



## Packet Related Material

### Memo Agenda Calendar

#### Notices and Agendas:

**Agenda** for Jack Hopkins Social Services Funding Committee Presentations on Tuesday, May 10, 2005 at 5:00 p.m. in the Council Chambers

#### Legislation for Discussion:

**App Ord 05-03** To Specially Appropriate from the General Fund, Risk Management Fund, Telecom Fund, and Municipal Arts Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for the Animal Care & Control Division and the Community & Family Resources Department for Various Purposes; from the Risk Management Fund for Increased Hours for the Assistant City Attorney; from the Telecom – Infrastructure Fund for expansion of the Bloomington Digital Underground (BDU) and Wireless Internet Access in City Hall; and from the Municipal Arts Fund to Reimburse the General Fund for a Percent for the Arts Project)

*Please see the packet for the May 4<sup>th</sup> Regular Session for the legislation, summary and background materials.*

Contact: Susan Clark at 349-3416 or [clarks@bloomington.in.gov](mailto:clarks@bloomington.in.gov)

### Legislation Regarding Expenditures from the Industrial Development Fund

#### **Memo from Ron Walker, Director of Economic Development Balance Sheet for the Industrial Development Fund**

**Res 04-03** To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Cook Pharmica LLC at the Indiana Enterprise Center - Exh A (Legal Description); Exh B (Map of Water Main); BIDAC Res 05-03; Projected Revenues and Reimbursements; Projected Reimbursement for Attaining Project Benchmark; Projected Reimbursement for Attaining Waterline Benchmark

Contact: Ron Walker at 349-3534 or [walker@bloomington.in.gov](mailto:walker@bloomington.in.gov)

**Res 04-04** To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Schulte Corporation at the Indiana Enterprise Center  
- Exh A (Legal Description); BIDAC Res 05-04; Projected Revenues and Reimbursements; Projected Reimbursement for Attaining Project Benchmark;  
*Contact: Ron Walker at 349-3534 or walker@bloomington.in.gov*

Legislation Regarding the Growth Policies Plan

**Res 04-05** To Amend the City's Comprehensive Plan to Include a Critical Subarea for the Area Known as "The Goat Farm"

- Memo from Scott Robinson, Long Range/Transportation Manager; Critical Subarea Narrative and Map; Map of the Surrounding Area; Staff Materials for April 11<sup>th</sup> Plan Commission Meeting; Staff Memo; Subarea Narrative and Map

*Contact: Scott Robinson at 349-3566 or robinsos@bloomington.in.gov*

**Memo**

**Reminder: Presentations to Jack Hopkins Social Services Funding Committee are Scheduled for 5:00 p.m. on Tuesday, May 10<sup>th</sup> in the Council Chambers**

**Reminder: Budget Retreat is Scheduled for Saturday, May 21<sup>st</sup> at 9:00 a.m. at the Cascades Clubhouse**

**Chair of Committee of the Whole Meeting: Councilmember Diekhoff**

**Three Resolutions Join One Appropriation Ordinance on the Committee of the Whole Agenda for Wednesday, May 11, 2005**

There will be four items on your Committee of the Whole agenda next Wednesday. Those items include one appropriation ordinance and three resolutions. The material relating to the appropriation ordinance can be found in the packet for the May 4<sup>th</sup> Regular Session and the material relating to the resolutions can all be found in this packet including the summaries that take up the remainder of this memo.

**Two Resolutions Authorizing Expenditures from the Industrial Development Fund for Cook Pharmica, LLC and Schulte Corporation**

**Res 05-03** (Cook Pharmica, LLC) and **Res 05-04** (Schulte Corporation) offer the final round of incentives for two major developments underway at the Indiana

Enterprise Center (IEC) just off Patterson Drive. As Ron Walker, Director of Economic Development, mentions in his memo to the Council, last year after negotiations with the City, County and State regarding a package of incentives:

- Cook Pharmica, LLC, a new contract pharmaceutical manufacturing company, announced that it would open a facility at the IEC, invest approximately \$45 million, and create 200 jobs by 2008; and
- Schulte Corporation, an existing manufacturer of home organizational products, announced that it would stay in the community and consolidate its manufacturing and distribution facilities at the IEC, invest \$20 million, retain 168 employees, and create 223 new jobs by 2009.

That package of incentives for both enterprises included public improvements valued at approximately \$1 million (See Res 04-14), tax abatements on real estate and new manufacturing equipment valued at approximately \$3.48 million (See Res 04-09 for Cook Pharmica, LLC, and Res 04-22 for Schulte Corporation), and financial agreements for the expenditure of funds from the Industrial Development Fund (IDF) through the Community Revitalization and Enhancement District (CRED) valued at approximately \$3.25 million (See Res 05-03 and Res 05-04 in this packet).

The following paragraphs briefly review the history of the site, the establishment of the Community Redevelopment Enhancement District (CRED) and Industrial Development Fund (IDF), and the resolutions proposing the final round of expenditures under this incentive package.

### City's Efforts to Redevelop the Thomson/IEC Site

As you all know, the former Thomson site (now known as the Indiana Enterprise Center - IEC), was vacated in 1998 when Thomson Consumer Electronics closed its television plant on South Rogers Street, eliminated 1,200 jobs, and left behind a 200-acre site with 1.8 million square feet of vacant facilities. Among other impacts this exodus resulted in the loss of over \$1 million in property taxes and \$350,000 in COIT. The City responded by putting together a task force and retaining the Urban Land Institute to help chart a course for this former cornerstone to our local industrial base that now lay empty.

Following up on the work of the task force, the City took a number of steps to encourage the redevelopment and reuse of the site. Those steps included:

- rezoning the site as a comprehensive mixed use Planned Unit Development;

- using Tax Increment Finance (TIF) District and state and federal funds to complete Patterson Drive;
- seeking a new owner for the site; and
- establishing a newly authorized Community Revitalization Enhancement District (CREED).

### Community Revitalization Enhancement District (CRED)

The CRED allows the City to capture State income and sales taxes received within the district over a base amount and set them aside, along with other monies, into the Bloomington Industrial Development Fund until 2013.

Monies from the fund may be used by the City to “enhance the value of real property and make it more suitable for industrial use.” Monies are spent upon written recommendation of the Bloomington Industrial Development Advisory Commission (BIDAC) and approval of the Council. Please note that the BIDAC met on April 26<sup>th</sup> to consider these proposals and make these recommendations. Under statute, the City may levy taxes (no more than 1.067 cents per \$100 assessed valuation) and issue bonds based upon CRED revenues. It may also enter into a financing agreement with a developer who intends to develop or redevelop the facility and has secured use of it by a third person. When entering into such a financing agreement, the City may establish goals or benchmarks for the developer to achieve before receiving a fee (per IC 36-7-13-18(b)).

### Industrial Development Fund (IDF) Balance

The IDF had a balance of \$1.15 million at the end of last year, which includes the remainder of the Thomson exit package, accumulated interest, and new CRED revenues. Since its inception, the Commission has spent about \$60,000 in marketing the site and has committed:

- up to \$1.1 million of state revenues to repay the TIF district for the demolition of Building One (see Res 01-11),
- \$100,000 to Best Beers for improvements along and near West Allen Street (Res 02-37), and
- \$850,000 for the construction of a roadway from Patterson Drive between Cook Pharmica, LLC and Schulte Corporation to connect with the road being constructed by the County (Res 04-14).

Aside from an agreement to reimburse Cook Pharmica, LLC for construction of certain public improvements (water line), all revenues used to reimburse these two

enterprises will be offset with money they generate in the form of payroll, retail, and use taxes.

### Outline of the Resolutions

The two resolutions authorize expenditures from the IDF to reimburse these enterprises for capital improvements which satisfy certain benchmarks established in financial agreements with the City. These agreements are enabled by State law. Before describing the particulars of each proposal, I thought it would be worthwhile to set forth the outline of both resolutions. In brief they:

- Recite the history of the site and creation of the CRED and IDF;
- Recite the statutory authority for entering into Financial Agreements with a developer for redevelopment of a facility in a CRED;
- Refer to the legal description of the property which is attached to the legislation (Exh A);
- Describe the benchmarks and method for reimbursement (which, in the case of Cook Pharmica, LLC, includes a map of some public improvements identified as Exh B);
- Acknowledge the existence of an agreement between the developer and a 3<sup>rd</sup> party for use of the site (as required by statute);
- Acknowledge the resolution of the BIDAC recommending approval of the benchmarks
- Acknowledge that the enterprises will enter into a financial agreement with the City;
- Find that the redevelopment is in the public interest; and
- Establish the benchmark and reimbursement procedure and schedule.

### **Res 05-03 (Authorizing the Reimbursement of Up to \$2,250,000 from the Industrial Development Fund to Cook Pharmica, LLC, for Both Public and Private Improvements at the IEC Site)**

**Res 05-03** authorizes the City to reimburse Cook Pharmica, LLC up to \$2,250,000 once benchmarks for certain private and public improvements at the IEC site have been completed.

**Reimbursement for Private Improvements – Known as the Project Benchmark.** Cook Pharmica, LLC, has purchased Building 2 and is in the process of renovating approximately 100,000 s.f. of the 430,000 s.f. building and improving portions of the

27 acre site at a cost of about \$19 million. Approximately \$8.3 million of that investment - which includes replacing the roof, separating the interior, constructing a new entrance, redoing the exterior façade, constructing parking lots, installing landscaping, clearing the site, and installing backup power generation and cooling tower - will serve as the Project Benchmark.

Once those improvements have been completed to the City's (reasonable) satisfaction, the City agrees to reimburse Cook Pharmica, LLC up to \$2 million from state and local income taxes as well as gross retail and use taxes generated by this enterprise and captured by the CRED. This reimbursement will be paid at an annual rate of \$450,000 or 75% of those revenues, whichever is less.

**Reimbursement for Public Improvements – known as Water Main Benchmark.**

Early on, the governmental entities intended to pay for a roadway through IEC and the installation of a 12" water main that would run from a 24" main at Rogers and Hillside to a 12" main north of Patterson Drive. The cost of the roadway, however, was higher than expected and Cook Pharmica, LLC has agreed to install the water main, which has the estimated cost of \$250,000.

Once the water main has been installed to the City's (reasonable) satisfaction, the City agrees to reimburse Cook Pharmica, LLC up to \$250,000 from any remaining uncommitted CRED revenues.

**Res 05-04 (Authorizing the Reimbursement of Up to \$1 Million from the Industrial Development Fund to Schulte Corporation for Certain Private Improvements at the IEC Site)**

**Res 05-04** authorizes the City to reimburse Schulte Corporation with up to \$1 million from the Industrial Development Fund once it has completed the agreed upon benchmark for private improvements at the IEC site.

Schulte has purchased the 48.9-acre site at cost of about \$5.4 million, is renovating the building and grounds at a cost of about \$6.18 million, and will install equipment at a cost of about \$7.8 million. It intends to move some of its operations from Liberty Drive and gather 168 existing employees at the site and add 223 new positions by 2009.

**Reimbursements for Private Improvements - Known as Project Benchmarks.**

The improvements to Building Four will include a landscaped parking lot, a formal business entrance with glass front and an atrium for offices, two floors of

manufacturing and inventory space, a training center, and cafeteria. The benchmark here would include constructing a new office area, glass façade and employee area and entrance, and air-conditioning with an estimated value of \$2.7 million.

Once those improvements have been completed to the City's (reasonable) satisfaction, the City agrees to reimburse Schulte Corporation up to \$1 million from the new revenues generated by this enterprise. The new revenues, here, include the payroll taxes from the new employees (not the existing 168 employees) and all the sales and use taxes generated by Schulte on this site. In this case, Schulte would be eligible to receive up to 75% of the new revenues or \$450,000, whichever is less.

### **Res 05-05 Amending the Growth Policies Plan by Approving a Subarea Plan for the Goat Farm**

**Res 05-05** amends the Growth Policies Plan by approving a Critical Subarea Plan for the 31.5 acre site known as the Goat Farm, which is located south of the roundabout at South High Street and Winslow/Rogers Road. Critical Subarea plans are applications of the guiding principles of the Growth Policies Plan to a particular area and are comprised of a narrative and a map.

The Plan Commission directed staff to prepare what will be the 14<sup>th</sup> Critical Subarea Plan last August. Staff, in turn, held a workshop in October and prepared a draft, which was discussed by the Plan Commission in February and adopted after amendments in April.

**Site and Ownership.** The Goat Farm is a 31.5 acre triangle lying in a flat valley with Jackson Creek flowing along the eastern edge of the property and residential development on all sides except for Sherwood Oaks and Olcott Parks on the south. It has been owned by Heartland Development Group, LLC since 2004.

#### **Subarea Narrative**

The narrative for the Goat Farm Critical Subarea includes four sections which are briefly summarized below:

**Intent** This section acknowledges that the site “has environmentally sensitive areas, rural-like qualities in an urban context, and opportunities for innovative public and private development” and recommends that development “foster environmental preservation, ensure neighborhood compatibility and showcase high-quality

residential development, without compromising the sensitive and unique traits of this site.”

**Land Use Policies**            This section offered three recommendations:

- Protect existing wildlife habitats and environmentally-sensitive areas (e.g. the Jackson Creek floodplain and its riparian buffer areas) by using conservation easements and dedication of public land;
- Anticipate public use and access of the floodplain area due to its proximity to schools, parks, and surrounding residential areas;
- Ensure densities compatible with surrounding residential areas by calculating density based upon “areas located exclusively outside of the Floodplain Study Area.”
  - *The memo from Scott Robinson indicates that the need for compatibility with surrounding residential uses made the type and density of development one of the major issues for this subarea. For that reason, this recommendation eliminated reference to clustered, small lot, and condominium developments and tied the density calculations to the net (developable) rather than gross (developable and non-developable) acreage.*

**Urban Services**            This section offers three recommendations:

- Strongly recommend dedication of land along the Jackson Creek for construction of a multi-use trail facility as recommended in the Alternative Transportation and Greenways System Plan and the Jackson Creek Trail Master Plan.
- Consider connecting residential uses with paths to the trail and Sherwood Oaks Park.
- Incorporate stringent stormwater requirements and water quality standards that accommodate both on- and off-site water flows from the north and west due to the flooding conditions along Jackson Creek.

- *The staff memo indicates that the narrative was changed between the first and second hearings by adding the reference to water flow both on- and off-site in order to help alleviate the flooding conditions along the creek.*

## **Site Design**

This section offers four recommendations:

- Avoid losing trees and disturbing the riparian buffer and the adjacent environmentally-sensitive areas by dedicating sufficient land for the paths and carefully installing them.
  - *The staff memo notes that the narrative was changed in order to emphasize the importance of preserving existing trees and vegetation along the western edge of the creek.*
- Require that a qualified environmental consultant model the floodplain prior to development in order to ensure that the site plan adequately protects the Jackson Creek floodplain area.
  - *The staff memo notes that a proposal for the city to retain the consultant was dropped by the Plan Commission because of the potential cost of those services if provided across the community.*
- Limit access to the site from the north to the existing entrance at the roundabout.
- Provide extensive landscaping to buffer the existing from the new residential uses.

## **Subarea Map**

The map illustrates eight elements which are collapsed into the following bullet-points:

- An Urban Residential (*formerly Conservation Residential*) development area at the northwest corner of the site with a landscape buffer toward the west and north.

- A floodplain study area (*formerly Environmentally Sensitive Area*) running in a southwesterly direction through the middle of the site, which contains the alternative transportation (multi-use) path and a connection from the development to it.
- A “preserve riparian buffer” (*formerly Preserve Buffer*) and creek running along the eastern boundary.
- The new roadway entering at the roundabout.

**Happy Birthday Tim Mayer (May 14<sup>th</sup>)**

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL  
COMMITTEE OF THE WHOLE  
7:30 P.M., WEDNESDAY, MAY 11, 2005  
COUNCIL CHAMBERS  
SHOWERS CENTER, 401 N. MORTON**

**Chair: Mike Diekhoff**

1. Appropriations Ordinance 05-03 To Specially Appropriate from the General Fund, Risk Management Fund, Telecom Fund, and Municipal Arts Fund Expenditures not Otherwise Appropriated (Appropriating Funds from the General Fund for the Animal Care & Control Division and the Community & Family Resources Department for Various Purposes; from the Risk Management Fund for Increased Hours for the Assistant City Attorney; from the Telecom – Infrastructure Fund for expansion of the Bloomington Digital Underground (BDU) and Wireless Internet Access in City Hall; and from the Municipal Arts Fund to Reimburse the General Fund for a Percent for the Arts Project)

Asked to Attend: Susan Clark, Controller

2. Resolution 05-03 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Cook Pharmica LLC at the Indiana Enterprise Center

Asked to Attend: Ron Walker, Director of Economic Development

3. Resolution 05-04 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by the Schulte Corporation at the Indiana Enterprise Center

Asked to Attend: Ron Walker, Director of Economic Development

4. Resolution 05-05 To Amend the City’s Comprehensive Plan to Include a Critical Subarea for the Area Known as “The Goat Farm”

Asked to Attend: Scott Robinson, Long Range/Transportation Planner

City of  
Bloomington  
Indiana

City Hall  
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Post Office Box 100  
Bloomington, Indiana 47402



**Office of the Common Council**  
(812) 349-3409  
Fax: (812) 349-3570  
e-mail: council@bloomington.in.gov

To: Council Members  
From: Council Office  
Re: Calendar for the Week of May 9 - 14, 2005  
Date: May 6, 2005

**Monday, May 9, 2005**

4:00 pm Community & Family Resources Commission, Dunlap  
4:30 pm Plat Committee, Hooker Room  
5:00 pm Plan Commission, Council Chambers

**Tuesday, May 10, 2005**

5:00 pm Jack Hopkins Social Services Funding Presentations, Council Chambers  
5:30 pm Bloomington Community Arts Commission, Kelly

**Wednesday, May 11, 2005**

2:00 pm Hearing Officer, Kelly  
4:00 pm Housing Quality Appeals, McCloskey  
4:00 pm Commission on the Status of Black Males, Hooker Room  
7:30 pm Common Council, Committee of the Whole, Council Chambers

**Thursday, May 12, 2005**

12:00 pm Housing Network, McCloskey  
3:30 pm Historic Preservation Commission, McCloskey  
5:15 pm Solid Waste Management District, Monroe County Solid Waste Management  
Facilities, 3400 Old SR 37

**Friday, May 13, 2005**

1:30 pm Metropolitan Planning Organization, Technical Advisory Committee/Policy  
Committee, McCloskey

**Saturday, May 14, 2005**

7:00 am Bloomington Community Farmers' Market, Showers Common

*Happy Birthday to Councilmember Tim Mayer!*

**AGENDA**  
**THE JACK HOPKINS**  
**SOCIAL SERVICES FUNDING COMMITTEE**  
**TUESDAY, MAY 10, 2005, 5:00 P.M.**  
**COUNCIL CHAMBERS**  
**PRESENTATIONS FROM FUNDING APPLICANTS**

- **Introduction**

- **Order of Presentation and Discussion**

*\*Note: Representatives are allowed 4 minutes to present their application.*

- 1 Community Kitchen of Monroe County, Inc. (Vickie Pierce)
- 2 Family Service Association/Mental Health Alliance (Donna Graves)
- 3 Indiana Legal Services, Inc., District 10 *Pro Bono* Project, Inc. (Diane Walker)
- 4 Cherry Hill Daycare (David Norris)
- 5 Community Health Initiative (Carey Beam)
- 6 Bloomington Housing Authority (Jeanette Lee)
- 7 Community Justice and Mediation Center (Nancy Lumley)
- 8 St. Vincent DePaul Society (Scott Alber & Rick Morgenstern)
- 9 Stone Belt Arc. (Leslie Green)
- 10 Shalom Community Center, Inc. (Joel Rekas)
- 11 The Villages of Indiana, Inc. (Deborah Brewer)
- 12 Planned Parenthood of Indiana, Inc. (Barb Sturbaum)
- 13 Martha's House, Inc. (Jodi Tobias)
- 14 Habitat for Humanity of Monroe County (Kerry Thompson-Patillo)
- 15 Monroe County United Ministries, Inc. (Rebecca Stanze)
- 16 American Red Cross, Monroe County Chapter (Carol Bentley)
- 17 Big Brothers/Big Sisters of South Central Indiana (Liz Grenat)
- 18 Bloomington Hospitality House (Rene Thompson)
- 19 Center for Sustainable Living (Brian Goodman)
- 20 Citizen Advocacy of South Central Indiana, Inc. (Jo Gilbertson & Dixie Patterson)
- 21 Girl Scouts of Tulip Trace Council, Inc. (Julie Dailey)
- 22 South Central Community Action Program Inc., Head Start (Julia Dadds)
- 23 South Central Community Mental Health Centers, Inc. (Cynthia Houston)
- 24 Middleway House, Inc. (Bobbie Summers)
- 25 New Leaf (VITAL) (Vid Beldavs & Hal Taylor)
- 26 People & Animal Learning Services, Inc. (PALS) (Fern Boncheck)
- 27 Options for Better Living, Inc. (Susan Rinne)
- 28 Rhinos Youth Center (Brad Wilhelm)

- **Other Actions**

- **Adjournment**

# Memorandum

**To:** City of Bloomington Common Council  
**From:** Ron Walker, Director of Economic Development  
**Date:** May 2, 2005  
**Regarding:**

Resolution 05-03 - To Authorize Expenditures from the IDF for Attainment of Benchmarks by Cook Pharmica LLC at the Indiana Enterprise Center.

Resolution 05-04 - To Authorize Expenditures from the IDF for Attainment of Benchmarks by Schulte Corporation at the Indiana Enterprise Center.

***Together, Resolutions 05-03 and 05-04 are the final components of the Office of the Mayor's incentive proposals to Cook Pharmica, LLC and Schulte Corporation.***

## **Background**

In 2004, the City of Bloomington was very fortunate to have two major business attraction and retention announcements:

- Cook Pharmica, LLC, a start-up contract pharmaceutical manufacturing company, agreed to open its facility in the Indiana Enterprise Center (IEC), invest approximately \$45 million and create 200 jobs by 2008.
- Schulte Corporation, an existing manufacturing company in the home organization market, agreed to stay in Bloomington and combine its manufacturing and distribution facility at the IEC, invest \$20 million, retain its existing 168 employees and create 223 jobs by 2009.

These two projects will occupy most of the remaining space at the former Thomson Consumer Electronics facility. In 1997, Thomson Consumer Electronics announced that it would close its facility and lay off 1,200 employees. In addition to the income loss associated with the 1,200 jobs, the City experienced a decline of over \$1 million in property tax revenues and \$350,000 in County Option Income Tax (COIT) revenues.

A coordinated effort was initiated to redevelop the site and several economic tools were put into place to encourage new investment. A neighborhood strategies plan and a PUD were completed. To assist in marketing and business attraction, the name of the site was changed to the "Indiana Enterprise Center."

One of the economic development tools put into place, and the first of its kind in Indiana, was the Community Revitalization Enhancement District (CRED). ***The CRED is an innovative economic development tool in which the portion of COIT and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount, is deposited by the State of Indiana into the City's Industrial Development Fund (IDF)***

*for use by the City.* If it were not for the CRED, the vast majority of these funds would not be available to the City of Bloomington, but would instead, be State revenue. The existence of the CRED enables the City of Bloomington to receive these funds back from the State for economic development purposes.

### **Recommendation**

The Office of the Mayor proposes to utilize a portion of CRED revenues to reimburse Cook Pharmica and Schulte Corporation for costs associated with capital investments they will make as each company renovates their new facilities. In addition, the Office of the Mayor proposes to use a portion of CRED revenues to reimburse Cook Pharmica for the costs associated with completing public infrastructure improvements at the IEC.

Cook Pharmica has proposed construction benchmark expenditures of \$8,350,000 to be considered for partial reimbursement. In addition, Cook Pharmica has agreed to construct a new 12” water main that will connect to an existing 24” main near the intersection of Rogers and Hillside and an existing 12” main north of Patterson Drive. The estimated cost of the water main improvements is \$250,000. ***The administration proposes reimbursing Cook Pharmica up to \$2,000,000 for the construction benchmarks and up to \$250,000 for the water main construction.***

Schulte Corporation has proposed construction benchmark expenditures of \$2,759,527 to be considered for partial reimbursement. ***The administration proposes reimbursing Schulte Corporation up to \$1,000,000 for the construction benchmarks.***

**Payment to each company for the construction benchmarks will be based solely on the new CRED revenues generated by the employer.** This arrangement ties the actual reimbursement directly to the payroll of the employer. In both cases, the City will reimburse the employer by making annual payments of 75 percent of the CRED revenues generated by the employer, or \$450,000, whichever is less, until they reach the total reimbursement amount.

Because Cook Pharmica is a start-up company, all employment is new employment. Therefore, all CRED revenues generated by Cook Pharmica will be used to calculate the 75 percent annual payment amount.

Because Schulte Corporation is an existing employer and will be moving existing jobs into the IEC as well as creating new jobs, the 75 percent annual payment will be based only upon CRED revenues generated from the new employment and increases in the payroll for existing employees. To simplify the process, we have established a base level of \$160,609 in annual CRED revenues. (This represents the expected CRED revenue generated from Schulte’s existing employment of approximately 168 workers.) Any CRED revenues above \$160,609 will be used to calculate the 75 percent annual payment amount.

The administration has proposed a slightly different reimbursement for the construction of the water main. Cook Pharmica has agreed to construct the water main, which will

become public infrastructure owned by the City of Bloomington Utilities and will serve multiple users at the IEC. The administration feels that reimbursement for the cost of the water main should not be limited to only those CRED revenues generated by Cook Pharmica. ***Reimbursement for the costs associated with the construction of the water main will be made through annual payments to Cook Pharmica of 100 percent of all CRED revenues that are not committed by the City towards any other project or agreement.*** Payment will be limited to \$250,000 or the actual cost of constructing the water main, whichever is less.

I have provided spreadsheets showing possible reimbursements to both Cook Pharmica and Schulte Corporation. These estimates are based upon Project Profiles, a form that each company submitted to the State of Indiana in 2004 and what provided the basis for both the City of Bloomington's and the State's incentive proposals.

The spreadsheets show that Cook Pharmica will generate approximately \$3.1 million in CRED revenues over the life of the CRED. This amount is based upon Cook Pharmica's estimated payroll of over \$7 million by 2008 and including an annual 3 percent growth in payroll thereafter. Given the reimbursement plan outlined above, Cook Pharmica's final reimbursement would occur in 2018. It is believed that Schulte Corporation will generate approximately \$4.8 million in CRED revenues over the life of the CRED. This figure is based upon an estimated new payroll of approximately \$4.8 million by 2009 and includes an annual 3 percent growth in both their existing and new payroll. Given the reimbursement rate outlined above, Schulte Corporation's final reimbursement would occur in 2017.

I have provided an additional spreadsheet summarizing estimated CRED revenues and expenditures. It is believed that the CRED will generate approximately \$8.6 million in annual revenues through the term of the CRED and that approximately \$4.2 million will be remaining (cumulatively) after all the reimbursements have been paid (this includes Cook Pharmica, Schulte Corporation, Best Beers, TIF payments and reimbursement for the water main construction).

### **Summary**

The administration strongly believes that the reimbursements proposed for Cook Pharmica and Schulte Corporation are appropriate expenditures for the CRED. The use of CRED revenues as a reimbursement for capital investments was specifically outlined the City's incentive proposal offered in combination with the State of Indiana's incentive proposal to each company. Combined, the two companies will create over 400 new jobs and invest over \$65 million in real estate improvements, new machinery, and research and development equipment. By the end of the CRED term, it is estimated that the combined payroll between the two companies will be over \$27 million. The CRED revenues proposed as reimbursements would not be available to the City of Bloomington if it were not for these two companies agreeing to locate their facilities in the CRED.

City of Bloomington  
 Bloomington Industrial Development Fund  
 Statement of Revenues, Expenditures and Changes in Fund Balance  
 (Last update: May 2, 2005)

	1997	1998	1999	2000	2001	2002	2003	2004	Projected 2005	Projected 2006	Projected 2007	Projected 2008	Projected 2009	Projected 2010	Projected 2011	Projected 2012	Projected 2013
<b>Revenues</b>																	
<b>General</b>			-	-	-	-	492,005	68,195	30,000	30,000							
<b>Best Beers</b>										27,200	27,200	27,200	27,200	27,200	27,200	27,200	27,200
<b>Cook</b>									10,849	29,269	54,159	83,205	111,687	115,094	118,604	122,221	125,949
<b>Schulte</b>									163,357	175,867	186,630	199,980	215,493	232,305	239,274	246,453	253,846
<b>CRED Revenue</b>	-	-	-	-	-	-	492,005	68,195	204,206	262,336	267,989	310,385	354,380	374,599	385,078	395,874	406,995
<b>Interest on Investments</b>	1,666	13,244	15,574	57,080	36,878	9,069	6,741	15,319	23,115	4,578	9,128	12,468	15,086	17,977	21,027	24,190	27,470
<b>Miscellaneous Reimbursements</b>	200,000	300,000							50,000	200,000	50,000						
<b>Total Revenues</b>	201,666	313,244	15,574	57,080	36,878	9,069	498,746	83,514	277,321	466,914	327,117	322,853	369,466	392,576	406,105	420,064	434,465
<b>Expenditures</b>																	
<b>Personnel</b>																	
<b>Supplies</b>																	
<b>General</b>																	
<b>Thomson Demolition</b>									100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
<b>Best Beers</b>									100,000								
<b>Cook</b>									152,146	127,943	40,619	62,404	83,765	86,321	88,953	91,666	94,462
<b>Schulte</b>									2,060	11,444	19,516	29,528	41,163	53,772	58,999	64,382	69,928
<b>Other Services &amp; Charges</b>		60,000							354,206	239,387	160,135	191,932	224,928	240,093	247,952	256,048	264,390
<b>Capital Outlays</b>									850,000								
<b>Total Expenditures</b>	-	60,000	-	-	-	-	-	-	1,204,206	239,387	160,135	191,932	224,928	240,093	247,952	256,048	264,390
<b>Other Financing Sources</b>																	
<b>Operating Transfers In</b>																	
<b>Operating Transfers Out</b>																	
<b>Excess (Deficiency) of Revenues</b>	201,666	253,244	15,574	57,080	36,878	9,069	498,746	83,514	(926,885)	227,527	166,982	130,921	144,538	152,483	158,153	164,016	170,075
<b>Fund Balance - January 1</b>	-	201,666	454,910	470,484	527,563	564,442	573,511	1,072,257	1,155,770	228,886	456,413	623,395	754,316	898,854	1,051,337	1,209,490	1,373,506
<b>Fund Balance - December 31</b>	201,666	454,910	470,484	527,563	564,442	573,511	1,072,257	1,155,770	228,886	456,413	623,395	754,316	898,854	1,051,337	1,209,490	1,373,506	1,543,581

**RESOLUTION 05-03**

**TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL  
DEVELOPMENT FUND FOR ATTAINMENT OF BENCHMARKS  
BY COOK PHARMICA LLC AT THE INDIANA ENTERPRISE CENTER**

WHEREAS, in 1998, Thomson Consumer Electronics closed its television assembly plant in Bloomington, Indiana, eliminating 1200 jobs and leaving vacant a 200 acre, 1.8 million square foot industrial facility; and

WHEREAS, in 1997, the Common Council created, pursuant to Indiana Code 36-7-13-4, an Industrial Development Fund (IDF), which is a special fund used for the purposes of industrial development and expansion in or serving the City of Bloomington; and

WHEREAS, in 1997, the Common Council also established the Bloomington Industrial Development Advisory Commission (BIDAC), which has the responsibility to make recommendations to the Common Council for expenditures from the IDF; and

WHEREAS, in 1999, a Community Revitalization Enhancement District (“CRED”) was established pursuant to Indiana Code 36-7-13 upon the former Thomson site, in which the portion of County Option Income Tax (“COIT”) and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount is deposited by the State of Indiana (“State”) into the City’s IDF for use by the City as provided in IC 36-7-13; and

WHEREAS, Indiana Code 36-7-13-18 provides that a developer who proposes to enter into or has entered into a financing agreement with a local government unit for development or redevelopment of a facility in a CRED district and has entered into a separate agreement with some other person for use or operation of the financed facility may receive specified payments from the IDF upon attainment of goals or benchmarks on the site, as approved by the BIDAC and Common Council; and

WHEREAS, Cook Pharmica LLC (“Cook Pharmica”) has proposed renovating a building in the Indiana Enterprise Center (IEC) having an address of 1300 S. Patterson Drive, Bloomington, Indiana, more particularly described in Exhibit A, attached hereto and incorporated herein by reference (the “Property”), in which Developer intends to renovate approximately 100,000 square feet for use as a pharmaceutical manufacturing facility, at an estimated cost of approximately \$19,000,000 (the “Project”); and

WHEREAS, Cook Pharmica will also construct a 12” water main that will connect to an existing 24” main near the intersection of Rogers and Hillside and an existing 12” main north of Patterson Drive (the “Water Main”), approximately as depicted on Exhibit B, attached hereto and incorporated herein by reference, with an estimated construction cost of \$250,000, which will provide water service to the Property and to other facilities in the IEC; and

WHEREAS, Cook Pharmica intends to employ at least 200 people full-time on the Property by the end of 2008; and

WHEREAS, the City wishes to reimburse Cook Pharmica, pursuant to IC 36-7-13-18(b), for attainment of the Project Benchmark in an amount not to exceed \$2,000,000, and for attainment of the Water Main Benchmark in the amount of \$250,000 or the actual cost of constructing the Water Main, whichever is less; and

WHEREAS, elements of the Project for which expenditures may count towards the Project Benchmark shall be as follows:

- New Roof \$2,300,000
- Building Separation and Painting \$ 250,000
- Exterior Parking Lots and Landscaping \$2,100,000
- Exterior Façade Improvements \$ 650,000
- New Lobby Entrance \$1,760,000
- Ditch Clearing and Cleaning \$ 250,000
- Backup Power Generation \$ 775,000
- Cooling Tower \$ 265,000

The improvements listed above have a total estimated cost of \$8,350,000; and

WHEREAS, Developer's expenditure of at least \$2,000,000 for performance of any of the work listed above, and documentation of said expenditures and verification of said work to the City's reasonable satisfaction, shall constitute attainment of the Project Benchmark, and Developer's completion of construction of the Water Main to the City's reasonable satisfaction shall constitute attainment of the Water Main Benchmark, for purposes of Indiana Code 36-7-13-18(b); and

WHEREAS, reimbursement by the City to Developer of up to \$2,000,000 for attainment of the Project Benchmark shall be made using CRED Revenues that are derived from the Indiana income tax and COIT paid by persons employed on the Property by Developer, and CRED revenues that derive from state gross retail and use taxes generated by Developer's sales within the Thomson CRED district; and

WHEREAS, after Cook Pharmica attains the Project Benchmark, the City shall make annual payments of 75% of said CRED revenues or \$450,000 of said CRED revenues, whichever is less, until either \$2,000,000 has been paid or the CRED district terminates; and

WHEREAS, after Cook Pharmica attains the Water Main Benchmark, the City shall make annual payments to Cook Pharmica of 100% of the CRED revenues that are generated within the Thomson CRED district, deposited in the IDF by the State, and are not committed by the City towards any other project or agreement, until \$250,000 or the actual cost of constructing the Water Main, whichever is less, has been paid; and

WHEREAS, Cook Pharmica has entered into a separate agreement with a third party for use of the Project site on the Property for development of bulk drug substances; and

WHEREAS, the Bloomington Industrial Development Advisory Commission (BIDAC) approved its Resolution 05-03 on April 26, 2005 recommending to the Common Council approval of the Project Benchmark and Water Main Benchmark as provided herein; and

WHEREAS, Cook Pharmica and the City will enter into a financing agreement containing the terms and conditions of the benchmark payments as provided in this resolution; and

WHEREAS, the redevelopment of the IEC serves an important public purpose, and the Project is desirable for the area, in that it offers a significant investment that will enhance the tax base of the City of Bloomington and Monroe County, will create 200 new jobs, and will contribute towards the development of a life sciences initiative proposed for Bloomington and Monroe County;

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

SECTION 1. The Common Council hereby establishes the Project Benchmark and the Water Main Benchmark as benchmarks pursuant to Indiana Code 36-7-13-18(b), and hereby authorizes Cook Pharmica LLC to receive payments from the IDF as provided herein for attainment of the Project Benchmark in an amount not to exceed \$2,000,000 and for the Water Main Benchmark in an amount not to exceed \$250,000 or the actual cost of construction of the Water Main, whichever is less.

SECTION 2. After Cook Pharmica’s attainment of the Project Benchmark, the City shall pay Cook Pharmica up to \$2,000,000 by making payments annually of 75% of the CRED revenues derived from state income taxes and COIT paid by Cook Pharmica employees in the Thomson CRED district and from state retail and use taxes generated by Cook Pharmica’s sales in the Thomson CRED district or \$450,000 of said CRED revenues, whichever is less, until either \$2,000,000 has been paid or the Thomson CRED district terminates, as partial reimbursement for Cook Pharmica’s expenditures on the Project, in compliance with the provisions of IC 36-7-13-18 and subject to the City of Bloomington’s receipt from the State of Indiana of CRED revenues attributable to Cook Pharmica’s employment and sales on the Property, as provided herein, and all other conditions and provisions stated herein.

SECTION 3. After Cook Pharmica’s attainment of the Water Main Benchmark, the City shall pay Cook Pharmica \$250,000 or the actual cost of construction of the Water Main, whichever is less, by making annual payments of 100% of the CRED revenues that are generated within the Thomson CRED district, deposited in the IDF by the State, and are not committed by the City towards any other project or agreement, until \$250,000 or the actual cost of constructing the Water Main, whichever is less, has been paid.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
ANDY RUFF, President

ATTEST:

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MARK KRUZAN, Mayor

SYNOPSIS

This resolution authorizes expenditure from the Industrial Development Fund of up to \$2,250,000 to Cook Pharmica LLC as a result of attaining construction benchmarks at the Indiana Enterprise Center.

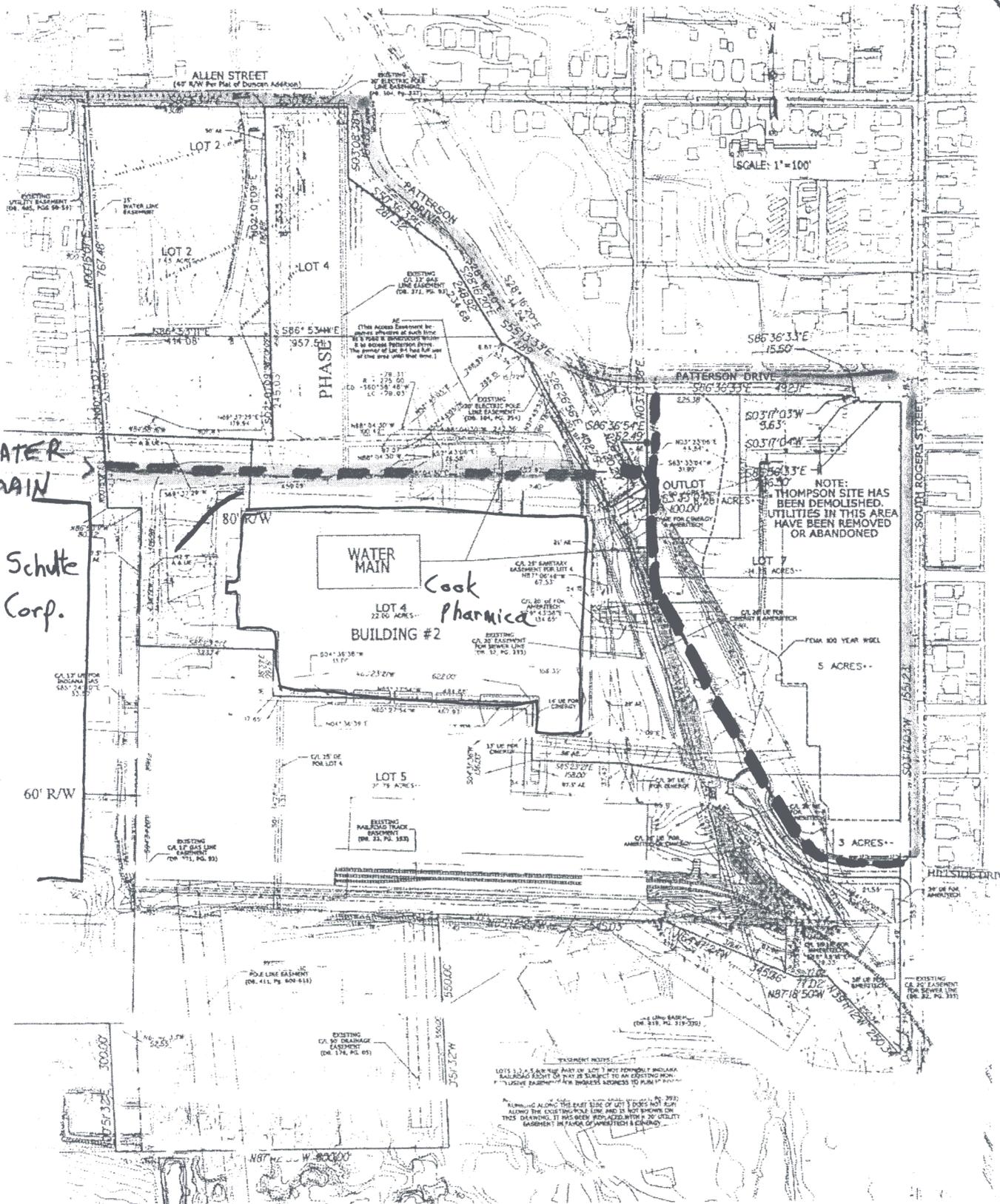
**LEGAL DESCRIPTION FOR BUILDING 2 PARCEL  
AT THE INDIANA ENTERPRISE CENTER  
(27.27 ACRES, MORE OR LESS)**

A part of the Southeast Quarter of Section 5, Township 8 North, Range 1 West, being a part of Seminary Lots 56 and 57 as recorded in Deed Book A, Pages 54 and 55 in the office of the Recorder of Monroe County, Indiana more particularly described as follows:

COMMENCING at an 8" x 8" limestone monument at the southwest corner of the Northwest Quarter of Section 8, Township 8 North, Range 1 West; thence on an assumed bearing NORTH 01 degree 09 minutes 55 seconds East on the west line thereof 1320.08 feet to a limestone monument at the northwest corner of the South Half of said Northwest Quarter; thence SOUTH 85 degrees 36 minutes 23 seconds East on the north line thereof a distance of 1163.07 feet to an 8" x 8" limestone monument; thence NORTH 02 degrees 01 minutes 09 seconds East a distance of 1322.84 feet to an 8" x 8" limestone monument on the north line of said Northwest Quarter; thence SOUTH 85 degrees 20 minutes 57 seconds East on the north line thereof 12.75 feet to a 5/8" rebar with yellow cap marked "Schneider Engineering Corp" at a Southwestern Corner of Land now formerly owned by New Asset Subsidiary LLC (Instr#2001006582) said point being 127.00 feet west of the southeast corner of Seminary Lot 177; thence NORTH 00 degrees 15 minutes 07 seconds East parallel with the East line of said Seminary Lot 177 a distance of 876.65 feet to a 5/8" rebar with yellow cap marked "Schneider Engineering Corp" on the north line of said Lot 177; thence SOUTH 85 degrees 20 minutes 57 seconds East on said north line and the projection thereof 135.25 feet to a 5/8" rebar with yellow cap marked "Schneider Engineering Corp" in the centerline of a vacated 16.5' alley: thence NORTH 00 degrees 15 minutes 07 seconds East on said alley centerline 110.93 feet to a 5/8" rebar with yellow cap stamped "Schneider Engineering Corp" said point being 94.38 feet north of the south line of Seminary Lot 167; thence SOUTH 84 degrees 58 minutes 16 seconds East parallel with the south line of Seminary Lots 167 and 168, 1326.41 feet to a railroad spike on the west line of Seminary Lot 57, said point being on the east line of the vacated 33' right-of-way of Walker Street and the western boundary of Land now or formerly owned by Bloomington LLC (D.B. 480, Pg 775-776) and the POINT OF BEGINNING; thence SOUTH 84 degrees 58 minutes 16 seconds East 407.43 feet on the south line of land of DJM & JMM Real Estate LLC, (Instr# 2003016378) to a 5/8" rebar with cap set; thence NORTH 02 degrees 01 minutes 09 seconds East 780.28 feet on the east line of said Land of DJM & JMM Real Estate LLC; to a chiseled "x" set on the South Right-of-Way of Allen Street; thence on said South Right-of-Way SOUTH 86 degrees 53 minutes 11 seconds East 199.87 to a railroad spike set; thence leaving said South Right-of-Way and on the westerly Right-of-Way of Patterson Drive the following four (4) courses: thence 1) SOUTH 03 degrees 08 minutes 38 seconds West 164.80 feet to a railroad spike set; thence 2) SOUTH 50 degrees 36 minutes 32 seconds East 287.32 feet to a 5/8" rebar with cap set; thence 3) SOUTH 28 degrees 16 minutes 20 seconds East 248.92 feet to a railroad spike set; thence 4) SOUTH 55 degrees 13 minutes 33 seconds East 74.89 feet to a 5/8" rebar with cap set; thence leaving said Right-of-Way SOUTH 26 degrees 26 minutes 56 seconds East 402.79 feet to a P.K.Nail found; thence NORTH 63 degrees 33 minutes 04 seconds East 100.00 feet to a 5/8" rebar found stamped "Bledsoe Tapp"; thence NORTH 26 degrees 26 minutes 56 seconds West 120.20 feet to a 5/8" rebar with cap set; thence SOUTH 86 degrees 36 minutes 54 seconds East 62.49 feet to a railroad spike set; thence SOUTH 03 degrees 13 minutes 38 seconds West 311.47 feet to a 5/8" rebar with cap set; thence SOUTH 26 degrees 26 minutes 56 seconds East 600.32 feet to a 5/8" rebar with cap set; thence NORTH 85 degrees 24 minutes 52 seconds West 583.41 feet to a 5/8" rebar with cap set; thence NORTH 04 degrees 31 minutes 36 seconds East 200.14 feet to a rebar with cap set; thence NORTH 85 degrees 23 minutes 21 seconds West 622.00 feet chiseled "x" set; thence NORTH 04 degrees 36 minutes 39 seconds East 109.76 feet to a railroad spike set; thence NORTH 85 degrees 23 minutes 21 seconds West 323.74 feet to a mag nail found; thence NORTH 04 degrees 34 minutes 19 seconds East 326.98 feet to a railroad spike found; thence NORTH 86 degrees 53 minutes 11 seconds West 80.32 feet to a 5/8" rebar with cap marked "Schnieder Corp"; thence NORTH 00 degrees 15 minutes 07 seconds East 174.34 feet to the POINT OF BEGINNING.

Cook Pharmica\Legal Description\_Exhibit A

**EXHIBIT A**



# IEC BUILDING WATERMAIN

Exhibit B

Smith Newbecker & Associates, Inc.  
 801 S. Olive Avenue  
 Bloomington, Indiana 47401-5005  
 Telephone: 812-336-6800  
 FAX: 812-336-6902  
 www.sna.com

DRAWN BY: LAM DATE: 4/13/04  
 FILE: IEC13104DCEL000

## RESOLUTION 05-03

### TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL DEVELOPMENT FUND FOR ATTAINMENT OF BENCHMARKS BY COOK PHARMICA LLC AT THE INDIANA ENTERPRISE CENTER

- WHEREAS, in 1998, Thomson Consumer Electronics closed its television assembly plant in Bloomington, Indiana, eliminating 1200 jobs and leaving vacant a 200 acre, 1.8 million square foot industrial facility; and
- WHEREAS, in 1997, the Common Council created, pursuant to Indiana Code 36-7-13-4, an Industrial Development Fund (IDF), which is a special fund used for the purposes of industrial development and expansion in or serving the City of Bloomington; and
- WHEREAS, in 1997, the Common Council also established the Bloomington Industrial Development Advisory Commission (BIDAC), which has the responsibility to make recommendations to the Common Council for expenditures from the IDF; and
- WHEREAS, in 1999, a Community Revitalization Enhancement District (“CRED”) was established pursuant to Indiana Code 36-7-13 upon the former Thomson site, in which the portion of County Option Income Tax (“COIT”) and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount is deposited by the State of Indiana (“State”) into the City’s IDF for use by the City as provided in IC 36-7-13; and
- WHEREAS, Indiana Code 36-7-13-18 provides that a developer who proposes to enter into or has entered into a financing agreement with a local government unit for development or redevelopment of a facility in a CRED district and has entered into a separate agreement with some other person for use or operation of the financed facility may receive specified payments from the IDF upon attainment of goals or benchmarks on the site, as approved by the BIDAC and Common Council; and
- WHEREAS, Cook Pharmica LLC (“Cook Pharmica”) has proposed renovating a building in the Indiana Enterprise Center (IEC) having an address of 1300 S. Patterson Drive, Bloomington, Indiana, more particularly described in Exhibit A, attached hereto and incorporated herein by reference (the “Property”), in which Developer intends to renovate approximately 100,000 square feet for use as a pharmaceutical manufacturing facility, at an estimated cost of approximately \$19,000,000 (the “Project”); and

WHEREAS, Cook Pharmica will also construct a 12” water main that will connect to an existing 24” main near the intersection of Rogers and Hillside and an existing 12” main north of Patterson Drive (the “Water Main”), approximately as depicted on Exhibit B, attached hereto and incorporated herein by reference, with an estimated construction cost of \$250,000, which will provide water service to the Property and to other facilities in the IEC; and

WHEREAS, Cook Pharmica intends to employ at least 200 people full-time on the Property by the end of 2008; and

WHEREAS, the City wishes to reimburse Cook Pharmica, pursuant to IC 36-7-13-18(b), for attainment of the Project Benchmark in an amount not to exceed \$2,000,000, and for attainment of the Water Main Benchmark in the amount of \$250,000 or the actual cost of constructing the Water Main, whichever is less; and

WHEREAS, elements of the Project for which expenditures may count towards the Project Benchmark shall be as follows:

- New Roof \$2,300,000
- Building Separation and Painting \$ 250,000
- Exterior Parking Lots and Landscaping \$2,100,000
- Exterior Façade Improvements \$ 650,000
- New Lobby Entrance \$1,760,000
- Ditch Clearing and Cleaning \$ 250,000
- Backup Power Generation \$ 775,000
- Cooling Tower \$ 265,000

The improvements listed above have a total estimated cost of \$8,350,000; and

WHEREAS, Developer’s expenditure of at least \$2,000,000 for performance of any of the work listed above, and documentation of said expenditures and verification of said work to the City’s reasonable satisfaction, shall constitute attainment of the Project Benchmark, and Developer’s completion of construction of the Water Main to the City’s reasonable satisfaction shall constitute attainment of the Water Main Benchmark, for purposes of Indiana Code 36-7-13-18(b); and

WHEREAS, reimbursement by the City to Developer of up to \$2,000,000 for attainment of the Project Benchmark shall be made using CRED Revenues that are derived from the Indiana income tax and COIT paid by persons employed on the Property by Developer, and CRED revenues that derive from state gross retail and use taxes generated by Developer’s sales within the Thomson CRED district; and

WHEREAS, the City shall make annual payments of 75% of said CRED revenues or \$450,000 of said CRED revenues, whichever is less, until either \$2,000,000 has been paid or the CRED district terminates; and

WHEREAS, the City shall make annual payments of \$250,000 or the actual cost of constructing the Water Main, whichever is less, said payments to be made from CRED revenues that are generated within the Thomson CRED district, deposited in the IDF by the State, and are not committed by the City towards any other project or agreement; and

WHEREAS, Cook Pharmica has entered into a separate agreement with another entity for use of the Project site on the Property for development of bulk drug substances; and

WHEREAS, Cook Pharmica and the City will enter into a financing agreement containing the terms and conditions of the benchmark payments; and

WHEREAS, the redevelopment of the IEC serves an important public purpose, and the Project is desirable for the area, in that it offers a significant investment that will enhance the tax base of the City of Bloomington and Monroe County, will create 200 new jobs, and will contribute towards the development of a life sciences initiative proposed for Bloomington and Monroe County;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BLOOMINGTON INDUSTRIAL DEVELOPMENT ADVISORY COMMISSION THAT:

SECTION 1. The Commission hereby recommends to the Common Council that it:

1. Establish the Project Benchmark and Water Main Benchmark (collectively, “the Benchmarks”) as benchmarks pursuant to Indiana Code 36-7-13-18(b); and
2. Authorize payment by the City, on account of Cook Pharmica’s attainment of the Project Benchmark, of up to \$2,000,000 to Cook Pharmica by making payments annually of 75% of the CRED revenues derived from state income taxes and COIT paid by Cook Pharmica employees in the Thomson CRED district and from state retail and use taxes generated by Cook Pharmica’s sales in the Thomson CRED district or \$450,000 of said CRED revenues, whichever is less, until either \$2,000,000 has been paid or the Thomson CRED district terminates, as partial reimbursement for Cook Pharmica’s expenditures on the Project, in compliance with the provisions of IC 36-7-13-18 and subject to the City of Bloomington’s receipt from the State of Indiana of CRED revenues attributable to Cook Pharmica’s employment and sales on the Property, as provided herein, and all other conditions and provisions stated herein; and
3. Authorize payment, on account of Cook Pharmica’s attainment of the Water Main Benchmark, of \$250,000 or the actual cost of construction of the Water Main, whichever

is less, by making payments annually until said payment amount has been paid or the Thomson CRED district terminates, of the CRED revenues that are generated within the Thomson CRED district, are deposited in the IDF by the State and are not committed by the City towards any other project or agreement.

Approved this \_\_\_\_\_ day of April, 2005.

BLOOMINGTON INDUSTRIAL DEVELOPMENT ADVISORY COMMISSION

\_\_\_\_\_  
Rhonda Hinds

\_\_\_\_\_  
Richard Rampley

\_\_\_\_\_  
Kirk Hobbs

\_\_\_\_\_  
Senator Vi Simpson

\_\_\_\_\_  
Roger Kent

\_\_\_\_\_  
Ron Walker

\_\_\_\_\_  
Don Moore

\_\_\_\_\_

\_\_\_\_\_  
Joyce Poling

# Cook Pharmica - Bloomington CRED Reimbursement Commitment \$2,250,000

**Projected payroll adjusted for commuting patterns    75% payments contingent on the creation of 200 new jobs, with a maximum payment of \$2,250,000**

	A	B	C	D	E	F	G	H	I
	Proj.	State		Remaining			Cumulative	Payment to	Cumulative
	Payroll	Withholding	EDGE	Increment	COIT	D + E	Column F	Cook	Payment
1	\$918,507.00	\$28,381.87	\$24,087.69	\$4,294.18	\$6,554.95	\$10,849.13	\$10,849.13	\$8,136.84	\$8,136.84
2	\$2,477,966.00	\$76,569.15	\$64,984.24	\$11,584.91	\$17,684.07	\$29,268.98	\$40,118.11	\$21,951.74	\$30,088.58
3	\$4,585,194.00	\$141,682.49	\$120,245.93	\$21,436.56	\$32,722.36	\$54,158.92	\$94,277.03	\$40,619.19	\$70,707.77
4	\$7,044,315.00	\$217,669.33	\$184,735.96	\$32,933.37	\$50,271.95	\$83,205.32	\$177,482.35	\$62,403.99	\$133,111.76
5	\$9,455,638.00	\$292,179.21	\$247,972.50	\$44,206.72	\$67,480.42	\$111,687.13	\$289,169.48	\$83,765.35	\$216,877.11
6	\$9,744,034.96	\$301,090.68	\$255,535.66	\$45,555.02	\$69,538.57	\$115,093.59	\$404,263.07	\$86,320.19	\$303,197.30
7	\$10,041,228.03	\$310,273.95	\$263,329.50	\$46,944.45	\$71,659.50	\$118,603.94	\$522,867.01	\$88,952.96	\$392,150.26
8	\$10,347,485.48	\$319,737.30	\$271,361.05	\$48,376.25	\$73,845.11	\$122,221.36	\$645,088.38	\$91,666.02	\$483,816.28
9	\$10,663,083.79	\$329,489.29	\$279,637.56	\$49,851.73	\$76,097.39	\$125,949.12	\$771,037.50	\$94,461.84	\$578,278.12
10	\$10,988,307.84	\$339,538.71	\$288,166.51	\$51,372.21	\$78,418.36	\$129,790.56	\$900,828.06	\$97,342.92	\$675,621.04
11	\$11,323,451.23	\$349,894.64	\$0.00	\$349,894.64	\$80,810.12	\$430,704.76	\$1,331,532.82	\$323,028.57	\$998,649.61
12	\$11,668,816.49	\$360,566.43	\$0.00	\$360,566.43	\$83,274.83	\$443,841.26	\$1,775,374.07	\$332,880.94	\$1,331,530.56
13	\$12,024,715.40	\$371,563.71	\$0.00	\$371,563.71	\$85,814.71	\$457,378.41	\$2,232,752.49	\$343,033.81	\$1,674,564.37
14	\$12,391,469.22	\$382,896.40	\$0.00	\$382,896.40	\$88,432.06	\$471,328.46	\$2,704,080.94	\$353,496.34	\$2,028,060.71
15	\$12,769,409.03	\$394,574.74	\$0.00	\$394,574.74	\$91,129.23	\$485,703.97	\$3,189,784.92	\$221,939.29	\$2,250,000.00
	\$136,443,621	\$4,216,108	\$2,000,057	\$2,216,051	\$973,734	\$3,189,785	\$3,189,785	\$2,250,000	\$2,250,000

**Total Paid to Cook Pharmica**

**\$2,250,000**

Year Ending June 30	Cook Pharmica CRED Totals				
	Total CRED Revenue by Cook	Annual Reimbursement to Cook	Cumulative Reimbursement to Cook	Remaining Increment	Cumulative Remaining Increment
2005	10,849	8,137	8,137	2,712	2,712
2006	29,269	21,952	30,089	7,317	10,030
2007	54,159	40,619	70,708	13,540	23,569
2008	83,205	62,404	133,112	20,801	44,371
2009	111,687	83,765	216,877	27,922	72,292
2010	115,094	86,320	303,197	28,773	101,066
2011	118,604	88,953	392,150	29,651	130,717
2012	122,221	91,666	483,816	30,555	161,272
2013	125,949	94,462	578,278	31,487	192,759
2014	129,791	97,343	675,621	32,448	225,207
2015	430,705	323,029	998,650	107,676	332,883
2016	443,841	332,881	1,331,531	110,960	443,844
2017	457,378	343,034	1,674,564	114,345	558,188
2018	471,328	325,436	2,000,000	145,893	704,081
2019	485,704	0	2,000,000	485,704	1,189,785
	3,189,785	2,000,000		1,189,785	

Total Waterline Reimbursement	Remaining Increment
144,009	0
105,991	222,949
0	157,854
0	118,453
0	129,452
0	134,507
0	137,126
0	139,826
0	142,605
0	145,471
0	280,528
0	387,567
0	604,916
0	674,564
0	1,000,000
\$250,000	\$4,275,820

**RESOLUTION 05-04**

**TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL  
DEVELOPMENT FUND FOR ATTAINMENT OF BENCHMARKS  
BY THE SCHULTE CORPORATION  
AT THE INDIANA ENTERPRISE CENTER**

WHEREAS, in 1998, Thomson Consumer Electronics closed its television assembly plant in Bloomington, Indiana, eliminating 1200 jobs and leaving vacant a 200 acre, 1.8 million square foot industrial facility; and

WHEREAS, in 1997, the Common Council created, pursuant to Indiana Code 36-7-13-4, an Industrial Development Fund (IDF), which is a special fund used for the purposes of industrial development and expansion in or serving the City of Bloomington; and

WHEREAS, in 1997, the Common Council also established the Bloomington Industrial Development Advisory Commission (BIDAC), which has the responsibility to make recommendations to the Common Council for expenditures from the IDF; and

WHEREAS, in 1999, a Community Revitalization Enhancement District (“Thomson CRED”) was established pursuant to Indiana Code 36-7-13 upon the former Thomson site, in which the portion of County Option Income Tax (“COIT”) and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount is deposited by the State of Indiana (“State”) into the City’s IDF for use by the City as provided in IC 36-7-13 (the “CRED Revenues”); and

WHEREAS, Indiana Code 36-7-13-18 provides that a developer who proposes to enter into or has entered into a financing agreement with a local government unit for development or redevelopment of a facility in a CRED district and has entered into a separate agreement with some other person for use or operation of the financed facility may receive specified payments from the IDF upon attainment of goals or benchmarks on the site, as approved by the BIDAC and Common Council; and

WHEREAS, the Schulte Corporation (“Schulte”) has proposed renovating a building in the Indiana Enterprise Center (IEC), more particularly described in Exhibit A, attached hereto and incorporated herein by reference, having an address of 1500 S. Patterson Drive, Bloomington, Indiana (the “Property”), in which Developer intends to renovate approximately 630,000 square feet for use as a manufacturing and distribution facility, at an estimated cost of approximately \$4,243,989 (the “Project”); and

WHEREAS, the City wishes to reimburse Schulte, pursuant to IC 36-7-13-18(b), for up to \$1,000,000 of its cost of constructing the Project; and

WHEREAS, Schulte’s expenditure of at least \$1,000,000 for construction and related costs of the elements of the Project listed herein shall constitute the “Benchmark” for purposes of payment by the City of up to \$1,000,000, as provided in IC 36-7-13-18(b) and herein; and

WHEREAS, elements of the Project for which expenditures may count towards the Benchmark are:

- New 20,000 sq. ft. Two-story Office \$1,382,495
- Two-story Glass Façade & Employee Area \$ 415,808
- Interior Climate & Environmental Improvements \$ 401,556
- Air Make-up Units for Manufacturing Areas \$ 319,005
- New Employee Entrance \$ 240,663

The improvements listed above have a total estimated cost of \$2,759,527; and

- WHEREAS, after Schulte has expended \$1,000,000 or more on work listed above, the City will verify completion of said work and expenditures to its reasonable satisfaction prior to commencement of payment; and
- WHEREAS, Schulte intends to fill 168 full-time positions on the Property by the end of 2005 (the “Original Employees”), and intends to add 223 additional full-time positions after completion of the Project (the “New Employees”); and
- WHEREAS, for purposes of this resolution, the CRED Revenue attributable to the Original Employees shall be called the “Base Revenue” and the CRED Revenue attributable to the New Employees plus the CRED Revenue that is derived from the state gross retail and use taxes generated by Schulte’s sales within the Thomson CRED district shall be called the “New CRED Revenue;” and
- WHEREAS, after Schulte has attained the Benchmark, the City will commence making annual payments to Schulte of 75% of the New CRED Revenues or \$450,000 of the New CRED Revenues, whichever is less. The City intends to retain 100% of the Base Revenue, and 25% of the New CRED Revenues; and
- WHEREAS, after attainment of the Benchmark, payments towards this reimbursement will be made as provided herein until either \$1,000,000 has been paid or the CRED district terminates; and
- WHEREAS, Schulte has entered into separate agreements with a number of customers for products to be manufactured on the Property, including Organized Living, Do It Best Corporation, Storables USA Inc., Builders Insulation Company Inc., and Solutions for Organized Living; and
- WHEREAS, Schulte and the City will enter into a financing agreement containing the terms and conditions of the benchmark payments; and
- WHEREAS, the Bloomington Industrial Development Advisory Commission (BIDAC) approved its Resolution 05-04 on April 26, 2005 recommending to the Common Council approval of the Benchmark as provided herein; and
- WHEREAS, the redevelopment of the IEC serves an important public purpose, and the Project is desirable for the area, in that it offers a significant investment that will enhance the tax base of the City of Bloomington and Monroe County, will create 223 new jobs, and will contribute to the economic vitality of the area;

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

SECTION 1. The Common Council hereby establishes the Benchmark as a benchmark pursuant to Indiana Code 36-7-13-18(b), and hereby authorizes the Schulte Corporation to receive payments from the IDF as provided herein for attainment of the Benchmark in an amount not to exceed \$1,000,000.

SECTION 2. After the Schulte Corporation’s attainment of the Benchmark, the City shall pay the Schulte Corporation up to \$1,000,000 by making payments annually of 75% of the CRED revenues derived from state income taxes and COIT paid by Schulte Corporation employees in the Thomson CRED district and from state retail and use taxes generated by Schulte Corporation’s sales in the Thomson CRED district or \$450,000 of said CRED revenues, whichever is less, until either \$1,000,000 has been paid or the Thomson CRED district terminates, as partial reimbursement for Schulte Corporation’s expenditures on the Project, in compliance with the provisions of IC 36-7-13-18 and subject to the City of Bloomington’s receipt from the State of Indiana of CRED revenues attributable to Schulte Corporation’s employment and sales on the Property, as provided herein, and all other conditions and provisions stated herein.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
ANDY RUFF, President

ATTEST:

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MARK KRUZAN, Mayor

#### SYNOPSIS

This resolution authorizes expenditure from the Industrial Development Fund of up to \$1,000,000 to the Schulte Corporation as a result of attaining construction benchmarks at the Indiana Enterprise Center.

## EXHIBIT A

Parcel I - Part of the Northwest Quarter of Section 8 and part of the Southeast Quarter and Southwest Quarter of Section 5, all in Township 8 North, Range 1 West, being Seminary Lots 169 through 172 and part of Lots 56, 167 and 168 as recorded in Deed Book A, Pages 54 & 55 in the Office of the Recorder of Monroe County, Indiana, described as follows:

Commencing at an 8 inch x 8 inch limestone monument at the Southwest corner of the Northwest quarter of said Section 8; thence on an assumed bearing of North 01 degrees 50 minutes 26 seconds West along the west line thereof a distance of 609.78 feet to a 5/8" rebar with a yellow cap marked "Schneider Engineering Corp." (hereinafter referred to as "capped rebar"), said point being on the south line of a 150 foot wide electric easement (Deed Record 120, Page 600); thence continuing North 01 degrees 50 minutes 26 seconds West along said West line a distance of 710.30 feet to an 8 inch x 8 inch limestone monument at the Northwest corner of the South half of said Northwest quarter; thence South 88 degrees 36 minutes 44 seconds East along the North line thereof a distance of 1163.07 feet to an 8 inch x 8 inch limestone monument; thence North 0 degrees 59 minutes 12 seconds West a distance of 840.00 feet to the **Point of Beginning**; thence continuing North 00 degrees 59 minutes 12 seconds West a distance of 482.84 feet to an 8 inch x 8 inch limestone monument on the North line of said Northwest quarter; thence South 88 degrees 21 minutes 18 seconds East along the North line thereof a distance of 12.75 feet to a capped rebar distant 127.00 feet West of the Southeast corner of Seminary Lot 177; thence North 02 degrees 45 minutes 14 seconds West parallel with the East line of said Seminary Lot 177 a distance of 876.65 feet to a capped rebar on the North line of Lot 177; thence South 88 degrees 21 minutes 18 seconds East along said North line and the projection thereof a distance of 135.25 feet to a capped rebar in the centerline of a vacated 16.5 foot alley; thence North 02 degrees 45 minutes 14 seconds West along the alley centerline a distance of 110.93 feet to a capped rebar distant 94.38 feet North of the South line of Seminary Lot 167; thence South 87 degrees 58 minutes 37 seconds East parallel with the South line of Seminary Lots 167 and 168 a distance of 1326.41 feet to railroad spike on the West line of Seminary Lot 57, said point being on the East line of the vacated 33 foot right of way of Walker Street; thence South 02 degrees 45 minutes 14 seconds East along said East line a distance of 174.34 feet; thence South 89 degrees 53 minutes 32 seconds East a distance of 80.32 feet; thence South 01 degrees 33 minutes 58 seconds West a distance of 1225.92 feet; thence South 89 degrees 17 minutes 06 seconds West a distance of 1473.07 feet to the **Point of Beginning**, containing 48.86 acres, more or less.

Parcel II - Easement for ingress and egress as shown in Grant of Easement dated December 30, 1998 and recorded January 4, 1999, in Deed Record 480, page 745 as Instrument Number 900096.

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Chicago Title Insurance Company

This Commitment is valid only if Schedule B is attached.  
Schedule A consists of 2 page(s)

**RESOLUTION 05-04**

**TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL  
DEVELOPMENT FUND FOR ATTAINMENT OF BENCHMARKS  
BY THE SCHULTE CORPORATION  
AT THE INDIANA ENTERPRISE CENTER**

- WHEREAS, in 1998, Thomson Consumer Electronics closed its television assembly plant in Bloomington, Indiana, eliminating 1200 jobs and leaving vacant a 200 acre, 1.8 million square foot industrial facility; and
- WHEREAS, in 1997, the Common Council created, pursuant to Indiana Code 36-7-13-4, an Industrial Development Fund (IDF), which is a special fund used for the purposes of industrial development and expansion in or serving the City of Bloomington; and
- WHEREAS, in 1997, the Common Council also established the Bloomington Industrial Development Advisory Commission (BIDAC), which has the responsibility to make recommendations to the Common Council for expenditures from the IDF; and
- WHEREAS, in 1999, a Community Revitalization Enhancement District (“Thomson CRED”) was established pursuant to Indiana Code 36-7-13 upon the former Thomson site, in which the portion of County Option Income Tax (“COIT”) and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount is deposited by the State of Indiana (“State”) into the City’s IDF for use by the City as provided in IC 36-7-13 (the “CRED Revenues”); and
- WHEREAS, Indiana Code 36-7-13-18 provides that a developer who proposes to enter into or has entered into a financing agreement with a local government unit for development or redevelopment of a facility in a CRED district and has entered into a separate agreement with some other person for use or operation of the financed facility may receive specified payments from the IDF upon attainment of goals or benchmarks on the site, as approved by the BIDAC and Common Council; and
- WHEREAS, the Schulte Corporation (“Schulte”) has proposed renovating a building in the Indiana Enterprise Center (IEC), more particularly described in Exhibit A, attached hereto and incorporated herein by reference, having an address of 1500 S. Patterson Drive, Bloomington, Indiana (the “Property”), in which Developer intends to renovate approximately 630,000 square feet for use as a manufacturing and distribution facility, at an estimated cost of approximately \$4,243,989 (the “Project”); and

WHEREAS, the City wishes to reimburse Schulte, pursuant to IC 36-7-13-18(b), for up to \$1,000,000 of its cost of constructing the Project; and

WHEREAS, Schulte's expenditure of at least \$1,000,000 for construction and related costs of the elements of the Project listed herein shall constitute the "Benchmark" for purposes of payment by the City of up to \$1,000,000, as provided in IC 36-7-13-18(b) and herein; and

WHEREAS, elements of the Project for which expenditures may count towards the Benchmark are:

1. Construction of a new two story, 20,000 sq. ft. office inside the existing building to house administrative and manufacturing support personnel, estimated at \$1,382,495;
2. Renovation of the west side of the building to include a two story glass facade entrance along with a fenced, park-like area for employees to take breaks and lunch, estimated at \$415,808;
3. Construction of interior walls separating each manufacturing department from the others to control the climate and environment for employees and products, estimated at \$401,556;
4. Installation of air make-up units to control quality of air inside manufacturing departments, estimated at \$319,005; and
5. Construction of a new employee entrance road on the south side of the building to allow employees to enter property from new city road, estimated at \$240,663.

The improvements listed above have a total estimated cost of \$2,759,527; and

WHEREAS, after Schulte has expended \$1,000,000 or more on work listed above, the City will verify completion of said work and expenditures to its reasonable satisfaction prior to commencement of payment; and

WHEREAS, Schulte intends to fill 168 full-time positions on the Property by the end of 2005 (the "Original Employees"), and intends to add 223 additional full-time positions after completion of the Project (the "New Employees"); and

WHEREAS, for purposes of this resolution, the CRED Revenue attributable to the Original Employees shall be called the "Base Revenue" and the CRED Revenue attributable to the New Employees plus the CRED Revenue that is derived from the state gross retail and use taxes generated by Schulte's sales within the Thomson CRED district shall be called the "New CRED Revenue;" and

WHEREAS, after Schulte has attained the Benchmark, the City will commence making annual payments to Schulte of 75% of the New CRED Revenues or \$450,000 of the New CRED Revenues, whichever is less. The City intends to retain 100% of the Base Revenue, and 25% of the New CRED Revenues; and

WHEREAS, after attainment of the Benchmark, payments towards this reimbursement will be made as provided herein until either \$1,000,000 has been paid or the CRED district terminates; and

WHEREAS, Schulte has entered into separate agreements with a number of customers for products to be manufactured on the Property, including Organized Living, Do It Best Corporation, Storables USA Inc., Builders Insulation Company Inc., and Solutions for Organized Living; and

WHEREAS, Schulte and the City will enter into a financing agreement containing the terms and conditions of the benchmark payments; and

WHEREAS, the redevelopment of the IEC serves an important public purpose, and the Project is desirable for the area, in that it offers a significant investment that will enhance the tax base of the City of Bloomington and Monroe County, will create 223 new jobs, and will contribute to the economic vitality of the area;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BLOOMINGTON INDUSTRIAL DEVELOPMENT ADVISORY COMMISSION THAT:

SECTION 1. The Commission hereby recommends to the Common Council that it:

1. Establish the Benchmark as a benchmark pursuant to Indiana Code 36-7-13-18(b); and
2. Authorize payment by the City, after Schulte attains the Benchmark, of up to \$1,000,000 to Schulte, by making payments annually of 75% of the New CRED revenues as defined herein or \$450,000 of New CRED revenues, whichever is less, until either \$1,000,000 has been paid or the Thomson CRED district terminates, as partial reimbursement for Schulte's expenditures on the Project, in compliance with the provisions of IC 36-7-13-18 and subject to the City of Bloomington's receipt from the State of Indiana of New CRED revenues as provided herein, and all other conditions and provisions stated herein.

Approved this \_\_\_\_\_ day of April, 2005.

BLOOMINGTON INDUSTRIAL DEVELOPMENT ADVISORY COMMISSION

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Rhonda Hinds

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Richard Rampley

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Kirk Hobbs

---

Senator Vi Simpson

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Roger Kent

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Ron Walker

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Don Moore

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Joyce Poling

**Schulte Corporation Bloomington CRED Reimbursement Commitment \$1,000,000**

**0% payment for first 6 years until the creation of 223 new positions, then payments of 100% thereafter until \$1,000,000 in cumulative payments**

Payroll to be Created

	A	B	C	D	E	F	G	H	I	J	K	L
Proj.	State			Remaining			Cumulative	Cumulative	Payment to	City	Cumulative	Cumulative
Payroll	Withholding	EDGE	Increment	COIT	D + E	Column F	St. Withholding	Schulte	Receipt	Payment	Receipt	
1	\$384,967	\$11,895.48	\$11,895.48	\$0.00	\$3,498.58	\$3,498.58	\$3,498.58	\$11,895.48	\$0.00	3,498.58	\$0.00	\$3,498.58
2	\$1,462,864	\$45,202.50	\$45,202.50	\$0.00	\$13,294.51	\$13,294.51	\$16,793.09	\$57,097.98	\$0.00	13,294.51	\$0.00	\$16,793.09
3	\$2,275,583	\$70,315.51	\$70,315.51	\$0.00	\$20,680.50	\$20,680.50	\$37,473.59	\$127,413.49	\$0.00	20,680.50	\$0.00	\$37,473.59
4	\$3,429,875	\$105,983.14	\$105,983.14	\$0.00	\$31,170.70	\$31,170.70	\$68,644.29	\$233,396.63	\$0.00	31,170.70	\$0.00	\$68,644.29
5	\$4,865,874	\$150,355.51	\$150,355.51	\$0.00	\$44,221.06	\$44,221.06	\$112,865.35	\$383,752.14	\$0.00	44,221.06	\$0.00	\$112,865.35
6	\$6,461,817	\$199,670.15	\$199,670.15	\$0.00	\$58,724.99	\$58,724.99	\$171,590.35	\$583,422.28	\$0.00	58,724.99	\$0.00	\$171,590.35
7	\$6,658,902	\$205,760.08	\$205,760.08	\$0.00	\$60,516.11	\$60,516.11	\$232,106.45	\$789,182.37	\$60,516.11	0.00	\$60,516.11	\$171,590.35
8	\$6,861,999	\$212,035.77	\$212,035.77	\$0.00	\$62,361.85	\$62,361.85	\$294,468.30	\$1,001,218.13	\$62,361.85	0.00	\$122,877.95	\$171,590.35
9	\$7,071,290	\$218,502.86	\$218,502.86	\$0.00	\$64,263.88	\$64,263.88	\$358,732.18	\$1,219,720.99	\$64,263.88	0.00	\$187,141.83	\$171,590.35
10	\$7,286,964	\$225,167.20	\$225,167.20	\$0.00	\$66,223.93	\$66,223.93	\$424,956.11	\$1,444,888.19	\$66,223.93	0.00	\$253,365.77	\$171,590.35
11	\$7,509,217	\$232,034.79	\$0.00	\$232,034.79	\$68,243.76	\$300,278.56	\$725,234.67	\$1,676,922.98	\$300,278.56	0.00	\$553,644.32	\$171,590.35
12	\$7,738,248	\$239,111.86	\$0.00	\$239,111.86	\$70,325.20	\$309,437.05	\$1,034,671.72	\$1,916,034.84	\$309,437.05	0.00	\$863,081.37	\$171,590.35
13	\$7,974,264	\$246,404.77	\$0.00	\$246,404.77	\$72,470.11	\$318,874.88	\$1,353,546.60	\$2,162,439.61	\$136,918.63	181,956.26	\$1,000,000.00	\$353,546.60
14	\$8,217,479	\$253,920.11	\$0.00	\$253,920.11	\$74,680.45	\$328,600.57	\$1,682,147.17	\$2,416,359.72	\$0.00	328,600.57	\$1,000,000.00	\$682,147.17
15	\$8,468,113	\$261,664.68	\$0.00	\$261,664.68	\$76,958.21	\$338,622.88	\$2,020,770.05	\$2,678,024.40	\$0.00	338,622.88	\$1,000,000.00	\$1,020,770.05
	\$86,667,456	\$2,678,024	\$1,444,888	\$1,233,136	\$787,634	\$2,020,770	\$2,020,770	\$2,678,024	\$1,000,000.00	1,020,770.05	\$1,000,000.00	\$1,020,770.05

Projected payroll to be created adjusted for commuting patterns + existing employees

	A	B	C	D	E	F	G	H	I	J	K	L
Proj.	State			Remaining			Cumulative	Cumulative	Payment to	City	Cumulative	Cumulative
Payroll	Withholding	EDGE	Increment	COIT	D + E	Column F	St. Withholding	Schulte	Receipt	Payment	Receipt	
1	\$4,222,504.00	\$130,475.37	\$11,895.48	\$118,579.89	\$2,747.33	\$121,327.22	\$121,327.22	\$130,475.37	\$0.00	\$121,327.22	\$0.00	\$121,327.22
2	\$5,812,043.12	\$179,592.13	\$45,202.50	\$134,389.63	\$41,477.80	\$175,867.44	\$297,194.66	\$310,067.51	\$0.00	\$175,867.44	\$0.00	\$297,194.66
3	\$6,755,237.49	\$208,736.84	\$70,315.51	\$138,421.32	\$48,208.94	\$186,630.26	\$483,824.92	\$518,804.34	\$0.00	\$186,630.26	\$0.00	\$483,824.92
4	\$8,043,919.13	\$248,557.10	\$105,983.14	\$142,573.96	\$57,405.65	\$199,979.61	\$683,804.53	\$767,361.45	\$0.00	\$199,979.61	\$0.00	\$683,804.53
5	\$9,618,339.45	\$297,206.69	\$150,355.51	\$146,851.18	\$68,641.54	\$215,492.72	\$899,297.25	\$1,064,568.13	\$0.00	\$215,492.72	\$0.00	\$899,297.25
6	\$11,356,856.42	\$350,926.86	\$199,670.15	\$151,256.72	\$81,048.51	\$232,305.23	\$1,131,602.48	\$1,415,495.00	\$0.00	\$232,305.23	\$0.00	\$1,131,602.48
7	\$11,700,793.02	\$361,554.50	\$205,760.08	\$155,794.42	\$83,503.03	\$239,297.45	\$1,370,899.93	\$1,777,049.50	\$239,297.45	\$0.00	\$239,297.45	\$1,131,602.48
8	\$12,055,146.26	\$372,504.02	\$212,035.77	\$160,468.25	\$86,031.88	\$246,500.13	\$1,617,400.06	\$2,149,553.52	\$246,500.13	\$0.00	\$485,797.58	\$1,131,602.48
9	\$12,420,231.65	\$383,785.16	\$218,502.86	\$165,282.30	\$88,637.32	\$253,919.62	\$1,871,319.68	\$2,533,338.68	\$253,919.62	\$0.00	\$739,717.20	\$1,131,602.48
10	\$12,796,374.24	\$395,407.96	\$225,167.20	\$170,240.77	\$91,321.67	\$261,562.44	\$2,132,882.12	\$2,928,746.64	\$260,282.80	\$1,279.64	\$1,000,000.00	\$1,132,882.12
11	\$13,183,908.95	\$407,382.79	\$0.00	\$407,382.79	\$94,087.32	\$501,470.11	\$2,634,352.23	\$3,336,129.43	\$0.00	\$501,470.11	\$1,000,000.00	\$1,634,352.23
12	\$13,583,180.83	\$419,720.29	\$0.00	\$419,720.29	\$96,936.74	\$516,657.03	\$3,151,009.26	\$3,755,849.72	\$0.00	\$516,657.03	\$1,000,000.00	\$2,151,009.26
13	\$13,994,545.37	\$432,431.45	\$0.00	\$432,431.45	\$99,872.45	\$532,303.90	\$3,683,313.16	\$4,188,281.17	\$0.00	\$532,303.90	\$1,000,000.00	\$2,683,313.16
14	\$14,418,368.87	\$445,527.60	\$0.00	\$445,527.60	\$102,897.08	\$548,424.68	\$4,231,737.84	\$4,633,808.77	\$0.00	\$548,424.68	\$1,000,000.00	\$3,231,737.84
15	\$14,855,028.67	\$459,020.39	\$0.00	\$459,020.39	\$106,013.32	\$565,033.70	\$4,796,771.54	\$5,092,829.15	\$0.00	\$565,033.70	\$1,000,000.00	\$3,796,771.54
	\$164,816,477.46	\$5,092,829.15	\$1,444,888.19	\$3,647,940.97	\$1,148,830.58	\$4,796,771.54	\$4,796,771.54	\$5,092,829.15	\$1,000,000.00	\$3,796,771.54	\$1,000,000.00	\$3,796,771.54

**Existing Payroll Only**

	Existing Payroll	State Withholding	EDGE	Remaining Increment	COIT	D+E	Cumulative Column F	Cumulative St. Withholding	Payment to Schulte	City Receipt	Cumulative Payment	Cumulative Receipt
	A	B	C	D	E	F	G	H	I	J	K	L
1	\$4,222,504.00	\$130,475.37	\$0.00	\$130,475.37	\$30,134.01	\$160,609.39	\$117,828.64	\$118,579.89	\$0.00	\$160,609.39	\$0.00	\$160,609.39
2	\$4,349,179.12	\$134,389.63	\$0.00	\$134,389.63	\$31,038.03	\$165,427.67	\$280,401.57	\$252,969.53	\$0.00	\$165,427.67	\$0.00	\$326,037.06
3	\$4,479,654.49	\$138,421.32	\$0.00	\$138,421.32	\$31,969.18	\$170,390.50	\$446,351.33	\$391,390.85	\$0.00	\$170,390.50	\$0.00	\$496,427.56
4	\$4,614,044.13	\$142,573.96	\$0.00	\$142,573.96	\$32,928.25	\$175,502.21	\$615,160.24	\$533,964.82	\$0.00	\$175,502.21	\$0.00	\$671,929.77
5	\$4,752,465.45	\$146,851.18	\$0.00	\$146,851.18	\$33,916.10	\$180,767.28	\$786,431.90	\$680,816.00	\$0.00	\$180,767.28	\$0.00	\$852,697.05
6	\$4,895,039.42	\$151,256.72	\$0.00	\$151,256.72	\$34,933.58	\$186,190.30	\$960,012.14	\$832,072.72	\$0.00	\$186,190.30	\$0.00	\$1,038,887.35
7	\$5,041,890.60	\$155,794.42	\$0.00	\$155,794.42	\$35,981.59	\$191,776.01	\$1,138,793.48	\$987,867.14	\$191,776.01	\$0.00	\$191,776.01	\$1,038,887.35
8	\$5,193,147.32	\$160,468.25	\$0.00	\$160,468.25	\$37,061.04	\$197,529.29	\$1,322,931.76	\$1,148,335.39	\$197,529.29	\$0.00	\$389,305.30	\$1,038,887.35
9	\$5,348,941.74	\$165,282.30	\$0.00	\$165,282.30	\$38,172.87	\$203,455.17	\$1,512,587.50	\$1,313,617.69	\$203,455.17	\$0.00	\$592,760.46	\$1,038,887.35
10	\$5,509,409.99	\$170,240.77	\$0.00	\$170,240.77	\$39,318.05	\$209,558.82	\$1,707,926.01	\$1,483,858.46	\$209,558.82	\$0.00	\$802,319.29	\$1,038,887.35
11	\$5,674,692.29	\$175,347.99	\$0.00	\$175,347.99	\$40,497.60	\$215,845.59	\$1,909,117.56	\$1,659,206.45	\$215,845.59	\$0.00	\$1,018,164.87	\$1,038,887.35
12	\$5,844,933.06	\$180,608.43	\$0.00	\$180,608.43	\$41,712.52	\$222,320.95	\$2,116,337.54	\$1,839,814.88	-\$18,164.87	\$240,485.83	\$1,000,000.00	\$1,279,373.18
13	\$6,020,281.05	\$186,026.68	\$0.00	\$186,026.68	\$42,963.90	\$228,990.58	\$2,329,766.56	\$2,025,841.56	\$0.00	\$228,990.58	\$1,000,000.00	\$1,508,363.77
14	\$6,200,889.48	\$191,607.48	\$0.00	\$191,607.48	\$44,252.82	\$235,860.30	\$2,549,590.67	\$2,217,449.05	\$0.00	\$235,860.30	\$1,000,000.00	\$1,744,224.07
15	\$6,386,916.16	\$197,355.71	\$0.00	\$197,355.71	\$45,580.40	\$242,936.11	\$2,776,001.49	\$2,414,804.76	\$0.00	\$242,936.11	\$1,000,000.00	\$1,987,160.18
	\$78,533,988.28	\$2,426,700.24	\$0.00	\$2,414,804.76	\$361,196.73	\$2,987,160.18	\$2,776,001.49	\$2,414,804.76	\$1,000,000.00	\$1,987,160.18	\$1,000,000.00	\$1,987,160.18

Year Ending June 30	Schulte Corp. CRED Totals				
	Total CRED Revenue by Schulte	Annual Reimbursement to Schulte	Cumulative Reimbursement to Schulte	Remaining Increment generated by Schulte	Cumulative Remaining Increment
2005	163,357	2,060	2,060	161,296	161,296
2006	175,867	11,444	13,504	164,424	325,720
2007	186,630	19,516	33,020	167,115	492,835
2008	199,980	29,528	62,547	170,452	663,287
2009	215,493	41,163	103,710	174,330	837,617
2010	232,305	53,772	157,482	178,533	1,016,150
2011	239,274	58,999	216,480	180,276	1,196,426
2012	246,453	64,382	280,863	182,070	1,378,496
2013	253,846	69,928	350,791	183,919	1,562,415
2014	261,462	75,639	426,430	185,822	1,748,237
2015	500,778	255,126	681,556	245,652	1,993,889
2016	515,801	266,394	947,950	249,407	2,243,296
2017	531,275	52,050	1,000,000	479,225	2,722,521
2018	547,213	0	1,000,000	547,213	3,269,735
2019	563,630	0	1,000,000	563,630	3,833,364
	4,833,364	1,000,000		3,833,364	

**RESOLUTION 05-05**

**TO AMEND THE CITY'S COMPREHENSIVE PLAN TO INCLUDE A CRITICAL SUBAREA FOR THE AREA KNOWN AS "THE GOAT FARM"**

WHEREAS, pursuant to I.C. 36-7-4-501, the Plan Commission is responsible for preparing comprehensive plans and amendments thereto and forwarding them to the Common Council; and

WHEREAS, with the passage of Resolution 02-19 on November 6, 2002, the Common Council adopted the comprehensive plan, also known as the Growth Policies Plan, which contained provisions for the preparation of future sub-area plans; and

WHEREAS, the Goat Farm Property located south of the Winslow/ Rogers Road and High Street roundabout is a unique area which requires environmental protection and allowances for the Jackson Creek Trail; and

WHEREAS, the Plan Commission has directed the Planning Department to develop a critical sub-area for the future development of the Goat Farm Property; and

WHEREAS, the Planning Department and the Plan Commission has completed in this process, a public workshop and public hearings to develop this subarea; and

WHEREAS, the Goat Farm Subarea has been passed by the Plan Commission with a positive recommendation and forwarded to the Common Council for adoption;

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

SECTION 1. The City's Comprehensive Plan shall be amended by the addition of the Goat Farm Subarea, which is attached to and made a part of this resolution.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
ANDY RUFF, President  
Bloomington Common Council

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MARK KRUZAN, Mayor  
City of Bloomington

ATTEST:

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

**SYNOPSIS**

This resolution amends the City's Growth Policies Plan to add the Goat Farm Subarea. The purpose of this subarea will provide guidance for a portion of the Jackson Creek Trail system, environmental protections, and future residential development.

# Memo to the Common Council

**To: Members of the Common Council**

**From: Scott Robinson, Long Range/Transportation Manager**

**Subj: Goat Farm Subarea Proposal (RS-21-04)**

**Date: May 2, 2005**

**BACKGROUND:** At the Plan Commission meeting on August 9, 2004, the Commission adopted resolution RS-21-04 directing staff to commence drafting specific planning considerations to govern future development of approximately 31.5 acres located south of the High Street and Winslow/Rogers Road intersection known as the "Goat Farm". The purpose of this resolution is to amend the Growth Policies Plan (GPP) by adopting a new Critical Subarea for the Goat Farm property.

The format for the Goat Farm's Critical Subarea text and map is patterned after other subareas found in the 2002 GPP. By using this template, staff found that it was helpful, not only for participants to focus their input, but for City staff to identify data and information necessary to draft material for the Goat Farm Critical Subarea.

Since August, staff has collected pertinent land use and planning data, conducted a public workshop (October, 25<sup>th</sup>), and managed personal interviews in order to gather sufficient information to produce a draft of the Goat Farm Critical Subarea. Additionally, staff received input from the Plan Commission during meetings held on February 7 and April 11.

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**PLAN COMMISSION DISCUSSION:** Prevailing issues discussed during the Plan Commission hearing process focused on the language of the *Land Use Policies, Urban Services, and Site Design* sections of the draft Subarea. Minor issues were also identified within the Intent and Map sections of the draft. Together, this input provided the information necessary for revisions to consider in the draft amendment. A detailed explanation in response to this input is provided below.

**Land Use Compatibility and Density:** Based on the comments received at the first Plan Commission meeting, staff made revisions to clarify the purpose of several Goat Farm Subarea policies. The predominant issue with this Subarea draft focused on the appropriate type of residential development and the method used for calculating density. These concerns are based on the need for compatibility with the existing land uses that surround the Goat Farm property.

The Plan Commission first hearing draft contained language which stated densities less than 1 unit per gross acre were appropriate. It also provided guidance to allow for clustering, small lots, and condominium style design. This guidance was considered problematic by the Commission because of the confusion on how to interpret the density calculation and the uncertainty associated with the compatibility of clustered, small lot, and/or condominium style residential development with existing adjacent land

uses.

The *Land Use Policy* now contains a revised density policy, which clarifies the appropriate density needed for the Goat Farm Subarea should be consistent with existing zoning. The policy also clarifies the method used to calculate density; which essentially excludes areas located within the floodplain area for density calculations and establishes a net density methodology. Using a net density method to determine density is dissimilar from the current Zoning Ordinance's gross density technique. However, it was considered to be appropriate for a property with such floodplain constraints.

The clustering, small lot, and condominium design language under the *Site Design* section was deleted because this *Site Design* policy is more consistent with the "Conservation Residential" concept and contradicts established adjacent land use patterns. Therefore, the revised draft addresses compatibility and density issues by maintaining the established "Urban Residential" land use designation and stating a clear net density policy.

**Floodplain Delineation and Stormwater:** In response to concerns raised over the need for floodplain delineation and stormwater mitigation, staff made revisions to better clarify the policies in the first draft. At the first Plan Commission hearing, discussion revolved around the accuracy of the existing floodway boundary and how surrounding developments, over time, have potentially impacted the mapping of this regulatory boundary. Discussion and comments also stressed current stormwater drainage issues associated with this Critical Subarea.

Prior to development, the need to update the floodplain modeling for this site is clear. However, there was discussion on whether the City should specifically perform this floodplain study or whether this study should be done through a typical development-driven process. Due to the City's concerns regarding the cost of such a study and the precedent that would be set requiring a City-driven process, staff recommended that floodplain analysis be conducted by a future land developer's consultant in accordance with established procedure. After some second hearing discussion, the Plan Commission agreed with the staff's position.

For issues related to stormwater drainage, the need to address these concerns again is clear due to the flooding conditions often observed by adjacent residents. Meeting discussion and public comments identified the need to clarify the language of this *Urban Service* provision; such that stormwater drainage should accommodate both on-site and off-site water flows. Staff revised the subarea text between first and second hearings to specifically address this concern.

**Trail Location and Tree Preservation:** The location of a future multi-use trail (part of the future Jackson Creek trail system) and tree preservation issues were another topic receiving considerable attention at the first Plan Commission hearing. Basic concerns were raised regarding the potential tree loss associated with future multi-use trail installation and the need to provide additional connector paths to future residential development. Discussion focused on the need to preserve the existing trees and vegetation along the western edge of the creek (e.g. riparian buffer), as well as the need to provide trail access for future residential development.

Staff strengthened the existing language regarding the need to avoid tree loss and protect the riparian buffer by adding an additional sentence to this *Site Design* policy. This language recognizes the need for adequate land dedication to fulfill both the intent of riparian buffer preservation, as well as the multi-use trail installation. The corresponding map also illustrates these revisions, which includes the addition of a “Preserve Riparian Buffer” feature.

**Map Clarification:** Several map edits were incorporated to be consistent with the present revisions. These edits include: changing Conservation Residential to Urban Residential; changing the preservation buffer along the creek to a Preserve Riparian Buffer in order to emphasize the significance of the riparian buffer; illustrating a connector path and the appropriate relationship between the trail location and the riparian buffer; and change the reference to the Environmentally Sensitive Area to a “Floodplain Study Area” to better convey the ambiguity associated with the western edge of the mapped floodplain boundary.

**Other Text Clarification:** Several comments received by staff are related to minor text clarification or edits. Staff incorporated the following revisions, listed below, based upon the recommendations from the Environmental Commission and the Plan Commission.

- Change the word “floodway” to “floodplain” throughout the draft in order to capture all sensitive areas prone to flooding or that exhibit wetland qualities.
- Remove language associated with “view sheds” because of the difficult nature to define the concept within the context of the Subarea.
- Replace the term “vacant land” with “greenspace” to better describe the intrinsic qualitative attributes of this area.
- Remove “passive and interpretive educational activities” because of the difficulty to define this type of use.
- Remove language regarding noise pollution because it is difficult, if not impossible, to regulate; however, the Subarea does acknowledge the need to buffer uses.
- Clarify the limitation on access to indicate that this restriction is relevant for the northern portions of the site only and not for the entire Subarea.

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**RECOMMENDATION:** After two hearings of discussion on February 7 and April 11, the Plan Commission is forwarding Case# RS-21-04 with an 8:0 positive recommendation to the Common Council. This recommendation was contingent upon one amendment. The amendment text, which has been incorporated into the Subarea text, states, “Land dedication for the multi-use trail should be sufficient to prevent degradation of the function of the riparian buffer.”



## PART 3: Critical Subareas

### Goat Farm Subarea

#### Intent

This site is located south of Winslow Road, bordered on the west by the Bentley Court and Sherwood Oaks subdivisions, and on the east by Jackson Creek and The Stands subdivision. This is a unique parcel of greenspace, which is characterized by several important traits including: environmentally sensitive areas, rural-like qualities in an urban context, and opportunities for innovative public and private development. The Subarea should foster environmental preservation, ensure neighborhood compatibility and showcase high-quality residential development, without compromising the sensitive and unique traits of this site.

#### Land Use Policies

- *The use of conservation easements and public land dedication is strongly recommended to protect existing wildlife habitats and environmentally sensitive features such as the Jackson Creek floodplain and its associated riparian buffer areas.*
- *The central location of the Subarea and its close proximity to Childs Elementary, Jackson Creek Middle School, Sherwood Oaks Park and Olcott Park, make this site an important linkage between nearby public facilities. As a result, public access and use are anticipated for floodplain portions of this site.*
- *Urban Residential densities consistent with existing zoning are appropriate for the non-floodplain portions of the Subarea. Density calculations should be based on areas located exclusively outside the Floodplain Study Area.*

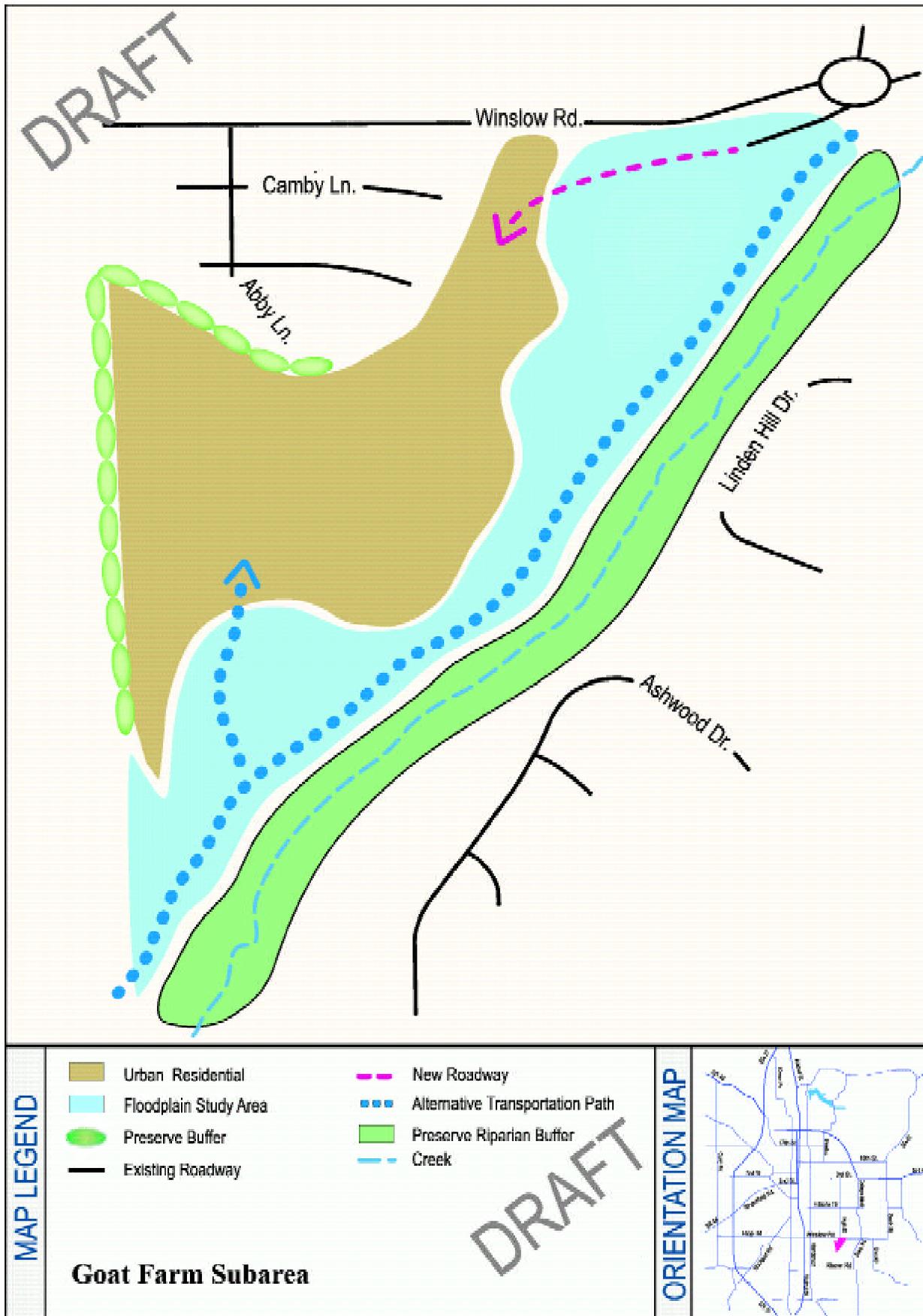
#### Urban Services

- *Land dedication along Jackson Creek is strongly recommended to enable future construction of a multi-use trail facility. This site provides a pedestrian and bicyclist linkage between surrounding neighborhoods, schools and parks as outlined in the Jackson Creek Trail Master Plan. The Jackson Creek Trail corridor is an integral part of the Alternative Transportation and Greenways System Plan and as such, this connection through the Goat Farm Subarea is critical.*
- *Additional connector paths to the multi-use trail and Sherwood Oaks Park from any future residential uses should be considered in the development approval process.*
- *Stormwater drainage issues are a significant concern given the present flooding conditions along Jackson Creek. Development of this Subarea should incorporate stringent stormwater requirements and water quality standards to accommodate on-site and off-site water flows from the north and west.*

#### Site Design

- *Installation of the multi-use trail and connector paths should avoid tree loss. Disturbance to the riparian buffer and environmentally sensitive areas adjacent to Jackson Creek should also be avoided. Land dedication for the multiuse trail should be sufficient to prevent degradation of the function of the riparian buffer.*
- *Prior to development activity, floodplain modeling should be performed by a qualified environmental consultant to ensure that the site plan adequately protects the Jackson Creek floodplain area.*
- *Access to the Goat Farm Subarea from the north should be limited to the existing street access at the High Street and Rogers/ Winslow Road roundabout.*
- *Extensive landscaping buffers shall be utilized to minimize potential impacts between existing and proposed residential uses.*

DRAFT



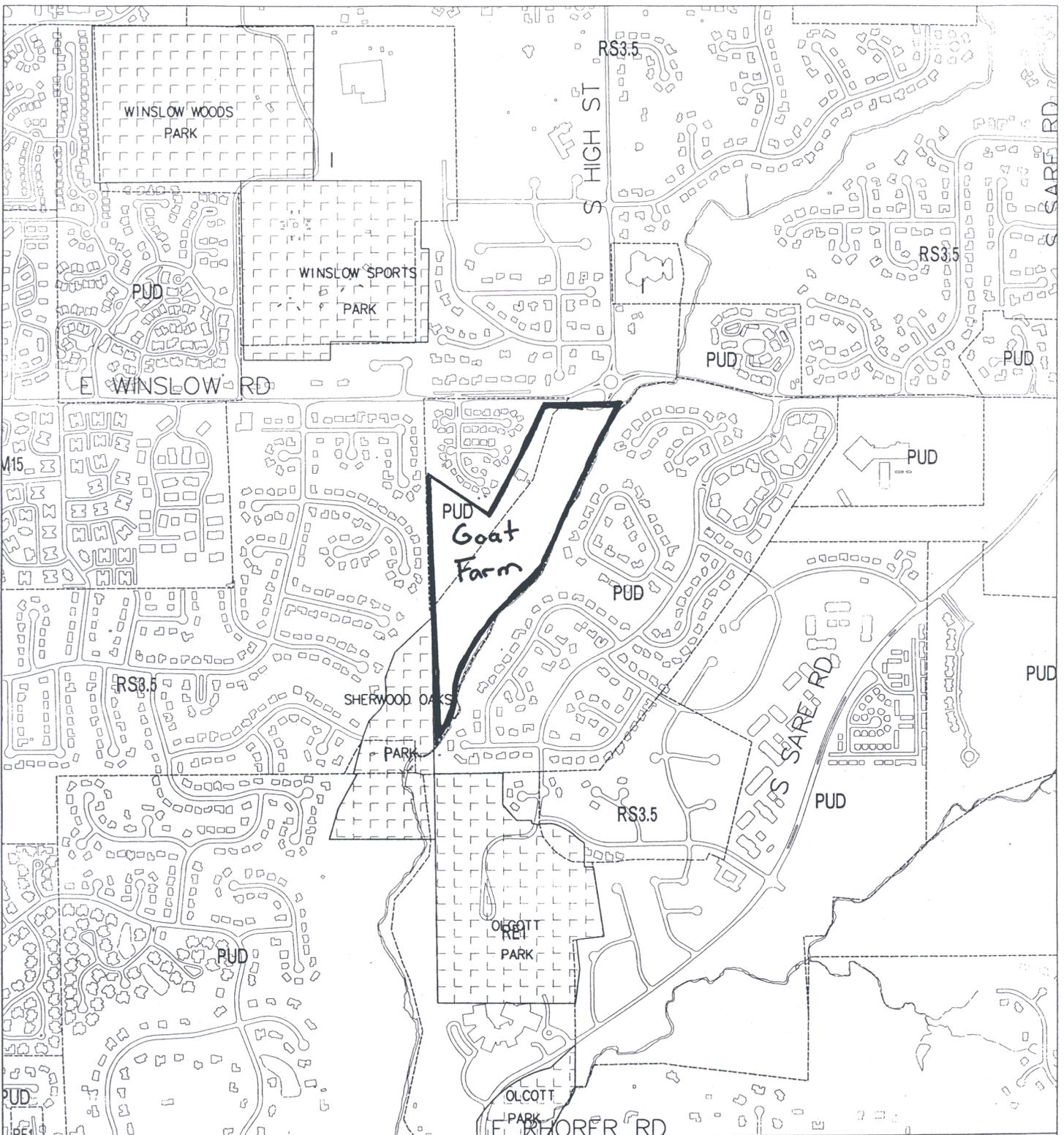


Exhibit B

MP-04-05

By: robinsos

5 Apr 05



For reference only; map information NOT warranted.

City of Bloomington

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Scale: 1" = 1000'

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**PETITIONER:** City of Bloomington  
401 N. Morton Street, Suite 160

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**REQUEST:** Amendment to the Growth Policies Plan (GPP) to designate the "Goat Farm" property as a Critical Subarea.

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**REPORT SUMMARY:** In response to Plan Commission RS-21-04, staff drafted material to be considered for a Critical Subarea amendment to the GPP. The intent of this amendment is to govern future development of the approximately 31.5 acre property, known as the "Goat Farm", located immediately south of the High Street and Winslow/Rogers Road intersection. The format used for the Goat Farm Subarea draft is consistent with the formats of other Critical Subareas within the GPP. The draft of the Goat Farm Subarea was heard at the first Plan Commission meeting in February in order to provide an overview of the process used to draft the amendment and to gain additional insight on revisions to consider.

Prevailing issues discussed at the first hearing focused on the language of the Land Use Policies, Urban Services, and Site Design sections of the draft Subarea. Minor issues were also identified in the Intent and Map sections of the draft. Together, this input provided the information necessary for revisions to consider in the draft amendment. A detailed explanation in response to this input is provided below.

Included in this staff report is a revised Goat Farm Subarea amendment (Exhibit A). Revisions are noted by either strikethrough text (e.g. ~~strikethrough~~) for deleted material, or underlined text (e.g. underlined) for new material. Specific map revisions are not indicated on the exhibit, however are noted in the discussion below. A reference base map (Exhibit B) is also provided to illustrate various features surrounding the proposed subarea.

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**FIRST HEARING ISSUES:**

**Land Use Compatibility and Density:** Based on the comments received at the first Plan Commission meeting, staff has made revisions to clarify the purpose of several Goat Farm Subarea policies. The predominant issue with this Subarea draft focused on the appropriate type of residential development and the method used for calculating density. These concerns are based on the need for compatibility with the existing land uses that surround the Goat Farm property.

The previous draft contained language which stated densities less than 1 unit per gross acre were appropriate. It also provided guidance to allow for clustering, small lots, and condominium style design. This guidance was problematic because of the confusion on how to interpret the density calculation and the uncertainty associated with the compatibility of clustered, small lot, and/or condominium style residential development with existing adjacent land uses.

The Land Use Policy now contains a revised density policy, which clarifies the appropriate density needed for the Goat Farm Subarea to be consistent with existing zoning. The policy also clarifies the method used to calculate density; which essentially excludes areas located within the floodplain area for density calculations and establishes a net density methodology. The clustering, small lot, and condominium design language under the Site Design section was deleted because this Site Design policy is more consistent with the Conservation Residential concept and contradicts established adjacent land use patterns. Therefore, the revised draft addresses compatibility and density issues by maintaining the established Urban Residential land use designation and stating a clear density policy.

**Floodplain Delineation and Stormwater:** In response to concerns raised over the need for floodplain delineation and stormwater mitigation, staff made revisions to better clarify the polices in the first draft. At the previous hearing, discussion revolved around the accuracy of the existing floodway boundary and how surrounding developments, over time, have potentially impacted the mapping of this regulatory boundary. Discussion and comments also stressed current stormwater drainage issues associated with this Critical Subarea proposal.

Prior to development, the need to update the floodplain modeling for this site is clear. Comments regarding the extent of the modeling and who should conduct the modeling are divergent. These issues are difficult to address because the scope of guidance provided within the Subarea policy are somewhat limited by the geographical boundaries of the Goat Farm and the generalized nature of established Critical Subarea policy. Nevertheless, floodplain modeling revisions have been incorporated to clarify the need for an impartial qualified specialist to conduct floodplain modeling prior to development.

For issues related to stormwater drainage, the need to address these concerns again is clear due to the flooding conditions often observed by adjacent residents. Meeting discussion and public comments identified the need to clarify the language of this Urban Service provision; such that stormwater drainage should accommodate both on-site and off-site water flows. Staff has incorporated a revision to specifically address this concern.

**Trail Location and Tree Preservation:** The location of the multi-use trail and tree preservation issues were another topic receiving considerable attention at the first hearing. Basic concerns were raised regarding the potential tree loss associated with future multi-use trail installation and the need to provide additional connector paths to future residential development. Discussion focused on the need to preserve the existing trees and vegetation along the western edge of the creek (e.g. riparian buffer), as well as the need to provide trail access for future residential development.

Staff strengthened the existing language regarding the need to avoid tree loss and protect the riparian buffer by adding an additional sentence to this Site Design policy. This language recognizes the need for adequate land dedication to fulfill both the intent of riparian buffer preservation, as well as the multi-use trail installation. The corresponding map also illustrates these revisions, which includes the addition of a Preserve Riparian Buffer feature.

**Map Clarification:** Several map edits were incorporated to be consistent with the present revisions. These edits include: changing Conservation Residential to Urban Residential; changing the preservation buffer along the creek to a "Preserve Riparian Buffer" in order to emphasize the significance of the riparian buffer; illustrating a connector path and the appropriate relationship between the trail location and the riparian buffer; and change the reference to the Environmentally Sensitive Area to a "Floodplain Study Area" to better convey the ambiguity associated with the western edge of the mapped floodplain boundary. Please refer to Exhibit A to reference these map revisions.

**Other Text Clarification:** Several comments received by staff are related to minor text clarification or edits. Staff incorporated the following revisions, listed below, based upon the recommendations from the Environmental Commission and the Plan Commission.

- Change the word "floodway" to "floodplain" throughout the draft in order to capture all sensitive areas prone to flooding or that exhibit wetland qualities.
- Remove language associated with "view sheds" because of the difficult nature to define the concept within the context of the Subarea.
- Replace the term "vacant land" with "greenspace" to better describe the intrinsic qualitative attributes of this area.
- Remove "passive and interpretive educational activities" because of the difficulty to define this type of use.
- Remove language regarding noise pollution because it is difficult, if not impossible, to regulate; however, should acknowledge the need to buffer uses.
- Clarify the limitation on access to indicate that this restriction is relevant for the northern portions of the site only and not for the entire Subarea.

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**RECOMMENDATION:** Staff recommends forwarding MP-04-05 to the Common Council with a positive recommendation for adoption as a Critical Subarea amendment to the GPP.



### Goat Farm Subarea

#### Intent

This site is located south of Winslow Road, bordered on the west by the Bentley Court and Sherwood Oaks subdivisions, and on the east by Jackson Creek and The Stands subdivision. This is a unique parcel of vacant land greenspace, which is characterized by several important traits including: environmentally sensitive areas, rural-like qualities in an urban context, and opportunities for innovative public and private development. The Subarea should foster environmental preservation, ensure neighborhood compatibility and showcase high-quality residential development, without compromising the sensitive and unique traits of this site.

#### Land Use Policies

- The use of conservation easements and public land dedication is strongly recommended to protect existing wildlife habitats scenic view sheds, and environmentally sensitive features such as the Jackson Creek floodway floodplain and its associated riparian buffer areas.
- The central location of the Subarea and its close proximity to Childs Elementary, Jackson Creek Middle School, Sherwood Oaks Park and Olcott Park, make this site an important linkage between nearby public facilities. As a result, public access and use are anticipated for floodway floodplain portions of this site. Passive and interpretative educational activities are also encouraged for these portions.
- Reduced residential densities at no greater than 1 unit per gross acre for the entire Subarea are appropriate. Urban Residential densities consistent with existing zoning are appropriate for the non-floodplain portions of the Subarea. Density calculations should be based on areas located exclusively outside the Floodplain Study Area.

#### Urban Services

- Land dedication along Jackson Creek is strongly recommended to enable future construction of a multi-use trail facility. This site provides a critical pedestrian and bicyclist linkage between surrounding neighborhoods, schools and parks as outlined in the Jackson Creek Trail Master Plan. The Jackson Creek Trail corridor is an integral part of the Alternative Transportation and Greenways System Plan and as such, this connection through the Goat Farm Subarea is critical.
- Additional connector paths to the multi-use trail and Sherwood Oaks Park from any future residential uses and Sherwood Oaks Park should be considered in the development approval process.

- Stormwater drainage issues are a significant concern given the present flooding conditions along Jackson Creek. Development of this Subarea should incorporate stringent stormwater requirements and water quality standards to accommodate on-site and off-site water flows from the north and west.

#### Site Design

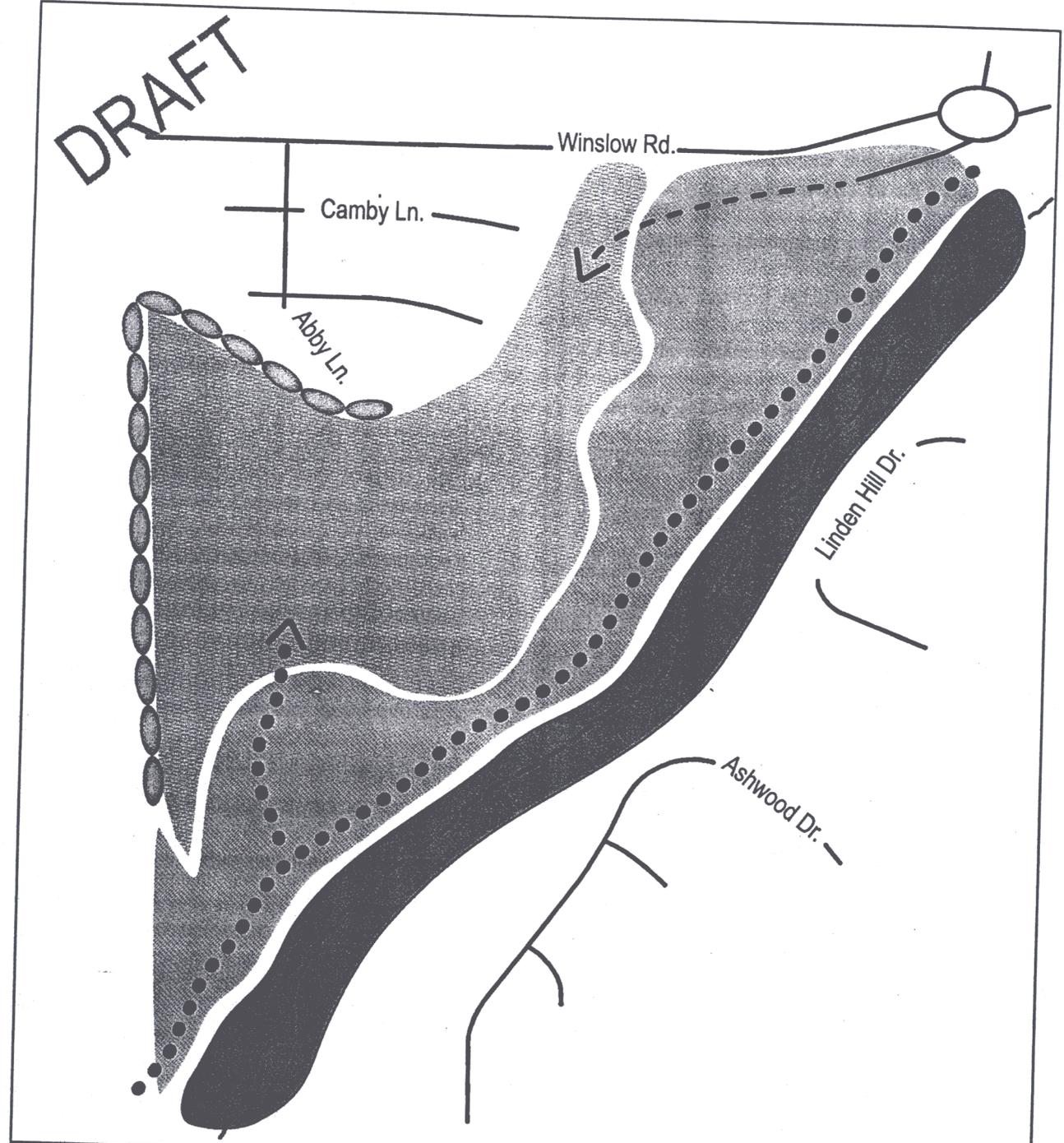
- A goal for this Subarea is to utilize innovative residential design to minimize site disturbance and protect the environmental, scenic and cultural value of this site. Site design should take into account and reflect the sensitive nature of the Subarea. Such techniques as clustering, small lots sizes and condominium style designs may be considered in order to minimize the development footprint.
- Residential site design should maintain the existing rural viewshed from the High St./Rogers/Winslow Rd. roundabout.
- Installation of the multi-use trail and connector paths should avoid tree loss. Disturbance to the riparian buffer and environmentally sensitive areas adjacent to Jackson Creek should also be avoided. Land dedication should be sufficient to prevent conflicts between the multi-use trail installation and riparian buffer preservation.
- Prior to development activity, floodway floodplain modeling should be performed by the developer a qualified environmental consultant to ensure that the site plan adequately protects the Jackson Creek floodway floodplain area.
- Access to the Goat Farm Subarea from the north should be limited to the existing street access at the High Street and Rogers/ Winslow Road roundabout.
- Extensive landscaping buffers shall be utilized to minimize potential noise pollution due to the natural amphitheater effects of this site impacts between existing and proposed residential uses.

DRAFT

Exhibit A

4

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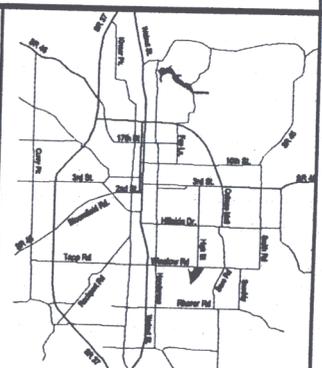
MAP LEGEND

-  Urban Residential
-  Floodplain Study Area
-  Preserve Buffer
-  Existing Roadway
-  New Roadway
-  Alternative Transportation Path
-  Preserve Riparian Buffer
-  Creek

Goat Farm Subarea

DRAFT

ORIENTATION MAP



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