ORDINANCE 18-21

TO REZONE A PROPERTY FROM RESIDENTIAL ESTATE (RE) TO PLANNED UNIT DEVELOPMENT (PUD) AND TO AMEND THE ASSOCIATED PUD DISTRICT ORDINANCE AND PRELIMINARY PLAN

- Re: 800 E. Tamarack Trail (Meadowood Retirement Community, Petitioner)

WHEREAS,

Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled

"Subdivisions", went into effect on February 12, 2007; and

WHEREAS,

the Plan Commission has considered this case, PUD-26-18, and recommended that the petitioner, Meadowood Retirement Community, be granted an approval to rezone 1.25 acres from Residential Estate (RE) to Planned Unit Development (PUD) and to amend the associated the PUD District Ordinance and Preliminary Plan to allow a 75 unit assisted living facility and 20 townhomes. The Plan Commission thereby requests that the Common Council

consider this petition;

WHEREAS,

the Plan Commission therefore 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 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the District Ordinance and Preliminary Plan shall be amended for the PUD on the property located at 800 E. Tamarack Trail. The property is further described as follows:

Lot 1 of Meadowood Assisted Living Subdivision in the City of Bloomington, as recorded on plat in Instrument 2007007120 in Plat Cabinet D, Envelope 65, office of the Recorder of Monroe County, Indiana.

Part of Lot 3 of Meadowood Assisted Living Subdivision in the City of Bloomington, as recorded on plat in Instrument 2007007120 in Plat Cabinet D, Envelope 65, office of the Recorder of Monroe County, Indiana, more particularly described as follows: Beginning at the southeast corner of said Lot 3; thence North 87 degrees 53 minutes 28 seconds West along the south line of said Lot 3 a distance of 1286.49 feet to the southwest corner of said Lot 3; thence North 00 degrees 16 minutes 33 seconds East along the west line of said Lot 3 a distance of 49.99 feet to the northwest corner of said Lot 3 and East Tamarack Trail ingress/egress and utility easement; thence along a north line of said Lot 3 and said easement the following distances and bearings: South 87 degrees 52 minutes 48 seconds East 379.26 feet; with a curve turning to the left with an arc length of 89.28 feet, with a radius of 200.00 feet, with a chord bearing of North 79 degrees 19 minutes 56 seconds East, with a chord length of 88.54 feet; North 66 degrees 32 minutes 41 seconds East 80.23 feet; with a curve turning to the right with an arc length of 50.53 feet, with a radius of 515.00 feet, with a chord bearing of North 69 degrees 21 minutes 20 seconds East, with a chord length of 50.51 feet; North 72 degrees 09 minutes 59 seconds East 55.95 feet; with a curve turning to the right with an arc length of 131.16 feet, with a radius of 465.00 feet, with a chord bearing of North 80 degrees 14 minutes 49 seconds East, with a chord length of 130.72 feet to a corner of said Lot 3, also being the southeast corner of Lot 2; thence leaving said Lot 3 and continuing on said easement the following bearings and distances: with a curve turning to the right with an arc length of 280.97 feet, with a radius of 465.00 feet, with a chord bearing of South 74 degrees 21 minutes 46 seconds East, with a chord length of 276.72 feet; South 57 degrees 03 minutes 09 seconds East 81.92 feet; with a curve turning to the left with an arc length of 190.07 feet, with a radius of 185.00 feet, with a chord bearing of South 86 degrees 29 minutes 06 seconds East, with a chord length of 181.82 feet to a point along the east line of said Lot 3; thence South 00 degrees 16 minutes 33 seconds West along the east line of said Lot 3 a distance of 58.44 feet to the Point of Beginning, containing 2.70 acres, more or less.

Part of Lot 3 of North Dunn Addition to the City of Bloomington as recorded on plat in Plat Cabinet B, Envelope 51, office of the Recorder of Monroe County, Indiana, more particularly described as follows: Beginning at the northwest corner of said Lot 3, said point being in the centerline of North Dunn Street; thence South 87 degrees 53 minutes 28 seconds East along the north line of said Lot 3 a distance of 394.65 feet; thence South 02 degrees 12 minutes 43 seconds West 148.00 feet; thence North 87 degrees 52 minutes 48 seconds 389.65 feet to a point along the west line of said Lot 3 and the centerline of North Dunn Street; thence North 00 degrees 16 minutes 33 seconds East along the west line of said Lot 3 a distance of 148.00 feet to the Point of Beginning; containing 1.33 acres, more or less.

Lot 4 of North Dunn Addition to the City of Bloomington, as recorded on plat in Plat Cabinet B, Envelope 51, office of the Recorder of Monroe County, Indiana.

Subject to any and all easements, agreements, and restrictions of record.

SECTION 2. The amended District Ordinance and the Preliminary Plan shall be approved as attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Bloor this 17 16 day of	mington, Monroe County, Indiana, upon _, 2018.
ATTECT	DOROTHY GRANGER, President Bloomington Common Council
ATTEST:	
NICOLE BOLDEN, Clerk City of Bloomington	
PRESENTED by me to the Mayor of the City of Bloom day of,	
11/3/1	
NICOLE BOLDEN, Clerk City of Bloomington	
SIGNED and APPROVED by me upon this 644 2018.	day of <u>December</u> ,
War and the second seco	JOHN HAMILTON, Mayor
	City of Bloomington

Mick Renneisen

Deputy Mayor

SYNOPSIS

Ordinance 18-21 would rezone 1.25 acres from Residential Estate (RE) to Planned Unit Development (PUD) and would approve the amended PUD District Ordinance and Preliminary Plan for the Meadowood PUD to allow a 75 unit assisted living facility and 20 townhomes.

Note: At the Regular Session on 05 December 2018, the Council adopted Reasonable Condition 03, by a vote of 7-0-0. Reasonable Condition 03, in brief:

- removed the rezoning of Lot 4 and, therefore, keep it out of the PUD;
- removed the authorization for additional townhomes within this PUD and, in particular, on the two remaining lots within this PUD that are adjacent to North Dunn; and
- *kept the existing Residential Estate (RE) development standards for those parcels.*

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 18-21 is a true and complete copy of Plan Commission Case Number PUD-26-18 which was given a recommendation of approval by a vote of 6_Ayes, 1_ Nays, and _0_ Abstentions by the Bloomington City Plan Commission at a public hearing held on October 8, 2018. Date: October 17, 2018 Terri Porter, Secretary Plan Commission Received by the Common Council Office this day of , 2018. Nicole Bolden, City Clerk Appropriation Fiscal Impact Ordinance # Resolution # Statement Ordinance # Type of Legislation: Penal Ordinance Appropriation Budget Transfer Salary Change End of Program New Program Grant Approval Bonding Administrative Change Short-Term Borrowing Zoning Change Investments 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

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.)

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

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PETITIONER'S STATEMENT

To: City of Bloomington Planning and Transportation Department

cc: Plan Commission, Common Council, Eric Greulich

From: Boz Lindgren, Luckett & Farley

Date: September 24, 2018

Re: Five Star Senior Living, Meadowood Assisted Living Facility – PUD Amendment and Expansion

A/E Commission No. 2017.183

Members of the Plan Commission,

On behalf of the Five Star Senior Living Meadowood Retirement Community, we are petitioning to amend the existing Planned Unit Development (PUD) at Lot 5 and 6 of the Meadowood Assisted Living Subdivision and expand the PUD to include Lots 1 and 4. Lots 1, 4, 5, and 6 are located east of the intersection of Tamarack Trail and Dunn Street.

Lots 5 and 6 are currently zoned PUD with the Institutional (IN) district ordinance as a baseline. The PUD allows the construction of a 60-resident assisted living facility. The requested amendment of the Lot 6 PUD includes increasing the allowed facility size from 60 to 75 residents, allowing parking spaces to be constructed at the front of the building, and increasing the allowable height of the building from 50 (per baseline) to 60 feet and from three stories to four stories.

Lots 1, 4, and 5 are requested to be rezoned from RE to PUD with Residential Multifamily (RM) as the baseline district ordinance. We are requesting approval to design and construct a total of 20 townhomes on the two lots. The townhomes will be accessible from two drives off Tamarack Trail but for the homes adjacent N. Dunn Street, front-of-house presence will face N. Dunn Street. The townhomes are intended to be of an architectural style similar to the existing townhomes located on Lot 3 of the Subdivision. They will be grouped by 2-4 homes per building with green space between each grouping. Each home will have up to three bedrooms. The townhomes are planned to be an extension of the successful Independent Living services already at the Meadowood community. Residents would meet the same requirements for entry as the other Independent Living residents of the Meadowood facility. Meadowood will voluntarily

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limit the number of non-related individuals living in the townhomes from five, allowed under RM, to three.

Lot 6 is 5.72 acres and has been partially cleared outside the conservancy easements and is currently used for storage of landscaping materials. Lots 1, 4, and 5 are residential estates with respective sizes of 1.71 acres,1.35 acres, and 1.64 acres that have been purchased by Meadowood. Three existing buildings on Lots 1 and 4 will be demolished.

The proposed Meadowood Assisted Living Facility is intended to provide a new line of service between the existing independent living and comprehensive care (skilled nursing) services currently located on the Meadowood campus. The new facility would allow residents to remain in the Meadowood community once they have reached a point in their lives when they can no longer care for themselves independently, yet do not require full-time skilled nursing services. A dozen jobs will be created to provide care for residents of the facility. Additionally, a variety of size options for the facility will be offered for a variety of pricing options – there will be (36) Alcove/Studio-type units, (18) 1-bedroom units and (20) Memory Care rooms.

The facility is designed to be four stories with approximately 64,000 square feet of total floor space. An entrance is provided from Tamarack Trail in line with the existing entrance to the Sycamore Ridge townhomes to collocate where vehicles may enter Tamarack Trail. A stop sign will be provided at this intersection to provide additional safety measures for pedestrians and users of Tamarack Trail and in keeping with prior amendments. A parking lot is designed with parking to the north and east of the building. The west side of the building is a service area for deliveries, recycling, garbage disposal, and utilities. A detention basin is proposed near the entrance. Five-foot wide sidewalks with a five-foot tree plots are planned along the south side of Tamarack Trail along the property line of Lots 5 and 6, expanding on previous amendments that an 8-foot space be provided. This sidewalk will connect to the current sidewalk system on the Meadowood campus and is being provided to ensure the public has safe access to Meadowood. Where tree plots are not feasible due to existing grade conditions (some areas adjacent the roadway have significant fall and would require more extensive modification of the grades than is acceptable by disturbance requirements), a six-foot monolithic curb and sidewalk will be provided. Lots 4, 5 and 6 include areas to be set aside as conservancy easements. These conservancy easements are intended to offset development and to preserve sensitive areas that lead to the Griffy Nature Preserve. The conservancy easements will be cleared of invasive and hazardous or dead foliage and replanted with native plant species. A preconstruction meeting, including the Contractor, Landscape Architect, Arborist and Owner, will be held prior to the removal of the understory to ensure care is taken to protect the existing trees and ensure the Contractor understands the need to control erosion. Tamarack Trail is currently a private roadway and will remain as such.

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An additional sidewalk and tree plot will be constructed along Dunn Street from the northern property line of Lot 1 to the southern property line of Lot 5 at the same time the townhomes are constructed or within five years, whichever comes first. A fee simple dedication of right of way along this alignment will also be provided to accommodate these sidewalks and tree plots in keeping with prior amendments. This right of way will be 27.5 feet measured from the centerline of Dunn Street. Future townhomes will have walks to connect to this pedestrian way. It is Meadowood's understanding that the city has planned a multi-use path to establish access from the IN-45/46 bypass to the Griffy Lake preserve.

We are petitioning to amend the previous requirement that the building be designed and submitted to USGBC as a LEED-Silver building. The administrative costs of constructing a LEED-Silver building are substantial. This amendment will allow us to keep costs of the project down and avoid passing along undue administrative costs to the resident.

We propose to build to the standards required of a LEED-Silver building but avoid the administrative costs of managing for LEED through design and construction. The administrative costs for designing, submitting and constructing a LEED building can be substantial. These costs are in addition to the increase in costs for added building costs required for a LEED-Silver building. These administrative costs are for the inclusion of tracking materials, proving that processes have been followed, collecting / managing / filing purchase orders for equipment/materials, etc. This often requires an additional staff member for the design and for the construction teams to maintain this work. Our estimate for these costs are:

Design 10-15% of design fee +/-\$120,000 - \$150,000 Construction 1% of construction cost +/-\$140,000 - \$150,000

We propose to meet with the City of Blooming Planning and Development Team three times through the construction of the project: 1) Upon completion of design and prior to construction to review proposed points and substantiate design meets LEED-Silver, 2) during construction to show that processes are being followed by the Contractor and 3) upon completion of construction to show materials, equipment and processes that were specified were completed in satisfactory manner.

Previous staff comments on prior filings indicate a desire to have stormwater flow in two different directions on the site. We propose to collect into one biodetention basin. We will voluntarily provide a hydrodynamic separator to treat runoff from the 2-year storm event over the site impervious area. The separator inflow is controlled by a weir structure and the outflow discharges to the biodetention basin. The biodetention basin and outlet structure have been designed to reduce the post-development runoff flow rates to pre-development levels for the 2-,

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Architecture | Engineering | Interior Design

10- and 100-year storm events. Hydrophilic native plantings are planned to provide additional treatment of runoff.

We respectfully request the delegation of Final Plan Approval to City of Bloomington Planning Staff and the waiver of the Second Plan Commission Hearing.

We are submitting as part of this proposal a site layout, utilities plan, grading plan, drainage plan, erosion protection and sediment control plan, site survey, landscape plans, and building elevation views.

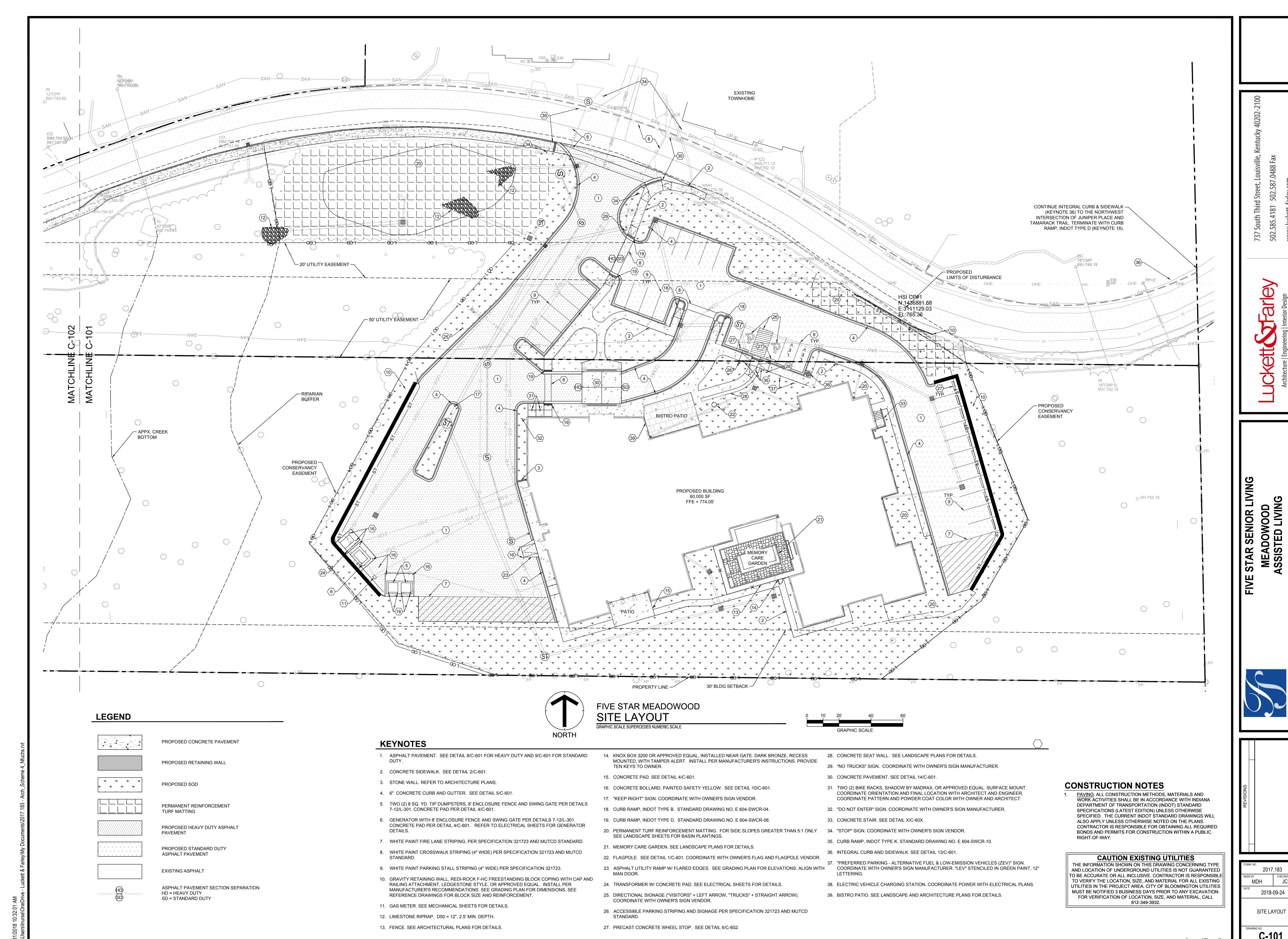
Thank you for your attention to our petition. Please do not he sitate to contact us with any questions or comments.

Sincerely,

Robert (Boz) Lindgren Principal, Architect

Luckett & Farley Architects and Engineers

Petitioner's Representative



SCALE SHOWN TO ENSURE REPRODUCTION ACCURACY

JCB

