

City of Bloomington Common Council

Legislative Packet

Joint Session of the
Monroe County Commissioners & Council,
City of Bloomington Mayor & Council about the Conception Center
Tuesday, October 29, 2019 at 6:30 p.m – Monroe County Courthouse, Nat U. Hill Room

Background material regarding this session are contained herein.

Special Session on the **proposed Unified Development Ordinance (UDO) and other matters.**

Council will consider Ordinance 19-24, which Repeals and Replaces the Entire Text of Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance.”

Special Session	Introduction to the UDO Ordinance
<p>Meetings will be held in the Council Chambers. Please see the Schedule for Common Council Consideration of Ordinance 19-24, which may be revised by action of the Council.</p> <p>For information on public comments (speakers have one opportunity to speak for up-to three minutes per chapter of the proposed UDO) and conduct of deliberation, please view the Motion on Conduct of Deliberations (adopted 16 October 2019).</p> <p>For other information on the Council’s consideration of the proposed UDO, visit our webpage on the topic: (https://bloomington.in.gov/council/plan-schedule).</p>	<p><u>NEXT MEETING</u></p> <p>Wednesday, October 30, 2019 – 6 PM</p> <ul style="list-style-type: none">- Chapter 6 (Administration & Procedures)- Chapter 7 (Definitions)- Consideration of Written Objections per I.C. 36-7-4-606(c)(3) <p><u>FUTURE MEETINGS</u></p> <p>Consideration of Amendments to the Unified Development Ordinance</p> <ul style="list-style-type: none">- 13-20 November 2019

Ordinance 19-23, Ordinance 19-25, and Ordinance 19-26 are all scheduled to be introduced for a First Reading, and legislation and background material regarding these ordinances are contained herein.

For a schedule of upcoming meetings of the Council and the City’s boards and commissions, please consult the City’s [Calendar](#).

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402
812.349.3409
council@bloomington.in.gov
<http://www.bloomington.in.gov/council>

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@bloomington.in.gov

To: Council Members
From: Council Office
Re: Weekly Packet
Date: 25 October 2019

LEGISLATIVE PACKET CONTENTS

SPECIAL SESSION: WEDNESDAY, 30 OCTOBER 2019 [6:00 PM]

- Memo from Council Office – with summaries of new legislation
- Special Session Agenda (Wednesday)

Joint Meeting of City and County Executives and Fiscal Bodies – Re: Convention Center Expansion Project (Tuesday)

- Financing Scenarios (Prepared by the City)

Special Session (Wednesday)

Legislation for First Reading

- **Ordinance 19-23** To Amend a Planned Unit Development (PUD) District Ordinance and Approve a Preliminary Plan – Re: 1201 W. Allen Street (Hilltop Meadow, LLC, Petitioner)
 - Certification from Plan Commission – Positive recommendation (8-0) (9/19/2019)
 - Map of Site and Surrounding Uses and Aerial Photo of Area
 - Memo from Ryan Robling, Zoning Planner
 - Report – Environmental Commission
 - Petitioner Materials
 - Statement
 - Plat Drawing
 - Multifamily residential units – floor plans, elevations, and renderings
 - Additional Materials –Links to [August 12, 2019](#) and [September 9, 2019](#) Plan Commission Packets

→ Contact: Ryan Robling at 812-349-3423, roblingr@bloomington.in.gov

→ Anticipated motions by Council: Motion to refer to Land Use Committee

- **Ordinance 19-25** To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Near West Side Conservation District (Near West Side Historic Designation Committee, Petitioner)
 - District Map
 - Aerial Map – with parcels, zoning, and subdivisions
 - Staff Report
 - Map of boundaries and ratings of properties;
 - List of properties
 - Narrative Tying Designation to Criteria
 - Photos of houses (and housing types) in the district
 - Recommendations
 - Excerpt from September 26, 2019 Historic Preservation Commission minutes
 - Overview of BMC Title 8 (Historic Preservation and Protection)
- Contact: Conor Herterich at 812-349-3420, herteric@bloomington.in.gov
Philippa Guthrie, at 812-349-3426 or guthrie@bloomington.in.gov
- **Ordinance 19-26** To Amend the District Ordinance and Approve a Preliminary Plan for a Planned Unit Development (PUD) - Re: 3201 E. Moores Pike (First Capital Group, Petitioner)
 - Certification from Plan Commission – Negative recommendation (5-1) (10/7/19)
 - Map of Site and Surrounding Uses and Aerial Photo of Area
 - Memo from Eric Greulich, Senior Zoning Planner
 - Report – Environmental Commission
 - Petitioner Materials
 - Revised Statement
 - Reduced Site Plan
 - Multifamily residential units – elevations, and renderings
- Contact: Eric Greulich at 812-349-3423, greulice@bloomington.in.gov
 → Anticipated motions by Council: Motion to introduce (which may fail – see explanation in summary below)

Materials related to continued consideration of Ordinance 19-24 - To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance”

- Compilation of Written Objections for Council consideration under Indiana Code § 36-7-4-606 along with compilation of other written comments received by Council Office

PRELIMINARY MATTERS – REMINDERS FOR THE WEEK, ETC.

Reminders of Other Meetings (Whether being held or being postponed) of Interest:

Tuesday, Oct. 29

6:30 pm	<i>Joint Session of City and County Executives and Fiscal Bodies</i>	Nat U. Hill Room, County Courthouse
---------	--	--

Wednesday, Oct. 30

6:00 pm	Common Council – Special Session	Council Chambers
---------	----------------------------------	------------------

Friday, Nov. 1

12:00 pm	Common Council – Internal Work Session	Council Library
----------	--	-----------------

SPECIAL SESSION – FIRST READINGS – NEW MATERIALS - SUMMARY

Item 1:

Ordinance 19-23 - To Amend a Planned Unit Development (PUD) District Ordinance and Approve a Preliminary Plan – Re: 1201 W. Allen Street (Hilltop Meadow, LLC, Petitioner)

Ordinance 19-23 would amend a PUD to allow multi-family residences on a 5.32 acre property rather than the original approved mobile-home park use. The Petitioner proposes to construct 48 efficiency units, 24 one-bedroom units, 32 two-bedroom units, and 10 three-bedroom townhouses, for a total of 114 units and 166 bedrooms. The following summary was derived from the memo and background material provided by Ryan Robling, Zoning Planner.

Land Use Committee (LUC)

Please recall that the Council should, at First Reading, entertain a motion to refer this legislation to the LUC or, in the event that fails, entertain a motion to refer it to the Committee of the Whole. Assuming the legislation is referred to the LUC, please know that it can be kept there for two legislative cycles before being reported back to the full Council at a Regular Session. Please also know that the motion may entail the scheduling of other meetings in regard to this PUD amendment.

Forwarded by Plan Commission With Positive Recommendation

Please note that the Plan Commission voted 8-0 to forward this petition to the Council with a positive recommendation. If the Council fails to act on the proposal within ninety (90) days after certification, the ordinance takes effect as if it had been adopted (as certified) ninety (90) days after certification.¹ The 90-day period will be up on December 18, 2019.

¹ IC § 36-7-4-608(f)

History

The original PUD for the property was created by Ordinance 81-26, which enabled the development of a mobile home park. There have been no amendments to the PUD since 1981.

Site and surrounding uses

Per Robling's report, the 5.32 acre site is located south of W. Allen Street, between S. Strong Drive and S. Adams Street. The property is currently developed with a vacant mobile home park. The surrounding properties to the south and east are zoned within a PUD and have been developed with light manufacturing. The property to the west has been zoned Residential Multifamily (RM) and has been developed with multifamily dwelling units. The property to the north has been zoned Residential High-Density Multifamily (RH) and has been developed with multifamily dwelling units. This property fronts on W. Allen Street via a shared private drive. Robling notes that the site is located within walking distance of major area employers. The site has direct access to W. Allen Street, which connects to the downtown and local commercial businesses.

Proposed Changes to Existing PUD

The current PUD allows for a 35-unit mobile home park. Petitioner proposes to amend the PUD to allow for multifamily residences and to no longer allow mobile homes on the parcel. The Petitioner proposes to use the residential high-density multifamily (RH) zoning district from the current UDO for the permitted uses and development standards, with modifications described below.

Comprehensive Plan

Please see the memo from Ryan Robling for conformance of this PUD with the City's 2018 Comprehensive Plan. Given the existing development on and around the site, Planning staff felt that *Neighborhood Residential* is the most appropriate land use category (as described in Chapter 7 of the Comprehensive Plan) to use when analyzing this proposal. Staff concluded that while the design of the proposal does not fully satisfy all of the desired design criteria, it is appropriate given the context of surrounding uses and intensities. Specifically, Robling noted that this site is located in a larger Neighborhood Residential area and that developing this parcel with multi-family residences would complement the existing single-family residences to the north of W. Allen Street and create a needed buffer between the industry to the south and east and residential to the north and west.

Environmental Commission Recommendations

The Environmental Commission forwarded the following recommendations:

- 1.) Petitioner shall submit an approved Landscape Plan prior to being granted a Grading Permit.
- 2.) Petitioner should incorporate best practices for green building.
- 3.) The Plan Commission should not agree to less pervious surface than would be allowed if the plan design followed UDO standards.
- 4.) The vegetative buffer shall be shown on the plan and protective orange fencing should be installed during construction to ensure that construction disturbance does not encroach into it.

PUD Amendment Issues

- Environmental – There are no known sensitive environmental features on the site, though see the recommendations from the Environmental Commission listed above. Petitioner has proposed to include PV solar panels, recycling collection, a resident composting system and a community garden with pergola and tool shed
- Uses/Development Standards –
 - Impervious surface – Petitioner is proposing a maximum of 65% impervious surface coverage, which is a deviation from the RH development standards that allow a maximum of 50% impervious surface coverage.
 - Parking – Petitioner is proposing 172 surface level parking spaces, along with 10 two-car garages to be located underneath the proposed three-story residential buildings. The two-car garages would be individually used by the proposed three-bedroom units. This totals 1.15 parking spaces per bedroom, which is greater than the 1 space per bedroom maximum in the RH district.
- Housing Diversity/Affordable Housing: 10 units (the three-bedroom townhouses) of the proposed development would be owner-occupied. Additionally, Robling notes that the petitioner has been in discussions with the City, including with Director of Housing and Neighborhood Development Doris Sims, in order to provide an affordable housing component. While specifics are not yet available, the discussion is moving forward in a positive direction and an agreement will be met.
- Transportation and Pedestrian Facilities – Internal sidewalks would be constructed, which would connect to an existing sidewalk which runs along the west side of the private drive on the northwest corner of the parcel. A new sidewalk connection would be created in the southeast corner of the parcel, which would connect the property to light industrial employers to the south and east. Bicycle parking for the development will meet or exceed minimums required by the UDO. The site is within a 5-minute walking distance of a Bloomington Transit bus route along W. Allen Street.

Conclusions

Planning and Transportation staff concluded that the proposal is consistent with surrounding uses and intensities, and brings needed additional housing at an appropriate density. Staff felt that the proposed plan for street design has issues meeting the goals of the Comprehensive Plan. However, because of the relatively small size of this site and the immediate surroundings, staff believes the proposed design is acceptable. Additionally, the petitioner is working with the City to develop an affordable housing component, which would be a significant public benefit that may not be accomplished without amendment to this PUD.

Council Review

In reviewing a PUD proposal, the Council's review is guided by both local code and State statute. Both are reviewed below. In reviewing a PUD, Council must have a rational basis for its decision, but otherwise has wide discretion.

BMC - UDO

As noted elsewhere in this packet, local code ([BMC 20.04.080\(h\)](#)) calls for the Plan Commission and Council to consider as many as 10 criteria relevant to a PUD proposal. Please refer to the BMC and the staff memo from Ryan Robling for these 10 criteria and the findings regarding each one made by the Plan Commission.

Local code also provides that permitted uses in a PUD are subject to the discretion and approval of the Plan Commission and the Council. Permitted uses are determined in consideration of the GPP (now Comprehensive Plan), existing zoning, land uses contiguous to the area being rezoned, and the development standards outlined in the UDO.²

Indiana Code

Indiana Code § 36-7-4-603 directs that the legislative body “shall pay reasonable regard” to the following:

- the Comprehensive Plan (formerly the Growth Policies Plan);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction;
- and responsible development and growth.

Note that these are factors that a legislative body must consider when making a zone map change decisions. Nothing in statute requires that the Council find absolute conformity with each of the factors outlined above. Instead, the Council is to take into consideration the entire constellation of the criteria, balancing the statutory factors.

When adopting or amending a PUD district ordinance, State law provides that the Council may adopt or reject the proposal and may exercise any powers provided under State law. Those powers include:

- Imposing reasonable conditions;
- Conditioning issuance of an improvement location permit on the furnishing of a bond or a satisfactorily written assurance guaranteeing the timely completion of a proposed public improvement; and
- Allowing or requiring the owner of real property to make written commitments.³

² BMC 20.04.020

³ I.C. § 36-7-4-1512

Recommendations

The Plan Commission heard this proposal at two meetings, on August 12, 2019 and September 9, 2019. The Commission voted 8-0 to recommend approval by the Common Council with the following 9 conditions:

1. PUD Final Plan approval is delegated to the Planning and Transportation Department staff.
2. All required bicycle parking to meet Chapter 5 Unified Development Ordinance standards and shall be included at the Final Plan stage.
3. The petitioner shall continue to work with the City in a good faith effort to provide permanent affordable housing options in the development.
4. The petitioner will provide on-site recycling for residents.
5. The vegetative buffer shall be shown on the plan and protective orange fencing should be installed during construction to ensure that construction disturbance does not encroach into it.
6. The petitioner shall work with the Department's Senior Environmental Planner to identify fruit trees that can be used as successful replacement for up to a maximum of 50% of required interior trees.
7. Prior to the issuance of a grading permit, a landscaping plan shall be approved by the Planning and Transportation Department.
8. All open spaces including bumpouts and islands must meet UDO requirements.
9. The petitioner will provide a commitment to the satisfaction of City staff that would describe both the workforce housing commitment and the owner-occupied commitment to be submitted in writing prior to Council's hearing of the petition.

Item 2:

Ordinance 19-25 - To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District - Re: The Near West Side Conservation District (Near West Side Historic Designation Committee, Petitioner)

Ordinance 19-25 would designate the Near West Side area as a conservation district as provided for under Title 8 of the Bloomington Municipal Code entitled "Historic Preservation and Protection". It comes forward as a petition from the Near West Side Historic Designation Committee and as a result of action by the Historic Preservation Commission (Commission) on September 26th and October 4th 2019.

Overview of Title 8 (Historic Preservation and Protection) - Enclosed with Packet Materials

The remainder of this summary highlights the key actions taken by the ordinance and the grounds for this historic designation. For those readers who need an overview of the City's code provisions regarding historic preservation, please see the attached document entitled *Overview of Title 8 of the Bloomington Municipal Code Entitled "Historic Preservation and Protection,"* which is placed at the end of the packet materials for this ordinance. Please know that this summary draws upon the staff report and material provided by the City's Program Manager for Historic Preservation, Conor Herterich.

Actions Taken by Ordinance 19-25 and the Effect of Its Adoption by the City

The ordinance:

- Approves the map and establishes the Near West Side area as a conservation district;
- Attaches the map and the report (which provides the grounds for this designation);
- Describes the district and classifies the properties (as either outstanding [3],⁴ notable [14],⁵ contributing [218],⁶ or non-contributing [90]⁷);
- Inserts the newly established conservation district into the List of Historic and Conservation Districts (BMC 8.20);
- Provides, as set forth in statute, for the district's elevation to a full historic district at the third anniversary of the adoption of the ordinance, unless a majority of the property owners object to the Commission in writing in a timely manner; and
- Once adopted, will require that changes to the external appearance of properties within this conservation district be subject to review by the Commission or Commission staff and may require the granting of a Certificate of Appropriateness before the changes are made (see below for more on what would be reviewed in a Conservation District versus a full Historic District).

Genesis, Interim Protection, Boundaries, and Zoning of the Near West Side Conservation District

According to the report, a majority of the homes in this area were listed on the West Side National Historic District (in 1997) and a committee of the Near West Side neighborhood residents began this designation project in 2018. Initial feedback, however, led to a process facilitated by the City's Historic Preservation Program Manager, which included six public meetings and a balloting of property owners. The balloting affirmed "overwhelming" support for the project (72-48) and majority preference for the pursuit of the conservation district.

Conservation District - Interim Protection

As noted in the attached Overview, properties that are designated as historic are subject to review by the Commission of certain changes to the exterior of historic buildings, structures, or sites by the Commission. Those proposed changes are brought forward in the form of a request for a Certificate of Appropriateness. Properties that are put under Interim Protection by the Commission stay in that status until the Council approves or rejects the designation. During that interim period, Certificates of Appropriateness may be reviewed by the Commission, but if approved, do not go into effect until the designation is adopted by the City.

⁴ "'Outstanding' is the highest rating and is applied to properties that are listed or are eligible for listing on the National Register of Historic Places and 'can be of local, state, or national importance.'" BMC 8.02 (Definitions)

⁵ "'Notable' is the second-highest rating and applies to properties that are of above average, but not outstanding importance, and 'may be eligible for the National Register.'" BMC 8.02

⁶ "'Contributing' is the third-highest rating and applies to properties that are at least 40 years old and are important to the 'density or continuity of the area's historic fabric' and 'can be listed on the National Register only as part of an historic district.'" BMC 8.02

⁷ "'Non-contributing' is the lowest rating and applies to properties that are 'not included in the inventory unless (they are) located within the boundaries of an historic district.'" These properties are ineligible for listing on the National Register and may involve structures that are either less than fifty years old, older than that but "have been altered in such a way that they have lost their historic character," or "are otherwise incompatible with their historic surroundings." BMC 8.02

A conservation district is a phased designation which elevates into a full historic district at the third anniversary of adoption of the ordinance, unless a majority of owners submit objections in writing to the Commission within 60-180 days before that date (per IC 36-7-11-19). Unlike a full historic district,⁸ changes that are subject to Commission review in a Conservation District are limited to:

- moving or demolishing of a building, or
- constructing of any principal building or accessory buildings or structures that can be seen from a public way.

Description of District

This district is visually distinct from its surroundings, and roughly bounded by:

- the Indiana Railroad right-of-way which, in part, runs alongside the northern edge of Rev. Ernest D. Butler Park on the north;
- a stairstep-like shape to North Rogers, then south to Kirkwood on the east;
- Kirkwood Avenue on the south; and
- North Adams on the west.

Statistical Overview of the District

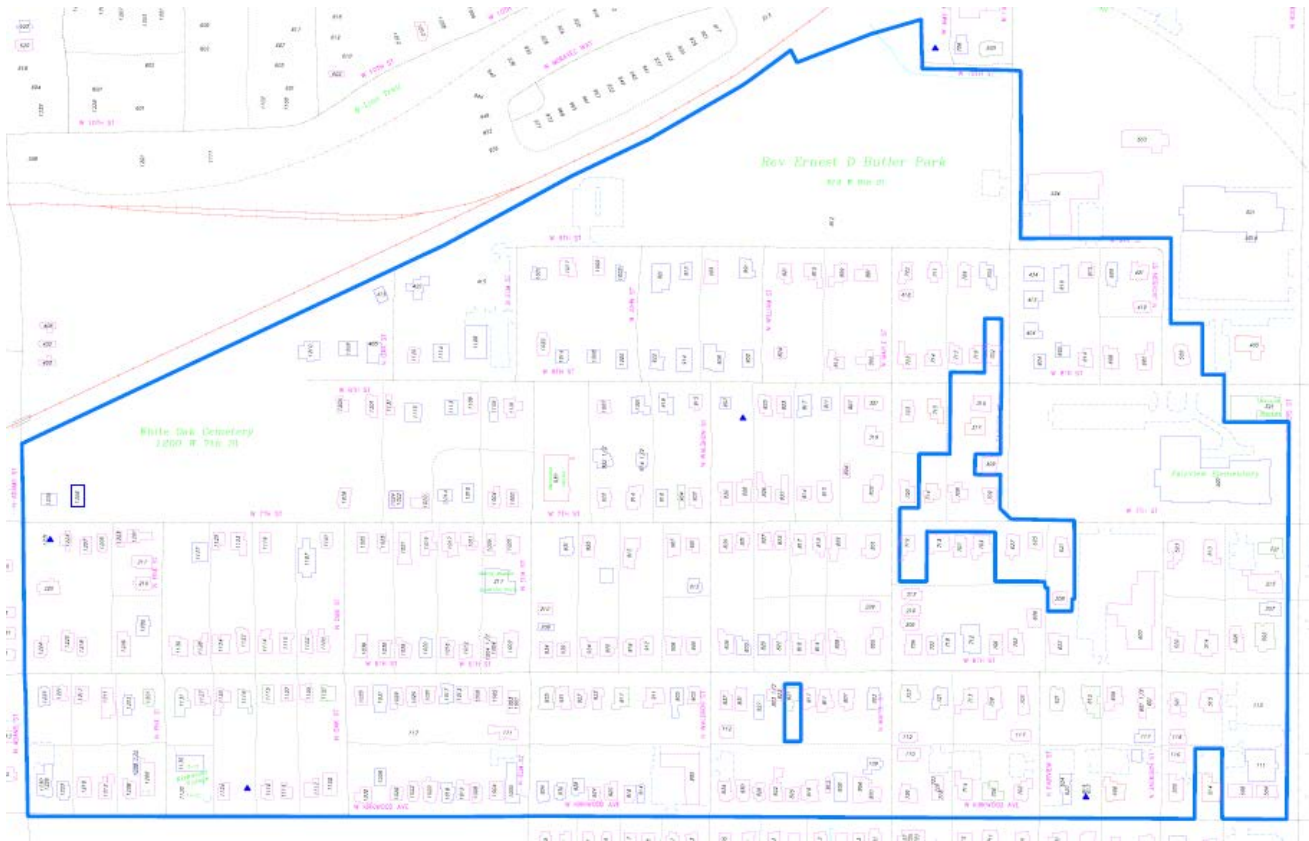
Properties: ⁹	325
Ratings:	3 – Outstanding, 14 -Notable, 28 – Contributing, and 90 - Non-contributing
Registered rentals:	~ 50%
Zoning:	Aside from Multi-Family (RM), Commercial Limited (CL) and Commercial General (CG) along Kirkwood and some Institutional uses (a school, churches, a park and a cemetery) spread throughout the area, the parcels are overwhelmingly zoned Residential Core (RC – with a density of 4.5 units per acre]

⁸ The full historic district is the ultimate designation that, along with those restrictions noted in regard to conservation districts, also authorizes the Commission to review:

- any addition, reconstruction, or alteration that conspicuously changes the external appearance of *historic* structures, and appurtenances to those structures, viewable from a public way in what are classified as “primary” and “secondary” areas; and
- any addition, reconstruction, or alteration that conspicuously changes the external appearance of a *non-historic* structure viewable from a public way or any change to or construction of any wall or fence along the public way in what are classified as “primary” areas.

⁹ This includes vacant lots which, if redeveloped with new buildings inconsistent with the Guidelines, could impair the character of the Conservation District.

Map of the proposed Near West Side Conservation District ¹⁰



Historic and Architectural Criteria for this Designation

The Commission granted this designation based upon both the historic and architectural significance of the neighborhood and its buildings as detailed in the Staff Report. The historical and architectural criteria supporting this designation (highlighted in yellow) and associated staff recommendations (indented and in italics) are as follows:

Historical Significance (BMC 8.08.010[e][1])

- (A) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or

Staff Recommendation: "because of its significant value as part of development of the city of Bloomington because it served as worker housing for people employed in the commercial and industrial businesses on the west side of town."

- (B) Is the site of a historic event; or

¹⁰ Note: The "holes" in this map have already been designated as historic districts.

- (C) Exemplifies the cultural, political, economic, social or historic heritage of the community;

Staff Recommendation: "because it is linked to the progressive hiring policy of the Showers Furniture Factory which gave working class members of the community the opportunity to earn a living wage and establish homes in the Near West Side neighborhood. The district also protects many civic, religious, and residential structures that are important markers for understanding and celebrating black history in Bloomington."

Architectural Significance (BMC 8.08.010[e][2])

- (A) Embodies distinguishing characteristics of an architectural or engineering type; or
- (B) Is the work of a designer whose individual work has significantly influenced the development of the community; or
- (C) Is the work of a design of such prominence that such work gains its value from the designer's reputation; or
- (D) Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- (E) Contains any architectural style, detail, or other element in danger of being lost; or

Staff Recommendation: "because [it] protects a range of historic architectural forms and styles that are now in serious danger of being lost through demolition or neglect. As Bloomington's largest collection of historic vernacular house types, the Near West Side includes multiple recognizable examples of shotgun, double pen, saddlebag, central passage, hall and parlor, and other traditional house forms that are becoming increasingly rare in the city."

- (F) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or

Staff Recommendation: "because the narrow city streets, densely sited houses, historic architectural forms and styles, network of alleys, limestone retaining walls, brick sidewalks and mature trees all coalesce to form a familiar visual pattern that communicates the district's early twentieth century origins."

- (G) Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

Staff Recommendation: "because the built environment of the district, which includes the streetscape and buildings, maintains high integrity and still conveys the distinct architectural character from their period of construction."

Please see the Staff Report for the historical and architectural narrative (pages 5-6) and architectural photos (pages 7 – 14) supporting this designation. In short, the tree-lined streets in this neighborhood still contain visual evidence of the City's economic and social history dating back to 1850, but more importantly, from 1890 – 1925, when the current residential character of the area took shape with the help of home-financing from the Showers Brothers Company.

According to the Report, the sample styles of houses include:

- “Double Pen – common in 19th century.
- Gabled-ell – common between 1890 and 1910.
- California Bungalow – common between 19105 and 1939.
- Shotgun – common between the mid-1800’s and 1930.
- Pyramid Roof Cottage – common between 1900 and 1930
- Queen Anne – common between the mid to late 19th century”

Guidelines – Review of Demolishing, Moving, and Constructing Buildings

With the help of staff, the Petitioner is in the process of developing Guidelines for the review of the demolition, moving or constructing of buildings in this new Conservation District. A copy of draft Guidelines is available in the Council Office. For more about the Near West Side Neighborhood Association and its activities please visit: <https://nearwestside.bloomington.in.us/>

Item 3:

Ordinance 19-26 - Ordinance 19-26 To Amend the District Ordinance and Approve a Preliminary Plan for a Planned Unit Development (PUD) - Re: 3201 E. Moores Pike (First Capital Group, Petitioner)

Ord 19-26 would amend the 2.2 acre Planned Unit Development (PUD) on Moores Pike just east of the AMC theaters to add multifamily as a permitted use and approve a district ordinance¹¹ and preliminary plan ¹² for the construction of one large structure with the main entrance and parking on the east. The petition was filed by First Capital Group, heard by the Plan Commission at meetings¹³ held on August 12, 2019 and on October 7, 2019, after which it was forwarded to the Council with a negative recommendation by a vote of 5-1.

Plan Commission Recommendation: “Negative Recommendation” – Effect of Recommendation on 90-Day Rule – Possible Actions by the Council

This proposal is the fourth of seven PUD proposals that have been brought to the Council since the beginning of 2018 with either a negative recommendation or without any recommendation (no recommendation). The other three failed at the Council.¹⁴

¹¹ According to BMC 20.04.040 (c), “The PUD district ordinance shall indicate the land uses, development requirements, and other applicable specifications that shall govern the planned unit development.” The District Ordinance may only provide alternative standards to those set forth in Chapter 20.02 (Zoning Districts) and Chapter 20.05 (Development Standards). Where the District Ordinance is silent on those specifications, the relevant provisions of the UDO apply. See also BMC 20.04.080 (Process – PUD district ordinance and preliminary plan).

¹² According to BMC 20.04.040(d), “The preliminary plan shall show the conceptual location of all proposed improvements.” See also BMC 20.04.080 (Process – PUD District ordinance and preliminary plan) (a)(2) and (c)(3) for the purpose and required content of the preliminary plan.

¹³ The minutes for these Plan Commission meetings can be found at <https://bloomington.in.gov/boards/plan/meetings/> by selecting the year and date of the meeting and downloading the file.

¹⁴ **Ord 18-14** (Century Village PUD) – see minutes of final action on [14 November 2018](#); **Ord 18-22** (Chandler’s Glen PUD) – see minutes of final action on [5 December 2018](#); and, **Ord 19-08** (105 Pete Ellis Drive – Curry Urban Partners) – see minutes where vote to introduce failed on [1 May 2019](#). To see minutes, please: go to <https://bloomington.in.gov/boards/plan/meetings/> ; select the year and the date of the meeting; and, then download them.

As is usually noted at the end of a summary of a PUD proposal, the Council has 90 days from certification to act on this petition¹⁵ and the 90th day for this proposal will fall on January 9, 2020. In the event of a negative or no recommendation (as happened here), during that time, the Council may, at the first or subsequent meeting after certification, and after giving notice of its intent to consider the proposal under Open Door Law,¹⁶ adopt or reject the proposal. If, during that time, the Council adopts the ordinance, it goes into effect as other ordinances of the legislative body; if the Council rejects the ordinance, then it is defeated.¹⁷ Adoption or rejection occur when a majority of the Council votes for or against a motion in that regard.¹⁸ Absent a decisive vote, the Council is considered to have “failed to act” which, in this case, constitutes a defeat of the ordinance.¹⁹

With these and other local procedures in mind, upon appearing under First Reading next Wednesday, the Council may take various actions regarding this ordinance. Here are a few such actions set forth into whether the Council wishes to consider the proposal further or whether it would want to dispense with it without further consideration:

If the Council wishes to consider Ord 19-26 further it may, under BMC 2.04.255, refer it to the:

- Land Use Committee (which must be entertained first); or
- Committee of the Whole.

If the Council wishes to dispense with it without further consideration (i.e. without setting time at a meeting to hear from the petitioner or public), it may:

- Not introduce it by having a Motion to Introduce fail;
- Introduce and immediately lay it on the table (which would result in defeat if nothing else is done before the time limit expires) or
- Postpone it indefinitely (which would result in its defeat under BMC 2.04.450).

The Site and Surrounding Uses

According to the memo, this 2.2 acre site is undeveloped with “several mature trees and emerging canopy species scattered throughout the property.” It is surrounded by: Jackson Creek Shopping Center on the north; multifamily apartments (College Park at Campus Corner) and a retirement community (Red Bud Hills and Autumn Hills) on the east; single family residences (Bittner Woods/Shadow Creek) on the south; and the AMC movie theaters on the west.

¹⁵ IC 36-7-4-608 (e), in relevant part states, “The legislative body shall vote on the proposal within ninety (90) days after ...the plan commission certifies the proposal under section 605 of this chapter...”

¹⁶ IC 36-7-4- 608(g); Note: Placement on the agenda under First Readings provides such notice.

¹⁷ IC 36-7-4-608 (g)(2)-(3).

¹⁸ City of Evansville v Fehrenbacher, App.4, Dist. 1987, 517 NE 2nd 111.

¹⁹ IC 36-7-4-608(g)(4).

The Proposal

This is the third zoning map amendment for this site in 20 years. The first was in 2000 and was a rezoning of the property, then occupied by a single family house, “from RS3.5/PRO6 to a PUD, to allow for a mixture of medical and office uses.” The second was in 2003 and added “climate-controlled storage” as a permitted use and included a final plan for an office building and storage warehouse, which were never built. In addition, in 2013, a site plan for a multi-tenant office building was approved, but not pursued.

Now, the property owner is requesting to add “multifamily” to the list of permitted uses and construct a four-story building with vehicular access, main entrance, and parking (with up to 52 spaces) on the east side and a tall and narrow presence on Moores Pike. It will contain up to 80 units and 128 bedrooms. A multi-use path will be constructed along Moores Pike and an internal network of sidewalks will be installed that that will connect Red Bud Hills to the Jackson Creek Shopping Center. 50% of the tree coverage will be preserved and, given a loss of trees following site work in 2000, the petitioner is proposing a conservation easement to preserve trees on the north side of the site. The development standards would comport with the Residential High Density (RH) district.

Changes between First and Second Hearing: The Staff Report²⁰ for the October 7th meeting identified “numerous potential issues” discussed at the first hearing (some of which were brought by neighbors (please see Letters of Opposition in this packet) and noted changes presented for the second hearing. These include: reduced the maximum height from 60’ to 50’; provided more sustainability features; and included a commitment to set aside unit for affordable, workforce, housing.

Workforce Housing. The commitment toward workforce housing would set aside 10% of the bedrooms (~13) with: 2/3s of those bedrooms occupied by tenants who earn up to 100% of Area Median Income (AMI) (\$51,700) per year and who will pay rent equal to 25% of income based upon 80% AMI;²¹ and, 1/3 occupied by tenants with who earn up to 120% of AMI (\$62,040) per year and who will pay rent equal to 25% of income based upon 100% AMI.²²

Approach Toward this Summary

Rather than review and summarize the materials provided in this packet, this summary will highlight the conclusions of the Interdepartmental Memo (Memo) from Plan staff which, along with the Plan Commission, recommended denial of this petition. Various documents and information are noted below:

²⁰ Except for noting changes between first and second hearing, the content of the Staff Reports are captured in the Memo to the Council and are not included in this material. However, the Plan Commission packets for those meetings also include material – reports, petitioner documents, minutes, etc. – which provide a good context and history. Please find that material at: <https://bloomington.in.gov/boards/plan/meetings/2019> and selecting either August 12th or October 7th and download the Commission packet. Also note that the minutes for the first hearing may downloaded as well.

²¹ 80% AMI Rent: Studio - \$646; 1BR - \$862; 2BR - \$1,078; and 3 BR - \$1,293.

²² 100% AMI Rent: Studio - \$808; 1BR - \$1077; 2BR - \$1,346; and 3 BR - \$1,616.

- District Ordinance and Preliminary Plan²³ - For a detailed review of these documents, the reader is directed to the Memo, Petitioner's Statement., and materials in the Plan Commission packets for August 12th or October 7th;
- PUD Considerations for Plan Commission and Council under the UDO - For a review of, and proposed findings for, the Plan Commission regarding these considerations, please see the Memo.
 - Since they mirror considerations by the Council, these findings might inform the Council's perspective on these considerations.
- Environmental Commission Memo - Please note that the Environmental Commission filed a report with recommendations regarding the landscaping plan, best practices for green building, and protection of the conservation easement.

Conclusion of Memo

The Memo's conclusion provided the following reasons staff did not support this project – the:

- orientation and design of the building do not present a pedestrian-friendly streetscape along Moores Pike;
- affordable housing component that did not meet the City's expectations and was not consistent with past projects;
- sustainable design features did not sufficiently promote a sustainable environment; and
- the parking and reduced number of stories did not adequately address neighbor concerns.

Comprehensive Plan – “Regional Activity Center (RAC)”

As spelled out in more detail at the end of this summary, in considering a PUD, decision-makers are to balance a number of factors, including (but not limited to) the extent to which the proposal is congruent with the Comprehensive Plan and surrounding uses. The Memo notes that the site is within a Regional Activity Center (RAC) (which runs along SR 45/46 and College Mall Road from above 10th Street [new hospital] to Moores Pike). It is characterized as a high intensity retail and multifamily area that “complement[s] rather than compete[s] with the Downtown district,” grows vertically to 2- to 3- stories, and buffers adjacent residential areas with less intense uses. Within that context, the Memo states the following:

The proposed use of the property for multi-family residences is somewhat consistent with the Comprehensive Plan (although a mixed-use building would be preferred). The Comprehensive Plan encourages two- or three-story buildings, so the proposed 4-story building would not be in keeping with the design guidelines.

²³ As set forth in the Memo, the Preliminary Plan (and District Ordinance) covers Uses and Development Standards. Some of the more significant ones, not already mentioned, include: **Uses** (where multifamily is added to the list of permitted use with the other use provisions remaining unchanged); **Residential Density** (where there will be 48 – 2BR, 28 – 1BR, and 4 – studio apartments for an overall maximum density [with Dwelling Unit Equivalency [DUE]] of 18 Units Per Acre); **Height and Bulk** (where the standards will conform with Residential High Density [RH] standards, with greatly reduced setbacks and a maximum height of 50’; **Parking, Streetscape and Access** (where there would be 52 parking spaces (for a parking ratio of 0.48 per bedroom) and, among other things, perhaps a passing “bliste” on Moores Pike); **Bicycle Parking and Alternative Transportation** (where there will be 22 bicycle parking spaces and sidewalks that will connect Autumn Hills to the shopping center; **Architecture/ Materials** (where the height will rise from 30’ under existing to 50’ under the proposed standards); **Environmental Considerations** (where the required 50% of tree coverage will be preserved largely through a conservation easement), and **Housing Diversity** (where the proposed set aside [10% of the bedrooms] is less than the 15% seen with other PUD projects).

Council Review

As explained in the beginning paragraphs of this summary, the Council has until January 9, 2020 to act on this proposal and its failure to act by that time would result in the defeat of this ordinance.

In reviewing a PUD proposal, the Council's review is guided by both local code and State statute. Both are reviewed below. In reviewing a PUD, Council must have a rational basis for its decision, but otherwise has wide discretion.

Bloomington Municipal Code (BMC)

BMC 20.04.080 directs that, in its review of a PUD, the Council shall consider as many of the following criteria as may be relevant to a specific PUD proposal. Amendments to a PUD are considered in the same manner as the creation of a new PUD. BMC 20.04.080(j)(1).

- The extent to which the PUD meets the requirement of 20.04, Planned Unit Development Districts.
- The extent to which the proposed preliminary plan departs from the UDO provisions otherwise applicable to the property (including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest).
- The extent to which the PUD meets the purpose of the UDO, the Comprehensive Plan, and other adopted planning policy documents.
- The physical design of the PUD and the extent to which it makes adequate provision for public services; provides adequate control over vehicular traffic; provides for and protects designated common open space; and furthers the amenities of light and air, recreation and visual enjoyment.
- Relationship and compatibility of the PUD to adjacent properties and neighborhood, and whether the PUD would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
- The desirability of the proposed preliminary plan to the city's physical development, tax base and economic well-being.
- The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
- The proposal preserves significant ecological, natural, historical and architectural resources.
- The proposal will not be injurious to the public health, safety, and general welfare.
- The proposal is an effective and unified treatment of the development possibilities on the PUD site.

Local code also provides that permitted uses in a PUD are subject to the discretion and approval of the Plan Commission and the Council. Permitted uses are determined in consideration of the Comprehensive Plan, existing zoning, land uses contiguous to the area being rezoned and the development standards outlined in the UDO. BMC 20.04.030.

Indiana Code

Indiana Code § 36-7-4-603 directs that the legislative body “shall pay reasonable regard” to the following:

- the Comprehensive Plan (see above for the Memo’s perspective on congruence with this document);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; *and*
- responsible development and growth. (I.C. § 36-7-4-603)

Importantly, these are factors that a legislative body must *consider* when making a zone map change decisions. However, nothing in statute requires that the Council find absolute conformity with each of the factors outlined above. Instead, the Council is to take into consideration the entire constellation of the criteria, balancing the statutory factors.²⁴

When adopting or amending a PUD district ordinance, State law provides that the Council may adopt or reject the proposal and may exercise any powers provided under State law. Those powers include:

- Imposing reasonable conditions;
- Conditioning issuance of an improvement location permit on the furnishing of a bond or a satisfactorily written assurance guaranteeing the timely completion of a proposed public improvement;
- Allowing or requiring the owner of real property to make written commitments (I.C. § 36-7-4-1512).

²⁴ Notably, Indiana courts have made clear that municipalities have wide latitude in approving in PUDs and need not always comply with its comprehensive plan. Instead, comprehensive plans are guides to community development, rather than instruments of land-use control. *Borsuk v. Town of St. John*, 820 N.E. 2d 118 (2005).

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL**

**SPECIAL SESSION FOR
THE INTRODUCTION TO ORDINANCE 19-24
WHICH REPEALS AND RE-ENACTS THE TEXT OF TITLE 20
(UNIFIED DEVELOPMENT ORDINANCE [UDO]) AND OTHER MATTERS**

**WEDNESDAY 30, OCTOBER 2019, AT 6:00 PM
COUNCIL CHAMBERS (ROOM 110)
SHOWERS BUILDING, 401 N. MORTON STREET.**

I. ROLL CALL

II. AGENDA SUMMATION

III. LEGISLATION FOR FIRST READING

1. Ordinance 19-23 To Amend a Planned Unit Development (PUD) District Ordinance and Approve a Preliminary Plan – Re: 1201 W. Allen Street (Hilltop Meadow, LLC, Petitioner)
2. Ordinance 19-25 To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Near West Side Conservation District (Near West Side Historic Designation Committee, Petitioner)
3. Ordinance 19-26 To Amend the District Ordinance and Approve a Preliminary Plan for a Planned Unit Development (PUD) - Re: 3201 E. Moores Pike (First Capital Group, Petitioner)

IV. COUNCIL SCHEDULE

V. CONTINUED CONSIDERATION OF ORDINANCE 19-24 - TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, “UNIFIED DEVELOPMENT ORDINANCE” *

1. Introduction to Proposed Unified Development Ordinance

Chapter 6 (Administration and Procedures)
Chapter 7 (Definitions)

2. Consideration of Written Objections per I.C. 36-7-4-606(c)(3)

3. Any Other Matters or Actions Related to this Proposal Ready to be raised at this Meeting.

VI. RECESS (*Currently set for no later than 10:00 pm*)

Note: The Council is scheduled to reconvene and continue its deliberations regarding this proposal on Wednesday, November 13, 2019 at 6:00 p.m. in the Council Chambers

** Item V of this agenda is part of a series of meetings that comprise one, long hearing on the proposed Ordinance 19-24. For further information regarding the formal notice, meeting procedures (including public comment and written objections), any subsequent revisions to the schedule and procedure, and the substance of the UDO and any amendments, please visit the Council website at <https://bloomington.in.gov/council/plan-schedule>.*

Written Objections Regarding Proposed Ordinance 19-24: Persons who wish to file written objections to the proposed Ordinance 19-24 at this meeting should submit the comment to the City Clerk or her staff, who will be seated at the table on south end of the Chambers. Please confirm with the Clerk or her staff that the written objection has been received before leaving this evening. Written objections may also be filed at other times at the Office of City Clerk or Monroe County Auditor. Please consult the Schedule (above) for the dates when those objections will be heard by the Council, the first date being 30 October 2019.

** Auxiliary aids are available upon request with adequate notice. Please call (812) 349-3409 or e-mail council@bloomington.in.gov.*

KROGHAN ASSOCIATES



CITY OF BLOOMINGTON

Bloomington/Monroe County Convention Center Project **City & County Council Inquiries** October 29, 2019



231 E. Main Street
Westfield, IN 46074

P 317 . 867 . 5888
F 317 . 867 . 5898

www.owkcpa.com

Convention Center

City F&B Collections



CITY OF BLOOMINGTON

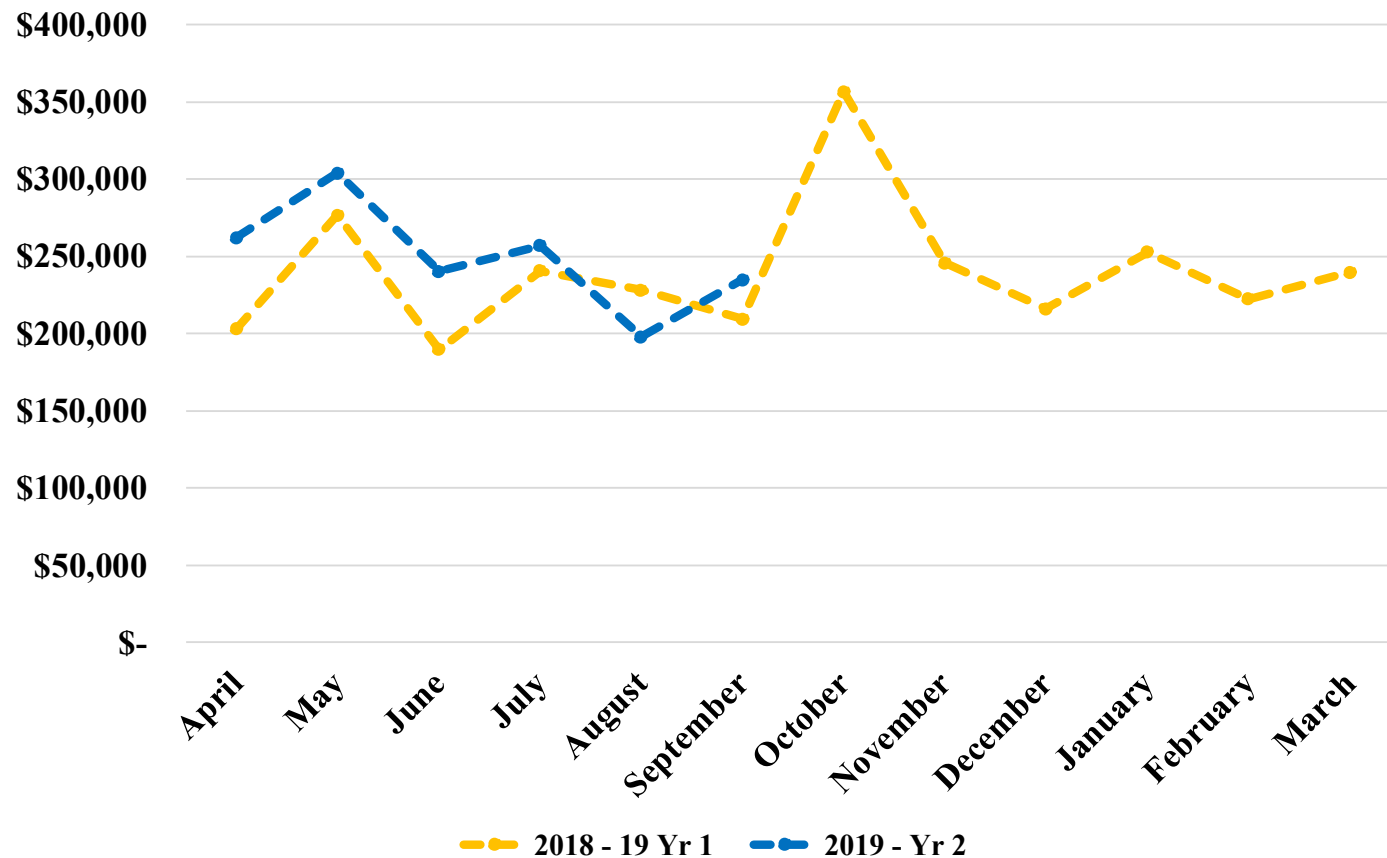


KROHN
ASSOCIATES
CPAS AND CONSULTANTS

Convention Center

City F&B Collections

Bloomington F & B Tax Distributions - Year 1 vs Year 2

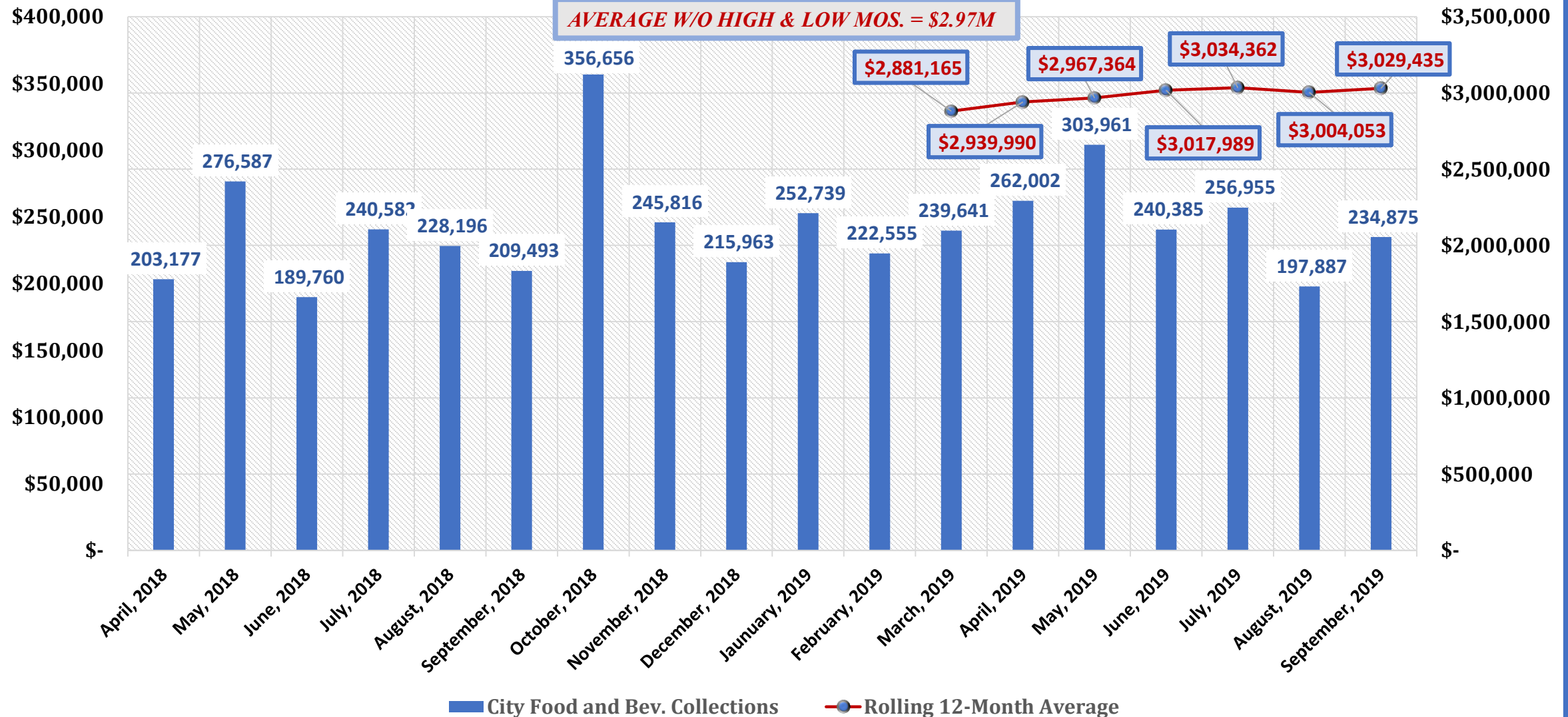


Month	2018 - 19 Yr 1	2019 - Yr 2
April	\$ 203,177	\$ 262,002
May	\$ 276,587	\$ 303,961
June	\$ 189,760	\$ 240,385
July	\$ 240,582	\$ 256,955
August	\$ 228,196	\$ 197,887
September	\$ 209,493	\$ 234,875
October	\$ 356,656	
November	\$ 245,816	
December	\$ 215,963	
January	\$ 252,739	
February	\$ 222,555	
March	\$ 239,641	

Convention Center

F&B Revenue Update

City's F&B Distributions and Rolling 12-Month Averages



Convention Center

Bond Sizing Range

PROJECTED F&B REVENUES AVAILABLE FOR BOND PAYMENTS & ESTIMATED BONDING CAPACITY

Annual F&B Tax for Bond Payments		Interest Rate		Bond Term		Estimated Bonding Capacity	
	F&B Revenues (City of Bloomington Portion Only)	Percent Current City F&B Revenue	Assumes Credit Enhancements Pledge from City		(In Years)	City's Portion of Annual F&B Tax Revenues	Coverage City F&B Revenue / Annual Debt Payments
OPTION 1	\$ 2,754,032	91%	3.60%		20	\$ 38,790,000	110%
OPTION 2	3,029,435	100%	3.60%		20	42,669,000	100%
OPTION 3	\$ 2,754,032	91%	3.75%		25	\$ 44,183,000	110%
OPTION 4	3,029,435	100%	3.75%		25	48,602,000	100%

Indexing for 1% Annual Growth in F&B Revenues Could Increase Annual F&B Cash Flow As Follows:

BASELINE	YEAR 5	YEAR 10	YEAR 15	YEAR 20	YEAR 25
\$ 3,029,435	\$ 3,183,967	\$ 3,346,381	\$ 3,517,080	\$ 3,696,486	\$ 3,885,044

Convention Center

Bond Sizing Range

- Rolling Average F&B Revenue (eliminating the highest & lowest months of F&B revenues) = \$2.97M per year.

	Annual F&B Tax for Bond Payments			Interest Rate	Bond Term	Estimated Bonding Capacity	
	F&B Revenues (City of Bloomington Portion Only)	Percent Current City F&B Revenue	Assumes Credit Enhancements Pledge from City			City's Portion of Annual F&B Tax Revenues	Coverage City F&B Revenue / Annual Debt Payments
OPTION 5	\$ 2,970,000	100%	3.60%		20	\$ 41,831,000	100%
OPTION 6	2,970,000	100%	3.75%		25	47,648,000	100%

- Is a 1:1 ratio (100% coverage) too risky for the bond issuance or should a more conservative coverage be considered?
- Is a local income tax back-up the right choice for this bond? What would the impact be on local income tax if the back-up was called into play?
- Is there any other source of back-up that would be better – i.e. TIF or property tax?
- Would TIF be an option as a back-up for this bond issuance or is there not capacity in the City's combined TIF district?

Convention Center

Debt Service Coverage

- Debt service coverage is the ratio of “pledged annual revenues” divided by “annual debt service payments.”
- Debt service coverage drives bond sizing capacity.
- 100% (1 for 1) coverage from only F&B revenues would represent the maximum bond size that the City could consider.
- 110% coverage from only using 91% of F&B revenues could establish a more conservative bond size determination.

Convention Center

Credit Enhancements

- Credit enhancements provide a formal “back-up pledge” in the event that there were ever a shortfall of F&B funds for bond payments.
- Local Income Tax (LIT) would provide the best formal back-up pledge in order to attain the City of Bloomington’s G.O. bond rating – S&P “AA.”
- The plan would be to not invoke the LIT Pledge. Just to obtain the highest bond rating possible and minimize interest costs for the Convention Center Bonds.
- Rather, the City would first utilize accumulated F&B fund balances to make up any potential F&B revenue shortfall. City will have more than a 1 year Debt Service Reserve Fund from accumulated F&B Revenues.
- TIF would provide a second significant fallback resource.

Convention Center

Debt Service Reserves

- City has already accumulated roughly \$4M in F&B Revenues over the past 18 months, and those monthly revenues continue to accrue.
- By next summer, cumulative F&B reserves could reach \$6M.
- Cumulative F&B reserves could absorb a \$200k/yr F&B annual cash flow shortfall for the life of the CC bonds (25 yrs).

Convention Center

Risk Mitigation

- LIT back-up eliminates risk for investors and bond rating agencies.
- City's risk in pledging LIT as a credit enhancement is minimal.
- City does not intend to ever utilize LIT for the CC bond payments. If it were needed it would come out of the City's distributive shares and there would not be a request to increase the LIT for this purpose.
- Accumulated F&B fund balances can absorb any temporary F&B shortfalls.
- LIT should never be needed for CC bond payments.

CITY OF BLOOMINGTON (INDIANA) REDEVELOPMENT COMMISSION

SCHEDULE OF AMORTIZATION OF PROPOSED \$42,670,000 REVENUE BONDS OF 2020

20-year term @ 100% of current food and beverage revenue - 100% coverage

Assumed date of delivery: July 1, 2020

Date	Principal Balance*	Coupon*	Debt Service			Bond Year Total
			Principal*	Interest*	Period Total	
1/1/2021	\$ 42,670,000	3.60%		\$ 768,060.00	\$ 768,060.00	\$ 768,060.00
7/1/2021	42,670,000	3.60%	\$ 700,000	768,060.00	1,468,060.00	
1/1/2022	41,970,000	3.60%	725,000	755,460.00	1,480,460.00	2,948,520.00
7/1/2022	41,245,000	3.60%	765,000	742,410.00	1,507,410.00	
1/1/2023	40,480,000	3.60%	780,000	728,640.00	1,508,640.00	3,016,050.00
7/1/2023	39,700,000	3.60%	795,000	714,600.00	1,509,600.00	
1/1/2024	38,905,000	3.60%	805,000	700,290.00	1,505,290.00	3,014,890.00
7/1/2024	38,100,000	3.60%	825,000	685,800.00	1,510,800.00	
1/1/2025	37,275,000	3.60%	835,000	670,950.00	1,505,950.00	3,016,750.00
7/1/2025	36,440,000	3.60%	850,000	655,920.00	1,505,920.00	
1/1/2026	35,590,000	3.60%	870,000	640,620.00	1,510,620.00	3,016,540.00
7/1/2026	34,720,000	3.60%	880,000	624,960.00	1,504,960.00	
1/1/2027	33,840,000	3.60%	900,000	609,120.00	1,509,120.00	3,014,080.00
7/1/2027	32,940,000	3.60%	915,000	592,920.00	1,507,920.00	
1/1/2028	32,025,000	3.60%	930,000	576,450.00	1,506,450.00	3,014,370.00
7/1/2028	31,095,000	3.60%	950,000	559,710.00	1,509,710.00	
1/1/2029	30,145,000	3.60%	965,000	542,610.00	1,507,610.00	3,017,320.00
7/1/2029	29,180,000	3.60%	985,000	525,240.00	1,510,240.00	
1/1/2030	28,195,000	3.60%	1,000,000	507,510.00	1,507,510.00	3,017,750.00
7/1/2030	27,195,000	3.60%	1,020,000	489,510.00	1,509,510.00	
1/1/2031	26,175,000	3.60%	1,035,000	471,150.00	1,506,150.00	3,015,660.00
7/1/2031	25,140,000	3.60%	1,055,000	452,520.00	1,507,520.00	
1/1/2032	24,085,000	3.60%	1,075,000	433,530.00	1,508,530.00	3,016,050.00
7/1/2032	23,010,000	3.60%	1,095,000	414,180.00	1,509,180.00	
1/1/2033	21,915,000	3.60%	1,110,000	394,470.00	1,504,470.00	3,013,650.00
7/1/2033	20,805,000	3.60%	1,135,000	374,490.00	1,509,490.00	
1/1/2034	19,670,000	3.60%	1,155,000	354,060.00	1,509,060.00	3,018,550.00
7/1/2034	18,515,000	3.60%	1,175,000	333,270.00	1,508,270.00	
1/1/2035	17,340,000	3.60%	1,195,000	312,120.00	1,507,120.00	3,015,390.00
7/1/2035	16,145,000	3.60%	1,215,000	290,610.00	1,505,610.00	
1/1/2036	14,930,000	3.60%	1,240,000	268,740.00	1,508,740.00	3,014,350.00
7/1/2036	13,690,000	3.60%	1,260,000	246,420.00	1,506,420.00	
1/1/2037	12,430,000	3.60%	1,285,000	223,740.00	1,508,740.00	3,015,160.00
7/1/2037	11,145,000	3.60%	1,310,000	200,610.00	1,510,610.00	
1/1/2038	9,835,000	3.60%	1,330,000	177,030.00	1,507,030.00	3,017,640.00
7/1/2038	8,505,000	3.60%	1,355,000	153,090.00	1,508,090.00	
1/1/2039	7,150,000	3.60%	1,380,000	128,700.00	1,508,700.00	3,016,790.00
7/1/2039	5,770,000	3.60%	1,405,000	103,860.00	1,508,860.00	
1/1/2040	4,365,000	3.60%	1,430,000	78,570.00	1,508,570.00	3,017,430.00
7/1/2040	2,935,000	3.60%	1,455,000	52,830.00	1,507,830.00	
1/1/2041	1,480,000	3.60%	1,480,000	26,640.00	1,506,640.00	3,014,470.00
TOTALS			\$ 42,670,000	\$ 18,349,470.00	\$ 61,019,470.00	\$ 61,019,470.00

* Preliminary, subject to change.

Convention Center

Bond Amortization Illustration
assumes 20 year bond with a 100%
(1 for 1) bond coverage ratio

KROHN
ASSOCIATES
CPAS AND CONSULTANTS

Convention Center

Summary

- Focusing on range of potential bond sizing scenarios:
 - Coverage at 100% (*1 for 1 TIF*) vs. 110% of F&B Revenues (*91% of TIF*)
 - 20yr vs. 25yr terms (***\$38.8M to \$48.6M bond sizing range***)
- LIT “back-up” will provide best form of credit enhancement
 - Better than property tax back-up - **Anticipate S&P – “AA” Rating**
- Cumulative F&B Funds, plus Net TIF Revenues, should mitigate risk of ever having to utilize LIT for CC Lease-Rental Bonds
 - **No growth assumed in annual F&B revenues in projections**

CC Garage Bonds

City TIF Capacity



CITY OF BLOOMINGTON



KROHN
&
ASSOCIATES
CPAS AND CONSULTANTS

CC Garage Bonds

Council Questions

- It is important to know if there will be TIF revenues available to build a convention center parking garage.
- If there is an estimated debt schedule for the convention center parking garage, please provide it to us.
- Current consolidated TIF fund balance.
- List of consolidated TIF expenses.
- Annual revenues of the consolidated TIF district.
- Spreadsheet showing the various TIF sunset dates and the associated AV lost with each sunset date.
- List of any and all ongoing TIF commitments and pledges.

CC Garage Bonds

TIF Area Sunset Dates

Year of TIF		Baseline TIF	Combined Bond	TIF Bond	
<u>Revenue</u>		<u>Revenue</u>	<u>Payments</u>	<u>Coverage</u>	
2019	Actual	10,493,708	4,670,118	5,823,590	
2020		10,493,708	6,614,853	3,878,855	158.6%
2021		10,493,708	7,239,722	3,253,986	144.9%
2022		10,493,708	7,246,453	3,247,255	144.8%
2023		10,493,708	7,244,499	3,249,209	144.9%
2024		10,493,708	7,243,668	3,250,040	144.9%
2025		10,493,708	7,238,197	3,255,511	145.0%
2026		10,493,708	7,230,938	3,262,770	145.1%
2027		10,493,708	7,235,903	3,257,805	145.0%
2028		10,493,708	7,231,763	3,261,945	145.1%
2029	<i>Sunset</i>	9,066,607	6,286,361	2,780,246	144.2%
2030		9,066,607	6,288,187	2,778,420	144.2%
2031		9,061,625	6,293,032	2,768,593	144.0%
2032		9,061,625	5,983,938	3,077,687	151.4%
2033	<i>Sunset</i>	8,739,687	5,778,150	2,961,537	151.3%
2034		8,739,687	5,769,813	2,969,874	151.5%
2035	<i>Sunset</i>	8,684,035	5,754,888	2,929,147	150.9%
2036		8,684,035	5,753,125	2,930,910	150.9%
2037	<i>Sunset</i>	8,230,181	5,448,813	2,781,368	151.0%
2038		8,230,181	5,446,700	2,783,481	151.1%
2039		8,230,181	5,445,088	2,785,093	151.1%



CITY OF BLOOMINGTON

KROHN
ASSOCIATES
CPAS AND CONSULTANTS

CITY OF BLOOMINGTON (INDIANA) REDEVELOPMENT COMMISSION

\$15,000,000* OF PROPOSED REDEVELOPMENT DISTRICT TAX INCREMENT REVENUE BONDS OF 2020

ASSUMED DATE OF DELIVERY AUGUST 1, 2020

CONVENTION CENTER GARAGE

Date	Principal Balance	* Principal	* Assumed Coupon	* Interest	* Period Total	Bond Year Total
2/1/2021	\$ 15,000,000	\$ 270,000	3.500%	\$ 262,500.00	\$ 532,500.00	\$ 532,500.00
8/1/2021	14,730,000	320,000	3.500%	257,775.00	577,775.00	
2/1/2022	14,410,000	325,000	3.500%	252,175.00	577,175.00	1,154,950.00
8/1/2022	14,085,000	335,000	3.500%	246,487.50	581,487.50	
2/1/2023	13,750,000	340,000	3.500%	240,625.00	580,625.00	1,162,112.50
8/1/2023	13,410,000	345,000	3.500%	234,675.00	579,675.00	
2/1/2024	13,065,000	350,000	3.500%	228,637.50	578,637.50	1,158,312.50
8/1/2024	12,715,000	355,000	3.500%	222,512.50	577,512.50	
2/1/2025	12,360,000	360,000	3.500%	216,300.00	576,300.00	1,153,812.50
8/1/2025	12,000,000	350,000	3.500%	210,000.00	560,000.00	
2/1/2026	11,650,000	355,000	3.500%	203,875.00	558,875.00	1,118,875.00
8/1/2026	11,295,000	360,000	3.500%	197,662.50	557,662.50	
2/1/2027	10,935,000	365,000	3.500%	191,362.50	556,362.50	1,114,025.00
8/1/2027	10,570,000	375,000	3.500%	184,975.00	559,975.00	
2/1/2028	10,195,000	380,000	3.500%	178,412.50	558,412.50	1,118,387.50
8/1/2028	9,815,000	385,000	3.500%	171,762.50	556,762.50	
2/1/2029	9,430,000	395,000	3.500%	165,025.00	560,025.00	1,116,787.50
8/1/2029	9,035,000	315,000	3.500%	158,112.50	473,112.50	
2/1/2030	8,720,000	320,000	3.500%	152,600.00	472,600.00	945,712.50
8/1/2030	8,400,000	325,000	3.500%	147,000.00	472,000.00	
2/1/2031	8,075,000	335,000	3.500%	141,312.50	476,312.50	948,312.50
8/1/2031	7,740,000	340,000	3.500%	135,450.00	475,450.00	
2/1/2032	7,400,000	345,000	3.500%	129,500.00	474,500.00	949,950.00
8/1/2032	7,055,000	410,000	3.500%	123,462.50	533,462.50	
2/1/2033	6,645,000	415,000	3.500%	116,287.50	531,287.50	1,064,750.00
8/1/2033	6,230,000	405,000	3.500%	109,025.00	514,025.00	
2/1/2034	5,825,000	415,000	3.500%	101,937.50	516,937.50	1,030,962.50
8/1/2034	5,410,000	420,000	3.500%	94,675.00	514,675.00	
2/1/2035	4,990,000	425,000	3.500%	87,325.00	512,325.00	1,027,000.00
8/1/2035	4,565,000	440,000	3.500%	79,887.50	519,887.50	
2/1/2036	4,125,000	445,000	3.500%	72,187.50	517,187.50	1,037,075.00
8/1/2036	3,680,000	455,000	3.500%	64,400.00	519,400.00	
2/1/2037	3,225,000	465,000	3.500%	56,437.50	521,437.50	1,040,837.50
8/1/2037	2,760,000	440,000	3.500%	48,300.00	488,300.00	
2/1/2038	2,320,000	450,000	3.500%	40,600.00	490,600.00	978,900.00
8/1/2038	1,870,000	455,000	3.500%	32,725.00	487,725.00	
2/1/2039	1,415,000	465,000	3.500%	24,762.50	489,762.50	977,487.50
8/1/2039	950,000	475,000	3.500%	16,625.00	491,625.00	
2/1/2040	475,000	475,000	3.500%	8,312.50	483,312.50	974,937.50
TOTALS		<u>\$ 15,000,000</u>		<u>\$ 5,605,687.50</u>	<u>\$ 20,605,687.50</u>	<u>\$ 20,605,687.50</u>

* Preliminary, subject to change.

Proposed Convention Center Garage Bonds

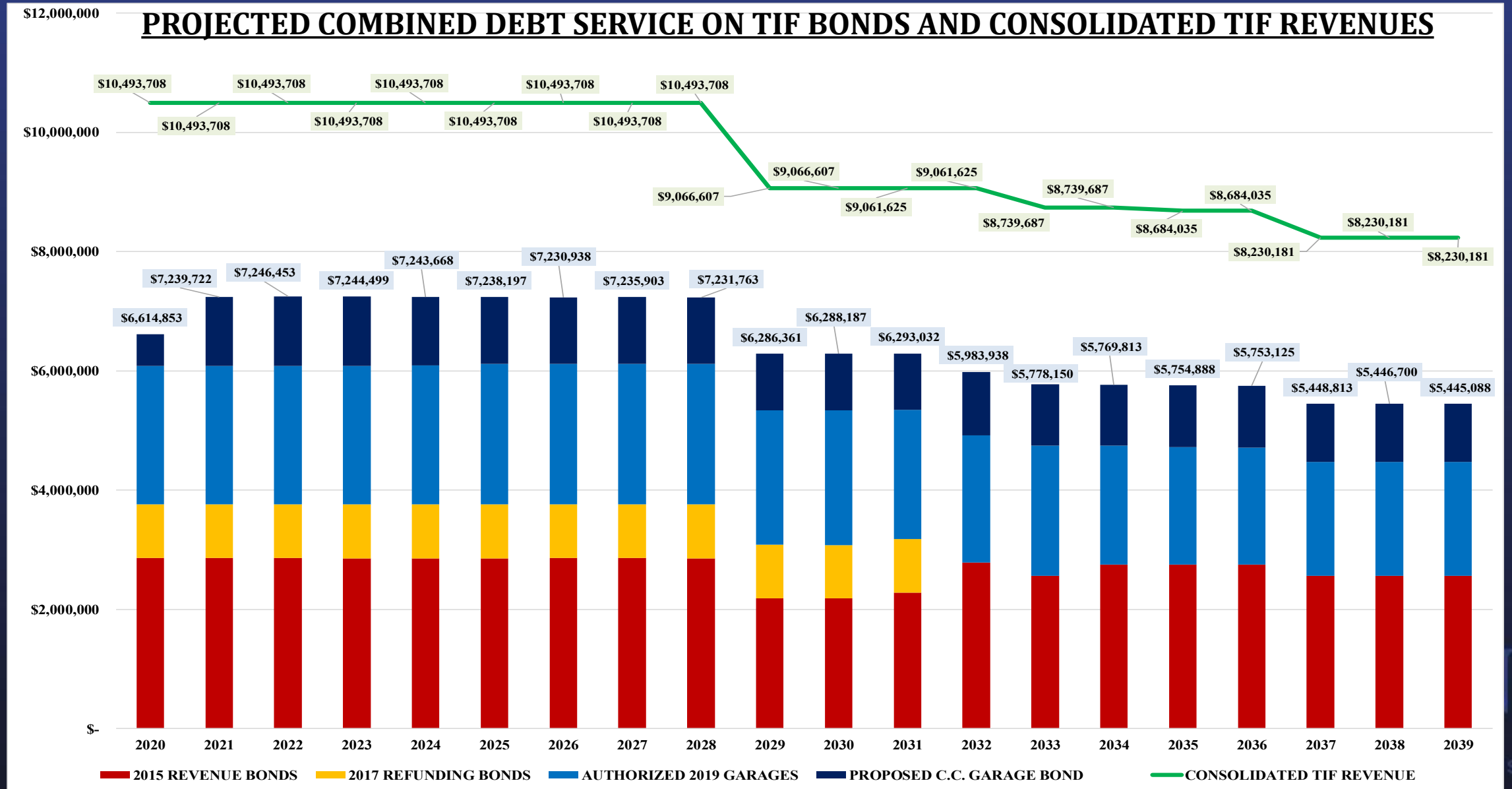


CITY OF BLOOMINGTON

KROHN
ASSOCIATES
CPAS AND CONSULTANTS

CC Garage Bonds

TIF Bond Cash Flow Projections



CC Garage Bonds

Existing TIF Resources



CITY OF BLOOMINGTON

City of Bloomington - Consolidated TIF Area

<u>Year</u>	<u>Beginning Cash Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Cash Balance</u>
2016	\$ 19,518,376	\$ 9,519,435	\$ 8,884,307	\$ 20,153,504
2017	20,153,504	10,174,476	8,344,713	21,983,267
2018	21,983,267	11,407,192	13,414,422	19,976,037
2019*	19,976,037	6,586,572	12,267,068	14,295,541

**As of October 20, 2019*

NOTE: December, 2019 anticipated TIF Settlement \$ 5,000,000

CC Garage Bonds

TIF Revenue History 2016-2018



CITY OF BLOOMINGTON

2016	\$ 8,864,765
2017	9,167,332
2018	9,478,796

2019 TIF Billing = \$10.5M

KROHN
&
ASSOCIATES
CPAS AND CONSULTANTS

CC Garage Bonds

TIF Area Sunset Dates

Economic Development Area	Base Date	Expiration Date	
Downtown Area	3/1/1985	1/1/2040	(1)
Thomson Area	3/1/1991	1/1/2040	(1)
Tapp Road Area	3/1/1992	1/1/2040	(1)
Walnut-Winslow Area	3/1/1992	1/1/2040	(1)
Adams Crossing Area	3/1/1994	1/1/2040	(1)
Whitehall-West Third Street Area	3/1/1997	2/2/2028	(3)
Adams Crossing Expansion #1	3/1/1999	2/7/2030	(3)
Tapp Road Expansion #2	3/1/2002	2/3/2033	(3)
Thomson Expansion Area	3/1/2002	3/4/2032	(3)
Adams Crossing Expansion #2	3/1/2009	6/4/2034	(2)
Downtown Expansion Area	3/1/2010	7/27/2036	(2)
Tapp Road Expansion #3	3/1/2014	1/1/2040	(2)
Thomson Walnut-Winslow Expansion #1	3/1/2014	1/1/2040	(2)
Thomson Walnut-Winslow Expansion #2	3/1/2014	1/1/2040	(2)
Thomson Walnut-Winslow Expansion #3	3/1/2014	1/1/2040	(2)
West 17th Street Area	3/1/2014	1/1/2040	(2)
Seminary Area	3/1/2014	1/1/2040	(2)
West Third Street Area	3/1/2014	1/1/2040	(2)
Bloomfield Road Area	3/1/2014	1/1/2040	(2)
South Walnut Area	3/1/2014	1/1/2040	(2)
Fullerton Pike Area	3/1/2014	1/1/2040	(2)

(1) Legacy TIFs, TIF allocation areas created before July 1, 1995, have a termination date of the later of (a) June 30, 2025 or (b) the final maturity date of obligations payable from the TIF allocation area that were issued by July 1, 2015.

(2) TIF allocation areas created on or after July 1, 2008 will expire 25 years after debt is scheduled to be paid from such areas.

(3) TIF allocation areas created between July 1, 1995 and June 30, 2008 have a 30 year life.

CC Garage Bonds

TIF Commitments

City of Bloomington - Current & Proposed TIF Commitments

	<u>Outstanding *</u>	<u>Proposed</u>	<u>Total</u>	<u>Annual Pmts</u>
2015 Bonds	\$ 36,810,000	\$ -	\$ 36,810,000	\$ 2,860,000
2017 Refunding Bonds	9,435,000		9,435,000	900,000
2019 Garage Bonds - 3 Series		29,150,000	29,150,000	2,350,000
2020 CC Garage Bonds		15,000,000	15,000,000	1,150,000
Total TIF Parity Bonds	\$ 46,245,000	\$ 44,150,000	\$ 90,395,000	\$ 7,260,000
Garage Leases - Thru 2032	\$ 6,789,000		\$ 6,789,000	\$ 670,000
Hospital Project		5,000,000	5,000,000	N/A

** Outstanding @ 10/1/2019*

CC Garage Bonds

TIF Net Revenues

- **Conclusions**
- **Even with the anticipated “sunset” of some of the TIF areas, net annual TIF cash flows should amount to \$2.8M to \$3.2M (thru 2040).**
- ***Note: These TIF projections do not assume any future growth in the revenues or TIF Areas. Projected TIF Revenues are based solely upon actual 2019 billed TIF revenues – per Monroe County Auditor.
2019 Baseline TIF Revenues = \$10.5M***

Convention Center - CC Garage Bonds



CITY OF BLOOMINGTON

- Thank You
- Questions



KROHN
ASSOCIATES
CPAS AND CONSULTANTS

ORDINANCE 19-23

**TO AMEND A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ORDINANCE
AND APPROVE A PRELIMINARY PLAN
- Re: 1201 W. Allen Street
(Hilltop Meadow, LLC , Petitioner)**

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, “Zoning”, including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled “Subdivisions”, went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, PUD-27-19, and recommended that the petitioner, Hilltop Meadow, LLC, be granted an approval to rezone 5.32 acres from Planned Unit Development (PUD) to Planned Unit Development (PUD) and to approve a PUD District Ordinance and preliminary plan to allow a new multifamily development; and

WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

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

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the PUD District Ordinance and preliminary plan shall be approved for the PUD on the property located at 1201 W. Allen Street. The property is further described as follows:

(MOBILE HOME PARK)

A part of Seminary Lot 165 and Seminary Lot 168 in the Southwest quarter of Section 5, Township 8 North, Range 1 West; Monroe County, Indiana, bounded and described as follows: Beginning at a point on the East Line of said Seminary Lot 165 that is 275.31 feet South of the Northeast corner of said Seminary Lot 165; thence from said point of beginning and with the East line of Seminary Lots 165 and 168 and running South 08 degrees 00 minutes East for 499.19 feet and to a point that is 94.38 feet North of the Southwest corner of said Seminary Lot 168; thence leaving said East line and parallel with the South line of said Seminary Lot 168 and running South 87 degrees 35 minutes 30 seconds West for 408.18 feet; thence North 12 degrees 22 minutes 33 seconds West for 504.43 feet; thence parallel with the North line of said Seminary Lot 165 and running North 87 degrees 35 minutes 30 seconds East for 446.86 feet and to the point of beginning. Containing 4.87 acres, more or less.

(HOUSE)

A part of Seminary Lots Number 165 and 168 in the Southwest quarter of Section 5, Township 8 North, Range 1 West, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at the Northwest corner of Seminary Lot Number 165, running thence South along the West lines of Seminary Lots Number North of the Southwest corner of Seminary Lot Number 168, running thence East a distance of 234 feet, running thence in a Northwesterly direction to a point in the North line of Seminary Lot Number 165, said point being 175 feet East of the Northwest corner of said Seminary Lot Number 165, running thence West along the North line of Seminary Lot Number 165 a distance of 174 feet and to the place of beginning.

(DRIVEWAY)

Part of Seminary Lot 165, City of Bloomington, Monroe County, Indiana, as recorded in Book N, page 504, Office of the Recorder, and also being a part of the land of Willie c. Coleman and Mary J. Coleman (Book 231 Page 258, Office of the Recorder) and more particularly described as follows: Beginning on the north line of said Seminary Lot, 174.00 feet East of the northwest corner, said point being the northeast corner of said Coleman property; thence South 12 degrees 22 minutes 33 seconds East (assumed bearing), 418.20 feet along the east boundary of said Coleman to a 5/8 inch rebar with plastic cap set; thence North 54 degrees 21 minutes 47 seconds West 67.27 feet to a 5/8 inch rebar with plastic cap set; thence North 12 degrees 22 minutes 33 seconds West, 104.86 feet; thence North 2 degrees 24 minutes 30 seconds West, 11.06 feet to the north line of said Seminary Lot 165; thence North 87 degrees 35 minutes 30 seconds East, 145.00 feet along said north line to the point of beginning and containing 0.45 acre, more or less.

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

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

SECTION IV. 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 _____, 2019.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 19-23 would amend an existing PUD and approve a PUD District Ordinance and Preliminary Plan to allow a new multifamily residential development.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 19-23 is a true and complete copy of Plan Commission Case Number PUD-27-19 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 9, 2019.

Date: September 19, 2019


Terri Porter, Secretary
Plan Commission

Received by the Common Council Office this 19th day of September, 2019.


Nicole Bolden, City Clerk

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

Type of Legislation:

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

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

Cause of Request:

Planned Expenditure	_____	Emergency	_____
Unforeseen Need	_____	Other	_____

Funds Affected by Request:

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

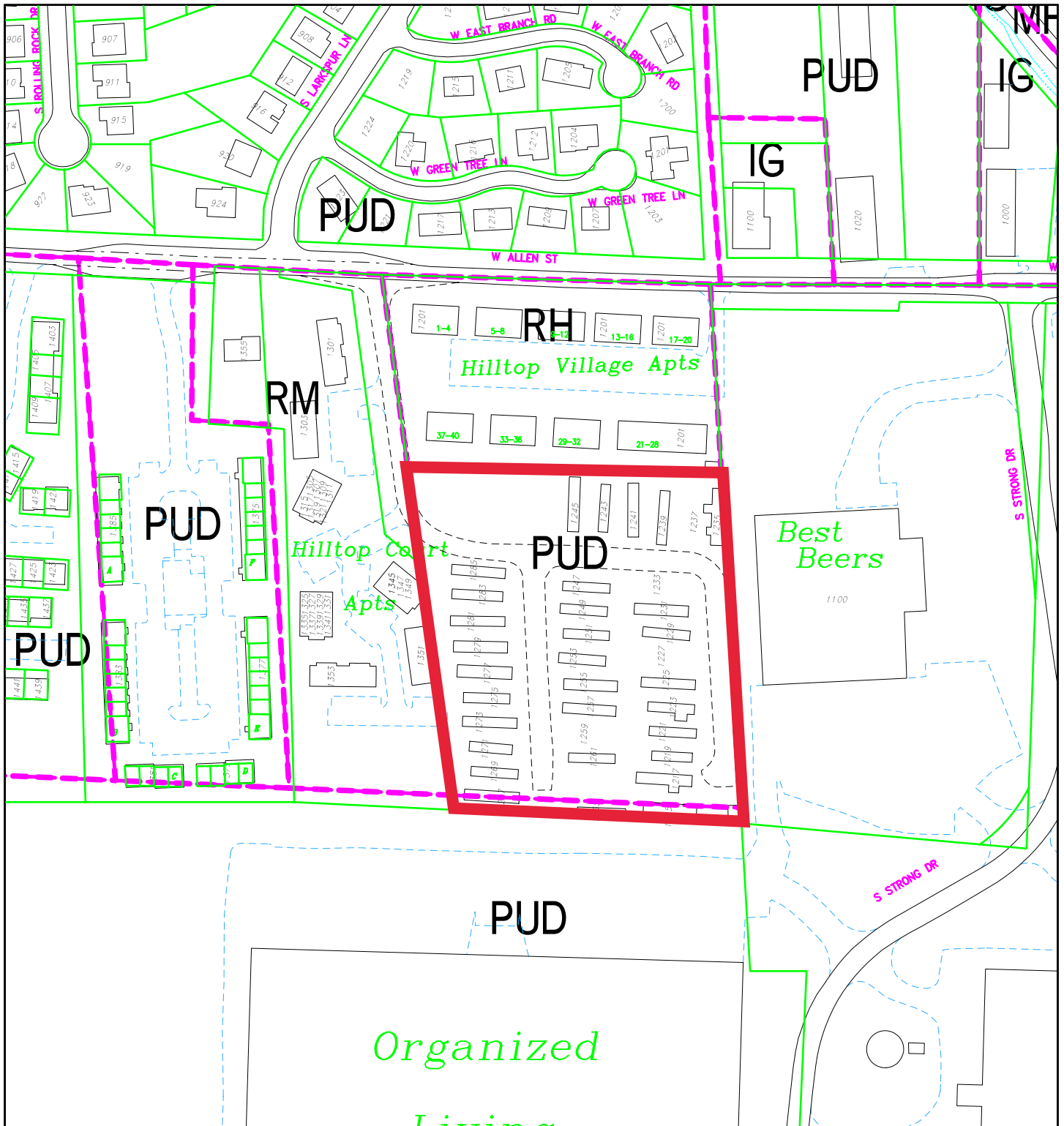
Signature of Controller

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

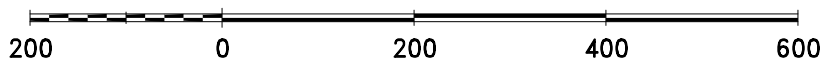
Yes _____ No _____

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

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

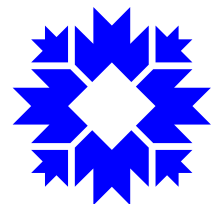


By: greulice
21 Jun 19



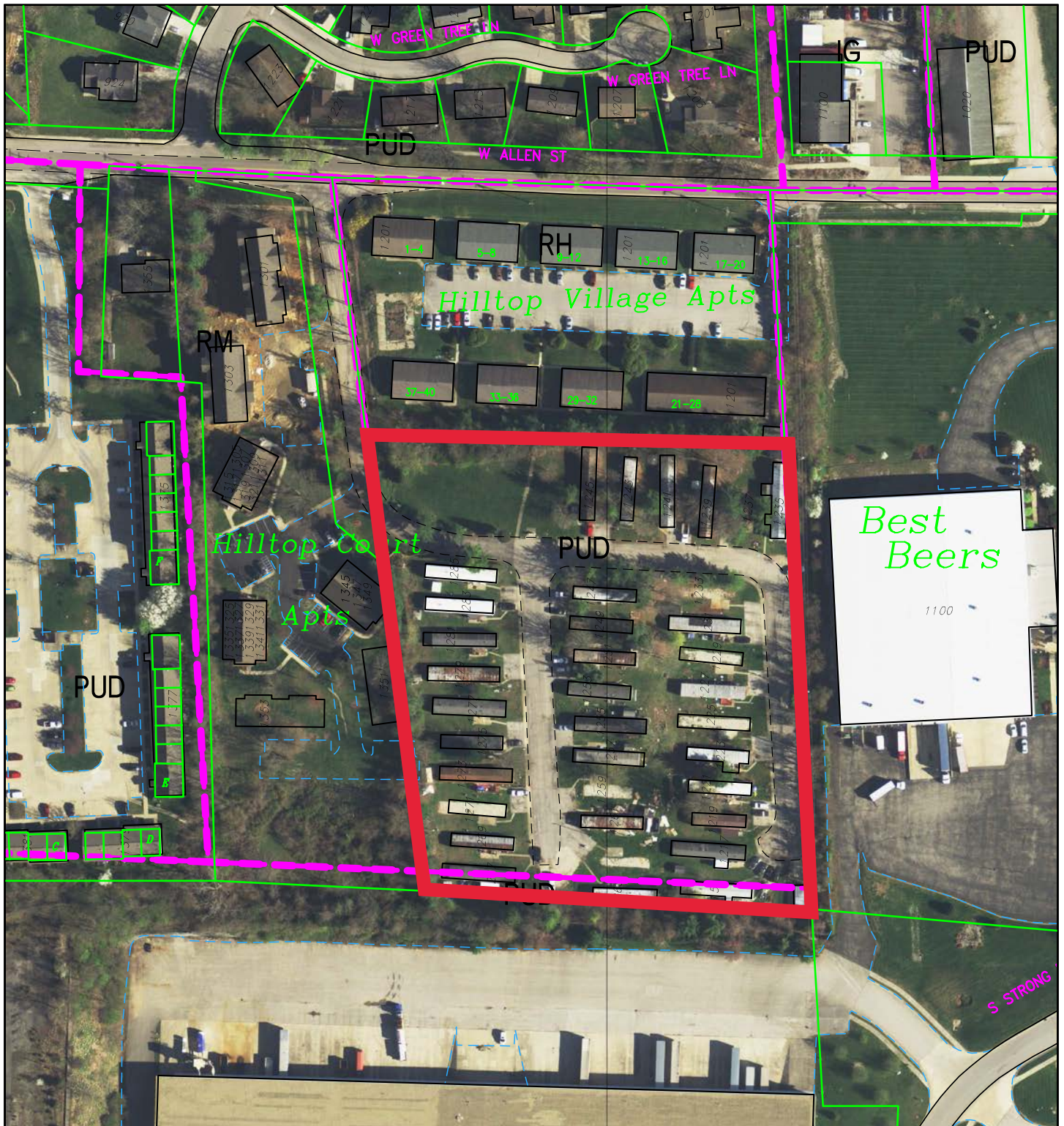
For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation

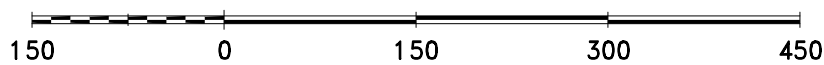


Scale: 1" = 200'

N

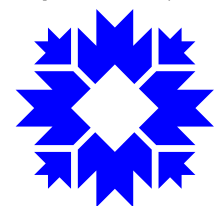


By: greulice
21 Jun 19



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 150'

Interdepartmental Memo

To: Members of the Common Council
From: Ryan Robling, Zoning Planner
Subject: PUD-27-19
Date: September 19, 2019

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case PUD-27-19. The Plan Commission heard this petition at the September 9, 2019 hearing and voted 8-0 to send this petition to the Common Council with a favorable recommendation.

The Plan Commission report is attached. The report below has been amended following changes made since the Plan Commission hearing. These changes include the ongoing discussion between the petitioner and the City in reference to the inclusion of an affordable housing component to the development, as well as the addition of the Plan Commission's condition for the petitioner to provide a written commitment to offer affordable housing to the Department's satisfaction.

REQUEST: The petitioner is requesting a PUD amendment to allow multi-family residential units.

BACKGROUND:

Area:	5.32 acres
Current Zoning:	Planned Unit Development
Comp Plan Designation:	Neighborhood Residential
Existing Land Use:	Mobile Home Park
Proposed Land Use:	Dwelling, Multi-Family
Surrounding Uses:	North – Dwelling, Multi-Family West – Dwelling, Multi-Family East – Light Manufacturing South – Light Manufacturing

CHANGES SINCE LAST HEARING: The petitioner has submitted a revised site plan, and revised additions to the district ordinance for the proposed amendment to the current PUD.

The revised site plan includes:

- Identifying bicycle parking locations.
- Accessory structure (tool shed).
- Accessory structure (pergola).

The revised additions to the district ordinance include:

- Landscaping-within the area of the community garden up to 8 fruit trees may be planted and count toward the required interior medium or small canopy trees required under Chapter 20.05.054.

- Landscape Island- Mulch consisting of decorative gravel or rubberized mulch may be allowed in landscape bump outs and islands along with the required landscaping under Chapter 20.05.053.

The petitioner has been in discussions with the City, including with Director of Housing and Neighborhood Development Doris Sims, in order to provide an affordable housing component. While specifics are not yet available, the discussion is moving forward in a positive direction and an agreement will be met.

REPORT: The 5.32 acre property is located south of W. Allen St. between S. Strong Dr., and S. Adams St. The property is currently developed with a vacant mobile home park. The surrounding properties to the south and east are zoned within a PUD (MG/PCD-9-91) and have been developed with light manufacturing. The property to the west has been zoned Residential Multifamily (RM) and has been developed with multifamily dwelling units. The property to the north has been zoned Residential High-Density Multifamily (RH) and has been developed with multifamily dwelling units. This property fronts on W. Allen St via a shared private drive.

The petitioner proposes to amend the PUD to allow multi-family residences on this parcel rather than the original approved mobile home park use. With this amendment mobile homes will no longer be allowed in the PUD. The petitioner proposes to construct 48 efficiency units, 24 one-bedroom units, 32 two-bedroom units, and 10 three-bedroom townhouses. This will create a total of 114 units and 166 bedrooms. The overall density is proposed at 8.78 DUEs per acre. An allowed maximum of 15 units per acre is being proposed for the PUD. The petitioner proposes 9 two-story and 2 three-story residential buildings, 2 one-story accessory buildings, and 2 accessory structures. The two buildings containing the 10 townhouses will be platted for individual sale. A community gardens/open space will be in the middle of the site directly adjacent to two of the buildings. The 10 three-bedroom townhouses will each have a two-car garage in the rear of the unit. There are a proposed 172 surface parking spaces for 166 bedrooms. This equals approximately 1.03 parking spaces per bedroom. With the garage spaces counted, that is 1.15 spaces per bedroom.

COMPREHENSIVE PLAN: This property is designated as Neighborhood Residential with some Employment Center on the southeast portion of the parcel. The lines and edges in the Comprehensive Plan are intended to be fluid, so as to be flexible as areas in the City develop. Given the existing development on and around the site, the Department feels that Neighborhood Residential is the most appropriate district to analyze this proposal. The Comprehensive Plan notes the following about the intent of the Neighborhood Residential area and its redevelopment:

- *Primarily composed of residential land uses with densities ranging from 2 units per acre to 15 units per acre. Single family residential development is the dominant land use activity for this district. Other land use activities include places of religious assembly, schools, small-scale commercial, and some multifamily housing.*
- *Buildings are no more than three, but most often two stories or less and have natural or landscaped front, side, and rear yards.*
- *Optimize street, bicycle, and pedestrian connectivity to adjacent*

- neighborhoods and other 20-minute walking destinations.*
- *Create neighborhood focal points, gateways, and centers. These could include such elements as a pocket park, formal square with landscaping, or a neighborhood-serving land use.*
 - *Ensure that appropriate linkages to neighborhood destinations are provided.*
 - *Large developments should develop a traditional street grid with short blocks to reduce the need for circuitous trips.*
 - *Support incentive programs that increase owner occupancy and affordability.*

The development of this large lot will amend an existing mobile home park PUD to allow a large multifamily development. The site is located within walking distance of major area employers. The site has direct access to W. Allen St. which connects to the downtown and local commercial businesses. While, the design of the proposal does not provide all of the desired design criteria, the Department believes it is appropriate given the context of surrounding uses and intensities. This site is located in a larger Neighborhood Residential area. The Department believes that developing this parcel with multifamily residential complements the existing single-family residences to the north of W. Allen and creates a needed buffer between the industry to the south and east and residential to the north and west.

PRELIMINARY PLAN:

Uses/Development Standards: The petitioner is proposing to utilize the RH zoning district for the permitted uses and development standards, with a modification. The petitioner is proposing a deviation from the RH district's maximum impervious surface coverage. The RH district has a maximum of 50% impervious surface coverage. The petitioner is proposing a maximum of 65% impervious surface coverage.

Residential Density: The maximum residential density allowed in the RH district is 15 units per acre, which is the densest by-right development allowed in the UDO outside of the downtown. The petitioner is proposing 166 bedrooms in 114 units for a total of 8.76 units per acre, with a proposed maximum of 15 units per acre for the PUD. The Comprehensive Plan calls for 2 to 15 units per acre in the *Neighborhood Residential*. The immediately adjacent area has been developed with multifamily units, and light industrial uses.

Height and Bulk: The petitioner is proposing 9 two-story residential buildings and 2 three-story residential buildings, with a maximum proposed height of 50 feet. These are taken from the RH district which has a maximum height of 50 feet, and the proposed heights will meet those standards.

Parking, Streetscape: A total of 172 surface level parking spaces are proposed along with 10 two-car garages which will be located beneath the proposed three-story residential buildings. The two-car garages will be individually utilized by the proposed three-bedroom units. This is a total number of parking spaces equal to 1.15 parking spaces per bedroom. This is above the 1 space per bedroom maximum in the RH district. The parking spaces will be perpendicular along a proposed private street which will create

a loop through the middle of the site.

Access: There is one vehicular access point for this property which enters the property from the northwest. This drive is shared with the adjacent properties to the north and west. The petitioner is not proposing to change this access point.

Internal sidewalks will be installed along the internal drive between the proposed parking and the buildings. These sidewalks will connect to an existing sidewalk which runs along the west side of the private drive on the northwest corner of the parcel. A new sidewalk connection will be created in the southeast corner of the parcel which will connect the property to light industrial employers to the south and east.

Bicycle Parking and Alternative Transportation: The proposed development will have 166 bedrooms in 114 units. The UDO requires one bicycle parking space for every 6 bedrooms. This development would require 28 bicycle parking spaces. The UDO requires multifamily residential properties with greater than 32 bedrooms to have $\frac{1}{2}$ of required bicycle parking to be covered short-term Class II bicycle parking, and $\frac{1}{4}$ to be covered long term Class I facilities. The location of bike parking has been shown on the plan, but the number of parking spaces provided has not. Bike parking will meet or exceed required minimums.

The site is within a 5-minute walking distance of a Bloomington Transit bus route along W. Allen.

Architecture/Materials: The petition has utilized the RH district for architecture standards. The buildings will be required to meet RH architectural standards.

Environmental Considerations: There are no known sensitive environmental features.

Housing Diversity: The petitioner is still working on their housing diversity options and has not outlined their proposal as of this meeting. The petitioner has reached out and is working with this and other Departments in order to finalize this portion of the proposal.

Landscaping: The petitioner has proposed a community garden which will be available for the residents to grow food crops. The community garden is proposed to contain up to 8 fruit trees. The petitioner is proposing that these fruit trees count toward the required interior medium and small canopy trees. The Department is supportive of the community garden, but does not believe that a one-for-one replacement of required interior trees is appropriate.

The petitioner has also proposed the use of decorative gravel or rubberized mulch be allowed in landscape bumpouts and islands. The Department does not support the use of decorative gravel or rubberized mulch as landscape material on landscape bumpouts or islands.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) made 4 recommendations concerning this development, which are listed below:

- 1) The Petitioner shall submit an approved Landscape Plan prior to being granted a Grading Permit.
- 2) The Petitioner should incorporate best practices for green building
- 3) The Plan Commission should not agree to less pervious surface than would be allowed if the plan design followed UDO standards.
- 4) The vegetative buffer shall be shown on the plan and protective orange fencing should be installed during construction to ensure that construction disturbance does not encroach into it either.

20.04.080(h) Planned Unit Development Considerations

The UDO outlines that in their consideration of a PUD District Ordinance and Preliminary Plan, the Plan Commission and Common Council shall consider as many of the following as may be relevant to the specific proposal. The following list shall not be construed as providing a prioritization of the items on the list. Each item shall be considered individually as it applies to the specific Planning Unit Development proposal.

- (1) The extent to which the proposed Preliminary Plan meets the requirements, standards, and stated purpose of Chapter 20.04: Planned Unit Development Districts.

PROPOSED FINDINGS: This petition meets the requirements for a Planned Unit Development and accomplishes the purposes of a PUD which is to provide a land use that would not be allowed within the current PUD. The proposed amendment to this PUD would allow for residential uses at a higher density in an area immediately adjacent to major area employers.

- (2) The extent to which the proposed Preliminary Plan departs from the Unified Development Ordinance provisions otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.

PROPOSED FINDINGS: The current PUD (PUD-43-80) limits the site to a 35 unit mobile home park. The proposed plan would depart significantly from the original PUD, and would not otherwise be allowed without amending the original PUD. The proposed deviations from the current PUD, which are outlined in the Petitioner's Statement, are similar to the current Residential Multifamily High-Density (RH) district of the UDO with the exception of maximum impervious surface coverage, and maximum number of parking spaces. The departures from the current PUDs use, improvements, and density will provide high density residential units in a form that matches surrounding design, scale, and character.

- (3) The extent to which the Planned Unit Development meets the purposes of this Unified Development Ordinance, the Growth Policies Plan, and any other adopted planning objectives of the City. Any specific benefits shall be specifically cited.

PROPOSED FINDINGS: The proposed PUD will use similar standards to the

current RH district, and will meet the district's intent. This proposal helps provide an adequate mix of housing types throughout the community. While the proposal is primarily focused on multifamily units, the development will feature 10 single-family units which will be sold individually. This proposal also provides for non-student-centric multifamily housing away from Indiana University. The property is serviced by public transportation.

The amended PUD will provide for 15 units per acre. The Comprehensive Plan considers developments ranging from 2 to 15 units per acre appropriate within Neighborhood Residential designated areas. The proposed scale of the buildings within the PUD will range from 1 to 3 stories, and are within the Comprehensive Plan's guideline for the area. The proposal includes a community garden which will serve as both a neighborhood focal point, and provide for urban agriculture. The Comprehensive Plan requires that Neighborhood Residential areas provide neighborhood focal points which can include such elements as neighborhood-serving land uses, and pocket parks. The Comprehensive Plan calls for the possible creation of permitted urban agricultural uses within nonagricultural zoning districts. The proposal will include sidewalks to nearby employment centers to the south of the property, as well as sidewalks along the entrance to the property which connect to sidewalks along W. Allen St. The Comprehensive Plan requires developments to provide linkages to neighborhood destinations, and these sidewalks will provide pedestrian access to neighborhood destinations including employers to the south, and public transportation to stops along W. Allen St. The Comprehensive Plan calls for developments which will support owner occupancy. This proposal will provide 10 single-family units which will be individually sold.

The petitioner has expressed their desire to include support for affordable housing, but has not submitted a proposal. The petitioner is still working on this component of the project with the City, but has agreed to continue discussions toward inclusion of affordable housing.

- (4) The physical design of the Planned Unit Development and the extent to which it:
- a. Makes adequate provision for public services;
 - b. Provides adequate control over vehicular traffic;
 - c. Provides for and protects designated common open space; and
 - d. Furthers the amenities of light and air, recreation and visual enjoyment.

PROPOSED FINDINGS:

The proposal will provide adequate public services by providing pedestrian connections to area employers, and to nearby public transportation stops. The site has one existing vehicular access point. The site uses a shared drive to access W. Allen St. to the north of the property. This shared drive is utilized by adjacent multifamily properties and has caused no known issues with vehicular traffic along W. Allen St. The proposal includes a community garden at the center of the property which will provide residents with a recreational activity. The site will also be buffered from surrounding

light manufacturing uses by a 15 foot building setback, and currently existing vegetative buffer to remain.

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

PROPOSED FINDINGS: The proposed use is a multifamily development and is similar in use to the adjacent properties to the north, and west. The western property is owned by the petitioner. The properties to the south, and east are light manufacturing. The Department does not believe that this proposal will substantially interfere with the use or value of adjacent properties.

- (6) The desirability of the proposed Preliminary Plan to the City's physical development, tax base and economic well-being.

PROPOSED FINDINGS: The provision of an estimated 114 units and new construction will increase the tax base of the City. The location of the site next to major area employers, and away from Indiana University's campus will, likely, provide multifamily residences to non-student residents.

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

PROPOSED FINDINGS: The site is accessed via a shared private street which connects to W. Allen St. This private street is currently utilized by the two adjacent multifamily properties, and was previously used by the mobile home park. No undue traffic congestion has been identified currently, and no undue congestion is expected as a result of this proposal. The site is within walking distance of two public transit stops.

- (8) The proposal preserves significant ecological, natural, historical and architectural resources.

PROPOSED FINDINGS: There are no significant ecological, natural, historical or architectural resources on this site.

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

PROPOSED FINDINGS: The Department finds that the proposal will not be injurious to the public health, safety, or general welfare. The current PUD allowed for a residential use, and the site will continue to allow to provide for residential use.

- (10) The proposal is an effective and unified treatment of the development possibilities on the PUD site.

PROPOSED FINDINGS: The amendments to this PUD allow for a

development which would not otherwise be accomplished on the site. The current PUD allows for a maximum of 35 mobile homes, and does not offer additional amenities. The petitioner is proposing to amend the existing PUD to allow for 114 units which includes 10 single-family units which will be sold individually. The petitioner is also proposing to include an urban agricultural garden. A similar proposal could be designed on a property within the RH district. However, The RH district standards would not allow for the proposed number of parking spaces, nor the proposed impervious surface maximum. The RH district allows for a maximum of 1 parking space per bedroom for multifamily dwelling units, and an impervious surface coverage maximum of 50% of the lot's total area. The petitioner is proposing 1.15 parking spaces per bedroom, and a maximum of 65% impervious surface coverage.

CONCLUSION: The proposed PUD amendment will create additional dwelling units in a residential PUD that has existed for 39 years. The proposal is consistent with portions of the Neighborhood Residential Comprehensive Plan designation, and is consistent with surrounding uses and intensities. The site is adjacent to two multifamily residential properties, and two light manufacturing facilities. The Department is favorable to additional housing in the area, and believes the proposed density is appropriate. The proposal will also provide 10 units which are slated to be sold individually, which supports the Comprehensive Plan's goal of increasing owner occupancy.

While the proposal meets the density goals of the Comprehensive Plan, the Department believes the proposed plan for street design has issues meeting the goals of the Comprehensive Plan. The Comprehensive Plan clearly encourages large developments to incorporate traditional street grids with short blocks to reduce circuitous trips. However, because of the relatively small size of this site and the immediate surrounding, the Department believes the proposed design is acceptable.

The petitioner has committed to providing affordable housing as a component of this development but has not provided details on how this will be accomplished. The petitioner is working with the City to develop the affordable housing component. Affordable housing would be a significant public benefit which may not be accomplished without amendment to this PUD.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and forward PUD-27-19 to Common Council with a positive recommendation and with the following conditions:

1. PUD Final Plan approval is delegated to the Planning and Transportation Department staff.
2. All required bicycle parking to meet Chapter 5 Unified Development Ordinance standards shall be included at the Final Plan stage.
3. The petitioner shall continue to work with the City in a good faith effort to provide permanent affordable housing options in the development.
4. The petitioner will provide on-site recycling for residents.
5. The vegetative buffer shall be shown on the plan and protective orange fencing should be installed during construction to ensure that construction disturbance does not encroach into it.

6. The petitioner shall work with the Department's Senior Environmental Planner to identify fruit trees that can be used as successful replacement for up to a maximum of 50% of required interior trees.
7. Prior to the issuance of a grading permit, a landscaping plan shall be approved by the Planning and Transportation Department.
8. All open spaces including bumpouts and islands must meet UDO requirements.
9. The petitioner will provide a commitment to the satisfaction of City staff that would describe both the workforce housing commitment and the owner-occupied commitment to be submitted in writing prior to Council's hearing of the petition.



City of Bloomington
Bloomington Environmental Commission

MEMORANDUM

Date: September 9, 2019

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Subject: PUD-27-19: Hilltop Court IV rezone
1201 W. Allen Street

The purpose of this memo is to convey the environmental concerns and recommendations provided by the City of Bloomington Environmental Commission (EC) with the hope that action will be taken to enhance the project's environment-enriching attributes.

This request is for an amendment in the Planned Unit Development (PUD) District Ordinance to allow Residential High-Density Multifamily (RH) uses. The EC has no issue with the amendment and will provide detailed comments if the amendment is approved and the Petitioner comes forward with a Site Plan. Below are some general comments that the Petitioner should be planning for prior to submitting the Site Plan.

1.) LANDSCAPE PLAN

The Petitioner must have an approved Landscape Plan in place prior to being granted a Grading Permit. The EC recommends the site be designed with plantings that benefit local pollinating insects and birds, reduce the heat island effect, and slow and cleanse rainwater. Using native plants provides food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Native plants do not require chemical fertilizers nor pesticides and are water efficient once established.

2.) GREEN/ENVIRONMENT-ENHANCING BUILDING PRACTICES

The EC recommends that the developer design the building with as many best practices for energy savings and resource conservation as possible for the sake of the environment and because tenants expect it in a 21st-century structure. There are some practices listed in the Petitioner's Statement that are being considered, but the EC would like some concrete commitments.

3.) IMPERVIOUS SURFACE COVERAGE

The illustrative plan shows more impervious surface coverage than the 50% that is allowed in the RH zoning district. The EC is opposed to allowing a PUD to obtain less restrictive environmental standards than the UDO would allow in the related zoning district. The EC recommends that the Plan Commission not agree to less pervious surface than would be allowed if the plan design followed UDO standards.

The 2018 Comprehensive Plan states on the first page the following. “We acknowledge that healthy natural systems are the foundation for flourishing human societies. Globally, the scale of human impact is undermining this foundation, and we must reverse the course of environmental degradation to ensure a livable future. Our community has resolved to do our share to protect the biosphere...”

Additionally, on page 46, Goals & Policies, Policy 3.2.1: states “Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds.”

The EC, therefore, recommends that the impervious surface coverage be limited to 50%, as required in the UDO

4.) VEGETATED BUFFER

The original PUD District Ordinance required a vegetated buffer 10 feet wide along the east, west, and south sides of the property. The buffer boundary is not currently shown on the plan. Please show the buffer on the plan and install protective orange fencing during construction to protect it. The way the building layout is shown, the buildings do not encroach into the buffer, but the EC wants to ensure that construction disturbance does not encroach into it either.

EC RECOMMENDATIONS:

- 1.) The Petitioner shall submit an approved Landscape Plan prior to being granted a Grading Permit.
- 2.) The Petitioner should incorporate best practices for green building.
- 3.) The Plan Commission should not agree to less pervious surface than would be allowed if the plan design followed UDO standards.
- 4.) The vegetative buffer shall be shown on the plan and protective orange fencing should be installed during construction to ensure that construction disturbance does not encroach into it either.



BYNUM FANYO & ASSOCIATES, INC.

13
ARCHITECTURE
CIVIL ENGINEERING
PLANNING

July 8, 2019

City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: Dwellings LLC; Hilltop Court IV PUD Proposal

Dear Plan Commission and City Council Members:

Our client Hilltop Meadows, LLC. respectfully request rezoning from mobile home park/PUD to PUD of a 5.24-acre parcel of land located at 1201 West Allen Street.

Existing Conditions

The existing PUD was approved in the mid to late 1980's for a 50-lot mobile home park. Over the past three decades the park conditions have deteriorate and all mobile homes have been removed from the property. The property has onsite sewer, water and access to W. Allen Street.

With the trailers remove this vacant parcel is surrounded by intense industrial uses to the east and south which is part of the Thompson PUD from the 1990's, to the north is a RH zoned apartment property and to the west a RM apartment property recently completed by this petitioner.

Proposed PUD

The proposal is to rezone the 5.24-acres a PUD designation and all future development on the property will be guided by the attached PUD District Ordinance. We have included a schematic site plan showing eleven apartment building, a maintenance structure and a leasing office. It is proposed to provide 48-efficiency units, 24 1-bedroom units, 32 2-bedroom units and ten 3-bedroom townhouses. Using the DUE computation, we have 12.95 units per acre.

Site Design

The proposed site has access to Allen Street via an ingress egress easement that is shared with the property to the west, also owned by this petitioner. The buildings will be placed around the site perimeter and two located in the center. A community garden will also occur in the center of the property and will utilize rainwater harvesting to provide for the gardening needs.

Water and sewer are currently on site. Stormwater quality and retention will be provided at the southwest and southeast corners of the property. A multi-purpose path will

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990



BYNUM FANYO & ASSOCIATES, INC.

14
ARCHITECTURE
CIVIL ENGINEERING
PLANNING

circumnavigate the property and be combined with a path on the adjoining property to the west creating half mile circuit. The 10 townhouse units will be platted for sale.

Sustainability

The petitioner is planning to incorporate several environmentally conscious features and construction standards. Some of the considerations are:

High-efficiency HVAC Systems

Energy Star Appliances

Low-flow Plumbing Fixtures

High Albedo (Solar Reflectivity) Roofing

Large Windows for Natural Light

Partial "Extensive" Green Roof (approx. 1000 sf)

PV Solar Panels

Rainwater Capture and Reuse for Irrigation

Recycling Collection

Phasing

The project will be completed in three phases.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM

Bynum Fanyo and Associates, Inc.

528 North Walnut Street

Bloomington, Indiana 47404

Office 812 332 8030

Attachment: PUD District Ordinance

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

Hilltop Court IV
Planned Unit Development
District Ordinance
BFA Project Number 401851
For
Dwellings, LLC
Prepared by:
Bynum Fanyo and Associates, Inc
July 8, 2019

PROPOSED USES:

The proposed uses for Hilltop Court IV shall consist of a combination of efficiencies, one- and two-bedroom apartment units and three-bedroom townhouse units. The efficiencies, one- and two-bedroom units will be below the DUE square footage requirements for the computation of density standards. The three-bedroom townhouses will be platted in order to allow for sale and become owner occupied. In addition, there will be a leasing office and maintenance facility to service the above apartments.

PROPOSED DENSITY:

15 Units per acre with Dwelling Unit Equivalents as allowed in UDO Chapter 20.02.

SUSTAINABLE FEATURES:

The petitioner is planning to incorporate several environmentally conscious features and construction standards. Some of the considerations are:

High-efficiency HVAC Systems

Energy Star Appliances

Low flow Plumbing Fixtures (e.g. Dual flush toilets)

Large Windows for Natural Light including skylights and windows in uncommon spaces

Partial "Extensive" Green Roof (approx. 1000 sf)

PV Solar Panels

Rainwater Capture and Reuse for Irrigation

Recycling Collection

Resident composting system

Community garden with pergola and tool shed

DEVELOPMENT STANDARDS: Comply with UDO Chapter 20.05, Underlying zone RH with the following additions.

Lot Area (minimum)*	5,000 sf
Lot width (minimum)	50 ft.
Front setback (minimum)	15 ft.
Side setback (minimum)*	15 ft.
Rear setback (minimum)	15 ft.
Impervious surface area (maximum)	65%
Landscape area (minimum)	35%

*excludes zero lot line attached townhouses

DESIGN STANDARDS:

Comply with UDO Chapter 20.07

PHASING:

The project will be developed in three phases of approximately equal numbers of units.

Hilltop Court IV PUD**Revisions to District Ordinance:**

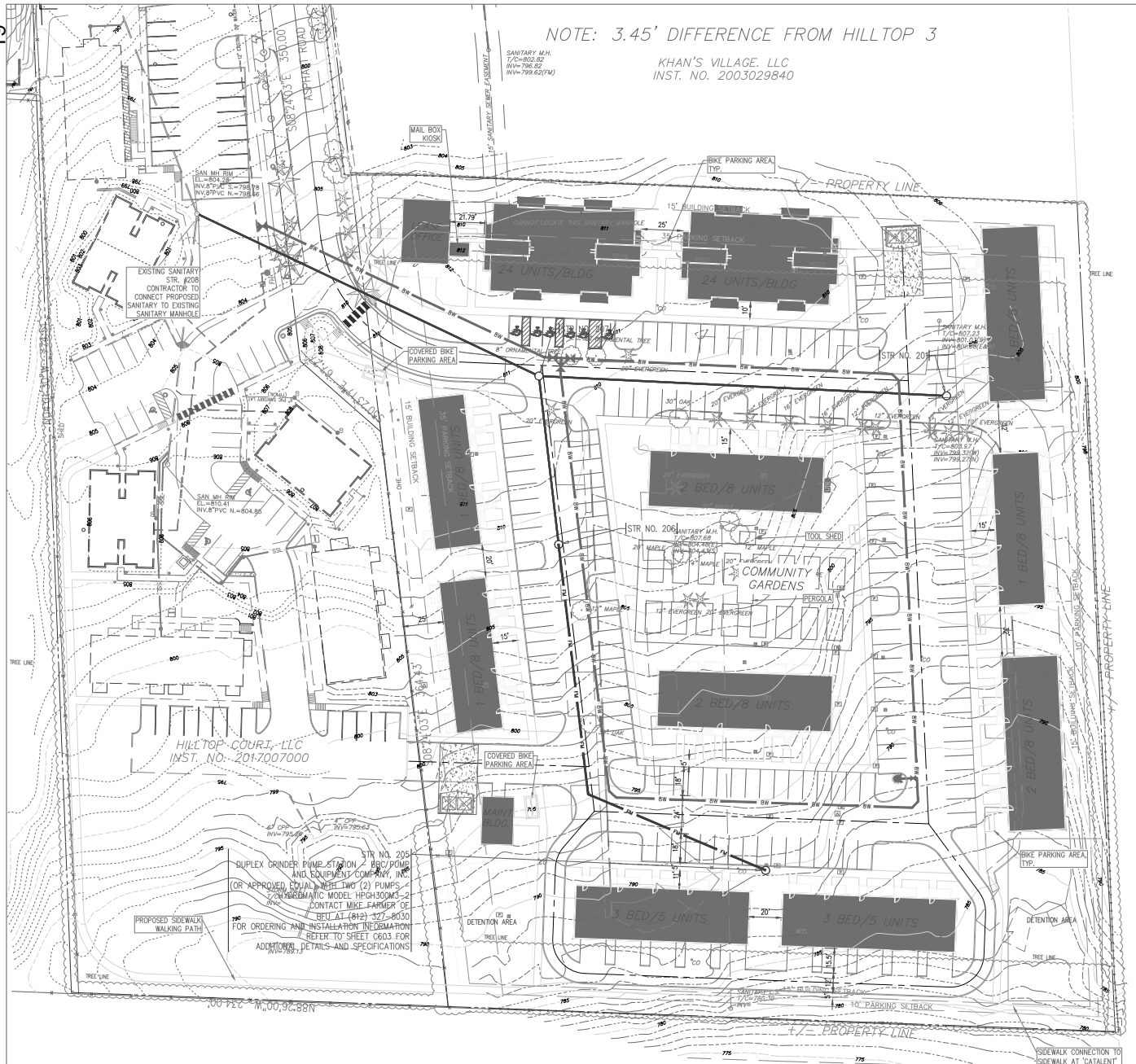
Landscaping-within the area of the community garden up to 8-fruit trees may be planted and count toward the required interior median or small canopy trees under **Chapter 20.05.054**

Landscape Island- Mulch consisting of decorative gravel or rubberized mulch may be allowed in landscape bumpouts and islands along with the required landscaping under **Chapter 20.05.053**.

NOTE: 3.45' DIFFERENCE FROM HILLTOP 3

SANITARY M.H.
17'-0" DIA. (N=796.82)
INV.=796.82
(N=796.82FM)

KHAN'S VILLAGE, LLC
INST. NO. 2003029840



UTILITY LEGEND

- PROPOSED WATER LINE EXTENSION: DUCTILE IRON PIPE, 12" DI.
PRESSURE CLASS 350 AND FITTINGS, REFER TO MECHANICAL, JOINT RESTRAINT DETAIL FOR
THURST RESTRAINT DESIGN REQUIREMENT. NOTE: PUBLIC WATER PIPE SHALL BE FULLY
CONSTRUCTED AND TESTED AS SHOWN BEFORE CBU WILL RELEASE METERS FOR PRIVATE
WATER TO BE IMPLEMENTED. CONTRACTOR TO COORDINATE WITH CBU. 45' COVER MIN.
- PROPOSED PRIVATE WATER LINE MAIN: DP.
PRESSURE CLASS 350 AND FITTINGS, REFER TO MECHANICAL, JOINT RESTRAINT DETAIL AND
PROFILE FOR THURST RESTRAINT DESIGN REQUIREMENT. 45' COVER MIN.
- PROPOSED REUSEABLE COMBINED WATER SERVICE LINE
4" DP, PRESSURE CLASS 350 AND FITTINGS, REFER TO MECHANICAL, JOINT RESTRAINT
DETAIL FOR THURST RESTRAINT DESIGN REQUIREMENT. 45' COVER MIN.
- PROPOSED REUSEABLE FIRE PROTECTION SERVICE LINE:
DP, PRESSURE CLASS 350 AND FITTINGS, REFER TO MECHANICAL, JOINT RESTRAINT DETAIL
FOR THURST RESTRAINT DESIGN REQUIREMENT. 45' COVER MIN. CONTRACTOR TO
COORDINATE WITH FIRE SUPPRESSION ENGINEER FOR SIZE AND OTHER INFORMATION ON
COMPLETE BORING FIRE PROTECTION SYSTEM. REFER TO 'FV' SERIES DRAWINGS.
- PROPOSED REUSEABLE DOMESTIC SERVICE LINE:
FOR 2-INCH OR LESS SERVICE LINES FROM THE 'MSL' TO THE METER SHALL BE EITHER
TYPE 'K' COPED IN CONFORMANCE WITH ASTM B80 OR DUCTILE POLYETHYLENE (HDPE) PER
ASTM D2733, CTS 5009 P2550 (NSF 61). USE 20#-21 AND FITTINGS FOR
DOMESTIC WATER SERVICE LINES FROM THE METER TO THE BUILDINGS. 45' COVER MIN.
REFER TO THE 'FV' SERIES DRAWINGS FOR MORE INFORMATION AND FINAL SIZE
DETERMINATION. ONE LINE SHOWN SHALL BE CONNECTED AND SPLIT WITH VALVES AS
INDICATED FOR ALL DOMESTIC AND COMMERCIAL PORTIONS OF THE BUILDING. SEE CBU
SPECIFICATIONS.
- PROPOSED WATER MAIN AIR RELEASE VALVE AND STRUCTURE:
REFER TO WATER PROFILES AND TO DETAIL. AIR RELEASE VALVE
SHALL BE 'VAL-MATE' TYPE 22.5" (1" SIZES) OR APPROVED EQUAL.
WORK SHALL BE PERFORMED IN ACCORDANCE WITH CBU SPECIFICATIONS.
- PROPOSED STAKE ALONG FIRE DEPARTMENT CONNECTION LOCATION
4" SDR305 DUCTILE IRON STANDARDS DETAIL NO. 28-0300 APPROVAL
CONTRACTOR TO COORDINATE WITH BLOOMINGTON FIRE DEPARTMENT, REFER TO
DETAIL.
- PROPOSED POST INDICATOR VALVE LOCATION IN ACCORDANCE WITH
CBU SPECIFICATIONS. CONTRACTOR TO PLACE MONITORING SWITCH
WITH CONDUIT TO CONDUIT TO CORRESPONDING PANEL WITHIN
BUILDING. REFER TO THE 'FV' SERIES DRAWINGS FOR MORE INFORMATION WITHIN BUILDING.
- BRING CHECK VALVE IN 4" DIA. CONCRETE MANHOLE
REFER TO DETAIL CBU STANDARDS DETAIL NO. 28-0300 APPROVAL
CONTRACTOR SHALL BRING CHECK VALVE TO THE METER. A SINGLE DETECTOR CHECK VALVE SHALL
BE WITHIN MANHOLE. NOTE: A SINGLE DETECTOR CHECK VALVE SHALL BE
ASSEMBLIES ARE REQUIRED TO BE ABOVE GROUND IN THE BUILDING'S UTILITY
ROOMS. REFER TO PLUMBING AND FIRE SUPPRESSION DRAWINGS FOR
INFORMATION OF FIRE LINES AND ASSEMBLIES WITHIN BUILDING.
- 2" DOMESTIC WATER HOSE/STREET IN A 30" METER PIT PER CBU
STANDARDS. REFER TO DETAIL CBU STANDARDS DETAIL NO. 28-0300
COORDINATE FINAL SIZE OF REQUIRED METER WITH CBU.
- PROPOSED FIRE HYDRANT. HYDRANTS FROM PUBLIC MAINS
SHALL BE PARALLEL TO PER CBU SPECIFICATION 4.4.4.4.
REFER TO DETAIL.
- PROPOSED ASTM A536 PER 35 PSI SANITARY SEWER
MAIN PIPES AND MANHOLES TO BE POLYETHYLENE (HDPE) AND VENTILATION
PIPPS SHALL BE SANITARY MANHOLE SHOWN AS A PART OF THE PROJECT OR TO BE PRIVATE
NOT FULLY MAINTAINED BY THE CITY OF BLOOMINGTON. REFER TO DETAIL.
- PROPOSED 4" ASTM A536 PER 35 PSI
SANITARY LATERAL AND SANITARY SEWER
REFER TO PLUMBING PLAN FOR PROPOSED VENT ELEVATIONS LISTING BUILDING AND FOR
CONNECTING WITH BUILDING. SLOPE AT 1/4" PER FOOT. REFER TO DETAIL.
- PROPOSED 2" OR-11 HOPE FORCERMAN PIPE AND
DUPLEX PUMP STATION, REFER TO PLAN AND 'FORCERMAN
NOTE' ON SHEET 0603 FOR MORE INFORMATION ON
FORCERMAN SPECIFICATIONS REQUIRED. 45' COVER MIN.
- PROPOSED SCHEDULE 40 PVC PIPE,
ELECTRICAL GRADE (GREATLY CORRODED) BURNED 34" COVER MIN. CONTRACTOR TO PLACE PULL
STRINGS FOR FUTURE CABLE DENSITY WIRING.
- PROPOSED SCHEDULE 40 PVC PIPE,
ELECTRICAL GRADE (GREATLY CORRODED) BURNED 34" COVER MIN. CONTRACTOR TO PLACE PULL
STRINGS FOR FUTURE COMMUNICATIONS WIRING.
- SEE ARCHITECTURAL DRAWINGS FOR ALL SHADING AREAS
FOR MORE INFORMATION.
- PIPE JOINTS (ELEVATION) (GREATLY CORRODED) BURNED 34" COVER MIN. CONTRACTOR TO PLACE PULL
STRINGS FOR FUTURE CABLE DENSITY WIRING.
- NOTE: ALL WATER AND SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY
OF BLOOMINGTON UTILITY SPECIFICATIONS.
- NOTE: ALL INVERT ELEVATIONS PROVIDED DIRECTLY OUTSIDE THE BUILDINGS WERE GIVEN
BY THE BUILDING ENGINEER. CONTRACTOR SHALL COORDINATE WITH 'FV' SERIES DRAWINGS
FOR FINAL EXISTING BUILDING UTILITY INVERT ELEVATIONS.
- NOTE: ALL SITE AND BUILDING INTERNAL FIRE SUPPRESSION SYSTEM COMPONENTS SHALL
BE COORDINATED WITH AND APPROVED BY THE CITY OF BLOOMINGTON FIRE INSPECTOR TIM
CLARY AT (812) 344-3800 AND THE FIRE SUPPRESSION ENGINEER BEFORE SYSTEM SHOWN
IS CONSTRUCTED OR PARTS ORDERED.
- NOTE: CONTRACTOR TO USE A STEEL BELLY WHEN IT IS SHOWN TO ROUTE PIPING
THROUGH WALL COORDINATE WITH STRUCTURAL AND ARCHITECTURAL DRAWINGS.

GENERAL INFORMATION

- JURISDICTION: CITY OF BLOOMINGTON, INDIANA
- ZONING: PLD WITH MULTI-FAMILY HIGH-DENSITY (RH) STANDARDS
- PROPOSED USE: MULTI-FAMILY RESIDENTIAL WITH CLUBHOUSE
- MAXIMUM HEIGHT: 50'
- MAXIMUM IMPERVIOUS COVERAGE: 65%
- PLAN PROPOSED IMPERVIOUS COVERAGE: 5.24 ACRES TOTAL LOT, 2.98
PROPOSED IMPERVIOUS = 56.9%
- ALLOWABLE DENSITY: 15 UNITS/ACRE
- BUILDING SETBACKS: 15'
- REAR/SIDE YARD PARKING SETBACK: 10'
- FRONT PARKING SETBACK: 20' BEHIND PRIMARY BUILDING'S FRONT WALL
- PROPOSED SITE PARKING SPACES: 166 + 6 ADA
- PROPOSED UNITS AND BEDS: 166 BEDS/114 UNITS

CONTRACTOR RESPONSIBILITIES

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY
ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY
CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE
TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES
REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

528 north wabash street	bloomington, indiana
(612) 332-8030	(412) 339-2890 (fax)



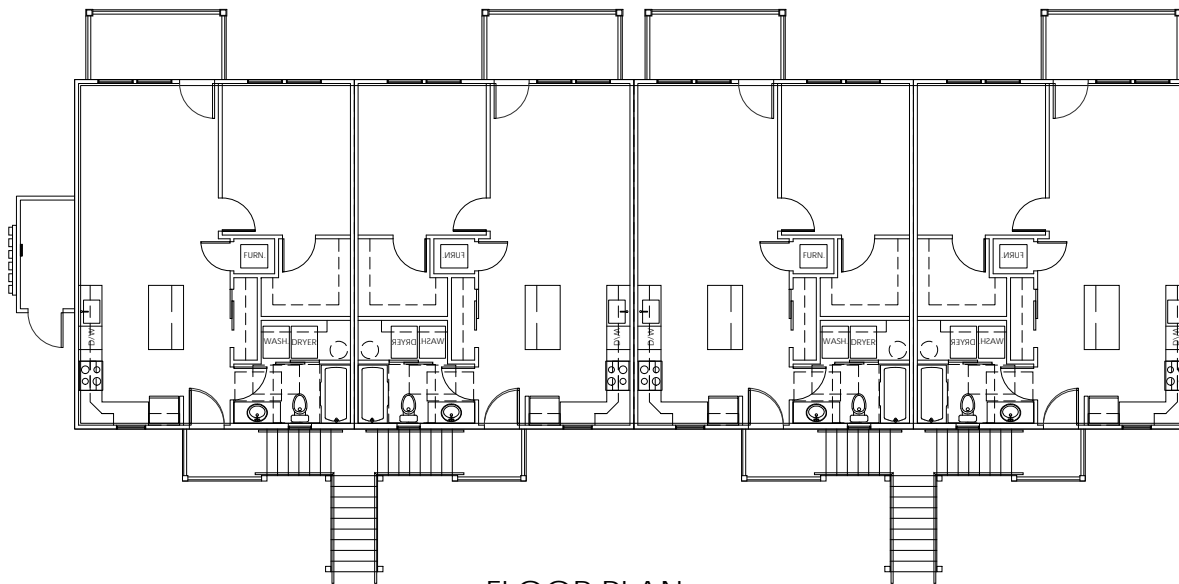
FRONT ELEVATION

SCALE: 3/32" = 1'-0"



SIDE ELEVATION

SCALE: 3/32" = 1'-0"



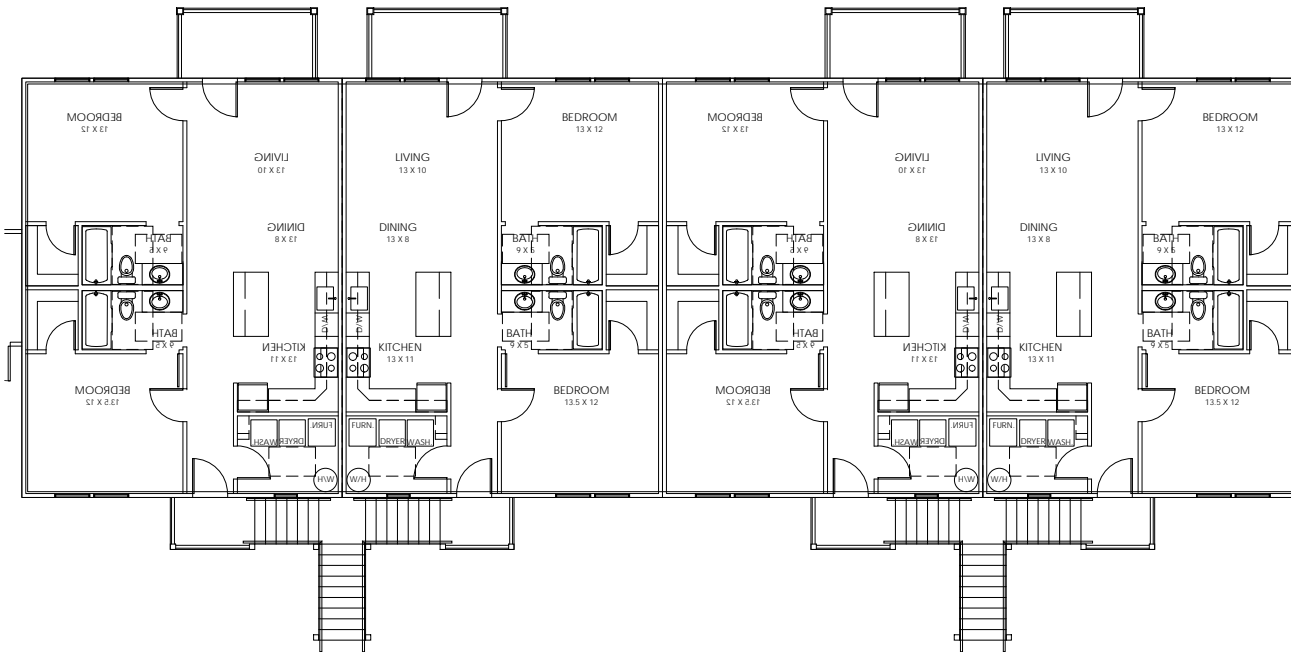
FLOOR PLAN

SCALE: 3/32" = 1'-0"



FRONT ELEVATION

SCALE: 3/32" = 1'-0"



FLOOR PLAN

SCALE: 3/32" = 1'-0"



SIDE ELEVATION

SCALE: 3/32" = 1'-0"

7.29.2019

2-BEDROOM BUILDING
HILLTOP COURT 4

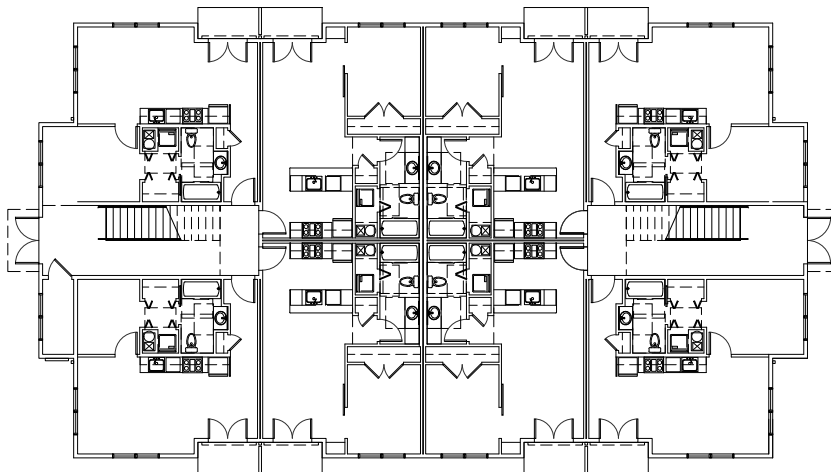
MATTE
BLACK
ARCHITECTURE



FRONT ELEVATION
SCALE: 1/16" = 1'-0"



SIDE ELEVATION
SCALE: 1/16" = 1'-0"



FLOOR PLAN
SCALE: 1/16" = 1'-0"

7.29.2019

STUDIO BUILDING
HILLTOP COURT 4

MATTE
BLACK
ARCHITECTURE



FRONT ELEVATION

SCALE: 3/32" = 1'-0"

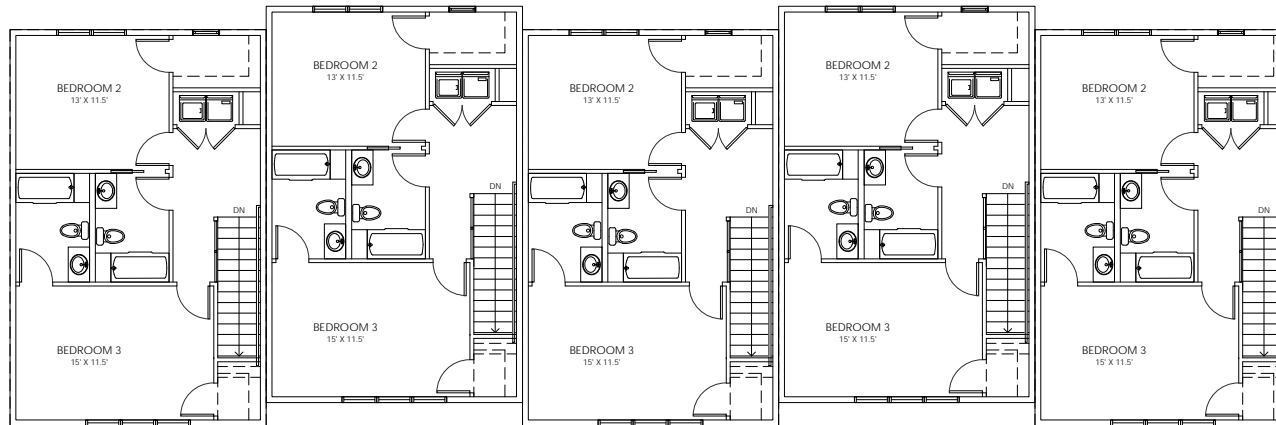


SIDE ELEVATION

SCALE: 3/32" = 1'-0"

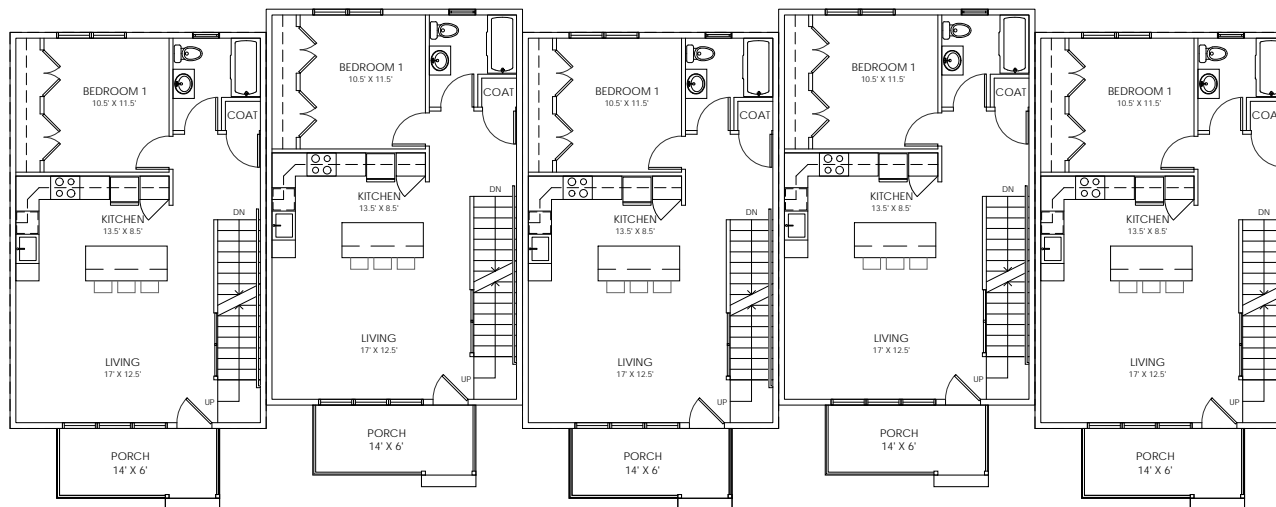
3-BR TOWNHOUSE BUILDING
HILLTOP COURT 4

MATTE
BLACK
ARCHIT
ECTURE



SECOND FLOOR PLAN

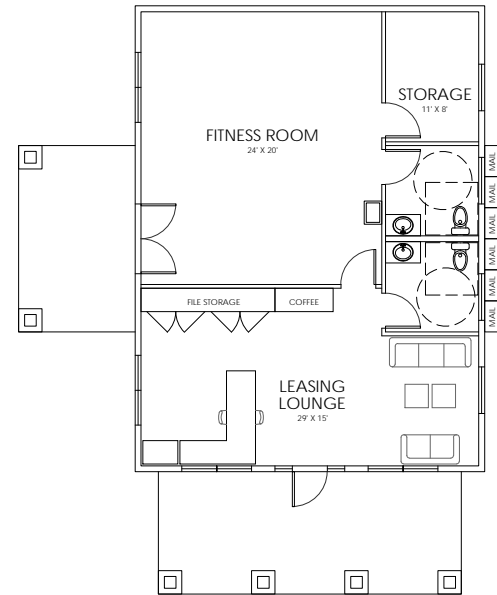
SCALE: 3/32" = 1'-0"



FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"

3-BR TOWNHOUSE BUILDING
HILLTOP COURT 4



FLOOR PLAN

SCALE: 3/32" = 1'-0"



WEST ELEVATION

SCALE: 3/32" = 1'-0"



FRONT ELEVATION

SCALE: 3/32" = 1'-0"

CLUBHOUSE/LEASING OFFICE
HILLTOP COURT 4

MATTE
BLACK
ARCHIT
ECTURE

ORDINANCE 19-25

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
“HISTORIC PRESERVATION AND PROTECTION”
TO ESTABLISH A HISTORIC DISTRICT –
Re: The Near West Side Conservation District
(Near West Side Historic Designation Committee, Petitioner)**

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission (“Commission”) and established procedures for designating historic districts in the City of Bloomington; and
- WHEREAS, on September 26, 2019, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic district designation of the “Near West Side Conservation District”; and
- WHEREAS, on September 26, 2019, the Commission found that the Near West Side Conservation District has historic and architectural significance that merits the protection of the property as a conservation district; and
- WHEREAS, the Commission has prepared a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in BMC 8.08.010; and
- WHEREAS, the Commission voted to submit the map and report to the Common Council, which recommend local historic designation of said properties as a conservation district; and
- WHEREAS, on October 4, 2019, the Bloomington Historic Preservation Commission voted to impose interim protection on the properties within the proposed district (which will terminate upon adoption or rejection of this ordinance by the Council);

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

SECTION 1. The map setting forth the proposed conservation district for the site is hereby approved by the Common Council, and the Near West Side Conservation District is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The Near West Side Conservation District shall consist of the following addresses (324):

West Kirkwood Ave: 504, 508, 520, 600, 608, 702, 706, 714, 718, 720, 722, 726, 804, 808, 812, 816, 820, 822, 826, 830, 834, 900, 914, 916, 920, 924, 928, 930, 934, 1000, 1004, 1008, 1012, 1016, 1020, 1022, 1026, 1028, 1030, 1100, 1112, 1114, 1116, 1120, 1124, 1130, 1200, 1208, 1208 ½, 1212, 1218, 1222, 1226, 1230;

West 6th Street: 502, 508, 514, 515, 520, 521, 600, 601, 609, 601, 620, 621, 622, 626, 702, 703, 706, 709, 712, 713, 718, 721, 722, 726, 727, 800, 803, 807, 808, 811, 814, 817, 818, 822, 823, 826, 827, 830, 831, 836, 837, 900, 903, 905, 906, 911, 912, 916, 917, 920, 923, 924, 927, 930, 931, 934, 935, 1001, 1002, 1004, 1005, 1009, 1012, 1013, 1016, 1017, 1020, 1021, 1025, 1026, 1029, 1030, 1031, 1035, 1036, 1100, 1101, 1105, 1107, 1110, 1114, 1115, 1119, 1122, 1124, 1125, 1127, 1128, 1130, 1131, 1200, 1201, 1203, 1206, 1211, 1217, 1218, 1220, 1221, 1224, 1225;

West 7th Street: 500, 513, 523, 703, 707, 713, 720, 801, 802, 804, 809, 810, 813, 814, 817, 822, 823, 826, 827, 828, 830, 831, 835, 901, 902, 904, 907, 910, 914, 914 ½, 915, 922, 922 ½, 925, 930, 931, 1000,

	1001, 1004, 1005, 1010, 1011, 1014, 1017, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1101, 1105, 1107, 1119, 1123, 1125, 1127, 1201, 1203, 1205, 1207, 1208, 1223, 1230, 1231;
West 8th Street:	520, 602, 608, 614, 620, 624, 710, 712, 714, 715, 722, 723, 802, 807, 811, 812, 817, 823, 824, 825, 900, 901, 907, 908, 914, 915, 919, 922, 1000, 1001, 1007, 1008, 1014, 1022, 1101, 1105, 1108, 1109, 1113, 1114, 1119, 1120, 1131, 1201, 1205, 1208, 1210;
West 9th Street:	609, 615, 619, 703, 709, 711, 723, 801, 809, 815, 821, 901, 909, 915, 921, 1009, 1003, 1017, 1021;
North Rogers Street:	111, 115, 207, 215, 221;
North Jackson Street:	116, 117, 118, 419, 421;
North Fairview Street:	117, 309, 404, 412, 434;
North Maple Street:	109, 110, 112, 206, 209, 210, 212, 319, 321, 418;
North Waldron Street:	112, 215;
North Elm Street:	111, 206, 210, 217;
North Oak Street:	405, 415, 420;
North Adams Street:	220.

Narrative Description of Boundary: the district is roughly bounded: on the **north** by the southern branch of the Indiana Railroad right-of-way and the northern edge of Rev. Ernest D. Butler Park; on the **east** beginning at the northeast point of Rev. Ernest D. Butler Park and proceeding south along that boundary to W. 10th Street, then east along the south side of W. 10th Street to N. Fairview Street, then south along the west side of N. Fairview Street to the intersection with W. 9th Street, then east along the south side of W. 9th Street to the corner of N. Jackson Street, then south along the west side of N. Jackson Street to the northern property lines behind the two properties on the north side of W. 8th Street (between N. Jackson Street and N. Rogers Street), then south between those parcels and parcels on the south side of W. 8th Street, then east to N. Rogers Street, then south along the west side of N. Rogers Street to the northwest corner of W. Kirkwood Avenue; on the **south** by West Kirkwood Avenue; and on the **west**, by North Adams Street.

SECTION 2. The properties within the Near West Side Conservation District shall be classified as indicated below:

The following properties are classified as Outstanding (3):

West Kirkwood Avenue:	608.
West 7th Street:	930.
West 8th Street:	715.

The following properties are classified as Notable (14):

West Kirkwood Avenue:	706.
West 6th Street:	502, 615, 621, 727, 917, 935, 1101, 1115, 1119, 1131, 1201.
West 7th Street:	904.
North Rogers Street:	221.

The following properties are classified as Contributing (218):

West Kirkwood Avenue:	504, 508, 520, 702, 714, 718, 720, 722 ,726, 804, 812, 816, 820, 822, 826, 830, 834, 900, 916, 920, 924, 1004, 1008, 1012, 1020, 1022, 1026, 1030, 1100, 1112, 1114, 1116, 1124, 1200, 1208, 1212, 1218.
-----------------------	--

West 6th Street:	508, 514, 515, 520, 521, 600, 601, 609, 622, 626, 702, 703, 706, 709, 713, 722, 726, 800, 807, 808, 811, 814, 817, 818, 822, 823, 831, 836, 837, 900, 903, 906, 911, 912, 916, 920, 923, 924, 927, 930, 931, 934, 1001, 1002, 1004, 1005, 1009, 1012, 1013, 1016, 1021, 1025, 1026, 1029, 1030, 1035, 1036, 1100, 1102, 1105, 1107, 1110, 1114, 1122, 1124, 1125, 1127, 1128, 1130, 1206, 1211, 1217, 1218, 1220, 1221, 1224.
West 7th Street:	513, 523, 703, 707, 713, 720, 801, 802, 804, 809, 810, 813, 814, 817, 822, 823, 826, 827, 828, 830, 831, 835, 901, 902, 907, 914, 915, 922, 925, 1000, 1001, 1004, 1005, 1011, 1017, 1019, 1020, 1021, 1023, 1025, 1026, 1101, 1119, 1123, 1125, 1201, 1203, 1205, 1207, 1223,
West 8th Street:	520, 602, 608, 614, 710, 712, 714, 722, 723, 802, 807, 812, 823, 824, 915, 1007, 1022, 1101, 1109, 1120, 1131, 1201, 1205.
West 9th Street:	615, 709, 711, 723, 801, 809, 815, 821, 909, 1009, 1017.
North Rogers Street:	215.
North Jackson Street:	116, 118, 419, 421.
North Fairview Street:	117, 309.
North Maple Street:	206, 209, 210, 212, 319, 321, 418.
North Elm Street:	111, 210.
North Pine Street:	215, 217.
North Adams Street:	220.

The following properties are classified as Non-Contributing (90):

West Kirkwood Avenue:	600, 612, 620, 808, 914, 928, 930, 934, 1000, 1016, 1028, 1120, 1130, 1208 ½, 1222, 1226, 1230.
West 6th Street:	712, 718, 721, 803, 826, 827, 830, 905, 1017, 1020, 1031, 1200, 1203, 1225.
West 7th Street:	500, 910, 914 ½, 922 ½, 931, 1010, 1014, 1022, 1024, 1105, 1107, 1127, 1208, 1230, 1231.
West 8th Street:	620, 624, 811, 817, 825, 900, 901, 907, 908, 914, 919, 922, 1000, 1001, 1008, 1014, 1105, 1108, 1113, 1114, 1119, 1208, 1210.
West 9th Street:	609, 619, 703, 901, 915, 921, 1003, 1021.
North Rogers Street:	111, 115, 207.
North Jackson Street:	117.
North Fairview Street:	404, 412, 434.
North Maple Street:	109.
North Elm Street:	206, 217.
North Oak Street:	405, 415, 420.

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled “List of Designated Historic and Conservation Districts,” is hereby amended to insert a line regarding the “Near West Side Conservation District” which shall read as follows:

The Near West Side Conservation District (324 properties)

SECTION 4. In accordance with IC 36-7-11-19, no earlier than 180 days before the three year anniversary date of the adoption of this Ordinance, but no later than 60 days before the three year anniversary date of the adoption of this Ordinance, property owners in the Near West Side Conservation District shall be given the opportunity to object, in writing, to the elevation of the district to a full Historic District. If a majority of the property owners in the Near West Side Conservation District do not object, in writing, to said elevation, then Near West Side shall automatically elevate to a full historic district on the third anniversary date of the adoption of this Ordinance.

SECTION 5. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given

effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to severable.

SECTION 6. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this day of _____, 2019.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

NICOLE BOLDEN, Clerk
City of Bloomington

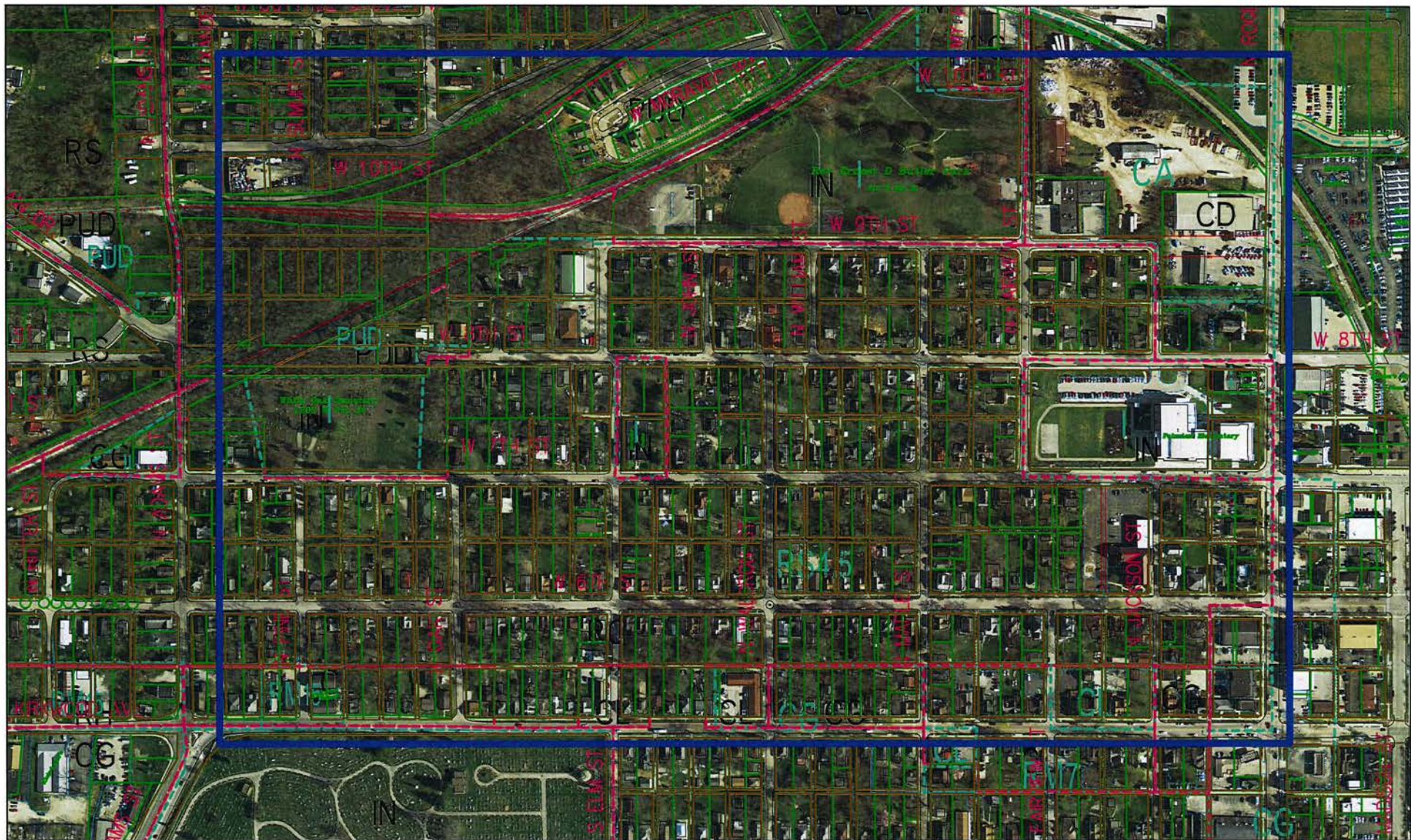
SIGEND AND APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the List of Designated Historic Districts located in the City of Bloomington and set forth in Chapter 8.20 of the Municipal Code, by establishing the Near West Side Conservation District. In recommending this designation, the Bloomington Historic Preservation Commission (“Commission”): conducted a survey; held public hearings; and, submitted a map and accompanying report to the Council. The map describes the boundaries of the district, classifies the total number of properties within the district, and is approved by the ordinance. The report demonstrates how this district meets the necessary criteria. A conservation district is, in general, less restrictive than a full historic district, and requires only the review of proposals to demolish or move buildings, or construct new principal or accessory buildings. At end of three years after adoption of this ordinance, this conservation district will elevate into a full historic district, unless within 180 and 60 days before that date, a majority of the property owners provide the Commission with written objections to the elevation.

[illegible]



Ord 19-25 – Establishing the Near West Side Conservation District

NOTE: The Blue Box DOES NOT DESCRIBE THE BOUNDARIES OF THE PROPOSED CONSERVATION DISTRICT. It is intended to provide aerial, parcel, and zoning context only.

By: shermand
21 Oct 19



For reference only; map information NOT warranted.



City of Bloomington
Council Office



Scale: 1" = 400'

Staff Report of Proposed Local Designation

Near West Side Conservation District

Staff Report

Bloomington Historic Preservation Commission

The Near West Side Conservation District qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1): a, c (2): e , f and g.

(1) Historic:

- a. **Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or**
- b. Is the site of an historic event; or
- c. **Exemplifies the cultural, political, economic, social, or historic heritage of the community.**

(2) Architecturally worthy:

- a. Embodies distinguishing characteristics of an architectural or engineering type; or
- b. Is the work of a designer whose individual work has significantly influenced the development of the community; or
- c. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
- d. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- e. **Contains any architectural style, detail, or other element in danger of being lost; or**
- f. **Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood or the city; or**
- g. **Exemplifies the built environment in an era of history characterized by a distinctive architectural style.**

Case Background

The properties in the proposed Near West Side Conservation District make up the majority of the properties in the West Side National Register District—which has been on the National Register of Historic Places since 1997. A Committee of neighborhood residents began working towards submitting an application for historic designation in 2018, however, based on feedback provided by property owners in the neighborhood during initial public meetings the Committee decided to hold additional public meetings and agreed to only submit an application if a referendum indicated that a majority of property owners supported historic designation. After a total of six public meetings, where information, questions, and opinions were exchanged between groups, a ballot was mailed to each property owner in the proposed district. This process was facilitated by the Committee and the City's Historic Preservation Program Manager. The results of the referendum were overwhelmingly in favor of submitting an application for historic designation (72-48). A majority of returned ballots also indicated that a Conservation District was preferable to a Historic District.

Historic surveys and rating historic properties:

The City of Bloomington uses historic surveys that identify properties that may be worthy of historic designation. The survey rates properties as being “Non-Contributing”, “Contributing”, “Notable”, or “Outstanding”. A “Non-Contributing” rating may be given if the structure is less than fifty years old, has been heavily altered, or has been demolished leaving a vacant lot. The “Contributing” rating may be given if the property is at least 40 to 50 years old, is not heavily altered, or does not meet the criteria for an "Outstanding" or "Notable" rating. Such resources may be important to the density or continuity of the area's historic fabric, and the removal or alteration of contributing structures can have a detrimental impact on the area's historic integrity. Contributing structures can be listed on the National Register only as part of an historic district. A “Notable” property means that the property does not merit the outstanding rating, but it is still above average in its importance. A “Notable” structure may be eligible for the National Register.

The following ratings were drawn from the resurvey of historic properties conducted by Bloomington Restorations Inc. in 2018. This is the most current and accurate data available on the inventory of historic structures within the city limits of Bloomington, IN.

There are 324 properties located within the proposed Near West Side Conservation District boundaries.

Properties listed as Outstanding on the historic survey (3):

West Kirkwood Ave:	608.
West 7th Street	930.
West 8th Street	715.

Properties listed as Notable on the historic survey (14):

West 6th Street:	502, 615, 621, 727, 917, 935, 1101, 1115, 1119, 1131, 1201.
West 7th Street:	904.
West Kirkwood Ave:	706.
North Rogers Street:	221.

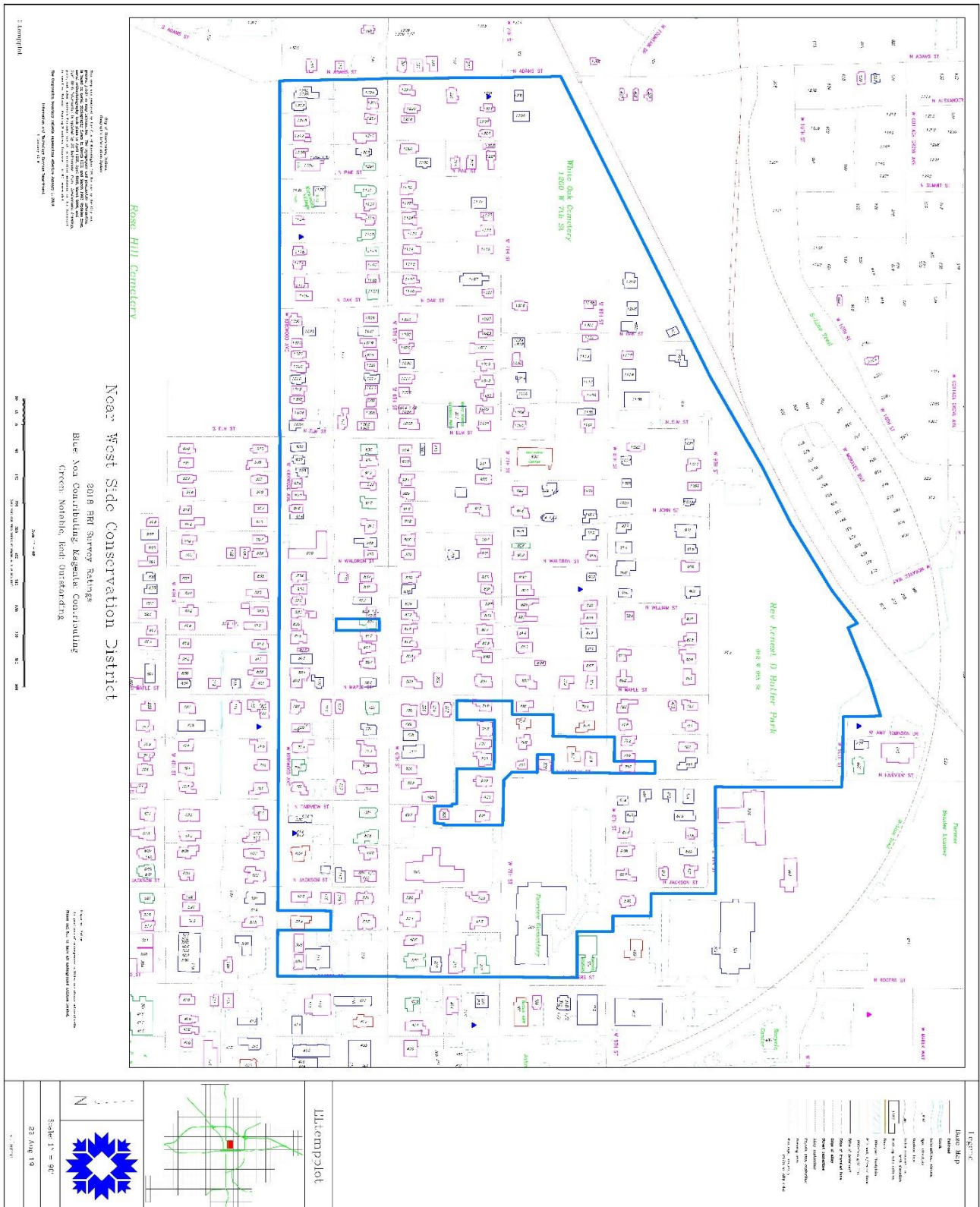
Properties listed as Contributing on the historic survey (218):

West 6th Street:	502, 508, 514, 515, 520, 521, 600, 601, 609, 622, 626, 702, 703, 708, 709, 713, 722, 726, 800, 807, 808, 811, 814, 817, 818, 822, 823, 831, 836, 837, 900, 903, 906, 911, 912, 916, 920, 923, 924, 927, 930, 931, 934, 1001, 1002, 1004, 1005, 1009, 1012, 1013, 1016, 1021, 1025, 1026, 1029, 1030, 1035, 1036, 1100, 1102, 1105, 1107, 1110, 1114, 1115, 1119, 1122, 1124, 1125, 1127, 1128, 1130, 1131, 1201, 1206, 1211, 1217, 1218, 1220, 1221, 1224.
------------------	--

West 7th Street:	513, 523, 703, 707, 713, 720, 801, 802, 804, 809, 810, 813, 814, 817, 822, 823, 826, 827, 828, 830, 831, 835, 901, 902, 907, 914, 915, 922, 925, 1000, 1001, 1004, 1005, 1011, 1017, 1019, 1020, 1021, 1023, 1025, 1026, 1101, 1119, 1123, 1125, 1201, 1203, 1205, 1207, 1223.
West 8th Street:	520, 602, 608, 614, 710, 712, 714, 722, 723, 802, 807, 812, 823, 824, 915, 1101, 1007, 1022, 1109, 1120, 1131, 1201, 1205.
West 9th Street:	615, 709, 711, 723, 801, 809, 815, 821, 909, 1009, 1017.
West Kirkwood Ave:	504, 508, 520, 702, 714, 718-722, 726, 804, 812, 816, 820, 822826, 830, 834, 900, 916, 920, 924, 1004, 1008, 1012, 1020, 1022, 1026, 1030, 1100, 1112, 1114, 1116, 1124, 1200, 1208, 1212, 1218.
North Rogers Street:	215.
North Jackson Street:	116, 118, 419, 421.
North Fairview Street:	117, 309.
North Maple Street:	110, 112, 206, 209, 210, 212, 319, 321, 418.
North Waldron Street:	112.
North Elm Street:	111, 210.
North Pine Street:	215, 217.
North Adams Street:	220.

Properties listed as Non-Contributing on the historic survey (90):

West 6th Street:	712, 718, 721, 803, 826, 827, 830, 905, 1017, 1020, 1031, 1200, 1203, 1225.
West 7th Street:	500, 910, 914 ½, 922 ½, 931, 1231, 1010, 1014, 1022-1024, 1105, 1107, 1127, 1208, 1230, 1231.
West 8th Street:	320, 624, 811, 817, 900, 907, 908, 914, 919, 922, 825, 901, 1000, 1001, 1008, 1014, 1105, 1108, 1113, 1114, 1119, 1208, 1210.
West 9th Street:	609, 919, 703, 901, 915, 921, 1003, 1021.
West Kirkwood Ave:	600, 612, 620, 808, 914, 928, 930, 934, 1000, 1016, 1028, 1120, 1130, 1208 ½, 1222, 1226-1230.
North Rogers Street:	111, 115, 207.
North Jackson Street:	117.
North Fairview Street:	404, 412, 434.
North Maple Street:	109.
North Waldron Street:	215.
North Elm Street:	206, 217.
North Oak Street:	405, 415, 420.



Historic Background: Criteria (1) A, C

A: This neighborhood plays a significant role in the economic development of the city of Bloomington because it developed adjacent to and concurrent with the industrial and commercial resources in the area, sparked by the mid-19th century arrival of the railroad and reaching its height with the national success of the Showers Brothers furniture company by the 1920s.

The growth of industry on the west side is directly linked to the growth of the Near West Side neighborhood, from a quiet rural area of grand estates (1850–1890) to a densely settled, bustling working class neighborhood (1890–1920). Bloomington’s economy was thriving at the turn of the century and the Near West Side, because it was adjacent to the railroad, went through a period of rapid growth. Some of the industrial and commercial development included: Dolan Tierman Stave Factory, Field Glove, Bloomington Basket Company, Nurre Mirror Company, Central Oolitic Stone Saw Mill, and Hoadley Stone Company. A number of buildings from businesses of this period are still standing, including the Johnson’s Creamery (400 W. 7th Street, 1913), Bloomington Wholesale Foods Warehouse (300 W. 7th Street, 1920), Bloomington Frosted Foods (211 S. Rogers Street, 1927), and several auto-related businesses reflecting the beginning of the automobile’s popularity in the 1920s. These establishments both served the community and attracted more workers to the neighborhood, thereby expanding this diverse working class neighborhood and helping the city to grow.

Although many business were located in the area, the Showers Brothers Company would become the biggest driver of Bloomington’s development on its west side. In 1884, following a fire at its earlier site on the city’s east side, Showers relocated to Morton Street beside the railroad. The history of the Showers Company is an important part of the heritage of Bloomington, a fact reflected in the location of our City Hall offices in restored Showers factory buildings. With the factory’s relocation on Morton Street, Showers employees formerly living near the earlier east side site began a gradual migration across town, where they became the homebuilders and residents of the new Near West Side neighborhood.

C: The development of the Near West Side is part of the social history of the community because it was a racially diverse, working class neighborhood since it was platted in the late nineteenth century. The Showers company corporate culture was unusual for its time and employed women and African Americans as well as white men when other industries did not. The company afforded its employees good jobs with excellent benefits including worker’s compensation, cultural events, and—most significantly for the development of housing on the Near West Side—home financing. Showers even established a bank “solely for the benefit of its employees.” This is reflected in the greatest period of the neighborhoods growth, from 1890 to 1925, which shows direct relationship between the relocation of the Showers Factory in 1884 and the consequent migration of blacks to the west side from other areas of ethnic settlement in Bloomington. Additionally, the establishment of other religious and civic buildings in the neighborhood such as the Banneker School and Bethel A.M.E. Church, utilized primarily by the black community, are indicative of this migration and serve as important markers for understanding black history in Bloomington.

Architectural Significance Criteria (2) E, F, G

E: The Near West Side presents a range of once common architectural styles that are now in serious danger of being lost through demolition or neglect. As Bloomington's largest collection of historic vernacular house types, the Near West Side includes multiple recognizable examples of shotgun, double pen, saddlebag, central passage, hall and parlor, and other traditional house forms that are becoming increasingly rare in Bloomington. For example, 523 W. 7th, one of the only known Central Passage house forms extant in the city, was slated for demolition but was saved by the Historic Preservation Commission. Because the Near West Side is the only core neighborhood in Bloomington that is not locally designated, this architecturally significant group of structures could easily succumb to development pressure in the future and be lost to history.

F: The platted subdivisions of the west side are characterized by relatively narrow city streets, densely sited houses, and a network of alleys running both east and west, and north and south. Limestone retaining walls, brick sidewalks and the mature trees which line the streets add much to the West Side's sense of place. The main thoroughfare, Kirkwood, retains its residential character with an increasing number of businesses in converted houses. The smaller homes that constitute the majority of housing stock in the Near West Side neighborhood represent historic forms and styles that provide a visual link back to the early twentieth century.

G: Most of the houses in the Near West Side were built in the years shortly before and after the turn of the 20th century as working class housing. Before the advent of the railroad, the west side was sparsely settled, with gentleman farms and their associated grand houses, mostly of the I-house architectural type. Examples include the Cochran–Helton–Lindley House (504 N. Rogers Street, 1850), the Elias Abel House (317 N. Fairview, c. 1850), and the Hendrix House (726 W. 6th Street, c. 1875). Closer to the turn of the century, as the downtown area developed, several prosperous merchants built large Victorian homes in the Near West Side area, many with Queen Anne detailing. Examples include the Griffin House (621 W. 7th Street, c. 1890), and the Flanigan House (714 W. 7th Street, c. 1895), both located in the Fairview Historic District, which our proposed district surrounds.

With the coming of the railroad and the subsequent industrialization of the area, the west side's open spaces were subdivided and platted into small lots to house the new working class residents drawn to the neighborhood by the many suddenly available employment opportunities. Small single-story wood-frame houses soon became the majority in the neighborhood, and continue to characterize the neighborhood as it exists today. Built by and for the common working people of Bloomington, most of these houses are modest. These residences were built by local carpenters, and many homeowners assisted in the construction of their own homes.

The most distinctive architectural style of these workers' homes is the gabled ell, although pyramidal roof, foursquare, bungalow, and Victorian house forms are also common. Many of these homes have had few modifications over the years so original details abound such as decorative rafter tails and attic vents, limestone foundations and retaining walls, and late 19th century windows, doors, and porches. The neighborhood has remained relatively intact for the past century and still conveys the distinct architectural character from their period of construction.

Sample Styles of Houses Found in the District

- Double Pen – common in 19th century.
- Gabled-ell – common between 1890 and 1910.
- California Bungalow – common between 1910 and 1939.
- Shotgun – common between the mid-1800's and 1930.
- Pyramid Roof Cottage – common between 1900 and 1930
- Queen Anne – common between the mid to late 19th century

Sample Photographs of Historic Resources within the Proposed District



Graves-Morrison House — 608 W. Kirkwood Avenue — Outstanding
Architectural Style: Queen Anne, c. 1895



715 W. Eighth Street — Outstanding
Architectural Style: Gabled ell with Queen Anne detailing, c. 1895



621 W. 6th Street — Notable
Architectural Style: Pyramidal roof with bay, c. 1895



904 W. 7th Street — Notable
Architectural Style: Shotgun house



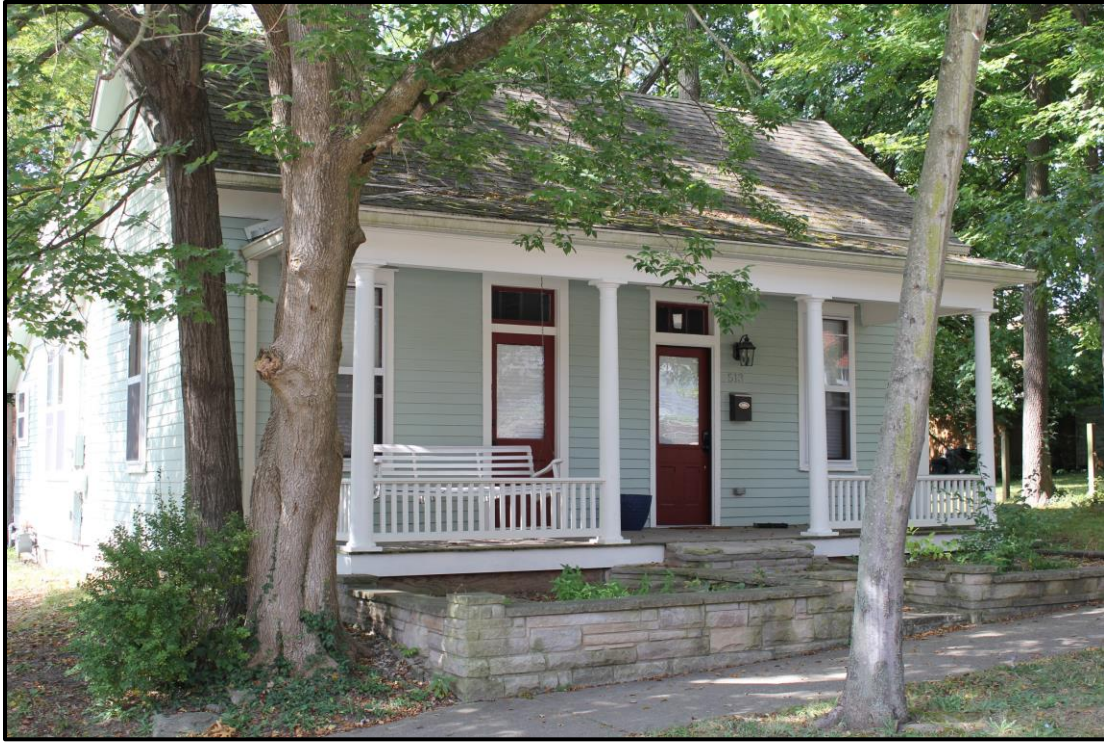
Old Boarding House — 221 N. Rogers Street — Notable
Architectural Style: I-house, c. 1850



923 W. 6th Street — Contributing
Architectural Style: Double Pen, c. 1880



521 W. 6th St — Contributing
Architectural Style: Central Passage, c. 1890



513 W. 7th Street — Contributing
Architectural Style: Double Pen, c. 1900



722 W. 6th Street — Contributing
Architectural Style: California Bungalow, c. 1925



831 W. 7th Street — Contributing
Architectural Style: Saddlebag, c. 1900



210 N. Elm Street — Contributing
Architectural Style: American Foursquare, c. 1920



722 W. 8th Street — Contributing
 Architectural Style: T-plan Cottage, c. 1905; restored c. 2000



Porter–Butler House, Historic Parsonage of the Second Baptist Church
 615 W. 9th Street — Contributing
 Architectural Style: Craftsman Bungalow, c. 1920; relocated and restored in early 2000s



Historic home of T. C. Johnson, first principal of Banneker School
901 W. 7th St — Contributing
Architectural Style: Gabled Ell, c. 1900



Eagleson–Bridgwaters family home
915 W. 7th Street — Contributing
Architectural Style: Pyramidal Roof, c. 1900

Staff Recommendation: Meets Criteria for Designation. Forward to Common Council.

Staff recommends that the Near West Side Conservation District be designated as a local conservation district. After careful consideration of the application and review of the Historic District Criteria as found in Ordinance 95-20 of the Municipal Code, staff finds that the property not only meets, but exceeds the minimum criteria listed in the code.

The district meets Criteria 1(a) because of its significant value as part of development of the city of Bloomington because it served as worker housing for people employed in the commercial and industrial businesses on the west side of town.

The district meets Criteria 1(c) because it is linked to the progressive hiring policy of the Showers Furniture Factory which gave working class members of the community the opportunity to earn a living wage and establish homes in the Near West Side neighborhood. The district also protects many civic, religious, and residential structures that are important markers for understanding and celebrating black history in Bloomington.

The property meets Criteria 2(e) because protects a range of historic architectural forms and styles that are now in serious danger of being lost through demolition or neglect. As Bloomington's largest collection of historic vernacular house types, the Near West Side includes multiple recognizable examples of shotgun, double pen, saddlebag, central passage, hall and parlor, and other traditional house forms that are becoming increasingly rare in the city.

The property meets Criteria 2(f) because the narrow city streets, densely sited houses, historic architectural forms and styles, network of alleys, limestone retaining walls, brick sidewalks and mature trees all coalesce to form a familiar visual pattern that communicates the district's early twentieth century origins.

The property meets Criteria 2(g) because the built environment of the district, which includes the streetscape and buildings, maintains high integrity and still conveys the distinct architectural character from their period of construction.

Excerpt from
Bloomington Historic Preservation Commission
Showers City Hall, McCloskey Room
Thursday September 26, 2019
MINUTES

>>>

A. Review of Near West Side Conservation District Application.

Conor Herterich—Thank you to the Near Westside Designation Committee (Esp. Karen Duffy and Elizabeth Dorfman) for all of their hard work. All properties in this proposed conservation district are already part of National Register of Historic Places (since 1997), but this does not give the structures protection. Local designation does have an element of protection via the design review. Referendum among property owners in the district. Voted overwhelmingly in favor of submitting application for *conservation* district. Properties excluded on the map are already designated locally.

Please see packet for details regarding criteria for designation. Staff recommends forwarding to Council.

Jeff Goldin—Why is Fairview school in the district?

Conor Herterich—Council can eliminate sections if it wants to.

Public comment

The following individuals spoke in favor of designation:

Karen Duffy, NWS Committee Chair

Alan Balkeman, NWS Neighborhood Association President

Bill Baus, NWS Neighborhood Association Treasurer

Jenny Stevens

Betty Bridgewaters

Michelle Henderson

Chris Bomba

The following individual raised concern about designation:

Unknown man—Why does Criterion 1A apply? **Conor Herterich**—People who worked in economic engine of city lived in NWS. **Man**—1A is more tenuous than other criteria. Uncomfortable with idea that we can use designation to avoid the UDO density.

Commissioner Comments

Chris Sturbaum—Large number of contributing, helps us to understand the value of what a contributing structure is. Largely intact area with a density of little houses. The historic structure is the entire neighborhood and all of its components. Preserving for the future and from a threat. Sister neighborhood to Greater Prospect Hill. Thrilled and pleased that we can give this gift to the future and to the city that may not make it without our action.

John Saunders—Agree

Leslie Abshier—Are guidelines created before or after Council designation? **Conor Herterich**—Guidelines will be developed after City Council approval. **Leslie Abshier**—I live in Greater Prospect Hill. We started as a conservation district and were elevated to a historic district without neighborhood buy-in. Will that happen here? What percentage of property owners voted? Protection should be balanced with property rights. I encourage you to write your guidelines carefully. **Conor Herterich**—Difference between *conservation* and *historic* was discussed at length in NWS public meetings to make property owners aware of the difference and

possibility of elevation in status in the future. **Karen Duffy**—37% of owners (some own >1 prop) voted.

Deb Hutton—Agree with Chris and Leslie. Commend you and your committee.

Lee Sandweiss—Great. Thanks for your hard work.

Sam DeSoller—Residents passionate and involved. This is the first step. YOU are writing these guidelines. Take care with guidelines. Don't make them punitive, uphold what you love.

Susan Dyer—Excited about this. Thank you for your hard work. HPC will follow *your* guidelines.

Jeff Goldin—I'm in favor of this, though I have some concerns about lines of the district, especially the Kirkwood commercial corridor. Also MCCSC should be taken out.

Bill Baus—NWS has draft guidelines (available online), based on GPH guidelines.

Deb Hutton made a motion to forward to the Common Council recommendation for designation of the Near Westside District as a conservation district. **Lee Sandweiss** seconded.

Motion carried 8-0-0 (Yes-No-Abstain).

>>>>

END OF MINUTES

Overview of Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection”

Overall Purpose and Effect of the Title 8 (Historic Preservation and Protection)

The provisions of Title 8 (Historic Preservation and Protection) are enabled by State law (I.C. 36-7-11 et seq.) and are intended to:

- protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage;
- ensure the harmonious and orderly growth and development of the City;
- maintain established residential neighborhoods in danger of having their distinctiveness destroyed;
- enhance property values and attract new residents; and
- ensure the viability of the traditional downtown area and to enhance tourism.

The Historic Preservation Commission is authorized to make recommendations to the Council regarding the establishment of historic districts either on its own accord or by petition of the property owner. It also promulgates rules and procedures, including those for reviewing changes to the external appearance of properties within these districts. Those reviews occur in the context of either granting or denying Certificates of Appropriateness for the proposed changes which, in some instances, *may* be done by staff and, in other instances, *must* be done by the Commission. Unless the property owner agrees to an extension, the action on the Certificate of Appropriateness must be taken within 30 days of submittal of the application. Persons who fail to comply with the Certificate of Appropriateness or other aspects of Title 8 are subject to fines and other actions set forth in BMC Chapter 8.16 (Administration and Enforcement).

Surveys

At the State level, the Indiana Division of Historic Preservation and Archaeology (DHPA) is responsible for “prepar(ing) and maintain(ing) a register of Indiana historic sites and historic structures and establishing criteria for listing historic sites and historic structures on the register.” IC 14-21-1-15. This information is in the Indiana State Historic Architecture and Archeological Research Database (SHAARD). At the local level, the Commission is also responsible for preparing a survey, which identifies properties that may be proposed for historic designation and may serve as a basis for historic designations. IC 36-7-11-6; BMC 8.08.060; BMC 8.08.010. In the past, the City has provided Interim Reports to the State which were incorporated into the SHAARD. A few years ago, as part of the approvals associated with the I-69 project, the State inventoried local properties without the help of the local commission.

Districts, Areas, and Ratings

Under local code, these inventories (i.e. registers and surveys) contain gradations of districts, areas, and ratings that tie the level of historic/architectural significance to a level of regulation and protection. In that regard, these are outlined and briefly described below:

- two levels of historic districts – conservation district and full historic district;
- two levels of areas – primary and secondary (none locally); and

- four levels of ratings – outstanding, notable, contributing, and non-contributing.

Districts. Districts may include a “single building, structure, object, or site or a concentration (of the foregoing) designated by ordinance” (per BMC 8.02.020) and come in two forms: a conservation district and a permanent historic district.

The conservation district is a phased designation which elevates into a full historic district at the third anniversary of adoption of the ordinance, unless a majority of owners submit objections in writing to the Commission within 60-180 days before that date (per IC 36-7-11-19). It requires the Commission to review the:

- moving or demolishing of a building, or
- constructing of any principal building or accessory buildings or structures that can be seen from a public way.

The full historic district is the ultimate designation that, along with those restrictions noted in regard to conservation districts, also authorizes the Commission to review:

- any addition, reconstruction, or alteration that conspicuously changes the external appearance of *historic* structures, and appurtenances to those structures, viewable from a public way in what are classified as “primary” and “secondary” areas; and
- any addition, reconstruction, or alteration that conspicuously changes the external appearance of a *non-historic* structure viewable from a public way or any change to or construction of any wall or fence along the public way in what are classified as “primary” areas.

Areas. As alluded to above, within each district, the City may distinguish between primary or secondary areas.

- The primary area is the principle area of historic/architectural significance; and
- the secondary area is an adjacent space whose appearance could affect the preservation of the primary area and is needed to assure the integrity of the primary area. *Please note that the Commission, to date, has not sought to establish districts with “secondary” areas.*

Age and Ratings. Each property within a district of sufficient age may be rated as outstanding, notable, contributing, or noncontributing, according to its level of its significance¹ as elaborated below (per BMC 8.02.020):

- “Outstanding” is the highest rating and is applied to properties that are *listed or are eligible for listing* on the National Register of Historic Places and “can be of local, state, or national importance”;
- “Notable” is the second-highest rating and applies to properties that are of above average, but not outstanding importance, and “*may be eligible for the National Register*”;
- “Contributing” is the third-highest rating and applies to properties that are at least 40 years old and are important to the “density or continuity of the area’s historic fabric” and “*can be listed on the National Register only as part of an historic district*”; and
- “Non-contributing” is the lowest rating and applies to properties that are “not included in the

¹ Please note that, in some cases, the condition of the property, particularly exterior alterations, may affect its “significance.”

inventory unless (they are) located within the boundaries of an historic district.” These properties *are ineligible for listing on the National Register* and may involve structures that are either less than fifty years old, older than that but “have been altered in such a way that they have lost their historic character,” or “are otherwise incompatible with their historic surroundings.”

Designation Procedures

According to the BMC, in order to bring forward a historic designation, the Commission must hold a public hearing² and submit a map and staff report (Report) to the Council. The map identifies the district and classifies properties, and the Report explains these actions in terms of the historic and architectural criteria set forth in the ordinance (see BMC 8.08.010[e]). These criteria provide the grounds for the designation.

The Commission may impose interim protection on the district that prevents any conspicuous alteration of the exterior of the property until the Council acts on the designation.³ Please note that under local demolition delay provisions, the Commission may review applications for demolition or partial demolition of sites and structures included in the City of Bloomington the relevant surveys⁴ and has an opportunity to consider historic designation of such properties. (See BMC 8.08.016 and BMC 20.09.230). As a result of changes adopted by the Council in 2016, requests for partial demolition of contributing properties in single family districts will be subject to review and action by Commission staff within seven business days of submittal. (See BMC 20.09.230[b][3]-[4])

The ordinance typically:

- Approves the map and establishes the district (which provide the basis for the designation);
- Attaches the map and the report;
- Describes the district and classifies the properties;
- Inserts the newly established district into the List of Historic and Conservation Districts (BMC 8.20);
- May impose interim protection (until the Council decides on the designation); and
- In the case of conservation districts, addresses their elevation to a full historic district at the third anniversary of the adoption of the ordinance, unless a majority of the property owners object to the Commission in writing in a timely manner.

² With advertised notice to the public at large and written notice to individual affected property owners. BMC 8.08.010 (d)(3)

³ While “the Commission may approve a Certificate of Appropriateness at any time during interim protection .. (it) shall have no effect ...unless the map (of the historic district) is approved by the common council.” BMC 8.08.015(e)

⁴ According to BMC 20.09.230, demolition delay applies to certain structures on the City of Bloomington Survey of Historic Sites or Structures. The definition of the aforementioned survey, includes the City of Bloomington Historic Sites and Structures Table (available in the Office of City Clerk) and “contributing” structures listed in the SHAARD if subject to a request for substantial demolition. BMC 20.11.020

ORDINANCE 19-26

TO AMEND THE DISTRICT ORDINANCE AND APPROVE A PRELIMINARY PLAN FOR A PLANNED UNIT DEVELOPMENT (PUD)

**- Re: 3201 E. Moores Pike
(First Capital Group, Petitioner)**

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, “Zoning”, including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled “Subdivisions”, went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, PUD-26-19, and has given a negative recommendation for the petitioner’s (First Capital Group) proposal to amend the district ordinance and preliminary plan to add “dwelling, multifamily” to the list of uses for this 2.2 acre PUD;

WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the district ordinance and preliminary plan shall be amended for this PUD located on the property located at 3201 E. Moores Pike. The property is further described as follows:

A part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

BEGINNING at a PK nail found at the southeast corner of said quarter quarter: thence NORTH 88 degrees 20 minutes 12 seconds West on the south line of said quarter quarter section 174.93 feet: thence NORTH 01 Degree 21 minutes 53 seconds West on a woven wire fence 539.10 feet, passing through a concrete monument a distance of 28.07 feet, to a wooden fence post: thence NORTH 88 degrees 37 minutes 42 seconds East 180.68 feet, passing through a 5/8” rebar 3” tall at a distance of 173.38 feet to the east line of said quarter quarter section: thence SOUTH 00 degrees 44 minutes 18 seconds East on said quarter quarter for a distance of 548.40 feet to the POINT OF BEGINNING. Containing 2.22 acres. More or less.

Subject to any and all easements, agreements, and restrictions of record.

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

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

.

SYNOPSIS

Ordinance 19-26 would amend the PUD district ordinance and preliminary plan to allow for the construction of a multi-family apartment building on this 2.2 acre site.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 19-26 is a true and complete copy of Plan Commission Case Number PUD-26-19 which was given a recommendation of denial by a vote of 5 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 7, 2019.

Date: October 8, 2019



Terri Porter, Secretary
Plan Commission

Received by the Common Council Office this 8th day of October, 2019.



Nicole Bolden, City Clerk

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

Type of Legislation:

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

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

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

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

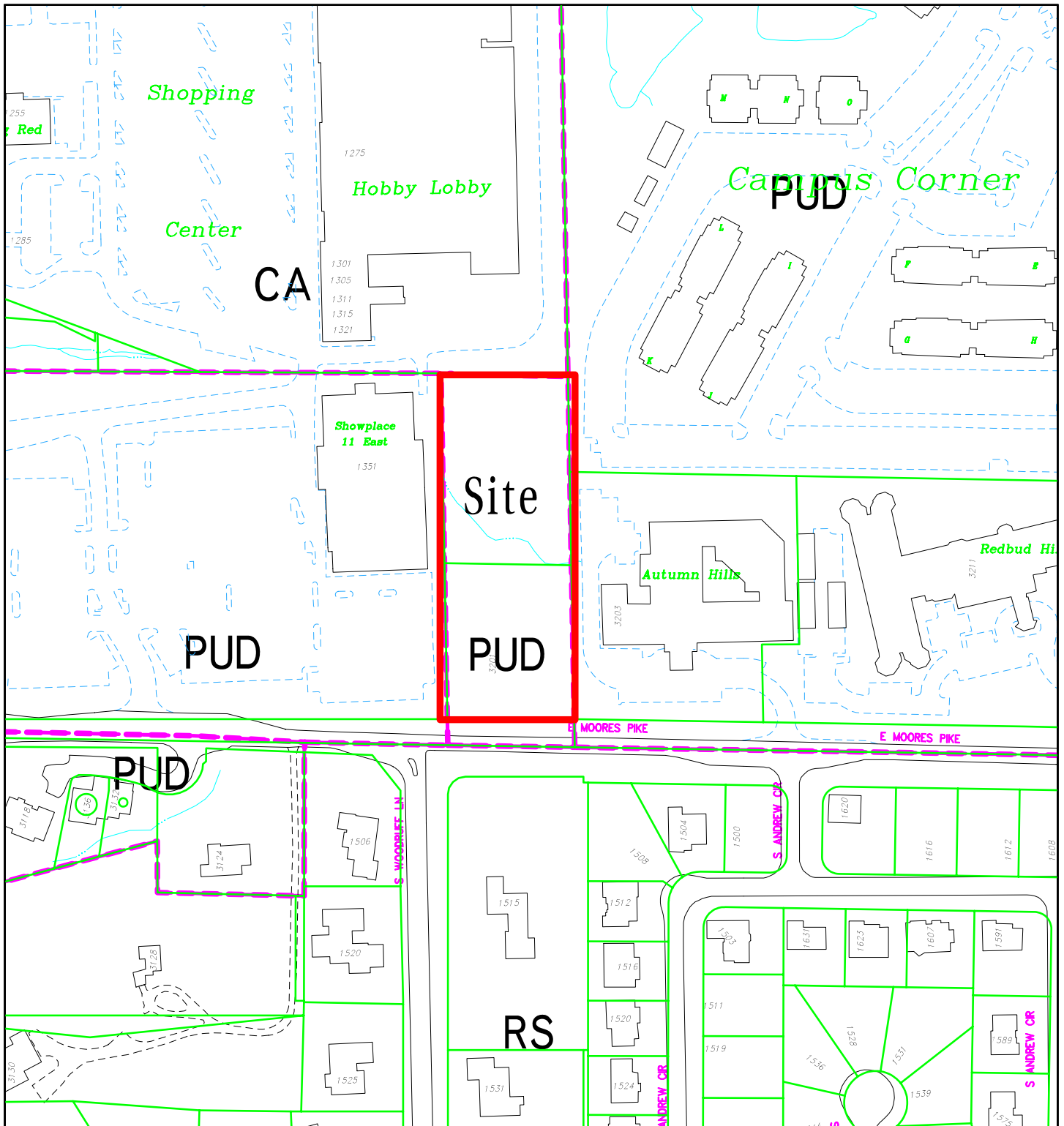
Signature of Controller

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

Yes _____ No _____

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

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



PUD-26-19 First Capital Group

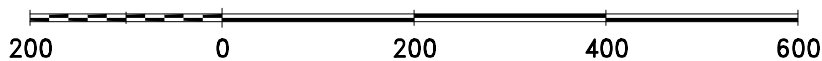
3201 E Moores Pike

Plan Commission

Site Location, Zoning, Parcels

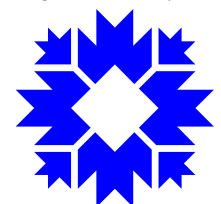
By: greulice

9 Aug 19

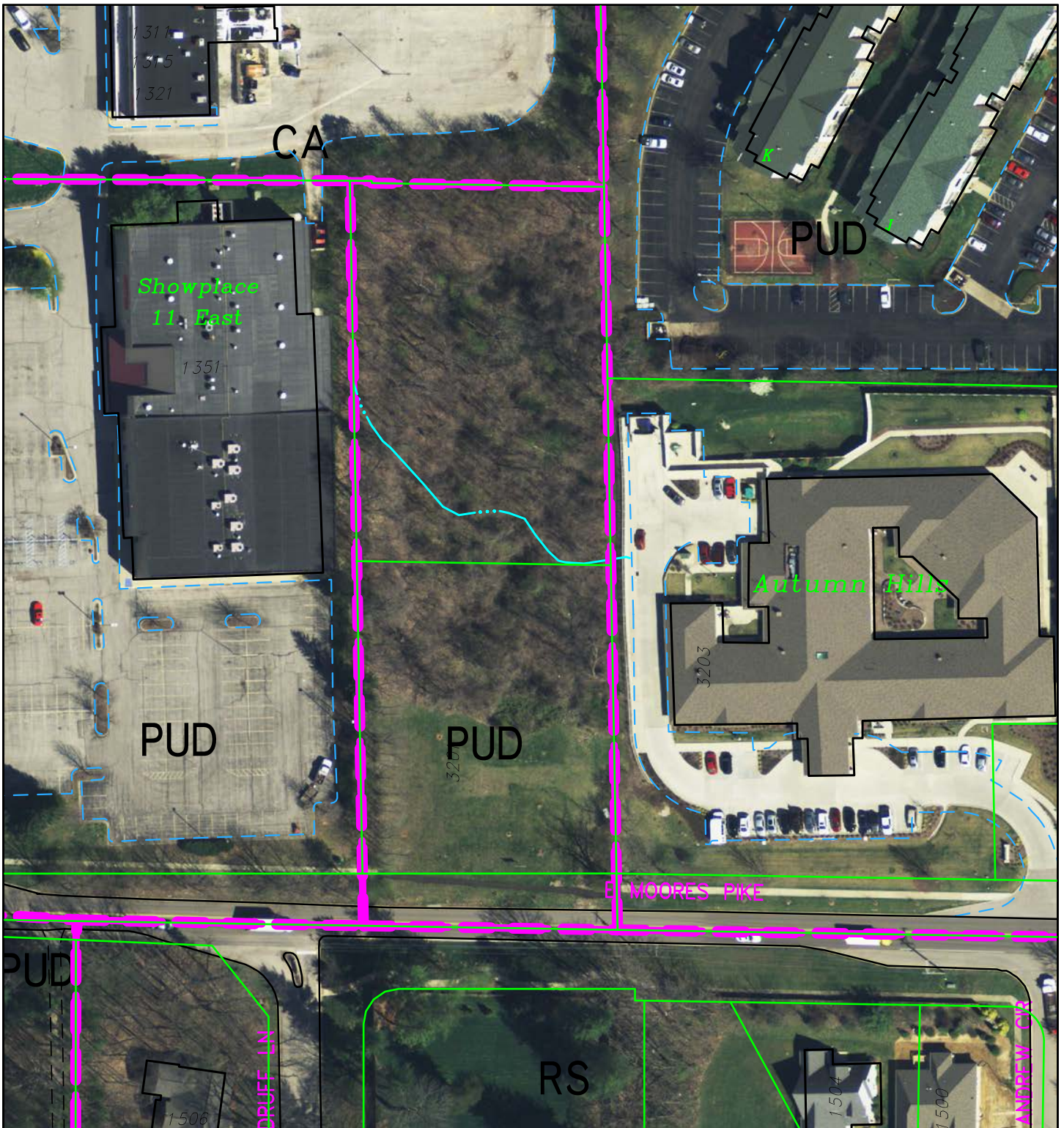


For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 200'



PUD-26-19 First Capital Group

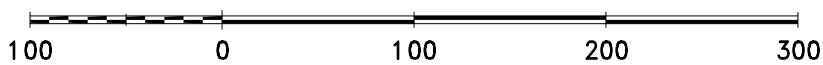
3201 E Moores Pike

Plan Commission

2016 Aerial Photograph

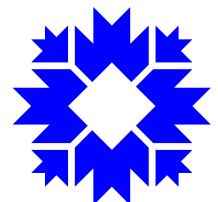
By: greulice

9 Aug 19



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 100'

Interdepartmental Memo

To: Members of the Common Council
From: Eric Greulich, Senior Zoning Planner
Subject: PUD-26-19
Date: October 8, 2019

Attached are the staff report, maps, petitioner's statement, and exhibits which pertain to Plan Commission case PUD-26-19. The Plan Commission heard this petition at the October 7, 2019 hearing and voted 5-1 to send this petition to the Common Council with a negative recommendation.

The Plan Commission report for that hearing is included below.

REQUEST: The petitioner is requesting a PUD district ordinance amendment to allow multi-family dwelling units.

BACKGROUND:

Area:	2.2 acres
Current Zoning:	Planned Unit Development (PUD)
Comp Plan Designation:	Regional Activity Center
Existing Land Use:	Undeveloped
Proposed Land Use:	Multifamily residential
Surrounding Uses:	North – Jackson Creek Shopping Center West – AMC movie theater South – Single-family residences (Bittner Woods/Shadow Creek) East – Multi-family apartments (College Park at Campus Corner) and retirement community (Red Bud Hills and Autumn Hills)

REPORT: This 2.2 acre property is located on the north side of Moores Pike just east of the intersection with College Mall Road. The property is zoned Planned Unit Development. The property is currently undeveloped and has several mature trees and emerging canopy species scattered throughout the property. The property had previously been used by a single family residence, but the residence was removed in 2000 when the property was rezoned.

This site was rezoned in 2000 (PUD-03-00) from RS3.5/PRO6 to a Planned Unit Development to allow for a mixture of medical and office uses. A district ordinance and a specific list of uses, as well as prohibited uses, was approved with that petition. In 2003, an amendment (PUD-15-03) was approved to the PUD adding "climate-controlled storage" to the list of permitted uses as well as a final plan for an office building and separate climate controlled warehouse, however that project was never constructed. A site plan was later approved in 2013 (PUD-40-13) for a multi-tenant building, however that was also not constructed and the property has remained undeveloped.

The petitioner is requesting to amend the list of uses within the PUD district ordinance to allow for "dwelling, multi-family". The petitioner is proposing to adopt a density of 18 units per acre, the remaining development standards would be those of the current RH zoning district standards for site plan review. No site plan approval is being requested or given at this time and a site plan must come back to the Plan Commission for approval if this amendment is approved. The

petitioner has submitted a potential building elevation and site plan. The proposed site plan shows a 4-story building with 48 two-bedroom units, 28 one-bedroom units, and 4 studio units for a total of 80 units with 128 bedrooms. Parking is being provided in a parking area with 52 parking spaces. There would be one drivecut on Moores Pike to provide access for the site.

COMPREHENSIVE PLAN: This property is designated as *Regional Activity Center* in the Comprehensive Plan. The Comprehensive Plan notes the following about the intent of the *Regional Activity Center* area:

- ...district is a large commercial area that provides high intensity retail activity.
- Regional Activity Centers contain higher intensity uses such as national retailers, offices, food services, lodging, and entertainment.
- The district may also incorporate medium- to high-density multifamily residential uses.
- The main purpose of the district is to provide semi-urban activity centers that complement, rather than compete with, the Downtown district.
- The district is expected to change with increasing activity through infill and redevelopment.
- Incorporating multifamily residential within the district is supported.
- Less intense commercial uses should be developed adjacent to residential areas to buffer the impacts of such development. Multifamily residential and office uses could likewise serve as transitional elements.
- Redevelopment within the district should be encouraged to grow vertically, with the possibility of two- or three-story buildings to accommodate denser office development, residential multifamily, structured parking, and improved multimodal connectivity.

The proposed use of the property for multi-family residences is somewhat consistent with the Comprehensive Plan (although a mixed-use building would be preferred). The Comprehensive Plan encourages two- or three-story buildings, so the proposed 4-story building would not be in keeping with the design guidelines.

PRELIMINARY PLAN:

List of Permitted Uses: The list of permitted uses was set forth in the 2000 initial rezoning and amended in 2003. The petitioner is proposing to retain this list and add “dwelling, multi-family”. The list of existing permitted uses as outlined in previous approvals includes:

Permitted Uses:

- Climate controlled storage *added in the 2003 amendment
- Business Professional Office (including, but not limited to- Accounting, Consulting, Legal, Real Estate, and Insurance)
- Corporate Offices
- Government Offices
- Contractor’s Offices (subject to the “Further Restrictions” as outlined below)
- *Medical Offices
- *Dental Offices
- *Clinics

These uses are limited to 16,000 square feet. If mixed use is requested, then the maximum gross square footage allowed would be 32,000 sq. ft., with all () uses

square footage being doubled when calculating the total square footage. For example, 8,000 sq. ft. of medical office space and 16,000 of professional office space would be allowed in this PUD under the calculation $[8,000(2) + 16,000=32,000]$

Specifically Prohibited Uses:

- Veterinary Clinics
- Bureau of Motor Vehicle Offices
- Post Offices

Further Restrictions on Permitted Uses:

- No outdoor storage of equipment or materials
- No warehouse/garage space is permitted

The petitioner is proposing to add “dwelling, multi-family” to the list of approved uses. No other changes to the use list are proposed.

Residential Density: The Comprehensive Plan designates this area as a *Regional Activity Center* and calls for medium- to high-density multifamily residential in the *Regional Activity Center* designation. The proposed site plan shows a possible bedroom and unit count of 48 two-bedroom units, 28 one-bedroom units, and 4 studio units for a total of 80 units with 128 bedrooms. Using the UDO defined DUEs, the 2-bedroom units count as 0.66 units, the one-bedroom units count as 0.25 units, and the studio units count as 0.20 units. There are 39.48 DUEs proposed, which based on the 2.2 acre lot size results in a density of 17.48 units per acre. With this request the petitioner is requesting an allowable maximum density of 18 units per acre.

Height and Bulk: The petitioner is proposing one, four-story building. The original PUD had very specific development standards for setbacks and building height. The building height was limited to 30’ in height. The petitioner is proposing to use the RH zoning district standards which would change the allowable building height to a 50’ maximum.

The approved development standards in the PUD versus the RH district are as follows:

	Current	RH District
Building Front	65’	15’ from proposed ROW
Building Side (East)	25’	15’
Building Side (West)	10’ *reduced with the 2003 amendment	15’
Building Rear	25’	15’
Parking Front	75’	20’ behind building
Parking Side (East)	12’	10’
Parking Side (West)	8’	10’
Parking Rear	18’	10’
Height	30’	50’

Parking, Streetscape, and Access: The property has approximately 180' of frontage on Moores Pike. A possible total of 52 parking spaces are proposed for the 128 bedrooms. This equals 0.48 parking spaces per bedroom. The UDO does not have a minimum number of required vehicular parking spaces for this location, only a maximum of 1 parking space per bedroom. A new 8' wide asphalt multi-use path will be constructed along the Moores Pike frontage. The site has one access point on Moores Pike that will be widened with this petition to allow two-way traffic. A passing blister was required along the south side of Moores Pike with previous approvals and is still being evaluated. This would be installed within the right-of-way if deemed necessary by the City Transportation and Traffic Engineer.

Bicycle Parking and Alternative Transportation: The development has 128 proposed bedrooms. The UDO requires one bicycle parking space for every 6 bedrooms for a total of 22 required bicycle parking spaces. Compliance with this requirement will be reviewed with the development plan approval. This site is not located on a Bloomington Transit route.

With all of the previous approvals, an internal sidewalk connection was required through this property linking the Redbud Hills/Autumn Hills buildings to the east to the Jackson Creek Shopping Center to the northwest. A pedestrian easement was recorded along the northern property line as well to provide for that future connection. The Plan Commission required the Autumn Hills development to the east to install a sidewalk stub and staircase at the common property line with the intent that a pedestrian connection through this petition site would be installed at the time it came forward for site plan approval. That sidewalk connection and staircase were installed. Staff has inspected the site and determined that the most appropriate location for the sidewalk connection would still be to follow the existing topography along the east and north property lines to connect to Jackson Creek Shopping Center. This connection has been shown on the site plan and would be installed at the development plan stage.

Architecture/Materials: The petitioner proposes to meet RH architectural standards. This request would remove the 30' height limit as part of the current district ordinance and use the proposed 50' height limit. The building will have one main entrance on the east side of the building with an additional entrance on the south side of the building facing Moores Pike. The Department has concerns that the south side of the building lacks appropriate pedestrian interface with Moores Pike and believes that a better design would include smaller buildings with a building directly facing Moores Pike, rather than a side of a building as shown.

Environmental Considerations: The petition site has a large area of mature canopy trees along the north side of the property. Based on the size of the property and existing canopy coverage, approximately 50% of the existing tree coverage must be preserved. Staff has inspected the site and determined an appropriate area to be preserved and that has been shown on the proposed site plan. The site plan meets the minimum tree preservation requirements. There are several mature trees along the property boundary that should be saved and that aspect will be reviewed with the development plan approval if this petition is approved. There were limited provisions in the initial rezoning that dealt with the removal or replacement of trees that died during or after construction, this is outlined under item #3 in the staff report from the 2000 rezoning. If this amendment is approved, the petitioner is proposing to place the remaining undeveloped north portion of the property containing the required tree preservation area in a Conservation Easement. No additional sensitive or protected environmental features are present on the site.

Housing Diversity: The petitioner has committed to setting aside 10% of the bedrooms for

affordable housing. Information regarding the petitioner's proposal is included in their petitioner statement. With previous projects, petitioners have set aside 15% of bedrooms for affordable housing. Proposed language in the new Unified Development Ordinance also uses 15% as the minimum standard.

Lighting: While a specific lighting plan has not been submitted, the PUD required that the front parking area be lighted with maximum 36" tall bollard lighting. The Department still believes this is appropriate for the front parking area adjacent to the building and closest to the single family residences to the south.

Stormwater: Preliminary approval has been submitted for the proposed stormwater management plan. A stormwater detention/water quality pond is being shown to meet detention and water quality improvement requirements.

Utilities: There is an existing water line along Moores Pike, and a sanitary sewer line has been stubbed on the east side of the property. Both are adequately sized to accommodate this development.

Neighborhood Input: The Department has received many letters of concern from adjacent neighbors. These have been included in the packet.

20.04.080(h) Planned Unit Development Considerations

In 20.04.080(h) The UDO outlines that in their consideration of a PUD District Ordinance and Preliminary Plan, the Plan Commission and Common Council shall consider as many of the following as may be relevant to the specific proposal. The following list shall not be construed as providing a prioritization of the items on the list. Each item shall be considered individually as it applies to the specific Planning Unit Development proposal.

- (1) The extent to which the proposed Preliminary Plan meets the requirements, standards, and stated purpose of Chapter 20.04: Planned Unit Development Districts.

Section 20.04.010 of the UDO, states that the purpose of the planned unit development (PUD) is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that planned unit developments will offer one or more of the following advantages:

- (a) Implement the guiding principles and land use policies of the Comprehensive Plan; specifically reflect the policies of the Comprehensive Plan specific to the neighborhood in which the planned unit development is to be located;
- (b) Buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; additionally provide buffers and transitions of density within the PUD itself to distinguish between different land use areas;
- (c) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;

- (d) Counteract urban monotony and congestion on streets;
- (e) Promote architecture that is compatible with the surroundings;
- (f) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area; and
- (g) Provide a public benefit that would not occur without deviation from the standards of the Unified Development Ordinance.

PROPOSED FINDING: The Department does not feel that this PUD amendment accomplishes many of the goals outlined in the section above. While the PUD amendment does add residential density adjacent to goods and services, some of the other aspects that are highly desired within PUD's related to environmental preservation, appropriate architecture along a street front, sustainable building design, and compatibility with surrounding buildings is not sufficient to warrant a PUD amendment.

- (2) The extent to which the proposed Preliminary Plan departs from the Unified Development Ordinance provisions otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.

PROPOSED FINDING: This PUD is proposing to allow a density of 18 units per acre. This PUD was initially approved with no residential dwelling unit allowance, so it is therefore up to the Plan Commission to designate an appropriate density if the requested land use of multifamily dwelling units is deemed appropriate. In addition, this PUD was approved with a 30' height limit, and the Plan Commission must also determine if the proposed increased height of 50' is appropriate for this location.

- (3) The extent to which the Planned Unit Development meets the purposes of this Unified Development Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the City. Any specific benefits shall be specifically cited.

PROPOSED FINDING: This petition does further many of the goals of the UDO and the Comprehensive Plan. Specifically it places residential dwelling units in close proximity to goods and services and has a commitment toward affordable housing. Although there is a commitment to set aside some dwelling units for affordable housing, the amount being set aside is not consistent with other approved projects or expectations. In addition, with a PUD amendment, the expectation would be that a higher level of services and design is provided than what would be the minimum required by the UDO. A high level of environmental sustainability and architecture are encouraged within the Comprehensive Plan and the Department does not feel that either has been accomplished so far.

- (4) The physical design of the Planned Unit Development and the extent to which it:
 - a. Makes adequate provision for public services;
 - b. Provides adequate control over vehicular traffic;
 - c. Provides for and protects designated common open space; and
 - d. Furthers the amenities of light and air, recreation and visual enjoyment.

PROPOSED FINDING: The property is not located on a Bloomington Transit

route, although it is near to the route along College Mall Road. There are no vehicular road stubs on adjacent properties to connect to, so access is restricted to one access point on Moores Pike. A portion of the rear of the property will be set aside in a conservancy easement to provide a common open space, but will be largely wooded and set aside in a conservancy easement. A pedestrian connection will be extended through the site to connect this property to the adjacent sidewalk stub to the east.

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

PROPOSED FINDING: This site is surrounded by a mix of commercial properties to the north and west, residential care buildings to the east, high density multifamily residences to the northeast, and single family residences to the south. While the density proposed on this site is higher than surrounding properties, this type of dense infill development is encouraged by the Comprehensive Plan when surrounded by appropriate infrastructure and goods and services. In addition, it is located immediately adjacent to several grocery stores and shopping areas.

- (6) The desirability of the proposed Preliminary Plan to the City's physical development, tax base and economic well-being.

PROPOSED FINDING: The provision of up to 18 dwelling units per acre along this corridor will increase the tax base to the City. In addition, the construction of the building will benefit the local workforce and adjacent commercial businesses.

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

PROPOSED FINDING: This site will be accessed directly from Moores Pike and no traffic will be directed through or within the adjacent residential neighborhoods. Moores Pike at this location currently has approximately 9,000 Average Daily Trip's (ADT). The proposed 80 units would add approximately 528 ADT's to Moores Pike. Certainly the addition of dwelling units on this site would result in a slight increase in traffic along Moores Pike, however there is already a signalized intersection at the Moores Pike and Sare Road/College Mall Road intersection to control traffic in this area. Additional traffic control measures along Moores Pike, including a passing blister, will be evaluated with the final development plan if the amendment is approved and can be installed if deemed necessary to mitigate any potential impacts. There are existing utilities to this area in place to support this development.

- (8) The proposal preserves significant ecological, natural, historical and architectural resources.

PROPOSED FINDING: There are no known significant ecological, natural, historical or architectural resources on this site. The petitioner will be setting aside the minimum required tree preservation area in a conservation easement. The Department would encourage revisions to the site plan that protect existing mature trees along the property boundary.

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

PROPOSED FINDING: At this time the Department does not identify any negative impacts to the public health, safety, or general welfare of the community.

- (10) The proposal is an effective and unified treatment of the development possibilities on the PUD site.

PROPOSED FINDING: The inclusion of multi-family dwelling units does expand the uses for this PUD and allow for a land use that is consistent with surrounding uses. However, with the approval of a PUD it is an expectation that a development is able to achieve a higher standard than the minimum requirements of the UDO. The list of environmentally sustainable design features does not constitute a high level of features unique to this project. In addition, although some improvements have been made to the south façade of the building, the building's main façade faces the interior of the site with the side of the building facing the public street. The Department does not feel that a demonstrated public benefit has been provided with this proposed amendment to the PUD. In addition, this approval would result in a single use project rather than a mixed-use project, which is not preferred within a PUD.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) has made 3 recommendations concerning this development:

- 1.) The Petitioner should work with staff to revise the Landscape Plan to at least meet the minimum standards of the UDO.

Staff Response: The petitioner shall submit a landscape plan showing compliance with the UDO during the review of the development plan stage prior to the issuance of a grading permit.

- 2.) The Petitioner should incorporate best practices for green building.

Staff Response: Although not required, the Department encourages the petitioner to incorporate as many green building practices as possible.

- 3.) The Petitioner shall show proper grading contour lines that indicate exactly where the land-disturbing activity will occur and ensure it will remain outside of the conservation easement.

Staff Response: This will be reviewed with the final development plan if the amendment is approved.

CONCLUSION: While this petition does provide an affordable housing component, the affordable housing commitment does not meet the City's expectations nor is it consistent with previous projects or the direction of the new UDO. The Plan Commission found that the design of the building places the side of the building on Moores Pike rather than a true front and does not adequately create a pedestrian friendly streetscape as encouraged by the Comprehensive Plan. In addition, the petitioner has not shown a sufficient level of sustainable design features to promote environmentally sustainable design. Some of the neighbor's concerns regarding adding

additional parking spaces or reducing the number of stories in the building were also not addressed.

RECOMMENDATION: The Plan Commission voted 5-1 to forward PUD-26-19 to the Common Council with a negative recommendation.



City of Bloomington
Bloomington Environmental Commission

MEMORANDUM

Date: October 7, 2019

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Subject: PUD-26-19: Moores Pike Apartments
3201 E. Moores Pike

The purpose of this memo is to convey the environmental concerns and recommendations provided by the City of Bloomington Environmental Commission (EC) with the hope that action will be taken to enhance the project's environment-enriching attributes.

This request is for an amendment to the Planned Unit Development (PUD) District Ordinance to allow the use 'Dwelling, Multifamily' and some Residential High-Density Multifamily (RH) design standards.

1.) LANDSCAPE PLAN

The Landscape Plan needs revision before it meets the Unified Development Ordinance (UDO) regulations, and can be approved. The Petitioner must have an approved Landscape Plan in place prior to the issuance of the required Grading Permit. The EC recommends the site be designed with diverse plantings that benefit local pollinating insects and birds, reduce the heat island effect, sequester carbon dioxide, and slow and cleanse rainwater. Using native plants provides food and habitat for birds, butterflies, and other beneficial insects while promoting biodiversity in the city. Native plants do not require chemical fertilizers nor pesticides and are water efficient once established.

2.) GREEN/ENVIRONMENT-ENHANCING BUILDING PRACTICES

The EC previously recommended that the developer design the building with as many best practices for energy savings and resource conservation as possible for the sake of the environment and because attention to green building best practices is a community expectation of new structures. Although the Petitioner was advised of these expectations prior to their initial presentation to Plan Commission in August, they have not added any meaningful environment-enhancing, climate-protecting practices at this site.

The EC does not consider committing to a UDO or building code requirement to be an enhancement. Additionally, if the Petitioner expects practices such as 'rainwater capture and reuse' to be looked at as a best practice, then a design with specifics must be included in their petition materials to Planning and Transportation (P&T) staff. It is possible that the Petitioner's Statement could mean nothing more than rainwater soaking into the ground.

Designing more sustainably than the basic minimum building code standards is expected and considered responsible business by the EC. Because this petition includes no environmentally-responsible or public benefits, the EC sees no reason to allow the increased density requested.

3.) GRADING FOR DETENTION BASIN

The contour lines shown for the grading on the detention basin are incomplete and confusing because the contour lines end abruptly without closure. No land disturbing activities are allowed within the Conservation Easement (CE) except for the path, and this plan implies the grading will extend into the CE. This design must be changed so no construction or land-disturbing activity will occur in the CE except for the path.

EC RECOMMENDATIONS:

- 1.) The Petitioner shall revise the Landscape Plan to meet, at the very least, the minimum standards of the UDO.
- 2.) The Petitioner should incorporate best practices for green building.
- 3.) The Petitioner shall show proper grading contour lines that indicate exactly where the land-disturbing activity will occur and ensure it will remain outside of the conservation easement.

September 23, 2019
City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: 3201 E Moores Pike PUD Amendment Request, **Revised**

Dear Plan Commission:

As presented at the August Plan Commission hearing the purpose of our request is to add RH uses to the existing PUD. The revised petition will now have a total of 80-units contained in a four-story building consisting of 48 two-bedroom units and 32 one-bedroom units. The proposed density shall not exceed 18 units per acre, the proposed building height shall be limited to 50 feet and the proposed impervious surface area will not exceed 50%.

Moore's Pike Sustainability Initiatives:

The proposed development will have 128 bedrooms in 80 units and will commit to having UDO required covered and uncovered bicycle parking spaces. The property is not currently on the Bloomington Transit Route, but we will provide access to BT via a paved trail access to the route that runs between the AMC Theatre and Hoppy Lobby. Additionally, the project has easy walking access to a myriad of retail shopping at Jackson Creek (Kroger) Center and the College Mall area amenities.

Tree Preservation:

Tree preservation and undisturbed green area is provided at a standard greater than the UDO requires at the rear of the site.

Building/Site Features:

Several sustainable features are incorporated as follows: high-efficiency HVAC systems, energy star appliances, low-flow plumbing fixtures, reflective roof, rainwater capture and reuse, electric vehicle charging station.

MOORE'S PIKE HOUSING DIVERSITY PLAN

THE PETITIONER COMMITS TO PROVIDE FOR 10% OF THE BEDROOMS APPROVED SHALL BE AFFORDABLE DEFINED AS FOLLOWS:

- A. Two-thirds shall be rented at 80% of the Area Median Income (AMI) for Bloomington based on a tenant spending 25% of AMI on rent. The tenant's income can be at 100% of AMI (\$51,700) or less.
- B. One-third shall be rented at 100% of the Area Median Income (AMI) for Bloomington based on a tenant spending 25% of AMI on rent. The tenant's income can be at 120% of AMI (\$62,040) or less.
- C. The City of Bloomington, Indiana's Housing and Neighborhood Development has the current AMI at \$51,700 per annum. Calculating affordable bedrooms in this analysis shall be rounded down.
- D. The current monthly rent rates per HAND are:

% OF AMI	STUDIO	1 BR (BASELINE)	2 BR	3 BR
80%	\$646	\$862	\$1078	\$1293
100%	\$808	\$1077	\$1346	\$1616

Sincerely,

Jeffrey S. Fanyo, P.E. CFM

Bynum Fanyo and Associates, Inc.

GENERAL LEGEND

	8 FT WIDE ASPHALT MULTI-PURPOSE PATH
	PROPERTY LINE
	DEED BOOK AND PAGE
	TO BE REMOVED
	TO REMAIN UNDISTURBED
	SETBACK LINE
	PROPOSED ACCESSIBLE PARKING SPACE
	SANITARY SEWER EASEMENT
	GAS EASEMENT
	WATER LINE EASEMENT
	ELECTRIC EASEMENT
	DRAINAGE EASEMENT
	UTILITY EASEMENT

EXISTING LEGEND

	EXISTING FENCE
	EXISTING WATER LINE
	EXISTING OVERHEAD ELECTRIC LINES
	EXISTING UNDERGROUND ELECTRIC LINES
	EXISTING OVERHEAD TELEPHONE LINES
	EXISTING UNDERGROUND TELEPHONE LINES
	EXISTING GAS LINE
	EXISTING CONTOUR & ELEVATION
	FLOW LINE
	EXISTING SANITARY SEWER AND MANHOLE
	EXISTING STORM SEWER AND INLET

UTILITY LEGEND

	PROPOSED DP FIRE SERVICE LINE
	PROPOSED DOMESTIC SERVICE LINE
	PROPOSED WATER VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED SANITARY SEWER LATERAL AND SANITARY SEWER CLEAN-OUT
	PROPOSED STORM SEWER INLET AND PIPE
	PROPOSED SCHEDULE 40 PVC BUILDING DRAIN
	PROPOSED GAS SERVICE LINE
	PROPOSED ELECTRIC SERVICE LINE

PLANT LIST

LARGE CANOPY DECIDUOUS TREES					
LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	AR	ACER RUBRUM	RED MAPLE	5	2" CAL. S & B
	AR	ACER RUBRUM	RED MAPLE	16	2" CAL. S & B
SMALL (ORNAMENTAL) DECIDUOUS TREES					
LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	FD	CORNUS FLORIDA	FLOWERING DOGWOOD	3	2" CAL. S & B
SMALL (ORNAMENTAL) EVERGREEN TREES					
LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	PV	PINUS VIRGINIANA	VIRGINIA PINE	3	6' HEIGHT
DECIDUOUS SHRUBS					
LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	IV	ILEX VERTICILLATA	WINTERBERRY HOLLY	2	3 GAL. CONTAINER OR 18" HT
	OP	OPUNTIA	BUTTONESS CACTUS	2	3 GAL. CONTAINER OR 18" HT
EVERGREEN SHRUBS					
LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	RS	RHODODENDRON SPECIES	RHODODENDRON	10	3 GAL. CONTAINER OR 18" HT
	TC	TAXUS CANADENSIS	CANADIAN YEW	5	3 GAL. CONTAINER OR 18" HT
	BU	BUXIA	GREEN VELVET BOOMBOOM	106	3 GAL. CONTAINER OR 18" HT

IMPERVIOUS COVERAGE
IMPERVIOUS SURFACE AREA = 42,388.7 SF
LOT AREA = 89,812.3 SF
IMPERVIOUS COVERAGE = 47.3%

Showplace Cir
Parking Lot

Showplace Cinemas

revisions:



SCALE: 1"=20'

ARCHITECTURE
CIVIL ENGINEERING
PLANNING
Bloomington, Indiana
(812) 338-2590 (Fax)

BYNUM FANTO & ASSOCIATES, INC.
528 North Walnut Street
(812) 332-8030

9.22.19

certified by:

PROPOSED
MOORES PIKE
APARTMENTS
3201 E. MOORES PIKE
BLOOMINGTON, IN

title: SITE PLAN

designed by: JBT
drawn by: JBT
checked by: JSF
sheet no: C201
project no: 401921



- T.O. RIDGE
ELEV ~ 49'-6" A.F.F.
- ROOF
ELEV ~ 42'-8" A.F.F.
- FOURTH LEVEL
ELEV ~ 32'-0" A.F.F.
- THIRD LEVEL
ELEV ~ 21'-4" A.F.F.
- SECOND LEVEL
ELEV ~ 10'-8" A.F.F.
- FINISH FLOOR
ELEV ~ 0'-0" A.F.F.
- GRADE
ELEV -0'-6" A.F.F.

Proposed East Elevation



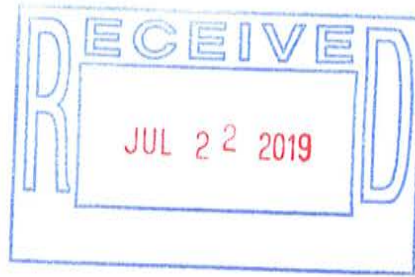
- T.O. RIDGE
ELEV ~ 49'-6" A.F.F.
- ROOF
ELEV ~ 42'-8" A.F.F.
- FOURTH LEVEL
ELEV ~ 32'-0" A.F.F.
- THIRD LEVEL
ELEV ~ 21'-4" A.F.F.
- SECOND LEVEL
ELEV ~ 10'-8" A.F.F.
- FINISH FLOOR
ELEV ~ 0'-0" A.F.F.
- GRADE
ELEV -0'-6" A.F.F.

Proposed South Elevation



Conceptual Rendering: View From North

Anita & Ken Brouwer



1500 S. Andrew Circle, Bloomington, IN 47401
Anita's Cell (515) 975-7900
AKBwillbe@gmail.com

15 Jul 2019

Theresa Porter, Director & Scott Robinson, Assistant Director
City of Bloomington, Indiana Planning & Transportation Dept.
401 N. Morton Street, Suite #130, Bloomington, IN 47404

Ref: PUD Amendment: 3201 E. Moores Pike, Bloomington, IN

Dear Ms. Porter & Mr. Robinson,

This short letter will likely accompany others you will receive from residents of Shadow Creek and Bittner Woods Subdivisions and others who live in the general proximity of the PUD Notice recently sent out proposing an amendment to allow multi-family apartments at the aforementioned address.

This notice has been received and discussed by many people who live near this property and there is considerable concern as it relates to the proposed amendment and to what will happen to the immediate area if this amendment is ultimately passed. Additionally, the petitioner's sense of urgency to also request a waiver of a required second hearing is also concerning especially since only a limited number of residents and/or property owners seem to have gotten the notices in the first place. Clearly, in situations like this, requirements are there for a reason and a no surprise rule should be in effect.

As residents and home owners of Shadow Creek we feel that there is a significant list of concerns about the proposed amendment and also a lack of details describing what has been done by your office to thoroughly investigate the likely result of such a multi-family apartment complex and the issues that it will create along Moores Pike, College Mall Road and the immediate area that is already congested when IU is in session.

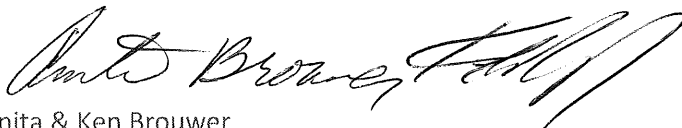


We understand that you both have demanding schedules and in appreciating your time, we have listed just some of our concerns and requests below for your consideration.

- 1) Moores Pike & College Mall Road traffic volumes and flows are a concern. Has a complete traffic flow and traffic volume analysis been completed?
- 2) Concerns around increases in automobile accidents.
- 3) Roads are already in need of repair and additional traffic compounds that problem.
- 4) Residents of the area are concerned with having another multi-story apartment building in the vicinity. More people, more cars and 3-4 story buildings are not aesthetically pleasing rising above the neighboring homes.
- 5) The project will likely have a negative impact on reselling single-family residences in the immediate area (i.e. desirability of living near too many apartment buildings, values decline, etc.).
- 6) Increases in crime and noise are a concern.
- 7) Lastly, what is the rationale to having another apartment building when the others in the area are not at full occupancy?

Based on our concerns as homeowners, neighbors of the proposed project and residents of Bloomington, we'd respectfully ask you to have the required two (2) hearings and to deny the petitioner's request.

Sincerely,



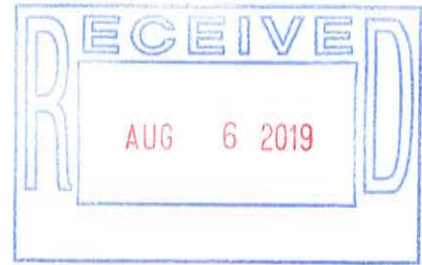
Anita & Ken Brouwer

1500 S. Andrew Circle, Bloomington, IN 47401



City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington, Indiana 47404

July 31, 2019



Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington IN, 47401

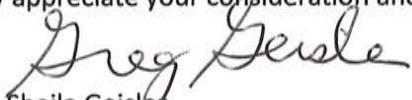
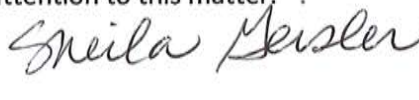
We wish to express our concern regarding the PUD project to allow multifamily apartments on a property adjacent to Autumn Hills backing up to AMC movie theatre and small retail businesses south of Hobby Lobby, as well as Hobby Lobby (hereafter, referred to as just "Hobby Lobby."). This project is across the street (E. Moores Pike) from our private residence on the northwest corner of S. Andrew Circle (#1508).

1. We are unable to attend the August 12th hearing. We request the second hearing scheduled for September 9th continue to be held.
2. This is a narrow, rectangular property. Will the only entrance and exit for residents of this location be E. Moores Pike? E. Moores Pike is a narrow two lane road that has a significant amount of traffic on it. Additionally the land peaks at this location so visibility of oncoming traffic on E. Moores Pike could be a problem and potentially unsafe. **We request the City require the developer to move the entrance and exit** of the property to between the Hobby Lobby and AMC movie theatre side of the property.
3. Height restrictions: This proposal plus the topography of the land would make this the highest building in the area by far. Our property is across the street from this location. We are concerned that a 4-story building would eliminate the current privacy we have and enjoy. **We request the City restrict the height of the property to a maximum of 2-stories.**
4. Will this structure impact the ability to walk on E. Moores Pike? The sidewalk on the south side of E. Moore's Pike ends at Bittner Woods. On the north side of E. Moores Pike, the sidewalk continues to the intersection of E. Moores Pike and Sare/S. College Mall. We request the City ensure a safe sidewalk continue to exist on the north side of E. Moores Pike.
5. The initial PUD granted for this property was for office and commercial use only. Apartments were not allowed. This showed considerable foresight on that planning commission. If the City and Planning Commission decide to approve the building of multi-family apartments on this site, we ask that serious consideration be given to **limiting the magnitude and size of the structure**. This type of density in a project with only one two lane road access will create a lot of additional congestion on E. Moores Pike and for the adjoining neighborhoods. We are requesting the following requirements be included in the City's and Planning Commissions approval of the structure:
 - a. The **number of units needs to be dramatically reduced** from the current plan of 80 apartments. This should have an impact on parking spaces and traffic.
 - b. **Move the entrance from E. Moores Pike** to S. College Mall between the AMC movie theatre and the Hobby Lobby. Landscape the area along E. Moores Pike with greenery.

- c. The **building height should be limited to two stories** to conform with the rest of the neighborhood and area beyond.
 - d. The City should not vote to go forward with this apartment complex that has its entrance on E. Moores Pike unless the City can **ensure that turn off lanes are added** to E. Moores Pike at the entrance to this apartment complex.
 - e. **The parking should be configured at 0.8 spots per bedroom instead of 0.4 spots per bedroom as in the current plan** (which shows only 52 spots and 130 bedrooms).
6. There is already a problem with runoff and water retention in this area. At the bottom of E. Moores Pike at the stop light (where S. College Mall Road becomes Sare Road) there is often significant flooding after heavy rains. About 50% of the property is scheduled to be impervious surface. The retention area is not large enough and can cause additional runoff problems to other properties. Water flows downhill which is primarily to the West of the property, exacerbating a significant flooding issue that already exists. The level of service of E. Moores Pike is barely reasonable now since it is only a two lane road, but as soon as the students return and all the student housing is full, E. Moores Pike becomes much more challenging and dangerous. Adding in an apartment complex with an entrance on E. Moores Pike is not wise.
7. There are 80 units proposed with around 130 bedrooms. The parking should be configured at .8 spots per bedroom which would make 104 parking spots. The current plan calls for 52 parking spots which seems to be an underestimation. We believe more parking spaces will be needed and does not even consider friends visiting and emergency vehicles. The argument that there are walkable services and you do not need a vehicle is unnerving and just plain wrong. Few of the residents of this new complex will walk. It is unrealistic to think that many residents will walk to Kroger and then carry many bags all the way back to their residence—going uphill and upstairs to get back to their residence. Where will all these extra cars park? In addition the surrounding properties are private property so there will not be paths from the apartment complex to the retail businesses on S. College Mall.

We sincerely appreciate your consideration and your attention to this matter.

Cordially,
Gregory and Sheila Geisler
1508 S Andrew Circle
Bloomington, IN 47401

Cc: Dave Rollo
Andy Ruff
Terri Porter
Eric Greulich
Scott Robinson

To Plan Commission

401 N Morton St Suite 130

Bloomington IN 47404

Attn: Eric Greulich

From: Bittner Woods neighborhood

7/28/2019

We the undersigned, respectfully request that you address the following concerns regarding the proposed multi-family apartment at 3201 E. Moores Pike:

1. Height - the proposed four-story building is not in keeping with the existing single family neighborhoods of Bittner Woods and Shadow Creek or the commercial buildings of Autumn Hills or Redbud Senior Living Residence.
2. Traffic - Moores Pike is a heavily trafficked East/West road and the addition of many cars entering and exiting into two lanes will lead to accidents, given speeds and limited visibility. We question the possibility of the proposed passing lane. The school bus stops at Bittner Woods and Shadow Creek must be considered and the additional traffic will impact the caregivers and visitors to Autumn Hills.
3. Water - Presently, rain water runs off the property, across the street and into Bittner Woods. During construction and with a paved parking lot, there will still be a runoff problem.

We would like to request that the height be reduced, the traffic commission reassess the passing lane and the waiver for the required second meeting be denied because many families are on vacation.

Name

Address

<i>Angela Vaughan</i>	<i>1627 Woodruff Ln.</i>
<i>R. Fink</i>	<i>1650 S Woodruff Ln</i>
<i>Robert E. Mason</i>	<i>1551 S. Woodruff Lane</i>
<i>James Mason</i>	<i>1551 S. Woodruff Lane</i>
<i>Bob Schurz</i>	<i>1520 S Woodruff Lane</i>
<i>William K. Kell</i>	<i>1520 S Woodruff Lane</i>
<i>Kathryn F. Schurz</i>	<i>2817 E Pine Lane</i>
<i>Scott C. Schurz</i>	<i>2817 E. Pine Lane</i>

Name

Address

Charles Horowitz 01 2807 Pine Lane

John Riddle 2716 S. Bluff Ct.

Tanya Pettit 2716 S. Bluff Ct.

Brad Smith 2721 E Pine Ln, 47401

Barbara B. Hillery 1506 S. Woodruff St 47401

W Rex Hilary "

John Robert Carter 3130 E. Moores Pike 47401

Mike + Becky Gawn 2720 E Pine Lane 47401

Beth Long 2715 Bluff Ct Bloomington IN 47401

~~John Riddle~~ 2715 S Bluff Ct, Bloomington, IN, 47401

Judith Mah 2712 S. Bluff Court, Bloomington, IN 47401

Robert V Shiffin 2712 S Bluff Ct. 47401

Chris Williams 1525 S. Woodruff Lane 47401

J. A. Cascardo 3124 Moores Pike Bloomington, IN 47401

Deborah CASCARDO 3124 Moores Pike Bloomington, IN 47401



Eric Greulich <greulice@bloomington.in.gov>

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington, IN 47401

Shaaban, Marian T <shaaban@indiana.edu>

Mon, Jul 29, 2019 at 11:08 PM

To: "rollo@bloomington.in.gov" <rollo@bloomington.in.gov>, "ruffa@bloomington.in.gov" <ruffa@bloomington.in.gov>, "greulice@bloomington.in.gov" <greulice@bloomington.in.gov>, "porteti@bloomington.in.gov" <porteti@bloomington.in.gov>, "robinsos@bloomington.in.gov" <robinsos@bloomington.in.gov>
Cc: "kadhimshaaban@gmail.com" <kadhimshaaban@gmail.com>, "Shaaban, Marian T" <shaaban@indiana.edu>

City of Bloomington Planning and Transportation Commission

City Hall #130

401 N Morton

Bloomington, IN 47404

July 29, 2019

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington, In 47401

We are writing this letter to express our strong opposition to change the zoning and allow multifamily apartments on a property at 3201 E Moores Pike.

1. Building a four story high apartment building on the top of a hill on a narrow lot will interfere with the health and safety of the neighborhood that was built on the premise that it will be a single family neighborhood. Changing zoning at the demand of developers means that the PUD is serving the developers and not the residences.
2. The only access to this building is Moores Pike, a narrow two lane road that has become one of the three major streets for east-west traffic. Access to Moores Pike already has become risky to the residences of homes around the proposed complex.
3. We oppose the reasoning for approval, because it does not meet compatibility, safety, height, and wellness of the community.

Thank you,

Kadhim and Marian Shaaban

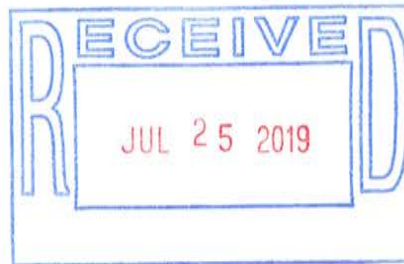
1588 S Andrew Circle

812-339-2675

kadhimshaaban@gmail.com

shaaban@indiana.edu

Plan Commission
Planning and Transportation Department
401 N Morton St, Suite 130
Bloomington, IN



7/22/19

To members of the Plan Commission:

We are writing out of concern about the petition of First Capital Group to a PUD amendment to allow multi-family apartments for the property located at 3210 E Moores Pike. This property is currently zoned for commercial use, with a PUD dating back to the early 1990's. First of all, we strenuously object to First Capital's request to waive the second hearing, scheduled for 9 Sep 2019. This is a project that, if approved, will significantly impact the surrounding area and as many people as possible should be given the chance to make their opinions known. The first hearing is to be on 12 Aug, and many people will still be on vacation during that month and unavailable to attend it. Therefore, the second hearing should be held as scheduled.

We believe that this is not the best use of this land. A four-story building on this significantly elevated piece of land will tower over all of the surrounding developments, including single-family dwellings, a memory care facility and all the other multi-family apartment complexes in the area (which are all only three stories). There is no property anywhere in this area of the city with more than three stories and we guess that the owners requested a fourth story because the property is so small. There is significant traffic on Moores Pike now and adding an 80-unit building apartment building with access/exit only onto this road will greatly increase the congestion and likelihood of accidents. Even now, at certain times of the day, we sit for one-two minutes just to make a left turn out of Andrews Circle on to Moores Pike. Cars fly down the hill traveling west on Moores Pike and cars traveling east and turning left into this apartment complex will make for treacherous driving conditions. Drivers will underestimate the speed of oncoming traffic and fail to yield. Crossing Moores Pike at just about any time of the day has become increasingly difficult, as traffic has probably increased by at least 25% in the past four years. Only 52 parking spaces have been allotted to this proposed complex, which is considerably under the usual estimation of .8 spaces per planned bedroom; 128 bedrooms are being proposed. The plan assumes that a vast number of residents will not have a car, which is unrealistic and naïve. There is also the question of where will visitors arriving in cars park? We suspect visitors, or even residents, will simply park next door in the movie theaters parking lot.

We believe that construction of this apartment complex will negatively affect the character of the existing neighborhood, in particular ours at Shadow Creek. Our neighborhood is one of all single-family residences, with a number of houses having small children. We already have three huge apartment complexes accessing Clarizz Blvd, which then feeds into Moores Pike just east of this project and there is another large project about to begin construction where the former K-Mart is at Clarizz and E 3rd. Plus, Sare Rd is being inundated with apartment buildings. We are at the saturation point for multi-family residential units in this part of Bloomington. We question how the addition of yet another apartment building fits in with the city's Comprehensive Plan for growth?

Several recent nationwide studies, one which was reported in the March 1 Herald Times, show that given American demographics, colleges will undergo a serious decline of students of perhaps 15% over the coming decade. Indiana University has acknowledged that fact. There is thus the question of whether the city needs yet another apartment complex aimed at university students, on top of the massive building of such structures over the last few years, when that demand is about to drop.

Jan W. Coyle *Gene A. Coyle*
Jan and Gene Coyle
1596 S. Andrew Circle, Bloomington

JUL 29 2019

Shadow Creek Neighborhood Association

From: Babette Ballinger <babettebal@gmail.com>
Sent: Tuesday, July 23, 2019 12:10 PM
To: rollod@bloomington.in.gov; ruffa@bloomington.in.gov; greulice@bloomington.in.gov; robinsos@bloomington.in.gov; porteti@bloomington.in.gov
Cc: shadowcreekna@gmail.com
Subject: Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington In, 47401

Babette Ballinger
1580 South Andrew Circle
Bloomington, Indiana 47401
babettebal@gmail.com
914-714-0182

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington, Indiana 47404

July 23, 2019

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington In, 47401

I wish to strongly object to the PUD amendment to allow multifamily apartments on a property adjacent to Autumn Hills backing up to Hobby Lobby .

1. This is a narrow rectangular property with the narrow end the only access to Moores Pike. Moores Pike is a narrow two lane road that has enormous traffic on it. Additionally this is the highest spot so it will be impossible to see adequately and safely from both directions.
2. The initital PUD was granted for this property for office and commercial use only. Apartments were not allowed. This showed considerable foresight on that planning commission.
3. Height restrictions: This proposal plus the topography of the land would make this the highest building in the area if not in Bloomington, and be unsightly. It has the potential to add light pollution. This building will dwarf the neighborhood.
4. There is already a problem with runoff and water retention after our current rain pattern. About 50% of the property is scheduled to be impervious surface. The retention area is not enough and can cause additional runoff problems to other property. The concept of drainage to the North of the property and the back of the property will cause flooding, contributed by the elevation and proposed impervious surface of the property.
5. The level of service of Moores Pike is barely reasonable now, but as soon as the students return and all the student housing is full, it becomes challenging and dangerous. Adding in an apartment complex is not wise.
6. There are 80 units proposed with around 130 bedrooms. He parking should be configured at .8 spots per bedroom which would make 104 parking spots. The current plan calls for 52 parking spots, which doesn't allow for emergency vehicles and no allowance for visitors and guests.
7. The argument that there are walkable services and you do not need a vehicle is unnerving and just plain wrong. Just watch all the multi vehicles driving into Kroegers from Clarizz. Students don't walk. It is a hike to walk to grocery stores and to climb up to this development from Moores Pike is not realistic. Where will all these cars park? On Moores Pike? The AMC movie lot?

8. In addition the surrounding properties are private property so there will not be paths other than the entrance and exit from Moores Pike for ingress and egress.
9. This type of density in a project with only one road access will create a new and dangerous problem. If the change in zoning to apartments is considered, it should only be done with the following considerations:
 - a. The number of units needs to be dramatically reduced.
 - b. The building height should be limited to two stories to conform with the rest of the neighborhood.
 - c. This would mean more parking .
 - d. The builder would need to put in turn off lanes on Moores Pike and emergency service lanes.
 - e. The aesthetics of the building should change so it looks less like a motel and is more appropriate for the other units in our area.

Thank you for your attention,

Babette Ballinger, resident of Shadow Creek.

Cc: Dave Rollo

Andy Ruff

Terri Porter

EricGreulich

Scott Robinson

RECEIVED

JUL 29 2019

BABETTE BALLINGER

1580 South Andrew Circle
Bloomington, Indiana 47401
babettebal@gmail.com
914-714-0182

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington, Indiana 47404

July 23, 2019

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington In, 47401

I wish to strongly object to the waiver of a second meeting with the zoning commission.

1. This is an important issue to the community and the first meeting is scheduled for August 12th when so many residents are on vacation and normal traffic patterns are disrupted. Each resident should be able to review and have their say.
2. I am sure you want to allow as many people as possible to make their views known which would mean allowing the matter to be discussed at the September meeting as well.
3. This proposal has many elements (traffic, height, parking, retention, emergency lanes, Etc. Etc.) where it is not in the best interest of the town and the neighborhood to rush this thru without adequate venting.

Thank you for your attention,



Babette Ballinger

Cc: Dave Rollo

Andy Ruff

Terri Porter

EricGreulich

Scott Robinson



Eric Greulich <greulice@bloomington.in.gov>

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington In, 47401

1 message

Babette Ballinger <babettebal@gmail.com>

Tue, Jul 23, 2019 at 12:10 PM

To: rolod@bloomington.in.gov, ruffa@bloomington.in.gov, greulice@bloomington.in.gov, robinsos@bloomington.in.gov, porteti@bloomington.in.gov

Cc: shadowcreekna@gmail.com

Babette Ballinger

1580 South Andrew Circle

Bloomington, Indiana 47401

babettebal@gmail.com

914-714-0182

City of Bloomington Planning and Transportation Commission

City Hall #130

401 N Morton

Bloomington, Indiana 47404

July 23, 2019

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington In, 47401

I wish to strongly object to the PUD amendment to allow multifamily apartments on a property adjacent to Autumn Hills backing up to Hobby Lobby .

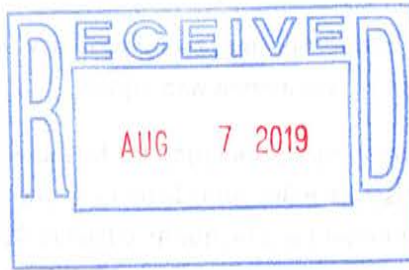
1. This is a narrow rectangular property with the narrow end the only access to Moores Pike. Moores Pike is a narrow two lane road that has enormous traffic on it. Additionally this is the highest spot so it will be impossible to see adequately and safely from both directions.
2. The initial PUD was granted for this property for office and commercial use only. Apartments were not allowed. This showed considerable foresight on that planning commission.
3. Height restrictions: This proposal plus the topography of the land would make this the highest building in the area if not in Bloomington, and be unsightly. It has the potential to add light pollution. This building will dwarf the neighborhood.
4. There is already a problem with runoff and water retention after our current rain pattern. About 50% of the property is scheduled to be impervious surface. The retention area is not enough and can cause additional runoff problems to other property. The concept of drainage to the North of the property and the back of the property will cause flooding, contributed by the elevation and proposed impervious surface of the property.
5. The level of service of Moores Pike is barely reasonable now, but as soon as the students return and all the student housing is full, it becomes challenging and dangerous. Adding in an apartment complex is not wise.
6. There are 80 units proposed with around 130 bedrooms. He parking should be configured at .8 spots per bedroom which would make 104 parking spots. The current plan calls for 52 parking spots, which doesn't allow for emergency vehicles and no allowance for visitors and guests.
7. The argument that there are walkable services and you do not need a vehicle is unnerving and just plain wrong. Just watch all the multi vehicles driving into Kroegers from Clarizz. Students don't walk. It is a hike to walk to grocery stores and to climb up to this development from Moores Pike is not realistic. Where will all these cars park? On Moores Pike? The AMC movie lot?
8. In addition the surrounding properties are private property so there will not be paths other than the entrance and exit from Moores Pike for ingress and egress.
9. This type of density in a project with only one road access will create a new and dangerous problem. If the change in zoning to apartments is considered, in should only be done with the following considerations:
 - a. The number of units needs to be dramatically reduced.
 - b. The building height should be limited to two stories to conform with the rest of the neighborhood.
 - c. This would mean more parking .
 - d. The builder would need to put in turn off lanes on Moores Pike and emergency service lanes.
 - e. The asthetics of the building should change so it looks less like a motel and is more appropriate for the other units in our area.

Thank you for your attention,

Babette Ballinger, resident of Shadow Creek.

Cc: Dave Rollo

Patrick M. Kelly
1544 S. Coleman Court
Bloomington IN 47401
pk0080753@gmail.com
210-415-2087



5 August 2019

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington IN 47404

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington IN 47401

I strongly object to the PUD amendment to allow multifamily apartments on the property adjacent to Autumn Hills backing up to Hobby Lobby .

1. This is a narrow rectangular property with the narrow end the only access to Moores Pike. Moores Pike is a narrow two lane road that has an enormous amount of traffic on it. Additionally, this is the highest spot so it will be impossible to see adequately and safely from both directions.
2. The initial PUD granted for this property was for office and commercial use only. Apartments were not allowed. This showed considerable foresight of that planning commission.
3. Height restrictions: This proposal plus the topography of the land would make this the highest building in the area if not in Bloomington, and be unsightly. It has the potential to add light pollution. This building will dwarf the surrounding neighborhoods.
4. There is already a problem with runoff and water retention after our current rain pattern. About 50% of the property is scheduled to be impervious surface. The retention area is not enough and can cause additional runoff problems to other properties. The concept of drainage to the North of the property and the back of the property will cause flooding, contributed by the elevation and proposed impervious surface of the property.
5. The level of service of Moores Pike is barely reasonable now; as soon as students return and all student housing is full, it becomes challenging and dangerous. Adding an apartment complex is not wise.
6. There are 80 units proposed with around 130 bedrooms. Parking should be configured at .8 spots per bedroom which would require 104 parking spots. The current plan calls for 52 parking spots, which doesn't allow for emergency vehicles and no allowance for visitors and guests.
7. The argument that there are walkable services and you do not need a vehicle is unnerving and just plain wrong. Just watch all the multi vehicles driving into Krogers from Clarizz Drive. Students don't walk. It is a hike to walk to grocery stores, and to climb up to this development from Moores Pike is not realistic. Where will all these cars park? On Moores Pike? The AMC movie lot?

8. In addition, the surrounding properties are private property so there will not be paths other than the entrance and exit from Moores Pike for ingress and egress.

9. What type of residents are the target population for this new apartment complex? Students (many, not all) with little regard for noise discipline and cleanliness are certainly not appropriate neighbors for the next door Autumn Hills Alzheimer Facility, nor its adjacent Red Bud Hills Senior Living Facility. Unless the apartment complex is WELL managed, this is NOT the appropriate facility for this particular location.

10. This type of density in a project with only one road access will create a new and dangerous problem. If the change in zoning to apartments is considered, it should only be done with the following considerations:

- a. The number of units needs to be dramatically reduced.
- b. The building height should be limited to two stories to conform with the rest of the neighborhood.
- c. The appropriate number of parking spaces should be considered.
- d. The builder would need to add turn lanes on Moores Pike and emergency service lanes.
- e. The aesthetics of the building should change so it looks less like a motel and blends more appropriately to other buildings in our area.

Thank you for your attention,



Patrick M. Kelly
Shadow Creek Resident

Cc:

Dave Rollo
Andy Ruff
Terri Porter
Eric Greulich
Scott Robinson



5 August 2019

Patrick M. Kelly
1544 S. Coleman Court
Bloomington IN 47401
pk0080753@gmail.com
210-415-2087

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington IN 47404

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington IN 47401

I strongly object to the waiver of a second meeting with the zoning commission.

1. This is an important issue to the community and the first meeting is scheduled for 12 August 2019 when many residents are on vacation. All residents should have adequate time to review the current proposal and have their say.
2. I trust you want to allow as many people as possible to make their views known which would mean allowing the matter to be discussed at the September meeting as well.
3. This proposal has many elements (traffic, height, aesthetics, parking, water retention, emergency lanes, etc., etc.); it is not in the best interest of the town and the neighborhood to rush this through without adequate vetting.

Thank you for your attention.

Patrick M. Kelly
Shadow Creek Resident



4 August, 2019

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington, Indiana 47404

Dear Committee members

I am writing to register my objection to the PUD amendment that would allow a four story multifamily apartment on a property off of Moores Pike, next to Autumn Hill.

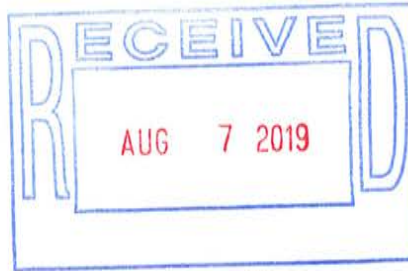
There are simply too many apartments (80) and bedrooms (130) proposed for the location. In particular:

1. **Traffic and ingress/egress.** Moores Pike is a narrow, two lane road which has seen increasing traffic already such that the Hyde Park neighborhood requested traffic control at Olcott. Having a single exit from the proposed 130 bedroom complex will simply create a traffic nightmare -- with considerable danger as tenants try to enter/exit the complex. Seriously.
2. **Parking and emergency access.** With the proposed increase in the size of the building, there is a shrinkage of space available for parking. The proposed 52 parking spaces are simply inadequate for that complex. Indeed, if I recall correctly there should be .8 spaces per bedroom or 104 spaces -- twice what is proposed. The tight space will impact emergency vehicle access. Finally, there is no on-street parking on Moores Pike or College Mall to make up for the constrained parking for both visitors and residents. I presume the Commission does not intent to create a situation where the building owners will, in essence, be making the AMC parking their extended parking lot.
3. **Building height.** The proposed amendment would allow a four-story building. This would make it the dominant building in the area. Please let's remember when we let one property owner deviate significantly from the ordinance in terms of density it impacts all the surrounding properties. A new standard is set. We saw this when a five story building was allowed on Kirkwood.

Bottom line, please let's stick to the existing zoning requirements. We have been told the Planning Commission had zoned the property for office/commercial only. It would seem wise to stay with that plan.

Thanks

Cindy Thomas
1560 S. Andrew Cir



August 5, 2019

Belen Ortiz
1544 S. Coleman Court
Bloomington IN 47401
belenmurphy@aol.com
808-783-7109

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington IN 47404

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington IN 47401

I strongly object to the waiver of a second meeting with the zoning commission.

1. This is an important issue to the community and the first meeting is scheduled for August 12, 2019 when many residents are on vacation. All residents should have adequate time to review the current proposal and have their say.

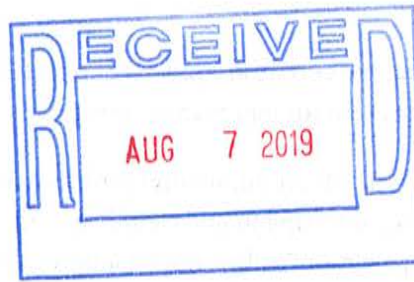
2. I trust you want to allow as many people as possible to make their views known which would mean allowing the matter to be discussed at the September meeting as well.

3. This proposal has many elements (traffic, height, aesthetics, parking, water retention, emergency lanes, etc., etc.); it is not in the best interest of the town and the neighborhood to rush this through without adequate vetting.

Thank you for your attention.

Belen Ortiz
Shadow Creek Resident

Belen Ortiz
1544 S. Coleman Court
Bloomington IN 47401
belenmurphy@aol.com
808-783-7109



August 5, 2019

City of Bloomington Planning and Transportation Commission
City Hall #130
401 N Morton
Bloomington IN 47404

Re: PUD amendment for property at 3201 E. Moores Pike, Bloomington IN 47401

I strongly object to the PUD amendment to allow multifamily apartments on the property adjacent to Autumn Hills backing up to Hobby Lobby .

1. This is a narrow rectangular property with the narrow end the only access to Moores Pike. Moores Pike is a narrow two lane road that has an enormous amount of traffic on it. Additionally, this is the highest spot so it will be impossible to see adequately and safely from both directions.
2. The initial PUD granted for this property was for office and commercial use only. Apartments were not allowed. This showed considerable foresight of that planning commission.
3. Height restrictions: This proposal plus the topography of the land would make this the highest building in the area if not in Bloomington, and be unsightly. It has the potential to add light pollution. This building will dwarf the surrounding neighborhoods.
4. There is already a problem with runoff and water retention after our current rain pattern. About 50% of the property is scheduled to be impervious surface. The retention area is not enough and can cause additional runoff problems to other properties. The concept of drainage to the North of the property and the back of the property will cause flooding, contributed by the elevation and proposed impervious surface of the property.
5. The level of service of Moores Pike is barely reasonable now; as soon as students return and all student housing is full, it becomes challenging and dangerous. Adding an apartment complex is not wise.
6. There are 80 units proposed with around 130 bedrooms. Parking should be configured at .8 spots per bedroom which would require 104 parking spots. The current plan calls for 52 parking spots, which doesn't allow for emergency vehicles and no allowance for visitors and guests.
7. The argument that there are walkable services and you do not need a vehicle is unnerving and just plain wrong. Just watch all the multi vehicles driving into Krogers from Clarizz Drive. Students don't walk. It is a hike to walk to grocery stores, and to climb up to this development from Moores Pike is not realistic. Where will all these cars park? On Moores Pike? The AMC movie lot?

8. In addition, the surrounding properties are private property so there will not be paths other than the entrance and exit from Moores Pike for ingress and egress.

9. What type of residents are the target population for this new apartment complex? Students (many, not all) with little regard for noise discipline and cleanliness are certainly not appropriate neighbors for the next door Autumn Hills Alzheimer Facility, nor its adjacent Red Bud Hills Senior Living Facility. Unless the apartment complex is WELL managed, this is NOT the appropriate facility for this particular location.

10. This type of density in a project with only one road access will create a new and dangerous problem. If the change in zoning to apartments is considered, it should only be done with the following considerations:

- a. The number of units needs to be dramatically reduced.
- b. The building height should be limited to two stories to conform with the rest of the neighborhood.
- c. The appropriate number of parking spaces should be considered.
- d. The builder would need to add turn lanes on Moores Pike and emergency service lanes.
- e. The aesthetics of the building should change so it looks less like a motel and blends more appropriately to other buildings in our area.

Thank you for your attention,



Belen Ortiz
Shadow Creek Resident

Cc:

Dave Rollo
Andy Ruff
Terri Porter
Eric Greulich
Scott Robinson



JEA SENIOR LIVING

Autumn Hills Alzheimer Special Care Center
3203 Moores Pike Rd. Bloomington, IN 47401

September 24th, 2019

City of Bloomington Planning and Transportation
Attn: Eric Greulich / Senior Zoning Planner
401 N Morton St Suite 130
Bloomington IN 47404
greulice@bloomington.in.gov
(p) 812-349-3423

Subject: Planned Four-Story Student Apartment Building

Dear Eric,

We are writing you about a Local Construction Firm seeking several amendments and variances to develop a 4 Story Apartment Complex on the property adjacent to our Alzheimer Special Care Center Community, Autumn Hills. At some point in the relatively near future, you and your city council will be asked to approve those plans and grant variances they require from the City's Zoning Code to complete their plans. We are strongly opposed to the Proposed Apartment Complex, supporting our neighbors concerns that have already been expressed, and we urge you to keep our concerns in mind when it comes time for you to review the proposed development.

Below, we have summarized some of our concerns, focusing on large pictures items.

1. **Building Scale.** The scale of the plan violates, not just the current zoning codes, but the aesthetics and surrounding built environment that exist in the area and surrounding neighborhood today. With a proposed amendment to increase the density and building height to 65', the Apartment Complex will be towering over our 1 Story building creating privacy concerns with views from the upper stories/balconies peering down on our community, outdoor spaces, and secured areas.
2. **Parking.** The parking planned for the complex is inadequate. With 48 Two Bedroom Units and 32 One Bedroom Units proposed, the Development is only proposing 52 Parking Spaces. We are concerned that Residents/Guest of the Proposed Apartment Complex would start using our parking lot spaces to park and walk to the proposed complex. Thus, leaving our guest and family visitors with no where to park.



JEA SENIOR LIVING

3.

Those are just some of our concerns we would like to express to you and the City Council. Please share our letter at the upcoming City Council Meeting on October 7th, 2019. Thank you for your time in advance, and your hard work on our behalf. If you have any questions, feel free to reach out to our Director of Development and Construction, Rachel Rudiger, at (360) 977-0175 or rachel.rudiger@jeacorp.com.

Sincerely,

W. Cody Erwin

Written Objections and Written Comments Related to the UDO

Written Objections filed with City Clerk/County Auditor per Indiana Code 36-7-4-606 as of October 25, 2019 at 12:00 noon

- Comments not related to density
- 1. Kris Floyd - As an Architect/Designer of single family residential projects in Bloomington I am concerned about the prohibition of flat/low sloped roofs with EPDM/TPO roofing on single family new construction in the proposed UDO, Page 5-16. It is my understanding from Eric Greulich that the Planning Department supports changing the proposed UDO to allow for flat/low sloped roofs with EPDM/TPO roofing. I encourage the Council to make this change by amendment before the measure is passed.
- 2. Ann Edmonds - In Chapter 2, in Tables 2-2 through 2-6, the dimensional standards call for an attached front-loading garage or carport to be set back 10 feet behind the primary structure's front building wall. In chapter 4, Table 4-2: Residential District Dimensional Standards has the same requirement. In effect this requires an extra 10 feet of driveway or more. Looking at my neighborhood, there are some houses where the garage is in front of the structure's front building wall; others where it is flush with the front building wall or with a front porch; and some where it is set back some amount, but not necessarily a full 10 feet from the front building wall. I can see no reason for having such a requirement other than to impose a uniform look on a neighborhood, cookie cutter houses. The result would be an extra 10 feet of impervious driveway surface which would cause an additional amount of stormwater runoff. Many of our existing neighborhoods have stormwater drainage issues. It would be nice if we learned from that experience and limited the amount of runoff rather than increasing it unnecessarily. This 10 foot setback requirement seems totally unnecessary and detrimental to drainage objectives and I don't see any justification for it.
- Comments related to density
- 3. Wendy and Ed Bernstein - We wish to preserve our core neighborhood's single family homes. Many of us have expressed our shared appreciation of our neighborhoods' green spaces with oxygen producing trees and varied density housing collecting lots of solar energy. We would very much prefer ADUs and duplexes be conditional use with the planning shared by contiguous neighbors. And we emphatically support not destroying affordable housing and replacing it with unnecessary off campus dorm style housing for IU students whose numbers are trending downward. Thank you.

4. David Warren - Thank you for your service to Bloomington and your work on this issue. I have a few objections to the proposed UDO, listed below:

-Duplexes and triplexes should be allowed by right in areas zoned single-family residential rather than conditional. If single-family homes are allowed by right, we should absolutely allow more affordable and environmental sustainable housing structures like duplexes and triplexes to be allowed by right. To force owners to go through the conditional approval processes if they want to add missing-middle housing when we do not force owners to go through that same process for single-family homes works against the community's desire to develop more affordably, sustainably, and inclusively.

-ADUs should be allowed by right. Similar to the comment above, we should be making it LESS difficult to add housing throughout the community. One reason people give for why they would like an ADU is that they want to be able to care for an older family member or a family member with disabilities. If ADUs are conditional, they may feel compelled to share sensitive information about the health of themselves or their loved ones. We also know from experience that making ADUs conditional has not resulted in much uptake of ADUs (here in Bloomington and elsewhere). We all more or less agree that Bloomington has a major affordability challenge that is exacerbated by a tight housing supply. Responding to that challenge requires making the development of missing-middle housing easier, not requiring owners to go through a time-consuming process for something that will be built in their own backyard.

-If possible, it would be nice to reduce or eliminate parking minimums. Yes, people complain about parking, but that will always be true if we don't continually induce non-car modes of transportation. We should not be discouraging the development of needed housing because of parking minimums that require developers to allocate scarce land for automobiles. We'd be better off allowing housing to be built and then allowing would-be owners or renters to decide for themselves whether they really need a car.

The new UDO is a chance to stimulate much needed housing development in Bloomington. But it will be a wasted opportunity if we place aesthetic concerns ahead of the more important goals of building a more affordable, inclusive, and sustainable community. Many Bloomington leaders have talked about an affordable housing crisis and the need to address climate change and the levels of inequality in the city (particularly in our schools). This UDO is a chance to actually address these problems in a comprehensive, structural way.

5. Patricia Foster - Dear City Council Members,
RE: UDO

It is perfectly obvious that the driver of rental costs in Bloomington is IU students. The core neighborhoods around IU are heavily impacted by student rentals - this is obvious if you just drive around Elm Heights, particularly North of First and west of Woodlawn. All of us who have lived in Elm Heights have experienced noise and nuisance from student rentals, and it is clear that the occupancy of these rentals often far exceeds the legal limit. For every legal student occupant, there is often a "visiting friend", doubling the number of occupants and of cars on the streets. And, there is little sign that anyone in the city government cares to monitor, much less enforce, the occupant-density limits.

The proposed allowance of multifamily housing in the residential neighborhoods will dramatically exacerbate this situation. How can anyone not see that this will simply open up more opportunities for student rentals, further impacting the core neighborhoods. And it will open the door to predatory developers that will not only degrade the neighborhoods but will also drive up housing costs since families will have to compete with developers. The consequences will be exactly the opposite of what is intended.

A relevant experiment is currently happening in South Bend. As reported by the HT on Aug 25th, Notre Dame is now requiring incoming students to live on campus for six semesters. As a result, rental properties around the campus are standing vacant. As one property manager said, if they can't rent to students, they will convert the houses back to single-family rentals.

VOILA: affordable housing for families and young professionals!

The solution to affordable housing in Bloomington is not to degrade the core neighborhoods even further. It is first, to encourage student housing away from these neighborhoods. This may already be happening with at least two new mega-student developments. And, second, to encourage multifamily housing in new developments (eg. the hospital site), and in current multifamily zones. Along with this, public transportation has to be improved.

The Elm Heights, Bryan Park, and Near West Side neighborhoods are already dense. As Councilman Sturbaum said at a Planning Commission meeting, these neighborhoods work, they are diverse, people walk to where they are going. Please leave them as they are. The 2018 Comprehensive Policy Plan demands this on page 60: "Existing core neighborhoods should not be the focus of the city's increasing density"

6. Jackie Witmer-Mouton - This legislation profits developers and predatory landlords and is destructive to core neighborhoods for no good reason whatsoever.
7. Gail Weaver - I will keep this short, focusing on an old axiom, "If it isn't broke, don't fix it."

Our current single-family zoning has kept core neighborhoods intact for many years. Many, if not most, of the owners and residents of these houses have lived in them for a long time. Due to their ownership of the property and concern to maintain its market value, they have kept up the properties with needed repairs and improvements, including replacing aging trees as they decline.

If the City Council passes the proposal for plexes in this area, either contingent on Council review of building plans or by right, things will change radically in the core neighborhoods. It is unlikely that the plex units will be affordable due to high value of the land alone in this neighborhood as well as ever-increasing construction costs. And, of course, the investors/builders will want to maximize their profits from these rentals. The ideal that they will rent only to families would be very hard (or impossible) to enforce on any on-going basis. In the process of making this change, landscaping and trees will necessarily be removed, having an adverse environmental impact on the city. Another ideal that the renters would utilize alternative transportation such as walking, biking, and taking public transportation would be monitored by no one. Parking problems in the area will increase exponentially as density increases, causing friction between the owners of single-family housing and the renters living in the plexes. Noise levels in the neighborhood are also likely to increase.

For all of the stated reasons, I go back to my original statement, "If it isn't broke, don't fix it." Please, please, City Council members do not change the single-family zoning of the core neighborhoods. There are many other areas where plex housing could be developed and welcomed in Bloomington such as the old K-Mart location on the east side of town or in the old Bloomington Hospital property near downtown. Let's keep the core neighborhoods the way they are!

8. Sara Frommer - I cannot attend the council meeting Tuesday, and so am writing to object to the proposed UDO. I have lived in Bloomington since 1964. My husband and I first rented a duplex (built as a duplex) on First Street. There was no lease (we learned only later that it was for sale, and we could have been evicted with no notice), and so we were free to look for a house in that walkable neighborhood, especially good for me as a nondriver.

I remember vividly that when we looked at our house on Fess, south of First, the realtor told us that it ought to be "safe" for a few years. Safe from turning into a student rental neighborhood, he explained, with raucous parties. We took a chance and moved in January 1965 to the house I still occupy. Our side of the block already shared an alley with a modest apartment building on Henderson, and another one on Stull shared the alley between Fess and Stull. There was a rental trailer on our block of Fess, which has since been replaced by a small house. The houses on First Street between Henderson and Fess were then still owner occupied.

Since then, the First St. houses between Henderson and Fess have become mostly rentals, but not the overcrowded kind. Several houses on our block of South Fess have been enlarged by their owners. Two families added second stories when they had more children. Two families added accommodations for disabled older members. One family turned a garage into a small apartment for a single person and sold half of a double lot to another family, which built an accessible house to grow old in. All these changes increased the density of our neighborhood without crowding us or making it less livable.

All these desirable changes were possible with the current single family zoning. All of them made it easier and more affordable for people of different ages and families of different sizes to live with easy access to bus routes and downtown, as well as IU and a great park.

When our first next door neighbor died, a man who remembered as an adult the opening of the Oklahoma Territory, his spacious corner lot with its small house wasn't grabbed by some enterprising realtor to turn into something that would have dwarfed ours. Instead, it sold to the single mother of a small girl, who grew up a block from Bryan Park. That house has changed families several times, as have others on the block. I'm the only person left from 1965. But it's still a neighborhood.

Students, retirees, and young families mix well in our neighborhood. We make an effort to know each other, even as people of all ages walk and bike and drive and scoot by on their way to campus or the park or the library.

The present zoning gives the city and the neighbors a voice when someone proposes a change. It doesn't keep good changes from happening! I urge you to reject the proposed UDO.

9. Homer Hogle - When did increased density become so desirable? For decades I have provided very low-cost rental housing to Bloomington tenants. I really understand and appreciate the need for affordable housing. But I cannot see how increased density in our core, single-family neighborhoods is going to provide more affordable housing. Increased density simply provides increased income for landlords like myself, rather than help low income tenants.
10. Wendy Calman - I moved into my home in 1983 and remember similar issues to the ones now being proposed by the UDO. The local government then had an ear for their constituents and an appreciation for the historical values and safety of these neighborhoods, which had at that time been slowly deteriorating. Over 30 years later, houses in our core neighborhoods, such as Elm Heights, the north side of campus, and the near west side have been rehabilitated, and owner-occupied homes are proudly cared for and maintained. Most people who buy houses in designated historic neighborhoods do so to enjoy and enhance the beauty of their surroundings. They often invest in home improvements and community well-being. They are often single families with a desire to live comfortably in reasonable peace and quiet. Multiplexes run contrary to the very reason people move there in the first place. This type of housing will not be affordable, as is proven already by the student rentals in and/or bordering core neighborhoods. They are often illegally over-occupied, rents are high, and definitely not "affordable" for most low-income tenants. On the heels of approving "granny flats" in these neighborhoods to provide affordable options, I am absolutely opposed to the addition of multiplexes in single-family neighborhoods.

11. Charles Trzcinka - Kill it. Take it out and shoot it. It undermines single family homes which are the basis of our community. It is especially risky to allow multi-household structures in a University town. People will stop investing in their homes and the developers will take over.
12. Wendy Bricht - I object strongly to the proposed UDO, especially regarding allowing multiplexes in single-family housing neighborhoods. When our Elm Heights neighborhood was rapidly turning into multi-unit student housing decades ago, we fought hard to reinstate the 3-adult limit to homes not already rented to more than 3 unrelated adults. This saved some of our neighborhoods at least. There are many rentals here, and investors are always on the lookout for more, but the limit keeps owner-occupied homes here too. If the proposed UDO goes forward as written and the protections are removed and multiplexes allowed, my Elm Heights neighborhood, which is already very dense, diverse, friendly, thriving and improving, will erode once more and very quickly into extended IU student rental housing, as will all other remaining neighborhoods in the vicinity of IU. The balance is already precarious, but holding. To think this won't happen is not remotely realistic, as the financial motivation is extreme. Without the protections that saved us before, living within walking distance of IU will rapidly become unbearable for most of us. The character and quality of life that has defined living here in these vibrant neighborhoods in central Bloomington will vanish, and the many families, professionals and retirees who poured resources and time into improving these beautiful old houses and being part of our community will be forced to migrate further out to the suburbs and commute into Bloomington, and there will be even more traffic and less diversity. Why must this UDO now endanger something that is working so well, and that we have fought so hard to improve and protect? Many other University towns and cities have implemented the same protections we now have and more in order to save older neighborhoods close in and maintain their integrity. Without them, we don't stand a chance. Investors are already contacting all of us now with offers to buy up our homes and turn them into rentals. Please do not allow this UDO to go forward.
13. Rachel Fleishman - I object to the change made to the original Plan Commission document making duplexes, triplexes, and quadplexed conditional upon a landowner passing the proposal through the Plan Commission. The plexes and the alternative dwelling units (ADUs) should be by-right as the Plan Commission originally proposed. Making them conditional reduces the effectiveness of the UDO and makes the case-by-case decisions subject to political will. It also reduces the property rights of owners by making the right to develop conditional even if they have met the basic requirements of the zone.
14. Jenny Southern - The downtown neighborhoods are healthy and thriving but that has not always been the case. In the 70s and 80s most older neighborhoods were in desperate need of renovation. Our downtown was suffering, shopping had moved to the Mall area and families had moved to the suburbs. It was an echo of what was going on all over America. Old houses and buildings were going down all over downtown, some through neglect and others to build more parking.

Several things happened to reverse this trend. When the Courthouse was slated to be torn down, residents protested and a battle flag was raised to try to save historic buildings and to keep some of Bloomington's history and color. Resident Bill Cook bought and renovated the southside of the square, the derelict Graham Plaza hotel and part of the westside of the square. Money was poured into the downtown from many other directions, parking meters removed, a new library built, roads, sidewalks and aging systems repaired and rebuilt.

This was also seen as a good time to raise the number of residents in the downtown area, subdivide houses, and raise occupancy rates to make it more affordable. Occupancy rates were raised from 3 to 5 unrelated adults and the race was on to invest in rental housing for students near campus.

There had always been rental housing but previous to this it was mixed families, students, single adults, and lower income housing like rooming houses.

Due to the increased occupancy rates entire neighborhoods proximate to campus began to change. The northwest side of Elm Heights went from mixed rentals and home owners to a monoculture of student rentals. The north side of campus suffered even more. Prices for homes and rentals steadily rose and rents did not decline.

Protests and action by neighborhoods, the Mayor, and City Planning eventually rezoned the neighborhoods to approximately the way they are now. It was a hard-fought ugly battle, finally it was decided to draw a line between the blocks that were mostly then rentals and the houses still occupied by their owners. Slowly one side of the line became almost entirely student rentals (5 unrelated adults and up) and the other home owners (3 unrelated adults). They are now our single family and multi-family zones.

Since then it has been fairly stable for the past 30 years. There has been steady pressure to expand student rentals into these areas but love and pure stubbornness has left them for another generation to enjoy.

Now there is a new/old idea. Again, in search of affordability and density occupancy rates are being increased by allowing duplexes, triplexes and fourplexes in neighborhoods.

Is the City expecting a different outcome this time? How is it possible that investors won't buy the most affordable houses in desirable areas and remove them to build duplex, triplex and fourplex rentals? When thousands of new apartments in buildings downtown haven't brought down the rental rates in our town how will this change make it happen? The new plexes do not have to be owner occupied, or have architectural review, why would they be anything other than cheaply built and highly priced? Since our neighborhoods are healthy and thriving, why encourage rental investors to buy our scarcest resource downtown, affordable single-family housing?

15. Cordah Pearce - Dear City Council,

I have already lived in (and left) an otherwise very desirable neighborhood that went from single-family housing to rentals with “5” (really more than that) unrelated adults per house. A beautiful, peaceful neighborhood quickly became congested, and cars ruined once well-maintained lawns by parking on grass, often four or more cars, to a single house.

Currently I live in a neighborhood that seems to be increasing its density naturally and sustainably. The neighborhood includes students in rental houses, long-time homeowners who are retired, and younger families - both renters and homeowners - with babies and toddlers, families with older school-age children, couples, families whose elders have joined them until their passing, and single individuals. It is an ethnically, racially, occupationally, and age-inclusive mix of all kinds of people that makes for a vibrant, well-cared for neighborhood. People can still find smaller properties to buy that “don’t break the budget” if they wish or, for those who can afford it, properties that allow some luxury either through size and/or types of materials. The neighborhood is walkable and is served by buses when we don’t need to drive.

Our neighborhood enjoys stability, with gradually increasing property values. We want Bloomington’s core neighborhoods’ owner-occupied properties to be protected. We want to deter the kind of multi-unit development that would destroy opportunities for owner-occupancy of the less expensive properties and would discourage long-term residence in larger owner-occupied properties. The cycle of neighborhood deterioration, as described above, has happened before and is predictable when deep-pocketed developers overtake a neighborhood to buy up properties for multi-occupant rentals.

To keep Bloomington core neighborhoods vibrant and developing at a sustainable pace, I urge you to retain present zoning that gives a voice to neighbors when change is proposed. Vote to reject the proposed UDO.

16. Annamarie Mecca - I am writing in opposition to the UDO allowing multifamily units and ADU's in core neighborhoods. This is a new/old idea. The core neighborhoods were taken over by student housing in the 70's and 80's when the city allowed the break up of houses and many unrelated people living together. It did nothing for affordability. In fact just the opposite happened. Again, this is being done in the name of affordability. The UDO calls for and density occupancy rates are being increased by allowing duplexes, triplexes and fourplexes in neighborhoods. We already know what will happened to these old neighborhoods which are currently thriving. They will be taken over by landlords and rentals. Apartment buildings are going up at a rapid rate as it is. As this continues, as long as it is tied to affordable housing, this is a reasonable solution and then let the old neighborhoods exist as they are.

17. Jean Simonian - Last week I talked about the financialization of our housing supply, and I'd like to drill down on that a bit more. The NYT reported that 1 in 5 SF homes in the US is held by private equity. This acquisition began after the housing crash of 2008 left so many homes in foreclosure: a crisis created by the alliance between private equity, the banking industry, and political imperatives. Private equity ownership of SF homes, by definition, separates home values from the local economy. How it does this is homes are securitized - which simply means to convert a home into a marketable security, like a share of stock, for the purpose of raising cash by selling it to other investors.

A securitized home is fundamentally removed from its function as housing, and its value is separated from the micro-economy of where the house is located. The danger is that the asset now can be manipulated for the betterment of the portfolio. The equity investor can trade the asset in high frequency trades occurring thousands of times a day. Every time a trade is triggered, the investor makes a profit. Multiple quick small profits are lucrative. This is why Elizabeth Warren has proposed a 2 cent tax per trade.

If you are renting a securitized home or apartment, it will also mean that the rent you pay will inevitably be the highest market rate and you will be subjected to the highest eviction rates. Both because the investor wants a high rate of return, but also because the investor isn't under the same pressure to keep the apt occupied; thanks to the 20% pass through tax credit that Hollingsworth secured in his amendment to the Tax Bill, the building can be held vacant or traded for profit based on appreciation alone. This securitization of housing process insulates housing from local supply and demand cycles; for the equity investor, it's a win from every direction.

Data has shown that in NYC and Seattle, despite adding tens of thousands of market rate units, low income units continued to vanish, with no affordability benefit*. Is this really what we want for Bloomington? Thank you.

*<https://www.governing.com/topics/urban/gov-zoning-density.html>

18. Jean Simonian - I'd like to speak to the relationship between private equity control of property and economic and political dis-empowerment.

Our city is approaching 70% rental - some of which has already been securitized--which makes it more vulnerable to equity control. Our neighborhoods are the provider of less expensive rental and more first time buyer opportunity, and as such, are a driver of economic growth and stability in the City. Density is important in spaces where it will not destroy a current economic asset. High development corridors, greenfield, and brownfield will add both needed housing and economic benefit through up-zoning. Conditional ADUs can add both density and value to the neighborhoods within current zoning.

As you all well know, there is a difference between advocacy and governance: being a firebrand comes with advocacy and it's appropriate; but governance carries a greater responsibility to balance diverse interests and to do no harm. The fact is that the YIMBY movement is new and has arisen from the ashes of the housing crash of 2008, and is fueled largely by the wealth of private corporate equity and abetted by special interests in our government. It has manipulated the idealism - and the understandable frustrations - of a generation.

But the most important aspect of this issue is the fact that the ownership and usage of land is inextricably bound to economic and political empowerment. As a nation, we've seen this power used to disenfranchise people throughout our history from the establishment of land ownership requirements to vote, to the Ideal City movement in urban renewal, to the more recent desecration of native land for the sake of oil pipelines. Private equity control of Bloomington land will result in the economic and political dis-empowerment of city governance and its citizens. Once the door is opened, it cannot simply be closed.

The question before you isn't really whether or not tearing down a 100 yr old home creates a greater or lesser carbon footprint than the building of a new plex; No: the question you must consider is "Do you want to dis-empower this city and its citizens?"

15 million homes in the hands of private equity. Do. No. Harm.

Thank you.

19. Richard Durisen - While I recognize the need for affordable housing in Bloomington, it should not be at the expense of neighborhoods with single family, owner occupied housing. The proposed relaxation of zoning to allow multiplex housing in core neighborhoods is a recipe for loss of family housing to more student housing, which is definitely not what is needed. High density housing that is truly affordable (unlike most of what is built with students in mind) should be provided elsewhere, including affordable single family dwellings. Habitat for Humanity proves this is possible.
20. Cappi Phillips - We are against the idea of 'Plexes whether by conditional use, or by right. This is the 4th year now that my family and my neighbors have been subjected to an IU fraternity illegally occupying two adjacent houses in our neighborhood.

Fraternal organizations should not be permitted in any zone that allows residences, including multi-family, commercial, and mixed use. Institutional zoning is the only place where they belong.

Until you live next door to one of these fraternities, I don't think you can fully understand the detrimental impact a group of unsupervised young men and their friends can have on the neighborhood. In addition to the loud music, parties and alcohol violations, there's trash that leads to a problem with rats, parking problems, increased vandalism, constant traffic and loud car speakers all times of the night.

The amount of city resources used: including police calls, Housing and Neighborhood Development violations, city legal services, and parking enforcement that have been allocated to this problem is outrageous. These groups want to live and party together, unsupervised off campus. In four years the city has been unable to stop the landlord next to me from renting to these type of groups. My fear is that these proposed plexes are another opportunity for landlords marketing to fraternal organizations to move into core neighborhoods. Allowing these type of dwellings in the neighborhoods will give them just another opportunity to do so.

21. Kevin Atkins - The UDO changes proposed are too radical and untested in our environment.

Let's get the results from RDG Planning and Design's work as well, before we finalize the related parts of the UDO. This study should have been done *first*, before Clarion was engaged.

I challenge the next round of consultants/studies to find a truly comparable city (demographically, economically, socially, and geographically), and let us learn from their mistakes.

I believe that allowing du/tri/quadplexes in core neighborhoods close to the university will initiate a feeding frenzy of developers/real estate investors/landlords which will not lower rents at all, but might eventually lower home purchasing costs by damaging the quality of life in the core neighborhoods and depressing property values.

And as important as more sustainable living is, what incremental change in housing density we might create in the 15 square miles of the inhabited part of town is nothing compared to the 3 million square miles of the lower forty-eight, or the 25 million square miles of habitable lands on Earth... the only measurable impacts will be local, and mostly negative.

22. David Fisher - This plan seems insensitive to all local interests. It doesn't allow for variation between neighborhoods and seems designed for some other community with entirely different demographics. Bloomington has a 10% vacancy rate and the housing inequity issues that do exist are largely driven by students driving out locals in the rental markets close to the center of town. The solution proposed seems likely to make the situation more equitable: student rentals will no longer only drive out lower income locals, but middle to high income locals as well. What a fantastic plan!

Wendy Bricht
918 E 1st St.

I object strongly to the proposed UDO, especially regarding allowing multiplexes in single-family housing neighborhoods.

When our Elm Heights neighborhood was rapidly turning into solid blocks of multi-unit student housing decades ago, we fought hard to reinstate the 3-adult limit to homes not already rented to more than 3 unrelated adults. This saved some of our neighborhoods at least. There has been a concerted effort since then to improve our neighborhoods and our homes, because people felt they were finally safe.

There are already many rentals here-in fact, the other three corners of the intersection of 1st and Woodlawn where I live are rentals. and investors are always on the lookout for more, but the current rental limits keep owner-occupied homes here too. If the proposed UDO goes forward as written and the protections are removed from our neighborhoods and multiplexes allowed, my Elm Heights neighborhood, where I grew up, and which is already very dense, diverse, friendly, thriving and still improving, will erode once more and very quickly into extended IU student rental housing, as will all other remaining neighborhoods in the vicinity of IU. The balance is already precarious, but is holding.

To think an imminent conversion to student housing won't happen is not realistic, as the financial motivation is extreme. Without the protections that saved us until now, living within striking distance of IU will rapidly become unbearable for most of us because of the noise and disruption that inevitably occurs with too much student housing in a family neighborhood. The character and quality of life that has defined living here in these vibrant neighborhoods in central Bloomington will simply vanish, and the many families,

professionals and retirees who poured their financial resources and their time into improving these beautiful old homes and into being active members of our community will be forced to migrate further out to the suburbs and then commute back into Bloomington, and there will be more traffic, more cars with nowhere to park, and less diversity. There are currently many open vacancies in Bloomington, and with a declining student population, there will likely be more.

So why must this UDO now endanger something that is working so well in our neighborhoods that we have fought so hard to improve and to protect? Many other University towns and cities have implemented the same protections we now have-and more-in order to save older neighborhoods close in and maintain their integrity. Without them, we don't stand a chance of remaining a diverse neighborhood.

Outside investors are already contacting us now with offers to buy up our homes. Please do not allow this UDO to go forward. There are most certainly better ways of planning that will preserve our unique and thriving city center.

Certainly at the very least, wait until the Bloomington housing study is complete before even considering such a thing. then you will have the information you need to make an informed decision.

Very sincerely,

Wendy Bricht

To: Bloomington City Council Members

From: Jennifer Brooks, Bloomington resident

Re: Ordinance 19-24, repealing and replacing the text of the UDO

It is with some angst that I write this letter in opposition to Ordinance 19-24, as there is little question that housing affordability is a major problem in Bloomington. On the surface, creating more housing stock is a sensible solution to the issue. However, the research I've undertaken since learning about the proposed changes make clear that there is no empirical proof that they will do anything to remedy the issues facing Bloomingtonians priced out of the housing market. My primary points underpinning my view against these changes are:

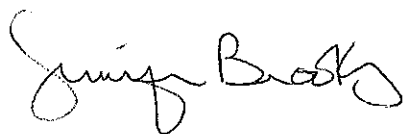
1. The cost of building and remodeling makes it unlikely that four, tri, or duplexes will really meet the standards of affordability. The math does not pan out.
2. The "evidence" suggesting that increasing the housing stock drives down prices is hotly contested. Given the impact on existing neighborhoods, it's foolhardy to implement changes when the likelihood of success is such a crap shoot.
3. Given the absence of reliable evidence, it is unconscionable to grant developers easier access to build units that would detract from the sustainability and quality of a life of a neighborhood. Specifically, my concerns include: the noise and environmental impact of multiple HVAC units on a previously single-use property, the parking requirement which will create more surface area of impermeable surfaces, 3) the additional lighting requirements which serve to alienate residents from nature.

Unless we divest the transition of single-use properties to multi-family properties from market forces, I don't see how these changes will actually provide more access to working class Hoosiers. Developers have to turn a profit, and there's nothing in these changes that I can see that incentivizes affordability. I would love to see these types of changes implemented with a more local focus – for example, let's provide tax incentives to local property owners (individuals, not conglomerates) who already have rental units to divide properties. Let's incentivize green-design. Let's incentive creating attractive aesthetics, not incentive buying the cheapest materials available at Lowes.

I'm not against multi-unit properties in my neighborhood. But I'm deeply fearful that these specific proposed changes will open up my neighborhood to profiteers with limited ties to the community. Surely we can do better than this.

Lastly, from what I can tell, the best way to counteract the crisis in housing affordability is to increase wages. So let's fight for that! Because from what I can see, these proposed changes play right into the hands of market forces, which reward landowners at the expense of tenants.

Obviously, I'm no expert and perhaps my views are misguided. I will continue to listen, learn and ask questions. If I am in error, I hope the Council will make clear to the public why my concerns are unfounded.



jen.brooks@gmail.com

**Written Comments submitted directly to the Council Office
as of October 25, 2019 at 12:00 noon**

1. Wendy and Ed Bernstein - Thank you for your hard work to represent us citizens of our cherished, but now perishable city. Right now, I feel our quality of life is endangered by eliminating single family neighborhoods' protections so hard won over many years of zoning improvements. In addition to the over occupation of neighborhood houses by students, we are suddenly threatened by predatory developers whom the new UDO encourages to tear down our homes and build money making quadplexes.

We wish to preserve our core neighborhoods' single family homes. Many of us have expressed our shared appreciation of our neighborhoods' green spaces with oxygen producing trees and varied density housing collecting lots of solar energy. We would very much prefer ADU's and duplexes be conditional use with the planning shared by contiguous neighbors. And we emphatically support not destroying affordable housing and replacing it with unnecessary off campus dorm style housing for IU students whose numbers are trending downward.

2. Abe Morris – (For Councilmember Sturbaum) - I am a property owner and resident in your district, living on the Near West Side near Fairview Elementary. I am writing to express my concern over the current proposed UDO. I do not support the development of my neighborhood into multi-unit dwellings and support the preservation of our neighborhood. The Near West Side, Maple Heights, and Prospect Hill neighborhoods hold a unique quality that is distinctly Bloomington, and one that needs to be preserved. I think the proposed goals of the UDO are foolhardy and will not be the actual outcomes of the changes that are proposed. There are plenty of places for development to take place in Bloomington and I see no shortage of new development in our city. There is no reason to cannibalize our west side neighborhoods to create more development and density within our city.

I hope you agree with this viewpoint and will use your vote to vote against the UDO and for the preservation of Bloomington's beautiful west side neighborhoods.

3. Sita Cohen - All members of the council, I'm very concerned about the potential for upzoning in Bloomington. I've lived in the near west side for 30 years and it is still one of the only affordable single family neighborhoods in the city. It has a rich history and a charm that would be ruined if upzoning is allowed. To think that it would bring about more affordable housing just isn't true. I hope you will take the time to read the article below. This is a complicated issue and not one we should be rushing into without fully understanding all the ramifications.

<https://outsidecityhall.wordpress.com/2019/06/10/two-new-studies-challenge-notion-that-upzoning-leads-to-moreaffordable-housing/>

4. Jeri Lynn Greenfield - I strongly oppose the new proposed zoning code which includes duplexes and triplexes throughout Bloomington's single family zones. Core neighborhoods should be protected! The new proposed zoning code threatens the stability of core neighborhoods.
5. Noretta Koertge - I live in Elm Heights at 419 S. Highland. My nearest neighbors on all sides are now students. That's not ideal at times but we have longtime friends (non-student neighbors) just a block away on both S. Highland and E. Hunter. What IS an enormous problem is the apartment building two doors North of us. If other high density occupancy buildings were permitted, the noise, parking and clutter problems would be unbearable. Don't wreck neighborhoods like ours!
6. Suzann Mitten Owen - I am very much OPPOSED to changes in zoning that would allow construction of multiple unit houses in established core neighborhoods.
7. James Rosenbarger – (Herald Times Letter + Additional Thoughts)

Protect Core Neighborhoods

Bloomington's proposed land use zoning code (UDO) is now in final review with the City Council. It allows duplexes and triplexes throughout Bloomington with a goal of creating denser, more inclusive, and walk-able neighborhoods. Unfortunately, the zoning's scattershot approach unjustifiably threatens the stability of core neighborhoods that already embody those goals. Core neighborhoods (Elm Heights, Near West Side, etc.) now have owner-occupied homes mixed with many multistudent rentals, and are dense, walk-able, and inclusive. Our 2018 Comprehensive Policy Plan calls for protecting the core neighborhoods' owner-occupied dwellings, and discouraging the conversion of existing housing to more intense land uses.

In contradiction to our Policy Plan, zoning for more multi-unit rentals unnecessarily risks the core neighborhoods' current balance of owners and rentals. That balance was achieved with a maximum property occupancy of three unrelated adults. The proposed multi-plexes would allow six to nine occupants. That multiplication would drive up property values, and coupled with the prospect of living in a student dominated environment would erode owner occupied housing. We'd see a return to the days before the three-occupant maximum when blocks of East 2nd St. and East Hunter became student enclaves. These student-rental dominated blocks still exist and serve as history's warning.

Additional Thoughts: Risking the core neighborhoods' current owner-renter balance isn't necessary. The Comp. plan calls for urbanizing the College Mall area and portions of S. Walnut. Hundreds, if not thousands of rentals could be added in these locations. Students and other renters would help create that urbanization by creating demand for restaurants, bars, groceries, retail, etc. The city should build parking structures to develop the critical mass density for these urban centers. Most single-family housing outside the core neighborhoods was built to be homogenous, lack density, and be car dependent. Covenants and deed restrictions continue to enforce those problematic characteristics. Suburban residents can be expected to 'lawyer up' to combat the 'plexes'. We need a surgical approach to densification, not a one size fits all.

8. Antonia Matthew - is being laid over these neighborhoods because it's the trend or it worked for other cities But Bloomington is not "another city" it is a city being swamped by university students wanting rentals and landlords who take advantage of this and charge rents that three students can pay and first time home owners cannot. Any additional housing in core neighborhoods is going to suffer that fate.

Here are some quotes from articles in the HT:

1. 10/3/21019 from the discussion about housing on 10/3 "Tom Morrison , vice president for capital planning and facilities at Indiana University said,"the university only houses 20-25% of its student body. The rest of the students live in the community...affordable housing has been an important topic for long time...construction of a new 700 bed undergraduate residence hall will begin soon...other housing will probably come down and be replaced in the near future but high rises are not planned." Given that the student body doubles the size of Bloomington's population we have an adversarial situation. Housing that people who live in Bloomington want to have available, and the huge need for student housing -- 700 beds is a drop in the bucket.

2. 10/6/2019 HeraldTimes reported "the majority of people in south- central Indiana do not believe the current housing supply adequately meets the needs of people in the area" (Regional Opportunity Initiatives housing study published the previous week) The reporter went on to say that in a recent survey, 2/3rds of area residents said a small o medium single home was their desired housing type. With the exception of Monroe County, which has a high number of student rentals because of Indiana University, between 75%and 84% of all housing in the other regional counties are owner occupied." regionalopportunityinc.org Putting plexes in core neighborhoods is not what non-students want.. The plexes will serve the student.

3. 10/18/2019 In the HT Dave Warren wrote a letter supporting the new UDO, and ended it with, "allowing modest multifamily and accessory structures through out the community (my emphasis) is a necessary step..." But these structures are not going to be built throughout the community because many, if not all houses built outside the core neighborhoods have covenants that do not allow accessory dwellings, so the community as a whole is not sharing this increased housing density. I support the building of the apartments on the site of Motel 6 and wonder why a similar project on the corner of 446 and Est Third was turned down? I read in the HT that the residents in that area said that it would bring increased noises and traffic to the area, but all these outlying complexes have their own buses for transporting residents and that a BT route would go through there (which is considered a plus for the N. Walnut development.) The development area is not closely surrounded by houses. When you increase density in core neighborhoods you are packing people in like sardines. The block of S. Grant between E. Grimes and S. Hillside is narrow, only allowing parking on one side of the street and with no sidewalks, in addition some of houses are built closer together than the code now allows, and there are times when residents of the street have to hunt for parking elsewhere because of a lack of off street parking. The Eastside development would not have experienced these problems.

4. 10/19/2019 Herald Times

This article concerns the gift to IU from a former student, of \$60M. The article says, in part "Luddy's gift will fund the construction of a new building, the creation of six endowed chairs, six endowed professorships and six endowed faculty fellowships. It will also provide graduate and undergraduate scholarships."

In other words IU is continuing to grow while its housing plans are insufficient and students will continue to need housing in Bloomington,

I do not believe that increasing the density of the core neighborhoods is going to solve the problem of students wanting to live near campus and landlords profiting from this. Housing for those who live and work in Bloomington has to be build where students do not want to live.

This is probably completely impossible but could the university be asked to consider donating money to developers who include affordable housing in their complexes -- that, I imagine would disqualify students -- after all the City has taken on their job of housing students.

This is a long email I know but the decisions made about the UDO could very well be the making of the difference between Bloomington as a college town, or Bloomington a town attached to a university

9. Kevin Atkins - Hi all: Another vote against the 'plex ideas in the UDO. I don't believe they will achieve the desired results of creating affordable housing. I don't believe Clarion's comparisons were to places with our demographics and economics, in particular a city of our size with 50,000 transient residents most of whom bring capital from outside sources, and spend it in a concentrated way, here. That guaranteed steady money makes rental investors drool and dance, and they will always be able to outspend any normal, local, living-wage residents in pursuit of more profit.

We're playing checkers, while real-estate investors and landlords/rental companies play 3-dimensional chess. Their expertise, motivations, and resources in gaming systemic changes is nearly guaranteed to outmaneuver the proposed rule changes in ways that benefit them, not our city or future residents. We're already number 19 in the list of most desirable college towns for real-estate rental investment:

<https://www.homes.com/blog/2018/06/the-us-landlord-index-college-towns-cities/>

It may in fact be impossible to create affordable housing in this true college town, our small oasis of modestly liberal culture in the Midwest. (Although it will take a sea-change in our economy, I believe the only way toward affordable housing (in any city) is a large increase in wages for working people. We're tackling the problem from the wrong end.)

Finally, but least important, I believe the sustainability goal is also misguided and should be emotionally decoupled from the UDO goals. Zoom out on a satellite view and it's pretty clear that what we do inside our 24 square miles isn't going to change the larger world in any measurable way. For perspective: Can you spot our town here?. It would be easy and quick to break what we have... and it won't really matter to anyone else except us, if we make near-downtown core neighborhoods more unpleasant. Landlords will buy, students will still rent, rent and housing costs won't go down, retirees will move farther out, but long term residents in core neighborhoods will see their own homes de-valued and their quality of life drop.

The UDO proposed is too radical and untested in our environment. I challenge the next round of consultants/studies to find a truly comparable city to compare, and let us learn from their mistakes. And let's get the results from RDG Planning and Design's work as well, before we finalize the related parts of the UDO. Thanks!

10. Marcia Baron - I want to strongly endorse the excellent letters pasted below, by people who have lived in Bloomington for many years and observed the housing changes. I am utterly appalled by the current proposal. Providing more affordable housing is of course important, but it has to be done wisely. Perhaps the city could provide grants for lower income people who want to buy a fixer upper and because of skills (maybe they are carpenters, for example) show real promise to be able to do so? If the UDO goes through, such houses are likely to be torn down by investors who would then put up a four-plex). I can picture now a house I often walk by that would be a prime candidate for such treatment, when instead it is a small, affordable single-family house. The success of the UDO will mean fewer single-family homes, more cars—rendering the neighborhood less walkable than it now is—and the “wrong” kind of student rentals. We currently have many student rentals but, as Sara Hoskinson Frommer writes, a kind that are not a problem. We have a diverse neighborhood: along with exclusively owner-occupied homes, we have homes with a student living in a basement apt. of an owner-occupied home, homes rented out entirely to students but within the restrictions of our zoning code (a code that was hard fought and hard won, as Jenny Southern explains below). We also have diversity in terms of ethnicity and nationality. As Sara explains, the code allows for an array of valuable additions to the neighborhood of the sort she describes, and happily, does not encourage investors. The new plan will do precisely that, with the result that we will have more housing that is not desirable for families, primarily just for temporary student housing, priced far too high for lower income folks. We do need to provide more of that in Bloomington and there are promising areas to consider, for example, along the B-line. I paste below parts of two excellent emails, from Sara Frommer and Jenny Southern. I urge you in the strongest possible terms to reject the UDO proposal.

Sara: I remember vividly that when we looked at our house on Fess, south of First, the realtor told us that it ought to be "safe" for a few years. Safe from turning into a student rental neighborhood, he explained, with raucous parties. We took a chance and moved in January 1965 to the house I still occupy. Our side of the block already shared an alley with a modest apartment building on Henderson, and another one on Stull shared the alley between Fess and Stull. There was a rental trailer on our block of Fess, which has since been replaced by a small house. The houses on First Street between Henderson and Fess were then still owner occupied. Since then, the First St. houses between Henderson and Fess have become mostly rentals, but not the overcrowded kind. Several houses on our block of South Fess have been enlarged by their owners. Two families added second stories when they had more children. Two families added accommodations for disabled older members. One family turned a garage into a small apartment for a single person and sold half of a double lot to another family, which built an accessible house to grow old in. All these changes increased the density of our neighborhood without crowding us or making it less livable. All these desirable changes were possible with the current single family zoning. All of them made it easier and more affordable for people of different ages and families of different sizes to live with easy access to bus routes and downtown, as well as IU and a great park. When our first next door neighbor died, a man who remembered as an adult the opening of the Oklahoma Territory, his spacious corner lot with its small house wasn't grabbed by some enterprising realtor to turn into something that would have dwarfed ours. Instead, it sold to the single mother of a small girl, who

grew up a block from Bryan Park. That house has changed families several times, as have others on the block. I'm the only person left from 1965. But it's still a neighborhood. Students, retirees, and young families mix well in our neighborhood. We make an effort to know each other, even as people of all ages walk and bike and drive and scoot by on their way to campus or the park or the library. The present zoning gives the city and the neighbors a voice when someone proposes a change. It doesn't keep good changes from happening! I urge you to reject the proposed UDO.

Jenny: The downtown neighborhoods are healthy and thriving but that has not always been the case. In the 70s and 80s most older neighborhoods were in desperate need of renovation. Our downtown was suffering, shopping had moved to the Mall area and families had moved to the suburbs. It was an echo of what was going on all over America. Old houses and buildings were going down all over downtown, some through neglect and others to build more parking. Several things happened to reverse this trend. When the Courthouse was slated to be torn down, residents protested and a battle flag was raised to try to save historic buildings and to keep some of Bloomington's history and color. Resident Bill Cook bought and renovated the southside of the square, the derelict Graham Plaza hotel and part of the westside of the square. Money was poured into the downtown from many other directions, parking meters removed, a new library built, roads, sidewalks and aging systems repaired and rebuilt. This was also seen as a good time to raise the number of residents in the downtown area, subdivide houses, and raise occupancy rates to make it more affordable. Occupancy rates were raised from 3 to 5 unrelated adults and the race was on to invest in rental housing for students near campus. There had always been rental housing but previous to this it was mixed families, students, single adults, and lower income housing like rooming houses. Due to the increased occupancy rates entire neighborhoods proximate to campus began to change. The northwest side of Elm Heights went from mixed rentals and home owners to a monoculture of student rentals. The north side of campus suffered even more. Prices for homes and rentals steadily rose and rents did not decline. Protests and action by neighborhoods, the Mayor, and City Planning eventually rezoned the neighborhoods to approximately the way they are now. It was a hard-fought ugly battle, finally it was decided to draw a line between the blocks that were mostly then rentals and the houses still occupied by their owners. Slowly one side of the line became almost entirely student rentals (5 unrelated adults and up) and the other home owners (3 unrelated adults). They are now our single family and multi-family zones. Since then it has been fairly stable for the past 30 years. There has been steady pressure to expand student rentals into these areas but love and pure stubbornness has left them for another generation to enjoy. Now there is a new/old idea. Again, in search of affordability and density occupancy rates are being increased by allowing duplexes, triplexes and fourplexes in neighborhoods. Is the City expecting a different outcome this time? How is it possible that investors won't buy the most affordable houses in desirable areas and remove them to build duplex, triplex and fourplex rentals? When thousands of new apartments in buildings downtown haven't brought down the rental rates in our town how will this change make it happen? The new plexes do not have to be owner occupied, or have architectural review, why would they be anything other than cheaply built and highly

priced? Since our neighborhoods are healthy and thriving, why encourage rental investors to buy our scarcest resource downtown, affordable single-family housing?

I hope to attend tonight, but with offices hours until 6 p.m. and then needing to prepare after that for tomorrow's classes, I am not sure that I'll have time, and so am sending you this note. Sincerely, Marcia Baron

11. Sandi Clothier - Hello Common Council members, I am forwarding an article on the financialization of housing that I listened to several months ago on Alternative Radio, and which, I believe, provides a perspective that we must understand in our discussion of housing issues in Bloomington. Housing prices are going up, people are being displaced, we have been given a "solution" that suggests simply allowing density via "plexes" will solve our housing problem. So, the question is, will it? Will it make a significant difference to our affordability, number of available units, or carbon footprint? What has caused this rapid inflation of housing prices, why are so many priced out? This article was written by a woman who studies housing as a Special Rapporteur On Housing for the UN. She discusses the underlying issue with housing and housing prices. I know it is easy to say we are looking at Bloomington, not the State, not the Country, but the fact is we are on a global adventure, and our status as a "hot market", a place where people want to live, makes us a target for the sort of speculation and privatization that is being discussed in this piece. To pretend we are not part of the larger world is to be an ostrich, and to simply put our faith in the great unknown. I prefer to know what the battles are that we face, even indirectly, when massive changes such as upzoning are proposed. I hope you will read this short article and look at how it fits into the picture of Bloomington. Sincerely, Sandi Clothier
12. Michael O'Connell - Dear City Council, As you consider the UDO and especially the details regarding potential duplexes triplexes etc. in "core" neighborhoods, please consider: The city reportedly has recently fined owners of a possibly historic home that was razed without proper approvals. This shows that the city realizes how wrong it is to destroy something that is valued and worthy of preservation. Yet the plan for plexes in the UDO currently under consideration clearly threatens to effectively raze the nature of well established and historic neighborhoods by employing a policy that is unproven, by any measure (particularly as it relates to specific neighborhoods), and which may cause more harm than good. Do the right thing and preserve the very core elements of the core neighborhoods that led current residents – students and other renters as well as owner-occupants -- to move into these neighborhoods. They warrant preservation. Don't upend the nature of zoning in these established neighborhoods. Sincerely, Michael O'Connell
Bloomington Resident Eastside Neighborhood

13. Jenny Southern - Jenny's history on the topic and opinion below..... The downtown neighborhoods are healthy and thriving but that has not always been the case. In the 70s and 80s most older neighborhoods were in desperate need of renovation. Our downtown was suffering, shopping had moved to the Mall area and families had moved to the suburbs. It was an echo of what was going on all over America. Old houses and buildings were going down all over downtown, some through neglect and others to build more parking. Several things happened to reverse this trend. When the Courthouse was slated to be torn down, residents protested and a battle flag was raised to try to save historic buildings and to keep some of Bloomington's history and color. Resident Bill Cook bought and renovated the southside of the square, the derelict Graham Plaza hotel and part of the westside of the square. Money was poured into the downtown from many other directions, parking meters removed, a new library built, roads, sidewalks and aging systems repaired and rebuilt. This was also seen as a good time to raise the number of residents in the downtown area, subdivide houses, and raise occupancy rates to make it more affordable. Occupancy rates were raised from 3 to 5 unrelated adults and the race was on to invest in rental housing for students near campus. There had always been rental housing but previous to this it was mixed families, students, single adults, and lower income housing like rooming houses. Due to the increased occupancy rates entire neighborhoods proximate to campus began to change. The northwest side of Elm Heights went from mixed rentals and home owners to a monoculture of student rentals. The north side of campus suffered even more. Prices for homes and rentals steadily rose and rents did not decline. Protests and action by neighborhoods, the Mayor, and City Planning eventually rezoned the neighborhoods to approximately the way they are now. It was a hard-fought ugly battle, finally it was decided to draw a line between the blocks that were mostly then rentals and the houses still occupied by their owners. Slowly one side of the line became almost entirely student rentals (5 unrelated adults and up) and the other home owners (3 unrelated adults). They are now our single family and multi-family zones. Since then it has been fairly stable for the past 30 years. There has been steady pressure to expand student rentals into these areas but love and pure stubbornness has left them for another generation to enjoy. Now there is a new/old idea. Again, in search of affordability and density occupancy rates are being increased by allowing duplexes, triplexes and fourplexes in neighborhoods.
14. Judy Stubbs - Dear Council Members: The proposed zoning to allow multiplex housing it is taking wealth from families who own houses or who want to own houses and giving wealth to landlords. This especially impacts first time home buyers and low income buyers who will be priced out of the market thus denying them tangible assets that are now afforded to those with more income. We need more starter homes not more high end rental housing. If we don't support single families we will have a city of transients with no interest in the long term health and prosperity of our city and a population of older and more affluent home owners. While I understand the argument about environmental impacts of single family homes vs multiplexes I believe there are better ways to offset energy use (solar panels, on demand water heaters, insulation, better windows) than to turn all our neighborhoods into rental zones. Do we really want to disenfranchise young adults who bring innovation and vibrancy to our community? Rental housing makes money only for landlords. Judy Stubbs

15. Steve Brewer (For Councilmember Sturbaum) - My name is Steve Brewer. My wife and I own the house at the corner of 1200 S. Henderson. We first purchased the house shortly after our first child was born in 1987. We sold it in 1997 but bought it back in 2005, and our daughter currently lives in it. I thought it might interest you to know that shortly after the discussion of rezoning in the core neighborhoods arose last spring, my wife and I received two offers from a company in Beech Grove to purchase the house. Last week, on our recent trip to our oldest son's wedding in Chicago, our daughter off-handedly mentioned that she has been annoyed by phone calls from people offering to buy that house, obviously from buyers who do not realize that her name is not on the deed. I have included with this email a photo I took of one of the offers we to purchase the house. (I still have one hard copy of the offer in hand.) Should you need more examples, I can ask if my daughter has kept any of the messages on her phone. I don't know how serious these offers are. I have not followed up on any of them because we are not interested in selling. I do know, however, that in the 27 years we've owned that home over a 32-year span, we had never previously received unsolicited offers to buy the house. Perhaps the timing of these offers after re-zoning proposals arose is coincidental, but it stretches credulity to believe so. While I agree with the desire of many to address climate change and historic housing segregation, reducing the potential stock of modest single family homes near downtown is not the solution. Other, potentially more immediate mitigations on those two fronts are possible: perhaps, for example, targeting development in already neglected or vacant areas, which abound in the city. Regardless, I hope you oppose the new liberalized zoning changes, which I believe will unwisely open the door for more speculative development in the core neighborhoods at the cost of reducing housing stock for single-home buyers. Thank you for your service to the city. Sincerely, Steve Brewer
PS. I hope you have received the copy of the photos I took of the offer back in April.
16. Johannes Türk - Dear Council Members, I am writing to you because I am greatly concerned about the new zoning regulations the city plans to introduce. I am not worried about the introduction of social or other diversity in my neighborhood and welcome it, but I do not think that the new guidelines will lead to increased diversity in central neighborhoods, rather, if I understand what is being proposed well, it will lead to more students living in residential neighborhoods. The price structures are such that only students from moderately wealthy families will be able to afford housing in many of the central neighborhoods. To claim that diversifying neighborhoods is the goal of such a measure is in my view misguided in the case of Bloomington. I have a friend who works as an architect in Durham, NC, and have discussed the successful diversification that has happened there with him. But the situations are absolutely not comparable. And to think that tearing down historic houses and replace them by duplexes just after the old center has been revived over the past 20 years and the city of Bloomington has become attractive as an urban space again is devastating. I have two young children and am not happy about the situation. It also seems to me that the city is falling for a decision that in the end will be destructive and benefit mostly construction businesses. What a shame that this happens! Thank you, Johannes Türk.

17. Suzanne Eckes - Dear Members of the City Council, I am writing to express some concerns about the plan to rezone. I've listed a few items below. 1. There are three neighborhoods near campus that have character and help make Bloomington the unique place that it is (e.g., Elm Heights, Prospect Hill, and Bryan Park). I worry that this plan will destroy the character of these core neighborhoods. Because they are closer to campus, it is no secret that developers will target these core neighborhoods. This will make Bloomington a less attractive place to live. 2. I tried to find data of a housing shortage in Bloomington and wasn't able to locate this information. Do we really have a shortage of housing, or do we have a shortage of affordable housing? It seems it is the latter. I did see that the HT highlighted that there is 9.5% vacancy rate in Bloomington. Surely we could come up with a better plan that offers housing to those in need without sacrificing the character of the town by destroying core neighborhoods. Rent subsidized or controlled apartments in several neighborhoods (including the 3 core neighborhoods) is one possibility of many. Providing a place to live for our lower income community members is a high priority for me; I don't think this proposal to rezone will fully address this issue. 3. Related to number 2, I am skeptical that this plan will create affordable housing for our lower income community members and will instead allow more student housing in core neighborhoods. The neighborhood behind the union is a case in point. This was a beautiful core neighborhood that defined Bloomington and has been destroyed by short-sighted decision-making. Thanks very much for your time. Suzanne Eckes
18. Diane Reilly - Dear City Council members, Please reconsider the drastic change that is proposed for city zoning in the form of the UDO. I live in Elm Heights, and share my neighborhood with many rental properties, several across the street and one next door that includes an accessory dwelling occupied by an absentee landlord when he comes to manage his local income properties. I walk to work every day alongside many students, both graduate and undergraduate, and others who rent in the neighborhood. I have no problem with these neighbors and welcome the diversity they bring. What alarms me about the UDO is that it has been proposed to solve a problem that has not been documented to exist (a significant population of potential residents who cannot find housing), and that there is no evidence that the UDO would help to solve the supposed problem. Two rental properties on my block are currently empty. This either means that the owners have decided to take advantage of tax benefits for leaving them unrented, or that there are not enough potential tenants. Adding to the number of rental units in our neighborhood in this case will only serve to increase the number of empty units. However, these observations are simply anecdotal, just like those that seem to be fueling the drive for this UDO. Until there has been a comprehensive study of the current housing situation, the future housing situation (given the rapidly approaching 'enrollment cliff'), and the potential impact of the UDO on either, it would be irresponsible to pass it. Diane Reilly

19. Nancy Wroblewski - I saved and saved to buy my home in the Elm heights neighborhood back in 1997. I did this by not going to star bucks everyday, not going out to lunch everyday, not going out for drinks and ordering high end alcohol on the weekends! Buying clothes at goodwill!! The UDO is all about making the RICH RICHER! TAXES HIGHER! It has NOTHING TO DO WITH CLIMATE CHANGE!!!! I MEAN REALLY YOU ALL KNOW THAT!!! OR FOR PROVIDING AFFORDABLE HOUSING! MY WORD! WHY WOULD ANYONE IN ELM HEIGHTS RENT FOR CHEAP!!! GET REAL!!! Investors from the east coast do NOT care about our sweet Bloomington. THEY will come here and destroy our quaint and precious neighborhoods!! I cannot understand why anyone on our city council would allow this TO HAPPENEN!! especially if you understand and have a love for this very special placed called Bloomington. If the UDO is passed our Bloomington will become another Ann Arbor Mich. and another Austin Texas! Check out those cities and see how zoning changes will collapse our beauty. THINK HARD ABOUT IT!!!!!!