

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: S. Weimer Road**

**CASE #: PUD-18-23
DATE: March 19, 2024**

PETITIONER: Sudbury Partners LLC
3225 S. Hoyt Avenue Muncie

CONSULTANTS: CarminParker P.C.
116 W. 6th Street Bloomington

REQUEST: The petitioner is requesting to rezone approximately 140 acres to Planned Unit Development and a request for approval of a District Ordinance and Preliminary Plan.

BACKGROUND:

Area:	138.51 acres
Current Zoning:	Planned Unit Development
Comprehensive Plan Designation:	Neighborhood Residential
Existing Land Use:	Undeveloped
Proposed Land Use:	Multiple
Surrounding Uses:	North – Dwelling, Multifamily / Dwelling, Single-Family (attached) West – Dwelling, Single-Family (detached) East – Vacant / Park South – Dwelling, Single-Family (detached) / Dwelling, Single-Family (attached)

REPORT: The property is located east of S. Weimer Road, south of the terminus of S. Adams Street, north of Summit Woods, and east of RCA Park, as well as Monroe County-owned property. The property is currently zoned Planned Unit Development (PUD) under the Sudbury PUD, which was approved in 1999, with a small portion of Residential Medium Lot (R2) adjacent to S. Weimer Road. The 138.51 acre property is currently undeveloped. Surrounding zoning includes PUD and County Residential Single-Family (RS) and County PUD zoning to the north, with PUD and R2 to the south, Parks and Open Space (PO) and PUD to the east, and county RS zoning to the west across S. Weimer Road. Properties to the north, developed as Arbor Ridge under the existing PUD, contain paired homes. There are existing single-family homes developed to the southwest, and single-family homes across S. Weimer Road. Summit Woods is almost entirely built to the south, developed under the existing PUD. The petition site maintains frontage on S. Weimer Road, Sudbury Road, two termini of S. Adams Street right-of-way, and the terminus of the S. Breaking A Way right-of-way.

The site is almost 140 acres, which is the remaining portion of the partially developed 1999 Sudbury PUD with a small portion of RS. The petitioner is requesting a map amendment to rezone the property to a new PUD, which includes the approval of a new District Ordinance and Preliminary Plan. The petitioner is proposing a PUD to include roughly 4,250 new housing units. The petition will also contain some commercial uses including a proposed hotel, as well as multiple roadway, trail, and utility connections. The petitioner intends to dedicate land for a trailhead and a fire station on the eastern portion of the site. The petition has been heard by the Plan Commission in three previous hearings. The Plan Commission will review the petition and make a

recommendation to the Common Council, in accordance with the procedures described in the Unified Development Ordinance (UDO).

The project is large in scale and has many complexities because of its location, surroundings, and environmental constraints. The petitioner is requesting to rezone the property in order to develop housing and commercial uses. Rezoning to Planned Unit Development involves approval of a District Ordinance, as well as approval of a Preliminary Plan.

PETITION OVERVIEW: The petitioner is proposing five ‘neighborhoods’ or development areas on the 138.51 acres. The rough outline of those neighborhoods can be seen in Image One below, from the District Ordinance. Each area is expected to be delivered separately, as shown in Image Two below.

Image One: Area and Neighborhood Plan / Corridor Streets

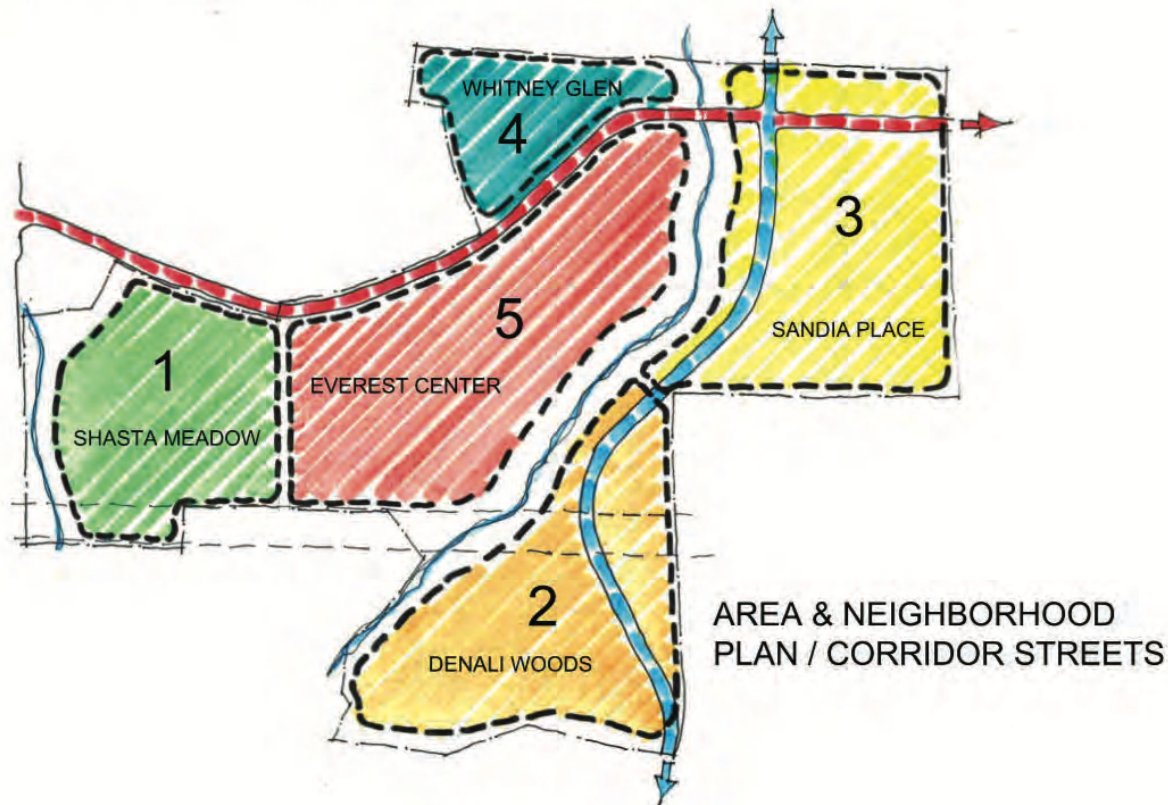


Image Two: Table of Neighborhood Details

Neighborhood	Shasta Meadow	Denali Woods	Sandia Place	Whitney Glen	Everest Center	Total
Approximate Size	23 acres	33 acres	33 acres	11 acres	38 acres	138 acres
Expected Units	~550	~500	~1,100	~400	~1,700	~4,250
Expected Delivery	2025-2028	2025-2029	2028-2032	2033-2034	2027-2034	10 years

The petitioner is expecting that all neighborhoods will be developed over the course of roughly ten years, with construction to begin first in Shasta Meadow and Denali Woods. These two

neighborhoods are chosen to be developed first because of the likelihood that these will be the easiest areas to receive utility infrastructure.

The petitioner is required to build the roadways in the Transportation Plan per Chapter 20.06 of the Unified Development Ordinance (UDO) when the property is subdivided. The largest of those connections are the extension of Sudbury Drive and the connection of Adams Street, which can be seen in the Transportation Plan in Image Three below (labels added). Those roadways, as well as other internal roads and alleys are planned with the project, as seen in Image Four below. The project will also be responsible for some off-site roadway improvements identified in the Traffic Study.

Image Three: Transportation Plan Roads

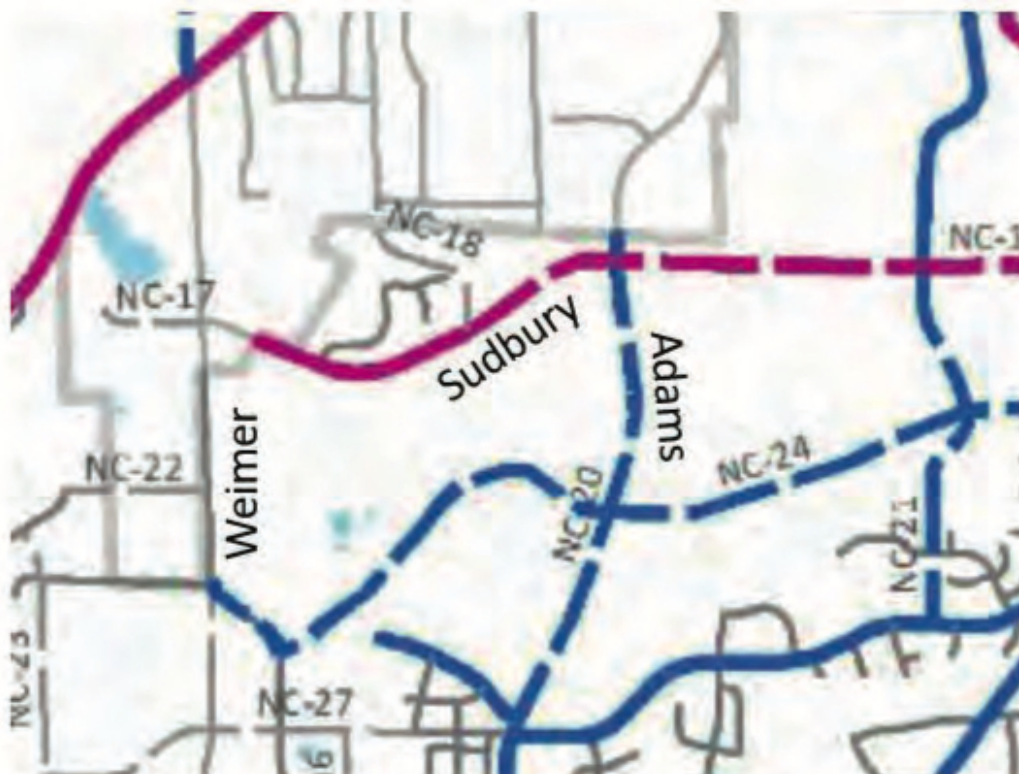


Image Four: Trails and Open Space Map



The property contains a number of environmentally sensitive areas, which are discussed in the Preliminary Plan portion of the report below. The petitioner has noted the rough areas of anticipated open space in Image Four above.

DISTRICT ORDINANCE: The District Ordinance sets the development and use requirements for the PUD. Those items that are not specifically discussed in the District Ordinance revert to the relevant UDO regulations per 20.02.040(c)(3) and 20.02.040(d)(3).

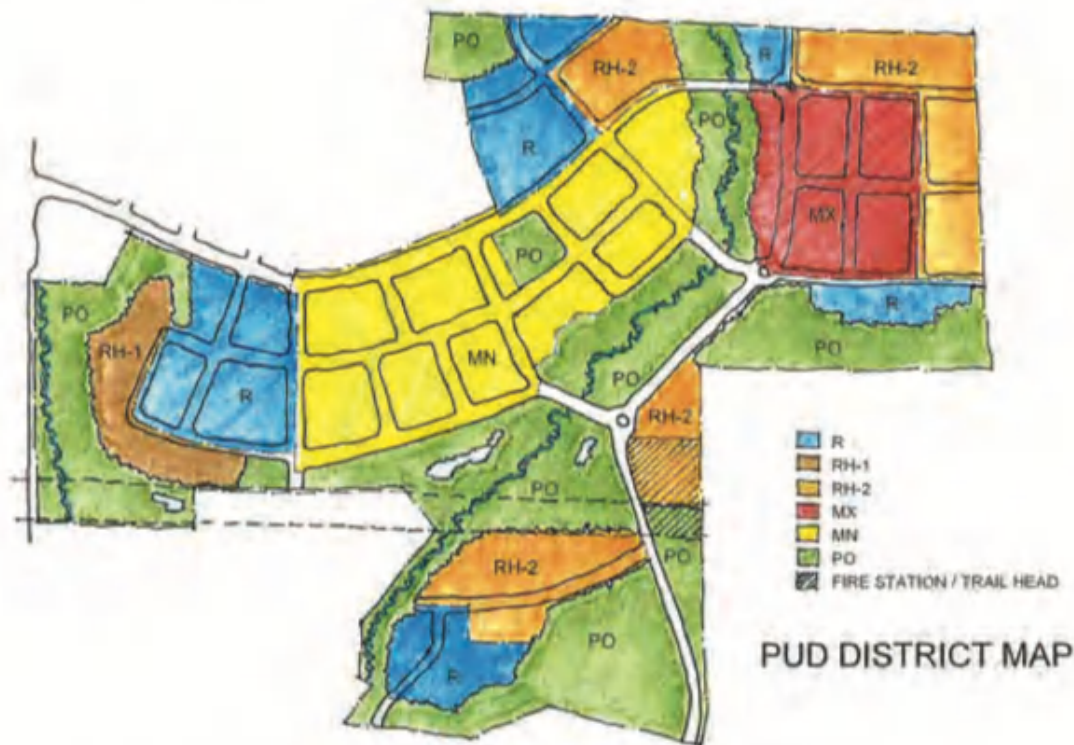
ZONING DESIGNATIONS: The petitioner has identified three zoning districts from the UDO that they will use as the base for their regulations, Mixed-Use Neighborhood Scale (MN), Residential High-Density Multifamily (RH), and Parks and Open Space (PO). As is typical in a Planned Unit Development, the petitioner has proposed a number of changes to these districts in the PUD, both in development standards and uses. The petitioner is proposing six separate zoning designations for the PUD: R, RH-1, RH-2, MN, MX, and PO. Image Five below shows the UDO base districts and their PUD counterparts.

Image Five: UDO District and PUD Designation Comparison

UDO Base District	PUD Designation
MN	MN ; MX
RH	R ; RH1 ; RH2
PO	PO

The petitioner is proposing to utilize the six zoning designations across the site, as seen in Image Six, below, from the District Ordinance.

Image Six: PUD Designation Map



USES: The petitioner is using the zoning districts RH, MN, and PO from the UDO as the base of their proposed uses for the PUD.

R designation: In the R designation, the focus is on less intense uses. There are 20 uses proposed for this district, with 8 of those being accessory or temporary. The focus of this designation is largely single-family or duplex residential development with allowances for other uses such as a place of worship or community center.

RH-1 designation: The RH-1 designation allows 31 uses, with 8 of those being accessory or temporary. The residential uses in RH-1 contain the same uses that are in R with the addition of triplex, fourplex, and multifamily uses. A PUD Use-Specific Standard has been included for the dwelling, multifamily use in the RH-1 designation to allow a maximum of 25 units per building. However, with the use of affordable housing incentives, buildings can increase to 50 units per building.

RH-2 designation: The RH-2 designation has slightly more uses, at 39, with 6 of those being accessory or temporary. Supportive housing is added, as well as some professional service uses, such as fitness center and office. The use vehicle parking garage is also included in the RH-2.

MN designation: The MN designation has the most use options with 52 uses, 6 of those being accessory or temporary. The only residential use allowed is multifamily, and the group living uses are reduced from what is allowed in the RH-2. More commercial and public facing uses such as the art gallery, museum, or library use and the medical clinic use are included. The same professional services are included as in RH-2 with the addition of the personal services use and the tattoo or piercing parlor use. This district contains by far the most retail options, as well as all of the food, beverage, and lodging uses in the PUD, including the hotel or motel use. The MN designation encompasses much of the District Center, which is in the Everest Center neighborhood and is the primary commercial space

on the site.

MX designation: The MX designation includes slightly less uses at 43 with 6 of those as temporary or accessory. The only residential uses listed are dwelling, multifamily and dwelling, live/work. MX contains the same group living use options as RH-2, and all of the public/civic uses listed in the PUD use table are allowed. MX also includes many of the public uses included in MN, but far fewer retail uses.

PO designation: The PO designation includes only 6 potential uses: solar collector, ground- or building-mounted; wind energy system, small; electric vehicle charging facility; swimming pool, seasonal sales; and special event. While all 6 of these uses are shown with the UDO use-specific standards attached, because of the nature of the PUD PO land being largely for preservation, much of the PO area will be in a preservation or conservation easement and will not be available for development.

All of the uses proposed by the petitioner originate in the UDO except for two. The petitioner is proposing to add two uses: “surface parking lot” and “off-site parking/surface parking lot shared” to this PUD. Both are proposed as Permitted in MN and “off-site parking/surface parking lot shared” is also permitted in MX. Per the proposed PUD use-specific standards, the first use, surface parking lot, is intended to be allowed for parking lots of no more than 50 vehicles, requires a 600 foot separation between surface parking lots, and is not tied to the approval of a different development. Conversely, the second use, off-site parking / surface parking lot, does not have a parking space total limit, or a spatial separation requirement, and it is only allowed when it is proposed with a development plan for a different use. Both uses are time limited. The first use can be approved for three years, with the potential for two 1-year extensions. The second use can be approved for three years, with the potential for one 3-year extension. For both uses, when the approved time period has expired, the owner of the parcels must construct an approved site plan or convert the parcel back to greenspace per 04.04.040 of the proposed PUD. The purpose of these uses is to allow for parking to be considered in stages in the PUD. The petitioner envisions situations where a parcel can be used as parking for a restricted period of time and then converted to development as the PUD progresses. The time limits included ensure that no stand-alone parking lots will be created for extended periods of time.

DIMENSIONAL STANDARDS: The Dimensional Standards table from the District Ordinance is in Image Seven below.

Image Seven: Dimensional Standards Table from District Ordinance

Summit District PUD						
District Dimensional Standards						
	Residential	Mixed Residential	Mixed Multi-Family	District Center	Mixed Use	Parks & Open Space
District	R	RH1	RH2	MN	MX	PO
Lot Dimensions (Minimum unless noted)						
A Lot area (Sq Ft)	1,000	2,000	2,000	5,000	5,000	N/A
B Lot width (feet)	15	20	20	50	50	N/A
Building Setbacks (Minimum unless noted)						
C Front build-to range - (feet)	5-15	5-15	5-15	0-10	0-10	15**
D Front building façade at build-to-range (feet)	80%	80%	80%	80%	80%	N/A
E Side (feet)	5	5	5	5	5	15
F Rear (feet)	3	3	3	3	3	15
Other Standards						
G Primary structure height (maximum -feet)	40	63	63	86	75	40
H Step back required at (story / depth Ft.)	N/A***	4/15	4/15	7/15***	6/15	N/A
I Non-Residential on ground level height (minimum ft)	N/A	N/A	N/A	12	12	N/A
J Impervious surface coverage (maximum percent of lot)	70%	70%	70%	95%	90%	10%
K Landscape area (minimum percent of lot)	None	0	0	0	0	None
L Front parking setback (minimum feet)*	None	20	20	20	20	N/A
M Accessory structure height (maximum - feet)	30	30	30	30	30	20

Note: See Section 04.04.060 (Incentives for Alternative Standards)

* Behind primary structures front building wall, excluding drive entrance/exit.

** PO has a setback of 15 feet from property line.

*** Transitional Standards specific to Arbor Ridge see (PUD 04.04.030(c))

Lot Size and Setbacks: The petitioner is proposing lot size minimums that range from 1,000 square feet to 5,000 square feet with no minimum size in the PO designated areas. Lot width minimums range from 15 feet in the R zoning designation to 50 feet in the MX zoning designation. Front building build-to ranges are 5-15 feet in the three residential-focused designations, and 0-10 feet in the mixed-use designations. With a maximum of 15 feet from the front property line and a requirement in all districts that 80% of a building must meet the build-to range, the development will focus on front-forward building design. With side building setbacks of 5 feet for all districts, it is unlikely that a single R district lot would be developed on its own, unless it was part of attached housing. All districts propose 3 foot rear yard building setbacks, with exceptions in the Arbor Ridge Condominium adjacent RH-2 properties, described below.

Impervious Surface Coverage: The petitioner is proposing a 70% allowance of lot coverage in the three R designations. The RH zoning district in the UDO allows for 65% coverage. The PUD MN designation proposes 95% coverage and the PUD MX designation proposes 90% coverage, while the UDO MN zoning district allows 60% coverage. While individual lots will have increased impervious surface coverage from the UDO base districts, the petitioner expects to offset that by having roughly 38 percent of the PUD area set aside as preservation or open space. With a large area being set aside for environmental, reduced impervious surface regulations for the developable area allows for more housing to be developed.

Height and Step Back: The petitioner is proposing a 40 foot height maximum in the R designated areas, which amounts to 3-4 stories. In the two other residentially-focused designations, RH-1 and RH-2, the height maximum is 63 feet, which amounts to 5-6 stories. In both the RH-1 and RH-2 designations, stories above the 3rd story have to step back 15 feet from the front building wall. The

maximum height in the UDO RH district is 5 stories, not to exceed 63 feet. In the PUD PO designation, the maximum height is 20 feet, which is the same as the UDO PO district. The UDO MN district has a maximum height of 3 stories, not to exceed 40 feet. In the MX designation, the height maximum is 75 feet, which amounts to roughly 7 stories. Stories above the 5th story have to step back 15 feet from the front building wall. In the MN designation, which covers the District Center, the height maximum is 86 feet, which is roughly 8 stories. The step back required is 15 feet for stories over the 6th story. Additionally, there are transition standards for areas abutting the Arbor Ridge Condominiums neighborhood to the northwest, described below. In all designations except the R designation, additional height can be earned through the use of incentives, discussed later in this report. In all designations, accessory structure height maximum is 30 feet, except for a maximum of 20 feet in the PO designation.

Transition to Arbor Ridge: Transition standards are included for the areas immediately adjacent to Arbor Ridge Condominiums and those areas across Sudbury Drive from the Arbor Ridge Condominiums to lessen the immediate impact felt by the residents in smaller scale buildings when larger buildings are built in the vicinity. Buildings built on the south side of Sudbury Drive across from Arbor Ridge Condominiums in the Everest Center (MN and PO designations) neighborhood will have an additional step back of 10 feet for the 4th through 6th stories, while maintaining the 15 foot minimum step back at the 7th floor and higher. Buildings built on the south side of Sudbury Drive in the Shasta Meadows (R) neighborhood shall also have a 10 foot step back for the fourth floor. Buildings built in Whitney Glen (R) that are adjacent to the Arbor Ridge Condominiums shall have an 8 foot side building setback and a 20 foot rear building setback. Those buildings will also have a five foot step back for the fourth floor.

Building Floor Plate: The petitioner includes building floor plate maximums for the use, dwelling, multifamily, in the PUD use-specific standards, Section 03.30.020. In designations RH-1 and RH-2, the maximum building floor plate allowance is proposed to be 10,000 square feet. In the MN and MX designations, the maximum building floor plate size is proposed to be 30,000 square feet. In the UDO, buildings with the dwelling, multifamily use are only allowed to be 30,000 square feet if they are utilizing both affordable housing and sustainable incentives. The Department proposes that the by-right for building floor plate size in the MN and MX designations be 20,000 square feet and that projects utilizing at least 1 incentive in the MN and MX designations be allowed to have a building floorplate of 30,000 square feet. A condition of approval has been added.

ENVIRONMENT: The petitioner is proposing no changes to the UDO regulations related to environmental standards in this PUD. The PUD is completely silent on environmental regulations, therefore per UDO 20.02.040(d)(3), the UDO regulations are applied to development in the PUD. Some of the regulations that will be derived directly from the UDO include regulations related to steep slopes, riparian buffers, karst geology, wetlands, tree and forest preservation, and development in or near a floodplain. The petitioner has provided some preliminary analysis of environmental constraints on the site as part of the supporting documents for the preliminary plan, both through mapping and an environmental constraints report, which are included in this packet. However, the Department believes that additional or modified areas of preservation may be required once a thorough survey is done during the platting process, and has discussed this at length with the petitioner. Both parties acknowledge that changes to the preliminary plan resulting from UDO required preservation may occur. The UDO allows minor deviations from an approved preliminary plan per UDO 20.06.070(c)(3)(C)(ii)(3). Additional discussion of this occurs further

in the report in the Preliminary Plan section.

ACCESS AND CONNECTIVITY: The petitioner is proposing no changes to the UDO regulations related to access and connectivity in this PUD. The PUD is completely silent on access and connectivity regulations, therefore per UDO 20.02.040(d)(3), the UDO regulations are applied to development in the PUD. Some of the regulations that will be derived directly from the UDO include regulations related to driveways and access, pedestrian and bicycle circulation, and public transit.

Driveways and Access: The Department has spoken with the petitioner regarding vehicular access to development sites. Alleys are discussed in every neighborhood description, but no regulation is included in the PUD or the base zoning districts in the UDO that will require access from alleys where they will be built. However, in the R and RH-1 areas, the PUD requires that the subdivision type to be used is Traditional Subdivision, which requires 67% of the lots in a subdivision to derive access from alleys. So, in that way, alleys will be required in the R and RH-1 areas. As can be seen in Image Nine below, the petitioner has shown that alleys are part of the Preliminary Plan in MN and MX, as well. Alleys need to be included in the design of the northern block of MN and in the MX area. A condition of approval has been added.

Pedestrian and Bicycle Circulation: The petitioner is proposing protected bicycle lanes on multiple roadways, as seen in Image Four. Additionally, an off-street trail is planned to connect the future City trail in the Duke easement to the existing trail south of the site, west of Breaking A Way. All new roadways will also have pedestrian facilities, as seen in the cross-sections proposed by the petitioner, in this packet.

Public Transit: The petitioner has had preliminary discussions with Bloomington Transit about possible route extension through this PUD.

Right-of-Way Connection: As can be seen in Image Seven below, the petition site, outlined in black, has a number of improvements in the adopted Transportation Plan. The northernmost connection is the extension of Sudbury as a General Urban street from the end of the existing W. Sudbury Drive right-of-way to the eastern end of the petition site. (NC-19) That roadway is proposed to contain a protected bike lane. On the eastern side of the petition site, S. Adams Street stubs at both the north and south ends of the petition site, and the Transportation Plan shows a Neighborhood Connector with bike lanes and sidewalks. (NC-20) The petitioner is including the entirety of the Adams Street connection on their parcel and has worked with the Department and the Engineering Department on a general location, as can be seen in the Preliminary Plan maps. There is a third new right-of-way shown in the Transportation Plan on the southern end of the petition site. (NC-24) That road is shown as a Neighborhood Connector that appears to be aligned with the Duke Energy easement to the east, and moves southwest to connect to the existing Weimer Road right-of-way through a neighboring parcel. It has been determined that because of changes to the east of this site, an eastern connection of NC-24 is unlikely and this PUD will not plan for that connection. A condition of approval has been added. Additionally, NC-24 will curve south and connect to the existing ROW for Breaking A Way with a stub to the west for a possible future connection to Wapehani and Weimer Roads. In that way, NC-24 will provide immediate connection to the south, but leave open the possibility of vehicular connection to the intersection of Wapehani and Weimer Roads in the future.

Image Nine below from the Preliminary Plan shows two stub streets that could be extended in the

event that the property to the southwest of the site is ever developed beyond its current condition. This petition in no way requires or makes that development happen. Considering potential future connection through that property is prudent because of where Weimer Road intersects with Wapehani Road.

Image Eight: Transportation Plan Connections on Aerial of Site

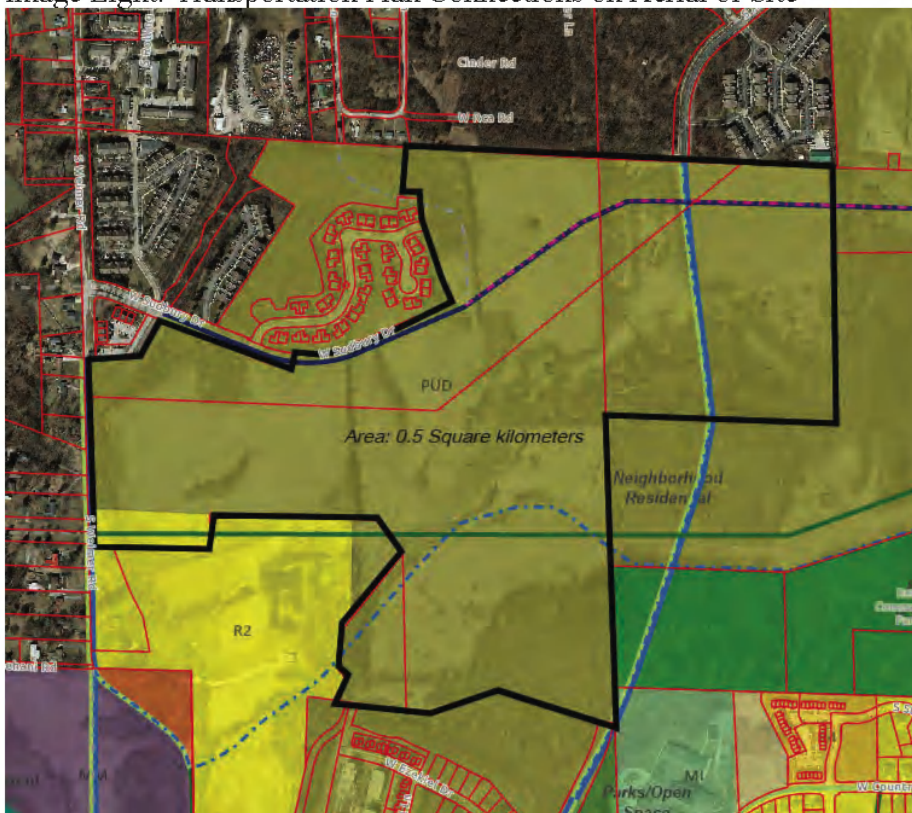
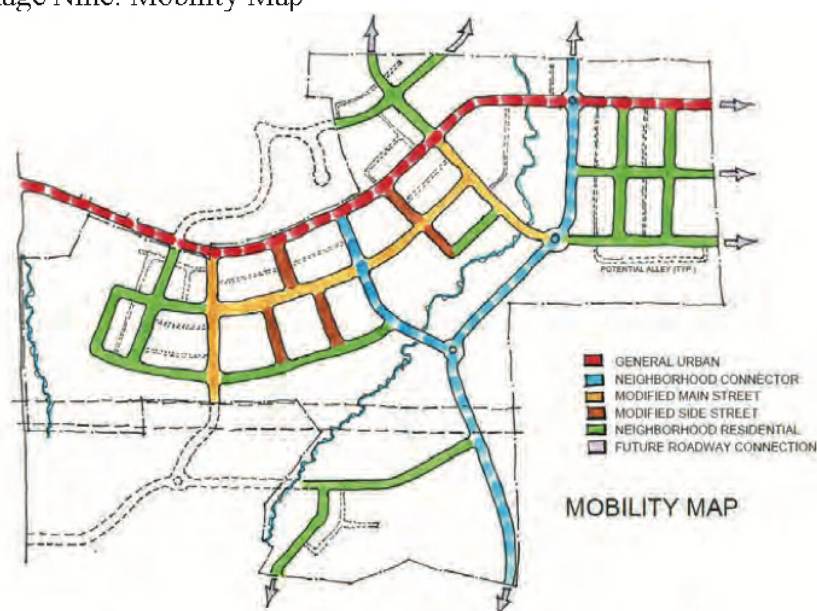


Image Nine: Mobility Map



The remainder of the site, as can be seen in Image Nine above, includes various right-of-way

connections for vehicular travel. Two additional stubs are included to the north for potential future connection, as well as three to the east, stubbing to the Monroe County Government-owned property. The petitioner has made an effort to increase the gridded nature of most of the property, within the confines of the existing environmental conditions. The connection of Adams Street, and preparation for a potential future Sudbury Drive connection east to Strong Drive provide important additional roadway options for all city roadway users.

PARKING AND LOADING: The petitioner is proposing no changes to the UDO regulations related to parking and loading in this PUD. The PUD is completely silent on parking and loading regulations with the exception of public parking planned in the right-of-way, therefore per UDO 20.02.040(d)(3), the UDO regulations are applied to developments for the parking standards that are not included in the PUD. The petitioner has included in the PUD the same ratio of electric vehicle spaces required for new parking lots as exists now in the UDO. By inclusion, if the UDO changes that percentage, the PUD will not have to increase the percentage.

SITE AND BUILDING DESIGN: The petitioner is proposing a few changes to the UDO Site and Building Design standards. The first is to remove the third party review option for development in this PUD. The second, and more substantive item is the transition standards included for development immediately adjacent or across Sudbury Drive from the Arbor Ridge Condominiums, which was discussed above. Outside of those two changes, typical site and building design standards such as materials, roof design, universal design, and solar ready design will apply to development in the PUD.

LANDSCAPING, BUFFERING, AND FENCING: The petitioner is proposing to utilize UDO Multifamily Development Landscaping standards, 20.04.080(i), for development in the R, RH-1, and RH-2 designations. The petitioner is proposing to utilize UDO MD District Landscaping standards, 20.04.080(j), for development in the MX and MN designations. The PUD regulations remove the requirements for buffer yards and exempt single family and plex uses from UDO landscaping standards. The petitioner has included a section in 04.04.040 that pairs with the two new uses proposed, so that it is explicit that when the approval time limits have expired, that every portion of those sites that do not have a new approved development must be converted to greenspace with groundcover.

The property to the southwest of the development site contains an old quarry site with roughly 2.5 acres of open quarry, as well a residence and a cell tower. There is an existing fence that separates the development site from that property. The Department has worked with the owners of that property and discussed with the petitioner, and has added a condition of approval related to maintaining fencing on the petition site, in order to clearly separate it from the neighboring property, in perpetuity.

LIGHTING: The petitioner is proposing no changes to the UDO regulations related to lighting in this PUD. The PUD is completely silent on lighting regulations, therefore per 20.02.040(d)(3), the UDO regulations are applied to development in the PUD.

SIGNS: The petitioner is proposing that the Residential District Sign Standards in the UDO, 20.04.100(i), be used for the R, RH-1, and RH-2 designations. Additionally, they propose to use UDO MD District Sign Standards, 20.04.100(l), and Multifamily Sign Standards, 20.04.100(j) for signage in the MX and MN designations. Some alterations to the regulations being used in the MX and MN designations are included to allow larger limitations for wall signage and to allow multiple

freestanding signs.

INCENTIVES: The petitioner is proposing a number of changes to and clarifications for how to apply the Incentives section in UDO 20.04.110.

- The standards related to reduced bulk requirements for R1-R4 in the UDO are to be applied to single-family and plex development in R, RH-1, and RH-2.
- The PUD explicitly states that projects in R cannot seek additional height incentives regardless of project design.
- The PUD proposes that Tier 2 projects that are seeking affordable housing and sustainable incentives may increase their height by an additional 2 stories, not to exceed 24 feet, with an additional 10 foot step back. This height increase is in addition to the 2 stories received initially from the Tier 2 affordable housing incentives. The UDO allows 1 additional story on top of the originally gained 2, and that story has the step back requirement, plus can only cover 50 percent of the building footprint. So, the PUD is proposing an additional 1.5 stories when both incentives are used. This would allow 12 stories in the MN. The Department is proposing to limit the locations where the extra height incentive can be used to four blocks in the development. A condition of approval has been added.
- In the MN and MX designations, a project utilizing the affordable housing incentives must include 20% of the units at or below the 120% of Area Median Income (AMI). The rest of the PUD only requires 15% of a project when those incentives are used.
- In the RH-1 designation, a project utilizing the affordable housing incentives can have a maximum of 50 units per building.
- The PUD alters the eligibility for the Sustainable Development incentives and removes the requirement for a property to be served by sewer and water for at least five years to be eligible.
- The PUD clarifies that single-family and duplex development in R, RH-1, and RH-2 that meet the sustainable development criteria are eligible for reduced bulk requirements.
- The PUD clarifies that single-family and plex development in R that satisfy sustainable development criteria are not eligible for additional height.

Most of the changes proposed are in line with the UDO regulations related to the use of incentives. The biggest difference is the additional height allowed when using both incentives, which would allow an additional four stories on top of the PUD designation height maximums if both incentives are sought. The Department has added a condition to limit the area allowed to developments that utilize both incentives.

SUBDIVISION REGULATIONS: The PUD is not proposing any changes to the subdivision regulations in the UDO. The only mention is that subdivisions done in the R and RH-1 shall use the Traditional Subdivision. Subdivision types used for the rest of the PUD will be determined with staff at the time of subdivision.

PRELIMINARY PLAN: Per 20.06.070(c)(3)(B), a Preliminary Plan is required with rezoning to Planned Unit Development.

Scaled Site Plan: The petitioner has submitted several conceptual and scaled site plans indicating where proposed public improvements, proposed development areas, and existing environmentally sensitive areas are on the site. As noted earlier in the report, though environmentally sensitive areas have been identified, the exact areas will be determined during the platting process.

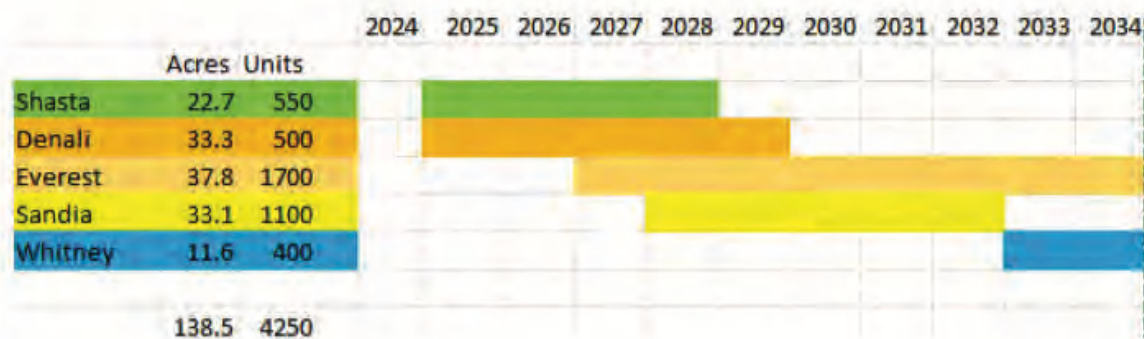
Infrastructure Plan: The petitioner has included a plan for roadways and paths, which can be seen in Image Four above. The infrastructure built on site will include roadways that connect the property to existing Adams Street stubs to the north and south, extend Sudbury Drive to the eastern property line, as well as create a partially gridded roadway design on-site. The petitioners are including some road cross-sections from the UDO, with some modified or new cross-sections, as well. The petitioner will also build a portion of a trail that will then become a City trail, connecting one existing and one future City trail. A trailhead will also be included. The petitioners will also have to build water, sewer, and stormwater infrastructure on the site with financial contributions to the City of Bloomington Utilities Department for some offsite improvements related to water and sewer.

Traffic Analysis: The petitioner has worked on a traffic analysis to determine what effects will be had on surrounding roadways and key intersections near the proposed development. The Engineering Department has been working with the petitioner's engineering consultant, on identifying what improvements will be required in the surrounding areas as a result of this project. A condition of approval has been included.

Description of Character: The petitioner includes a description of the concepts for this property in the petitioner's statement. The petitioner seeks to develop distinct developments that help address the community's need for housing, while enhancing the natural ecosystems that are present on this site.

Development Schedule: The petitioner has proposed a phasing matrix in the District Ordinance for the general delivery of each neighborhood, as seen in Image Ten below. A more detailed schedule and trigger discussion is in PUD-Specific Considerations, further in this report.

Image Ten



Environmental Plan: As noted earlier in the report, though the petitioner has had the property surveyed and environmentally sensitive areas identified, the Department believes that there may be need to update and amend those locations during the platting process. For example, at this scale, it is difficult to determine where the dripline of trees in a closed canopy is, and to then add the required ten foot buffer. However, when the petitioner does their first subdivision on the property, they will have to identify those locations, as well as all regulated environmental features on the site and their respective buffers. And the Department will have to agree to that assessment. Those features include riparian buffers, floodplain, wetlands, karst, steep slope, and mature closed canopy trees. We have heard from neighbors and other interested members in the community that there is

a history of flooding along Weimer Road and it is a priority of the Department that the effects of this development do not increase the negative effects of that flooding on the surrounding properties. To that end, we have worked with the Assistant Director of Environmental Programs at the City of Bloomington Utilities to craft conditions related to stormwater control during construction and once construction is complete. Those conditions are included below. As can be seen in the supporting documentation provided by the petitioner, there are also karst features on this site. We have received input from the public about these features, as well. The Department will require a karst survey done by a geologist at the time of primary platting, so that safe building sites can be confirmed. A condition of approval has been added. It is extremely apparent that this property contains sensitive areas, and the planned development seeks to protect those areas, and will be required to do so.

Architectural Character: The petitioner is not proposing any changes to building material, uniform architecture, or anti-monotony standards in the UDO. The proposed height and massing in the PUD is larger than is allowed in most of the UDO, and some step backs have been included in the PUD, which affect architectural character.

PUD-SPECIFIC CONSIDERATIONS: There are a number of topics that have been discussed related to this specific PUD request that are discussed below.

Sustainability of Design: The petitioner has included all of the typical Sustainable Development standards from the UDO. Additionally, the petitioner proposes a number of initiatives aimed at sustainability in their PUD. For example, they will work with Duke Energy in the New Construction Energy Efficient Design Assistance (NCEEDA) program, in which Duke provides assistance to developments in order to maximize efficient design, as well as provides construction incentives to encourage energy-efficient strategies during construction and design of buildings. There are a number of measures listed in the District Ordinance by type of building that will be required, including all electric services for heating, cooling, cooking, and water heaters in all non-multifamily residential buildings; and energy efficiency program minimum requirements for all other buildings. All buildings will also have to meet the Solar Ready Building Design requirements in 20.04.070(g).

Public Benefit: Beyond the general benefit of much needed additional housing, the PUD will provide land to the City of a potential future fire station and trailhead on the eastern portion of the site. The petitioner will also construct the trail from the City's portion on the County Government-owned parcel and connect it to the existing trail to the south. The roadway connection of Adams Street will provide an additional north-south vehicular connection for all users in this area. Additionally, the project will provide a minimum of 15 percent of affordable units for units built on-site. The petitioner will work with the City in order to identify areas of housing affordability need and work to incorporate projects to address those needs, as well. The commitment to environmentally-sensitive building design such as all-electric for the smaller scale housing developments is also an important benefit for the community.

Housing: Per the addendum created in 2023 for the Indiana Uplands Regional Housing Study, to meet the needs of the projected growth of Bloomington through 2030, 2,236 additional housing units will need to be supplied, and of a greater variety than was built between 2015 and 2018. While the life of construction of this PUD is project to be 10 years, some of the units produced here could help to alleviate that need. Additionally, many of the projects that we currently see are larger multifamily projects, which this PUD plans for, as well. However, this PUD also proposes

smaller scale development in the R and RH-1 areas, which serve an important need for housing type diversity.

Affordability: The petitioner must provide that 15% of the units constructed on the site are at or below 120 percent of the HUD AMI for Monroe County Indiana in perpetuity, per the PUD Qualifying Standards, unless the City otherwise adjusts or releases the requirement. The petitioner may work with the Housing and Neighborhood Development (HAND) Department on projects that meet the needs for affordable units at a lower AMI than 120 percent. Additionally, the PUD links the use of both incentives in a project in the MN and MX designations to a requirement to provide 20% of the units in that project at 120 percent of the HUD AMI or lower. The petitioner has included in the District Ordinance requirements that seek to spread the affordable and workforce units across the development. Those are summarized below.

- Each of the five neighborhoods will contain affordable units.
- The first two neighborhoods that are platted will meet or exceed the 15% requirement.
- When the third, fourth, and fifth neighborhoods develop, if there is excess (over the 15%) in a previously developed neighborhood, the excess percentage can be applied to any of those three neighborhoods, up to a total of 5% carryover from the original neighborhood with excess.
 - A 20% MX or MN project can only contribute to excess for carryover if they are over 20%.

The included affordability provisions seek to require affordability to be built throughout the life of the PUD, while allowing some flexibility across neighborhoods.

Phasing and Triggers: The petitioner has proposed a phasing matrix in the District Ordinance for the general delivery of each neighborhood. The petitioner has also included a more detailed phasing matrix with the supporting documents of the Preliminary Plan, shown in Image Eleven below.

Image Eleven: Petitioner Proposed Phasing Matrix

Neighborhood	Acres	Development Period	Units	Anticipated Affordable Units	Affordable Units Delivered
Shasta Meadow	22.7	2025-2028	550	83	
Denalie Woods	33.3	2025-2029	200	30	
Everest Center	37.8	2027-2034	1700	255	
Sandia Place	33.1	2028-2032	1100	165	
Whitney Glen	11.6	2033-2034	400	60	
Infrastructure		Development Period		Outside Date	
Adams Street		Prior to any occupancy in Summit District PUD		2025	
Sudbury Drive		Prior to any occupancy in Summit District PUD		2025	
Street F		With first platting of developable lots within Everest Center		2028	
Shasta Meadow		Water and Sanitary at time of construction gravity to West		2026	
Denalie Woods		Water and Sanitary with lift station to West		2028	
Everest, Sandian, Whitney		Water and Sanitary with lift station to West		2030	
Neighborhood Construction Phasing Requirements			Preceding Unit Requirements		Other Requirements
Shasta Meadow			None		Dedication of Firestation Land
Denalie Woods			None		
Everest Center			50% of the planned units in Shasta Meadow or Denalie Woods Combined		
Sandia Place			75% of the planned units in Shasta Meadow or Denalie Woods Combined		
Whitney Glen			90% completion of any single previously initiated neighborhood		

Image Twelve: Amended Proposed Phasing Matrix

Improvement	Trigger for Specific Infrastructure or Phase to Begin	Preceding Requirements	Trigger for Completion Requirement
Adams Street	Platting, bonding, and construction will take place with the first plat in the PUD	N/A	The road will be completed and accepted by the City before the first building occupancy recommendation is issued in the PUD
Sidbury Drive	Platting, bonding, and construction will take place with the first plat in the PUD	N/A	The road will be completed and accepted by the City before the first building occupancy recommendation is issued in the PUD
Street F	To be platted with first developable lots in Everest Center	N/A	The road will be completed and accepted by the City before the first building occupancy recommendation is issued in Everest Center
Land for Fire Station / Trailhead	Land will be delineated as intended for the City with the first plat for lots in the Denali neighborhood	N/A	Transfer of the property to the City will be per agreed upon schedule with both parties
MOU for Funding / Construction for Off-Site Sewer Improvements	Per MOU with CBU	N/A	MOU to be executed before grading permit issued for the site
MOU for Funding / Construction for Off-Site Transportation	Per MOU with City	N/A	MOU to be executed before grading permit issued for the site
Construction of Additional Stormwater Protections	Any designated as necessary by CBU to be installed with first Grading Permit issuance	N/A	Before each grading permit is issued, the site as a whole will be analyzed to make sure that erosion controls are working as expected. If they are not, updates will be required.
Agreement for Trail in Duke Easement	To be executed with Duke Energy, with City as a third party, when feasible for City to complete its portion to the east	N/A	To be executed in conjunction with City's trail timeline
All internal infrastructure in Shasta	To be completed and accepted within 5 years of first Shasta secondary plat for developable lots or end of 2028, whichever comes first. Each plat is beholden to time limits in the UDO.	N/A	
All internal infrastructure in Denali	To be completed and accepted within 5 years of first Denali secondary plat for developable lots or end of 2029, whichever comes first. Each plat is beholden to time limits in the UDO.	N/A	
All internal infrastructure in Everest	To be completed and accepted within 5 years of secondary plat or end of 2034, whichever comes first. Each plat is beholden to time limits in the UDO.	N/A	
All internal infrastructure in Sandia	To be completed and accepted within 5 years of secondary plat or end of 2032, whichever comes first. Each plat is beholden to time limits in the UDO.	N/A	
All internal infrastructure in Whitney	To be completed and accepted within 5 years of secondary plat or end of 2034, whichever comes first	N/A	
Certificate of Zoning Compliance for first building in Everest Center		At least 50% of total planned units in Shasta and Denali are under construction or completed AND at least 75% of the total planned affordable units in Shasta and Denali are under construction or completed	
Certificate of Zoning Compliance for first building in Sandia Place		At least 75% of total planned units in Shasta and Denali are under construction or completed AND at least 50% of the total planned affordable units in Shasta and Denali are under construction or completed	
Certificate of Zoning Compliance for first building in Whitney Glen		50% of the total planned units in any line of the preceding neighborhoods have final occupancy recommendation	

above. This matrix takes a number of the ideas from the originally proposed matrix in Image Eleven, while adding additional triggers that involve the delivery of affordable housing units in the first two phases, as well as ongoing expectations for stormwater protections. A condition of approval has been added to include the new matrix in the Preliminary Plan.

Environment: As discussed above in the Preliminary Plan section, there are a number of environmental constraints on this site. The petitioner has adjusted the District Ordinance over time so that the regulations on this property match those in the UDO.

Stormwater: As mentioned above in the Preliminary Plan section, the Department is working closely with staff at CBU to ensure that development on this property is responsible for the stormwater output that it creates. It is of the utmost importance to sensitively develop this property, so that existing issues are not exacerbated.

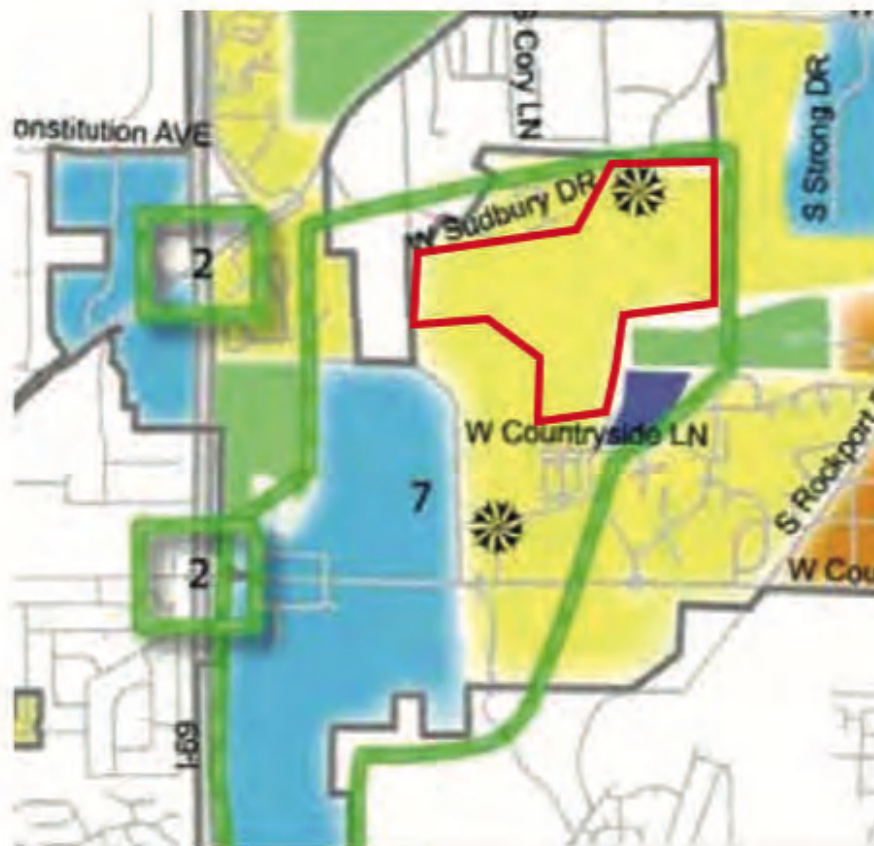
PUD Qualifying Standards: The petitioner addresses the Qualifying Standards in the petitioner's statement. The UDO contains 13 general Qualifying Standards for rezoning to Planned Unit Development. The first and second cover location and size of the property and are met. The third is related to permanently-income limited dwelling units and is discussed above. The fourth standard is that the PUD could not be developed using traditional zoning districts and the processes in the UDO. For a property of this size under single ownership, a PUD makes sense so that all of the public improvements across the site can be planned together. For example, the Department can work with the petitioners on requiring phasing from one part of the property to another, a process that would not be part of a typical site plan approval. The fifth is verification that the land is under single ownership or control, and it is. The sixth through ninth requirements are related to highly-valued design features. Six and seven are related to protecting and retaining environmental and natural resources on the site. The petitioner has worked with the Department to ensure that the environmental regulations on the site will meet the existing UDO requirements of protection. The eighth and ninth standards are related to low impact design features being used throughout the site, as well as solar orientation and passive energy-efficient design throughout the development. Because of the size of the proposed PUD, we are not seeing detailed building plans as we sometimes do during this process. So confirming solar orientation is difficult at this stage. But, as the final plans are submitted, the eighth and ninth standards will be verified. Standards ten through thirteen also focus on highly-valued design features, but are more open-ended, as they are determined by the Department Director. Standard ten allows no block length longer than 1,400 linear feet, and the Department believes this is an important and impactful standard, so the petitioner has designed to that standard. Standard eleven includes area for a centralized gathering or recreation space for the development, and the petitioner has included that in their District Center plans. The twelfth standard suggests internally and externally connected parks, trails, and an open space system. The petitioner is constructing a trail to connect to a City built trail to the east, with a connection to an existing trail to the south. The thirteenth standard is related to community-level energy production. The Department does not think that the community would best be served by focusing the use of this land on community-level energy production.

COMPREHENSIVE PLAN: This property is designated as *Neighborhood Residential*, and is located in Focus Area 7, the West Fork Clear Creek Focus Area. The Comprehensive Plan notes the following about the *Neighborhood Residential* area:

- The Neighborhood Residential district is 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.
- These areas are largely built out, homogenous neighborhoods, but some vacant tracts of land exist as well as opportunities for small-scale neighborhood redevelopment activity...
- For larger tracts of land, single-family, attached single-family, and multifamily residential uses may be appropriate, and in some instances small-scaled neighborhood mixed use is also appropriate.
- Create neighborhood focal points, gateways, and centers.
- 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 (including approaches promoting both permanent affordability and home ownership for all income levels).

Image Thirteen: Rough Area of Petition Site on Comprehensive Plan



While the Comprehensive Plan calls for less density in this area than the PUD proposes, the Plan acknowledges that this site is part of a much larger region in the southwestern part of Bloomington that contains some of the last large, open spaces for development. You can see most of Focus Area 7 in Image Thirteen, with the rough area of the petition site outlined in red. Additionally, while the number of potential units is included by the petitioner, the UDO has almost entirely moved away from regulating development based on the number of units, and moved toward focusing on design. This property will include a focal point, with the open green space in the District Center, as well as providing connection between existing and future

roadways and trails. The Comprehensive Plan also acknowledges repeatedly that there will be a need for housing in the community. The Community Profile portion of the document states that the community does have some large, undeveloped tracts of land, and that we may need to seek denser development in some places, in order to also provide environmental protections where those are needed. That is what this project aims to achieve.

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

PROPOSED FINDING: The PUD meets the Qualifying Standards prescribed in the UDO, and incorporates many of the existing UDO standards, as well. The petitioner has worked with City of Bloomington Utilities to ensure that capacity for this development can be achieved. The Department and petitioner will continue to work closely with CBU as the project moves forward. No prior approvals affect this petition.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

- i. Consistency with Comprehensive Plan and Other Applicable Plans

The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.
- ii. Consistent with Intergovernmental Agreements

The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.
- iii. Minimization or Mitigation of Adverse Impacts
 - 1. The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.
 - 2. The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.
 - 3. The proposed use and development shall not result in significant adverse fiscal impacts on the city.
 - 4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.
- iv. Adequacy of Road Systems
 - 1. Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.
 - 2. The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

v. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

vi. Rational Phasing Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

PROPOSED FINDING: The proposed use and development does not interfere with the goals of the Comprehensive Plan, and in fact aims to provide housing that is called for in the Plan, while protecting existing neighborhoods and residents and environmentally sensitive areas. The proposal is not affected by any existing interlocal agreements. The proposed development incorporates all existing UDO regulations related to environmental features in order to minimize negative impacts on those areas on site and surrounding it. The extensive natural features on this site will be protected to the scale required by the UDO. The petitioner is working with the Economic and Sustainable Development (ESD) Department to ensure that any fiscal impact on the City is appropriate and in line with the goals of the community. The petitioner has met repeatedly with neighbors of the site, and the Department has assisted with that communication, and changes to the PUD have been included to address as many of their concerns, as possible. The development is required to make the largest vehicular connections at the beginning of the project, in part to ensure that safe access to the site is present before anyone occupies the site. The petitioner will also be responsible for upgrades to areas around the site that are identified in the Traffic Analysis, in order to ensure that those roadways are not negatively affected by the development. With the infrastructure being built by the development, adequate public facilities are available when needed on this site. The petitioner has worked extensively with the Department on a phasing plan, and no requirements needed for early phases is pushed to later phases. The site phasing is rational.

20.06.070(b)(3)(E)(i)(1) Specific Approval Criteria

- [a] The recommendations of the Comprehensive Plan;
- [b] Current conditions and character of structures and uses in each zoning district;
- [c] The most desirable use for which the land in each zoning district is adapted;
- [d] The conservation of sensitive environmental features;
- [e] The conservation of property values throughout the jurisdiction; and
- [f] Responsible development and growth.

PROPOSED FINDING: The development supports the recommendations of the Comprehensive Plan, including the connections envisioned in the Transportation Plan. The site is currently vacant with no improvements, and future development will protect the sensitive environmental features on the site. This almost 140 acre parcel has long been planned for development, including single-family, multifamily, commercial, office, and industrial uses. Per the Comprehensive Plan, the goals for this area have shifted and are largely of a residential nature, with some supporting commercial. The proposed development is a desirable use of this area. Environmentally sensitive

areas will be protected during this development. While it is difficult to speak to property values in the jurisdiction, the development of additional housing is unlikely to have negative effects on the property values throughout the jurisdiction. The development balances varied needs in the community, including the need for more housing, the need for sustainable development, the need to reduce sprawl, and the need to protect existing resources.

CONCLUSION: The proposed PUD would develop a large piece of property that has not been fully developed since the existing PUD was approved in 1999. That PUD was built out until it ran into triggers for public improvements. As a result, the Department is not recommending altering the typical subdivision control requirements of the construction of Transportation Plan improvements with platting. This land contains a number of important environmentally sensitive areas, and while development is also important, those areas need to be protected during construction and beyond. As one of the largest areas left in the developed areas of Bloomington, development of the property is an important part of providing additional housing for the community in areas that are already served by existing infrastructure. The petitioner has worked with various Departments in the City to find a balance that allows the project to work while meeting City goals. Development of the parcel is an exciting prospect for the City, and the Department has worked with the petitioner to revise the PUD District Ordinance and Preliminary Plan from those that were submitted last year, in order to meet City goals related to connectivity, responsible development, housing, and environmental protection.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission forwards PUD-18-23 to the Common Council with a positive recommendation and the following conditions:

1. The District Ordinance shall be amended as follows:
 - a. Section 03.03.020(b)(2)(C) shall read: Buildings in the RH1 and RH2 districts cannot have a floor plate larger than 10,000 square feet. Buildings in the MN or MX Districts cannot have a floor plate larger than 20,000 square feet unless one or more incentives is utilized through 04.04.060.
 - b. Section 04.04.060(c)(v) shall be added and all other numbers below will be renumbered accordingly. It will read: In the MX and MN Districts if either the affordability or sustainable development incentive is utilized for a project, the project may utilize a floor plate of 30,000 square feet.
 - c. Section 04.04.060(c)(iii) shall read: UDO section 20.04.110(c)(5)(B)(iv)(2) shall provide: Tier 2 Projects: Projects that are eligible for increased primary structure height for the affordable housing and sustainable development shall be eligible for two additional floors or building height not to exceed 24 feet. The additional floors of building height granted under this subsection (iv)(2) shall step-back at least 10 feet further than the lower floors of the building. This provision (two additional floors) shall only be utilized on four blocks in the development.
 - d. Section 01.01.070 shall be added. It will be titled: Subdivision Standard applicable to MN and MX. It will read: In the MN designated area, either the northern blocks or the southern blocks shall all incorporate east-west alleys. In the MX designated area, at least two of the blocks shall incorporate contiguous alleys. This regulation of the PUD is applicable no matter which subdivision type is used.
 - e. Section 04.04.040(e) shall be added. It will read: A fence along the property line between the petition site and the parcels to the southwest (53-08-07-100-001.008-009 and 53-08-07-100-001.005-009) will be installed and maintained in perpetuity.

If the existing fence is on the petition site, it can meet this requirement. Said fence shall be a maximum of six feet tall in front of the front building line of the house on the 53-08-07-100-001.005-009 property.

2. The Preliminary Plan shall be amended to include the matrix shown in Image Twelve.
3. The petitioner shall be responsible for the agreed upon off-site improvements identified in the Traffic Analysis. Said improvements must be completed per a Memorandum of Understanding executed between the petitioner and City of Bloomington Administration.
4. A karst study, performed by a geologist, shall be submitted at the time of the initial primary plat for the property. Said study must be reviewed and approved by the City before primary plat approval is recommended.
5. The petitioner shall be responsible for the agreed upon improvements related to water and sewer service for this site, both on and off site, identified in discussions with City of Bloomington Utilities. Said improvements must be completed per a Memorandum of Understanding executed between the petitioner and City of Bloomington Utilities.
6. The petitioner will be responsible for incorporating the following stormwater detention requirements during development:
 - a. Release rates for this project should be 0.25 cfs per acre of development for 0-10 year return interval storms and 0.45 cfs for 11-100 year return interval storms.
 - b. The petitioner shall use the 24-hours NRCS Type 2 Rainfall Distribution to determine storage volume requirements.
 - c. The storage volume shall be determined by calculating the volume of outflow from the site that exceeds the given allowable release rate.
 - d. The petitioner submit all detention calculations to City of Bloomington Utilities Engineering for review.
7. The petitioner must incorporate more than 1 BMP as part of a treatment train during development. The site as a whole will be reviewed by City of Bloomington Utilities with the issuance of each grading permit in order to confirm that preceding and proposed measures are addressing stormwater and runoff issues created by the Development. Grading permits will not be issued until City of Bloomington Utilities confirms that satisfactory measures are and will be in place.
8. The petitioner shall continue to work with the Parks and Recreation Department and Duke Energy to fulfill the trail construction and dedication proposal through an agreement between the parties.
9. The petitioner will continue to work with the Housing and Neighborhood Development Department and the City may alter the percentage of units (15%) required in particular neighborhoods if housing is provided that meets the needs of households that make less than 90% AMI for Monroe County, as is allowed by the PUD Qualifying Standard #3.
10. The PUD allows that the eastern leg of NC-24 from the Transportation Plan will not be platted or built.