in Phase I and each section are detailed here and on the attached key map.

- Phase I Section 1 will include;
  - The Senior Housing project
  - Improvements to the New Tech High School site
  - The stream channel restoration including the Westplex Drive crossing and the commercial driveway crossing.
  - Westplex Drive with associated water, sewer, storm water, sidewalks, street trees and a temporary hammerhead turn around for large vehicles.



- The East West street from Westplex Drive to Old Third and Patterson with associated water, sewer, storm water, sidewalks and street trees
  - The short section of new road from Adams Street to the New Tech entry.
  - Demolition of buildings, pavement and appurtenances on the entire site
  - Incidental clearing and grading on the entire site as necessary to accommodate the other work and to utilize/balance earth and other fill materials.
  - Traffic Signal and Road improvements on Patterson Drive at Old Third Street
- Phase I Section 2 will include;
    - Pedestrian improvements to the intersection and traffic signal at Third Street and Patterson Drive.
    - The East West street from Westplex Drive to the stub at New Tech and Adams Street constructed in Section A; with associated water, sewer, storm water, sidewalks and street trees.
    - The North South Street between the two east west streets with associated water, sewer, storm water, sidewalks and street trees.
  - Phase I Section 3 will include;
    - The north south street from Landmark to the internal east west street.

No other improvements in the commercial and residential areas of the PUD are included with this development plan application. The drawings show future improvements (all areas cross hatched for clarity) in the commercial and residential areas for planning purposes only.

The stream restoration will be done by the Petitioner and will be owned and maintained by the Petitioner, Patterson Pointe LLC.

TIF funding for most of the infrastructure is a critical element of this project. Discussions are ongoing with the City Administration at this time.

The following items are being submitted with this letter for the application;

- Application fee
- Two sets of infrastructure detail drawings for the site including New Tech



- Two sets of detail drawings for the senior housing site including floor plans, color building elevations and dumpster enclosure
- Stream channel monitoring plan.
- Preliminary Plat Drawing with some sequencing information
- Phase I sequencing map
- Conceptual Drawings for the traffic signal at Old Third and Patterson and Pedestrian accommodation at Third and Patterson.
- Permission letter for stream improvements on Adams Crossing LLC
- E-mail note from Stone Belt indicating that the R/W dedication is approved subject to their lenders approval.

We look forward to working with City Staff as the petition is prepared for the June Plan Commission hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Smith', written over the word 'Sincerely,'.

Stephen L. Smith  
Smith Neubecker & Associates, Inc.

Cc: Patterson Pointe LLC



Smith Bencheder & Associates, Inc.  
 445 S. Center Boulevard  
 Bloomington, Indiana 47401  
 Tel: (317) 342-5000  
 Fax: (317) 342-5013  
 Web: www.sbaia.com

CONTRACTOR'S SEAL  
 //

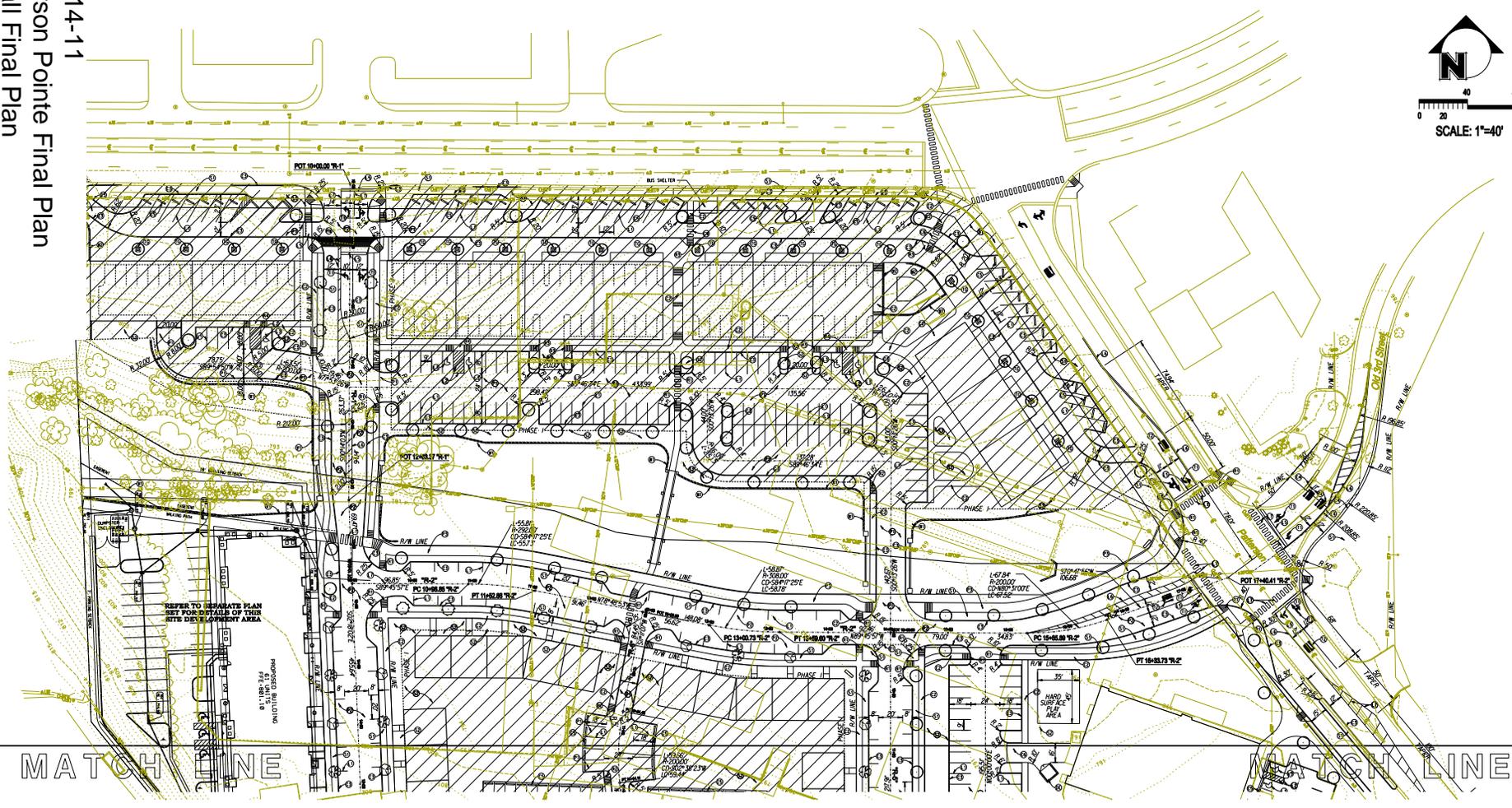
JOB TITLE  
**PATTERSON POINTE**  
**BLOOMINGTON**  
**INDIANA**

REVISIONS	BY	DATE

ISSUED BY  
 SAB  
 WDW  
 CMB

JOB NUMBER  
**4382**  
 SHEET  
**4** OF **24**

DATE  
 06/02/11  
 SITE PLAN



INDICATES GENERAL CONSTRUCTION AREAS NOT INCLUDED IN PHASE 1

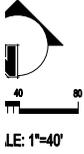
- STREET TREE KEY**  
 STREET TREES IN FRONT OF MULTI-FAMILY BUILDINGS SHALL BE PYRAMIDAL SHAPED TREES
- TEAK Corolla - Limited Linden
  - GINKGO Mido - Ginkgo
  - LIQUIDAMBER glaucum - Sweet Gum
  - LIRIODENDRON tulipifera - Tulip Tree
  - Large street tree per UDO 20.03.03.

- MATERIALS LEGEND**
- ① 1" IMA SURFACE ON 2.5" IMA INTERMEDIATE ON 1" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - ② 1" IMA SURFACE ON 2" IMA INTERMEDIATE ON 1" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - ③ 1" IMA SURFACE ON 1" IMA BASE ON 5" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - ④ CONCRETE SIDEWALK - 8" THIN VARI-ES
  - ⑤ 4" THICK CONCRETE COMPACTED AGGREGATE BASE #53, TYPE "D"
  - ⑥ 4" STANDING CURB
  - ⑦ CONCRETE CURB AND GUTTER
  - ⑧ CONCRETE BUMPER BLOCKS
  - ⑨ CONCRETE SLAB
  - ⑩ 7" THICK CONCRETE
  - ⑪ 8" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - ⑫ MOUNTABLE CURB
  - ⑬ MASONRY DUMPSTER ENCLOSURE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
  - ⑭ LINE, PAINT, SOLID, WHITE, 4"
  - ⑮ TRANSVERSE MARKINGS, PAINT, BLUE, HANDCAP SYMBOL
  - ⑯ LINE, PAINT, SOLID, WHITE, 24" STOP BAR
  - ⑰ LINE, PAINT, SOLID, YELLOW, 4" DOUBLE LINE
  - ⑱ LINE, PAINT, WHITE, CROSSWALK
  - ⑲ TRANSVERSE MARKINGS, PAINT, SYMBOL, WHITE, LINE INDICATION ARROW
  - ⑳ TRANSVERSE MARKINGS, PAINT, SYMBOL, WHITE, WORD "ONLY"
  - ㉑ TRAFFIC CONTROL SIGN, R1-1 "STOP" 30" X 30"
  - ㉒ TRAFFIC CONTROL SIGN, R8-1 "DO NOT DRIVE", 24" X 30"
  - ㉓ NURSERY SOD
  - ㉔ MALCHED SEEDING
  - ㉕ HANDICAP RAMP TYPE G
  - ㉖ HANDICAP RAMP TYPE H
  - ㉗ HANDICAP RAMP TYPE C
  - ㉘ HANDICAP RAMP TYPE A
  - ㉙ WOODEN BLOCK WALL
  - ㉚ CONCRETE WALL
  - ㉛ RAISED CROSSWALK (SEE DETAIL)
  - ㉜ COVERED BIKE PARKING
  - ㉝ DUMPSTER ENCLOSURE

- SITE LEGEND**
- ① DRAINAGE EASEMENT
  - ② UTILITY EASEMENT
  - ③ 8' UTILITY EASEMENT
  - ④ ROLL CURB
  - ⑤ CURB AND GUTTER
  - ⑥ STANDING CURB
  - ⑦ CONCRETE SIDEWALK
  - ⑧ HANDICAPPED RAMP
  - ⑨ HANDICAPPED RAILING
  - ⑩ RET. WALL (CONCRETE)
  - ⑪ RET. WALL (MASONRY)
  - ⑫ RET. WALL (STONE)
  - ⑬ RET. WALL (WOOD)
  - ⑭ FENCE (BOARD WIRE)
  - ⑮ FENCE (CHAIN LINK)
  - ⑯ FENCE (SMOOTH WIRE)
  - ⑰ FENCE (POST & RAIL)
  - ⑱ FENCE (WOOD SLAT)
  - ⑲ GUARD RAIL
  - ⑳ PROPOSED STREET TREE
  - ㉑ BOLLARD
  - ㉒ DUMPSTER (WOOD)
  - ㉓ DUMPSTER (MASONRY)

- GENERAL NOTES**
- 11 SEE SM IN NUMBERED STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
  - 12 TOP OF CASTING ELEVATIONS ARE GIVEN IN THE FOLLOWING LOCATIONS: 1) MANHOLE: RISE ELEVATION 2) TALLETS: SEE DETAIL PACKET 3) LOCATION OF EXISTING UTILITIES: TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR. PLEASE NOTIFY ENGINEER IF FIELD ADJUSTMENTS ARE NECESSARY.

- SITE PLAN NOTES**
- 11 SIDEWALK RAMPS SHALL BE IN ACCORDANCE WITH THE LATEST ADA AND CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL COORDINATE WORK WITH CITY ENGINEERING PRIOR TO COMMENCEMENT.
  - 12 PAVEMENT MARKINGS, IF SHOWN, SHALL BE APPLIED IN ACCORDANCE WITH SECTION B08 & B09-14 OF THE 1988 INDOT STANDARD SPECIFICATIONS AND AS SHOWN ON THE PLANS.
  - 13 CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY/RYM EXCAVATION PERMIT IF WORK WITHIN THE PUBLIC R/W IS NECESSARY FOR THE PROJECT COMPLETION.



TEMPORARY TURNAROUND 45'x15' PAVED  
 # ASPHALT ON 7" STONE BASE TO  
 SERVE SECTION #1 BEFORE SECTION #2  
 IS CONSTRUCTED.



 INDICATES GENERAL  
 CONSTRUCTION AREAS  
 NOT INCLUDED IN PHASE 1

- STREET TREE KEY**  
 STREET TREES IN FRONT OF MULTI-FAMILY  
 BUILDINGS SHALL BE PYRAMIDAL SHAPE  
 TREES
-  TULIP tree - Liriodendron
  -  OAK tree - Quercus
  -  LIRIODENDRON tree - Sweet Gum
  -  LIRIODENDRON tree - Tulip Tree
  -  Large street tree per LDCO 20.05.06.

- MATERIALS LEGEND**
- 1" HMA SURFACE ON 2.5" HMA INTERMEDIATE ON COMPACTED AGGREGATE BASE #53, TYPE "D"
  - 2" HMA SURFACE ON 2" HMA INTERMEDIATE ON 1" HMA BASE ON 4" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - 3" HMA SURFACE ON 3" HMA INTERMEDIATE ON 1" HMA BASE ON 4" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - 4" THICK CONCRETE
  - 4" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - 6" STANDING CURB
  - 8" CONCRETE CURB AND GUTTER
  - CONCRETE DUMPER BLOCKS
  - CONCRETE SLAB
  - 7" THICK CONCRETE
  - 8" COMPACTED AGGREGATE BASE #53, TYPE "D"
  - 2" MOUNTABLE CURB
  - MASONRY DUMPER ENCLOSURE (REFER TO ARCHITECTURAL PLANS FOR DETAIL)
  - LINE - PAINT, SOLID, WHITE, 4"
  - LINE - PAINT, SOLID, BLUE, 4"
  - TRANSVERSE MARKINGS, PAINT, BLUE - HANDICAP SYMBOL
  - LINE - PAINT, SOLID, WHITE, 24" STOP BAR
  - LINE - PAINT, SOLID, YELLOW, 4", DOUBLE LINE
  - LINE - PAINT, SOLID, YELLOW, 4"
  - TRANSVERSE MARKINGS, PAINT, SYMBOL, WHITE, LINE INDICATION ARROW
  - TRAFFIC CONTROL SIGN, R1-1 "STOP" 30" X 30"
  - TRAFFIC CONTROL SIGN, R8-1 "NO RIGHT TURN" 24" X 30"
  - WARRANTY 500
  - MACHINE SEEDING
  - HANDICAP RAMP TYPE G
  - HANDICAP RAMP TYPE H
  - HANDICAP RAMP TYPE C
  - HANDICAP RAMP TYPE K
  - MODULAR BLOCK WALL
  - CONCRETE WALL
  - CONCRETE WALL (SEE DETAIL)
  - COVERED BIKE PARKING
  - DUMPER ENCLOSURE

- SITE LEGEND**
- 10' DE DRAINAGE EASEMENT
  - 10' DE UTILITY EASEMENT
  - DR. & UT. EASEMENT
  - 10' DALE
  - 2" HILL CURB
  - 2" CURB AND GUTTER
  - 6" STANDING CURB
  - CONCRETE SIDEWALK
  - HANDICAPPED RAMP
  - HANDICAPPED MAILING
  - RET. WALL (CONCRETE)
  - RET. WALL (MASONRY)
  - RET. WALL (STONE)
  - RET. WALL (WOOD)
  - FENCE (BAND WIRES)
  - FENCE (CHAIN LINK)
  - FENCE (SMOOTH WIRE)
  - FENCE (POST & RAIL)
  - FENCE (WOOD SLAT)
  - GUARD RAIL
  - PROPOSED STREET TREE
  - BOLLARD
  - DUMPER (WOOD)
  - DUMPER (MASONRY)

- GENERAL NOTES**
- SEE SMITH NEUBECKER STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
  - TOP OF CUTTING ELEVATION AND GIVEN IN THE FOLLOWING LOCATIONS: 1) MANHOLE IN SILENT PAVEMENT. 2) IN ALL 3" THICK SLABS.
  - LOCATION OF EXISTING UTILITIES ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR. PLEASE NOTIFY ENGINEER IF FIELD ADJUSTMENTS ARE NECESSARY.

- SITE PLAN NOTES**
- SIDEWALK RAMP SHALL BE IN ACCORDANCE WITH THE LATEST ADA AND CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL COORDINATE WORK WITH CITY ENGINEERING PRIOR TO COMMENCEMENT.
  - PAVEMENT MARKINGS, IF SHOWN, SHALL BE APPLIED IN ACCORDANCE WITH SECTION BOB A 912-14 OF THE 1988 INDOT STANDARD SPECIFICATIONS AND AS SHOWN ON THE PLANS.
  - CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY R/W EXCAVATION PERMIT IF WORK WITHIN THE PUBLIC R/W IS NECESSARY FOR THE PROJECT COMPLETION.

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 435 S. Center Treatment  
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 Fax: (317) 336-6033  
 Web: www.snausa.com



JOB TITLE  
**PATTERSON POINTE**  
**BLOOMINGTON**  
**INDIANA**

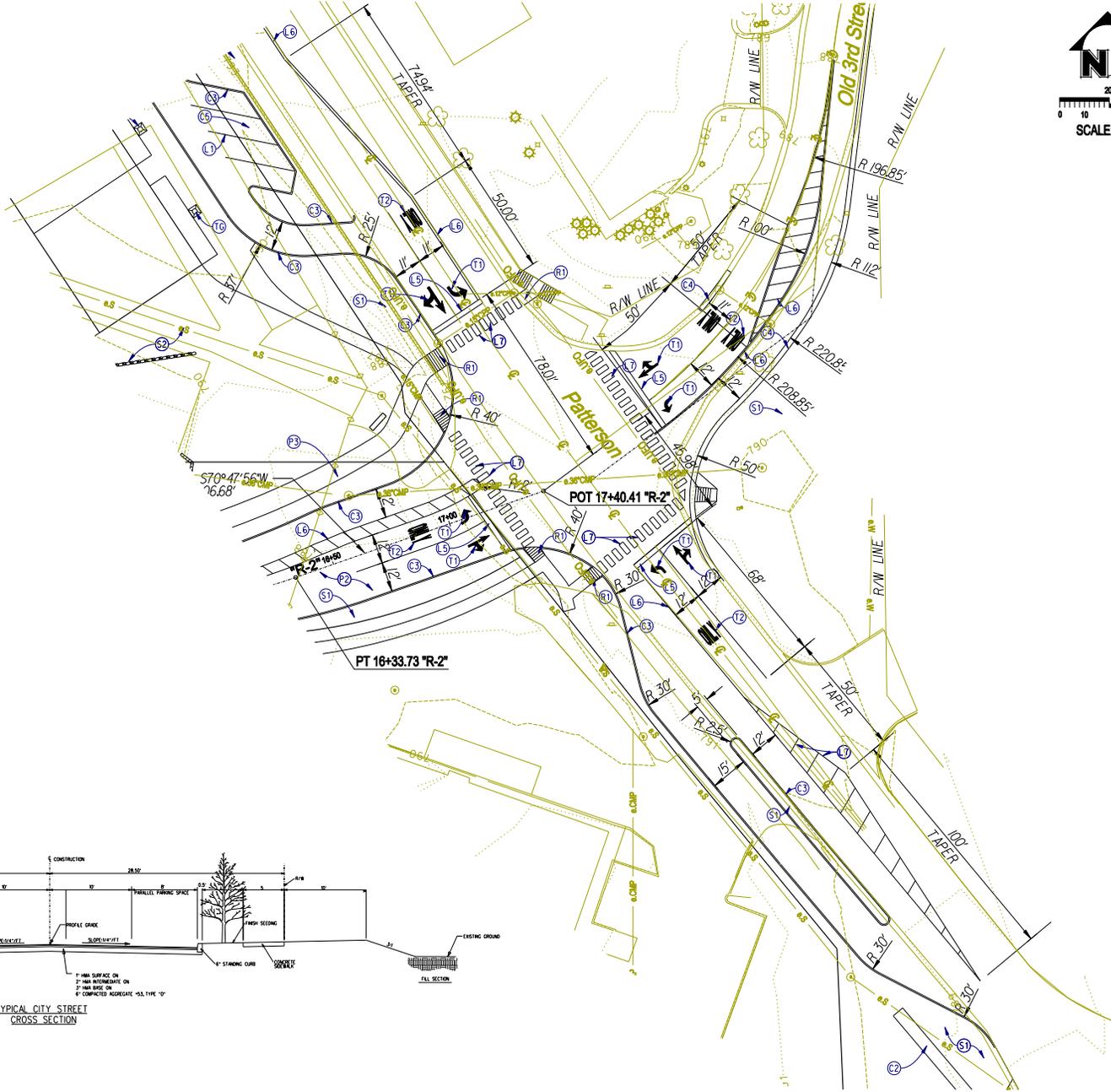
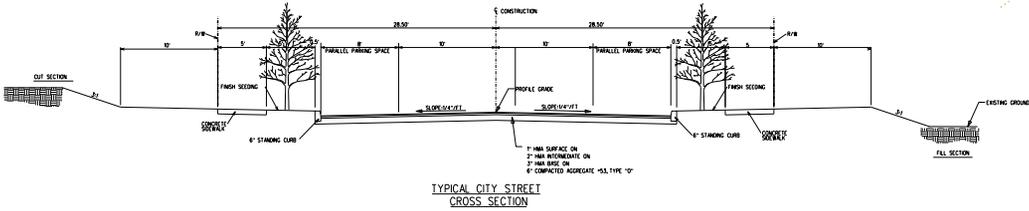
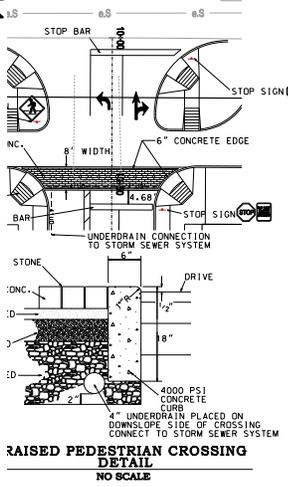
REVISIONS	BY	DATE

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 SAB  
 WDW  
 CHECKED BY  
 WDW

JOB NUMBER  
**4382**  
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**5** OF **24**

DATE  
**06/02/11**  
 SITE PLAN

PUD-14-11  
 Patterson Pointe Final Plan  
 "Old" 3rd and Patterson Intersection changes



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CONSTRUCTION DATE  
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**JOB TITLE**  
 PATTERSON POINTE  
 BLOOMINGTON  
 INDIANA

REVISIONS	BY	DATE

DESIGNED BY: SAB  
 CHECKED BY: WDW  
 DATE:  / /

JOB NUMBER  
**4382**  
 SHEET  
**15 OF 24**  
 DATE  
 06/02/11

**INTERSECTION  
 DETAILS**

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# PATTERSON POINTE PHASING 5/17/11

PUD-14-11  
Patterson Pointe Final Plan  
Phasing Plan



SITE MAP  
N.T.S.

- PHASE I
- SECTION 1 
  - SECTION 2 
  - SECTION 3 
  - INCIDENTAL  
& Future  
Phases 





## Patterson Point Stream Restoration Monitoring and Contingency Plan

### Stream Restoration Monitoring and Contingency Plan

Stream monitoring reports must be submitted each year and continue for a minimum of three years after work installation is complete. The inspection for the report should be done in late August or early September. The report must include appropriate pictures of vegetative plantings; a narrative must describe the activity accomplished to date, acres planted, number planted, list of species planted on site, and estimated survival (volunteers should not be included in survival counts, only planted specimens). It is the responsibility of the owner to prepare the annual monitoring report and to ensure success of the restoration program. These reports are to be submitted to the City of Bloomington Planning Department and to the Indiana Department of Environmental Management (IDEM if required by IDEM) each year.

At least six permanent monitoring locations shall be established to evaluate the restoration success. These locations will quantify trees, shrubs, seed mixes, weed and erosion control and riffle structures. Within a 30' radius of each monitoring location, herbaceous species, trees and shrubs should be identified and used to evaluate coverage percentages. An analysis of the vegetation contained within the monitoring locations should be provided in the report.

The first year submittal is to include an as-built plan of the initial installation. Monitoring must follow the process presented in the Indiana Department of Natural Resources (IDNR) forested habitat mitigation/restoration (FHMR) planting guidelines. The reports should include discussions of the hydrology, plant community development at the site, methods used to evaluate success of the installation and should include success criteria. The report should include photographs representing the success and or failure of the installation at points where evaluation sampling takes place. The report should document any failure to meet success criteria, with recommendations for corrections.

#### **Success Criteria for monitoring:**

The following species are not allowed in any quantity in the restoration area and shall be removed promptly after they have been observed;

- *Alliaria petiolata* (Garlic Mustard)
- *Celastrus orbiculatus* (Oriental Bittersweet)
- *Cirsium arvense* (Canada Thistle)
- *Elaeagnus umbellata* (Autumn Olive)
- *Euonymus fortunei* (Purple Wintercreeper)
- *Lonicera japonica* (Japanese Honeysuckle)
- *Lonicera sp* (Bush Honeysuckle)
- *Typha species* (Cattails)



- *Phalaris arundinacea* (Reed Canary Grass)
- *Polygonum cuspidatum* (Japanese Knotweed)
- *Rosa Multiflora* (Multiflora Rose)
- *Sorghum halepense* (Johnson Grass)
- *Lythrum salicaria* (Purple Loosestrife)
- *Phragmites australis* (Common Reed)
- *Myriophyllum spicatum* (Eurasian Water Milfoil)

Native vegetation survival, including planted seed mix, trees and shrubs shall have a 80% survival rate within the restoration area. Invasives listed above or volunteer plants should not be counted. Bare ground areas shall not exceed 5% and shall be repaired promptly when observed.

### **Stream Restoration Contingency Plan**

At the end of the first year after installation, the owner or contractor shall replace all plant material, as needed, to meet the monitoring plan and success criteria requirement percentages listed above. This shall include any plant material that is found to not be true to its botanical name or is not alive or in good condition. Any bare ground or erosion control and associated plant cover failures must be corrected and brought into compliance with the original plan promptly after it is observed. Any areas that exceed the maximums listed above for invasive species shall also be corrected. The owner or contractor is required to perform any corrections promptly after the situation is observed.

## **Project Description**

The Patterson Pointe PUD will include restoration of a natural stream channel as part of the site development project. The stream will be developed by removing an existing 36" RCP storm culvert that bisects the northern portion of the site and creation of natural over bank areas in a park like setting. This area will provide water quality enhancement for the existing degraded channel as well as enhancement for stormwater runoff from the development site. Rain garden areas will also be located within the area to reduce the number of point source discharges to the new channel.

## **Stream Channel Restoration BMP**

The location of the restoration area is shown on Exhibit A. There are several key components of the stream restoration plan; channel area, streamside zone, fringe zone and intermediate zone. Exhibit B shows the location of each zone and a typical cross section through the channel.

Stormwater runoff flowing into the site from the existing degraded stream will follow the newly created meandering channel across the site from west to east. The channel will become encapsulated at the eastern edge of the site where it flows back into the existing 36" RCP. Two Pool Berms and an associated riffle will be created in the middle of the channel. The berms will cause ponding of water during low flows, which provide for habitat as well as extended detention for settlement of suspended particles.

Stormwater runoff from development project areas north of the restoration area will be collected in a storm sewer system which utilizes a "weeper pipe" to evenly discharge stormwater runoff over the area north of the channel. Runoff will then sheet flow through the selected plant material in the intermediate zone, fringe zone and streamside zone before entering the stream channel. Native plants in each zone have been selected for the benefits that they provide for water quality enhancement by sheet flow through their zone as well as to replicate a natural floodplain area. Exhibit C lists the plant material located in each zone.

## **Rain Garden Post Construction BMP**

There are 3 rain garden features located south of the channel. Their location is shown on Exhibit D. Rain gardens have been located at storm sewer pipe discharge locations to limit the number of point source discharge locations to the stream channel. Each rain garden will consist of a Plunge Pool at the pipe outlet location to dissipate energy, and infiltration bed with an underdrain pipe and an emergency overflow weir. Details of the plunge pool are shown on Exhibit E.

Stormwater runoff discharged from the storm sewer system within the development area south of the stream channel restoration area will predominately be directed to the rain gardens. Low flows will infiltrate into the rain garden bottom and be collected by the underdrain pipe and conveyed to the channel. Higher flows will pond up within the rain

garden areas and discharge through the emergency overflow weir. Each rain garden causes an extended detention time, which permits for settlement of suspended particles. Runoff, which is routed through the emergency overflow weir, will sheet flow through the selected plan material in the intermediate zone, fringe zone and streamside zone before entering the stream channel features located around the site.

### **Stream Channel Restoration Monitoring**

Stream monitoring reports must be submitted each year and continue for a minimum of three years after work installation is complete. The inspection for the report should be done in late August or early September. The report must include appropriate pictures of vegetative plantings; a narrative must describe the activity accomplished to date, acres planted, number planted, list of species planted on site, and estimated survival (volunteers should not be included in survival counts, only planted specimens). It is the responsibility of the owner to prepare the annual monitoring report and to ensure success of the restoration program. These reports are to be submitted to the City of Bloomington Planning Department and to the Indiana Department of Environmental Management (IDEM if required by IDEM) each year.

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### **Operation and Maintenance**

Maintenance responsibilities for the stream channel, rain gardens, plunge pools, pool berms and weeper pipes will be the responsibility of the Owner. The stream channel should be inspected on a quarterly basis and after any significant rain event until the vegetation has become established. Re-seeding, mowing or burning of the vegetative cover may be required until the material becomes established. Any such work should be performed by a contractor experienced in native species establishment and maintenance such as JF New, Spence Restoration, Ecologic, or under their direct supervision. Following establishment of vegetative cover, the stream restoration area and drainage features should be inspected on a biannual. Accumulated sediment within the rain gardens, plunge pool and weeper pipe should be removed and deposited off site in a legal manner. Any erosion of the stream bank, rain gardens or plant zones should be repaired and the area re-seeded. With the appropriate ground cover for it's location.

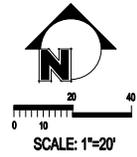
### **Changes in Ownership**

This facility plan shall run with the land. Changes in ownership shall result in the transfer of ownership and maintenance responsibilities. Any change in ownership should be

documented in this Facilities Plan. It shall be the responsibility of the owner to notify the City of Bloomington of any change in ownership of the property.

**Right-of Entry**

The owner hereby gives the City of Bloomington the right-of-entry over and across the property to inspect the stormwater basin.



Smith Benefactor & Associates, Inc.  
 445 S. Center Boulevard  
 Bloomington, IN 47404  
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 Fax: 812 332-5013  
 Web: www.sab.com

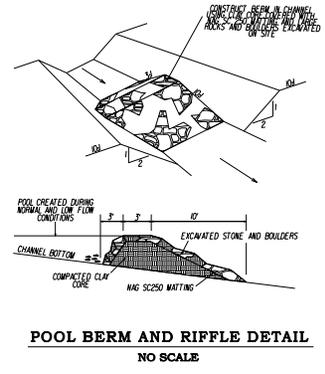
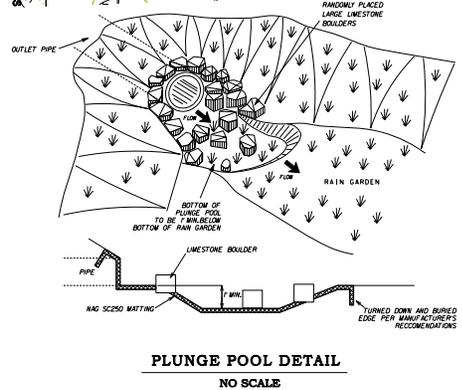
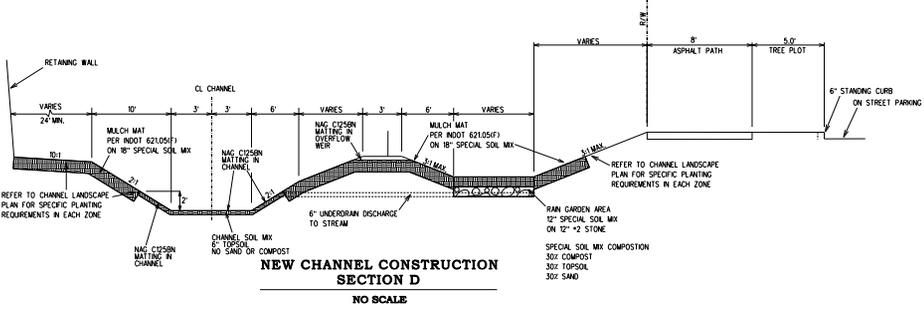
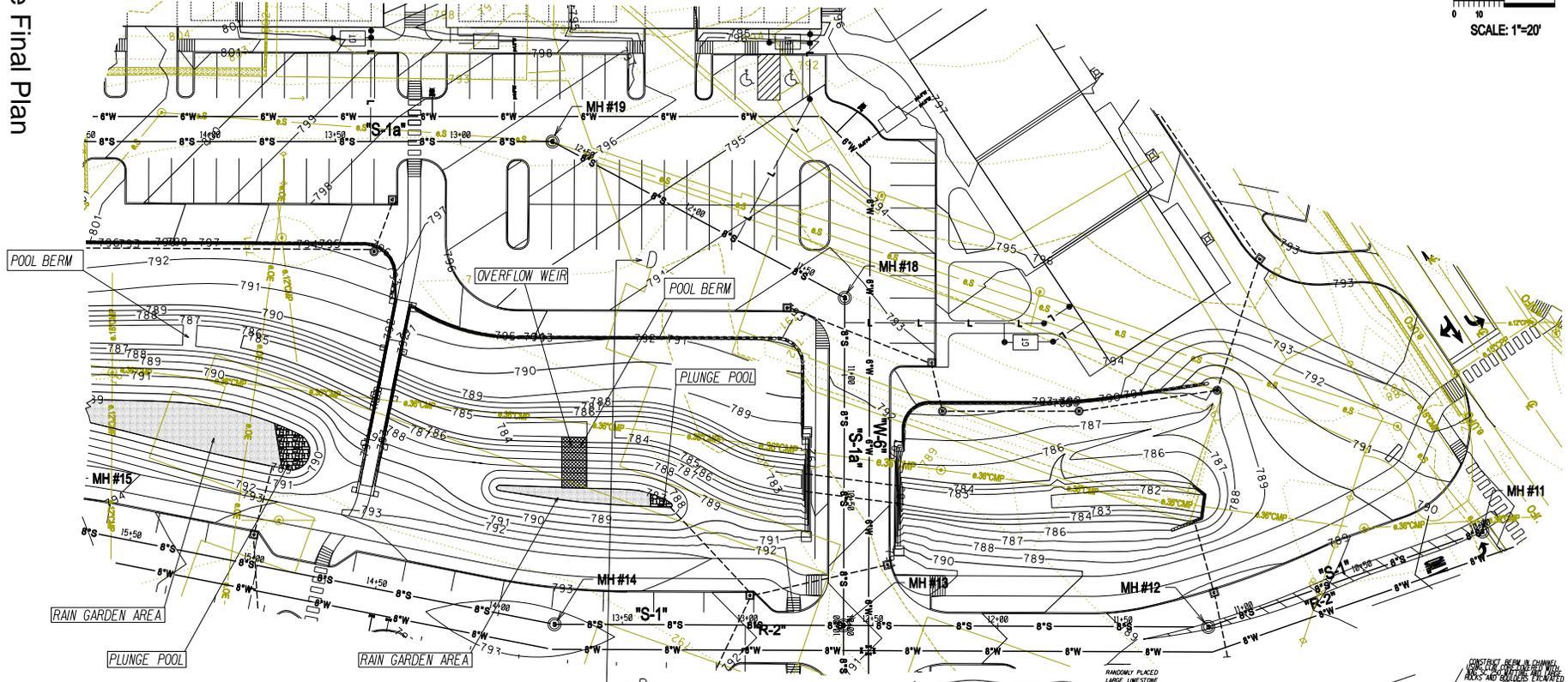
CONTRACTOR'S USE  
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JOB TITLE  
**PATTERSON POINTE  
 BLOOMINGTON  
 INDIANA**

REVISIONS	BY	DATE

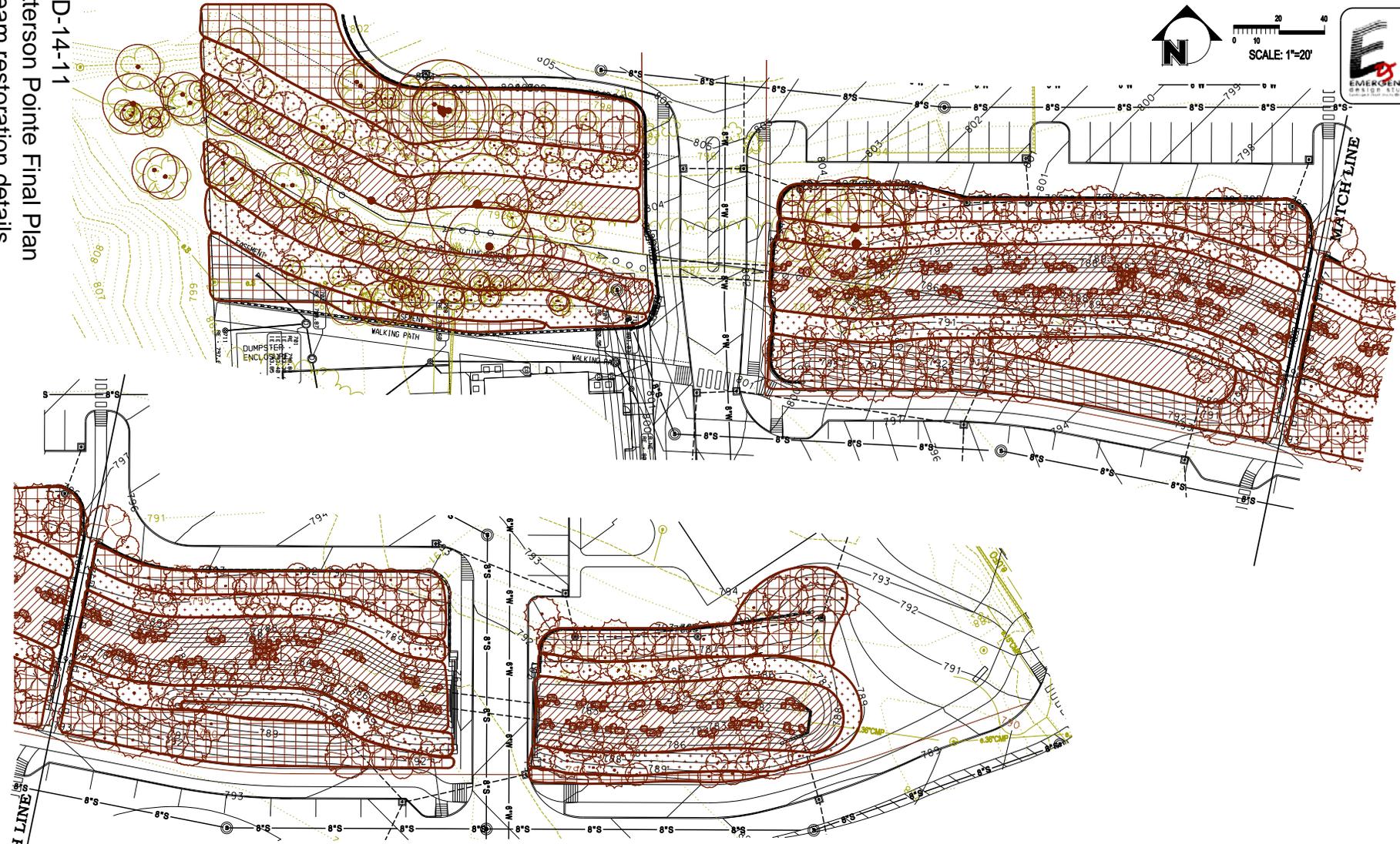
ISSUED BY  
 SAB  
 WDW  
 WDW

JOB NUMBER  
**4382**  
 SHEET  
**16 OF 24**  
 DATE  
 06/02/11  
 EAST CHANNEL GRADING

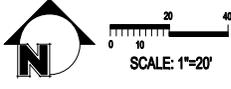




PUD-14-11  
 Patterson Pointe Final Plan  
 Stream restoration details



-  STREAMSIDE ZONE
-  INTERMEDIATE ZONE
-  FLOOD FRINGE ZONE
-  LARGE TREE
-  MEDIUM LARGE TREE
-  SMALL TO MEDIUM TREE
-  SHRUB
-  LIMESTONE BOULDER
-  EXISTING TREE



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 Web: www.sabinc.com

JOB TITLE  
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**BLOOMINGTON**  
**INDIANA**

REVISIONS	BY	DATE

DESIGNED BY: S.P. D'AR  
 DRAWN BY: S.P. D'AR  
 CHECKED BY: S.P. D'AR  
 DATE:  

JOB NUMBER  
**4382**  
 SHEET  
**18** OF **24**  
 DATE  
 06/02/11  
**STREAM RESTORATION PLANTING**



**Miller-Valentine Group**  
 9349 WaterStone Blvd.  
 Cincinnati, Ohio 45249  
 513-774-8400  
 513-683-6165 Fax

May 19, 2011

Mr. Jim Roach  
 Senior Zoning Planner  
 City of Bloomington Planning Department  
 401 N. Morton St, Suite 160  
 Bloomington, IN 47402

RE: Patterson Pointe Senior Residence

Dear Mr. Roach:

This letter is to accompany the petition submitted by Mark Figg and Steve Smith for Patterson Pointe and specifically describes the Patterson Pointe Senior Residence portion of the project. Patterson Pointe Senior Residence is a 61 unit, 4-story apartment community located at the west edge of the Patterson Pointe PUD. The 61 unit building is comprised of 42 one-bedroom units and 19 two-bedroom units. Additionally, the building will contain many amenities including: On-site Management & Maintenance, Lounge/Community Room, Theater Room, Fitness Room, Computer Room, and a Kitchen/Dining Hall. Additionally all units are designed to be an open floor plan with walk-in closets, energy efficient design, all appliances including washer and dryer provided, and central air conditioning.

The property will be managed by MV Residential Property Management, Inc. The facility will be staffed by a single on-site manager and a full-time maintenance person.

This project received a funding award through Indiana Housing and Community Development Authority's Housing Tax Credit program. This affordable housing development will target various rents at 30%, 40%, 50%, and 60% of AMI and will range from \$265 - \$585 for the 1-bedroom units and from \$320 - \$685 for the 2-bedroom units. (Detailed rent summary below). The development's affordability period is 30 years.

Apartment	# of Units	Sq. Ft./Unit	% of AMI	Net Rent
One Bedroom	7	678	30%	265
One Bedroom	10	678	40%	382
One Bedroom	12	678	50%	498
One Bedroom	13	678	60%	585
Two Bedroom	4	875	30%	320
Two Bedroom	4	875	40%	460
Two Bedroom	6	875	50%	575
Two Bedroom	5	875	60%	685

Patterson Pointe Senior Residence is also working with Bloomington Housing and Neighborhood Development (HAND). HAND is providing HOME funds to 8 units in the development (five 1-bedroom units and three 2-bedroom units). Funds total \$402,000.

We respectfully request relief from City requirements pertaining to two items. The first being our front canopy/overhang columns outside of the build-to line. We believe the most appropriate architectural design for the main entry into the center of the east elevation includes columns supporting the overhang. The columns would extend out from the building face by approximately 5 feet. We feel these columns will coordinate with the columns shown on the individual entrances to the units facing the street and also will create a more distinct entry to the lobby of the building. This is exhibited as the dashed line on the site plans and is shown on the east exterior elevation and in profile on the north and south elevations.

Secondly, we request a reduction to the requirement for 14 bicycle spaces, of which 7 are to be covered and 4 to be provided with bike lockers or lockable space within the building. Given that this is a senior community, bicycle use and possession by the residents will be minimal. Our historical data in senior congregate buildings such as this shows the average age of residents to be in the upper 70's. We are agreeable to and support providing bicycle spaces that can certainly help with an active lifestyle we strive for our residents to have, but request that the bicycle requirement be reduced to 4 covered bike spaces and 4 additional bike spaces elsewhere on site.

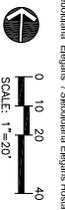
We appreciate the staff's comments we've received thus far and look forward to working together towards a final design that pleases the City and provides for a high quality of life for our future residents. Please let me know if you need anything further.

Sincerely,



Michael Athan P.E., P.S.  
Development Project Manager

**01** LANDSCAPE PLAN



SCALE: 1"=20'

TREES	BOTANICAL NAME / COMMON NAME	QNTY	SIZE	DTY	REMARKS
TR	Red-twigged Dogwood	4	1.5" Cal.	4	
CO	Catalpa coccinea	5	1.5" Cal.	5	
CV	Catalpa bignonioides	2	1.5" Cal.	2	
FR	Fraxinus pennsylvanica	2	2.5" Cal.	2	
GS	Grass	5	2.5" Cal.	5	
PO	Platanus occidentalis / American Sycamore	5	2.5" Cal.	5	

SHRUBS	BOTANICAL NAME / COMMON NAME	QNTY	SIZE	DTY	REMARKS
CH	Chamaecyparis thuja / Northern White Cedar	48	3 Gal.	48	
IG	Ilex glabra / Common Holly	28	3 Gal.	28	
MA	Magnolia grandiflora / Southern Magnolia	26	3 Gal.	26	
PV	Physocarpus opulifolius / Japanese Amur Maids Rites	28	3 Gal.	28	
VJ	Viburnum x bodii / Judd Viburnum	7	3 Gal.	7	

SHRUB AREAS	BOTANICAL NAME / COMMON NAME	QNTY	REMARKS
RA	Rhus aromatica / Green-leafed Sumac	674	
RR	Rosa x 'varianze' / Knockout Rose	141	

GROUND COVERS	BOTANICAL NAME / COMMON NAME	QNTY	REMARKS
HS	Hesperis matronalis / Night-flowering Cerise	84	

**PLANT SCHEDULE**

TREES	BOTANICAL NAME / COMMON NAME	QNTY	SIZE	DTY	REMARKS
TR	Red-twigged Dogwood	4	1.5" Cal.	4	
CO	Catalpa coccinea	5	1.5" Cal.	5	
CV	Catalpa bignonioides	2	1.5" Cal.	2	
FR	Fraxinus pennsylvanica	2	2.5" Cal.	2	
GS	Grass	5	2.5" Cal.	5	
PO	Platanus occidentalis / American Sycamore	5	2.5" Cal.	5	

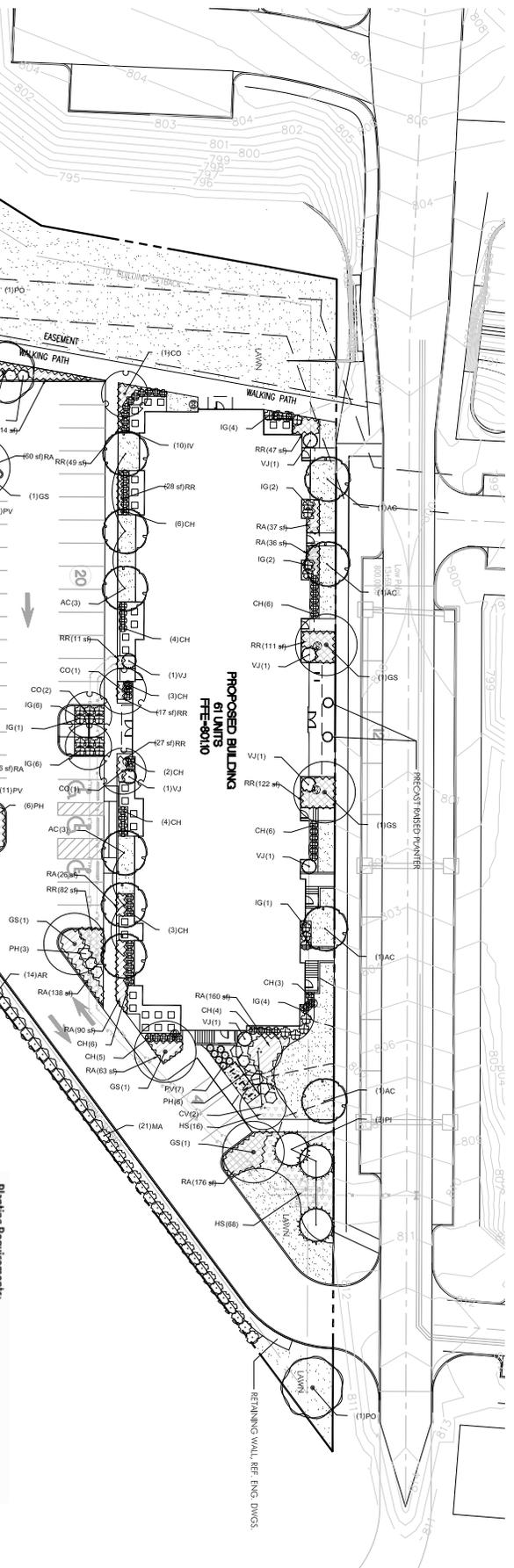
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RA	Rhus aromatica / Green-leafed Sumac	674	
RR	Rosa x 'varianze' / Knockout Rose	141	

GROUND COVERS	BOTANICAL NAME / COMMON NAME	QNTY	REMARKS
HS	Hesperis matronalis / Night-flowering Cerise	84	



**Planting Requirements:**

ROW Street Trees: Not included. To be provided by others.

Buffer Yard: Not required. Contiguous parcels are similarly zoned.

Parking Lot Perimeter Plantings: 50

Trees required: 13

Total trees provided: 13

Large canopy trees: 10

Shrubs required: 147

Deciduous shrubs: 105

Evergreen shrubs: 52

Perennial plants: 330

Landscape bumpouts & islands: 4

Total number of bumpouts: 5

Interior Plantings: 0.6 Acres

Interior site green space: 8

Large Canopy Trees: 3

Evergreen Trees: 3

Ornamental / Small Canopy Trees: 32

Deciduous Shrubs: 32

Evergreen Shrubs: 22

**PUD-14-11  
Patterson Pointe Final Plan  
Senior Apartments  
Site and landscaping plan**



2777 E 17th Street  
Indianapolis, Indiana 46202  
317.571.2000 ext  
317.571.0979 fax  
www.landstoryinc.com



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This drawing and the design process are the property of the design firm. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the design firm.



PATTERSON POINTE  
SENIOR RESIDENCE

BLOOMINGTON, INDIANA

Revised 4.21.11

Miller  
Valentine  
Group

PUD-14-11  
Patterson Pointe Final Plan  
Senior Apartment  
Front/east elevation





WEST EXTERIOR ELEVATION

PATTERSON POINTE  
SENIOR RESIDENCE

BLOOMINGTON, INDIANA



PUD-14-11  
Patterson Pointe Final Plan  
Senior Apartment  
Rear/west elevation





NORTH EXTERIOR ELEVATION



SOUTH EXTERIOR ELEVATION

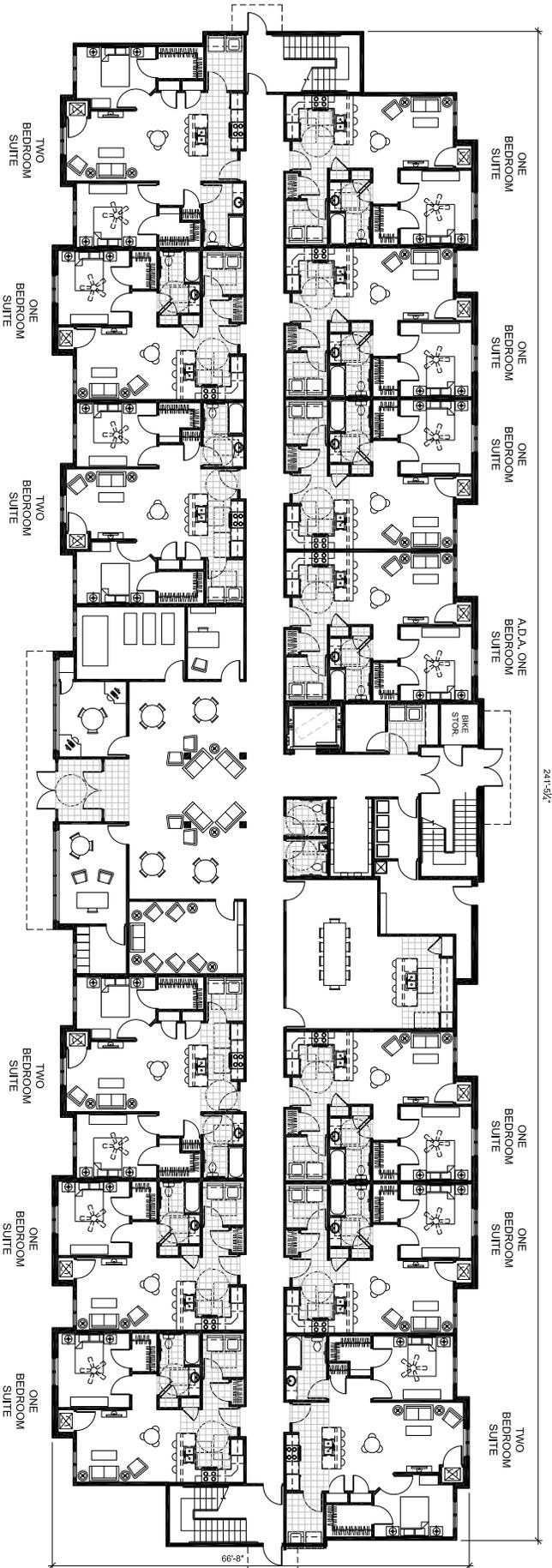
PATTERSON POINTE  
SENIOR RESIDENCE

BLOOMINGTON, INDIANA



PUD-14-11  
Patterson Pointe Final Plan  
Senior Apartment  
side/north & South elevations





**ACCESSIBILITY**  
 11% (7) UNITS OF ALL UNITS WILL MEET SECTION 504  
 ACCESSIBILITY REQUIREMENTS AND U.S. DEPT. OF  
 HOUSING & URBAN DEVELOPMENT (HUD) FAIR  
 HOUSING ACT DESIGN MANUAL REQUIREMENTS.

**OVERALL FIRST FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 15,452 SQ. FT. PER FLOOR

**OVERALL COMMON AREA (ALL FLOORS):**  
 = 2,662 SQ. FT. PROVIDED  
 42 (1) BEDROOM UNITS & 19 (2) BEDROOM UNITS



www.mvdc.com

**PATTERSON POINTE SENIOR RESIDENCE**  
 BLOOMINGTON, INDIANA

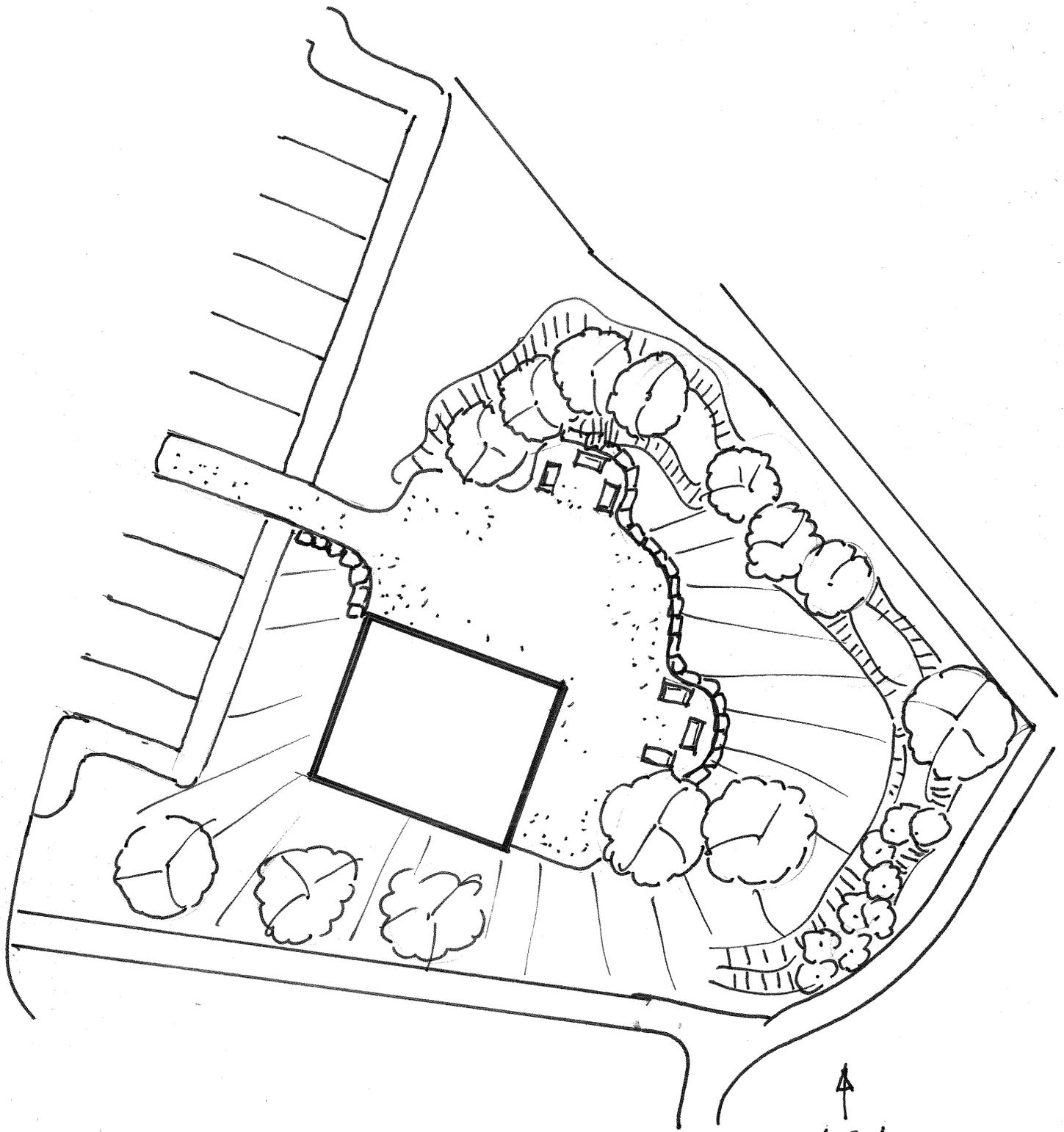
- ARCHITECTS - ENGINEERS  
 One Sixth Years of Provident  
 3480 N. Main Street  
 Findlay, Ohio 45840

Designed by: TMS Drawn by: E2



PUD-14-11  
 Patterson Pointe Final Plan  
 Senior Apartments  
 First floor plan





↑  
1"=20'

PLAZA CONCEPT

PUD-14-11  
Patterson Pointe Final Plan  
DRAFT Final Plat, Phase 1

re to be marked with  
added rebar.

LEGEND

- MENT ASTIC CAP SET
- D FENCE POST FOUND
- RAILROAD SPIKE FOUND
- PK NAIL
- GPS MONUMENT
- HIGHWAY BOX

PLAN COMMISSION AND BOARD OF PUBLIC WORKS

Under the authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington as follows:

Approved by the Board of Public Works at a meeting held:

Charlotte Ziefel, President

James McNamara, Vice President

Frank N. Hrisostatos, Member

Approved by the City Plan Commission at a meeting held:

Tom Micaudo, Director of Planning

W. E. Stuebe, President of Plan Commission

LOT 6  
Landmark Business Center  
Phase II  
P.C.C. Env. 248

LOT 7  
Landmark Business Center  
Phase II  
P.C.C. Env. 248

The undersigned, Patterson Pointe, LLC, an Indiana Limited Liability Company, by Timothy L. Tichenor, Member, Patterson Pointe, LLC, as the owner of the above described real estate, does hereby report, certify and acknowledge the evaluation of the proposed plat for the Real Estate known as PATTERSON POINTE as its voluntary act and deed for the purposes herein expressed.

IN WITNESS WHEREOF, Patterson Pointe, LLC, an Indiana Limited Liability Company, by Timothy L. Tichenor, Member, has hereunto executed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Timothy L. Tichenor, Member  
Patterson Pointe, LLC  
STATE OF INDIANA )  
COUNTY OF MONROE )

Before me, a Notary Public in and for the State of Indiana and Monroe County, personally appeared Timothy L. Tichenor, personally known to me to be the Member of Patterson Pointe, LLC, an Indiana Limited Liability Company, and being the owner of the above described real estate, and who acknowledged the evaluation of the proposed plat for the Real Estate known as PATTERSON POINTE as its voluntary act and deed for the purposes herein expressed.

My Commission Expires \_\_\_\_\_ day of \_\_\_\_\_, 2009.

IN WITNESS WHEREOF, Monroe County Community School Corporation, by President of the Board of School Trustees, Jeannine Butler, as the owner of the above described real estate, does hereby report, certify and acknowledge the evaluation of the proposed plat for the Real Estate known as PATTERSON POINTE as its voluntary act and deed for the purposes herein expressed.

IN WITNESS WHEREOF, Monroe County Community School Corporation by Board of School Trustees President, Jeannine Butler, has hereunto executed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Jeannine Butler, President  
Monroe County Community School Corporation  
Board of School Trustees  
STATE OF INDIANA )  
COUNTY OF MONROE )

Before me, a Notary Public in and for the State of Indiana and Monroe County, personally appeared Jeannine Butler, personally known to me to be the Member of Patterson Pointe, LLC, an Indiana Limited Liability Company, and being the owner of the above described real estate, and who acknowledged the evaluation of the proposed plat for the Real Estate known as PATTERSON POINTE as its voluntary act and deed for the purposes herein expressed.

My Commission Expires \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Tom Micaudo, Director of Planning

LOT 1  
Area: 0.68 Ac.

LOT 2  
Area: 2.91 Ac.

LOT 3  
Area: 1.34 Ac.

LOT 4  
Area: 2.91 Ac.

LOT 5  
Area: 1.71 Ac.

LOT 6  
Landmark Business Center  
Phase II  
P.C.C. Env. 248

LOT 7  
Landmark Business Center  
Phase II  
P.C.C. Env. 248

LOT 8  
Area: 1.71 Ac.

LOT 9  
Area: 1.71 Ac.

DRAFT

Common Area A  
Area: 0.45 Ac.

Common Area B  
Area: 1.09 Ac.

Future Right of Way

ARCH HAVEN LLC

LANDMARK SHOPS LLC

ADAMS CROSSIN LLC

LANDMARK BUSINESS CENTER  
Phase V  
Plot Cabinet C, Envelope 386  
Document No. 2004025058  
November 18, 2004

LANDMARK BUSINESS CENTER  
Phase V  
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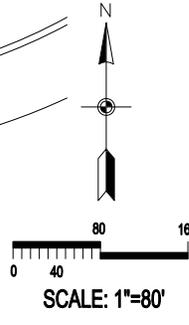
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Phase V  
Plot Cabinet C, Envelope 386  
Document No. 2004025058  
November 18, 2004



LOCATION MAP  
No Scale

PATTERSON POINTE, FINAL PLAT, AMENDMENT 2

PREPARED BY: SMITH NEUBECKER & ASSOCIATES, INC., 453 S. CLARIZZ BLVD., BLOOMINGTON, INDIANA 47401

Stephan L. Smith  
Registered Land Surveyor No. 50427  
State of Indiana

JOB NO. 4382  
PAGE 10F 1





## Memorandum

Stephen L. Smith P.E., L.S.  
Daniel Neubecker L.A.  
Steven A. Brehob, B.S.Cn.T.

To; Patterson Pointe Design File  
Bloomington Planning Department  
Bloomington Engineering Department  
From; Steve Smith  
Subject; Third Street Access Design  
Date; April 29, 2011

A handwritten signature in black ink, appearing to be 'SM', is written over the 'From;' line of the memorandum.

---

Condition eight of the Plan Commission approval of the outline plan for Patterson Pointe PUD stipulated that the...

*"petitioner shall submit a detailed plan for addressing the possibility of dangerous turn movements at the intersection of 3<sup>rd</sup> and Westplex as well as the entrances to the two internal boulevards during peak traffic times...."*

### Third Street and Westplex Drive

The 3<sup>rd</sup> Street and Westplex Drive entrance to Patterson Pointe requires special attention because of the high volume of traffic on Third Street and the unique parallel boulevard design in the PUD along Third Street. Figure 7-19 from Transportation and Land Development<sup>1</sup> illustrates the situation that we are seeking to avoid. The boulevard provides the opportunity for a building forward design that significantly alters and enhances the streetscape in this area. The challenge is to allow for the boulevard design and the benefits that it provides while still maintaining a safe environment.

In many aspects this intersection is like most intersections of low volume local roads with a higher volume arterial street. It will be difficult to make left turns from Westplex Drive on to Third Street. The other movements are not difficult but the lower volume road traffic must wait for breaks in traffic on the arterial. This intersection is complicated by the parallel boulevard that lies 30' south of Third Street. Good intersection design is the result of numerous intersection elements. These elements for this intersection include the following;

- Good sight distance is provided with an appropriate profile on Third Street and a 4% grade on the approach street (Westplex Drive ). The 4% grade provides a location for the stopped vehicle waiting to turn onto Third Street. The sight line along Third Street for 35 mph (posted at 30 mph) design speed for a vehicle turning left out is 411'



from a point 14.3' from the edge of pavement of Third Street, for a left turning vehicle. The sight triangle to the left is shown on the attached drawing. The 60 degree diagonal parking spaces near each intersection were changed to 45 degree with bumper blocks to keep parked vehicles out of the sight triangle.

- Separate right and left turn lanes for the Westplex Drive approach to Third Street are provided. This allows relatively free flow of the right turn vehicles.
- Intersection radii are a minimum of 25' and the inbound lane of Westplex Drive is 14' so that turning vehicles can stay in their lanes. Right turns from Third Street can turn from the right lane and do not need to swerve out into the left lane or interfere with vehicles on Westplex Drive waiting to turn left. Right turns onto Third Street can safely move into the right lane without encroaching on the left lane. Refer to Transportation and Land Development<sup>1</sup> table 7-3. Wheel path analysis supports these dimensions as well.
- A double stop on Westplex Drive is provided to control approaching traffic. The first stop sign and stop bar (approaching the boulevard) is augmented with an informational sign "Do not block cross drive or crosswalk". Cars can then move forward when the space in front of them clears.
  - The extra stop sign design has been implemented on two recent projects. One is a retail store in Jeffersonville and the second a commercial development in Greenwood. In both situations the approach to an arterial street by a local street was controlled by a double stop to accommodate a drive close to the arterial. Copies of these plans are attached. A photograph of the Greenwood site is also attached.
- Adequate distance is provided at the stop sign at Third Street to store one vehicle in the left turn lane and one in the right turn lane.
- Adequate space and turning radii are provided for vehicles entering from Third Street to safely turn onto Westplex and onto the boulevard around waiting vehicles approaching Third Street.
- The boulevard is one way. A stop sign and stop bar is provided as the boulevard approaches Westpex DDrive. Informational signage is provided "do not block the street or crosswalk".
- Diagonal parking is provided on the boulevard at an adequate distance so that vehicles do not need to back into Westplex as they are exiting their parking space.
- Pedestrians are accommodated by a raised brick crosswalk across Westplex Drive. The stop bar on the approach protects the crossing. Pedestrians are kept away from the stop at Third Street.



Right Turns To and From the Boulevard

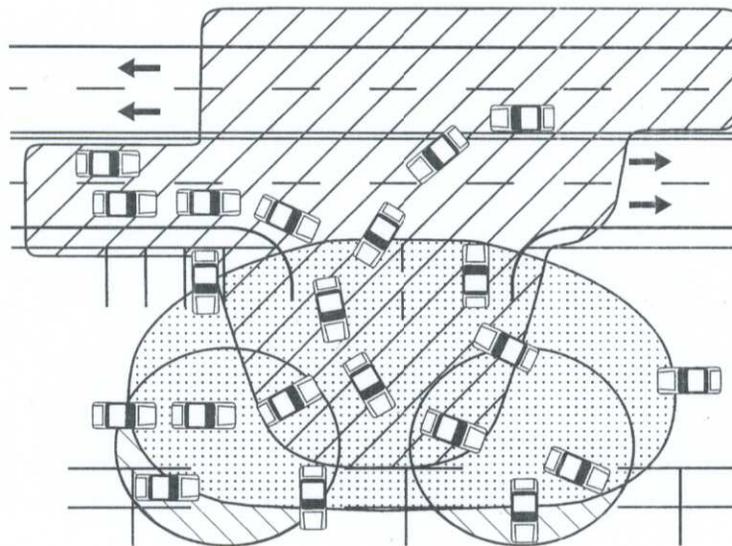
Access to the boulevard is intended to be an easy right and right out for most vehicles seeking to park in front of the retail buildings.

The right turn in from Third Street to the boulevard at the west end of the property is a smooth and uninterrupted movement. Vehicles will slow in Third Street to make the right turn just as they do on any right turn so there is a resulting slowing of Third Street traffic to accommodate the turn.

There are two right out turns from the boulevard; one onto Third Street and the second onto Patterson Drive. These drives approach the thoroughfare at an angle to make a smooth movement for the exiting vehicle. They are a stop condition like any other drive approaching a City Street. Vehicles can only enter the thoroughfare when there is a gap on the thoroughfare. The angle of approach to the thoroughfare is set so that the driver can see approaching vehicles from his left side. Figure 7-36 from Transportation and Land Development<sup>1</sup> illustrates the appropriate approach angle to be 55 to 65 degrees. The approach angles are set at 60 degrees in the design.

Lines of sight for the exiting vehicle must be provided and protected. The sight line for 35 mph design speed is 334' along the main road from 14.3' from the edge of main road pavement in the approach lane. These sight lines are shown on attached drawings.

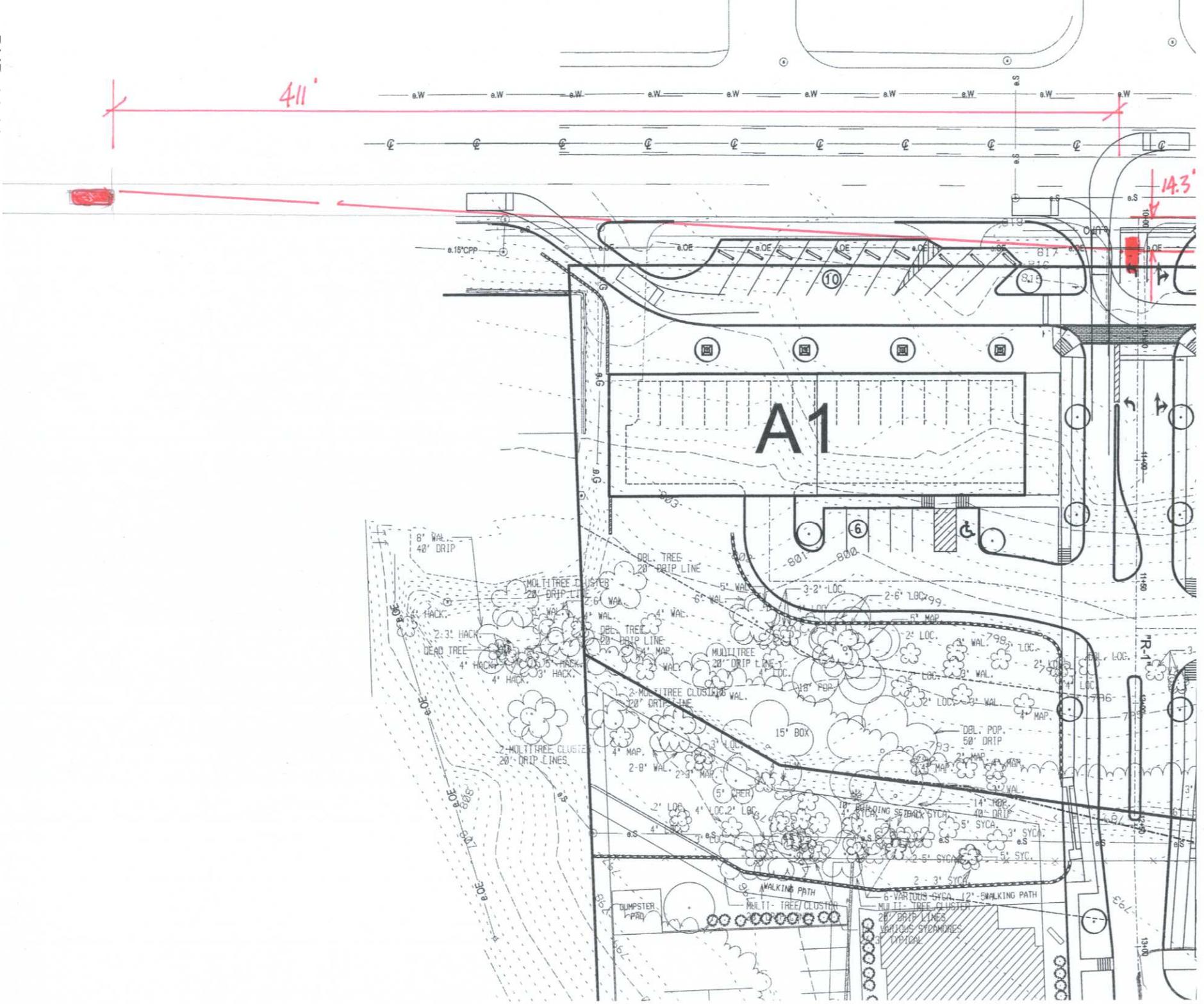
<sup>1</sup> Transportation and Land Development 2<sup>nd</sup> Edition, 2002, Institute of Transportation Engineers



-  Intersection Area of Arterial and Access Drive
-  Intersection Area of Access Drive and Ring Road
-  Intersection Area of Ring Road and Parking Aisles

**Figure 7-19. *Overlapping Conflict Areas Results from Inadequate Throat Lengths and Poor Circulation Design***

PUD-14-11  
Patterson Pointe Final Plan  
Traffic safety analysis



**Table 7-3. Equivalent Radii and Throat Width**

Driveway Entry Width (ft.) as a Function of Offset and Curb Return Radius, Passenger Car, 90° Right-Turn "Creep" Forward Speed

Vehicle Offset from Face of Curb, or Edge of Pavement, Prior to Turn (ft.)	Curb Return Radius (ft.)					
	0	5	10	15	20	25
0	- <sup>a</sup>	- <sup>a</sup>	23 <sup>b</sup>	20	17	14
2	- <sup>a</sup>	24 <sup>b</sup>	20	17	14	14
4	24 <sup>b</sup>	21 <sup>b</sup>	17	14	14	14
6	21 <sup>b</sup>	18	15	14	14	14
8	19	16	14	14	14	14

Driveway Entry Width (ft.) as a Function of Offset and Curb Return Radius, Passenger Car, 90° Right-Turn, Forward Speed ≈ 10 mph

Vehicle Offset from Face of Curb, or Edge of Pavement Prior to Turn (ft.)	Curb Return Radius (ft.)					
	0	5	10	15	20	25
0	- <sup>a</sup>	- <sup>a</sup>	- <sup>a</sup>	23 <sup>b</sup>	20	16
2	- <sup>a</sup>	- <sup>a</sup>	24 <sup>b</sup>	21 <sup>b</sup>	18	14
4	- <sup>a</sup>	25 <sup>b</sup>	23 <sup>b</sup>	20	17	14
6	25 <sup>b</sup>	22 <sup>b</sup>	21 <sup>b</sup>	18	15	14
8	23 <sup>b</sup>	20	19	16	14	14

<sup>a</sup> An inappropriately wide throat width is required.

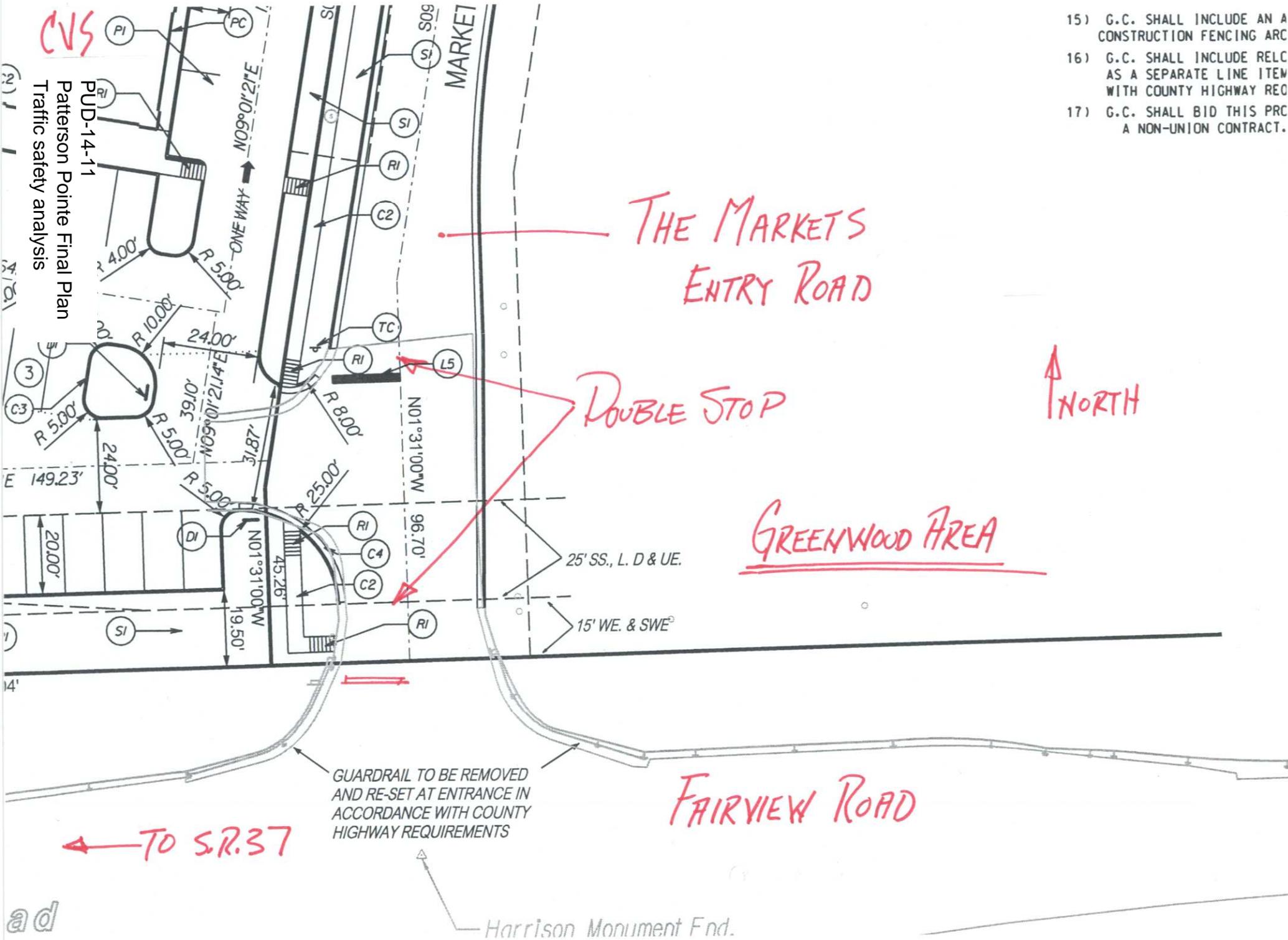
<sup>b</sup> A combination of narrower width and longer radius is a better design. In-bound throat width wider than 20 ft. should be avoided.

Source: Adapted from Flora and Keitt [1].

- 15) G.C. SHALL INCLUDE AN A CONSTRUCTION FENCING ARC
- 16) G.C. SHALL INCLUDE RELC AS A SEPARATE LINE ITEM WITH COUNTY HIGHWAY REQ
- 17) G.C. SHALL BID THIS PRC A NON-UNION CONTRACT.

CVS

PUD-14-11  
 Patterson Pointe Final Plan  
 Traffic safety analysis



THE MARKET  
 ENTRY ROAD

DOUBLE STOP

NORTH

GREENWOOD AREA

FAIRVIEW ROAD

← TO SR.37

GUARDRAIL TO BE REMOVED  
 AND RE-SET AT ENTRANCE IN  
 ACCORDANCE WITH COUNTY  
 HIGHWAY REQUIREMENTS

Harrison Monument Fnd.

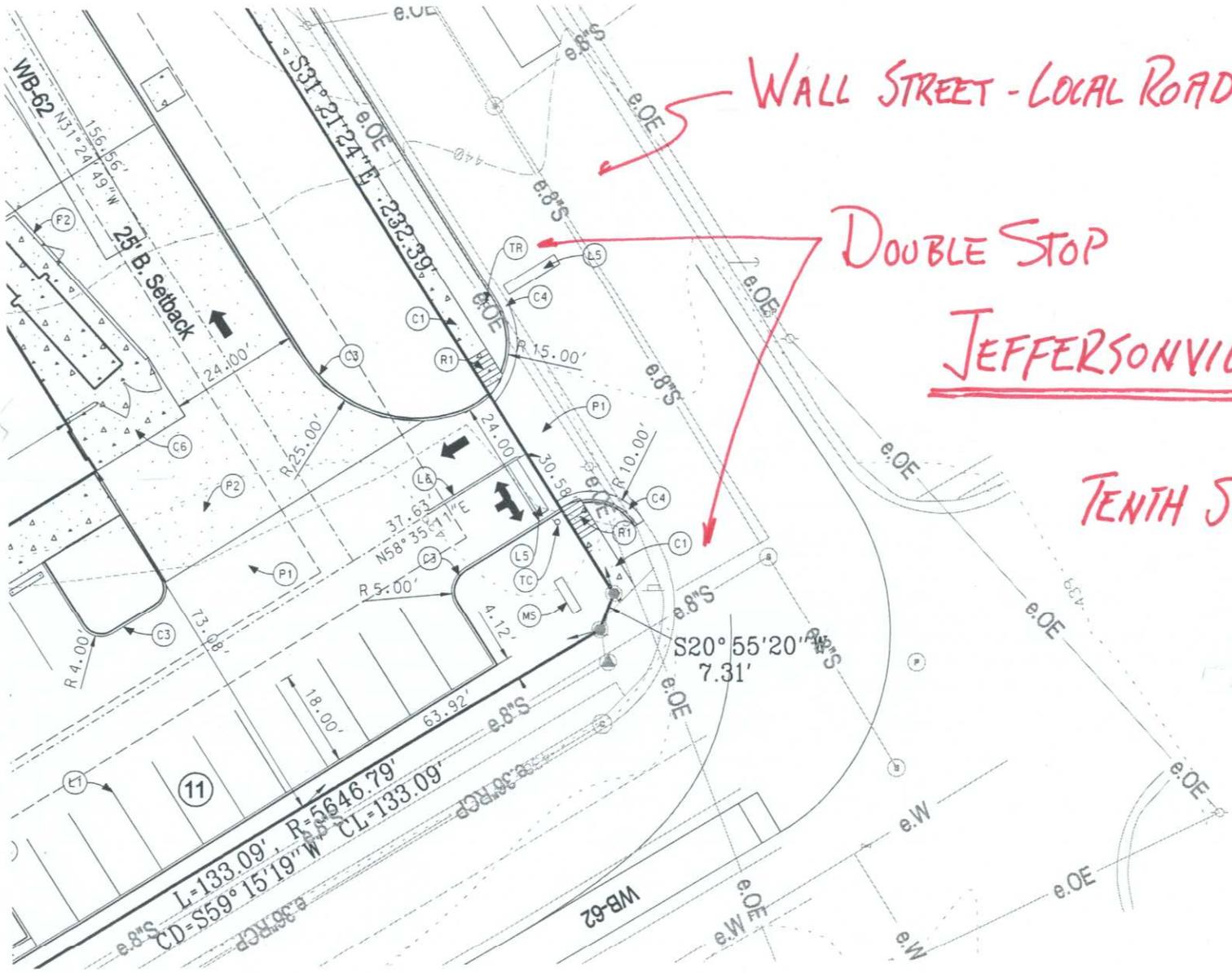
ad

# GREENWOOD AREA

## FAIRVIEW ROAD



CVS



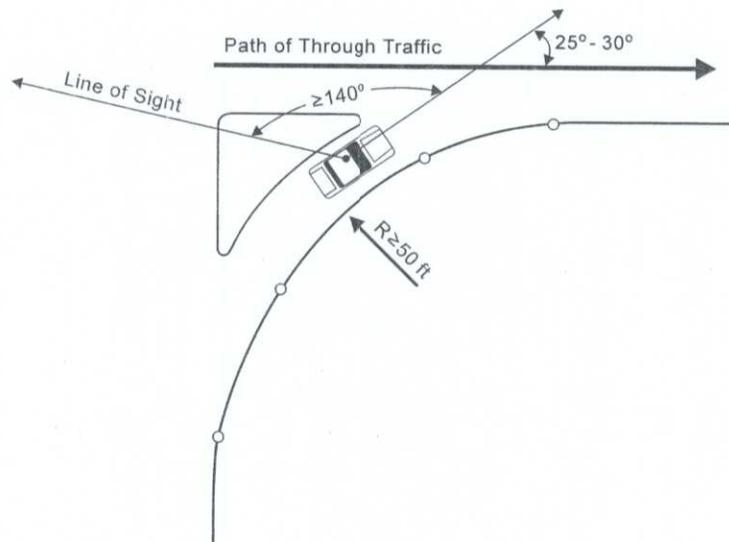
WALL STREET - LOCAL ROAD

DOUBLE STOP

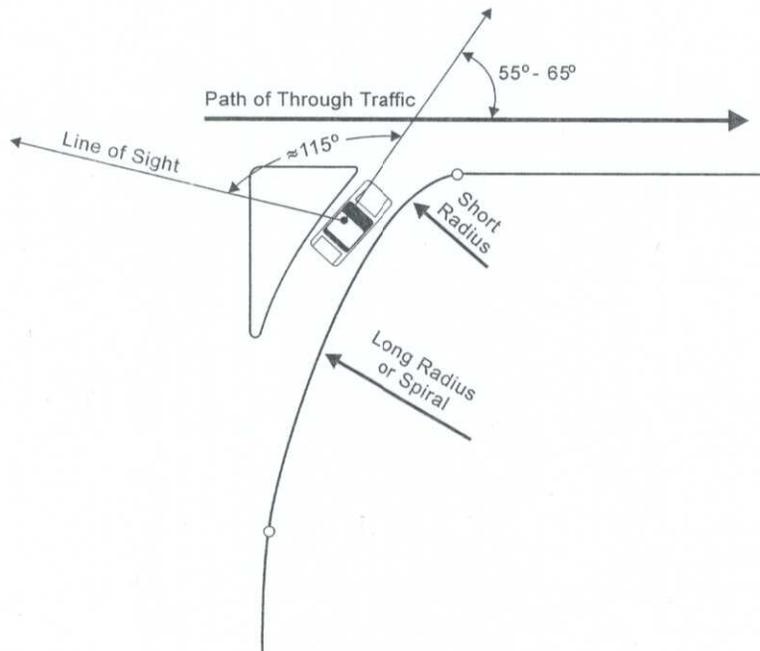
JEFFERSONVILLE

TENTH STREET (5-LANES)

To I-65



a. Traditional design: Requires driver to rotate head and body through a large angle to observe approaching vehicles.



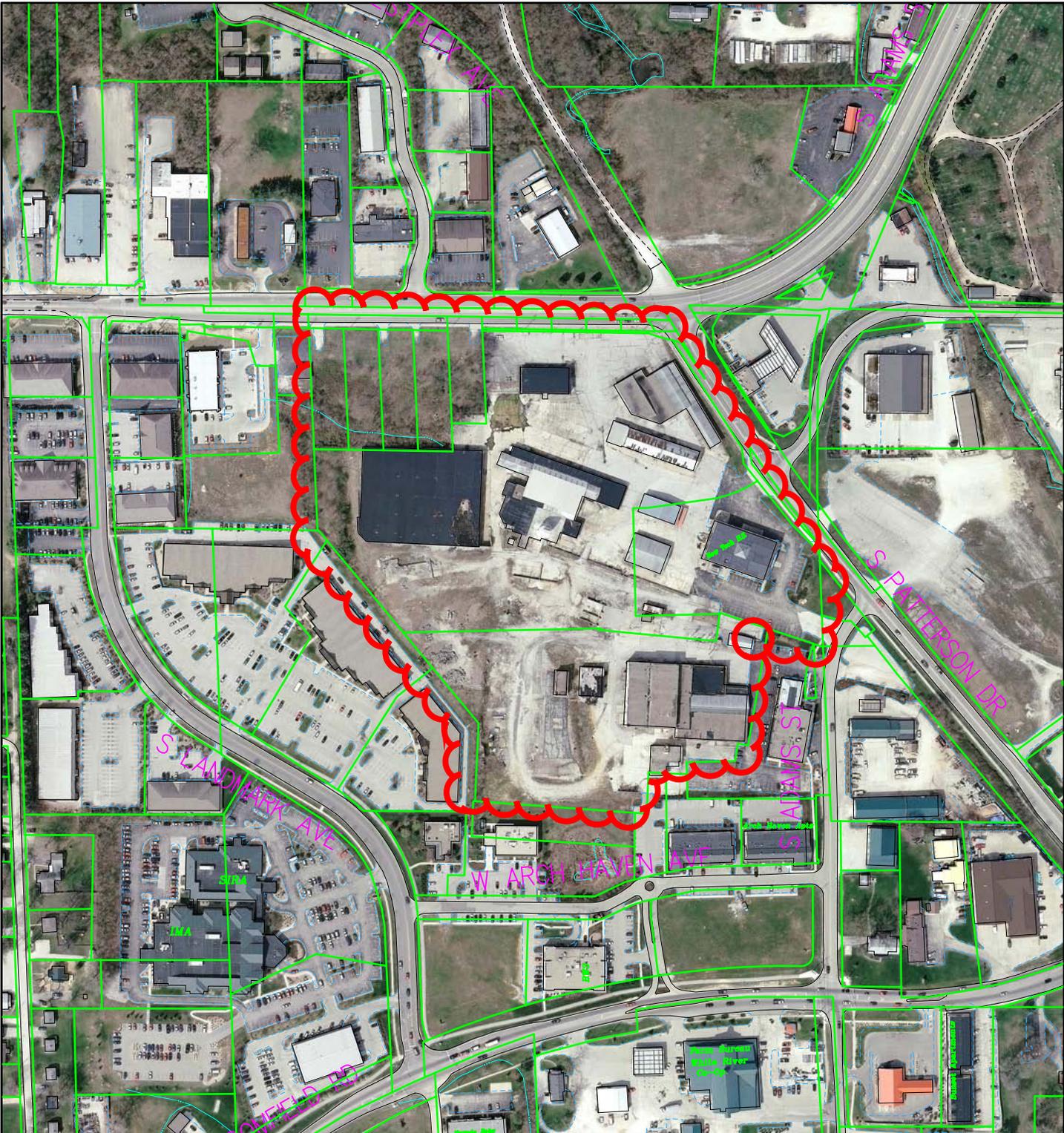
b. Alternative design: Results in slower speeds and a less awkward angle to view approaching vehicles.

**Figure 7-36. Schematic Comparison of the Traditional and Alternative Right-Turn Channelizing Island**



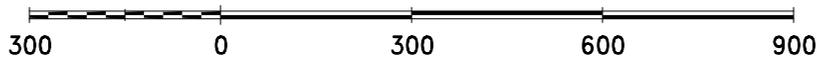




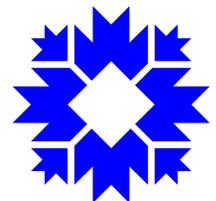


PUD-14-11  
Patterson Pointe Final Plan  
2010 Aerial Photo

By: roachja  
6 May 11



City of Bloomington  
Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.