

MONROE COUNTY PLAN REVIEW COMMITTEE



**January 14, 2021
5:30 pm**

**Monroe County Government Center
Planning Department**

**Zoom Link: [https://monroecounty-
in.zoom.us/j/81947218756?pwd=NmFoWk1BTtNsakREUFBxdUNpYXNxQT09](https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTtNsakREUFBxdUNpYXNxQT09)**

If calling by phone (312) 626-6799

Meeting ID: 819 4721 8756

Passcode: 977192

A G E N D A
MONROE COUNTY PLAN REVIEW COMMITTEE

Teleconference Link: <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

January 14, 2021

5:30 p.m.

OLD BUSINESS: None.

NEW BUSINESS:

1. 2012-PUO-05 Fieldstone Planned Unit Outline Amendment 3 (Parcel L) PAGE 3

One (1) 4.5 +/- acre parcel in Section 2 of Van Buren Township at Parcel Number#: 53-09-02-200-001.001-015.

Planner: acrecelius@co.monroe.in.us

Zoned Fieldstone PUD.

2. 2012-PUO-06 White Oak Planned Unit Outline Plan PAGE 21

One (1) 44.07 +/- acre parcel in Section 20 of Perry Township at 4691 S Victor Pike.

Planner: rpayne@co.monroe.in.us

Zoned RE1.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

CASE NUMBER	2012-PUO-05
PLANNER	Anne Crecelius
PETITIONER	Van Buren Township Trustee c/o Chris Cockerham
REQUEST	Fieldstone Outline Plan Amendment Three (Parcel L)
ADDRESS	W State Road 48 Parcel #: 53-09-02-200-001.001-015
ACRES	4.49 +/-
ZONE	PUD Fieldstone
TOWNSHIP	Van Buren
SECTION	2
PLATS	Unplatted
COMP PLAN	MCUA Phase I: Suburban Residential
DESIGNATION	MCUA Phase 2: Gateway West (G1)

EXHIBITS

1. Letter of Consent from Owner
2. Petitioner Outline Plan Statement
3. Neighborhood Meeting Notes
4. Petitioner Site Plan – Parcel L
5. Fieldstone PUD Outline Plan Map

RECOMMENDATION

Staff's recommendation is pending.

PLAN REVIEW COMMITTEE - January 14, 2021**SUMMARY**

The petition site is described as **Parcel L** in the Fieldstone Planned Unit Development in Van Buren Township, section 2. Parcel L is 4.49 +/- acres. The parcel currently contains undeveloped and vacant. Parcel L maintains frontage along W State Road 48, S Fieldstone Blvd and W Stoneview Way. Access is derived from S Fieldstone Blvd. The petitioner is requesting a Planned Unit Outline Amendment to include the following uses as defined by Chapter 802: Governmental Facility, Community Center, and Agriculture Uses, Non-Animal Related to the list of approved uses for Parcel L. The request also includes defining design standards that are either silent or vague within the approved ordinance. The intent of the request is for the Van Buren Township Trustee's Office to be able to pursue the construction of a township office, community center, and a community garden. The petitioner will be required to file a PUD development plan for staff review if this request is approved by the Monroe County Commissioners.

BACKGROUND

The site is located in the Former Fringe area that surrounds the city of Bloomington, and the Fieldstone PUD (also known as Wiley Farm) was approved by the Bloomington Plan Commission in October 1994. Only Parcel L of the original PUD is involved in this petition.

Much of the Fieldstone PUD is approved for residential uses, with dedicated open space along the floodplain. The development plan also designated non-residential uses. Parcel B is for single family or institutional uses and is now the location of a new assisted living/skilled nursing facility – the institutional area of the subdivision was absorbed by this project. Parcel L is for commercial use, termed a Limited Neighborhood Business Park. The approved uses for Parcel L are listed as “neighborhood serving retail services”. The allowable uses include: Convenience Store, Day Care, Gift Shop, Retail Bakery, Drug Store, Personal Service, Arts and Crafts, Dairy Products, Floor Shop, Grocery, and Meats. The petition site was amended in 2004 and received approval to allow the use of Religious Facility by the United Pentecostal Church of Highland Village, in care of Steve Brehob, Smith Design Group.

The petitioner is seeking to amend the Fieldstone PUD Outline Plan to add “Governmental Facility”, “Community Center”, and “Agriculture Uses, Non-Animal Related” to the list of permitted uses in the Limited Neighborhood Business Park on Parcel L. Chapter 802 of the Monroe County Zoning Ordinance defines these uses as:

Governmental Facility (H). A government owned or operated building, structure, or land used for public purpose.

Community Center (L). A facility designed for educational, recreational, cultural, and social activities, open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency.

Agricultural Uses, Non-Animal Related (H). Agricultural and farming activities involving the production and preparation of plants for human use, including horticulture, nurseries, forestry, sugar making, viticulture, grains and seed crops, fruits and vegetables of all kinds, greenhouse applications, and lands devoted to soil conservation and forestry management; all such uses exclude the processing and packaging of plants as food stuffs, with the exception of viticulture operations and small-scale marketing of processed fruit products, as in fruit markets.

The petitioner submitted a Use Determination form to identify the correct uses. The Planning Director, Larry Wilson, stated that the use “Agricultural Uses, Non-Animal Related” use should be limited to a “community garden/greenhouse”. Exhibit 4 is an illustrative site plan drawing to show the proposed development of the site. The petitioner is also seeking to clarify development standards for Parcel L, specifying bulk, open space, and setback standards. They have also proposed reduced bufferyard landscaping requirements.

DESIGN STANDARDS COMPARISON

The Fieldstone PUD is silent on multiple design standards, including setbacks, landscaping bufferyards, and parking. The petitioner is proposing the following structure setback standards:

- Front yard Building / Parking (SR 48) = 50’ from the R/W line
- Front yard Building / Parking (Fieldstone Blvd.) = 25’ from the R/W line
- Front yard Building / Parking (Stoneview Way) = 25’ min from the R/W line or existing landscape easement width, whichever is greater
- Side yard Building / Parking (adjacent to residential) = 25’ Additional Side Yard Setback for each
- Additional Story = 0’ Type C

Parking

Use	Ch. 806 Standard:	Proposed Standard
Agricultural Uses, Non-Animal Related (H)	Dwelling unit requirements only	
Community Center (L)	3/1000 GFA + 1/employee	
Governmental Facility (H)	3/1000 GFA	

Landscaping

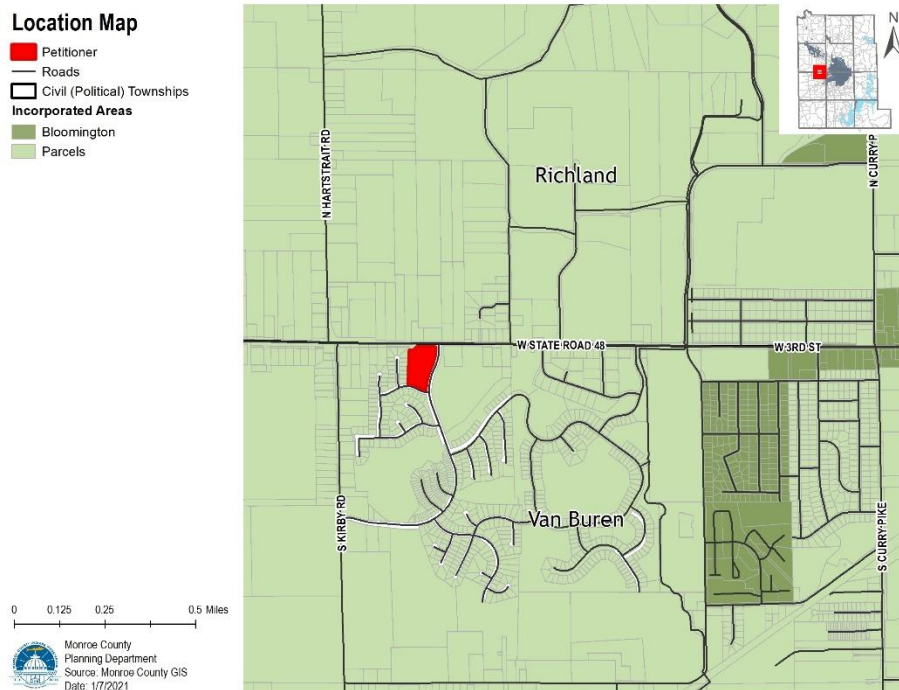
Landscaping isn’t specified within the PUD meaning the standards would be defined by Chapter 830 of the Zoning Ordinance. Landscape Easements along both Fieldstone Boulevard and Stoneview Way were granted to the Fieldstone Homeowner’s Association for landscaping and maintenance and for the sign at the entrance to the Fieldstone development. The following table outlines the current standard and the proposed changes.

Buffer Type	Ch. 830 Standard	Proposed Standard
North	Streetscape required	Not specified

(High Intensity Use > W State Rd 48)		
East (HIU > Medical Clinic) = C	Minimum landscaped yard of 15' – or – 315' D Value Required per 100 Linear Feet of Property Line or Right-of-Way	Proposed no bufferyard
West (HIU > SFR) = D	Minimum landscaped yard of 20' – or – 420' D Value Required per 100 Linear Feet of Property Line or Right-of-Way	Proposed “ <i>Buffer Yard required along west line of parcel only</i> ”
South (HIU > SFR) = D	Minimum landscaped yard of 20' – or – 420' D Value Required per 100 Linear Feet of Property Line or Right-of-Way	Proposed “ <i>No Buffer Yard required along south line of property due to the presence of the existing picnic and small park area. The Van Buren Township Trustee desires this existing amenity to be open to the neighborhood and not screened behind landscaping</i> ”.

LOCATION MAP

The petition site is located in Van Buren Township, section 2, and has not been assigned an address. The parcel number is 53-09-02-200-001.001-015. The petition site, “Parcel L”, is located with frontage on W State Road 48, S Fieldstone Blvd and W Stoneview Way, on the southwest corner of the intersection at W State Road 48.



ZONING AND ADJACENT USES

“Parcel L” is zoned as a Planned Unit Development (PUD) and is part of the Fieldstone PUD. The parcel is undeveloped and vacant. The PUD designated Parcel L as Limited Neighborhood Business Park. Exhibit 5 illustrates the PUD from the original PUD Outline Plan Map. The adjacent uses are an Assisted Living/Skilled Nursing Facility and single-family residential.

The adjoining properties are all within the Fieldstone PUD zone, with the exception of Estate Residential

1 (RE1) to the north. The Fieldstone PUD designated uses in the PUD. Adjacent to Parcel L, these designated uses are Institutional to the east and Single-Family Detached to the south and west. The table below lists the Zoning Districts where the proposed uses would be permitted after site plan approval by the Plan Commission or Administrator.

Use	Permitted Zones
Agricultural Uses, Non-Animal Related	AG/RR, FR, CR
Community Center	LB, GB
Government Facility	AG/RR, FR, CR, ER, LR, MR, HR, UR, LB, HI, IP

SITE CONDITIONS

“Parcel L” is currently undeveloped and contains no existing structures. Access is proposed to be derived from S Fieldstone Blvd. There are two existing driveway cuts – both point of access have approved driveway permits. CBU has sanitary and water systems in the Fieldstone Subdivisions. There is no known karst on the property. The property is located within a “critical watershed”, called Cave Creek.



INFRASTRUCTURE AND ACCESS

Access to Parcel L is derived from S Fieldstone Blvd. S Fieldstone Blvd is designated as a Local Road in the Thoroughfare Plan. Storm water detention was provided for the entire PUD within the regional detention basin. Utility service lines (sewer, water, gas, electric, phone) were stubbed to the property in anticipation of development. Two driveway cuts are existing along S Fieldstone Blvd. The safety of the driveways will be reviewed by the Highway Dept. if the Development Plan stage is reached.

SITE PICTURES



Figure 1. Pictometry photo from April 2020, looking north.



Figure 2. North property line along W SR 48, looking west.



Figure 3. Looking north along S Fieldstone Blvd at 1 of 2 driveway cuts shown.



Figure 4. Looking south along S Fieldstone Blvd at 2 of 2 driveway cuts.



Figure 5. Looking west at the petition site.

COMPREHENSIVE PLAN DISCUSSION – PHASE I

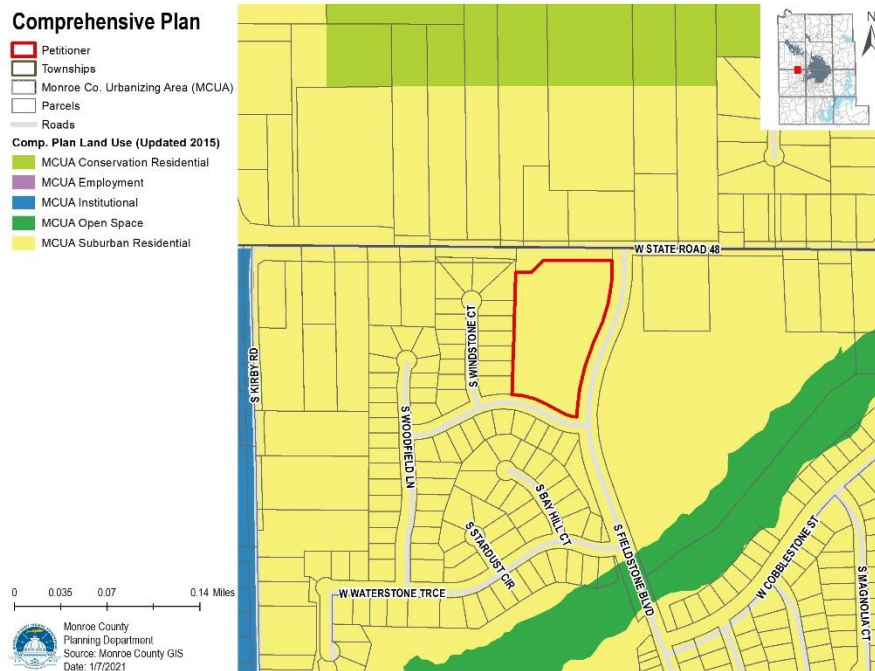
The petition site is located in the **Suburban Residential** districts on the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan. Points that align with the proposed PUD outline plan are highlighted in **green**. Points that differ from the MCUA districts are highlighted in **grey**.

Suburban residential includes existing low density single-family subdivisions and isolated multi-family apartment complexes. Different housing types are typically segregated, with multiple buildings having a similar or identical appearance. This development type is not recommended for extensive application beyond existing or currently planned developments. In some locations, it may be appropriate to extend this development pattern if it is directly adjacent to existing Suburban Residential subdivisions as an appropriate way to coordinate with those neighborhoods. However, the Conservation Community land use category offers a more appropriate alternative to the conventional suburban subdivision that balances the desire for non-urban living while also preserving rural character. The following guidelines should be considered if new suburban-style developments are approved; they also provide considerations for potential retrofitting of public infrastructure within existing neighborhoods.

Transportation

Streets

Suburban residential subdivisions are auto-oriented by design. To the extent possible, this approach to residential development should be de-emphasized within the Urbanizing Area to prevent continued expansion of isolated “leapfrog” subdivisions and sprawl development patterns that require continued reliance on the automobile. **New Suburban Residential streets should be designed to encourage interconnectivity to and through the neighborhood and to surrounding subdivisions.** Cul-de-sacs should be discouraged unless necessary due to topographic or environmental constraints. Streets are typically designed with curb and gutter, but may also be designed to accommodate surface runoff with open street-side swales or ditches.



Bike, Pedestrian, and Transit Modes

Sidewalks and/or shared use paths should be provided on all streets, with connections to larger pedestrian and bicycle systems. Sidewalk retrofits in existing subdivisions should be considered after thorough consultation with and support from existing residents. Given their remote location and low-density development pattern, opportunities to serve Suburban Residential neighborhoods with public transportation are limited. Expansion opportunities for Rural Transit routes should be explored, with pick-up locations considered near entries to subdivisions.

Utilities

Sewer

New development should be served by the public sewer system. Localized package systems for individual residential subdivisions should be discouraged. Retrofit and tie-ins should be encouraged for older neighborhoods on septic.

Power

Overhead utility lines should be buried within subdivisions. Where possible, existing overhead lines along arterial frontages should also be buried.

Communications

Communications needs will vary within the suburban residential developments, but upgrades to infrastructure should be a key consideration for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate communications capacity.

Open Space

Park Types

Many of the older suburban subdivisions in the Urbanizing Area were developed without dedicated open space. New developments, such as Stone Chase, include platted open space reserves; these generally function to preserve natural features such as streams and tree stands, or to provide space for stormwater retention ponds. However, subdivisions are not currently required to provide usable park space, with the exception of voluntary cluster subdivisions. All new residential subdivisions should be designed to include neighborhood parks and/or greenways as a community amenity.

Urban Agriculture

Private residential gardens and local community gardens should be encouraged within commonly maintained open space areas or via conversion of undeveloped lots in established neighborhoods.

Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Local streets may be lighted, but lighting may not be necessary in all low-density subdivisions.

Street/site furnishings

Suburban residential neighborhoods typically have few street furnishings beyond street lamps.

Development Guidelines

Open Space

A minimum of 5% of total site area for new developments should be set aside for publicly accessible and usable open space areas. Open spaces may be designed as formal park settings or informal, naturalized reserve areas. Natural areas should be accessible with trails or paths where appropriate. If not accessible, additional open space area should be provided. Likewise, open space areas may include stormwater management features, but should not be dominated by large retention ponds with no additional recreational space.

Parking Ratios

Parking for single-family homes is typically accommodated on individual lots. On-street parking should also be permitted.

Site Design

Reverse frontage lots should be avoided. Homes should not back onto arterial or collector streets.

Building Form

Modern suburban single-family construction has trended in two directions: either overly simplified (e.g. blank, windowless side facades) or overly complex (e.g. complicated building massing and roof forms). Homes should have recognizable forms and detailing appropriate to the architectural style, with an emphasis on “four-sided architecture”. Garages doors should not dominate the front facade; ideally garages should be set back from the front facade and/or side-loaded.

Materials

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and Exterior Insulated Finishing Systems (EIFS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

Private signs

Subdivision entry signs should be integrated into high-quality landscape designs.

COMPREHENSIVE PLAN DISCUSSION – PHASE II

Gateway West (G1)

This district includes properties with frontage along major roadway corridors on the west side of the Urbanizing Area, in locations that serve as important areas of transition between the Urbanizing Area and adjacent jurisdictions, most notably the City of Bloomington as well as the Town of Ellettsville. This district is primarily intended to implement the vision for new mixed use development and redevelopment in the Third Street Corridor and North Park focus areas of the Urbanizing Area Plan, as well as other mixed use nodes identified in the land use plan.

Proposed Zoning Map (2016)

- Petitioner
- Parcels
- Roads
- Proposed Zoning**
- G1 - Gateway West
- N2 - Neighborhood Development

0 0.02 0.04 Miles

Monroe County
Planning Department
Source: Monroe County GIS
Date: 1/8/2021



PUD REVIEW CONSIDERATIONS

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

- (a) The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.

Findings:

- The MCUA Phase I plan designates the petition site, Parcel L, as Suburban Residential which are intended for primarily residential uses;
- The MCUA Phase II plan designates that site as “Gateway West”, which encourages mixed-use and mixed residential uses;
- The current zoning is Planned Unit Development (PUD);
- The current approved uses for Parcel L from the 1994 PUD approval are Limited Neighborhood Business Park/neighborhood serving retail services;
- The specific allowable uses include: Convenience Store, Day Care, Gift Shop, Retail Bakery, Drug Store, Personal Service, Arts and Crafts, Dairy Products, Floor Shop, Grocery, and Meats;
- The petitioner requests to add the uses “Governmental Facility”, “Community Center”, and “Agriculture Uses, Non-Animal Related” from Chapter 802 to the list of permitted uses on Parcel L;

- (b) The extent to which the proposal departs from zoning and subdivision regulations such as density, dimension, bulk, use, required improvements, and construction and design standards.

Findings:

- The petitioner is requesting to clarify development standards for Parcel L, including amended landscaping requirements;
- The proposed standards are as follows:
 - Front yard setback from a Principal Arterial (W State Road 48) under current County Zoning standards are 50’ from ROW line;

- Front yard setback **proposed** for structures and parking from a Principal Arterial (W State Road 48) is 50' from ROW line;
- Front yard setback **proposed** for structures and parking from a Local Road (S Fieldstone Blvd & W Stoneview Way) is 25' from the ROW line or from the existing landscape easement width, whichever is greater;
- Side yard setback **proposed** for structures and parking is 25' with 0' additional for each additional story;
- Minimum Open Space Area **proposed** is 20%;
- Maximum Height **proposed** is 35'
- The PUD Outline Plan Map shows bufferyard required along the south line of property;
- The petitioner **proposed** no bufferyard required along south line of property;
- See Findings under section A, regarding use;

(c) The extent to which the PUD meets the purposes of this Zoning Ordinance, the Comprehensive Plan, and other planning objectives. Specific benefits shall be enumerated.

Findings:

- See Findings under section A;
- The parcel is currently approved for commercial uses only;
- The proposed three (3) uses are not commercial uses;
- There are limited commercial retail opportunities in the immediate vicinity – where there are underserved high-intensity uses (Ivy Tech and offices in Park 48) to the north of W State Road 48;
- One of the purposes of the PUD, under Chapter 811, is to encourage a harmonious and appropriate mixture of uses;
- The PUD designated an institutional use on the larger property to the east (Parcel B) which is at present developed with an institutional use (assisted living/skilled nursing facility);

(d) The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.

Findings:

- Stormwater Drainage and Detention was designed and approved for the existing PUD;
- Said drainage and detention has experienced complications in this area;
- The Monroe County Stormwater MS4 Coordinator had identified the petition site to be located within a “critical watershed”, named Cave Creek;
- The petitioner has included no information regarding the drainage for Parcel L;

(e) The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.

Findings:

- The petitioner requests to add the uses “Governmental Facility”, “Community Center”, and “Agriculture Uses, Non-Animal Related” to the list of permitted uses on Parcel L;
- Parcel L is currently approved for commercial uses only;
- The other portions in the PUD are largely designated for residential purposes, with an institutional use on Parcel B (assisted living/skilled nursing facility);
- The adjacent uses to Parcel L are an Assisted Living/Skilled Nursing Facility and single-family residential;

- Ivy Tech Community College and the Cook Corporate Campus are also in the near vicinity;
- The petitioner is requesting to clarify development standards, including amended landscaping requirements;

(f) The desirability of the proposal to the County's physical development, tax base, and economic well-being.

Findings:

- See Findings under Section E;
- "Agriculture Uses, Non-Animal Related" is permitted in the following Chapter 802 zones after site plan approval by the Plan Commission or Administrator: AG/RR, FR, CR;
- "Community Center" is permitted in the following Chapter 802 zones after site plan approval by the Plan Commission or Administrator: LB, GB;
- "Government Facility" is permitted in the following Chapter 802 zones after site plan approval by the Plan Commission or Administrator: AG/RR, FR, CR, ER, LR, MR, HR, UR, LB, HI, IP
- Parcel L is currently approved for commercial uses only;

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

Findings:

- Access is derived from S Fieldstone Blvd;
- S Fieldstone Blvd is designated as a Local Road in the Thoroughfare Plan;
- No Traffic Study was submitted with this petition;
- All utilities are available to the petition site;

(h) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.

Findings:

- Open space has been dedicated through the 1994 PUD – there is 5.7 acres of open space owned by Fieldstone Community Assoc. Inc in the PUD;
- There is no known karst on the property;
- Parcel L is 4.49 acres in size;

(i) The proposed development is an effective and unified treatment of the development possibilities on the site.

Findings:

- The current approved uses for Parcel L from the 1994 PUD approval are Limited Neighborhood Business Park/neighborhood serving retail services;
- The proposed use does not appear to meet the original intention of the PUD to have a commercial retail option adjacent to W State Road 48.

EXHIBIT 1: Letter of Consent from Owner

November 30, 2020

To whom it may concern:

I, Sam Schmidt for Indiana Performance Properties, LLC, do hereby authorize Van Buren Township and its assignees to file a petition seeking zoning and site plan approvals for governmental offices, community gathering space and a community garden for property I own in Bloomington, Indiana with legal description of Fieldstone PT1/2 NW2-8-2W 4.49 acres; Plat 57.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Schmidt", with a stylized, cursive script.

Sam Schmidt, Managing Member
Indiana Performance Properties, LLC

EXHIBIT 2: Petitioner Outline Plan Statement

Petitioner's Statement

Parcel L

Location

The site is located at the SW corner of the intersection of Fieldstone Boulevard and W. State Road 48.

Property

The property is approximately 4.37 acres in size and is a separate parcel remaining from platted subdivision and road right-of-way area.

PUD Zoning and Background

The Wiley Farm PUD (Fieldstone) zoning was approved by the City of Bloomington in 1994. The parcel in questions, Parcel L, was identified in the PUD as a parcel for a limited neighborhood business park on approximately 3.8 acres.

Permitted uses on the parcel included: Convenience store, day care, gift shop, retail bakery, drug store, personal services, arts and crafts, dairy products, floor shop, grocery and meats. The site was limited to a maximum building area of 30,000 sf with no use containing more than 10,000 sf. A buffer mound was to be included along the west side of the development area adjacent to the single family residences.

Access to the site was permitted directly to the internal streets. Two driveways were constructed along Fieldstone Boulevard to access the site.

Landscape Easements along both Fieldstone Boulevard and Stoneview Way were granted to the Fieldstone Homeowner's Association for landscaping and maintenance and for the sign at the entrance to the Fieldstone development.

Setbacks for Parcel L were not enumerated as was done within residential parcels of the development as they were not noted as being unique from the City's commercial zoning districts.

Storm water detention was provided for the entire PUD within the regional detention basin. Utility service lines (sewer, water, gas, electric, phone) were stubbed to the property in anticipation of development.

Outline Plan Amendment Proposed

The proposed amendment to the Outline Plan is to add a Governmental Facility (Van Buren Trustee Office), Community Center and Agriculture Uses, Non-Animal Related (Community Garden) to the list of approved uses for Parcel L. This will permit Van Buren Township Trustee to develop and operate on the site. An illustrative site plan showing how the site may be developed has been included with the application materials.

For clarification, the setbacks to be used on this site, since not specifically enumerated in the original PUD will be as follows:

Minimum Lot Area = None

Minimum Lot Width at Building Line = 60' Front yard Building / Parking (SR 48) = 50' from the R/W line
Front yard Building / Parking (Fieldstone Blvd.) = 25' from the R/W line

Front yard Building / Parking (Stoneview Way) = 25' min from the R/W line or existing landscape easement width, whichever is greater

Side yard Building / Parking (adjacent to residential) = 25' Additional Side Yard Setback for each Additional Story = 0' Type C

Buffer Yard required along west line of parcel only

No Buffer Yard required along south line of property due to the presence of the existing picnic and small park area. The Van Buren Township Trustee desires this existing amenity to be open to the neighborhood and not screened behind landscaping.

Minimum Open Space = 20%

Maximum Building Height = 35'

Maximum Floor Area Ratio = 1.5

Construction Schedule

Assuming a Development Plan Approval at the Plan Commission, Van Buren Township intends to begin construction in the Summer of 2021.

EXHIBIT 3: Neighborhood Meeting Notes

Van Buren Township Trustees

Neighborhood Meeting Summary

A neighborhood meeting was held at 7:00 pm on November 16, 2020 on Zoom. Emails were sent to immediate adjacent property owners. The Fieldstone HOA also sent notices to all within the Fieldstone HOA informing them of the meeting. Approximately 15 people were in attendance.

Chris Cockerham from F.C. Tucker Commercial, petitioner's representative, started the meeting and introduced Rita Barrow, Van Buren Township Trustee, to explain the project and the petition to be presented to the Monroe County Commissioners.

1. If this area is annexed into the City, will this change anything with the Township?
 - a. *Rita – Nothing will change with Township, all current residents of Van Buren Township will remain a part of Van Buren.*
2. Will Taxes go up?
 - a. *Rita – Taxes will not increase. The Township currently has the fund to complete this project.*
3. Question to Rita to explain the new Fire District and how it works.
 - a. *The district is the area in the rural areas of Monroe County: Clear Creek, Indian Creek, Perry, Van Buren, and Bloomington. Benton and Washington are looking to join in the future.*
4. Are there any sketches or drawings of the project?
 - a. *No, the first step is ask the commissioners to add the intended uses to the PUD.*
5. How will this project increase traffic?
 - a. *Rita – this will not increase traffic. Currently, the Trustee's offices are open by appointment only.*
6. Is there going to be sight line issue at the entrance to the project?
 - a. *Rita-we will make note of your concern as we design the project.*
7. Asked Van Buren to consider adding trees, landscaping, fencing and low level lighting along areas for houses boarding the property.
 - a. *Rita, Yes – we will consider these items in the design of the project.*
8. Where will the entrance of the property be?
 - a. *Rita-We are yet design the project and as we design the project you will have an opportunity to preview and comment.*
9. Will you use both driveway cuts into the property?
 - a. *Rita-yes, we will work to incorporate both into the project.*

Comments made by the Fieldstone HOA members:

We like this use for the property

We do not like the current permitted uses and would prefer this use

The community garden and community building will be good for the area and local residents

EXHIBIT 4: Petitioner Site Plan – Parcel L

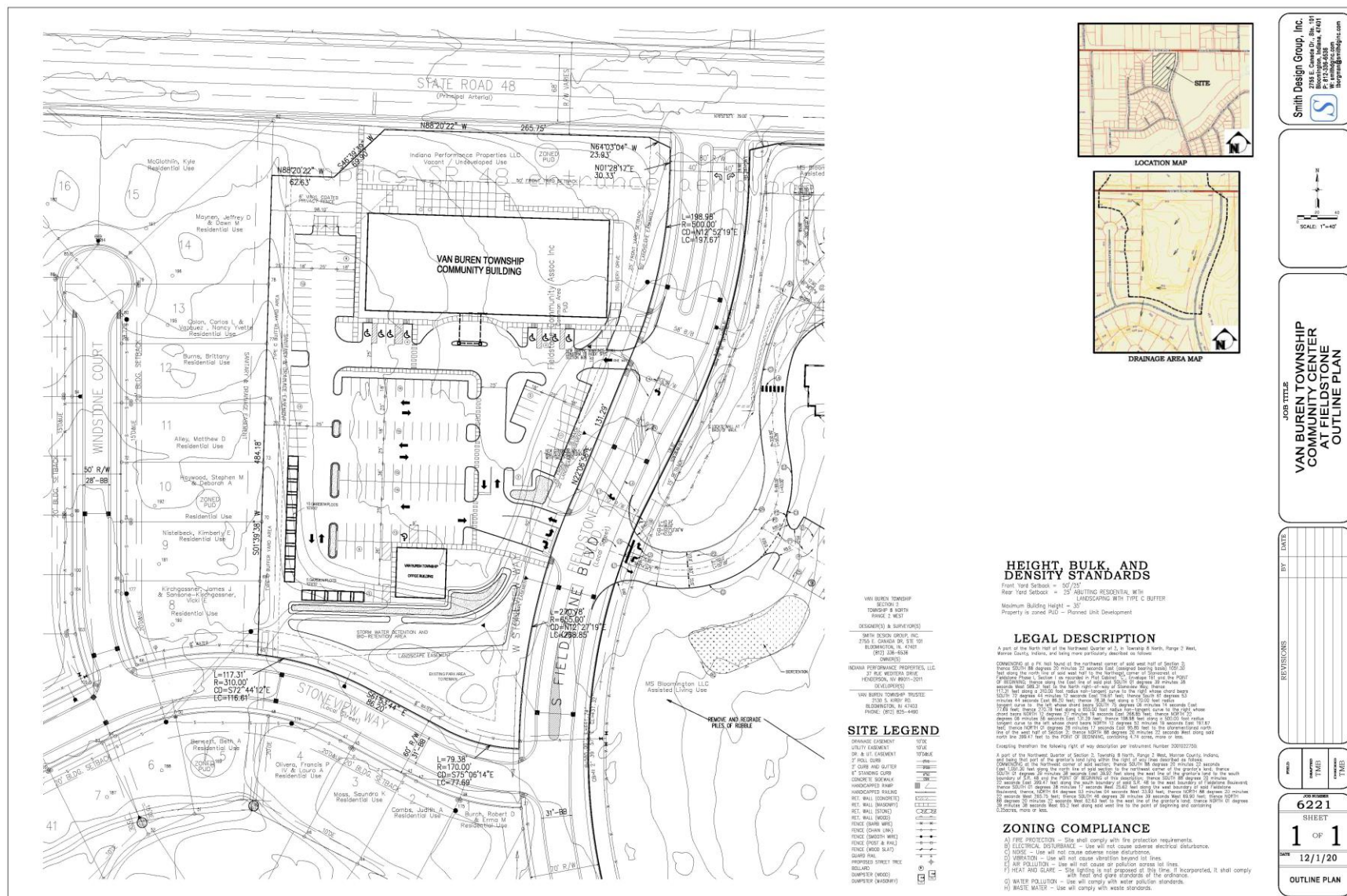
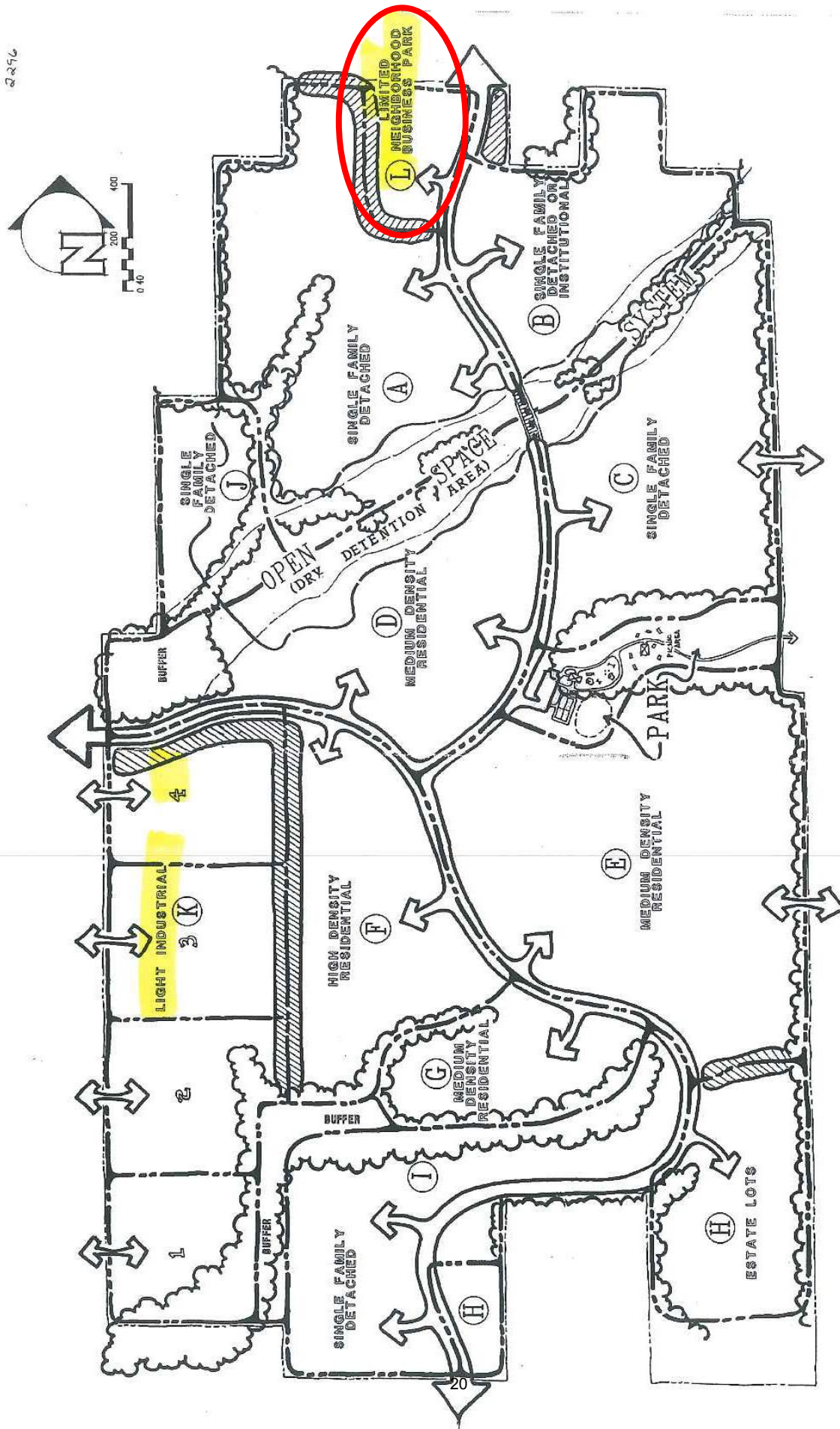


EXHIBIT 5: Fieldstone PUD Outline Plan Map

2256



MONROE COUNTY PLAN REVIEW COMMITTEE**January 14, 2021**

CASE NUMBER 2012-PUO-06
PLANNER Rebecca Payne
PETITIONER White Oak Endeavors, LLC
c/o Daniel Butler, Bynum Fanyo & Associates, Inc.
Michael Carmin, Carmin Parker, PC
REQUEST White Oak - Planned Unit Development Outline Plan
ADDRESS 4691 S Victor Pike
ACRES 44.07 +/-
ZONE RE1
TOWNSHIP Perry
SECTION 20
PLATS Unplatted
COMP PLAN MCUA Mixed Residential
DESIGNATION

EXHIBITS

1. Written Statement & Outline Plan
2. Conceptual Site Plan
3. Remonstrance Letters

PUBLIC MEETING OUTLINE (subject to change):

1. Plan Review Committee – January 14, 2021
2. Plan Commission Administrative – February 2, 2021
3. Preliminary Hearing – Plan Commission Regular Session – February 16, 2021
4. Plan Commission Administrative - March 2, 2021
5. Final Hearing – Plan Commission Regular Session – March 23, 2021
6. Final Decision – County Commissioners – TBD

RECOMMENDATION

Staff recommends **denial** based on the findings of fact and subject to the Monroe County Highway Department & Drainage Engineer reports.

Staff Concerns –

- This project could involve a rezone to a County zone such as Medium Density Residential or High Density Residential to achieve a similar outcome (paired patio homes and detached single family residences). The petitioner requests flexibility to create connected townhomes but is not committing under the proposed outline plan.
- This does not include any commercial uses and is a rezone to include higher density that could be achieved under a county zone. Staff does not support the creation of Planned Unit Developments unless the request is truly mixed use.

SUMMARY

The petition site is comprised of a 44.07 +/- acre property located in Section 20 of Perry Township at 4691 S Victor Pike. The petitioner is requesting to amend the zoning map from Estate Residential 1 (RE1) to a new Planned Unit Development called “White Oak”. The PUD outline is proposing a mix of housing types that include single family homes, paired homes and 4-plex/ROW/town homes. The petitioner states in their written outline plan (Exhibit 1) that this development “solves the problem [of families] in Bloomington/Monroe County who are struggling for attainable middle-class housing by providing families having various income levels with an affordable neighborhood where they can flourish with numerous parks, ample green space and access to the two most popular trails and outdoor features in Monroe County”.

The development includes two ingress/egress points at S Victor Pike as well as one connection to Clear Creek Trail and one connection to Bloomington Rail Trail. The petitioner states that the development will be built in three phases over seven years (Spring 2021 – Summer 2028). Approval of this outline plan amendment will amend the zoning map and allow for single and multi-family residential development.

LOCATION MAP

The petition site is located in Perry Township, Section 20 addressed as 4691 S Victor Pike (parcel number: 53-08-20-400-102.000-008).

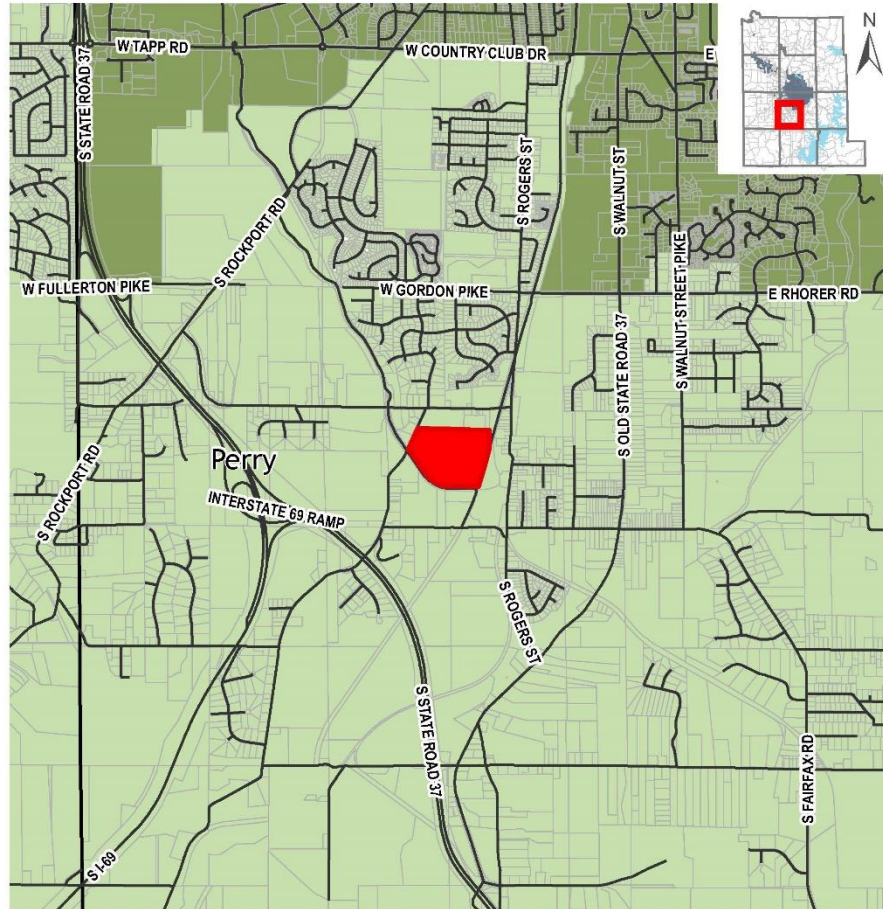
Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Incorporated Areas**
- Bloomington
- Parcels

0 0.25 0.5 1 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 1/6/2021



CURRENT ZONING/ADJACENT USES

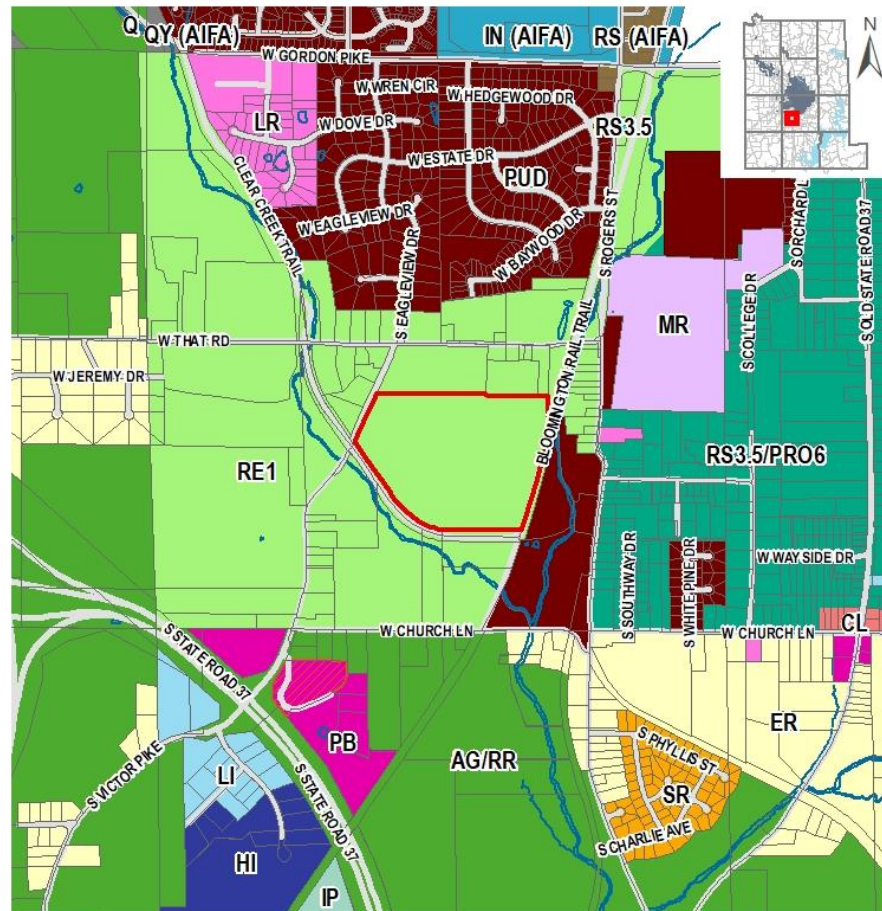
The petition site is zoned Estate Residential 1 (RE1) and contains an existing single family home with two residential accessory structures and an in-ground pool.

Chapter 833 defines the Estate Residential 1 (RE1) as:

Estate Residential 1 (RE1) District. The intent of this district is to accommodate large lot (1 acre lot sizes), estate type residential uses in a rural environment along with limited compatible agricultural uses. It is meant specifically to:

- A. Accommodate those persons who desire estate type living.
- B. Maintain a pattern of growth that is consistent with the cost-efficient provision of urban services to promoted compactness in the city structure.
- C. Provide for development in a rural setting not necessarily requiring urban utilities.
- D. Provide for limited compatible agricultural uses.

Current Zoning Map



Adjacent property zoning and uses are:

- **North:** Estate Residential 1 (RE1), Use(s): Privately owned – Lighthouse Christian Academy, Inc
- **Northeast:** Estate Residential (RE1) Use(s): Privately owned – SFRs
- **East:** Planned Unit Development (PUD) CR, LLC, Use(s): Parcel within this PUD that is immediately adjacent to petition site is vacant
- **South/Southeast:** Estate Residential 1 (RE1), Use(s): Privately owned – SFRs
- **West/Northwest:** Estate Residential (RE1), Use(s): Privately owned – SFRs.

DESIGN STANDARDS COMPARISON

Staff reviewed both existing design standards associated with the petition site and the proposed design standards. The petition site will be subdivided, therefore Lot Area Requirements will be applicable. Note that this is a way to compare to other surrounding density, but does not mean that the development will utilize the entire acreage of each area since there is a requirement that 25% of the acreage be set aside as open space.

Requirements	Ch 833 RE1	Ch 804 MR	Proposed PUD				
			Area A	Area B	Area C (Option #1)	Area C (Option #2)	Area D
Lot Area Requirements							
Gross Density	1 unit/ acre	4.80 (dwell ings/a cre)	5.29 (dwellings /acre)	3.81 (dwellings/acre)	4.70 (dwellings/acre)	4.70 (dwellings/acre)	4.86 (dwellings/acre)
Min. Lot Area	43,560 (sq. ft.)	0.21	0.14 acres	0.22 acres	0.16 acres	0.16 acres	0.16 acres
First Dwelling Unit	43,560	N/A	N/A	N/A	N/A	N/A	N/A
Min. Lot Width (feet)	100	60	50	50	50	50 (Note 1)	50
Max. Height (feet)	45	35	30	30	30	40	30
Yard and Open Space Requirements							
Min. Side Yard (Structures) (feet)	20	5 (or 0' side)	5 (excludes zero lot lines)	5	5	5 Excludes zero lot lines	5
Min. Rear Yard (Structures) (feet)	50	10	20	20	20	20	20
Add. Side Yard for each add. Story (feet)	4	N/A	N/A	N/A	N/A	N/A	N/A
Min. Open Space (percent)	80	40%	25 (entire PUD)	25 (entire PUD)	25 (entire PUD)	25 (entire PUD)	25 (entire PUD)
Special Notes	N/A	N/A	- Min Lots size for paired patio home is 0.28 Acre - Zero setback lots lines required for shared walls	- Community access to trails and green space - Size subject to market demand	- Higher density to maximize use of land adjacent to trails and immediate trail access - Phase 3 may have walkout basements	- Zero setback lot lines required for shared walls - Note 1: For connected townhome min lot width of 35ft may change lot min and averages - Phase 3 may have walkout basements	- Phase 3 may have walkout basements
Setbacks from Centerline							
S Victor Pike, Minor Collector			20'	20'	20'	20'	20'

LANDSCAPING

The petitioner lists the following regarding proposed landscaping requirements:

- A tree will be provided a minimum of every 50 ft or every lot location whichever is greater.
- Buffer yards are not planned to be installed along the north and south property lines. Type D buffer yards may be established on the East side.
- Protective covenants will be adopted to ensure homeowner association maintenance and preservation of dedicated green space, parks and amenity space.
- Existing, mature, specimen quality trees located in the development will be preserved, subject to tree removal only as required within the building footprint of a home site. It is not expected that home sites will require the removal of any mature trees given the current land makeup and neighborhood design.
- When developing parks and open space the design will take into consideration the existing landscaping and leverage it while making the space more usable.

PARKING

The petitioner states the following related to parking:

- Parking will be allowed both in the individual lots (driveways) and on neighborhood streets.
- The Neighborhood covenant will dictate specifics around the on-street parking related to time of day and seasonal restrictions.
- Each housing option will require a 2 car garage.

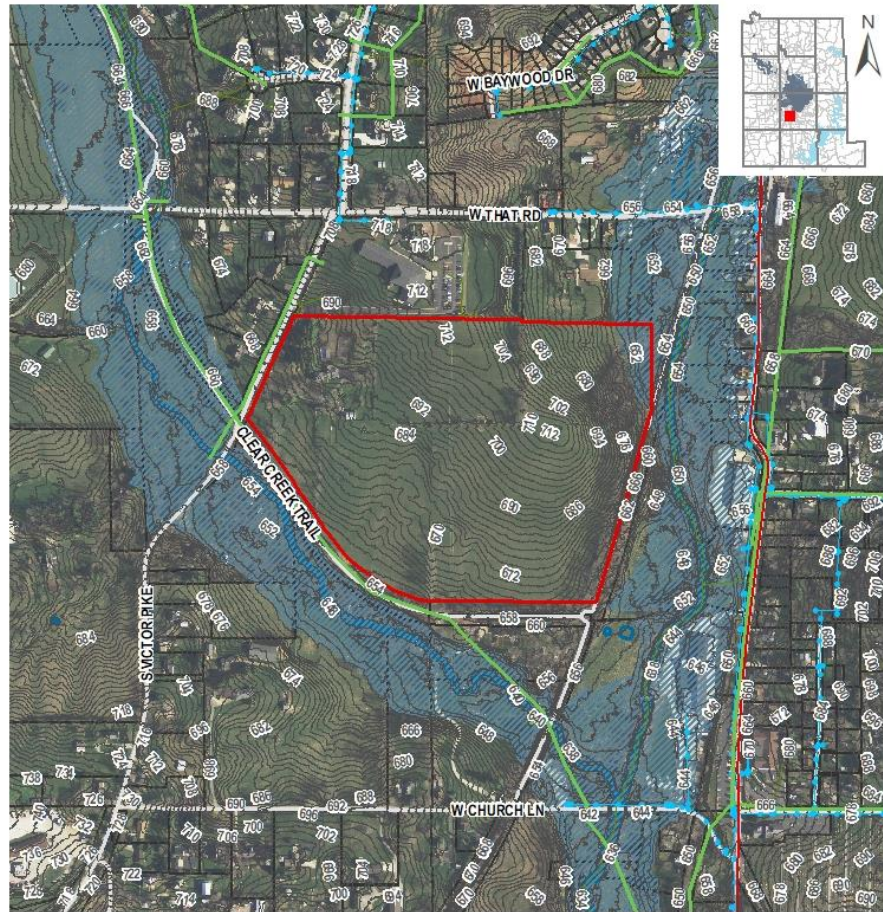
SITE CONDITIONS

Site Conditions Map

- Minor Collector [60']
- ▭ Petitioner
- Sanitary Pipe
- Water Pipe
- Storm Water
- 2-Foot Contours
- Local Roads [50']
- ▨ FEMA Floodplain
- Hydrologic Features
- ▭ Parcels

0 0.045 0.09 0.18 Miles

Monroe County
Planning Department
Source: Monroe County GIS
Date: 1/7/2021



INFRASTRUCTURE AND ACCESS

The petitioner lists the following with respect to proposed and existing infrastructure/facilities available on the petition site:

- **Roads:** The project will be served by S Victor Pike (existing minor collector)
- **Sidewalls:** Sidewalks will be installed at the right-of-way line 5 feet off the street with a minimum 4 foot sidewalk width and on at least one side of each interior street. Neighborhood sidewalks will connect with the trail access ways so that easy access between the neighborhood and the trails is afforded to walkers/runners/bicyclists.
- **Sanitary Sewers:** The project will be served by City of Bloomington Utilities
- **Stormwater Management:** The neighborhood HOA will have the authority and responsibility to manage stormwater detention areas
- **Water Supply System:** Water will be provided by Southern Monroe Water Corporation
- **Street Lighting:** No new lighting is proposed for interior streets
- **Public Utilities:** CBU will provide sewer and water

The site has frontage along S Victor Pike. Petitioner proposes two access points from S Victor Pike. The petitioners also propose one connection point to the Rail Trail that runs parallel to the site on the east side and one connection point to Clear Creek Path that runs along the southern portion of the site.

SITE PICTURES



COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the **Mixed Residential** district of the Monroe County Comprehensive Plan. The immediate surroundings are Mixed Residential and Open Space.

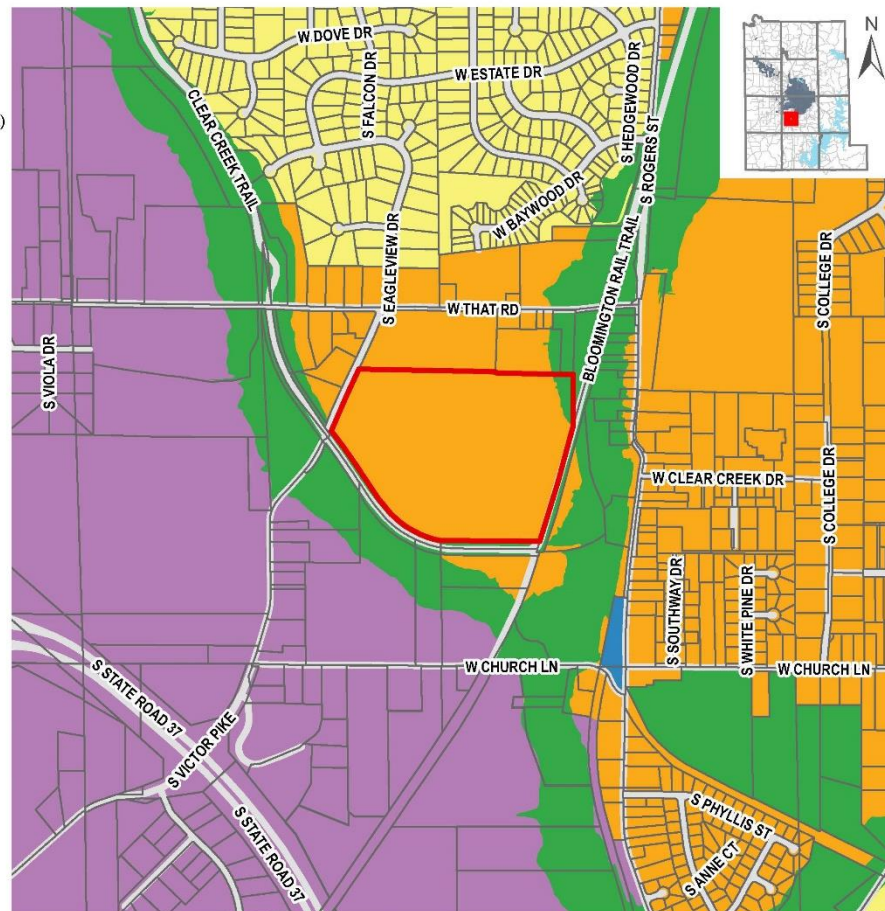
Comprehensive Plan

- Petitioner
- Townships
- Monroe Co. Urbanizing Area (MCUA)
- Parcels
- Roads
- Comp. Plan Land Use (Updated 2015)**
 - MCUA Employment
 - MCUA Institutional
 - MCUA Mixed Residential
 - MCUA Mixed Use
 - MCUA Open Space
 - MCUA Suburban Residential
- Bloomington Growth Policies Plan**
 - Conservation Residential
 - Urban Residential

0 0.075 0.15 0.3 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 1/6/2021



The proposed use of mixed use multi-family and commercial is not entirely consistent with the MCUA mixed residential district. Nearly the entire buildable portion of the petition site is zoned as MCUA Mixed Residential which specifically supports new housing types adjacent to other mixed-use or commercial areas. Listed below are the design standards for the MCUA Mixed Residential district. Points that align with the proposed PUD outline plan are highlighted in **green**. Points that differ from the MCUA districts are highlighted in **grey**.

Monroe County Urbanizing Area: Mixed Residential

*Mixed residential neighborhoods accommodate a wide array of both **single-family and attached housing types**, integrated into a cohesive neighborhood. They may also include neighborhood commercial uses as a local amenity.*

These neighborhoods are intended to serve growing market demand for **new housing choices** among the full spectrum of demographic groups. Residential buildings should be **compatible in height** and overall scale, but with **varied architectural character**. These neighborhoods are often located immediately adjacent to mixed-Use districts, providing a residential base to support nearby commercial activity within a **walkable or transit-accessible distance**.

- **Transportation**

- *Streets*

Streets in mixed residential neighborhoods should be designed at a pedestrian scale. Like mixed-Use districts, the street system should be interconnected to form a block pattern, although it is not necessary to be an exact grid. An emphasis on multiple interconnected streets which also includes alley access for services and parking, will minimize the need for collector streets, which are common in more conventional Suburban residential neighborhoods. Cul-de-sacs and dead-ends are not appropriate for this development type. Unlike typical Suburban residential subdivisions, mixed residential development is intended to be designed as walkable neighborhoods. Most residents will likely own cars, but neighborhood design should de-emphasize the automobile.

- *Bike, pedestrian, and Transit modes*

Streets should have sidewalks on both sides, with tree lawns of sufficient width to support large shade trees. Arterial streets leading to or through these neighborhoods may be lined with multi-use paths. Neighborhood streets should be designed in a manner that allows for safe and comfortable bicycle travel without the need for separate on-street bicycle facilities such as bike lanes. As with mixed-Use districts, primary streets in mixed residential neighborhoods should be designed to accommodate transit.

- **Utilities**

- *Sewer and water*

The majority of mixed residential areas designated in the land Use Plan are located within existing sewer service areas. Preliminary analysis indicates that most of these areas have sufficient capacity for additional development. Detailed capacity analyses will be necessary with individual development proposals to ensure existing infrastructure can accommodate new residential units and that agreements for extension for residential growth are in place.

- *Power*

Overhead utility lines should be buried to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

- *Communications*

Communications needs will vary within mixed residential neighborhoods, but upgrades to infrastructure should be considered for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate capacity.

- **Open space**

- *Park Types*

Pocket parks, greens, squares, commons, neighborhood parks and greenways are all appropriate for mixed residential neighborhoods. Parks should be provided within a walkable distance (one-eighth to one-quarter mile) of all residential units, and should serve as an organizing element around which the neighborhood is designed.

- *Urban Agriculture*

Community gardens should be encouraged within mixed residential neighborhoods. These may be designed as significant focal points and gathering spaces within larger neighborhood parks, or as dedicated plots of land solely used for community food production.

- **Public Realm Enhancements**

- *Lighting*

Lighting needs will vary by street type and width but safety, visibility and security are important. Lighting for neighborhood streets should be of a pedestrian scale (16 to 18 feet in height).

- *Street/Site furnishings*

Public benches and seating areas are most appropriately located within neighborhood parks

and open spaces, but may be also be located along sidewalks. Bicycle parking racks may be provided within the tree lawn/ landscape zone at periodic intervals.

- **Development Guidelines**

- *Open Space*

Approximately 200 square feet of publicly accessible open space per dwelling unit. Emphasis should be placed on creating well-designed and appropriately proportioned open spaces that encourage regular use and activity by area residents.

- *Parking Ratios*

Single-family lots will typically provide 1 to 2 spaces in a garage and/or driveway. Parking for multi-family buildings should be provided generally at 1 to 1.75 spaces per unit, depending on unit type/number of beds. On-street parking should be permitted to contribute to required parking minimums as a means to reduce surface parking and calm traffic on residential streets.

- *Site design*

Front setbacks should range from 10 to 20 feet, with porches, lawns or landscape gardens between the sidewalk and building face. Buildings should frame the street, with modest side setbacks (5 to 8 feet), creating a relatively continuous building edge. Garages and parking areas should be located to the rear of buildings, accessed from a rear lane or alley. If garages are front-loaded, they should be set back from the building face. Neighborhoods should be designed with compatible mixtures of buildings and unit types, rather than individual subareas catering to individual market segments.

- *Building form*

Neighborhoods should be designed with architectural diversity in terms of building scale, form, and style. Particular architectural themes or vernaculars may be appropriate, but themes should not be overly emphasized to the point of creating monotonous or contrived streetscapes. Well-designed neighborhoods should feel as though they have evolved organically over time.

- *Materials*

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

- *Private Signs*

Mixed residential neighborhoods should not feel like a typical tract subdivision. It may be appropriate for neighborhoods to include gateway features and signs, but these should be used sparingly and in strategic locations, rather than for individually platted subareas.

PUD REVIEW CONSIDERATIONS

811-6 Review Considerations

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

- (1) *The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.*

Findings:

- The Comprehensive Plan designates the property as MCUA Mixed-Residential and MCUA Open Space;

- The property is currently zoned RE1;
- The current permitted use of the site is residential;
- Adjacent properties are zoned RE1 and PUD;
- The petitioner is proposing 25% (10.74 acres) open space: of the 10.74 acres, 3.76 acres are usable, 3.77 acres are useable but with some limitations due to karst conservation areas and utility easements, the remaining acreage is drainage/detention areas. Chapter 811 states: “Permanent open space shall be defined as parks, playgrounds, landscaped green space, and natural areas, not including schools, community centers or other similar areas in public ownership.”

(2) *The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.*

Findings:

- See Findings (1);
- The stated purpose of Planned Unit Developments are as follows:
 - Reflect the policies of the Comprehensive Plan specific to the neighborhood in which the PUD is to be located; **This proposal appears to align with the policies of the Comprehensive Plan in this area (see above). However, no mixed use commercial amenities are being provided.**
 - Provide substantial buffers and transitions between areas of different land use and development densities; **the layout of zones A, B, C, & D guides the transition of density. However, it is possible that connected townhomes could be located between single family homes as currently proposed under 1 phase. Staff would prefer more decisive and consistent request for housing types by zone.**
 - Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces; **They are preserving the minimum open space required. The open space being preserved is constrained due to existing environmental conditions.**
 - Counteract urban monotony and congestion on streets; **They have proposed three potential housing types. However, they have made it possible to only include only detached single family residential structures in all of the zones as staff interprets the current outline plan.**
 - Promote architecture that is compatible with the surroundings; **They have not provided architectural standards.**
 - Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; **It is possible that different housing types will be immediately adjacent given how the outline plan is written.**
 - Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area; **Staff finds that the environmental conservation borders the minimum needed to meet the terms of the PUD ordinance.**
 - Effectuate implementation of the Comprehensive Plan. **The request for smaller lot sizes and varied housing types near a trail meets the comprehensive plan for this area.**
- The petitioner is **not** meeting one of the requirements for open space – “If the Outline Plan provides for the Planned Unit Development to be constructed in stages, open space must be provided for each stage of the Planned Unit Development in proportion to that stage.” The open space is primarily located in Area D

(3) *The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension,*

bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.

Findings:

- See Findings (1) and (2);
- Multi-family is not currently permitted within the RE1 zoning districts;
- The site has a proposed minimum lot area requirement of 0.14 acres;
- The site has a proposed minimum gross density of 5.29 units/acre;
- The site has a proposed minimum lot width at building line of 50 feet;
- The proposed building heights are compatible with the current zoning districts;

(4) *The proposal will not be injurious to the public health, safety and general welfare*

Findings:

- **See Findings 1-3 above;**

(5) *The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.*

Findings:

- Staff will be reviewing a development plan if approved;
- The petition site will be subdivided and the management of common areas will remain under the control of a Homeowner's Association (HOA) that will be formed as part of the subdivision process;
- The petitioner is proposing 25% (10.74 acres) open space: of the 10.74 acres, 3.76 acres are usable, 3.77 acres are useable but with some limitations due to karst conservation areas and utility easements, the remaining acreage is drainage/detention areas. Chapter 811 states: "Permanent open space shall be defined as parks, playgrounds, landscaped green space, and natural areas, not including schools, community centers or other similar areas in public ownership."

(6) *The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.*

Findings:

- See Findings (1), (3) & (5);
- The petitioner states in their written statement (Exhibit 1) that the development is designed to provide a mix of housing options;
- The proposed PUD outline plan would connect to two trails as well as provide access via a trail to an MCCSC elementary school (Clear Creek Elementary School);

(7) *The desirability of the proposal to the County's physical development, tax base, and economic well-being.*

Findings:

- See Findings under Section (6);
- The petitioner submitted design plans that are aesthetic in nature. In addition, the petitioner highlighted some potential benefits of this project:

- *Trail connections to the Rail Trail and Clear Creek Trail*
- *Fills a need for attainable middle-class housing*
- *Provides a mix of housing types*

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

Findings:

- See Findings under Section (5) & (6);
- Multiple road connections are proposed within the outline plan that will increase interconnectivity between the proposed neighborhood areas;
- The petitioner is proposing two points of access off S Victor Pike to serve the proposed PUD;
- A further review of traffic considerations will be reviewed at the Development Plan phase of the project by the Highway Department;

(9) *The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.*

Findings:

- The PUD outline plan has open space requirements that will be described legally as unbuildable;
- The petitioner states that 10.74 acres will serve as open space which is 25% of the total site acreage;
- Exhibit 1 states that the drainage/stormwater management areas will be managed by an HOA to be established during the subdivision process;
- Exhibit 1 states that street trees will be provided a minimum of every 50 ft or every lot location, whichever is greater and that there will be no buffer yard requirements along the north and south property lines. Type D buffer yards may be established on the east side.

WHITE OAK PUD OUTLINE PLAN

Housing

Similar to other locations in the USA, families in Bloomington/Monroe County are struggling for attainable middle-class housing. White Oak will help solve this problem and will provide families having various income levels with an affordable neighborhood where they can flourish with numerous parks, ample green space and access to the two most popular trails and outdoor features in Monroe County. Whether they commute 4 miles by bicycle to downtown or 40 miles by car to Crane, all residents will be able to enjoy the benefits of living in an environmentally connected neighborhood with its parks and trail accesses.

Phasing

Three phases are envisioned with roughly a third of the lots in each phase (40-50 homes each). The exact split will be determined by the geographic zones and housing type (see Appendix A). Phase 1 is planned as a 3-year buildout. Phases 2 and 3 are each estimated at 2.5 year buildouts.

- For Phase 1, assuming board approval in Spring, 2021, development will break ground in the Summer and the first lots will be constructed by Spring, 2022. Final lots will be developed by Spring, 2025.
- Phase 2 will likely have some development overlap with Phase 1. Assuming start of construction (utilities) of Phase 2 in Summer, 2024 and commencing home construction in Spring, 2025, development of Phase 2 is expected to be completed by Spring, 2027.
- Phase 3 would likely have some overlap with Phase 2. Assuming start of construction (utilities) for Phase 3 in Fall, 2025 and commencing home construction in Spring, 2026, Phase 3 is expected to be completed by Summer, 2028.

The PUD will provide a mix of housing types including paired homes and single family homes ranging from 1500 to 3500 square feet. There will also be flexibility to explore 4 plex/row house options along the path based on market demand.

Variety of Housing Options

Single Family Homes:

- Estimated size 1600-3500 square feet
- 2-car garages required
- Most homes will be 1.5-story homes with options for ranches and 2 story homes
- Phase 3 will include selected lots developed with walk-out basements (east side of the neighborhood along the Rail Trail). These lots could be developed with larger, higher-end homes that will contribute to providing a variety of housing options in this neighborhood to include homeowners desiring a larger or more versatile home in a neighborhood that leverages access to the trails.

Example Single Family Homes



Paired Homes (adjacent lots with a zero lot line at the common property line; 2 single family homes paired with a common wall at the common property line):

- Each home estimated at 1500-2500 square feet
- 2-car garage required
- 1 ½ or 2 story buildings connected with smaller yards but access to common green space/parks (providing a housing option for buyers who do not want maintenance obligation for larger lawns)

Example Paired Homes



4-Plex/Row/Town Homes: (provides housing options responsive to market and buyer demands)

- Each home estimated at 1500-2200 square feet
- 2-car garage required
- 2 or 3 story building with shared common walls where the lot lines will run and zero lots lines are required for the inner two lots.
- This housing option requires narrower lots; and zero lot lines. Lot width will be not less than 35 feet.

Examples of Quad-plex/Row/Townhomes



Development Areas

- Zone A – Primarily Paired Patio homes of an estimated size ranging from 1500-2500 square feet on lots that are smaller, approximately 0.14 acre (paired lots totaling 0.28 acres with the paired home at the common property line maximizing contiguous lawn area). 1-2 Single Family homes ranging from an estimated 1500-2500 square feet on lots consistent with the above.
- Zone B – The core area for single family homes in the neighborhood. Lot size between 0.22 and 0.26 acres to allow for comfortable neighborhood density for families. Housing size is estimated between 1600-2800 square feet, subject to market demand. Community access to the trails and focused utilization of neighborhood parks and green space.
- Zone C (Option #1) – Single family homes with a higher density (minimum 0.16 acres) to maximize housing options available with immediate access or adjacent to the trails. By design, the houses will be designed as a narrower structure but maintain the 2-car garages. Street side will be developed as a front, but the trail side of the home may also be designed not as a backside but as an additional “front” style (house sizes estimated at 1500-2500 square feet).
- Zone C (Option #2) Quad plex/row homes/townhomes (four adjacent lots with common walls at the common property lines) The density provided by the quad plex home design further maximizes housing opportunities in close proximity to trails. Quad plex or townhomes would be 2-3 story homes with 2-car garages on the street side and the home size that fronts on a trail would be developed in the style of a house front. This is to appeal to existing success cases for on trail developments like Morton St, Bloomington.
- Zone D – The area is expected to have Single Family homes that continue a similar density with all the exterior lots (approx. 0.16 acres). House size: 2000-3000 square feet.
- In addition, Phase 3 in Zone C & D may include larger homes with walk out basements to again leverage the immediate access to trails and consider the natural topography of the lots. Home size of 2500-3500 square ft with a 2 car garage and focus on ensuring the back of the house facing the trail will leverage decking and create an outdoor living space that integrates the trail to the house.

Development Zones

A detailed table that provides a summary by zone and phase is attached in appendix A.



Summary of Design Standards

All areas will have a minimum 50' lot width at the front yard setback of 20', except minimum 35' lots for quad-plex/row/townhome lots. All areas will maintain a 20' rear yard setback. All areas contain a 5' side yard setback with exception for zero lot lines in Paired Patio Home lots and quad plex/row/townhome common line.

- Area 'A' has minimum lot size of 0.14 acres
- Area 'B' has a minimum lot size of 0.22 acres
- Area 'C' has a minimum lot size of 0.16 acres
- Area 'D' has a minimum lot size of 0.16 acres

Maximum building height will depend on the zone. Zone A, B & D would be no more than 2 stories and Zone C would be maximum 3 stories. No soil disturbance on slopes greater than 15% except for development of park and trail areas, streets, and infrastructure and common use area.

Parking Details

Parking will be allowed both in the individual lots (driveways) and on neighborhood street. The Neighborhood covenant will dictate specifics around the on-street parking related to time of day and seasonal restrictions.

Neighborhood Signage

Signs will be utilized for common area and neighborhood identification. These signs will follow the placement and setback requirements set forth in the county zoning. This PUD will allow signs that are no larger than 64 sqft with a max sign height of 8 ft. Signs will be used as required to identify the neighborhood, common areas and site safety requirements.

Residential Use

This PUD community is designed solely for residential use. Home offices and working from home will be allowed but further details will be determined and managed by the neighborhood association. Restrictive covenants will be adopted to protect and preserve the residential character of the neighborhood. This will ensure the neighborhood remains current as residential needs progress over time.

Proposed Amenities

Amenities will be created utilizing the dedicated open space for dual use. As permitted, amenities will also be developed within the extensive utility easement area maximizing dual use of open space. Amenities may include (pictures of examples below):

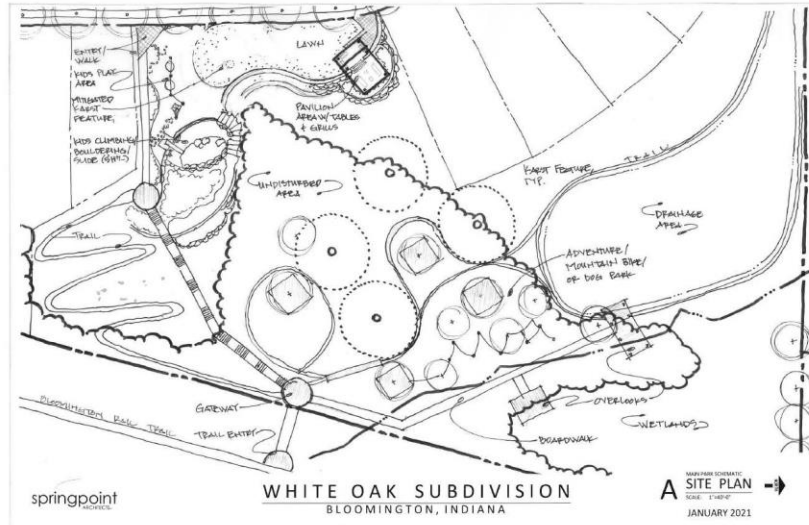
- Children's Park – A sustainable and environmentally friendly park that leverages the history and geographical features of the site. The neighborhood will have at least one park with other areas dispersed throughout the neighborhood as open space, community areas.
- Trail Terrace Park – Leveraging the designated open space near to and with access to the Bloomington Rail Trail. The terraced park would be accessible to trail users, making the park a community amenity as well as a neighborhood amenity.
- Dog Park – Given the current focus on family and pets, White Oak will develop the dog park as a meaningful addition and amenity to the neighborhood and provide a public service for all owners, those with and without pets.
- Neighborhood Orchard/Grow Area – Leveraging the current designed green space and focused on dual use we plan to have a location for the neighborhood to foster a community growing area.

- Drainage areas – In accordance with the approved drainage plan, dedicated drainage facilities and areas will be installed and maintained by the owners association. To the extent not incompatible with the drainage plan and dedicated drainage facilities, the open space comprising a drainage area will be designed for dual use as an amenity area with such use compatible with the preservation of the drainage features.
- Neighborhood Access to and Utilization of Trails – This amenity is critical to the success of the White Oak development. The development will leverage access to the trails and use of the trails in design and layout of the neighborhood, sidewalks and lots. The attention to trail accessibility will be consistent with the City of Bloomington and Monroe County's investments in the trail network as a key centerpiece of the community. The neighborhood will have 3-4 "Open Access" areas to the trail from the inside of the neighborhood. White Oak will create responsible, aesthetically pleasing and easy access for all neighborhood residents to the Clear Creek and the Bloomington Rail Trails.
- Access to Clear Creek Elementary – White Oak will ensure at least one of the neighborhood trail accesses provides a safe and easy access path to Clear Creek Elementary via the Bloomington Rail Trail.
- Individual Access to trails – Further enhancing the neighborhoods benefits and use of local infrastructure, lots on the trails may have individual trail access.

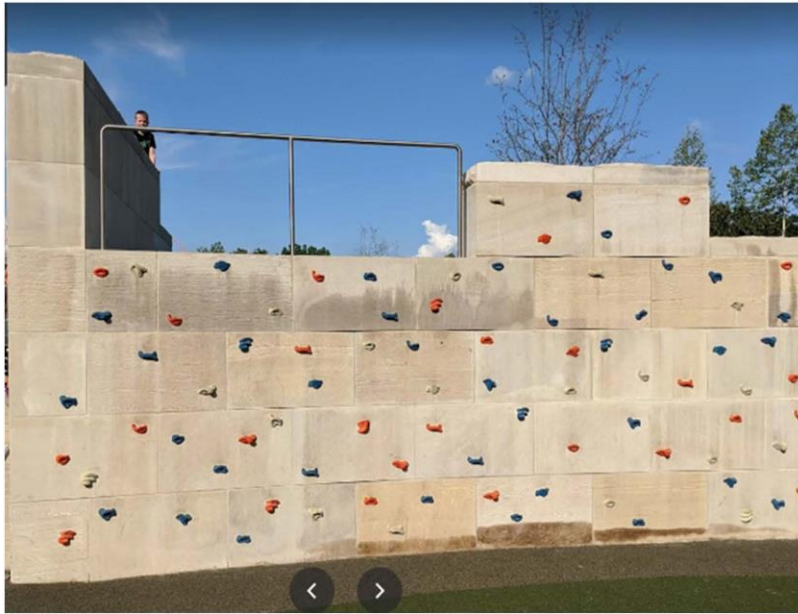
Dog Park



Trail Terraced & Children's Parks









Community Grow Area



Open Space

The development will include 25% of the area as dedicated open space, but where possible, feasible and appropriate designed for dual use with amenities. Dedicated open space will be comprised of improved open space, undisturbed open space, parks, drainage areas, easements and deeded portions of selected lots (primarily lots adjacent to a trail) spaced throughout the development.

Example of Open Space



Drainage Plan & Karst Feature Protection

Development will incorporate all features of an approved drainage plan. For any Karst features identified in the development area, a Karst conservancy area will be dedicated and/or approved Karst protection features installed.

Traffic

Access to SR 37 and I-69 is only a half mile away by major county road. This provides convenient access from the neighborhood to major road networks and major employers. Except for streets interior to the neighborhood, traffic will not circulate through or intrude on established neighborhoods or other residential developments. White Oak will commit to necessary development improvements adjacent to the neighborhood on S Victor Pike in accordance with the Highway guidance/requests.

Interior Streets & Sidewalks

White Oak is intended to be a pedestrian friendly neighborhood consistent with Bloomington/Monroe County to support the resident families and allow easy access to the adjacent trails.

- The interior street and sidewalks will follow the provided typical street profile.
- Sidewalks will be installed at the right-of-way line 5 feet off the street with a minimum 4 foot sidewalk width and on at least one side of each interior street.
- The neighborhood sidewalks will connect with the trail access ways so that easy access between the neighborhood and the trails is afforded to walkers/runners/bicyclists.

Landscaping

Landscaping will support the developer's goal to establish an environmentally connected neighborhood that maintains open space and showcases the features of the topography and local trees.

- A tree will be provided a minimum of every 50 ft or every lot location whichever is greater.
- Buffer yards are not planned to be installed along the north and south property lines. Type D buffer yards may be established on the East side.
- Protective covenants will be adopted to ensure homeowner association maintenance and preservation of dedicated green space, parks and amenity space.
- Existing, mature, specimen quality trees located in the development will be preserved, subject to tree removal only as required within the building footprint of a home site. It is not expected that home sites will require the removal of any mature trees given the current land makeup and neighborhood design.
- When developing parks and open space the design will take into consideration the existing landscaping and leverage it while making the space more usable.

Environmental Considerations

Development will employ best practices for environmental protection and sensitivity during construction and long-term maintenance:

- Maximize use of local (Southern Indiana) contractors and material suppliers, limiting over the road travel and truck hauling
- Minimize soil disturbance during construction and employ best practices to ensure protection of disturbed soils against siltation or erosion
- Housing to employ energy star features
- Adopt protective covenants that restrict construction of additional improvements (after original construction) to any lot that adds additional impervious surfaces
- Require a single vendor trash removal service to serve the entire neighborhood

- Adopt restrictive covenants prohibiting wood burning heat features as the primary source of home heat
- Adopt neighborhood covenants that facilitate and encourage installation and use of solar energy features, including options for solar panels on original construction.

Homeowner Association

Lots will be developed (single family home construction) and sold. The neighborhood is intended to be owner occupied. Common areas will be conveyed to a homeowner association. This association will require mandatory membership for each lot owner. Restrictive covenants will empower the association to assess members for expenses incurred by the association to meet common expenses. The association will be empowered and will have the duty to ensure maintenance, repair and preservation of all dedicated open spaces, drainage facilities, amenities and other common areas.

424818

Appendix A:

Area Table – Summarizes development details by Area

Summary Table By Area					
Category	Area A	Area B	Area C (O#1)	Area C (O#2)	Area D
Lot Size Min (Acre)	0.14	0.22	0.16	0.16	0.16
Lot Size Avg. (Acre)	0.16	0.29	0.19	0.19	0.19
House Type	Paired Patio Homes & Minimal Single Family	Single Family Homes	Single Family	Single Family & Quadplex/Row/Town homes	Single Family
House Size (Sqft)	1500-2500	1600-2800	1500-3500	1500-3500	2000-3500
Garage Size	2 Car	2 Car	2 Car	2 Car	2 Car
Estimated Bedrooms	2-3	2-4	2-4	2-4	2-4
Occupancy Limits	6 People	8 People	8 People	8 People	8 People
Max building height (ft) (Excludes Basements)	30	30	30	40	30
Lot width Min (ft)	50	50	50	50 (Note 1)	50
Front Yard Setback (ft)	20	20	20	20	20
Side setbacks (ft)	5 Excludes zero lot lines	5	5	5 Excludes zero lot lines	5
Rear Setback (ft)	20	20	20	20	20
Number of Dwellings per Acre (Min)	5.29	3.81	4.7	4.7	4.86
Special Notes	- Min Lots size for paired patio home is 0.28 Acre - Zero setback lot lines required for shared walls	- Community access to trails and green space - Size subject to market demand	- Higher density to maximize use of land adjacent to trails and immediate trail access - Phase 3 may have walkout basements	- Zero setback lot lines required for shared walls - Note 1: For connected townhome min lot width of 35ft may change lot min and averages - Phase 3 may have walkout basements	- Phase 3 may have walkout basements

Phase Table – Summarizes scope of each Phase of the development.

Summary Table By Phase			
Details	Phase 1	Phase 2	Phase 3
Anticipated Development Start	Spring 2021	Summer 2024	Fall 2025
Anticipated Construction Start	Summer 2021	Spring 2025	Spring 2026
Anticipated Completion Date	Spring 2025	Spring 2027	Summer 2028
Estimated Total Lots Zone A	18	18	0
Estimated Total Lots Zone B	8	18	22
Estimated Total Lots Zone C	18	8	11
Estimated Total Lots Zone D	0	13	11

PETITIONER'S STATEMENT



116 West 6th Street, Suite 200
P.O. Box 2639
Bloomington, Indiana 47402-2639
TEL: 812.332.6556
FAX: 812.331.4511
michael@carminparker.com

December 1, 2020

Monroe County Plan Commission
Monroe County Planning Department
Showers Building
501 N. Morton Street, Room 224
Bloomington, IN 47404

RE: White Oak Endeavors LLC PUD Zoning Petition

White Oak Endeavors LLC petitions for planned unit development designation to create White Oak, a single-family subdivision. The PUD is designed to create a unique housing market as a homogenous neighborhood with emphasis on leveraging existing infrastructure and community investment in a network of trails. The project location has immediate access to public infrastructure and utilities to create a compact neighborhood. The project site is located in the Bloomington urbanizing area with excellent access to the road network, including close access to I-69.

The proposed planned unit development embodies many of the objectives and policies in the Monroe County Comprehensive Land Use Plan. Special attention was paid to create a variety of housing stock, to leverage existing public infrastructure, and to develop an infill project in the Bloomington urbanizing area not contributing to urban sprawl. The planned unit development offers a variety of housing opportunities in lot size and price on a well-designed subdivision of affordable lots with dedicated open space/greenspace, local outdoor amenities and leveraging the wonderful Bloomington trail network.

The project is uniquely positioned to maximize single-family home options adjacent to two major multi-use pathways/community trails -- the Clear Creek Trail and the Bloomington Rail Trail.

The planned unit development will be designed in three phases to allow market absorption of the homes while maintaining flexibility to modify specific home design, home type or size and home costs to meet market demands.

 CARMIN PARKER Committed to Client. Committed to Community.

December 2, 2020

Page 2

The neighborhood is divided into four development areas -- areas A, B, C and D. Each area will offer specific features for single family homes with the intent to ensure there are multiple options that take advantage of local infrastructure. A brief summary of these areas is below:

- Area A: Primarily Paired Patio Homes
- Area B: Primarily Single Family homes "Heart of the neighborhood"
- Areas C & D: Focused on home options that best utilize the trails

White Oak is focused on using the intent of the Monroe County Comprehensive Land Use Plan as guidance in the development of this land. The Land Use Plan outlines numerous objectives for planning development within the Bloomington Urbanizing Area, including:

- Focus on new growth and development within the core of the existing community;
- Promotes dense and compact form of development;
- Capitalizes on existing infrastructure;
- Maintains a distinctive edge separating urban areas from rural areas;
- Encourages reinvestment, infill and redevelopment;
- Provides a range of housing choice and increased affordability making options that are more attainable;
- Integrates open space, natural and historic resources into the land use and development patterns;

White Oak believes the goal of the Comprehensive Use Plan is critical to the longevity of development in the Bloomington and Monroe County area. Petitioners have researched the status of the housing market in the Monroe County area. For the Monroe County area, the National Association of Realtors reports that the market supply for homes at a price up to \$350,000 is extremely low. The lack of available new home inventory in this price range of \$350,000 and below has the negative effect of driving prices upward. The study of the housing market analyzes the available inventory with pending purchase offers. Recent reports place the pending rate in the Monroe County area at 46% of the available homes, meaning an offer to purchase that home has been submitted and is pending. Any pending rate above 20-25% is deemed a seller's market. This translates to extreme pressure pushing home prices upward. The ability to develop single family homes that are attainable is critical to increase the availability and the inventory of new homes at price points below \$350,000. Without increasing the inventory of available homes, Monroe County will continue to see upward pressure driving the new home prices ever higher, increasing the difficulty for first time buyers and homeowners. Andy Walker, a senior local real estate professional, has provided a market study report that demonstrates this price point pressure. His letter is enclosed.



Carroll Parker Committed to Client. Committed to Community.

The proposed PUD will be designed to provide housing inventory below this critical price point of \$350,000. To accomplish this goal, a specifically designed neighborhood providing multiple housing options on smaller lots is critical. Major factors in new home costs are the land costs and upfront development costs in a new neighborhood. Petitioner will accomplish two major objectives with this development. This PUD will be part of the answer to providing housing inventory that is attainable to many of our Monroe County residents. It is critical to create housing inventory at a more affordable price. In addition, this neighborhood will be uniquely designed to promote use of the trails. Monroe County and Bloomington have invested significantly in the development of a trail network and continue to do so. This housing project will capitalize on that investment with lot developments and home developments that are intended to be attractive to home buyers who will capitalize on close proximity to the trail network.

The PUD capitalizes on the unique location between the juncture of the two major trails. The smaller lots and the compact form of development are geared toward increasing single family home affordability. Compact development will capitalize on and leverage existing public infrastructure. The design with the interior road network bordered on two sides by the trails and on the third side by a major road isolates and maintains a distinctive edge to the development separating urban areas from rural areas.

Petitioner endorses the development requirements for dedicated open space. The project will include not less than 25% dedicated open space. However, Petitioner is also committed to making the open space usable. Part of the development of a compact neighborhood is not only to provide a dedicated open space, but to do so in a manner that is usable by developing amenities within those areas while preserving the open space character and will be discussed below.

Part of developing a compact neighborhood with smaller lots in order to meet the market requirements for providing diverse housing options within a price point that makes it affordable or attainable is to maximize the use of the land within the neighborhood. The open spaces will also be leveraged for dual use as mentioned above to maximize the resident's enjoyment of them and may include amenities such as:

- community garden/orchard
- dog park
- trail terraced park
- children's park and a pipe park

Back yards of selected lots adjacent to the trail and the land under the Duke Power easement will also provide open space. Restrictive covenants will prevent development or construction of improvements within that dedicated open space. The restrictive covenants would further allow limited fencing, but otherwise maintain the open space.

Unique to White Oak a park open to not just the neighborhood but also the community will be constructed adjacent to the Rail Trail. This terraced park would take advantage it's proximity to the trail and provide both the neighborhood and community an outdoor recreation asset.

The developers are committed to developing a unique neighborhood that capitalizes on the infrastructure and the trail network to create a housing mix that is focused on quality and affordability for single family homes. The development is intentionally targeted to the homeowner population that sees the value in a home near or adjacent to the trail network. The developers are eager to become a long term partner in residential development in Monroe County making a significant contribution to creating diverse housing options in a very special community.

Background information on the lead developers is below.

Kevin Schmidt was born and raised in Aurora, CO and attended the Colorado School of Mines to pursue his dreams of becoming an engineer. In 2006, he graduated with a degree in Civil Engineering and moved to Houston, TX to take an opportunity with a large international Energy company. Over the course of the next 12 years he lived in 5 countries including Doha, Qatar, St John's Newfoundland, Ulsan, Korea, Indonesia and Milan, Italy managing construction of multiple major energy projects. He has had a wonderful opportunity to work with and learn from many cultures and has used that perspective to build a family and look for ways to use this in everything he does. His in-laws are both IU alumni and his family roots in the Big Ten are strong but over the recent period he and his family have really come to enjoy and love Bloomington.

Donnie Adkins was born and raised in St Louis, MO. After his one (and only) visit to Bloomington he decided IU was where he would pursue his degree. In 2001, he graduated with a degree in Astrophysics/Astronomy and was commissioned as an officer in the USAF. During the next 6 years while on active duty, he served in 3 different assignments and one deployment to Iraq during which he received several medals including a Bronze Star. In 2007, he both married and joined a large energy company after departing the USAF. Since then, he and his family have lived in 4 different locations around the world including St John's, Newfoundland, Canada, Dubai, UAE and Lagos, Nigeria while working major energy projects. Donnie's sincere love for Bloomington and IU never waned since he departed and has often brought his family back in the Summer and Winter breaks to share his love of Bloomington and the Southern Indiana outdoors with them. He currently has four children ages 9, 8, 5, 3 and all are eager to move to Bloomington in the next couple years to finally watch the Hoosiers play in person.

The outline plan application includes the following items:

- ☐ outline plan/site plan
- ☐ property owner consent
- ☐ application form and application fee payment



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December 2, 2020

Page 5

- ☐ storm water and drainage plans
- ☐ open space dedication and dual use descriptions
- ☐ sample housing mixes, including paired homes
- ☐ detailed commitment on lot size and stick-built home mixes

Respectfully submitted,


Michael L. Carmin

MLC/nem
Enclosures

424815 v 2 / 24988-1



RE/MAX ACCLAIMED PROPERTIES

Each RE/MAX office is independently owned and operated.

3695 S Sare Road
Bloomington, IN 47401
www.TheAcclaimedTeam.com
812-332-3001

November 30, 2020

In being asked to supply some data that would give a snapshot of supply and demand in our local housing market I could think of no better piece of information than the current absorption rate for different price levels throughout our marketplace. The absorption rate is a measure of how long it would take a market segment to sell out if no other properties came on the market. It's a good tool in assessing a buyer vs seller market. The National Association of Realtors (NAR) has historically defined a 6mo absorption rate as an "even keeled" marketplace. As can be seen in the provided market supply report the current monthly supply in our market up to 350k is insanely low. Another common way to define a seller's or buyer's market is the percentage of listings with a pending offer on them. 10-15% pending would be a buyer's market and 20-25% would be a seller's market. Our current pending rate is 46%. This portrays a severe lack of housing options for buyers. There are macro and micro reasons for this. The macro would be the lack of new housing starts nationally since the mortgage/financial crisis of 2007-8. Its historically taken about 500,000 new housing starts across the nation each year to meet demand. As a nation we're into our 12th year in a row of that demand not being met-mainly due to the lending world as banks still won't give builders the leeway they used to for new construction starts. The national Realtor community was talking about the inevitable housing shortage as early 2010. Our area is no different in that regard. The micro for Monroe County is that during that period we've also had city and county governments that have made land use decisions that have served to make land more scarce and more difficult to develop. It seems clear that there's now a realization amongst both city and county government that more and denser development is what is needed to help solve our local housing issues. The county's development of the new CDO is an encouraging example of the type of progress that's needed to provide more housing in Monroe County.

Andy Walker
Broker/Owner
RE/MAX Acclaimed Properties
3695 S Sare Rd Bloomington IN 47401
812-325-1290
awalker@homefinder.org

Monroe County Market Supply Report

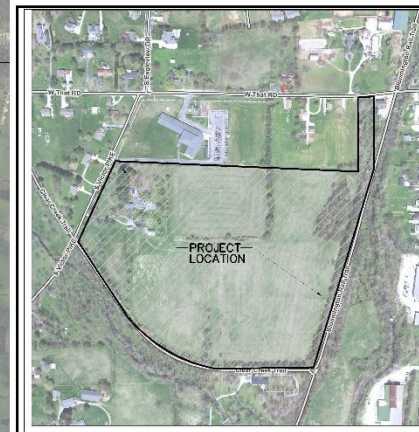
For Residential Listings ONLY

Price Range	Historical Data			Prior 12 Months Actual Sales	Total Current Supply	Total # Pending/Contingent	Current # Listings Available	Current # Months Supply Available
	2017	2018	2019					
Less Than \$50,000	36	16	14	11	0	0	0	0.0
\$50,000-\$74,999	91	48	28	18	0	0	0	0.0
\$75,000-\$99,999	104	113	56	53	6	3	3	0.7
\$100,000-\$124,999	184	166	118	99	15	6	9	1.1
\$125,000-\$149,999	248	206	188	133	21	15	6	0.5
\$150,000-\$174,999	241	229	221	188	28	21	7	0.4
\$175,000-\$199,999	176	173	206	208	37	26	11	0.6
\$200,000-\$224,999	136	141	148	156	39	21	18	1.4
\$225,000-\$249,999	123	144	158	164	41	27	14	1.0
\$250,000-\$274,999	107	125	128	119	24	11	13	1.3
\$275,000-\$299,999	79	110	136	122	29	18	11	1.1
\$300,000-\$324,999	57	86	93	94	12	10	2	0.3
\$325,000-\$349,999	48	61	66	68	25	13	12	2.1
\$350,000-\$374,999	43	47	49	57	25	6	19	4.0
\$375,000-\$399,999	33	46	45	48	29	10	19	4.8
\$400,000-\$449,999	42	49	65	61	38	9	29	5.7
\$450,000-\$499,999	41	47	50	41	27	7	20	5.9
\$500,000-\$599,999	38	51	57	48	38	11	27	6.8
\$600,000 and above	37	32	51	46	59	14	45	11.7
Totals:	1864	1890	1877	1734	493	228	265	1.8

Information obtained by actual listing count from Bloomington Board of REALTORS® Multiple Listing Service as of 9/11/2020

Monroe County/BBOR Residential Listings ONLY. This information is deemed reliable, but not guaranteed.

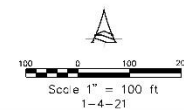
Percentage of inventory with Pending or Contingent Sales 46.2%



VICINITY/LOCATION MAP
SCALE: 1"=1000'

SITE IMPROVEMENT LEGEND

- EXTENT OF REQUIRED ZONE DESIGNATED OPEN SPACE
- TOTAL LOT AREA = 42.87 ACRES
- ZONE OPEN SPACE = 10.74 ACRES (25% ACRES SHOWN)
- AGE OF HOUSING ZONE OPEN SPACE SHOWN ON DESIGN IS LOTS = 7.28 ACRES



ARCHITECTURE	CIVIL ENGINEERING	PLANNING
BIRMINGHAM ASSOCIATES, INC.		
BIRMINGHAM, ALABAMA		
528 SOUTH VICTOR PIKE		
BIRMINGHAM, ALABAMA 35206		
(205) 333-2550 (Fax)		

PROJECTED
WHITE OAK
SUBDIVISION OUTLINE PLAN
4691 SOUTH VICTOR PIKE
BIRMINGHAM, ALABAMA 35206

DESIGNED BY: DJB
DRAWN BY: DJB
CHECKED BY: JSF
SHEET NO: C001
PROJECT NO: 402329

EXHIBIT 3: REMONSTRANCE

**Dave & Patty Busch
1250 W. Church Lane
Bloomington, IN 47403**

Letter of Opposition to Petition No. 2012-PUO-06

January 1, 2021

We are opposed to Petition No. 2012-PUO-06. The density of this proposed PUD is incompatible with the existing neighborhood, which is currently zoned RE1. The current RE1 zoning correctly reflects the rural character of the surrounding area.

We purchased our property in 1999 and have made many improvements over the years. We love our farm and are protective of it. We wish to preserve our acreage for the use it was intended, which is providing pasture, grazing and riding areas for our horses, as a wildlife habitat and as a haven for our family's well-being.

In 2002, we enrolled 1.7 acres of our land adjoining Clear Creek in the USDA's Conservation Reserve Program as a designated Wetland Conservation Certification. On this land, we planted over 900 tree seedlings to help act as a filtration strip to protect the water quality of Clear Creek and to provide habitat for native wildlife.

In the last 10-15 years we have seen an increase in the frequency and severity of flooding events on Clear Creek. In early February 2019, we experienced the most severe flooding yet. The flow of Clear Creek was so high and strong it flattened a 150 ft. section of woven wire horse fencing and also flattened the original livestock fencing on our property line (See attached photos). The sinkholes revealed by the flooding have rendered this acreage unusable for grazing and riding, as the holes are so deep they would fracture a horse's leg if stepped in.

We question why the original fencing (which was erected in the mid-eighties) has withstood the high waters of Clear Creek until 2019. We suspect the frequency, volume and velocity of storm water flows have increased due to the construction of several home developments further upstream along Clear Creek. These developments have reduced the number of farm fields and woodlots while increasing the volume of impervious hard surfaces in the Clear Creek watershed.

There are six streets within the proposed development. Two run east-west, while four run downslope, (from north to south) directly towards Clear Creek and our adjacent property. Stormwater runoff from impervious street, sidewalk, driveway and roof surfaces will be channeled down these streets, increasing the velocity of water flow directly towards Clear Creek and our property. We fear the additional volume of surface storm water runoff from the proposed development will overwhelm the ability of Clear Creek to handle the increased flow, creating more frequent and severe flooding of our property, and lands downstream.

In conclusion, we strongly oppose this Planned Unit Development with the proposed density of homes on the steep slopes that exist on this 44+ acre parcel. If approved in current form, we believe this development will have a negative impact to Clear Creek, our property and the neighborhood.

Letter of Opposition to Petition No. 2012-PUO-06

January 1, 2021

Environmental Concerns

1. Light Pollution

- a. As proposed, up to 150 Homes with 4 exterior lights = 600 exterior lights (two lights on each side of garage, one front entrance light, one rear entrance light).

2. Water pollution/Stormwater Runoff

- a. As proposed, 150 homes with chemical lawn applications, road salt from vehicles, driveways, sidewalks, roadways, asphalt oils.
- b. Adverse impact of 150 homes on surface drainage/storm water runoff.
 - i. Drainage retention ponds appear undersized for proposed volume of impervious surfaces in PUD.
 - ii. Shallow bedrock and overlying clay soils limit the ground's ability to absorb surface runoff.
 - iii. Retention pond construction:
 - 1. Will an impervious clay liner be required to minimize groundwater contamination?
 - 2. Will there be specific vegetation planted to absorb (tie-up) pollutants?
 - 3. What will be the outflow points be for the retention ponds?
 - 4. Are the ponds discharging into Clear Creek?

3. Air Pollution

- a. As proposed, up to 150 homes with wood burning fireplaces, campfires, chemical applications to lawns, outdoor grills. Particulates/dust from excavating equipment during construction activities (up to eight years).

4. Noise Pollution

- a. As proposed, up to 150 homes with lawnmowers, leaf blowers, snow blowers, automobiles, fireworks.
- b. The eight year buildout phases will include on-site use of earthmoving equipment, dump trucks, tractor-trailers, hydraulic-rams or blasting, nail guns, etc., increasing noise pollution.

5. Traffic Concerns

- a. As proposed 150 homes with two car garages = 300 vehicles, in addition to visitors, delivery vehicles, maintenance vehicles, school buses, etc.
- b. Only two access points will serve the proposed development, both are on Victor Pike between Clear Creek Trail crossing and Lighthouse Christian Academy (LCA) entrance. Intersecting two feeder roads to this short stretch of Victor Pike (approx. 550 ft. from Clear Creek Trail to LCA) will concentrate a high density of traffic to a very narrow road.
 - i. That Road/ Victor Pike intersection (currently a 4-way stop) will be a chokepoint for traffic flow.
 - ii. Church Lane/Victor Pike intersection will be a chokepoint for traffic flow, as current traffic densities already create long lines during morning/evening peak travel times. This increase in traffic flow will exacerbate an already overloaded section of Victor Pike between S.R. 37 and Church Lane intersections.

January 1, 2021

Construction Impacts

1. Blasting

- a. What efforts will be made to ensure that there is NO off-site property damage resulting from any blasting associated with site preparation or installation of utilities?
 - i. If blasting is allowed, we request a pre-blast survey be conducted on our structures.
 - ii. If blasting is allowed, we request that a seismometer be placed at our home and daily blast activity readings recorded (with a copy provided to us).
 - iii. If blasting is allowed, we request a post-blast survey be conducted on our structures.

2. Dust Mitigation

- a. What requirements will be made to minimize airborne dust pollution during the construction process?

3. Soil Erosion Mitigation

- a. What are the soil erosion prevention requirements for site preparation and home construction? (Silt fences, temporary soil dikes, topsoil stockpiling and preservation, etc.)
- b. How will potential soil erosion and contamination of Clear Creek be prevented?

4. Road Damage

- a. What requirements will be made to minimize shedding of mud and debris onto Victor Pike from trucks and equipment entering/exiting the construction project?
- b. What requirements will be made to ensure that the increased heavy truck traffic associated with the construction project will not damage the roadbed on Victor Pike?

5. Construction Debris/Trash Mitigation

- a. What requirements will be made to minimize dumping of debris or waste materials associated with the construction process?
- b. Will wash out bins be required for washing out of concrete trucks?
- c. Will the developer/contractor be required to pick up construction trash that blows away from the construction site?

Dave & Patty Busch
1250 W. Church Lane
Bloomington, IN 47403

Letter of Opposition to Petition No. 2012-PUO-06

January 1, 2021



Busch property 2-8-2019. View from Clear Creek looking south towards Church Lane. The original property line fence can be seen along tree line.

Dave & Patty Busch
1250 W. Church Lane
Bloomington, IN 47403

Letter of Opposition to Petition No. 2012-PUO-06

January 1, 2021



Busch Property 2-8-2019. View looking north towards Clear Creek and proposed White Oak PUD in background.

Rebecca Payne

From: Rebecca Payne
Sent: Wednesday, January 6, 2021 12:48 PM
To: 'Guy Loftman'
Cc: Jacqueline Nester Jelen
Subject: RE: 4691 S. Victor Pike Development, Petition number 2012-PUO-06, resent with corrected address

Received.

I will be sure to include this email with my report.

Thank you,

Rebecca Payne
Planner/GIS Specialist
Monroe County Planning Department
501 N. Morton St., Suite 224
Bloomington, IN 47404
rpayne@co.monroe.in.us
Phone: (812) 349-2560
Fax: (812) 349-2967

From: Guy Loftman <guy@loftmanlaw.com>
Sent: Wednesday, January 6, 2021 11:55 AM
To: Rebecca Payne <rpayne@co.monroe.in.us>; Daniel Butler <dbutler@bynumfanyo.com>; Jeff Fanyo <jfanyo@bynumfanyo.com>; Michael Carmin <michael@carminparker.com>; Guy Loftman <guy@loftmanlaw.com>
Subject: Fwd: 4691 S. Victor Pike Development, Petition number 2012-PUO-06, resent with corrected address

Hello Ms. Payne,

Thanks for discussing the proposed 4691 S. Victor Pike development. As adjoining landowners, we have several concerns about it.

1. The current minimum lot size for this RE-1 zoning district is 1 acre. That would be a maximum of 44 lots on this 44 acre tract. Of course, as a practical matter that number couldn't be achieved, given the Duke Energy easement, Karst features and requisite infrastructure. This proposal is for 145 lots, three times the current maximum. The RE-1 zoning density is appropriate. It should be kept.
2. We take issue with several points in the Petitioner's Statement from Michael L. Carmin dated December 1, 2020.
 - 2.1. On page 1, the proposal is referred to as, "an infill project in the Bloomington urbanizing area not contributing to urban sprawl." As we understand it, an "infill project" refers to a less developed area surrounded by more developed areas. Filling it in completes the higher density of the overall area. Our home on 6.3 acres adjoins this property to the South. Almost all of the housing south of That Road,

west of Clear Creek and all the way to the bypass is at least 1 acre, with many being substantially larger. This is not infill. The same paragraph says the proposal would not be “contributing to urban sprawl.” To the contrary, this is a classic example of urban sprawl.

2.2. On page 2 this is described as “within the core of the existing community.” It certainly isn’t within the core of the existing high-density housing community. “Maintains a distinctive edge separating urban areas from rural areas”? That edge is That Road. This project invades it. “Integrates open space”? 145 houses where there is now one old farmhouse with outbuildings, pastures, hayfields and scores of large trees. This plan disintegrates existing open space. “May include amenities.” (Page 3) Maybe, maybe not. None are promised. It looks like a pretty tight squeeze to fit in a community garden/orchard, dog park, trail terraced park, children’s park and a pipe park. Not counting the pond.

3. The PUD Outline plan concerns us.

3.1. Clear Creek Elementary School access, Amenities, page 7. The plans says that the rail trails will give access to Clear Creek Elementary. There are basically no sidewalks from either trail’s road intersection to the school. There aren’t even shoulders. The bridge over Clear Creek on That Road is particularly hazardous. Traffic is especially heavy and fast on Rogers Street. This plan provides no safe access to Clear Creek Elementary.

3.2. Traffic on Victor Pike, Page 10. The plan describes Victor Pike as a “major county road”. It is two lanes with no shoulders and a sharp drop off on the east side as you approach the creek from the south. The steep downhill curve heading south on Victor Pike by our house is very dangerous. We understand that the rule of thumb is 10 trips per day per home. That’s an additional 1,450 vehicles, with presumably half going south. We understand the developers have made no traffic study, and don’t intend to. However, we know close to an additional 750 trips per day will make Victor Pike far more dangerous. It is quite dangerous enough now.

3.3. Congestion on That Road. Presumably half the traffic will go north on Victor Pike and East on That Road to Rogers Street. That is already badly congested during rush hour. 10% of the 1,450 trips are expected at rush hour. Over 70 more cars trying to get out on Rogers around 8 in the morning will create a traffic jam of monumental proportions, by our rural standards, and probably even by urban ones.

3.4. Landscaping, page 11. The plan states:

Existing, mature, specimen quality trees located in the development will be preserved, subject to tree removal only as required within the building footprint of a home site. It is not expected that home sites will require the removal of any mature trees.

A casual tree count shows perhaps 50 trees in the front yard, most of which look pretty mature. Comparable numbers are in the back yard, with more adjacent to the Duke easement. Yet no proposed lot shows any adjustment for preserving a single tree. Apparently the developers have a very high standard for what constitutes a mature tree. (A photo of the front lawn, along Victor Pike, is attached.)

We could go on, but we won’t. Our bottom line: This proposal would put too many houses in too small a space, causing intolerable congestion, hazardous traffic, and degradation of the rural nature of the area. That is what Residential Estate zoning is there to protect. The proposal should not be approved.

Thanks for your consideration.

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