

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 02
Submitted By: Cm. Daily
Date: May 15, 2024

Proposed Reasonable Condition:

1. The base primary structure height (maximum feet) in the MN district shall be 65 feet.
2. The base primary structure height (maximum feet) in the MX district shall be 55 feet.

Synopsis

This Reasonable Condition (02) is sponsored by Cm. Daily. It reduces the maximum primary structure height in the MN and MX districts from 86 feet to 65 feet and from 75 feet to 55 feet, respectively.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 03
Submitted By: Cm. Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

1. The following shall be added to the list of Accessory Uses in the District Ordinance:

Accessory Uses	R	RH1	RH2	MN	MX	PO
Chicken flock	P**	P**	P**	P**	P**	P**
Greenhouse, noncommercial	P	P	P	P	P	P
Recycling drop-off, self-serve		P	P	P	P	

Synopsis

This Reasonable Condition (03) is sponsored by Cm. Piedmont-Smith and was recommended by the Environmental Commission. It adds certain accessory uses to the allowed use table within the district ordinance to allow for these sustainable uses.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 04-Revised
Submitted By: Cm. Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

1. The development standards applicable to steep slopes within BMC 20.04.030(c) (as in effect on January 1, 2024) shall apply within the PUD. All applicable flexibility and relief procedures that apply to the standards contained in BMC 20.04.030(c) shall be available for these standards within the PUD.

Synopsis

This Reasonable Condition (04) is sponsored by Cm. Piedmont-Smith and was recommended by the Environmental Commission. It states that the UDO development standards applicable to steep slopes in effect on January 1, 2024 would apply to the PUD. These standards provide that areas of land where the pre-development slopes are greater than 18 percent should not be disturbed for any improvements with the exception of utility lines.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 06
Submitted By: Cm. Piedmont-Smith
Date: May 15, 2024

Proposed Reasonable Condition:

1. The Summit District PUD requires a minimum of 15% of the units constructed to meet the permanent affordability standard by being income restricted to households earning below 90 percent of the HUD AMI for Monroe County Indiana.
2. If the City of Bloomington's UDO is amended to require that PUDs meet an affordability threshold below 90% of the HUD area median income for Monroe County, Indiana, then that lower threshold shall apply to this PUD district ordinance.

Synopsis

This Reasonable Condition (06) is sponsored by Cm. Piedmont-Smith. It changes the affordability threshold from 120% of the area median income (AMI) to 90% of the AMI for the 15% of units required to meet the permanent affordability standard in this PUD. It also states that any UDO amendment that requires PUDs to meet an affordability threshold below 90% AMI would apply to the affordability threshold applicable to this PUD.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 08
Submitted By: Cm. Piedmont-Smith (at request of Planning staff)
Date: May 15, 2024

Proposed Reasonable Condition:

The Plan Commission's Condition #3 shall be amended as follows:

1. The petitioner shall be responsible for off-site improvements identified in the Traffic Analysis and **selected by the City Engineer. Such selected improvements shall be** included in a Memorandum of Understanding executed between the petitioner and City of Bloomington Administration.

Synopsis

This Reasonable Condition (08) is sponsored by Cm. Piedmont-Smith at the request of Planning staff. Ideally, the traffic study and all of its supporting documents would have been done in time for the City Engineer and his staff to review the documents and make a recommendation on the required improvements to the Plan Commission or the Common Council. The documents were not fully completed with enough time to allow for review. This change to Plan Commission Condition 3 makes it clear that the City Engineer will decide which improvements are required to be part of the MOU.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 09
Submitted By: Cm. Piedmont-Smith (at request of Planning staff)
Date: May 15, 2024

Proposed Reasonable Condition:

The Plan Commission's Condition #6 shall be amended as follows:

1. The petitioner will be responsible for incorporating the following stormwater detention requirements during development in disturbed areas (and per the preliminary plan) **in each phase of proposed development as the development plans are proposed:**
Nothing to change in a through d.

Synopsis

This Reasonable Condition (09) is sponsored by Cm. Piedmont-Smith at the request of Planning staff. This condition is meant to reflect conversations between CBU staff and the petitioner to be more in line with the originally written Plan Commission condition.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 10
Submitted By: Cms. Flaherty, Stosberg
Date: May 15, 2024

Proposed Reasonable Condition:

The petitioner will enter into a written commitment reflecting the following:

1. In each neighborhood of the PUD, a minimum of 50% of housing units will be developed to enable individual ownership. In the case of housing types other than detached single-family dwellings, this will mean inclusion of an HOA (or similar) agreement that enables each housing unit to be individually owned and prevents ownership of more than two units by one individual or entity within a single building or HOA.
2. As part of the planning approval process, developers in the district will report whether they are planning a rental property (i.e., with one landlord) or condominium development.

Synopsis

This Reasonable Condition (10) is sponsored by Cm. Flaherty and Cm. Stosberg. It is meant to encourage opportunities for home ownership within the PUD by calling for at least 50% of the housing units to be capable of individual ownership.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 11
Submitted By: Cm. Stosberg
Date: May 15, 2024

Proposed Reasonable Condition:

1. The owner or manager of a multifamily dwelling in the PUD that provides on-site trash service or trash pickup shall ensure that residents also have access to on-site recycling services.

Synopsis

This Reasonable Condition (11) is sponsored by Cm. Stosberg and requires owners or managers of multifamily dwellings in the PUD to provide on-site recycling services if on-site trash services are provided.

05/15/24 Regular Session Action: Pending

***** Reasonable Conditions Form *****

Ordinance #: 2024-07
Reasonable Condition #: 12
Submitted By: Cm. Stosberg
Date: May 15, 2024

Proposed Reasonable Condition:

1. This petition allows the development of up to 4,250 units. If the petitioner or any future developer anticipates or desires to request a development that puts the total number of units in the PUD over 4,250, the petitioner or future developer shall provide an update to the Traffic Analysis and Sewer Analysis, and shall submit to the Common Council a request to amend the Preliminary Plan based on the new total desired number of units. If approval is granted, both conditioned Memorandums of Understanding shall also be updated. Every time the maximum number used in the Traffic and Sewer Analyses is desired to be surpassed, new Analyses and approvals as described above shall be required to build more than the number used in the Analyses.

Synopsis

This Reasonable Condition (12) is sponsored by Cm. Stosberg. Though the UDO no longer explicitly regulates density in most situations, the petitioner has based both a traffic analysis and a sewer capacity analysis on a maximum of 4,250 units in the PUD. Adding units above that amount should require an update of those reports, as well as approval of those reports and the new number of units on which they are based.

05/15/24 Regular Session Action: Pending