

City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 31 March 2021 Land Use Committee at 6:30 pm

*Please see the notes on the <u>Agenda</u> addressing public meetings during the public health emergency. For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's <u>Calendar</u>.

401 N. Morton Street
PO Box 100
Bloomington, IN 47404



Per Executive Orders issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link: https://bloomington.zoom.us/j/92693167727?pwd=QTZXVk4wa1l4TDlrcWNzNGRkdCtuUT09

Chair: Isabel Piedmont-Smith

A. <u>Ordinance 21-07</u> – To Amend the City of Bloomington Zoning Maps by Amending the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD. Re: 300 W. Hillside Drive (Tom Brennan, Petitioner)

Asked to attend:

Eric Greulich, Senior Zoning Planner Petitioner

STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

As a result of Executive Orders issued by Indiana Governor Eric Holcomb, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:

- allowing members of the Council or its committees to participate in meetings electronically;
- posting notices and agendas for meetings solely by electronic means;
- using electronic meeting platforms to allow for remote public attendance and participation (when possible);
- encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to council@bloomington.in.gov).

Please check <u>https://bloomington.in.gov/council</u> for the most up-to-date information on how the public can access Council meetings during the public health emergency.



City of Bloomington Office of the Common Council

NOTICE

Wednesday, 31 March 2021

Land Use Committee at 6:30 pm

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Please check <u>https://bloomington.in.gov/council</u> for the most up-to-date information

As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

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401 N. Morton Street	City Hall	(ph.) 812.349.3409
Suite 110	www.bloomington.in.gov/council	(f:) 812.349.3570
Bloomington, IN 47404	council@bloomington.in.gov	
	003	

Postody Friday 26 March 2021



MEMO FROM COUNCIL OFFICE ON:

<u>Ordinance 21-07</u> – To Amend the City of Bloomington Zoning Maps by Amending the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD – Re: 300 W. Hillside Drive (Tom Brennan, Petitioner)

Synopsis

<u>Ordinance 21-07</u> amends the District Ordinance and Preliminary Plan for Parcel E of the Thompson PUD to allow for the construction of 19 townhomes and 104 multifamily residences.

Relevant Materials

- Ordinance 21-07
- Certification of Ord 21-07 by Plan Commission
- Staff Memo from Eric Greulich
- Environmental Commission Memo
- Maps

- Thomson PUD Narrative
- Illustrative Site Plan Context
- Renderings
- District Ordinance and Preliminary Plan
- Fiscal Impact statement

Certified by Plan Commission

<u>Ord 21-07</u> was certified to the Council by the Plan Commission on January 20, 2021 with a favorable recommendation (7-1) with the following conditions of approval:

- 1. The proposed buildings in the Final Plan must be consistent with the currently submitted elevations including orientation, modulation, and materials. The west elevations of all buildings must be similar to the design of the east elevations as presented.
- 2. The District Ordinance shall be amended prior to Council to allow a maximum 80% impervious surface coverage and minimum 20% landscape area for the Lot with Building #7 and the maximum height of that building shall be limited to 4 stories or 50'.
- 3. Per the petitioner statement, the townhome buildings must be designed to LEED standards and the commercial buildings must be LEED Silver certified.
- 4. A minimum of 6' wide concrete sidewalk and 5' wide tree plot are required along the south side of Hillside Drive adjacent to Building #7.
- 5. The District Ordinance shall be amended to require two design elements for the Pedestrian Entrances as required in the UDO.



Summary

The Council's review of a PUD proposal is guided by state statute. Council has wide discretion but must have a rational basis for its decision. Within ninety (90) days after such a proposal is certified to the Council by the Plan Commission, the Council may adopt or reject the proposal and may also exercise powers set forth under Indiana Code 36-7-4-1500 et seq. Those powers include:

- Imposing reasonable conditions;
- Conditioning the issuance of a certificate of zoning compliance on bond or certain guarantees; and
- Allowing or requiring the owner of real property to make written commitments.

If the Council fails to act on the proposal within 90 days after certification, the ordinance would take effect as if it had been adopted as certified by the Plan Commission.¹

In consideration of <u>Ordinance 21-07</u>, Indiana Code directs that Council shall pay reasonable regard to the following²:

- the <u>comprehensive plan;</u>
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; and
- responsible development and growth.

It is not necessary that Council find absolute conformity with each of the factors outlined above. Rather, Council is to take into consideration the entire constellation of criteria, balancing the statutory factors.

Further, the BMC calls for the Council to consider the following criteria relevant to a PUD proposal³:

- Is consistent with the purpose of the UDO and the Planned Unit Development District; and
- The petitioner has demonstrated that the proposed rezoning is compatible with surrounding development or can be made compatible with surrounding development through commitments or conditions; and
- Any portion of the PUD zoning district to be occupied by multifamily, mixed-use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by this UDO if the project were not being developed in a PUD zoning district; and

¹ IC 36-7-4-608

² IC 36-7-4-603

³ BMC 20.06.070

- Each multifamily, mixed-use, or nonresidential principal structure in the PUD zoning district shall provide a greater level of design quality than would be required by this UDO if the project were not being developed in a PUD zoning district; and
- At least one of the following criteria are met:
 - The proposed PUD zoning district will include construction of a substantial open space, recreational, entertainment, or cultural amenity that will be open to and usable by the general public, and that would not otherwise be required by this UDO. Reconfiguration of open space required by this UDO does not satisfy these criteria;
 - The proposed PUD zoning district will protect a significant ecological, natural, historical, architectural, or archeological resource that was not already protected from development by this UDO or by state or federal law. Avoidance of designated floodplains or wetland areas, or the provision of additional buffers around such areas, does not satisfy these criteria; or
 - The proposed PUD zoning district provides affordable housing beyond the amounts that the petitioner would have been required to provide in order to earn a Tier 1 or Tier 2 affordable housing incentive under Section 20,04.110(c)(5) by either:
 - Income-restricting at least 10 percent more of the dwelling units at or below the income levels required to earn a Tier 1 or Tier 2 incentive, or
 - Income restricting the same number of dwelling units required to earn a Tier 1 or Tier 2 affordable housing incentive, but limiting incomes to at least 10 percent lower AMI level than would have been required to earn a Tier 1 or Tier 2 incentive 20.04.110(c)(5)

The findings of the Plan Commission are outlined in the staff memo from Eric Greulich.

Finally, the BMC also provides that permitted uses in a PUD are subject to the discretion and approval of the Plan Commission and the Council. Permitted uses are determined in consideration of the Comprehensive Plan, existing zoning, land uses contiguous to the area being rezoned, and the development standards outlined in the UDO. If the terms of the PUD approved by the Common Council do not clearly address the availability of specific uses in all or part of the development, then the uses and use-specific standards that would otherwise be applicable to development of the same character and scale if it were zoned into one of the base zoning districts in BMC 20.02.020 through 20.02.040 as determined by the Planning and Transportation Director, shall apply. ⁴

⁴ BMC 20.02.050



What Happens Next

Council's role ends with the adoption or rejection of the zoning ordinance. There is no obligation to develop a property after the adoption of a zoning ordinance but if a developer choses to do so, the zoning ordinance provides the framework for how the property can be developed. In the event Council adopts <u>Ordinance 21-07</u>, the next step would be for a developer to present a site plan to the Plan Commission for approval. Once a site plan is submitted, the Plan Commission reviews the plan to ensure that it meets with the provisions of the zoning ordinance including any reasonable conditions and commitments. There is no time constraint for the submission of a site plan, but once approved, a site plan is valid for a defined period of time.

Contact

Eric Greulich, Senior Zoning Planner, greulice@bloomington.in.gov, (812) 349-3526

ORDINANCE 21-07

TO AMEND THE CITY OF BLOOMINGTON ZONING MAPS BY AMENDING THE DISTRICT ORDINANCE AND PRELIMINARY PLAN FOR PARCEL E OF THE THOMSON PUD - Re: 300 W. Hillside Drive (Tom Brennan, Petitioner)

- WHEREAS, Ordinance 20-06, repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, "Unified Development Ordinance"; and
- WHEREAS, the Plan Commission has considered this case, PUD-17-20, and recommended that the petitioner, Tom Brennan, be granted an approval to amend the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD to allow for the construction of 19 townhomes and 104 multifamily residences; and;
- WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.06 of the Bloomington Municipal Code, the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD shall be amended. The property is further described as follows:

A part of the Southeast Quarter of Section 5 Township 8 North Range 1 West and Part of Lot 53 of Dodds Addition to the City of Bloomington, all of which is situated in Monroe County, IN and being more particularly described as follows:

Commencing at the northwest comer of Lot 53 of Dodds Addition to the City of Bloomington being marked by a 5/8 inch diameter rebar; thence SOUTH 01 degrees 52 minutes 17 seconds EAST along the west line of said Lot 53, (Basis of Bearings per ALTA-ASCM Survey dated December 30th, 1998 by Bledsoe Tapp & Riggert, Inc., Job #2429), a distance of 372.39 feet to the Point of Beginning of this description being marked by a 5/8 inch rebar with vellow plastic cap stamped "BRG PC50920004", (BRG rebar); thence continuing SOUTH 01 degrees 52 minutes 17 seconds EAST along the west line of said Lot 53 a distance of 617.56 feet to a¹/₂ inch rebar marking the southwest comer of said Lot 53 being on the north right of way of Hillside Drive; thence leaving said west line and along said north right of way NORTH 89 degrees 40 minutes 30 seconds EAST a distance of 168.01 feet to a BRG rebar; thence leaving said north right-of-way NORTH 02 degrees 05 minutes 50 seconds WEST a distance of 124.23 feet to a point inside an existing concrete block building as-built; thence SOUTH 90 degrees 00 minutes 00 seconds EAST a distance of 40.00 feet to the east line of said Lot 53; thence NORTH 87 degrees 54 minutes 10 seconds EAST a distance of 2.00 feet to a BRG rebar; thence NORTH 02 degrees 05 minutes 50 seconds WEST parallel to the east line of said Lot 53 a distance of 499.26 feet to a BRG rebar; thence SOUTH 88 degrees 06 minutes 51 seconds WEST through said Lot 53 being 1.0 feet north of the north face of existing steel columns as-built inside a concrete block building a distance of 207.45 feet to the Point of Beginning, containing 2.85 acres, more or less. Subject to any and all easements, agreements, and restrictions of record.

ALSO

Tract 2:

Lot Number 1 in the Libey Subdivision, as shown by the recorded plat thereof, recorded in Plat Cabinet C, Envelope 245, in the office of the Recorder of Monroe County, Indiana.

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

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to

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

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ______ day of ______, 2021.

JIM SIMS, President Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this ______ day of ______, 2021.

NICOLE BOLDEN, Clerk City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor City of Bloomington

SYNOPSIS

<u>Ordinance 21-07</u> would amend the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD to allow for the construction of 19 townhomes and 104 multifamily residences.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 21-07 is a true and complete copy of Plan Commission Case Number PUD-17-20 which was given a recommendation of approval by a vote of 7 Ayes, $\underline{1}$ Nays, and $\underline{0}$ Abstentions by the Bloomington City Plan Commission at a public hearing held on January 11, 2021.

Date: January 20, 2021

lui Scott Robinson, Secretary

Plan Commission

Received by the Common Council O	ffice this	20th	day of	January	, 2021.
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Nicole Bolden, City Clerk					
				3	
Appropriation Ordinance #	Fiscal Impact Statement Ordinance #	i .		Resolution #	

Type of Legislation:

- Appropriation Budget Transfer Salary Change Zoning Change New Fees
- End of Program New Program Bonding Investments Annexation

Penal Ordinance Grant Approval Administrative Change Short-Term Borrowing Other

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure Unforseen Need		Emergency Other	
Funds Affected by Request:			
Fund(s) Affected Fund Balance as of January 1 Revenue to Date Revenue Expected for Rest of year Appropriations to Date Unappropriated Balance Effect of Proposed Legislation (+/-)	\$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$	
Projected Balance	\$	\$	
	Signature of Contro	roller	

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

Yes

No

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

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

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Interdepartmental Memo

To:Members of the Common CouncilFrom:Eric Greulich, Senior Zoning PlannerSubject:PUD-17-20Date:January 19, 2021

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case PUD-17-20. The Plan Commission heard this petition at the January 11, 2021 hearing and voted 7-1 to send this petition to the Common Council with a favorable recommendation. The Plan Commission report is attached.

REQUEST: The petitioner is requesting an amendment to the preliminary plan and district ordinance for the Thomson PUD to allow 19 townhomes and 104 multi-family residences on Parcel E.

BACKGROUND:	
Area:	3.7 acres
Current Zoning:	Planned Unit Development
Comp Plan Designation:	Urban Corridor and Switchyard North Focus Area
Existing Land Use:	Office and Warehouse
Proposed Land Use:	Mixed Use
Surrounding Uses:	North – Warehouse (Storage Express)
	West – Single family residences (McDoel Neighborhood)
	East – Switchyard Park
	South – Crosley Warehouse (community center)

REPORT: The site is located at 300 E. Hillside Drive and is zoned Planned Unit Development (Thomson PUD). The petition site is at the east end of the Hillside Drive stub and includes a 2.85 acre property on the north side of Hillside Drive and a 0.85 acre property on the south side of Hillside Drive. Surrounding zoning includes the Thomson PUD to the north and south, Residential Small Lot (R3) to the west, and Mixed Use Institutional (MI) to the east. The surrounding properties have been developed with a mix of single family residences to the west, a storage warehouse to the north, Crosley Warehouse (community center) to the south, and the Switchyard Park to the east. This site has been developed with a 150,000 square foot warehouse that has a property line about 2/3 through the warehouse and a surface parking lot. The northern 1/3 of the warehouse, which is owned separately and contains Storage Express, is not part of this petition.

The petitioner is proposing to remove the southern 2/3 of the warehouse and redevelop the property north of Hillside Drive with several buildings, including a four-story, mixed-use building with 5,000 square feet of commercial space, 18 internal parking spaces, and 30 units; a five-story, mixed-use building with 2,000 square feet of commercial space, 16 internal parking spaces, and 32 units; and 4, three-story owner-occupied townhome buildings with a total of 19 units. A surface parking lot behind the units with 60 parking spaces would span all of the development north of Hillside Drive to be used by the residents. The property to the south of Hillside Drive would feature a five-story, multi-family building with 42 units and 90 internal parking spaces. The bottom two floors of the building south of Hillside Drive would be entirely parking. A 5' wide tree plot and 5' wide sidewalk from this site to Rogers Street has been shown along the north side of Hillside Drive. No sidewalk or tree plot on the south side of Rogers Street has been shown yet. The

petitioner has committed that the mixed-use and multi-family buildings will be LEED silver certified. The townhome buildings will also be built to a comparable requirement. Each building will have a minimum of 15% of the units set aside for affordable housing as required by the UDO.

One of the main continuing areas for discussion with this petition has been the desired housing type, density, and building design along the Switchyard Park. Last year, at the request of the Administration, a conceptual design for the redevelopment of two large areas adjacent to Switchyard Park was envisioned by the design consultant of Switchyard Park. One of the two areas in the study was this location. The other location in that study is the area where Night Moves was located and Meineke currently exists on S. Walnut Street. The desire of the Administration was to explore redevelopment opportunities of these important properties. The study aimed to provide a guide for appropriate development that would place as many eyes as possible on the trail for security, provide optimal utilization of a public open space and park, add housing stock to the community, and provide high quality development along a major open space and trail system reflective of the City's substantial investment in the Park. The Consultant's design showed four story buildings along the entire frontage of the park with the 4th floors stepped back. The design also showed buildings directly facing the trail. A commercial component along the ground floor of the buildings is also desired to provide services to the residents, neighborhood, and trail users. The plan scaled back to two stories closer to the neighborhood to the west with a parking area along the back for further separation from the neighborhood. Although that study and conceptual design was an internal request and not a publicly approved document, it showed a design that complimented the Switchyard Park and its purpose was to envision a development that placed an appropriate design and density along the Park.

The petitioner's redesigned site plan more closely matches that document and desire to place more units along the Switchyard Park. The location of this property directly on the Switchyard Park creates an important need for architecture and interaction along the facades facing the Park and the Department felt that possible additional improvements can be made to the townhome buildings to improve the look of them along the Park façade, and those were addressed since last month.

COMPREHENSIVE PLAN: This property is designated as *Urban Corridor* and within the *Switchyard North Focus Area*. The Comprehensive Plan identifies several characteristics and provides land use guidance for this area.

Additional guidance specifically includes-

- The City is making a long-term investment in the Switchyard Park, and redevelopment efforts along the Park must focus on capitalizing on both the direct and indirect benefits of that commitment. These interests must serve multiple needs related to entrepreneurship, employment, single family and multifamily housing, and green building.
- Increases in residential density around the Switchyard Park are strongly supported for both market rate and sustainably affordable units.
- Secondarily, locations should also utilize the underlying Land Use District designations within this chapter and apply the Transform theme for approvals.
- Optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods and other 20-minute walking destinations.
- Ensure that appropriate linkages to neighborhood destinations are provided.

One of the predominant themes throughout the Comprehensive Plan is the need to add housing

stock to meet the community's housing needs. Especially housing for families and young professionals. The Comprehensive Plan is clear that areas adjacent to Switchyard Park should be planned with increased residential densities, for the benefit of a wide array of residents, not a select few.

PRELIMINARY PLAN:

Uses/Development Standards: The proposed District Ordinance outlines specific standards for each parcel as well as a list of permitted uses. Neither the site plan nor a subdivision are being approved at this time, only the standards that will govern those later approvals.

The Plan Commission and the Department had two concerns regarding the proposed standards for the building south of Hillside Drive that have been addressed in the District Ordinance. First, the District Ordinance proposed a 100% maximum impervious surface coverage allowance for the property. The Plan Commission required that this be adjusted to a maximum 80% and a minimum 20% landscape area, which matches the standards proposed for the other two commercial lots. Second, the petitioner was proposing to allow a 5-story building. The Plan Commission was concerned about the height of this building since it is closer to the neighborhood then the two other buildings of similar height located on the other parcels to the north. This building is only three floors of dwelling units and the bottom two floors are strictly parking. The Plan Commission required that a minimum 15' stepback was required along the west side of the building. The overall building is allowed to then be 5 stories or 65' tall.

Parking, Streetscape, and Access: The petitioner is showing a 24' wide parking aisle running through the site with perpendicular parking spaces on either side. The parking aisle connects to Hillside Drive and stubs to the north property line for future extension once the adjacent property to the north redevelops. A roundabout is shown interior to the parking area to meet Fire Department needs. There is a 5' wide sidewalk and 5' wide tree plot proposed along the north side of Hillside Drive that would connect from Rogers Street to the Park, although this is an off-site improvement, this is essential to connecting this development to Rogers Street. No sidewalk or tree plot are shown along the Hillside Drive frontage along Building #7 and must be shown with the final plan approval. There are 4 internal pedestrian connections, including a central courtyard, shown to connect this development to Switchyard Park. Approval from the Parks Department must be received prior to any work on Park's property.

Alternative Transportation: This petition would be required to meet all of the standards of the UDO for bicycle parking and would require one bicycle parking space per five bedrooms. The Department encourages the petitioner to incorporate several areas of covered bicycle parking spaces along the Park frontage for the residents of the development.

Architecture/Materials: Renderings of all of the proposed buildings have been submitted and are included in the packet. With the revisions to the building elevations along the Trail, the design of these buildings presents a much better appearance from the Trail and achieves the type of design and interaction that is appropriate.

The Department is still concerned about the bottom two floors of building #7 proposed south of Hillside Drive, however with the bottom floors being used for parking garage there is little that can be done to improve that portion of the building. The bottom two floors of that building still consist entirely of parking with no active ground floor use, especially along the Park façade. An

additional area of concern regarding Building #7 involves the proposed height and massing of this building adjacent to the single family neighborhood. This concern is also reiterated in the review memo from Schmidt and Associates. Unlike the other two multi-family buildings (Building #1 and #2) to the north, there is not a drive aisle and parking area and large buffer to separate the massing of those buildings from the single family residences. The Department believes that a 5-story building adjacent to the residences is not appropriate and has recommended a condition of approval to limit the height of Building #7 to 4 stories or 50'.

Environmental Considerations: There are no known environmental constraints on this property.

CONCLUSION: Based on the revised elevations and submitted renderings, the Plan Commission found that the proposed preliminary plan and District Ordinance matches the goals of the Comprehensive Plan and needs of the community. The review from Schmidt and Associates provides several good recommendations for small design improvements that will be more closely reviewed with the final plan approval.

RECOMMENDATION: The Plan Commission voted 7-1 to forward this petition to the Common Council with a positive recommendation and the following conditions of approval:

- 1. The proposed buildings in the Final Plan must be consistent with the currently submitted elevations including orientation, modulation, and materials. The west elevations of all building must be similar to the design of the east elevations as presented.
- 2. The District Ordinance shall be amended prior to Council to allow a maximum 80% impervious surface coverage and minimum 20% landscape area for the Lot with Building #7 and the maximum height of that building shall be limited to 4 stories or 50'.
- 3. Per the petitioner statement, the townhome buildings must be designed to LEED standards and the commercial buildings must be LEED Silver certified.
- 4. A minimum 6' wide concrete sidewalk and 5' wide tree plot are required along the south side of Hillside Drive adjacent to Building #7.
- 5. The District Ordinance shall be amended to require two design elements for the Pedestrian Entrances as required in the UDO.



City of Bloomington Bloomington Environmental Commission

MEMORANDUM

Date:	January 11, 2020
То:	Bloomington Plan Commission
From:	Bloomington Environmental Commission
Subject:	PUD-17-20: W. Hillside Warehouse redevelopment, third hearing 300 West Hillside Drive, Tract E of Thomson PUD

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site. The request is to amend the Preliminary Plan and District Ordinance for the Thomson PUD.

Human activities coupled with natural variations in the carbon cycle have resulted in a significant increase in the concentration of carbon dioxide (CO_2) and other "greenhouse gasses" in the atmosphere, thus causing measurable global warming. Controlling atmospheric CO_2 requires deliberate action that combines reducing emissions and increasing storage, while planning for adaptation to the changes that result. Addressing greenspace protection and enhancement are some of Bloomington's most important means to help reduce our own environmental footprint.

Absorbent vegetated land, otherwise known as greenspace, plays a central role in supporting community health; improving air, soil, and water quality; reducing energy use in buildings; and supporting climatechange mitigation. Greenspace may seem like a simple term and a mere aesthetic amenity, but greenspaces are very complex in the benefits they deliver to animals, insects, and microbes and in the protection they provide to the water, air, and soil systems.

An urban greenspace includes any permeable vegetated surface, public or private, set apart for recreational, aesthetic, or ecosystem services in an otherwise urban environment. It is space set aside to provide life-essential benefits people and other living things obtain from properly-functioning ecosystems; ecosystems which are the dynamic complex of plant, animal, microorganism, and human communities living in the context of certain weather regimes in a certain geologic setting.

The Environmental Commission is opposed to this petition and recommends denial. There is one design request that the commission cannot abide; the unreasonably reduced amount of greenspace. We cannot

Phone: 812.349.3423

justify allowing such a change from Bloomington's vetted regulations with nothing in return to benefit the community's environmental footprint.

The following list will follow the order of the requests from the *Thompson Tract E PUD amendment zoning rule, Rev 2, 12-27-20* submitted by the Petitioner.

Comments

1.) IMPERVIOUS SURFACE COVERAGE

Several important planning reports that both the City of Bloomington and city boards and commissions have produced call for increased acreage of green space and enhancement of the ecosystem services they provide. Some examples include the 2018 Comprehensive Plan (comp plan), the Bloomington Environmental Action Plan (BEAP), the Sustainable Action Plan, and the soon-to-be-published Climate Action Plan. All of these plans cite the plethora of reasons that greenspaces of various types are essential to climate-change mitigation and preparedness.

Even the Bloomington Municipal Code, 12.24.000, TREES AND FLORA, Purpose and Intent states the following. "It is the intent of this chapter to establish the responsibilities of the **city** and its **residents** toward flora and trees subject to these provisions and to assure those regulations and policies **maintain** and **increase** the tree canopy within the city." (bold type added)

The comp plan is "a tool used by the mayor, City staff, Plan Commission, City Council, developers, and other community leaders to guide decisions about investments and resources. Though primarily a tool of the City's Plan Commission, the Plan is also used by others..." The comp plan also states the following.

"We acknowledge that healthy natural systems are the foundations for flourishing human societies."

"Policy 3.2.1: Continue to limit the amount of impervious surface in new development or public improvements projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds."

"Policy 3.2.2: Increase greenspace and protect environmentally sensitive areas."

"Goal 3.4: Increase the areas of native shrubs, trees, and herbaceous plants to increase ecosystem services associated with green infrastructure, including improved soil, air, and water quality and increased carrying capacity of pollinators, birds, and other wildlife."

"Outcomes and indicators, Outcomes: Greenspace has increased."

The PUD revision requests an impervious surface coverage of 80%, 70%, and 100% for different portions of the site, and greenspace of 20%, 30%, and 0 for those portions! The UDO calls for a maximum impervious surface area of 60% and greenspace area of 40% for both. The EC does not believe any PUD should allow less stringent environmental rules than the publically-vetted UDO. Therefore, the EC recommends that the Petitioner redesign the site to allow for at least 40% greenspace throughout the site, or that the petition be denied.



City of Bloomington Bloomington Environmental Commission

2.) LANDSCAPE PLAN

The amount of landscape area proposed varies from 30% to 0%. The UDO requires at least 40%. The EC recommends the landscaped area is increased to at least 40%. The EC recommends that a Landscape Plan including street trees should be designed, but not necessarily finalized, at this point in the process so that City staff and the Plan Commission can envision the ecosystem services and aesthetics that will result at completion. The Landscape Plan will have to be approved prior to the issuance of a grading permit.

3.) BUFFER YARD and PARKING LOT SETBACK

A MM (Mixed-Use Medium-Scale) zoning district adjacent to an R3 (Residential Small Lot) requires a Type 3 buffer yard, which is 20 feet wide. The PUD is requesting a 14-foot wide buffer yard. The UDO requires the 20-foot buffer in addition to the 8-foot parking lot perimeter strip along the entire west side of the site. The EC recommends that the UDO-required buffers be added to the plan.

4.) PARKING LOT VEGETATION STRIP

The UDO requires an 8-foot wide vegetated strip along the parking lots perimeters. The PUD revisions are asking to eliminate this. The EC recommends that the 8-foot strip be added to the plan.

Recommended Conditions of Approval

The EC recommends that the following list be included as conditions of approval if this petition is approved; otherwise we recommend denial.

1.) Redesign the entire site to allow an impervious surface area of 60% at most.

2.) Redesign the entire site to provide at least 40% landscape area (greenspace).

3.) Redesign the entire site to accommodate the 20-foot buffer yard adjacent to the single-family homes in addition to the 8-foot parking perimeter strip.

4.) Redesign the plan to include the 8-foot vegetated strip adjacent to all parking lot perimeters.









Thompson PUD Narrative

300 West Hillside Drive Tract E-Thompson PUD

Overview-Existing site

The site as it exists, is a large industrial use site with access only from Hillside drive along it's south border. The parcel is 208 ft x 618 ft or 2.95 acres in size, and a .7 acre site currently entirely paved as a parking lot. The North parcel currently contains a single story steel building that was long used as a warehouse with loading docks, while the rail yard was used as a hub for the RCA TV manufacturing facility.

Currently, the structure is used as a mixed-use industrial complex for storage, warehousing and light manufacturing. It has some office spaces and is bordered at its north portion by a self-storage business, located on a separate parcel that is not a part of this PUD request.

Location

The location of this site and the changes that have occurred adjoining it, are the reasons for bringing this PUD request forward. The initial purchase by the city of Bloomington and the conversion of the rail yard into the city's largest park, with a new future, have not only made the redevelopment of this site feasible, but necessary. The city's investment in the new Switchyard park has changed forever, the need to have an industrial or warehouse use at this site. The entire western border of the site borders on many existing, small scale, single family homes. No connections to any existing city blocks exist along this western border. The site is adjacent to the McDoel Gardens historic district, a district consisting of a diversity of home sizes and styles. The site is the last few remaining sites, not in a flood plain, that a mixed-use community may be built along the new Switchyard park and the B-Line trail. This is an ideal location for a new, walk-able neighborhood, away from the traditional student housing and connected to the park.

Changes not foreseen in the initial Thompson PUD

The Thompson PUD was created to keep a healthy balance of industrial uses within Monroe County and a way to ensure it remained where we had access to rail service and even a newly constructed Patterson Drive, which was created to connect this warehouse and truck traffic, to highway 37 for better access to these industrial uses. Residential uses were not included within this PUD because they were not seen as compatible with the industrial uses and their needed warehouses and rail yard. All of this changed when the RCA (Thompson Consumer Electronics) plant was closed and removed, and the park idea was generated as a new use. Like that change from rail to a park, this change from warehouse, to residential just makes sense.

Key PUD Attributes

Architectural Character

While it is important that the new uses be compatible with the traditions exhibited by vernacular rail yard structures, the larger commercial structures will be a more modern interpretation of these building archetypes. These structures will be of larger sized brick masonry veneers, metal and cement board panels, and large, metal framed windows to imitate older building styles. The residential town home structures on lot 3 (Buildings 3,4,5,6) will be of similar style and materials to the mixed-use apartment structures with smaller scale brick veneers, cement board panels and siding.

Uses

Commercial spaces will be provided at a portion of the ground floor of the two larger, mixed use structures with residential apartments on the upper floors. Some parking will be provided within these mixed use buildings, along with some on-street parking. These commercial spaces will be the closest commercial spaces to Switchyard park and should be uses that complement the park visitor's experience. The neighborhood will be a mix of apartment structures and owner occupied town homes. First floor uses shall be those uses as allowed in the MN requirements in the UDO. This site is the closest site to Switchyard park for access to small scale retail services, so it is hoped that smaller square foot ground floor spaces will provide amenities for both users of the park and the existing neighborhood.

Site

A new, two-way street will connect the south end of the site to Hillside Drive for parking and access to the site and act as part of a buffer between the existing residential homes along South Madison Street. This buffer will also have a 14 foot bufferyard. Currently, the existing warehouse sits within 2 feet of the west existing property line, with no real buffer yard. The access drive will have a potential for extension to the north parcel for future connectivity if that lot were to be developed at a future time. The new site plan is also designed for a future pedestrian path to connect near West Wilson Street, if a connection would be possible in the future to allow for neighborhood access to the park. Within lot 3, will be a large green space of over 70 feet in width, that will act as a main connector from this development to the park and as a landscaped rain garden. Two other large paths will connect the park to this development and vice versa, to provide access to the B-line and the community connectivity of our linear park system.

Mass, Scale and Form

The project is a medium scale density and structures. Building heights will vary as they do in Downtown Bloomington and yet there will be a strong sense of similarity in scale, through the use of banding and materials. Setting upper floors back from the building front along the park will also contribute to a visual reduction in height. The residential Town home structures, with smaller footprints, will be three stories, and are orientated to project their short facade along the park and allow for more views from each unit into the park and keep the site from presenting itself as a long wall of structures. This will allow for a better connectivity through the site to the park.

LEED requirements

The residential Town home single family units will require all units to meet the LEED for homes designation with items such as: Heat Island effect Rainwater management Non-toxic pest control Water efficiency Outdoor water Indoor water Minimum energy performance Energy Monitoring Homeowner education Annual energy use Solar panels Efficient hot water distribution HVAC systems Materials and resources Durable materials Recycled content Construction waste management Material efficient framing Indoor environmental guality Solar compatibility Heat Island effect-Roofing Ventilation Radon resistant construction Air filtering Low emitting products

The commercial structures will also require at a minimum, LEED Silver designations and many of the LEED for homes requirements as well as other more detailed requirements. This will include at a minimum: Green roofs and rooftop Solar Panels Rainwater management Minimum energy performance Energy efficient HVAC and plumbing systems

Affordability

The multifamily structures would provide at a minimum, 15% of the apartment units as affordable units per the City of Bloomington's definition and requirements as defined in the UDO. This would also include a total of 3 of the Town home units. (15% of the 19 townhome units). The south parcel is proposed to be Senior or affordable housing, or apartments as well and 15% of those units or 7 of the proposed 42 units, will be designated affordable as well.

Site Breakdown

Lot 1 structure

4 stories (1 grade level parking/commercial level-3 residential stories) 14,300 sq feet footprint 24- Two bedroom units 6- One bedroom units 54 total bedrooms 30 total units 5 units affordable per city requirements 5,000 sq ft available, ground floor commercial space 18 total parking spaces within building Parking available maximum 34 spaces = .62 ratio

Lot 2 structure

5 stories (1 grade level parking/Commercial level-4 residential stories) 10,000 sq feet footprint 24-Two bedroom units 8-One bedroom units 56 total bedrooms 32 total units 5 units affordable per city requirements 2,000 sq ft available, ground floor commercial space 16 total in-building parking spaces Parking available maximum 33 spaces = .58 ratio

Lot 4-South Hillside structure

.7 acres 5 stories (2 grade level parking levels-3 residential stories) 21,600 sq feet footprint 39-Two bedroom units 3-One bedroom units 81 Total bedrooms 7 units affordable per city requirements 90 total in-building parking spaces Parking available maximum 90 spaces = 1.10 ratio (Parking available for commercial uses and 20 spaces are reserved to Storage Express per a use agreement).

Residential Town home lot 3 (19 total units)

3 story-single family Town homes (Owner occupied) 785 sq ft footprint (2,400 sq ft total unit-each) Each Town home has a maximum of 4 bedrooms Total 19 units and 76 bedrooms Parking available maximum 31 spaces = .40 ratio Our vision, and even outlined in the existing Thompson PUD, is to "minimize negative land use impacts on adjacent residential properties", and "increase the viability of the PUD and its industrial component by providing office, retail, AND RESIDENTIAL USES. The existing PUD does not reduce truck traffic along Hillside Drive. The existing PUD does recognize that Tract E is adjacent to a core neighborhood and will require special design challenges if the use changes-it is this very reason we feel that the plan as presented meets and enhances the existing PUD as well as the adjacent McDoel neighborhood. No other development has the ability to provide the community access, diversified housing types, or affordable entry into home ownership as this proposal along the B-Line and Switchyard park. Our proposal with affordable homes, apartments, commercial uses, and green design, is an appropriate mix that will encourage investment and home ownership. This development will provide an attractive landscape along the edge of the park and respect the homes that border it to the west.

Thank you for your consideration.

Doug Bruce NCARB-LEED AP TABOR/BRUCE ARCHITECTURE & DESIGN, Inc. 1101 S Walnut Street Bloomington, IN 47401 (812) 332-6258

Commercial Lot 1-Building 1

Utilizing MM-Mixed-Use Medium Scale zoning district

Changes to the following:

Impervious surface coverage (maximum) 80%

Landscape area (minimum) 20%

Primary structure height G (maximum) 65 feet or 5 stories

Low slope roofs allowed with parapets

No minimum vehicle parking requirements

Minimum 14-foot landscaped buffer yard (Type 2 per Table 04-19-14 feet not 15 feet) from adjacent single family residential dwellings.

Neighborhood transition zoning does not apply

20.02.060 Overlay district requirements to be met

(2) Building entrances

(5) Upper floor setbacks. Any facade along the B-Line trail, above the 4th story, shall set back a minimum of 5 feet.

(6) Windows and doors on the primary facade. 60% required for first floor facing the B-Line trail and a public street.

(7) Primary Entrances. Meet two of the UV, DE, DG, ST Standards

(8) Facade articulation. Meet the requirements for (B). Require minimum offset depth of 4 feet.

(9) Facade materials. Prohibited materials. Vinyl, highly reflective, wood, smooth or split faced concrete block, and stucco.

Primary building entrances

Any façade of a primary building facing a public street or B-Line trail shall be considered a primary façade.

All primary facades shall meet Table 02-26 standards for Windows and Door areas as DC requirements

All primary facades of a primary building shall incorporate the requirements of Table 02-27, Primary Pedestrian Entrances-DC requirements.

B-Line trail frontage standards

A minimum of one pedestrian entrance shall be provided for any primary building façade facing the B-Line trail.

Building entrances shall incorporate Two or more of the following:

- 1 Benches (Minimum of two)
- 2 Bike racks
- 3 Public art
- 4 Landscaped area or planter
- 5 Plaza or patios
- 6 Protruding canopy
- 7 Recessed entry

Allowed uses (upper floors only)

Multifamily apartments

Allowed commercial uses (Ground floor only) per 20.02.020 Table for MN including parking within the ground level floor of the building.

Building setbacks

Front (East) 10 feet

Front (South) 12 feet

Side (North) 15 feet

Rear (West) 65 feet

Parking setbacks

West-0 feet (Buffer yard only)

South-20 feet behind primary structure's front building wall

East and north 0 feet

Bicycle parking required per Table 04-13

Commercial Lot 2-Building 2

Utilizing MM-Mixed-Use Medium Scale zoning district

Changes to the following:

Impervious surface coverage (maximum) 80%

Landscape area (minimum) 20%

Primary structure height G (maximum) 65 feet or 5 stories

Low slope roofs allowed with parapets

No minimum vehicle parking requirements

Minimum 14-foot landscaped buffer yard (Type 2 per Table 04-19-14 feet not 15 feet) from adjacent single family residential dwellings.

Neighborhood transition zoning does not apply

20.02.060 Overlay district requirements to be met

(2) Building entrances

(5) Upper floor setbacks. Any facade along the B-Line trail, above the 4th story, shall set back a minimum of 10 feet.

(6) Windows and doors on the primary facade. 60% required for first floor facing the B-Line trail and a public street.

(7) Primary Entrances. Meet two of the UV, DE, DG, ST Standards.

(8) Facade articulation. Meet the requirements for (B). Require minimum offset depth of 4 feet.

(9) Facade materials. Prohibited materials. Vinyl, highly reflective, wood, smooth or split faced concrete block, and stucco.

Primary building entrances

Any façade of a primary building facing a public street or B-Line trail shall be considered a primary façade.

All primary facades shall meet Table 02-26 standards for Windows and Door areas as DC requirements

All primary facades of a primary building shall incorporate the requirements of Table 02-27, Primary Pedestrian Entrances-DC requirements.

A minimum of one pedestrian entrance shall be provided for any primary building façade facing the B-Line trail.

Building entrances shall incorporate Two or more of the following:

- 1 Benches (Minimum of two)
- 2 Bike racks
- 3 Public art
- 4 Landscaped area or planter
- 5 Plaza or patios
- 6 Protruding canopy
- 7 Recessed entry

Allowed uses (upper floors only)

Multifamily apartments

Allowed commercial uses (Ground floor only) per 20.02.020 Table for MN including parking within the ground level floor of the building.

Building setbacks

Front (East) 10 feet

Side (North & South) 10 feet

Rear (West) 65 feet

Parking setbacks

West-0 feet (Buffer yard only)

East and South and North 0 feet

Bicycle parking required per Table 04-13

LOT 3-Townhome buildings 3-4-5-6 (19 units total in 4 buildings)

Utilizing RM-Residential Multifamily zoning district

Changes only to the following: **Building Setbacks** Front (East) 5 feet minimum Rear (West) 65 feet Minimum Side yard (North and South) 8 feet Minimum Parking setbacks West-0 feet (Buffer yard only) East and South and North 0 feet No garage or carport allowed Minimum 14-foot landscaped buffer yard (Type 2 per Table 04-19-14 feet not 15 feet) from adjacent single family residential dwellings. Impervious surface coverage (Maximum) 70% Landscape area (minimum) 30% Primary structure height F (maximum) 40 feet or 3 stories Low slope roofs allowed with parapets No minimum vehicle parking requirements Neighborhood transition zoning does not apply Anti-Monotony standards do not apply. 20.02.060 Overlay district requirements to be met (2) Building entrances (6) Windows and doors on the primary facade. 60% required for first floor facing the B-Line trail. (7) Primary Entrances. Meet two of the UV, DE, DG, ST Standards (8) Facade articulation. Meet the requirements for (B). Require minimum offset depth of 4 feet. (9) Facade materials. Prohibited materials. Vinyl, highly reflective, wood, smooth or split faced concrete block, and stucco. Allowed uses:

Dwelling Multi Family units (Townhomes) allowed. Maximum number of units for Lot 3, 20 units. per 20.03.030 Residential uses

B-Line trail frontage standards

A minimum of one pedestrian entrance shall be provided for any primary building façade facing the B-Line trail.

Thompson Tract E PUD amendment zoning rules Rev3 1-17-21

Building entrances shall incorporate Two or more of the following:

- 1 Benches (Minimum of two)
- 2 Bike racks
- 3 Public art
- 4 Landscaped area or planter
- 5 Plaza or patios
- 6 Protruding canopy
- 7 Recessed entry

Bicycle parking required per Table 04-13

Commercial Lot 4-Building 7

Utilizing MM-Mixed-Use Medium Scale zoning district

Changes to the following:

Impervious surface coverage (maximum) 80%

Landscape area (minimum) 20%

Primary structure height G (maximum) 65 feet or 5 stories

Upper floor setback. The 5th story facing the western property line shall be stepped back no less than 15 feet from the property line

Low slope roofs allowed with parapets

No minimum vehicle parking requirements

Neighborhood transition zoning does not apply

Building setbacks

Front (North) None

Rear (South) 6 feet

Side (East & West) 5 feet

Parking setbacks

Same as building setbacks

20.02.060 Overlay district requirements to be met

(2) Building entrances

(5) Upper floor setbacks. None required.

(6) Windows and doors on the primary facade. 60% required for first floor facing a public street.

(7) Primary Entrances. Meet two of the UV, DE, DG, ST Standards

(8) Facade articulation. Meet the requirements for (B). Require minimum offset depth of 4 feet.

(9) Facade materials. Prohibited materials. Vinyl, highly reflective, wood, smooth or split faced concrete block, and stucco.

Primary building entrances

Any façade of a primary building facing a public street or B-Line trail shall be considered a primary façade.

All primary facades shall meet Table 02-26 standards for Windows and Door areas as DC requirements

All primary facades of a primary building shall incorporate the requirements of Table 02-27, Primary Pedestrian Entrances-DC requirements.

Allowed uses (upper floors only)

Multifamily apartments

Allowed commercial uses (Ground floor only) per 20.02.020 Table for MN including parking within the ground level floor of the building.

Bicycle parking required per Table 04-13





South Lot, 12/28/2020 12:49:57 PM

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CURVED WALL ELEVATION



ELEVATION FACING PARK



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ELEVATION FACING PARK



SIDE ELEVATION



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10:03:41 /



ELEVATION FACING HILLSIDE DRIVE



SIDE ELEVATION



12/28





12:51:31

ELEVATION FACING PARK











NEW SCHEMATIC LOT LAYOUT - 2020G PROJECT LOCATION: DATE: WEST HILLSIDE AND THE B-LINE FERUARY 22, 2021 PROJECT NAME: SWITCHYARD DESIGN PHASE: 2021 TABOR BRUCE ARCHITECTURE & DESIGN
DRAWING SCALE:
1" = 20"-0"



BLOOMINGTON COMMON COUNCIL FISCAL IMPACT STATEMENT

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE

Ord 21-07 - To Amend the City of Bloomington Zoning Maps by Amending the District Ordinance and Preliminary Plan for Parcel R of the Thomson PUD. Re: 300 W. Hillside Drive (Tom Brennan, Petitioner)

PROPOSED EFFECTIVE DATE

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Re: 300 W. Hillside Drive (Tom Brennan, Petitioner)

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

YES

NO. If the legislation will not have a major fiscal impact, briefly explain below.

This legislation seeks to amend the District Ordinance and Preliminary Plan for Parcel E of the Thomson PUD to allow for the construction of 19 townhomes and 104 multifamily residences. There is no major fiscal impact associated with this ordinance.

Fiscal impact will be re-evaluated at the time the property is developed.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY CURRENT	FY SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

IMPACT ON REVENUE (DESCRIBE)

IMPACT ON EXPENDITURES (DESCRIBE)

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.			
	Signature of Controller		

u deu 2/19/2021

Signature of City Official responsible for submitting legislation