City of Bloomington Indiana

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

Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
email: council@city.bloomington.in.us

To: **Council Members**
From: **Council Office**
Re: **Weekly Packet**
Date: **December 30, 2003**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:
Notice of Schedule for the First Legislative Cycle in January
Minutes from Regular Session:
None
Material Related to Action at Organizational Meeting:
List of Council Positions - Officers, Appointments, and Assignments for 2003
List of Council Positions - Officers, Appointments, and Assignments for 2004 *(blank)*
List of Interview Committee Assignments 2003
List of Interview Committee Assignments 2004 (*blank - typically kept for the entire term)*
Council Member Seating Chart for 2002, 2003, and 2004 *(blank)*
Legislation and Background Material for First Reading:
Ord 04-01 To Amend the Bloomington Zoning Maps from RS3.5/PRO6 to PUD and to Adopt the Preliminary Plan for the Adams Grove Planned Unit Development - Re: 1201 S. Adams Street (Millennium Property Management, Petitioners)

- Certification (7-0-1); Zoning Map and Aerial Photo; Memo to the Council from James Roach, Senior Zoning Planner; Schematic Site Plan; Schematic "Park" Plan; 12/8 Staff Report; 11/26 Environmental Commission Report; 11/10 Staff Report; 11/3 Environmental Commission Report; Petitioner Statement including 10/13 Cover Letter, Preliminary Plan (7 pages); Traffic Analysis; Fair Market Rent Comparison Chart; Photo of Clubhouse; Photo of Exteriors; Excerpt from GPP (Urban Residential Areas)

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

Memo

Chair of Meeting: Councilmember Banach

Organizational Meeting and Committee of the Whole on Monday, January 5th at 7:30 p.m.

Statute requires that the Council meet for an Organizational Meeting on the first Monday in January. The Council uses this occasion to elect officers – President, Vice President, and Parliamentarian. Traditionally we have also used this meeting as an opportunity for the newly elected President to assign seats for council members and for the Council to make appointments of council members to various boards and commissions. The new President may also announce some assignments to Council committees.

Once those matters are resolved, the Council will introduce one item (**Ord 04-01**) that is ready for consideration during the first legislative cycle of the year and then will adjourn and reconvene for a Committee of the Whole to consider that item (see the summary below and the ordinance materials inside this packet). Please note that by holding a Committee of the Whole this evening the Council will not need to meet again until Wednesday, January 21st.

One Item for Introduction at the Organizational Meeting and Discussion at the Committee of the Whole
Ord 04-01 Approving a 160 Unit Multi-Family PUD at 1201 South Adams Street

Ord 04-01 would rezone about 24 acres of property at 1201 South Adams from RS3.5/PRO6 to Planned Unit Development and approve a Preliminary Plan for 160 rental units. This development is being proposed by Millennium Property Management (which is owned by Michael and Patricia Pauly of Rolling Ridge and other nearby multi-family projects) and will be known as Adams Grove Apartments.

Surroundings and Current and Proposed Uses

This vacant and wooded property lies a few hundred yards south of Allen Street along the future route of South Adams Street. It is surrounded by Adams Bend Apartments to the north, the parking lot for the large warehouse on the Indiana Enterprise Center to the east, the future Juvenile Detention Center and future office and industrial uses

in the Sudbury PUD to the south, and vacant residential land (RS3.5/PRO6) to the west.

There is a site plan under the current RS3.5/PRO6 zoning which authorizes 98 single and duplex housing units and would result in an overall density of about 4 units per acre. However, the petitioner suggests that this plan is too costly to develop.

This proposal would almost double the density to 160 units (80 1-bedroom and 80 2-bedroom units) and cluster them in 8 buildings located on the east side of the South Adams.

Connectivity, Access, Pedestrian Ways, Transit Services, Traffic and Parking

There will be five road connections through this site and all will be constructed at the same time as the apartment buildings. Two of those connections will come with the extension of South Adams, which will curve diagonally in a southwestern direction through the center of this property and offer two entrances into the apartment complex. Another two of the road connections will come with a road that will run from the northern entrance of the complex to the western boundary of the site. The petitioners questioned the usefulness of this extension, but the Plan Commission required that it be built and have one road cut (but no driveways) to the north. The last road connection will run from the southern entrance of the apartment complex through the parking lot to the south side of the site and must be open to motorists accessing that future development.

A sidewalk and a sidepath will follow South Adams and eventually connect with a similar streetscape heading north from the Woolery PUD. Sidewalks (or sidepaths) will also straddle the western roadway.

Transit services currently run to the intersection of South Adams and West Allen Street and will probably extend to this development once it is annexed into the City (which, at this point, should be around 2008). The Plan Commission required the developers to build a shelter on South Adams and allow the buses to operate within the development (see Condition of Approval #5).

Please note that the petitioner submitted a site plan for about 280 parking spaces and a traffic analysis showing a 10% increase in traffic over the current site plan.

Environmental Constraints and Greenspace

The Environmental Commission made a number of recommendations, which were almost entirely incorporated into the plan. It identified a concentration of mature trees along the northeast and eastern boundary, but also a scattering of them on the west side of the site as well (see the Reports). The developer agreed to put the eastern wooded areas in a conservation easement and, other than installing a detention pond in the southwest corner of the site, proposed leaving the western 10 acres undeveloped and available as a common area (but not placed in a conservation easement). The Plan Commission required the developer to put in a roadway on the western side of the site and then shifted it further north in order to create a larger area of greenspace. Please note that the Environmental Commission does not agree with the practice of creating greenspace without formally setting it aside by deed or other commitment, but tolerated the decision here, largely because of the lack of valuable environmental features on this side of the site.

The Environmental Commission also identified a drainage way running along the west side of the future South Adams right-of-way and a karst area in the south central portion of the site. In response to its recommendations, the Plan Commission restricted the developer from grading the drainage way when preparing the ground for the road and required the developer to clear out the sinkhole and place it in a conservation easement.

Stormwater and Utilities

The developer will connect water, sewer, and storm water to existing facilities on the north. Until the sewer lines can connect with the interceptors further south, the developer will use a lift station to pump waste up to a sewer line on West Allen Street.

Conformance with GPP

This site is located in the Urban Residential Area (URA) which is the largest land use category in the Growth Policies Plan. Residential developments in the URA will have densities ranging from 2 to 15 units per acre. The Plan Commission found that this multi-family project conforms with the URA because it:

- is located in an new urban growth area, which are areas near existing infrastructure and utilities, and situated on large sites like this one that can buffer the adverse affect upon surrounding neighborhoods;

- optimizes street, bicycle and pedestrian connections; and
- provides new, useable and accessible common open space.

Conditions of Approval

After hearings on November 10th and December 8th the Plan Commission voted 7 - 0 - 1 to approve this PUD with the following conditions.

Roadways and Pedestrian Ways

- The developer must extend South Adams to the south end of the property with a 5-foot sidewalk on the west and an 8-foot asphalt path on the east (COA #10);
- The portion of the private drive that runs from South Adams through the parking lot and to the southern parcel must include an easement imposed at the time of the final plat that allows the public to use this connection (e.g. an ingress/egress easement) (COA #11);
- The developer must also build the road connection to the west at the same time as the rest of the development and include sidewalks (or sidepaths) and a 2-foot grass strip on both sides of the road (Condition of Approval (COA) #1); and
- This road connection to the west must have at least one road connection going north (COA #13), but no driveways (COA #14).

Transit Services

- The developer must provide appropriate transit facilities on Adams Street and enter into an agreement with our transit service that holds them harmless if the service operates buses over the private streets in the development when transit eventually is provided to this area (COA #5).

Protection of Sinkholes, Drainage Ways, and Trees, and Setting Aside Greenspace

- Appropriate easements must surround the sinkhole (COA #12) and the grading permit must require the removal of debris from the sinkhole and confine this work to the area specified in the petition (COA #4);
- The final plan must require the developer to minimize disturbance of the natural intermittent drainage way along Adams Street when grading the roadway (COA #7);
- The developer shall plat the common area west of Adams as "Common Greenspace" and be responsible for its maintenance *(Note: this area is open to*

the residents, but its features are not actually protected within an easement) (COA #6); and

- The developer must preserve certain areas on the east of Adams Street by placing them in "tree preservation easements" (COA #6);

Other Development Standards and Use Restrictions

- No more than 3 unrelated adults may reside in any of these units (COA #8);
- The height-bulk standards shall conform to the current RM7 zoning district.

Review of Final Plan and Timing of Approval

- The plan staff (and not the Plan Commission) will review the final plan (COA #2);
- The occupancy permits shall only be released after the plat has been approved and recorded (COA #3).

NOTICE AND AGENDA FOR
COMMON COUNCIL
ORGANIZATIONAL MEETING AND COMMITTEE OF THE WHOLE
7:30 P.M., MONDAY, JANUARY 5, 2004
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

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

V. ELECTION OF OFFICERS (The newly elected President will assign seating for council members prior to considering appointments to boards and commissions).

VI. APPOINTMENTS TO BOARDS AND COMMISSIONS

VII. LEGISLATION FOR FINAL ACTION

None

VIII. LEGISLATION FOR FIRST READING

1. Ordinance 04-01 To Amend the Bloomington Zoning Maps from RS3.5/PRO6 to PUD and to Adopt the Preliminary Plan for the Adams Grove Planned Unit Development – Re: 1201 S. Adams Street (Millennium Property Management, Petitioners)

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

X. ADJOURNMENT (and immediately reconvene for the following meeting)

COMMITTEE OF THE WHOLE

Chair: Jason Banach

1. Ordinance 04-01 To Amend the Bloomington Zoning Maps from RS3.5/PRO6 to PUD and to Adopt the Preliminary Plan for the Adams Grove Planned Unit Development – Re: 1201 S. Adams Street (Millennium Property Management, Petitioners)

Asked to Attend: James Roach, Senior Zoning Planner, Planning Department
Representative of Petitioner

Posted and Distributed: December 30, 2002

City of
Bloomington
Indiana

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

Office of the Common Council
(812) 349-3409
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e-mail: council@city.bloomington.in.us

To: Council Members
From: Council Office
Re: Calendar for the Week of
January 4, 2004 – January 10, 2004
Date: January 2, 2004

Monday, January 5, 2004

5:30 pm Bicycle and Pedestrian Safety Commission – Work Session, Hooker Room
7:30 pm Common Council – Organizational Meeting, Chambers
immediately followed by
Common Council – Committee of the Whole

Tuesday, January 6, 2004

1:30 pm Development Review Committee, McCloskey
5:30 pm Public Transit Corporation Board, Transit

Wednesday, January 7, 2004

12:00 pm Bloomington Urban Enterprise Association, McCloskey
2:00 pm Hearing Officer, Kelly

The Common Council's next meeting is a Regular Session on Wednesday, January 21, 2004.

Thursday, January 8, 2004

12:00 pm Housing Network, IU Research Park – 501 North Morton
3:30 pm Bloomington Historic Preservation Commission, McCloskey
4:00 pm Solid Waste Management District, Management Facilities – 3400 Old SR 37
5:30 pm Commission on the Status of Women, McCloskey

Friday, January 9, 2004

There are no meetings scheduled today

City of Bloomington
Office of the Common Council

MEETING NOTICE

THE COMMON COUNCIL WILL BE IN RECESS UNTIL MONDAY, JANUARY 5, 2004, AT 7:30 P.M., WHEN THE COUNCIL WILL HOLD AN ORGANIZATIONAL MEETING FOLLOWED BY A COMMITTEE OF THE WHOLE.
BOTH MEETINGS WILL TAKE PLACE IN THE COUNCIL CHAMBERS, LOCATED AT 401 NORTH MORTON STREET.

THE NEXT MEETING OF THE COUNCIL WILL BE A REGULAR SESSION ON JANUARY 21, 2004 AT 7:30 P.M. IN THE COUNCIL CHAMBERS.

Dated and Posted: December 30, 2003

401 N. Morton Street Bloomington, IN 47404 City Hall Phone: (812) 349-3409 Fax (812) 349-3570
www.city.bloomington.in.us
email: council@city.bloomington.in.us

COUNCIL OFFICERS, APPOINTMENTS & ASSIGNMENTS FOR 2004

ACTION BY MOTIONS OF THE COUNCIL

President
Vice President
Parliamentarian

Citizens Advisory Committee - Community Development Block Grants (CDBG)
Social Services
Physical Improvements

Commission for Bloomington Downtown

Economic Development Commission (City)

Economic Development Commission (County)

Environmental Resource Advisory Committee

Metropolitan Planning Organization

Plan Commission

Solid Waste Management District

Board of the Urban Enterprise Association

Utilities Service Board

Bloomington Economic Development Corporation

ACTION BY PRESIDENT

Council Social Services Funding Committee (5 council members)

Council Interview Committees for Citizen Appointments to Boards and Commissions (see accompanying list)

COUNCIL OFFICERS, APPOINTMENTS & ASSIGNMENTS FOR 2003

ACTION BY MOTIONS OF THE COUNCIL

President	Chris Gaal
Vice President	Mike Diekhoff
Parliamentarian	Anthony Pizzo

Citizens Advisory Committee - Community Development Block Grants (CDBG)

Social Services	Anthony Pizzo
Physical Improvements	Timothy Mayer

Commission for Bloomington Downtown	Michael Diekhoff
Economic Development Commission (City)	Anthony Pizzo
Economic Development Commission (County)	Regina Moore
Environmental Resource Advisory Committee	Chris Gaal
Metropolitan Planning Organization	Andy Ruff
Plan Commission	Timothy Mayer (first half) and David Rollo (second half)
Solid Waste Management District	Andy Ruff
Board of the Urban Enterprise Association	David Sabbagh
Utilities Service Board	Timothy Mayer
Bloomington Economic Development Corporation	Chris Gaal

ACTION BY PRESIDENT

Council Social Services Funding Committee (5 council members)
Diekhoff, Gaal, Mayer, Pizzo & Ruff

Council Sidewalk Committee
Diekhoff, Gaal, Mayer & Sabbagh

Council Interview Committees for Citizen Appointments to Boards and Commissions (see accompanying list)

WORK SHEET FOR 2004 COUNCIL			
BOARD AND COMMISSION INTERVIEW COMMITTEES			
Animal Control	Bloomington Community Arts Commission	Bike & Ped Safety Com	CFR
Environmental	Historic Preservation Commission *	Housing Quality	Housing Trust Fund Board of Directors
Human Rights	Martin Luther King, Jr. Birthday Commission	Redevelopment	Status of Black Males
Traffic	(Public) Transit	Tree Commission	Telecommunications
USB	Women's Commission	Zoning Appeals	Urban Enterprise Association Board
BDU Advisory Board **		**Notes**	
		** HPC - Council appoints three advisory members and Mayor appoints voting members with the consent of the Council.*	
		*** BDU - Res 03-28 made this an Advisory Board under the BPW. During its passage, the CIO said the Council would have two appointments to the seven member board*	

The President makes appointments to Standing Committees (BMC 2.04.210). Members of the interviewing committee will receive and review applications for appointments to their boards/commissions. The committee then determines whether to interview applicants and, if so, which ones. Typically interviews are set up on Wednesday evening before a council meeting and a decision is made and then forwarded to the full council for the final appointment. Interviews are not mandatory.

2003 COUNCIL			
BOARD AND COMMISSION INTERVIEW COMMITTEES			
Animal Control	Bloomington Community Arts Commission	Bike & Ped Safety Com	CFR
David Rollo	Patricia Cole	Patricia Cole	Tim Mayer
Tony Pizzo	Chris Gaal	David Sabbagh	Tony Pizzo
Jason Banach	Andy Ruff	David Rollo	David Sabbagh
Environmental	Historic Preservation Commission *	Housing Quality	Housing Trust Fund Board of Directors
Mike Diekhoff		Tim Mayer	Tony Pizzo
Patricia Cole		Chris Gaal	David Sabbagh
Chris Gaal		Mike Diekhoff	Chris Gaal
			David Rollo
Human Rights	Martin Luther King, Jr. Birthday Commission	Redevelopment	Status of Black Males
David Rollo	Andy Ruff	Andy Ruff	Chris Gaal
Chris Gaal	Chris Gaal	Patricia Cole	Andy Ruff
Tony Pizzo	Mike Diekhoff	Mike Diekhoff	Mike Diekhoff
Traffic	(Public) Transit	Tree Commission	Telecommunications
David Rollo	Jason Banach	Tony Pizzo	David Sabbagh
Andy Ruff	Tony Pizzo	Jason Banach	Mike Diekhoff
Patricia Cole	Tim Mayer	Chris Gaal	Tony Pizzo
USB	Women's Commission	Zoning Appeals	Urban Enterprise Association Board
Tony Pizzo	David Rollo	Mike Diekhoff	David Sabbagh
Chris Gaal	Chris Gaal	Tim Mayer	Patricia Cole
Jason Banach	David Sabbagh	David Rollo	Tony Pizzo
BDU Advisory Board **		**Notes**	
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Council Member Seating For 2004
(Work Sheet)

Seating for 2002

Banach	Diekhoff	Ruff	Pizzo	Gaal	Willsey	Cole	Sabbagh	Mayer
			Vice President	President	Parliamentarian			

Seating For the Year 2003

Banach	Cole	Ruff	Diekhoff	Gaal	Pizzo	Willsey / Rollo	Sabbagh	Mayer
			Vice President	President	Parliamentarian			

Seating For the Year 2004

			Vice President	President	Parliamentarian			

ORDINANCE 04-01

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RS3.5/PRO6 TO PUD AND TO ADOPT THE PRELIMINARY PLAN FOR THE ADAMS GROVE PLANNED UNIT DEVELOPMENT RE: 1201 S. Adams Street (Millennium Property Management, Petitioners)

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-46-03, and recommended that the petitioners, Millennium Property Management, be granted a rezone of the property located at 1201 S. Adams Street from Single Family Residential (RS3.5/PRO6) to Planned Unit Development (PUD) and also approve a preliminary plan for the Adams Grove 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 preliminary plan be approved and the list of permitted uses be amended for the property at 1201 S. Adams Street. The property is further described as follows:

Seminary Lot Number One Hundred and Seventy-eight (178) and Seminary Lot Number One Hundred and Seventy-seven (177) except therefrom a strip One Hundred and Twenty- seven (127) feet wide off the East side of said Seminary Lot Number One Hundred and Seventy-seven (177). The intention herein is to convey all of said Seminary Lot Number One Hundred and Seventy-seven (177) lying west of the public road running through said Seminary Lot Number One Hundred and Seventy-seven (177), containing in both tracts Twenty-three and One-half acres (23 1/2) 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 _____, 2004.

_____
, 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 _____, 2004.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones 1201 S. Adams Street from Single Family Residential to Planned Unit Development and approves a preliminary plan for the Adams Grove Apartments. This PUD allows 160 dwelling units on 23 ½ acres and preserves approximately 10 acres of greenspace.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 04-01 is a true and complete copy of Plan Commission Case Number PUD-46-03 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 1 Abstention by the Bloomington City Plan Commission at a public hearing held on December 8, 2003.

Date: December 22, 2003

Thomas B. Micuda, Secretary
Plan Commission

Received by the Common Council Office this __ day of _____, 2003.

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 _____
Unforseen 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	$	$

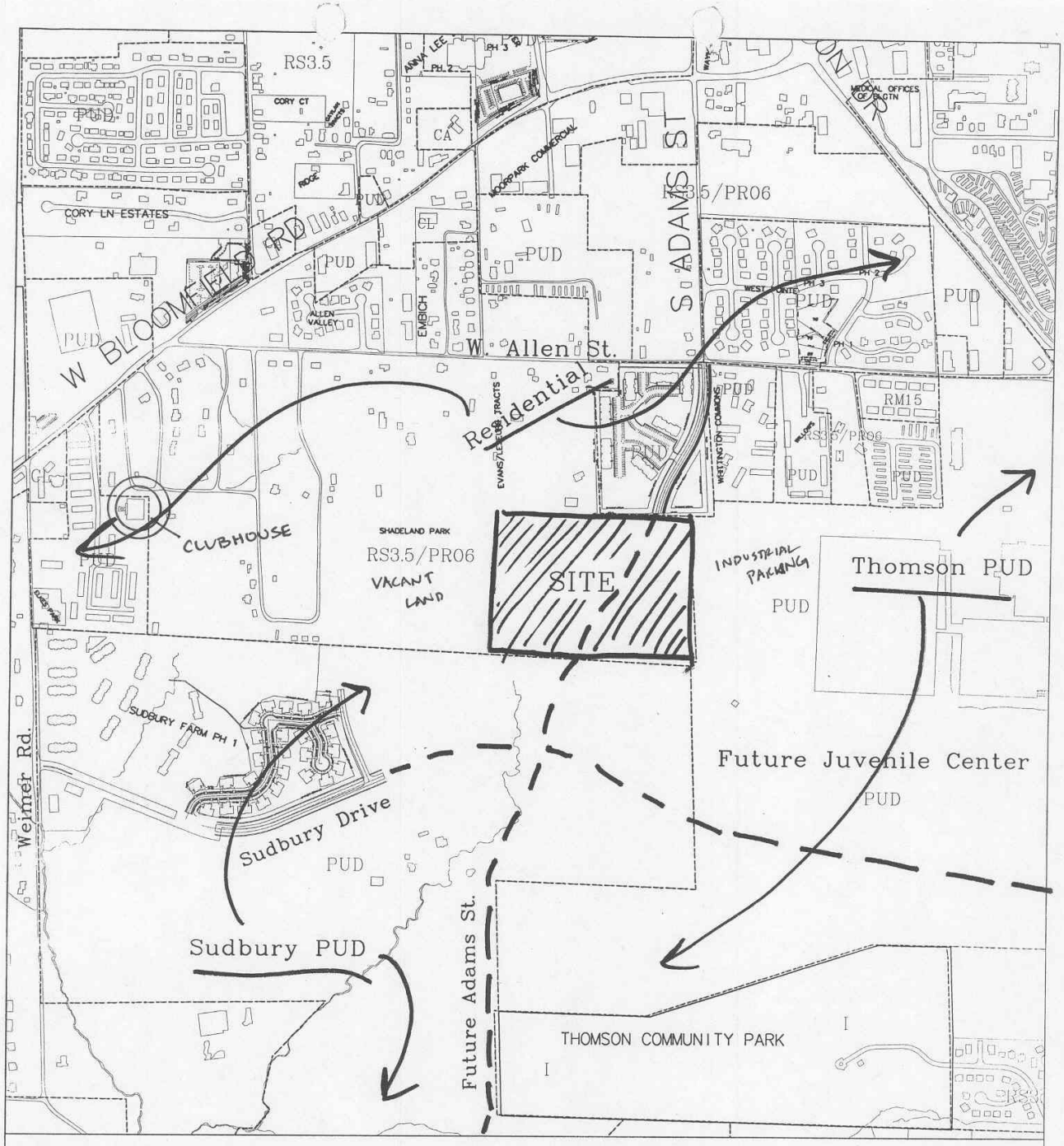
Signature of Controller

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-46-03
LOCATION/ZONING/LANDUSEMAP
11/10/03

by: roachja
6 Apr 03

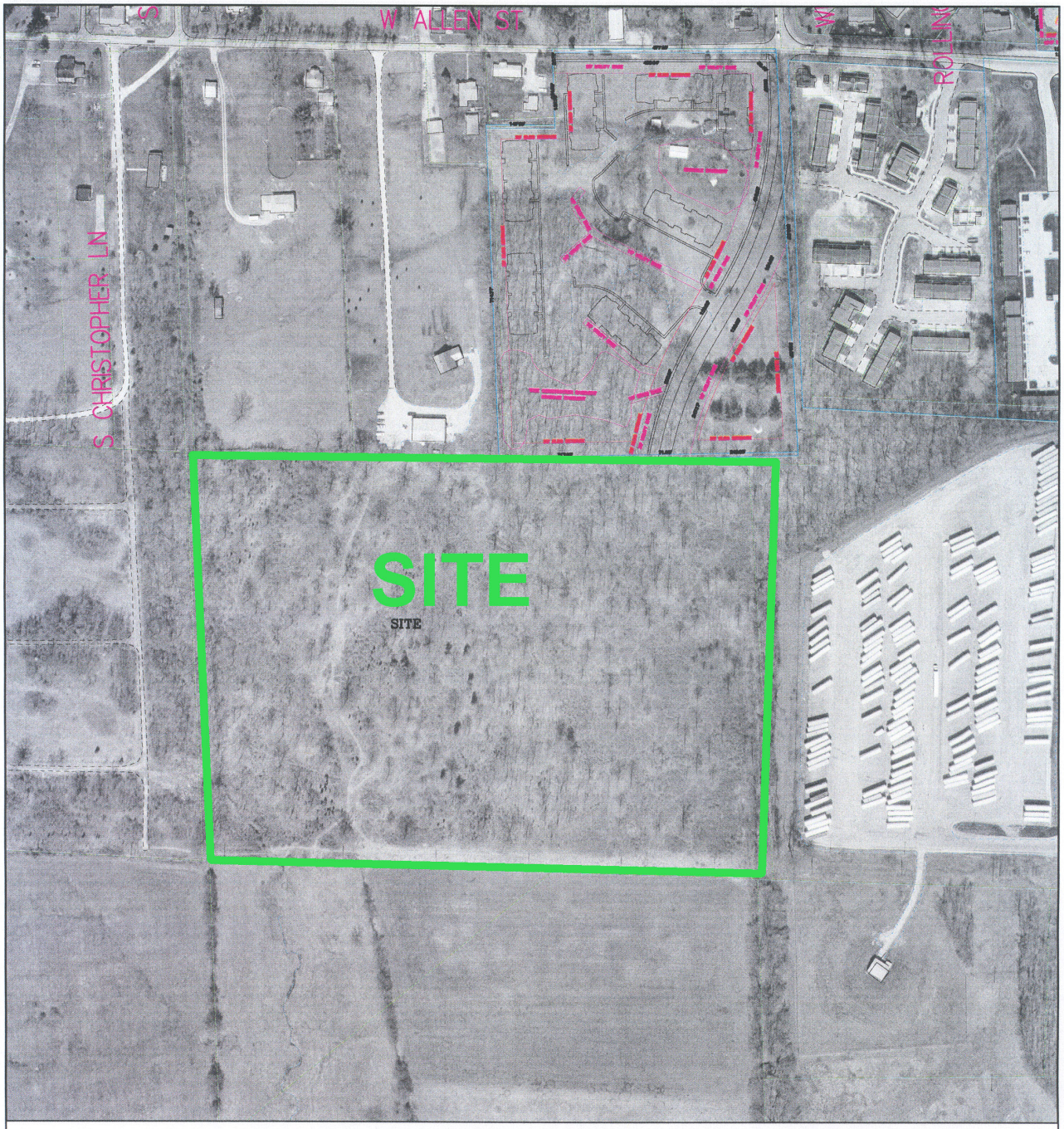
800 0 800 1600 2400

N

City of Bloomington
Planning

Scale: 1" = 800'

For reference only; map information NOT warranted.



1998 Aerial Photo

By: roachja
22 Dec 03

300 0 300 600 900

N

City of Bloomington
Planning

Scale: 1" = 300'

For reference only; map information NOT warranted.

Interdepartmental Memo

To: **Members of the Common Council**
From: **James Roach, Senior Zoning Planner**
Subject: **Case # PUD-46-03**
Date: **December 22, 2003**

Attached are the staff reports, petitioner's statements, and map exhibits which pertain to Plan Commission Case # PUD-46-03. The Plan Commission voted 7-0-1 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioners are requesting a rezone of approximately 24 acres from RS3.5/PRO6 to Planned Unit Development (PUD) and preliminary plan approval to allow for 160 multi-family units to be known as Adams Grove. The petitioners are also requesting that final plans be delegated to staff level approval.

BACKGROUND:

Area:	**23.89 acres**
Current Zoning:	**RS3.5/PRO6**
GPP Designation:	**Urban Residential**
Existing Land Use:	**Vacant/Wooded**
Proposed Land Use:	**Multi-family**
Proposed Density:	**6.96 units per acre, 13.26 units per acre east of Proposed Adams Street Extension**
Surrounding Uses:	**North – multi-family (Adams Bend Apartments)** **Northwest – large lot single family** **South – vacant (future Sudbury PUD office/industrial)** **East – industrial (Indiana Enterprise Center)** **West – vacant residentially zoned land**

REPORT SUMMARY: The property in question is approximately 24 acres in size, is zoned for single family (or duplex) residential uses (RS3.5/PRO6) and is located south of the Adams Bend Apartments, north of the Sudbury PUD, and west of an existing warehouse on the Indiana Enterprise Center site. The extension of S. Adams Street through Adams Bend Apartments stubs into this property at the north property line.

The property is mostly wooded and includes trees of varying quality. The most mature woods are in the northeast corner of the site and along the east property line. Other mature trees are scattered throughout the site. The site also contains one identified surface karst feature which must be avoided per code requirements and is shown on the plans.

The site was approved for 98 total attached and detached single family homes by

the Plan Commission in the Spring of 2003. This site plan was brought by a different petitioner and utilized the Planned Residential Overlay (PRO) site plan process. The PRO site plan approval allowed for the use of duplexes, increased development density to just over 4 units per acre, and allowed for lots smaller than the minimum standards of the RS3.5 zoning district. This project was never constructed due to reported high development costs.

The current petitioners request the property be re-zoned to allow for 160 apartment units to be constructed on the eastern half of the site. These 160 units would be comprised of 80 1-bedroom units and 80 2-bedroom units in 8 buildings. The site would be bisected north to south by the extension of Adams Street. The petitioners are proposing to preserve the nearly 10 acres of wooded greenspace west of Adams Street with the exception of a road stub to the western and northern property lines. Also preserved are approximately 3.5 wooded acres surrounding the apartment buildings. This petition was reviewed at the November 10th and December 8th, 2003 hearings of the Plan Commission.

GROWTH POLICIES PLAN ANALYSIS: The GPP designates this as a "New Growth Area" in the Urban Residential land use area. The GPP states that "When development occurs in new growth areas, the goal should be to encourage higher densities, ensure street connectivity, and protect existing residential fabric." Land uses in these areas are described as primarily single family residential with "some additional uses such as places of religious assembly, schools, home occupations, and multi-family housing." Multi-family uses are appropriate at this location because it is adjacent to heavy industrial uses at the Indiana Enterprise Center to the east, multi-family uses to the north and northeast and future office/industrial/multi-family uses to the south. Multi-family uses also allow for dwellings to be concentrated on the east side of the parcel and the western side to be preserved. While mixed residential uses will not occur on this parcel, they can still occur in the larger surrounding Urban Residential area as other parcels develop.

Preservation of the land west of Adams Street is also desirable as a way to "Nurture Environmental Integrity." The GPP notes that new development should have a "substantial percentage of protected open space." The GPP lists "clustering, mixed uses, pervious pavement surfaces, and variations in height, bulk, and density standards" as methods to achieve this goal. The petitioners' plan clusters the units on the east side of Adams Street to protect the open space on the west side of the street.

The petitioners have designed a site plan that "optimize[s] street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers." This is a site planning goal of the Urban Residential land use area. The proposed western road extension is located near the northern property line to provide access to land to the west and the north. One parking lot access aisle will be extended to the southern property line to provide for future cross

access to the Office/Industrial/Multi-family parcels in the Sudbury PUD to the south.

The petitioners have made an attempt to turn the preserved greenspace west of Adams Street into a defined center or focal point for the development; another important site planning goal of the Urban Residential land use area. Also, while this property is not located along an existing bus route, as recommended by the GPP for multi-family land uses, it is located adjacent to an unfinished secondary arterial thoroughfare. Once Adams Street is completed transit service will be available immediately adjacent to the property. Until that time, transit service is available 1200 feet to the north at the intersection of Adams and Allen.

PUD REVIEW ISSUES:

Right-of-way: The petitioners have shown the required right-of-way dedications for this proposal. The extension of Adams Street requires 80 feet of total right-of-way dedication as a Secondary Arterial street. The petitioners have also shown one road stub to the west. While, this local street stub requires 50 feet of total right-of-way dedication, more than 50 feet will be dedicated so as not to create a "spite strip" of privateIt owned land adjacent to the property to the north. The interior streets will be private.

Architecture: The petitioners propose to utilize similar architecture as other recent multi-family developments constructed at Adams Bend, Rolling Glen, Rolling Woods and Rolling Meadows. A sample of this architecture has been included (Exhibit #1).

Parking: The petitioners have demonstrated the ability to meet the required number of parking spaces. In addition, they have not proposed an excess of spaces so as to retain as much greenspace as possible.

Access: The proposed apartments will have two points of access onto the Adams Street These points would then lead to an interior network of private drives that would serve the apartments. The northern most access point lines up with the proposed road extension to the west. In addition, an access easement to the south will allow the interior private drives to be interconnected with future development in the Sudbury PUD.

Connectivity: Other than the extension of Adams Street to the south, this development would provide two additional points of connectivity. As previously stated, an extension of a parking lot aisle is shown to connect this project to future office/industrial/multi-family development to the south. This connection will allow for the interconnectivity of these developments and facilitate trips that do not have to utilize the arterial roadway. This portion of the private drive must be placed within an ingress/egress easement on the plat.

The second point of connectivity is a local road stub to the west and north. This road will be built by the petitioners with the remainder of the project and will extend from Adams Street to the west property line. The right-of-way for this road will be extended to the north property line to allow for multiple points of access from the parcels to the north as well. The Plan Commission required the petitioners provide at least one road stub to the north. Finally, in an attempt to limit the piecemeal development of parcels to the north, the Plan Commission stipulated that no direct driveway connections were to be allowed to this road, only road extensions.

Greenspace/Tree Preservation: Greenspace preservation within the City's planning jurisdiction is becoming a higher priority than in the past. One of the main reasons that greenspace should be preserved is to achieve a higher level of community environmental protection. While this site neither contains high quality woods nor environmentally sensitive land, there is benefit in preserving it as common greenspace, not allowing for development. The petitioners propose to preserve all un-graded areas west of Adams Street, approximately 10 acres, as no-development areas.

In addition to the benefit of this area being preserved greenspace, it will also serve as a focal point or common area for this development. The petitioners have submitted a schematic "park plan" that provides for both active and passive recreation for residents. This plan includes walking paths, a central shelter facility and an "overlook" of the detention area. This area will not be platted as a conservancy or tree preservation easement. Instead, this it is proposed to be platted as "common greenspace" and will not be developed beyond the bounds of the "park plan." At final plan/final plat stage, staff must work with the petitioners to finalize the terms and conditions of this area. This method of preservation was found to be acceptable by the Plan Commission because the site does not contain environmentally sensitive area or large concentrations of high quality woods. Any future proposals to develop this land beyond the "park plan" would require an amendment to this Preliminary Plan, approved by both the Plan Commission and Common Council.

The petitioners also plan to shift the schematic location of Adams Street slightly to the east, closer to the location in the previously approved site plan. With this alignment, the road will stay further out of the natural drainageway to the west. The Plan Commission required that the final plan for this development include grading for Adams Street that minimizes the disturbance to the natural intermittent drainage way.

Karst: The property includes one identified karst feature located in the southwest portion of the site. This sinkhole is full of debris and must be cleaned out with any future grading permit. Appropriate conservancy easements must be provided with the plat for this development.

Utilities: As with the previous plan, water service would be provided along the extension of Adams Street The proposed sanitary sewers would follow the natural fall of the property to the southwest. At this point, the sewer would enter a lift station and utilize a force main to pump the sewage north to Allen Street This is a temporary solution until further development takes place in the Sudbury PUD where gravity sewers can be used to connect to existing sewers along Weimer Road.

Stormwater: General stormwater requirements were reviewed with the last petition. Because the proposed development will require less impervious surface than the previous plan, this proposal should satisfy code requirements.

Pedestrian Accommodations: The schematic site plan shows internal sidewalks within the development. The Plan Commission required a 5-foot concrete sidewalk on the west side of Adams Street and an 8-foot wide asphalt sidepath on the east side. This is consistent with the *Alternative Transportation and Greenways System Plan* and previous approvals on Adams Street in the Woolery PUD to the south and the Adams Bend Apartments to the north.

In addition, 5-foot wide concrete sidewalks are required to be included on both sides of the stubbed street to the west. The Plan Commission allowed for one of these sidewalks to possibly be replaced with a 6-8 foot wide asphalt path that will tie into the proposed greenspace walking path.

Transit Service: Because this proposal is located on an unfinished thoroughfare, as well as outside the City limits, there is no adjacent transit service to the site. The nearest bus stop is located at the intersection of Adams and Allen Streets. The Plan Commisssion required that the petitioners provide appropriate bus accommodations on Adams Street, including a possible bus shelter, and come into a “hold harmless” agreement with Bloomington Transit to allow buses to use the development’s private drives to turn around, if necessary, when bus service is available on Adams Street.

Recommendation: The Plan Commission voted 7-0-1 to send this petition to the Common Council with a favorable recommendation with the following conditions:

1. The road connection to the west shall be built with this development. This road includes sidewalks, or an asphalt path, on both sides and a minimum 2 foot grass separation.
2. Review of the final plan for this development shall be delegated to the Planning Department staff.
3. A plat for this development must be approved and recorded prior to release of any occupancy permits.
4. The grading permit for this development must include removal of debris from the sinkhole. This work shall be confined to the property outlined in this petition.
5. Appropriate transit facilities must be provided on Adams Street and a "hold harmless" agreement reached with Bloomington Transit to use internal development drives, if necessary, at such time as bus service is available on Adams Street.
6. The preserved areas west of Adams Street shall be platted as "Common Greenspace," while preserved areas to the east of Adams Street shall be platted as "tree preservation easements." The property owner shall be responsible for the ongoing maintenance of the "Common Greenspace."
7. The final plan for this development shall include grading for Adams Street that minimizes the disturbance to the natural intermittent drainage way.
8. Occupancy of units shall be restricted to the single family definition of a family, which includes not more than three (3) unrelated adults.
9. Height and bulk standards shall be the same as the current RM7 zoning district.
10. A 5 foot wide sidewalk is required on the west side of Adams Street and an 8 foot wide asphalt sidepath is required on the east side.
11. An ingress/egress easement must be placed on the private drive connecting Adams Street to the south property line with the final plat.
12. Appropriate easements shall be required around existing sinkholes.
13. At least one road connection to the north off of the western extension is required.
14. The Plan Commission prohibits driveway cuts onto the western road extension.

Existing Adams Bend Apartments

THE PARK AT ADAMS BEND

VISION STATEMENTS

- TWO CONNECTED LOOP TRAILS PROVIDE OPPORTUNITIES FOR EXERCISE & EXPLORATION A WOODED STREAM.
- DESTINATIONS INCLUDE A SHELTER HOUSE FOR GATHERINGS, BRIDGES & BENCHES FOR PLACES TO SIT WITHIN THE RESTORED NATIVE WOODLAND.
- USING NATIVE PLANTS PLANTED AND PRESERVED, LINK THE APARTMENT SITE WITH THE RECREATION SITE.

HIKING TRAIL

- APPROX. 2000 FEET OF HIKING TRAIL
- TRAILS TO BE LAID OUT ON SITE TO RESPOND TO ACTUAL LOCATION OF TREES.
- NATURAL BOULDERS TO BE SELECTED & PLACED AS BENCHES ALONG TRAIL

SHELTER HOUSE

- LOCATED ON A TERRACED AREA BESIDE THE STREAM
- PROVIDES DRY GATHERING PLACE FOR SMALL GROUPS
- BOULDERS IN TERRACE RETAINING WALL PROVIDE RUSTIC SEATING
- CLEARINGS OPENED FOR DOWNSLOPE VIEW OF POND & EXPOSURE TO STREET TO PROVIDE PRIVACY WITHOUT ISOLATION

BRIDGE

- RUSTIC CONSTRUCTION IN THE STYLE OF THE SHELTER HOUSE.
- BRIDGE & STREAMBANK BOULDERS PROVIDE INFORMAL GATHERING PLACE

STREAM CHANNEL

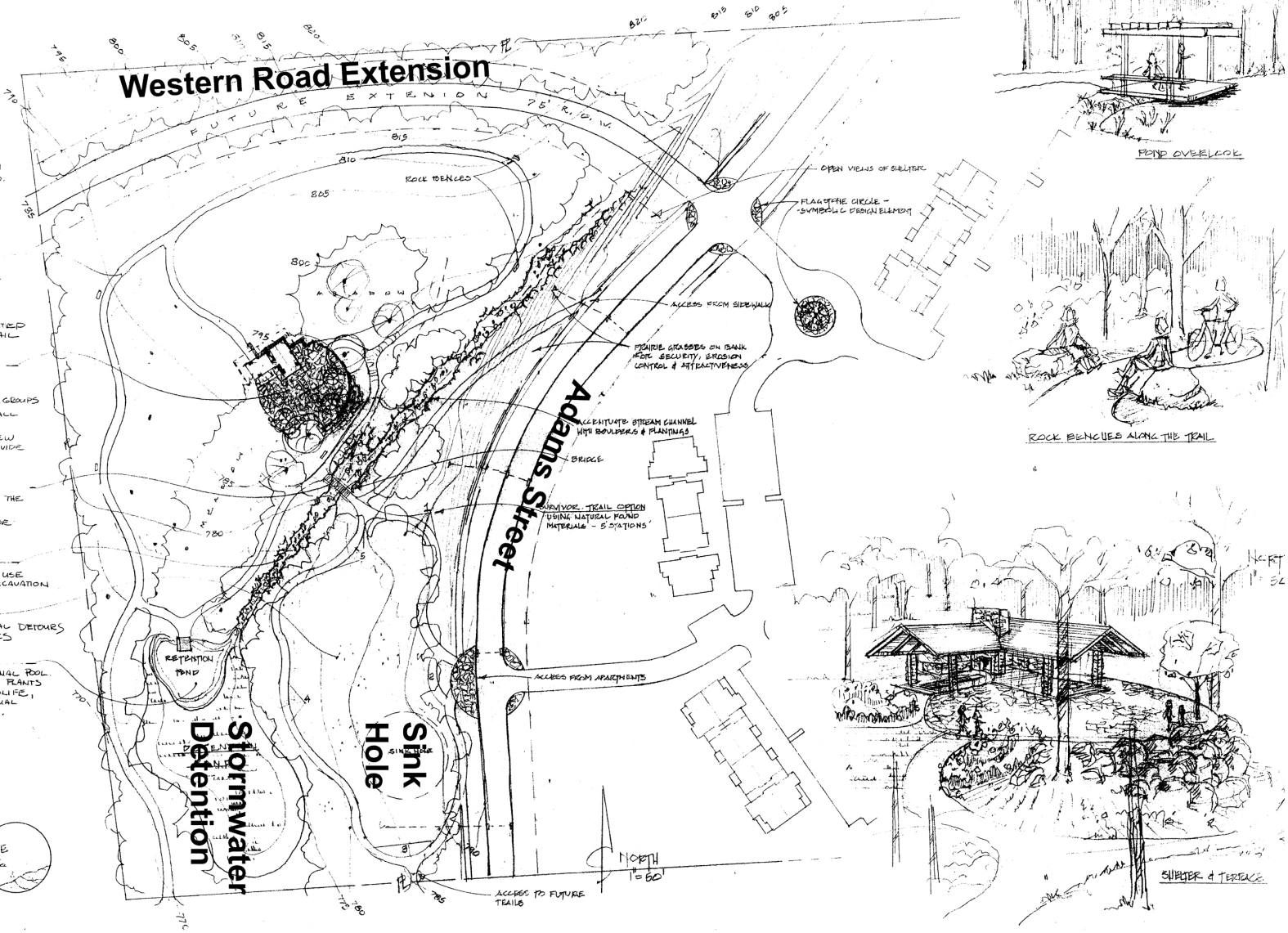
- EXISTING STREAM IS ENHANCED WITH USE OF PLANTS, BOULDERS AND SOME EXCAVATION

SURVIVOR TRAIL

- DESIGNED FOR JOGGING WITH OPTIONAL DETOURS TO RUSTIC OBSTACLE COURSE FEATURES

POND

- DETENTION BASIN DEVELOPED AS VERNAL POOL.
- NATURALIZED USING NATIVE WETLAND PLANTS
- PROVIDES HABITAT FOR WETLAND WILDLIFE, A DESTINATION FOR HIKERS AND VISUAL FOCAL POINT FROM SHELTER HOUSE.



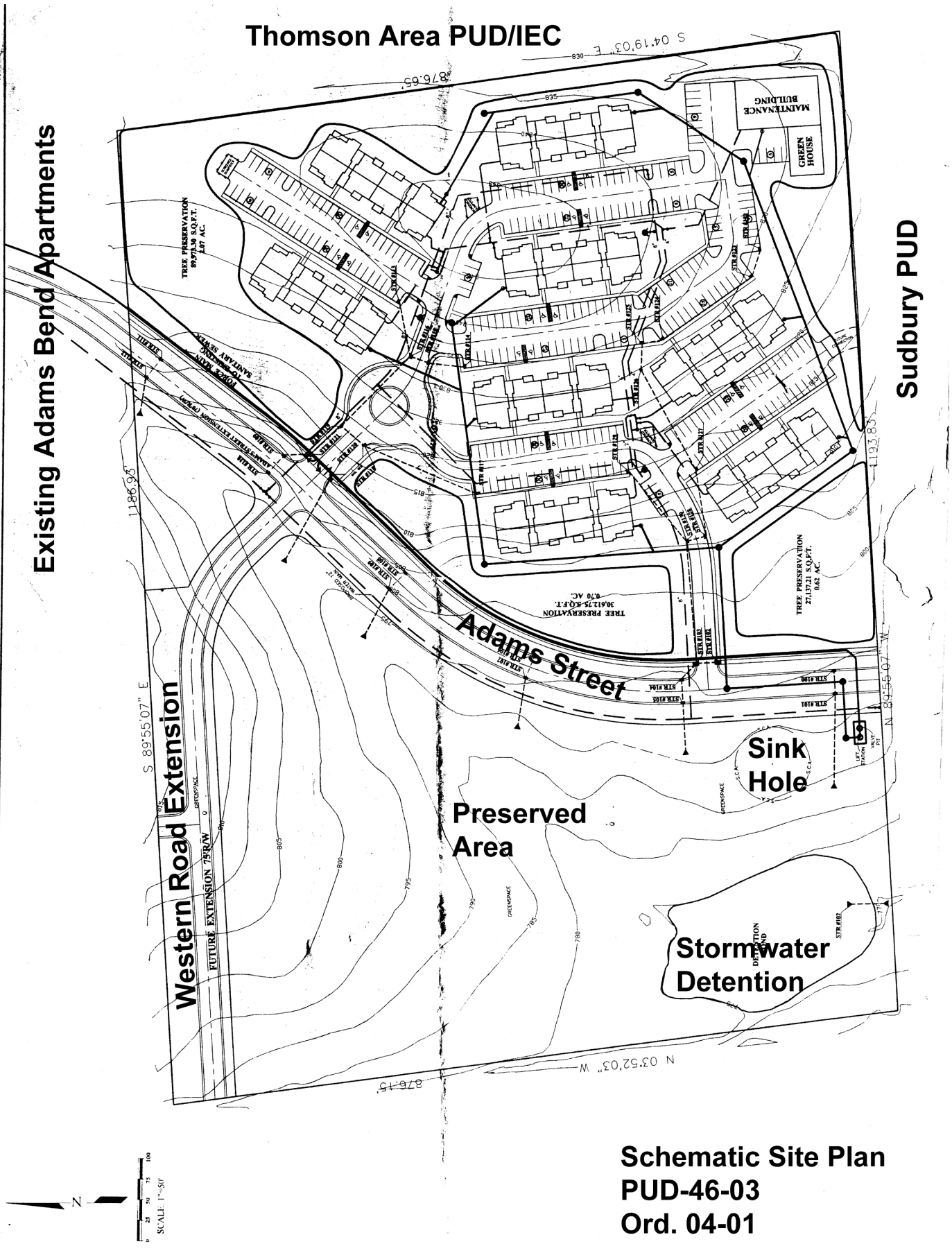
CHARLES STEELE AND ASSOC. INC.
LANDSCAPE ARCHITECTS
BLOOMINGTON, IN.

Schematic "Park" Plan
PUD-46-03
Ord. 04-01

Sudbury PUD

12/4

Thomson Area PUD/IEC



Schematic Site Plan
PUD-46-03
Ord. 04-01

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-46-03**
FINAL STAFF REPORT **DATE: December 8, 2003**
LOCATION: 1201 S. Adams Street

PETITIONER: **Millennium Property Management**
1200 Rolling Ridge Way

CONSULTANT: **Bledsoe Tapp & Riggert, Inc.**
1351 W. Tapp Road

REQUEST: The petitioners are requesting a rezone of approximately 24 acres from RS3.5/PRO6 to Planned Unit Development (PUD) and preliminary plan approval to allow for 160 multi-family units to be known as Adams Grove. The petitioners are also requesting that final plans be delegated to staff level approval.

BACKGROUND:

Area:	23.89 acres
Current Zoning:	RS3.5/PRO6
GPP Designation:	Urban Residential
Existing Land Use:	Vacant/Wooded
Proposed Land Use:	Multi-family
Proposed Density:	6.96 units per acre, 13.26 units per acre east of Proposed Adams Street Extension
Surrounding Uses:	North – multi-family (Adams Bend Apartments) Northwest – large lot single family South – vacant (future Sudbury PUD office/industrial) East – industrial (Indiana Enterprise Center) West – vacant residentially zoned land

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REPORT SUMMARY: At the November 10, 2003 hearing, the Plan Commission voted to continue this petition to the next regularly scheduled meeting. The Plan Commissioners directed staff to work with the petitioners to address issues concerning connectivity and use of the preserved greenspace.

The property in question is approximately 24 acres in size, is zoned for single family (or duplex) residential uses (RS3.5/PRO6) and is located south of the Adams Bend Apartments, north of the Sudbury PUD, and west of an existing warehouse on the Indiana Enterprise Center site. The extension of S. Adams Street through Adams Bend Apartments stubs into this property at the north property line.

The property is mostly wooded and includes trees of varying quality. The most mature woods are in the northeast corner of the site and along the east property line. Other mature trees are scattered throughout the site. The site also contains one identified surface karst feature which must be avoided per code requirements and is shown on the plans.

This rezoning request would allow for 160 apartment units to be constructed on the eastern half of the site. These 160 units would be comprised of 80 1-bedroom units and 80 2-bedroom units in 8 buildings. The site would be bisected north to south by the extension of Adams Street. The petitioners are proposing to preserve the nearly 10 acres of wooded greenspace west of Adams Street with the exception of a road stub to the western and northern property lines. Also preserved are approximately 3.5 wooded acres surrounding the apartment buildings.

Since the last hearing, the petitioners have worked to address concerns about the use of the preserved open space and have included a future road connection to the north and west. Staff and the petitioners have not reached an agreement as to the financial responsibility or timing of the road connection to the west.

PRELIMINARY PLAN ISSUES

Growth Policies Plan Compliance: The GPP designates this as a "New Growth Area" in the Urban Residential land use area. The GPP states that "When development occurs in new growth areas, the goal should be to encourage higher densities, ensure street connectivity, and protect existing residential fabric." Land uses in these areas are described as primarily single family residential with "some additional uses such as places of religious assembly, schools, home occupations, and multi-family housing." Multi-family uses are appropriate at this location because it is adjacent to heavy industrial uses at the Indiana Enterprise Center to the east, multi-family uses to the north and northeast and future office/industrial/multi-family uses to the south. Multi-family uses also allow for dwellings to be concentrated on the east side of the parcel and the western side to be preserved. While mixed residential uses will not occur on this parcel, they can still occur in the larger surrounding Urban Residential area as other parcels develop.

Preservation of the land west of Adams Street is also desirable as a way to "Nurture Environmental Integrity." The GPP notes that new development should have a "substantial percentage of protected open space." The GPP lists "clustering, mixed uses, pervious pavement surfaces, and variations in height, bulk, and density standards" as methods to achieve this goal. The petitioner's plan clusters the units on the east side of Adams to protect the open space on the west side of the street.

Since the last hearing, the petitioners have made changes to the schematic site plan to better "optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers." This is a site planning goal of the Urban Residential land use area. They have shifted the proposed western road extension further to the north to provide access to land to the west and the north. They have also extended one parking lot access aisle to the southern property line to provide for future cross access to the Office/Industrial/Multi-family parcels in the Sudbury PUD to the south.

Finally, the petitioners have made an attempt to turn the preserved greenspace west of Adams Street into a defined center or focal point for the development; another important site planning goal of the Urban Residential land use area.

Connectivity: Since the last hearing, the petitioners have made two changes to the schematic site plan to improve connectivity. As previously stated, an extension of a parking lot aisle is shown to connect this project to future office/industrial/multi-family development to the south. This connection will allow for the interconnectivity of these developments and facilitate trips that do not have to utilize the arterial roadway. This portion of the private drive must be placed within an ingress/egress easement on the plat.

Secondly, the road connection to the west has been moved from a central location, through the preserved greenspace, to the north. While this location is not the most ideal to provide connectivity to the parcel to the west, it does have benefits. Specifically, the location allows for multiple locations for a potential road connection to the north and allows for preservation of less segmented greenspace.

While staff believes that the petitioners' road connection plan is adequate, staff and the petitioners have not agreed to the timing or financing of the road to the west. Staff believes that the petitioner should construct or bond for this road immediately with the development of the apartments. The subdivision control ordinance requires that roads be extended to property lines (BMC 19.08.100 C). Any development on this property, whether it is authorized under the base RS3.5 zoning or with the PRO6 overlay would require construction of a road to the property line. The petitioners argue that they do not receive any benefit from construction of this road and the cost of the road would make preservation of the greenspace unfeasible. They would prefer that the future developers of the parcels to the north of the west construct this road. However, if those areas are developed per the existing zoning, off-site improvements could not be required and the construction burden would fall upon the City.

Greenspace/Tree Preservation: While this site neither contains high quality woods nor environmentally sensitive land, there is benefit in preserving it as common greenspace, not allowing for development. The petitioners propose to preserve all un-graded areas west of Adams Street as no-development areas.

In addition to the benefit of this area being preserved greenspace, it will also serve as a focal point or common area for this development. The petitioners have submitted a schematic "park plan" that provides for both active and passive recreation for residents. This plan includes walking paths, a central shelter facility and an "overlook" of the detention area. At the last hearing, the Plan Commission was favorable to the petitioner's suggestion that this area not be platted as a conservancy or tree preservation easement. Instead, this area is proposed to be platted as "common greenspace" and will not be developed beyond the bounds of the "park plan." At final plan/final plat stage, staff would need to work with the petitioner to finalize the terms and conditions of this area. While staff has no objections to this proposal, due to the fact that

the site does not contain environmentally sensitive area or large concentrations of high quality woods, the Environmental Commission recommends that the area be platted with a conservancy or preservation easement.

The petitioners also plan to shift the schematic location of Adams Street slightly to the east, closer to the location in the previously approved site plan. With this alignment, the road will stay further out of the natural drainageway to the west. Neither a revised plan nor a schematic grading plan was available in time for the packet, but should be available at the hearing. Staff recommends that the final plan for this development include grading for Adams Street that minimizes the disturbance to the natural intermittent drainage way.

Pedestrian Accommodations: Since the last hearing, the petitioners have added internal sidewalks to the schematic site plan, however they have not corrected pedestrian accommodation deficiencies on Adams Street. Staff recommends a 5-foot concrete sidewalk on the west side and an 8-foot wide asphalt sidepath on the east side. This is consistent with the *Alternative Transportation and Greenways System Plan* and previous approvals on Adams St. in the Woolery PUD to the south and the Adams Bend Apartments to the north.

In addition, 5-foot wide concrete sidewalks are required to be included on both sides of the stubbed street to the west. The petitioners have verbally indicated that one of these sidewalks may be replaced with a 6-8 foot asphalt path that will tie into the proposed greenspace walking path system. Staff and the petitioners have also discussed eliminating all but a 2 foot grass separation between the road and the sidewalk to reduce the extent of grading. Staff has no objection to these variations.

Transit Service: Because this proposal is located on an unfinished thoroughfare, as well as outside the City limits, there is no adjacent transit service to the site. The nearest bus stop is located at the intersection of Adams and Allen Streets. The property is scheduled to be annexed into the City in 2006, with the annexation effective in 2008. Staff recommends that as conditions of approval for this rezoning, that the petitioners be required to provide appropriate bus accommodations on Adams Street, including a possible bus shelter, and come into a “hold harmless” agreement with Bloomington transit to allow buses to use the development’s private drives to turn around, if necessary, when bus service is available on Adams Street.

RECOMMENDATION: Staff recommends approval of PUD-46-03 with the following conditions:

1. The road connection to the west shall be built or bonded for with this development. This road includes sidewalks, or an asphalt path, on both sides and a minimum 2 foot grass separation.
2. Review of the final plan for this development shall be delegated to the Planning Department staff.
3. A plat for this development must be approved and recorded prior to release of any occupancy permits.
4. The grading permit for this development must include removal of debris from the sinkhole.
5. Appropriate transit facilities must be provided on Adams Street and a “hold harmless” agreement reached with Bloomington Transit to use internal development drives, if necessary, at such time as bus service is available on Adams Street.
6. The preserved areas west of Adams Street shall be platted as “Common Greenspace,” while preserved areas to the east of the Adams shall be platted as “tree preservation easements.”
7. The final plan for this development shall include grading for Adams Street that minimizes the disturbance to the natural intermittent drainage way.
8. Occupancy of units shall be restricted to the single family definition of a family, which includes not more than three (3) unrelated adults.
9. Height and bulk standards shall be the same as the current RM7 zoning district.
10. A 5 foot wide sidewalk is required on the west side of Adams St. and an 8 foot wide asphalt sidepath is required on the east side.
11. An ingress/egress easement must be placed on the private drive connecting S. Adams Street to the south property line with the final plat.

The petitioners have not yet agreed with condition of approval #1. Section 20.05.09.04 C 4 of the Zoning Ordinance allows the Plan Commission to forward a favorable recommendation to the Council even if the petitioner has not agreed to the conditions. The petitioners then have ten days to agree to the conditions in writing. If the petitioners fail to accept the conditions in ten days, the Plan Commission's motion and vote shall be construed as a continuance to the next meeting, in this case the January 12, 2004 meeting.

MEMORANDUM

TO: **City of Bloomington Plan Commission**

FROM: **Environmental Commission**

LIAISON: **Josh Campbell, Senior Environmental Planner**

DATE: **November 26, 2003**

SUBJECT: **PUD-46-03 Adam's Grove (Millennium Enterprises)**

The Bloomington Environmental Commission (EC) has reviewed the petition and has the following comments and recommendations.

MISCELLANEOUS:

This site had previously undergone environmental review for development by the EC – see memos dated February 21 and April 7, 2003 for SP-01-03 Dunn Real Estate. The following recommendations are based off previous reviews and recommendations adopted into final site plan approval by the Plan Commission.

STORMWATER MANAGEMENT:

This site drains into the West Fork (WF) of Clear Creek. Currently, a natural drainway runs north-south through the property and controls stormwater flow rates and quality through natural processes such as bioretention and infiltration (in low areas such as the central and southwest portions of the property), as well as biofiltration and biological uptake. The current petition proposes to maintain the drainway in its natural state. In order to better preserve the drainway, appropriate sized vegetated buffers (25' minimum) should be placed between buildings or infrastructure and the drainway. The use of retaining walls and reduced road profiles should also be considered to maintain the appropriate buffer width.

In order to help mitigate the negative effects this development will have on stormwater quality, the proposed detention area should use a seeding mixture containing a variety of native grasses, sedges, rushes, and forbs tolerant of fluctuating water levels and long periods of dry down (e.g. JF New Detention Basin Seed Mix or seed mixture containing similar native seed diversity). This will help to ensure a higher capacity of quality control for the proposed detention basins to mitigate negative effects.

Recommendations:

1. **The natural drainway running through the property (north-south) should be protected using an appropriate sized vegetated buffer (25' minimum).**
2. **The proposed detention basins should be seeded with a seed mix containing a diversity of native grasses, sedges, rushes and forbs such as JF New's Detention Basin Seed Mix (or mixture containing similar native seed diversity).**

TREE PRESERVATION:
This property contains a variety of vegetation ranging from low quality invasive undergrowth and non-native tree species, to scattered stands of more mature native trees throughout the northern portion of the property. The higher quality vegetation that should be targeted for preservation is found along the eastern perimeter of the site, as well as in the northern portion of the property along the drainway. There are also several scattered stands of mature native trees which should be preserved where possible.

The proposed plan indicates preservation efforts along the eastern perimeter of the through-road, as well as the eastern perimeter of the property. Also, the petitioner proposes not to develop the western half of the property. The EC recommends areas to be preserved be placed in conservation easements (no disturbance except passive recreation facilities such as unimproved trails) or tree preservation easements (limited disturbance including clearing of invasive vegetation, construction of park infrastructure such as trails, benches and shelters).

Placing these areas of the site into conservation or tree preservation easements will ensure long term preservation, as well as help to: preserve large contiguous block of woods less susceptible to invasive species (due to habitat fragmentation); provide more valuable ecological services such as soil regeneration, air and water purification, moderating weather extremes and their impacts, increase aesthetics, and maintain biodiversity; and will preserve a portion of the natural drainway bisecting this property helping to better control water quality and quantity through biofiltration and bioretention.

Recommendations:

3. **Conservation or tree preservation easements should be used for areas to be preserved.**

ENVIRONMENTAL CONSTRAINTS:

KARST
Several features found on this site were previously investigated as potential karst features. Geotechnical studies indicated that none of the features reviewed were karst related. One area omitted from the geotechnical study is a suspected karst feature. This area is being proposed to be placed into a conservation easement and is being adequately protected. However, the area proposed for protection consists of a very large pile of garbage and is over-run by invasive vegetation.

The Environmental Commission recommends that this area be carefully cleaned under the supervision of a geotechnical consultant and a karst determination be made prior to any City permits being issued (i.e. Grading Permit). Upon removal of the garbage and karst determination, the area should be immediately replanted with appropriate seed mixture.

Recommendations:

4. **Prior to the granting of any City permits, the garbage in the proposed karst protection easement should be removed, a karst determination should be done, and a landscape plan should be submitted for the area.**

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-46-03**
PRELIMINARY STAFF REPORT **DATE: November 10, 2003**
LOCATION: 1201 S. Adams Street

PETITIONER: **Millennium Property Management**
1200 Rolling Ridge Way

CONSULTANT: **Bledsoe Tapp & Riggert, Inc.**
1351 W. Tapp Road

REQUEST: The petitioner is requesting a rezone of approximately 23 acres from RS3.5/PRO6 to Planned Unit Development (PUD) and preliminary plan approval to allow for 160 multi-family units to be known as Adams Grove. The petitioner is also requesting that final plans be delegated to staff level approval.

BACKGROUND:

Area:	23.89 acres
Current Zoning:	RS3.5/PRO6
GPP Designation:	Urban Residential
Existing Land Use:	Vacant/Wooded
Proposed Land Use:	Multi-family
Proposed Density:	6.96 units per acre, 13.26 units per acre east of Proposed Adams Street Extension
Surrounding Uses:	North – multi-family (Adams Bend Apartments) Northwest – large lot single family South – vacant (future Sudbury PUD office/industrial) East – industrial (Indiana Enterprise Center) West – vacant residentially zoned land

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REPORT SUMMARY: The property in question is approximately 23.89 acres in size and is located south of the Adams Bend Apartments, north of the Sudbury PUD, and west of an existing warehouse on the Indiana Enterprise Center site. The extension of S. Adams Street through Adams Bend Apartments stubs into this property at the north property line.

The property is mostly wooded and includes trees of varying quality. The most mature woods are in the northeast corner of the site and along the east property line. Other mature trees are scattered through the site. The site contains one identified karst feature which must be avoided per code requirements.

The site was approved for 98 total attached and detached single family homes earlier this year through utilization of the Planned Residential Overlay (PRO) site plan process. The PRO site plan approval allowed for the use of duplexes, increased development density to just over 4 units per acre, and allowed for lots smaller than the minimum standards of the RS3.5 zoning district.

A new petitioner is requesting that the property be rezoned to Planned Unit Development (PUD) to allow for 160 apartment units to be constructed on the eastern half of the site. These 160 units would be comprised of 80-1BR units and 80-2BR units in 8 buildings. The site would be bisected north to south by the extension of Adams Street. The petitioner is proposing to preserve the nearly 10 acres of wooded area west of Adams Street with the exception of a road stub to the western property line. Also being preserved is a 3.5 acre wooded area surrounding the apartment buildings.

Although the petitioner is proposing to leave the western portion of the site undeveloped, there has not been a commitment to place the area within a conservancy easement. Even though this is not desired by the petitioner, this leaves the option of further development if the Common Council were to approve a future amendment to this Preliminary Plan.

PRELIMINARY PLAN ISSUES

Right-of-way: The petitioner has shown the required right-of-way dedications for this proposal. The extension of Adams Street requires 80 feet of total right-of-way dedication as a Secondary Arterial street. The petitioner has also shown one road stub to the west. This local street stub would require 50 feet of total right-of-way dedication. The interior streets have been proposed as private.

Connectivity: One of the greatest differences between the approved plan from earlier this year and the rezoning proposal is the relative amount of street connectivity. The original plan had a total of six perimeter connection points. It had two streets each running to the north, south, and west property lines.

The new development proposal reduces the overall number of perimeter connection points from six to three. Two of these connection points involve the Adams Street extension. The petitioner has also proposed a future road connection to the western boundary of the property. Further information regarding how and when this road would be constructed would have to be determined prior to any approvals. The Plan Commission should consider whether only three connections should be approved for this site. The property to the north and west is potentially available for residential development. Requiring multiple points of connectivity to these properties would create more options for future development.

Access: The proposed apartments would have two points of ingress/egress onto the Adams Street Right-of-Way. These points would then lead to an interior network of private drives that would serve only the apartments. Staff recommends that any access points onto Adams Street line up with any future street connections to the west.

Architecture: The petitioner is proposing to utilize similar architecture as other recent projects he has constructed at Adams Bend, Rolling Glen, Rolling Woods and Rolling Meadows. A sample of this architecture has been included (Exhibit #1).

Parking: The petitioner has demonstrated the ability to meet the required number of parking spaces. In addition, they have not proposed an excess of spaces so as to retain as much greenspace as possible.

Pedestrian Accommodations: The petitioner has only shown a 5-foot concrete sidewalk along the eastern side of Adams Street. No pedestrian accommodations have been proposed on the western side of the roadway. If an approval is granted, staff would require a 5-foot wide concrete sidewalk on the west side of Adams Street and an 8-foot wide asphalt sidepath on the east side. This is consistent with the *Alternative Transportation and Greenways System Plan* and previous approvals on Adams St. in the Woolery PUD to the south and the Adams Bend Apartments to the north. In addition, 5-foot wide concrete sidewalks should be included on the interior of the site to afford standard pedestrian circulation.

Tree Preservation: The petitioner has proposed to retain a large percentage of the site in an undisturbed state. All un-graded areas west of Adams Street and several acres surrounding the multi-family structures are shown as no-development areas. The petitioner specifically does not show these areas as conservancy easements, leaving the option open for a future amendment allowing for future development. Although staff applauds the petitioner for being able to preserve over 50% of the property, staff also finds that some areas should be placed within conservancy easements to provide protection in perpetuity.

Greenspace within the City's jurisdiction is becoming a higher priority. One of the main reasons that greenspace should be preserved is to achieve a higher level of community environmental protection. As a result, greenspaces with a high level of environmental sensitivity should be prioritized for preservation. The City is currently identifying environmentally sensitive lands within its jurisdiction through the City of Bloomington Environmental Resources Inventory (COBERI). It is anticipated that this site will not have a high sensitivity rating in comparison to other parcels. Therefore, justification could be made that only small portions of this property should be preserved and the remainder developed for mixed housing types.

Karst: The property includes one identified karst feature located in the southwest portion of the site. This sinkhole is full of debris and must be cleaned out with any future grading permit.

Utilities: As with the previous plan, water service would be provided along the extension of Adams St. The proposed sanitary sewers would follow the natural fall of the property to the southwest. At this point, the sewer would enter a lift station and utilize a force main to pump the sewage north to Allen St. This is a temporary solution until further development takes place in the Sudbury PUD where gravity sewers can be used to connect to existing sewers along Weimer Road.

Stormwater: General stormwater requirements were reviewed with the last petition. Because the proposed development will require less impervious surface than the previous plan, this proposal should satisfy code requirements.

Staff has observed that there is no plan or easements being proposed to afford the City of Bloomington Utilities access to the proposed pond for future maintenance as well as initial construction. It should be anticipated that some tree loss would be necessary to construct the proposed pond. This grading and tree disturbance should be shown on all future plans.

Transit Service: Because this proposal is located on an unfinished thoroughfare as well as outside the City limits, there is no adjacent transit service to the site. The nearest bus stop is actually located at the intersection of Adams and Allen Streets. The property is scheduled to be annexed into the City in 2006. However, the effective date of annexation would not occur until 2008. As a result, this property cannot be served by Bloomington Transit for at least five more years. This is noted by staff because of the GPP's general guidance to have new multifamily housing sites located within easy access to transit service.

Growth Policies Plan Compliance: The petitioners have submitted a detailed analysis of four of the GPP's Guiding Principles. Although it attempts to justify the proposed multi-family project with these principles, it does not address the specific policies and guidance of the "Urban Residential" designation that is in place on this property.

The GPP designates this Urban Residential property as a "New Growth Area". The GPP states that "When development occurs in new growth areas, the goal should be to encourage higher densities, ensure street connectivity, and protect existing residential fabric." Land uses in these areas are described as primarily single family residential with *"some* additional uses such as places of religious assembly, schools, home occupations, and multi-family housing." Staff interprets this to mean that higher densities are likely best achieved through multiple housing types. Since there is already a large amount of multi-family housing that is either proposed or currently developed in the area, staff finds that a more mixed residential development may be appropriate for this site.

An additional GPP issue to evaluate is in the area of site plan design. One of the design goals for Urban Residential Areas is to "optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers." The Plan Commission should consider whether the three points of connectivity exhibited in the preliminary plan address this connectivity goal.

A second site plan goal for Urban Residential Areas is the desire to establish defined centers or focal points. At this point, the proposed PUD does not exhibit a defined focal point or area of amenities. The petitioner contends that a recently constructed clubhouse within the Rolling Ridge development functions as a "neighborhood activity center". The clubhouse is more than a third of a mile from the subject property, more

than half a mile from the proposed units, and has no direct pedestrian or vehicular connection. Even after development of the Sudbury PUD and surrounding properties, no direct connections are anticipated.

RECOMMENDATION: Staff recommends continuance of this petition to a second hearing. Furthermore, staff would like additional guidance from the Plan Commission at the first hearing regarding the following questions:

- Is the proposal generally consistent with the goals and policies of the GPP?
- Should this property be required to incorporate mixed housing types, or is there sufficient housing variety in the general area to support a single use proposal?
- Does the area west of the Adams Street extension warrant preservation in its entirety?
- If preservation of this entire area is appropriate, should a conservancy easement be placed on the acreage at the time of approval?
- Should architectural variation be required within the development itself as well as in comparison with the petitioner's previous projects?
- What connections to adjacent properties should be made as part of this property's site development? Does the proposed plan exhibit adequate connectivity?
- Should the proposal incorporate a focal point or area of amenities into its site plan design? If so, what ideas may be appropriate?

MEMORANDUM

TO: **City of Bloomington Plan Commission**

FROM: **Environmental Commission**

LIAISON: **Josh Campbell, Senior Environmental Planner**

DATE: **November 3, 2003**

SUBJECT: **PUD-46-03 Adam's Grove (Millennium Enterprises)**

The Bloomington Environmental Commission (EC) has reviewed the petition and has the following comments and recommendations.

MISCELLANEOUS:

This site had previously undergone environmental review for development by the EC – see memos dated February 21 and April 7, 2003 for SP-01-03 Dunn Real Estate. The following recommendations are based off previous reviews and recommendations adopted into final site plan approval by the Plan Commission.

STORMWATER MANAGEMENT:

This site drains into the West Fork (WF) of Clear Creek. Currently, a natural drainway runs north-south through the property and controls stormwater flow rates and quality through natural processes such as bioretention and infiltration (in low areas such as the central and southwest portions of the property), as well as biofiltration and biological uptake.

In order to help mitigate the negative effects this development will have on stormwater quality, the proposed detention area should use a seeding mixture containing a variety of native grasses, sedges, rushes, and forbs tolerant of fluctuating water levels and long periods of dry down (e.g. JF New Detention Basin Seed Mix or seed mixture containing similar native seed diversity). This will help to ensure a higher capacity of quality control for the proposed detention basins to mitigate negative effects.

Recommendations:

1. **The proposed detention basins should be seeded with a seed mix containing a diversity of native grasses, sedges, rushes and forbs such as JF New's Detention Basin Seed Mix (or mixture containing similar native seed diversity).**

TREE PRESERVATION:

This property contains a variety of vegetation ranging from low quality invasive undergrowth and non-native tree species which dominate the southern portion of the site, to scattered stands of more mature native trees throughout the northern portion of the property. The higher quality vegetation that should be targeted for preservation is found

along the eastern perimeter of the site, as well as in the northern portion of the property along the drainway adjacent to the conservation easement on the Adams Bend development. There are also several scattered stands of mature native trees which should be preserved where possible.

The proposed plan indicates preservation efforts along the eastern perimeter of the proposed through-road, as well as along the eastern perimeter of the property. Also, the petitioner proposes not to develop the entire western portion of the site – although no commitment to preservation is made. As described earlier, the eastern perimeter and northern portion of the site contains some of the more contiguous, higher quality vegetation on this site – especially the northern portion of the site directly adjacent to the Adams Bend conservation/detention easement.

The current proposal requires the re-alignment of the through-road. This alignment requires removal of the highest quality vegetation on the site (area adjacent to Adams Bend conservation/detention easement), as well as requires a substantial amount of disturbance of the natural drainway bisecting the property. The EC recommends the road be realigned to preserve the highest quality vegetation as depicted in previous plans for this site (see SP-01-03). Placing this portion of the site into a conservation easement will help to: preserve a much larger contiguous block of woods less susceptible to invasive species (due to habitat fragmentation); provide more valuable ecological services such as soil regeneration, air and water purification, moderating weather extremes and their impacts, increase aesthetics, and maintain biodiversity; and will preserve a portion of the natural drainway bisecting this property helping to better control water quality and quantity through biofiltration and bioretention.

Additionally, setting land aside specifically for preservation without commitment should not be an acceptable practice. As per the recently adopted Growth Policies Plan (Implementation Measure NEI-17): "[all new development should] require the use of such mechanisms as conservation easements and land dedications to preserve environmentally sensitive areas, [permanent] open space, and greenspace." Furthermore, a large portion of the area proposed not to be developed (area west of the through-road) is not significantly environmentally sensitive. Thus, some potential uses that should be considered include common open space, park, conservation easements, and clustered housing (where appropriate). The EC recommends that all areas to be preserved be placed into conservation easements to ensure long term protection.

Recommendations:

1. **The through-road should be re-aligned further to the east to better preserve the highest quality vegetation on the site.**
2. **Uses such as common open space, park, conservation easements and housing (where appropriate) should be committed to for the area west of the through-road.**
3. **Tree preservation and conservation easements should be used for all areas to be preserved.**

ENVIRONMENTAL CONSTRAINTS:

KARST

Several features found on this site were previously investigated as potential karst features. Geotechnical studies indicated that none of the features reviewed were karst related. One area omitted from the geotechnical study is a suspected karst feature. This area is being proposed to be placed into a conservation easement and is being adequately protected. However, the area proposed for protection consists of a very large pile of garbage and is over-run by invasive vegetation.

The Environmental Commission recommends that this area be carefully cleaned under the supervision of a geotechnical consultant and a karst determination be made prior to any City permits being issued (i.e. Grading Permit). Upon removal of the garbage and karst determination, the area should be immediately replanted with appropriate seed mixture.

Recommendations:

4. **Prior to the granting of any City permits, the garbage in the proposed karst protection easement should be removed, a karst determination should be done, and a landscape plan should be submitted for the area.**

Michael E. Pauly
President

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Internet: www.BackHomeAgain.com

Millennium
PROPERTY MANAGEMENT

October 13, 2003

Mr. Jim Roach
City of Bloomington Planning
401 N. Morton St.
Bloomington, IN 47402-0100

Dear Mr. Roach:

We respectfully request rezone to a PUD designation for 1201 South Adams Street for the purpose of constructing 160 new apartments and 294 parking spaces at Adam's Grove Apartments. We are also requesting that final plan approval be deferred to staff level.

The attached submittal outlines the proposal, reviews its compatibility with the Growth Policies Plan, compares it to the existing approved plan for the site, and discusses the relationship between this project and affordable housing.

Please place this item on the agenda for the November 10, 2003 hearing.

We would welcome the opportunity to answer any questions you might have about this material.

Sincerely,

Michael E. Pauly
Millennium Property Management

Patricia R. Pauly, Ph.D.
Millennium Property Management

Petitioner's Statement
PUD-46-03

(17)

In this submittal, we will provide an overview of our proposal. We will explain how the proposal fits within the Growth Policies Plan. We will compare this proposal to the previously approved plan for this tract. And we will discuss the relationship between this project and affordable housing

1. Overview of proposal

The tract of ground in question lies west of the Thomson property, south of Adams Bend Apartments, north of the Sudbury PUD, and east of the non-conforming subdivision originally developed by Joe Lamb (see map Exhibit 1). The 23+/- acre site is currently undeveloped and is covered with secondary growth trees. Its current zoning is RS3.5/PRO6.

The proposed site plan is attached (see Exhibit 2). The subject property is bisected by the proposed Adams Street extension. The 9.982 acres to the west side of Adams Street is to be left undisturbed, except for the construction of a berm across a detention pond and a street stub requested by Planning staff.

On the east side of the Adams Street extension we propose construction of 160 apartments, 80 one-bedrooms and 80 two-bedrooms, and 294 parking spaces at Adam's Grove Apartments. The project will have two street cuts on the proposed Adams Street extension, but the streetscape will consist of 100-120 feet of undisturbed woodland buffer. Water and sewer are available and will be installed to city specifications.

The project consists of eight buildings, with twenty units per building. The proposed buildings use the same attractive architectural design as Rolling Glen, Adams Bend, Rolling Woods, and Rolling Meadows (see photo in Exhibit 3). This project will have similar exterior finishes and the extensive landscaping that distinguishes our other communities.

Like the residents of Rolling Ridge, Rolling Meadows, Rolling Woods, Adams Bend, and Rolling Glen, the residents of the proposed project will have access to our Clubhouse. It includes an indoor pool, a 2,000+ square foot gym, an aerobics room, racquetball court, basketball court, outdoor amphitheater, tanning beds, and community room (see photos in Exhibit 4). The Clubhouse functions as a neighborhood activity center, similar to those envisioned by the GPP.

We respectfully request PUD designation for this parcel.

2. This proposal and the Growth Policies Plan

Bloomington's Growth Policies Plan (GPP) embraces seven guiding principles. This proposal speaks to four of them.

A. Compact Urban Form—this is an urban infill project that is sensitive to other concerns and considerations. It capitalizes on the advantages of compact urban form in that it provides the efficient delivery of services and limits sprawl (from GPP, p. 5). Consistent with the GPP's stated commitment to compact urban form balanced with sensitivity to the character of the surroundings, this project requests a density high enough to allow the advantages of compact urban form to be realized, but one that is not out of character with the surrounding neighborhood, which is mix of multi-family, single-family, heavy industrial, light industrial, and commercial uses.

This project is consistent with the GPP's three stated policies to achieve the goal of compact urban form. First, as an infill project, it limits the spatial extent of community growth. Second, it takes advantage of the increased density permitted, even encouraged, in infill projects. Finally, it does not seek commercial use where it would be inappropriate.

Specifically, with respect to density, this proposal seeks an overall density of approximately 6.96 units per acre (160 units/23 acres), almost low enough to allow us to use the existing RS3.5/PRO 6 zoning. If we calculate the density on the acreage on the east side of Adams Street, it is approximately 13.26 (160 units/12.07 acres), still lower than our projects at Rolling Meadows and Adams Bend. While this density is higher than the current zone of RS 3.5/PRO 6, it is consistent with the revised GPP's "urban residential" designation, which allows densities of 2-15 units per acre. It is important to remember, moreover, that the GPP sees higher densities as a necessary trade-off to capture the benefits associated with compact urban form.

The GPP does balance this commitment to compact urban form with sensitivity to the surrounding neighborhood, but a density of 6.9 or even 13.26 units/acre is not inconsistent with the character of the surrounding neighborhood, which is a mixed bag of multi-family (Adams Bend Apartment and Whittington Court Apartments), some single family residential largely in a non-conforming subdivision, heavy industrial (Thomson), and proposed light industrial and commercial (in the Sudbury PUD). In short, a commitment to compact urban form and its virtues dictates a willingness to accept higher densities, provided they are sensitive to their surroundings. We submit that the proposed density is consistent with the neighborhood, and indeed, functions as a textbook case of using multi-family as a transitional area.

B. Nurture Environmental Integrity—our other apartment communities demonstrate our commitment to environmentally friendly development. We are committed to preserving trees and our properties are extensively landscaped. We have consistently planted far more trees and landscaping than required. We plant hard woods for long-term tree growth and large canopies. We rely heavily on a variety of native species to avoid the dangers of invasive non-natives and

monolithic horticulture. We have our own landscaping crew with an on-staff horticulturalist. This is a significant investment for our company.

Specifically, this proposal is consistent with the goal of nurturing environmental integrity because it protects trees and greenspace from development impacts and promotes environmentally sensitive development (GPP, pp. 8-11). If greenspace is calculated on the total acreage, greenspace is approximately 63% of the total acreage. This is a virtually unheard of greenspace percentage. If it is calculated on the acreage on the east side of Adams Street, it is 35-42%. Setbacks are to be undisturbed, and the streetscape along Adams Street is an undisturbed 100-120 foot woodland buffer. And to repeat, the west side of Adams Street is to remain undeveloped.

Additionally, the sole karst feature on the property is protected, and storm water will be captured in an on-site detention pond.

In preliminary conversations, the Planning staff raised the issue of putting the acreage on the west side of Adams Street into conservancy. We would argue that because we are not requesting zoning for this area, the acreage is in de facto conservancy. In other words, because anything we would do to it would require amendment to the PUD, it is, in effect, in conservancy. City Planning would retain total control of what could eventually be developed on the parcel.

Furthermore, one of the terms of the Rolling Meadows PUD was that we place 12 acres in conservancy, and our experience with conservancy leads us to oppose this option. In our opinion, the City's conservancy policy faces two serious unresolved issues. First, because land use needs and community conditions can change markedly in a relatively short period of time, placing ground in conservancy for perpetuity unduly constrains the City's ability to respond to changing conditions. In this case, this property sits next to the largest urban infill project in the City, the Sudbury PUD, a project that has only begun; it is impossible to say with certainty how and when that project will develop. The question of future needs raises issues about future road expansion: specifically, plan staff has asked for a road stub on the west side of Adams Street to provide connectivity, but at this point it is certainly not clear what the stub would connect to. Better, we would submit, to allow the surrounding tracts to develop as planned and deal with planning issues on this tract when they arise.

The second unresolved issue with the City's conservancy policy lies in the details. When ground is placed in conservancy for perpetuity, who is to care for it? Currently, the developer is left to pay the costs of taxes, insurance, and maintenance on ground in conservancy and perhaps most importantly, remain liable for what occurs on the ground. Yet the developer cannot derive any benefit now or in the future from the ground, nor can the developer control access to the ground. If these are in fact public grounds, the City should bear the costs and liability. The City has yet to resolve these issues, and adding more ground to an

ill-defined conservancy policy hardly makes sense. Better, we would argue, to leave the ground in de facto conservancy under the requirement that any future amendment to the PUD receive plan approval.

C. Leverage Public Capital—this project does not require and will not receive any public funds.

Water and sewer services are available and will be installed to city specifications. As an infill project, delivery of these public services is more efficient than provision of these services to outlying areas. We will also install T-1 service to the site.

Development of this project will require the construction of 1080 feet city spec roadway for the Adams Street extension. Slated to be a major North-South corridor, it is clearly in the City's interest to advance construction of the Adams Street extension.

This project will also add to the City's stock of affordable housing (see discussion below).

It bears repeating that though we seek no public monies, this project will provide important benefits to the community by constructing 1080 feet of city spec roadway, plus sidewalks and bike paths, for the Adams Street extension and water and sewer main extensions and adding 160 more units to the City's stock of affordable housing. The GPP argues, "where public monies are being expended for infrastructure that supports private development investments, allocation of funds should be linked to proposals that provide public benefits." (GPP, p.13). Here the City has the opportunity to approve a plan that provides substantial public benefit without requiring the investment of public funds.

D. Mitigate Traffic—The GPP enunciates three policies with respect to this goal, and this project is consistent with all three. First, this project fits within the GPP framework by placing a higher density development within walking distance of transit route. The northern entrance to the proposed apartments is only 620 feet from the entrance to Adams Bend, which has a bus stop at the intersection of Allen and Adams. When the Adams Street extension is eventually completed, it will certainly enjoy public transit service, moving a bus stop closer to the proposed development. Furthermore, the existing plan for the tract was approved without requiring bus service to the tract. Second, the GPP also dictates that development provide user-friendly sidewalks and bike paths; this project provides and connects to these features and offers the street trees and attractive landscaping the GPP sees as conducive to increased usage. Finally, extending Adams Street is an important step toward the eventual construction of a viable, alternate north-south corridor on Bloomington's near west side.

One should also note the project's wider surroundings as they relate to this goal. While not itself in a critical subarea identified by the GPP, this property is centrally located among four critical subareas—the State Road 37 corridor, State Road 37/Tapp Road, Adams Street/Patterson Drive, and the McDoel Switchyard—all slated, at least in part, to be employment centers, and it abuts the Indiana Enterprise Center, the redeveloped former Thomson site. We will mitigate traffic if we provide housing options in close proximity to these employment centers. This project does that.

3. Comparison to already approved plan

The existing plan for this tract was approved during the summer of 2003. That plan, under RS3.5/PRO6 zone, calls for a mix of duplexes and single-family homes, for a total of 98 units. This proposed PUD is superior to the existing plan in the following respects.

First, we would contend that this tract is better suited to multi-family development. Multi-family is a more appropriate use given the heavy industrial, light industrial, commercial and existing multi-family uses that abut this tract. Single-family homes to be built in this area are better left to the open fields of the Sudbury PUD that are already slated for that use.

Second, this plan is more environmentally sensitive than the first. The existing plan only allowed for 4 acres of green space. Our proposed plan offers 4.53+/- acres of greenspace on the east side of Adams Street and the entire 9.982 acres on the west side, which is to be left undisturbed, for a total area in excess of 14.5 acres.

Others might contend that this proposed plan is less acceptable that the first in terms of its density and traffic generated. We would argue both points. Density calculated on the entire acreage is only 6.96, but one could also argue that the appropriate measure of density is Dwelling Unit Equivalents (DUE). The DUE measure more accurately reflects the impact of the project in terms of green-space, parking, building footprint, permeable area and trip generation. The following comparison clearly demonstrates these points:

	Current Approved Plan	Adam's Grove PUD
Acreage	23.00	23.00
Public Right of Way (acres)	5.41	2.55
Acreage - Net of Road ROW	17.59	20.45
Tree Preservation Area (acres)	3.09	14.48

% of Greenspace	13%	63%
Disturbed area %	87%	37%
Units Count		
1 – Bedroom		80
2 – Bedroom		80
3 – Bedroom	98	
Total Units	98	160
Dwelling Units Equivalents (from City code)		
1 - Bedroom @ .5 per	-	40.00
2 - Bedroom @ .67 per	-	53.60
3 - Bedroom @ 1.00 per	98.00	-
Total DUE units	98.00	93.60
Density per Acre	4.26	6.96
Density DUE	4.26	4.07
Bedroom Count	294	240
Parking Requirements		
1 Bedroom @ 1.5 per	-	120
2 Bedroom @ 2 per	-	160
3 Bedroom @ 3 per	294	-
Total	294	280
Building Square Footage		
1 Bedroom @ 755 per	-	60,400
2 Bedroom @ 1,018 per	-	81,440
3 Bedroom @ 1,200	117,600	-
Total	117,600	141,840
Building Footprint (acres)	2.70	1.30

With respect to trip generation, Bledsoe, Tapp, and Riggert estimate the trip count for the existing plan at 936 trips and the trip count for our proposal at 1035, a difference of just over four trips per hour (see BTR, Exhibit 5).

4. Affordable housing

While affordable housing is not offered as one of the guiding principles of the GPP, it is without question a concern that should guide our community's planning decisions.

These are not the luxury apartments our competitors are building downtown. We do not cater specifically to students or the upscale market. We provide a good value for the dollar. We provide a meat and potatoes product. We offer large, well maintained, professionally managed apartments in a quiet community setting. And we are able to provide the amenities that our residents desire.

We do not market our apartments as "affordable housing," but some discussion of affordable housing is in order. HUD sets Fair Market Rents (FMR) for every area of the country. An analysis of the most recent HUD data compared to rent rates at our properties appears in Exhibit 6. Despite the fact that we receive no federal, state, or city subsidy, tax abatement, or bonding, or any other type of incentive, we are able to provide quality housing at rent rates less than 8.91% greater than HUD FMR.

This is good for the community for several reasons:

--it proves that it can be done: it is possible to manage a quality property in Bloomington without charging rents higher than most big cities;

--it is a choice more people can afford—Bloomington cannot be a great place to live if a large portion of its citizens cannot afford to live here;

--we provide downward pressure on the rent rates our competitors are able to charge;

--and we simply provide a great value for the dollar.

This is, in short, the reason we are full and why there is continuing demand for more.

In closing, I stress the quality of the project and the excellent fit between it and the guiding principles of the GPP. Not only does it allow the city to pursue its commitments to compact urban form, nurturing environmental integrity, leveraging public capital, and mitigating traffic as outlined by the GPP, it also serves the greater good by adding to the stock of affordable housing in Bloomington.

Given this project's fit with the GPP and its benefits to the wider community, we respectfully ask the Plan Commission to pass the petition and defer final plan approval to the staff level.

EXHIBIT 5

Bledsoe Tapp & Riggert, Inc.

Quality Land Surveying and Civil Engineering Services

BEN E. BLEDSOE, L.S.
PHILIP O. TAPP, L.S.
WILLIAM S. RIGGERT, P.E.
BERNARD A. GUERRETTAZ, L.S.

Adams Bend South
Comparative Traffic Analysis
Job # 4430

SCOPE:
This report will look at the comparison of traffic generated on the McCammon property South of Adams Bend Apartments by developing it in its current approved state for 28 Single Family Homes and 35 Duplex Homes (70 Units) or to Rezone the property to a PUD and develop 160 Apartment Units (80-2 Bedroom and 80-1 Bedroom)

The bedroom count for the two projects will be reduced from 294 Bedrooms (98x3) for the current proposal to 240 (80x2 + 80x1) for the proposed PUD Apartment Project.

TRIP GENERATION:
In Comparing vehicular trips for the two projects we will be using the Institute of Transportation Engineers January 1991 Trip Generation Manual. We will be looking at the Weekday daily usage based on Dwelling Unit. This approach yields the following:

CURRENT APPROVED PLAN
98 Single Family Units x 9.55 Trips/Day/Unit= 936 ADT

PROPOSED PUD
160 Apartments x 6.47 Trips/Day/Unit= 1035 ADT

The proposed PUD Generates 100 trips more per day potentially or about a 10% increase.

SUMMARY
When comparing the two projects one can see that with the proposed unit mix of 1 and 2 Bedroom Apartments more units can be made available to the public with marginal impact on traffic. This is true do to the reduced bedroom count (20% reduction) and the trend that apartment dwellers are more prone to use alternative forms of transportation.

This project is being proposed on an arterial roadway (Adams Street). Adams Street will eventually become a main North and South connector with Bus Service. The proposed PUD is a good use located on this type of roadway that will eventually be serviced by Public Transportation.

Adams Street also is being developed with a bicycle path on its East side. The proposed PUD use will be more apt to utilize this type of improvement.

In summary the PUD should not signifigantly increase vehicular traffic over the current approved plan.

Traffic Analysis (25)

1351 W. Tapp Road • Bloomington, IN 47403 • 812-336-8277 • FAX 812-336-0817

EXHIBIT 6

Adam's Grove Rental / FMR Comparison

Rental Rates reflect market rents for the 2003 - 2004 period.
Housing and Urban Development Fair Market Rent (FMR)- October 1, 2003 *

Complex	Bedrooms	Rent	Utilities **	Total	HUD FMR	% Diff.	Units	% Total Units	Overall
Rolling Ridge	1	470	75	545	514	**6%**	32	5.8%	0.33%
Rolling Ridge	2	595	85	680	684	**-1%**	5	0.9%	-0.01%
Rolling Ridge	3	710	100	810	952	**-18%**	77	13.9%	-2.44%
Rolling Meadows	1	511	85	596	514	**14%**	200	36.1%	4.97%
Rolling Woods	1	535	85	620	514	**17%**	30	5.4%	0.93%
Rolling Woods	2	655	95	750	684	**9%**	30	5.4%	0.48%
Adam's Bend	1	545	85	630	514	**18%**	50	9.0%	1.66%
Adam's Bend	2	680	95	775	684	**12%**	90	16.2%	1.91%
Rolling Glen	1	545	85	630	514	**18%**	20	3.6%	0.66%
Rolling Glen	2	680	95	775	684	**12%**	20	3.6%	0.42%
						Total Units	**554**	**100%**	**8.91%**

Adam's Grove Rental/ FMR Comparison (26)

Urban Residential

Intent

Urban Residential areas include those parts of the city developed after the Core Residential areas were built-out. Some minor development is still taking place in these areas. This category identifies existing residential areas, with densities generally ranging from 2 units per acre to 15 units per acre. Additionally, this category also includes some large underdeveloped parcels, known as new urban growth areas as well as individual vacant lots and smaller acreages, known as neighborhood conservation areas. Urban Residential areas have good access to roads, public water and sewer, and other public services.

When development occurs in new urban growth areas, the goal should be to encourage higher densities, ensure street connectivity, and protect existing residential fabric. For particularly large parcels such as the Ramsey Farm (corner of Sare Road and Moores Pike), zoning incentives to allow for a mixed-use development pattern should be established.

Neighborhood conservation areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed or expected to be developed in a relatively short timeframe. The fundamental goal for these areas is to encourage the maintenance of residential desirability and stability. Where new infill development is proposed, it should be consistent and compatible with preexisting developments.

Land Use

Single family residential development is the primary land use activity for this category with some additional uses such as places of religious assembly, schools, home occupations, and multifamily housing. For development in new urban growth areas, the GPP recommends:

- Develop sites for predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns.

Urban Services

Urban Residential Areas have full accessibility to all modern urban services. Thus, the main objectives for these areas are to maintain adequate levels of service and when possible improve the capacity and aesthetics of all urban services. Examples of new infrastructure projects include the provision of new sidewalk links, the construction of new bike paths, and the replacement of utility infrastructure. In addition, participation in programs such as the City's Council of Neighborhood Improvements Grant Program can allow neighborhoods to upgrade street lighting, signage, and landscaping.

- In new development or redevelopment projects, utilities should be placed underground and located so as to minimize potential conflicts with trees and other landscaping features.

Site Design

Urban Residential Areas contain a mixture of densities, housing types (single family vs. multifamily), and street networks (grid-based vs. curvilinear). The site design goals for development in urban growth areas and neighborhood conservation areas are different.

Site design goals for future development in new urban growth areas include:

- Optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers.
- Ensure that each new neighborhood has a defined center or focal point. This center could include such elements as a small pocket park, formal square with landscaping, or a neighborhood serving land use.
- Ensure that new common open space is truly usable and accessible. Provide linkages between such open space and other public spaces.
- Provide for marginally higher development densities while ensuring the preservation of sensitive environmental features and taking into consideration infrastructure capacity as well as the relationship between the new development and adjacent existing neighborhoods.

Site design goals for neighborhood conservation areas acknowledge that the majority of these neighborhoods have been built out and that changes will probably occur with redevelopment or rehabilitation. Redevelopment or rehabilitation of existing structures or development of single lots or small parcels should respect the unique character and development pattern of the neighborhood. The development should emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features.

Millennium Property Management Clubhouse – Exhibit 4

PUD-8-03
EXHIBIT #1

(51)