

In the Council Chambers of the Municipal Building held on Wednesday, February 21, 1996 at 7:30 PM at a Special Session of the Bloomington Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
FEBRUARY 21, 1996

Roll Call: Banach, Kiesling, Pizzo, Cole, Sabbagh, Service, Pierce. Absent: Sherman, Young.

ROLL CALL

Cole gave the agenda summation.

AGENDA SUMMATION

Councilmember Young abstained from any discussions or votes on Ordinance 96-3 in both committee and council hearings.

Cole explained that this was a Special Session of the Common Council to discuss Ordinance 96-3 and after a limited period of debate and discussion, the council would reconsider and vote again on the above ordinance. The council would then take a brief recess and a Regular Common Council meeting would follow.

It was moved and seconded that the debate of this petition be limited to one hour.

The motion to limit debate received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Ordinance 96-3 be introduced and read by title only. Clerk Williams read the legislation by title only.

ORDINANCE 96-3

It was moved and seconded that Ordinance 96-3 be adopted. The synopsis and committee recommendation of Do-Pass 2-1-4 (1/24/96) and a Regular Council vote of Ayes:4, Nays:4 (2/7/96) constituting a No Action vote. A motion for a subsequent hearing was approved by a roll call vote of Ayes:5, Nays:3.

Mayor Fernandez acknowledged the Webelos Den #133 of the Hoosier Trails Cub Scout Troop working on their Citizenship Badge who are visiting the Council meeting this evening.

Toni McClure, Planning Director, described the 138ac tract for a mixed use development with SF, MF, and 15 ac of commercial for a total of 632 dwelling units. This is the final hearing for preliminary plan and PUD approval. The Plan Commission vote was 6-2-1 and the petitioner will go back to the Plan Commission for final plat approval.

Steve Smith reviewed master plan and zoning code instructions to view planning and growth issues comprehensively. He talked about growth in housing stock and the diminishing numbers of persons/household; the master plan discussed the type and location of growth and the Canada Farm was an area that was designated for this type of integrated development and is consistent with the master plan. This plan will have connecting bicycle paths as well as green space provisions. The large scale of this project will allow a better stormwater detention program utilizing "lakes" rather than trying to deal with them on a lot by lot basis.

Jeff Goldin, a Stands resident, spoke in favor of the development.

Linda Stines, a Stands resident, also spoke in favor of the plan and said the plan has evolved over time, that Sare Rd is needed by the entire community. She did not want park and school traffic traveling through the Stands neighborhood.

Sabbagh commented on several points: that the land is currently zoned RE1, that the area is supposed to be rural residential, and is supposed to be low density. There is a definition of neighborhood serving areas in the master plan and the location for these centers is Kinser Pike at 45/645 Bypass, Weimer Rd/Tapp and Rhorer Rd at Schact. There is no indication of an asterisk at Sare Rd.

Smith said the code calls these possible convenience shopping centers not a neighborhood commercial center that calls for a super market anchor. This is not a neighborhood shopping center, this is in-between and not defined in the code.

Sabbagh said this proposal increases the density fivefold from the RE1 status and the commercial that the master plan calls for is not the commercial that is being proposed. Smith continued to discuss the master plan provisions in the area, calling for 5-6/units for ac and then the zoning ordinance calling for RE1 for the whole area. Whatever inconsistencies there are took place because of the need to get Sare Rd in place before the area to the south was developed.

Karen Muskevitch, a Stands resident and speaking for the Neighborhood Association, urged the council to vote against the petition. The Sare Rd extension will cover about a mile, the same distance as 3rd St to Moores Pk. This development will that same distance, flanked by two and three story apartment complexes and a commercial area and that is a lot by anyones definition. Concerns are: infrastructure, road deterioration, environmental, safety factors. In order to solve the problem of a perceived immediate need (Sare Rd) the citizens are paying a very high price to solve this problem.

Alice Fly, also a Stands resident, questioned the need for the scale of the commercial development, the need for the excessively high density in the MF areas, the increased traffic congestions that the increased population will bring.

Mark Stoops, a concerned citizen, talked about population numbers/projections of 49,700 units by the year 2010 an increase of 7,250 units over a 20 year period in Monroe County. This presumes a population increase of 20,000 by 2010. From 1990-95 the City of Bloomington alone, approved over 7,500 new units, the county over 1,000 and Ellettsville another 500 units. He talked about the infrastructure as well as services needed to provide for this kind of population growth and the need to look at all of this very cautiously is imperative.

Scott Wells also talked about infrastructure needs and the trips generated by this particular development half of which will travel on Rhorer Rd., the sixth worse road in the county. He also was concerned about the number of units we are approving in the interest of compact urban form.

Joan Cochran, a Peppergrass condo resident, was dismayed at the changes in Bloomington that are not for the better. The ongoing development in this community will lessen the appeal of Bloomington if this continues.

Nancy Hasenmueller, a Stands resident, on behalf of the Neighborhood Association thanked the council for the time and courtesy in responding to telephone calls and letters.

Michael Hall, a Spicewood resident, spoke about the need to downsize this development like an earlier Kensington project was downsized.

Les McCord asked what the project would look like in 15-20 years and thought that road development was the city and county's responsibility, not that of a developer that we have to entice and allow unwanted commercial features.

Kevin Enright, Protect our Woods, discussed the animal life in this particular area.

Steve Smith said this project is the result of good planning and Sare Rd from Rogers to Rhorer will be benefit of this plan. The road will be built by the fall of 1997 at the cost of over 1 million dollars and the 700 units are necessary to "pay it back". A 15 acre lake for flood control cannot be put in unless you know that there are units to sell. The reason for higher density and compact urban form is so that all of the land will not be used up.

Service expressed concern about the environmental impacts on the stream, the record of this particular developer regarding environmental compliance has not been exemplary. The tract record of the city has also not been the best and in trying to fair to the entire community, she could not support the development as currently configured.

Pierce said he has talked with numerous people over the last few weeks and stated that the particulars of the issue have not changed, therefore, he will vote no, as stated earlier.

Sabbagh said that while agreeing with some of what Smith said earlier, this is not the right plan for this piece of land; it does not follow the master plan, especially in the context of public infrastructure responsibility. The cost of putting in Sare Rd is driving this development, this is not diverse mixed use but is a very heavy MF with a few SF thrown in, the commercial was not envisioned, and we don't have to buy the first plan that comes along.

Banach supported the development because it does serve diversity with the proposed mixed uses, geographic balance and access to services like school and park. He thought it was important that this development will increase the much needed tax base that will eventually lower the taxes for everyone.

Kiesling said that mixed use development is important, but this density if not needed and she expressed concern about the environmental issue, especially the pond and the wetlands.

Pizzo agreed with a mixed land use philosophy and liked the school and park combination. He said he regretted he could not change his vote.

Cole also said she would support the proposal and understood peoples' concerns about density and land use. If this was her district and she was listening to simply the people who voted for her, it would be very clear that this was not what people wanted, but her role is to what is best for the entire city. It isn't possible to vote

on what might be a better project that might be down the road. The split council reflects a split public and the developer needs to hear this loud and clear. She was very concerned about how the city looks and the fact that we don't have more input in projects that come forward. She was concerned that the middle school would be a state of the art for only the wealthy in the community and in a small way the multi family will allow for mixed economic homes in the area.

The ordinance received a roll call vote of Ayes:3, (Banach, Cole, Pizzo), Nays:4 (Kiesling, Sabbagh, Service, Pierce). The vote reflects a No Action vote and the motion to approve fails. The petition will become effective 90 after the date of the Plan Commission approval. That date is April 9, 1996.

The Special Session of the Common Council was adjourned at 8:50 P.M.

ADJOURNMENT

APPROVE;



Jim Sherman, President  
Bloomington Common Council

ATTEST;



Patricia Williams, CLERK  
City of Bloomington