Ordinance Failed
Ayes: 4 Nays: 5

ORDINANCE 97-19

TO AMEND THE PRELIMINARY PLAN
Re: Parcel G of Canada Farm located at 3300 Sare Road
(Ken Blackwell, Petitioner)

WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-20-97, and recommended that the petitioners, Ken Blackwell, be granted an amendment to the preliminary plan and request that the Common Council consider his petition;

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

SECTION I. Through the authority of IC 36-7-4 that a preliminary plan amendment be approved for 3300 Sare Road (Canada Farm PUD - Parcel G), Bloomington, Indiana. That property is further described as follows:

A part of Section 15, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at a PK nail found at the Northeast Quarter of Section 15; thence SOUTH 00 degrees 10 minutes 14 seconds West 1054.06 feet on the east line of said Northeast Quarter; thence NORTH 89 degrees 17 minutes 17 seconds West 403.49 feet to a 5/8" rebar found; thence NORTH 89 degrees 16 minutes 16 seconds West 1169.80 feet on the south line of land of Sherwood Oaks Christian Church (D.R. 429, PG. 326); thence SOUTH 33 degrees 53 minutes 52 seconds West 1269.94 feet on the east line of Cedarwood Subdivision (Plat Cabinet C, Envelope 86) and Rolling Oak at The Stands (Plat Cabinet B, Envelope 358) to a 6 ½" axle; thence SOUTH 55 degrees 56 minutes 37 seconds East 251.29 feet to a 5/8" rebar; thence 316.25 feet on a 2787.69 foot radius tangent curve to the left whose chord bears SOUTH 59 degrees 16 minutes 56 seconds East 316.08 feet to a 5/8" rebar; thence SOUTH 62 degrees 31 minutes 54 seconds East 93.76 feet to a 5/8" rebar; thence SOUTH 11 degrees 19 minutes 28 seconds West 807.53 feet to a 5/8" rebar and being the POINT OF BEGINNING; thence 56.60 feet on a 545.00 foot radius tangent curve to the right whose chord bears SOUTH 58 degrees 14 minutes 54 seconds East 56.57 feet to a 5/8" rebar with cap stamped "SNA"; thence 320.21 feet on a 1598.35 foot radius tangent curve to the right whose chord bears SOUTH 40 degrees 56 minutes 58 seconds West 319.67 feet to a 5/8" rebar with cap stamped "SNA"; thence NORTH 48 degrees 10 minutes 22 seconds West 326.16 feet to a 5/8" rebar stamped "SNA"; thence NORTH 24 degrees 34 minutes 37 seconds East 257.42 feet to a 5/8" rebar with cap stamped "SNA"; thence 106.02 feet on a 545.00 foot radius tangent curve to the right whose chord bears SOUTH 66 degrees 47 minutes 47 seconds East 105.86 feet to the Point of Beginning, containing 2.50 acres, more or less.

SECTION II. The Preliminary Plan Amendment, as recommended by the Plan Commission, shall be attached and made a part of this ordinance.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1997.

FAILED

ANTHONY PIZZO, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1997.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this _____ day of _____, 1997.

JOHN FERNANDEZ, Mayor
City of Bloomington

FAILED

SYNOPSIS

Requested are three preliminary plan amendments to the Canada Farm Planned Unit Development. The first would allow "Convalescent, Nursing, or Rest Homes" as a permitted land use for Parcel G. The second would allow use of the Dwelling Unit Equivalency provision of the Zoning Ordinance for the northern 2.5 acres of the above parcel. And, the last would add 0.2 acres of land to the PUD and change its zoning from RS3.5 to PUD.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 97-19 is a true and complete copy of Plan Commission Case Number PUD-20-97 which was given a recommendation of approval by a vote of 9 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on May 19, 1997.

Date: May 19, 1997

Donald F. Hastings, Secretary
Plan Commission

Received by the Common Council Office this ____ day of _____, 1997.

Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution #_____

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other_____

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure_____ Emergency_____
Unforseen Need _____ Other_____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	$_____	$_____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	$_____	$_____

Signature of Controller_____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes_____ No_____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

FILENAME: ORD-CERT.MRG

FAILED

Interdepartmental Memo

To: Members of the Common Council

TM

From: Tom Micuda, Planning Department

Subject: PUD-20-97

Date: May 22, 1997

Attached are the staff reports, petitioner's statements, location maps, and site plan exhibits which pertain to Plan Commission Case # PUD-20-97. The Plan Commission voted 9-1 to send the petition to the Council with a favorable recommendation (Please see attached sheet for the specific approval motion, vote record, and conditions of approval).

Background

The location of this petition is the Canada Farm. The Canada Farm is a 130 acre tract that was rezoned to create a Planned Unit Development in March of 1996. Approved was a mixed use project featuring a 15.4 commercial/office tract along the Jackson Creek floodway, multifamily housing along the Sare Road extension, and single family housing adjacent to the Stands Development. A total of 631 units (5.73 dwelling units per acre) was approved with this PUD. Since adoption of the PUD, the developer has received approval for the following projects: 1) Extension of Sare Road through a majority of the development, a 75 lot single family subdivision adjacent to the Stands, and 3) a 238 unit luxury apartment complex (Steeplechase Apartments).

Petition Summary

Amendment #1

The subject tract is located at the southwest corner of Canada Drive and the Sare Road extension. The tract is known as Parcel G of the Canada Farm. It is 16 acres in size and was approved in 1996 for multifamily development (96 total units at 6 units per acre). The petitioners seek preliminary plan amendment to the PUD to allow a "Convalescent, Nursing, or Rest Home" land use to be developed on the northern 2.5 acres of Parcel G (leaving 13.5 acres in remainder). The proposed project is not the stereotypical nursing home characterized by large numbers of support staff, provision of major medical services, and institutional-style living. Instead, the petitioners have designated their development as an "assisted living facility". This facility can be characterized by residential-style architecture, low numbers of support staff, provision of only basic medical services, and personal services such as meals, laundry, housekeeping, and hair care.

FAILED

Traffic generation rates and parking needs are actually lower than those typically found with standard multifamily housing.

Amendment #2

Specifically, a preliminary plan amendment for this land use would allow the immediate development of 42 assisted care housing units on 2.5 acres (16.8 units per acre). All 42 units would be efficiency apartments. The development of 16.88 units of density on a six unit per acre land use tract raised Plan Commission discussion concerning density. With Parcel G being originally approved for 96 units, development of 42 assisted care units only left 54 units available for the remaining 13.5 acres (4 units per acre). This is not a very viable project density for future multifamily development. In order to address the density issue, the petitioner requested a second preliminary plan amendment to allow use of the Dwelling Unit Equivalency (DUE) provision of the zoning ordinance for the assisted living housing project. DUEs were an addition to the 1995 zoning ordinance designed to stimulate the construction of low bedroom count (ideally affordable) housing. Essentially, if a developer agrees to construct efficiency, one bedroom, and two bedroom housing units, these units will count as only fractions of typical dwelling units. With the exception of core neighborhood areas where compatibility is an issue, the DUE provision is allowed by right in any multifamily or commercial zoning district.

The assisted care facility being proposed is an ideal candidate for the DUE provision. It consists almost entirely of efficiency apartment units. In addition, the typical demographic resident of the housing units is an 85 year-old single female. This creates the need for very little resident parking and a large amount of greenspace. On-site parking is essentially utilized by visitors and the small number of required staff. Staff and the Plan Commission could not find harm in allowing the 42 proposed units to be counted as an equivalent to 14 DUE units. The remainder tract of 13.5 acres will not be given any density bonuses as a result of the DUE usage on the assisted care parcel. It is still restricted to 6 units per acre of multifamily housing.

Amendment #3

The final amendment to the PUD concerns the addition of 0.2 acres of land zoned RS 3.5 (single family residential). This amendment is being requested in order to create an even setback along the west property line of the proposed assisted care facility. This will allow for greater flexibility in the ultimate development of the site. The property being incorporated into the PUD is essentially the size of a standard City lot. It is undeveloped land that will not be necessary once the property zoned RS 3.5 is subdivided.

Plan Commission issues, such as compatibility of the proposed land use amendment to the original PUD and ability of the site to be converted to future multifamily use, are discussed at great length in the staff report. The one dissenting vote on the Plan Commission centered around the original approval of the commercial parcel for this PUD. No specific opposition to the proposed land use or any of the other amendments was mentioned. Plan Commission retained final site plan approval authority for the assisted care facility in order to better address layout and aesthetic issues.

FAILED

PUD-20-97 Ken Blackwell
3300 Sare Road (Canada Farm Parcel G)
Request for three preliminary plan amendments to Parcel G of the Canada Farm PUD. One is to add "Convalescent, Nursing, or Rest Homes" to the approved list of uses for this parcel. A second is to allow utilization of the Dwelling Unit Equivalency provision of the Zoning Ordinance for Parcel G. A third amendment is to add 0.2 acres of land zoned RS3.5 to this PUD. In addition to the three plan amendments, preliminary and final plat approval is being requested to subdivide the 2.5 acre assisted care site from the overall acreage of Parcel G. In addition to the amendments, the petitioner is seeking two final plan delegations: 1) final plan approval for the assisted living facility on Parcel G and, 2) the final plan approval for the Sare Road extension to the south end of Parcel G.

CONDITIONS OF APPROVAL:

Joe Hoffmann moved approval of PUD-20-97, preliminary plan amendments, preliminary/final plat requests with waiver of second hearing, and upon the conditions set out in the staff report with the changed #1 as outlined by the staff (following reflects the correction):

1. In addition to standard site plan review consideration, approval of final plans for the assisted living facility shall be governed by the following preliminary review constraints: access control and location onto Canada Drive, buffering/berming along Sare Road, Canada Drive, and the adjacent single family development to the west, and environmental review guidelines for intermittent stream protection. Project aesthetics must be sensitive and appropriate to both the character of the PUD and adjacent multi-family development.

2. A 100 foot R.O.W. dedication is required for the length of Sare Road along Parcel G. All public road improvements along this roadway must be bonded for with plat approval by the Board of Public Works.

3. Use of the DUE provision is authorized for the 2.5 acres of Parcel G. Use of the DU provision at final plan stage is contingent upon the petitioner's provision of at least 30 percent usable open space. This provision is also contingent upon demonstration of compliance with standard multi-family parking. The remainder of the site is permitted to develop at a density of 6 units per acre (81 units on 13.5 acres).

4. Prior to final plan approval, the developer will provide the staff industry-wide "best design practices" for assisted living facilities.

5. The Plan Commission will delegate to the staff the final plan approval for the Sare Road extension to the south edge of Parcel G, but will ask the staff to bring final plan for the assisted living facility back to the Plan Commission.

Pam Service seconded. Approved 9:1. (Service voted no.)

filename: f:\grayd\pud-20.coa

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BLOOMINGTON PLAN COMMISSION **CASE#: PUD-20-97**
PRELIMINARY REPORT **DATE : MAY 19, 1997**
LOCATION: 3300 SARE RD., PARCEL G

PETITIONER: Name: Ken Blackwell
Address: 3201 E. Rogers Rd., Bloomington, IN

COUNSEL: Name: Smith Neubecker & Associates, Inc.
Address: 4625 E. Morningside Drive, Bloomington

FINAL HEARING DATE: June 9, 1997

REQUEST: The petitioners are requesting three preliminary plan amendments to Parcel G of the Canada Farm Planned Unit Development (PUD). One is to add "Convalescent, Nursing, or Rest Homes" to the approved list of uses for this parcel. A second is to allow utilization of the Dwelling Unit Equivalency (DUE) provision of the zoning ordinance for Parcel G. A third amendment is to add 0.2 acres of land zoned RS 3.5 to this PUD. In addition to the three plan amendments, preliminary and final plat approval is being requested to subdivide the 2.5 acre assisted care site from the overall acreage of Parcel G. Waiver of second hearing is being requested for both the plan amendments and plat approval.

In addition to the amendments, the petitioner is seeking two final plan delegations: 1) final plan approval for the assisted living facility on Parcel G and, 2) the final plan approval for the Sare Road extension to the south end of Parcel G.

Use Amendment: The first preliminary plan amendment would allow the "Convalescent, Nursing, or Rest Home" land use to be included as a permitted use on Parcel G. Parcel G is 16 acres in size and was approved for 96 multifamily dwelling units (6 units per acre). The petitioners wish to subdivide the northern 2.3 acres of the site (plus add 0.2 acres from adjacent land zoned RS 3.5) in order to establish this facility. This project is almost a mirror image of the facility under consideration for Parcel D of the Woolery Farm. The project is slated to provide 42 efficiency living units (as opposed to 39 total units on the Woolery Farm). Similar amenities such as a dining area, basic medical assistance, courtyard space, personal services (laundry, grooming,etc.) will be provided.

The issues which must be evaluated in determining support for the proposed use amendment are as follows: 1) compatibility of the proposed use to multifamily, 2) consistency with the original PUD approval, and 3) density issues.

1) Compatibility with Multifamily - The proposed use is more multifamily than institutional in character. Architecture will feature a ranch-style building that

FAILED

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meets residential architectural guidelines. Since only basic medical and personal services are required, institutional staffing needs are low. Trip generation rates and parking needs are actually lower than are typical for multifamily land uses or other institutional uses (please see the petitioner's trip generation summary enclosed in this packet). Because of the significant mass of building frontage on both Sare Road and Canada Drive, staff will be requiring extensive architectural and landscaping review at final plan stage.

2) PUD Consistency - As was the case with the Woolery Farm PUD amendment, staff has included staff reports and petitioner's statements to highlight the original concept behind the creation of the Canada Farm PUD. The key elements of this PUD included: 1) mixed use orientation, 2) west to east development density transition (from single family adjacent to the Stands and Sherwood Oaks Church to multifamily along the Sare Road extension), 3) aesthetic and intensity controls for commercial development, 4) aesthetic and occupancy controls for multifamily development, 5) nonresidential runoff water quality controls, 6) timing of arterial street extension, 7) facilitation of park/school development, and 8) self-contained commercial/office development.

Staff cannot find a conflict between the proposed land use addition and any of the fundamental goals of the PUD. Staff is still concerned with the schematic project design, specifically its multiple access points and building/parking mass along street frontages. Staff does not want the aesthetic character of the PUD to be compromised with this project. The project will be required to meet all of the residential architectural standards, open space, landscaping, and signage standards of the zoning ordinance.

3) Density - The density for the proposed use will be 16.8 units per acre (42 units on 2.5 acres). Should the project develop with a lower density/6 unit per acre multifamily land use, only 15 total units could be placed on this site. However, staff notes that the site consumption effects of the 42 units are greatly mitigated by the land use characteristics of the project. Namely, the use of 42 efficiencies greatly reduces parking demand, and the use of a single structure is much less land consumptive.

Because the assisted living facility proposed for the Woolery property is located in a higher density multifamily district than this project, staff will require this land use to meet a slightly more restrictive open space requirement. Instead of the 25 percent requirement used on the Woolery property, a 30 percent requirement will have to be met. This is a standard more commensurate with a 6 unit per acre multifamily zoning district.

Amendment to use Dwelling Unit Equivalencies - Because the petitioner is proposing a 42 unit proposal for an assisted living facility rather than a 15 unit multifamily project, overall density for Parcel G becomes an issue. As stated

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previously, Parcel G is 16 acres in size and slated for development of 96 total units. Development of 42 units on 2.5 acres reduces the unit/acreage ratio to 54 units on the remaining 13.5 acres. This is a density of only 4 units per acre. This is not a viable multifamily project density, and the petitioner seeks use of the DUE provision to allow the assisted care efficiency units to count for a reduced density value. Using the DUE provision, the 42 units can each be counted as one-third of a unit (a total of 14 units). This is very compatible to the 15 units that would be allowed with a typical multifamily project not using the DUE provision. The remaining acreage of Parcel G would then simply be developed at the approved density of 81 units on 13.5 acres (6 units per acre). Staff is comfortable with the petitioner's approach given the land use impacts associated with the proposed land use.

Acreage Addition - The final preliminary plan amendment would authorize the addition of 0.2 acres of land zoned RS 3.5 into the acreage of Parcel G. This cannot be done via staff level approval because of the non-PUD zoning on the 0.2 acres. This is a housekeeping amendment designed to square off the boundaries of unneeded land to create a more functional land parcel for the assisted care facility. Both the PUD and 0.2 acre addition are owned by the same developer, and the acreage is not needed for site development of the RS 3.5 land. This acreage is part of a future single family subdivision that has yet to be platted. As a matter of policy, staff does not support acreage additions to PUDs. However, this is an amendment simply designed to even out a property line.

Preliminary/Final Plat Requirements - With this request, a two lot subdivision of Parcel G is also required. This is largely a perfunctory action. The petitioner has already bonded for road improvements along the east-west street north of this project. Sidewalk and street tree placement along both sides of this street were required with this financial guarantee. Right-of-way for this street has already been dedicated at 60 feet. With regards to the Sare Road extension, a 100 foot dedication along the entire frontage of Parcel G is required. At time of initial PUD approval, a condition of approval was placed requiring the completion of Sare Road (and all of its required street tree, sidewalk, and bicycle path amenities) by the end of the 1997 construction season. The petitioners have constructed Sare Road from Rogers Road to the north end of this parcel. The remainder of the road extension must be bonded for with Board of Public Works approval of this final plat.

Requests for Staff-Level Delegations - The remaining two requests from the petitioner involve staff-level delegations. The first is for the Sare Road extension to the south edge of Parcel G. Phase I of the Sare Road extension was approved by the Plan Commission without controversy on April 29, 1996. The petitioners have not indicated any deviation from the Phase I road design. Road width will vary between 28 and 36 feet to accommodate left turn lanes where appropriate. A 5 foot sidewalk will be provided along the west side of the road and an 8 foot

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bicycle path will be installed on the east side. A 10 foot tree plot with 40-foot spaced shade trees will be placed on both street sides. Staff is comfortable with this delegation.

The second request is for final plan delegation of the assisted living facility. There is much less certainty with this delegation. Like the amendment for the proposed facility on the Woolery Farm, staff has seen only a schematic site plan. Key issues which will govern site plan review include access control on Sare Rd. and Canada Drive, project aesthetics as seen from Sare Road and future single family development to the west, and protection of an intermittent stream feature on the south side of the 2.5 acre parcel.

RECOMMENDATION: Staff recommends approval of the three preliminary plan amendments and preliminary/final plat request, with waiver of second hearing, with the following conditions:

1. In addition to standard site plan review considerations, approval of final plans for the assisted living facility shall be governed by the following preliminary review constraints: single drive access onto Canada Drive, buffering/berming along Sare Road, Canada Drive, and the adjacent single family development to the west, and environmental review guidelines for intermittent stream protection. Project aesthetics must be sensitive and appropriate to both the character of the PUD and adjacent multifamily development.

2. A 100 foot R.O.W dedication is required for the length of Sare Rd. along Parcel G. All public road improvements along this roadway must be bonded for with plat approval by the Board of Public Works.

3. Use of the DUE provision is authorized for the 2.5 acres of Parcel G. Use of the DUE provision at final plan stage is contingent upon the petitioner's provision of at least 30 percent usable open space. This provision is also contingent upon demonstration of compliance with standard multifamily parking. The remainder of the site is permitted to develop at a density of 6 units per acre (81 units on 13.5 acres).

4. Prior to final plan approval, the developer will provide the staff industry-wide "best design practices" for assisted living facilities.

FAILED

MEMORANDUM

TO: Don Hastings

FROM: M. Figg, K. Komisarcik, M. Litwin, M.E. Murphy, D. Rollo, M. Wedekind

DATE: May 19, 1997

SUBJECT: PUD-20-97, Ken Blackwll, 3300 Sare Road (Canada Farm Parcel G) Request for preliminary plan amendments to allow "convalescent, nursing, or rest homes" on Parcel G, usage of the D.U.E. provision for 2.5 acres of Parcel G, and the addition of 0.2 acres of land zoned RS3.5 to the PUD. Also requested is preliminary and final plat approval for a two lot subdivision, and delegation of final plan review to the Planning Dept. Staff for the extension of Sare Road and the approval of the "convalescent, nursing, and rest home" uses

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The Planning Subcommittee of the Environmental Commission has reviewed petition and has the following comments on this proposal.

Site This 2.5 acre site is open except on the southern property edge which is boarded by a small tributary to the East Fork of Jackson Creek. This tributary has a narrow strip of forested area on either side of the tributary. This forested area ranges from 15' to 25' wide and consists of a range of mature trees and edge vegetation..

Drainage Easement The forested area along the edge of the tributary functions as a riparian buffer. The Planning Subcommittee recommends that this area including the tributary and the vegetation that boarders it, be included in a drainage easement and/or open space for this parcel.

Erosion Control The Planning Subcommittee recommends that the erosion control for the portions of the Canada Farm PUD that are currently being built (Sare Road, Southern Oaks and Steeplechase) be to staff satisfaction before final plan approval is rendered for this parcel. Erosion control would include but not be limited to, stabilizing all areas that have either reached final grade or that will be left inactive for 14 or more days (20.06.05.03 D 3).

FAILED

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Smith Neubecker & Associates, Inc.

Stephen L. Smith P.E., L.S.
President

Daniel Neubecker L.A.
Project Manager

April 29, 1997

City of Bloomington Plan Commission
c/o Tom Micuda, Planner
P.O. Box 100
Bloomington IN 47402

RE: Canada Farm PUD

Dear Tom and Plan Commissioners

We are seeking approvals to allow assisted care housing and to allow construction of the remainder of Sare Road on the Canada Farm PUD.

Sterling House Assisted Care housing is being proposed on a 2.5 acre parcel. This will consist of 2.3 acres of PUD Parcel G and .2 acres of adjacent land zoned RS3.5. Logical lot lines have resulted in this small overlap on the adjoining parcel that is also owned by the petitioner. Allowance of Sterling house requires:

- Amendment of the PUD to add .2 acres to Parcel G at 6 units per acre.
- Amendment of the PUD to allow assisted care housing on 2.5 acres of Parcel G
- Application of the DUE to the newly created 2.5 acre parcel providing for our proposed 42 efficiency units ([2.5 acres X 6 units/acre] X [1 unit/.33 DUE] = 45 units allowed).
- Preliminary and final plat approval to create the 2.5 acre lot
- Clarification that Parcel G will have 13.7 acres remaining allowing six units per acre for a total of 82 units consistent with the Outline Plan.

A minimum of 25% open space will be provided on the 2.5 acre assisted care site. Twenty six parking spaces are proposed to meet the assisted care need. The site plan shows how 42 spaces could be provided in the future if a conversion to multi-family were sought.

We also request that final plan approval be delegated to the Planning Staff. While the plans for Sterling house are not complete at this time, we have submitted a preliminary plan and illustrative architecture that give assurances on those items.

The extension of Sare road is currently being designed and will proceed to construction later this summer consistent with the provisions of the outline plan. Preliminary plans have been submitted. We are requesting that the final plan approval for Sare Road be delegated to staff. We are also seeking preliminary and final plat approval for Sare Road.

PUD-20-97 Petitioner's Statement 03

4625 Morningside Drive
Post Office Box 5355
Bloomington, Indiana 47407-5355
Telephone 812 336-6536
FAX 812 336-0513

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Your standard application form and fee are being submitted with this letter. Proof of notice to adjacent owners will be submitted prior to the hearing.

Very truly yours,

Steve

Stephen L. Smith
Smith Neubecker & Associates, Inc.

cc: Ken Blackwell
Chad Cook
file 2377F

enclosures: Preliminary Site Plan Sterling House
Preliminary Final Plat 2.5 acres
Preliminary Plan Sare Road

FAILED

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OLSSON ASSOCIATES
CONSULTING ENGINEERS

July 29, 1996

Mr. Joe Eby
Eby Development and Management Company
Box 2571
Olathe, Kansas 66062

Re: Special Use Permit #1624 Trip Generation Review

Dear Mr. Eby:

At the request of Mr. Tom Huston, of Cline, Williams, Wright, Johnson, and Oldfather Law Offices, Olsson Associates has reviewed the trip generation characteristics for the domiciliary care facility proposed at 44th Street and Old Cheney Road and compared these trip generation characteristics to those of other uses which are allowed by right within the R-3 zoning district. Trip generation characteristics of several other uses which may be allowed on this site through the conditional or special use permit process are also discussed. The trip generation characteristics discussed in the remainder of this letter are based on trip rates for the PM peak hour of adjacent street traffic which is generally considered the critical traffic analysis period. Trip generation information was obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 5th Edition, or the February 1995 Update to the 5th Edition Manual.

A. Permitted Uses

Based on the City of Lincoln Zoning Ordinance, several land uses are permitted within R-3 zoning with no conditions or special use permits. These include single family dwellings; two-family dwellings (duplexes); parks, playgrounds, or community buildings; public libraries; and public elementary and high schools. Based on the size (2.7 acres) and location of the subject tract of land, it is unlikely that any of the allowed uses except single family or two family dwellings would be developed on the property. Trip generation characteristics for the proposed domiciliary care facility, single family dwellings, and two-family dwellings are summarized in Table 1. The domiciliary care facility was evaluated as congregate care facility (ITE Code 252) while two-family dwellings were evaluated as a rental townhouse (ITE Code 224), which requires a minimum of two attached units per building. The number of single family and two-family dwellings was estimated based on densities of 4 and 5 units/acre, respectively.

As indicated in Table 1, a domiciliary care facility would be expected to generate approximately **eight trips** during the PM peak hour. This is **less** than the number of trips that would be expected to be generated by either single family or two-family dwellings during the PM peak hour. It should be noted that average densities were assumed for the single and two-family dwellings trip generation calculations. Greater densities (and potentially greater PM peak hour trip generation) could be permitted under the R-3 zoning regulations.

1111 Lincoln Mall • P.O. Box 84608 • Lincoln, Nebraska 68501-4608 • (402) 474-6311 • FAX (402) 474-5160
GRAND ISLAND, NE • HOLDREGE, NE

FAILED

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OLSSON ASSOCIATES
CONSULTING ENGINEERS

Table 1
PM Peak Hour Trip Generation Summary - Allowable Uses

Land Use	ITE Code/Page	Development Size	Trip Generation Rate	PM Peak Hour Trips
Congregate Care Facility	252/475	46 Units	0.17/ dwelling unit	7.82
Single-Family Detached Housing	210/262	11 Units	1.01/dwelling unit	11.11
Rental Townhouse	224/379	14 Units	0.72/dwelling unit	10.08

A PM peak hour trip generation study was conducted at the Orchard Park Assisted Living and Residential Care Facility (3110 South 48th Street) to validate the ITE trip generation rates for the congregate care facility land use code based on local trip generation characteristics. Based on discussion with Orchard Park staff, there appear to be many similarities between the Orchard Park facility and the proposed facility including development size (50 units), number of employees (30), average resident age (85), and the fact that no resident currently maintains a private automobile. Results of the PM peak hour trip generation study indicate that the Orchard Park facility generated nine peak hour (4:30 - 5:30 p.m.) trips which is equivalent to a PM peak hour trip generation rate of 0.18 trips/dwelling unit. This trip generation rate compares very favorably to the ITE trip generation rate for a congregate care facility.

B. Conditional/ Special Uses

There are numerous other land uses that may be allowed under R-3 zoning through the conditional or special use permit process. Examples of these allowable land uses include:

a) early childhood programs in single or two-family dwellings limited to a maximum of 12 children
b) mobile home subdivisions
c) health care facilities
d) recreational facilities
e) day care centers
f) neighborhood support services

FAILED

OLSSON ASSOCIATES
CONSULTING ENGINEERS

The trip generation characteristics of these land uses, under virtually any reasonable development density scenario, **would be expected to generate significantly more trips** during the PM peak hour than the proposed domiciliary care facility. For example, a single family dwelling which includes an early child care/day care program would be expected to generate approximately 10 PM peak hour trips (12 students x 0.85 trips/student) in addition to those trips that may be generated by the remainder of the single family homes in the development. Similarly, a 5,000 square foot day care facility would be expected to generate approximately 68 PM peak hour trips (5 x 13.62 trips/1000 sq. ft.) and a 20,000 square foot health club/recreational facility would be expected to generate approximately 86 PM peak hour trips (20 x 4.3 trips/1000 sq. ft.).

CONCLUSION

In summary, based on trip generation information from an accepted reference source, the proposed domiciliary care facility is **expected to generate less PM peak hour traffic than other permissible uses** under R-3 zoning and potentially significantly less traffic than some uses which may be allowed through the conditional or special use permit process.

I hope this information is of assistance to you. Please don't hesitate to contact me if you have questions or require any additional information.

Sincerely,

Michael S. Malone

Michael S. Malone, P.E.

cc: Tom Huston

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Canada Farm
Sterling House Assisted Care

	Assisted Care 42 units		Low Rise Apartments 14 Units	
	Rate	Volume	Rate	Volume
Average Daily Traffic	2.145	90	6.595	92
A.M. Peak Hour	0.063	3	0.519	7
P.M. Peak Hour	0.173	7	0.628	9

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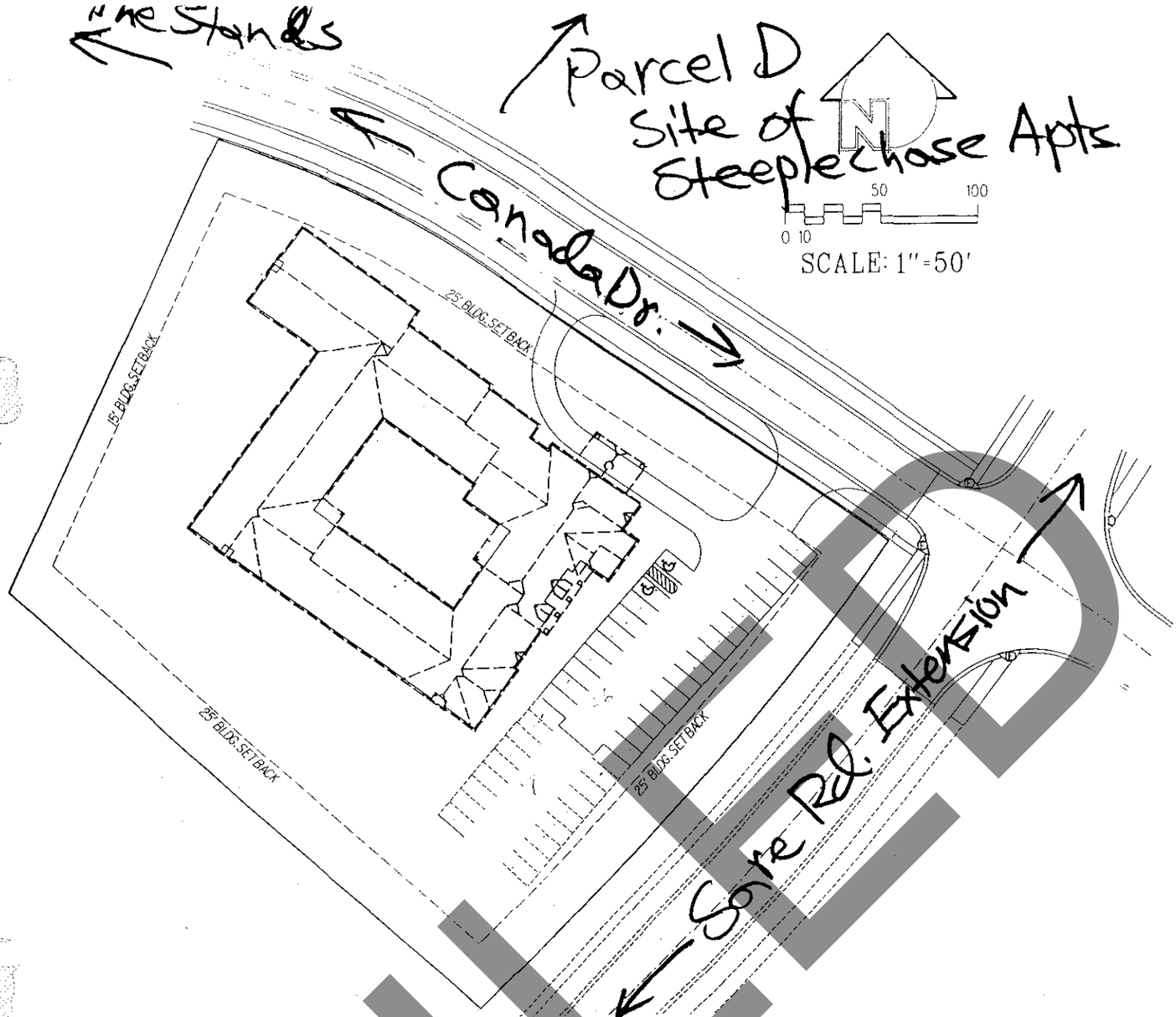
Additional Traffic Study



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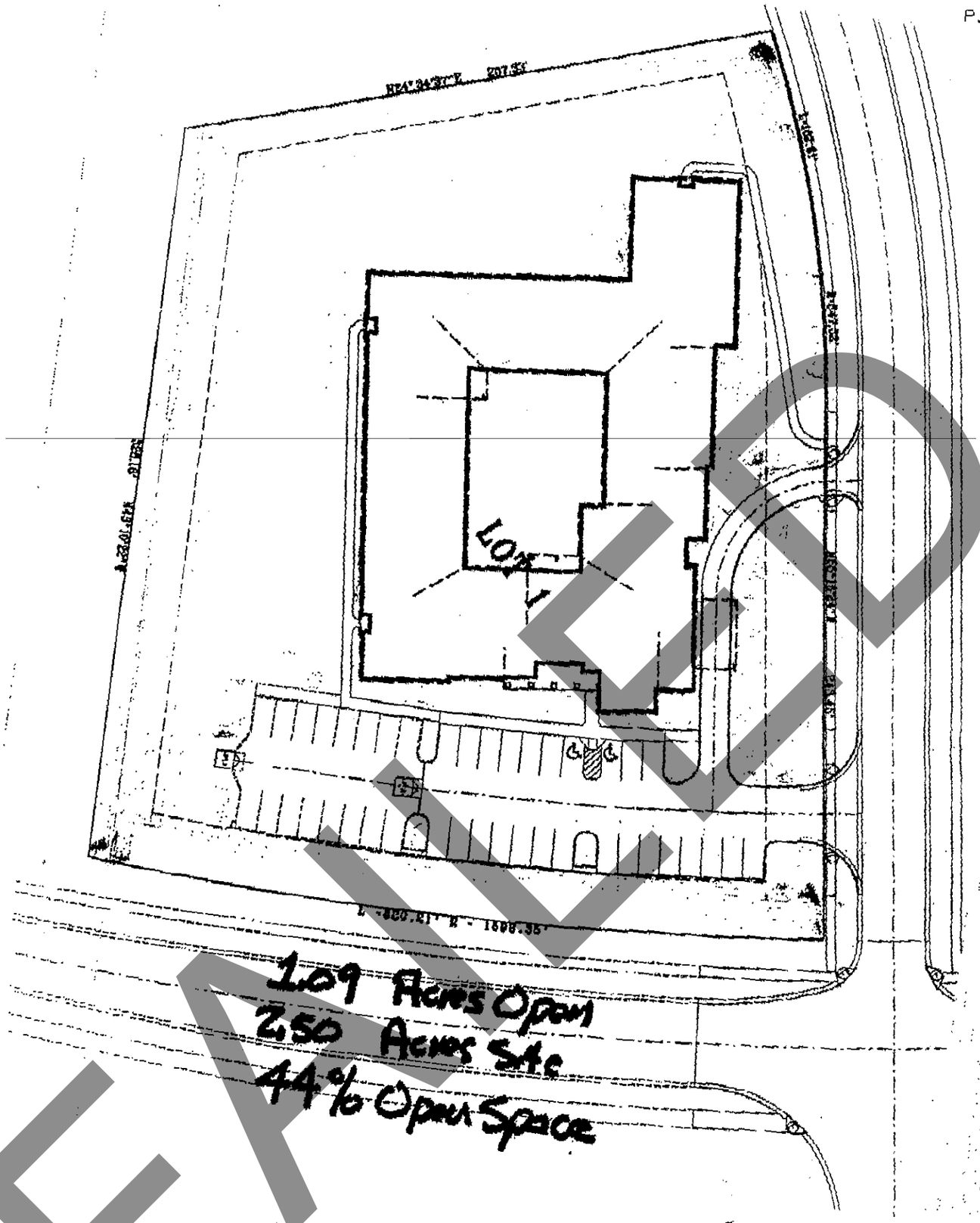
PUD-20-97
Schematic
Site Plan



Site Plan Showing How More Parking Could be Added

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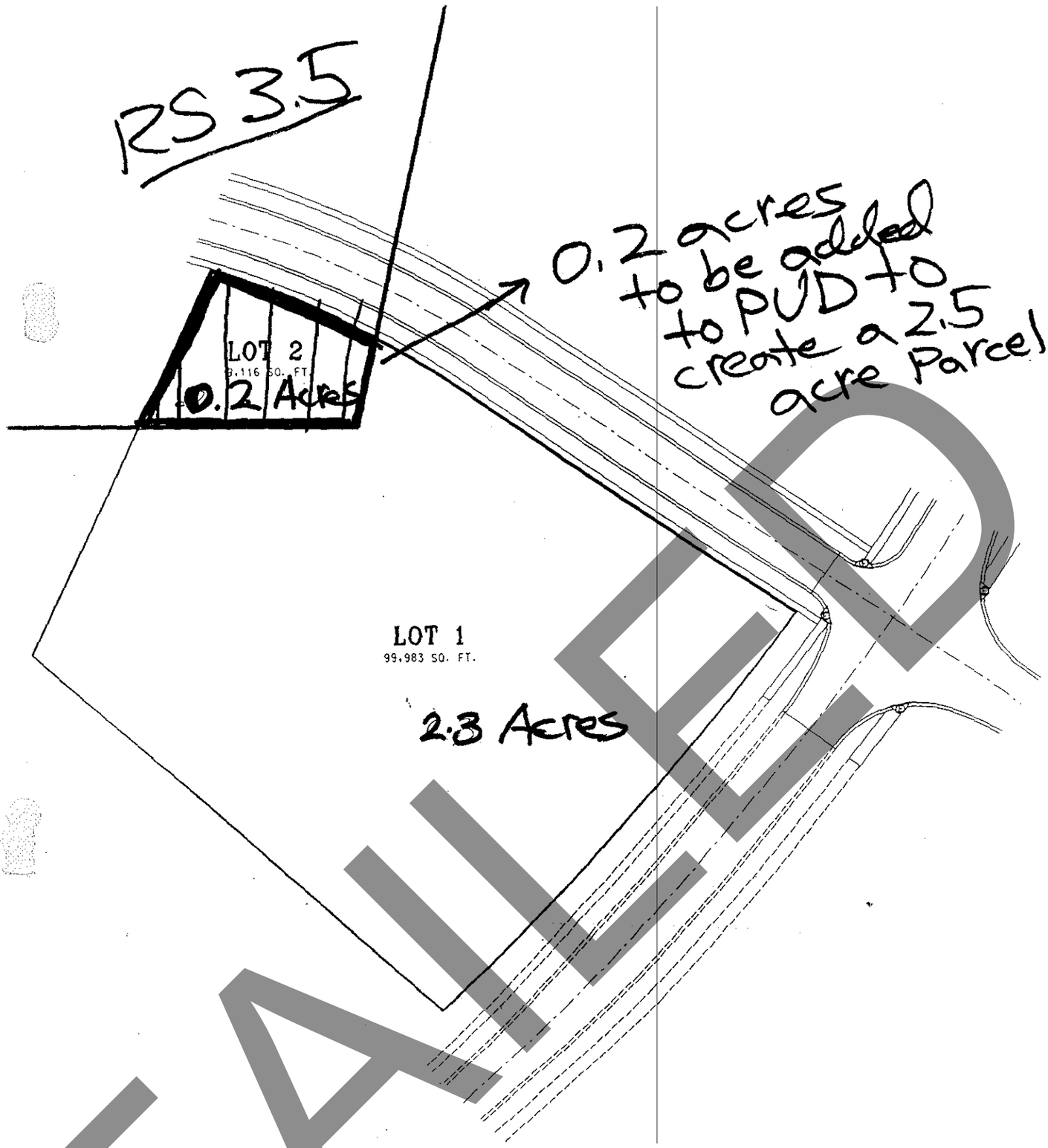

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PUD-20-97
Acreage Addition
Exhibit