



# City of Bloomington Common Council

## Legislative Packet

Regular Session

07 February 2007

Office of the Common Council  
P.O. Box 100  
401 North Morton Street  
Bloomington, Indiana 47402

812.349.3409

[council@bloomington.in.gov](mailto:council@bloomington.in.gov)  
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## Packet Related Material

### Memo

### Agenda

### Calendar

### Notices and Agendas:

*None*

### Legislation for Final Action:

*None*

### Legislation and Background Material for First Reading:

**App Ord 07-01** To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Animal Care & Control)

- Memo from Susan Clark, Controller

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

**Ord 07-02** To Amend the Bloomington Zoning Maps from Q to PUD and to Adopt the Preliminary Plan for the Southern Indiana Health Sciences Park Planned Unit Development - Re: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioner)

- Certification (6 – 3); Map of Surrounding Zoning; Aerial Photo; Memo to the Council on Petition from James Roach, Senior Zoning Planner; Memo to Council on Resolution by Plan Commission on TIF Financing; **Petitioner Materials:** December 18<sup>th</sup> Letter; November 13<sup>th</sup> Letter; November 3<sup>rd</sup> Cover Letter; Outline Plan Statement; PUD Maps; **Additional Staff Materials:** January 8<sup>th</sup> Staff Report; December 22<sup>nd</sup> Environmental Commission Memo; December 4<sup>th</sup> Staff Report; November 27<sup>th</sup> Environmental Commission Memo; November 21<sup>st</sup> Bicycle and Pedestrian Safety Commission Memo

Contact: James Roach at 349-3527 or [roachja@bloomington.in.gov](mailto:roachja@bloomington.in.gov)

### Minutes from Regular Session:

*None*

## Memo

### **Two Items to be Introduced at the Regular Session on Wednesday, February 7, 2007**

There are no items ready for final action and two items ready for first reading at the Regular Session on February 7<sup>th</sup>. These items, their summaries and background material can all be found in this packet.

#### **First Readings**

#### **App Ord 07-01 – Appropriating a \$5,555 PetSmart Charities Grant to Purchase HVAC System for Animal Care and Control Building**

**App Ord 07-01** appropriates a \$5,555 PetSmart Charities grant to purchase an \$11,100 heating ventilating and air-conditioning (HVAC) system for the old portion of the Animal Care and Control building that was not replaced during the recent addition to the facility. The City will provide the other half of the funds for this improvement.

#### **Ord 07-02 - Rezoning 101 Acres of Land at 2401 West Tapp Road from Q to PUD as Well as Approving a Preliminary Plan and a List of Uses (Southern Indiana Medical Park II, Petitioner)**

**Ord 07-02** brings forward a petition for the development of the Southern Indiana Medical Park II (SIMP II) property at 2401 West Tapp Road a little over three months after SIMP II's last petition was denied by the Council. The current petition is intended to conform to the motion adopted by the Council, regarding what development it would favorably consider for the site. The motion stated:

The Common Council would favorably consider a Planned Unit Development proposal for the 101 acre parcel at 2401 West Tapp Road that includes:

- the development of the area north of the creek (currently known as Phase I) in the manner proposed in Ord 06-20 including all the relevant conditions of approval; and
- the preservation in perpetuity of the area south of the creek (which is an environmentally sensitive area currently known as Phase II) with dedication of right-of-way for a future frontage road.

## Scope of Summary - Highlight of Changes

As you probably recall, this 101-acre site is divided by a creek and wetlands that run in an east/west direction. Under this new proposal, the 37 acres of cleared land on the north would be developed into medical and office uses and a small, 3.7-acre commercial node, and almost all (approximately 59 of the 65 acres) of environmentally-sensitive land south of the creek (which includes all of the land except the right-of-way for the possible extension of Weimer Road) would be preserved.

Rather than repeat the elements of the petition that have not changed (which are summarized quite nicely in the enclosed memo from James Roach, Senior Zoning Planner), the following bullet points highlight the elements that have changed over the last three months. These changes:

- Preserve 59 acres in a conservation easement, which will either be donated to a preservation organization or dedicated as part of the common area for owners of the individual lots by the time of the recording of the first plat;
- Require those plats to contain a definition of “conservation easement ... that prohibits any land-disturbing activities within a defined area.” *See Conditional Approval (COA) #1;*
- Relocate the right-of-way through the southern parcel to flattest part of the ridge and dedicates a 20’ temporary easement for the construction of the road;
- Shift the responsibility for constructing the extension of Weimer Road from the private to public sector, should that become necessary;
- Require the petitioner to comply with the buffering standards in the UDO for the perennial stream and wetlands that run east/west, but not the graded and developed drainage way that runs north/south through the site;
- Incorporate all the relevant former conditions of approval into the Preliminary Plan (which included: dedication of land for a fire station, a prohibition of direct access of commercial properties to Tapp Road, evaluation and remediation (if necessary) of storm water facilities at the Surgery Center, as well as other conditions); and
- Delegate review of projects in the life and health sciences area (Area A) to staff and review of the 3.9 commercial area (Area B) to the Plan Commission.

## Accompanying Resolution of the Plan Commission

After two hearings, the Plan Commission forwarded the petition to the Council with a favorable recommendation by a vote of 6-3. Because the funding burden for the possible extension of Weimer Road through the southern parcel would shift from the private to the public sector, the Plan Commission also voted unanimously to send a resolution to the Council and Redevelopment Commission regarding the funding of that extension. That resolution “supports the concept of creating a public funding source that could be used to build, if necessary, at some future time, the Weimer Road extension south of this proposed development” and recommends that the City “investigate TIF financing as a possible” means of funding this project.

*Happy Birthday Nadia LaMantia (Intern for City Clerk)*

**NOTICE AND AGENDA FOR  
COMMON COUNCIL REGULAR SESSION  
7:30 P.M., WEDNESDAY, FEBRUARY 7, 2007  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 NORTH MORTON**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:** None

**IV. REPORTS FROM:**

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

**V. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

None

**VII. LEGISLATION FOR FIRST READING**

1. Appropriation Ordinance 07-01 To Specially Appropriate From the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Animal Care & Control)
2. Ordinance 07-02 To Amend the Bloomington Zoning Maps from Q to PUD and to Adopt the Preliminary Plan for the Southern Indiana Health Sciences Park Planned Unit Development – Re: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioner)

**VIII. PRIVILEGE OF THE FLOOR** (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

**IX. ADJOURNMENT**

City of  
Bloomington  
Indiana

City Hall  
401 N. Morton St.  
Post Office Box 100  
Bloomington, Indiana 47402



**Office of the Common Council**  
(p:) 812.349.3409  
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To: Council Members  
From: Council Office  
Re: Calendar for the Week of February 5-11, 2007

**Monday, February 5, 2007**

5:00 pm Redevelopment Commission, McCloskey  
5:00 pm Utilities Service Board, IU Research Park, 501 N. Morton, Room 100B  
5:30 pm Bicycle & Pedestrian Safety Commission Work Session, Hooker

**Tuesday, February 6, 2007**

12:00 pm Public Safe Routes to School, McCloskey  
5:30 pm Bloomington Public Transportation Corporation, Transportation Center, 130 W. Grimes Lane  
5:30 pm Board of Public Works, Council Chambers  
6:00 pm Roundtable Discussion on Women of Color in the Workplace, Fountain Square Ballroom, 101 W. Kirkwood  
7:30 pm Telecommunications Council, Council Chambers

**Wednesday, February 7, 2007**

12:00 pm Bloomington Urban Enterprise Association, McCloskey  
5:30 pm Black History Month Men of Color Fashion Show Committee, Dunlap  
7:30 pm Common Council Regular Session, Council Chambers

**Thursday, February 8, 2007**

12:00 pm Housing Network, McCloskey  
3:30 pm Bloomington Historic Preservation Commission, McCloskey  
5:30 pm West 3<sup>rd</sup> St. Information Meeting, Council Chambers  
6:00 pm Neighborhood Improvement Grant, McCloskey  
7:00 pm Inclusive Recreation Advisory Council, Parks and Recreation, Showers Building Suite 250

**Friday, February 9, 2007**

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

**Saturday, February 10, 2007**

10:00 am Unity Summit for High School Students, Ivy Tech Community College, 200 Daniels Way

*Happy Birthday, Nadia LaMantia, City Clerk Intern!*

**Sunday, February 11, 2007**

2:00 pm Men of Color: Men of Style Fashion Extravaganza, Monroe County Public Library Auditorium, 303 E. Kirkwood

**APPROPRIATION ORDINANCE 07-01**

**TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND EXPENDITURES  
NOT OTHERWISE APPROPRIATED  
(Appropriating Funds from the General Fund for Animal Care & Control)**

WHEREAS, the Animal Care and Control Division has received and wishes to expend a \$5,555 grant for a new HVAC system at the Animal Shelter;

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

SECTION I. For the expenses of said municipal corporation, the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
General Fund – Animal Care & Control	
Line 53610 – Repairs and Maintenance – Building	\$ <u>5,555</u>
Total General Fund – Animal Care & Control	<u>5,555</u>

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
DAVE ROLLO, President  
Bloomington Common Council

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 \_\_\_\_\_, 2007.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

**SYNOPSIS**

This ordinance appropriates \$5,555 from the General Fund – Animal Care & Control for a grant in order to purchase a new HVAC system for the Animal Shelter.





MARK KRUZAN  
MAYOR

CITY OF BLOOMINGTON

401 N Morton St  
Post Office Box 100  
Bloomington IN 47402

SUSAN CLARK  
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3412  
f 812.349.3456  
controller@bloomington.in.gov

## Memorandum

**To:** Council Members  
**From:** Susan Clark, Controller  
**Date:** January 31, 2007  
**Re:** Appropriation Ordinance 07-01

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**General Fund – Animal Care & Control.** The Animal Care & Control Division has received a \$5,555 grant from Petsmart Charities. Director Laurie Ringquist has requested authorization to use the grant funds for a new HVAC system at the Animal Shelter.

Feel free to contact me by email at [clarks@bloomington.in.gov](mailto:clarks@bloomington.in.gov) or by phone at 349-3412 at any time.



**ORDINANCE 07-02**

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM Q TO PUD  
AND TO ADOPT THE PRELIMINARY PLAN FOR  
THE SOUTHERN INDIANA HEALTH SCIENCES PARK  
PLANNED UNIT DEVELOPMENT**

**Re: 2401 West Tapp Road  
(Southern Indiana Medical Park II, LLC, Petitioner)**

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled “Zoning”, including the incorporated zoning maps, and Title 21, entitled “Land Use and Development;” and

WHEREAS, in January of 2007 the City adopted Ordinance 06-24 which repealed and replaced Ordinance 95-21 and the incorporated zoning maps and which took effect on February 12, 2007, a date falling after the Plan Commission’s consideration of this case but prior to the Common Council’s action on same; and

WHEREAS, the property at 2401 West Tapp Road has retained its designation as Quarry (Q) zoning district in both of the zoning ordinances described above; and

WHEREAS, the Plan Commission has considered this case, PUD-29-06, and recommended that the petitioners, Southern Indiana Medical Park II, LLC, be granted a rezone of the property located at 2401 West Tapp Road from Quarry (Q) to Planned Unit Development (PUD) and approval of the preliminary plan for the Southern Indiana Health Sciences Park PUD. The Plan Commission thereby 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 I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the property located at 2401 West Tapp Road be rezoned from Quarry (Q) to Planned Unit Development (PUD) and that the preliminary plan and the list of permitted uses be approved. The property is further described as follows:

The following described real estate in Monroe County, State of Indiana, to-wit: The Northwest quarter of Section 18, Township 8 North, Range 1 West, also the West half of the Northwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, except the following described part thereof, to-wit: Beginning at the Northeast corner of said tract of land, running thence South 40 rods; thence West 36 feet; thence northeast to a point on the North line of said described real estate one rod West of the place of beginning; thence east one rod to the place of beginning.

ALSO, the West half of the Southwest quarter of the Northeast quarter of said Section 18, Township 8 North Range 1 West.

ALSO, a part of the East half of the Northwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, described as follows, to-wit: Beginning at the Southwest corner of said tract of land; thence running North 40 rods; thence East 36 feet; thence Southwest to a point on the South line of said tract of land, 1 rod East of the place of beginning; thence West 1 rod to the place of beginning.

EXCEPTING THEREFROM: a part of the Northwest quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at the Southwest corner of said quarter section; thence North 00 degrees 18 minutes 31 seconds West 2640.94 feet along the west line of said quarter section to a Southern boundary of Tapp Road; thence Northeasterly 32.93 feet along said Southern boundary to the North line of said quarter section; thence South 89 degrees

52 minutes 00 seconds East 267.53 feet along said North line to a South boundary of Tapp Road; thence Easterly 134.93 feet along said South boundary to a Southern boundary of Tapp Road; thence Southeasterly 99.33 feet along said Southern boundary to a South boundary of Tapp Road; thence Easterly 75.24 feet along said South boundary; thence South 77 degrees 38 minutes 45 seconds West 238.18 feet; thence South 50 degrees 23 minutes 08 seconds West 124.40 feet; thence South 00 degrees 12 minutes 00 seconds East 250 feet; thence South 07 degrees 47 minutes 41 seconds East 151.33 feet; thence South 00 degrees 12 minutes 00 seconds East 1150 feet; thence South 05 degrees 54 minutes 38 seconds East 251.25 feet; thence South 04 degrees 33 minutes 49 seconds West 301.04 feet; thence South 00 degrees 12 minutes 00 seconds East 406.69 feet to the South line of said quarter section; thence North 89 degrees 16 minutes 00 seconds West 295.02 feet along said South line to the point of beginning.

ALSO EXCEPTING THEREFROM: Lot Number One of 2300 Tapp Road Subdivision, being a part of Section 18, Township 8 North, Range 1 West, in Monroe County, Indiana, as shown by the plat thereof recorded in Plat Cabinet "B", Envelope 325, in the office of the Recorder of Monroe County, Indiana.

ALSO EXCEPTING THEREFROM: A part of the Northwest quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana described as follows: Beginning at a point that is 609.61 feet South 88 degrees 38 minutes 01 second East of the Northwest corner of said Northwest quarter, said point being on the North line of said Northwest quarter and in Tapp Road; thence South 88 degrees 38 minutes 01 second East over and along said North line for a distance of 1136.44 feet; thence South 01 degree 49 minutes 58 seconds East for a distance of 1108.71 feet; thence North 88 degrees 38 minutes 01 second West for a distance of 1177.49 feet to the East right of way of Indiana State Road #37; thence Northerly over and along said right of way by the following courses and distances: North 00 degrees 12 minutes 00 seconds West 571.61 feet; thence North 07 degrees 47 minutes 41 seconds West; 151.33 feet; thence North 00 degrees 12 minutes 00 seconds West 250.00 feet; thence North 50 degrees 23 minutes 08 seconds East 124.40 feet; thence North 78 degrees 05 minutes 33 seconds East 238.18 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: A part of the southwest quarter of the Northwest quarter and a part of the West half of the Southwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana described as follows: Beginning at a point on the East line of said West half of the Southwest quarter of the Northeast quarter of said Section 18, said point being 583.86 feet South 01 degree 07 minutes 12 seconds East of the Northeast corner of said half quarter quarter; thence South 01 degree 07 minutes 12 seconds East for a distance of 723.29 feet to the Southeast corner of said half quarter quarter; thence North 89 degrees 04 minutes 15 seconds West over and along the East-West half section line of said Section 18 for a distance of 1713.54 feet; thence North 00 degree 55 minutes 45 seconds East for a distance of 728.23 feet; thence North 89 degrees 32 minutes 56 seconds East for a distance of 762.29 feet; thence North for a distance of 401.89 feet; thence East for a distance of 259.31 feet; thence South 00 degrees 26 minutes 13 seconds East for a distance of 494.67 feet; thence East for a distance of 661.15 feet to the point of beginning. Containing after all exceptions 100.94 acres more or less.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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

SECTION IV. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any other section, sentence, provision or application that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are intended and declared to be severable.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
DAVE ROLLO, President  
Bloomington Common Council

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 \_\_\_\_\_, 2007.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

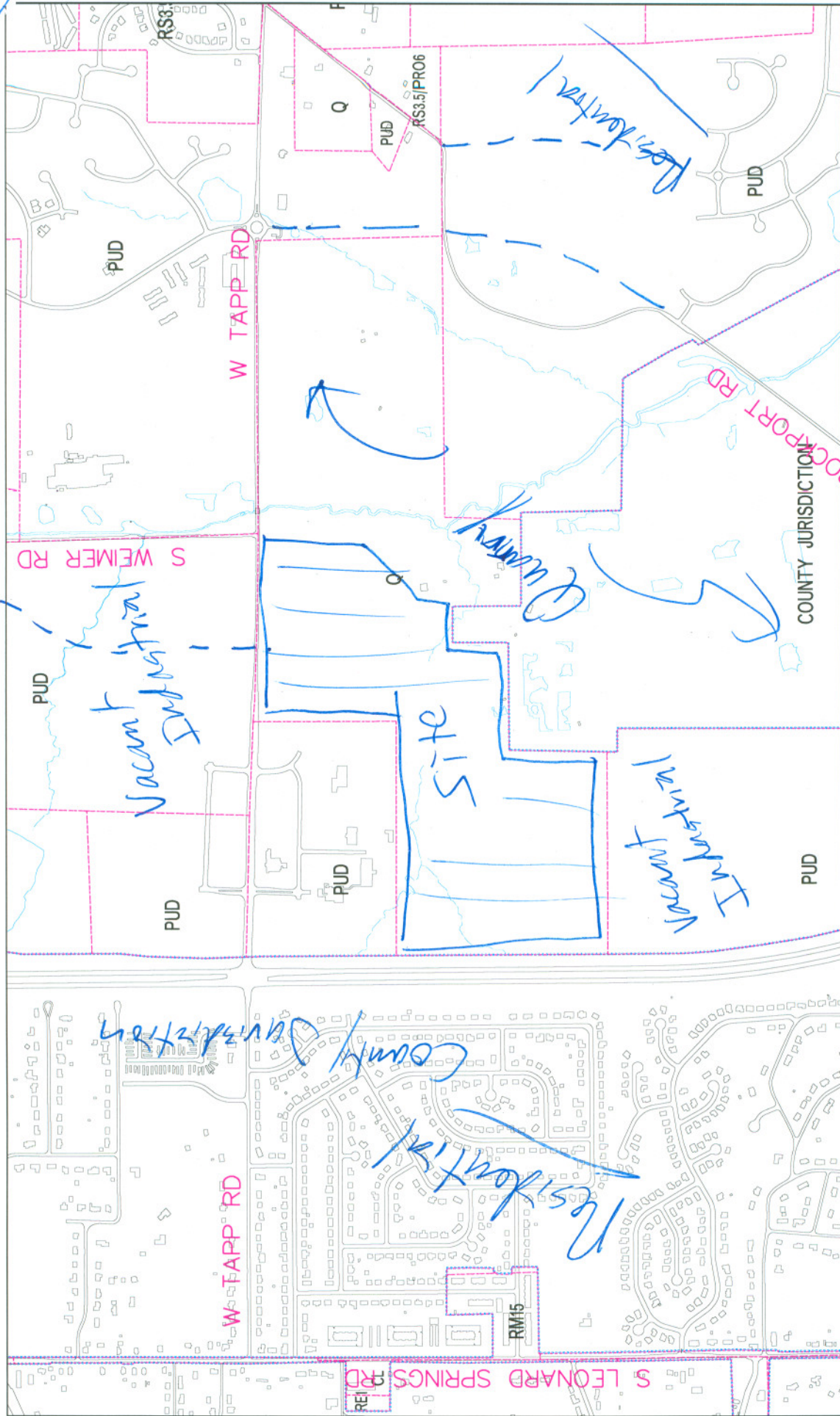
\_\_\_\_\_  
MARK KRUZAN, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance rezones approximately 101 acres on West Tapp Road from Quarry to Planned Unit Development and approves a preliminary plan for the Southern Indiana Health Sciences Park. This PUD allows for a mix of office and industrial uses, as well as accessory commercial uses and preserves 59 acres of forested land.



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City of Bloomington

Planning



Scale: 1" = 1000'

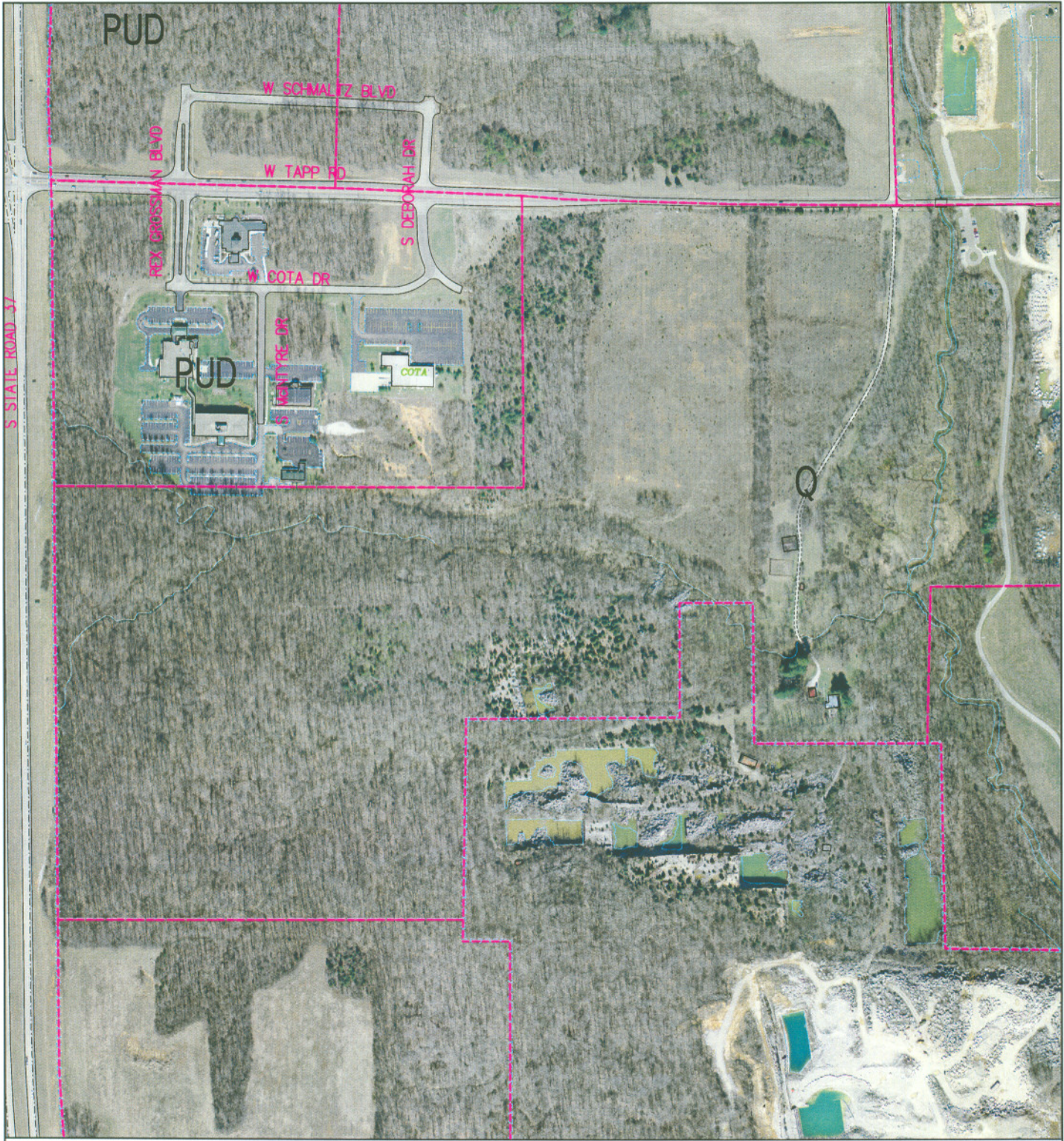


For reference only; map information NOT warranted.

Location Map

P10-29-06

By: roachja  
30 Nov 06



2005 Aerial Photo  
PUD-29-06

By: roachja  
30 Nov 06



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 500'

## Interdepartmental Memo

**To: Members of the Common Council**  
**From: James Roach, AICP, Senior Zoning Planner**  
**Subject: Case # PUD-29-06**  
**Date: January 24, 2007**

Attached are the staff reports, petitioner's statements, maps, and exhibits which pertain to Plan Commission Case # PUD-29-06. The Plan Commission voted 6-3 to send this petition to the Common Council with a favorable recommendation.

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**REQUEST:** The petitioner is requesting a rezoning of approximately 101 acres from Quarry (Q) to Planned Unit Development (PUD) and preliminary plan approval for medical office, health science, commercial and industrial uses, to be known as the Southern Indiana Health Science Park.

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### **SITE INFORMATION:**

<b>Area:</b>	101 acres
<b>Current Zoning:</b>	Q
<b>GPP Designation:</b>	Employment Center & State Road 37/Tapp Road Subarea
<b>Existing Land Use:</b>	Vacant, mostly wooded, abandoned quarries
<b>Proposed Land Use:</b>	Medical offices, professional offices, light industrial, commercial and 46.84 acres of preserved land
<b>Surrounding Uses:</b>	<b>North:</b> vacant, mostly wooded, industrial land <b>West:</b> Single family residential (Across SR 37) <b>East:</b> Single family residence, Clear Creek Trail, active quarry <b>Northwest:</b> Medical offices (Southern Indiana Medical Park) <b>South:</b> vacant industrially zoned land (Bill Brown PUD)

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**EXECUTIVE SUMMARY:** The Plan Commission reviewed petitions for this 101 acre property, currently zoned Quarry (Q), in the fall of 2003, the spring of 2004 and summer of 2006. These petitions were for a similar style development. The first petition received a positive recommendation from the Plan Commission, but was withdrawn before action by the Common Council. The second petition was forwarded to the Common Council with no recommendation and was subsequently denied by the Council due to concerns about a proposed inpatient medical clinic use. The third petition was forwarded to the Common Council with a positive recommendation and was subsequently denied by the Council due to concerns about road construction and development on the ridge top of the southern half of the property. At that time, the Council stated their willingness to



favorably consider an amended petition that preserved the area south of the creek, formerly known as Phase II, with only dedication of a right-of-way for a future extension of Weimer Road.

Since denial of the last petition, the petitioner has worked to address the concerns of the Council. The petitioner proposes to rezone the property from Q to PUD and is requesting approval of a preliminary plan. The Plan Commission voted 6-3 to recommend approval of this PUD to the Council. This PUD would include a mix of professional and medical offices, clinics, industrial and commercial uses. It also includes preservation of 59 acres of environmentally sensitive land, or approximately 58% of the property.

The property can be broken down into two main areas; 37 acres of cleared land along Tapp Rd. and 65 acres of wooded land south of the creek. The 65 acre area also contains steeply wooded ravines, a stream with a wooded riparian corridor, a wetland area, abandoned quarries (some partially filled) and several scattered sinkholes.

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**GROWTH POLICIES PLAN ANALYSIS:** The GPP designates this 101 acre site as an “Employment Center.” This designation was placed on the property because of its location adjacent to the Southern Indiana Medical Park and its access to State Road 37. Specifically, staff notes the following passages (page 37 of the GPP):

- The Employment Center district should contain a mix of office and industrial uses providing large-scale employment opportunities for the Bloomington community and surrounding region.
- Employment Center land uses should focus on corporate headquarters and industrial uses, which will provide a stable employment base for the greater Bloomington community.
- The commercial uses integrated within an employment center must be at a scale that serves the employment center but does not generate significant additional business from the community at large.
- Development phasing must emphasize the creation of the office and industrial base before the commercial areas are developed to serve them.
- Locations with easy access to State Road 37 should be emphasized in efforts to recruit Employment Center site users. Development of employment center sites shall be consistent with the policies outlined in the State Road 37 Corridor Plan, which is referenced in this document.

In addition to these general policies toward employment areas, the *State Road 37/Tapp Road Subarea* provides specific policy guidance for the development of this property. The subarea includes recommendations concerning land use, urban services and site design. Specifically, staff notes the following passages (page 48 of the GPP):

- Medical and corporate office land uses are recommended with light manufacturing and site-serving retail also being permitted. Medical offices are particularly desired east of the Southern Indiana Medical Park, while corporate offices should be considered along the State Road 37 frontage near Fullerton Pike.
- The Master Thoroughfare Plan designates a new north-south Secondary Collector through this Subarea to form a realigned four-way intersection at Weimer Rd. This roadway should not negatively impact or intrude on high quality and environmentally sensitive areas on this property.
- If State Road 37 is designated a limited access highway, then further planning should consider the closure of the Tapp Rd. intersection with State Road 37, along with a full interchange developing at the Fullerton Pike intersection.
- For property fronting State Road 37, site planning controls should be emphasized, including a 360 degree building profile along the highway. The presence of parking lots should be limited along SR 37.
- Maintenance of the existing woodland buffer along sections of State Road 37 is critical. The preferred width of this buffer should be at least 100 feet.
- Pedestrian connections should be emphasized between developments bordering either side of the Clear Creek floodplain. Additional integration of pedestrian connections with the Clear Creek Trail is a required site design element.
- Site design should take into account and reflect the sensitive nature of the Subarea, especially areas with heavy woodland, steep slopes, and karst. Conservation of these areas as greenspace is a required feature, and can significantly enhance the attractiveness of business park development.

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## **PUD REVIEW ISSUES:**

**LAND USE AREAS:** The Plan Commission approved a range of uses for the PUD, which can be broken down as follows:

*Area A:* This area includes the majority of the developable land in the PUD. Proposed uses include a mix of professional and medical offices and clinics and light industrial uses.

*Area B:* This area includes 3.9 acres for commercial development. The petitioner proposes that there be a maximum of 20,000 square feet of commercial space in this area. Proposed land uses are as follows:

- Drug store
- Convenience store
- Coffee shop
- Retail services in enclosed buildings
- Financial Institutions (with drive through)
- Dwelling units on the second floor

**Offices:** Medical and professional offices are expected to be the primary land use in this development. The GPP recommends that employment centers contain a mix of office and industrial uses that would provide employment opportunities for the community and the region. The GPP specifically notes that “Medical offices are particularly desired east of the Southern Indiana Medical Park.”

**Commercial Uses:** The Plan Commission approved a commercial component to this development that would include up to 3.9 acres and 20,000 square feet of commercial space along Tapp Road. The GPP states that the primary land use for this area should be “a mix of office and industrial uses providing large-scale employment opportunities” and should “focus on corporate headquarters and industrial uses.” The GPP goes on to say that any commercial uses in this area should be integrated into the employment center, “must be at a scale that serves the employment center but does not generate significant additional business from the community at large” and that “supporting commercial and residential components only [be] as dictated by the primary employment use.”

The Plan Commission found that the proposed 20,000 square feet and limited uses were enough to ensure that this commercial space is “site serving.” Below is a list of several retail centers and their comparative square footages. The Plan commission determined that the proposed 20,000 square feet of commercial space would ensure that the uses are in keeping with the “site serving” policies of the GPP.

- The Shoppes (College Mall Road): 37,000 s.f.
- Crosstown Shopping Center (E. 10<sup>th</sup> Street): 35,000
- Renwick Commercial: 22,000 total
- Whitehall Park (b-shops) (W. 3<sup>rd</sup> St.): 20,000 each
- South Dunn Street PUD: 15,000 total
- Colstone Square (3<sup>rd</sup> St. and Dunn): 12,000
- McDoel Grocery (Thomson Area PUD): 5,500

**Fire Station:** The petitioner has agreed to dedicate 1.5 acres of land for a new City fire station. In consultation with the City’s Fire Chief, this land is desirable for a fire station because it is surrounded by other land inside of the City Limits, it has convenient access to SR 37 and neighborhoods to the west of SR 37, and it would be centrally located within this employment center. The petitioner agreed to dedicate the fire station land with the first final plat for this development. The parcel to be dedicated must have direct access to the Weimer Road extension.

**Preservation Areas:** The Plan Commission approved a preliminary plan that would preserve approximately 59 acres or approximately 58% of the property. This acreage includes all of the land south of the creek except for the dedicated road right-of-way for a future extension of Weimer Road. This preservation area includes all slopes greater than 18%, several karst features, the bottom land and

wetland around the stream, several wooded ravines, formerly quarried land and the GPP recommended 100 foot buffer along SR 37.

The petitioner analyzed the 59 acre preservation area to determine how much of this acreage would have to be preserved based strictly on Zoning Ordinance requirements. Of these 59 acres, 28 acres are required to be protected based on the presence of wetlands, steep slopes or karst features. This means the remaining acreage, 31 acres, are being protected above code requirements. This additional preservation commitment accounts for 53% of the total preserved area and 31% of the property as a whole.

As with the previous petitions on this property, the petitioner could gift the preserved areas to a "preservation organization." This is similar to preserved land in other recent developments, such as "Latimer Woods" and Lots 2 & 4 of the Canterbury Park subdivision, all of which were gifted to the Community Foundation of Bloomington. Possible preservation groups include the Bloomington Parks Foundation, the Community Foundation and the Sycamore Land Trust. The petitioner has left open the possibility of designating the preserved area as "common area," to be owned by the lot owners. The petitioner has agreed that either the recipient of the gifted land be finalized prior to recording of the first plat or this land will be platted as common area with a conservation easement. All plats shall reference the definition and restrictions of "conservancy easement" as contained within the new Unified Development Ordinance (UDO), with the slight modification recommended by the Environmental Commission and listed as condition #1.

At the recommendation of the Environmental Commission, the petitioner has agreed to abide by the new UDO requirements for buffers from perennial streams and wetlands for the stream that runs from west to east through the center of the property. This commitment excludes the drainageway that runs north-south through the western part of the property that has been shown as graded and developed through all previous versions of this petition.

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#### **SITE DESIGN:**

**Weimer Road Extension:** The GPP and the Thoroughfare Plan call for a primary collector "frontage road" to be constructed through this property from the future Weimer and Tapp Rd. intersection to Fullerton Pike. This road could also serve as property access for other parcels along SR 37. If SR 37 is upgraded to a controlled access highway, a Weimer Rd. extension could provide a direct local street connection from Fullerton Pike to W. 2nd Street.

During deliberations concerning the previous petition, the Common Council indicated its strong preference for preservation of the wooded land instead of construction of this frontage road and additional Employment Center development. The Council stated that a frontage road was not needed at this

time due to the environmental sensitivity of the land south of the creek and the uncertainty concerning the future of SR 37. With approval of this revised petition, the extension of Weimer Road would have to be funded by the public sector some time in the future if it is deemed necessary for connectivity.

The alignment of the right of way for the Weimer Rd. extension as shown on the preliminary plan map matches the realignment of the road north of Tapp Rd. as proposed by the Engineering Department. This alignment also places the right-of-way west (upstream) of the delineated wetland and along the top of the ridge between the preserved parcels. Until the roundabout construction is completed by the City at Tapp Road and the Weimer extension, lots within the development shall utilize South Deborah Drive for access. No lot shall be permitted direct access to W. Tapp Road.

In order to ensure that there will be adequate land available for possible future construction of the Weimer Rd extension, the Plan Commission approved a 20 foot temporary construction easement on either side of the dedicated road right-of-way. This temporary easement would allow for any needed grading associated with road construction that could not be contained in the 70 foot wide right-of-way.

**Right-of-way dedication:** A right-of-way dedication of 50' from the centerline of W. Tapp Road is required per the Thoroughfare Plan. The petitioner has committed to dedicating sufficient right-of-way at the intersection of W. Tapp Road and the Weimer Road extension to accommodate the roundabout proposed by the City of Bloomington.

**Phasing:** It is anticipated that grading for this development, unlike with the previous petition, will occur as a single phase. Individual lots would be developed separately. Future Final Plans for Area A uses will be reviewed by the Planning Staff, while Final Plans for Area B uses will be reviewed by the Plan Commission.

**State Road 37 Buffer:** The petitioner has provided the 100 foot wide buffer adjacent to State Road 37 as recommended by GPP and the *State Road 37/Tapp Road Subarea*. This area is wooded and would remain undisturbed as part of the 59 acre preservation area.

**Utilities:** A schematic utility plan has been submitted to CBU and found to be acceptable. Water service will be provided off of an existing 20" main in Tapp Rd. An existing sanitary sewer main that crosses west to east, just north of the creek, is undersized. This line will be replaced with a new, oversized main. Sewage will flow to the northeast and connect to the Southwest Interceptor near the intersection of Tapp and Weimer Rd. The existing sanitary sewer main located on the adjacent property to the east will be abandoned.

**Stormwater:** A schematic stormwater plan has been submitted to CBU and is under review. This plan includes stormwater detention just north of the creek channel and tree line.

With this petition, and with previous petitions for the property, there was concern raised by a downstream property owner. This property owner requested consideration for his flooding problems in development of the PUD proposal. The petitioner agreed to study and evaluate the storm water detention facility in the adjoining Southern Indiana Medical Park and modify that facility as needed to meet current detention design standards.

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**CONCLUSIONS:** The Plan Commission found that this petition met the goals and objectives of the GPP. Both this petition and the previous one proposed medical and professional offices, light industrial and accessory commercial uses which are consistent with the “employment” designation of the property. The Plan Commission agreed with the Council and found that construction of any uses south of the creek would be detrimental to the environmentally sensitive areas. They found that the extension of Weimer Road would be necessary only at such time as this property is built out, the property to the south is built out, and access is changed along SR 37. While the proposed location of the frontage road and crossing of the creek is consistent with the Thoroughfare Plan and the GPP, the Plan Commission agreed with the Council that preservation of the southern 59 acres in its entirety outweighs the public sector expense of constructing the road if it is ever deemed necessary in the future.

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**RECOMMENDATION:** The Plan Commission voted 6-3 to send this petition to the Common Council with a favorable recommendation with the following conditions:

1. Recorded Conservancy Easements within this PUD shall be defined as follows: “An easement that prohibits any land-disturbing activities within a defined area.”

## **Interdepartmental Memo**

**To: Members of the Common Council**  
**From: James Roach, AICP, Senior Zoning Planner**  
**Subject: Plan Commission Resolution Concerning Weimer Road Extension**  
**Date: January 24, 2007**

The Plan Commission voted 8-0 to forward a resolution to the Common Council and Redevelopment Commission. This resolution concerned the public funding of the Weimer Road extension. The resolution reads as follows:

“Be it resolved that the Plan Commission supports the concept of creating a public funding source that could be used to build, if necessary, at some future time, the Weimer Road extension south of this proposed development. [The Plan Commission] further recommends that the City Council and Redevelopment Commission investigate TIF financing as a possible public funding source for this purpose.”

# **Petitioner Materials**



December 18, 2006

City of Bloomington Plan Commission  
C/o James Roach, Senior Zoning Planner  
P. O. Box 100  
Bloomington, IN 47402

Re: Indiana Health Sciences Park – 103 acres  
PUD Rezone Petition Supplemental Submission #2

Dear Jim and Plan Commissioners,

We are making several refinements to the petition to incorporate Planning Staff recommendations. These include;

- Clarification that the 1.5 acre dedication for a fire station will take place with the first final plat and that the dedicated parcel will have direct access to the Weimer Road extension.
- The right of way dedication for the Weimer Road extension will include sufficient right of way to accommodate the roundabout currently proposed by the City of Bloomington at Tapp and Weimer Roads.
- Until the roundabout construction is completed by the City at Tapp Road and the Weimer extension, lots within the development shall utilize South Deborah drive for access.
- We are requesting that final plans in area A be reviewed by the Planning Staff and that final plans for the 3.9 acre area B commercial parcel shall be reviewed by the Plan Commission.
- We will either finalize the recipient of the 59 acres south of the creek prior to recording the first final plat for the property or will plat the land as common area with a conservancy easement. All plats shall reference the definition and restrictions of “conservancy easement” as contained within the draft of the Unified Development Ordinance (UDO).
- All final plans shall abide by the UDO requirements for buffers from perennial streams and wetlands for the stream that runs from west to east though the center of the property. No buffers are proposed for the storm drainage that runs southerly from Tapp Road west of the proposed Weimer Road until it gets to the wetland buffer area in the large valley.

Thank you for your continued assistance as we refine this project for the second Plan Commission hearing on January 8<sup>th</sup>, 2006.

Very Truly Yours,

Stephen L. Smith  
Smith Neubecker & Associates, Inc.

Cc file 4058 M-2



Stephen L. Smith P.E., L.S.  
Daniel Neubecker L.A.  
Steven A. Brehob, B.S.Cn.T.

November 13, 2006

City of Bloomington Plan Commission  
C/o James Roach, Senior Zoning Planner  
P. O. Box 100  
Bloomington, IN 47402

Re: Indiana Health Sciences Park – 103 acres  
PUD Rezone Petition Supplemental Submission #1

Dear Jim and Plan Commissioners,

We are making several refinements to the petition based on our conversations since the application last week. These include;

- The Weimer Road right of way in the southern half of the PUD has been moved to be centered on the flattest portion of the ridge. The original location was set to one side to allow development lots on the other side of the ridge. This new location will minimize the area disturbed by construction of the road.
- A 20' temporary easement for construction shall be provided on each side of the right of way dedication through the southern portion of the PUD.
- We ask that the petition be acted upon in the first Plan Commission hearing and that the second hearing be waived.
- We ask that development plan review for projects in area A (life and health sciences area) be delegated to staff.
- Refinement of the text regarding the preservation areas.

Thank you for your continued assistance as we refine this project for the Plan Commission hearing on December 4<sup>th</sup>, 2006.

Very Truly Yours,

A handwritten signature in blue ink that reads "Steve Smith". The signature is written in a cursive, flowing style.

Stephen L. Smith  
Smith Neubecker & Associates, Inc.

Cc file 4058  
Encl; Revised PUD Outline Plan Drawing  
Revises PUD Statement 11/13/06



Stephen L. Smith P.E., L.S.  
Daniel Neubecker L.A.  
Steven A. Brehob, B.S.Cn.T.

November 3, 2006

City of Bloomington Plan Commission  
C/o James Roach, Senior Zoning Planner  
P. O. Box 100  
Bloomington, IN 47402

Re: Indiana Health Sciences Park – 103 acres  
PUD Rezone Petition

Dear Jim and Plan Commissioners,

The Indiana Health Sciences Park PUD has been revised in accordance with the resolution of the Common Council and is now being re-filed with the Plan Commission. The Common Council advised that we should dedicate r/w south of the creek and not build the road and that all of the remaining land south of the creek should be preserved in perpetuity.

A revised Outline Plan Statement, Outline Plan Drawing and application form are being submitted with this letter. Environmental assessments, the property description and other items have been provided previously.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Stephen L. Smith', written over the typed name.

Stephen L. Smith  
Smith Neubecker & Associates, Inc.

Cc file 4058



**Indiana Health Sciences Park**  
***Planned Unit Development***  
***Outline Plan Statement***  
***November 13, 2006***

Prepared by:  
Smith Neubecker and Associates, Inc.  
Job # 4058



Introduction

Bloomington and the State of Indiana are developing strategies and action plans to continue and enhance involvement in the Life Sciences. Companies like Cook, Lilly, Baxter and institutions Purdue University and Indiana University and initiatives like the Bloomington Life Sciences Partnership and the Central Indiana Life Sciences Initiative are major players in this effort. The direct provision of medical services to patients is also changing at a rapid rate with new technologies and processes. The Indiana Health Services Park is being designed to be a part of this effort that promises to transform the Hoosier economy.

The Indiana Health Science Park is a 103 acre development strategically located along SR 37, soon to be I-69, on the southwest side of Bloomington. The land lies adjacent to Southern Indiana Medical Park on Tapp Road. The Park will provide area for and focus on life and health sciences research, manufacturing and application. The park will also have supporting commercial and business components. Nearly all of the southern portion of the site will be preserved in its natural condition.

Indiana Health Sciences Park will provide an opportunity for a future linkage in the area street connectivity. It will develop the extension of Weimer Road from the proposed traffic circle at Tapp Road through the northern portion of the PUD. Right of way will be dedicated to the City for possible future extension of Weimer Road to the south end of the PUD.

Indiana Health Sciences Park is being proposed following the City of Bloomington's Growth Policy Plan Subarea plan; "the intent of the Subarea plan should be to foster development of medical and corporate office land uses while insuring the preservation of environmentally valuable and sensitive lands." We have worked closely with City Officials to insure that these goals are being met.



**Development Areas and Land Uses**

Indiana Health Sciences Park is intended to provide sites for life and health sciences and related and supporting enterprises. The Park is comprised of two areas for land use planning purposes. Each of these areas has a unique package of allowable land uses.

**Area A.** This area represent the main areas of the park that are planned for life and health science and related land uses. Area A will allow the following land uses;

- Life sciences/Health sciences research, development and manufacturing
- Light Manufacturing
- Medical Offices and Clinics (outpatient only, no overnight accommodations)
- Corporate and Professional Offices
- Convalescent, nursing and rest homes
- Mental Health Facilities
- Rehabilitative Facilities
- Residential Care Homes
- Fire and Police Stations
- Research Laboratories
- Educational Facility
- Medical Supply/distribution

**Area B.** This area is intended to provide convenience retail at the north end of the Park and for the existing Southern Indiana Medical Park. Area B is strategically located at the proposed traffic circle intersecting Tapp Road and Weimer Road. Area B is 3.4 acres, will allow a maximum of 20,000 sf building footprint and allow the following land uses;

- Drug Store
- Convenience Store
- Coffee Shop
- Retail services in enclosed buildings
- Financial Institutions (with drive through)
- Dwelling units on the second floor\*

\* Dwelling units are not planned at this time, but the plan provides the opportunity to provide a small number of dwelling units in the PUD without using up Health Sciences land.

**Preservation Areas.** The large preservation areas shown on the PUD Outline Plan drawing are intended to be preserved in their natural condition. These areas will be dedicated as conservation easements or gifted to an acceptable preservation organization. If the developer determines that dedication or gifting is not feasible, these areas will be designated as common areas to be preserved in their natural condition. The smaller



preservation areas and buffer setback areas shown on the northern portion of the PUD may be included within lots in the PUD and/or dedicated as conservation easements or gifted to an acceptable preservation organization at the discretion of the developer.

### Development Standards

#### Signs

A single project identification/monument sign will be allowed along Tapp Road at Weimer Road. This sign will display the name of the development and individual business names and will have a maximum height of 20' and a maximum total area of 200 sq. ft. or 100 sq. ft. per side of a double-sided sign.

Individual sites are allowed to have signage that meets the Scenic/Gateway Corridor regulations for individual nonresidential uses. Directional signage will be utilized to help customers and patients locate specific offices.

#### Site Lighting

Lighting shall be directional in nature and parking lot lighting shall have a 15' maximum pole height. Parking lot lighting shall be reduced to a reasonable level of security lighting only during non work hours.

#### Development Standards

Development standards in area A shall be consistent with the BP zone standards and development standards for area B shall be consistent with the CL standards except for the following;

- Front yard setbacks from the right of way for parking and building shall be 50% of that normally required in the BP and CL zones.
- Setbacks internal to the lots may be reduced or waived at development plan stage to yield a more compact design in the development.
- Open space and floor area ratio requirements are met with the overall PUD and do not need to be met on individual lots.
- No additional setback is required from land set aside for preservation.
- Maximum building height shall be 60'.
- No lot shall have direct access to Tapp Road.





Roadways, Traffic and Circulation

Right of Way and Roadway Standards

Weimer Road extension shall have two 12' lanes with 2' curb and gutter on both sides. An 8' path will be constructed on the west side and a 5' sidewalk on the east side.

There shall be no parking on Weimer Road.

Internal roads will be designed at development plan stage to meet their function i.e. through, local, parking etc.

The pavement section on Weimer Road shall be 110#/syd bituminous surface, on 440#/syd bituminous base, on 7" compacted aggregate.

An 8' path shall be constructed along the south side of Tapp Road from Weimer Road to the east property line of the project. A 5' sidewalk shall be constructed on the south side of Tapp Road from Weimer to the west property line of the project.

A 70' right of way with 20' temporary construction easements on both sides shall be dedicated for Weimer Road through the southern portion of the PUD as shown on the Outline Plan Drawing. No construction of that section of Weimer Road is proposed with this PUD.



## Utility Infrastructure

### Stormwater Management

The site is located in a large drainage basin with a tributary of Clear Creek bisecting the site from east to west. The majority of the drainage basin of this tributary is located west of the site and west of SR 37. There are two existing culverts that convey runoff under SR 37 and to the tributary that bisects the site. The southern portion of the site is a high relatively flat ridge that has storm water flows away in all directions. This area of the site will not be disturbed.

This plan proposes construction of a detention and water quality basin at the southeast corner of the northern portion of the Park. This basin will be constructed outside of the limits of the streambed and wetland area in the low-lying property on site. The basin will be sized to accommodate the storm water detention needs of the Park and will be oversized to accommodate any excess runoff from the adjoining Southern Indiana Medical Park that is not controlled with its existing basin.

An evaluation of the storm water detention facility in the adjoining Southern Indiana Medical Park shall be conducted by the petitioner with the first final plan. The existing facility in that development shall be modified by the petitioner as needed to meet current detention design standards.

Storm drainage systems on site whenever feasible will discharge to grassed waterways leading to the detention / water quality basins.

### Sanitary Sewer

A City of Bloomington Utilities interceptor sanitary sewer line crosses the site. The PUD will utilize that line and replace portions of it in coordination with the Utility.

### Water Mains

Water service for the site will utilize connections to the existing 20" City main along Tapp Road. As with sanitary sewer, it is anticipated that the water main system will generally follow the internal roadways. Water modeling of the distribution network will need to be done to determine the exact location and sizes of the mains necessary with input from CBU on long range planning. Both of these items can be completed at the development plan stage.

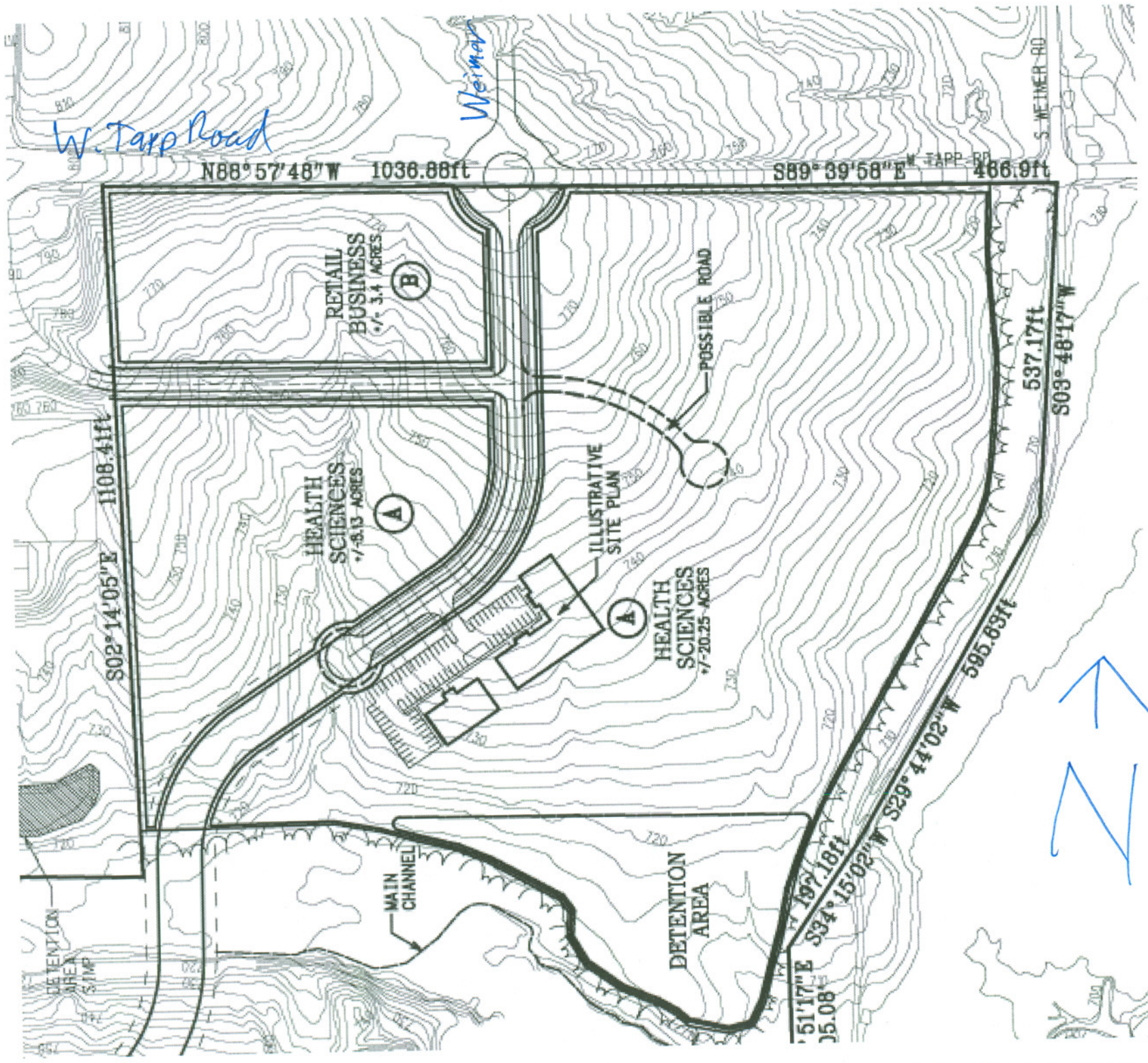


Other Specific conditions

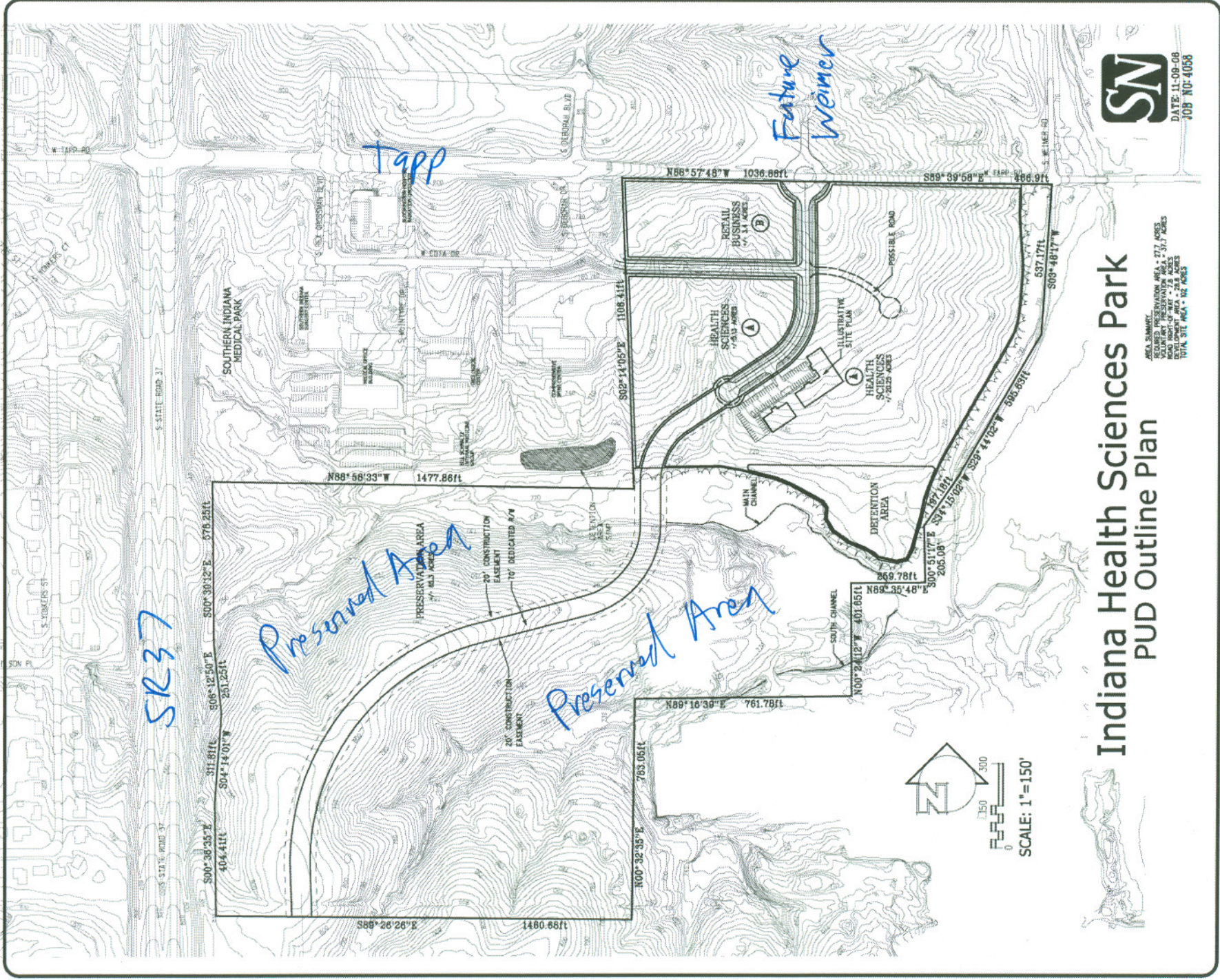
1. A 15' wide pedestrian easement shall be provided between the east property line and the frontage road, to facilitate a future connection to the Clear Creek Trail. The exact location of this easement shall be determined at final plan stage.
2. All building facades that are visible from public streets shall have architecture of equal quality to, and be compatible with, the front façade of the building.
3. All final plans will include a lighting plan sufficient to demonstrate compliance with lighting commitments made in this petition.
4. A 1.5 acre site shall be dedicated for a fire station with the first final plan in the PUD.

Project Phasing

This project will be built in phases from north to south. The initial road connection will be at Deborah Drive until the City completes the traffic circle at Tapp and Weimer Roads.



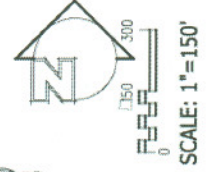
Site Plan  
 Redevelopable area  
 PUB-29-06  
 302



DATE: 11-09-06  
JOB NO: 4056

# Indiana Health Sciences Park PUD Outline Plan

AREA SUMMARY:  
REQUIRED PRESERVATION AREA - 27.7 ACRES  
VOLUNTARY PRESERVATION AREA - 3.7 ACRES  
DEVELOPMENT AREA - 29.8 ACRES  
TOTAL SITE AREA - 61.2 ACRES



Overall Prelim. Plan Map  
PUD-2906  
31

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 2401 West Tapp Road**

**CASE NO: PUD-29-06  
DATE: January 8, 2006**

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**PETITIONER:** Southern Indiana Medical Park II, LLC  
2920 McIntyre Dr., Bloomington

**COUNSEL:** Smith Neubecker and Associates, Inc.  
453 S. Clarizz Blvd., Bloomington

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**REQUEST:** The petitioner is requesting a rezoning of approximately 101 acres from Quarry (Q) to Planned Unit Development (PUD) and preliminary plan approval for medical office, health science, commercial and industrial uses to be known as the Southern Indiana Health Science Park.

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**SITE INFORMATION:**

**Area:** 101 acres  
**Current Zoning:** Q  
**GPP Designation:** Employment Center & State Road 37/Tapp Road Subarea  
**Existing Land Use:** Vacant, mostly wooded, abandoned quarries  
**Proposed Land Use:** Medical offices, professional offices, light industrial, commercial and 59 acres of preserved land

**Surrounding Uses:**

- North:** Vacant, mostly wooded, industrial land
- West:** Single family residential (Across SR 37)
- East:** Single family residence, Clear Creek Trail, active quarry
- Northwest:** Medical offices (Southern Indiana Medical Park)
- South:** Vacant industrially zoned land (Bill Brown PUD)

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**REPORT SUMMARY:** The property in question is an approximately 101 acre parcel bounded by W. Tapp Road to the north, State Road 37 to the west, an undeveloped PUD to the south, and a single family house, the Clear Creek floodplain and an active limestone quarry to the east. Parts of the property have been logged and quarried in the past.

The Plan Commission reviewed petitions for this 101 acre property, currently zoned Quarry (Q), in the fall of 2003, the spring of 2004, and the summer of 2006. These petitions were for a similar style development. The first petition received a positive recommendation from the Plan Commission, but was withdrawn before action by the Common Council. The second petition was forwarded to the Common Council with no recommendation and was subsequently denied by the Council due to concerns about a proposed inpatient medical clinic use.

The most recent petition for this property, PUD-06-06, received a positive recommendation from the Plan Commission at its September 11, 2006 hearing.

Subsequently, the Common Council denied the petition at its October 18, 2006 meeting. The Council objected to development on the ridge top of the southern half of the property and stated their willingness to favorably consider an amended petition that preserved the area south of the creek, formerly known as Phase II, with only dedication of a right-of-way for a future extension of Weimer Road.

Since the October 18 meeting, the petitioner has worked to address the concerns of the Council. The petitioner proposes to rezone the property from Q to PUD and is requesting approval of a preliminary plan. This PUD would include a mix of professional and medical offices, clinics, industrial and commercial uses. It also includes preservation of 59 acres of environmentally sensitive land, or approximately 58% of the property. The Plan Commission last reviewed this petition on December 4, 2006 and did not reach a majority vote (4-2) to forward it on to the Common Council with a waiver of the second hearing. This hearing is the second of two required hearings. Since December, the petitioner has agreed to all conditions as listed in the staff report and incorporated them into the Preliminary Plan and petitioner's statement (Letter dated 12/18/2006).

The property can be broken down into two main areas; 37 acres of cleared land along Tapp Rd. and 65 acres of wooded land south of the creek. The 65 acre area also contains steeply wooded ravines, a stream with a wooded riparian corridor, a wetland area, abandoned quarries (some partially filled) and several scattered sinkholes.

With this petition, the petitioner is also requesting staff level review of the Business Park lots, with Plan Commission review of the Commercial lots. Staff has no objection to this request.

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**GROWTH POLICIES PLAN ANALYSIS:** The GPP designates this 101 acre site as an "Employment Center." This designation was placed on the property because of its location adjacent to the Southern Indiana Medical Park and its access to State Road 37. Specifically, staff notes the following passages (page 37 of the GPP):

- The Employment Center district should contain a mix of office and industrial uses providing large-scale employment opportunities for the Bloomington community and surrounding region.
- Employment Center land uses should focus on corporate headquarters and industrial uses, which will provide a stable employment base for the greater Bloomington community.
- The commercial uses integrated within an employment center must be at a scale that serves the employment center but does not generate significant additional business from the community at large.
- Development phasing must emphasize the creation of the office and industrial base before the commercial areas are developed to serve them.
- Locations with easy access to State Road 37 should be emphasized in efforts to recruit Employment Center site users. Development of employment center sites

shall be consistent with the policies outlined in the State Road 37 Corridor Plan, which is referenced in this document.

In addition to these general policies toward employment areas, the *State Road 37/Tapp Road Subarea* provides specific policy guidance for the development of this property. The subarea includes recommendations concerning land use, urban services and site design. Specifically, staff notes the following passages (page 48 of the GPP):

- Medical and corporate office land uses are recommended with light manufacturing and site-serving retail also being permitted. Medical offices are particularly desired east of the Southern Indiana Medical Park, while corporate offices should be considered along the State Road 37 frontage near Fullerton Pike.
- The Master Thoroughfare Plan designates a new north-south Secondary Collector through this Subarea to form a realigned four-way intersection at Weimer Rd. This roadway should not negatively impact or intrude on high quality and environmentally sensitive areas on this property.
- If State Road 37 is designated a limited access highway, then further planning should consider the closure of the Tapp Rd. intersection with State Road 37, along with a full interchange developing at the Fullerton Pike intersection.
- For property fronting State Road 37, site planning controls should be emphasized, including a 360 degree building profile along the highway. The presence of parking lots should be limited along SR 37.
- Maintenance of the existing woodland buffer along sections of State Road 37 is critical. The preferred width of this buffer should be at least 100 feet.
- Pedestrian connections should be emphasized between developments bordering either side of the Clear Creek floodplain. Additional integration of pedestrian connections with the Clear Creek Trail is a required site design element.
- Site design should take into account and reflect the sensitive nature of the Subarea, especially areas with heavy woodland, steep slopes, and karst. Conservation of these areas as greenspace is a required feature, and can significantly enhance the attractiveness of business park development.

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## **PUD REVIEW ISSUES:**

**LAND USE:** The petitioner has proposed a range of uses for the PUD which are identical to the uses previously reviewed as part of PUD-06-06. The proposed uses are broken down into two areas of the PUD and are as follows:

*Area A:* This area includes the majority of the developable land in the PUD. Proposed uses include a mix of professional and medical offices and clinics and light industrial uses.

*Area B:* This area includes 3.9 acres for commercial development. The petitioner proposes that there be a maximum of 20,000 square feet of commercial space in this area. Proposed land uses are as follows:



- Drug store
- Convenience store
- Coffee shop
- Retail services in enclosed buildings
- Financial Institutions (with drive through)
- Dwelling units on the second floor

**Offices:** Medical and professional offices are expected to be the primary land use in this development. The GPP recommends that employment centers contain a mix of office and industrial uses that would provide employment opportunities for the community and the region. The GPP specifically notes that “Medical offices are particularly desired east of the Southern Indiana Medical Park.”

**Commercial Uses:** The proposed commercial uses are in line with those proposed as PUD-06-06 and includes up to 3.9 acres and 20,000 square feet of commercial space along Tapp Road. The GPP states that the primary land use for this area should be “a mix of office and industrial uses providing large-scale employment opportunities” and should “focus on corporate headquarters and industrial uses.” The GPP goes on to say that any commercial uses in this area should be integrated into the employment center, “must be at a scale that serves the employment center but does not generate significant additional business from the community at large” and that “supporting commercial and residential components only [be] as dictated by the primary employment use.”

Staff finds that the proposed square footage and use limitations are enough to ensure that this commercial space is “site-serving.” Below is a list of several retail centers and their comparative square footages.

- |   |              |
|---|--------------|
| • The Shoppes (College Mall Road):                        | 37,000 s.f.  |
| • Crosstown Shopping Center (E. 10 <sup>th</sup> Street): | 35,000       |
| • Renwick Commercial:                                     | 22,000 total |
| • Whitehall Park (b-shops) (W. 3 <sup>rd</sup> St.):      | 20,000 each  |
| • South Dunn Street PUD:                                  | 15,000 total |
| • Colstone Square (3 <sup>rd</sup> St. and Dunn):         | 12,000       |
| • McDoel Grocery (Thomson Area PUD):                      | 5,500        |

**Fire Station:** The petitioner has agreed to dedicate 1.5 acres of land for a new City fire station. In consultation with the City’s Fire Chief, this land is desirable for a fire station because it is surrounded by other land within the municipal boundary, it currently has access to SR 37 and neighborhoods to the west of SR 37, and it would be centrally located within this employment center. The Plan Commission required with PUD-06-06 that the fire station land dedication take place with the first final plat for this development. The petitioner has agreed to this timing requirement and agreed to dedicate a parcel with direct access to the Weimer Road extension.

**Preservation Areas:** The petitioner proposes a plan that would preserve approximately 59 acres or approximately 58% of the property. This acreage includes all of the land

south of the creek except for the dedicated road right-of-way for a future extension of Weimer Road. This preservation area includes all slopes greater than 18%, several karst features, the bottom land and wetland around the stream, several wooded ravines, formerly quarried land and the GPP recommended 100 foot buffer along SR 37.

At the request of the Plan Commission, the petitioner analyzed the 59 acre preservation area to determine how much of this acreage would have to be preserved based strictly on Zoning Ordinance requirements. Of these 59 acres, 28 acres are required to be protected based on the presence of wetlands, steep slopes or karst features. This means the remaining acreage, 31 acres, are proposed for protection due to the presence of tree cover and guidance from the Common Council. This additional preservation commitment accounts for 47% of the total preserved area and 31% of the property as a whole.

As with the previous petitions on this property, the petitioner could gift the preserved areas to a "preservation organization." This is similar to preserved land in other recent developments, such as "Latimer Woods" and Lots 2 & 4 of the Canterbury Park subdivision, all of which were gifted to the Community Foundation of Bloomington. Possible preservation groups include the Bloomington Parks Foundation, the Community Foundation and the Sycamore Land Trust. The petitioner has left open the possibility of designating the preserved area as "common area," to be owned by the lot owners. The petitioner has agreed that either the recipient of the gifted land be finalized prior to recording of the first plat for the property or this land will be placed as common area with a conservation easement. All plats shall reference the definition and restrictions of "conservancy easement" as contained within the draft of the Unified Development Ordinance (UDO).

At the recommendation of the Environmental Commission, the petitioner has agreed to abide by the UDO requirements for buffers from perennial streams and wetlands for the stream that runs from west to east through the center of the property. This commitment excludes the draingeway that runs north-south through the eastern part of the property that has always been shown as being graded and developed.

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## **SITE DESIGN:**

**Weimer Road Extension:** The GPP and the Thoroughfare Plan call for a primary collector "frontage road" to be constructed through this property from the future Weimer and Tapp Rd. intersection to Fullerton Pike. This road is needed to serve as property access for the parcels along SR 37. If SR 37 is upgraded to a controlled access highway, Weimer Rd. could provide a direct local street connection from Fullerton Pike to W. 2nd Street.

During deliberations concerning the previous petition, PUD-06-06, the Common Council indicated its strong preference for preservation of the wooded land instead of construction of this frontage road. The Council stated that a frontage road was not

needed at this time due to that the environmental sensitivity of the land south of the creek and the uncertainty concerning the future of SR 37. Approval of this petition means that the petitioner and future owners of lots in this development would not be obligated to construct the extension of Weimer Road south of the creek, including the creek crossing. The extension of Weimer Road would have to be funded by the public sector some time in the future when it is deemed necessary for connectivity.

The alignment of the right of way for the Weimer Rd. extension as shown on the preliminary plan map matches the realignment of the road north of Tapp Rd. as proposed by the Engineering Department. This alignment also places the right-of-way west (upstream) of the delineated wetland and along the top of the ridge between the preserved parcels. Until the roundabout construction is completed by the City at Tapp Road and the Weimer extension, lots within the development shall utilize South Deborah drive for access. No lot shall be permitted direct access to W. Tapp Road.

In order to ensure that there will be adequate land available for construction of the Weimer Rd extension, the petitioner has proposed a 20 foot temporary construction easement on either side of the dedicated road right-of-way, as recommended by staff. This temporary easement would allow for any needed grading associated with road construction that could not be contained in the 70 foot wide right-of-way.

**Right-of-way dedication:** A right-of-way dedication of 50' from the centerline of W. Tapp Road is required per the Thoroughfare Plan. The petitioner has committed to dedicating sufficient right-of-way at the intersection of W. Tapp Road and the Weimer Road extension to accommodate the roundabout proposed by the City of Bloomington.

**Phasing:** It is anticipated that grading for this development, unlike with the previous petition, will occur as a single phase. Individual lots would be developed separately.

**Utilities:** A schematic utility plan has been submitted to CBU and found to be acceptable. Water service will be provided off of an existing 20" main in Tapp Rd. An existing sanitary sewer main that crosses west to east, just north of the creek, is undersized. This line will be replaced with a new, oversized main along the eastern edge of the property. Sewage will flow to the northeast and connect to the Southwest Interceptor near the intersection of Tapp and Weimer Rd. The existing sanitary sewer main located on the adjacent property to the east will be abandoned.

**Stormwater:** A schematic stormwater plan has been submitted to CBU and is under review. This plan includes stormwater detention just north of the creek channel and tree line. With previous petitions for the property, there was concern raised by a downstream property owner. This property owner requested consideration for his flooding problems in development of the PUD proposal. In the PUD Preliminary Plan statement, the petitioner agreed to evaluate the stormwater detention facility in the adjoining Southern Indiana Medical Park and modify that facility to meet current detention design standards.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made five (5) recommendations concerning this development. The proposed preliminary plan and staff's recommendations have addressed these recommendations as follows:

1. Define all areas called preservation areas as Conservation Easements. The EC recommends that the definition be established at this point in the process and not wait until final plat.

**Staff response:** While the Plat Committee at final plat stage would be the typical venue for review of easement location and language, the size and sensitivity of the preserved property makes proper preservation imperative with this petition. At staff's recommendation, the petitioner has agreed to use the definition and restrictions of a "Conservancy Easement" as contained within the recently adopted Unified Development Ordinance (UDO) for this development. Staff does however recommend the minor easement language change as recommended by the EC and this is included as condition of approval #1.

2. Because there is no feasible way to construct a building or parking lot immediately adjacent to a Conservation Easement without encroaching upon it during work, the EC recommends all buildings adjacent to any Conservation Easements observe a twenty-five (25) foot building setback from the conservancy boundaries. After construction is complete and the disturbed land is stabilized and re-vegetated, there will be no restrictions on that area of land. The EC maintains this point of view because there is very little area in this development where it would need to apply.

**Staff response:** Protection of the environmentally sensitive areas has been addressed with the removal of the southern portion of the property from development consideration. Given this change in the PUD, staff does not recommend any additional setback, other than that needed to protect specific sensitive features per the recently adopted UDO requirements, as agreed to by the petitioner.

3. At the time of site design, no matter if they are reviewed by planning staff or the Commission, the detention pond(s) should be designed using all native phytofiltration-vegetation, and the individual lots should be designed incorporating native phytofiltration-vegetated swales or rain gardens to enhance cleansing of the stormwater before it enters the creek.

**Staff response:** At this time it is impossible to determine if redundant water quality mitigation features within lots will be necessary to fulfill the requirements for this development. As final plans are developed, they will be reviewed by planning staff and the engineers with the City Utilities Department to determine compliance with IDEM Rule 13. This may or may not include individual lot water quality features.

4. Although no construction of the Weimer Road extension on the south side of the creek is proposed at this time, language should be established now that requires the twenty (20) foot temporary construction easement to be re-vegetated with native plants and seeds upon completion.

**Staff response:** While appropriate re-establishment of vegetation with this road project is important, Staff does not believe that it should be included as a condition of approval. Any future road construction through the preserved land would be done by the City and not by this petitioner.

5. At the time of site design, no matter if they are reviewed by planning staff or the Commission, no landscaping plans for individual lots shall incorporate invasive, noxious, or detrimental plants. The list of prohibited plants is included in the draft UDO. No landscaping plans for individual lots shall incorporate invasive, noxious, or detrimental plants.

**Staff response:** The recently adopted Unified Development Ordinance already prohibits invasive, noxious and detrimental plants.

**BICYCLE AND PEDESTRIAN SAFETY COMMISSION RECOMMENDATIONS:** The Bloomington Bicycle and Pedestrian Safety Commission (BPSC) has made two (2) recommendations concerning this development. The proposed preliminary plan and staff's recommendations have addressed these recommendations as follows:

1. Provide bicycle and pedestrian facilities as proposed.
2. Incorporate new urbanism concepts into the project design including on-street parking along Weimer Road.

At this time, no on-street parking is proposed on the Weimer Road extension. Parallel, on-street parking, provided appropriate travel lanes are maintained would be in keeping with the Thoroughfare Plan. The preliminary plan does propose reduced front setback requirements from the current BP and CL zoning standards to ensure a more "building forward" type site layout.

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**Developer Track Record:** The petitioner, Southern Indiana Medical Park II, LLC, has no development track record in Bloomington. This company was the petitioner in the previous PUD proposals in this property in 2003 and 2004. Two of the principles of Southern Indiana Medical Park II, LLC are Daniel Grossman and Kamal Tiwari. Dr. Grossman was a partner in the development of the Southern Indiana Medical Park. His medical office is located at 1101 W. 2<sup>nd</sup> Street. This facility has been expanded several times. There are no known zoning violations associated with either of these projects. Dr. Tiwari is the principle behind the Pain Management Center of Southern Indiana, located at 2920 S. McIntyre Drive in the Southern Indiana Medical Park. He has no development history in Bloomington. Both Dr. Tiwari and Dr. Grossman are involved in the development of the Monroe Hospital at the southwest corner of SR 37 and Fullerton Pike. That project is in the Monroe County planning jurisdiction.

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**CONCLUSIONS:** The Plan Commission found that the previous petition, PUD-06-06, met the goals and objectives of the GPP. Both this petition and the previous one proposed medical and professional offices, light industrial and accessory commercial uses which are consistent with the “employment” designation of the property. The Council, however, found that construction of any uses south of the creek would be detrimental to the environmentally sensitive areas. They found that the extension of Weimer Road would be necessary only at such time as this property is built out, the property to the south is built out, and access is changed along SR 37. While the proposed location of the frontage road and crossing of the creek is consistent with the Thoroughfare Plan and the GPP, the Council believes that preservation of the southern 59 acres in its entirety outweighs the public sector expense of constructing the road if it is ever deemed necessary in the future.

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**RECOMMENDATION:** Despite staff’s disagreement with the Council’s decision on PUD-06-06, staff defers to the Council’s judgment and recommends approval of PUD-29-06 with the following condition of approval:

1. Recorded Conservancy Easements within this PUD shall be defined as follows:  
“An easement that prohibits any land-disturbing activities within a defined area.”

# MEMORANDUM

**Date:** Dec. 22, 2006  
**To:** Bloomington Plan Commission  
**From:** Bloomington Environmental Commission  
**Through:** Linda Thompson, Senior Environmental Planner  
**Case:** PUD-29-06 Indiana Health Sciences Park

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This memorandum contains the Environmental Commission's (EC) input and recommendations regarding PUD-29-06, the rezone from quarry to PUD. Attached for your review is the memo from the first hearing dated November 27, 2006. There are still a few outstanding issues that the developer has not reached agreement on with the EC. Therefore, listed below are the remaining recommendations from the EC.

## RECOMMENDATIONS:

1. Define all areas called preservation areas as Conservation Easements. The EC recommends that the definition be established at this point in the process and not wait until final plat. The following definition, which should be included on the final plat and deeds, is recommended.

Conservation Easement A legal portion of an environmentally sensitive property where no development, logging, land-disturbing activity, fences, and/or removal of vegetation, dead or alive, shall occur. A perpetual platted area in which the land

- (i) is held for the benefit of environmental protection,
- (ii) is specifically enforceable by its holder or beneficiary, and
- (iii) limits or obligates the holder of the estate, his heirs, and assigns with respect to their use and management of the land and activities conducted thereon.

If the Commission decides not to use this definition, the EC then recommends that the definition from the draft UDO (as recommended by planning staff) not be used exactly as is. Instead of "An easement that **restricts** land-disturbing activities within a defined area." the EC strongly recommends "An easement that **prohibits** any land-disturbing activities within a defined area."

2. Because there is no feasible way to construct a building or parking lot immediately adjacent to a Conservation Easement without encroaching upon it during work, the EC recommends all buildings adjacent to any Conservation Easements observe a twenty-five (25) foot building setback from the conservancy boundaries. After construction is complete and the disturbed land

is stabilized and re-vegetated, there will be no restrictions on that area of land. The EC maintains this point of view because there is very little area in this development where it would need to apply.

3. At the time of site design, no matter if the site plans are reviewed by planning staff or the Commission, the detention pond(s) should be designed using all native phytofiltration-vegetation, and the individual lots should be designed incorporating native phytofiltration-vegetated swales or rain gardens to enhance cleansing of the stormwater before it enters the creek.

4. Although no construction of the Weimer Road extension on the south side of the creek is proposed at this time, language should be established now that requires the twenty (20) foot temporary construction easement to be re-vegetated with native plants and seeds upon completion.

5. At the time of site design, no matter if the site plans are reviewed by planning staff or the Commission, no landscaping plans for individual lots shall incorporate invasive, noxious, or detrimental plants. The list of prohibited plants is included in the draft UDO.



**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 2401 West Tapp Road**

**CASE NO: PUD-29-06  
DATE: December 4, 2006**

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**PETITIONER:** Southern Indiana Medical Park II, LLC  
2920 McIntyre Dr., Bloomington

**COUNSEL:** Smith Neubecker and Associates, Inc.  
453 S. Clarizz Blvd., Bloomington

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**REQUEST:** The petitioner is requesting a rezoning of approximately 101 acres from Quarry (Q) to Planned Unit Development (PUD) and preliminary plan approval for medical office, health science, commercial and industrial uses to be known as the Southern Indiana Health Science Park.

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**SITE INFORMATION:**

**Area:** 101 acres  
**Current Zoning:** Q  
**GPP Designation:** Employment Center & State Road 37/Tapp Road Subarea  
**Existing Land Use:** Vacant, mostly wooded, abandoned quarries  
**Proposed Land Use:** Medical offices, professional offices, light industrial, commercial and 59 acres of preserved land

**Surrounding Uses:**

- North:** Vacant, mostly wooded, industrial land
- West:** Single family residential (Across SR 37)
- East:** Single family residence, Clear Creek Trail, active quarry
- Northwest:** Medical offices (Southern Indiana Medical Park)
- South:** Vacant industrially zoned land (Bill Brown PUD)

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**REPORT SUMMARY:** The property in question is an approximately 101 acre parcel bounded by W. Tapp Road to the north, State Road 37 to the west, an undeveloped PUD to the south, and a single family house, the Clear Creek floodplain and an active limestone quarry to the east. Parts of the property have been logged and quarried in the past.

The Plan Commission reviewed petitions for this 101 acre property, currently zoned Quarry (Q), in the fall of 2003, the spring of 2004, and the summer of 2006. These petitions were for a similar style development. The first petition received a positive recommendation from the Plan Commission, but was withdrawn before action by the Common Council. The second petition was forwarded to the Common Council with no recommendation and was subsequently denied by the Council due to concerns about a proposed inpatient medical clinic use.

The most recent petition for this property, PUD-06-06, received a positive recommendation from the Plan Commission at its September 11, 2006 hearing.

Subsequently, the Common Council denied the petition at its October 18, 2006 meeting. The Council objected to development on the ridge top of the southern half of the property and stated their willingness to favorably consider an amended petition that preserved the area south of the creek, formerly known as Phase II, with only dedication of a right-of-way for a future extension of Weimer Road.

Since the October 18 meeting, the petitioner has worked to address the concerns of the Council. The petitioner proposes to rezone the property from Q to PUD and is requesting approval of a preliminary plan. This PUD would include a mix of professional and medical offices, clinics, industrial and commercial uses. It also includes preservation of 59 acres of environmentally sensitive land, or approximately 58% of the property.

The property can be broken down into two main areas; 37 acres of cleared land along Tapp Rd. and 65 acres of wooded land south of the creek. The 65 acre area also contains steeply wooded ravines, a stream with a wooded riparian corridor, a wetland area, abandoned quarries (some partially filled) and several scattered sinkholes.

With this petition, the petitioner is also requesting a waiver of the required second hearing for a PUD rezoning. Given the considerable review this property has been given by staff, Council, Plan Commission and the Environmental Commission, staff has no objection to this request. The petitioner is also requesting staff level review of all future final plans, but staff recommends that this exclude the commercial lots.

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**GROWTH POLICIES PLAN ANALYSIS:** The GPP designates this 101 acre site as an "Employment Center." This designation was placed on the property because of its location adjacent to the Southern Indiana Medical Park and its access to State Road 37. Specifically, staff notes the following passages (page 37 of the GPP):

- The Employment Center district should contain a mix of office and industrial uses providing large-scale employment opportunities for the Bloomington community and surrounding region.
- Employment Center land uses should focus on corporate headquarters and industrial uses, which will provide a stable employment base for the greater Bloomington community.
- The commercial uses integrated within an employment center must be at a scale that serves the employment center but does not generate significant additional business from the community at large.
- Development phasing must emphasize the creation of the office and industrial base before the commercial areas are developed to serve them.
- Locations with easy access to State Road 37 should be emphasized in efforts to recruit Employment Center site users. Development of employment center sites shall be consistent with the policies outlined in the State Road 37 Corridor Plan, which is referenced in this document.

In addition to these general policies toward employment areas, the *State Road 37/Tapp Road Subarea* provides specific policy guidance for the development of this property. The subarea includes recommendations concerning land use, urban services and site design. Specifically, staff notes the following passages (page 48 of the GPP):

- Medical and corporate office land uses are recommended with light manufacturing and site-serving retail also being permitted. Medical offices are particularly desired east of the Southern Indiana Medical Park, while corporate offices should be considered along the State Road 37 frontage near Fullerton Pike.
- The Master Thoroughfare Plan designates a new north-south Secondary Collector through this Subarea to form a realigned four-way intersection at Weimer Rd. This roadway should not negatively impact or intrude on high quality and environmentally sensitive areas on this property.
- If State Road 37 is designated a limited access highway, then further planning should consider the closure of the Tapp Rd. intersection with State Road 37, along with a full interchange developing at the Fullerton Pike intersection.
- For property fronting State Road 37, site planning controls should be emphasized, including a 360 degree building profile along the highway. The presence of parking lots should be limited along SR 37.
- Maintenance of the existing woodland buffer along sections of State Road 37 is critical. The preferred width of this buffer should be at least 100 feet.
- Pedestrian connections should be emphasized between developments bordering either side of the Clear Creek floodplain. Additional integration of pedestrian connections with the Clear Creek Trail is a required site design element.
- Site design should take into account and reflect the sensitive nature of the Subarea, especially areas with heavy woodland, steep slopes, and karst. Conservation of these areas as greenspace is a required feature, and can significantly enhance the attractiveness of business park development.

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#### **PUD REVIEW ISSUES:**

**LAND USE:** The petitioner has proposed a range of uses for the PUD which are identical to the uses previously reviewed as part of PUD-06-06. The proposed uses are broken down into two areas of the PUD and are as follows:

*Area A:* This area includes the majority of the developable land in the PUD. Proposed uses include a mix of professional and medical offices and clinics and light industrial uses.

*Area B:* This area includes 3.9 acres for commercial development. The petitioner proposes that there be a maximum of 20,000 square feet of commercial space in this area. Proposed land uses are as follows:

- Drug store
- Convenience store
- Coffee shop

- Retail services in enclosed buildings
- Financial Institutions (with drive through)
- Dwelling units on the second floor

**Offices:** Medical and professional offices are expected to be the primary land use in this development. The GPP recommends that employment centers contain a mix of office and industrial uses that would provide employment opportunities for the community and the region. The GPP specifically notes that “Medical offices are particularly desired east of the Southern Indiana Medical Park.”

**Commercial Uses:** The proposed commercial uses are in line with those proposed as PUD-06-06 and includes up to 3.9 acres and 20,000 square feet of commercial space along Tapp Road. The GPP states that the primary land use for this area should be “a mix of office and industrial uses providing large-scale employment opportunities” and should “focus on corporate headquarters and industrial uses.” The GPP goes on to say that any commercial uses in this area should be integrated into the employment center, “must be at a scale that serves the employment center but does not generate significant additional business from the community at large” and that “supporting commercial and residential components only [be] as dictated by the primary employment use.”

Staff finds that the proposed square footage and use limitations are enough to ensure that this commercial space is “site-serving.” Below is a list of several retail centers and their comparative square footages.

- |   |              |
|---|--------------|
| • The Shoppes (College Mall Road):                        | 37,000 s.f.  |
| • Crosstown Shopping Center (E. 10 <sup>th</sup> Street): | 35,000       |
| • Renwick Commercial:                                     | 22,000 total |
| • Whitehall Park (b-shops) (W. 3 <sup>rd</sup> St.):      | 20,000 each  |
| • South Dunn Street PUD:                                  | 15,000 total |
| • Colstone Square (3 <sup>rd</sup> St. and Dunn):         | 12,000       |
| • McDoel Grocery (Thomson Area PUD):                      | 5,500        |

**Fire Station:** The petitioner has agreed to dedicate 1.5 acres of land for a new City fire station. In consultation with the City’s Fire Chief, this land is desirable for a fire station because it is surrounded by other land within the municipal boundary, it currently has access to SR 37 and neighborhoods to the west of SR 37, and it would be centrally located within this employment center. The Plan Commission required with PUD-06-06 that the fire station land dedication take place with the first final plat for this development. The parcel to be dedicated must have direct access to the Weimer Road extension.

**Preservation Areas:** The petitioner proposes a plan that would preserve approximately 59 acres or approximately 58% of the property. This acreage includes all of the land south of the creek except for the dedicated road right-of-way for a future extension of Weimer Road. This preservation area includes all slopes greater than 18%, several

karst features, the bottom land and wetland around the stream, several wooded ravines, formerly quarried land and the GPP recommended 100 foot buffer along SR 37.

At the request of the Plan Commission, the petitioner analyzed the 59 acre preservation area to determine how much of this acreage would have to be preserved based strictly on Zoning Ordinance requirements. Of these 59 acres, 28 acres are required to be protected based on the presence of wetlands, steep slopes or karst features. This means the remaining acreage, 31 acres, are proposed for protection due to the presence of tree cover and guidance from the Common Council. This additional preservation commitment accounts for 47% of the total preserved area and 31% of the property as a whole.

Like with the previous petitions on this property, the petitioner could gift the preserved areas to a "preservation organization." This is similar to preserved land in other recent developments, such as "Latimer Woods" and Lots 2 & 4 of the Canterbury Park subdivision, all of which were gifted to the Community Foundation of Bloomington. Possible preservation groups include the Bloomington Parks Foundation, the Community Foundation and the Sycamore Land Trust. The petitioner has left open the possibility of designating the preserved area as "common area," to be owned by the lot owners. Staff recommends that either the recipient of the gifted land be finalized prior to recording of the first plat for the property or this land be placed as common area with a conservation easement.

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## **SITE DESIGN:**

**Weimer Road Extension:** The GPP and the Thoroughfare Plan call for a primary collector "frontage road" to be constructed through this property from the future Weimer and Tapp Rd. intersection to Fullerton Pike. This road is needed to serve as property access for the parcels along SR 37. If SR 37 is upgraded to a controlled access highway, Weimer Rd. could provide a direct local street connection from Fullerton Pike to W. 2nd Street.

During deliberations concerning the previous petition, PUD-06-06, the Common Council indicated its strong preference for preservation of the wooded land instead of construction of this frontage road. The Council stated that a frontage road was not needed at this time due to that the environmental sensitivity of the land south of the creek and the uncertainty concerning the future of SR 37. Approval of this petition means that the petitioner and future owners of lots in this development would not be obligated to construct the extension of Weimer Road south of the creek, including the creek crossing. The extension of Weimer Road would have to be funded by the public sector some time in the future when it is deemed necessary for connectivity.

The alignment of the right of way for the Weimer Rd. extension as shown on the preliminary plan map matches the realignment of the road as proposed by the Engineering Department. This alignment also places the right-of-way west (upstream) of the delineated wetland and along the top of the ridge between the preserved parcels.

In order to ensure that there will be adequate land available for construction of the Weimer Rd extension, the petitioner has proposed a 20 foot temporary construction easement on either side of the dedicated road right-of-way, as recommended by staff. This temporary easement would allow for any needed grading associated with road construction that could not be contained in the 70 foot wide right-of-way.

**Phasing:** It is anticipated that grading for this development, unlike with the previous petition, will occur as a single phase. Individual lots would be developed separately.

**Utilities:** A schematic utility plan has been submitted to CBU and found to be acceptable. Water service will be provided off of an existing 20" main in Tapp Rd. An existing sanitary sewer main that crosses west to east, just north of the creek, is undersized. This line will be replaced with a new, oversized main along the eastern edge of the property. Sewage will flow to the northeast and connect to the Southwest Interceptor near the intersection of Tapp and Weimer Rd. The existing sanitary sewer main located on the adjacent property to the east will be abandoned.

**Stormwater:** A schematic stormwater plan has been submitted to CBU and is under review. This plan includes stormwater detention just north of the creek channel and tree line. With previous petitions for the property, there was concern raised by a downstream property owner. This property owner requested consideration for his flooding problems in development of the PUD proposal. In the PUD Preliminary Plan statement, the petitioner agreed to evaluate the stormwater detention facility in the adjoining Southern Indiana Medical Park and modify that facility to meet current detention design standards.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made six (6) recommendations concerning this development. The proposed preliminary plan and staff's recommendations have addressed these recommendations as follows:

1. Define all areas called preservation areas as Conservation Easements. The EC recommends that the definition be established at this point in the process and not wait until final plat.

While the Plat Committee at final plat stage would be the typical venue for review of easement location and language, the size and sensitivity of the preserved property makes proper preservation imperative with this petition. Staff recommends that the definition and restrictions of a "Conservancy Easement" as contained within the draft Unified Development Ordinance (UDO) be used for this development.

2. Because there is no feasible way to construct a building or parking lot immediately adjacent to a Conservation Easement without encroaching upon it during work, the EC recommends all buildings adjacent to any Conservation Easements observe a twenty-five (25) foot building setback from the

conservancy boundaries. After construction is complete and the disturbed land is stabilized and re-vegetated, there will be no restrictions on that area of land.

Protection of the environmentally sensitive areas have been addressed with the removal of the southern portion of the property from development consideration. Given this change in the PUD, staff does not recommend any additional setback, other than that needed to protect specific sensitive features. See EC recommendation #3 below.

3. Maintain a twenty-five (25) foot buffer around the wetland, such that construction of the proposed detention basin does not infringe upon the wetland. Give careful consideration to the design and placement of any detention in this area because of evidence of high flows and changing flow patterns (bank cutting & siltation).

Only one area of buildable land is located adjacent to the preservation area. However the proposed detention area is located near the delineated wetland. Staff recommends that the draft UDO standards be observed in regards to buffers from delineated wetlands and perennial streams. See recommended Condition #8.

4. At the time of site design, the detention pond(s) should be designed using all native vegetation, and the individual lots should be designed using native-vegetated swales or rain gardens to enhance filtration of the stormwater before it enters the creek.

At this time it is impossible to determine if redundant water quality mitigation features within lots will be necessary to fulfill the requirements for this development. As final plans are developed, they will be reviewed by planning staff and the engineers with the City Utilities Department to determine compliance with IDEM Rule 13. This may or may not include individual lot water quality features.

5. Although no construction of the Weimer Road extension on the south side of the creek is proposed at this time, language should be established now that requires the twenty (20) foot temporary construction easement to be re-vegetated with native plants and seeds upon completion.

While appropriate re-establishment of vegetation with this road project is important, Staff does not believe that it should be included as a condition of approval. Any future road construction through the preserved land would be done by the City and not by this petitioner.

6. No landscaping plans for individual lots shall incorporate invasive, noxious, or detrimental plants. The list of prohibited plants follows below.

The Bloomington Zoning Ordinance and draft Unified Development Ordinance already prohibits invasive plants.

**BICYCLE AND PEDESTRIAN SAFETY COMMISSION RECOMMENDATIONS:** The Bloomington Bicycle and Pedestrian Safety Commission (BPSC) has made two (2) recommendations concerning this development. The proposed preliminary plan and staff's recommendations have addressed these recommendations as follows:

1. Provide bicycle and pedestrian facilities as proposed.
2. Incorporate new urbanism concepts into the project design including on-street parking along Weimer Road.

At this time, no on-street parking is proposed on the Weimer Road extension. Parallel, on-street parking, provided appropriate travel lanes are maintained would be in keeping with the Thoroughfare Plan. The preliminary plan does propose reduced front setback requirements from the current BP and CL zoning standards to ensure a more "building forward" type site layout.

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**CONCLUSIONS:** The Plan Commission found that the previous petition, PUD-06-06, met the goals and objectives of the GPP. Both this petition and the previous one proposed medical and professional offices, light industrial and accessory commercial uses which are consistent with the "employment" designation of the property. The Council, however, found that construction of any uses south of the creek would be detrimental to the environmentally sensitive areas. They found that the extension of Weimer Road would be necessary only at such time as this property is built out, the property to the south is built out, and access is changed along SR 37. While the proposed location of the frontage road and crossing of the creek is consistent with the Thoroughfare Plan and the GPP, the Council believes that preservation of the southern 59 acres in its entirety outweighs the public sector expense of constructing the road if it is ever deemed necessary in the future.



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**RECOMMENDATION:** Despite staff's disagreement with the Council's decision on PUD-06-06, staff defers to the Council's judgment and recommends approval of PUD-29-06, with waiver of second hearing, with the following conditions:

1. A minimum 1.5 acre dedication for a fire station must take place with the first final plat for this development. This parcel must have direct access to the Weimer Road extension.
2. A study/evaluation of the storm water detention facility in the adjoining Southern Indiana Medical Park shall be conducted by the petitioner with the first final plan and the petitioner shall modify that facility as needed to meet current detention design standards, with compliance to be determined by staff.
3. No lot shall be permitted direct access to W. Tapp Road.
4. A right-of-way dedication of 50' from the centerline of W. Tapp Road is required per the Thoroughfare Plan. Sufficient right-of-way at the intersection of W. Tapp Road and the Weimer Road extension must be dedicated to accommodate roundabout proposed by the City of Bloomington.
5. Until the roundabout intersection is constructed by the City of Bloomington at Tapp and the Weimer Extension, lots within this development shall utilize S. Deborah Drive for access.
6. Final plans for all but the 3.9 acre commercial parcel shall be reviewed at Staff level.
7. The petitioner must either finalize the recipient of the 59 acres south of the creek prior to recording of the first plat for the property or this land must be platted as common area with a conservancy easement. All plats shall reference the definition and restrictions of a "Conservancy Easement" as contained within the draft Unified Development Ordinance (UDO).
8. All final plans must abide by the draft UDO requirements for buffers from perennial streams and delineated wetlands.

# MEMORANDUM

**Date:** Nov 27, 2006  
**To:** Bloomington Plan Commission  
**From:** Bloomington Environmental Commission  
**Through:** Linda Thompson, Senior Environmental Planner  
**Case:** PUD-29-06 Indiana Health Sciences Park

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This memorandum contains the Environmental Commission's (EC) input and recommendations regarding PUD-29-06, the rezone from quarry to PUD. Most of this total site is rated high in the City of Bloomington Environmental Resource Inventory (COBERI), although the area proposed to be disturbed by development at this time is rated only 1, 2, or 3. However, because of this development's proximity to a large environmentally-sensitive area, caution should be taken to protect it. The EC Planning Committee (ECPC) reviewed the petition in detail, inspected the site, and offers the following recommendations it believes should be included as conditions of approval.

## RECOMMENDATIONS:

1. Define all areas called preservation areas as Conservation Easements. The EC recommends that the definition be established at this point in the process and not wait until final plat. The following definition, which should be included on the final plat and deeds, is recommended.

Conservation Easement A legal portion of an environmentally sensitive property where no development, logging, land-disturbing activity, fences, and/or removal of vegetation, dead or alive, shall occur. A perpetual platted area in which the land

- (i) is held for the benefit of environmental protection,
- (ii) is specifically enforceable by its holder or beneficiary, and
- (iii) limits or obligates the holder of the estate, his heirs, and assigns with respect to their use and management of the land and activities conducted thereon.

2. Because there is no feasible way to construct a building or parking lot immediately adjacent to a Conservation Easement without encroaching upon it during work, the EC recommends all buildings adjacent to any Conservation Easements observe a twenty-five (25) foot building setback from the conservancy boundaries. After construction is complete and the disturbed land is stabilized and re-vegetated, there will be no restrictions on that area of land.

3. Maintain a twenty-five (25) foot buffer around the wetland, such that construction of the proposed detention basin does not infringe upon the wetland. Give careful consideration to the design and placement of any detention in this area because of evidence of high flows and changing flow patterns (bank cutting & siltation).

4. At the time of site design, the detention pond(s) should be designed using all native vegetation, and the individual lots should be designed using native-vegetated swales or rain gardens to enhance filtration of the stormwater before it enters the creek.

5. Although no construction of the Weimer Road extension on the south side of the creek is proposed at this time, language should be established now that requires the twenty (20) foot temporary construction easement to be re-vegetated with native plants and seeds upon completion.

6. No landscaping plans for individual lots shall incorporate invasive, noxious, or detrimental plants. The list of prohibited plants follows below.

**Invasive, noxious, or detrimental plants that should not be planted**

\* = federal & state listed detrimental and noxious plants

Common Name

Scientific Name

**Herbaceous Plants**

Purple Loosestrife	<i>Lythrum salicaria</i>
Cornflower or Bachelor's Button	<i>Centaurea cyanus</i>
Giant Hogweed	<i>Fallopia japonica</i>
Dame's Rocket	<i>Hesperis matronalis</i>
Garlic Mustard	<i>Alliaria petiolata</i>
Canada Thistle	<i>Cirsium arvense</i> *
Sericea Lespedeza	<i>Lespedeza cuneata</i>
Sweet Clover	<i>Melilotus alba, M. officinalis</i>
Star of Bethlehem	<i>Ornithogalum umbellatum</i>
Japanese Knotweed	<i>Polygonum cuspidatum</i>
Meadow Fleabane or British Yellowhead	<i>Inula britannica</i>
Grecian Foxglove	<i>Digitalis lanata</i>
Perennial Sowthistle	<i>Sonchus arvensis</i> *
Russian Knapweed	<i>Centaurea repens</i> *
Wild Garlic and Wild Onion	<i>Alliums spp.</i> *

## Trees

Norway Maple

Amur Maple

Tree-of-Heaven

Autumn Olive

Russian Olive

White Mulberry

Black Locus

Siberian Elm

Glossy or Smooth Buckthorn

Buckthorn Tallhedge

European or Common Buckthorn

*Acer platanoides*, 'Schwedlet's Maple', 'Crimson King', 'Columnar', 'Royal Red', 'Summershade'

*Acer ginnala*

*Ailanthus altissima*

*Elaeagnus umbellata*

*Elaeagnus angustifolia*

*Morus alba*

*Robinia pseudoacacia*

*Ulmus pumila*

*Rhamnus frangula*

*Rhamnus frangula columnaris*

*Rhamnus cathartica*

## Grasses

Smooth Brome

Tall Fescue

Japanese Stilt Grass

Maiden Grass

Reed Canary Grass

Common Reed Grass

Johnson Grass or Sorghum Almun

Shattercane

Perennial Peppergrass

Quackgrass

*Bromus inermis*

*Festuca elatior*

*Microstegium vimineum*

*Miscanthus sinensis*

*Phalaris arundinacea*

*Phragmites australis*

*Sorghum halepense* \*

*Sorghum bicolor* \*

*Lepidium draba* \*

*Agropyron repens* \*

## Vines and Groundcovers

Purple Winter Creeper

Creeping Charlie

Japanese Hops

Creeping Jenny

Kudzu

Mile-A-Minute Weed

Periwinkle

Japanese Honeysuckle

Oriental Bittersweet

Crown Vetch

Myrtle

English Ivy

Black Swallow-Wort

Bur Cucumber

Poison Ivy

*Euonymus fortunei*

*Glechoma hederacea*

*Humulus japonicus*

*Lysimachia nummularia*

*Pueraria montana lobata*

*Polygonum perfoliatum*

*Vinca minor*

*Lonicera japonica*

*Celastrus orbiculatus*

*Coronilla varia*

*Vinca minor*

*Hedera helix*

*Vincetoxicum nigrum*, syn. *Cynanchum nigrum*

*Sicyos angulatus* \*

*Rhus radicans*

Field Bindweed

*Convolvulus arvensis* \*

**Shrubs**

Burning Bush

*Euonymus alatus*

Black Alder

*Alnus glutinosa*

Bicolor Lespedeza

*Lespedeza bicolor*

Common Privet

*Ligustrum vulgare*

Blunt-Leaved Privet

*Ligustrum obtusifolium*

Multiflora Rose

*Rosa multiflora*

Highbush Cranberry

*Viburnum opulus* v. *opulus*

Asiatic Bittersweet

*Celastrus scandens*

Japanese Barberry

*Berberis thunbergii*

Tatarian Honeysuckle

*Lonicera tatarica*

Bush or Amur Honeysuckle

*Lonicera maackii*

Poison Oak

*Rhus diversiloba*

Poison Sumac

*Rhus radicans*

# MEMORANDUM



# CITY OF BLOOMINGTON

**To:** Plan Commission Members

**From:** Raymond Hess, Transportation Planner   
*Staff support to the Bloomington Bicycle and Pedestrian Safety Committee*

**Date:** November 21, 2006

**Re:** Indiana Health Sciences Park (case #PUD-29-06)

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The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the Indiana Health Sciences Park site plan at their regularly scheduled meeting held on November 20, 2006 and made the following comments and recommendations:

### **Bicycle Pedestrian Facilities**

The BBPSC supports the proposed bicycle/pedestrian facilities currently indicated on the site plan, which include the following:

- Sidewalk along Tapp Rd. from Weimer Rd. to the project boundary (to support connection to the Clear Creek Trail)
- Sidewalk along Weimer Rd.'s western side (to implement facilities identified in the Alternative Transportation and Greenways System Plan)
- Sidewalks along Tapp Rd. east of Weimer, along Weimer Rd.'s eastern side, and on both sides of Deborah Dr.
- A pedestrian easement north of the detention area to facilitate future potential connections between the project and the Clear Creek Trail (pursuant to the GPP)

### **New Urbanism Concepts**

Compact urban form creates an environment that is more appealing to pedestrians and cyclists. On street parking, which could be added along Weimer Rd., reduces vast parking areas and acts to calm traffic. "Building forward design" engages sidewalk users and encourages foot traffic between buildings and parcels.

### **RECOMMENDATIONS**

- Provide bicycle and pedestrian facilities as proposed.
- Incorporate new urbanism concepts into the project design including on-street parking along Weimer Rd.