Vote on 2.2.96 4-4
Motion to reconsider 5-3
Will be considered on
March 6, 1996
Final Vote: Ayes: 3, Nays: 4
Petition fails.

ORDINANCE 96-03

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RS3.5 AND RE1 TO PUD, AND APPROVE THE PRELIMINARY PLAN
Re: 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WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and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-67-95, and recommended that the petitioner, Ken Blackwell, be granted PUD designation and preliminary plan approval and request that the Common Council consider their petition to amend the Bloomington zoning maps from RS3.5 and RE1 to PUD and approve the preliminary plan;

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 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the preliminary plan be approved and the property be designated a Planned Unit Development. The property is located at 3300 Sare Road and is further described as follows:

A part of the Northwest quarter of Section 14 and a part of Section 15, Township 8 North, Range 1 West, Monroe County, Indiana.
COMMENCING at the northeast corner of said Section 15 thence SOUTH 00 degrees 00 minutes 27 seconds EAST 1054.06 feet along the east line of said Section 15 to the Point of Beginning; thence SOUTH 89 degrees 12 minutes 20 seconds EAST 180 feet, more or less, to the western right-of-way of the proposed Sare Road Extension; thence SOUTH 39 degrees 53 minutes 04 seconds WEST 910 feet, more or less, along said westerly right-of-way; thence SOUTH 00 degrees 14 minutes 02 seconds WEST 1373 feet, more or less, thence SOUTH 45 degrees 17 minutes 08 seconds WEST 351.81 feet; thence SOUTH 52 degrees 48 minutes 00 seconds WEST 339.28 feet; thence SOUTH 77 degrees 00 minutes 52 seconds WEST 49.50 feet; thence NORTH 64 degrees 38 minutes 01 second WEST 55.86 feet; thence NORTH 84 degrees 39 minutes 35 seconds WEST 107.65 feet; thence SOUTH 10 degrees 47 minutes 23 seconds WEST 85.01 feet; thence SOUTH 12 degrees 19 minutes 40 seconds EAST 47.25 feet; thence SOUTH 28 degrees 05 minutes 28 seconds WEST 169.24 feet; thence NORTH 89 degrees 18 minutes 29 seconds WEST 128.91 feet; thence SOUTH 00 degrees 12 minutes 00 seconds EAST 129.86 feet; thence SOUTH 00 degrees 12 minutes 00 seconds EAST 240.21 feet; thence SOUTH 00 degrees 24 minutes 51 seconds WEST 634.09 feet; thence NORTH 82 degrees 20 minutes 43 seconds WEST 1037.54 feet; thence NORTH 89 degrees 23 minutes 15 seconds WEST 492.56 feet; thence SOUTH 20 degrees 42 minutes 25 seconds WEST 163.84 feet; thence SOUTH 76 degrees 59 minutes 09 seconds WEST 92.99 feet; thence NORTH 00 degrees 36 minutes 45 seconds EAST 872.13 feet; thence SOUTH 85 degrees 08 minutes 10 seconds EAST 249.36 feet; thence NORTH 58 degrees 54 minutes 44 seconds EAST 195.82 feet; thence NORTH 79 degrees 56 minutes 58 seconds EAST 186.45 feet; thence NORTH 14 degrees 37 minutes 17 seconds WEST 629.27 feet; thence SOUTH 89 degrees 55 minutes 00 seconds EAST 650.00 feet; thence NORTH 11 degrees 19 minutes 28 seconds EAST 861.64 feet; thence NORTH 62 degrees 31 minutes 56 seconds WEST 93.76 feet; thence 316.25 feet along a 2787.69 foot radius non-tangent curve to the right; thence NORTH 56 degrees 01 minute 56 seconds WEST 250.00 feet; thence NORTH 33 degrees 58 minutes 14 seconds EAST 1269.14 feet; thence SOUTH 89 degrees 12 minutes 20 seconds EAST 1574.21 feet to the Point of Beginning, containing 130 acres more or less.

FAILED

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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 _____, 1996.

_____
JIM SHERMAN, 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 _____, 1996.

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this ___ day of _____, 1996.

_____
JOHN FERNANDEZ, Mayor
City of Bloomington

FAILED

SYNOPSIS

This ordinance designates approximately 130 acres southwest of the intersection of Sare and Rogers Road as a Planned Unit Development and approves a preliminary plan for a mixed-use residential and commercial project.

****CORRECTED ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 96-03 is a true and complete copy of Plan Commission Case Number PUD-67-95 which was given a recommendation of approval by a vote of 6 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 8, 1996.

Date: January 10, 1996

Toni K. McClure
Toni K. McClure, Secretary
Plan Commission

Received by the Common Council Office this 10th day of January, 1996,

Patricia Williams
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_____

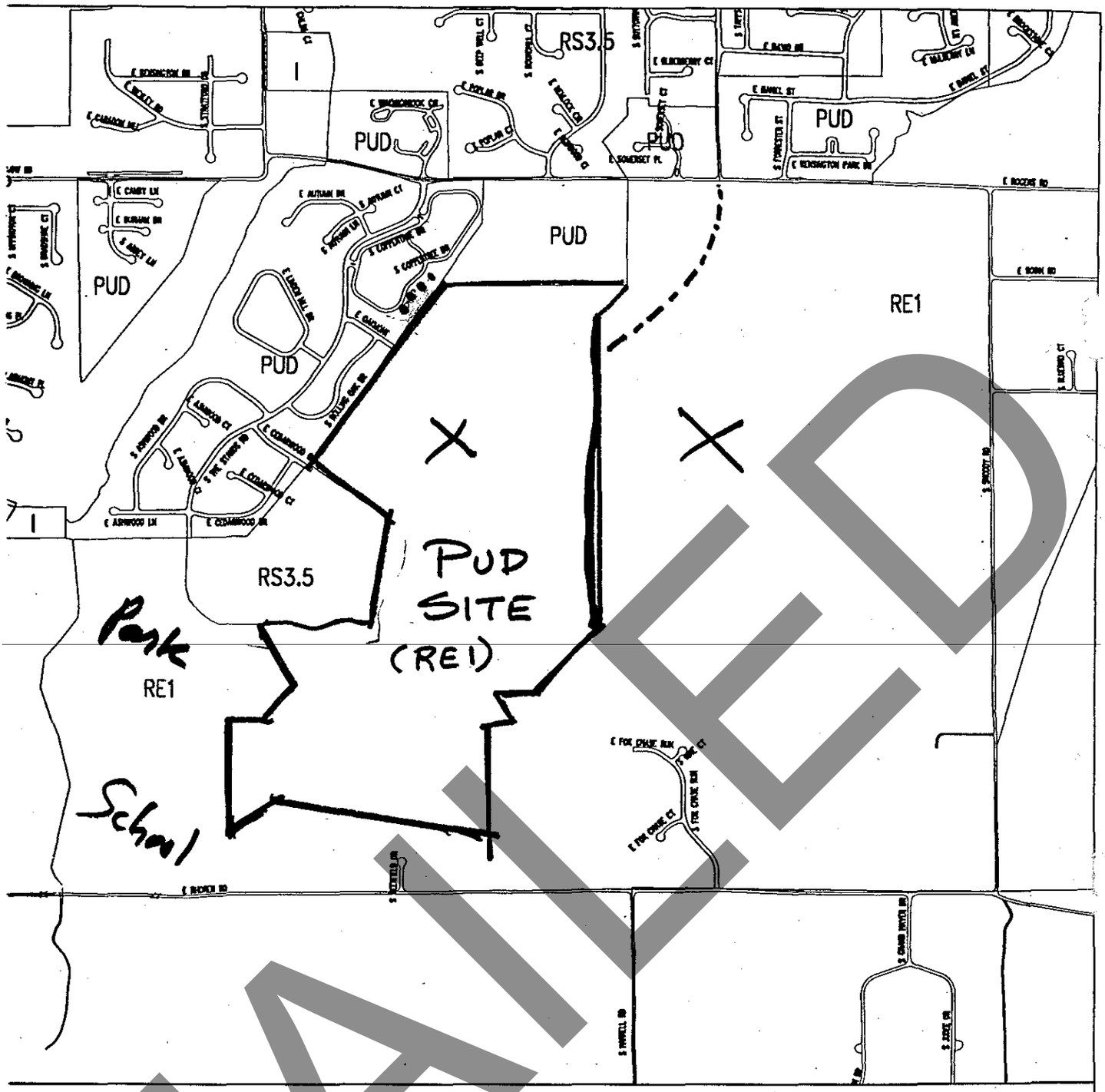
If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

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

FAILED



Ken Blackwell

PUD - 67 - 95

Location/Zoning Map

By: work

Date: 16 Nov 1995

PUD-67-95
LOCATION/ZONING

1000 0 1000 2000 3000

N

City of Bloomington

Scale: 1" = 1000'

FAILED

12

MEMO

TO: City Council
FROM: Planning Dept.
CASE NO.: PUD-67-95
DATE: January 8, 1996
LOCATION: 3300 Sare Rd.
PETITIONER: Ken Blackwell

On January 8, 1996, the Bloomington Plan Commission recommended approval of a request for a PUD preliminary plan for 129.9 acres of a mixed use residential and commercial development. The proposal was heard on Nov. 20, 1995 and again on Dec. 18, 1995 as a continuation of the first hearing. There have been significant changes with each hearing in response to the concerns of the neighborhood and the Plan Commission. Included in the packet are the petitioner's statements to keep the changes in context.

The following is an amendment to the petition that was presented to the Plan Commission at the last hearing. This amendment is a part of the approval.

Sare Rd. from East Rogers to the south end of Area B will be built when Area B develops. Sare Rd. from the south end of Area B to the school connection will be completed by the end of 1998 or concurrent with the occupancy of the anchor store, whichever is sooner. Other commercial or office space could be developed in 1997 with only the section of road adjacent to Area B constructed.

The final proposal is summarized below. Please refer to the attached site plan for reference.

Parcel	Use	Acres	Density	Units
A	Single family homes	25.0	3	75
B	Multifamily	23.8	10	238
D	Multifamily	15.0	12	180
E	Office Park, 39,000 s.f.	(4.7 acres)		
F	Grocery, 30,000 s.f. Retail, 50,000 s.f.	(10.7 acres)		
G	Multifamily	16.0	6	96
H	Multifamily	4.7	6	28
I	Multifamily	14.3	1	14
K1 & K2	Floodplain open space	(14.8 acres)		

FAILED

After much discussion on the merits of the proposal including the proposal's relationship to the seven planning principals of the Growth Policies Plan and the timing of the extension of Sare Rd., the petition was approved with the following conditions:

1. Flip flop the position of the office building and the parking area nearest Sare Rd. in order to keep the buildings near the street.

2. A complete sign package be required with the final plan for E and/or F. No pole signs shall be allowed in the development. Up to three ground-mounted signs shall be allowed. One for the commercial center, one for the office area (Parcel E), and one for the out building in area F. Building signage will be in accordance with the City code except that no building signage shall be allowed on the west ends of the buildings that are adjacent to Sare Rd. or on the side of the building in Parcel E that faces north towards the residential area.

3. Landscaping for the commercial component of the development must meet the landscaping code for non-residential sites including interior and parking lot screening.

4. The maximum occupancy load for any dwelling unit within this PUD be three persons or one family.

5. Area B be a maximum of two stories; walkout basements shall be counted as a story.

6. Area D be a maximum of three stories; walkout basements shall be counted as a story.

7. The buildings proposed for Area I must meet all steep slope and environmental requirements as set forth in the Zoning Ordinance.

8. Access to Area I will be determined at final plan stage. Pedestrian access will be a factor of that decision.

9. A maximum of two restaurants or eating and drinking establishments be allowed. No drive through restaurants will be allowed.

10. The parking ratios for the commercial and office component of the development be limited to a maximum of 4.5 parking spaces per 1,000 sq. ft. of gross floor area for the total of Areas E and F.

11. All buildings in Areas E and F will be one story.

12. The maximum square footage of any individual retail use be limited to 10,000 sq. ft. except for the grocery store.

FAILED

13. The proposed preliminary plan for the commercial component is set by building footprints and size as approved in this plan. Any substantial changes must be approved by the Plan Commission and Council as a preliminary plan amendment.

14. Details of construction and vegetation in the swales and stilling basins will be required at final plan stage. The vegetation must be proven to have filtration qualities in order to obtain the best quality of run-off water.

15. The roadway alignment be subject to design review at final plan stage.

FAILED

BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
Location: 3300 Sare Rd.

CASE NO.: PUD-67-95
DATE: January 8, 1996

PETITIONER: Name : Ken Blackwell

COUNSEL: Name : Smith Neubecker & Assoc., Inc.
Address: P.O.Box 5355

REPORT SUMMARY: This is the third and final hearing on a request for a PUD preliminary plan approval for 129.5 acres of a mixed use residential and commercial development. The proposal was heard on Nov. 25, 1995 and again on Dec. 18, 1995 as a continuation of the first hearing. There have been significant changes with each hearing in response to the concerns of the neighborhood and the Plan Commission. Included in the packet are the petitioner's statements to keep the changes in context.

A summary of the changes following the last hearing are as follows:

a. The multifamily behind the Sherwood Oaks Church has been changed to single family lots.

b. The office park use has been removed from the west side of Sare Rd. and placed with the retail uses on the east side. The area occupied by the commercial and office uses has been reduced from 21 acres to 15.4 acres.

c. The grocery is now a maximum of 30,000 sq. ft., retail 50,000 sq. ft., and office park 39,000 sq. ft.

d. A road indirection has been redesigned between the Coppertree development and Sare Rd.

e. The overall density for the total residential component of the development including the floodplain area was reduced from 6.27 to 5.73 dwelling units per acre.

RECOMMENDATION: Staff recommends approval with the following conditions:

1. Flip flop the position of the office building and the parking area nearest Sare Rd. in order to keep the buildings near the street.

2. A complete sign package be required with the final plan for E and/or F1. Only one ground sign for the center be allowed and that there be no wall signage facing the residential areas to the north or south or on the retail or office buildings located

FAILED

nearest to Sare Rd.

3. Landscaping for the commercial component of the development must meet the landscaping code for non-residential sites including interior and parking lot screening.

4. The maximum occupancy load for any dwelling unit within this PUD be three persons or one family.

5. Area B be a maximum of two stories; walkout basements shall be counted as a story.

6. Area D be a maximum of three stories; walkout basements shall be counted as a story.

7. The buildings proposed for Area I must meet all steep slope and environmental requirements as set forth in the Zoning Ordinance.

8. Access to Area I will be determined at final plan stage. Pedestrian access will be a factor of that decision.

9. A maximum of two restaurants or eating and drinking establishments be allowed. No drive through restaurants will be allowed.

10. The parking ratios for the commercial and office component of the development be limited to a maximum of 4.5 parking spaces per 1,000 sq. ft. of gross floor area for the total of Areas E and F1.

11. All buildings in Areas E and F1 will be one story.

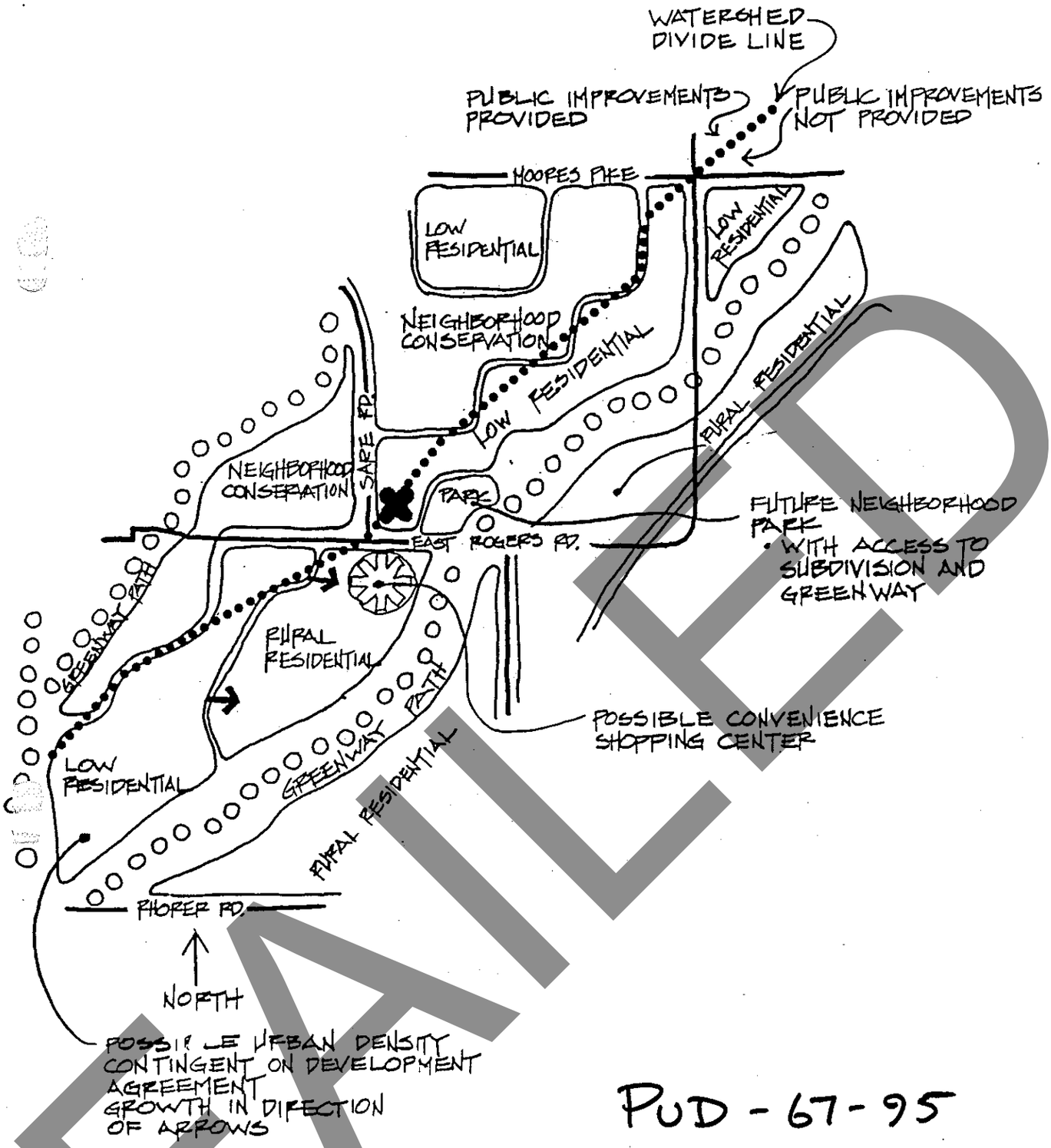
12. The maximum square footage of any individual retail use be limited to 10,000 sq. ft.

13. The proposed preliminary plan for the commercial component is set by building footprints and size as approved in this plan. Any substantial changes must be approved by the Plan Commission and Council as a preliminary plan amendment.

14. Details of construction and vegetation in the swales and stilling basins will be required at final plan stage. The vegetation must be proven to have filtration qualities in order to obtain the best quality of run-off water.

15. The roadway alignment be subject to design review at final plan stage.

FAILED



FAILED

PUD - 67 - 95

Plan Recommendation

FIGURE 10

Jackson Creek Residential
Figure 10

Developing residential area for single household dwellings. This area is under the most severe development pressure although there are currently about 200 improved undeveloped lots in the southeast growth corridor. This constitutes approximately a two year supply at current rates of absorption. Typical development patterns in this area have resulted in residential densities of 2.5 to 3 dwelling units per acre. If development continues to move in a southeasterly direction, development will encroach upon the upper reaches of Monroe Reservoir watershed and its associated rugged and sensitive topography. Even though this general southeast sector has absorbed approximately 80% of all new single household dwelling units during the last decade, public infrastructure development has not kept pace with residential growth. East Rodgers, East Rhorer Road, Moore Creek Road and Smith Road are narrow rural roads. There is little expectancy that these roadways will be improved to urban standards during the planning horizon of twenty years. Significant development outboard (i.e. south and east) of these roadways will decrease their level of service capacity and pressure urban roadway segments inboard (north and west). Moreover, as a matter of environmental policy, Monroe Reservoir watershed requires special protection from urban development densities.

Additionally, the Jackson Creek intercepter sewer system is currently at or near capacity under storm runoff conditions. The evident problem is stormwater infiltration rather than indicative of absolute system limits. If the infiltration problem cannot be remedied in the short-term, then development will be limited and restricted until new sewer capacity is online. In order to preserve public utility alternatives and to reduce development pressure upon existing roadway capacity, development at urban densities should proceed slowly in a phased and contiguous manner. Development at urban densities beyond the watershed divide of the East Fork of Jackson Creek is discouraged.

Development of rural areas designated as rural residential on the north eastern side of the East Fork of Jackson Creek should be contingent upon adjacent contiguous development, assurance of adequate sewer service capacity and willingness by developers participate in the financing of future trunkline sewer improvements to service the area as a whole and to fund necessary off-site roadway improvements. Development at urban densities should not occur until residential development has filled the areas north and west of this site.

Other Planning Considerations Include:

- Provision of a greenway path system along the edge of Jackson Creek and the East Fork of Jackson Creek.
- Development of passive recreation area immediate east of the East Fork of Jackson Creek north of East Rodgers Road.
- Mixed density residential development 3 to 5 units per acre.
- Careful attention to site details, topographic features and natural vegetation in siting residential units and roadways.
- Reserve existing roadway capacity.
- Link new subdivisions to neighborhood collector streets.
- Provide convenience shopping in the vicinity of Sare-East Rogers arterial. Zone only for immediate development or as a component of PUD. Design to integrate with residential surroundings.

PUD-67-95
Plan Recommendation

FAILED

MEMORANDUM

TO: Toni McClure

FROM: ME Murphy, M. Wedekind, T. Thornton, K. Komisarcik

DATE: January 3, 1996

SUBJECT: PUD-67-95, Ken Blackwell, 3300 Sare Rd. - Request for rezoning of approx. 130 acres from RS3.5 and RE1 to PUD, and preliminary plan approval for a 100 acre mixed-use residential community with 15 acres open space and a 15.4 core commercial center.

After inspecting the site and reviewing the petitioner's plans, the Planning Subcommittee of the Environmental Commission (EC) has the following comments on the behalf of the EC:

Wetlands The National Wetland Inventory map indicates that the East Fork Jackson Creek riparian corridor is a forested palustrine wetland. The zoning ordinance (20.06.05.02 E) requires an environmental review plan for wetlands. Pursuant to the zoning requirements, the petitioner has performed a wetland determination and delineated three small wetlands. Two small upland wetlands which appear to be spring fed, have been delineated in the planned commercial sector. The third one is adjacent to the East Fork of Jackson Creek in parcel H. The petitioner is planning to preserve the wetland adjacent to the East Fork of Jackson Creek in parcel H, and build over the upland wetlands in the commercial sector. The upland wetlands will be engineered so as to allow the flow of water to run unimpeded. In addition, the petitioner is planning on installing stilling basins to help filter runoff. The petitioner is investigating the possibility of utilizing wetland vegetation for the stilling basins. The Planning Subcommittee supports this concept, for this would more than mitigate the loss of the upland wetlands.

Steep Slopes There are some steep slopes located on the southeast portion of the site, across the East Fork of Jackson Creek in planned area I. These steep slopes in addition to areas proximate to the steep slopes, contain mature forest. The petitioner has submitted a revised conceptual plan for this area of the site. This area will be developed at a density of one unit/acre as opposed to 2.5 units/acre in the original submittal. The petitioner is proposing to develop this area with single family cluster or paired homes. The Planning Subcommittee supports this change. Since this area is still in the conceptual phase, information has not been submitted which would indicate the petitioners plans for the steep slopes and the areas of mature forests, in addition to an access road. The Planning Subcommittee recommends that the petitioner avoid construction in the steep slopes and preserve the tree line as much as possible.

Stormwater The petitioner has submitted a revised plan for the commercial area of the site. This plan is a preliminary plan. Stormwater management for the commercial area is a key issue due to the area's immediate proximity to the East Fork of Jackson Creek. The petitioner is planning to detain an equal amount of post development runoff in a detention basin upstream of the site and not planning to detain runoff on site.

PUD-67-95
Environmental Commission
Report

FAILED

FEMA Floodway The East Fork of Jackson Creek is a FEMA floodway. The zoning ordinance (20.07.15.04 G) designates certain uses, where permitted and as regulated in the underlying district, and upon issuance of applicable local permits. The petitioner is planning to leave this floodway as open space. Open space is a permitted use for this area. The Planning Subcommittee supports this approach.

Water Resource The petitioner has reduced the size of the commercial area to 15.4 acres. This is a reduction in by 5.4 acres from the last proposal which totaled 20.8 acres, but the proximity of the commercial land use to Jackson Creek remains the same. The petitioner is planning on filtering the stormwater runoff on the commercial areas through two vegetated swales. This fulfills the zoning ordinance (20.06.05.02 G) requirement, which requires that surface water resources be protected by a minimum 25' vegetated buffer between the normal bank and any buildings or pavements, or routed to a vegetative filter or other storm water quality mitigation feature.

The Planning Subcommittee has not expressed concern regarding the proposal's compliance with the zoning ordinance's regulations concerning stormwater management or water resource protection. The Subcommittee has expressed concern regarding the performance of the swales and stilling basins and their ability ability to protect stormwater quality. This concern centers on the commercial center's immediate proximity to the East Fork of Jackson Creek. A large amount of impervious area has a potential to impact stormwater water quality regardless of the intensity of the design and its application. A reduction in the amount and location of impervious surface can only improve the performance of the stormwater management plan and therefore improve stormwater quality.

The 5 acre reduction in the commercial area was achieved by changing the area west of the Sare Road Extension from commercial to multifamily. This resulted in the obvious reduction in the total size of the commercial area which can only contribute to improving stormwater quality. However, this reduction has not addressed the Subcommittee concern of proximity to the East Fork of Jackson Creek. The Planning Subcommittee has discussed this issue and offers several land use alternatives which would further improve the environmental sensitivity of the project:

move the commercial center north and flip flop the commercial area with the multifamily parcel marked D;

put the commercial area east and north into parcel D and B; or

a combination of the above.

FAILED

PLAN COMMISSION STAFF REPORT CASE #PUD-67-95

Ken Blackwell - 3300 Sare Road

Request: Rezone approximately 130 acres from RS3.5 and RE1 to PUD, and preliminary plan approval for a 91.3 acre mixed-use residential community with a 38.3 core commercial center.

Preliminary Hearing Date: 11/20/95
12/18/95

Final Hearing Date: 1/8/96

Update: This mixed use (residential single and attached, commercial) PUD on 129.5 acres has been revised since the first hearing. Per the commissioner's action to continue on November 20, the hearing on December 18 is intended as a continuation of the preliminary hearing. There have been a number of substantial changes:

1. The commercial area is reduced. The north line of commercial area "F" (the grocery area) has been moved south, and area "K-3" has been designated as open space. The new size of the center "F-1" and "F-2" is 13.1 acres. "F-1" is still a 40,000 sq. ft. grocery. "F-2", adjoining "F-1", accommodates 70,000 sq. ft. of other shops. The reduction in size also serves to place the north boundary along a good tree line, facilitating its preservation. It should be noted that new open space "K-3" is an attractive wooded area outside of the floodplain, so that its preservation is a bonus. 3.5 acre commercial area "I" from the earlier plan, separated from "F" by the east-west street, has been replaced with multi-family area "H". Area "E", on the east side of Sare Road, has been reduced from 9.6 acres to 7.1 acres via the incorporation of a .6 acre open plaza and lot line adjustment. The new net commercial area is 20.2 acres. The previous plan had 30.9 acres net of streets (the 38.2 figure discussed on November 20 included streets; for consistency, net acres are compared in this report).

	NEW PLAN		OLD PLAN	
Office area west of Sare Rd.	7.1 acres	54,000 sq. ft.	9.6 acres	71,200 sq. ft.
Shopping center:				
grocery	6.0 acres	40,000 sq. ft.	4.7 acres	40,000 sq. ft.
shops	7.1 acres	70,000 sq. ft.	7.9 acres	71,000 sq. ft.
offices	----	--------	5.2 acres	48,000 sq. ft.
Shopping offices total	13.1 acres	110,000 sq. ft.	17.8 acres	159,000 sq. ft.
Shops south of east-west	----	--------	3.5 acres	17,000 sq. ft.
Total retail/office	~~27.8~~ acres	164,000 sq. ft.	30.9 acres	247,200 sq. ft.

*measured from site plan

20.2

Second Staff Report 20

FAILED

2. The list of uses has been pared down to reflect the neighborhood character of the center.

3. The plan commercial component's design, formerly intended as illustrative of the concept, is now proposed as a binding element of the outline plan.

4. The plan routes storm drainage from the parking lots to about __ feet of open swale, then to a set of three basins of substantial size, which will be planted with aquatic vegetation. This is very consistent with the storm water quality guidelines of the new code and should serve to improve the quality of storm water discharged into the adjacent creek.

5. The multi-family area north of the shopping center is increased slightly in area and units, from 11.8 to 15 acres, and from 141 to 180 units, as a result of reduction in the commercial area.

6. The multi-family area south of Sherwood Oaks Christian Church is reduced from 20.3 to 19.7 acres, and from 203 to 197 units. The area is re-allocated to single family area A, adjacent to the Stands, which goes from 18.3 to 19.6 acres and from 55 to 59 lots.

7. As mentioned under #1 above, the formerly commercial area south of the East-West Road is now multi-family (area H, 33 units at 7 units/acre).

8. The steep wooded area south and east of the creek (area "I") has been reduced from 2.5 to 1.0 units per acre, with a commitment to confine development to the ridge top and to avoid disturbance of the steep slopes.

9. The new residential total is 627 (59 single family and 568 attached), up from 572. Density is down from 6.34 to 6.22 units/acre (including floodplain in the calculation).

As noted in the first report, inclusion of the applicant's 27.5 acres of RS3.5 land south of the Stands brings his overall density below the GPP guideline of 6 units/acre. In other respects, the plan and the issues are essentially the same. As specified in the motion to continue, staff expects the discussion to start with an update, then to continue where it left off on November 20.

FAILED

Amendment #2.

Smith Neubecker & Associates, Inc.

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

D[illegible]el Neubecker L.A.
[illegible]t Manager

January 2, 1996

City of Bloomington Plan Commission
c/o Lynne Friedmeyer
P.O. Box 100
Bloomington IN 47402-0100

RE: Canada Farm Planned Unit Development Amendment #2

Dear Lynne and Plan Commissioners:

The proposed Planned Unit Development for the Canada Farm is being amended a second time based on continued input from Plan Commissioners, Planning Staff and neighbors. This amendment number 2 is intended to be in addition to the original application dated November 2, and the first amendment dated December 14. In addition to this letter the following items are being submitted which compromise amendment number 2;

Planned Unit Development Primary Plan (full size drawing and 8 1/2" x 11" reduction)
Business Area Plan (full size drawing and 8 1/2" x 11" reduction)
Acreage Land Use and Density Summary, dated 12-22-95
Acreage Land Use and Density Comparison, dated 12-28-95

The sizes of several of the parcels in the planned development have been changed to increase the amount of residential development and decrease the amount of business development. The residential densities have also been reduced so that the overall density in the primary plan residential portion is 5.73 units per acre. When including the single family development that is currently underway by the same petitioner the residential density comes to 5.15 units per acre. The attached table provides all of the specifics of acreage density and total number or units.

The acreage allocated for business uses has been reduced to 15.4 acres. 39,000 sq. ft. of office park will be allowed in the 4.7 acre parcel. In parcel "F-1" a grocery of 30,000 sq. ft. maximum and a maximum 50,000 additional retail square footage will be allowed on the 10.7 acre parcel. The specific allowable land uses in the business area proposed as;

Area "E" Offices (such as Clinics, Research Centers, Health Care Centers, Medical Services, Professional Services, Doctors, Dentists, Business Services, Government Institutions and Veterinarians), Residential Care Homes, Personal Services, Churches, Community Center, Cultural Facility and Day Care Center.

PUD-67-95
Final Petitioners' Statement
12

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

FAILED

Area "F" Grocery store with a maximum of 30,000 sq. ft., Drugstore, Sit-down restaurant no drive-thru, Personal Services, Retail Sales, Financial Institution/Bank, Craft shop, Eating and drinking establishment (limited to 2 such establishments), Churches, Community Center, Cultural Facility, Day Care Facility and all uses allowed in Area "E".

The phasing of the project has been changed somewhat to accommodate the revised plan, as shown on the primary plan drawing. The road will be constructed concurrent with the development of the project. Phase one includes Sare Road extension from Sare and Rogers intersection for development of parcels A, B and D. Phase two is the business area. Phase three are the residential parcels G, H, I and the connection of Sare Road to the road to be constructed by MCCSC.

Outdoor lighting in the multifamily and in the business areas will be controlled at the development plan stage. The lights will be specifically designed as "downlighting" to minimize impact on adjacent residential areas.

Signage for this PUD shall be generally be in accordance with code regulations with the exception that only ground signs and building front signs will be allowed. No pole signs will be allowed in this planned development.

These changes address the various concerns that have been raised in the course of the petition and still provide for a creative mixed use development on Bloomington's southeast side.

Very truly yours,

Steve

Stephen L. Smith, Engineer Canada Farm PUD
SMITH NEUBECKER & ASSOCIATES, INC.

SLS:la

Enclosures: Primary plan, business area plan, acreage land use and density summary and acreage land use and density comparison.

cc: File #2377
Lynne Coyne
Ken Blackwell

FAILED

Smith Neubecker & Associates, Inc.

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

Daniel Neubecker L.A.
Project Manager

RECEIVED
JAN - 8 1996
By_____

MEMORANDUM

TO: TONI MCCLURE, CITY PLANNING DEPARTMENT

FROM: STEVE SMITH Steve

RE: CANADA FARM SIGN PACKAGE

DATE: JANUARY 8, 1995

The following is a clarification of our proposal for signage in the commercial area of the Canada Farm;

A comprehensive sign package will be developed for the business area with initial detail plan of that area. Guidelines shall include;

- No pole signs shall be allowed in the development.
- Up to three ground-mounted signs shall be allowed. One for the commercial center, one for the office area (Parcel E), and one for the out building in Area F-1.
- Building signage will be in accordance with the City code except that no building signage shall be allowed on the west ends of the buildings that are adjacent to Sare Road or on the side of the building in Parcel E that faces north towards the residential area.

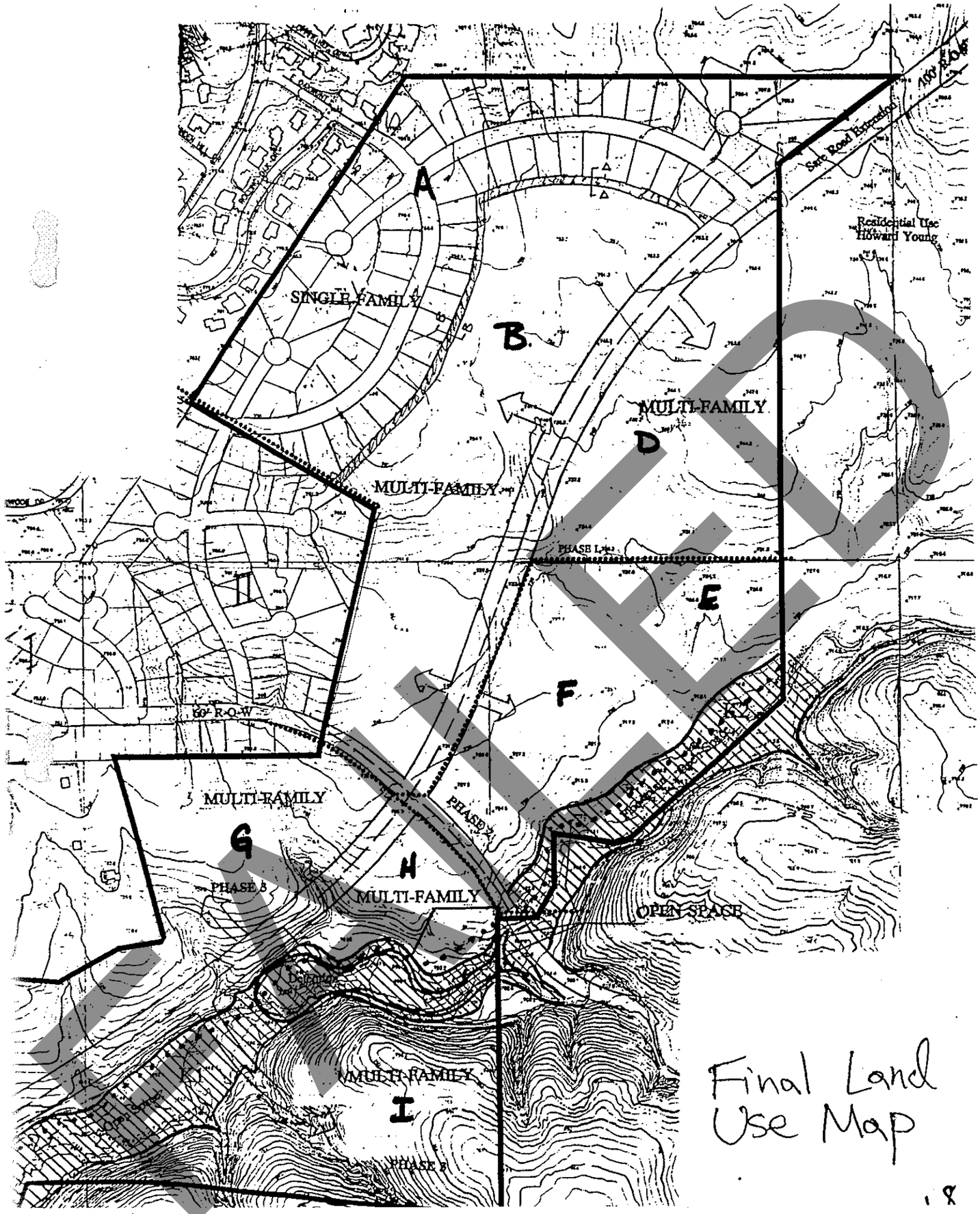
SLS:vp

cc: 2377-file

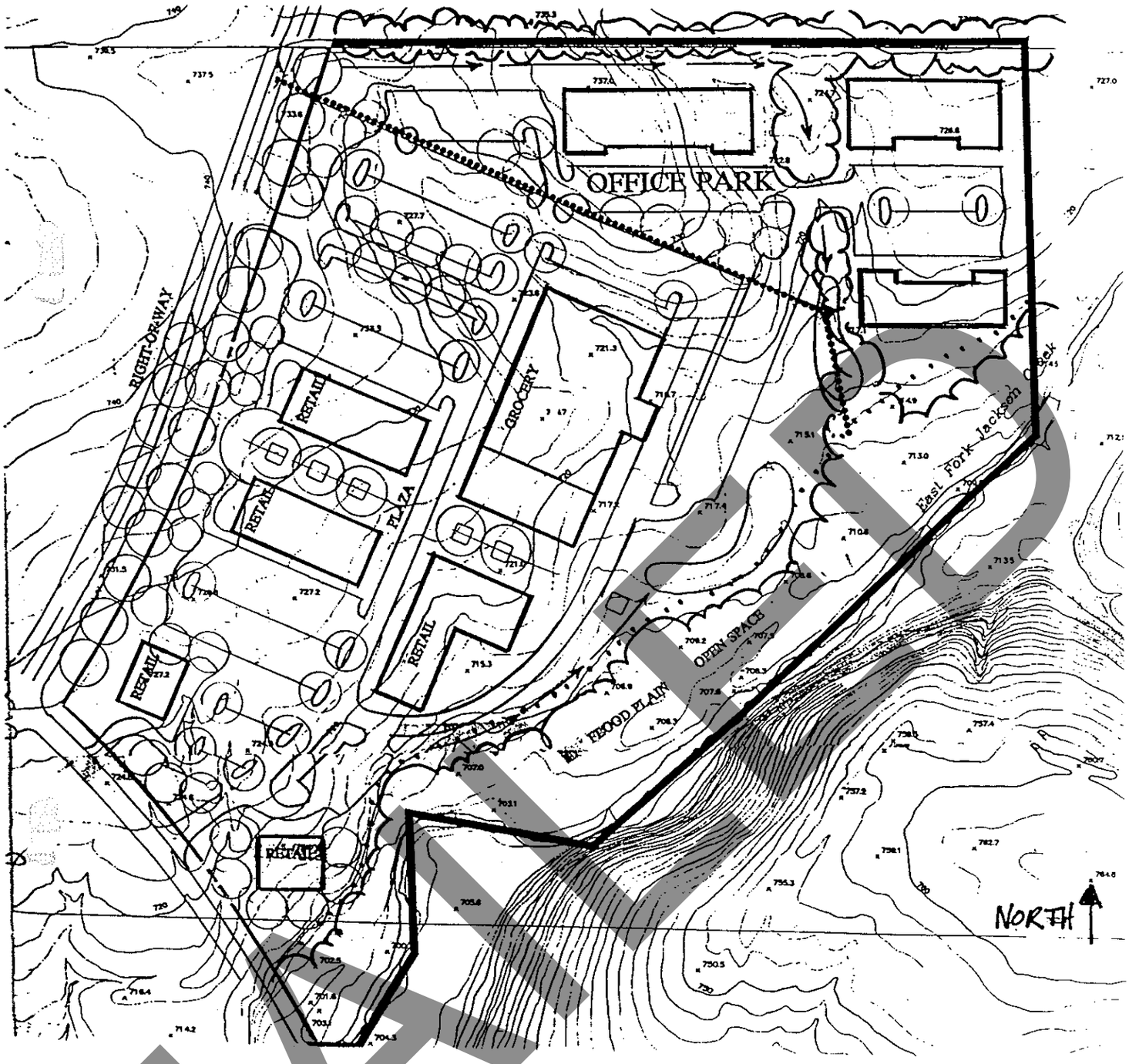
FAILED

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

Petitioner's Final Sign Proposal

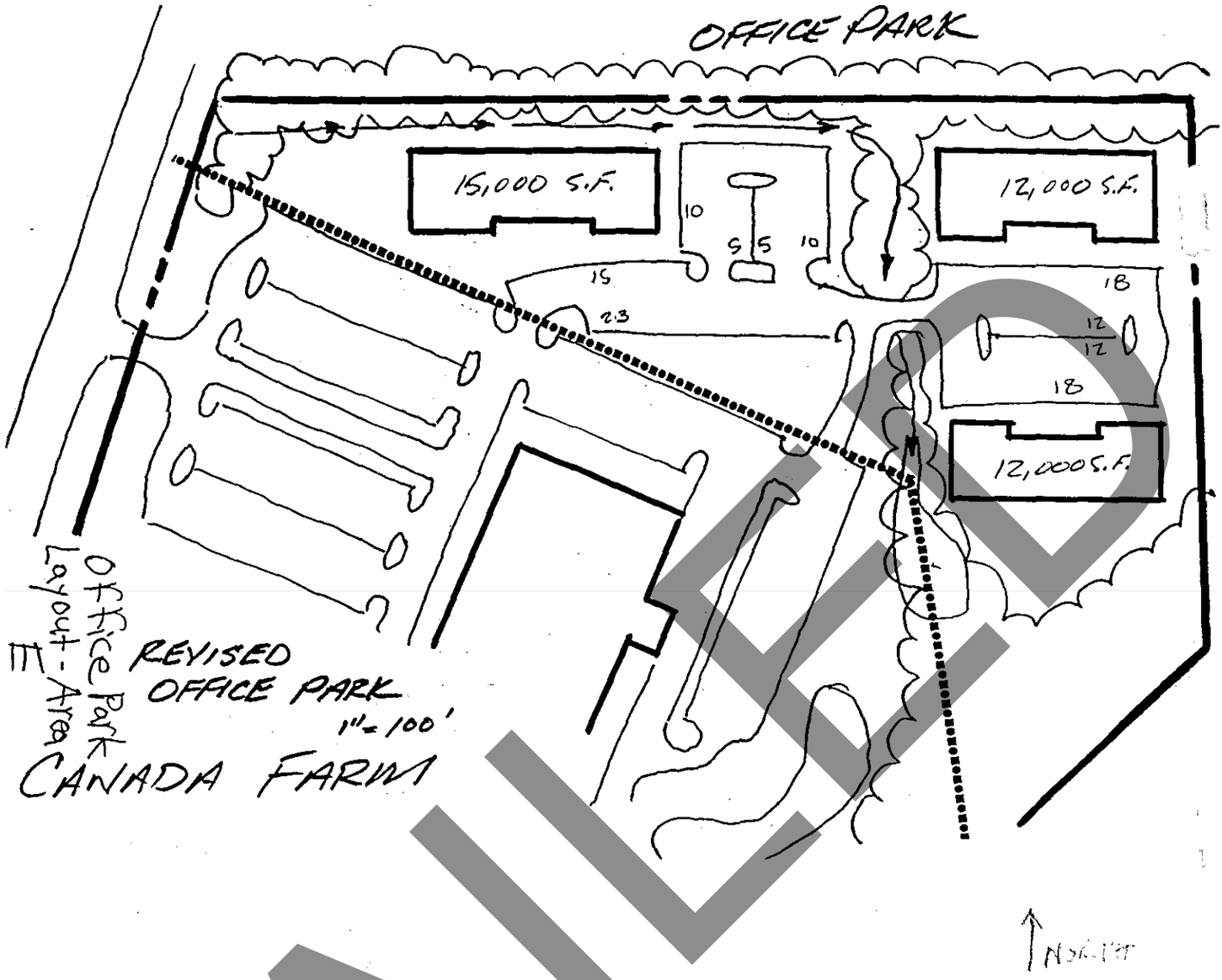


Final Land Use Map



INDICATION OFFICE & COMMERCIAL SITE PLAN

FAILED


OFFICE PARK
15,000 S.F.
12,000 S.F.
12,000 S.F.
10
5
5
10
15
23
18
12
12
18
REVISED
OFFICE PARK
1" = 100'
CANADA FARM
Office Park
Layout - Area
E

FAILED

12/20/75

Planned Unit Development

Acreage, Land Use and Density Summary

RESIDENTIAL

		Current Proposal			Original Proposal		
Parcel	Description	Acres	Density	Units	Acres	Density	Units
A	Single Family Detached	25.0	3	75	18.3	3	55
B	Multifamily	23.8	10	238	20.3	10	203
D	Multifamily	15.0	12	180	11.8	12	142
G	Multifamily	16.0	6	96	15.0	7.2	108
H	Multifamily	4.7	6	28			0
I	Multifamily	14.3	1	14	25.9	2.5	65
K1	Floodplain Open Space	11.5					
	Subtotal	110.3	5.73	631.5	91.3	6.27	572
I & II	Single Family Detached	27.5	2.83	78	27.5	2.83	78
	Residential Totals	137.8	5.15	709	118.8	5.47	650

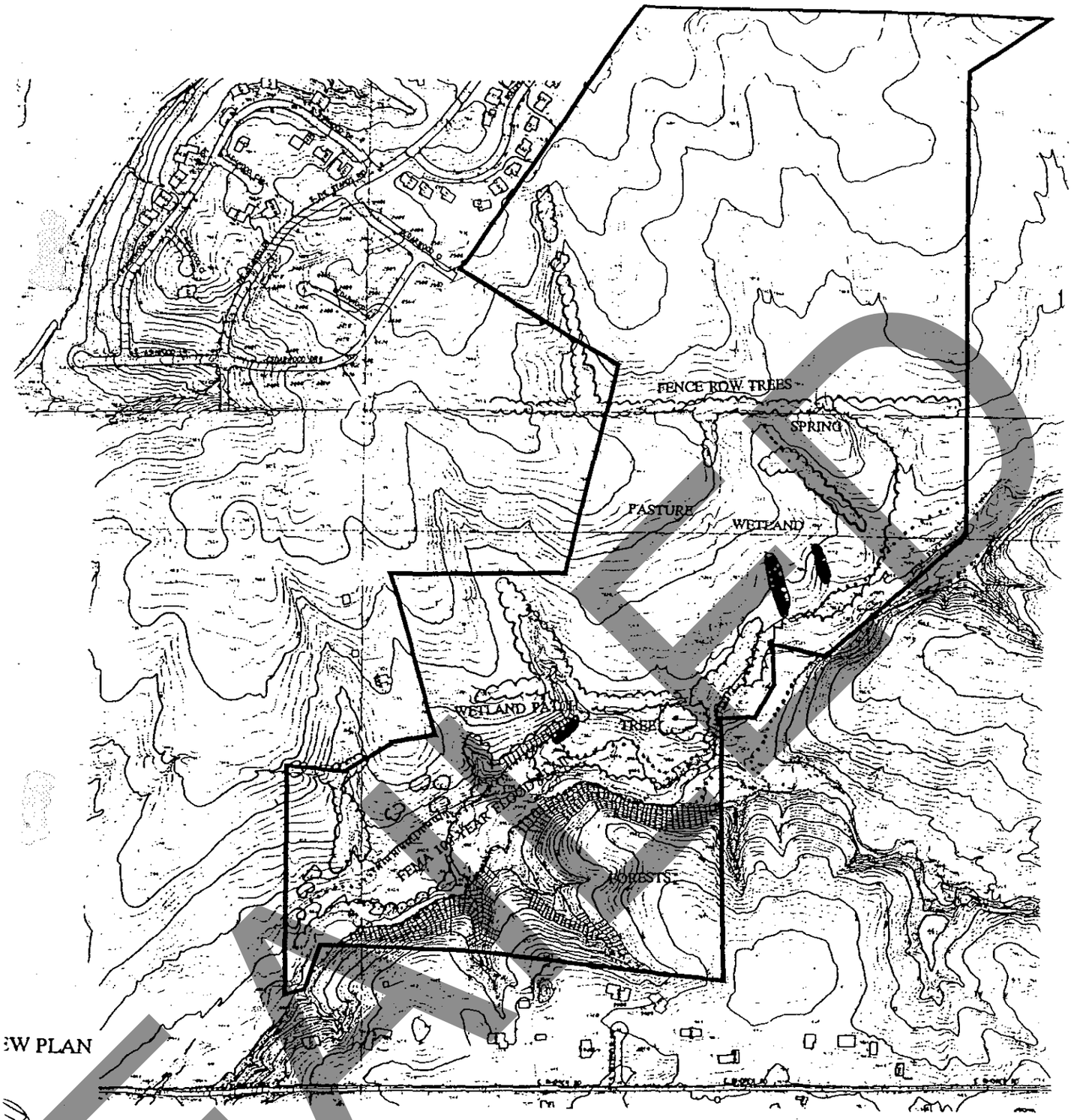
Canada Farm
Planned Unit Development

Acreage, Land Use and Density Summary

NON-RESIDENTIAL

Current Proposal			Original Proposal		
E	Office Park, 39,000 sf	4.7	A2	Office Park, 74,000 sf	9.6
F1	Grocery, 30,000 sf &		A1	Grocery, 40,000 sf	4.7
F2	Retail, 50,000 sf	10.7	A4	Retail, 71,000 sf	7.9
K2	Floodplain Open Space	3.3	K2	Floodplain Open Space	4.6
L1 & L2	Right of Way	0.9		Right of Way	2.7
			A3	Office Park, 48,000	5.2
			A5	Retail, 17,000	3.5
	Business Use Total	**15.4**		**Business Use Total**	**30.9**
	Business Area Totals	19.6		Business Area Totals	38.2

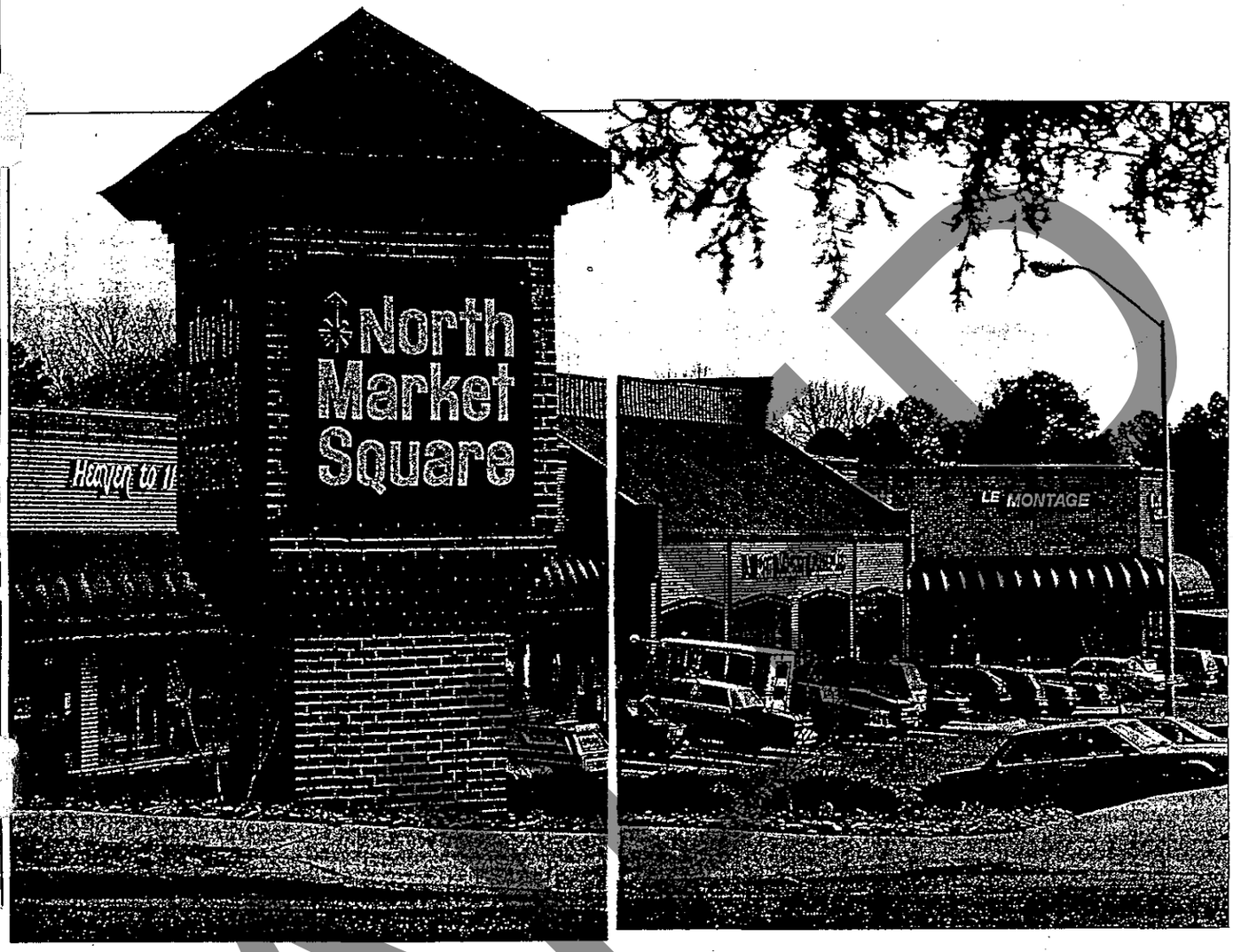
FAILED



EW PLAN

FAXED

NORTH MARKET SQUARE, Raleigh, N.C.



SAMPLE ARCHITECTURE

PUD-67-95
46

FAXED

Smith Neubecker & Associates, Inc.

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

niel Neubecker L.A.
ject Manager

RECEIVED
DEC 15 1995
By_____

December 14, 1995

City of Bloomington Plan Commission
c/o Tim Mueller, Director
P. O. Box 100
Bloomington, IN 47402-0100

RE: Canada Farm Planned Unit Development Amendment

Dear Tim and Plan Commissioners:

The concept for the development of the Canada Farm as a planned unit development has been evolving over the weeks since our initial application of November 2nd. In addition to the first Plan Commission meeting, numerous meetings have been held with neighbors, staff, plan commissioners and council members. Based on these many meetings and significant input received, we are at this time amending our original application in several areas as described in the next few paragraphs. Primary changes include the reduction of the commercial and business areas, reduction in residential density on the east side of the creek, and additional attention to environmental concerns.

The concept of a neighborhood business center with a variety of complimentary uses remains a major part of the plan. The area allocated for this use has been reduced substantially. The attached table summarizes the areas and square footage within the business area.

The allowable uses in the business area have also been changed to reflect more closely the concept of the neighborhood hub or neighborhood center. These uses are as follows:

Area F-1	Grocery and/or Drug Store
Area F-2	Sit Down Restaurant/No Drive-Thru, Personal Services, Retail Sales, Financial Institution/Bank, Craft Shop, Eating and Drinking Establishment (limited to two such establishments), Churches, Community Center, Cultural Facility, Day Care Facility, and Offices (as detailed under Area F-3).

Second Petitioner's Statement 19

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

FAILED

Area E Offices

(Clinics, Research Centers, Health Care Centers, Medical Services, Professional Services, Doctor, Dentist, Business Services, Government Institution, and Veterinaries.)

Residential Care Homes, Personal Services, Churches, Community Center, Cultural Facility, and Day Care Center.

The business portion of this planned unit development is being submitted as a "preliminary plan" as opposed to the earlier and normal planned unit development "illustrative plan". The difference that we intend here is that the final plan will be substantially the same as the preliminary plan and only modified as necessary to accommodate detail plan issues. This represents a major commitment on the part of the developers in that the plan that you see is the plan that is approved. It is not an illustrative plan. Several key elements in that plan are:

- Several of the buildings will be up close to Sare Road giving a village feel.
- The parking areas will be split up around the area.
- A pedestrian mall will extend from the office park, crossing Sare Road, through the retail and into the flood plain green space.
- The open space Area K-3 has been added.
- Vehicular access to and through the project is planned and controlled.

The residential portions of the project have been changed in several ways. Areas B and D have been enlarged to use the space that was originally a part of the commercial area. The number of units in Area I has been reduced to 14, matching the number of acres east of the creek and above the flood plain. These units have been added to Area G, making its density 9 units per acre. Area I is intended to be a single-family attached cluster or a paired cluster of units. Access to Area I will come from Sare Road or Rohrer Road and is proposed to be determined at development plan stage.

FAILED

The environmental sensitivity of the site has continued to be studied and investigated by our staff, Earth Tech's staff, Environmental Commission, and the Indiana Department of Environmental Management. Of the three wetlands, the one at the south end of the site was judged to be of value and will be saved as a part of the project. The other two wetlands are not significant and are not proposed to be saved as a part of the project. In addition to the flood plain being preserved, Area K-3, consisting of 2.3 acres of wooded land, will also be added to open space in the project. Concern was expressed for storm water runoff entering the creek. A preliminary storm water quality plan has been prepared that includes the routing of storm water through bio-filtration swales and then through stilling basins prior to its being discharged into the creek. These features are shown schematically on the outline plan drawing and will be fully detailed at the secondary plan stage. These features represent state-of-the-art water quality mitigation measures.

We are pleased to present these changes to the planned unit development. Each of them continues to enhance the quality of our proposal.

Very truly yours,

Steve

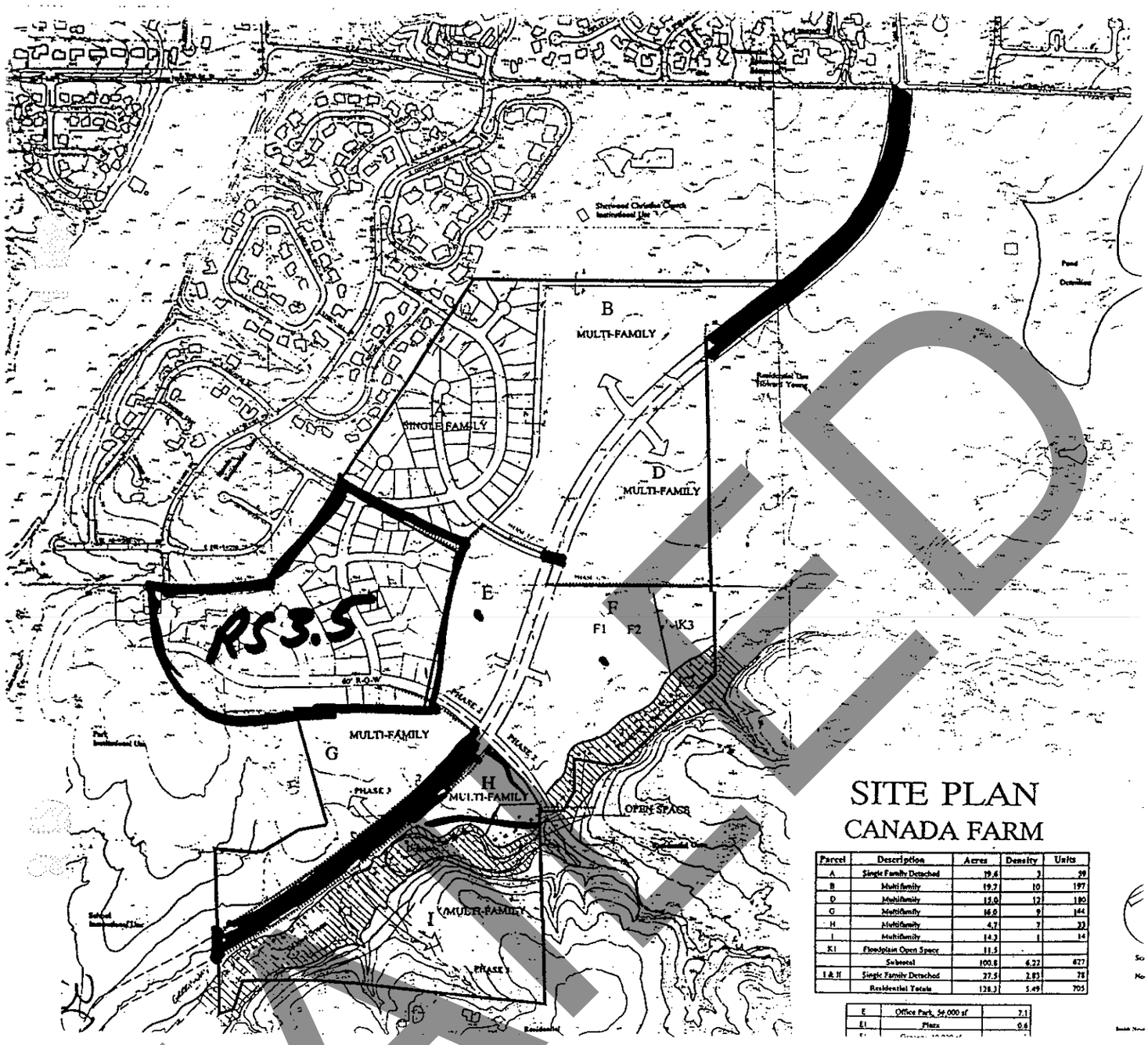
Stephen L. Smith
ENGINEER, CANADA FARM PUD

SLS:vp

Enclosures: Acreage, Land Use, and Density Summary
Preliminary Site Plan for Commercial
Primary Plan Drawing

cc: File #2377
Lynn Coyne
Ken Blackwell

FAILED

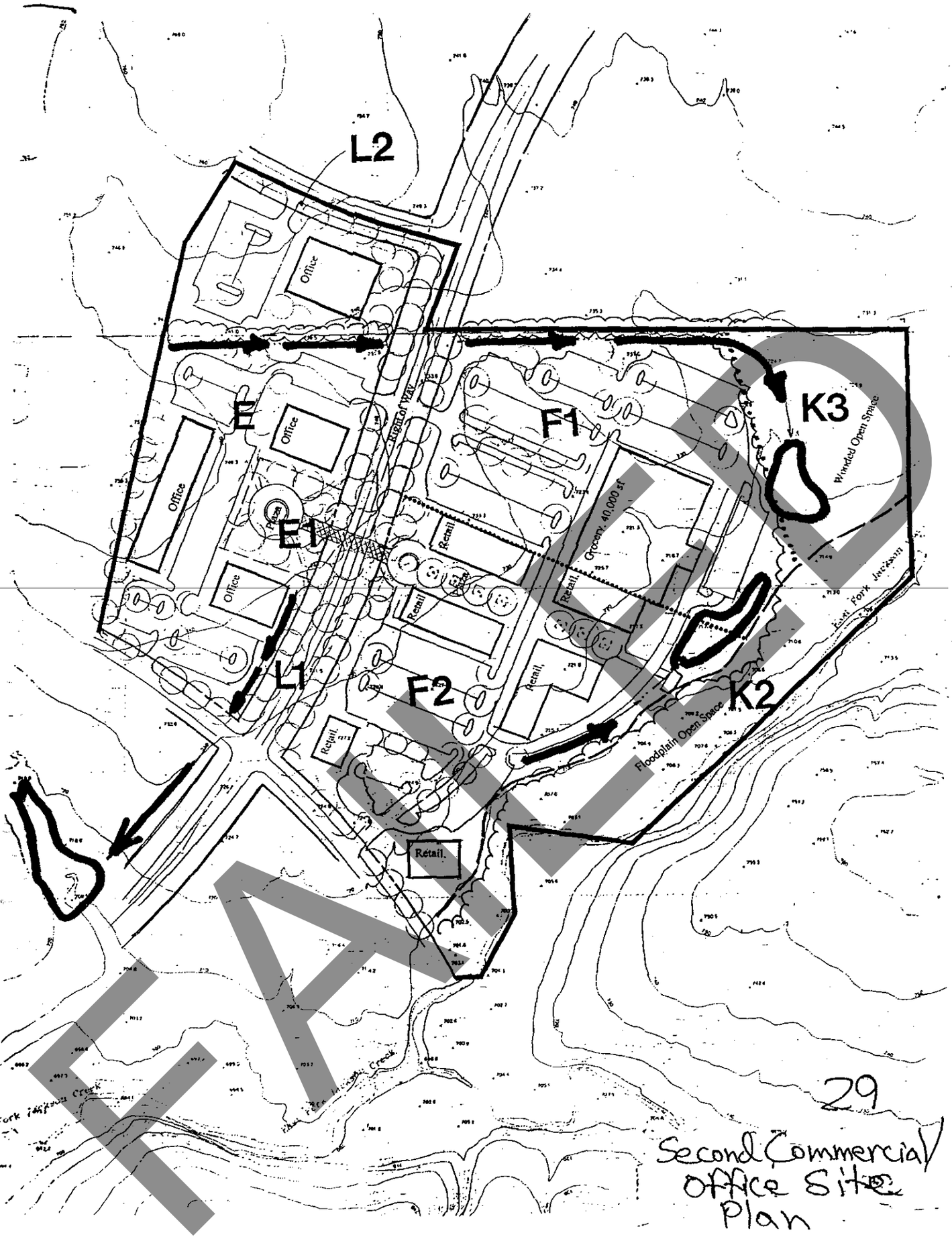


Parcel	Description	Acres	Density	Units
A	Single Family Detached	19.6	3	59
B	Multifamily	19.7	10	197
D	Multifamily	15.0	12	180
G	Multifamily	16.0	9	144
H	Multifamily	4.7	7	33
I	Multifamily	14.3	1	14
K1	Floodplain Open Space	11.5	-	
	Subtotal	100.8	6.22	627
I & II	Single Family Detached	27.5	2.83	78
	Residential Totals	128.3	5.49	705

E	Office Park, 56,000 sf	7.1
E1	Plaza	0.6

SECOND OVERALL
LAND USE PLAN

FAILED



FAILED

29

Second Commercial Office Site Plan

BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT

CASE NO: PUD-67-95

PETITIONER: Ken Blackwell
PROPERTY: 3300 Sare Rd.

COUNSEL: Smith, Neubecker, & Assocs., Inc.
ADDRESS: P.O. Box 5355

Preliminary Hearing Date: November 20, 1995
Final Hearing Date: December 18, 1995

REQUEST: PUD preliminary plan approval for 129.5 acres of mixed-use residential/commercial development. The project data table, which follows this staff report, summarizes the land uses which comprise this plan.

EXISTING USE AND DESCRIPTION: The site is a rolling site consisting of open pastures, tree lines, some wooded areas, and the flood plain for the east fork of Jackson Creek. Area H, approximately 26 acres, lies on the east side of the east fork, and the rest of the project lies between the east fork and The Stands development. To the west, the site abuts The Stands development and the recently acquired park and school sites. To the north, the site abuts the Sherwood Oaks Christian Church, and to the east, abuts vacant property owned by Howard Young, the seller of the parcel in question. The site has no frontage on either E. Rogers St. to the north or Rhorer Rd. to the south.

PROPOSED USES include a total of 572 dwelling units on 91.3 acres for a residential density of 6.34 units/acre. Fifty-five of the units immediately adjacent to The Stands will be single family. The balance will be multi-family. A total of 38.2 acres are recommended for commercial. Area F on the plan, the major commercial component, would house a neighborhood shopping center anchored by a grocery of up to 40,000 s.f. Area E, across the proposed extension of Sare Rd. from the shopping center, would accommodate office development, and Area I, to the south, would accommodate additional shops. The plan also includes a single family residence near the commercial area adjacent to the flood plain. The proposal involves the extension of Sare Rd. in two phases, and build-out of the land in three phases. The first phase would be residential areas A, B, and D, at the north end of the development. Area A would accommodate 55 single family homes adjacent to the existing Stands. Areas B & D would accommodate 344 multi-family units at densities of 10 and 12 units/acre respectively. Sare Rd., from its junction with E. Rogers to the south edge of Phase I, is included in Phase I. A portion of the Sare Rd. extension lies outside of the PUD site across land owned by Howard Young. Phase II consists of commercial areas E & F, and the extension of Sare Rd. from Phase I through Phase III, to the border of the school and park

First Staff Report

FAILED

property. From there, the responsibility to extend Sare Rd. to Rhorer Rd. would be the school corporations. The commercial tract consists of the retail component between the Sare Rd. extension and the east fork of Jackson Creek's flood plain. The uses are outlined in the petitioner's statement, but include the 40,000 s.f. grocery store anchor, additional shops and offices. A specific plan concept is included in the petitioner's proposal. Area E lies on the west side of Sare Rd. and accommodates proposed office development. Area E abuts the 55 single family units of Phase I and an area to be developed by the petitioner under preexisting zoning as single family residential. The third phase continues the project to the south along the portion of Sare Rd. which would have been constructed as part of Phase II. It consists of multi-family Area G - 108 units, commercial Area I - which consists of freestanding retail shops. One freestanding single family residence on the west side of the east fork, and residential Area H, could be developed with either attached or detached housing at a density of 2.5 dwelling units/acre. Sare Rd. will be developed to a standard the same as the recent city project to the north, i.e., two lanes with additional lane width for bicycle accommodation, sidewalks, and additional turn-lanes at key access points and intersections.

ISSUES:

PLAN COMPLIANCE: The Growth Policies Plan recommends low density residential (six units/acre) in this general area. The proposal slightly exceeds that recommended density. However, the petitioner is developing approximately 27½ acres to the south of The Stands and adjacent to this PUD, at densities which would bring his overall average to 5.47 units/acre, which is within the plan's six units/acre guideline. In the development of the zoning ordinance, initial drafts specified RS3.5/PRO6 zoning for this tract. When the tract was divided so that the petitioner's partial no longer fronted on E. Rogers Rd., the zoning map was changed late in the process to retain RE1 zoning. There was explicit discussion in our zoning ordinance meetings about this decision and the intent was clearly to hold the RE1 zoning until we had a PUD proposal which incorporated a connection to E. Rogers at Sare Rd. In general, the residential components of this plan and its extension of Sare Rd. are consistent with the recommendations of the Growth Policies Plan and our expectations from the time of zoning ordinance adoption. Regarding the commercial use in the area, the Growth Policies Plan speaks of conveniently located shopping in conjunction with developing residential areas. This general recommendation is made explicit in the subarea detail of Figure 10, following page 72, which relates to the area in question. That detail shows a possible convenience shopping center in the general vicinity of Sare Rd. on the south side of E. Rogers Rd. The plan's symbol is not intended to be site specific. When development plans for the Schmaltz Farm on the northeast corner of Sare Rd. and E. Rogers were under consideration, an initial proposal for a convenience center was withdrawn from the proposal by the petitioner. At that time, staff and commission discussed the possibility of approving such a center further to the south along the extension of Sare Rd. as a neighborhood center for the future developing area. Clearly, the 38.2 acres proposed for commercial, and the 40,000 s.f. grocery anchor, exceed the plan's expectation for a convenience shopping center.

FAILED

SARE RD. EXTENSION: The proposed Sare Rd. extension is consistent with our expectations and our interpretation of the thoroughfare plan. There has been extensive discussion about roadway objectives in this general area over the years. The thoroughfare plan shows a generalized route between Sare Rd. at E. Rogers, and Harrell Rd. at Rhorer Rd. However, the east fork of Jackson Creek and the steep topography adjacent to the creek make the straight-through extension of such a road impractical if not impossible. We anticipate an alignment of Sare Rd. such as proposed in this PUD with another street extension by other development to the east tying into Harrell Rd. The phasing of Sare Rd. is also consistent with our expectations. Staff adamantly recommends that no further rezoning take place unless it is served by a Sare Rd. connection to E. Rogers. This proposal provides such a connection with Phase I and completes the extension through the developer's property with his second phase. This extension takes on additional importance as a result of the recent decisions by the MCCSC and city Parks Dept. to acquire sites for a community park and a middle school to be served by this Sare Rd. extension. The petitioner argues that the additional commercial development incorporated in his proposal facilities or even enables the timely provision of this Sare Rd. extension.

SCALE OF COMMERCIAL AREA: Staff supports the concept of commercial at some scale within this development. The commission has shown similar inclination in other recent development cases. However, the magnitude of the commercial looms as one of the major issues in this petition. It should be noted that the commercial land could be designated a TIF district which would make additional resources available for further improvement to the Sare Rd./E. Rogers Rd. corridor. This would not be possible for residential development. Staff has advised the petitioner from the start that this is a key issue and has urged that any commercial that is proposed be carefully designed and carefully integrated into the surroundings. The petitioner's plan attempts to do this. At this point, staff is open minded and has not formulated a position or a recommendation on the scale of this commercial development.

ENVIRONMENTAL CONSIDERATIONS: The proposal includes the required environmental management plan and environmental assessment. Flood plains along the east fork of Jackson Creek will remain undisturbed. The plan proposes the green way and path recommended in the Growth Policies Plan along that flood plain. There are a few other issues to be resolved in the course of review: there are some tree lines in the area proposed for commercial development and there are three small wetlands as a result of some flowing springs. Two of these fall within the commercial area and need to be addressed in the plans. Staff does not anticipate environmental difficulties other than these issues.

ARCHITECTURE, PROPOSED USES, AND COMPATIBILITY: The plan sets some very generalized standards for the residential development. Essentially, single family lots will be very like those of The Stands. The multi-family will range from condos to conventional two-story apartments. A detail has been submitted for the commercial area showing a rather attractive concept incorporating some parking to the sides of the building, and a pedestrian atrium opening to the street frontage of the main development. In the course of our review between preliminary and final hearings, we will go over these proposed constraints and

FAILED

formulate recommendations for the final hearing. The residential portion east of the east fork of Jackson Creek exceeds the Growth Policies Plan's "rural residential" density recommendation (one acre lots). This area is steep and wooded, so site disturbance is also an issue.

NEIGHBORHOOD MEETING: The petitioner has presented the plan in a neighborhood meeting. Staff will continue to dialog with the petitioner, the neighborhood, and any other interested parties.

RECOMMENDATION: The case should be scheduled for second hearing. The next available hearing date will be December 18, 1995. It has been suggested to staff that a project of this magnitude should not be subjected to a final decision by the Plan Commission during the holiday season. The Plan Commission should consider this aspect in establishing the final hearing date.

FAILED

Smith Neubecker & Associates, Inc.

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

Daniel Neubecker L.A.
Project Manager

November 2, 1995

Tim Mueller
City of Bloomington Planning Department
P.O. Box 100
Bloomington IN 47402-0100

RE: Blackwell/Canada Property

Dear Tim:

On behalf of our client, Ken Blackwell, we respectfully request PUD zoning designation for approximately 130 acres of land. This area is currently zoned RS3.5 and RE1. The proposed zoning will allow the development of a mixed use residential community with a core commercial area.

The location of the project is on the east side of Bloomington and north of Rhorer Road. The site is softly sloping topography, which will allow easy construction of homes and infrastructure, thus minimizing environmental disruption. The property consists of pasture, forest and flood plain.

The preliminary plan complies with the City of Bloomington Growth Policies Plan. In particular, the plan calls for low density residential and commercial development opportunities. The commercial center design will be based on the latest concepts of pedestrian based, multi-use centers as endorsed by the Urban Land Institute.

The commercial center is on 38.3 acres including a business park. Combined with other uses, this commercial core will provide multi-use spaces that will share services. The commercial core will be a living space for the surrounding residential community to work and shop. The look and feel of the commercial "core" or center will be controlled by architectural covenants. The location of the commercial center is such that the proposed residential areas will buffer existing residential neighborhoods.

The project will allow housing opportunities in close proximity to new public facilities which include a major city park and middle school.

A major arterial is a key component of the overall preliminary plan. A portion of the arterial roadway will be defined within the project to allow much needed north/south circulation to Sare Road.

First Petitioner's Statement 26

4625 Morningside Drive
Post Office Box 5355
Bloomington, Indiana 47407-5355

FAILED

The flood plain provides a unique opportunity to preserve a green space corridor that can be used by pedestrians as a nature walk. The nature walk system can be integrated with the proposed school, proposed park, existing and proposed neighborhoods to create a local comprehensive system.

The development fits with the surrounding community pattern and will help develop much needed infrastructure.

Included with this letter is the application form, fee, preliminary plan drawing, illustrative site plan, preliminary plan statement and legal description. Proof of certified mailing notices will be provided prior to the hearing.

We look forward to working with you during the next few weeks as our petition moves through the Plan Commission and Council.

Sincerely,

Michael J. Probst
Smith Neubecker & Associates, Inc.

cc: Lynn Coyne
Ken Blackwell
File 2377

FAILED

CANADA/BLACKWELL
PRELIMINARY PLAN STATEMENT

This residential community is a proposed mix-use Planned Unit Development on approximately 130 acres. A business and commercial core represents approximately 38.3 acres of mixed business type uses. The residential parcels consist mainly of a single family subdivision along the western boundary of the project. Higher density parcels are located along the proposed arterial corridor.

Major recreational opportunities will be provided by City of Bloomington Parks Department in their new park to the west of this project. Proper pedestrian connections from this project are a part of this preliminary plan. The flood plain will be defined as green space and provide opportunities for pathways.

A limited access arterial road is included in this design package located from Rhorer Road running north with final connection to Sare Road and Rogers Road intersection. The Developer will construct the Sare Road extension from Rogers/Sare Road intersection to the middle school property line. Sare Road will be extended from Rogers Road with the initial development and extended through the PUD over time as the PUD develops. With full development, Sare Road will connect to the section of Sare Road from Rhorer Road being constructed as a part of the new middle school. The preliminary plan indicates the location of Sare Road through adjacent property in a granted right-of-way. The secondary roadway system will connect stub streets from the west through the project and connecting to the arterial road.

FAILED

28

PURPOSE OF DEVELOPMENT

The purpose of this Planned Unit Development is to reflect the policies of the Comprehensive Plan. The PUD will provide convenient retail and business services for the surrounding community for use at a human scale. Much needed roadway improvements and upgraded public utilities are also a part of this plan.

The main purpose of this project is to effectively utilize developable ground for residential, recreational and business purposes and use the flood plain as a buffer between different land uses. Land use transition will also be accomplished within the project by proper density orientation. Buffering existing single family housing with proposed single family housing and buffering businesses from single family by using multi-family uses.

Existing natural areas; creek channels, woodlands, and flood plain will be used as natural buffers between land use parcels. Vegetative fence rows and grade changes are used to separate different land uses. Natural areas will be protected and utilized by this community as green space at designed locations.

The Growth Policies Plan has identified a commercial node in the Sare Road and Rogers Road area. Its function will be to provide close accessible shopping to surrounding neighborhoods and reduce traffic in College Mall area. A commercial node is proposed as part of this petition. It is centrally located within the development to minimize impact to existing surrounding neighborhoods that it will serve.

FAILED

29

DESCRIPTION OF CHARACTER

The project will be an upscale development fulfilling both housing needs and service needs as shown on the preliminary plan. These uses range from single family to multi-family with supporting business and commercial areas. The project emulates the policies of the Growth Plan as follows:

Compact Urban Form: The Growth Policies Plan shows this area as low density 3-5 dwelling units per acre real estate. During the zone mapping process, this area was identified as 5-6 units per acre until it was decided that RE1 would be more appropriate on an interim basis. The residential density of this project is 6.34 units per acre. This petitioner is currently developing adjacent parcels (labeled I and II on the site plan). When these 78 lots and 27.5 acres are included in the density calculation, the density became 5.47 residential units/acre. The overall Canada Farm Parcel would have an even lower density if the Park area were added into the computation. This plan shows many different housing types and price ranges. The proposed plan supports and fosters moderately higher residential dwelling unit densities. The project location is contiguous to existing urban development and does not promote suburban sprawl. The Master Plan identifies a Planned Commercial area as a focal point in this compact urban area, which will be supported by the local community. This compact urban form is further supported by the Sare Road extension and the benefits to the entire community on the southeast side.

Nurture Environmental Integrity: Nurturing the environment will be accomplished by protecting unique natural environments. The flood plain along east Jackson Creek represents a unique environment of approximately 11 acres to be preserved in a natural condition except for road crossings, utility installation and the pedestrian path. A significant specimen oak tree with a caliper of 72" will be saved with its surrounding environment to ensure its protection. Other vegetation will be saved based on its relationship to the proposed development. The environmental assessment was conducted as a part of rezoning application and defines processes for other environmental protection issues.

Leverage Public Capital: The leveraging of public capital plays a significant role in the justification of this proposed rezoning. The new school and park represent significant capital investment that this project will effectively augment and utilize. This project will be responsible for constructing a major arterial road that will help serve the school and surrounding neighborhoods.

FAILED

30

Mitigate Traffic: The project is planned around a major arterial street that will help facilitate traffic north and south on the southeast side of Bloomington. The arterial street will connect existing stub streets that will allow secondary access to a commercial centers, parks, and schools. The scope and scale of street improvements will off set additional traffic generated by this development. The ultimate connection of Sare Road to Rogers Road will provide a critical link in a route around Bloomington's southeast side. It will reduce the need for thru traffic to travel the more congested Winslow and Rogers Roads.

Locating convenience commercial and business space to serve the growing residential areas on the southeast side of Bloomington will reduce vehicle trips. Less travel time and distance is required if services are located in close proximity to residential areas.

Conserve Community Character: The objective is to create new communities that are uniquely formulated to embrace small town qualities. This is accomplished by development that takes into consideration the blending of surrounding existing communities by the use of like land uses. The uniqueness is in the arrangement of supporting land uses, i.e. park, school, and shopping all within the body of the community and are easily accessible and useable.

Serve Diversity: This project by the nature of its design has a graduation of diversified uses that are integrated into a complete package. The project proposes a broad range of housing types - single family and multi-family units - that will serve a wide range of housing needs and income levels. The project also promotes a mixed use commercial and business center that will serve the local community. The plan also provides 12.5 acres of natural green space to serve as a natural landscape area for the project.

FAILED

ENVIRONMENTAL ASSESSMENT

Water Resources

The property was investigated for possible locations of water resources such as FEMA floodplain, ponds and streams. These resources were located by field reconnaissance, FEMA maps and GIS data. The locations are shown on the Environmental Review Plan.

The objectives and goals of this development are to minimize stream channel disruption. The floodplain is identified on the Environmental Review Plan. In this area, only utility or road crossing and pedestrian trails are proposed. All structures will be situated above the 100 year storm elevation. The Developer will pursue necessary permits that are required for proposed work in the floodplain. Vegetative buffers will be included as mitigation measures are defined in City Code Section 20.06.05.02 G to minimize direct discharge of road or roadway storm water into water resources.

A single detention basin serving the development is proposed. The site will either be the existing lake recently completed upstream from this site or a new lake in the flood plain in area H.

Steep Slopes

The location of slopes greater than 18% are identified on the Environmental Review Plan. Very few areas exceed the 18% slopes. The only area that is identified, based on GIS data, is a small area of approximately 5.00 acres in Parcel H.

The treatment of the steep slopes will be building structures with walkout basements or deep crawl spaces. All disturbed slopes greater than 18% will be stabilized by the use of erosion control fabrics and will be detailed at the final plan stage of each parcel or as needed. Road design, as associated with steep slopes, will be consistent with City of Bloomington subdivision regulations.

In the final plan stage for each parcel mitigation measures will be shown.

Karst Terrain

A preliminary audit of karst features over the site was conducted to determine possible impacts on this development. Both site reconnaissance and GIS data were used to identify general locations of karst areas.

FAILED

The audit indicated no observable sinkholes. In the event that sinkholes are encountered during more detailed mapping and site design, all provisions of the zoning code will be met. Residential construction will be kept 25' from any sinkhole. No septics will be allowed in any karst terrain. No increase in storm water discharge into individual sinkholes will be allowed. Sinkholes will not be used as detention basins. Storm water runoff from paved areas or structures shall not directly enter a sinkhole. Drainage plans shall be designed to route runoff through vegetation filters or other filtration measures before it enters a sinkhole. Storm water flows of preexisting rates shall be maintained. Spring and cave openings shall not be modified except for placement of gates to prevent human access.

Storage tanks shall have impervious secondary containment. Underground storage tanks shall have interstitial monitoring of tanks and pipe systems. A comprehensive report shall be provided describing storm water drainage design, retention, erosion control.

Final plan details showing these mitigation measures will be provided in the final plan stage of each parcel as necessary.

Wetlands

An on-site investigation to determine possible wetlands was conducted by Earth Tech, a certified environmental engineer. The on-site reconnaissance was conducted to verify any patches of wetland that were suggested by the National Wetland Inventory. The Monroe County Soil Survey was also reviewed to identify possible Hydric soil conditions on this site. Earth Tech's evaluation found no Hydric soils located in the flood plain area of east Jackson Creek. Earth Tech's wetlands delineation accurately located small patches of wetlands outside the flood plain in three locations.

The small wetland patches in the commercial area are proposed to be filled. This area represents only .25 acres of wetland created by a small spring. The area is small and therefore, no permitting is required by the Corp of Engineers. No mitigation is proposed.

FAILED

RESIDENTIAL AREAS

General Architecture Character

The architectural quality will be governed by Covenants and Restrictions.

Architectural character will be created by conventional building materials such as block foundations, wood or steel framing and standard exterior finishes.

The housing units will be standard two-story homes and three-story walk out basements homes. These units can be single-family or single-family attached. The multi-family units can be apartment flats, townhouse units, or condominium units. The condominiums and apartments will most likely be used in the highest density parcels (12-15 units/acre). These can be three story buildings.

The architectural theme will be traditional in nature.

Proposed Development Uses

The Preliminary Plan consists of 11 parcels of different land uses including residential, business, commercial, and recreation activities.

Site Plan

The Outline Plan drawing and the illustrative site plan show the elements of this Planned Unit Development. These include:

- Roadway circulation pattern
- Schematic lot and unit layout with conceptual internal street pattern. The lot, unit and road layout will be finalized at Final Plan stage.
- Preliminary storm water detention location
- General location of existing vegetation
- General concept for pedestrian circulation

Parcels A, B, D, E, F, H, and I are shown on the Preliminary Plan drawing and a table shows their respective densities, parcel area and possible unit types.

FAILED

Residential Parcels

Alterations to Height Bulk and Density Table

Parcel	Front Yard	Side Yard	Rear Yard
A	25'	8' minimum	25'
B			
D	20'	6' minimum	25'
E	20'	6' minimum	25'
F & G			
I	20'	6' minimum	25'
J	25'	8' minimum	25'

PUD perimeter yard = 30', except for residential side yards in Parcel A, which shall be consistent with side yards as noted above.

FAILED

Proposed Setbacks

35

COMMERCIAL CENTER

Net 30 acres of this development are proposed as a business and neighborhood shopping area planned to meet the market demands for shopping and business on Sare Road. The site will provide a maximum of 40,000 square feet for single anchor tenant and complementary uses for the overall shopping center. The size and site location will create shopping serving both neighborhood needs and the surrounding community.

The commercial land uses are intended to fit into the residential character of the project and take advantage of the strategic location on a major arterial street.

The list of allowable uses, based in part on General Commercial Land Use Section 20.07.08.00. and Table 7-3 Special Conditions, shall be as follows:

<u>Land Uses Per Phase of Commercial Development and Business Park</u>

A-1

- Grocery
- Drug Store
- Retail Sales

A-2 - A-3

- Business services in enclosed buildings
- Churches
- Community Center
- Cultural Facility
- Day Care Center
- Financial Institution/Banks
- Fire Station
- Hotels/Motels
- Mortuaries
- Offices
  - Clinics
  - Research Centers
  - Health Care Services
  - Medical Services
  - Professional Services
  - Doctor/Dentist Offices
  - Business Services
  - Governmental Institution
  - Veterinaries Offices
  - Residential Care Homes
  - Personal Services

Original List of Uses - Please see Final Petitioner's

FAILED

Multi-Family Dwellings
Trade Schools
Theaters, indoor

A-4 - A-5 (Uses below and those listed in A-2 and A-3)
Bars/Taverns
Automotive Repair (9)
Gasoline Service Stations (11)
Churches
Business Services
Craft Shop
Drug Store
Financial Institutional/Bank
Retail Sales
Wholesale Sales
Theaters
Personal Services

Commercial Center Development Standards

Site Planning Criteria:

1. The parking should be spread out on three sides of commercial spaces.
2. Access to Sare Road extension and secondary streets are as outlined on the plan.
3. Landscaping will be required as per City of Bloomington Code.
4. Pedestrian access must be provided via street sidewalks from adjacent neighborhoods and from the greenway walk.
5. Business uses surround proposed commercial areas as a buffer to residential land uses.

Commercial and Business Park Concepts

This commercial center will have business space on three sides to buffer outer land uses and provide a stable influx of daily users for the commercial tenants. Beyond this there will be a network of pedestrian access paths along streets and greenway providing additional access to the units.

Parking impacts will be minimized by sharing parking between business and commercial areas. Landscape buffers will be provided along the commercial frontage to reduce visual impacts from parking lots. The parking area will also be reduced in scale by clustering commercial buildings within them. Green space will be located at strategic locations to improve the quality and relationship between parking and commercial spaces.

FAILED

Combining all these elements together in a commercial center eliminates the standard image of a strip center.

The commercial site will be buffered by layers of more compatible land use ranging from business to multi-family to single family as a proper interface to existing neighborhoods. The land use buffers and proposed multi-use commercial development will provide more than just retail efficiency. This proposed concept will provide a positive space to work, shop and visit on a daily basis. This proposed commercial center will provide a shopping village or market place that is both pedestrian and vehicular oriented, similar to down town shopping with street and sidewalk shopping promenade. The elements are tied to an anchor tenant in an overall blanket of architecture that promotes the village shopping image. The commercial center will blend with additional uses such as a restaurant arcade, stand alone specialty shops and public facilities such as post offices and park spaces. This commercial center is patterned from new concepts formulated by U.L.I. (Urban Land Institute) in a study by Alex Achimorn (copy enclosed).

The architecture will have a common theme throughout the business/commercial center. The business areas will be more traditional upscale brick with pitched roofs and dormers. Photograph A of the existing office building on Winslow Road is illustrative of this architecture. In the commercial areas (also possibly some of the business areas) this brick facade will be made a little more contemporary with a variety of roof styles, awnings and decorative features. Picture B of "North Market Square" is illustrative of the architectural character of this area.

FAILED

INFRASTRUCTURE

Sanitary Sewer

Based on communications with the City of Bloomington Utilities Department, a series of options are available for both temporary and permanent solutions for this projects sewer needs. Sewer access through The Stands Subdivision is a temporary option and the long term solution will be the sewer interceptor through the project.

Water Supply System

Based on communications with the City of Bloomington Utilities Department, water is available on Rogers Road and at several locations within The Stands Subdivision.

Sidewalks

To help facilitate pedestrian circulation, all streets will have sidewalk in the following arrangement:

Cul-de-sac - sidewalk on one side of road

Thru Streets - sidewalk on both sides of the road

Standard 4' wide sidewalks.

Expanded Pedestrian Walkway (Greenway)

In addition to sidewalks in rights-of-way, a 20' public pedestrian easement through common area, possibly in conjunction with the sanitary sewer interceptor, will be provided. At the south end of the project where the easement parallels Sare Road, the easement will take the place of the sidewalks otherwise required on the southeast side of the road. The Preliminary Site Plan identifies this pedestrian access system by a dotted line.

Storm Water Management

A comprehensive storm water detention lake will be provided. One possibility is to utilize capacity in lake currently being constructed by Howard Young. A second possibility is to provide detention in the flood plain in Parcel H.

FAILED

Other

Public utilities have been notified to the size and scope of the project.

Landscape Plan

The project will meet the City of Bloomington Landscape Code.

Flood Plain

A greenway is proposed in the flood plain as common green space. A 20' pedestrian easement will be provided.

Roadways

The roadway system consists of standard public roads built to public street standards.

Principal arterial street (Sare Road Extension) - 100' right-of-way, 34' back to back of curb, 3' bike lanes, 3 lanes at intersection, sidewalk.

Thru Streets - 60' right-of-way, 31' back to back of curb, sidewalk both sides of street.

Cul-de-sacs - 50' right-of-way, 28' back to back of curb, sidewalk on one side of street.

Open Space

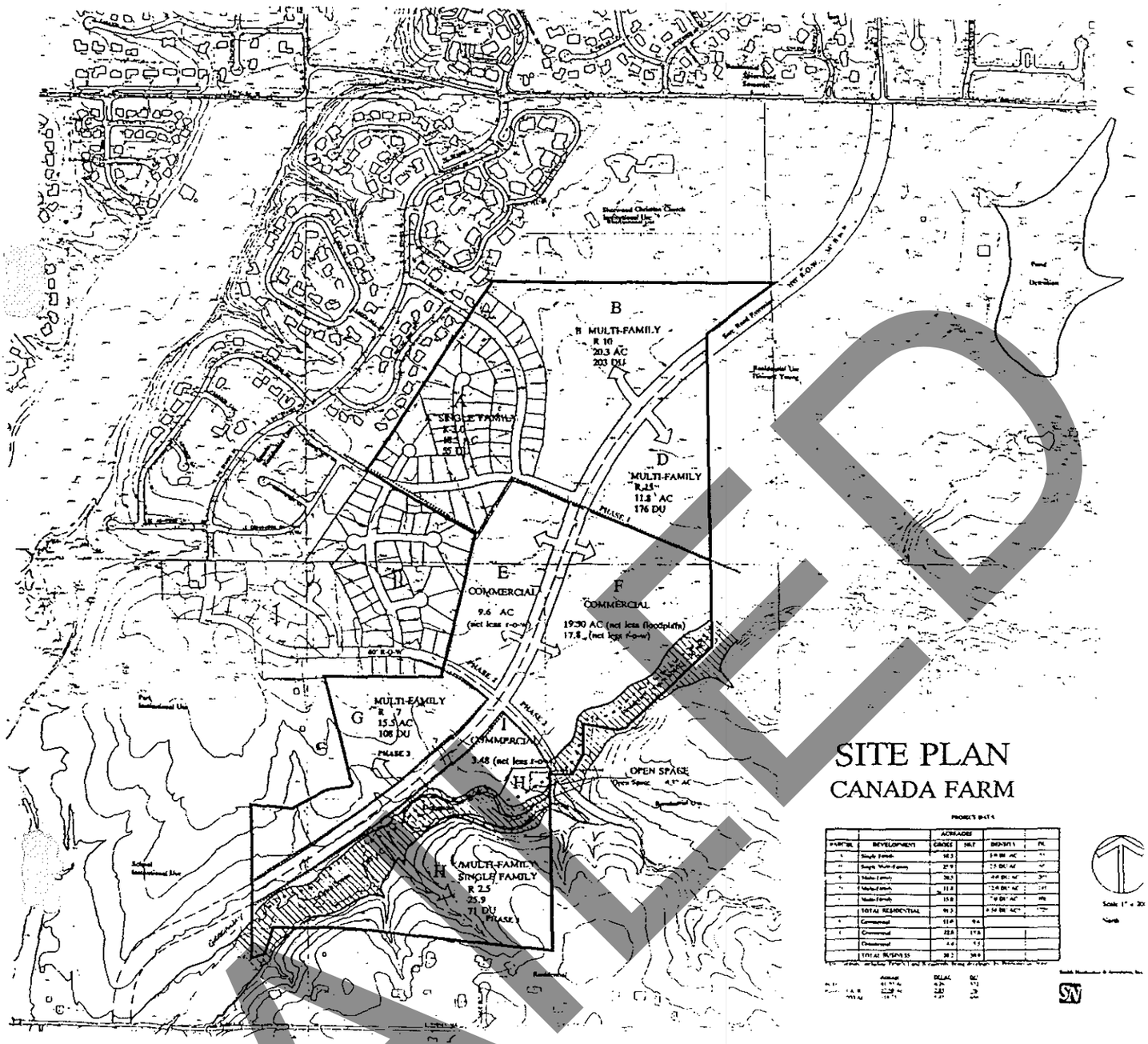
A significant amount of open space will be a product of the overall plan by virture of the 12.5 acres of flood plain. This open space will be used against the required open space in a PUD. This will leave a balance of 7.27 acres to be divided equally between multi-family parcels and commercial parcels, see page 16 for computation of open space. This open space will be controlled by the Homeowners Association for each individual parcel. Parcels with open space not required by code will also have an organized Homeowners Association.

Overall project amenities, such as but not limited to, open space, recreational space, entry signage, night lighting, security systems, detention facilities will have a Homeowners Association.

Parking

The preliminary plan will allow shared parking to be determined at final plan stage.

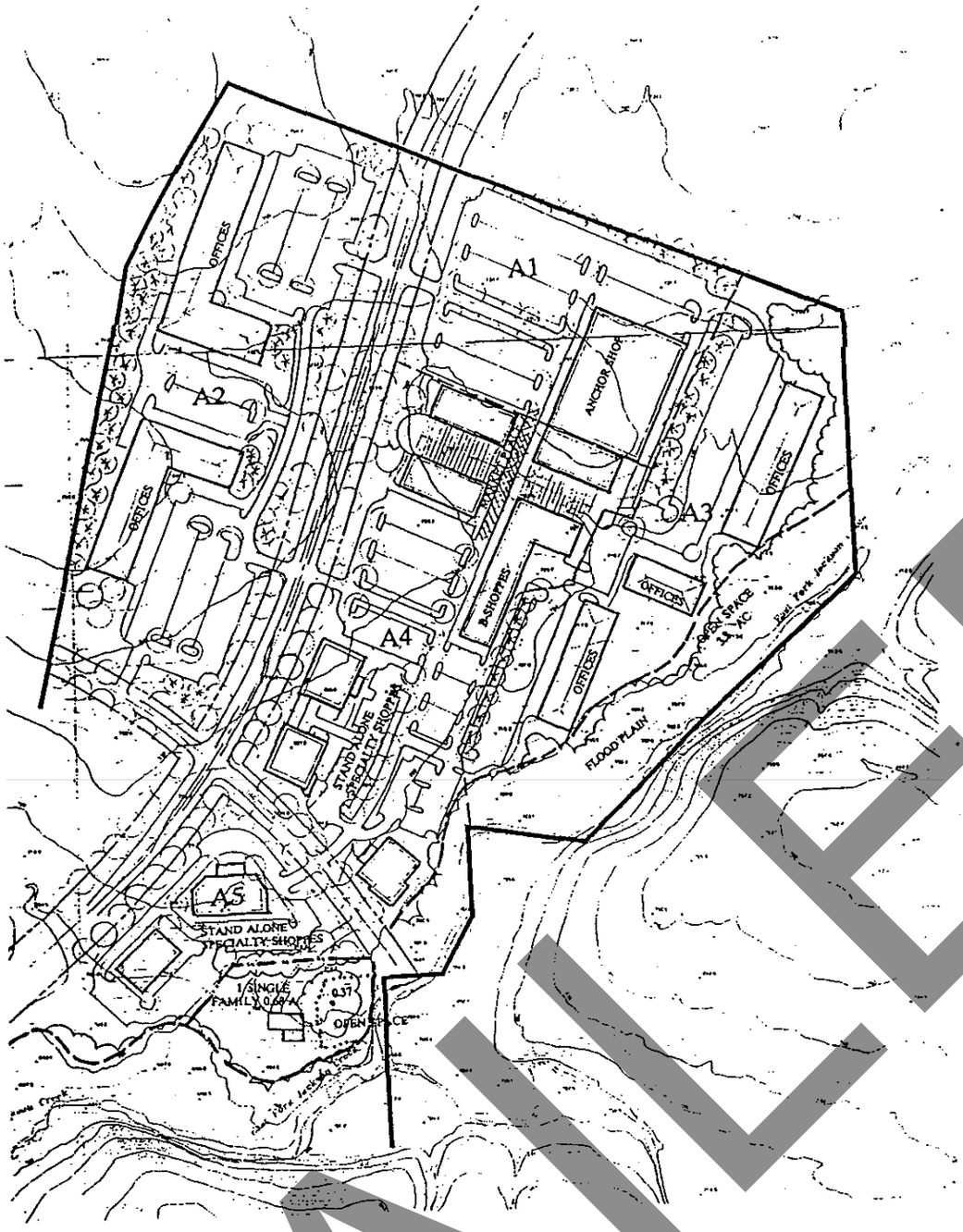
FAILED



ORIGINAL LAND USE PLAN

FAILED

Original



COMMERCIAL

Area	Square Footage/Use	Net Acreage	Parking Spaces	Parking Ratio Spaces/1000 sf
A1	50,000 sf Grocery Drug	4.70	250	5.0
A2	75,000 sf Market & B Shops	7.90	322	4.3
A5	17,000 sf Specialty Shops	3.5	92	5.4
Subtotal	126,000 sf Commercial	16.10	634	5.0
C	70,000 sf Business	9.60	377	5.5
A3	40,000 sf Business	5.20	144	3.6
Subtotal	110,000 sf Business	14.8	521	4.7
Total		30.90	1155	4.7

ILLUSTRATIVE SITE PLAN
CANADA FARM

Gaudi Nordenfelt & Associates, Inc

SN

1" = NOR

N

ORIGINAL COMMERCIAL
OFFICE SITE PLAN

FAILED

City of Bloomington Indiana

Post Office Box 100
Bloomington, Indiana 47402

812-349-3408

Office of the Clerk

March 13, 1996

I, Patricia Williams, duly elected Clerk of the City of Bloomington due hereby certify that the attached is a true and accurate copy of Ordinance 96-03 that was debated and discussed by the Bloomington Common Council on February 2, 1996 and received a roll call vote of Ayes:4, Nays:4. This No-Action vote by the Common Council resulted in a motion to reconsider. That motion received a roll call vote of Ayes:5, Nays:3.

It was determined that the council would meet on Wednesday, March 6, 1996 to reconsider the petition. On March 6, 1996, Ordinance 96-03 received a roll call vote of Ayes:3, Nays:4.

According to Indiana law, five votes are necessary for approval or denial, therefore the vote of 3-4 constitutes a No-Action and the Plan Commission approval will go into effect 90 days after the certification of January 10, 1996 which is April 9, 1996.

Patricia Williams

Patricia Williams, CLERK
City of Bloomington

FAILED