

CITY OF BLOOMINGTON



PLAN COMMISSION

November 10, 2025, 5:30 P.M.
Council Chambers, Room #115
Hybrid Zoom Link:

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978

Passcode: 622209

CITY OF BLOOMINGTON**PLAN COMMISSION (Hybrid Meeting)**

❖City Council Chambers, 401 N Morton Street Bloomington – Room #115

November 10, 2025 at 5:30 p.m.

❖Virtual Link:

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978

Passcode: 622209

Petition Map: <https://bton.in/G6BiA>**ROLL CALL****MINUTES TO BE APPROVED:** October 6, 2025**REPORTS, RESOLUTIONS AND COMMUNICATIONS:****PETITIONS TABLED:****SP-24-22****Cutters Kirkwood 123 LLC**

115 E Kirkwood Ave

Parcel: 53-05-33-310-062.000-005

Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.

Case Manager: Jackie Scanlan**ZO-34-23****City of Bloomington Planning and Transportation**

Text Amendment

Request: Text amendment related to Sign Standards and request for waiver of second hearing.

Case Manager: Jackie Scanlan**ZO-01-25/RZONE2025-01-005****City of Bloomington Planning & Transportation**

Text Amendment

Request: Text Amendments to Unified Development Ordinance: Affordable Housing Incentives.

Case Manager: Jackie Scanlan****Next Meeting December 8, 2025****Last Updated: 11/7/2025****Auxiliary aids for people with disabilities are available upon request with adequate notice.****Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.**

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Melissa Hirtzel** at hirtzelm@bloomington.in.gov and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

CONTINUED:**SP-28-25/ SP2025-08-0084****Built LLC**

1320 S Rogers St

Parcel: 53-08-05-400-026.000-009

Request: The Plan Commission of the City of Bloomington, Indiana has been petitioned to hear a request for final plan approval to allow the construction of five buildings for the use "Contractor's Yard" in Parcel C of the Thomson Planned Unit Development (PUD). Case Manager: Eric Greulich

PETITIONS:**ZO-33-25/ ZO2025-09-0013****City of Bloomington Planning and Transportation**

Text Amendment

Request: Text Amendment related to Resolution 2025-12 to amend 20.04.110 (Incentives) of the Title 20, the Unified Development Ordinance.

Case Manager: Jackie Scanlan**ZO-35-25/ZO2025-10-0014****City of Bloomington Planning and Transportation**

Text Amendment

Request: Response to Common Council Resolution 2025-17. Case Manager: Jackie Scanlan

ZO-36-25/ZO2025-10-0017**William Wamathai**

2005 W. Cory Drive

Parcel: 53-08-06-104-051.000-008

Request: The petitioner is requesting a zoning map amendment as part of a voluntary annexation to zone a 0.39 acre property to Residential Medium Lot (R2). A waiver of the required second hearing is requested.

Case Manager: Eric Greulich

Plan Commission Members
****Next Meeting December 8, 2025****Last Updated: 11/7/2025****Auxiliary aids for people with disabilities are available upon request with adequate notice.****Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.**

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- Tim Ballard (Appointed by Mayor) – Current term: 1/02/2023 – 01/01/2027
- Flavia Burrell (Appointed by Board of Public Works) – Current term: 01/03/2023-01/02/2027
- Andrew Cibor (Appointed by Planning and Transportation Department) – Current term: 01/01/2024-12/31/2027
- Trohn Enright-Randolph (Appointed by Monroe County Plan Commission) – Current term: 01/04/2024-01/03/2028
- Patrick Holmes (Appointed by Mayor) – Current term: 01/02/2024-01/01/2028
- Jillian Kinzie (Appointed by Mayor) – Current term: 01/06/2025-12/31/2028
- Ellen Coe Rodkey (Appointed by Parks and Recreation) – Current term: 01/01/2023-12/31/2026
- Christopher Smith (Appointed by Mayor) – Current term: 01/02/2024-01/01/2028
- Hopi Stosberg (Appointed by Common Council) – Current term: 01/02/2024-01/01/2028
- Brad Wisler (Appointed by Mayor) – Current term: 1/1/2023-12/31/2025

*****Next Meeting December 8, 2025***

Last Updated: 11/7/2025

***Auxiliary aids for people with disabilities are available upon request with adequate notice.
Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.***

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Plan Commission Summary Minutes – October 6th, 2025 - 5:30 pm
City of Bloomington Council Chambers – Room #115

Plan Commission minutes are transcribed in a summarized manner. Video footage is available for viewing in the (CATS) Department of the Monroe County Public Library, 303 E Kirkwood Avenue. Phone number: 812-349-3111 or via e-mail at the following address: moneill@monroe.lib.in.us.

The City of Bloomington Plan Commission (PC) met on October 6th, 2025 at 5:30 p.m., a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404 and remotely via Zoom. Members present in Chambers: Andrew Cibur, Patrick Holmes, Jillian Kinzie, Hopi Stosberg and Brad Wisler. Trohn Enright-Randolph via Zoom.

ROLL CALL

APPROVAL OF MINUTES: August 11th, 2025 and September 8th, 2025.

Kinzie made motion to approve the August minutes, Holmes seconded the motion. Motion passed by roll call – 5:0

Kinzie made motion to approve the September minutes, Stosberg seconded the motion. Motion passed by roll call – 5:0

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Ryan Robling, Planning Service Manager, gave an update on the College and Walnut Corridor Study, and to inform the public of the upcoming public meetings. They will be held as an Open House in Council Chambers on Tuesday October, 28th and Thursday October 30th at 5:30pm. There will also be an online form for feedback from the public.

Also, there will need to be a special meeting with Plan Commission in potentially late November or early December.

Jackie Scanlan, Assistant Director, asks that Kendall Knoke be appointed as backup Hearing Officer, to replace Karina Pazos, who took another position in Chicago. A vote is needed to install Mr. Knoke.

Kinzie made motion to appoint Kendall Knoke as the new backup hearing officer, Stosberg seconded the motion. Motion passed by roll call – 5:0.

Scanlan mentions the three items tabled on the agenda. The first will be formally withdrawn and removed from the agenda, and the next two are text amendments that will either move forward or be removed. These will be reported back to Plan Commission next month.

PETITIONS TABLED:

SP-24-22

Cutters Kirkwood 123 LLC

115 E Kirkwood Ave

Parcel: 53-05-33-310-062.000-005

Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.

Case Manager: Jackie Scanlan

Plan Commission Summary Minutes – October 6th, 2025 - 5:30 pm
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ZO-34-23

City of Bloomington Planning and Transportation

Text Amendment

Request: Text amendment related to Sign Standards and request for waiver of second hearing.

Case Manager: Jackie Scanlan

ZO-01-25/RZONE2025-01-005

City of Bloomington Planning & Transportation

Text Amendment

Request: Text Amendments to Unified Development Ordinance: Affordable Housing Incentives.

Case Manager: Jackie Scanlan

PETITIONS CONTINUED:

SP-28-25/ SP2025-08-0084

Built LLC

1320 S Rogers St

Parcel: 53-08-05-400-026.000-009

Request: Final plan approval to allow the construction of five buildings for the use “Storage, self-service” in Parcel C of the Thomson PUD.

Case Manager: Eric Greulich

PETITIONS:

ZO-33-25/ ZO2025-05-0013

City of Bloomington Planning & Transportation

Text Amendment

Request: Text Amendment related to Resolution 2025-12 to amend 20.04.110 (Incentives) of the Title 20, the Unified Development Ordinance.

Case Manager: Jackie Scanlan

Jackie Scanlan, Case Manager, recommends forwarding the petition to the November 10, 2025 Plan Commission hearing. The proposed changes requested by the Common Council through Resolution 2025-12 are intended to ‘incentivize developers in creation of affordable housing units’ through changes to Title 20 (UDO) of the Bloomington Municipal Code. The Planning and Transportation Department has drafted the above proposal to address 2025-12.

Some items to consider include:

- The proposed response to Resolution 2025-12 raises the costs for the payment-in-lieu option, which could make the on-site or off-site units more desirable. Is that the best case scenario? HAND has expressed a preference for payment-in-lieu as opposed to developer built and monitored units.
- Should we have a separate incentives section for developers of strictly affordable owner-occupied developments?
- Do these proposed changes incentivize developers in creation of affordable housing units?

Plan Commission Summary Minutes – October 6th, 2025 - 5:30 pm
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PUBLIC COMMENT: None

STAFF COMMENT:

Stephanie LaFontaine, Program Manager Affordable Housing/HAND, comments that HAND had a discussion about the payment in lieu and the 50-unit requirement. Could it possibly be less than 50-units since they would be increasing density and putting money into the Housing Development Fund?

Kinzie made motion to forward petition to November 10th, 2025, Stosberg seconded the motion. Motion passed by roll call - 5:0

Kinzie brings to attention that by the December meeting it will be 63 days since this petition was presented.

Scanlan states that a special session will be held if needed.

Wisler states that he will make clear at the November meeting, if final action is not taken, a special session will be needed.

Meeting adjourned 6:47 pm

Case # ZO2025-09-0013 (ZO-33-25) Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Assistant Director

Date: November 10, 2025

Re: Text Amendments to Unified Development Ordinance: Response to Resolution 2025-12: Affordable Housing Incentives

REVIEW:

This petition was heard at the October 2025 Plan Commission hearing. A number of issues were raised and the petition was continued. A description of issues raised and how they are addressed in the amendment proposal is lettered below.

- A. An increase in maximum impervious surface coverage for projects in the R1-R4 that use affordable housing incentives and include intended owner-occupancy was included in the October proposal. The percentage was not written correctly, so that is corrected in this proposal to 80 percent coverage. This increase is substantial, and doubles the allowable coverage in some districts. One goal is to appeal to developers who do not typically build affordable housing with this increase, if the increase can produce enough additional lots to make the project feasible with inclusion of affordable housing. For reference, the existing impervious surface coverage maximums for each district are included in Figure 1 below.

There was discussion of moving the owner-occupancy reference to the preamble of 20-04-110(c)(5)(A) as an additional encouragement for owner-occupancy. The Department took that suggestion, and incorporated it in this proposal.

Zoning District	Maximum Impervious Surface Coverage
R1	30%
R2	40%
R3	45%
R4	50%

- B. A new system for calculating payment-in-lieu for projects utilizing affordable housing incentives, but not building or purchasing affordable housing dwelling units was proposed in the October 2025 packet. There were numerous questions raised about how it would work and whether or not it would generate more or less contribution than the current calculations does. The first question is whether or not dwelling units or beds are being used in the current calculation for payment-in-lieu amounts. Beds are being used in the current calculations, based on the Administrative Manual. The proposed language for

the Administrative Manual (which does not require Plan Commission approval) is to utilize dwelling units. Below is a table with four recent projects, how much they pledged with the current payment-in-lieu system, and how much the proposed system would generate. We did not include allowances for four- and five-bedroom units, but those would raise the amount required for the incentives. It appears that the new system will consistently generate more dollars to be used through the Housing Development fund for affordable housing support.

Project Name	Dwelling Units	Beds	Payment-in-Lieu Pledged	Payment-In-Lieu with new Calculation (no 4/5 beds included)
Strauser Construction	75	135	420,000.00	\$1,150,000.00
Core/SVA Bloomington	172	463	1,400,000.00	\$2,600,000.00
Core Bloomington	441	1143	3,440,000.00	\$6,650,000.00
Clearpath Services	14	33	99,000.00	\$250,000.00

- C. Because the proposal includes discussion of raising the payment-in-lieu amount, in response to Resolution 2025-12, there were questions raised about where the funds go and how they are used. The funds generated through the affordable housing incentives payment-in-lieu process go directly to the Housing Development Fund. The Housing Development Fund is utilized by the HAND Department in service of advancing affordable housing. Below are some of the ways it is used:
- Low cost loans and grants for development of affordable housing
 - Down payment and closing cost assistance
 - Investment in affordable developments
 - Tenant-based Rental Assistance (new 2025 program)
 - Interest rate buy down (new 2025 program)
 - Eviction prevention program (new 2025 program)
- D. There were questions raised concerning how many projects have utilized Tier 1 incentives, Tier 2 incentives, and the payment-in-lieu process, as a whole. While some information was presented at the October 2025 Plan Commission hearing, staff is confirming those numbers and will present them at the hearing.
- E. The October proposal included a minimum of 50 units for any project seeking to use the affordable housing incentives payment-in-lieu process, in response to Resolution 2025-12. Questions were raised about this amount, and it was suggested that 30 units may be more appropriate as we saw some projects in the table below just over 30 units. There were other projects that have utilized the payment-in-lieu option in much smaller

developments, as well. A unit minimum was included in order to address the desire of the Common Council to consider increasing the qualifying standards to utilize the payment-in-lieu process. Director Anna Killion-Hanson reported at the February 2025 Plan Commission hearing that the HAND Department has seen successes with developments of 20 dwelling units or less who provided on-site affordable units. Resolution 2025-12 appears to want to encourage on-site affordable dwelling units, so the Department included a unit minimum in this draft that, 30 dwelling units, that moves closer to the apparent threshold of success for on-site units, while still encouraging on-site for more projects.

- F. Plan Commissioner Holmes has one amendment that he would like to be considered. The proposed amendment “to 20.04.110(c)(7)(A), ties any and all affordable housing incentives to making a Payment-in-Lieu, and eliminates all other routes to affordable housing incentives. It includes necessary modifications to cross referencing sections of the UDO that logically depend on this change.” It is included below.

20.04.110(c)(7)(A)

- *Replace existing language with:*
- *"All petitions seeking to utilize the affordable-housing incentives established in this Section shall satisfy the affordability obligation solely through an agreement with and monetary contribution to the City of Bloomington, hereinafter referred to as a Payment-in-Lieu ("PIL"). No provision of this Title shall require or authorize the construction, sale, or rental of income-restricted dwelling units as a condition of incentive eligibility."*
- *Along with modifications to cross referencing sections logically dependent on this change.*

Through Resolution 2025-12, the Bloomington Common Council directed the Plan Commission to prepare a proposal that accomplishes two directives described in the resolution. Those directives are listed below.

1. To amend Unified Development Ordinance (UDO), 20.04.110(c)(5) “to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development.”
2. To amend the text of UDO, 20.04.110(c)(7) “to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized (sic) a payment-in-lieu procedure.”

Resolution 2025-12 is similar to Resolution 2024-23, which was discussed at the February 2025 Plan Commission hearing. Because the first Plan Commission hearing did not occur within the state-mandated 60 day period, the Common Council chose to re-introduce the content of Resolution 2024-23. The Common Council amended the content and only the two items listed above remained together in a resolution, 2025-12.

The Planning and Transportation Department hosted a discussion with local developers, realty representatives, builders, Plan Commission members, and other stakeholders on August 26, 2025

to gain insight on how the incentive structures of 20.04.110 (Incentives) could be improved. Along with city staff, 4 Plan Commissioners and 9 members of the development community attended. Additional feedback was received from other members of the development and design community, as well. The following four questions were sent to the group in advance of the meeting.

1. How well are the existing Housing Affordability Incentives working? What are some examples of the successful or unsuccessful application of the incentives?
2. What other incentives (beyond those involving building height and bulk) should be considered?
3. How could the payment-in-lieu qualifying standard be improved?
4. Other questions, thoughts, ideas...?

Some takeaways from that meeting and other feedback received included that more clarity is needed in the incentive process for non-residential projects; projects for strictly affordable housing single-family and duplex developers are difficult to accomplish within the current incentive and other offering structures of the city; a reduction in development standards materials requirements should be explored; the current incentives are largely targeted toward rental apartments to the detriment of other types of development; the current payment-in-lieu amount is too low; and the role of the Housing and Neighborhood Development (HAND) Department should be analyzed.

While much of the feedback was not incentive-focused, it was used to inform the proposed amendments.

Redline proposals for the 2 directives in 2025-12 are below, *as amended for the November 10, 2025 Plan Commission packet*.

1. To amend Unified Development Ordinance (UDO), 20.04.110(c)(5) “to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development.”

The Planning & Transportation Department proposes to increase maximum impervious surface coverage allowances for single-family detached and duplex residential lots in the R1-R4 zoning districts in projects utilizing the affordable housing incentives when they are intended for owner-occupancy and in projects meeting the Tier 2 requirements.

(5) Affordable Housing Incentives

(A) Reduced Bulk Requirements

The following dimensional standards shall apply to single-family (detached) and duplex residential lots in the R1, R2, R3, and R4 zoning districts that are also intended for owner-occupancy that meet either of the two criteria in subsection (2) above:

- i. The minimum lot area for subdivision may be reduced up to 50 percent.

- ii. The minimum lot width for subdivision may be reduced up to 40 percent.
- iii. The side building setbacks may be reduced to five feet regardless of the number of stories.
- iv. The rear building setback may be reduced to 15 feet.
- iv-v. The maximum impervious surface coverage may be increased to 80 percent.
- v-vi. Where these standards conflict with the neighborhood transition standards established in Section **Error! Reference source not found. (Error! Reference source not found.)**, the neighborhood transition standards shall govern.

(B) Primary Structure Height

i. Eligibility

In addition to the eligibility criteria in **Error! Reference source not found.**, affordable housing projects seeking increased maximum primary structure height shall comply with the following criteria:

1. The building shall contain six or more dwelling units; and
2. Unit size and bedroom mix for deed-restricted units shall be comparable to those for market-rate units.

ii. Tier 1 Projects

Projects that meet the Tier 1 affordability standards may increase the primary structure height by one floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section **Error! Reference source not found. (Error! Reference source not found.)**.

iii. Tier 2 Projects

Projects that meet the Tier 2 affordability standards may increase the primary structure height by two floors of building height, not to exceed 24 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section **Error! Reference source not found. (Error! Reference source not found.)**. Projects that meet the Tier 2 affordability standards may increase the maximum impervious surface coverage allowance by 10 percent, and may decrease the landscape area by 10 percent.

iv. Sustainable Development Bonus

1. Tier 1 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet.
2. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.

2. To amend the text of UDO, 20.04.110(c)(7) “to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized (sic) a payment-in-lieu procedure.”

Resolution 2025-12 indicates that “any payment-in-lieu qualifying standard should exceed the requirements of actual creation of permanently affordable units...” When 20.04.110 was originally adopted in 2020, the requirements in order to utilize the payment-in-lieu options were more difficult to accomplish. The Common Council amended the UDO in June 2022 to amend those requirements to what they are today. As noted above, feedback received indicated that the payment amount is too low.

20.04.110(c)(7) references administrative procedures that are located in the Administrative Manual. The Department proposes to limit the Payment-in-Lieu option to petitions for projects that contain more than 30 dwelling units. This is aligned with the mandate to increase the qualifying standard for the payment-in-lieu option. The Department proposes to amend the Administrative Manual in order to change the calculation unit from ‘bedroom’ to ‘dwelling unit’ with an additional fee for dwelling units with four or five bedrooms; to increase the percentage of units considered in the calculation; and to raise the fee per calculation unit.

(7) Payment-in-Lieu

- (A) A payment-in-lieu of providing housing that meets the Tier 1 or Tier 2 affordability criteria in petitions for projects that contain more than 30 dwelling units may be authorized by an agreement with the City and all payments will be deposited into the Housing Development Fund.
- (B) The provisions of this Section 20.01.010(a)(7) shall become effective no later than the effective date of the UDO, by which time administrative procedures for calculating, collecting, accounting for, and spending payments-in-lieu in compliance with all applicable law shall be adopted and publicly available in the Administrative Manual within the Planning and Transportation Department. The procedures used for calculating, collecting, accounting for, and spending shall be reviewed frequently and updated as local housing market conditions change. The calculations may use or be based upon one or more of the following methods:
 - i. Housing and Urban Development (HUD) annual rents based on Area Median Income;
 - ii. Area Median Income (per person, income bracket, etc.);
 - iii. Rental rates per unit or per bedroom;
 - iv. Utility rates allowances per unit;
 - v. Tiered rental rates based on percentages above and/or below AMI; and
 - vi. Payment contribution rates.

Below is an excerpt from the Administrative Manual: Affordable and Workforce Housing in Development Process section with proposed amendments.

Calculating a Housing Development Fund Contribution (aka “Payment-in-Lieu”)

For nonresidential, student housing, or dormitory projects, a linkage study must first be approved by the City. The project must also satisfy all applicable standards within 20.04.110 C, Affordable Housing, of the UDO. Residential projects must satisfy all applicable standards within 20.04.110 C, Affordable Housing, of the UDO.

Contributions to the Housing Development Fund will be calculated as follows:~~on a bedroom basis as follows:~~

- Eligible units calculation:~~Eligible bedroom calculation:~~
 - ~~30~~15% of total project ~~bedrooms~~ dwelling units, rounded up to the nearest whole ~~unit~~bedroom.
- The base contribution rate per eligible ~~bedroom-unit~~ is \$~~5020~~,000. This rate applies for units containing one to three bedrooms. For units with four or five bedrooms, an additional \$5,000 is required for each bedroom over three bedrooms. This contribution rate may be changed annually by City staff to reflect changing construction costs or other economic factors affecting development costs.

Sample Project Calculation:

~~32-132~~ total ~~bedrooms-units~~ x ~~0.300~~.15 = ~~39.64~~.8

Round up to ~~405~~ bedrooms~~eligible units~~

~~5 bedrooms~~40 eligible units x \$~~20,000~~50,000 = \$~~2,000,000~~100,000

Extra bedrooms over three bedroom units: 12

12 x \$5,000 = \$60,000

\$2,060,000 total contribution to the Housing Development Fund

CONCLUSION: The proposed changes requested by the Common Council through Resolution 2025-12 are intended to ‘incentivize developers in creation of affordable housing units’ through changes to Title 20 (UDO) of the Bloomington Municipal Code. The Planning and Transportation Department proposes the above amendments to increase the use of bulk standards reductions in the creation of platted subdivisions, and to limit which projects can bypass affordable housing dwelling unit creation through the payment-in-lieu option, in response to the directives in Resolution 2025-12. Plan Commissioner Holmes has included an amendment that requires reliance on payment-in-lieu as the only option for utilizing the affordable housing incentives. As discussed at the October Plan Commission hearing, the Plan Commission will need to decide which proposed changes incentivize developers in creation of affordable housing units, which is the overall goal of Resolution 2025-12.

RECOMMENDATION: The Department recommends forwarding the petition to the Common Council with a positive recommendation.

Passed 8-0 (Rollo absent)

RESOLUTION 2025-12

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives).

- WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and
- WHEREAS thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”) in order to implement the vision for community development put forward in the Comprehensive Plan; and
- WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and
- WHEREAS on January 14, 2020 the Mayor signed and approved Ordinance 19-24; and
- WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and
- WHEREAS pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and
- WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and
- WHEREAS the Common Council reinitiates, in part, its intent to pursue the objectives set forth in Resolution 2024-23; and
- WHEREAS the Common Council wishes to assess and amend the relevant provisions of the UDO in order to incentivize developers in creation of affordable housing units; and
- WHEREAS the UDO allows developers to take advantage of affordable housing incentives by making a payment-in-lieu of the creation of permanently affordable housing units; and
- WHEREAS any payment-in-lieu qualifying standard should exceed the requirements of actual creation of permanently affordable units; and
- WHEREAS The Common Council further wishes to ensure any payment-in-lieu options are meeting the long term interests of Bloomington housing needs; and

WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:

- 1) the Comprehensive Plan;
- 2) Current conditions and character of current structures and uses in each district;
- 3) the most desirable use for which land in each district is adapted;
- 4) the conservation of property values throughout the jurisdiction; and
- 5) responsible development and growth.

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

SECTION 1. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(5)) (Affordable Housing Incentives) to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development.

SECTION 2. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.04.110(c)(7)) (Payment-in-Lieu), to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized a payment-in-lieu procedure.

SECTION 3. Upon passage of this resolution, and pursuant to IC 36-7-607, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 4. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 30 day of July, 2025.


 HOPI STOSBERG, President
 Bloomington Common Council

ATTEST:


 NICOLE BOLDEN, Clerk
 City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this
31 day of July, 2025.


 NICOLE BOLDEN, Clerk
 City of Bloomington

SIGNED by me upon this 6 day of August, 2025.


 KERRY THOMSON, Mayor
 City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, reinitiates, in part, the proposal in Resolution 2024-23 (adopted on November 20, 2024) to amend Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to assess and consider changes to the affordable housing incentive structure and the payment-in-lieu option.

Distributed to: Clerk, Council Attorney, Controller, HAND, Legal, Mayor, and Planning & Transportation.

Case # ZO2025-10-0014 (ZO-35-25) Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Assistant Director, Planning & Transportation

Date: November 10, 2025

Re: Text Amendments to Unified Development Ordinance: Response to Resolution 2025-17: Affordable Housing Incentives

Through Resolution 2025-17, the Bloomington Common Council directed the Plan Commission to draft amendments to Title 20 of the Bloomington Municipal Code, the Unified Development Ordinance (UDO).

The Resolution directed the Plan Commission to prepare a proposal that does the following:

1. To amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an AMI requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

2. To amend the text of the UDO (BMC 20.02.040(b)(3)) (Qualifying Standards) to adjust the minimum qualifying standards for affordability applicable to Planned Unit Developments, requiring that such developments meet or exceed the Tier 1 Affordability standard.

3. To align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.

1. Based on discussion and feedback from the Plan Commission and Housing and Neighborhood Development Department staff at the February 2025 Plan Commission hearing, the Department proposes to respond to the first directive of Resolution 2025-17 by requiring all units that count toward the affordable housing contribution to be rented to tenants at less than 90 percent of Area Median Income (AMI), which is more responsive to the realities of the local workforce than the existing 120 percent of AMI. Tier 2 is proposed to continue to be split, with the percentages to be adjusted to half of the units at less than 90 percent of AMI and half of the units at less than 70 percent of AMI. While, nationally, 120 percent may be recognized as workforce housing, Figures 1 and 2 below indicates that 90 percent and 70 percent are more accurate for our local annual wage.

Figure 1: Annual Wage Distribution with proposed AMI percentages

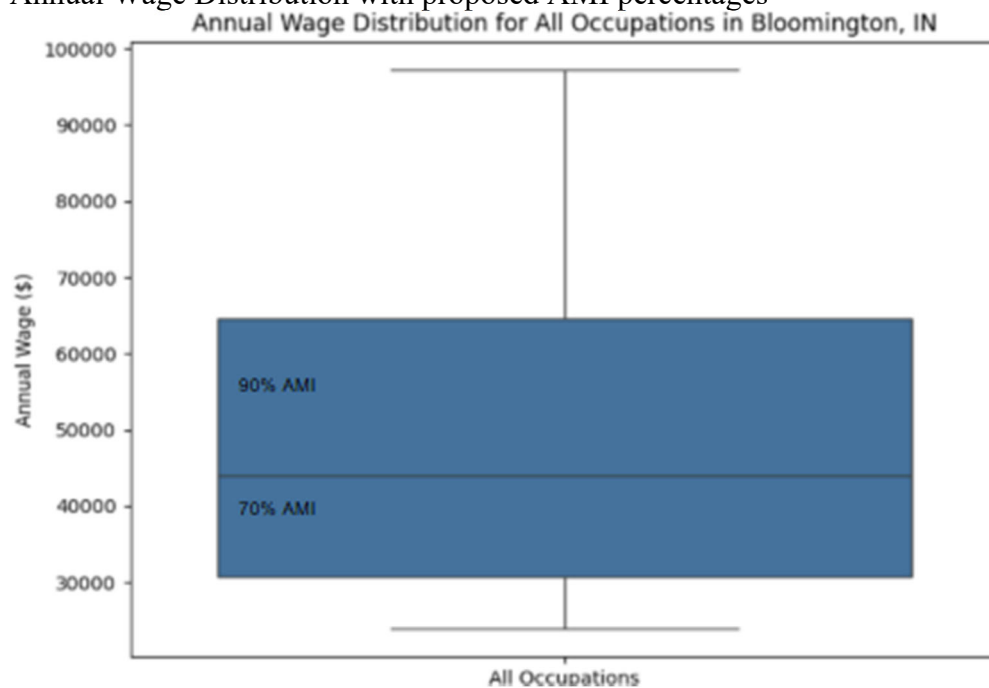


Image from Director Killion-Hanson February 2025 Plan Commission presentation

Figure 2: Annual Wage Distribution with existing, proposed, and additional AMI percentages

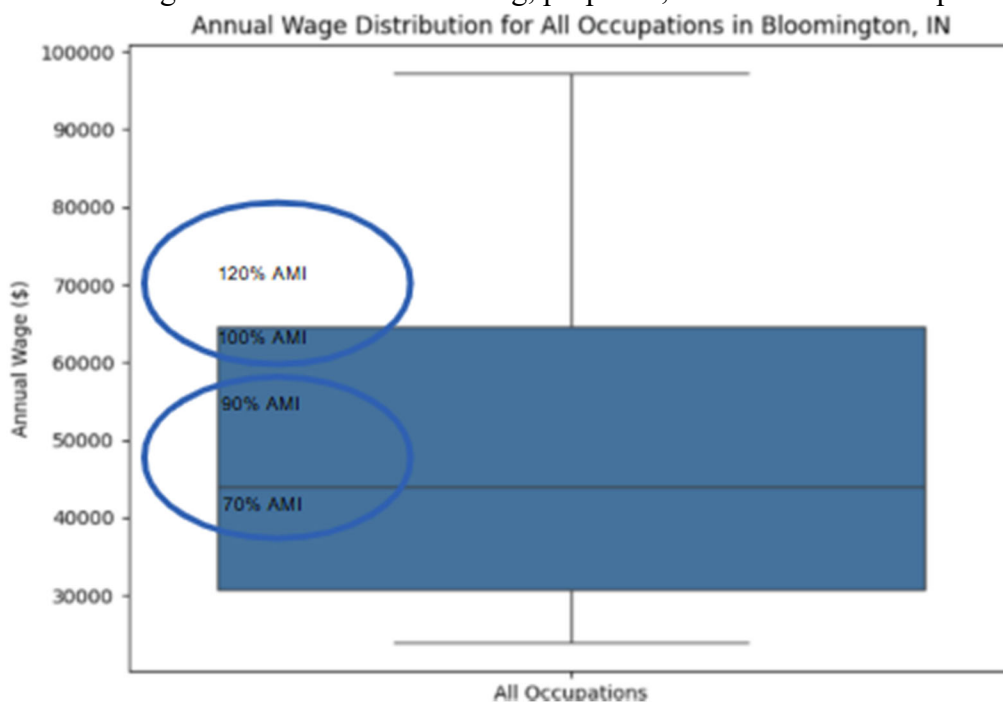


Image from Director Killion-Hanson February 2025 Plan Commission presentation

(2). Eligibility

Projects that satisfy one of the following criteria shall be eligible for the incentives established in subsection **Error! Reference source not found.** below:

(A) Tier 1

- i. At least 60 percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
- ii. A minimum of 15 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning less than ~~120~~ 90 percent of the HUD AMI for Monroe County, Indiana; or

(B) Tier 2

- i. At least 60 percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
- ii. A minimum of 7.5 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning below ~~90~~ 120 percent of the HUD AMI for Monroe County, Indiana; and
- iii. A minimum of 7.5 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning below ~~70~~ 90 percent of the HUD AMI for Monroe County, Indiana.

2. In response to the second directive in Resolution 2025-17, the Department recommends specifically referencing the Tier 1 section, as opposed to including a percentage, so that if the Tier 1 percentages are amended, the PUD qualifying standard will also be automatically amended. The amendment will allow that PUDs will, at a minimum, meet the requirements that non-PUD projects must meet. As pointed out in the Resolution, the recently approved Summit PUD (Reasonable Condition #6) incorporated the same requirement that is being proposed, indicating that the Council has been considering this change for some time.

(b) Qualifying Standards

A petition for rezoning into a Planned Unit Development (PUD) district shall only be considered if the petition meets the following criteria, as determined by the Planning and Transportation Director:

- 1) The proposed PUD zoning district includes a minimum of five acres of land;
- 2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
- 3) Where residential dwelling units are proposed, the total dwelling units proposed must include, at a minimum, the percentage of permanently income-limited units required in 20.04.110(c)(2)(A) Tier 1, at the AMI percentages listed in that section ~~a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana~~ and the development will be subject to

the applicable standards established in Subsection 20.04.110(c): Affordable Housing, unless the City otherwise adjusts or releases this requirement.;

- 4) The proposed PUD could not be developed using conventional zoning districts or standards established in this UDO;
- 5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- 6) The proposed PUD zoning district embraces the following highly-valued design features:
 - A. Protection of specific natural, environmental, or scenic resources or green spaces; and/or
 - B. Retaining natural landforms throughout the development; and/or
 - C. Low Impact Development design features throughout the development; and/or
 - D. Solar orientation of building forms and other passive energy-efficient design strategies throughout the development.
- 7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - A. No block perimeter greater than 1,400 feet in the development;
 - B. Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - C. Internally and externally connected park, trail, and open space system;
 - D. Community-level renewable energy production.

3. In response to the third directive, the Department recommends making the following changes to the UDO. In Chapter 7, Definitions, the Department proposes to strike the definition of ‘Workforce Housing’, as the term is not used anywhere else in the UDO. The percentages stand on their own in the text to meet the needs of our community, and the term does not need to be included.

~~Workforce Housing~~

~~Residential housing units that serve individuals, households, or families with annual incomes less than 120 percent of the Area Median Income. These housing units would under Section 20.04.110(c)(2) (Eligibility) for Tier 1 affordable housing.~~

CONCLUSION: The Department is proposing to amend the percentages related to Area Median Income (AMI) and affordable housing units that are provided through the Incentives section of the UDO to better align with the local workforce reality. While there are differing views on whether or not on-site units are more or less beneficial than receipt of a payment-in-lieu of providing units, the proposed changes in response to Resolution 2025-17 make any on-site units potentially more impactful than the current regulations.

RECOMMENDATION: The Department recommends that the Plan Commission approve the waiver of second hearing and forward ZO-35-25 to the Common Council with a positive recommendation.

RESOLUTION 2025-17

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE BY RESTATING RESOLUTION 2025-10 Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives) and 20.02.040 (Planned Unit Development (PUD) District)

- WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and
- WHEREAS thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”) in order to implement the vision for community development put forward in the Comprehensive Plan; and
- WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO, and the Mayor signed and approved this ordinance; and
- WHEREAS on January 14, 2020 the Mayor signed and approved Ordinance 19-24; and
- WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and
- WHEREAS the current affordability tiers set out in the UDO Chapter 20.04.110 (c.2) have resulted in housing units priced at the maximum allowable based on the Area Median Income (AMI) for Bloomington¹; and
- WHEREAS this has resulted in the use of affordability incentives by housing developments that do not actually create affordable units²; and
- WHEREAS pursuant to Indiana Code (“IC”) 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and
- WHEREAS pursuant to IC 36-7-4-607.5, on receiving the proposal to amend or partially repeal text, the Plan Commission shall, within 60 days, hold a public hearing, shall vote on the proposal not later than 60 days after the commission holds the public hearing, shall make a favorable recommendation, an unfavorable recommendation, or no recommendation, and shall within 10 business days after it determines its recommendation certify the proposal; and
- WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and
- WHEREAS the current UDO requires a PUD to meet a minimum requirement for affordability that corresponds with the current Tier 1 affordability standards; and
- WHEREAS the Summit District PUD, Ordinance 2024-07, was approved by the Common Council with Reasonable Condition #6 requiring a minimum of 15% of units constructed to meet the permanent affordability standard by being income restricted to households earning below 90% of the US Department of Housing and Urban Development AMI for Monroe County Indiana; and

¹ See City of Bloomington 2024 Workforce Rental Housing Limit Calculations, <https://bloomington.in.gov/housing/workforce>.

² “A major theme during public engagement was on the lack of rental units priced below \$900.” Regional Opportunity Initiatives, *Indiana Uplands Regional Housing Study Addendum 2.H Monroe County*, (2023 Update), 131, <https://regionalopportunityinc.org/src-content/uploads/2024/01/Indiana-Uplands-Housing-Study-Addendum-2.H-Monroe-County.pdf>.

- WHEREAS the Common Council passed Resolution 2025-10 to reinitiate in part its intent to pursue the objectives set forth in Resolution 2024-23, and to amend the minimum qualifying standards for affordability in Planned Unit Developments (“PUD”); and
- WHEREAS the Common Council renews its intention to initiate the proposal set forth in Resolution 2025-10 (“Attachment A”) and restates the proposed amendments to the UDO herein; and
- WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:
- a) the Comprehensive Plan;
 - b) current conditions and character of current structures and uses in each district;
 - c) the most desirable use for which land in each district is adapted;
- the conservation of property values throughout the jurisdiction; and responsible development and growth.

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

SECTION 1. The Common Council hereby rescinds Resolution 2025-10.

SECTION 2. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an AMI requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

SECTION 3. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.02.040(b)(3)) (Qualifying Standards) to adjust the minimum qualifying standards for affordability applicable to Planned Unit Developments, requiring that such developments meet or exceed the Tier 1 Affordability standard.

SECTION 4. The Common Council further directs the Plan Commission to review and propose any additional amendments necessary to align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.

SECTION 5. Upon passage of this resolution, and pursuant to IC 36-7-4-607.5, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 6. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 30 day of September, 2025.



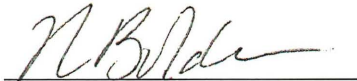
HOPI STOSBERG, President
Bloomington Common Council

ATTEST:



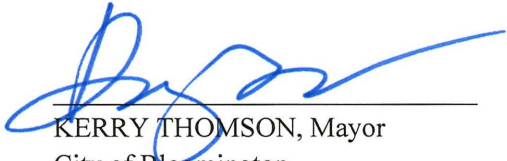
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 02
day of October, 2025.



NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this 2 day of October, 2025.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, initiates the prior proposal in Resolution 2025-10 (adopted on July 16, 2025), which directs the Plan Commission to prepare amendments to the BMC Title 20 (the Unified Development Ordinance or “UDO”) to make changes to the affordable housing incentive qualifying standards.

Distributed to: Clerk, Council Attorney, Legal, Mayor, and Planning & Transportation.

Passed 9-0

RESOLUTION 2025-10

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives) and 20.02.040 (Planned Unit Development (PUD) District).

- WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and
- WHEREAS thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”) in order to implement the vision for community development put forward in the Comprehensive Plan; and
- WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO, and the Mayor signed and approved this ordinance; and
- WHEREAS on January 14, 2020 the Mayor signed and approved Ordinance 19-24; and
- WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and
- WHEREAS the current affordability tiers set out in the UDO Chapter 20.04.110 (c.2) have resulted in housing units priced at the maximum allowable based on the Area Median Income (AMI) for Bloomington¹; and
- WHEREAS this has resulted in the use of affordability incentives by housing developments that do not actually create affordable units²; and
- WHEREAS pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and
- WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and
- WHEREAS the Common Council reinitiates in part its intent to pursue the objectives set forth in Resolution 2024-23, and further seeks to amend the minimum qualifying standards for affordability in Planned Unit Developments (“PUD”); and
- WHEREAS the current UDO requires a PUD to meet a minimum requirement for affordability that corresponds with the current Tier 1 affordability standards; and
- WHEREAS the Summit District PUD, Ordinance 2024-07, was approved by the Common Council with Reasonable Condition #6 requiring a minimum of 15% of units constructed to meet the permanent affordability standard by being income restricted to households earning below 90% of the US Department of Housing and Urban Development AMI for Monroe County Indiana; and
- WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:
- a) the Comprehensive Plan;
 - b) current conditions and character of current structures and uses in each district;
 - c) the most desirable use for which land in each district is adapted;

¹ See City of Bloomington 2024 Workforce Rental Housing Limit Calculations, <https://bloomington.in.gov/housing/workforce>.

² “A major theme during public engagement was on the lack of rental units priced below \$900.” Regional Opportunity Initiatives, *Indiana Uplands Regional Housing Study Addendum 2.H Monroe County*, (2023 Update), 131, <https://regionalopportunityinc.org/src-content/uploads/2024/01/Indiana-Uplands-Housing-Study-Addendum-2.H-Monroe-County.pdf>.

the conservation of property values throughout the jurisdiction; and responsible development and growth.

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

SECTION 1. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an AMI requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

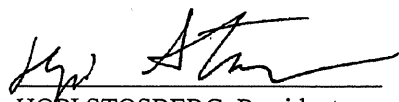
SECTION 2. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.02.040(b)(3)) (Qualifying Standards) to adjust the minimum qualifying standards for affordability applicable to Planned Unit Developments, requiring that such developments meet or exceed the Tier 1 Affordability standard.

SECTION 3. The Common Council further directs the Plan Commission to review and propose any additional amendments necessary to align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.


SECTION 4. Upon passage of this resolution, and pursuant to IC 36-7-4-607, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 5. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 16 day of July, 2025.


HOPI STOSBERG, President
Bloomington Common Council

ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18 day of July, 2025.



NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this 22 day of July, 2025.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, reinitiates in part the proposal in Resolution 2024-23 (adopted on November 20, 2024) to amend Title 20 (the Unified Development Ordinance or "UDO") of the Bloomington Municipal Code and introduces additional proposals related. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to make changes to the affordable housing incentive qualifying standards.

Distributed to: Clerk, Council Attorney, HAND, Legal, Mayor, and Planning & Transportation.

BLOOMINGTON PLAN COMMISSION
STAFF REPORT
LOCATION: 2005 W. Cory Drive

CASE #: ZO-36-25
DATE: November 10, 2025

PETITIONER: William Wamathai
 220 W Gordon Pike, Bloomington

REQUEST: The petitioner is requesting a map amendment (rezone) of approximately 0.39 acres to zone a property Residential Medium Lot (R2). Also requested is a waiver of the required second hearing.

BACKGROUND:

Area:	0.39 acres
Current Zoning:	Monroe County- Residential 1 (RES)
Comp Plan Designation:	Monroe County Urbanizing Plan (MCUA) – Mixed Residential
Existing Land Use:	Vacant
Proposed Land Use:	Dwelling, duplex
Surrounding Uses:	North – Dwelling, Single Family (detached)
	South – Moose Lodge
	East – Dwelling, Single Family (detached)
	West – Dwelling, Single Family (detached)

REPORT: This 0.39 acre petition site is identified as Lot #2 in Cory Lane Estates and is approximately 128' wide by 47' deep. The property is within the Monroe County Planning jurisdiction and is zoned Residential 1 (RES). Surrounding properties to the north, west, and east are also in the Monroe County Planning jurisdiction and are also zoned Residential 1 (RES). The property to the south is within the City jurisdiction and is zoned Residential Medium Lot (R2). The property is undeveloped and appears to have a karst feature in the southeast corner of the property and a substantial amount of tree coverage. A drainage easement was required with the original subdivision approval for the portions of this property with the potential karst feature. If a karst feature is verified, then it would be restricted for development within 25' of the last closed contour per the requirements of the Unified Development Ordinance. Any development on this lot would be subject to the City's Unified Development Ordinance if the property is annexed.

The petitioner is requesting voluntary annexation to be incorporated into the City and if annexation is approved by the Common Council, then zoning for the property must also be assigned. This petition is for a recommendation to the Council for the proposed zoning for this property if the annexation is approved. The City Plan Commission approved the subdivision (Cory Lane Estates) that this property is part of in 1992 under Plan Commission case #DP-29-91 when this area was formerly in the City AIFA. Since this property shares a property line that is contiguous with the City boundary to the south, the property does meet the requirements for "super voluntary" annexation.

If the property is annexed, the zoning of this property as Residential Medium Lot (R2) would be in consistent with the adjacent property to the south as well as the recommendation of the Comprehensive Plan and the Monroe County Urbanizing Plan.

COMPREHENSIVE PLAN: The Monroe County Urbanizing Plan (MCUA) designates this property as "Mixed Residential". The MCUA states that mixed residential neighborhoods

accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both districts encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes).

Zoning Map Amendment: The Plan Commission shall review the zoning map amendment petition and shall forward its recommendation to the Common Council in accordance with Section 20.06.040(g) (Review and Decision), based on the approval criteria in Section 20.06.040(d)(6) Approval Criteria) and the following specific approval criteria:

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO

PROPOSED FINDING: Although a perspective site plan has been submitted, further analysis of the possible karst feature on the property must be done before a site plan can be approved. No site plan approval is being given with this annexation and rezoning recommendation petition. As mentioned, there is a potential karst feature on the property that must be evaluated with any development petition. The proposed use and development of this property must comply with the UDO, which includes tree preservation requirements and karst protection standards.

- ii. Compliance with Other Applicable Regulations

PROPOSED FINDING: The annexation component of this petition is being evaluated under a separate piece of legislation.

- iii. Compliance with Utility, Service, and Improvement Standards

PROPOSED FINDING: Water and sewer service are present within the subdivision and along this lot, final approval from City of Bloomington Utilities is required with any development. Drainage for any development on the property must also be reviewed with any development plan for compliance with the UDO and CBU standards

- iv. Compliance with Prior Approvals

PROPOSED FINDING: The subdivision approval (DP-29-91) required a drainage easement along the east side of this property, which was shown on the recorded plat. Although the previous subdivision approval did not identify the possible karst feature on this property as a sinkhole, it does need to be evaluated for any changes that might require it to be regulated under current regulations. There were no other conditions of approval or restrictions that related to this lot specifically other than the required drainage

easement.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

- i. Consistency with Comprehensive Plan and Other Applicable Plans

PROPOSED FINDING: As mentioned, the Monroe County Urbanizing Plan (MCUA) designates this property as “Mixed Residential”. The MCUA states that mixed residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both designations within the MCUA and City’s Comprehensive Plan encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes). In addition, this property and subdivision is within close proximity to Bloomfield Road with transit access and adjacent to land zoned and developed with mixed-uses, in keeping with recommendations of both the MCUA and the City’s Comprehensive Plan.

- ii. Consistent with Intergovernmental Agreements

PROPOSED FINDING: There is nothing in the Interlocal Agreement that deals with annexation requests.

- iii. Minimization or Mitigation of Adverse Impacts

PROPOSED FINDING: There are no expected adverse impacts with the zoning of this property to the Residential Medium Lot (R2) zoning district. This zoning is similar to the the County’s current zoning.

- iv. Adequacy of Road Systems

PROPOSED FINDING: There are no known problems with the existing Cory Drive road or infrastructure.

- v. Provides Adequate Public Services and Facilities

PROPOSED FINDING: There are no known deficiencies in the utility service to Cory Drive or this area. The subdivision is served by City of Bloomington Utilities and any development on this lot would be required to connect to existing utility service lines.

- vi. Rational Phasing Plan

PROPOSED FINDING: No phasing with this petition is proposed or expected.

20.06.070(b)(3)(E)(i)(1) Specific Approval Criteria:

[a] The recommendations of the Comprehensive Plan;

PROPOSED FINDING: As mentioned, the Monroe County Urbanizing Plan (MCUA) designates this property as “Mixed Residential”. The MCUA states that mixed residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both designations within the MCUA and City’s Comprehensive Plan encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes). In addition, this property and subdivision is within close proximity to Bloomfield Road with transit access and adjacent to land zoned and developed with mixed-uses, in keeping with recommendations of both the MCUA and the City’s Comprehensive Plan.

[b] Current conditions and character of structures and uses in each zoning district;

PROPOSED FINDING: The surrounding structures and uses to the west, north, and east are single family residences. Although the property to the south is currently used as community building, it is zoned for possible single family uses and a public road stub to that property was required with the Cory Lane subdivision approval to provide future connection. The suggested zoning of this property for Residential Medium Lot (R2) would be in keeping with the current conditions and character of surrounding structures and uses.

[c] The most desirable use for which the land in each zoning district is adapted;

PROPOSED FINDING: The MCUA and City Comprehensive plan both identify this area as appropriate for low density residential uses and diverse housing types, which are allowed within the suggested Residential Medium Lot (R2) district standards.

[d] The conservation of sensitive environmental features;

PROPOSED FINDING: As mentioned continued evaluation of the possible karst feature and compliance with the UDO tree preservation standards will be evaluated with any specific development proposal. Adherence to all standards of the UDO is required.

[e] The conservation of property values throughout the jurisdiction; and

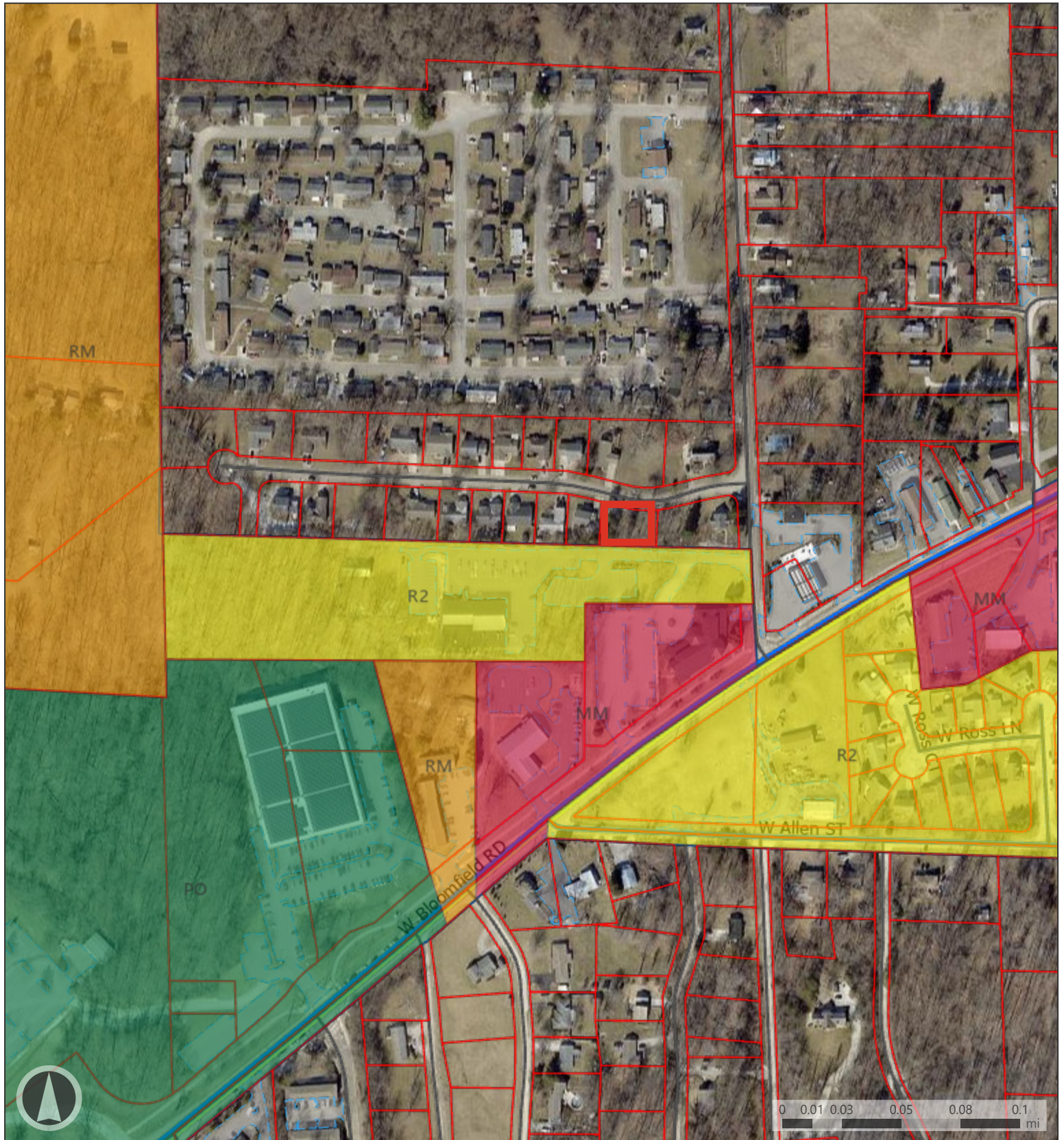
PROPOSED FINDING: The suggested zoning of this property as Residential Medium Lot (R2) is not expected to have any adverse impacts on surrounding property values.

[f] Responsible development and growth.

PROPOSED FINDING: The inclusion of this property within the City boundaries and zoning would allow for development of the property that is in keeping with all of the requirements of the UDO and allow for development along a road that is served by City utilities and has good access to transit service and road infrastructure. This furthers many goals of the Comprehensive Plan and housing studies encouraging infill development.

CONCLUSION: If the property is annexed, the zoning of this property as Residential Medium Lot (R2) would be in consistent with the current zoning of the property by the County and would be consistent with the adjacent property to the south. The suggested zoning would also follow recommendations of the Comprehensive Plan and the Monroe County Urbanizing Plan for development in this area.

RECOMMENDATION: The Department recommends the Plan Commission approve the waiver from the required second hearing and forward this petition to the Common Council with a favorable recommendation.



Map Legend

- Mixed-Use Medium-Scale
- Parks and Open Space
- Residential Medium Lot

- Residential Multifamily
- Parcels

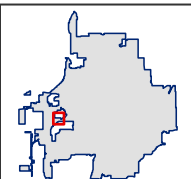
Parking Lot Type

- Paved Parking Lot
- Current

City Maintained Streets

Street Typology

General Urban



5.1.1 MIXED RESIDENTIAL

MIXED RESIDENTIAL NEIGHBORHOODS ACCOMMODATE A WIDE ARRAY OF BOTH SINGLE-FAMILY AND ATTACHED HOUSING TYPES, INTEGRATED INTO A COHESIVE NEIGHBORHOOD. THEY MAY ALSO INCLUDE NEIGHBORHOOD COMMERCIAL USES AS A LOCAL AMENITY.

These neighborhoods are intended to serve growing market demand for new housing choices among the full spectrum of demographic groups. Residential buildings should be compatible in height and overall scale, but with varied architectural character. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

A. TRANSPORTATION

STREETS

Streets in Mixed Residential Neighborhoods should be designed at a pedestrian scale. Like Mixed-Use Districts, the street system should be interconnected to form a block pattern, although it is not necessary to be an exact grid. An emphasis on multiple interconnected streets which also includes alley access for services and parking, will minimize the need for collector streets, which are common in more conventional Suburban Residential neighborhoods. Cul-de-sacs and dead-ends are not appropriate for this development type

Unlike typical Suburban Residential subdivisions, Mixed Residential development is intended to be designed as walkable neighborhoods. Most residents will likely own cars, but neighborhood design should de-emphasize the automobile.

BIKE, PEDESTRIAN, AND TRANSIT MODES

Streets should have sidewalks on both sides, with tree lawns of sufficient width to support large shade trees. Arterial streets leading to or through these neighborhoods may be lined with multi-use paths. Neighborhood streets should be designed in a manner that allows for safe and comfortable bicycle travel without the need for separate on-street bicycle facilities such as bike lanes. As with Mixed-Use Districts, primary streets in Mixed Residential neighborhoods should be designed to accommodate transit.

B. UTILITIES

SEWER AND WATER

The majority of Mixed Residential areas designated in the Land Use Plan are located within existing sewer service areas. Preliminary analysis indicates that most of these areas have sufficient capacity for additional development. Detailed capacity analyses will be necessary with individual development proposals to ensure existing infrastructure can accommodate new residential units and that agreements for extension for residential growth are in place.

POWER

Overhead utility lines should be buried to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

COMMUNICATIONS

Communications needs will vary within Mixed Residential neighborhoods, but upgrades to infrastructure should be considered for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate capacity.

C. OPEN SPACE

PARK TYPES

Pocket parks, greens, squares, commons, neighborhood parks and greenways are all appropriate for Mixed Residential neighborhoods. Parks should be provided within a walkable distance (one-eighth to one-quarter mile) of all residential units, and should serve as an organizing element around which the neighborhood is designed.

URBAN AGRICULTURE

Community gardens should be encouraged within Mixed Residential Neighborhoods. These may be designed as significant focal points and gathering spaces within larger neighborhood parks, or as dedicated plots of land solely used for community food production.

D. PUBLIC REALM ENHANCEMENTS

LIGHTING

Lighting needs will vary by street type and width but safety, visibility and security are important. Lighting for neighborhood streets should be of a pedestrian scale (16 to 18 feet in height).

STREET/SITE FURNISHINGS

Public benches and seating areas are most appropriately located within neighborhood parks and open spaces, but may be also be located along sidewalks. Bicycle parking racks may be provided within the tree lawn/landscape zone at periodic intervals.

E. DEVELOPMENT GUIDELINES

OPEN SPACE

Approximately 200 square feet of publicly accessible open space per dwelling unit. Emphasis should be placed on creating well-designed and appropriately proportioned open spaces that encourage regular use and activity by area residents.

PARKING RATIOS

Single-family lots will typically provide 1 to 2 spaces in a garage and/or driveway. Parking for multi-family buildings should be provided generally at 1 to 1.75 spaces per unit, depending on unit type/number of beds. On-street parking should be permitted to contribute to required parking minimums as a means to reduce surface parking and calm traffic on residential streets.

SITE DESIGN

Front setbacks should range from 10 to 20 feet, with porches, lawns or landscape gardens between the sidewalk and building face. Buildings should frame the street, with modest side setbacks (5 to 8 feet), creating a relatively continuous building edge. Garages and parking areas should be located to the rear of buildings, accessed from a rear lane or alley. If garages are front-loaded, they should be set back from the building face. Neighborhoods

SURVEY BY:

Terran Surveys LLC

1267 W. Rangeview Cir.
Bloomington, In 47404
Phone: 812-269-2289

LEGEND

- - MAG NAIL (FOUND)
- - SUBJECT TRACT LINE
- - - - - ADJOINER
- - - - - ROAD RIGHT OF WAY
- - EASEMENT
- BUILDING SETBACK
- x — - FENCE

OWNER OF RECORD

KANYISON LLC
220 W GORDON PK
BLOOMINGTON, IN 47403
INSTRUMENT 2024007911

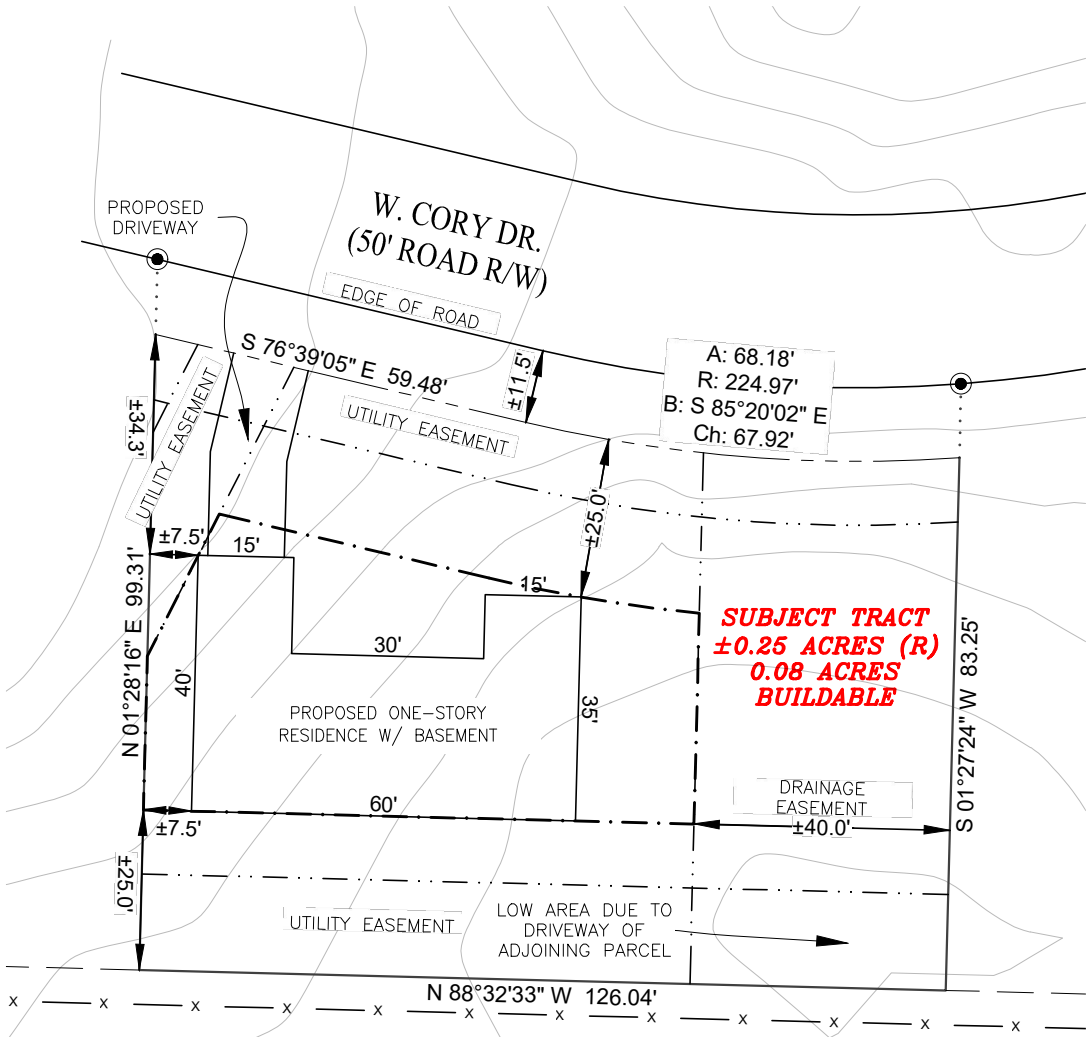
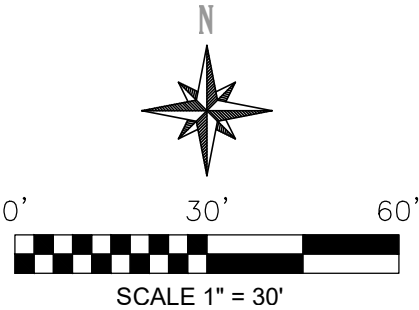
FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS NOT LOCATED IN THE SPECIAL FLOOD HAZARD AREA AS SHOWN BY THE BEST AVAILABLE FLOOD HAZARD LAYER ON THE INDIANA FLOODPLAIN INFORMATION PORTAL FROM THE INDIANA DNR DIVISION OF WATER.

SCALE	SHEET NUMBER
1" = 30'	001
PLOT DATE	
11/12/2024	
FILE NAME	
SR080924WAM.dwg	

SITE PLAN

LOT 2 IN CORY LANE ESTATES
PART OF THE EAST HALF SECTION SIX (6), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST
PERRY TOWNSHIP, MONROE COUNTY, INDIANA
PARCEL NO. 53-08-06-104-051.000-008



RECORD DESCRIPTION (SUBJECT TRACT)

LOT 2 IN CORY LANE ESTATES AS SHOWN ON THE RECORDED PLAT THEREOF, RECORDED IN PLAT CABINET C, ENVELOPE 106, IN THE OFFICE OF THE RECORDER OF MONROE COUNTY, INDIANA.

NOTES:

1. THE PROPOSED 1ST FLOOR ELEVATION OF RESIDENCE WILL BE A MINIMUM OF 12" ABOVE THE HIGHEST ADJACENT GROUND ELEVATION.
2. THE PROPOSED FINISHED FLOOR AND FINISHED GRADE ELEVATIONS SHALL BE SUCH TO PROVIDE POSITIVE SURFACE DRAINAGE AWAY FROM THE PROPOSED RESIDENCE. THE FINISHED GRADE ELEVATIONS SHALL NOT IN ANY WAY SHED SURFACE STORM WATER FLOW ONTO THE ADJOINING PROPERTIES UNLESS PROVISIONS HAVE BEEN MADE WITH THE ADJOINING PROPERTY OWNERS AND THE GOVERNING JURISDICTION. SHALLOW FLOW LINES SHALL BE MADE BY THE FINISHED GRADE.
3. TO VERIFY POSITIVE DRAINAGE, THE GROUND ADJACENT TO ALL SIDES OF A BUILDING SHALL FALL A MINIMUM OF SIX INCHES IN THE FIRST TEN FEET FROM THE BUILDING. DRIVEWAYS WHICH LEAD TO GARAGES SHALL FALL A MINIMUM OF THREE INCHES IN THE FIRST TEN FEET AWAY FROM THE GARAGE.
4. THE DIMENSIONS SHOWN ON THE PROPOSED RESIDENCE ARE BASED UPON PLANS PROVIDED BY THE OWNER. PRIOR TO CONSTRUCTION THE OWNER SHALL VERIFY NO CHANGES HAVE BEEN MADE FROM THOSE SHOWN HEREON.
5. NO WETLANDS SHALL BE DISTURBED DURING OR AFTER THE CONSTRUCTION OF THE SITE IMPROVEMENTS.
6. THE BUILDER AND/OR ANY UNDERGROUND SITE CONTRACTOR SHALL CALL INDIANA 811 TO VERIFY THE LOCATION OF THE UNDERGROUND UTILITIES ON THIS SITE.

I AFFIRM UNDER PENALTIES OF PERJURY THAT I HAVE TAKEN
REASONABLE CARE TO REDACT EACH SOCIAL SECURITY
NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

11/12/24

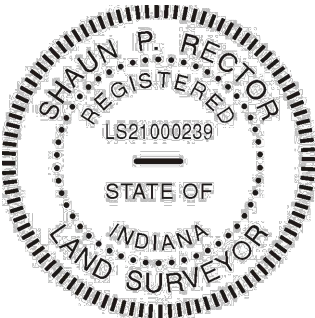
SHAUN P. RECTOR
INDIANA PS NO. 21000239

DATE

THE UNDERSIGNED, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF INDIANA, DOES HEREBY CERTIFY THAT THE ATTACHED PLAT AND INCLUDED LEGAL DESCRIPTIONS WERE PREPARED UNDER HIS DIRECT SUPERVISION, AND WAS EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA SURVEY STANDARDS AS DEFINED IN TITLE 865, ARTICLE 1, RULE 12 OF THE INDIANA ADMINISTRATIVE CODE.

THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE AND CORRECT TITLE SEARCH AND/OR EXAMINATION MIGHT DISCLOSE.

SUBJECT TO THE ABOVE RESERVATION, I HEREBY CERTIFY THAT THE SURVEY WORK PERFORMED ON THE PROJECT SHOWN HEREIN WAS PERFORMED EITHER BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND THAT ALL INFORMATION SHOWN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



**DULY ENTERED
FOR TAXATION**

7/30/2024

Buanna M. Gentry
Auditor Monroe County, Indiana

2024007911 WAR 38 \$25.00
7/30/2024 10:44:47 AM 3 PGS
Amy Swain
Monroe County Recorder IN
Recorded as Presented



Mail Tax Bills to:
220 W. Gordon Pike
Bloomington, IN 47403

WARRANTY DEED

THIS INDENTURE WITNESSETH that DON COWDEN FOUNDATION, INC., an Indiana corporation, of Monroe County, in the State of Indiana, CONVEYS AND WARRANTS to KANYISON LLC, an Indiana limited liability company, of Monroe County, in the State of Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit:

Lot 2 in Cory Lane Estates as shown on the recorded plat thereof, recorded in Plat Cabinet C, Envelope 106, in the office of the Recorder of Monroe County, Indiana

Parcel Number: 53-08-06-104-051.000-008 (014-15320-02)
Commonly known as: 2005 W. Cory Drive, Bloomington, Indiana 47403

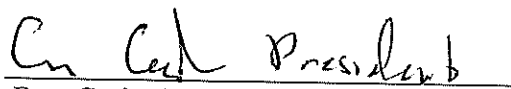
SUBJECT TO THE FOLLOWING:

1. All covenants, conditions, restrictions, easements, and encumbrances in the plat of Cory Lane Estates (Replat of Cowden Addition), as shown by the recorded plat thereof recorded July 22, 1994, in Plat Cabinet C, Envelope 106 and shown as Instrument No. 411983, in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

2. Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated July 1, 1994 and recorded July 22, 1994, in Book 227, Page 268 and amended by Amended Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated August 17, 1994 and recorded August 18, 1994, in Book 228, Page 57, all in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
3. Easement for Sewer Line in favor of City of Bloomington dated April 24, 1979 and recorded October 23, 1980, in Book 278, Page 439, in the office of the Recorder of Monroe County, Indiana.
4. Subject to the dues and assessments of the Cory Lane Estates Homeowner's Association.
5. Taxes for the year 2024 due and payable in 2025 and all subsequent taxes and assessments.

Dated this 24th day of July, 2024

DON COWDEN FOUNDATION, INC


By: Craig Cowden, President

STATE OF INDIANA)
) SS:
 COUNTY OF MONROE)

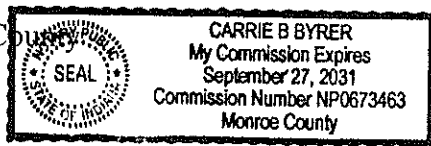
Before me, a Notary Public in and for said County and State, personally appeared Criag Cowden, President of DON COWDEN FOUNDATION, INC., an Indiana corporation who acknowledged execution of the above and foregoing Warranty Deed this 24th day of July, 2024.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: _____

Carrie B. Byrer
 Notary Public

Residing in Monroe County



Carrie B. Byrer
 Carrie B. Byrer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Paganelli Law Group, 116 W. 6th Street, Suite 200, P.O. Box 2639, Bloomington, IN 47402-2639

447871/55001-80AT

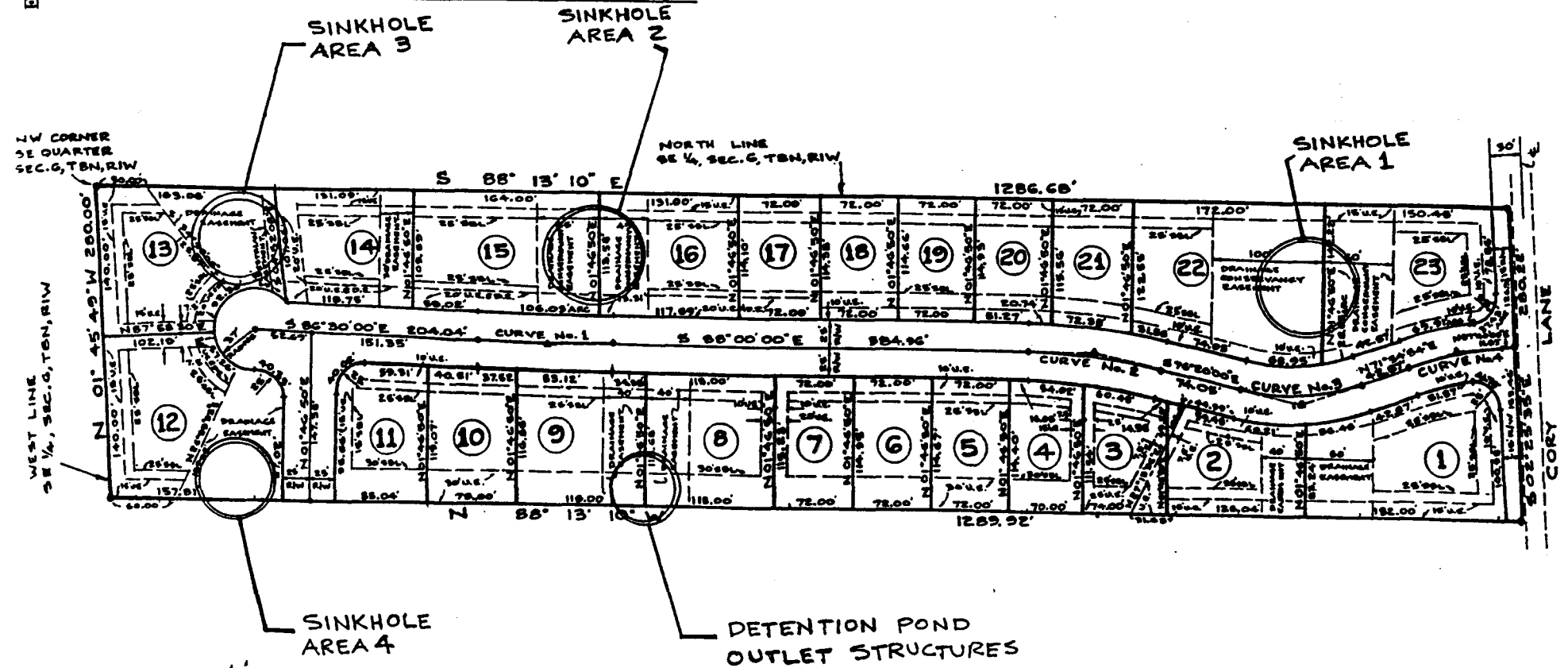
Exhibit B

EXHIBIT "B"

TO
SINKHOLE MAINTENANCE
AGREEMENT

CORY LANE ESTATES

[Replat of Cowden Addition]



411984

**DECLARATION OF COVENANTS, RESTRICTIONS
RESERVATIONS AND EASEMENTS FOR
CORY LANE ESTATES**

Donald L. Cowden (hereinafter "Declarant") hereby declares that he is the owner of the real estate described in Exhibit A, attached hereto (hereinafter "the Real Estate") and does hereby submit the Real Estate to these covenants, restrictions, reservations and easements, which shall be appurtenant to and shall run with the Real Estate for the benefit of the Real Estate and Declarant, his successors and assigns.

1. Definitions.

a. Association shall mean the Cory Lane Estates Homeowner's Association, whether organized as an association or incorporated as a not-for-profit corporation.

b. Lot shall mean a platted lot of Cory Lane Estates as shown on the plat duly recorded in the office of the Recorder of Monroe County, Indiana for the real estate described in Exhibit A.

c. Member shall mean a member of Association, comprised of the owners of lots in Cory Lane Estates. A member may be a person, a corporation, a partnership or other recognized legal entity. Multiple ownership interests of a single lot shall constitute a single membership. The several part owners of the lot shall select a single person to serve as the spokesperson for purpose of voting or other Association business.

2. Site Development Restrictions.

a. No power pole or underground service box shall be located within two (2) feet of a corner lot pan. No trees shall be planted within the street right-of-way. All utility connections shall be underground unless deemed impractical by the utility company.

b. All dwellings shall be "stick-built" and shall be constructed, erected or relocated on the real estate unless it shall have a minimum first floor area of one thousand (1,000) square feet for a single story, a minimum floor area of seven hundred (700) square feet exclusive of the lower level of the three levels on a tri-level or seven hundred (700) square feet on the main level of a two-story or bi-level house. Each dwelling must have a minimum ceiling height of eight feet on the main level and a twelve inch roof overhang. Open porches, breezeways and garages shall not be counted as a part of the minimum floor area. All house plans and attached sheds or buildings must be approved by Declarant, 3806 West Third Street, Bloomington, Indiana.

413578 8-18-94
Amendment: Add on
Exhibit B
Page 57/58
Monroe 75E 228
State Hwy - Recorder

RECORDED

A.M./P.M.

JUL 22 1994

RECORDER MONROE CO., IN

227 269

c. No building, porch, garage, carport, shed, lean-to or other structure may be constructed, erected or maintained closer to the front or back property line than the twenty-five (25) foot building setback line shown on the plat. Sideyard setbacks shall be minimum eight (8) feet for one-story construction, twelve (12) feet for two-story construction and twenty (20) feet combined for both sideyard setbacks.

d. No continuous fence, hedge or planting shall be erected or maintained beyond the building setback line on any lot. All fences and plantings erected or maintained within a utility or drainage easement are subject to removal without being replaced or without reimbursement to the owner, should maintenance or repair be required to the utility or drainage swales and structures located within said easements.

e. Each dwelling shall have a ten (10) foot minimum width concrete or bituminous surfaced driveway from the street to the garage.

f. Drainage conservancy easements as shown on the recorded plat of Cory Lane Estates shall be left in a natural condition. Tree removal, excavation, earthfill and grading is not permitted within the drainage conservancy easement. Usual and normal seeding, mulching, fertilizing and ground surface preparation for seeding is permitted within the easement. This restriction shall not bar the removal from the drainage conservancy easement of dead or diseased trees or growth, removal of debris or other materials which harbor rodents or other pests.

g. Lots may not be subdivided nor shall there be any sale, conveyance or transfer of a part of a lot except a part of a lot may be sold, conveyed or transferred to an adjoining lot owner if no new lot is created. For the purpose of these Declarations, adjoining lots having common ownership and used as a single building site shall be considered one lot. If a part of a lot is sold, transferred or conveyed to an adjoining lot owner, thereafter the part of the lot so conveyed shall be used in conjunction with and as a part of the lot previously held by the transferee.

3. Use Restrictions.

a. Lots shall be used for residential purposes only and not for commercial purpose except for uses permitted by a properly issued and valid home occupancy permit in accordance with the applicable zoning ordinance. In addition, owners of lots may provide child care services within the dwelling on any lot where the number of children for whom child care is provided does not require the issuance of a license.

b. No residence shall be maintained in any manner within Cory Lane Estates except as a complete dwelling, meeting all the requirements of this Declaration, except that declarant and builders may maintain a model home.

c. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lots except a dog, cat or recognized household pet may be kept, provided they are not kept, bred or maintained for any commercial purpose. Dogs shall not be permitted to roam at will. Individual lot owners shall be responsible to ensure that all dogs are controlled by way of fenced area or leash.

d. No lot shall be used for the open storage of junk or other materials. Trash, garbage or other waste shall be kept in containers in a clean and sanitary condition. There shall be no open burning. There shall be no repair of automobiles outside of the garage. There shall be no storage of unregistered or inoperative motor vehicles outside of the garage.

4. Maintenance.

a. The owners of each lot shall be liable for and assume responsibility and agree to maintain the lot clean and free of any paper, trash, or other debris, noxious weeds or unsightly growth.

5. Sinkhole Maintenance.

a. Declarant for himself, successors and assigns acknowledges that there are four sinkhole areas identified on the plat of Cory Lane Estate which shall be used for surface water drainage.

b. As a condition precedent to the development of Cory Lane Estates, the owners of lots in Cory Lane Estates are required to form an association for the purpose of maintenance of the sinkhole areas.

c. Each member of Cory Lane Estates shall contribute to the cost of maintenance at the sinkhole areas identified as areas 1, 2, 3 and 4 and the detention pond outlet areas designated on Exhibit B, attached hereto and made a part hereof by reference.

d. Owners of lots of the property on which the sinkhole areas and the detention pond outlet area are located shall be responsible for the regular maintenance of the property as a part of the lot, which regular maintenance shall consist of any mowing of the property, removal of leaves and other day-to-day maintenance consistent with reasonable and ordinary care of a residential yard.

e. The Cory Lane Estates Homeowner's Association shall be responsible for regular maintenance and repair of

227-271

the sinkhole area and the detention pond outlet area in order to ensure the maintenance of the improvements made to the sinkhole areas and the detention pond outlet area for proper functioning of their intended purpose to serve as surface drainage for Cory Lane Estates.

f. The Association, its agents and employees shall have a right of access at all reasonable times over the lot on which the sinkhole areas and detention pond outlet areas are located for the purpose of necessary maintenance, inspection or repair of the improvements to the sinkhole areas and detention pond outlet areas.

g. The Association shall be responsible to promptly restore the surface of the lot disturbed as a result of the Association's inspection, maintenance or repair of the sinkhole area or detention pond outlet area.

h. The Association shall notify in writing each member the prorata cost to the member for the expenses incurred by Association in performing the inspection, maintenance or repair required by the sinkhole maintenance provision. Each member covenants to contribute to the Association the member's prorata share of such cost within ten (10) days after receipt of written notice.

i. In the event Association fails to perform its obligation to inspect, repair or maintain the sinkhole areas or detention pond outlet areas, the City of Bloomington or any individual member may provide written notice to the Association of a need for repair or maintenance of the sinkhole areas or detention pond outlet area. The Association shall respond within thirty (30) days of receipt of the notice of the corrective actions taken or for actions not susceptible of completion within thirty (30) days, the anticipated actions and a reasonable time table within which the corrective repair or maintenance actions shall be completed.

j. If Association fails to take the actions reasonably necessary to fulfill its obligations to maintain the sinkhole areas and detention pond outlet area, the City of Bloomington, its agents or employees, or a member of Association shall be entitled to take such actions on behalf of and in the name of Association and shall inure to all the rights and privileges of Association to demand from members a prorata share of the cost for maintenance, inspection or repair, to include reasonable attorney's fees.

6. Amendments. This Declaration shall continue for a period of ten (10) years from the date of recording of this Declaration and shall automatically renew for additional ten (10) year terms unless amended or vacated by a two-thirds (2/3) vote of the members at a meeting of Association duly called to consider an amendment or vacation of this Declaration. Any amendment or vacation of this Declaration shall not be effective unless

Donald L. Cowden
Donald L. Cowden, Declarant

Michael L. Carnum
MICHAEL L. CARNUM, Notary Public
A resident of MONROE County

- 5 -

Exhibit A

227 ■ 273

Part of the Southeast quarter of Section 6, Township 8 North, Range 1 West, Perry Township, Monroe County, Indiana, being currently recorded as Cowden Addition in Plat Cabinet "B", envelope 296, office of the Recorder of Monroe County, Indiana, and more particularly described as follows:

Beginning at a rebar with cap set at the Northwest corner of said Southeast quarter; thence South 88 degrees 13 minutes 10 seconds East along the North line of said Southeast quarter 1286.68 feet to a rebar with cap set on the West line of Cory Lane; thence South 02 degrees 25 minutes 35 seconds East along said West line 280.22 feet to a rebar with cap; thence North 88 degrees 13 minutes 10 seconds West 1289.92 feet to a rebar with cap set on the West line of said Southeast quarter; thence North 01 degrees 45 minutes 49 seconds West along said West line 280.00 feet to the point of beginning, containing 8.265 acres, more or less.

PLAN COMMISSION 5/13/91

DP-29-91

Don Cowden

828 S. Cory Lane

Request for 23-lot subdivision approval

Chris Spiek reported. This is the second hearing on a request for preliminary and final plat approval for a 23-lot single-family subdivision on 8.2 acres in the 800 block of Cory Lane. The request has been amended since the preliminary hearing from 26 lots to 23 lots. All lots exceed the 7,200 sq. ft. minimum lot size requirement and the 60-ft. minimum width requirement. A public cul-de-sac will serve lots on both sides of the street. The street is proposed to be 28 ft. back to back with 50 ft. right-of-way dedication which staff feels is adequate to serve the number of lots. A road stub to the south property line to the adjacent Moose Lodge property was discussed at preliminary hearing. Staff has determined that this road stub should be required to afford access to the developable land west of the Moose Lodge. Also discussed previously was a pedestrian access to the north property line (Shady Acres development) and staff has determined that this access should also be provided. Two sinkholes on site will be excavated, improved, and used for stormwater detention. Other sinkholes on site will not be used for increased stormwater storage but will be treated and will continue to accept the same amount of stormwater as pre-development. The sinkholes will be within conservation easements which allow no building in the easements. A homeowners' association will be formed which will be responsible for maintenance of the sinkholes. A condition of approval should be that the format for maintenance of the sinkholes be subject to staff approval before recording of the plat. Public sewer and water will be provided. Petitioner is working with the Utilities Department and with adjacent owners. The service plan will be required to be approved by the Utilities Department. The site is extensively tree-covered with both hardwood and scrub pines. The Environmental Commission has recommended that the hardwood trees be saved where possible. The petitioner has presented a tree preservation plan which staff feels is satisfactory. A good portion of the trees will be saved and field marking will be required before site grading. The proposal is consistent with Master Plan policies for this area.

Staff recommends approval with conditions as follow: 1) 28 ft. pavement road with curb and gutters with 50 ft. right-of-way dedication; 2) sidewalk requirement on both sides of internal street with exception of one area adjacent to a sinkhole (from lot 22 up to public street); 3) sidewalk requirement along Cory Lane; 4) Utilities Dept. approval of water and sanitary sewer service; 5) staff approval of homeowners association document concerning maintenance of sinkholes; 6) field marking of trees to be cut before site grading; and 7) road stub to south property line and pedestrian access to north property line.

Cooksey queried trees which are currently marked by yellow ribbons. Deferred to petitioner. Cooksey queried whether a covenant for the homeowners association will be recorded with plat. Yes. Cooksey queried whether houses will face the street. Yes. Cooksey queried enforcement regarding not building on sinkholes. Spiek stated that the sinkholes are in a conservation easement. Cooksey queried enforcement of homeowners maintenance of the sinkholes. Spiek stated that the city or county have the authority to enforce maintenance or the authority to maintain and assess lot owners. Cooksey felt that this petitioner is not always conscious of the land and queried whether a bond could be required to guarantee compliance. Spiek stated that

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bonding for infrastructure not in place before plat is recorded. Once the infrastructure is in place, the homeowners will be responsible for individual lots. Cooksey queried grading. Spiek stated that the site will be graded only where necessary for streets and roads. Cooksey queried when fire protection will be brought in. Spiek stated that hydrants will be provided with sewer and water installation. Cooksey queried type of homes. Spiek felt that lots will be marketed to individual homeowners. Weger concurred with Cooksey's concerns regarding tree preservation. Spiek felt that restrictions and monitoring should help assure preservation. Sturbaum felt that it is a sensitive area and stated that he would be more comfortable if it were to be developed by one owner. Sturbaum requested a report from staff if any non-compliance occurs on site. Service was concerned with buffering along the south property line and felt that pines, etc., should be preserved for noise buffering. Mayer queried stub road to the south. Spiek clarified that is required for access to future developable land. The road will not go anywhere at this time and staff would recommend that a barrier be installed to prevent through traffic at this time. Mayer was concerned that the road might not be wide enough to handle future traffic. Spiek felt that it would be sufficient even with additional development. Young queried whether the Moose concerns with the road stub have been dealt with. Spiek stated that the Moose was concerned that the road would connect to their private access drive which is not the case. Regarding tree preservation, Young queried the benefit of preserving trees in the middle of a building lot. Spiek stated that it is not yet known where the houses will be built. Young queried Master Plan recommendation for no net crown loss. Spiek stated that standard street trees will be required but staff is not advocating the net crown loss requirement for this subdivision. Mueller felt that the Master Plan recommendation will have to be translated into an equitable subdivision regulation. The Environmental Commission is not too concerned with removal of the pine trees as long as some hardwood shade trees are required as replacement. Weger queried cul-de-sac length. 1000 ft.

Kevin Potter was present representing the petitioner, Don Cowden. Potter stated that the internal street will be a relatively straight alignment with a curve to avoid a sinkhole. The site is not a flat site so the road will not be a flat road and will give a good visual break to the street alignment. The petitioner requests that a variance be granted from the staff recommendation for road stub to the Moose property. Potter stated that the Moose does not want the stub and felt that the stub will create more tree loss and a lot which will be difficult to market. A pedestrian access easement to Shady Acres will be provided. The minimum lot width will be 72 ft.. Most of the more dense lots are in the pine/cedar area of the site. The three lots which were eliminated were located in the western portion where the more desirable hardwood trees are located. Potter discussed the treatment of the sinkholes and the drainage plan stating that erosion control barriers will be included. Three fire hydrants are proposed per City Fire Dept. standards. Regarding tree preservation, a count has shown 92 trees (15 in. or larger diameter) and 22 will be removed. Total undisturbed area will be about 48% of the site. A large buffer of large trees along the back and sides will remain.

Cooksey queried whether individual lots will be graded before they are sold. Potter stated that individual lots will not be graded before sale. Grading is planned for road and utilities only. Cooksey queried what type of housing is envisioned. Lankford stated that the expected price range will be \$65,000-\$85,000 with both single story and 2-story houses. Stuebe queried the requirement for maximum cul-de-sac length. Mueller stated that the maximum length requirement is 600 ft. but that it is customary to grant variance when physical design dictates such. Hoffman queried whether not only large specimen trees but also other trees outside of the grading area will be saved. Yes. Service queried the lack of continuous sidewalk on the north

side of the street and distance from Cory Lane. Potter stated that it is about 250 ft. and that handicapped ramps will be installed. Mueller stated that it is difficult to continue the sidewalk because of the grade.

Remonstrators: Bill Edwards, Moose Lodge, stated that the Moose generates a fair amount of noise; felt that a buffer should be provided; and felt that as many pine trees as possible should be preserved. He felt that a fence is needed to prohibit pedestrian traffic to Moose property and did not see the necessity for the road stub to Moose property line. Mark Hanna, adjacent property owner, was concerned with the sinkhole engineering and the effect on a natural spring which is fed by the sinkholes; was concerned that foot traffic to Twin Lakes park will probably use Hanna property and gravel road for access; felt that petitioner should avoid as much ground removal as possible; and felt that Cory Lane has a lot of traffic and that additional road improvements should be provided at the entrance to the development. Rogers Staggs, neighbor to the north, felt that the sinkholes are working fine without excavation and engineering. Mueller clarified that in order for the sinkholes to function as detention for increased drainage engineering is required. Engineering is also needed to limit "silting up."

***Joe Hoffman moved; Bill Sturbaum seconded approval of DP-29-91 per staff recommendation and conditions plus an additional clarification that the developer will not grade or cut trees of any size outside of the area designated on the site plan for grading of road, utilities, and sinkhole excavation.

Zabriskie queried the necessity of the road stub to Moose property. Mueller stated that it is to afford access to developable land should the Moose choose to divest itself of acreage at some point in the future. Zabriskie felt that the road stub is unnecessary. Cooksey was uncomfortable with the site plan due to sinkholes and number of lots.

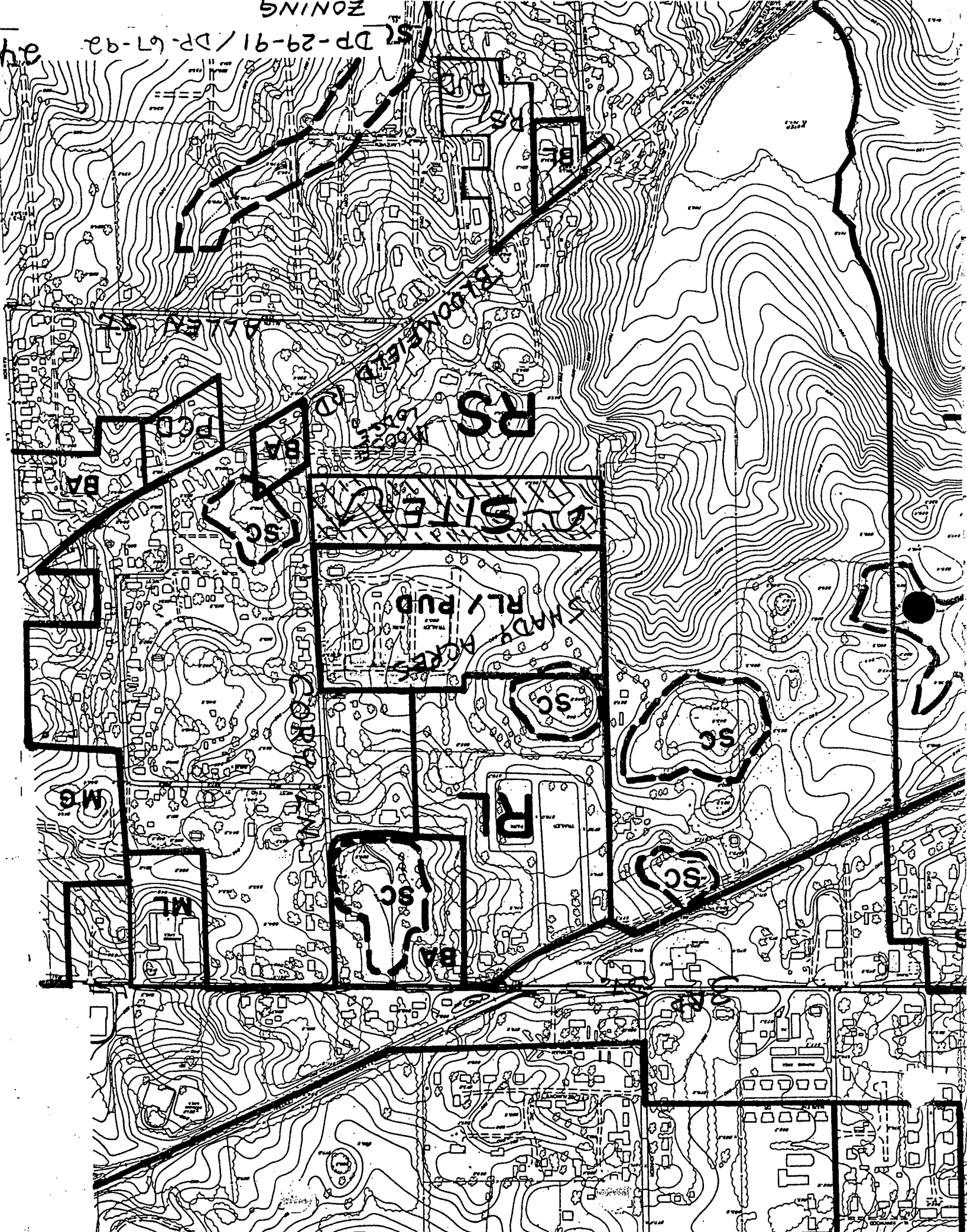
***Rick Zabriskie moved; Rod Young seconded an amendment to approval motion to delete the requirement of the road stub to Moose property. Hoffman queried whether reservation of right-of-way would also be deleted. Discussion ensued. Zabriskie clarified the amendment to state that right-of-way dedication would be required but road would not be built. Mueller clarified that staff's recommendation is for dedication of right-of-way rather than pavement of the road. Motion for amendment was withdrawn.

***Vote on original motion for approval of DP-29-91. Carried 7-3 (Weger, Cooksey, Mayer dissenting).

ZONING

ST DP-29-91 / DP-67-92

24



August 26. 1992

To: City Planning Commission

Re: Request for Preliminary and Final Plat Approval for a 23-Lot single-family Subdivision on 8.2 Acres in the 800 Block of Cory Lane. Waiver of Second Hearing Requested.

The existing 3 lot Cowden Addition located at 828 South Cory Lane, Bloomington Indiana, is proposed to be replatted into a 23 lot subdivision. The proposed lot sizes will vary from 7400 square feet to 1/2 acre. All lots will have city water and sewer connections. The site will have access to Cory Lane with a dedicated public street having a right of way width of 60 feet and a curb to curb width of 31 feet. This street will terminate at a cul-de-sac near the West end of the property line. A proposed stub street connection to the Moose Lodge property adjoining to the South is planned near the West end of the property.

DP-67-92
Petitioner's
Statement

25



September 7, 1992

To: T. Mueller

From: K. Komisarcik, G. Heise, P. Werner

Subj: Cowden Development on Cory Lane

After reviewing the site and proposed development plan, we have the following recommendations:

Sinkholes

1. The western portion of this site contains three large, steep-sided sinkholes. In accordance with the City's Masterplan, we recommend that no development occur in this area. This portion of the development should be left in it's natural state.

2. At the northeast corner of this development is a large, flat bottom sinkhole. We also recommend that no development occur here. This will necessitate the relocation of the road a few feet farther south than now proposed.

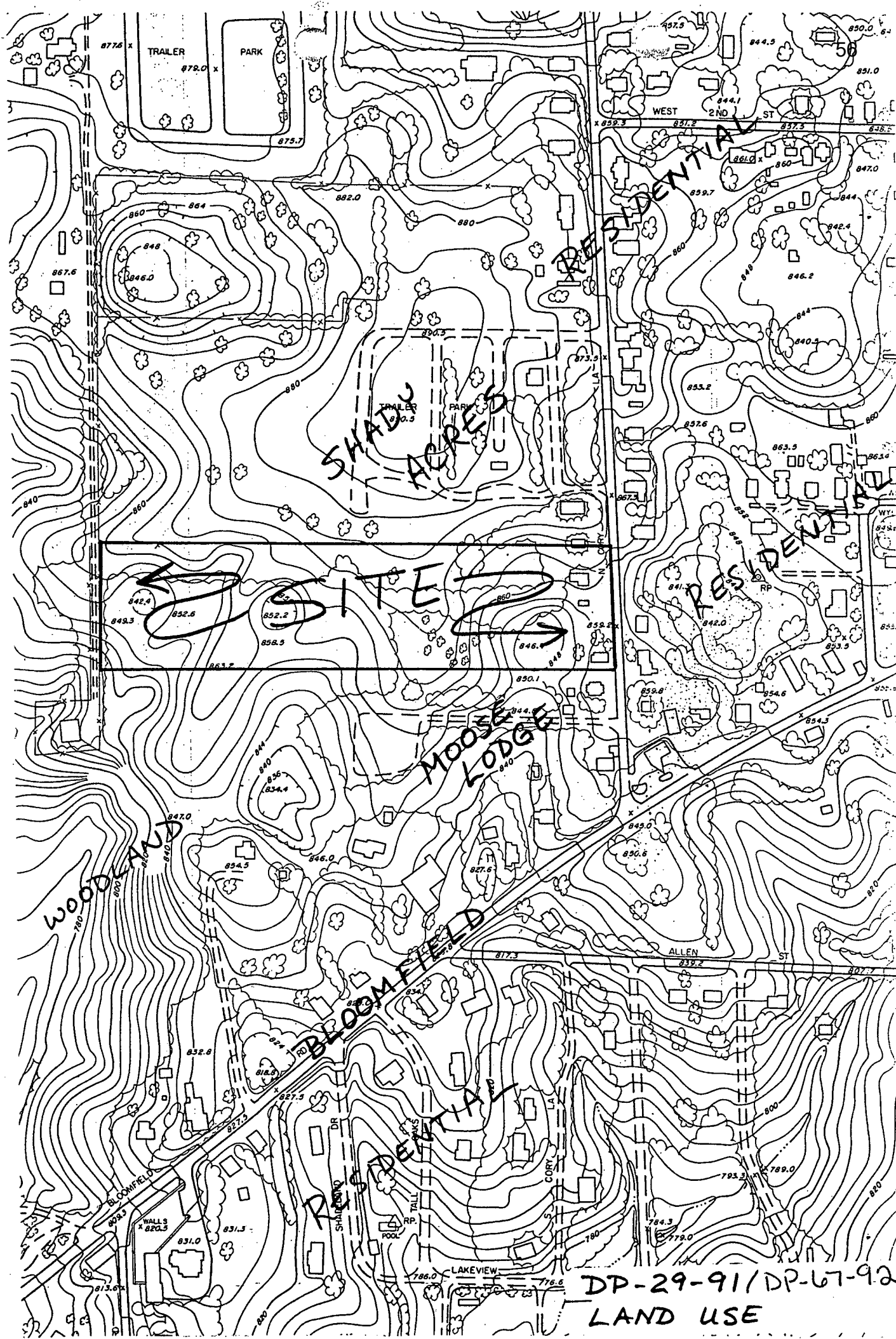
3. The developer proposes to modify the northeast sinkhole and the next one to the west for increased water detention. We strongly recommend against this proposal. None of the sinkholes on this property show any evidence of water standing in them for any appreciable amount of time. In other words, they are already moving water from the surface to the underground drainage system very efficiently. Any increased runoff from the development site due impervious surfaces such as the road should be handled via a stormwater sewer. Bowling Green, Ky has had a number of new sinkhole collapses after the injection of stormwater into existing sinks.

Trees

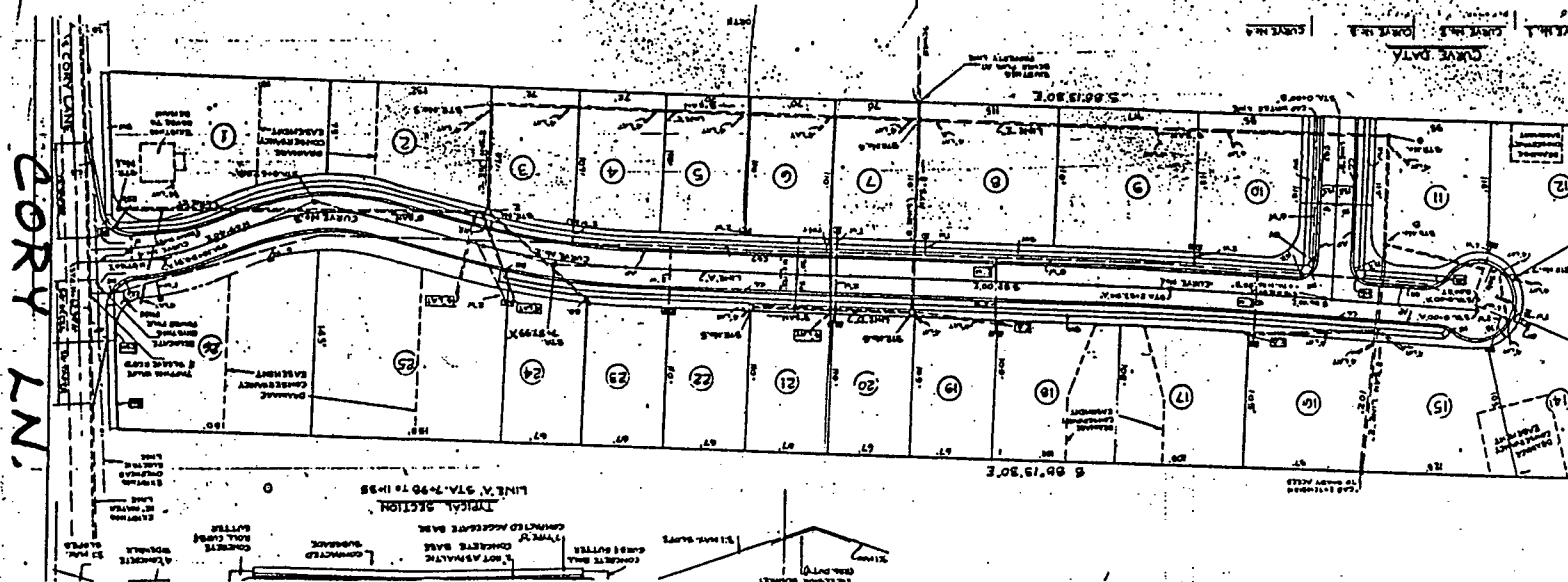
1. Three of the four largest trees on the property are slated for removal. Two of these trees, a sycamore and an ash are in the western sinkhole that is to be modified for increased water detention. The third, is a huge tulip poplar near the cul-de-sac. Leaving the sinkholes undisturbed will alleviate this problem. In any case these specimen trees should remain undisturbed.

2. It was also noted that a several large hardwood trees along the edges of the road will be removed. We recommend that the road be adjusted a few feet to accommodate these trees. If necessary, a variance could be granted from minimum lot size or having a sidewalk on both sides of the road.

Should you have any questions regarding these recommendations, free to contact one of us.

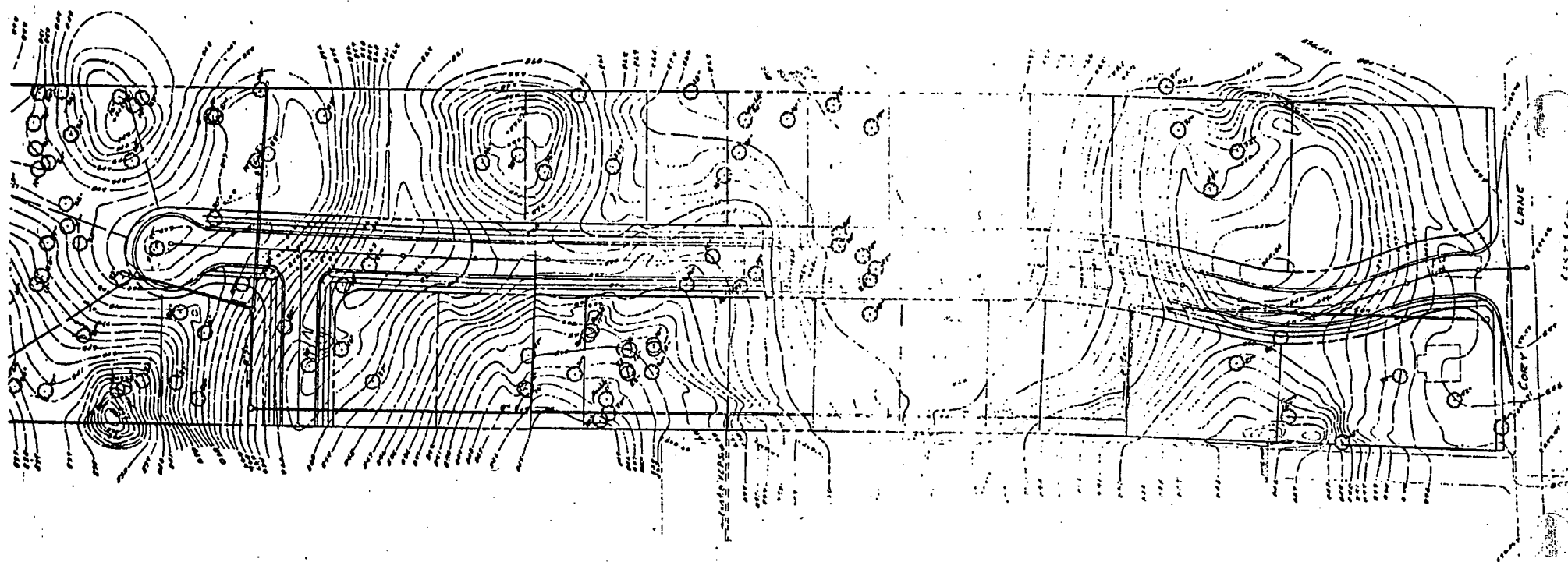


DP-29-91/DP-67-92 28
LAND USE



! NORTH

DP-29-91/DP-67-92-29
SITE PLAN



30

TREE EXHIBIT

2.50/LOT

CITY OF BLOOMINGTON
PLAN COMMISSION AND
BOARD OF ZONING APPEALS
GENERAL APPLICATION

RECEIVED

CASE #
FILING DATE
FIRST HEARING
SECOND HEARING

DP-29-91
4/8/91
4/22/91

P.O. Box 100, Municipal Building
Bloomington, IN 47402
(812) 339-2261, ext. 69

APR 08 1991
THE PLANNING DEPARTMENT

Fee \$290.00

Address of Property 828 SOUTH CORY LANE
Applicant's Name KEVIN B. POTTER ^{Don Cowden} Phone 331-7981
Address P.O. BOX 5982 BLOOMINGTON, IND. 47407

Owner's Name DONALD COWDEN Phone 336-3328
Address 336-8530 ACC #

Counsel or Consultant KEVIN B. POTTER Phone _____ H-T
Address _____

Nature of Application (check one and cite relevant section of Code if applicable):

- 1. Change of zone from _____ to _____
- 2. Site Plan Review _____
- 3. Planned Unit Development (specify type) _____
- 4. Conditional Use (specify type) _____
- 5. Plat Review _____
- 6. Appeal from Administrative Decision (attach copy) 2.6 LOT SINGLE FAMILY SUBMISSION
- 7. Special Exception (specify type) _____
- 8. Variance (specify type) _____
- 9. Right-of-way Vacation (specify type) _____
- 10. Other (specify) _____

This application must be accompanied by all required submittals and plan elements, as indicated for the requested approval. Applicants are required to meet with a Staff planner to review their request prior to filing an application. No applications will be accepted without prior Staff consultation. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals and pre-application Staff level review. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

I (we) agree that the applicant will notify all adjacent property owners by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all foregoing information is correct and that I (we) are the owners (legal agents for owners) of property subject to this

60

Signature

Date:

4/8/91

Pre-Application Conference

Application

Forward to Engineering

Forward to Utilities

Legal Notice Forwarded

Legal Notice Published

Notice to Owners Filed

Notice to Owners Checked

Engineering Comment

Utilities Comment

Board of Zoning Appeals Meeting

Plan Commission Preliminary

Plan Commission Final

Ordinance Number	Forwarded -
------------------	-------------

Ordinance Adopted

Map Amended

Follow-up

[illegible]

BLOOMINGTON PLAN COMMISSION STAFF REPORT

22 April 1991

Case No. : DP-29-91
Location : 828 S. Cory Ln.
Petitioner: Don Cowden
Counsel : Kevin Potter

Final Hearing: 13 May 1991

Petitioner is requesting subdivision approval for a 26-lot single-family subdivision on 8.2 acres of RS zoned land. The site is located on the west side of Cory Ln., between the Shady Acres subdivision and the Moose Lodge property.

Proposed lot sizes vary from 7400 sq. ft. to about 21,000 sq. ft. Minimum lot area for the RS zone is 7200 sq. ft. by code. The smallest proposed lot width is 67', exceeding the code requirement of 60' minimum. The existing house on lot #1 in the southeast corner would remain.

All lots would have city water and sewer connections.

Access to the site will be from Cory Ln. on a single street, 60' in width, which terminates in a cul-de-sac on the west end. A stub-street is proposed near the end of the access street, and would stub to the Moose Lodge property on the south. Staff would also like to see a proposal for a pedestrian access point to the Shady Acres development to the north, at a yet-to-be-determined point.

Site drainage takes into account the existence of four sinkholes. Two of these will be engineered to increase their storm-water detention capacity. This will include excavation of the sinks, followed by installation of a standpipe covered by a beehive grate in each sinkhole. The two sinkholes near the west end of the site will be excavated, then filled with progressively larger rock from the bottom up, and covered with finer material (e.g. sand). They will still function for water-detention purposes, but their capacity will not be increased. A depression near the southeast corner of the site is already drained by an existing 18" pipe, and no further engineering is proposed. No building is proposed over any of these areas. A homeowners' association will be responsible for maintenance of the sinks.

Ground cover by mature trees varies across the site, with the greatest concentrations near the center and west ends. Petitioner intends to save as much of this existing cover as possible. Staff and developer will work out a format for achieving the goal of preserving as many hardwood trees as possible, at development plan stage.

Staff recommends that this petition be forwarded to final hearing on 13 May. Developer should be prepared to address tree preservation and pedestrian access to the Shady Acres development.

64

BLOOMINGTON PLAN COMMISSION
FINAL STAFF REPORT
DP-29-91 DON COWDEN
828 S.CORY LANE

MAY 13, 1991

Requested is preliminary and final plat approval for a 23 lot single family subdivision in the 800 block of Cory lane. The site includes 8.2 acres and is zoned RS. This request has been amended somewhat since the preliminary hearing to reflect the concerns expressed by the Commission at the preliminary hearing. The number of lots has been reduced from 26 to 23. All lots exceed the minimum RS lot size of 7,200sq. ft. All mature hardwood trees have been identified on a field survey. Trees that will require removal and those to remain have been identified.

The proposed internal street would be public and built to City specifications. 29ft. back to back including curb and gutter is proposed within a 60ft. ROW. Sidewalk is proposed both sides with the exception of in front of lot 23 where the road approaches the edge of a sinkhole. A sidewalk will be provided on the Cory Lane frontage. The Staff is still reviewing the need for a road stub to the south property line to afford access to the developable land west of the Moose Lodge. Final determination on whether or not this road stub will be required will be reported at the hearing. A pedestrian access to the north property line will be required. Exact location of this pedestrian access will be determined and reported at the hearing.

Storm water drainage will be accommodated on-site. Two sinks on the property will be used for detention purposes. These sinks will be excavated to bedrock and a standpipe and drainage inlet being installed in each sink. Other sinks on-site will not be used for increased stormwater storage. However they will be excavated and then filled with stone and covered with a finish material and seeded. They will continue to accept the same amount of stormwater as pre-development. The sinks will be within conservation easements which allow no building in the easements. A homeowners association will be formed that will be responsible for maintenance of the sinkholes. A condition of approval should be that the format for maintenance of the sinks be subject to Staff approval before recording of the plat.

Public sanitary sewer and water will be provided. The petitioner has been working with the Utilities Dept. and the adjacent owner to the north on provision of service. The service plan will be required to be approved by the City Utilities Dept.

The site is extensively tree covered and the petitioner has spotted all mature hardwood trees on a topo plan. Trees will be removed only where necessary for road and utility placement. Some trees in the sinkhole areas will also be required to be removed. Staff is satisfied with the tree preservation plan and will require field marking of trees to be removed before site grading commences.

This proposal is consistent with the land use proposal for this areas as outlined in the new

Master Policy Plan. All required reviews have been completed. Staff recommends approval of preliminary and final plat with the following conditions:

Road standards as described above; Utility Dept. approval of final water and sanitary sewer plan; Staff approval of homeowners association document concerning maintenance of sinkholes; Field marking of trees to be cut before site grading. Staff will report at meeting about road stub to south property line and pedestrian access to north property line.

Kevin B. Potter, P.E. & L.

Civil Engineering and Land Surveying

P.O. Box 5982
Bloomington, Indiana 47407
(812) 331-7981

May 5, 1994

Moose Lodge
1580 West Bloomfield Road
Bloomington, Indiana 47403

Dear Mr. Pitman:

The Moose Lodge is being provided with this notice as requested by the City of Bloomington Planning Department with regard to the residential subdivision being developed which adjoins your North property line. This subdivision is known as Cory Lane Estates and was originally approved by the City of Bloomington Plan Commission in May 1991 and was later reapproved by the commission in October 1992. Don Cowden

As an adjoining owner to this development, the Moose Lodge was given written notice of the Plan Commission hearing on this project and as I recall, representatives from the Moose Lodge attended these hearings in 1991. As a condition to this approval, the Plan Commission required that a 50 foot wide dedicated street right-of-way be extended South to the Moose property line in case that the Western portion of the Moose property would ever be developed, a street access would exist. The commission did not require this street extension to be paved at this time, but only that the dedicated right-of-way be platted for the possible future extension. My notes from this meeting indicate that the Moose representatives stated that the Moose Lodge had no intention of developing or selling the Western part of the Moose property in which case, the actual construction of the street extension would be remote. -91

The engineering plans for the Cory Lane Estates development originally showed this street stub to be located between lots 10 and 11 which was 270 feet East of the West property line of the Moose. During construction of the Cory Lane Estates development, it became apparent that a better location for this street stub extension would be 75 feet West of its original location or 195 feet East of the West Moose property line. The revised location of this street extension would require less tree removal and provides better building sites on Lots 10 and 11 in Cory Lane Estates than the original street location.

The Cory Lane Estates development is nearly complete and the final plat has been prepared for recording. Due to the change in location of the street stub to the Moose property from the location that was approved by the Plan Commission in 1991 and 1992, the City of Bloomington Planning Department has requested that the Moose Lodge review and approve this proposed change before allowing the Cory Lane Estates plat to be recorded. A copy of the proposed plat of Cory Lane Estates has been enclosed for your review. Also, the location of the proposed street stub has been staked out in the field with yellow capped rebar along each side of the 50 foot right-of-way. This street stub is located near the West end of the new chain link fence and is 195 feet East of the Moose property line.

Your prompt review and response to this matter would be appreciated. Please contact us if you have questions related to this project.

Very truly yours,

Kevin B. Potter, P.E. and L.S.

Pat -

4/8/91

This is a new filing.

Chris has everything else.
He hasn't paid yet - There
going to bring in the CC
check.

* Even though Kevin Potter is
in the Applicants block -
Don Cowden is the Actual
petitioner

CASE # DP-29-91

NOTICE OF PUBLIC HEARING

The Plan Commission of the City of Bloomington, Indiana, has been petitioned to hear a request for the approval of preliminary and final plat for a 26-lot single-family subdivision for the property located at: 828 South Cory Lane.

A public hearing will be held on this request on April 22, 1991 and May 13, 1991. Both public hearings will be held in the Council Chambers of the Municipal Building at 220 E. 3rd St. at 7:00 p.m. The hearing may be continued from time to time as may be found necessary.

The first hearing will be for the purpose of exchanging information and questioning the petitioner about the request. At the second hearing the Plan Commission will vote on final disposition of this request. The proposal is on file and may be examined at the Planning Office in the Municipal Building.

Said hearing will be held in accordance with the provisions of Indiana Code 36-7-4-100 et. seq., the Bloomington Municipal Code, and the Rules of the Plan Commission of the City of Bloomington. All persons interested in said proposed subdivision may be heard at the time and place as herein set out. Written and verbal objections filed with the Planning Department prior to the hearing will be considered.

THE PLAN COMMISSION OF THE
CITY OF BLOOMINGTON, INDIANA

PETITIONER Don Cowden

DATE April 12, 1991

City of
Bloomington
Indiana



Planning
Department

Post Office Box 100
Municipal Building
Bloomington, Indiana 47402
Telephone 812 339 2261
Extensions 65/69

April 9, 1991

Legal Advertising
Herald Telephone
1900 South Walnut Street
Bloomington, In 47401

Please publish the enclosed Notice of Public Hearing on *April 12, 1991*.

The billing statement should be sent to the:

✓ Petitioner who should have an account with the Herald-Telephone.

He gave his acct # as 336-3328.

 Planning Dept. -- Please call the Planning Dept. with the billing amount for this ad. We will ask the petitioner to pay you directly.

Petitioner's Name: *Don Cowden*

Phone: *336-3328*

Case #: *DP-29-91*

Thank you.

Sincerely,

Pat Lombas

Planning Dept. Secretary

Attachment

COWDEN DEVELOP. & TR
DP-29-91 CASE

THE HERALD-TIMES
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana)
) ss
County of Monroe.....)

Leah Leahy or Sue May being duly sworn on oath, says that she is billing clerk of The Herald-Times, a public newspaper of general circulation, printed in the town of Bloomington in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

1991:
04/12

Leah Leahy

Subscribed and sworn to before me
on 04/12 /91.

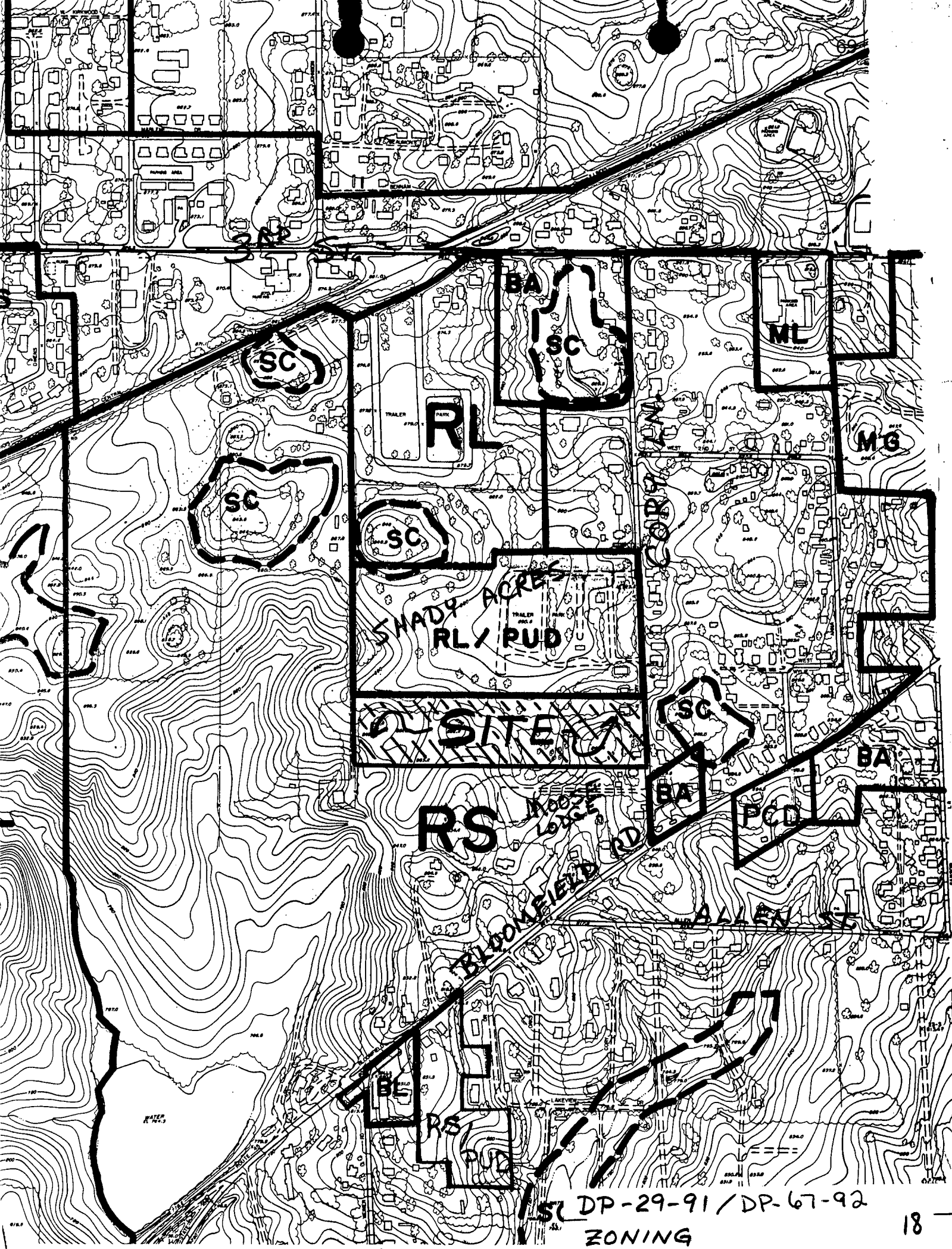
John D. Hodge
Notary Public or Clerk

JOHN D. HODGE
NOTARY PUBLIC STATE OF INDIANA
MONROE COUNTY
MY COMMISSION EXP JAN. 10, 1992

My commission expires

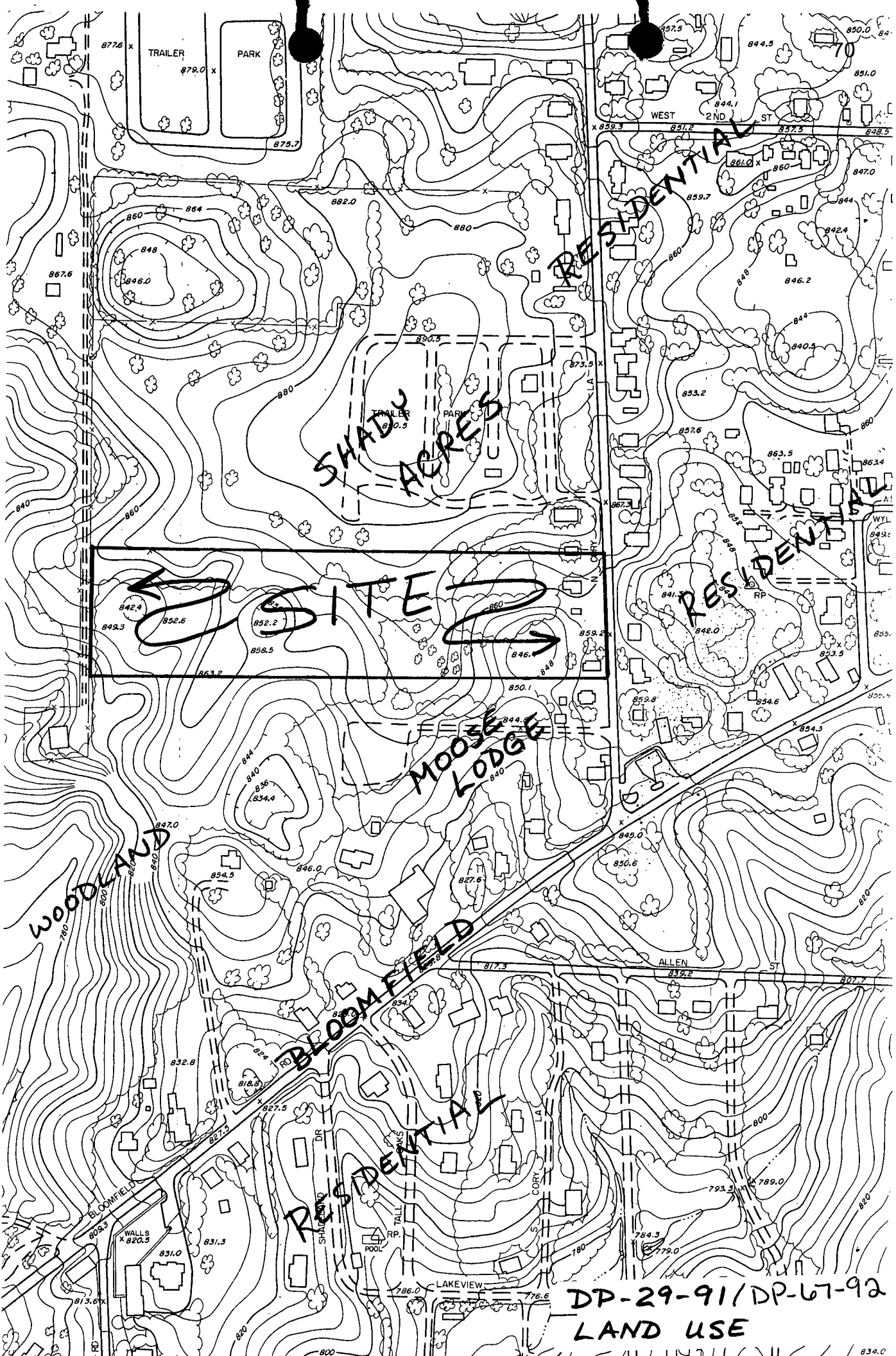
CASE # DP-29-91
NOTICE OF PUBLIC HEARING
The Plan Commission of the City of Bloomington, Indiana, has been petitioned to hear a request for the approval of preliminary and final plat for a 28-lot single-family subdivision for the property located at: 628 South Cory Lane.
A public hearing will be held on this request on April 22, 1991 and May 13, 1991. Both public hearings will be held in the Council Chambers of the Municipal Building at 220 E. 3rd St. at 7:00 p.m. The hearing may be continued from time to time as may be found necessary.
The first hearing will be for the purpose of exchanging information and questioning the petitioner about the request. At the second hearing the Plan Commission will vote on final disposition of this request. The proposal is on file and may be examined at the Planning Office in the Municipal Building.
Said hearing will be held in accordance with the provisions of Indiana Code 36-7-4-100 et. seq., the Bloomington Municipal Code, and the Rules of the Plan Commission of the City of Bloomington. All persons interested in said proposed subdivision may be heard at the time and place as herein set out. Written and verbal objections filed with the Planning Department prior to the hearing will be considered.
THE PLAN COMMISSION OF THE
CITY OF BLOOMINGTON, INDIANA
PETITIONER Don Cowden
DATE April 12, 1991
12.

Publication Fee \$16.50



SDP-29-91 / DP-67-92

ZONING



DP-29-91/DP-67-92
LAND USE

BLOOMINGTON CITY PLAN COMMISSION

Notice of Public Hearing

The Bloomington City Plan Commission will hold a public hearing at 7:00 p.m., Monday, April 22, 1991, and again on Monday, May 13, 1991, in the Council Chambers of the Bloomington Municipal Building, 220 East Third Street to consider the petition of Don Cowden Development for the purpose of creating a 26 lot subdivision and a new public street for the property located at 820 South Cory Lane, Bloomington, Indiana, and to which you are an adjacent property owner.

Under the provisions of Indiana Law, you may appear and speak on the merits of this proposal at the public hearing to be held at the time and date as set out herein. If you have any questions concerning this matter, you may telephone the Petitioner at the below listed number, or the City Planning Office at (812)- 331-6423.

Bloomington City Plan Commission

Steve Lankford, Agent for Petitioner
3822 West Third Street
Bloomington, Indiana 47401
Phone (812) 336-8530

SHADY ACRES DEV. CORP.

ARNOLD
PADGETT

DEMETRA
STANGAS

JAMES
HAZEL

ESTALENA
EDINGTON

MONTE
WILLIAMS

SUBJECT
PROPERTY

BLOOMINGTON LODGE
LOYAL ORDER OF THE MOOSE

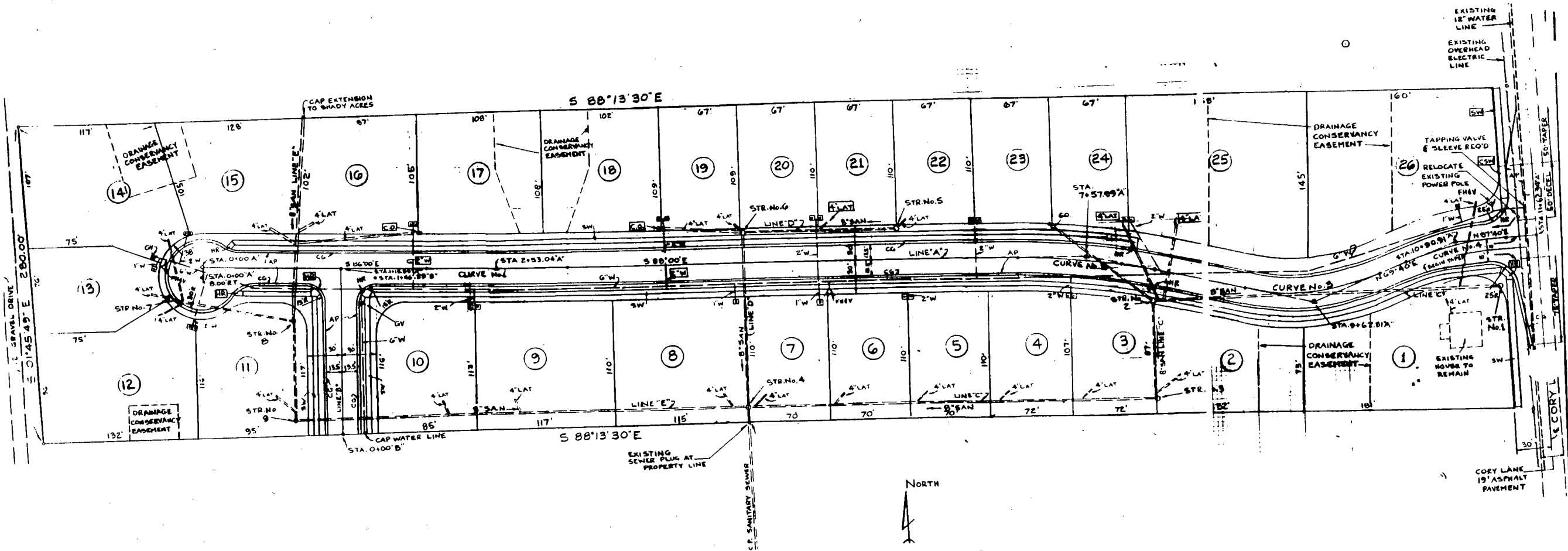
DON HANNA

CORY LANE

BLOOMFIELD ROAD

NORTH

SITE LOCATION &
ADJACENT OWNERS



P 422 724 561

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

Sent to DEMETRA STANGAS	
Street and No. 812 S. WALNUT ST.	
P.O. State and ZIP Code BLOOMINGTON, 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to BLOOMINGTON LODGE	
Street and No. 281 S. COLLEGE AVE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

PS Form 3800, June 1985

U.S.G.P.O. 1989-234-555

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 564

Sent to SHADY ACRES DEV. CORP.	
Street and No. 3299 VERMIL PKE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

PS Form 3800, June 1985

U.S.G.P.O. 1989-234-555

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 563

Sent to DON HANNA	
Street and No. 1516 S. NANCY ST.	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

PS Form 3800, June 1985

U.S.G.P.O. 1989-234-555

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 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 560

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 558

Sent to ESTALENA EDINGTON	
Street and No. 833 S. CORY LANE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 562

Sent to ARNOLD PADGETT	
Street and No. 809 S. CORY LANE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 422 724 557

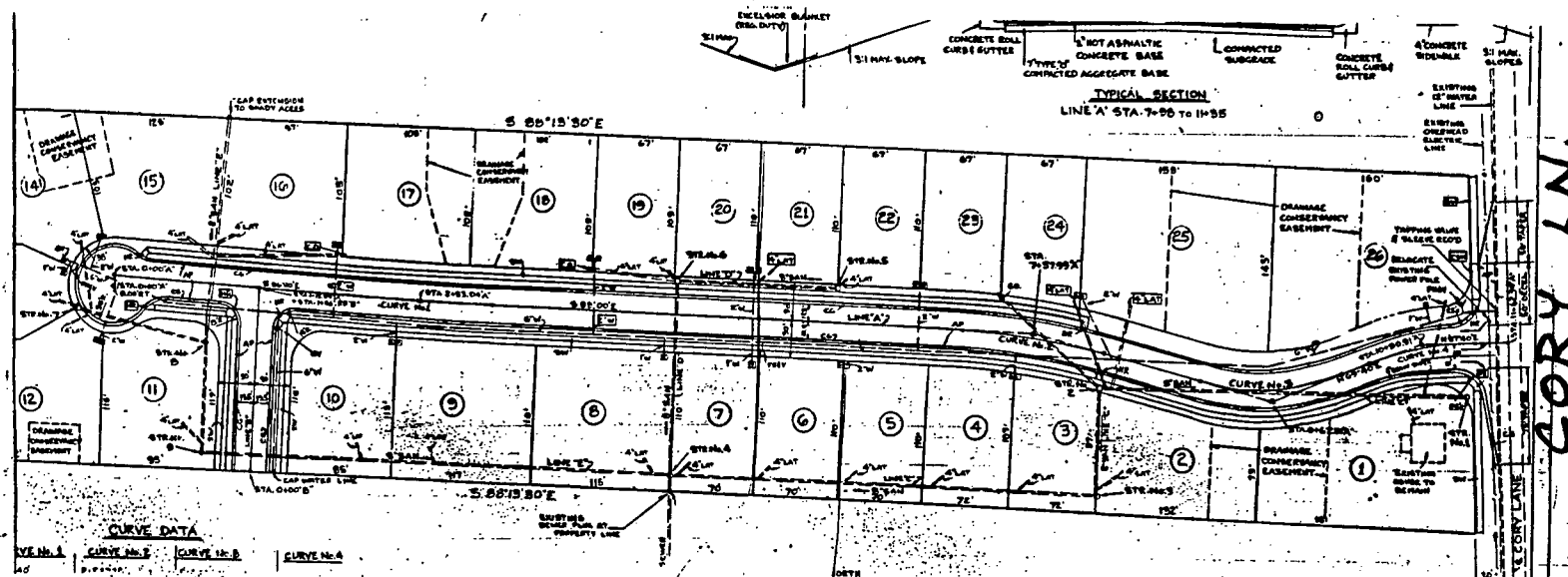
Sent to MONTA WILLIAMS	
Street and No. 828 S. CORY LANE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

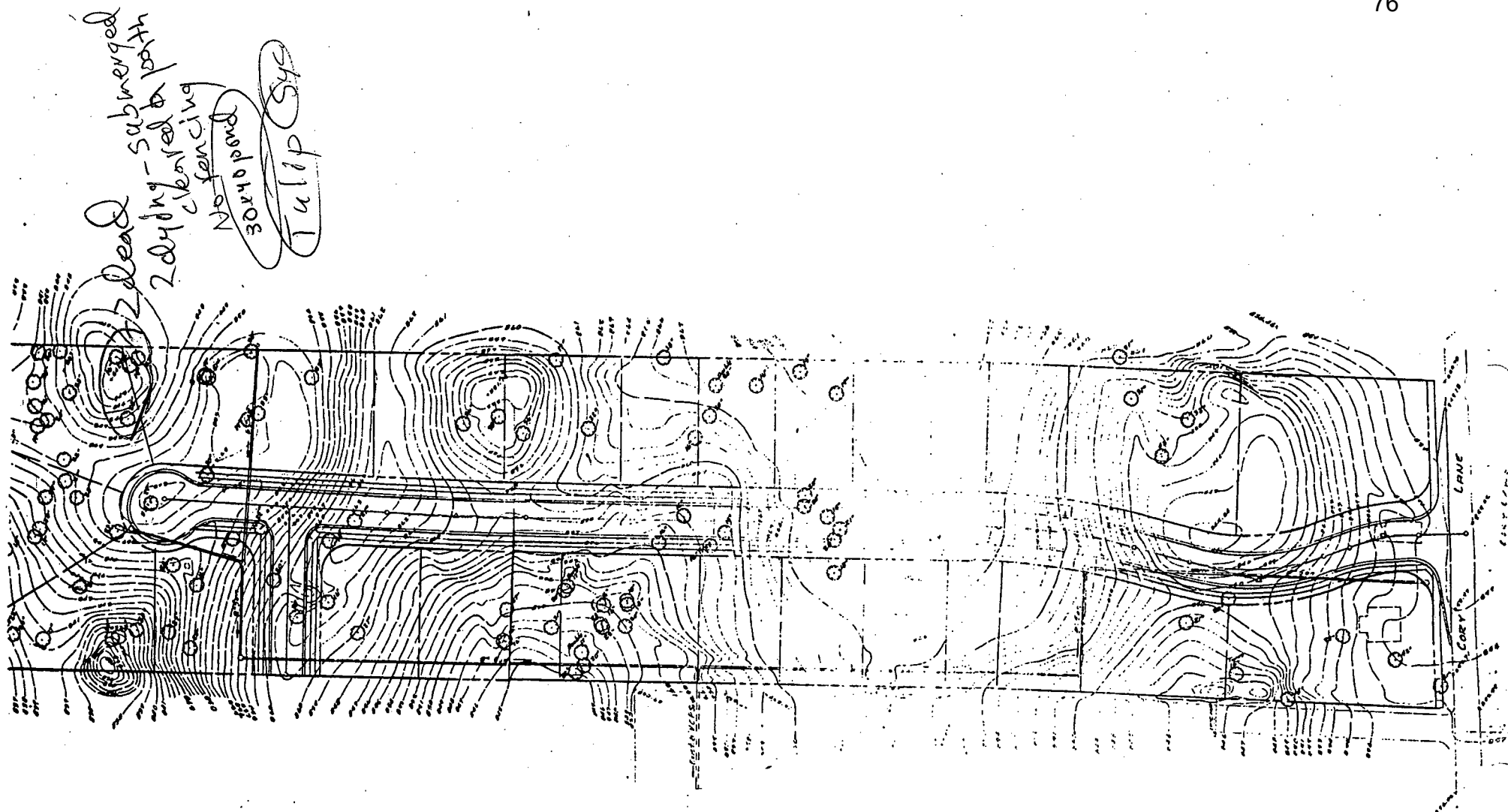
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Street and No. 825 S. CORY LANE	
P.O. State and ZIP Code BLOOMINGTON, IND. 47401	
Postage	\$ 1.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.29
Postmark or Date	APR 12 1991

PS Form 3800, June 1985

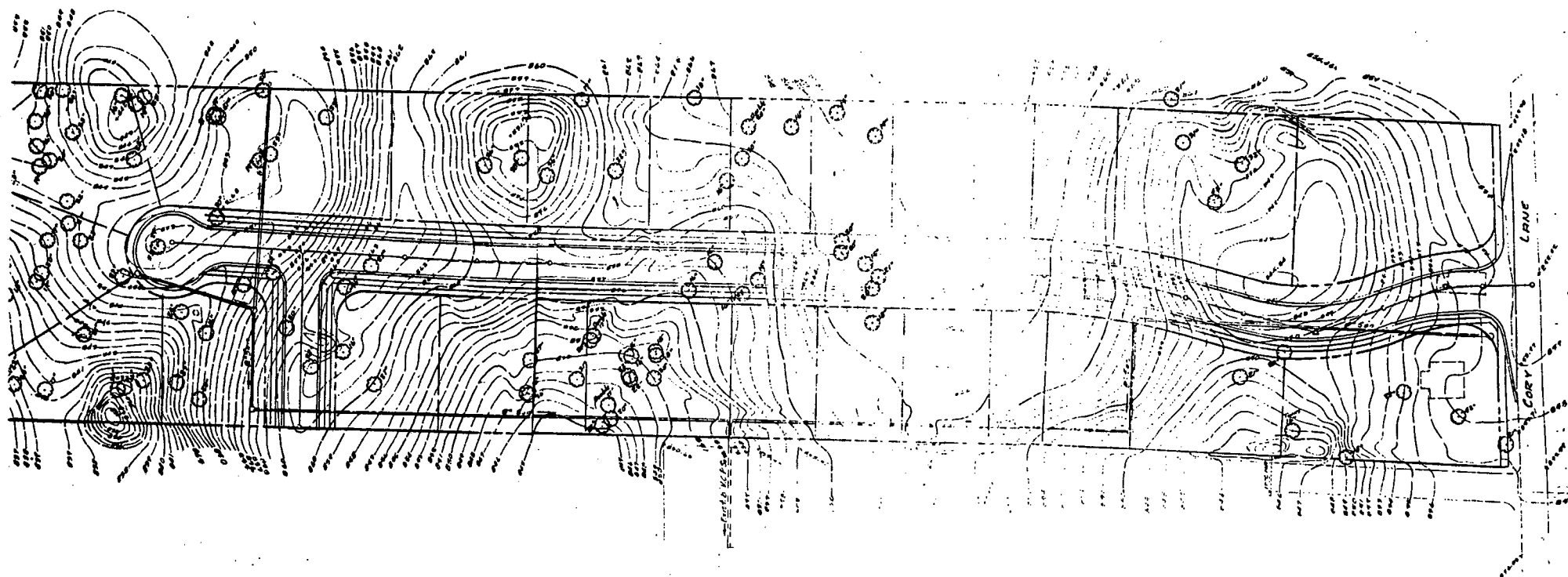
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P 422 724 559

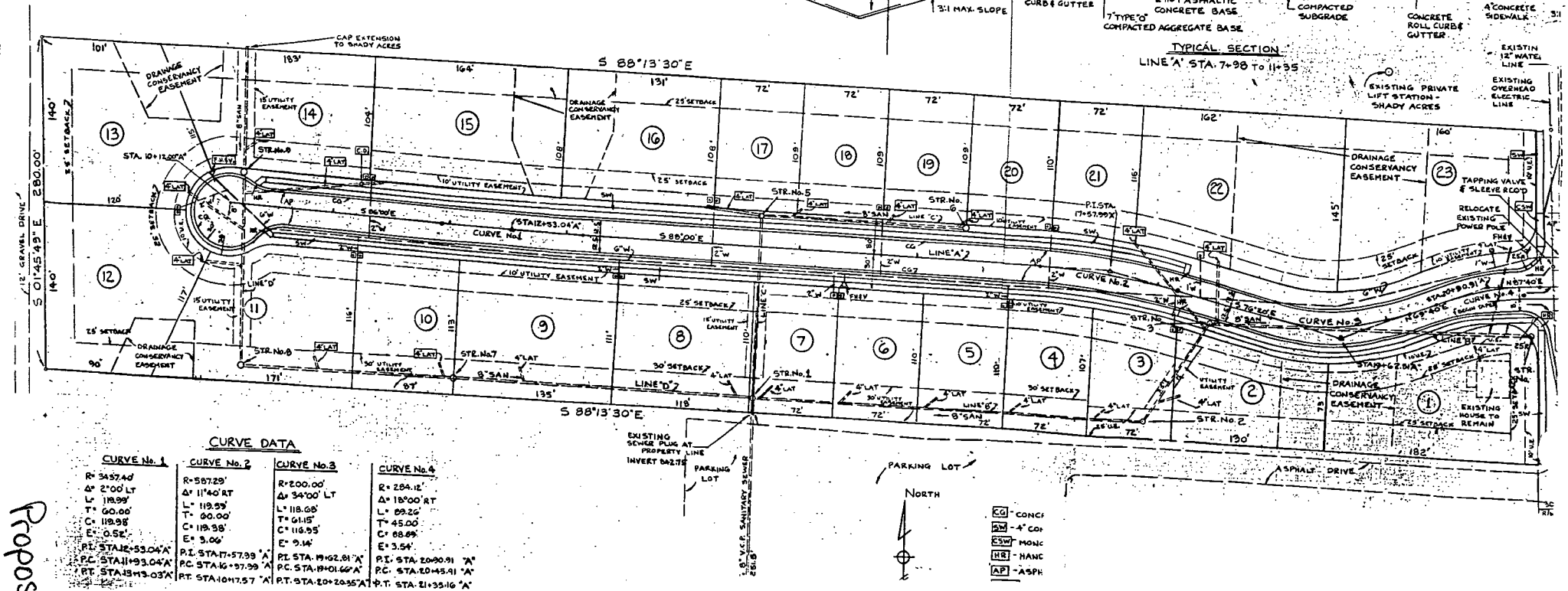




TREE EXHIBIT



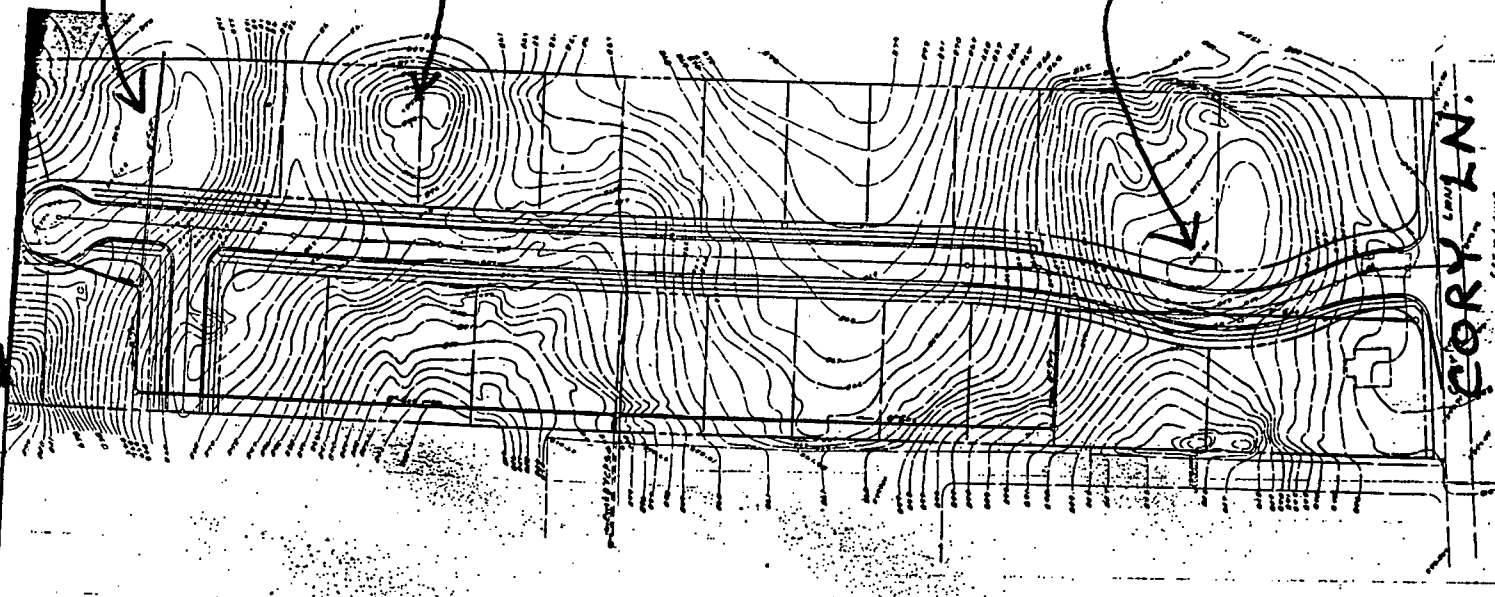
TREE EXHIBIT



Proposed Plat 2a

SINKHOLES WITHOUT
INCREASED CAPACITY

TWO SINKHOLES TO BE
UTILIZED FOR STORM
WATER DETENTION
WITH INCREASED CAPACITY



↑
NORTH
|

1
M',/PCD 28-9₈₀

PCD

TRAFFIC STUDY
FOR
11TH & VERNAL INTERSECTION

JOE HARRELL

JOB NO. 1625

TRAFFIC STUDY FOR WARRANT OF A
4-WAY STOP AT
11TH STREET AND VERNAL PIKE

SCOPE

This report will look at existing traffic data which passes through the 11th and Vernal intersection. It will also predict future trips generated by the proposed project. Upon completion of proposed, and existing traffic analysis, criteria will be compared to see if warrant for a four-way stop exists.

EXISTING TRAFFIC

Existing traffic counts were done by the Monroe County Engineering Department (refer to Table 1). The counts showed that over an eight hour period (9 a.m. to 5:00 p.m.) the total vehicular volume entering the intersection from all approaches averaged 583 cars per hour.

TRAFFIC GENERATION FROM PROPOSED PROJECT

Project Characteristics

Acres =	2.25
Building size =	35,000 square feet (warehousing)
Parking spaces =	56
Employees 1.2 per 1000 square feet floor space =	42

Trip Generation*

Employee 4.26 trip/employee X 42 =	176 trips/day (assumes 8 hrs)
Building Size 5.01 trip/1000 sq.ft. X 35 =	174 trips/day (assumes 8 hrs)
Acre 62/acre X 2.25 =	140 trips/day (assumes 8 hrs)
Average = (176 + 174 + 140)/3 = 163 Use ->	165 trips/day
Vehicles per hour = 165/8 =	21 VPH

*ITE Land Use Code 150 (Attached)



CIVIL ENGINEERING
LAND PLANNING &
LAND SURVEYING
BLOOMINGTON - INDIANAPOLIS, INDIANA

Subject 11th & Vernal

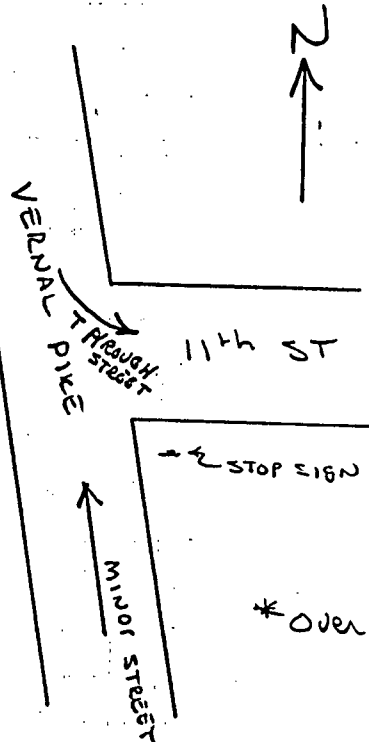
Computed By POT Checked By _____

Project No. 1625

Client Harrell

Date 11/14/90 Sheet No. 2 of 4

EXISTING INTERSECTION CONFIGURATION

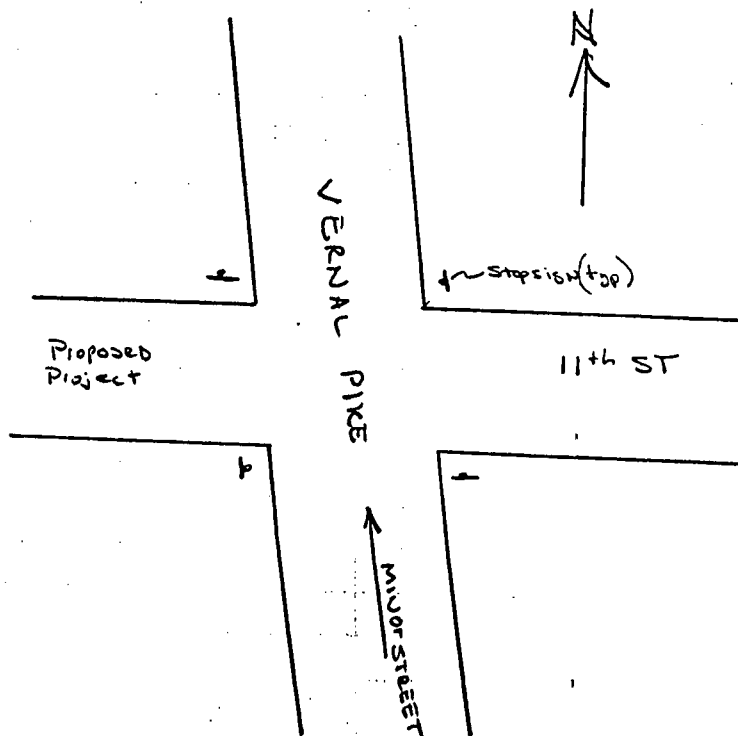


* Total Avg Traffic
through intersection = 583/hour

* Total Avg Vehicular
traffic from minor
street = 348/hour

* Over 8 hour period (9:00 AM - 5:00 PM)

PROPOSED INTERSECTION CONFIGURATION



* Total Avg traffic
through intersection = 605/hour

* Total Avg Vehicular
traffic from minor
street = 348/hour.

CONCLUSION

Criteria as established in the "Indiana Manual on Uniform Traffic Control Devices for Streets and Highways, 1981" for the warrant of multi-way stop signs (attached) states the following:

"For a multiple stop intersection to be required total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour (VPH) for any 8 hours of an average day, and combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hour period, with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hour.

Our study shows an average VPH of 583 before development and 605 after development. The minor street before development has a VPH of 348, not including pedestrians, and does experience delays of 30 seconds in the maximum hour. Even without development of the project, a three-way stop is warranted at this time. Once the project is completed, the intersection would be modified to a four-way stop.

Traffic generated by development of the project will include large truck traffic. The increase of large trucks through this intersection shall further add to the warrant of a four-way stop.

RECOMMENDATION

Convert intersection to a three-way stop immediately and modify to a four-way stop when the proposed project is developed.

2B-6 Multiway STOP Signs

The "Multiway Stop" installation is useful as a safety measure at some locations. It should ordinarily be used only where the volume of traffic on the intersecting roads is approximately equal. A traffic control signal is more satisfactory for an intersection with a heavy volume of traffic.

Since less restrictive traffic controls may produce desired results, the decision for stop or multi stop controls shall be based on field investigations. The following conditions may be considered for multiway STOP sign installation:

1. Where traffic signals are warranted and urgently needed, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the signal installation.

2. An accident problem, as indicated by at least five or more reported accidents of a type susceptible of correction by a multiway stop installation in a 12-month period. Such accidents include right and left-turn collisions as well as right-angle collisions.

3. Minimum traffic volumes:

- (a) The total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any 8 hours of an average day, and

- (b) The combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hours, with an average delay to minor street vehicular traffic or at least 30 seconds per vehicle during the maximum hour, but

- (c) When the 85-percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70 percent of the above requirements.

From Manual of Uniform Traffic
Control Devices 1981

Page 5

TABLE 1
EXISTING TRAFFIC COUNTS

<u>HOUR</u>	<u>11th WB</u>	<u>VERNAL WB</u>	<u>VERNAL EB</u>	<u>TOTAL INTERSECTION</u>
<u>A.M.</u>				
7:00	70	234	243	547
8:00	81	274	125	480
9:00	77	216	90	383
10:00	90	234	85	409
11:00	99	240	97	436
12:00	86	291	93	470
<u>P.M.</u>				
13:00	90	262	84	436
14:00	117	286	124	527
15:00	123	268	60	451
16:00	96	500	117	713
17:00	196	484	155	835
				<u>5687</u>

NOTE: Average 583 cars per hour, for the hours 9:00 a.m. to 17:00 p.m.

SUMMARY OF TRIP GENERATION RATES

Land Use/Building Type Warehousing ITE Land Use Code 150
 Independent Variable—Trips per Acre

			Average Trip Rate	Maximum Rate	Minimum Rate	Correlation Coefficient	Number of Studies	Average Size of Independent Variable/Study
Average Weekday Vehicle Trip Ends			62.0	256.0	42.5		13	
Peak Hour of Adjacent Street Traffic	A.M. Between 7 and 9	Enter						
		Exit						
		Total	9.8	32.8	5.1		10	
	P.M. Between 4 and 6	Enter						
		Exit						
		Total	20.2	33.0	6.5		11	
Peak Hour of Generator	A.M.	Enter						
		Exit						
		Total	20.0	39.8	5.1		13	
	P.M.	Enter						
		Exit						
		Total	8.4	29.4	3.8		13	
Saturday Vehicle Trip Ends								
Peak Hour of Generator	Enter							
	Exit							
	Total							
Sunday Vehicle Trip Ends								
Peak Hour of Generator	Enter							
	Exit							
	Total							
Source Numbers <u>6, 7, 12, 13, 15, 17, 74</u>								
ITE Technical Committee 6A-6—Trip Generation Rates Date: <u>1975</u>								

SUMMARY OF TRIP GENERATION RATES

Land Use/Building Type Warehousing ITE Land Use Code 150
 Independent Variable—Trips per 1,000 Gross Square Feet

			Average Trip Rate	Maximum Rate	Minimum Rate	Correlation Coefficient	Number of Studies	Average Size of Independent Variable/Study
Average Weekday Vehicle Trip Ends			5.01	17.0	1.51		14	
Peak Hour of Adjacent Street Traffic	A.M. Between 7 and 9	Enter						
		Exit						
		Total	0.58	1.41	0.33		10	
	P.M. Between 4 and 6	Enter						
		Exit						
		Total	1.63	15.21	0.35		12	
Peak Hour of Generator	A.M.	Enter						
		Exit						
		Total	1.61	15.92	0.28		14	
	P.M.	Enter						
		Exit						
		Total	1.63	15.21	0.35		12	
Saturday Vehicle Trip Ends								
Peak Hour of Generator	Enter							
	Exit							
	Total							
Sunday Vehicle Trip Ends								
Peak Hour of Generator	Enter							
	Exit							
	Total							
Source Numbers <u>6, 7, 12, 13, 15, 17, 74</u>								
ITE Technical Committee 6A-6—Trip Generation Rates								
Date: <u>1975, Corrected 1979</u>								

SUMMARY OF TRIP GENERATION RATES

Land Use/Building Type Warehousing ITE Land Use Code 150
 Independent Variable—Trips per Employee

			Average Trip Rate	Maximum Rate	Minimum Rate	Correlation Coefficient	Number of Studies	Average Size of Independent Variable/Study
Average Weekday Vehicle Trip Ends			4.26	15.71	2.94		14	
Peak Hour of Adjacent Street Traffic	A.M. Between 7 and 9	Enter						
		Exit						
		Total	0.48	2.14	0.37		10	
	P.M. Between 4 and 6	Enter						
		Exit						
		Total	1.37	8.64	0.37		12	
Peak Hour of Generator	A.M.	Enter						
		Exit						
		Total	1.37	9.04	0.37		14	
	P.M.	Enter						
		Exit						
		Total	0.59	2.22	0.37		14	
Saturday Vehicle Trip Ends								
Peak Hour of Generator		Enter						
		Exit						
		Total						
Sunday Vehicle Trip Ends								
Peak Hour of Generator		Enter						
		Exit						
		Total						

Source Numbers 6, 7, 12, 13, 15, 17, 74

ITE Technical Committee 6A-6—Trip Generation Rates

Date: 1975



89

BLOOMINGTON, LODGE No. 1081
1580 BLOOMFIELD RD.
P.O. BOX 1318
BLOOMINGTON, IN 47402

Bloomington City Plan Commission



LOYAL ORDER OF MOOSE

David Edington, Administrator
P. O. Box 1318
Bloomington, Indiana 47402

May 10, 1991

Steve Lankford, Agent for Petitioner
3822 West Third Street
Bloomington, Indiana 47401

RE: Don Cowden Development creating a 26 lot subdivision
and a new public street @ 820 South Cory Lane.

Dear Mr. Lankford:

On the behalf of the Moose Lodge, we have three main concerns regarding the above stated development. First, we feel that the stub street adjoining our property on the southside of this proposed development is unnecessary and should be omitted from the plan entirely.

Secondly, we have a very loud band every weekend and we hold many outside family events during the summer. We feel that some type of noise buffer should be considered. Whether the noise buffer be a stockade fence or a dense treeline, we feel that this is an issue that needs to be addressed.

Thirdly, we are concerned about the erosion caused by the water flow from the retention pond to the sinkhole located on the Moose Lodge property. Currently, this is a playground area.

This letter is being written as per your request. We would appreciate your consideration of our concerns on this matter.

Sincerely,

William E. Edwards
William E. Edwards
Past Governor & Treasurer

David Edington
David Edington
Administrator

cc: Bloomington City Plan Commission

Cowden - Cory Ln. 4/22/91

- Call Kevin Potter for overlay w/ existing trees
 - also do our own site check for tree count & for sinkhole locations
- Drainage off to the Moose property
- Buffer between site & Moose Lodge
- Fence along west property line?
 - tree buffer along west property line?
- Street cut to Cory Lane - is it good location??
- Cory Lane improvements: are any scheduled by city or county?
- Public or private sewer
- Road stub: maybe remove it
- Passing blisters? - no
 - but occl/deal will be provided

COWDEN
PROPOSED ~~CORY~~ LANE SUBDIVISION REPLAT

THE EXISTING 3 LOT COWDEN ADDITION LOCATED AT 828 SOUTH CORY LANE, BLOOMINGTON INDIANA, IS PROPOSED TO BE REPLATED INTO A 26 LOT SUBDIVISION. THE ^{PROPOSED} LOT SIZES WILL VARY FROM 7400 SFT TO 1/2 ACRE. ALL LOTS WILL HAVE CITY WATER AND SEWER CONNECTIONS. THE SITE WILL HAVE ACCESS TO CORY LANE WITH A DEDICATED ~~NEW~~ PUBLIC STREET HAVING A RIGHT OF WAY WIDTH OF 60 FEET AND A CURB TO CURB WIDTH OF 31 FEET. THIS STREET WILL TERMINATE AT A CUL-DE-SAC NEAR THE WEST END OF THE PROPERTY LINE. A PROPOSED STUB STREET CONNECTION TO THE MOOSE LODGE PROPERTY ADJOINING TO THE SOUTH IS PLANNED NEAR THE WEST END OF THE PROPERTY.

PLAN COMMISSION 5/13/91

DP-29-91

Don Cowden
828 S. Cory Lane
Request for 23-lot subdivision approval

Chris Spiek reported. This is the second hearing on a request for preliminary and final plat approval for a 23-lot single-family subdivision on 8.2 acres in the 800 block of Cory Lane. The request has been amended since the preliminary hearing from 26 lots to 23 lots. All lots exceed the 7,200 sq. ft. minimum lot size requirement and the 60-ft. minimum width requirement. A public cul-de-sac will serve lots on both sides of the street. The street is proposed to be 28 ft. back to back with 50 ft. right-of-way dedication which staff feels is adequate to serve the number of lots. A road stub to the south property line to the adjacent Moose Lodge property was discussed at preliminary hearing. Staff has determined that this road stub should be required to afford access to the developable land west of the Moose Lodge. Also discussed previously was a pedestrian access to the north property line (Shady Acres development) and staff has determined that this access should also be provided. Two sinkholes on site will be excavated, improved, and used for stormwater detention. Other sinkholes on site will not be used for increased stormwater storage but will be treated and will continue to accept the same amount of stormwater as pre-development. The sinkholes will be within conservation easements which allow no building in the easements. A homeowners' association will be formed which will be responsible for maintenance of the sinkholes. A condition of approval should be that the format for maintenance of the sinkholes be subject to staff approval before recording of the plat. Public sewer and water will be provided. Petitioner is working with the Utilities Department and with adjacent owners. The service plan will be required to be approved by the Utilities Department. The site is extensively tree-covered with both hardwood and scrub pines. The Environmental Commission has recommended that the hardwood trees be saved where possible. The petitioner has presented a tree preservation plan which staff feels is satisfactory. A good portion of the trees will be saved and field marking will be required before site grading. The proposal is consistent with Master Plan policies for this area.

Staff recommends approval with conditions as follow: 1) 28 ft. pavement road with curb and gutters with 50 ft. right-of-way dedication; 2) sidewalk requirement on both sides of internal street with exception of one area adjacent to a sinkhole (from lot 22 up to public street); 3) sidewalk requirement along Cory Lane; 4) Utilities Dept. approval of water and sanitary sewer service; 5) staff approval of homeowners association document concerning maintenance of sinkholes; 6) field marking of trees to be cut before site grading; and 7) road stub to south property line and pedestrian access to north property line.

Cooksey queried trees which are currently marked by yellow ribbons. Deferred to petitioner. Cooksey queried whether a covenant for the homeowners association will be recorded with plat. Yes. Cooksey queried whether houses will face the street. Yes. Cooksey queried enforcement regarding not building on sinkholes. Spiek stated that the sinkholes are in a conservation easement. Cooksey queried enforcement of homeowners maintenance of the sinkholes. Spiek stated that the city or county have the authority to enforce maintenance or the authority to maintain and assess lot owners. Cooksey felt that this petitioner is not always conscious of the land and queried whether a bond could be required to guarantee compliance. Spiek stated that

bonding for infrastructure not in place before plat is recorded. Once the infrastructure is in place, the homeowners will be responsible for individual lots. Cooksey queried grading. Spiek stated that the site will be graded only where necessary for streets and roads. Cooksey queried when fire protection will be brought in. Spiek stated that hydrants will be provided with sewer and water installation. Cooksey queried type of homes. Spiek felt that lots will be marketed to individual homeowners. Weger concurred with Cooksey's concerns regarding tree preservation. Spiek felt that restrictions and monitoring should help assure preservation. Sturbaum felt that it is a sensitive area and stated that he would be more comfortable if it were to be developed by one owner. Sturbaum requested a report from staff if any non-compliance occurs on site. Service was concerned with buffering along the south property line and felt that pines, etc., should be preserved for noise buffering. Mayer queried stub road to the south. Spiek clarified that is required for access to future developable land. The road will not go anywhere at this time and staff would recommend that a barrier be installed to prevent through traffic at this time. Mayer was concerned that the road might not be wide enough to handle future traffic. Spiek felt that it would be sufficient even with additional development. Young queried whether the Moose concerns with the road stub have been dealt with. Spiek stated that the Moose was concerned that the road would connect to their private access drive which is not the case. Regarding tree preservation, Young queried the benefit of preserving trees in the middle of a building lot. Spiek stated that it is not yet known where the houses will be built. Young queried Master Plan recommendation for no net crown loss. Spiek stated that standard street trees will be required but staff is not advocating the net crown loss requirement for this subdivision. Mueller felt that the Master Plan recommendation will have to be translated into an equitable subdivision regulation. The Environmental Commission is not too concerned with removal of the pine trees as long as some hardwood shade trees are required as replacement. Weger queried cul-de-sac length. 1000 ft.

Kevin Potter was present representing the petitioner, Don Cowden. Potter stated that the internal street will be a relatively straight alignment with a curve to avoid a sinkhole. The site is not a flat site so the road will not be a flat road and will give a good visual break to the street alignment. The petitioner requests that a variance be granted from the staff recommendation for road stub to the Moose property. Potter stated that the Moose does not want the stub and felt that the stub will create more tree loss and a lot which will be difficult to market. A pedestrian access easement to Shady Acres will be provided. The minimum lot width will be 72 ft.. Most of the more dense lots are in the pine/cedar area of the site. The three lots which were eliminated were located in the western portion where the more desirable hardwood trees are located. Potter discussed the treatment of the sinkholes and the drainage plan stating that erosion control barriers will be included. Three fire hydrants are proposed per City Fire Dept. standards. Regarding tree preservation, a count has shown 92 trees (15 in. or larger diameter) and 22 will be removed. Total undisturbed area will be about 48% of the site. A large buffer of large trees along the back and sides will remain.

Cooksey queried whether individual lots will be graded before they are sold. Potter stated that individual lots will not be graded before sale. Grading is planned for road and utilities only. Cooksey queried what type of housing is envisioned. Lankford stated that the expected price range will be \$65,000-\$85,000 with both single story and 2-story houses. Stuebe queried the requirement for maximum cul-de-sac length. Mueller stated that the maximum length requirement is 600 ft. but that it is customary to grant variance when physical design dictates such. Hoffman queried whether not only large specimen trees but also other trees outside of the grading area will be saved. Yes. Service queried the lack of continuous sidewalk on the north

side of the street and distance from Cory Lane. Potter stated that it is about 250 ft. and that handicapped ramps will be installed. Mueller stated that it is difficult to continue the sidewalk because of the grade.

Remonstrators: Bill Edwards, Moose Lodge, stated that the Moose generates a fair amount of noise; felt that a buffer should be provided; and felt that as many pine trees as possible should be preserved. He felt that a fence is needed to prohibit pedestrian traffic to Moose property and did not see the necessity for the road stub to Moose property line. Mark Hanna, adjacent property owner, was concerned with the sinkhole engineering and the effect on a natural spring which is fed by the sinkholes; was concerned that foot traffic to Twin Lakes park will probably use Hanna property and gravel road for access; felt that petitioner should avoid as much ground removal as possible; and felt that Cory Lane has a lot of traffic and that additional road improvements should be provided at the entrance to the development. Rogers Staggs, neighbor to the north, felt that the sinkholes are working fine without excavation and engineering. Mueller clarified that in order for the sinkholes to function as detention for increased drainage engineering is required. Engineering is also needed to limit "silting up."

***Joe Hoffman moved; Bill Sturbaum seconded approval of DP-29-91 per staff recommendation and conditions plus an additional clarification that the developer will not grade or cut trees of any size outside of the area designated on the site plan for grading of road, utilities, and sinkhole excavation.

Zabriskie queried the necessity of the road stub to Moose property. Mueller stated that it is to afford access to developable land should the Moose choose to divest itself of acreage at some point in the future. Zabriskie felt that the road stub is unnecessary. Cooksey was uncomfortable with the site plan due to sinkholes and number of lots.

***Rick Zabriskie moved; Rod Young seconded an amendment to approval motion to delete the requirement of the road stub to Moose property. Hoffman queried whether reservation of right-of-way would also be deleted. Discussion ensued. Zabriskie clarified the amendment to state that right-of-way dedication would be required but road would not be built. Mueller clarified that staff's recommendation is for dedication of right-of-way rather than pavement of the road. Motion for amendment was withdrawn.

***Vote on original motion for approval of DP-29-91. Carried 7-3 (Weger, Cooksey, Mayer dissenting).

DP-29-91 Don Cowden
828 South Cory Lane
Request for approval of a 26-lot subdivision

4/22/91

Craig Berndt reported. This is the preliminary hearing on a request for preliminary and final plat approval for a 26-lot single-family subdivision on 8.2 acres of RS land. The site is south of Shady Acres subdivision and north of the Moose Lodge property. Proposed lot sizes vary from 7,400 sq. ft. to about 21,000 sq. ft. Minimum lot size for RS zone is 7200 sq. ft.. Smallest proposed lot width is 67 feet which exceeds 60 ft. minimum requirement. The existing house on lot #1 would remain. City water and sewer will be provided. Access will be via Cory Lane on a single street, 60 feet in width, terminating in a cul-de-sac at the west end. A stub is proposed near the end of the access street and would stub to the Moose Lodge property. Staff would like to see pedestrian access at the northern boundary. The site is covered densely and spottily with different types of trees with greatest concentrations near the center and west ends. Site drainage will utilize two of the existing sinkholes which will be engineered to increase their storm-water detention capacity. A homeowners' association will be responsible for maintenance of the sinkholes. Staff recommends forwarding to May 13, 1991 for second hearing.

Mayer queried purpose of stub road. Berndt noted that it is for future possible development. Cooksey noted that a sign was not posted. Berndt clarified that signs are required for rezonings but not for subdivisions. Cooksey felt that there are too many lots due to the sinkholes. Spiek stated that the site is a long narrow site but all lots meet or exceed code requirements and staff has no problem with the density. Cooksey felt that the petitioner has been known to come in and clear cut sites. Spiek has been in contact with the Environmental Commission which is concerned with the preservation of the trees and staff will take steps to insure saving as many trees as possible. Cooksey queried whether permission from property owner to the north is required for a pedestrian way. Yes. Service queried the location of the existing trees. Berndt stated that the trees are most dense in the center and at the west end. Swafford requested for the next meeting an indication of the number and location of trees which might be removed.

Kevin Potter was present representing the petitioner, Don Cowden. Potter stated that trees over 15 in. in diameter have been located and shown on another drawing and that the west half of the site has larger hardwood trees, the center has overgrown pine trees and brush, and the east third of the site has some large trees but not as dense. The sinkholes have been examined by a geoscience firm. Potter discussed the storm water drainage and stated that the petitioner will be able to keep peak flow at pre-development rate. The lot sizes vary due to location of the sinkholes. Petitioner will show tree location and removal plan at the next meeting. Petitioner has obtained an option to purchase an existing house in the southeast corner to allow the entrance drive to be centered on the property and keep the accel/decel lanes centered.

Service queried sidewalks. Potter stated that sidewalks will be installed on both sides of the main internal street, on stub street, and along Cory Lane frontage. Cooksey queried the width of the site. 280 ft. north-south and 1300 ft. east-west. Cooksey queried type of proposed housing. Potter stated that they will be medium-sized frame homes with expectation that some will be 2-story, etc.. Cooksey felt that the density should be decreased. Sturbaum queried sinkhole maintenance and whether the lots will be sold off and built by individual builders or built by developer. Potter stated that a homeowners association will be required to maintain sinkholes. Co-petitioner Steve Lankford stated that he anticipates selling the lots to individual owners. Sturbaum queried tree plots. Potter stated that a 5-ft. tree plot will be provided. Service queried how tree preservation will be guaranteed if lots are sold to individual owners. Spiek felt that a condition of approval could be a covenant on tree preservation. Service queried whether non-building portions could be specified. Spiek did not feel that staff is in a position to do such a specific investigation. He felt that a covenant in the plat should take care of the issue. Hoffman felt that a reasonable lot layout would help take care of the issue. Zabriskie queried price range. Lot: \$16-\$17,000; House: \$70-\$85,000.

Bill Edwards, Moose Lodge officer, was concerned with the stub to Moose property and potential traffic stating that there is a shelter house and playground in the area. Edwards was also concerned with the sewer issue and stated that he had not been informed that the City will take it over. The Moose will be within 200 ft. of the lots and he felt that some kind of buffer would be required to minimize complaints about noise from the Moose (bands, etc.). He felt that the density appeared to be too high and was also concerned about drainage onto Moose property. Bill Serber, mgr. of Moose Lodge, was concerned with the drainage onto Moose property and was concerned with cross-over children to Moose property and liability of the Moose. Don Hanna, property owner to west, stated that he has a 1-acre lake on his property which he felt will attract children from the development and felt that at least an 8-ft. fence would be needed along the west property line. Hanna was also concerned with drainage and tree preservation. Judy Staggs felt that the development should be consistent with the neighborhood and felt that 26 lots are too many for the site. She felt that the traffic situation is bad at both the 2nd and 3rd Street intersections. Staggs felt that the petitioner has a bad reputation with regard to tree preservation. Judy Stangus queried the location of the road and which house will be removed. Mark Hanna, west property owner, felt that it is not a good site for development and that the five sinkholes are major sinkholes and that good homes could not be built over that many sinkholes. He felt that the lots should be larger and felt that a homeowners association would not maintain the sinkholes. He felt that reduction of lots, larger lot sizes, buffering, and tree preservation were necessary.

Swafford commented that this is not a rezoning request and is currently zoned for residential use with no variances being requested and that the Commission is limited in what issues it can consider with regard to the density.

***Joe Hoffman moved; Rod Young seconded forwarding DP-29-91 to May 13, 1991 for second hearing. Carried 8-0 following discussion (below).

Hoffman stated that density as such cannot be the focus of the decision but felt that the other issues are numerous and may very well necessitate a lesser density (e.g., tree preservation by the developer, lot layout to make it reasonable for future buyers to preserve trees, and the drainage issue). Other issues to be discussed include the stub to the south, the noise buffer, and a fence along the west side. Young queried why the stub goes south instead of west. Spiek stated that there is a stub available to the north close to the west side of this site and also that the topography at the west end of this site is prohibitive. Young felt that the larger trees should be preserved but was not in favor of a covenant. Sturbaum felt that the trees and sinkholes will necessitate a change in the lot layout. Cooksey concurred and hoped that a different layout would be presented at the next meeting. Zabriskie felt that potential homeowners would be aware of the proximity to the Moose Lodge and potential noise but felt that any alleviation possible should be sought. Swafford requested clarification of the sewer issue for the next meeting and felt that perhaps reserving the right-of-way for the road instead of installing the stub might be advisable. Swafford queried road improvements. Spiek stated that accel/decel will be installed.