



City of Bloomington
Common Council

Legislative Packet

02 November 2005

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

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council@bloomington.in.gov



Packet Related Material

Memo Agenda Calendar

Annual Schedule (for action at the Regular Session on November 16th, 2005): Draft Annual Schedule

- Memo from Daniel Sherman, Council Administrator/Attorney

Contact: Daniel Sherman at 349-3562 or shermamd@bloomington.in.gov

Notices and Agendas:

None

Legislation for Final Action:

Res 05-17 To Approve the Interlocal Agreement Between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2006

(Please see the October 26, 2005 Council Legislative Packet for the Legislation, Summaries, and Background Materials.)

Contact: Laurie Ringquist at 349-3870 or ringquil@bloomington.in.gov

Res 05-18 To Amend the City's Comprehensive Plan to Include the Downtown Vision and Infill Strategy Plan as a Subarea Plan

Am 1 (Sustainable Transport - Volan)

- Strike-out versions of pages 4-8 through 4-13 (*with changes on page 4-12 & 4-13*) and pages 5-10 through 5-12 (*with changes on page 5-11*)

(Please see the October 26, 2005 Council Legislative Packet for the Legislation, Summaries, and Remaining Background Materials.)

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

Legislation and Background Material for First Reading:

Ord 05-31 To Amend Title 14 of the Bloomington Municipal Code Entitled "Peace and Safety" (Amending Chapter 36 [Unlawful Conduct], Section 090 [Intoxicating Beverages – Consumption in Public], by Creating an Exception to Allow Consumption of Alcohol in the Buskirk-Chumley Theatre)

- Memo from Mick Renneisen, Director of Parks and Recreation; BMC Chapter 14.36 (Highlighting Proposed Changes)

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov

Ord 05-32 To Amend the Bloomington Zoning Maps from RS 3.5/PRO6 to PUD and to Approve the Preliminary Plan for the Hand LEED Planned Unit Development (PUD) - Re: 2300 S. Rockport Road (City of Bloomington, Department of Housing and Neighborhood Development, Petitioner)

- Memo from James Roach, Senior Zoning Planner; Land Use and Aerial Photo Map; October 17th Staff Report; Recommendations from the Environmental and Bicycle and Pedestrian Commissions; September 12th Staff Report; Petitioner's Statement; Revisions to Petitioner's Statement; Site Conditions and Site Plan; Vegetation Plan Map, Cross Sections, List of Plantings, and Photo of Rain Garden; Home Buyers' Club Brochure; Floor Plans

Contact: James Roach at 349-3527 or roachja@bloomington.in.gov

Minutes from Special and Regular Sessions on:

September 21, 2005

Memo

Two Resolutions Ready for Final Action and Two Ordinances Ready for Introduction on Wednesday, November 2nd

There are two resolutions ready for final action and two ordinances ready to be introduced on Wednesday, November 2nd. The two resolutions include **Res 05-17**, which approves an interlocal agreement with the County regarding the Animal Shelter operations, and **Res 05-18**, which adopts the Downtown Vision and Infill Strategy (Subarea) Plan and, thereby, amends the Growth Policies Plan. Please find the legislation, summaries, and background materials in the legislative packet prepared for the October 26th Committee of the Whole.

The two ordinances include **Ord 05-32**, which approves the rezoning of land on Rockport Road from RS3.5/PRO6 to PUD and approves a preliminary plan on behalf of the City's HAND department and **Ord 05-31**, which amends Chapter 14.36 of the local code (Unlawful Conduct) in order to allow alcohol to be served at the Buskirk-Chumley Theatre once it becomes City property later this year. Please find the legislation, summaries and background materials in this packet.

Amendment of Downtown Vision and Infill Strategy Plan Expected from Councilmember Volan

Councilmember Volan intends to introduce a “sustainable transport” amendment which would affect pages 4-12 and 4-13 and 5-11 of the downtown plan. (*Please see the draft strikeout version in the packet.*) In brief, this amendment would change:

- the paragraph under “Possible Solutions and Parking Conditions” on page 4-12 by:
 - striking the first sentence and adding another sentence saying there is a three-fold strategy to improving downtown transport problems:
 - charging what the market will bear for the parking of all private vehicles – whether on the street or in lots and garages;
 - devoting new revenues to establish free-of-charge, local-route bus service for the downtown; and
 - requiring developers to support the transit system rather than invest in tenant and customer parking;
- the section entitled “Future Development and Parking Conditions” on page 4-12 and 4-13 by:
 - reducing the number of additional parking spaces needed in the downtown from 2,000 to 1,250,
 - redirecting the funds from the 750 fewer parking spaces to Bloomington Transit to provide the free-of-charge, local-route bus service to the downtown area, and
 - striking the second paragraph regarding parking ratios;
- the section entitled “Alternative Transportation” on page 4-13 by:
 - replacing the title with “Comprehensive Transportation Policy,”
 - replacing the phrase “automobile circulation” with “private vehicle circulation,” and
 - replacing the phrase “alternative transportation modes” with “more sustainable transit modes;”
- the section entitled “Parking Strategy” starting on page 5-10 by:
 - adding two paragraphs at the end of the part entitled “Improve the Efficiency of Existing On-Street and Off-Street Parking Inventory” which would recommend:
 - charging market rates for all non-reserved parking in the downtown and using the new revenues to support the aforementioned free-of-charge local bus service;

- requiring developers to spend 3/5th s of their tenant and customer parking requirements on the proposed downtown local transit service; and
- replacing the minimum parking requirements for private development with maximum requirements which, in the case of a per-bedroom parking ratio, would be set at 0.50.

Preview of Annual Schedule – Action Requested on November 16th

This packet contains a draft Council Schedule for 2006 and a memo explaining it. Please review the material and offer your comments and suggestions in the next few weeks so that changes can be incorporated before it comes forward for a vote on November 16th.

Here are some of the meetings or deadlines that do not follow the usual first-four-Wednesdays-a-month schedule:

- Organizational and Committee of the Whole Meeting on **Tuesday, January 3rd** (*because Monday falls on a holiday*);
- **Fifth Wednesdays in March, May, August, and November** (*which affect deadlines for filing legislation*);
- The **fifth Wednesday in March** will allow the Council to avoid meeting during Spring Break yet still meet on four Wednesdays that month by holding the second Regular Session and Committee of the Whole on the fourth and fifth Wednesdays of that month;
- **“Budget Advance” on Wednesday, May 17th at 5:30 in the McCloskey Room, Departmental Budget Hearings in four evenings during the fourth week of July; and a Special Session for Final Action on the Budget on September 13th** *Please note that the Mayor suggested the new name for the budget preview in May as well as the day and time. He also suggested holding the departmental hearings on the fourth week of the July rather than the third week. In some ways this suggestion repeats changes we made this year (by holding a budget preview on a Wednesday and departmental budget hearings over four evenings in one week rather than over five evenings in two weeks), and in other ways it differs (by holding the budget hearings during the last week of the month). This last change results in the Council holding Regular Session and Committee of the Whole on one night (or dispensing with the Committee) and necessitates an earlier date for deadlines for that legislative cycle.*

- The **fifth Wednesday in November** will be used for a Committee of the Whole meeting because the Council does not meet on the night before Thanksgiving.

Also note that we are scheduled to meet on the first night of Passover, April 12th. This means that you may want to consider canceling or holding that Committee of the Whole the previous week – if the workload permits. Please refer to the memo for a link to a list of religious holidays on the Indiana University website in order see whether our schedule should account for any of them as well.

First Readings

Item One – Ord 05-31 Rezoning 4.5 Acres at 2300 South Rockport Road from RS3.5/PRO6 to PUD and Approving the Preliminary Plan (HAND Department, Petitioner)

Ord 05-31 proposes the rezoning 4.5 acres of land at 2300 South Rockport Road from RS3.5/PRO6 to PUD and approval of a preliminary plan for 12 affordable, energy efficient single-family residences within an ecologically-grounded site plan on behalf of the City of Bloomington HAND department. The following paragraphs are based upon the memo provided by James Roach, Senior Zoning Planner, staff reports, and petitioner materials, which are all included in the packet.

Site and Surrounding Uses: The site is a small, vacant multi-sided parcel of land with a creek on the east and south and a detention pond under a 100' electrical easement on the west. It faces South Rockport Road on the east, Countryside Lane on south, Thomson Park Drive and Autumn View Subdivision on the west, and the backyards of residences on Guy Avenue on the north. All but a mobile home park on the southeast are zoned single-family.

Proposal: The HAND department is pursuing this development on city land and proposing a 12-lot subdivision with homes in the range of \$110,000 that, for a period of 15-years, must be sold to households with incomes at or below 80% of median income. These homes will be a mix of one and two-story structures, with car ports, some covered porches, and a few accessible units. The HAND department also believes the project will be eligible for a future Leadership in Energy and Environmental Design (LEED) certification and serve as a model of sustainable design standards for the community. That certification will be largely due to the restoration of the creek and minimal disruption of the site; the use of pervious

surfaces and native vegetation to handle and filter storm water; and constructing solar-oriented buildings with recycled or recyclable materials.

GPP: The site is in the Urban Residential Area, which is the largest single land use category in the Growth Policies Plan and encompasses all residential development in the planning jurisdiction outside of the urban core, with densities ranging from 2 to 15 units per acre. As would be expected with such a wide range of densities, the recommendations foresee mixed densities and housing types for this area, but also require new development to be compatible with and not jeopardize the nearby existing development. The recommendations also stress the need for connections with surrounding uses and usable and accessible open space.

Density; Lot size, width, and setbacks. This 12 home project has a density of 2.70 units per acre, which is below the maximums for the RS3.5/PRO6 designation and largely attributable to the site constraints that include an electrical easement on the west and a creek on the east and south. The lot sizes were originally about half the minimum size of 9,500, but were reduced to a third of that size, when the side path and areas to the south were dedicated to the City and Redevelopment Commission. The setbacks have all been significantly reduced, except for the driveways which must be long enough to fit two cars.

Access; Connectivity; Pedestrian Ways. The project calls for a short cul-de-sac with a landscaped island that will serve 11 houses and connect with Thomson Park Drive and a single drive serving one house that would connect to Rockport Road. The primary pedestrian facility would be a six-foot side path on an eight-foot right-of-way that would connect Rockport Road to the cul-de-sac by crossing and following the creek as it winds its way behind nine of the homes. The Bicycle and Pedestrian Safety Commission recommended lighting along the side path, striping for the areas on the street with on-street parking, minimizing the long term maintenance required for the pervious surfaces, and, in contrast with the Environmental Commission, a pedestrian way along the cul-de-sac. Please note that the last recommendation was deferred by the Plan Commission and will be the sole issue for them to review when it sees the final plan (See COA #3).

Environmental issues and Utilities. Other than the creek and a few large maple trees that must be removed for the sanitary sewer, the site contains no environmental constraints. The site plan acknowledges the presence of adequate water and sewer utilities and proposes to treat storm water in a manner that is novel for Bloomington and leads to many of the proposed variances to the zoning standards. In particular, it proposes that water be filtered as it runs across narrow streets without curbs, over

lawns, rain gardens, and swales planted with native vegetation, under the path built upon new, more pervious soil, and to the creek. In order to help with the filtration, the HAND department has agreed to replant the site and maintain it for the first few years and then provide an operations and maintenance manual for the home owners. The Redevelopment Commission will own and maintain the area south of the path and detention pond, and public works will own and maintain the side path. The report from the Environmental Commission favored the use of vegetation and pervious surfaces, lack of curbs and underground storm water piping, and in contrast with the Bicycle and Pedestrian Safety Commission, absence of a pedestrian way along the cul-de-sac.

Dedication of Right of Way and Street Standards. The project dedicates the requisite right-of-ways for external roadways and side path. It reduces the right-of-way along the cul-de-sac from 50 to 35 feet, which will have two ten-foot travel lanes, a two-foot gravel shoulder, and two areas on the north with parking lanes. Please note that width of the right-of-way would be increased in the event the Commission requires a pedestrian path along it.

Neighborhood Input. The HAND department met with neighbors and apparently satisfied their concerns about loss of wildlife, possible flooding, densities, value of homes, and buffers.

Final Plat Review. The Plan Commission delegated review of all aspects of the final plan - except those related to pedestrian circulation - to the Plan staff.

Recommendation and Conditions of Approval. After hearings on September 12th and October 17th, the Plan Commission voted unanimously to approve this PUD with ten conditions which require the HAND department to:

- Set back homes at least ten feet and carports at least twenty feet from the right-of-way (COA #1) and provide at least two off-street parking spaces for each home (COA #2)
- Include the following in the final plan:
 - Draft covenants, restrictions, and an Operations and Maintenance Manual
 - Further details addressing safe pedestrian access either by adding a pedestrian way on the north side of the cul-de-sac or by adding connecting paths and design elements to the side path (*which is the sole aspect of the plan to be reviewed by the Plan Commission*) (COA #3)

- Dedicate the right-of-way for Countryside Drive and Rockport Road in accordance with the Thoroughfare Plan (COA #4)
- Obtain approval of the final road design by Engineering, Public Works, and the Fire Department (COA #5) and the storm water and utilities plans by the Utility Department prior to approval of the final plan (COA #6)
- Plat the ‘no mow’ areas as landscaping easements (COA #7) and all storm water features as drainage easements (COA #8)
- Submit a full landscape plan with the final plan which specifies the species and quantities of vegetation to be planted along the street and in the creek, detention ponds, swales, rain gardens, and no mow areas (COA #9)

Note: The last condition allows HAND to reduce the rear set back on Lot 11 to ten feet (COA #10)

Item Two – Ord 05-32 (Amending Chapter 14.36 to Allow the Consumption of Alcohol at the Buskirk-Chumley Theatre – which will Become City Property at the End of this Year)

Ord 05-32 would amend Chapter 14.36 of the Bloomington Municipal Code (Unlawful Conduct) in order to allow alcohol to be consumed at the Buskirk-Chumley Theatre. As noted in the memo from Mick Renneisen, Director of Parks and Recreation, the Buskirk-Chumley Theatre will become City property by the end-of-the-year and, therefore, subject to Section 14.36.090 of the BMC. This section prohibits the consumption of alcoholic beverages on public property (including our right-of-ways) except in two circumstances. The first is for an event where Indiana Alcohol Beverage Control Commission has issued a temporary permit for the serving of beer, wine, or both. The second is for beer, wine or other alcoholic beverage consumed in the Clubhouse at the Cascades Golf Course.

This amendment would add the Buskirk-Chumley Theatre to the second exception and allow the consumption of alcohol to continue there. The theatre has been open since 1999 and offered beer and wine through the permits granted to the Theatre Café. Mick says that the “continue(d) selling (of) alcohol at the café for certain performances (is) essential to the café’s and Theatre’s success.” He also anticipates that the amendment would allow the renting of the Theatre for catered events where alcohol could be served. Lastly, he notes the similarities between the Clubhouse and Theatre as revenue generating enterprises and argues that they should be treated similarly in this regard as well.

Happy Birthday Chris Gaal!

**NOTICE AND AGENDA FOR
COMMON COUNCIL, REGULAR SESSION
7:30 P.M., WEDNESDAY, NOVEMBER 2, 2005
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: Regular Session
September 21, 2005

IV. REPORTS FROM:
1. Council Members
2. The Mayor and City Offices
3. Council Committees
4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING

1. Resolution 05-17 To Approve the Interlocal Agreement Between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2006

Committee Recommendation: 7 – 0 – 0

2. Resolution 05-18 To Amend the City's Comprehensive Plan to Include the Downtown Vision and Infill Strategy Plan as a Subarea Plan

Committee Recommendation: 4 – 1 – 3

VII. LEGISLATION FOR FIRST READING

1. Ordinance 05-31 To Amend the Bloomington Zoning Maps from RS 3.5/PRO6 to PUD and to Approve the Preliminary Plan for the HAND LEED Planned Unit Development (PUD) - Re: 2300 S. Rockport Road (City of Bloomington Indiana, Department of Housing and Neighborhood Development Petitioner)

Asked to Attend: James Roach, Senior Zoning Planner

2. Ordinance 05-32 To Amend Title 14 of the Bloomington Municipal Code Entitled "Peace and Safety" (Amending Chapter 36 [Unlawful Conduct], Section 090 [Intoxicating Beverages – Consumption in Public], by Creating an Exception to Allow Consumption of Alcohol in the Buskirk-Chumley Theatre)

Asked to Attend: Mick Renneisen, Director of Parks and Recreation

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda is limited to a maximum of 25 minutes. Each speaker is allotted 5 minutes.)

City of
Bloomington
Indiana

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



Office of the Common Council
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To: Council Members
From: Council Office
Re: Calendar for the Week of October 31-
November 5, 2005
Date: October 28, 2005

Monday, October 31, 2005

5:00 pm Utilities Service Board, IU Research Park, 501. N. Morton St. 100B

*Official Trick-or-Treat hours for the City of Bloomington
are 5:30 pm until 8:30 pm.*

Tuesday, November 1, 2005

5:30 pm Bloomington Public Transportation Corporation, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers
5:30 pm Council for Community Accessibility Abilities Board, Kelly
6:30 pm Sister Cities, Hooker Room
7:30 pm Telecommunications Council, Council Chambers

Wednesday, November 2, 2005

7:00 pm Council for Community Accessibility Head Injury Support Group, Dunlap
7:30 pm Common Council Regular Session, Council Chambers

Thursday, November 3, 2005

4:00 pm Bloomington Digital Underground, McCloskey
5:30 pm Commission on the Status of Women, McCloskey
6:00 pm Marilyn Drive Sidewalk Project, Council Chambers

Friday, November 4, 2005

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

Saturday, November 5, 2005

9:00 am Bloomington Community Farmers' Market, Showers Common

Happy Birthday to Chris Gaal

**DRAFT
COMMON COUNCIL
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2006
(Subject to Revision by Common Council)**

<u>DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON</u>	<u>DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON</u>	<u>REGULAR SESSION 1st READING FOR ORDS.</u>	<u>COMMITTEE DISCUSSION</u>	<u>REGULAR SESSION FINAL ACTION</u>
Mon. Dec. 19 (2005)	Mon. Dec. 19 (2005)	¹ Tue. Jan. 3	¹ Tue. Jan. 3	Jan. 18
Mon. Jan. 9	Fri. Jan. 13	Jan. 18	Jan. 25	Feb. 1
Mon. Jan. 23	Mon. Jan. 30	Feb. 1	Feb. 8	Feb. 15
Mon. Feb. 6	Mon. Feb. 13	Feb. 15	Feb. 22	Mar. 1
Mon. Feb. 20	Mon. Feb. 27	Mar. 1	Mar. 8	Mar. 22
Mon. Mar. 13	Mon. Mar. 20	Mar. 22	Mar. 29	² Apr. 5
Mon. Mar. 20	Wed. Mar. 29	² Apr. 5	Apr. 12	Apr. 19
Fri. Apr. 7	Mon. Apr. 17	Apr. 19	Apr. 26	May 3
Mon. Apr. 24	Fri. Apr. 28	May 3	May 10	³ May 17
Mon. May 8	Mon. May 15	May 17	May 24	² June 7
Mon. May 22	Wed. May 31	June 7	June 14	June 21
Mon. June 12	Mon. June 19	June 21	June 28	July 5
Mon. June 26	Wed. June 28	July 5	July 12	^{3 & 4} July 19
Mon. July 10	Mon. July 10	^{3 & 4} July 19	^{3 & 4} July 19	⁵ Aug. 2

AUGUST RECESS

Wed. Aug. 23	Wed. Aug. 23	⁶ Sep. 6	⁶ Sep. 13	Sep. 20
Mon. Sep. 11	Mon. Sep. 18	Sep. 20	Sep. 27	Oct. 4
Mon. Sep. 25	Mon. Oct. 2	Oct. 4	Oct. 11	Oct. 18
Mon. Oct. 9	Mon. Oct. 16	Oct. 18	Oct. 25	Nov. 1
Mon. Oct. 23	Mon. Oct. 30	Nov. 1	Nov. 8	Nov. 15
Wed. Nov. 1	Mon. Nov. 13	Nov. 15	⁷ Nov. 29	Dec. 6
Mon. Nov. 20	Mon. Nov. 27	Dec. 6	Dec. 13	⁴ Dec. 20

YEAR END RECESS

2005: Mon. Dec. 18 (2006)	Mon. Dec. 18 (2006)	¹ Tue. Jan. 2 (2007)	¹ Tue. Jan. 2 (2007)	Wed. Jan. 17 (2007)
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Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers of the Showers Center, 401 North Morton, at 7:30 p.m. The following footnotes explain some of the exceptions to that schedule:

1. There will be an annual Organizational Meeting on this date when the Council elects officers and gives legislation first reading. The meeting is held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (IC 36-4-6-8; BMC 2.04.050[d]) This meeting will be immediately followed by a Committee of the Whole.
2. There will be two weeks between the Committee of the Whole and the Regular Session due to the occurrence of a fifth Wednesday in these months.
3. There will be a Council Budget Advance in the McCloskey Room of City Hall at 5:30 p.m. on Wednesday, May 17th and departmental budget hearings in the Council Chambers at 6:00 p.m. on Monday, July 24th, Tuesday, July 25th, Wednesday, July 26th, and Thursday, July 27th, 2006. A Special Session may be held after the departmental hearing on Tuesday, July 25th in order to take action on at least one of the budget related legislation.
4. Due to the Departmental Budget Hearings being held during the fourth week of July, the second Regular Session and Committee of the Whole will be held on the third Wednesday of July.
5. Since the Council will have a brief recess after first meeting in August and the second Regular Session in December, no legislation will be introduced for first reading at these meetings. (BMC 2.04.060 (e) & (g))
6. The Council will consider the City Budget for 2007 along with routine legislation during the first legislative cycle in September. The public hearing on the City Budget will be held during the Committee of the Whole that will occur immediately after the Regular Session on Wednesday, September 6th and final adoption is scheduled for a Special Session on Wednesday, September 13th.
7. There will not be a Committee of the Whole meeting on the fourth Wednesday of November, which is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). However, given the occurrence of a fifth Wednesday in November this year, the Committee of the Whole meeting will be held on that evening.



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Approving the Annual Schedule for Year 2006 on November 16th
Date: October 27, 2005

Contents

Memo with Highlights of Meeting and Scheduling Issues
Proposed Annual Schedule for 2006

Memo

The Council should set its schedule for next year by mid-November so that our calendar can be finished before our Intern, Bridget Gross, leaves for winter vacation. The Council typically meets on the first four Wednesdays of the month, with Regular Sessions being held on the first and third Wednesday and Committees of the Whole being held on the second and fourth Wednesday.

Explanation of the Schedule Sheet. The Annual Schedule presents these meetings in legislative cycles which appear as 21 rows with 5 columns. The rows indicate the 21 legislative cycles next year. Legislative cycles begin with a Regular Session, are followed by a Committee of the Whole, and end with another Regular Session. The 5 columns indicate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
Deadline for Filing Ordinances	Deadline for Filing Resolutions	Regular Session When Ordinances are Introduced	Committee of the Whole When Ordinances and Newly Introduced Resolutions are Discussed	Regular Session When Ordinances and Resolutions are Ready for Final Action

Deadlines. The deadline for legislation generally falls 10 days before the meeting when legislation is scheduled to be introduced at a Regular Session and provides time for staff to review the legislation and prepare the weekly legislative packet. The deadline is typically on the Monday of the week before that meeting (or, in other words, the Monday of the week the Council packet for that meeting goes out). However, the deadline is moved back a day when there is a City holiday and is moved back as much as a week when there are 5th Wednesdays in the month. This latter change allows staff to take time-off other than during the August Recess. Please note that the Municipal Code requires legislation and background material be filed at least two weeks before the item is to be introduced at the Council.

Explanation of the Footnotes. The footnotes in the Annual Schedule indicate those occasions when the Council does not meet on a Wednesday or does not follow the usual four-Wednesdays-a-month routine.

Religious Holidays. Please note that this calendar schedules a Committee of the Whole on the first night of Passover (April 12th). You may want to cancel or hold that meeting the week before if the workload permits. There may be other religious holidays you want to observe and for that reason a copy of the IU "Five-Year Religious Holidays Calendar" is available in the Council Office or can be found on the web at http://www.indiana.edu/~deanfac/rel_hol_cal.html.

Please review it and be prepared to vote on the schedule on November 16th.

Proposed Annual Schedule - Highlights and Issues

January

Tuesday, January 3rd Organizational Meeting and Committee of the Whole. *Please note that the meeting will occur on a Tuesday this year because Monday is a holiday.*

Wednesday, January 12th No Committee of the Whole Meeting (See above)

March

Note on Schedule: There are five Wednesdays in March and a Regular Session that would fall during Spring Break. This schedule avoids meeting during Spring Break by moving the second Regular Session and Committee of the Whole from the third and fourth Wednesdays to the fourth and fifth Wednesdays of the month.

Wednesday, March 15th No Regular Session (Spring Break)

Wednesday, March 22nd Regular Session

Wednesday, March 30th Committee of the Whole – on the Fifth Wednesday

April

Wednesday, April 12th Committee of the Whole – on the first night of Passover (Council may want to cancel that meeting or hold it after the previous Regular Session).

May

Wednesday, May 17th “Budget Advance” in the McCloskey Room at 5:30 p.m.
The Mayor requested the new name as well as the day and time (which follows what we did this year)..

Wednesday, May 31st No Meeting – Fifth Wednesday

July

The budget hearings and second legislative cycle in July were suggested by the Mayor and would borrow from the pattern set in 2005 with budget hearings all held during one week and then create a new pattern by holding those hearings on the last week of July. This would mean that the second legislative cycle in July would begin on the third Wednesday with a Regular Session which would be immediately followed by a Committee of the Whole.

Wednesday, July 5 th	The Council will meet on the first Wednesday in July (which falls one day after July 4 th)
Wednesday, July 19 th	Regular Session Immediately Followed by a Committee of the Whole
Monday, July 24 th (Through)	Start of Departmental Budget Hearings which will begin at 6:00 p.m.
Thursday, July 27 th	End of Departmental Budget Hearings

August

Wednesday, August 2 nd	August Recess begins after Regular Session
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September

Wednesday, September 6 th	August Recess ends with Regular Session immediately followed by Committee of the Whole to discuss 2007 Budget
Wednesday, September 13 th	Council will hold Special Session to take action on 2007 budget immediately followed by Committee of the Whole

November

Wednesday, November 22 rd	4 th Wednesday – No Meeting - Night Before Thanksgiving
Wednesday, November 29 th	5 th Wednesday – To be used for the Committee of the Whole during the second legislative cycle in November.

December

Wednesday, December 20 th	Last meeting of the year
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~~strike~~ – proposed deletion
bold – proposed addition
▶ -- relevant section

DOWNTOWN VISION AND INFILL STRATEGY PLAN AS ALTERED BY COUNCILMEMBER VOLAN'S AMENDMENTS

Pages 4-12 – 4-13

Parking

The purpose of this element of the consultant study is to review the parking conditions in Downtown Bloomington. The objective is to identify possible solutions to current concerns expressed in recent Focus Group meetings conducted in conjunction with the Down-town Vision and Infill Strategy Plan, as well as in several informal interviews with business owners and employees.

Expressed Concerns:

There were numerous concerns noted during Focus Group Meetings conducted on Tuesday, September 28, 2004, and during discussions with local business owners and employees conducted on September 28 and October 20, 2004.

- The perception by some downtown business owners and residents that existing public parking is inadequate.
- Increased downtown residential development has reduced on-street parking spaces.
- University spillover is creating some downtown parking problems.
- Parking shortages have resulted in loss of both residential and commercial tenants.
- Parking opportunities are available and the community needs to be more thoroughly educated regarding public parking locations.
- Safety and security of parking garages, especially at night, is a primary concern.
- A cohesive and coordinated parking system needs to be generated that is user-friendly and easily accessible.
- Parking fees should be assessed for both employees and consumers.
- Existing parking issues and concerns will increase in the future if steps are not taken now to address the shortage of parking opportunities.
- Part-time employees are seeking lower cost parking alternatives to those currently available in parking lots and garages.

- Employees will need incentives to park farther away from Court-house Square.
- Loading zones need to be available for shoppers who purchase heavy or bulky items.
- Some businesses have customers that will not stop and shop unless they can park within view of the front door.
- A significant number of parking spaces located near Courthouse Square are used by long-term downtown employees.
- Parking needs to be better managed to ensure timely turnover of on-street parking spaces.

Many communities throughout the country are facing similar issues and careful thought and consideration is needed to avoid unintended consequences of parking management. It is believed that the best way to improve current parking conditions and address both real and perceived parking problems is to provide incentives, which allows the city to better control the final outcome.

Existing Inventories and Conditions:

To be able to properly evaluate current concerns requires a thorough understanding of the existing parking conditions: inventories, utilization, ordinances, enforcement and opportunities.

Parking Inventory: Bloomington has quite a few parking spaces in the downtown. Specifically, there are approximately 5,000 reserved and non-reserved parking spaces in the downtown study area.

For public use, there are approximately 1,170 non-reserved curb spaces, 81 curbed metered spaces and 150 parking lot/garage metered spaces.

Parking spaces in the downtown are actively enforced for permit and time limit violations. The Division of Parking Enforcement reviews the parking spaces on a two-hour interval using T2 held recorders that register license plates by block face. These recorders provide instant violation identification and can also provide block face parking usage rates. These usage rates can be a valuable management tool in helping anticipate future parking concerns and complaints.

The Division of Parking Enforcement currently writes approximately \$500,000 in tickets in parking violations per year in the downtown and adjoining neighborhoods. Under the present ordinance, it is possible to ticket a vehicle in violation every two hours. Each ticket is \$15; after seven days if it remains unpaid, it then becomes \$30. Handicapped and fire lane violations are \$50 per issued ticket.

Almost all on-street parking offers two hours of free parking. There are some spaces available for shorter time increments. The surface lots and garages are primarily 50¢ per hour with 12-hour limits. Re-served spaces cost \$550 per year for 12-hours per day, 5 days per week, or \$675 per year for 24 hours per day, 7 days per week.

Shuttle Bus with Remote Parking: The County operates a shuttle bus for its downtown employees. The current operation utilizes the county-owned surface parking lot behind the Convention Center at 3rd and College. The County employees park in the lot, and a shuttle bus circulates for a few hours in the morning, at noon, and at close of business in the afternoon. This system of park-and-ride is not available to the public. The purpose of the system is to provide parking opportunities to County employees and help free up some parking spaces for public use in the downtown, especially around the Courthouse Square. The system has only limited use at present and operating costs are becoming a concern for the County.

New Development and Parking Ratios: The City of Bloomington has been very successful in recent years in creating a vibrant downtown. New multi-use residential developments have been and are being developed. The city recently completed the third parking garage, located at 7th and Morton. A new Hilton Hotel is scheduled to be completed in the Spring of 2006. Currently there are over 400 existing retail/commercial businesses operating in the downtown. The Planning Department has attempted to work with development in a consistent, professional manner with the realization that parking conditions are a very important consideration to both the development and the existing business and residential community.

To ensure that parking requirements more accurately reflect the number of on-site residents, the City of Bloomington calculates parking recommendations based on the number of bedrooms per unit. The traditional ITE method of calculating the number of recommended parking spaces is per unit. Initially, when parking spaces were more prevalent and available, the Planning Department was recommending that a parking ratio of spaces to apartments be near 0.5 spaces per bedroom. However, in recent years as available spaces decreased, the recommendations changed and are now averaging 0.75 spaces per bedroom. These ratios are less than those recommended by the Institute of Transportation Engineers (ITE), an approved National reference resource, whose current recommendation is around 1.20 spaces per unit or 0.8 per bedroom. But, the ratios employed by the Planning Department were valid since spaces were available in the vicinity of the development, and the development was near a public

transit line that provides excellent service to tenants (primarily University students).

Existing Observations:

The following observations were made about the parking conditions in downtown Bloomington on a walk/drive through on September 28 and October 20, 2004.

- Parking structures had numerous public parking spaces available during the 8am to 5pm time period.
- Accessibility between the parking structures and adjoining buildings could be improved.
- Parking structures could be made more inviting and attractive with improved lighting, security and maintenance.
- Curb parking around the Courthouse and the Justice Center had a very high utilization rate (load factor). But, about one block away there were empty curb spaces.
- The Convention Center parking lot served by the shuttle bus and owned by the County had only twenty to twenty-five parked vehicles.
- There could be improved wayfinding signage for parking opportunities and for other places of interest such as City Hall, County Courthouse, Convention Center, Library, etc.

Statement of Parking Objectives:

The success of future infill development in Downtown Bloomington will generate concerns regarding vehicular parking. It is interesting to note that in the 1997 Bloomington Downtown Parking Task Force Report and Recommendations, these same concerns were expressed even though there has been a new 374 space parking structure and over 200 surface parking spaces added to the city's inventory since then. This illustrates the dynamic conditions that presently exist within downtown.

Therefore, to ensure the continued success of downtown, the 1997 Parking Task Force goals need to be continued. Those goals were:

- Promote parking as integral to downtown revitalization
- Promote higher turnover of on-street parking
- Encourage greater use of off-street parking

Possible Solutions to Parking Conditions:

~~The key to improving the downtown parking environment is to encourage downtown employees to park in remote parking lots and walk to employment centers.~~ **The key to improving the downtown transport environment is three-fold: to charge what the market will bear for all parking of private vehicles, whether on-street or in lots and garages; to devote all additional proceeds deriving from those market rates to the establishment of local-route free-fare bus transit serving the downtown area; and to require developers to devote some of the money they would have been required to invest in on-site parking to support the operation of such bus transit.** Such ~~an~~ actions will require a system that is reasonably priced, safe, secure, convenient and consistent. The result would be the potential removal of several hundred cars from the core of the downtown area, and the resolution of many of the concerns expressed at the Focus Group meetings and by downtown owners and employees. The principle questions associated with the implementation of a remote parking system would be:

1. What would it look like? And
2. How much would it cost?

Future Development and Parking Conditions:

Based on the projected buildout of the entire downtown area, which includes significant infill development and redevelopment of under-utilized sites, preliminary observations indicate that approximately ~~2000~~ **1250** additional parking spaces should be provided to fulfill anticipated parking needs for future downtown residents and merchants. **The revenue to provide another 750 spaces should instead be required to be directed to Bloomington Transit for the express purpose of providing local-route free-fare bus transit serving the downtown area.** Buildout projections were generated using new design standards applied to vacant and underutilized sites throughout downtown. Hypothetical land uses and building configurations were applied to estimate the number of parking spaces required. The “per bedroom” parking ratio was applied for all projected residential development. A variety of land uses were considered along with building height and parcel location.

~~As noted in the section titled “New Development and Parking Conditions” it may be appropriate to consider increasing the parking ratios for new development, especially the residential segment in the downtown. Although the approach used in the past was logical due to existing parking conditions and to the availability of efficient bus service, it may be time to reevaluate the residential ratios. Parking ratios vary from city to city depending on a number of factors, including modes of travel, distance to major attractions, parking~~

conditions, etc. Since the national norm outlined in the nationally accepted ITE Parking Manual indicates residential bedrooms in downtown areas should be around 1.2 parking spaces per bedroom, Bloomington may want to consider increasing their current 0.75 spaces per bed room standard. Parking spaces, especially in the downtown area, are very expensive to produce. The cost of these spaces can be a very significant factor in determining project feasibility, so extreme care must be exercised in establishing future parking ratios. To date, the city has done an excellent job in negotiating with developers in setting the parking ratios per development and in finding ways to provide “in lieu of” parking spaces in nearby parking garages with long term lease agreements. However, the availability of existing parking spaces seems to be more limited than in the past so some public/private partnership will probably be needed to supply the new required spaces.

Alternative Transportation

▶ **Comprehensive Transportation Policy**

Future improvements to existing vehicular and pedestrian circulation systems should be developed as an integrated system contained within a larger, holistic framework for movement into, through and out of the downtown core. A comprehensive transportation plan should be developed that

- ▶ balances ~~automobile circulation~~ **private vehicle circulation**
- ▶ with ~~alternative transit modes~~ **more sustainable transit modes** such as walking, bicycling and public transit. Specific amenities that serve each mode should be integrated into infill and redevelopment projects and should include elements such as bus stops, bike racks and/or lockers, benches and, when appropriate, bicycle traffic signage such as yield and stops signs at trail/street intersections.

Parking Strategy

Parking should be provided in balance with other functional requirements of downtown. To that end, making the best use of existing parking resources is the highest priority. However, with the additional uses anticipated in the plan, some more parking spaces will be needed. These are the key implementation strategies:

1. Improve efficiency of existing on-street and off-street parking inventory

Assess current on-street parking configurations.

Downtown Bloomington has the luxury of having several significantly wide streets. Streets in the Showers Technology Park, Downtown Core, Gateway and Downtown Edges Character Areas should be assessed for potential restriping to accommodate on-street diagonal parking. When feasible, streets in these Character Areas should be restriped to accommodate increased on-street parking opportunities to promote additional commercial and pedestrian activities. Streetscape improvements and additional wayfinding should be coordinated with overall downtown improvements.

Develop cooperative agreements for sharing of privately owned lots.

There are a large number of privately owned surface parking lots in the downtown that are not efficiently used during the work week. The City should look for complementary uses that would benefit both expanded downtown commercial development and private landowners.

Ensure safe and well-lit pedestrian access to public parking lots.

Security and lighting issues pertaining to existing parking structures were cited as two primary reasons that local residents avoid using parking garages. Physical improvements combined with an educational campaign regarding the benefits of existing parking structures would encourage consistent use by residents, visitors and students.

Improve enforcement of parking.

On-street parking opportunities in the downtown are currently signed and allow for two hours free, on-street parking. Currently, the Division of Parking Enforcement is responsible for enforcement of signed parking zones. The City should consider parking management as part of an overall economic development strategy for downtown and proactively manage and enforce parking regulations to ensure the optimum utilization and turnover of available spaces.

Establish a residential parking assignment program.

In support of efforts to increase residential development in down-town, the City should work with the development community to identify parking opportunities for downtown residents. These reserved and/or permitted spaces should be located close to housing developments and this policy should be communicated to the public.

Designate loading spaces for residential development. Convenient loading areas should be provided that allow upper-floor residents and tenants to easily access their vehicles on a temporary basis.

Identify public parking opportunities.

Signage directing visitors to public parking structures and/or surface lots should be incorporated in the City's overall wayfinding signage program to ensure easy and convenient access.

Formulate a downtown employee parking program.

While residential parking is important, employee parking that is shared is necessary to allow public access to the most convenient spaces in front of and adjoining downtown business. By concentrating employee parking, the intensity of street frontage land use can be increased by eliminating the need for every site to have its own dedicated parking. The City should work in concert with down-town businesses to manage the impacts of employee parking.

- ▶ **Charge market rates for all non-reserved parking, and require support of public vehicles as a condition of development. All proceeds from increased parking rates should be explicitly devoted to the operation of local-route free-fare bus transit serving the downtown area. New developments should be required to contribute to a fund to subsidize the local-route bus(es) at the minimum ratio of \$3 for every \$5 spent on on-site parking. Spaces on street should be priced accordingly to time of day and day of week: weekday parking during business hours should be more expensive than in evenings or on weekends, for example. Spaces on street should be more expensive than spaces in garages in cases when a street's parking location is particularly desirable, or when the City wishes to promote garage use.**

- ▶ **Put a maximum limit on the ratio of parking spaces to bedrooms and office space. This limit should be set at 0.5 spaces per bedroom, and an appropriately equivalent ratio per 1000 SF of office space. Any desire for parking development in excess of this number should be channeled to increasing the frequency and efficiency of downtown local bus service.**

2. Construct a parking structure.

In high density commercial areas, parking structures are the most efficient method of accommodating a large number of public parking spaces. New prototypes for public parking facilities have been established and constructed throughout the country, including parking structures that contain retail and office uses along the edges of the structure. This promotes additional commercial development, but also allows the building to more fully integrate with adjacent development.

There may be a need for additional downtown parking structures in the future, especially as the Showers Technology Park and the southern portion of the Downtown Core are redeveloped. Benchmarks for ascertaining the need for a structure include:

- On-street parking utilization reaches 100% on a regular basis
- On-site parking requirements result in over 50% of the site being utilized for surface parking, resulting in a loss of building mass along the street edge and pedestrian-scaled elements

Based on information regarding convenient and efficient pedestrian accessibility and the likelihood of future infill and redevelopment occurring throughout Downtown Bloomington, several sites have been identified during the Downtown Plan process as potential locations for additional structured parking facilities:

- 1) North of City Hall between North Rogers Street and North Morton Street: this site would serve Showers Technology Park employees, City employees and users of the CSX Trail; or
- 2) Southern Area of Downtown Core: specifically, areas near the Bloomington Convention Center, east of College Avenue and south of Third Street.
- 3) Existing Surface Parking Lots on Kirkwood: specifically, areas located between College Avenue and Madison Street.

ORDINANCE 05-31

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM RS 3.5/PRO6 TO PUD
AND TO APPROVE THE PRELIMINARY PLAN FOR
THE HAND LEED PLANNED UNIT DEVELOPMENT (PUD) -
RE: 2300 S. Rockport Road
(City of Bloomington, Department of Housing and Neighborhood Development, 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, the Plan Commission has considered this case, PUD-27-05, and recommended that the petitioner, City of Bloomington Housing and Neighborhood Development (HAND) Department, be granted a rezone of the property located at 2300 S. Rockport Road from RS3.5/PRO6 to Planned Unit Development and also be granted a preliminary plan approval for the HAND LEED 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 20.05.09 of the Bloomington Municipal Code, the property located at 2300 South Rockport Road be rezoned from RS3.5/PRO6 to Planned Unit Development and the preliminary plan be approved. The property is further described as follows:

Part of the southwest quarter of the northeast quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at a stone in the southwest corner of said quarter quarter section, thence along south line of said quarter quarter section, 604.23 feet to the point of beginning; thence leaving said south line NORTH 23 degrees 33 minutes 06 seconds EAST, 103.99 feet; thence NORTH 31 degrees 01 minute 27 seconds EAST, 390.13 feet; thence SOUTH 87 degrees 48 minutes 33 seconds EAST, 298.54 feet; thence SOUTH 01 degree 11 minutes 59 seconds WEST, 82.50 feet; thence SOUTH 88 degrees 00 minutes 27 seconds EAST, 248.64 feet to the centerline of Rockport Road; thence along said centerline SOUTH 39 degrees 34 minutes 01 second WEST, 284.34 feet; thence leaving said centerline and along the North line of Rockport Hills Subdivision, as recorded in Plat Cabinet "C", Envelop 50, in the Office of the Recorder of Monroe County, Indiana, North 87 degrees 29 minutes 00 seconds WEST, 242.28 feet; thence SOUTH 02 degrees 31 minutes 00 seconds WEST, 125.00 feet to the South line of said quarter quarter section; thence continuing along the North line of said Rockport Hills and south line of said quarter quarter section NORTH 87 degrees 29 minutes 00 seconds WEST, 881.45 feet to the point of beginning, containing 4.46 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.

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

ANDY RUFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

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

REGINA MOORE, Clerk
City of Bloomington

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

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 4.46 acres located at 2300 S. Rockport Road from RS3.5/PRO6 to Planned Unit Development and approves the preliminary plan for the HAND LEED project. This PUD would allow development of up to 12 affordable, single family homes.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 05-31 is a true and complete copy of Plan Commission Case Number PUD-27-05 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 17, 2005.

Date: October 24, 2005

Thomas B. Micuda, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____, 2005.

Regina Moore, City Clerk

Appropriation Ordinance #	Fiscal Impact Statement Ordinance #	Resolution #
_____	_____	_____

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other

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

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

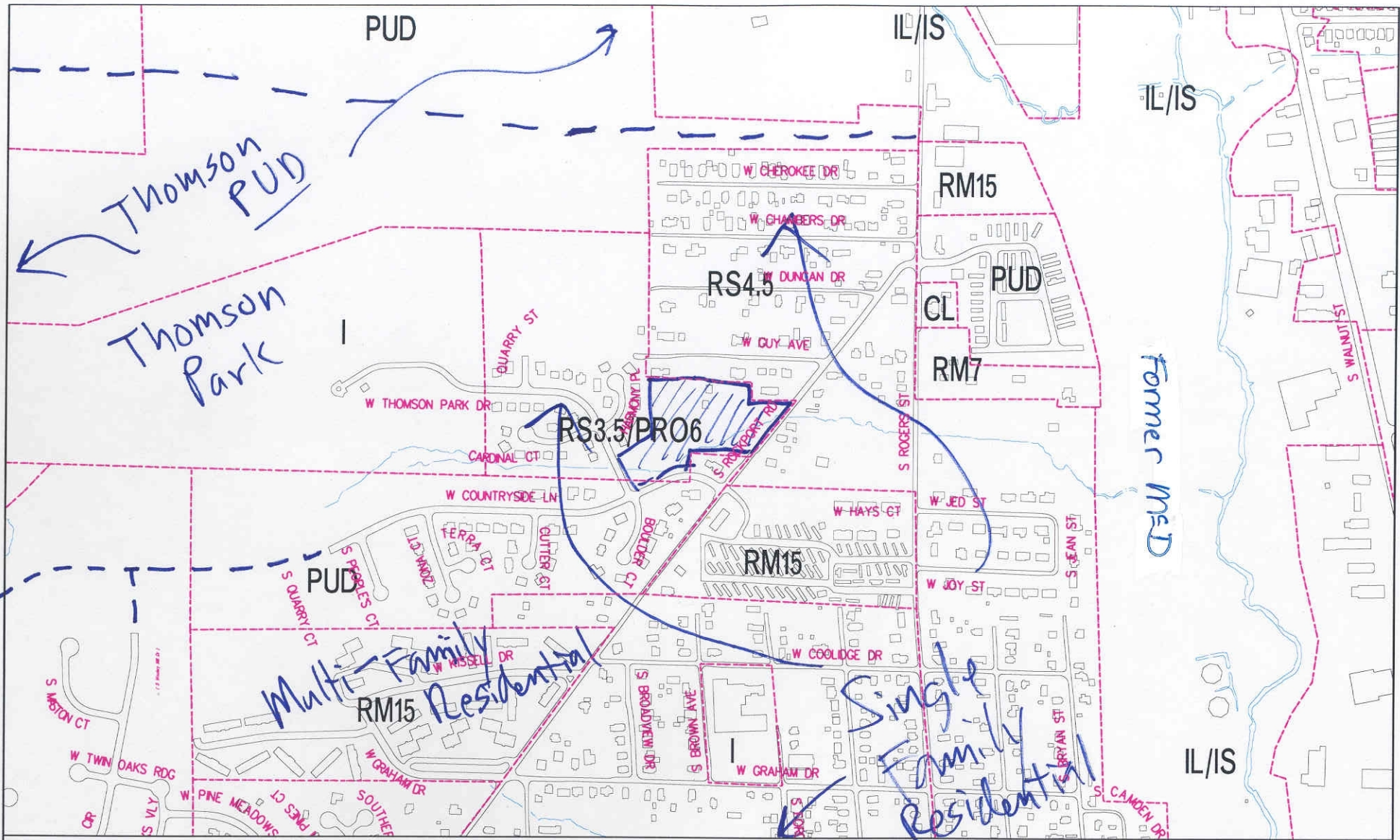
Signature of Controller

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

Yes _____ No _____

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

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



PUD-27-05
Location and Zoning Map

By: roachja
 6 Sep 05



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 600'

8



Interdepartmental Memo

To: Members of the Common Council
From: James Roach, AICP, Senior Zoning Planner
Subject: Case # PUD-27-05
Date: October 18, 2005

Attached are the staff report, petitioners' statement, and map exhibits which pertain to Plan Commission Case # PUD-27-05. The Plan Commission heard this petition at its October 17, 2005 meeting and voted 9-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner, the City of Bloomington Department of Housing and Neighborhood development (HAND), is requesting rezoning of 4.45 acres from Single Dwelling Residential (RS3.5/PRO6) to Planned Unit Development (PUD) and preliminary plan approval for up to 12 single family lots.

BACKGROUND:

Area:	4.45 acres
Current Zoning:	RS3.5/PRO6
GPP Designation:	Urban Residential
Existing Land Use:	undeveloped, rolling meadow terrain, creek, detention pond, scattered trees
Proposed Land Use:	single family residential
Proposed Density:	2.70 units per acre
Surrounding Uses:	North, West, South and East – single family residential Southeast – multi-family residential

REPORT SUMMARY: The property in question is bounded by S. Rockport Road to the east, W. Countryside Lane to the south, single family homes along W. Guy Avenue to the north and W. Thomson Park Drive and the Autumn View Subdivision to the west. The property is undeveloped and contains a small detention pond and a creek along its south side. The property is also encumbered by a 100 foot wide electrical transmission easement on its west side, adjacent to Autumn View.

Under the current RS3.5 zoning, the property could conceptually be developed with approximately 15 lots. With the Planned Residential Overlay on the property, this could be increased up to 26 units, which could include duplex units. With its odd shape and existing constraints such as the creek and the electric easement, this property cannot be easily developed as a conventional single family subdivision. In addition, the transitional density requirements of the PRO6 overlay were designed for larger parcels where density could be stepped down away from adjacent homes. Instead of a subdivision or PRO site plan proposal,

the Housing and Neighborhood Development (HAND) Department is requesting that the zoning be changed to Planned Unit Development (PUD) and a preliminary plan be approved to allow for up to 12 single family homes with reduced site planning and infrastructure standards.

HAND has two primary goals for this project. The first is to make the homes affordable for moderate or low income families. The second is to protect and enhance the environment of the subdivision.

GROWTH POLICIES PLAN: The *Growth Policies Plan* designates this property as “Urban Residential.” This category includes both existing residential areas and vacant land. Densities range from 2 units per acre to 15 units per acre and include both single family and multi-family uses. Infill development must be consistent and compatible with preexisting developments. Another goal is the maintenance of residential desirability and stability. The GPP encourages single family residential development as the primary land use but encourages mixed residential densities and housing types. Developments should emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features. Finally, the GPP encourages new development to optimize street, bicycle, and pedestrian connectivity” and “ensure that new common open space is truly usable and accessible. “

LAND USE:

Single Family: This PUD only proposes one land use, detached single family homes. Detached single family homes are already a permitted use in the RS3.5/PRO6 zoning district. The property is surrounded by existing detached single family homes on all sides.

Affordability: As previously stated, this development will provide for affordable, owner occupied homes for low and moderate income families. Moderate income is defined as 80% or less of the area median income. Today, a family of four would need to have an annual income of less than \$47,300 to be eligible. HAND hopes to sell the homes for less than \$110,000. Covenants will be placed on the lots sold to income eligible families stating that they must remain affordable for at least 15 years.

INTENSITY OF USES:

Density: HAND could, under the current RS3.5 zoning, conceptually develop this property with 15 lots. This PUD request proposes only 12 lots. No density increase is proposed with this PUD.

Lot size, width and setbacks: The Plan Commission approved reduced development standards for the single family lots. The lot standards for the

surrounding developments of the Rockport Hills PUD (6,000 sf lots) and the Autumn View development (7,200 sf lots) fall under the RS3.5 minimum requirements. The following development standards were approved for this PUD:

	RS3.5 District	Proposed
Lot Size	9,600 Square Feet	3,400 Square Feet
Lot Width	70 feet	35 feet
Side Yard Setback	8 feet (One story) 12 feet (Two story)	6 feet (regardless of the number of stories)
Rear Setback	25 feet	20 feet for house (10 feet for Lot #11) 5 feet for carport
Street Setback	25 feet	10 feet for house 20 feet for carport

SITE DESIGN:

Access and Connectivity: Access to all but one of the individual lots would be from a new public street. The final lot would be accessed off of Rockport Rd. The internal street would intersect with Thomson Park Dr. and would be designed as a cul-de-sac. The cul-de-sac would be less than the 600 foot maximum allowed by the subdivision control ordinance. Connectivity to adjacent streets or a future street is difficult. The property to the north has already been developed and a connection to Rockport Road would be difficult due to grade changes and the existing creek. The Plan Commission did not require any additional road connections.

Street Standards: The Plan Commission approved a reduced road cross-section to limit the amount of impervious surfaces and therefore the environmental impact, or “footprint”, on the property. The road will have two ten foot wide travel lanes, as recommended by the Thoroughfare Plan. There will be on-street parking provided in two locations; along the north side of the road adjacent to the detention pond and within the cul-de-sac “island.” This parking will be out of the travel lanes. No curbing was required. Instead of curbing, HAND proposed 2-foot wide gravel shoulders along the road. Without curbing, stormwater that falls on the street will sheet flow to the south and be channeled into drainage swales between the houses, eventually flowing to the creek. The island within the cul-de-sac will be curbed and stormwater will be piped out of the island into an adjacent swale on the south side of the road.

While some members of the Plan Commission raised concerns that gravel shoulders will be difficult to contain, would not prohibit people from parking in their front yards and would be unsightly, the Plan Commission eventually accepted that this is the most cost effective and environmentally friendly way of handling stormwater and water quality. Curbing could necessitate a costly storm sewer system and possibility stormwater detention. Additionally, the presence of

landscaped areas along the gravel edges should limit spillover of gravel and deter illegal parking.

While no sidewalk along the road was proposed by HAND, the Plan Commission left this issue open ended until the Final Plan review phase. (see below). Finally, the cul-de-sac “bulb” has been redesigned to accommodate Fire Department turning radius needs.

Right-of-Way: The Plan Commission approved a reduced right-of-way for the new public street. The Thoroughfare Plan calls for a 50 foot right-of-way for new neighborhood streets. This PUD Preliminary Plan allows for a right-of-way of approximately 35 feet. This is the minimum right-of-way necessary for the travel lanes and the shoulders. Also, increased right-of-way has been shown adjacent to the parallel parking spaces along the internal street. This ensures that the spaces are public on-street parking spaces. An increased right-of-way would be necessary if HAND opts to develop a sidewalk on the north side of the road.

Right-of-way for Countryside Ln. and Rockport Rd. will be dedicated per Thoroughfare Plan requirements.

Apart from the road right-of-way, HAND will dedicate a strip of right-of-way along the proposed connector path. The City Public Works Department has agreed to maintain this path much like they maintain the City’s inventory of sidepaths.

Pedestrian Facilities: As stated above, HAND proposed not to construct sidewalks along the edge of the new public road. Instead they proposed that a 6-foot wide connector path be placed within a public right-of-way adjacent to the creek.

The Public Works Department has agreed to maintain this path like the City’s inventory of sidepaths. This connector path would connect Rockport Rd to Thomson Park Dr. along the creek. This path would serve to provide circulation for the development and give pedestrians along Rockport Rd. a straight connection into Thomson Park. Starting at the west side of Thomson Park Drive there is a pedestrian easement along the creek within the Autumn View subdivision that connects to Thomson Park. The Parks and Recreation Department has stated a willingness to apply for grants to continue the connector path from the proposed development into Thomson Park.

The Plan Commission did not come to a consensus as to whether a sidewalk should be required on one side of the street or if with some modifications the connector path can better serve the internal pedestrian needs of the development. The Plan Commission deferred a final decision on the pedestrian facilities to Final Plan stage.

Architecture: The houses developed as part of this project will be a mixture of one and two story styles. Although no specific designs for houses have been developed, HAND has provided the following:

- Each house will have a one vehicle carport
- Some houses may include covered front porches
- Houses will be designed to take advantage of a “passive solar” design
- Some houses may be designed to be fully handicap accessible, based on demand
- House material will include a high percentage of recycled and recyclable materials
- Houses may include the use of photovoltaic roofing systems to decrease electricity cost

Environmental Issues: There are few typical environmental issues on this site. There is no evidence of any karst features and the site does not contain any steep slopes or regulated floodplains. There are few trees on the property of any significant size. There are three large maple trees in the northeast corner of the property. Unfortunately, these trees will likely have to be removed to accommodate connecting to the existing sanitary sewer main in Rockport Rd. The sewer must connect north of the creek culvert under Rockport Rd., which will mean removal of these trees.

The other environmental feature on the property is the creek that traverses the south and southeast side of the property. This creek is overgrown with invasive species and the site has been mowed to nearly the creek bank. HAND plans to re-vegetate this creek with water tolerate native species and re-create a riparian corridor along the creek. This will provide for natural stormwater filtration and bank stabilization. Typical planting types were presented to the Plan Commission.

Utilities: This site has adequate utility service for both water and sanitary sewer. Schematic plans have been submitted to CBU and are under review.

Stormwater: A schematic drainage plan has been submitted to CBU and is under review. The property contains an existing detention pond under the electrical transmission easement on the northwest side of the site. This pond was built to handle stormwater detention needs for the Autumn View Subdivision. This PUD Preliminary Plan proposes to alter this pond to detain more water from upstream and then not detain as much of the on-site water as usually required. This stormwater solution is similar to the Canada Farm PUD using a large upstream pond. Along with this enlargement, the outlet would be reconfigured to empty into the creek further upstream. The pond would also be re-graded to retain enough water to make it a suitable habitat for water tolerant wetland type plantings, approximately 6 to 12 inches.

Along with the changes to the detention pond, stormwater from the rest of the site, including the road, will be channeled through filtration swales between the houses. These swales will be planted with native, low maintenance, water tolerant species. Along the north side of the creek, the proposed connector path will act as a small dam which will back up stormwater coming through the drainage swales into “rain gardens.” This water will then percolate through the soil into the creek. The existing clay soils will be replaced with rock and more sandy soils. Typical planting types for the swales, detention pond and rain gardens were presented to the Plan Commission.

Maintenance and Education: There was considerable discussion at the first Plan Commission hearing about ongoing maintenance of common areas and stormwater features associated with this project. Between the first and second hearings some of these concerns were alleviated when the City of Bloomington Redevelopment Commission agreed to retain ownership and maintenance responsibility for common area in the PUD, including the detention pond and the land south of the creek. Owners of lots will now only have to maintain their lots and the cul-de-sac “island.” In addition, many areas, especially those that will be difficult to reach for maintenance, will be planted in vegetation that does not require mowing and will be designated as “no mow” areas.

HAND’s Home Buyers Club program was presented as just one example of the home ownership education that HAND provides for potential home purchasers. As part of this development, potential home purchasers would be required to attend this series of classes. In addition to the Home Buyers Club, HAND intends to develop an “Operation and Maintenance” manual to provide to homeowners detailing how the swales and rain gardens are to be maintained.

HAND has committed to maintaining all stormwater features during the 2-3 year initial build-out of the subdivision. This is also a crucial time for plant establishment. During the initial 2-3 years, maintenance of these features involves removal of invasive species two to three times a year. After that period, invasive species must still be removed once or twice per year, but maintenance is less because the plants have had time to become established. Also, thatch should be removed every 3+ years. The Plan Commission was comfortable that homeowners, with the proper education, can conduct this maintenance.

Environmental Enhancements and LEED Certification: As already presented, many of the features of this PUD lead to increased water quality and environmental enhancement. These features include the limited road profile, drainage swales, rain gardens, pervious pavement path and detention pond plantings and enhancements. In addition to these features, the homes will utilize green building techniques such as the use of recycled material and “passive solar” design. The design of the houses, with southern facing windows and eaves, and the site landscaping, with deciduous trees on the south side of lots,

will allow for the winter sun to add heat to the house while blocking some of the summer sun.

HAND wishes to make this development a model of sustainable site design. They hope that when completed, this project would be eligible to received certification as a LEED project. LEED stands for Leadership in Energy and Environmental Design and is a certification given by the US Green Building Council. Some of the environmental and green building features of the project include:

- Creek restoration
- Reduced site disturbance
- Stormwater management including reduced non-point source pollution
- Passive solar design of homes
- Landscaping design to enhance passive solar design
- Use of recycled materials
- Use of local materials
- Use of a pervious pavement system for connector path

Transit: This property has direct access to Bloomington Transit's route #2, which travels along Rockport Rd. The *GPP* encourages the City to place higher density residential development within walking distance to transit routes.

Neighborhood Input: HAND conducted a neighborhood meeting on July 7th which was attended by several neighboring residents and property owners. Neighborhood comments were largely positive and the project's design consultants were able to address concerns about stormwater issues.

Final Plan Review: Due to the level of detail provided in this preliminary plan, The Plan Commission allowed all but part of the future Final Plan to be reviewed at staff level. The Plan Commission opted to allow staff level review of all aspects of the Final Plan except for the pedestrian circulation issues. The Plan Commission felt that there was still opportunity to reconsider the design of the connector path or possibly add a sidewalk to the north side of the street.

CONCLUSIONS: The Plan Commission supported this project as an example of compatible infill development that furthers many of the goals of the *GPP*, including the promotion of affordable, owner-occupied single family housing and environmental protection and enhancement. The Plan Commission found that the small size of the development provides an excellent opportunity to model the innovative development options that are proposed. These innovative and "green" designs have been incorporated into the drainage, architecture, and infrastructure of the project. This proposal will allow the City to assess the appropriateness of such design elements for future developments within the community.

Recommendation: The Plan Commission voted 9-0 to send this petition to the Common Council with a favorable recommendation with the following conditions:

1. Houses must maintain a minimum 10 foot setback from right-of-way. Carports must maintain a minimum 20 foot setback from the right-of-way.
2. Each home must provide two off-street parking spaces.
3. The Final Plan must include copies of draft covenants and restrictions and an "Operations and Maintenance" manual. In addition, the Final Plan must provide further details that adequately address the issue of safe pedestrian access, for example, by means of a sidewalk on the north side of the street, or by adding connecting paths and design elements so that the sidepath can serve as the sole pedestrian access. The Plan Commission will review the pedestrian access aspects of the Final Plan, but other aspects of the Final Plan may be reviewed at staff level.
4. Right-of-way must be dedicated along Countryside Dr. and Rockport Rd. per the Thoroughfare Plan.
5. Final road design must be approved by the Engineering, Public Works and Fire Departments prior to Final Plan approval.
6. Stormwater and Utility plans must be approved by CBU prior to Final Plan approval.
7. No-mow areas shall be platted as landscaping easements.
8. All stormwater features (i.e. swales, rain gardens, creek) shall be platted as drainage easements.
9. A full landscaping plan is required with the Final Plan outlining specific quantity and species of plants for street trees, detention pond landscaping, creek restoration, swales, rain gardens and no-mow areas.
10. Lot #11 shall be permitted a 10 foot rear setback.

**BLOOMINGTON PLAN COMMISSION
FINAL REPORT
LOCATION: 2300 S. Rockport Road**

**CASE #: PUD-27-05
DATE: October 17, 2005**

PETITIONER: City of Bloomington
Department of Housing and Neighborhood Development
401 N. Morton Street, Bloomington

CONSULTANTS: Veazey, Parrott, Durkin & Shoulders
528 Main St., Suite 400, Evansville, IN

Bledsoe, Tapp and Riggert, Inc.
1351 W Tapp Rd, Bloomington

REQUEST: The petitioner is requesting rezoning of 4.45 acres from Single Dwelling Residential (RS3.5/PRO6) to Planned Unit Development (PUD) and preliminary plan approval for up to 12 single family lots.

BACKGROUND:

Area: 4.45 acres
Current Zoning: RS3.5/PRO6
GPP Designation: Urban Residential
Existing Land Use: undeveloped, rolling meadow terrain, creek, detention pond, scattered trees
Proposed Land Use: single family residential
Proposed Density: 2.70 units per acre
Surrounding Uses: **North, West, South and East** – single family residential
Southeast – multi-family residential

REPORT SUMMARY: The property in question is bounded by S. Rockport Road to the east, W. Countryside Lane to the south, single family homes along W. Guy Avenue to the north and W. Thomson Park Drive and the Autumn View Subdivision to the west. The property is undeveloped and contains a small detention pond along the northwest property line and a creek along its south side. The property is also encumbered by a 100-foot wide electrical transmission easement on its west side, adjacent to Autumn View.

At the September Plan Commission meeting, there was considerable discussion about the proposed road design, pedestrian facilities and long term maintenance of the proposed stormwater facilities. Since the first hearing, there have been many refinements to the project. One major change to the project includes an agreement that the connector path located along the south side of the project will be placed within a publicly owned and maintained right-of-way. Secondly, the

City’s Redevelopment Commission will maintain ownership of the detention pond and unbuildable areas on the south side of the creek. Finally, additional details have been provided about the stormwater quality features proposed.

GROWTH POLICIES PLAN: The *Growth Policies Plan* designates this property as “Urban Residential.” This category includes both existing residential areas and vacant land. Recommended densities for this land use category range from 2 units per acre to 15 units per acre and include both single family and multi-family uses. Infill development must be consistent and compatible with preexisting developments. Another goal is the maintenance of residential desirability and stability. The GPP encourages single family residential development as the primary land use but encourages mixed residential densities and housing types. Developments should emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features. Finally, the GPP encourages new development to “optimize street, bicycle, and pedestrian connectivity” and “ensure that new common open space is truly usable and accessible.”

DEVELOPMENT INTENSITY:

Density: HAND could, under the current RS3.5 zoning, conceptually develop this property with 15 lots. The current PUD request proposes only 12 lots. No density increase is proposed with this PUD.

Lot size, width and setbacks: HAND is proposing reduced development standards for the proposed single family lots. The lot standards for the surrounding developments of the Rockport Hills PUD (6,000 square foot lots) and the Autumn View development (7,200 sf lots) fall under the RS3.5 requirements. For this project, the minimum lot size has been reduced from an original proposal of 5,400 square feet to 3,500 square feet. This decrease is based on the land for the connector path being placed in right-of-way and parts of the land south of the creek proposed for ownership by the Redevelopment Commission. HAND has proposed the following development standards for this subdivision:

	RS3.5 District	Proposed
Lot Size	9,600 Square Feet	3,400 Square Feet
Lot Width	70 feet	35 feet
Side Yard Setback	8 feet (One story) 12 feet (Two story)	6 feet (regardless of the number of stories)
Rear Setback	25 feet	20 feet for house 5 feet for carport
Street Setback	25 feet	10 feet for house 20 feet for carport

SITE DESIGN:

Architecture: The houses developed as part of this project will be a mixture of one and two story styles. Although no specific designs for houses have been developed, HAND has provided the following:

- Each house will have a one vehicle carport
- Some houses may include covered front porches
- Houses will be designed to take advantage of a “passive solar” design
- Some houses may be designed to be fully handicap accessible, based on demand
- House material will include a high percentage of recycled and recyclable materials
- Houses may include the use of photovoltaic roofing systems to decrease electricity cost

Street Standards: HAND proposes a reduced road cross-section to limit the amount of impervious surfaces and therefore the environmental impact, or “footprint”, on the property. Since the September meeting, HAND has clarified that the proposed shoulders will be 2 feet in width, as opposed to the 2-3 feet as presented by staff at the hearing. The island within the cul-de-sac will be curbed and stormwater will be piped out of the island into an adjacent swale on the south side of the road. Finally, the cul-de-sac “bulb” has been redesigned to accommodate fire department turning radius needs.

Right-of-Way: Apart from the road right-of-way that will be dedicated, as presented in the last report, HAND will dedicate an 8-foot wide strip of right-of-way along the proposed connector path. The City Public Works Department has agreed to maintain this path much like they maintain the City’s inventory of sidepaths. Also, increased right-of-way has been shown adjacent to the parallel parking spaces along the internal street. This ensures that the spaces are public on-street parking spaces. Finally, the landscaped cul-de-sac island will be maintained by the homeowners association.

Pedestrian Facilities: As stated above, the petitioner proposes that a 6-foot wide connector path will be placed within an 8-foot wide public right-of-way. The Public Works Department has agreed to maintain this path like the City’s inventory of sidepaths. Staff agrees that this path will provide the necessary pedestrian circulation in the area and provide access to the newly enhanced creek for residents. Staff recommends that this PUD be approved with no sidewalk along the street right-of-way.

Environmental Issues: HAND has provided some additional detail as to how the creek that traverses the south and southeast side of the property will be enhanced (see revised petitioners’ statement). These enhancements include the

removal of invasive species and planting of water tolerant native species to re-create a riparian corridor along the creek. This will provide for natural stormwater filtration and bank stabilization. In addition, parts of lots that are not easily accessible will be planted with vegetation that does not require regular mowing.

Utilities: This site has adequate utility service for both water and sanitary sewer. Schematic plans have been submitted to CBU and are under review.

Stormwater: A schematic drainage plan has been submitted to CBU and is under review.

Since the first hearing, HAND has provided some additional detail on changes to the existing detention pond under the electrical transmission easement (see revised petitioners' statement). Along with the changes to the detention pond, stormwater from the rest of the site, including the road, will be channeled through filtration swales between the houses. Along the north side of the creek, the proposed connector path will act as a small dam which will back up stormwater in "rain gardens". This water will then percolate through the soil into the creek. HAND has provided additional detail on the types of plantings that will be used in these swales and "rain gardens". They have also provided a typical cross section for one of the drainage swales and rain gardens (see "Swale Cross Section" exhibit).

Maintenance and Education: There was considerable discussion at the September hearing about ongoing maintenance of common areas and stormwater features associated with this project. Since the first hearing, the proposed common area for the subdivision has been reduced. Two areas that previously were to be held in common were the detention pond and the land south of the creek. These areas will now be owned and maintained by the City Redevelopment Commission. Owners of lots will now only have to maintain their lots and the cul-de-sac "island."

As stated at the September hearing, HAND's Home Buyers Club is just one example of the home ownership education that HAND provides for potential home purchasers (see Home Buyers Club brochure). As part of this development, potential home purchasers would be required to attend this series of classes. In addition to the Home Buyers Club, HAND intends to develop an "Operation and Maintenance" manual to provide to homeowners detailing how the swales and rain gardens are to be maintained.

At the first hearing several Plan Commission members requested additional information about the long term maintenance costs of the swales and rain gardens (see revised petitioners' statement). HAND has committed to maintaining all stormwater features during the 2-3 year initial build-out of the subdivision. This is also a crucial time for plant establishment. During the initial 2-3 years, maintenance of these features involves removal of invasive species

two to three times a year. After that period, invasive species must still be removed once or twice per year, but maintenance is less because the plants have had time to become established. Also, thatch should be removed every 3+ years. While these estimates do not include monetary estimates, staff is comfortable that homeowners, with the proper education, can conduct this maintenance.

Final Plan Review: Due to the level of detail provided in this preliminary plan, HAND has requested that the future PUD Final Plan be reviewed at staff level. The Zoning Ordinance allows for staff level review where there are not environmentally sensitive features on the site or the final plan is not expected to be complex. It should be noted that additional Plat Committee hearings will be required for the preliminary and final plat for this project. The Plan Commission must determine whether the future final plan can be reviewed at staff level.

CONCLUSIONS: Staff strongly supports this project as an example of compatible infill development that furthers many of the goals of the *GPP*, including the promotion of affordable, owner-occupied single family housing and environmental protection and enhancement. Staff finds the small nature of the development to be an excellent opportunity to model the innovative development options that are being proposed. These innovative and “green” designs have been incorporated into the drainage, architecture, and infrastructure of the project. This proposal will allow the City to assess the appropriateness of such design elements in future developments within the community.

RECOMMENDATION: Staff recommends that the Plan Commission forward a positive recommendation on PUD-27-05 to the Common Council with the following conditions:

1. Houses must maintain a minimum 10 foot setback from right-of-way. Carports must maintain a minimum 20 foot setback from the right-of-way.
2. Each home must provide two off-street parking spaces.
3. The Final plan must include copies of draft covenants and restrictions and an “Operations and Maintenance” manual.
4. Right-of-way must be dedicated along Countryside Dr. and Rockport Rd. per the Thoroughfare Plan.
5. Final road design must be approved by the Engineering, Public Works and Fire Departments prior to Final Plan approval.
6. Stormwater and Utility plans must be approved by CBU prior to Final Plan approval.
7. No-mow areas shall be platted as landscaping easements.
8. All stormwater features (i.e. swales, rain gardens, creek) shall be platted as drainage easements.
9. A full landscaping plan is required with the Final Plan outlining specific quantity and species of plants for street trees, detention pond landscaping, creek restoration, swales, rain gardens and no-mow areas.

MEMORANDUM

Date: 1 September 2005
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Through: Linda Thompson, Senior Environmental Planner
Subject: PUD-27-05, Rockport Road HAND green development

This memorandum contains the Environmental Commission's input and recommendations regarding PUD-27-05, a request by the City's HAND Department to rezone 4.5 acres from RS3.5/PRO6 to PUD. The Environmental Commission (EC) Planning Subcommittee has reviewed the petition and has the following comments for your consideration.

1. The Environmental Commission supports the rezone of this site to allow more design and zoning flexibility for their "green design" concept.
2. The EC supports future site-design practices that are not commonly used in typical developments. Some of these include:
 - a. Use no curbs along the street allowing sheet flow of rain water into biofiltration swales, and also facilitating pedestrian flow (assuming no sidewalk is installed);
 - b. Use no sidewalks along the street, which will inhibit sheet flow. The EC finds a sidewalk along the street to be unnecessary in this case due to the small size of the site, and the placement of a sidewalk adjacent to the riparian buffer serving as filtration. Having a sidewalk in both places does not contribute to environmental enhancement;
 - c. Eliminate underground stormwater management infrastructure; and
 - d. Use pervious pavement on both the street and the sidewalk.

MEMORANDUM



CITY OF BLOOMINGTON

To: Plan Commission Members
From: Raymond Hess, Transportation Planner *RH*
Staff support to the Bloomington Bicycle and Pedestrian Safety Committee
Date: 8/31/05
Re: HAND LEED Affordable Housing Project (Case #PUD 27-05)
cc: File

The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the Department of Housing and Neighborhood Development's (HAND) Leadership in Energy and Environmental Design (LEED) Affordable Housing Project site plan at their regularly scheduled meetings held on July 18 and August 15, 2005 and made the following comments and recommendations:

Bicycle and Pedestrian Facilities

The BBPSC did not express concern over the design of a six foot pervious pavement sidewalk adjacent to the existing creek. However, it was determined that sidewalks along the road would be beneficial to the project and help serve residents and their children who wish to visit neighboring households.

Creek Sidewalk Lighting

The issue was raised that appropriate lighting should be provided along the sidewalk adjacent to the creek to assist mass transit users accessing the project off of Rockport Rd., especially during the winter. Since many sidewalks throughout the City benefit from street lighting, it was determined that this project should also furnish this safety feature.

Maintenance Concerns of Shoulder and Creek Sidewalk

It was speculated that cars might park along the crushed stone shoulders which will likely lead to long-term enforcement and maintenance issues. Additionally, there was uncertainty about how snow and dirt would be cleared from a sidewalk located in an easement, the long-term durability of the pervious material of which it is to be constructed and who would be responsible for its replacement it when it began to degrade.

Parallel Parking Delineation

The parallel parking along the road should be demarcated. Pavement markings provide a visual cue to motorists of the lane width, even in the absence of parked automobiles.

RECOMMENDATIONS

- A pedestrian facility is preferred to be located adjacent to the right of way.
- Lighting should be installed along the sidewalk adjacent to the creek.
- Measures should be taken to minimize long term maintenance issues associated with crushed stone shoulders and pervious sidewalk material.
- On street parallel parking should be properly striped.

BBPSC Memo
PUD-27-05

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**BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
LOCATION: 2300 S. Rockport Road**

**CASE #: PUD-27-05
DATE: September 12, 2005**

PETITIONER: City of Bloomington
Department of Housing and Neighborhood Development
401 N. Morton Street, Bloomington

CONSULTANTS: Veazey, Parrott, Durkin & Shoulders
528 Main St., Suite 400, Evansville, IN

Bledsoe and Riggert, Inc.
1351 W Tapp Rd, Bloomington

REQUEST: The petitioner is requesting a rezoning of 4.45 acres from Single dwelling Residential (RS3.5/PRO6) to Planned Unit Development (PUD) and preliminary plan approval for up to 13 single family lots.

BACKGROUND:

Area: 4.45 acres
Current Zoning: RS3.5/PRO6
GPP Designation: Urban Residential
Existing Land Use: undeveloped, rolling meadow terrain, creek, detention pond, scattered trees
Proposed Land Use: single family residential
Proposed Density: 2.92 units per acre
Surrounding Uses: **North, West, South and East** – single family residential
Southeast – multi-family residential

REPORT SUMMARY: The property in question is bounded by S. Rockport Road to the east, W. Countryside Lane to the south, single family homes along W. Guy Avenue to the north and W. Thomson Park Drive and the Autumn View Subdivision to the west. The property is undeveloped and contains a small detention pond and a creek along its south side. The property is also encumbered by a 100 foot wide electrical transmission easement on its west side, adjacent to Autumn View.

Under the current RS3.5 zoning, the property could conceptually be developed with approximately 15 lots. With the Planned Residential Overlay on the property, this could be increased up to 26 units, which could include duplex units. With its odd shape and existing constraints such as the creek and the electric easement, this property cannot be easily developed as a conventional single family

subdivision. In addition, the transitional density requirements of the PRO6 overlay were designed for larger parcels where density could be stepped down away from adjacent homes. Instead of a subdivision or PRO site plan proposal, the Housing and Neighborhood Development (HAND) Department is requesting that the zoning be changed to Planned Unit Development (PUD) and a preliminary plan be approved to allow for up to 13 single family homes with reduced site planning and infrastructure standards.

HAND has two primary goals for this project. The first is to make the homes affordable for moderate or low income families. The second is to protect and enhance the environment of the subdivision.

Concerning their environmental goals, HAND wishes to make this development a model of sustainable site design. They hope that when completed, this project would be eligible to received certification as a LEED project. LEED stands for Leadership in Energy and Environmental Design and is a certification given by the US Green Building Council. Some of the environmental and green building features of the project include:

- Creek restoration
- Reduced site disturbance
- Stormwater management including reduced non-point source pollution
- Passive solar design of homes
- Landscaping design to enhance passive solar design
- Use of recycled materials
- Use of local materials
- Use of a pervious pavement system for connector path

GROWTH POLICIES PLAN: The *Growth Policies Plan* designates this property as “Urban Residential.” This category includes both existing residential areas and vacant land. Densities range from 2 units per acre to 15 units per acre and include both single family and multi-family uses. Infill development must be consistent and compatible with preexisting developments. Another goal is the maintenance of residential desirability and stability. The GPP encourages single family residential development as the primary land use but encourages mixed residential densities and housing types. Developments should emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features. Finally, the GPP encourages new development to optimize street, bicycle, and pedestrian connectivity” and “ensure that new common open space is truly usable and accessible. “

LAND USE:

Single Family: This PUD only proposes one land use, detached single family homes. Detached single family homes are already a permitted use in the RS3.5/PRO6 zoning district. The property is surrounded by existing detached single family homes on all sides.

Affordability: As previously stated, this development will provide for affordable, owner occupied homes for low and moderate income families. At least 51% of the homes will be sold to income eligible families only. HAND is still considering whether some homes will be sold at market rate. Moderate income is defined as 80% or less of the area median income. Today, a family of four would need to have an annual income of less than \$47,300 to be eligible. HAND hopes to sell the homes for less than \$110,000. Covenants will be placed on the lots sold to income eligible families stating that they must remain affordable for at least 15 years.

INTENSITY OF USES:

Density: HAND could, under the current RS3.5 zoning, conceptually develop this property with 15 lots. This PUD request proposes only 13 lots. No density increase is proposed with this PUD.

Lot size, width and setbacks: HAND is proposing reduced development standards for the proposed single family lots. The lot standards for the surrounding developments of the Rockport Hills PUD (6,000 sf lots) and the Autumn Hills development (7,200 sf lots) fall under the RS3.5 requirements. HAND has proposed the following development standards for this subdivision:

	RS3.5	Proposed
Lot Size	9,600 Square Feet	5,400 Square Feet
Lot Width	70 feet	35 feet
Side Yard Setback	8 feet (One story) 12 feet (Two story)	6 feet (regardless of the number of stories)
Rear Setback	25 feet	20 feet for main mass of house 5 feet for garage/carport
Street Setback	25 feet	10 feet

Staff recommends that a minimum 20 foot setback be required for the garage or carport to allow for room for at least one car to park in the driveway.

SITE DESIGN:

Architecture: The houses developed as part of this project will be a mixture of one and two story styles. Each house will have a one vehicle carport. Some of the schematic plans presented show houses with covered front porches, but these porches are not depicted on the schematic site plan. The homes would be designed to take advantage of “passive solar” design. The design of the house, with southern facing windows and eaves, and the site landscaping, with deciduous trees on the south side of lots, will allow for the winter sun to add heat to the house while blocking some of the summer sun. In addition, some of the

houses will be designed to be fully handicap accessible. The Plan Commission must determine if this PUD warrants any specific architectural treatments or commitments.

Access and Connectivity: Access to all but one of the individual lots would be from a new public street. The final lot would be accessed off of Rockport Rd. The internal street would intersect with Thomson Park Dr. and would be designed as a cul-de-sac. The cul-de-sac would be less than the 600 foot maximum allowed by the subdivision control ordinance. Connectivity to adjacent streets or a future street is difficult. The property to the north has already been developed and a connection to Rockport Road would be difficult due to grade changes and the existing creek. Staff does not recommend any additional road connections.

Street Standards: HAND proposes a reduced road cross-section to limit the amount of impervious surfaces and therefore the environmental impact, or “footprint”, on the property. The proposed road would have two ten foot wide travel lanes, as recommended by the Thoroughfare Plan. There would be on-street parking provided in two locations; along the north side of the road adjacent to the detention pond and within the cul-de-sac “island.” No sidewalks or curbing are proposed. Instead of a sidewalk, a connector path along the creek is proposed (see below). Instead of curbing, HAND proposes to utilize gravel shoulders along the road. Without curbing, stormwater that falls on the street will be allowed to sheet flow to the south and be channeled into drainage swales between the houses, eventually flowing to the creek. HAND has stated that this is the most cost effective and environmentally friendly way of handling stormwater and water quality. Curbing could necessitate a costly storm sewer system and possibility stormwater detention. Some members of the Plan Commission have raised concerns that gravel shoulders will be difficult to contain and would not prohibit people from parking in their front yards. Staff requests additional Plan Commission guidance on road design issues at the first hearing.

Right-of-Way: HAND proposes that the right-of-way for the new street be reduced below typical requirements. The Thoroughfare Plan calls for a 50 foot right-of-way for new neighborhood streets. The schematic plan shows a right-of-way of approximately 35 feet. This is the minimum right-of-way necessary for the travel lanes and the shoulders. Within the “bulb” of the cul-de-sac, a landscaped island has been shown as well as several parking spaces. A continuing maintenance agreement with a homeowners association, non-profit entity or public entity is required for this feature. An increased right-of-way would be necessary if sidewalks are required along the road.

Pedestrian Facilities: HAND proposes that there not be sidewalks along the internal cul-de-sac. Instead, they propose to construct a six-foot wide connector path along the south side of the property. This connector path would connect Rockport Rd to Thomson Park Dr. along the creek. This path would serve to

provide circulation for the development and give pedestrians along Rockport Rd. a straight connection into Thomson Park. Starting at the west side of Thomson Park Drive there is a pedestrian easement along the creek within the Autumn View subdivision that connects to Thomson Park. The Parks and Recreation Department has stated a willingness to apply for grants to continue the connector path from the proposed development into Thomson Park. The Plan Commission must determine if the proposed connector path should substitute for the required sidewalks.

Environmental Issues: There are few typical environmental issues on this site. There is no evidence of any karst features and the site does not contain any steep slopes or regulated floodplains. There are few trees on the property of any significant size. There are three large maple trees in the northeast corner of the property. Unfortunately, these trees will likely have to be removed to accommodate connecting to the existing sanitary sewer main in Rockport Rd. The sewer must connect north of the creek culvert under Rockport Rd., which will mean removal of these trees.

The other environmental feature on the property is the creek that traverses the south and southeast side of the property. This creek is overgrown with invasive species and the site has been mowed to nearly the creek bank. HAND plans to re-vegetate this creek with water tolerate native species and re-create a riparian corridor along the creek. These plans are still in process. HAND hopes to have a more detailed plan by the first hearing.

Utilities: This site has adequate utility service for both water and sanitary sewer. Schematic plans have been submitted to CBU and are under review.

Stormwater: A schematic drainage plan has been submitted to CBU and is under review. The property contains an existing detention pond under the electrical transmission easement on the northwest side of the site. This pond was built to handle stormwater detention needs for the Autumn View Subdivision. HAND proposes to alter this pond to detain more water from upstream and then not detain as much of the on-site water as usually required. This stormwater solution is similar to the Canada Farm PUD using a large upstream pond. Along with this enlargement, the outlet would be reconfigured to empty into the creek further upstream. The pond would also be re-graded to retain enough water to make it a suitable habitat for water tolerant wetland type plantings.

Along with the changes to the detention pond, stormwater from the rest of the site, including the road, will be channeled through filtration swales between the houses. These swales will be planted with native, low maintenance, water tolerant species. Along the north side of the creek, the proposed connector path will act as a small dam which will back up stormwater coming through the drainage swales. This water will then percolate through the soil into the creek. While many of the details of this type of plan would typically be left to the PUD

Final Plan stage, some level of detail is needed at this time. At the monthly Plan Commission work session, several commission members were concerned about the long term maintenance of these drainage swales, especially given that they are located on individual lots. By the second hearing a more detailed planting and maintenance plan should be completed by the petitioner.

Transit: This property has direct access to Bloomington Transit's route #2, which travels along Rockport Rd. The *GPP* encourages the City to place higher density residential development within walking distance to transit routes.

Neighborhood Input: HAND conducted a neighborhood meeting on July 7th which was attended by several neighboring residents and property owners. Neighborhood comments were largely positive and the project's design consultants were able to address concerns about stormwater issues.

CONCLUSIONS: Staff strongly supports this project as an example of compatible infill development that furthers many of the goals of the *GPP*, including affordable, owner-occupied single family housing and environmental protection and enhancement. Based on Plan Commission input to date, some points for further discussion include:

- Should sidewalk be required along the new street or can the connector path substitute for a sidewalk?
- Should some parts of the property be held in common by a homeowners association, non-profit entity or public entity, such as the trail, creek or detention pond? Continuing maintenance will also have to be ensured for the cul-de-sac "island."
- Should curbing be required along the street or can gravel shoulders be substituted?
- Is additional detail needed on the stream restoration, detention basin plantings or drainage swale plantings and maintenance prior to the second hearing?

RECOMMENDATION: Staff recommends that this rezoning request be forwarded to the October 17, 2005 Plan Commission meeting for the required second hearing.

Petitioner's Statement

Letter of Application

July 11, 2005

Bloomington Plan Commission
Mr. James Roach, Planner
P.O. Box 100
Bloomington IN 47402-0100

RE: Rockport Road Affordable Housing PUD

Dear Mr. Roach and Members of the Bloomington Planning Commission:

We are pleased to present this Rockport Road property Planned Unit Development (PUD) on behalf of the department of Housing and Neighborhood Development. Our proposal describes a responsible plan to provide affordable housing that also complies with LEED criteria for a sustainable design that provides livability in a compact development.

The proposal illustrates a small neighborhood planned in a (TND) Traditional Neighborhood Design technique called the New Urbanism. This process of design creates a better sense of community, and more environmental protection. The concept also helps reduce sprawl by using land more efficiently. Even though the site is small, the planner and designers are using the latest planning and designing concepts to create the best community possible, to satisfy the city goals, and create quality affordable housing for the local community.

We look forward to working with the Bloomington planning staff, Plan Commission and neighborhood groups over the next several weeks in the processing of this petition.

Very truly yours,



Michael Probst ASLA

Petitioner's Statement
PUD-27-05

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Overall Plan and Development

The property is a remnant parcel of 4.46 acres left over from the creation of Thomson Park Road Development. The property proposes many challenges such as a power line easement, an existing detention basin, and an annual stream bisecting the site. Providing affordable housing on this site is complicated by unworkable existing zoning. The current zoning for the proposed property provides little flexibility to design an affordable housing project on this site. The existing zoning of RS 3.5 will allow for a ¼ acre lot subdivision which is the standard for most sprawl developments. The property also has a PRO-6 overlay allowing more density but requires substantial property line setbacks. The existing land features and site regulations make this site difficult to use effectively.

The PUD that is being proposed will allow a better use of the property as directed by the City of Bloomington Housing and Neighborhood Development Department. The proposed change in zoning to a PUD can be supported through the Growth Policies Plan by creating a small community that provides livability. Rezoning the property to a PUD will help accommodate the city's goals of 14 affordable housing units, with passive solar opportunities, environmental enhancements, and improved storm water management. The PUD designation will produce a more vibrant and unique development. The direction of the design will embrace the New Urbanism philosophy. This involves the process of creating a livable community with spaces for people with a strong central focus. The outline plan shows many of the New Urbanism features, in addition to environmental augmentation.

The flexibility of the proposed PUD zoning assures that complicated developments can be completed as designed through making adjustments in height, bulk and density requirements. The PUD rezoning approval ensures a commitment to all adjustments and a commitment in developing the project accurately to the outline plan. Therefore, the carefully designed layout of the homes in an orientation to provide passive solar opportunities prior to subdividing can only be achieved by a Planned Unit Development. All the goals set forth in the agenda for this project can be achieved by the approval of this Planned Unit Development.

PUD Preliminary Plan
PUD-27-05

Planned Unit Development Justification

In the process of evaluating a development, the city has to consider the relevance and value the project provides to the community. Developments must comply with standards set by the city. The Planned unit Development allows flexibility and adjustments to city standards but only under the approval of the plan commission and council. The Planned Unit Development ordinance allows the designers to design developments outside of the city standards when they provide value and relevance to the community. The following ten items of review are outlined in the zoning ordinance with statements of justification:

1. The extent to which the proposal meets the requirements, standards and stated purpose of the Planned Unit Development regulations.

Our proposed PUD meets or exceeds the city standards and requirements of regulations with only small deviations that improve the project. The standards that are adjusted consist of reducing excessive building setbacks, changing lot sizes to fit the development, and reducing roadway widths to reduce impervious pavement on roads that have low traffic. This is accomplished without loss of safety, health or well being.

2. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.

The proposed plan deviates slightly from the zoning ordinance, subdivision ordinance and design standards in order to produce a more efficient project. The plan, with its variances, creates more density, and uses land more efficiently. The project reduces wasteful oversized setbacks and allows for a unique and effective site plan. The setback reductions also create new areas of open space and preserve sensitive environments. The change in site detail standards reduces the cost of development and improves environmental quality. For a public project, these are all in the best interest of the community.

PUD Justification
(18)

3. The extent to which the planned unit development meets the purposes of this zoning ordinance, the comprehensive plan, and any other adopted planning objectives of the city. Any specific benefits shall be specifically cited.

The proposed Planned Unit Development meets with comprehensive plan in significant ways for a small development. Six of the guiding principles are used in the design of this project. In order to meet these six principles, the zoning ordinance and the subdivision ordinance were slightly compromised. These compromises were simple adjustments of the regulations without reducing safety but improving the quality of life.

4. The physical design of the Planned Unit Development and the extent, to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.

The PUD outline plan shows a project designed to save the natural environment in protected easements. The design will augment the natural areas to improve them such as the stream channel and the detention pond with native landscape materials to enhance the ecosystem. Trails will be provided for people to connect to different walk systems. A commons space centrally located is planned for the local residences. The plan provides for amenities.

5. The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood, and whether the proposed plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.

The design of this affordable housing project is clustered internally to minimize the intrusion on adjacent neighbors. The project is also internalized because of the large power line easement to the west and a existing stream to the south. Using and maintaining these buffers will help to improve the value of the adjacent properties.

6. The desirability of the proposed plan to the city's physical development, tax base and economic well being.

The most significant issue in its desirability is providing quality affordable housing to the community.

7. The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.

The project produces very low numbers of trips per day therefore no undue hardship is anticipated. The other utilities sewer and water will not be duly taxed by this project.

8. The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.

The main thrust of this project is ecological augmentation and natural preservation. This will be achieved by preserving the stream and improved by planting more native materials. The detention area will be reconstructed to make it more ecologically viable. Of course, the mature trees on the site will be preserved. The site plan will be organized to allow all units to enjoy passive solar orientation. This will be accomplished on a small site with marginal room.

9. The proposal will not be injurious to the public health, safety, and general welfare.

This proposal will not be injurious to the public health safety and general welfare of the community or with the people within this project.

10. The proposed development is an effective and unified treatment of the development possibilities on the planned development site.

The project is unified by several factors, the first factor is the elegant traditional custom architecture designed to fit the site and provide passive solar heating. The second factor for the project is a sustainable development preserving natural features with the infrastructure planned to minimize site cost and site disruption. A third factor is these elements and other aspects of the design are all planned to produce a unified project.

Development Comparison Between Existing Zoning RS3.5 and PUD

Height Bulk and Density Issues

RS 3.5	PUD
Lot Size 9600 S.F. min.	Lot Size 5400 S.F. min.
Lot width 70' at Bldg. line	Lot width 35' at the bldg. line
Max. Ht. 40' Bldg.	Max. Ht. 40' Bldg.
Side Yard 8' Setback	Side Yard 6' Setback
Property line 25' setback Bldg.	Property line 20' setback Bldg. 5' setback to Garage
Rear yard 25' setback	Rear yard 20' Bldg. 5' Garage
Add'n sideyard 4' for additional story	Add'n sideyard 0' for additional story
No openspace required	25% openspace required
Rockport Road setback 60' c.l.	Rockport Road setback 45' c.l.
Internal R/W setback 25'	Internal R/W setback 10'

*Garage
10'-20'
to R.W.*

*BUILD
10' 21'*

PUD Compliance with the Comprehensive Plan

The City of Bloomington Housing and Neighborhood Development Department is proposing to develop its property as a PUD which consists of 4.45 acres and is currently zoned RS 3.5. The property is located between Rockport Road and Country Side Drive. The maximum density that can be expected at the current zoning is 15 lots. The site shape, restraints and standards for development will create only 7-9 lots as a maximum density. The city needs this parcel to develop out at a higher density to provide affordable housing units. To achieve a density of 14 units, the city proposes to develop the site as a PUD. The PUD designation will ease standards and allow more density. But the easing of standards will demand additional requirements of providing open space, protecting environmentally sensitive areas, creating a sense of community, providing for a storm water management plan, and using land more efficiently by clustering densities. Many of these requirements come directly from the City of Bloomington's Growth Policies Plan. The PUD that we are submitting complies with the City's Growth Policies Plan based the following justifications:

1. Compact Urban Form

The outline plan is proposing 14 dwelling units allowed by the existing zoning of RS 3.5. Additional density can be requested as a part of a PUD proposal, but no additional density is planned because of the need to balance the development with social and environmental issues. To promote compact urban form as part of the project means is to keep the development in context with surrounding developments, and use the site effectively. A cluster of homes focused internally to the project to preserve natural features symbolizes what the city defines as a compact urban form. The reduction of internal setbacks and road standards furthers the justification of this project as being a compact form and justifies use of a PUD zoning designation to achieve the density as proposed.

2. Nurture Environmental Integrity

The City has directed considerable effort to protect and upgrade the environmental elements of this project. The program includes the creation of common open space, garden space, restoring the existing creek and riparian buffer by removing invasive vegetation and re-establishing native plantings, upgrade the detention basin to become a balanced natural environment, develop naturalized drainage swales to absorb runoff, and create a storm water management plan for area. The outline plan as shown with the benefit of PUD regulations has accomplished all the environmental requirements set for by the city. Nurturing the natural environment is the cornerstone of this project and justifies the PUD proposal.

PUD Compliance with the Comprehensive Plan

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3. Leverage Public Capital

The property selected for this development is in the ownership of the city. The city plans to use this land as an affordable housing project because the land is already paid for, and a more effective use of city capital. This then allows the city to leverage public capital to the benefit of lower income home buyers. The benefit will be seen in the quality of the design of both the site and the architecture plans. The buyers of lower to median income can anticipate a home of greater value than the private sector can provide from this project. The project is close to public parks, public services and transportation systems thus adding to the economic effectiveness of this project.

4. Mitigate Traffic

The project produces minimal traffic, and with high volume and newly built surrounding highways no congestion of traffic circulation is anticipated. In fact the road way systems are underutilized.

5. Conserve Community Character

The project we are proposing does more than conserve community character. Our plan will create quality community character by using the latest ideas of village development through using New Urbanism concepts, sustainable design concepts, and green planning that can be LEED (leadership in environmental and energy design) certified. The project is a good infield project, and will lead as an example of a project that is tailored together by well planned architecture and well planned the site.

6. Sustain Economic and Cultural Vibrancy

The affordable housing project can be a great asset to the community by not only providing high quality affordable housing but also showing the process and positive effects of sustainable development. The project also benefits from New Urbanism planning and the creation of a sense of community from within this small project. It is a test case that shows a design that caters to the end user and their benefit.

Sustainable Issues and LEED Qualifications

The proposed project is planned as a sustainable development and the definition on how this development will be built is as follows: "In essence sustainable development is a process of change in which exploitation of resources, the direction of investments, the orientation of technological developments and institutional change are all in harmony and enhance current and future potential to meet human needs and aspirations." (WCED, Brundtland Commission, 1987) This system of design is applicable to planning regions, counties, states, cities, towns, and small developments. The goal is to plan and design all aspects of the built, business, government and human environments for efficiency and environmental benefits. The benefits of a sustainable development, then, are reduced capital costs, reduced operating costs, health and productivity benefits, higher perceived value and quality, staying ahead of regulations, as the satisfaction of doing the right thing. These are concepts that have gone into the Rockport Road Project.

LEED Site credits for Sustainable Site Designs (Architecture LEED credits not applicable for this application)

Credit 1. Site Selection: One point can be achieved for avoiding development of inappropriate sites such as prime farm land, 100 year floodplains, endangered species habitat, wetlands and public parkland.

Credit 2. Urban Redevelopment (not applicable to this site)

Credit 3. Brownfield Development (not applicable to this site)

Credit 4. Alternate Transportation: Up to four credits can be achieved for locating the building near public transportation, providing bicycle parking, installing alternative refueling stations, minimizing parking lot size and offering preferred parking for carpools.

Credit 5. Reduced Site Disturbance: One to two points can be acquired for: A. limited site disturbance beyond buildings, roads and utility trenches on Greenfield sites or restoring 50 percent to the remaining open area on previously developed sites by planting native or adopted vegetation. B. Reducing the development footprint to exceed local zoning's open space requirements for the site by 25 percent.

Credit 6. Storm water management: Up to two credits for installing a storm water treatment plant that A. Generates no net increase in the rate and quantity of storm water run-off or a 25 percent decrease if existing impermeousness is greater than 50 percent. B. Conforms to EPA guidelines for reducing non-point source pollution.

Credit 7. Landscape and Exterior Design to Reduce Heat Islands: One or two credits for reducing heat island effect by: A. Increasing shade or using light-colored materials on 30 percent of non-roof impervious surfaces; or placing 50 percent of parking underground or using an open grid pavement system. B. Using ENERGY STAR roof- compliant high reflectance and high emissive roofing for at 75 percent of roofing surface or installing a vegetated roof for at least 50 percent of roof area.

Credit 8. Light Pollution Reduction: One point for installing low outdoor lighting levels and ensuring that zero direct-beam illumination leaves the building site.

Water Efficiency

Credit 1. Water Efficient Landscaping: Up to two points can be earned for: A. Using high efficiency irrigation technology or reducing irrigation with potable water by 50 percent by using captured rain or recycled site water. B. Using only captured rain or recycled site water for irrigation, or not installing permanent landscape irrigation.

Credit 2. Innovative Wastewater Technologies: (not applicable to this site)

Materials and Resource Reuse

Credit 2. Construction Waste Management: Up to two points can be earned for developing and implementing a waste management plan that: A. Recycles and/or salvages at least 50 percent (by Weight) or construction, demolition and land clearing waste. B. Recycling or salvaging an additional 25 percent (75 percent of total).

Credit 3. Resource reuse: One point for specifying that 5 percent of building materials be salvaged and an additional point for specifying 10 percent salvage materials.

Credit 4. Recycle Content: One point for reducing the extraction of new materials by specifying a minimum of 25 percent of building materials with post-consumer or industrial recycled content, and an additional credit for specifying 50 percent materials and recycle content.

Credit 5. Local/Regional Materials: Two points can be earned for reducing the environmental impact of transportation and supporting local economies by: A. Specifying that at least 20 percent of building materials be manufacture within 500 miles. B. Specifying that at least 50 percent of these materials be extracted, harvested or recovered within 500 miles.

Credit 6. Rapidly Renewable Materials: One point for reducing the depletion of raw and long-cycle renewable materials by specifying at least 5 percent rapidly renewable building materials.

Credit 7. Certified Wood: One point can be earned for encouraging sustainable forestry practices by using at least 50 percent certified wood, where wood is used.

Site Utilities

The site is has adequate access to existing sewer and water utilities. The sewer access location as determined by CBU is located in Thomson Park Drive.

The water line access is also located under Thomson Park Drive. It is recommended by CBU that the water line loop from Thomson Park Drive to Rockport Drive through the project to bust water pressure.

The power company has been contacted and will investigate methods of supplying service.

Other utility companies ie: gas, TV, cable, and telephone are also investigating methods of supplying service.

Neighborhood Meeting

A neighborhood meeting was conducted on Thursday July 7, 2005 at the City of Bloomington Council Chambers from 5:30 to 6:30 pm.

The following questions were asked by local citizens:

1. A neighbor was concerned about the loss of wildlife. How were we going to replace it?

The project had an environmental consultant and they were going to up grade the stream ecosystem and detention basin ecosystem to enhance wildlife populations.

2. A neighbor had a concern about flooding. Would this project create more risk of flooding ?

The engineering consultant confirmed the flood elevation and said it would not change because of this project.

3. There were questions concerning the density of the project.

The project designer reported that the density was no higher than the existing zoning would allow.

4. What is the value of homes on this project?

The affordable homes were custom designed and had greater value then standard stick built or prefab homes.

5. A neighbor wanted to know if any buffers would be installed.

The project was planned to save stream landscaping as a buffer.

Petitioner's Revised Statement

Rockport Road Subdivision

The South Rockport Road Affordable and Sustainable Housing Project, proposed as a Planned Unit Development by the City of Bloomington's Housing and Neighborhood Development Office, seeks to develop affordable and sustainable housing alternatives for eligible families on Bloomington's south side. The 4.46 acre parcel presents developmental challenges such as a one hundred foot wide power line easement, an existing detention basin serving properties off-site to the northwest, and an annual stream that bisects the site into approximately two-third and one-third portions.

The site design and residential housing concept will provide twelve (12) one and two-story single family residences in the range of 1,050 to 1,450 square feet. The lot size will be a minimum of 3,500 square feet. This is a change from our original proposal. We made this change to address the Plan Commission's concern regarding the maintenance of individual lots on both sides of the creek. This design proposal will not force property owners to do landscape maintenance on both sides of the creek.

The homes will have two or three bedrooms and a one-car carport with outdoor storage facilities. Housing and Neighborhood Development will also provide a number of residences that are fully accessible to persons with disabilities. Use of passive solar design, along with a high percentage of recycled and recyclable materials, will allow the overall development to seek a LEED (Leadership in Energy and Environmental Design) gold rating. Additionally, to aid in accomplishing the LEED gold certification, photovoltaic roofing systems are being explored, in partnership with CINERGY.

From the outset of the design process, H.A.N.D. has insisted that the development of the 4.46 acre parcel be done to the highest possible standards of environmental sustainability and energy efficiency, within the budget constraints of an affordable housing development. Storm water handling will be undertaken in a natural and organic manner in order to purify water entering the site and flowing into the annual stream. The stream restoration will be designed focusing on the removal of invasive plant materials and the installation of native species. A pervious paving material will be utilized on the pedestrian path that runs parallel to the stream. In this way, the path will serve double-duty as a final filtration mechanism, before storm water runoff enters the stream.

It is hoped that the Rockport Road Affordable and Sustainable Housing Program will become a prototype for other housing programs in Bloomington and throughout Indiana and the Midwest. In an era of rising energy costs, unchecked development that can spawn severe erosion of our precious topsoil and further depletion of groundwater aquifers, careful environmental planning, as typified in the South Rockport Road Affordable and Sustainable Housing Program, will become more and more crucial to future generations of Americans.

Environmental Issues

Stormwater management has historically been developed over thousands of years on a health based criteria: get the polluted water (usually with sanitary waste) away from the population as fast as possible and make the system big enough so people don't get flooded. With the health advances within the past 100 years, it is no longer healthier to quickly remove stormwater from our living areas. These conventional techniques are now recognized as one of the largest pollution sources for the degradation of the local, state and national waterways. For the highest polluting storm events, generally 2-year 24-hour events and smaller, it is now recognized that onsite detention and treatment have greater environmental benefits than conventional pipe and direct discharge stormwater design. The proposed Rockport Road Development stormwater management system is designed to maximize pollutant removal from both onsite and offsite sources.

The site's stormwater system is an integration of conservation design techniques and modified conventional stormwater best management practices (BMPs). This integrated system is an engineered design that interconnects various levels of treatment to specifically remove large and fine sediment, greases and oils, nutrients and thermal impacts from roof, lawns and street stormwater runoff. The interconnected treatment process train is specifically designed to minimize high velocity sediment scouring and direct discharge of pollutants to the creek typically found in a conventional curb and pipe stormwater system.

The system consists of sheet flow off of the street; storage, conveyance and filtering through gravel edge; conveyance and filtering through native vegetative landscaping edge; conveyance through turf lawn; conveyance and filtering through shallow native vegetated depressional swales; infiltration, filtering and retention through rain gardens; infiltration, filtration and retention within the porous paved trail; and infiltration, filtering and detention of both onsite and offsite stormwater sources within the detention basins.

As with conventional engineered storm systems, each component within this site's stormwater conveyance and treatment system is essential to the next in sequence to provide short and long term efficient and effective stormwater management, including cost effective maintenance.

The system is integrated in such a manner that the low velocity sheet flow off of the street provides protection from sediment scouring and the direct discharge to the creek of sediment, oils, greases and other pollutants that accumulate on the street during dry weather periods. The gravel edge provides the first line of treatment by taking the low velocity sheet flow and filters the larger sediments and other pollutants. The flow continues from the gravel edge through the native landscaping edge providing a greater level of filtration for fine particle sediment and pollutants not collected and retained within the gravel. The turf lawn provides conveyance to the next level of swale filtration and ultimately to the rain garden/trail way retention and infiltration treatment. Infiltration via the rain gardens and trail way provide for both gross and fine particle sediment removal as well as heat sink thermal pollution impact reduction/removal through the cooling of the stormwater prior to indirect discharge to the creek.

The detention basins located on the site have been designed to provide the same level of stormwater treatment for the highest polluting, frequent storm events for both the offsite and onsite sources. This includes filtration, infiltration, thermal impact reduction and detention.

Attentive maintenance is required during the establishment of the native plant component of the system during the first 2 to 3 years, depending on the initial construction timing. It is not uncommon for systems such as these to have operation and maintenance (O&M) manuals provided to each involved participant, in this case each homeowner. The selected contractor will be providing a straightforward and layperson oriented O&M Manual for each homeowner and will assist the City's HAND department for initial training and education of all involved to insure successful short term establishment and long term success of the stormwater system.

Home buyer education has been a very important component in HAND's housing strategy. Enclosed is a copy of the Home Buyers Club Brochure for your review. For individuals or families wanting to buy in the Rockport Road subdivision an additional 6 hours will be added to their training that deals specifically with the maintenance activities that will be a part of living in this progressive setting. The selected contractor will produce an O&M manual that will be given to each property owner and will be covered in detail in the Home Buyers Club.

HAND will maintain ownership of land south of the creek and detention pond on the west side of the development. Those areas will be maintained as a native prairie. Additionally HAND will assist, for the first three years, with the establishment of the native plants on each lot. Once fully established, the plants will be virtually maintenance free.

Housing and Neighborhood Development – City of Bloomington
Rockport Road Development
Additional Narrative for Stormwater Treatment System

1.) The activities pertaining to the creek will be performed in areas above the ordinary high water mark (level). Activities include the enhancement of the riparian corridor for this stretch including, the removal of exotic invasive species such as Canada Thistle, reed canary grass, honeysuckle, and others. These aggressive species will be removed because they do not allow for overall native species diversity. Removal of invasive species also protects the other areas of stormwater treatment by removing local seed sources and aggressive competing exotics, which in turn reduces the Operation & Maintenance needs/costs for the entire system. A wide variety of native plants (examples listed below) will be installed to provide a more diverse specie habitat, bank stabilization, storm water treatment, and visual enhancement. The best management practices provided by these activities are filtration, sediment retention (bank stabilization) and thermal sink mitigation through intermittent shade tree placement/retention. Examples of anticipated riparian buffer enhancement plants include:

- Grasses: Little bluestem grass
Side-oats gamma
Virginia wild rye
- Forbs: Wild Columbine
New England aster
Wild geranium
Black-eyed susan
- Trees: Pignut hickory
Redbud
Flowering dogwood
Tulip tree
Burr oak

2.) The retention pond will have a 6 to 12-inch earthen berm placed as shown in the plans to slow the water down, retain small high impacting rain events, and infiltrate the retained water. This will effectively make the retention pond a rain garden stormwater treatment facility. The plants (listed below) will be installed to perform stormwater treatment functions of physical filtration, infiltration enhancement of the bottom, and evapo-transpiration during spring, summer and fall periods of the water entering the basin. The water will be at the deepest near the berm (6-12 inches) and taper (lessen) with the slope of the bottom of the retention pond. Examples of anticipated retention pond plants include:

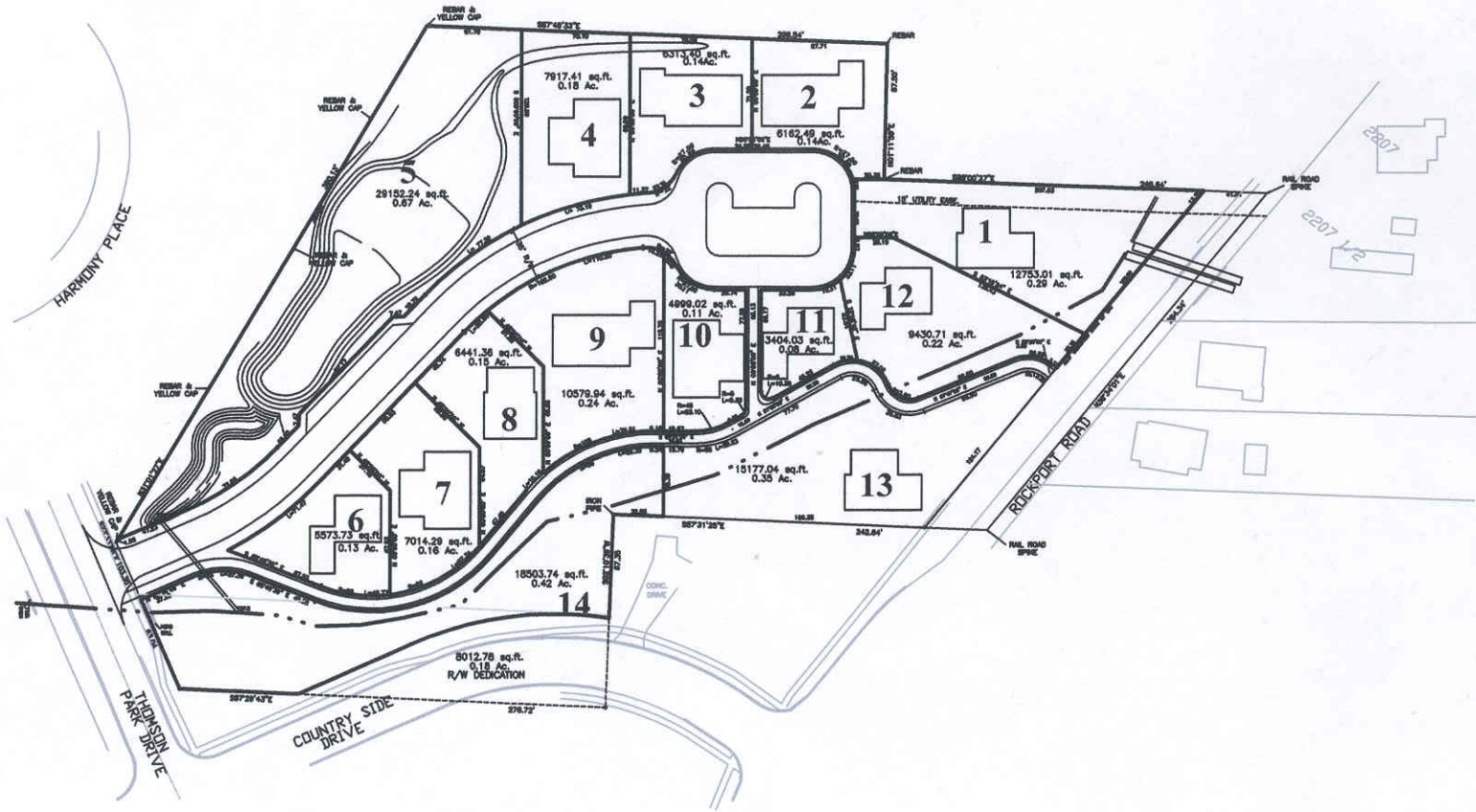
- Grasses: Fowl Manna grass
Prairie switch grass
Virginia wild rye
Spike rush
- Forbs: Water Plantain
Sneezeweed
Monkey Flower
Broad-Leaf Arrowhead

3.) During the first three (3) years, routine maintenance includes the removal of invasive non-native species 2-3 times per year by cutting, pulling, or herbicide application depending on the species and level of infestation. After establishment (generally first 3 years) maintenance is reduced to 1 or 2 times a year, depending on the localized seed source and continuing return of various invasive species. Weedy and aggressive volunteer trees will be removed, non-weedy trees will remain. While burning is recommended to be included in the management of the thatch removal, it is not necessary. Should burning be chosen, it should occur every 3-to-5 years, as dictated by the actual site conditions. If burning can not occur or is not the preferred maintenance process, mowing and thatch removal will be required on the same basis as burning (every 3+ years). This process (burning or mowing) removes the thatch, which if left for long periods of time tend to pile up and inhibit/prohibit the growth of the next season's native prairie plants.



LEGEND:

- OVERHEAD ELECTRIC
- WATER LINE
- STORM LINE
- UNDERGROUND TELEPHONE
- GAS LINE
- GUY WIRE
- SIGN
- SURFACE TOPOGRAPHY
- PROPOSED TOPOGRAPHY
- △ PAVING AREA
- △ STORM PILE
- △ UTILITY POLE
- △ SURVEY
- TREE
- SIGN
- SURFACE TOPOGRAPHY
- PROPOSED TOPOGRAPHY



CURVE DATA TABLE

STATION	PC	PT	PI	VC	VT	PT	PC	PT	PI	VC	VT	PT	PC	PT	PI	VC	VT	PT
1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1+00
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KEY PLAN
SCALE: 0/0

▲ NORTH

▲ DATE 8/00
▲ DATE 8/00
▲ DATE 8/00

Bledsoe Tapp & Riggert, Inc.
Land Surveying and Civil Engineering
1981 W. Tapp Road
Bloomington, IL 61705 FAX (312) 858-0877
888 Project No. 0000

ARCHITECTS
ENGINEERS
PLANNERS

**VEAZEY
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CITY OF BLOOMINGTON
SOUTH ROCKPORT ROAD SITE

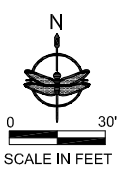
DEPARTMENT OF HOUSING AND NEIGHBORHOOD DEVELOPMENT

Drawing Title: **SITE LAYOUT**

Project No: 2003160
Project Title: JULY 2003

2003 File Code
We reserve the right to make changes without notice.

C4.1



GRAPHIC SCALE VERIFICATION
 This bar measures 1" on 22'x34" or 1/2" on 11"x17" original.
 Adjust scale accordingly.



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 574-586-3400

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 6640 Parkdale Place, Suite S
 Indianapolis, Indiana 46254
 317-388-1982

NOTE

1. SEE SHEET 2 FOR PLANTING LIST

DRAINAGE SWALE - SEE SECTION B
2
 (EVEN GROUND)

RAINGARDEN - SEE SECTION C
2

DRAINAGE SWALE - SEE SECTION A
2
 (UNEVEN GROUND)

LEGEND

- RAINGARDEN (0.48 ACRES)
- PRAIRIE (1.27 ACRES)
- LANDSCAPED STREET EDGE
- GRAVEL DRIVE / PARKING
- BUILDING
- TURF
- TREE

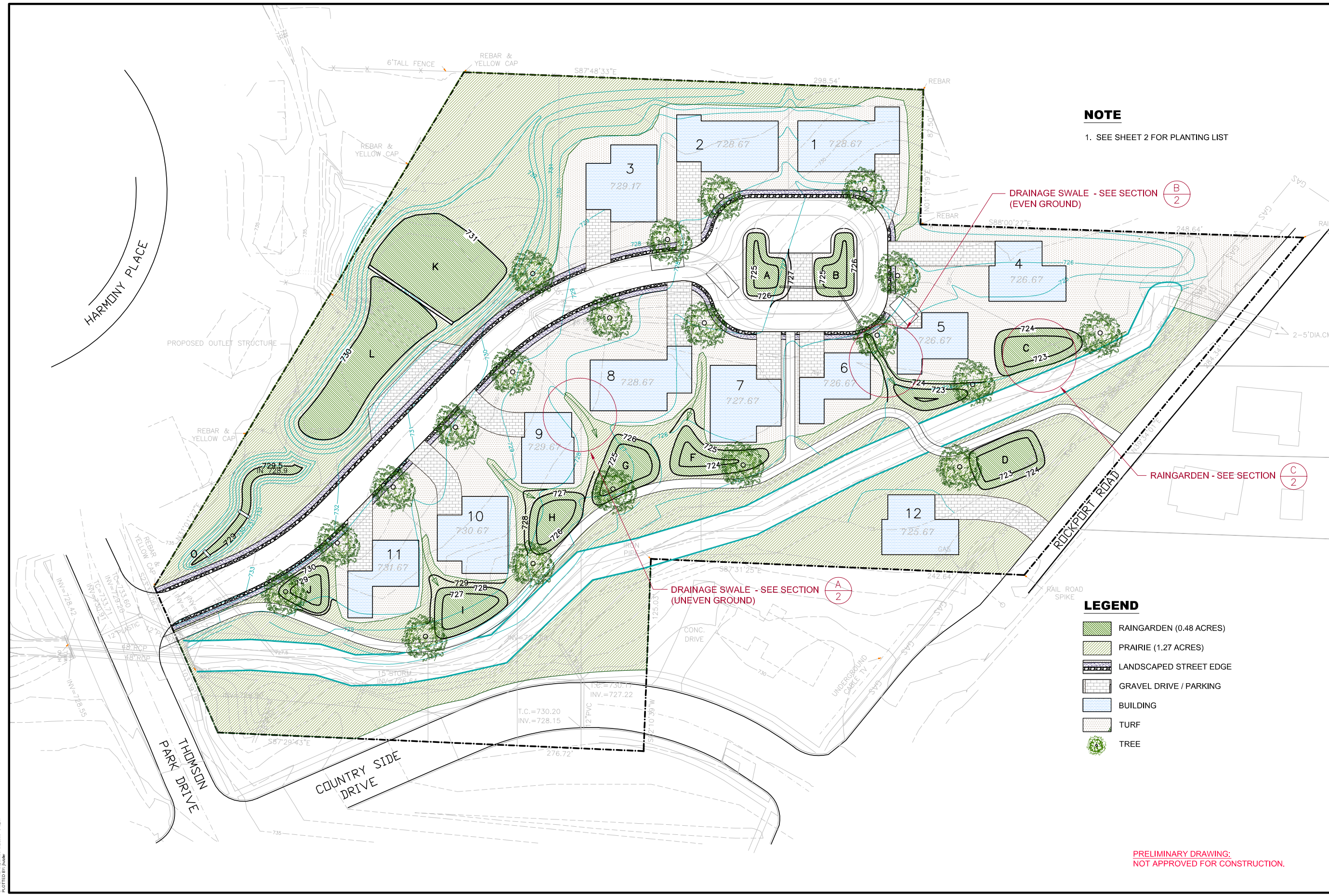
NO.	REVISION

Bloomington Project
 Site Planting Plan

DRAWN BY: JFH
 DESIGNED BY: BNN
 DATE: SEPT 2005
 JOB NO: 050618

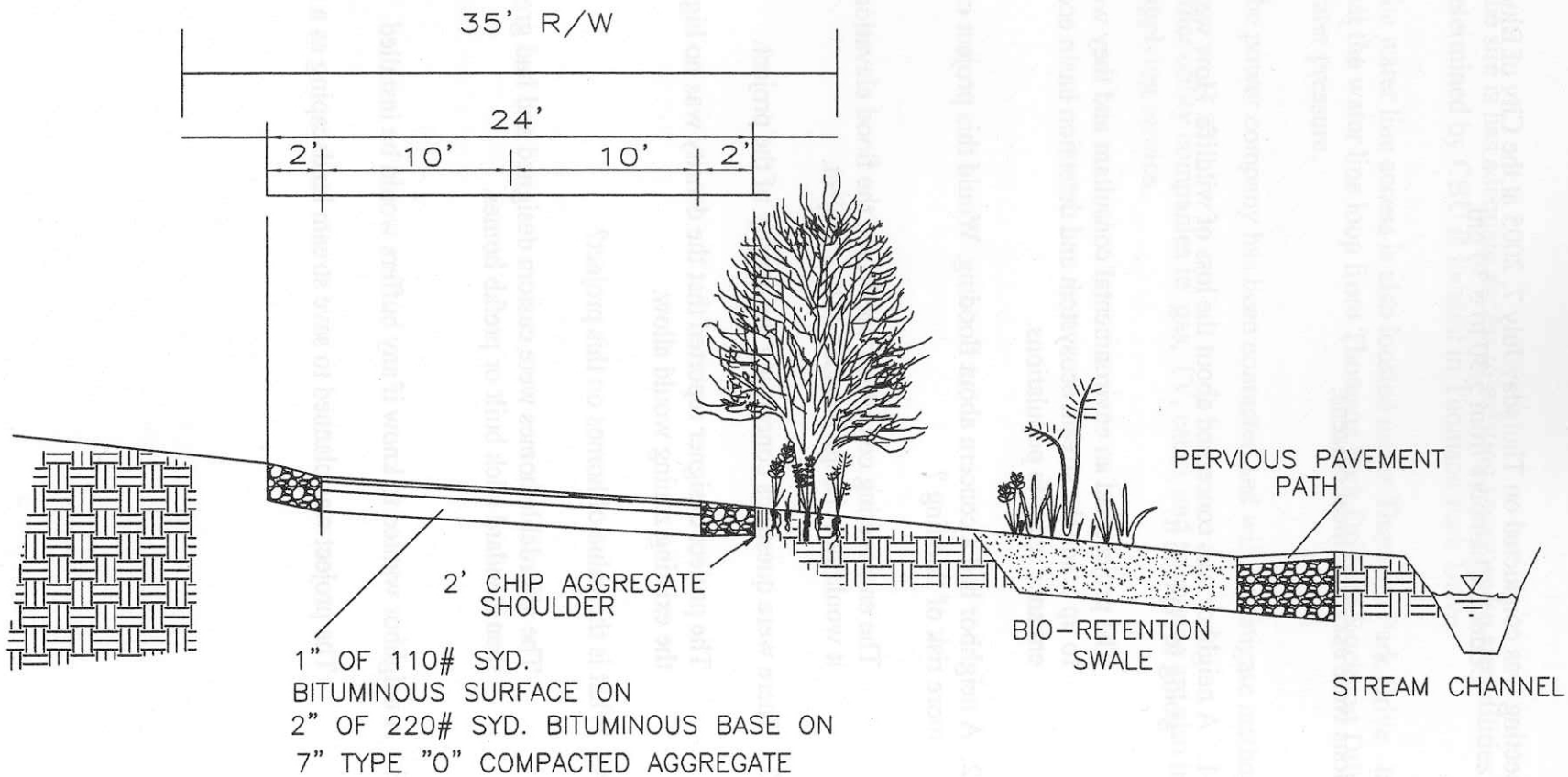
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DRAWING NO.
1
 OF 2

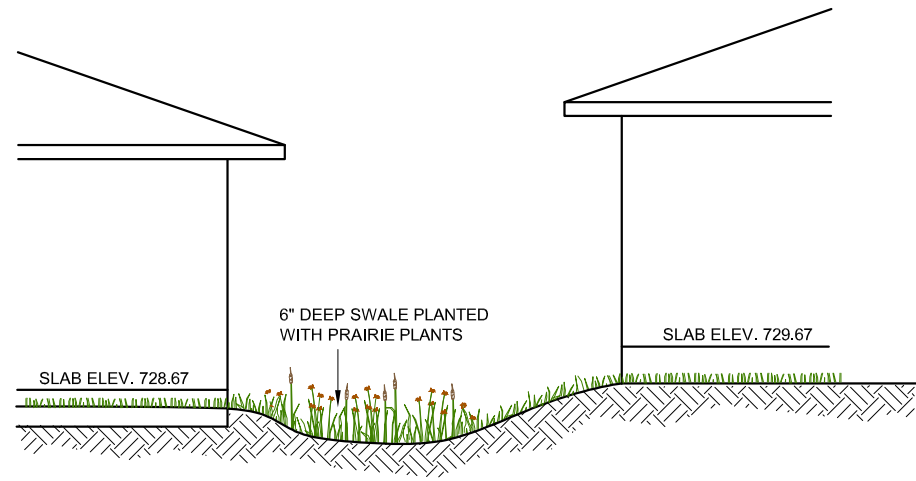


LOCATION: CLAYTON'S CADD WORKS/050618 - Hand Development/PLANTING PLAN.dwg
 DATE/TIME: September 28, 2005 - 3:20pm
 PLOT FILE BY: JFH

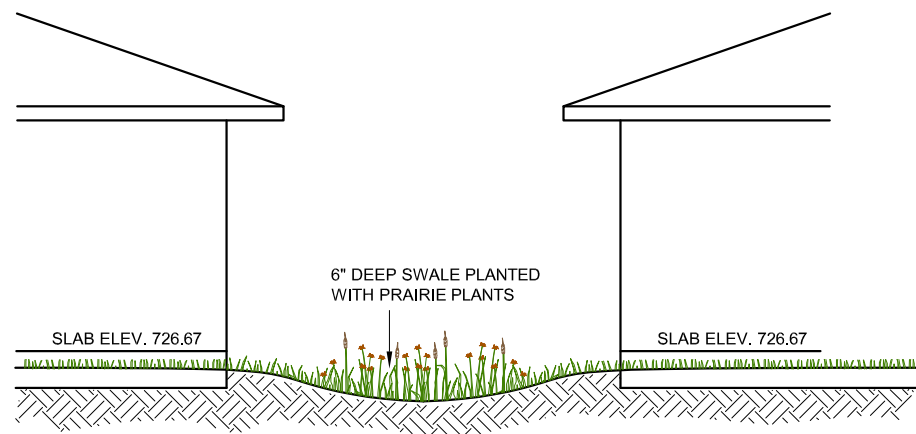
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 NOT APPROVED FOR CONSTRUCTION.



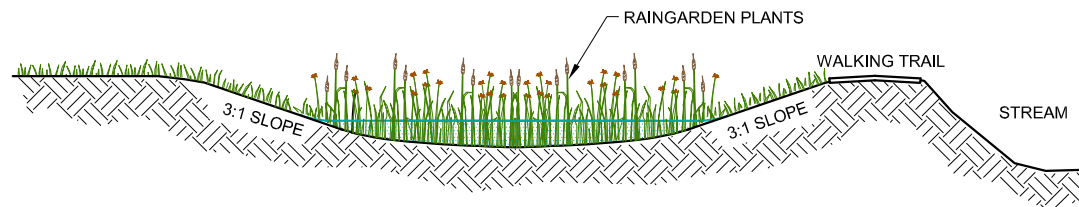
TYPICAL SECTION B-B



A
2 DRAINAGE SWALE (UNEVEN GROUND) – SIDE VIEW
NOT TO SCALE



B
2 DRAINAGE SWALE (EVEN GROUND) – SIDE VIEW
NOT TO SCALE



C
2 TYPICAL RAINGARDEN – SIDE VIEW
NOT TO SCALE

Basic Prairie Seed Mix

Botanical Name	Common Name	PLS Ounces/Acre
Forbs:		
<i>Aquilegia canadensis</i>	Wild Columbine	1.50
<i>Asclepias tuberosa</i>	Butterfly weed	1.50
<i>Aster novae-angliae</i>	New England Aster	1.25
<i>Cassia fasciculata</i>	Partridge Pea	2.00
<i>Coreopsis tripteris</i>	Tall Coreopsis	1.50
<i>Echinacea purpurea</i>	Purple coneflower	3.00
<i>Eryngium yuccifolium</i>	Rattlesnake Master	1.00
<i>Helianthus mollis</i>	Downy sunflower	1.50
<i>Helianthus occidentalis</i>	Western sunflower	0.75
<i>Heliopsis helianthoides</i>	False Sunflower	0.25
<i>Lespedeza capitata</i>	Round-Headed Bush Clover	1.00
<i>Liatris aspera</i>	Rough Blazing Star	1.75
<i>Monarda fistulosa</i>	Wild Bergamot	0.75
<i>Petalostemum purpureum</i>	Purple Prairie Clover	2.00
<i>Pycnanthemum virginianum</i>	Virginia Mountain Mint	0.50
<i>Ratibida pinnata</i>	Yellow Coneflower	2.50
<i>Rudbeckia hirta</i>	Black-Eyed Susan	2.00
<i>Solidago juncea</i>	Early Goldenrod	1.00
<i>Vernonia altissima taeniotricha</i>	Hairy tall ironweed	2.00
		27.75

Permanent Grasses:

<i>Andropogon gerardii</i>	Big Blue Stem	14.00
<i>Andropogon scoparius</i>	Little Blue Stem	22.00
<i>Bouteloua curtipendula</i>	Side Oats Grama	14.00
<i>Elymus canadensis</i>	Prairie Wild Rye	22.00
<i>Panicum virgatum</i>	Prairie Switch Grass	2.50
<i>Sorghastrum nutans</i>	Indian Grass	28.00
		102.50

Temporary Cover:

<i>Avena sativa</i>	Seed Oats	360.00
<i>Lolium multiflorum</i>	Annual Rye	100.00
<i>Phleum pratense</i>	Timothy	20.00
		480.00

Raingarden Seed Mix

Botanical Name	Common Name	PLS Ounces/Acre
Permanent Grasses/Sedges:		
<i>Andropogon gerardii</i>	Big Blue Stem	6.00
<i>Carex comosa</i>	Bristly Sedge	2.00
<i>Carex hystericinia</i>	Porcupine Sedge	2.50
<i>Carex vulpinoidea</i>	Brown Fox Sedge	3.00
<i>Elymus virginicus</i>	Virginia wild rye	14.00
<i>Glyceria striata</i>	Fowl Manna Grass	1.00
<i>Panicum virgatum</i>	Prairie Switch Grass	2.00
<i>Scirpus atrovirens</i>	Dark Green Rush	1.00
<i>Scirpus cyperinus</i>	Woolgrass	0.50
<i>Spartina pectinata</i>	Prairie Cord Grass	6.00
		Total 38.00

Temporary Cover:

<i>Agrostis alba</i>	Redtop	8.00
<i>Avena sativa</i>	Seed oats	360.00
<i>Phleum pratense</i>	Timothy	20.00
		Total 388.00

Forbs:

<i>Alisma spp.</i>	Water Plantain	0.50
<i>Asclepias incarnata</i>	Swamp Milkweed	2.00
<i>Aster novae-angliae</i>	New England Aster	0.50
<i>Coreopsis tripteris</i>	Tall Coreopsis	0.50
<i>Eupatorium maculatum</i>	Spotted Joe Pye Weed	0.25
<i>Iris virginica shrevei</i>	Blue Flag Iris	3.00
<i>Liatris spicata</i>	Marsh Blazing Star	2.00
<i>Lobelia cardinalis</i>	Cardinal Flower	0.25
<i>Lobelia siphilitica</i>	Great Blue Lobelia	0.50
<i>Sagittaria latifolia</i>	Broad-Leaf Arrowhead	1.50
<i>Solidago rugosa</i>	Rough Goldenrod	0.50
<i>Verbena hastata</i>	Blue Vervain	1.50
<i>Zizia aurea</i>	Golden Alexanders	1.25
		Total 14.25



REVISION	(INITIALS)	(DESCRIPTION)
A	(MMDDYY)	(DESCRIPTION HERE)

Bloomington Project
Sections and Planting List

DRAWN BY:	JFH
DESIGNED BY:	BNN
DATE:	SEPT 2005
JOB NO:	050618

DRAFT

DRAWING NO.

2

OF 2

PRELIMINARY DRAWING;
NOT APPROVED FOR CONSTRUCTION.

LOCATED: C:\Users\CAD\My Documents\18 - Hand Development\SECTIONS.dwg
DATE/TIME: September 26, 2005 - 3:02pm
PLOT FILE BY: JFH



Root Depths of Natives vs. Lawn Grass



Root Systems of Prairie Plants



Thinking about buying a house, but don't know where to start?

Then you need to attend HAND's Home Buyer's Club!

The Home Buyers Club is a comprehensive home buyer education workshop offered to anyone in the community at no charge.

Graduates may be eligible for up to \$3,000 in down payment assistance from HAND.

The classes are informal, yet informative, and allows participants to explore how to become successful homeowners.

Presenters include local real estate industry professionals such as a house inspector, Realtor, mortgage loan officer, appraiser, credit counselor, and speakers from local non-profit housing providers and HAND housing counselors.



P.O. Box 100 • Bloomington, IN 47402

Improving our neighborhoods

HAND

Housing and
Neighborhood
Development



CITY OF BLOOMINGTON

Home Buyers Club



CITY OF BLOOMINGTON

HAND

Housing and
Neighborhood
Development

Improving our neighborhoods

What is the Home Buyers Club?

A home buyer education workshop offered by the City of Bloomington's HAND Department.

The goal of the workshop is to educate and empower prospective homeowners with the knowledge and confidence necessary to attain the American dream of homeownership.

Classes meet for 2 consecutive Saturdays from 9:00AM—4:00PM or weekly for 7 weeks from 6:30-8:30PM.

Topics include:

- How to set up a family budget & savings plan.
- How to read or rebuild your credit report.
- What to expect at the home inspection.
- Home purchase process from start to finish.
- Mortgage application process and how to choose the best mortgage for you.
- Down payment and closing cost assistance programs available in our area.
- Home maintenance and repair.
- How to avoid predatory lenders.
- Local not-for profit housing providers.

What do Home Buyers Club members receive?

1. **240 page Home Buyer manual** produced by HAND "*Buying A Home; A Guide For First Time Home Buyers*".
2. **Copy of your credit report.** A correct credit report and good credit is a vital part of obtaining a mortgage with low interest rate.
3. **Counseling session with a HAND housing counselor.** You will be able to discuss your personal situation and develop an action plan to realize the *American Dream*.
4. **Up To \$3,000 in down payment and closing cost assistance from HAND.** Income-eligible graduates who buy a home in the City limits may be able to access these funds. (subject to availability of funds)

2005 Household Income limits for down payment assistance

Family Size	Maximum Yearly Income
1 Person	\$33,100
2 People	\$37,800
3 People	\$42,550
4 People	\$47,300
5 People	\$51,050
6 People	\$54,850

When Is The Home Buyers Club?

2005 Schedule:

HBC I - Saturday January 22nd and 29th

HBC II - Tuesday evenings February 8th through March 22nd

HBC III - Saturday May 7th and 14th

HBC IV - Saturday July 9th and 16th

HBC V - Saturday September 10th and 17th

Saturday classes meet from 9:00AM—4:00PM at the Bloomington Adult Community Center at 349 S. Walnut Street.

Evening classes meet in the McCloskey Room in Showers City Hall at 401 N. Morton Street.

Pre-registration is required.

For more information :

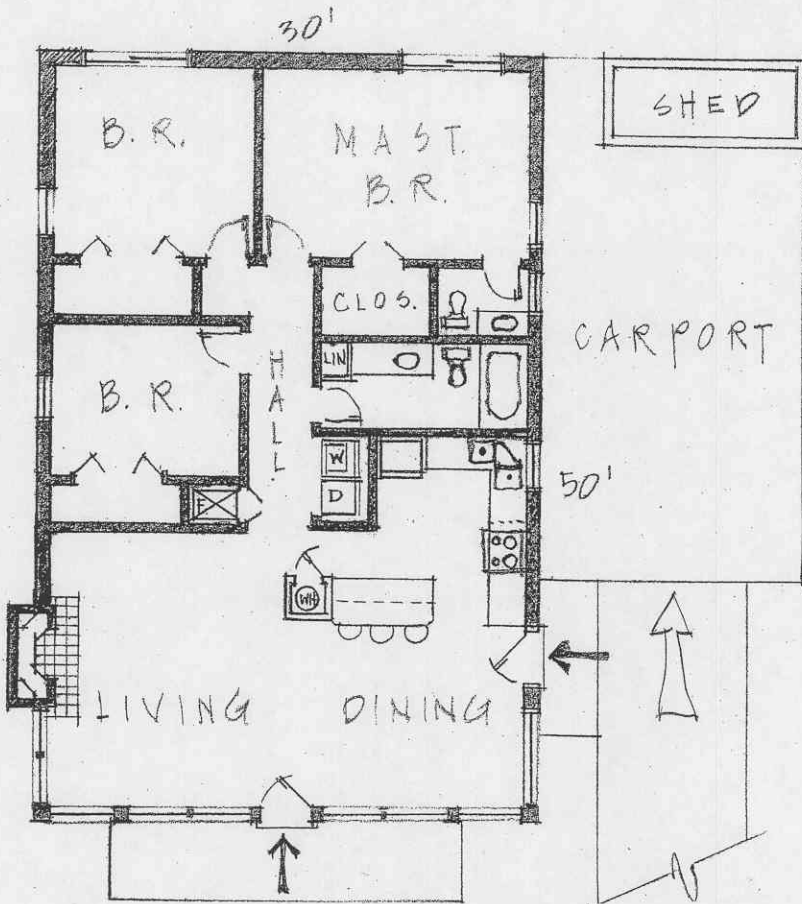
Call HAND at 812-349-3401 or go to <http://www.bloomington.in.gov/hand>



401 N. Morton, Suite 130 • P.O. Box 100
Bloomington, IN 47402
Phone: 812-349-3401 • Fax: 812-349-3582
Email: HAND@city.bloomington.in.us

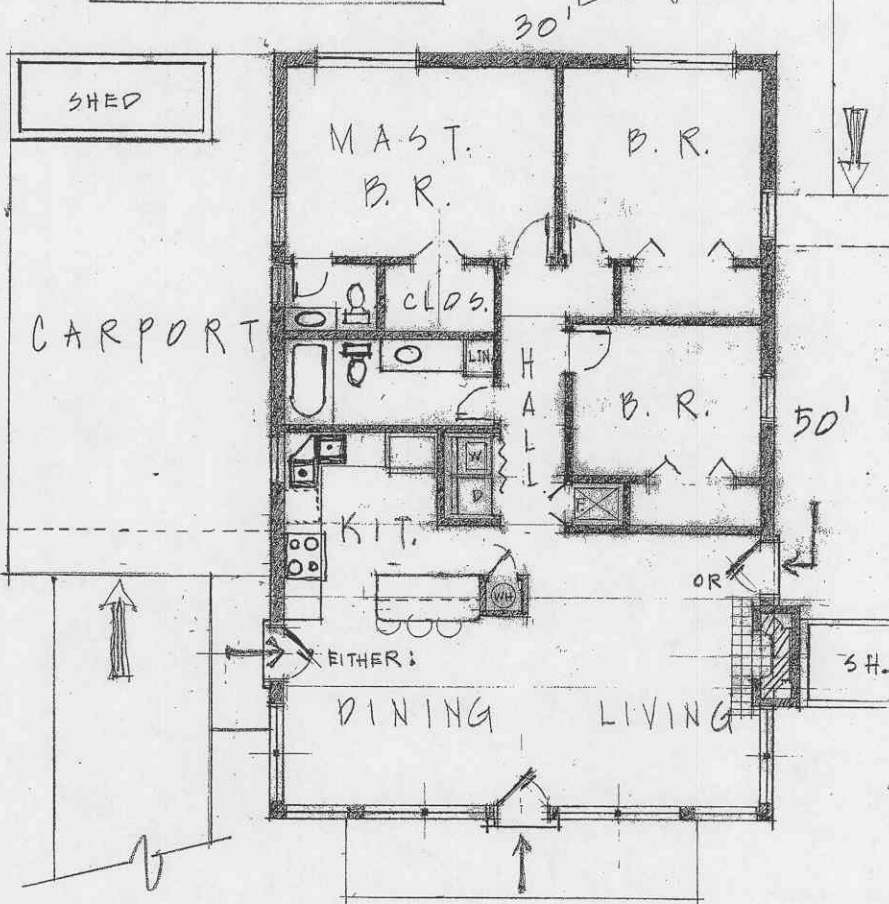
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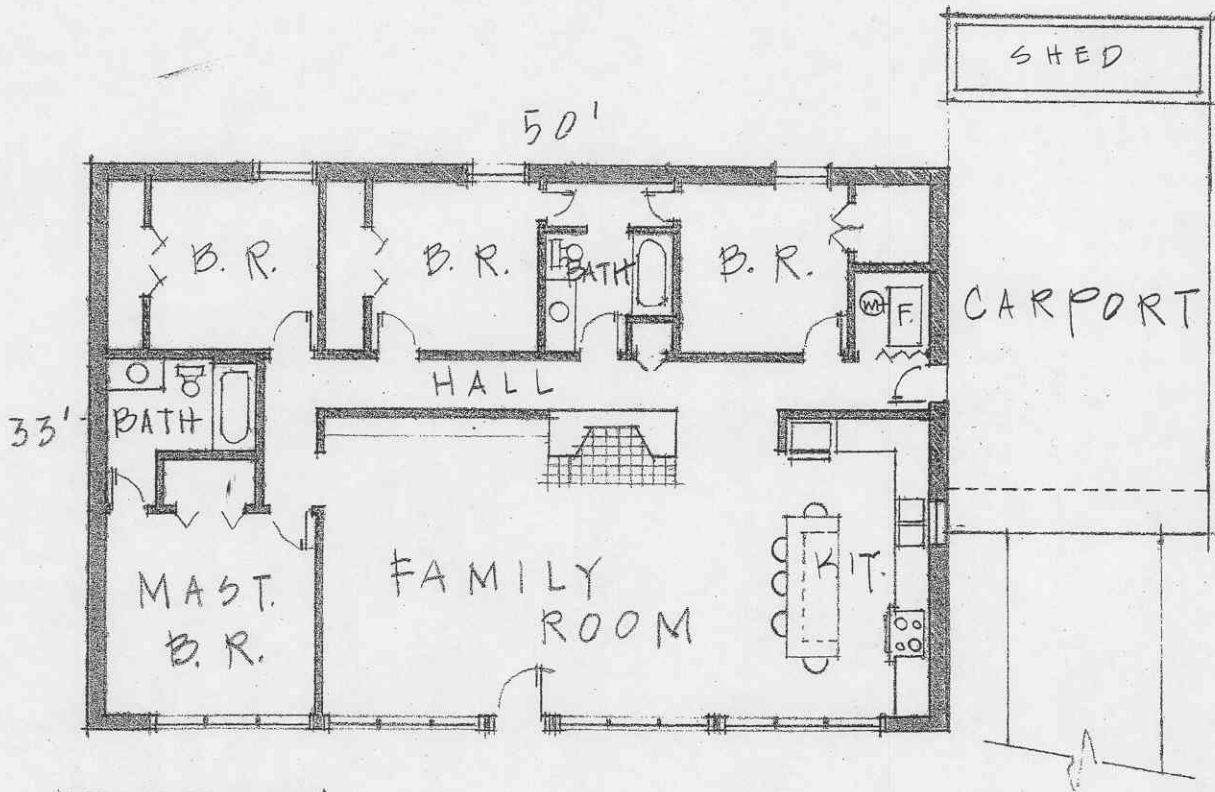
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(B)

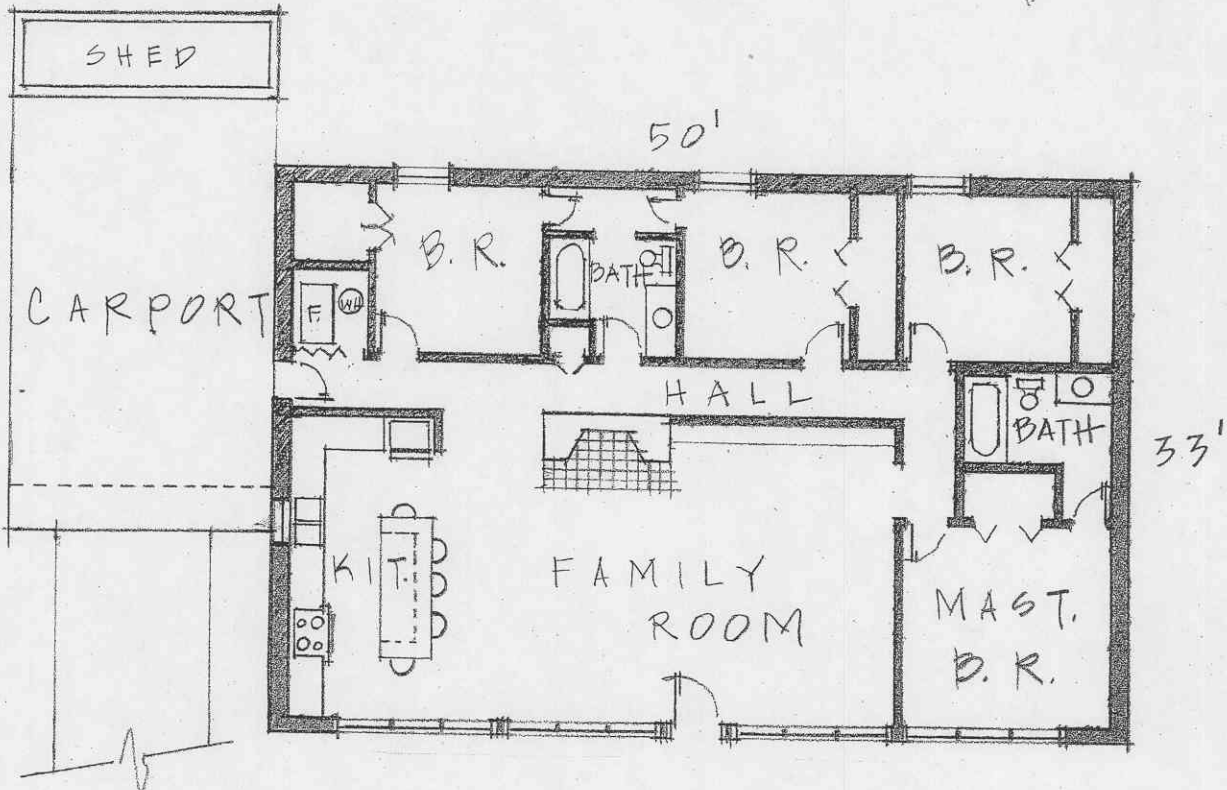
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PROTOTYPE
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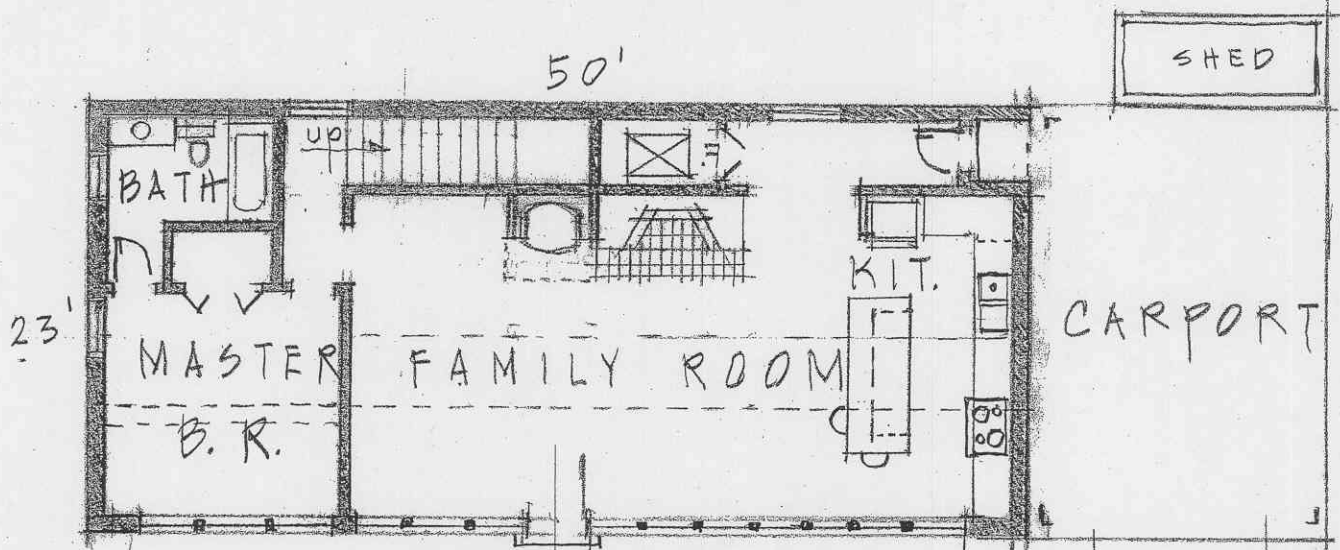
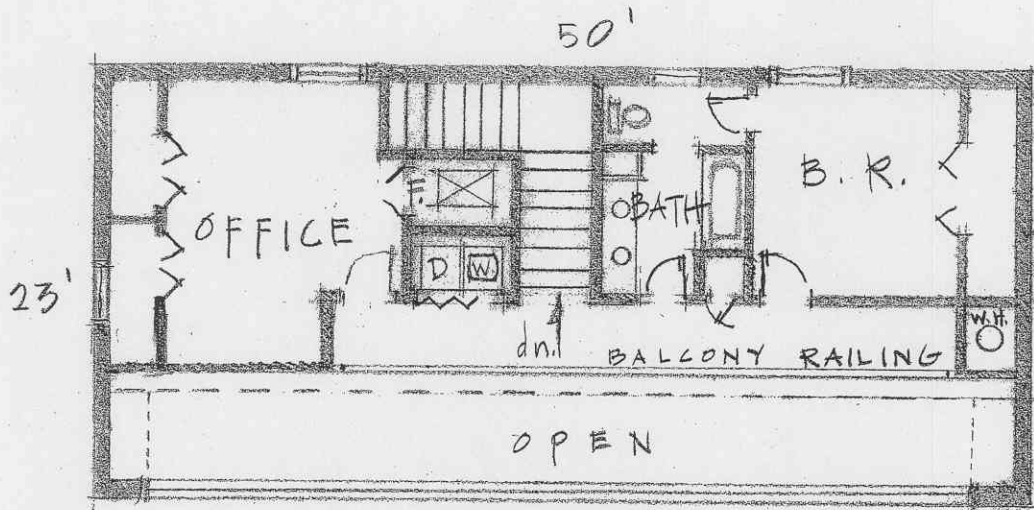
(D)



PROTOTYPE
SCALE: 1/8" = 1'-0"

(E)

Schematic House Plans
PUD-27-05 (49)



PROTOTYPE (E)

FIRST FLOOR

SCALE: $\frac{1}{8}'' = 1' - 0''$

Schematic House Plans
 P4D-27-05 (50)

ORDINANCE 05-32

**TO AMEND TITLE 14 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“PEACE AND SAFETY”**

(Amending Chapter 36 [Unlawful Conduct], Section 090 [Intoxicating Beverages – Consumption in Public], by Creating an Exception to Allow Consumption of Alcohol in the Buskirk-Chumley Theatre)

WHEREAS, Bloomington Municipal Code Section 14.36.090 makes it unlawful to consume any alcoholic beverage in or on any publicly owned place except at an event for which the Indiana Alcoholic Beverage Control Commission (“ABCC”) has issued a permit, or at the Clubhouse at the Cascades Golf Course when the consumption is in accordance with the rules and regulations of, and the statutes regarding, the ABCC; and

WHEREAS, the City of Bloomington intends to take ownership of the Buskirk-Chumley Theatre (“Theatre”), a performing arts venue in downtown Bloomington, in which a café exists that offers alcohol for sale at certain events held in the Theatre, in accordance with Indiana law and the rules and regulations of the ABCC; and

WHEREAS, the Theatre is a key contributor to the economic and cultural vitality of downtown Bloomington, and plays a central role in attracting people to the downtown business district; and

WHEREAS, amending the ordinance as provided herein will allow the Theatre café to continue its current operations and the Theatre manager, BCT Management, Inc. to continue its current flexibility in booking events and will expand the possible revenue-generating uses of the Theatre to allow catered events at which alcohol is served;

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

SECTION I. Section 14.36.090 of the Bloomington Municipal Code entitled “Intoxicating beverages – Consumption in public” shall be deleted and replaced with the following:

14.36.090 Intoxicating beverages – Consumption in public.

It is unlawful for any person within the city limits, to consume any alcoholic beverage in or on any publicly owned place or upon any public street, highway or accessway; provided, however, that it is not unlawful to consume beer or wine, regardless of where it was purchased, at an event for which the Indiana Alcoholic Beverage Control Commission has issued a temporary beer permit as authorized by Indiana Code 7.1-3-6-1 et seq. or a temporary wine permit as authorized by Indiana Code 7.1-3-16.5 et seq. to a qualified person to sell beer or wine or both at that event; and provided, however, that it is not unlawful to consume beer, wine or any other alcoholic beverage within the Clubhouse at the Cascades Golf Course and the Buskirk-Chumley Theatre when such consumption is in accordance with the rules and regulations of, and the statutes regarding, the Indiana Alcoholic Beverage Control Commission.

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

SECTION III. 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 of the Mayor.

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

ANDY RUFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

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

REGINA MOORE, Clerk
City of Bloomington

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

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Bloomington Municipal Code 14.36.090 to allow alcohol consumption at the Buskirk-Chumley Theatre when the consumption is in compliance with the rules and regulations of, and statutes regarding, the Indiana Alcoholic Beverage Control Commission.



CITY OF BLOOMINGTON
parks and recreation

MEMORANDUM

TO: Common Council
FROM: Mick Renneisen, Administrator
DATE: **October 24, 2005**
SUBJECT: **Ordinance 05-32 Amending BMC 14.36.090**

Since its renovation in 1999, the Buskirk-Chumley Theatre (“Theatre”), a performing arts venue at 114 E. Kirkwood, has become a key contributor to the economic and cultural vitality of downtown Bloomington and one of the primary attractions to draw people to the downtown business district. In keeping with longstanding plans, the City intends to take ownership of the Theatre by the end of 2005, but will continue to contract with BCT Management Inc., the non-profit entity that has successfully managed the Theatre since its opening.

One component of the Theatre’s operation is the existence of the Theatre Café in the west storefront of the Theatre building. The Café, which is operated by Bloomingfoods, has sold alcohol during certain events at the Theatre under permits from the Indiana Alcohol Beverage Control Commission. BCT Management and Bloomingfoods view the ability to continue selling alcohol at the café for certain performances as essential to the café’s and the Theatre’s success.

Ordinance 05-32 amends Chapter 14.36.090 of the Bloomington Municipal Code to allow alcohol consumption to continue in the Theatre after the City takes ownership, by creating an exception for the Theatre to the general prohibition on alcohol consumption on City property. A similar exception already exists for the Cascades Golf Course Clubhouse. The Theatre and the Cascades Clubhouse are similar types of City facilities in their revenue-generating needs and capabilities, and the Administration wishes to treat them comparably. Ability to generate revenue is vital to the Theatre’s success, the café is a key revenue source, and alcohol sales are an important part of the café’s revenues. Additionally, this amendment would expand possible revenue-generating uses of the Theatre by allowing it to be rented for catered events at which alcohol is served.

The amendment proposed in Ordinance 05-32 will allow the café to continue its current operations and the Theatre manager, BCT Management, Inc., to continue its current flexibility in booking events, and to expand booking opportunities.

Please let me know if you have any questions.

RESPECTFULLY SUBMITTED,

Mick Renneisen, Administrator

~~strike~~ – proposed deletion
bold – proposed addition
▶ -- relevant section

**TITLE 14 “PEACE AND SAFETY”
AS AMENDED BY ORDINANCE 05-32**

Section 1 of Ord 05-32 amends Section 14.36.090 of the Bloomington Municipal Code entitled “Intoxicating beverages — Consumption in public” by creating an exception to allow consumption of alcohol in the Buskirk-Chumley Theatre.

Title 14
PEACE AND SAFETY

Chapters:

- 14.09 Noise Control
- 14.20 Firearms—Deadly Weapons
- 14.28 Advertising
- 14.36 Unlawful Conduct
- 14.40 False Emergency Alarms
- 14.50 Prohibition of Open Containers of Alcoholic Beverages in Motor Vehicles

Chapter 14.36
UNLAWFUL CONDUCT

Sections:

- 14.36.030 Barbed wire fences.
- 14.36.050 Defacing or destroying city property.
- 14.36.060 Removal of locks and other closing devices from refrigerators, iceboxes, etc.
- 14.36.090 Intoxicating beverages— Consumption in public.
- 14.36.130 Stench bombs—Sales.
- 14.36.140 Stench bombs—Throwing or depositing upon person or property of another.
- 14.36.150 Stench bombs—Possession.
- 14.36.160 Fences adjacent to swimming pools, ponds, quarries or other water-filled excavations— Required.

14.36.030 Barbed wire fences.

It is unlawful for any person to erect, build or maintain a barbed wire fence within the city. (Prior code § 18-4).

14.36.050 Defacing or destroying city property.

It is unlawful for any person to remove, interfere or meddle with any grade stakes, fences, lights or other guards placed by the city, its agents or employees, or required by ordinance to be placed in or about the streets, alleys and public places of the city, or to destroy or deface, mutilate, change, modify, injure or remove, or to in any manner interfere or meddle with street signs placed by the city on its streets, alleys and public places, or to destroy, deface, mutilate, remove or injure any seats, benches, stands, signs, monuments or other property located in the streets or alleys, parks or buildings or other public places of the city. (Prior code § 18-5).

14.36.060 Removal of locks and other closing devices from refrigerators, iceboxes, etc.

No icebox, refrigerator, ice chest, icemaker, vertical or chest freezer or any other airtight devices used for the preservation of foods shall be discarded, abandoned, kept for salvage, or stored in a public place or in plain view and accessible to the public unless all locks, catches, and magnetic closing devices are removed or the door removed or secured by lock and chain in such a manner to prevent opening, but this provision shall not apply to persons who, in the ordinary course of their business, buy, sell, store or repair new or used refrigerators or other such devices. Such persons may store such devices on their premises, provided that the devices are stored in a safe manner at all times, and are made inaccessible to the public before the end of the business day. (Ord. 77-77 § 1, 1977).

14.36.090 Intoxicating beverages — Consumption in public.

It is unlawful for any person within the city limits, to consume any alcoholic beverage in or on any publicly owned place or upon any public street, highway or accessway; provided, however, that it is not unlawful to consume beer or wine, regardless of where it was purchased, at an event for which the Indiana Alcoholic Beverage Control Commission has issued a temporary beer permit as authorized by Indiana Code 7.1-3-6-1 et seq. or a temporary wine permit as authorized by Indiana Code 7.1-3-16.5 et seq. to a qualified person to sell beer or wine or both at that event; and provided, however, that it is not unlawful to consume beer, wine or any other alcoholic beverage within the Clubhouse at the Cascades Golf Course **and the Buskirk-Chumley Theatre** when such consumption is in accordance with the rules and regulations of, and the statutes regarding, the Indiana Alcoholic Beverage Control Commission. (Ord. 93-26 § 2, 1993; Ord. 85-21 § 1, 1985).

14.36.130 Stench bombs—Sale.

It is unlawful for any person to sell or expose for sale or give away any vile, noxious or offensive smelling or injurious liquid gas or solid substance commonly known or termed “stinking bean” or “stench bomb” in any form or device from which such liquid gas or solid substance is liberated or is likely to be liberated. (Prior code § 18-24).

14.36.140 Stench bomb—Throwing or depositing upon person or property of another.

It is unlawful for any person to throw or deposit, or attempt to throw or deposit, or aid or abet in throwing or depositing upon the person or property of another, any vile, noxious or offensive smelling or injurious liquid, gas or solid, commonly known or termed as a “stinking bean” or any “stench bomb” in a form or device from which such liquid, gas or solid is liberated, or is likely to be liberated, and which being liberated would molest, discomfort or discommode any person or damage any property. (Prior code § 18-25).

14.36.150 Stench bombs—Possession.

It is unlawful for any person to have in his possession or under his control any “stinking bean” or other device as set forth in Sections 14.36.130 and 14.36.140, with the intent to use the same in violation of such sections or with the intention that the same be used in violation of such sections. (Prior code § 18-26).

14.36.160 Fences adjacent to swimming pools, ponds, quarries or other water-filled excavations— Required.

Every person in possession of land upon which is situated a swimming pool, pond, quarry or other water-filled excavation exceeding the depth of thirty-six inches at its deepest point who fails to fence the area adjacent to such swimming pool, pond, quarry or excavation with a chain link, wire or board fence at least five feet high and with no opening, except gates or doors, of more than four inches in width so that the pool, pond, quarry or excavation is made inaccessible to children, shall be subject to the general penalty provisions of this code. (Ord. 81-5 § 13, 1981: Ord. 73-36 § 1, 1973: prior code § 24A-1).

In the Council Chambers of the Showers City Hall on Wednesday, September 21, 2005 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 21, 2005

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of September 7, 2005 were approved by a voice vote.

APPROVAL OF MINUTES

Chris Gaal said he couldn't let the Indiana Department of Resources Division of Forestry new strategic forest management plan pass without a comment, adding that the Daniels administration's plan was to increase logging of state forests to raise revenue for state government. Gaal noted the governor's claims of economic development and increase of private sector jobs clouded the fact that the government would be selling off assets owned by the public without a plan or opportunity for public input. Gaal stated that the fact that this was being done in the name of promoting biological diversity and forest health was a cynical manipulation of public opinion.

REPORTS:

▪ COUNCILMEMBERS

Gaal noted that the plan contained only two sentences pertaining to the environmental impact of this action, and that there was no mention of soil erosion, impacts of road building, harm to water quality, destruction of wildlife habitat, influx of invasive non-native plants, or other potential for environmental harm to the forests.

Gaal suggested that the state actually needs to protect and promote intact, developed, mature healthy forests on public land, and that it would be most beneficial to wildlife and economic activity in Monroe County and the rest of Southern Indiana.

He called for citizens to show their outrage for this short-sighted, misguided public policy quoting State Representative Matt Pierce's statement that it was ironic that the governor said he must cut down trees in order to save them.

Sturbaum gave a report on the Randolph County Courthouse in Winchester, Indiana that had been built in 1877. He noted that the Monroe County commissioners and council members, the Bloomington city council members and the mayor sent a letter to the Randolph County Commissioners urging them not to demolish the old courthouse against the wishes of their constituents, noting that Monroe County had been in a similar situation several years back and we were glad we chose to save our courthouse. Sturbaum told of the silver haired ladies of a bridge club that created a calendar to save the courthouse. The women posed without clothes (but with carefully placed porcelain courthouse replicas) for the calendar to raise attention and funds for the renovation. He reported that while the commissioners haven't totally changed their minds, they have considered plans for an addition to the courthouse.

Steve Volan said he would like to read into the record for this meeting a New York Times article. He prefaced his reading by noting that when people complain about 'the' government, they are missing a crucial notion about government; it is not a singular monolithic entity. Volan stated that there is no ONE government, but actually many governments and that their interests overlap and conflict. The following is a cautionary tale in dealing with other government entities, one that takes place in a town like ours, home to a large university, but with an airport that can land jet airplanes:

DATELINE: SEPTEMBER 20, WASHINGTON.

Council Comments (*cont'd*)

When people refer to battlegrounds in presidential races, they are not usually thinking of airport runways. But those people have probably not heard of runway 4/22 at the airport in Las Cruces, New Mexico. The runway, the airport's longest, has been closed since President Bush made a campaign stop in August of 2004. It has gouges six inches deep and a hundred yards long which the city says were put there by two Air Force cargo planes accompanying the president. Las Cruces put the damage at 2.1 million dollars.

The city said that airport officials warned the Air Force that the planes, a giant C-17 and a military version of the 757, were too heavy and that the hot asphalt would be too soft for landing that day. "When Bill Clinton paid a presidential visit he landed at Holloman Air Force Base nearby," said Terrence J. Kelly, a spokesman for the city of Las Cruces. When Senator John Kerry and Former Senator John Edwards, Democratic candidates for president and vice president visited, "they landed elsewhere," Mr. Kelly said.

After a year of discussion, the Air Force has offered \$600,000 for repairs. "It's open to dispute whether it was nice and pretty to begin with," said Major Ann Stefanick of the Air Force. Major Stefanick said the Air Force was acknowledging the damage but denying that it was warned before the landing.

The Las Cruces city council may discuss the settlement offer next month.

David Sabbagh said that he generally would agree with Councilmember Gaal's statement about logging in the forest: that Mother Nature could take care of it without human intervention. He said, however, that the new logging plan was supported by The Nature Conservancy and would like to investigate further before he agreed with Gaal.

Sabbagh reminded citizens about the Hoosiers Outrun Cancer event on the following Saturday at the Stadium. He noted a modest entry fee would be used for the Olcott Center and that folks could walk as well as run in the event.

Dave Rollo thanked everyone who contributed to the Simply Living Fair last weekend, and noted that four hundred citizens attended the keynote speech, "Peak Oil: the Challenge and Opportunities of Petroleum's Waning Days" given by Richard Heinberg. He said that the video would be available and rebroadcast by CATS. He also noted that citizens who were interested in the topic of energy scarcity and peak oil could visit the website www.bloomingpeak.org. He said the site was developing into a resource for people to communicate on this topic. He said our vulnerability in this area was revealed by the impact of the recent hurricane, Katrina. He showed slides that indicated production capacity and refining capacity in the gulf area, and said a direct hit by a new hurricane would be disastrous. He noted the lack of planning for our energy future, and said that centralized fossil fuel production was a prescription for disaster.

Tim Mayer, inspired by Volan's comment, told the story of the state aviation committee's "Ray Charles Emergency Extension." Mayer recounted Ray Charles's 1980's concert visit to Bloomington during which, while landing in a storm, his plane ran off the end of the runway.

Mayer noted that the Lotus Festival would take place during the coming weekend and invited everyone to participate in the 12th year of the World Music Festival.

Mayer thanked Mayor Kruzan for his address to participants following the day's Bloomington Economic Development Corporation's tour of development and job sites in the community. Mayer said it sent a clear message to the economic development community regarding the vibrancy of our community in this arena. Relatedly, Mayer noted a

press conference held at “inVenture,” a business incubator, to celebrate the occasion of their one year anniversary. Mayer said they have fostered six businesses there and will increase this next year. He noted that Brian Kleber, director of the incubator, stressed that without the cooperation of IU, the City of Bloomington, the Greater Bloomington Chamber of Commerce and the Bloomington Economic Development Corporation, this company would have not gotten off the ground.

Council Comments (*cont'd*)

President Ruff asked Parliamentarian Mayer to explain council procedures to about fifty new meeting attendees. Mayer outlined the legislative process, council protocol, and explained the nature of “comments” during council meetings.

Banach also noted that any lack of dialogue on the legislative items signified a lack of contention on the items, and also the fact that these items were discussed at length during the Committee of the Whole meeting the previous week. Mayer then outlined contact points for the council office and webpage.

Maren McGrane introduced Brian Wilson, Director of Training with the Risk Management Department. He noted that a safe and healthful work environment was the goal of his job and outlined training and in-service day procedures in which he would work along side sanitation, paving, and other workers to assess and recommend safe practices. He also added that continuing education credits for those who needed certificates were also offered.

- MAYOR and CITY OFFICES

Ron Walker, Director of Economic Development introduced Christy Steele, the new president of the Chamber of Commerce, noting that she had served as an intern with the Chamber as a student at IU. Steele spoke briefly noting that she was glad to be back in Bloomington.

Danise Alano, Assistant Director of Economic Development and Lotus Foundation Board Member noted that Lotus was offering free passes to folks who were in the area after being displaced by the hurricane Katrina. She also noted that volunteers from Hillel would be selling Mardi Gras beads for one dollar and Bloomingfoods would be donating all proceeds from their Lotus event concessions to Katrina Evacuation Relief effort.

Rollo, Gaal and Banach reported on the interview process for applicants to the new Sustainability Commission. They noted that several evenings were spent interviewing exceptional applicants, that they kept the goals of the commission in mind and that there was unanimous support for the twelve appointments that would be announced later in the meeting.

- COUNCIL COMMITTEES

David R. Grubb spoke about the environment, and spoke about the pension fund for the fire and police department. He said the environment needs to be cleaned up or there would be nothing left of the town, that water, water plants, green and slimy water needed to be corrected with simple common sense.

- PUBLIC INPUT

Chaim Julian showed a short presentation on the Downing Street Memos and asked the council to sign a petition asking Senator Evan Bayh to request that the Senate hold formal inquiry hearings regarding this memo.

It was moved and seconded that George Hegeman be appointed to the Tree Commission. The appointment was approved by a voice vote. Mayer noted that Hegeman was a retired biology professor and a bee-keeper and would make an excellent addition to the Tree Commission.

BOARD AND COMMISSION APPOINTMENTS

The initial appointments to the Sustainability Commission were made as follows:

It was moved and seconded that the following appointments be made by the council to this commission. The council appointments were approved by a voice vote.

Council Appointments for one year::

Dave Rollo (ex officio)
Bob Bent
Christine Glaser

Council Appointments for two years:

Keith Clay
John Hamilton
Toby Strout

President Ruff asked Rollo to read the following mayoral appointments:

Mayoral Appointments for one year:

Susan Brackney
Darryl Neher
John West

Mayoral Appointments for two years:

Cairril Mills
George Huntington
Catherine Stafford

Mayer thanked everyone involved in the interviews and initial processes surrounding the birth of this new commission, adding that these appointees will be doing new and bold work.

Rollo thanked the council for its support in creating the commission, thanked the interview committee for their work, and thanked the Mayor and Alano for support. He noted the new appointees included an economist, physicist, biologist, former IDEM official with banking experience, social service director, radio host, real estate developer, local business owner, and attorney and noted that it was a broad spectrum of the community.

Ruff recognized Rollo's effort in championing the Sustainability Commission and noted the great amount of collaboration between the council and mayor's offices. Ruff noted the volume of applicants, and said that while everyone couldn't be appointed at this time, he hoped the folks who were not appointed would find some way to participate and contribute to the Sustainability initiative.

It was moved and seconded that Ordinance 05-26 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 05-26 be adopted.

Ron Walker, Director of Economic Development, noted that the vacant properties on West 14th Street would be developed as five single family affordable homes and would be eligible for tax abatements in the process that would include two ordinances and two resolutions. He said that each property would be designated as economic development target area (EDTA) and also an economic revitalization area (ERA) with this series of legislation, and that would allow taxes to be abated for five years for future owners of the homes. He noted the support from the Mayor's office in helping to remove barriers in home ownership.

Board and Commission Appointments
(cont'd)

LEGISLATION FOR SECOND READING

Ordinance 05-26 To Designate an Economic Development Target Area (EDTA) - Re: 1010, 1018, 1026, 1034 and 1042 W. 14th Street (City of Bloomington Housing and Neighborhood Development Department and (Habitat for Humanity of Monroe County, Inc., Petitioners)

Ordinance 05-26 (continued)

Susie Johnson, Director of Housing and Neighborhood Development, explained the partnership with the city, Habitat for Humanity and the South Central Community Action Program. She said that the homes would be for sale to families with no more than 70% of area median income. She said the abatement would waive approximately \$3300 for each household over the five year abatement.

She noted that Matt Wysocki and Todd Lare with the SCCAP were present for questions.

Sabbagh noted for the record that the abatement would go to the property owners. Johnson said that Redevelopment and Habitat currently own the lots and they are not on the tax roles, but that once the houses were built and sold, the abatements would be extended to the purchasers.

Mayer asked about architectural controls, exterior storage and clothes lines.

Sturbaum asked how persons would purchase these homes, to which Johnson noted that SCCAP or Habitat should be contacted. Answering the question from Sturbaum, Johnson also noted that 70% of area median income for a family of four is \$41,388.

Ruff called for public comment:

Matt Wysocki, the Housing Director for the South Central Community Action Program, said he was excited about this abatement that would be passed on to the homeowners. He added that the homes would have energy saving features of high "R" Value High Density Side Wall insulation and building sealing, compact fluorescent lighting, and uses only electric energy. He noted that these energy saving measures and reflect the philosophy that affordable housing is permanently affordable by reducing energy costs for owners.

Wysocki reported, also, that SCCAP employs 80 persons with a budget of \$4.5M and serves Monroe, Owen, Brown and Morgan counties with the Energy Assistance Program, Head Start, a Weatherization program, and other programs to help low income individuals in the region.

Mayer suggested that viewers and visitors to the council meeting review the council packet for background information regarding the tax abatement legislation. He also added that sustainable materials for the exterior of the homes would be money well spent. He recognized Todd Lare, new Executive Director of SCCAP, was present for the discussion and ended by noting that this was an example of good public policy. He also thanked city staff members who were instrumental in working on these affordable housing projects.

Sturbaum noted that affordable housing was a problem in Bloomington, and that the building of these homes would add to the bank of homes that HAND, through all its various programs, has worked to make affordable for citizens. He said this project was a good use of tax abatements and a great way to help families make it on their own. He challenged everyone to come forward with more ideas to increase the stock of affordable housing in the community.

Rollo noted that the sustainable aspect of these homes is commendable and forward thinking.

Ordinance 05-26 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 05-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 05-08 be adopted.

Ron Walker, Director of Economic Development, noted that this resolution was related to the previous one.

Susie Johnson recognized that Lisa Abbot was the Assistant Director of the Housing and Neighborhood Development Department and was directly responsible for much of the work on these affordable housing projects and all of the department's work.

Mayer thanked Lisa Abbot for her work.

Resolution 05-08 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 05-10 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 05-10 be adopted.

President Ruff asked if there were any questions from the council, comments from the public or further comments on this resolution as it was similar to the previous two. There was none, and quickly the question was called and the vote taken.

Resolution 05-10 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 05-25 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 05-25 be adopted.

Councilmember Banach asked and got permission from President Ruff to speak about this ordinance. He noted to the student visitors at the meeting that this ordinance reflected a true lesson in public policy. Banach noted that about six years ago, the neighbors in his district approached him to help them with the process of obtaining a stop sign on North Dunn Street to help slow down speeding traffic. He noted that the police stepped up enforcement in that area, and in fact, this worked for a while to slow traffic. He said the neighborhood submitted a request for the city to study the traffic problem and develop a resolution to the problem. He continued the chronology noting that the city contracted with a private engineering firm to design a solution to the problems found in the report and also combine this solution with features of a greenways plan with multiuse paths. He said there was no money in the budget for the plan that was drawn up, however, so the neighborhood needed to wait a couple of years; the council districts were redrawn in the interim. He said that Dunn Street served as the dividing line not only between two council districts, but also divided those opposed to the project and those who favored the project.

Banach noted that the new mayor didn't want to spend the large amount of money necessary for the project, and so the plan went back to engineering. He said now, finally, all studies have been put aside for the simplest and cheapest solution of Stop Signs on North Dunn. He said that the process was followed, and everyone was willing to do so, but the neighborhood was a victim of circumstance with the changes in districts and administration.

Resolution 05-08 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, and Authorize a Period of Tax Abatement - Re: 1010 1018 and 1026 W. 14th Street (Habitat for Humanity of Monroe County, Inc., Petitioner)

Resolution 05-10 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, Authorize a Period of Tax Abatement, and Indicate Intent to Waive Certain Statutory Requirements - Re: 1034 and 1042 W. 14th Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

Ordinance 05-25 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Changes on North Dunn Street which Add Multi-Way Stop Signs at Saville Avenue and Tamarrack Trail (Section 15.12.010 - Schedule B) and Remove Authorization for Traffic Calming Devices (Section 15.26.040 - Schedule J-1)

Justin Wykoff, Manager of Engineering Services, noted that most folks were happy with this plan. He added that a pathway on the east side of the street was being discussed with property owners and Corporation Counsel Kevin Robling.

Wykoff briefly discussed warrants that are considered in the criteria for Multi Way Stops.

Public Comment:

Carol Darling from Matlock Heights gave Banach an 'A+' on his Cliff Notes' version of the process. She said that making the area safer included safe exits from the subdivision, slowing traffic and planning for the widening of Matlock Road that included one of the roads that currently feeds into the bypass being closed off and becoming a cul-de-sac.

Mayer noted that Nancy Brinegar and Carol Darling were the true heroes of this issue and thanked them for providing a lesson in civil tenacity.

Ordinance 05-25 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Appropriation Ordinance 05-07 To Specially Appropriate from the Park Land Acquisition Fund Expenditures not otherwise appropriated (To Purchase Land Adjacent to the Griffy Lake Nature Preserve and Cascades Park)

Appropriation Ordinance 05-07

Ordinance 05-28 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"(Amending Chapter 15.26 "Neighborhood Traffic Safety Program" in Order to Authorize Traffic Calming Devices on Graywell Drive and East Gentry Boulevard)

Ordinance 05-28

Dan Sherman, Council Attorney/Council Administrator, asked the council for permission to correct the incorrectly noted date for public hearing in the synopses of Resolution 05-08 and Resolution 05-10. It was moved and seconded that the Clerk be given permission to correct these dates in the synopsis portion of these two resolutions. The question was passed with a voice vote.

OTHER BUSINESS

There was not public comment at this time.

PUBLIC INPUT

The meeting was adjourned at 9:15 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington