

November 22, 2023

**SUMMIT DISTRICT PUD:  
PETITIONER'S STATEMENT**

**A. Project: Description of Character:**

Summit District PUD is a proposed multi-phased development that encompasses planning for 138.51 acres of unimproved land located in the southwest quadrant of the municipal boundaries of the City of Bloomington. The property is currently in a zoned planned unit development with a small southern portion in the R2 zoning district. The current zoning designations have not been fully implemented over the course of nearly twenty years, and upon examination, the current zoning is insufficient to achieve the overall vision and planning goals for this property. Since the initial creation of the PUD in the 1990's, there have been significant changes in the need for housing, the availability of infrastructure and the comprehensive goals of the City for residential and mixed use development. Previously anticipated infrastructure has not taken place which thwarted the potential development of this site. Instead of amending the existing PUD, the most effective approach is to wholly redesign the development plan for the undeveloped portion and propose a new PUD to meet current and future planning objectives, consistent with the City's Comprehensive Plan, Transportation Plan and related policy and vision documents.

The Summit District PUD presents new and imaginative concepts in urban design and land use development over a broad area. The PUD is crafted to promote and improve the health-safety, and general welfare of the residents of the City and to create distinct developments with unique urban design, mixed uses, enhanced ecosystems, and substantial benefit to the City that would not otherwise result from the general application of the UDO. Summit District PUD will accommodate innovative development layouts and preserve and enhance the natural, environmental, and scenic features of the site and will further address challenges presented by specific site conditions within the Summit District. A total of 53 acres of land will be preserved as parks and open spaces, which will include conservation areas, tree preservation, park space, water and drainage areas, karst features and trails – all enhancing the natural attributes.

The Summit District PUD faithfully meets all requirements of the UDO, as more fully set forth below, and provides for a longer-term development effort to create various types of residential housing, with specifically designed intensity and density of development, coupled with supportive services, commercial opportunities and a resultant series of neighborhood concepts to promote quality of life and place within the City. The PUD will provide a minimum of 15% affordable housing, promote homeownership and offer incentives to increase the percentage of needed affordable housing. The PUD reflects the vision, objectives and policies of the City's



Comprehensive Plan adopted in 2018. In particular, the Comprehensive Plan objectives aimed toward the Environment, Housing & Neighborhoods, Transportation, and Land Use are all included in the overall plan and design of Summit District.

Summit District will offer a wide variety of quality housing options, including much-needed affordable and workforce housing that will also promote homeownership. The PUD will further the City's stated policies for land use as articulated in the Comprehensive Plan, which include:

- (1) Neighborhood focal points, gateways and urban centers with accessible public and private services (e.g. transit, police, fire, sewer/water, telecommunication, modern utilities)
- (2) Linkages to neighborhood destinations to promote a "20 minute neighborhood metric"
- (3) Respect and enhance environmental assets and natural features
- (4) Promote innovative architectural design strategies
- (5) Develop connectivity in neighborhoods with street, bike & pedestrian pathways
- (6) Support incentive programs to increase owner-occupancy and affordability
- (7) A diverse mix of housing types and densities including small-scale commercial complements

Summit District PUD is designed to create a new identity for use of this land and the natural attributes of the property. The development principles include mixed-use, green building, grid circulation, appropriate densities, housing diversity, including workforce/affordable housing and commercial/employment development within higher-density areas within the property. Access and connectivity are thoughtfully designed to create roadways, pathways and connections to the areas within the PUD as well as adjacent amenities and services. The City's Transportation Plan envisions both north-south and east-west connectivity at this location, which are included in the overall development plan of the PUD. The plan includes appropriate connectivity to adjacent off-site areas to further the City's vision within the municipal boundaries.

## **B. Property and Plan**

Sudbury Development Partners, LLC acquired the 138.51-acre tract of land on February 6, 2023 with the express purpose of creating development on property that has been idle for many years in spite of prior planning efforts. A legal description of the land and survey is included here to define the area legally forming the zoning district. Mapping included in the PUD separates the nearly 140 acres into distinct areas for development. The PUD sets forth five areas of development, with sub-areas designated for refined and targeted zoning consideration. Given the massive size of the Property, the planning and development period is expected to take place over a period of at least ten (10) years. Based on the availability of existing infrastructure and connections, including utility and roadways, the development is anticipated to begin along the south and west boundaries of the property, to the north and east side of the property; then south and to the west. Each separate development project (smaller parcels with street frontage and access as planned) will necessarily result in subdivision of the Property with platting and site plans submitted by individual development parcel. The development process will be necessarily require the City's participation



through defining utility capacity and expansion opportunities, as well as developing funding sources, including tax incremental financing, to support road and related infrastructure completions through a separate understanding between the petitioner and the City.

Affordability and sustainability, along with the incentives available for each will accompany development plans submitted to achieve goals articulated in this ordinance. A minimum of 15% of the residential housing offered by this Project will fall in the affordable category and be income-limited, as provided by the UDO. Units will be designated as affordable to meet the requirement and to provide diversity in housing types and affordable units across the entire project. The entire project will achieve the minimum 15% dedication of affordable residential housing and integrated over the entire Property by development area and sub-area, as further described in the PUD. This integration of this housing requirement across the entire scope of the development will ensure that there is no single concentration of affordable housing in a defined area, but that it is appropriately disbursed throughout the Property. The calculation for each development project will be carried forward from area-to-area such that the aggregate housing dedicated to affordability will total a minimum of 15%, thereby meeting and likely exceeding the PUD requirement for affordability. Some incentives will require an increase of affordability to a minimum of 20%.

Each separate development area within the PUD will necessarily result in further subdivision of the property, with platting and site plans submitted by individual development parcels moving forward. As parcels are planned for development, other participants will accept ownership of tracts through a subdivision process to develop to specific uses and purposes as defined by the PUD.

### **C. Qualifying Standards (UDO: Section 20.02.040)**

- (1) The PUD zoning district is 138.51 acres, well more than the 5-acre minimum requirement.
- (2) The PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district, prohibited by the UDO.
  - (3) A minimum of 15% of the proposed dwelling units will be permanently income-limited through deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana and the development will be subject to the applicable standards of Subsection 04.04.110(c) Affordable Housing.
- (4) Summit District PUD would not be feasible through the conventional zoning regulations and standards found in the UDO and is best served by a planned unit development ordinance. Given the massive scale development of the singularly owned and un-subdivided parcel, a broader planning approach is critical to the orderly development of the land and implementation of the overall vision for housing and complementary services and commercial activity. The PUD is optimal to meet the objectives of the Comprehensive Plan and Transportation Plan adopted by the City.
- (5) Summit District land is singularly owned by Sudbury Development Partners, LLC under Deed Record, Instrument No 2023001200, recorded with the Recorder of Monroe County, Indiana on the 6th day of February 2023.
- (6) Summit District is protective of highly-valued design features that include specific



natural, environmental and scenic resources and green spaces as well as retaining natural landforms throughout the development, including:

- a. Protecting the natural features through inventive design that consider the natural characteristics of the site;
  - b. Retaining the natural landforms to the extent possible while designing residential densities to meet the needs of the community;
  - c. Designing low impact design in areas of sensitivity and more intense development where appropriate; and
  - d. Utilizing green incentive and passive energy design strategies, where feasible.
- (7) Summit District is designed in a manner that no block perimeter will exceed 1400 feet, it will retain and introduce greenspace, trails, pedestrian and bike paths as well as open spaces, incorporating the following factors:
- a. Connectivity to promote pedestrian, public transportation and the “20-minute neighborhood” concept;
  - b. Design of Summit Center to adequately support the neighborhood and larger community;
  - c. Connectivity to the existing and planned infrastructure as prescribed in the Comprehensive and Transportation Plans adopted by the City; and
  - d. Designs that promote and support the use of renewable energy.

Respectfully submitted,

Sudbury Development Partners, LLC



By Angela F. Parker, Counsel

Attachments:

Deed  
Survey

445551/25528-1

DULY ENTERED  
FOR TAXATION  
FEB 06, 2023

*Catherine Smith*  
Auditor Monroe County, Indiana

2023001200 SPEC WAR \$25.00  
2/6/2023 11:20:11 AM 6 PGS  
Amy Swain  
Monroe County Recorder IN  
Recorded as Presented



**SPECIAL WARRANTY DEED**

**THIS INDENTURE WITNESSETH**, that **J & E DEVELOPMENT, LLC**, an Indiana limited liability company (hereinafter "Grantor"), **CONVEYS AND WARRANTS** to **SUDBURY DEVELOPMENT PARTNERS, LLC**, an Indiana limited liability company (hereinafter "Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Monroe County, Indiana (hereinafter the "Real Estate"):

**SEE EXHIBIT "A" Attached Hereto and Incorporated Herein by Reference.**

This conveyance is subject to (i) all current, non-delinquent real estate taxes and assessments; and (ii) any and all easements, agreements, restrictions, and other matters of record.

Grantor, as its sole warranty herein, warrants to Grantee, and the successors and assigns of Grantee, that it will forever defend title to the Real Estate (subject to the matters set forth above to which this conveyance is made subject) against those claims, and only those claims, of all persons or entities who shall claim title to, or assert claims affecting the title to, the Real Estate, or any part thereof, under, by, or through, or based upon the acts of, Grantor, but not otherwise.

Grantor is a limited liability company duly organized under the laws of the State of Indiana, and the person executing this deed on behalf of Grantor is an authorized Officer of Grantor. Grantor has full capacity to convey the Real Estate and all necessary corporate action for the making of such conveyance has been taken and done.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 31<sup>st</sup> day of January, 2023.

**J & E Development, LLC**  
an Indiana limited liability company

By: *Joseph P Kemp* Manager  
Name: Joseph P Kemp  
Title: Manager

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF MONROE        )

Before me a Notary Public in and for said County and State, personally appeared Joseph P. Kemp, as Manager of J & E Development, LLC, and acknowledged the execution of the foregoing Special Warranty Deed for an on behalf of said entity.

WITNESS my hand and Notarial Seal this 31 day of January, 2023.

My Commission Expires:  
5/18/27

*Nina K Walls*  
Notary Public



Residing in Monroe  
County, Indiana

Nina K. Walls  
Printed Name

Return recorded deed and send tax statements to Grantee's mailing address at: 3225 S. Hoyt Ave., Muncie, IN 47302

This instrument was prepared by Ted W. Nolting, Kroger Gardis & Regas, LLP, 111 Monument Circle, Suite 900, Indianapolis, IN 46204-5125.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Ted W. Nolting



## EXHIBIT A

The Land is described as follows:

### TRACT 1:

A part of the East half of Section 7, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at a 5/8 inch rebar at the Southwest corner of the Northeast quarter of said Section 7; thence North 01 degree 37 minutes 11 seconds West along the west line of said quarter a distance of 610.00 feet to a 5/8 inch rebar with yellow plastic cap stamped "BRG, INC 6892", hereinafter referred to as a rebar with BRG cap, at the Point of Beginning; thence North 01 degree 37 minutes 11 seconds West along said west line a distance of 753.08 feet to a mag nail at the Southwest corner of the North half of said quarter; thence South 88 degrees 01 minute 59 seconds East along the north line of said north half a distance of 1796.39 feet; thence North 50 degrees 34 minutes 15 seconds East 1061.42 feet to the east line of the Northeast quarter of said Section 7; thence South 02 degrees 31 minutes 28 seconds East along said east line a distance of 704.03 feet to a drill hole in the top of a 8" x 8" stone at the Southeast corner of the Northeast quarter of said Northeast quarter; thence South 01 degree 41 minutes 33 seconds East along the east line of said Northeast quarter a distance of 710.38 feet to a 5/8 inch rebar at the northwest corner of Lot 4 in Thompson Community Park, of record in Plat Cabinet C, Envelope 69 in the office of the Recorder of Monroe County, Indiana; thence South 01 degree 43 minutes 04 seconds East along the east line of said quarter and the west line of said Thompson Community Park a distance of 609.81 feet to a drill hole in the top of an 8" x 8" stone at the Southeast corner of said Northeast quarter; thence South 01 degree 35 minutes 11 seconds West along the west right-of-way of Adams Street Extension as dedicated by the plat of Woolery Planned Community Phase VIII, of record in Plat Cabinet C, Envelope 379 in the office of the Recorder of Monroe County, Indiana, a distance of 80.28 feet to a rebar with BRG cap at the beginning of a curve concave westerly having a radius of 785.00 feet and a chord which bears South 05 degrees 57 minutes 18 seconds West 119.96 feet; thence Southerly along said curve an arc length of 120.08 feet to a rebar with BRG cap on the north line of the property conveyed to Philip and Barbara Tapp by Instrument Number 2011001304 in the office of the Recorder of Monroe County, Indiana; thence along the north line of Tapp the next four (4) courses:

1. North 79 degrees 38 minutes 29 seconds West 70.68 feet to a 5/8 inch rebar with Tapp cap; thence
2. North 75 degrees 49 minutes 21 seconds West 531.71 feet to a 5/8 inch rebar with Tapp cap; thence
3. South 70 degrees 59 minutes 29 seconds West 349.09 feet to a 5/8 inch rebar with Tapp cap; thence
4. North 82 degrees 58 minutes 17 seconds West 114.38 feet to a rebar with BRG cap; thence

North 01 degree 37 minutes 11 seconds West 785.38 feet to a rebar with BRG cap; thence North 36 degrees 20 minutes 08 seconds West 209.87 feet to a rebar with BRG cap; thence North 88 degrees 10 minutes 15 seconds West 850.00 feet to a rebar with BRG cap; thence South 01 degree 37 minutes 11 seconds East 178.71 feet to a rebar with BRG cap; thence North 88 degrees 57 minutes 44 seconds West 629.92 feet to the Point of Beginning, containing 65.63 acres, more or less.

### TRACT 2:

A part of the North half of the Northeast quarter of Section 7, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at a 5/8 inch rebar at the Southwest corner of said Northeast quarter; thence North 01 degree 37 minutes 11 seconds West along the west line of said quarter a distance of 610.00 feet to a 5/8 inch rebar with yellow plastic cap stamped "BRG, INC 6892", hereinafter referred to as a rebar with BRG cap; thence continuing along said west line North 01 degree 37 minutes 11 seconds West 753.08 feet to a mag nail at the Southwest corner of the North half of said Northeast quarter and the Point of Beginning; thence continuing along said west line North 01 degree 37 minutes 11 seconds West 194.56 feet to a mag nail; thence North 88 degrees 34 minutes

**EXHIBIT A**  
(Continued)

57 seconds East along the south line of Lot 3 in Sudbury Farm, Phase 1, of record in Plat Cabinet C, Envelope 272 in the office of the Recorder of Monroe County, Indiana, a distance of 258.71 feet to a mag nail at the Southeast corner of said Lot 3; thence North 28 degrees 40 minutes 00 seconds East along the east line of said Lot 3 a distance of 245.45 feet to a rebar with BRG cap at the northeast corner of said Lot 3; thence South 67 degrees 55 minutes 45 seconds East along the south line of Sudbury Drive, as dedicated by the plat of said Sudbury Farm, a distance of 529.86 feet to a rebar at the beginning of a curve concave Northerly having a radius of 680.00 feet and a chord which bears South 74 degrees 47 minutes 28 seconds East 161.56 feet; thence Easterly along said curve an arc length of 161.94 feet to a rebar at the southeast corner of said platted Sudbury Drive; thence North 08 degrees 27 minutes 32 seconds East 80.09 feet to a rebar on the south line of the Arbor Ridge at Sudbury Farm, a Replat of Lot 7 in Sudbury Farm, Phase 1, of record in Plat Cabinet C Envelope 272 in the office of the Recorder of Monroe County, Indiana and the beginning of a non-tangent curve concave Northerly having a radius of 600.00 feet and a chord which bears North 82 degrees 19 minutes 57 seconds East 330.58 feet; thence along the south and east lines of said Arbor Ridge the next seven (7) courses:

1. Easterly along said curve an arc length of 334.91 feet to a rebar with BT cap; thence
2. North 66 degrees 18 minutes 33 seconds East 517.50 feet to a rebar with BT cap at the beginning of a curve concave Westerly having a radius of 25.00 feet and a chord which bears North 21 degrees 12 minutes 02 seconds East 35.42 feet; thence
3. Northerly along said curve an arc length of 39.36 feet to a rebar with BT cap; thence
4. North 23 degrees 32 minutes 04 seconds West 160.11 feet to a rebar with BT cap at the beginning of a curve concave easterly having a radius of 1030.00 feet and a chord which bears North 13 degrees 52 minutes 16 seconds West 354.74 feet; thence
5. Northerly along said curve an arc length of 356.52 feet to a rebar with BT cap; thence
6. North 85 degrees 42 minutes 27 seconds West 130.48 feet to a rebar with BT cap; thence
7. North 01 degree 30 minutes 36 seconds East, passing a rebar at 236.74 feet, a total distance of 246.82 feet to a rebar with BRG cap on the north line of said Northeast quarter; thence

South 87 degrees 18 minutes 14 seconds East along said north line a distance of 1017.37 feet to a 4" x 4" cut limestone at the Northeast corner of said quarter; thence South 02 degrees 31 minutes 28 seconds East along the east line of said quarter a distance of 627.00 feet; thence South 50 degrees 34 minutes 15 seconds West 1061.42 feet to the south line of the North half of said Northeast quarter; thence North 88 degrees 01 minute 59 seconds West 1796.39 feet to the Point of Beginning, containing 33.52 acres, more or less.

TRACT 3:

A part of the Northwest quarter of the Northwest quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Beginning at a 4" x 4" cut limestone at the Northwest corner of said quarter quarter; thence South 84 degrees 51 minutes 05 seconds East along the north line of said quarter a distance of 20.38 feet to a rebar with BFA cap at the Southwest corner of Seminary Lot 178; thence continuing along the north line of said quarter quarter South 88 degrees 14 minutes 26 seconds East a distance of 739.62 feet; thence South 50 degrees 34 minutes 15 seconds West 947.62 feet to the west line of said quarter quarter; thence North 02 degrees 31 minutes 28 seconds West along said west line a distance of 627.00 feet to the Point of Beginning, containing 5.44 acres, more or less.

TRACT 4:

A part of the Northwest quarter of the Northwest quarter of Section 8, Township 8 North Range 1 West, Monroe County, Indiana, more particularly described as follows:

Beginning at a drill hole in the top of an 8" x 8" stone at the Southwest corner of said quarter quarter; thence North



## EXHIBIT A

(Continued)

02 degrees 31 minutes 28 seconds West along the west line of said quarter quarter a distance of 704.03 feet; thence North 50 degrees 34 minutes 15 seconds East 947.62 feet to the north line of said quarter quarter; thence South 88 degrees 14 minutes 26 seconds East along said north line a distance of 395.00 feet; thence South 02 degrees 31 minutes 28 seconds East, parallel with the west line of said quarter quarter, a distance of 1325.21 feet to the south line of said quarter quarter; thence North 88 degrees 28 minutes 09 seconds West along said south line a distance of 1154.54 feet to the Point of Beginning, containing 29.65 acres, more or less.

### TRACT 5:

A part of the East half of Section 7, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at a 5/8 inch rebar at the Southwest corner of the Northeast quarter of said Section 7; thence North 01 degree 37 minutes 11 seconds West along the west line of said quarter a distance of 610.00 feet to a rebar with yellow plastic cap stamped 'BRG INC 6892', hereinafter referred to as a rebar with BRG cap; thence South 88 degrees 57 minutes 44 seconds East 1598.94 feet to a rebar with BRG cap at the Point of Beginning; thence South 01 degree 37 minutes 11 seconds East 785.38 feet to a rebar with BRG cap on the north line of the property conveyed to Philip and Barbara Tapp by Instrument Number 2011001304 in the office of the Recorder of Monroe County, Indiana; thence North 82 degrees 58 minutes 17 seconds West along said north line a distance of 371.92 feet to a rebar with BRG cap; thence North 27 degrees 30 minutes 07 seconds East 132.19 feet to a rebar with BRG cap; thence North 40 degrees 16 minutes 29 seconds West 57.74 feet to a rebar with BRG cap; thence North 05 degrees 59 minutes 40 seconds East 197.75 feet to a rebar with BRG cap; thence North 38 degrees 24 minutes 39 seconds East 486.98 feet to the Point of Beginning, containing 4.27 acres, more or less.

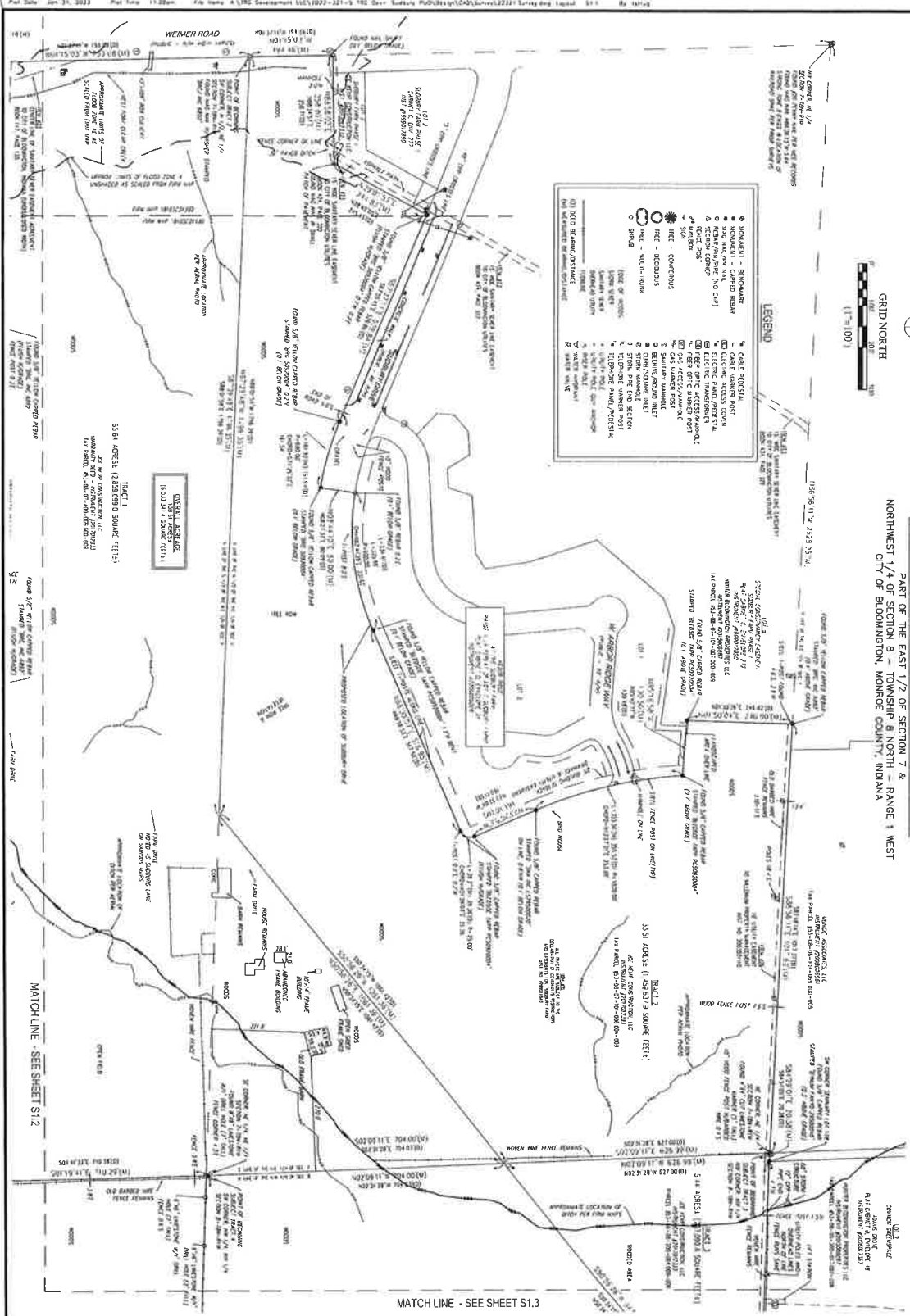
ALTA/NSPS LAND TITLE SURVEY

PART OF THE EAST 1/2 OF SECTION 7 &  
NORTHWEST 1/4 OF SECTION 8 - TOWNSHIP 8 NORTH - RANGE 1 WEST  
CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA



**LEGEND**

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| <p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DESCRIPTION | DATE |  |  |  |  |  |  |  |  |  | <p><b>HWC</b><br/>ENGINEERING<br/>LAND TITLE SURVEYING &amp; MAPPING<br/>1000 N. WASHINGTON ST.<br/>BLOOMINGTON, IN 47404<br/>PHONE: 317.344.1111<br/>WWW.HWCENGINEERING.COM</p> | <p><b>S1.1</b><br/>ALTA/NSPS LAND TITLE SURVEY</p> | <p>DATE: 01/11/2023</p> <p>BY: [Signature]</p> <p>PROJECT: ALTA/NSPS LAND TITLE SURVEY</p> |
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| <p>CLIENT: TRG DEVELOPMENT LLC</p> <p>DATE: 01/11/2023</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: ALTA/NSPS LAND TITLE SURVEY</p>  |     |             |      |  |  |  |  |  |  |  |  |  |  |  |  |

SUDBURY PUD  
Bloomington, Indiana  
ALTA/NSPS Land Title Survey  
Client: TRG DEVELOPMENT LLC







