



City of Bloomington Common Council

Legislative Packet – Addendum

Posted on Wednesday, 15 May 2024

Wednesday, 15 May 2024

Regular Session at 6:30 pm

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 02-Revised
Submitted By: Cms. Daily, Stosberg, Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

1. The base primary structure height (maximum feet) in the MN district shall be 65 feet.
2. The base primary structure height (maximum feet) in the MX district shall be 55 feet.
3. PUD 04.04.060 (c)(iii) that provides: “The additional floors of building height granted under this subsection (iv)(2) shall step-back at least 10 feet further than the lower floors of the building” shall be deleted.
4. 04.04.030(c)(2)(ii) of the District Ordinance shall be amended by deleting the last sentence, which reads “For buildings that exceed six (6) stories, any additional step back shall be in compliance with the requirements provided in Figure 12.” A new 04.04.030(c)(2)(iii) shall be inserted to read as follows:

Buildings located along Sudbury Drive in Everest Center shall have a maximum height of 55 feet.

Synopsis

This Reasonable Condition (02) is sponsored by Cms. Daily, Stosberg, and Piedmont-Smith. It addresses concerns raised by nearby residents regarding the height of structures in the PUD. It reduces the maximum primary structure height in the MN and MX districts from 86 feet to 65 feet and from 75 feet to 55 feet, respectively. However, Tier 2 Projects that are eligible for increased primary structure height for the affordable housing and sustainable development incentives shall be eligible for additional floors or building height and additional step-back on those floors shall not be required. It also sets a maximum height of 55 feet for buildings along Sudbury Drive in Everest Center in the Arbor Ridge transition zone.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 04-Revised
Submitted By: Cm. Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

1. The development standards applicable to steep slopes within BMC 20.04.030(c) (as in effect on January 1, 2024) shall apply within the PUD except as expressly provided by this condition.
2. No land disturbing activities, excluding utility lines, shall be allowed in areas of land where the pre-development slopes in the PUD are greater than 22 percent.
3. Areas of land where the pre-development slopes in the PUD are greater than 18 percent shall be allowed a maximum total disturbance of 15 percent for public and private improvements, excluding utility lines.
4. Any development on slopes between 12 percent and 18 percent shall be allowed a maximum disturbance of 75% of the total slope areas
5. All slope determinations shall be considered based on the total area of the land in the PUD. Remaining provisions of the UDO as to slope shall apply to the PUD.

Synopsis

This Reasonable Condition (04) is sponsored by Cm. Piedmont-Smith and was recommended by the Environmental Commission. Due to changes in Indiana Code disallowing regulation of slopes greater than 25%, this condition reflects an agreement by the Petitioner to restrict development on slopes between 12% and 25%.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 06-Revised
Submitted By: Cm. Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

01.01.040 (Affordable Housing) of the District Ordinance shall be amended to reflect:

1. The Summit District PUD requires a minimum of 15% of the units constructed to meet the permanent affordability standard by being income restricted to households earning below 100 percent of the HUD AMI for Monroe County, Indiana until January 1, 2027.
2. After January 1, 2027, the Summit District PUD shall require a minimum of 15% of the units constructed to meet the permanent affordability standard required by the PUD Qualifying Standards in the UDO as those standards exist as of January 1, 2027.

Synopsis

This Reasonable Condition (06) is sponsored by Cm. Piedmont-Smith. It changes the affordability threshold from 120% of the area median income (AMI) to 100% of the AMI for the 15% of units required to meet the permanent affordability standard in this PUD until January 1, 2027. After that date, it requires those units to meet the affordability standard that exists in the PUD qualifying standards within the UDO.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 10-Revised
Submitted By: Cms. Flaherty, Stosberg
Date: May 15, 2024

Proposed Reasonable Condition:

The petitioner will enter into a written commitment reflecting the following:

1. A minimum of 20% of housing units in each neighborhood of the PUD and a minimum of 40% of housing units throughout the entire PUD will be developed to enable individual ownership. In the case of housing types other than detached single-family dwellings and duplexes, triplexes, and fourplexes, where an HOA governs the housing units, an agreement will be included as part of the housing development that enables each housing unit to be individually owned and prohibits ownership of more than two units by one individual or entity within an HOA, except regarding units owned by the developer.
2. As part of the planning approval process, developers in the district will include, as a part of the site plan, information regarding whether any part of the site plan includes dwelling units that are intended for rental (i.e., with one landlord) or if a condominium development is planned.

Synopsis

This Reasonable Condition (10) is sponsored by Cm. Flaherty and Cm. Stosberg. It is meant to encourage opportunities for home ownership within the PUD by calling for at least 20% of the housing units in each neighborhood and 40% of the housing units throughout the PUD to be capable of individual ownership.

05/15/24 Regular Session Action: Pending

***** Amendment Form *****

Ordinance #: 2024-07
Amendment #: Am 01
Submitted By: Cm. Stosberg
Date: May 15, 2024

Proposed Amendment: (additions are shown in **bold**, deletions are shown in ~~strikethrough~~)

1. Section 2 of Ordinance 2024-07 shall be amended by inserting a new sentence at the end of the section, which shall read as follows:

The Director of the Planning and Transportation Department is hereby authorized and directed to consolidate the adopted Council reasonable conditions and applicable Plan Commission conditions (#1, 2, 6, 7, and 10) into the text of the attached District Ordinance.

2. The District Ordinance shall be amended to replace the word “plexes” with the words “duplexes, triplexes, and fourplexes” where it appears in 04.04.040(c) and 04.04.060(c) of the District Ordinance.

Synopsis

This amendment would authorize the Director of the Planning and Transportation Department to incorporate reasonable conditions into the text of the District Ordinance, which is attached to Ordinance 2024-07. It would also replace the term plexes with duplexes, triplexes, and fourplexes within the District Ordinance, which are defined terms in the UDO.

05/15/24 Regular Session Action: Pending