(passed 9 and absent)

ORDINANCE 04-32

TO AMEND THE BLOOMINGTON ZONING MAPS FROM PUD AND RM7 TO PUD AND TO AMEND THE PRELIMINARY PLAN FOR THE CENTURY VILLAGE 2 PLANNED UNIT DEVELOPMENT (PUD) - RE: 300 S. State Road 446 (Bill C. Brown, Petitioner)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and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

WHEREAS, the Plan Commission has considered this case, PUD-20-04, and recommended that the petitioner, Bill C. Brown, be granted a rezone of the property located at 300 South State Road 446 from PUD and RM7 to Planned Unit Development and also be granted a preliminary plan approval for the Century Village PUD. The Plan Commission thereby requests that the Common Council consider this 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 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, approximately 3.27 acres of the Baker/Stevens PUD and approximately 4.24 acres of RM7 land be rezoned and incorporated into the Century Village PUD and that the preliminary plan for that PUD be approved. The property is located at 300 South SR 446 and is further described as follows:

A Part of the Northwest Quarter of Section 1, Township 8 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast Corner of the Northwest Quarter of said Section 1; thence NORTH 90 degrees 00 minutes 00 seconds West 364 feet; thence SOUTH 00 degrees 00 minutes 00 seconds East 41.82 feet to the POINT OF BEGINNING at the Southeasterly Right-of-Way to State Road 446; thence along said Right-of-Way the following seven (7) courses: 1) SOUTH 00 degrees 17 minutes 56 seconds East 10.00 feet; thence 2) 129.30 feet along a 1004.93 foot radius non-tangent curve to the left whose chord bears NORTH 86 degrees 09 minutes 57 seconds East 129.21 feet; thence 3) SOUTH 26 degrees 10 minutes 16 seconds East 262.27 feet; thence 4) SOUTH 13 degrees 51 minutes 45 seconds East 269.67 feet; thence 5) SOUTH 00 degrees 39 minutes 14 second East 76.43 feet; thence 6) SOUTH 89 degrees 01 minutes 42 seconds East 50.60 feet; thence 7) SOUTH 00 degrees 00 minutes 00 seconds West 251.04 feet; thence leaving said Right-of-Way NORTH 89 degrees 01 minutes 42 seconds West 668.00 feet; thence NORTH 00 degrees 00 minutes 27 seconds East 245.04 feet; thence NORTH 88 degrees 38 minutes 37 seconds West 316.61 feet along Lot 7B of Baker Subdivision as recorded in Plat Cabinet "C", Envelope 169; thence NORTH 00 degrees 00 minutes 03 seconds West 379.05 feet; thence SOUTH 88 degrees 39 minutes 22 seconds East 202.34 feet; thence leaving said Lot 7B in Baker Subdivision NORTH 00 degrees 01 minutes 35 seconds East 196.21 feet to the South Right-of-Way to State Road 46; thence along said Right-of-Way SOUTH 88 degrees 58 minutes 51 seconds East 421.39 feet to the POINT OF BEGINNING, containing 14.32 acres more or less.

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 3rd day of November, 2004.

MIKE DIEKHOFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of November, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 4TH day of NOVEMBER, 2004.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance expands the Century Village PUD at 300 South SR 446 from 6.21 acres to 13.72 acres by transferring 3.27 acres from the Baker/Stephens PUD and rezoning 4.24 acres of multifamily (RM7) land on the south. This ordinance also amends the restrictions, development commitments, and list of uses for the Century Village PUD.

signed copies to:
legal (5) planning file
controller GIS clerk
petitioner CA/CA(2)

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 04-32 is a true and complete copy of Plan Commission Case Number PUD-20-04 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 13, 2004.

Date: September 27, 2004

Thomas B. Micuda, Secretary
Plan Commission

Received by the Common Council Office this 1st day of October, 2004.

Regina Moore, 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

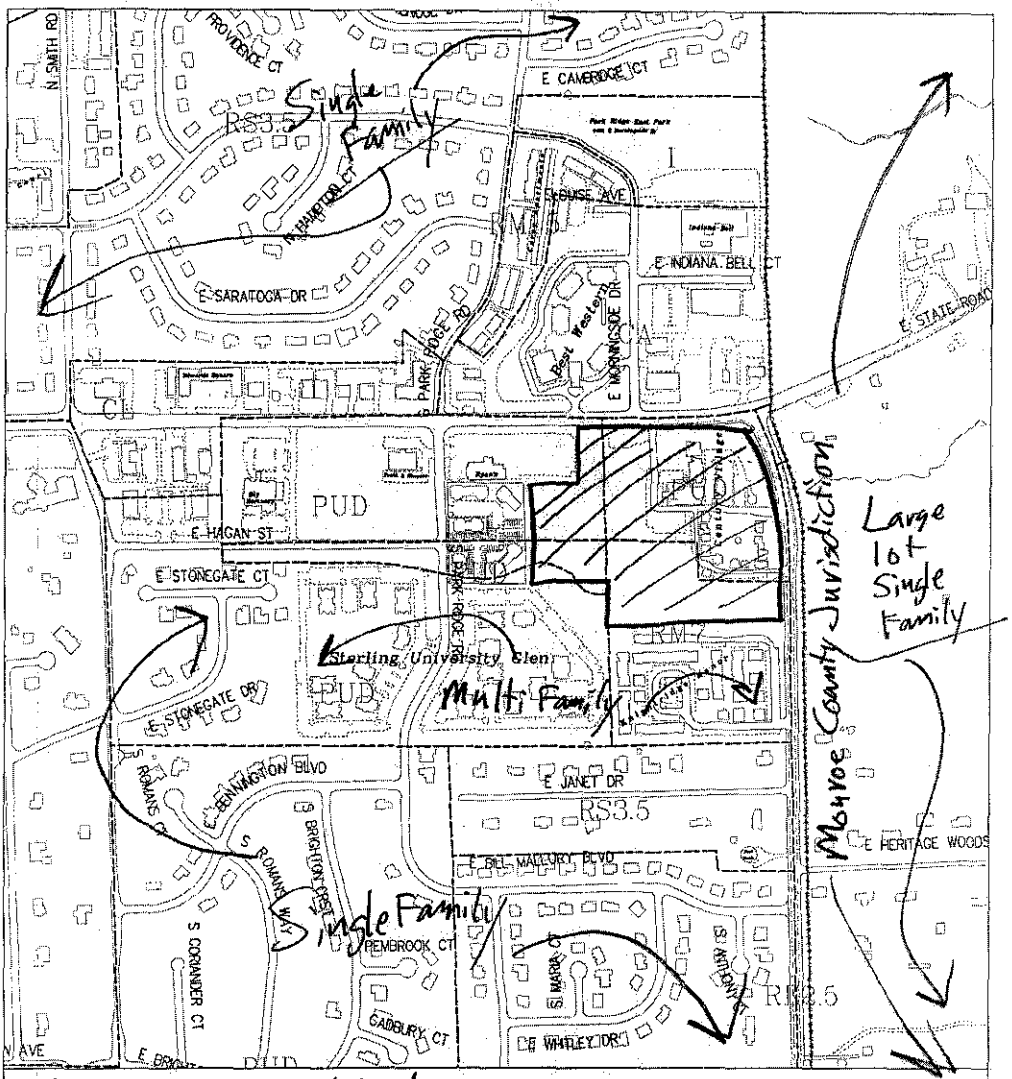
Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

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.)

FUKEBANE! ORD=CERT.MRG



Location Zoning and land use map
PUD-20-04

By: roachja
3 Aug 04

500 0 500 1000 1500

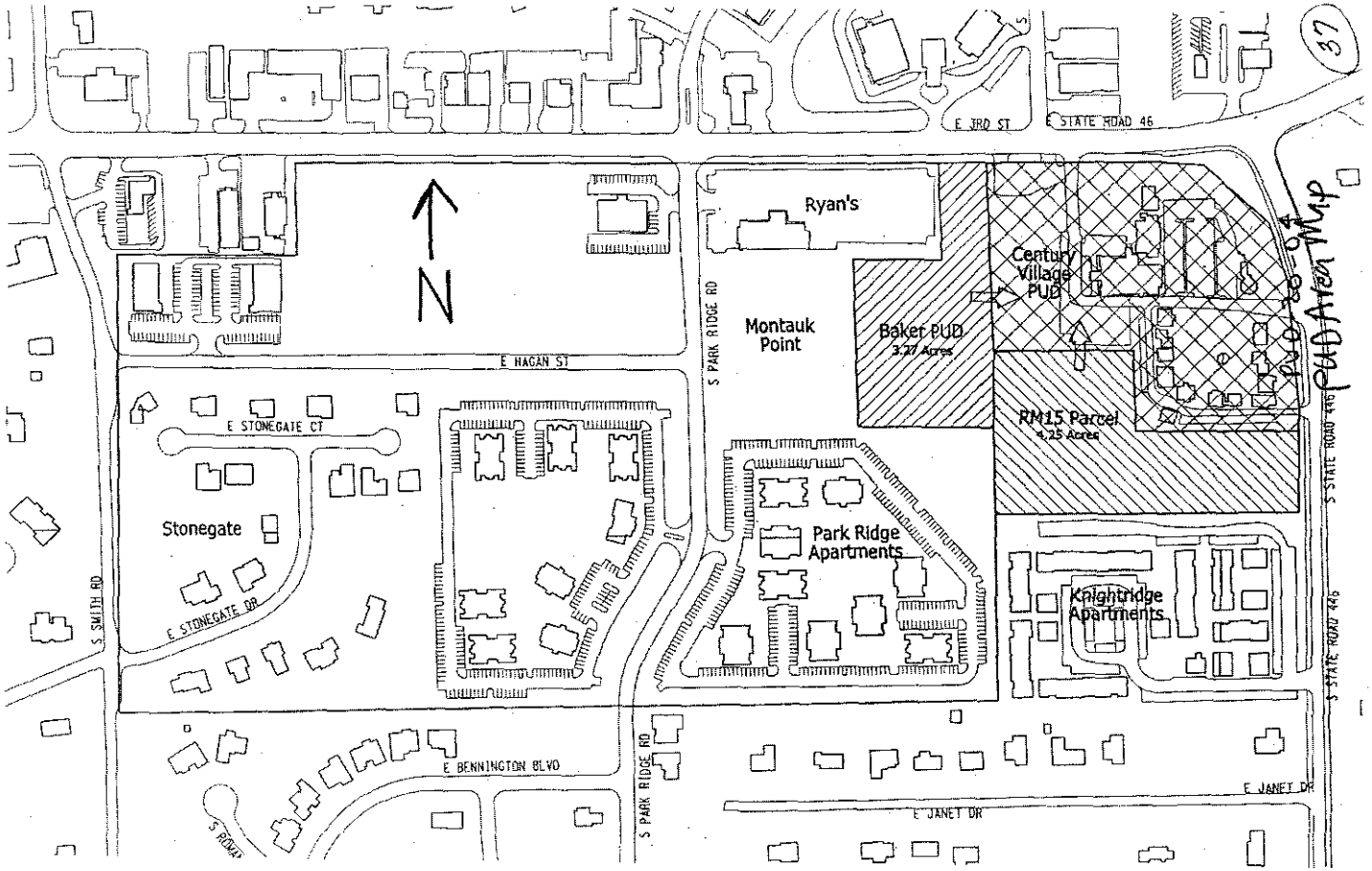
N

City of Bloomington
Planning

Scale: 1" = 500'

For reference only; map information NOT warranted.

S. PARK RIDGE RD
S. STATE ROAD 135
PARK STREET
APARTMENTS
CITY OF
GRAS


37
E 3RD ST
E STATE ROAD 46
N
Ryan's
Century Village PUD
Montauk Point
Baker PUD
3.27 Acres
RM15 Parcel
4.25 Acres
E HAGAN ST
S PARK RIDGE RD
E STONEGATE CT
Stonegate
E STONEGATE DR
S SMITH RD
Park Ridge Apartments
Knightridge Apartments
S STATE ROAD 446
E BENNINGTON BLVD
S PARK RIDGE RD
E JANET DR
E JANET DR
S ROMA

PUD Area Map

Interdepartmental Memo

To: **Members of the Common Council**
From: **James Roach, Senior Zoning Planner**
Subject: **Case # PUD-20-04**
Date: **October 11, 2004**

Attached are the staff report, petitioner's statement, and map exhibits which pertain to Plan Commission Case # PUD-20-04. The Plan Commission heard this petition at its September 13, 2004 meeting and voted 10-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting a preliminary plan amendment to the Century Village PUD. This amendment would transfer 3.27 acres from the Baker/Stephens PUD to the Century Village PUD, rezone 4.24 acres from Multifamily (RM7) to PUD to be included in the Century Village PUD and would amend the approved list of uses.

BACKGROUND:

Area:	6.21 acres (Existing PUD) 4.24 acres (zoned RM7) 3.27 acres (within Baker/Stevens PUD) 13.72 acres total
Current Zoning:	Century Village PUD, Baker Stevens PUD and RM7
GPP Designation:	Community Activity Center and Urban Residential
Existing Land Use:	Hotel, offices, restaurant and vacant, rolling meadow terrain with scattered trees
Proposed Land Use:	Mixed office and retail with second floor residential, restaurant and hotel
Proposed Density:	3.64 units per acre (50 units/13.72 acres)
Surrounding Uses:	**South, Southwest** – Multi-family residential (Knightridge Manor, Sterling University Glen) **East** – Large lot single family **North** – Commercial **West** – Office (Montauk Point) and Restaurant (Ryan's Steak House)

REPORT SUMMARY: The Century Village PUD was originally approved in 1975 and is located at the southwest corner of E. 3rd Street/SR 46 and S. SR 446. It was first developed with a series of small "Colonial Williamsburg" style structures used as offices and retail space. Since that time these structures have been converted to the Century Suites Hotel and the PUD has expanded several times. Other uses in this PUD include Chapman's Restaurant, the petitioner's office and the offices and transmission tower of WBWB and WHCC radio. The west side of the PUD also includes approximately 1.8 acres of undeveloped land, including the site of a former gasoline service station.

The petitioner, Bill C. Brown, is the developer and owner of Century Village. He also owns 3.27 undeveloped acres in the Baker/Stevens PUD immediately to the west. This land received final plan approval in 1994 for a 102 room hotel that was never constructed. This portion of the Baker/Stevens PUD permits several commercial uses including retail, office and a hotel. Immediately to the south of the Century Village is a vacant 4.24 acre tract zoned multi-family residential (RM7). The petitioner has an option to purchase this property. This petition proposes to combine together these three pieces of land into a revised Century Village PUD. The amended PUD will total 13.72 acres and include a mix of uses similar to uses already permitted within the two existing PUDs.

GROWTH POLICIES PLAN: The GPP designates the existing PUD parcels as Community Activity Center (CAC) and the RM7 zoned parcel as Urban Residential. The GPP notes that the "primary land use in a CAC should be medium scaled commercial retail and service uses." It encourages 2nd floor residential uses above commercial but states that if residential units are to be developed within a CAC, they should be located around a central node, instead of along a corridor. The GPP also encourages the provision of public space, minimal street setbacks to increase pedestrian and transit accessibility, tree plots and potential for on-street parking. The schematic plan meets many of these site planning goals, including minimal street setbacks, second floor residential and building layouts surrounding a central node of open space.

The GPP also encourages Compact Urban Form and notes that "Commercial development needs to be contained within existing commercially zoned land." Infill and redevelopment is recommended to take precedence over rezoning new land for commercial uses. It also encourages the City to "restrain new commercial development in the southeast sector of the community..." In addition to these policies, the policies toward the Urban Residential land use category, note that sites should be developed for "predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns."

Despite these policies, the Plan Commission believed that the proposed uses and the proposed extension of an already existing, successful development, as well as the provided site plan and design commitments, mitigate the expansion of commercially zoned land. Also, existing adjacent high density housing and the close proximately to established neighborhoods support the non-residential use of this property.

Finally, the GPP encourages the City to Mitigate Traffic by placing high density multi-family housing in close proximity to transit routes. The location of student-oriented housing on the periphery of the community has been a continuing concern of the Plan Commission. In this regard, the Plan Commission preferred the concept of a mixed use, commercially oriented development as opposed to a

student apartment project at the extreme eastern edge of the planning jurisdiction.

LAND USE:

Commercial: The proposed list of uses includes most of the uses currently permitted in the Century Village and Baker/Stevens PUDs. These uses have been updated with modern terms. A comparison of existing and proposed permitted uses (titled "PUD Use List Comparison") is included with this memo.

The proposed uses are as follows:

- Assisted Living Facility
- Day Care Centers
- Financial Institutions with a drive-through
- Hotel/Motel
- Offices, including medical and professional
- Personal Services (hair care, tanning, etc.)
- Radio/TV Stations
- Retail sales in enclosed buildings, limited to first floor and 5,000 square feet per user
- Banquet Facility (Definition provided)
- Restaurants, sit down, with a pick up only window for carry-out orders being allowed
- Restaurant, Limited Service (Definition provided)
- Brew Pub - limited to a minimum of 50% of floor area committed to tavern/restaurant area.
- Social Services
- Government Offices

Currently, there is no definition for "assisted care facility" in the zoning ordinance. Instead of creating a new definition for this use, the Plan Commission decided to defer this issue to final plan stage. If there is not a definition in the zoning ordinance by the time the petitioner wishes to develop an assisted care facility, the Plan Commission will need to determine the parameters of this particular use.

Multi-family: The petitioner has proposed that if multi-family uses are developed as part of the PUD that they be located only on the second floor or above and that they be limited to a maximum of 50 units. The Plan Commission determined that multi-family uses at this density were appropriate, but not essential to fulfill the policies of the GPP.

INTENSITY OF USES:

Drive-through bank: The petitioner committed to a limitation of not more than one financial institution (bank). The Plan Commission allowed this financial

institution to include a drive-through. The petitioner has committed that "The drive through would be limited it to three lanes. It will be designed to fit within the village concept and the current architecture. The drive through must be located on the side opposite the public street."

Carry-out Window: The Plan Commission allowed the sit down restaurants an allowance for a carry-out window. The petitioner has committed that "The pick up window will not be allowed to use a drive up lane that encircles the building. Instead it should be located on the opposite side of the building from the public street and should not require substantial extra pavement on its own."

Maximum Number of Restaurants: The Baker/Stevens PUD limits the commercial development to a maximum of one (1) restaurant. This restaurant has already been developed as Ryan's Steak House. The Century Village PUD has already been developed with one, approximately 10,000 square foot restaurant: Chapman's. The Plan Commission allowed for not more than two (2) additional sit down restaurants in this development. They also restricted the second new sit down restaurant to no more than 5,000 square feet. The Plan Commission felt that by limiting the number of restaurants, the limited scope of the PUD can be better assured.

Maximum Size of Retail Use: The petitioner committed to a restriction that retail uses not exceed 5,000 square feet, which is the same as the current Limited Commercial (CL) zoning district restriction. However, the Plan Commission did allow for one retail use to be as large as 10,000 square feet. The petitioner believes this allowance will serve to permit a commercial anchor and would serve higher end retail uses such as a furniture store or a pharmacy. In comparison, the new CVS Pharmacy at E. 3rd Street and The Bypass and the Pier One Imports store on Auto Mall Road are both approximately 10,000 square feet.

Maximum Building Size: Most of the buildings in the existing PUD are very small, with some buildings having footprints as small as 1,000 square feet. The petitioner has stated that typical buildings in the PUD will range from 3,000 to 10,000 square feet on the first floor. One building is shown on the schematic plan at about 11,000 square feet. The petitioner has stated a desire to expand the theme of the existing Century Village over the rest of this property and has committed that "the largest single building footprint allowed will be 15,000 square feet." However, The Plan Commission did allow a hotel/motel or assisted living facility to be exempt from this requirement.

SITE DESIGN:

Access and Connectivity: Access to the development would be from a single, re-aligned access on E. 3rd Street, with two full access points on S. SR 446. The current shared access drive onto E. 3rd Street will be shifted to the west to directly align with E. Morningside Drive. The Plan Commission required that the

realignment take place with the first new final plan for this property. Secondary access would also be provided from the existing out-only drive onto SR 446 as well as an internal connection to the Montauk Point office complex.

The petitioner has designed the entrance to E. 3rd Street as a boulevard. The boulevard median would be landscaped and also include a proposed pedestrian route.

The Plan Commission approved an access plan in the southeast portion of the property that was presented at the September 13, 2004 meeting. This plan adds a new cross access between the PUD and the Knightridge Manor Apartments to the south. Having such a cross-access drive is a significant public benefit because the Knightridge complex currently has only a single means of ingress and egress onto SR 446.

Pedestrian Facilities: The Alternative Transportation and Greenways System Plan recommends a sidepath on the south side of E. 3rd Street. This sidepath has already been partially constructed from Clarizz Blvd. to Smith Rd. and in front of Day Mortuary. However, the Greenways Plan does not make any specific recommendations for S. SR 446. There is a very wide, paved shoulder on SR 446 that is often used by bicyclists.

The Plan Commission approved a pedestrian plan that includes an 8 foot wide multi-purpose path on E. 3rd Street and a 5 foot wide sidewalk on S. SR 446. The intersection of E. 3rd Street and S. SR 446 poses particular difficulties in the construction of pedestrian facilities. This intersection includes a metal guard rail and a severe change in grade between the road and the petition site. In order to avoid this intersection, the Plan Commission approved a six foot wide pathway through the middle of the proposed entrance median that will connect to the existing drive on SR 446. This pathway will allow walkers to bypass the intersection of SR 446 and E. 3rd Street if headed south.

Architecture: The approved preliminary plan proposes to extend the architectural themes that have been established with the current Century Village PUD. The buildings would be built in a "Colonial" or "Williamsburg" style which would include cedar shake shingles and brick, wood lap or fiber cement siding. The hotel/motel use could also have a metal roof. The petitioner has committed to providing a pitched roof on all buildings, and the Plan Commission required that these roofs have a minimum pitch of 4:12. Finally, the petitioner agreed to provide 360° architectural treatments.

Common Green and Open Space: The existing PUD includes a series of small buildings clustered around a "Common Green." This green is approximately 0.6 acres in size. The petitioner proposes to create a second, 0.35 acre, "Common Green" for the undeveloped portions of the PUD and the new acreage. This new "Common Green" would be developed as an "active plaza with some brick or

modular paved surfaces as well as greenspace." The petitioner has committed that at least 30% of the new "common green" will be landscaped.

The total greenspace for the PUD is approximately 4.8 acres, which includes the two greens, the southern water quality basin and other open areas and setbacks. The developed portions of the existing PUD have approximately 41% greenspace, while the new development would contain approximately 34% greenspace. Together these 4.8 acres are approximately 36% of the PUD acreage, slightly greater than the required 35% open space for residential PUDs and much greater than requirements for commercial or office development.

Tree Preservation: There are only two areas of the property with any clustering of trees, which accounts for about 1.5 acres. Most of these trees are of poor quality and were not recommend to be preserved by the Environmental Commission. Some of these treed areas will be preserved as part of the southern water quality basin. In response to the Environmental Commission's desire to replace the tree canopy volume, the petitioner estimates that the existing tree canopy volume would be replaced by the new tree planting in about 20-25 years, when they begin to reach maturity. The Plan Commission also required that the petitioner follow a list of preferred native trees prepared by the City's arborist for trees used to replace the tree canopy.

Parking: The schematic site plan shows a parking ratio of approximately 4.3 spaces per 1000 square feet of first floor space. The Plan Commission required that the maximum allowed parking ratio be 4.5 spaces/1000 square feet of first floor space.

Signage: The existing PUD includes two large non-conforming signs on E. 3rd Street, one for Chapman's Restaurant and one for Century Suites. The petitioner has agreed to remove these signs and erect a conforming multi-tenant center sign. The Plan Commission required that all freestanding signage be brought into compliance with current code standards with the first new Final Plan. Also, the Plan Commission allowed for hanging signs that project from the face of buildings, in keeping with the "Williamsburg Village" architecture, but limited the size to a maximum of 9 square feet.

Utilities: This site has adequate utility service for both water and sanitary sewer. Schematic plans have received conceptual approval from CBU. This development would continue to utilize an existing lift station at the southeast corner of the property that forces sewage west of Ryan's Steak House.

Stormwater: A schematic drainage plan has received conceptual approval from CBU. This property is at the outer edge of the Lake Monroe watershed. The petitioner proposes that stormwater detention take place in oversized underground pipes. Once stormwater exits these pipe structures, it would be treated in at least two water quality basins and infiltration swales before leaving

the site. Schematic information about how this stormwater quality treatment would occur is included with this report.

Height Bulk and Density Standards: This PUD will utilize the current CL zoning district standards, except for an increase in the allowed building height. The maximum height allowed is increased from 35 feet to 50 feet to accommodate a 4 story hotel. The petitioner has committed that no other building would be taller than three stories.

Recommendation: The Plan Commission voted 10-0 to send this petition to the Common Council with a favorable recommendation with the following conditions:

1. Assisted care facility shall be defined at final plan stage pursuant to discussions between staff and petitioner, and with the approval of the Plan Commission.
2. A minimum roof pitch of 4:12 is required on all structures, except for dormers, gables, porches and accessory structures.
3. Only one (1) financial institution shall be permitted. One (1) additional sit-down restaurant or brew pub shall be permitted (in addition to the existing Chapman's restaurant). A second additional sit-down restaurant or brew pub shall be permitted but shall be limited to a maximum of 5,000 square feet.
4. All freestanding signage shall be brought into compliance with current code standards with the first new Final Plan. Projecting signage on buildings shall not be permitted to extend over the right-of-way and shall be limited to a maximum of nine (9) square feet per side.
5. The main entrance drive off of E. 3rd Street shall utilize angled parking only. Perpendicular or parallel parking shall not be permitted.
6. Construction phasing of bicycle and pedestrian facilities on E. 3rd Street and SR 446 shall be determined with the first final plan for new construction. Easements, signage, bollards and textured or raised crosswalks are required for these facilities and shall be reviewed at final plan stage.
7. The access drive to E. 3rd Street shall be aligned with Morningside Drive with the first new final plan.
8. Indoor amusements shall not be permitted.
9. The petitioner shall follow a list of preferred native trees prepared by the City's arborist to replace the existing canopy.
10. This Preliminary Plan shall include the revised plan for the southeast access as presented at the hearing.

Century Village
Planned Unit Development Expansion

The expansion of the Century Village development will continue and enhance the Williamsburg Village concept through controlled architecture, a new village center created by building placement and numerous other plan details. Land uses will include limited retail, restaurants, office, assisted living, hotel and second floor residential.

The existing PUD includes approximately 6.21 acres. It is being expanded by a total of 7.52 acres. Included in the expansion is a 4.24-acre parcel to the south, currently zoned for multi-family housing. Also included is a 3.27 acres parcel to the west of Century Village, which will be removed from the Baker PUD to become a part of the expanded Century Village PUD. The latter is made up of two parcels, one a .52-acre parcel, Bill Brown, Trustee, and the other is lot 7B (2.75 acres) from the Baker PUD. The revised PUD will total approximately 13.72 acres.

Land Use

The following land uses shall apply to the PUD expansion and to the original PUD area.

- Assisted Living (see definition)
- Day Care Centers
- Dwelling units above the first floor, limited to a maximum of 50 units
- A single, detached single-family residence to serve as the manager's home
- Financial Institutions with a drive-through
- Hotel/Motel
- Offices, including medical and professional
- Personal Services
- Radio/TV Stations
- Retail sales in enclosed buildings, limited to first floor and 5,000 square feet per user, except as noted below
- Restaurants, sit down, with pick up only window for carry-out orders allowed
- Banquet Facility (including wedding chapel) (see definition)
- Restaurant, Limited Service (see definition)
- Indoor Amusement
- Social Services
- Government Offices
- BrewPub- in addition to the definition for a BrewPub in the CA zone in the zoning ordinance, this will be further limited to a minimum of 50% of floor area committed to tavern/restaurant area.

Buildings and Site Layout

Typical buildings in the village will range from 3,000 to 10,000 square feet on the first floor. There is no restriction to the size of the Hotel/Motel or assisted living facility. A single retail user, of as much as 10,000 square feet on the first floor, is allowed.

The buildings will be designed to appear to be an extension of the current Century Village theme. A Colonial or Williamsburg architectural theme will be continued. Pitched roofs will continue to be used with the same cedar shake shingles currently used, with the exception of the Hotel/Motel, which might use a metal pitched roof. Siding materials will be repeated from those currently used in Century Village, which includes brick and wood lap siding. Cement board siding made to look like wood lap siding is an acceptable alternative. Other man-made/look-alike materials; such as man-made cedar shake shingle replacements, will be allowed, with Plan Commission approval at the Final Plan. We agree to provide 360° architectural treatments.

Though many of the buildings in the current village are quite small, there are some buildings that are substantially larger. Chapman's Restaurant, for example, is about 10,000 sq. ft. yet it has been carefully designed to fit within the fabric of the existing architecture. We anticipate and will encourage larger buildings to predominate in the new development, because smaller buildings are harder to adapt for re-use over time as businesses grow and/or come and go. The largest single building footprint allowed will be 15,000 square feet, except for the hotel/motel and assisted living uses, which have no size limitation.

The financial institution will be allowed to have a limited drive-through capability. The drive through would be limited it to three lanes. It will be designed to fit within the village concept and the current architecture. The drive through must be located on the side opposite the public street.

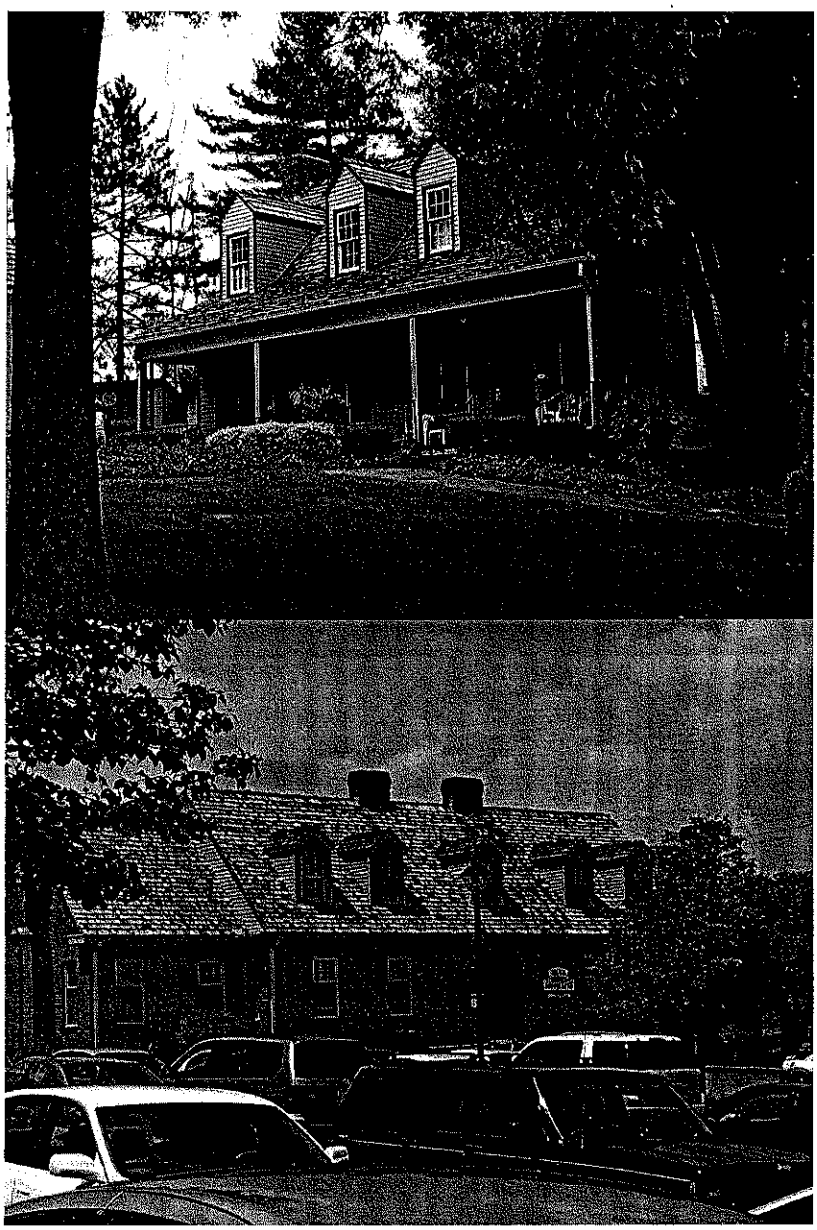
As many as two additional sit down restaurants are allowed. As is often seen in today's sit down restaurants, there is need for a pick up facility for take out orders and this has been included in our proposal. However, a fast-food type order and drive through facility will be prohibited. The pick up window will not be allowed to use a drive up lane that encircles the building. Instead it should be located on the opposite side of the building from the public street and should not require substantial extra pavement on it's own.

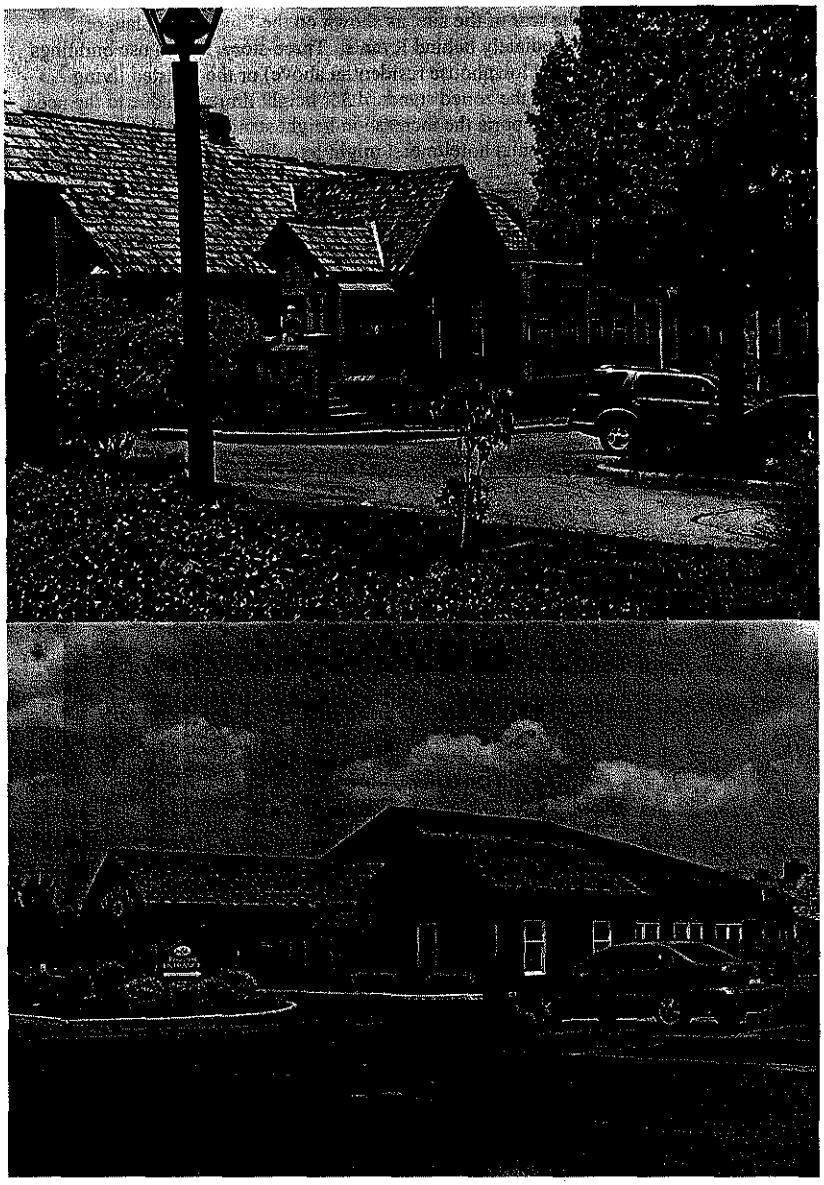
Second story uses are encouraged but not required. The second story uses will be limited to offices, residential (maximum 50), hotel/motel units and assisted living uses.

The buildings will typically be of a building forward design and set at the sidewalk with parking adjacent on the street. Additional parking will be provided, as required, behind the buildings, similar to that shown on the Illustrative Plan. Parking can be shared such that each building does not need to meet specific parking requirements adjacent to the building. It is our intent to limit parking to the maximum needed by the entire development, utilizing a shared parking environment. The Plan Commission will be allowed to reduce the maximum parking standards during final plan approvals.

Development standards of the CL zone will be used except as noted in this document. The Plan Commission may vary those standards at the development plan stage to maintain the village concept. We propose a variable building and parking setback along Third Street as shown on the Illustrative Plan. This will allow us to meld the concept of building forward design with extra deep pockets of setback for increased landscaping areas along this prominent corridor. The proposed sidepath has been moved back to the edge of the right-of-way in order to have a deeper tree plot along 3rd street.

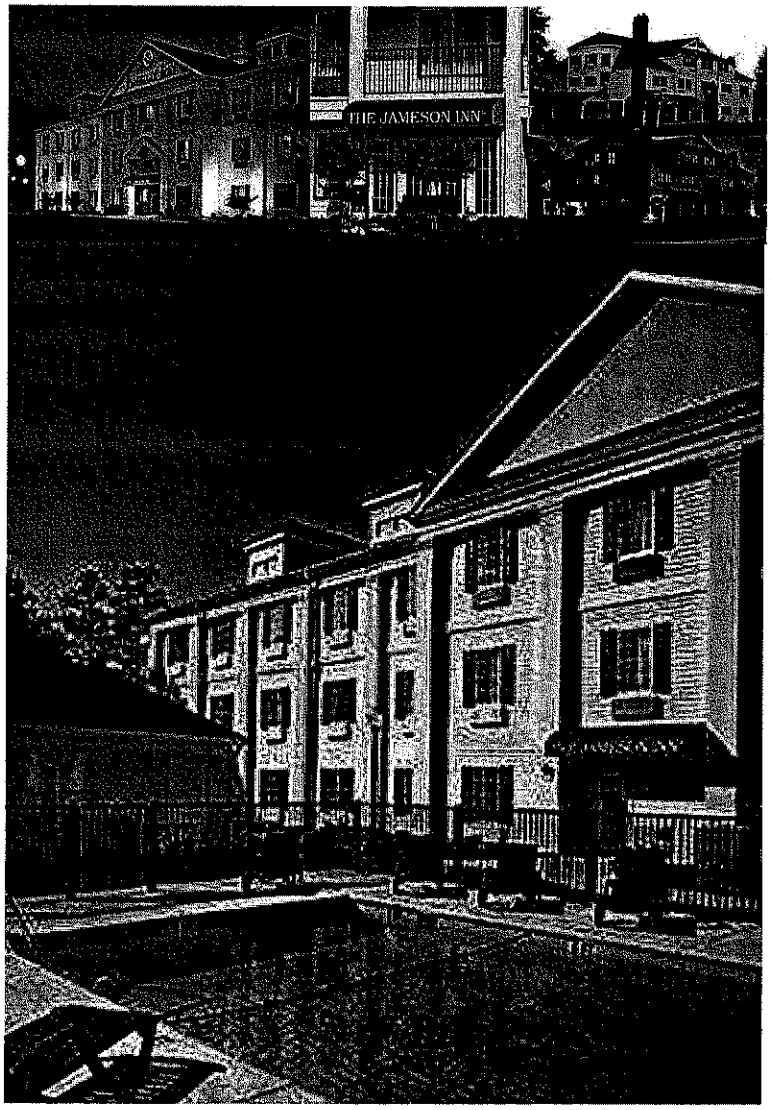
Below are some photos of the existing Century Village buildings:





We also propose to increase the setback along the Knightridge Apartment interface to a 30' landscaped buffer. The maximum building height restriction shall be increased from 35' to 50'. This will allow for a 4-story hotel/motel with pitched roofs that reflect the existing building architecture. We believe the larger, 4-story building (hotel/motel)

should be situated toward the rear of the site, as shown on the Illustrative plan, or, alternatively, in the area immediately behind Ryan's. Three-story, mixed use buildings (i.e. office-retail below/ 2-story townhouse residential above) or the assisted living facility could also be taller than the zoned standard 35' height limitation due to the need for pitched roofs, which also supports the increase in height standard. Below are some examples of what a 3-story colonial hotel/motel might look like:



Buildings will be situated in a fashion that expands the "village" concept that has already been established. The site plans that reflect this concept will be developed as a part of the development plan approvals when the proposed tenants and uses are more certain. Buildings, size and location, will be used to establish pedestrian scale spaces that continue the village concept. A second village green or plaza is proposed central to the new construction. This is planned to be a more active plaza with some brick or modular paved surfaces as well as greenspace. We agree to maintain at least 30% of this village plaza/green as landscaped area.

The total greenspace for the revised PUD is about 4.8 acres, approximately 36 percent, half of which is in "major greenspace areas" and half in strip/setback/island areas. A more detailed breakdown of greenspace and impervious surfaces has been provided, based on the Illustrative Plan, which has been prepared to show how the revised PUD could develop. We have also submitted an optional plan for how the new village green/plaza might develop for more active uses.

The existing buildings in Century Village total approximately 30,700 gross sq. ft. on the first floor. Approximately 14,500 sq. ft. of this is part of the Century Suites Hotel, the rest coming from Chapman's and the existing professional offices. The illustrative plan for the revised PUD indicates the potential to add around 85,000 sq. ft. on the first floor only. The total first floor gross building area for the revised PUD would be about 115,700 square feet. Second floor uses are limited to apartments, assisted living, hotel units or offices, which we believe should be able to share parking with the first floor uses, so no additional parking would be needed.

Pedestrian Accommodation

Plazas and sidewalks will continue in the PUD expansion area to enhance the pedestrian scale of the village. Pedestrian connections will also be provided to adjacent developments. These include the multifamily to the south and to the west of the site. In addition, accommodation will be made for extension of a pedestrian/bicycle side path, as indicated in the comprehensive plan, to the Third Street/446 intersection along the existing shoulder. A smaller (6' wide) local pedestrian/bicycle path will be routed through the development center and out to 446. This is the route that many pedestrians and bicyclist now take through the site. The pedestrian/bicycle path facilities shall be constructed prior to completing 50% of the new development construction or with construction of the hotel, whichever comes first.

Traffic Circulation and Parking

The existing drive accesses to Third Street and SR 446 will continue to serve the development until the first final development takes place in the revised PUD. When this happens, a new entry, aligning with Morningside drive will be constructed at the Third Street entry, and the old road cut closed. We agree to consider angled parking spaces along the one-way entry and exit, but will not commit to this until final plan approvals, where we can better evaluate the full parking needs of the proposed tenants that are affected. We can commit to angled parking as long as there is no loss of parking spaces in front of these buildings. To assure this, we might have to add a few angled or parallel parking spaces in the boulevard area to offset the loss of spaces from the perpendicular

parking design. Included is a revised entry alternative that shows what the effect of these additional spaces might be.

The existing section of Century Village (not including the parking west or south of Chapman's) currently totals approximately 108 parking spaces. The parking shown in the illustrative plan adds another 390 parking spaces for a total of 498 potential spaces in the revised PUD. With approximately 115,700 sq. ft. of first floor building area in the revised PUD, the resulting parking ratio would be about 4.3 parking spaces per 1000 square foot of first floor space. We believe this to be a very desirable ratio for a shared parking environment like this mixed-use development proposes. It should encourage and be able to accommodate second floor uses without additional parking. The maximum allowed parking ratio shall be 4.5 spaces/1000 square feet of floor space (counting the first floor only). This calculation shall not include the square footage or parking for the hotel, which will be separately evaluated.

Another indirect drive will be connected to the Montauk Point parking lot. A third indirect connection may be made to SR 446 in the expanded area to the south. This drive would be for service or emergency vehicles or for access to a back parking area and designed to limit cut-through traffic. Back out parking along the main drives will be allowed in order to help calm traffic.

The indirection to the back of the hotel area is absolutely critical to the hotel's success. It is extremely important in today's hotel environment that we foster the perception of safety and security for hotel guests. It simply will not work to have direct, obvious connection from 446 to the back of the hotel. However, we do commit to provide an indirect drive with adequate turning radii to allow for emergency vehicles to easily and quickly reach the hotel. The illustrative plan has been revised to remove a few parking spaces and increase the inside radii on these turns to easily accommodate a 30' wheel base fire truck and even up to a 40' wheel base semi for service needs along our proposed indirect route.

It must also be noted that in terms of emergency vehicle access, we have 5 possible access points to this site. Three from 446, the current main drive being very direct, the one-way drive and the proposed indirect drive being somewhat indirect. We also have a direct connection from Third and an indirect connection from Park Ridge Drive. There would actually a sixth access available in an emergency, through the use of the one-way out drive to Third Street. We believe this degree of access is exceptional and unusual in a small commercial development. It's hard to imagine many, if any, developments of any size, with the exception of College Mall, that have as many or better access throughout.

We have been in contact with representative of the owners of Knightridge Apartments about the possibility of a drive connection to Knightridge. They have stated that they are opposed to this connection. We have asked them to call the planning staff or provide them a letter confirming this. The proposed connection to Knightridge has been removed from our Illustrative Plan in accordance with their opposition.

Site Features

There are some closed contoured areas that are apparent on the GIS on this site. We believe these to have been created from grading of the surrounding developments.

Included with our applications is a copy of the Quad map for this area with the site highlighted. It is clear form this map that the now enclosed contours were once natural ravines that have since been filled during construction for the existing Century Village. The Environmental Commission has identified some examples of soil slumping or piping. We do not believe any of these to be karst features. Instead, we believe them to be soil slumps resulting from backed-up stormwater finding voids in the material that was used to fill the original valleys that once drained this site naturally. However, we agree to have the site evaluated by a geologist and a report submitted at the time of the first development plan approval for new construction.

There is a narrow tree line running between the existing Century Village PUD and the Baker Farm PUD and a couple of other small stands of poor quality secondary growth vegetation. Due to the Urban Village nature of the proposed development, we believe they will conflict with our plans and should be allowed to be removed. The ability to provide a new entrance across from Morningside Drive and the critical need to provide formative building fronts along the entry that will define edges of the village common would be compromised if this vegetation were to be retained. Existing tree canopy volume will be replaced with new tree planting that will result in at least the equivalent tree canopy volume at about a 20-25 year maturity. A portion of these new trees will be planted in groves. New plant materials, when situated in groves, will be species native to central Indiana.

Development Signage

A project identification/monument sign will be allowed along the Third Street frontage and also along SR 446, according to the current signage ordinance. These signs will be allowed to display the name of the development (i.e. Century Village) and individual business names (i.e. Chapman's) and can have a portion dedicated to removable text. The existing pole signs will need to removed, or be brought up to code before 50% of the new development is complete or with the construction of the hotel use, whichever comes first.

Individual buildings are allowed to have signage that meets the current signage ordinance and/or small hanging sings, in the tradition of Williamsburg Village Architecture of no more than 16 square feet. Small common directional signage to help locate individual businesses will be allowed.

Sanitary Sewer

The sanitary sewer service on site consists of a series of private gravity mains. These mains connect to an existing lift station along the east side of the property near SR 446. The Illustrative Utility Plan shows construction of new 8" gravity mains and the abandonment of portions of the existing 8" private main in the undeveloped portion of the existing Century village. Portions of the existing 6" force main will need to be relocated as well. A new lift station and wet well will be constructed, or the existing ones upgraded, as indicated. A new 6" force main will need to be installed from the lift station and wet well to a point where the new 6" force main can be connected to the existing 6" force main. The existing 8" private main serving the suites will need to be intercepted and connected to the new 8" gravity main as well. The lift station and wet well shown will need to be sized as require by City of Bloomington Utilities.

Water Mains

The water service on site consists of both private and City 6" mains. A connection to the existing 8" water main in Montauk Point along the site's west property line will need to be made. A new 8" main would be extended east through the site and connected to the existing 6" main. A portion of the existing 6" main would need to be relocated.

Storm Sewer

The site lies within the upper reaches of the Lake Monroe Watershed. Accordingly, water quality measures as well as storm water detention would need to be included in development of the site. The Illustrative Plan shows the installation of 2 detention and water quality systems. The system within the northern portion of the site is described as follows.

An underground detention system consisting of oversized pipes would be constructed beneath the new entrance and parking area. This detention area would outlet near the new road connection to SR 46. Discharge from the detention area would be routed through a filter swale across the north side of the site. The filter swale would discharge to a yard inlet that would in turn convey the flow to a water quality basin located at the northeast corner of the site. The water quality basin would have a standpipe outlet control structure, designed to provide for extended detention times of the "first flush storm" thereby allowing for settlement of suspended solids. The water quality basin would ultimately discharge to the existing pipe culvert under SR 446.

The system within the southern portion of the site would be similar in nature. Discharge from an underground detention system would be routed to a water quality basin on the southern half of the site. The water quality basin would utilize the same standpipe design, ultimately discharging to the existing side ditch along SR 446.

We have provided the additional documentation regarding the proposed storm water management techniques we are proposing, as requested by staff, Environmental Commission and Plan Commission.

Growth Policies Plan Issues

The GPP shows the RM7 portion of this proposal as "Urban Residential". This land category does not support all the types of uses proposed under this PUD. As a result, we believe it would be best for the GPP to designate this area and the revised PUD a " Community Activity Center". Of great concern is the current RM7 zoned land could support the development of more student housing. The revised PUD would only allow residential uses on the second floor and above, except a managers home. The Urban Residential section of the GPP states that larger parcels recommended as "urban residential" should be encouraged to include mixed uses. It also states that where infill development takes place, it should be consistent and compatible with the pre-existing developments. It also recommends that site plans include optimized street bicycle and pedestrian connectivity to adjacent neighborhoods, and that each neighborhood have a defined center or focal point, such as a formal square with landscaping, that common space is truly useable and accessible, with linkages to other open spaces. We believe our

proposed mixed-use development meets all these recommendations, but in the form of a "Community Activity Center".

The GPP says "The Community Activity Center is designed to provide community serving commercial opportunities in the context of a high density, mixed use environment. The CAC must be designed to serve not only the pedestrian traffic from nearby neighborhoods, but also a community-wide group of users that may drive a personal vehicle to the CAC. Parking will become more important in this area than the NAC, but should still be kept to reasonable levels and skillfully designed to avoid large areas of asphalt." This quote illustrates just how well the proposed PUD expansion fits this category. All of these features are evident in this proposal.
The CAC is intended to provide for a mixed-use commercial area that serves the entire area surrounding the CAC. It should be accessible to surrounding areas by non-motorized means, have public gathering space, and a more intense site development, with the primary uses to be medium scaled commercial retail and service uses. Also, the CAC should be located within or very near existing developed neighborhoods, have access to public transit, and located at an intersection, which is made up of collector or arterial streets. Buildings should have minimal setback, with parking designed with and emphasis on minimizing pedestrian obstacles to accessing the businesses, with incentives to encourage the inclusion of second-story residential units and have on-street parking and tree plots to buffer pedestrians and reduce off-street parking needs.

It is also clear that the CAC is designed to support other key policies of the GPP such as "Mitigate Traffic" and "Compact Urban Form". Traffic mitigation is implicit in the whole concept of the CAC. It provides opportunities for commercial services to be provided close to neighborhoods, which not only encourages pedestrian access, but also reduces cross-town traffic that would otherwise be needed to obtain these services. Including second story residential units and public greenspace in the CAC allows those residents opportunities for even more immediate access to needed daily services. Finally, the CAC encourages transit access, which this PUD has with a bus stop already on Third Street near the entry. This makes our project accessible to a wider area without the need for personal motorized travel.

The GPP embraces the concept of "Compact Urban Form". A major goal of compact urban form is to create a compact land-use development pattern that provides efficient delivery of services, while limiting sprawl and maintaining the special nature of Bloomington. As a counterbalance to strategies that limit spatial growth, the GPP encourages denser infill development within areas that are already well established. It recommends providing incentives for the development of mixed-use neighborhoods on infill development tracts. And calls for a limit to student residential developments. The GPP suggest that commercial development be directed to commercially zoned, underutilized vacant land, particularly along arterial roadway corridors. It recommends providing opportunities for mixed use, multi-story construction in community scale activity centers and appropriately located and designed neighborhood serving commercial centers in all geographic sectors of the community.

It is our firm belief that the expanded Century Village PUD offers the features and opportunities a development should to provide the positive community benefits mentioned above as supported in numerous sections of the GPP.

New Use Definitions:

"Restaurant, limited service"
An informal restaurant serving a limited menu. This use must be under 5,000 square feet, cannot provide delivery service and cannot have a drive through window. Examples include but are not limited to coffee shops, delis, ice cream shops and submarine sandwich shops

"Banquet Facility"
A commercial facility providing rental of floor or room space for social engagements including weddings, banquets, organizational meetings, or equivalent events.

"Assisted Living"
An "Assisted Living Facility" is a residential facility that offers assistance with activities of daily living. Residential services are provided for a fee including individual living units, dietary services, housekeeping services, transportation, social activities and some limited health-related services.

Smith Neubecker & Associates, Inc.

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

Century Village
Storm Water Management

The storm water management system for the Century Village PUD will consist of a combination of underground detention facilities and above ground water quality basins. Both are proven methods for handling storm water detention needs and providing water quality enhancement.

The concept of underground detention is nothing new. The Barnes and Noble site along East 3rd Street utilized the first underground detention system designed by Smith Neubecker & Associates, Inc. This system, which was approved an accepted by the City of Bloomington Utilities Department as an acceptable method for providing storm water detention in an urban environment, was designed and installed in about 1994. Since that time, this system has been used successfully on numerous commercial projects on Bloomington's east side. Some notable projects, which are currently utilizing an underground detention system, include CVS Pharmacy, Best Buys and Day Mortuary.

The system consists of a series oversized pipes, usually 36" to 48" in diameter, connected to the storm sewer system within a paved area. The ultimate outlet pipe of the system is reduced in size so that water cannot be discharged from the system as quickly as it enters the system. The resultant reduction in the rate at which the system can discharge storm water causes water to "back-up" into the oversized pipes. Over time, the stored water within the oversized pipes can drain out of the system through the reduced outlet pipe. This is the same concept used in a traditional above ground detention area; provide a large area to store water and make the outlet small enough that it causes water to pond. The only difference between the two concepts is that one is above grade and visible, the other is below grade and hidden. The underground detention systems are designed so that the oversized pipes can be easily accessed either at storm inlet or manhole locations so that any accumulated sediment, washed from the parking areas, can be cleaned from the pipes.

The water quality basins proposed would be located at the outlet points of the underground detention system. These basins would appear to be a traditional above ground detention area. However, the outlet pipe used in these basins is typically a combination of a standpipe and infiltration trench. A standpipe structure forces water to pond to a certain elevation before it can flow out of the water quality basin. This point on the standpipe is typically set at the elevation where water would pond in the "first flush" storm event. These storm events are the ones most commonly experienced and are the storm events responsible for flushing accumulated sediment and oils from parking surfaces. Since the water level in the water quality basin does not exceed the top of the standpipe, it must be absorbed into the bottom of the detention area

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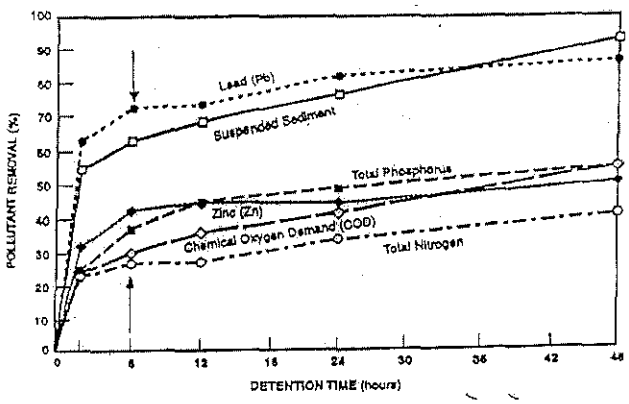
STORMWATER MANAGEMENT (26)

or released through the infiltration trench. The infiltration trench is a gravel-lined trench with a perforated drain tile installed in the bottom of the water quality basin. Runoff is filtered by the gravel before it leaves the basin and any accumulated sediment is trapped within the gravel layer.

This concept of detaining the first flush storm and utilizing a gravel infiltration trench is nothing new. The science behind the water quality basin is based on providing an extended detention time so that accumulated pollutants within the runoff can be removed by allowing for settlement. The table below shows the resultant levels of pollutant removal vs. detention time that can be expected from a water quality basin as proposed.



NOTE: Based on GWML (1983), settling column data. Average values for seven tests.

The final proposed method for improving water quality is commonly referred to as "bio-filtration swale". This feature is a flat bottom swale with a slope of between 2 and 5 percent. The composition of soil in the bottom of the swale promotes absorption of runoff because it is comprised mainly of sandy loam soil types. The vegetative composition of the swale is comprised of grasses that have proven "filtering" qualities such as tall fescue, bentgrass, clover and trefoil. A study of bio-filtration swale performance by the Seattle Washington Pollution Control Department in 1992 found the following removal efficiencies for a 100 foot and 200 foot segment of a grassed swale which was

monitored for six storm events over a period of 5 years. Results from that study are shown below.

	200 foot	100 foot
NO2-NO3	-81%	-27%
Ortho-P	0%	41%
Total P	29%	50%
Bioavailable P	<40%	72%
TSS	83%	72%
Turbidity	65%	56%
Total Cu	46%	10%
Total Pb	<67%	25%
Total Zn	63%	15%
Total Al	63%	27%
Total Fe	72%	18%
Oil and Grease	75%	49%
TPH	74%	----

Grassed filter swales such as the one proposed have been in use along State Road 37 south Bedford in areas where the roadway passes through karst topography for almost 10 years. The swales were installed along the roadsides as a way to enhance the water quality of roadside runoff prior to its discharge to existing sinkholes.

The concepts proposed for management of storm water detention and water quality are proven Best Management Practices and are appropriate for the Century Village PUD.

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PUD-20-04
Schematic Utility Plan

CENTURY VILLAGE 2 PUD
ILLUSTRATIVE PLAN

36

Century Village PUD
Greenspace/Impervious Surface Comparisons

Existing PUD (developed portion only, not including still vacant portion)

	Area	Percentage
Site area:	199,762 sq.ft.	100%
Major Greenspace Area:	51,596 sq.ft.	25.8%
Strip/setback/island Greenspace:	30,015 sq.ft.	15.0%
Total Greenspace:	81,611 sq.ft.	40.9%
Impervious Surface:	118,151 sq.ft.	59.1%

Undeveloped area of revised PUD

	Area	Percentage
Site area:	372,300 sq.ft.	100%
Major Greenspace Area:	54,090 sq.ft.	15.0%
Strip/setback/island Greenspace:	73,625 sq.ft.	19.8%
Total Greenspace:	127,715 sq.ft.	34.3%
Impervious Surface:	244,585 sq.ft.	65.7%

Overall Site Totals:

	Area	Percentage
Overall Site area:	572,062 sq.ft.	100%
Major Greenspace Area:	105,062 sq.ft.	18.5%
Strip/setback/island Greenspace:	103,640 sq.ft.	18.1%
Total Greenspace:	209,326 sq.ft.	36.6%
Impervious Surface:	362,736 sq.ft.	63.4%

Greenspace Comparison

PUD Use List Comparison

Century Village PUD	Baker/Watson/Stephens PUD	Proposed new Century Village PUD
Hotel	Motel/Restaurant Complex (must be integrated into one building. Carry-out not permitted)	Hotel/Motel
lounge and banquet facilities		Wedding Chapel
full service restaurant family style restaurants	Motel/Restaurant Complex (must be integrated into one building. Carry-out not permitted) Sit Down Restaurant (Limit of one, Ryan's Steakhouse)	Restaurants, sit down, with pick up only window for carry-out orders allowed
private apartments in upper levels of some buildings		Dwelling units above the first floor, limited to a maximum of 50 units A single, detached single-family residence to serve as the manager's home
dentist and physician offices architectural office engineering office administrative offices insurance offices realtor offices	Professional Office Clinics	Offices, including medical and professional
Retail, limited to a maximum of 3,000 square feet of gross floor area, including: leatherwares shop business equipment Apparel shops Craft studios and shops Bakery/confectionery flower shop linen shop jewelry shop sporting goods store home electronics shop small accessories for home and kitchen artist studios wine and cheese shop gifts, cards and stationery shop pottery and ceramics shop interior decoration shop photography shop hobbies and crafts shop	Neighborhood and Specialty Shops with a maximum of 3,000 square feet each, including: Antiques Apparel Arts and Crafts Bakery Florists Books Jewelry Sporting Goods Appliances Dairy Hardware Drugstore and Sundry Furniture Gifts Grocery and Meat	Retail sales in enclosed buildings, limited to first floor and 5,000 square feet per user

PUD-20-04
PUD Use List Comparison
(48)

hair stylists photographer's studio	Personal Services	Personal Services
	Business Service	
		Assisted Care Facility
		Day Care Centers
	Funeral Service	
	Branch Bank	Financial Institutions with a drive-through
radio station sound recording studio		Radio/TV Stations

BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
LOCATION: 300 S. SR 446

CASE NO: PUD-20-04
DATE: September 13, 2004

PETITIONER:	Bill C. Brown 300 S. SR 446, Bloomington
COUNSEL:	Smith Neubecker and Associations 453 S. Clarizz Blvd, Bloomington

REQUEST: The petitioner is requesting a preliminary plan amendment to the Century Village PUD. This amendment would transfer 3.27 acres from the Baker/Stephens PUD to the Century Village PUD, rezone 4.24 acres from Multifamily (RM7) to PUD to be included in the Century Village PUD and would amend the approved list of uses.

BACKGROUND:

Area:	6.21 acres (Existing PUD) 4.24 acres (zoned RM7) 3.27 acres (within Baker/Stevens PUD) 13.72 acres total
Current Zoning:	Century Village PUD, Baker Stevens PUD and RM7
GPP Designation:	Community Activity Center and Urban Residential
Existing Land Use:	Hotel, offices, restaurant and vacant, rolling meadow terrain with scattered trees
Proposed Land Use:	Mixed office and retail with second floor residential, restaurant and hotel
Proposed Density:	3.64 units per acre (50 units/13.72 acre)
Surrounding Uses:	**South, Southwest** – Multi-family residential (Knightridge Manor, Sterling University Glen) **East** – Large lot single family **North** – Commercial **West** – Office (Montauk Point) and Restaurant (Ryan's Steak House)

REPORT SUMMARY: The Century Village PUD was originally approved in 1975 and is located at the southwest corner of E. 3rd Street/SR 46 and S. SR 446. It was originally developed with a series of small "Colonial Williamsburg" style structures used as offices and retail space. Since that time these structures have been converted to the Century Suites Hotel and the PUD has expanded several times. Other uses in this PUD include Chapman's Restaurant, the petitioner's office and the offices and transmission tower of WBWB and WHCC radio. The west side of the PUD also includes approximately 1.8 acres of undeveloped land, including the site of a former gasoline service station.

The petitioner, Bill C. Brown, is the developer and owner of Century Village. He

also owns 3.27 undeveloped acres in the Baker/Stevens PUD immediately to the west. This land received final plan approval in 1994 for a 102 room hotel that was never constructed. This portion of the Baker/Stevens PUD permits several commercial uses including retail, office and a hotel. Immediately to the south of the Century Village is a vacant 4.24 acre tract zoned multi-family residential (RM7). The petitioner has an option to purchase this property. This petition proposes to combine together these three pieces of land into a revised Century Village PUD. The amended PUD will total 13.72 acres and include a mix of uses similar to uses already permitted within the two existing PUDs.

This petition was last reviewed by the Plan Commission at its August 9, 2004 meeting. At that time, the Plan Commission instructed staff and the petitioner to work toward providing additional open space and architectural controls as well as land use and site plan commitments. The revised petition increase the preserved open space from 4.1 acres to 4.8 acres, provides for a boulevard style entrance and defines an interior pedestrian route.

GROWTH POLICIES PLAN: The GPP designates the existing PUD parcels as Community Activity Center (CAC) and the RM7 zoned parcel as Urban Residential. The GPP notes that the "primary land use in a CAC should be medium scaled commercial retail and service uses." It encourages 2nd floor residential uses above commercial but states that if residential units are to be developed within a CAC, they should be located around a central node, instead of along a corridor. The GPP also encourages the provision of public space, minimal street setbacks to increase pedestrian and transit accessibility, tree plots and potential for on-street parking. The schematic plan meets many of these site planning goals, including minimal street setbacks, second floor residential and building layouts surrounding a central node of open space.

In general, the GPP encourages Compact Urban Form and notes that "Commercial development needs to be contained within existing commercially zoned land." Infill and redevelopment is recommended to take precedence over rezoning new land for commercial uses. It also encourages the City to "restrain new commercial development in the southeast sector of the community..." In addition to these policies, the policies toward the Urban Residential land use category, notes that sites should be developed for "predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns." Despite these policies, staff believes that the proposed uses and the proposed extension of an already existing, successful development, as well as the provided site plan and design commitments, mitigate the expansion of commercially zoned land. Also, existing adjacent high density housing and the close proximately to established neighborhoods supports the non-residential use of this property.

Finally the GPP encourages the City to Mitigate Traffic by placing high density multi-family in close proximity to transit routes. The location of student-oriented housing has been an issue of late with the Copper Beech and Forest Ridge apartment projects. This petition will cluster a mixture of uses into a "village concept", on land with few environmental constraints and located on an established transit route.

LAND USE:

Commercial: The proposed list of uses includes most of the uses currently permitted in the Century Village and Baker/Stevens PUDs. These uses have been updated with modern terms. A comparison of existing and proposed permitted uses (titled "PUD Use List Comparison") is included with this report.

The proposed uses are as follows (*Italic* uses are new since the last hearing):

- Assisted Living Facility
- Day Care Centers
- Financial Institutions with a drive-through
- Hotel/Motel
- Offices, including medical and professional
- Personal Services
- Radio/TV Stations
- Retail sales in enclosed buildings, limited to first floor and 5,000 square feet per user
- Banquet Facility (including wedding chapel)
- Restaurants, sit down, with pick up only window for carry-out orders allowed
- Restaurant, Limited Service
- *Brew Pub - limited to a minimum of 50% of floor area committed to tavern/restaurant area.*
- *Indoor Amusement*
- *Social Services*
- *Government Offices*

The petitioner, in consultation with staff, has written a definition for Assisted Living Facility. Staff is comfortable with this definition, with an additional sentence added to distinguish this use from nursing homes. The definition staff proposes is "An 'Assisted Living Facility' is a residential facility that offers assistance with activities of daily living. Residential services are provided for a fee including individual living units, dietary services, housekeeping services, transportation, social activities and some limited health-related services. *Unlike a nursing home, an assisted living facility does not provide ongoing medical monitoring or long term care of the aged or infirm."*

INTENSITY OF USES:

Drive-through bank: The petitioner's proposed financial institution (bank) drive-through component has been revised. The Preliminary Plan now read "The financial institution will be allowed to have a limited drive-through capability. The drive through would be limited it to three lanes. It will be designed to fit within the village concept and the current architecture. The drive through must be located on the side opposite the public street." Staff has no objection to this request.

Carry-out Window: The petitioner's proposed carry-out window allowance for restaurants has been revised since the last hearing. The Preliminary Plan now reads "The pick up window will not be allowed to use a drive up lane that encircles the building. Instead it should be located on the opposite side of the building from the public street and should not require substantial extra pavement on it's own." Staff has no objection to this request.

Maximum Number of Restaurants: The Baker/Stevens PUD limits the commercial development to a maximum of one (1) restaurant. This restaurant has already been developed as Ryan's Steak House. If this petition is approved, it would remove that restriction from the 3.27 acres currently within the Baker/Stevens PUD. The Century Village PUD has already been developed with one, approximately 10,000 square foot restaurant: Chapman's. The petitioner has committed to not allowing more than two (2) additional sit down restaurants. Staff believes this should be further limited to not more than one (1) additional sit down restaurant or brew pub. Restaurants have a very high parking ratio (8:1000 square feet) and parking demand. By limiting the number of restaurants, the limited scope of the PUD can be better assured.

Maximum Number of Banks: The petitioner has verbally committed to a limitation of not more than one financial institution, but this is not included in the Preliminary Plan. Staff recommends this as a condition of approval.

Maximum Size of a Use: The petitioner proposes that retail uses not exceed 5,000 square feet, which is the same as the current Limited Commercial (CL) zoning district restriction. Based on the comments by the Plan Commission on August 9th, staff has no objection to this request.

Anchor Tenant: Apart from the commitment to the size of any given commercial use, the petitioner requests that one use be permitted to be as large as 10,000 square feet. He believes this allowance will serve to allow a commercial anchor and would serve higher end retail uses such as a furniture store or a pharmacy. In comparison, the new CVS Pharmacy at E. 3rd Street and The Bypass and the Based on the comments by the Plan Commission on August 9th, staff has no objection to this request.

Maximum Building Size: Most of the buildings in the existing PUD are very small, with some buildings having footprints as small as 1,000 square feet. The petitioner has stated that typical buildings in the PUD will range from 3,000 to 10,000 square feet on the first floor. One building is shown on the schematic plan at about 11,000 square feet. The petitioner has stated a desire to expand the theme of the existing Century Village over the rest of this property and has committed that "the largest single building footprint allowed will be 15,000 square feet." The petitioner requests that the hotel/motel and assisted living uses be exempted from this requirement. Staff has no objection to this request.

SITE DESIGN:

Access and Connectivity: Access to the development would be from a single, re-aligned access on E. 3rd Street, with two full access points on S. SR 446. The current shared access drive onto E. 3rd Street be shifted to the west to directly align with E. Morningside Drive. Staff recommends that the realignment take place with the first new final plan for this property. Secondary access would also be provided from the existing out-only drive onto SR 446 as well as an internal connection to the Montauk Point office complex.

At the August 9th meeting, the Plan Commission stated the desire to provide cross access between this PUD and the Knightridge Manor Apartments to the south. The petitioners have not provided this connection based on their assessment that the owners of Knightridge Manor, CFC Inc., are opposed to this connection. Staff spoke to Jim Murphy from CFC Inc. who indicated that his company was not opposed to the idea of a connection to Knightridge, but instead stated that he would "leave the decision up to the Plan Commission." Based on these comments, staff recommends construction of this connection with any final plan at the southeast corner of the PUD or with the Final Plan for the hotel/motel use, whichever comes first.

The proposed new access point onto SR 446 is designed as indirect access to the site, in particular to the rear of the hotel/motel use. The petitioner states that,

> "The indirection to the back of the hotel area is absolutely critical to the hotel's success. It is extremely important in today's hotel environment that we foster the perception of safety and security for hotel guests. It simply will not work to have direct, obvious connection from 446 to the back of the hotel."

A letter in support of the proposed access has been submitted by the Bloomington Convention and Visitor's Bureau. The petitioner has designed this access with increased curb radii to accommodate fire trucks. Even with these changes, Bloomington Fire Chief Jeff Barlow is concerned that this indirection and the general layout of the property will not allow him to provided adequate or timely fire protection to the potential 4 story hotel. Based on these comments,

staff recommends that the indirection in this access be removed. An added benefit of this change would be that the greenspace on the south side of the existing Century Suites could become contiguous with the proposed water quality basin and new open space being proposed with this petition.

Finally, in response to staff and Plan Commissioner feedback, the petitioner has revised the E. 3rd Street entrance to be designed as a boulevard. The boulevard median would be landscaped and also include the proposed pedestrian route. In order to limit driver confusion and provide for efficient parking along the entrance drive, staff recommends that parking spaces on this drive be angled. This design will limit vehicular conflicts and provide drivers with visual clues to the function of this separated boulevard.

Pedestrian Facilities: The Alternative Transportation and Greenways System Plan recommends a sidepath on the south side of E. 3rd Street. This sidepath has already been partially constructed from Clarizz Blvd. to Smith Rd. and in front of Day Mortuary. The Greenways Plan does not however make any specific recommendations for S. SR 446. There is a very wide, paved shoulder on SR 446 that is often used by bicyclists.

Based on feedback received on August 9th, the petitioner now proposes a six foot wide sidewalk through the middle of the proposed entrance median that will connect to the existing drive to SR 446. This sidewalk will allow walkers to bypass the intersection of SR 446 and E. 3rd Street if headed south. The schematic site plan fails to include a sidewalk on SR 446, south of the existing drive. This sidewalk is required.

In terms of construction phasing for these facilities, the petitioner proposes that they be constructed prior to completing 50% of the new development construction or with construction of the hotel, whichever comes first. Staff instead recommends that phasing be determined with the first final plan. This will allow the staff and plan commission to determine appropriate phasing based on the actual uses and buildings to be built.

Architecture: The petitioner proposes to extend the architectural themes that have been established with the current Century Village. The buildings would be built in a "Colonial" or "Williamsburg" style which would include cedar shake shingles and brick, wood lap or fiber cement siding. The hotel/motel use could also have a metal roof. Other man made materials could also be approved by the Plan Commission at Final Plan stage. The petitioner has committed to providing a pitched roof on all buildings, but has not committed to a specific minimum pitch for roof. Staff recommends a minimum pitch of 4:12 for all roofs, except for dormers, gables, porch roofs and accessory structures. Finally, the petitioner has agreed to provide 360° architectural treatments.

Common Green and Open Space: The existing PUD includes a series of small

buildings clustered around a "Common Green." This green is approximately 0.6 acres in size. The petitioners propose a second "Common Green" for the undeveloped portions of the PUD and the new acreage. The schematic size of this green has been increased from 0.25 acres to 0.35 acres since the last hearing.

This new "Common Green" would be developed as an "active plaza with some brick or modular paved surfaces as well as greenspace." The petitioner commits that at least 30% of the new "central green" will be landscaped.

The total greenspace for the PUD has increased from 4.1 acres to approximately 4.8 acres, which includes the two greens, the southern water quality basin and other open areas and setbacks. The developed portions of the existing PUD have approximately 41% greenspace, while the new development would contain approximately 34% greenspace. Together these 4.8 acres are approximately 36% of the PUD acreage, slightly greater than the zoning ordinance required 35% open space for residential PUDs and much greater than ordinance requirements for commercial or office development. Approximately half of this greenspace is in large blocks of land instead of in setbacks and islands.

Tree Preservation: There are only two areas of the property with any clustering of trees, which accounts for about 1.5 acres of the property. Most of these trees are of poor quality and were not recommend to be preserved by the Environmental Commission. Some of these treed areas will be preserved as part of the southern water quality basin. In response to the Environmental Commission's desire to replace the tree canopy volume, the petitioner estimates that the existing tree canopy volume would be replaced by the new tree planting in about 20-25 years, when they begin to reach maturity.

Parking: The schematic site plan shows a parking ratio of approximately 4.3 spaces per 1000 square feet of first floor space. Staff recommends the Plan Commission adopt the preliminary plan's parking proposal, which states that "the maximum allowed parking ratio shall be 4.5 spaces/1000 square feet of floor space."

Signage: The existing PUD includes two large non-conforming signs on E. 3rd Street, one for Chapman's Restaurant and one for Century Suites. The petitioner has agreed to remove these signs and erect a conforming multi-tenant center sign. The petitioner has proposed that the non-conforming signs be brought into compliance with current code before 50% of the new development is complete. Staff recommends that that freestanding signage be brought into compliance with current code standards with the first new final plan. This is consistent with current code requirements which require sign compliance with any expansion of use or new construction.

Also, the petitioner proposes an allowance for hanging signs that project from the

face of buildings, in keeping with the "Williamsburg Village" architecture. Staff has no objection to this request but recommends that the proposed 16 square feet maximum be reduced to 9 square feet.

Utilities: This site has adequate utility service for both water and sanitary sewer. Schematic plans have received conceptual approval from CBU. This development would continue to utilize an existing lift station at the southeast corner of the property that forces sewage west of Ryan's Steak House.

Stormwater: A schematic drainage plan has received conceptual approval from CBU. This property is at the outer edge of the Lake Monroe watershed. The petitioners propose that stormwater detention take place in oversized underground pipes and would be treated in at least two water quality basins and infiltration swales which would be designed to provide extended detention times of the "first flush storm" and allow solid particles to settle out of the stormwater. Schematic information about how this stormwater quality treatment would occur is included in the packet.

RECOMMENDATION: Staff recommends approval of this rezoning request with the following conditions:

1. "Assisted Care Facility" shall be defined as "a residential facility that offers assistance with activities of daily living. Residential services are provided for a fee including individual living units, dietary services, housekeeping services, transportation, social activities and some limited health-related services. Unlike a nursing home, an assisted living facility does not provide ongoing medical monitoring or long term care of the aged or infirm."
2. A vehicular connection to Knightridge Manor apartments shall be constructed and an easement provided to SR 446, with any final plan at the southeast corner of the PUD or with Final Plan for the hotel/motel use, whichever comes first.
3. A minimum roof pitch of 4:12 is required on all structures, except for dormers, gables, porches and accessory structures.
4. Only one (1) financial institution shall be permitted. Only one (1) additional restaurant or brew pub shall be permitted (in addition to the existing Chapman's restaurant).
5. All freestanding signage shall be brought into compliance with current code standards with the first new Final Plan. Projecting signage on buildings shall not be permitted to extend over the right-of-way and shall be limited to a maximum of nine (9) square feet per side.
6. The main entrance drive off of E. 3rd Street shall utilize angled parking only. Perpendicular or parallel parking shall not be permitted.
7. Construction phasing of bicycle and pedestrian facilities on E. 3rd Street and SR 446 shall be determined with the first final plan for new construction. Easements, signage, bollards and textured or raised crosswalks are required for these facilities and shall be reviewed at final plan stage.

8. The access drive to E. 3rd Street shall be aligned with Morningside Drive with the first new final plan.
9. All indirection in the access route to SR 446 shall be removed. Design of this route shall meet the needs of the Bloomington Fire Department and be further reviewed at final plan stage.