

Table 1 -- THOMSON PUD LIST OF USES

#	TYPE OF USE	TRACT					Applicable	
		A	B	C	D	E	Development	Use
		NORTHWEST	PLANTS 2-3	PLANT 1	LG VAC	GRIMES/IN	Standards (1)	Category
1	Accessory gasoline uses	X	X	X	X	X		
2	Aircraft maintenance and storage facilities	X	X	X	X	X		
3	Aircraft servicing and fueling facilities subject to locational requirements of the FAA	X	X	X	X	X		
4	Airports and heliports including runways, pads, control towers, terminals and hanger facilities	Heliport	Heliport	Heliport	Heliport	X		
5	Amusement arcade	X	X	X	X	X		
6	Animal hospitals and veterinarians' offices	P	P	P	P	P	CG	OFFICE
7	Appliance and furniture repair	P	P	P	P	P	IL	INDUST
8	Auditoriums	X	X	X	X	X		
9	Auto rental	X	X	X	X	X		
10	Auto storage yards	X	X	X	X	X		
11	Automotive repair	X	X	X	X	X		
12	Bars and Taverns	P	X	X	P	X	CG	RETAIL
13	Bed and breakfast	X	X	X	X	X		
14	Beverage bottling	P	P	P	P	P	IL	INDUST
15	Building trade shops	P	P	P	P	P	IL	INDUST
16	Bus terminals	X	X	X	X	X		
17	Business service	P	P	P	P	P	CG	OFFICE
18	Business services in enclosed buildings	P	P	P	P	P	CG	OFFICE
19	Car washes	X	X	X	X	X		
20	Cemeteries without funeral home or crematorium	X	X	X	X	X		
21	Churches	X	X	X	X	X		
22	Colleges or universities	X	X	X	X	X		
23	Commercial print shop	P	P	P	P	P	BP	RETAIL
24	Commercial use as principal use	P	X	P	P	X	CG	RETAIL
25	Community centers	X	X	X	X	X		
26	Conference center	P	P	P	P	X	BP	n/a
27	Contractors offices	P	P	P	P	P	BP	OFFICE
28	Convalescent, Nursing, or Rest Homes	X	X	X	X	X		
29	Correctional facilities	X	X	X	X	X		
30	Crematoriums	X	X	X	X	X		
31	Crops and pasturage	X	X	X	X	X		
32	Cultural facilities	P	P	P	P	X	IL	n/a
33	Day care centers	P	P	P	P	P	IL	n/a
34	Downtown Devel. Oppor. Overlay	X	X	X	X	X		
35	Drive through facilities (see # 36 below)	X	X	X	X	X		
36	Drive through facilities serving a permitted use	P	X	P	P	X	CL	RETAIL
37	Drive-in theaters	X	X	X	X	X		
38	Dwelling units located on the second floor or above	P	P	P	P	X	CL	n/a
39	Emergency shelter facilities	P	P	P	P	P	I	n/a
40	Financial institutions	P	P	P	P	X	CG	RETAIL
41	Fire stations	P	P	P	P	X	IL	n/a
42	Gasoline service stations	X	X	X	X	X		
43	Golf, swim and tennis clubs	X	X	X	X	X		
44	Government institutions	P	P	P	P	X	BP	OFFICE
45	Heavy manufacturing	X	P	X	L (45D)	X	IG	INDUST
46	Historic adaptive reuse	P	P	P	X	P		n/a
47	Home Occupations	X	X	X	X	X		
48	Hospitals	P	X	P	P	X	M	OFFICE

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	TYPE OF USE	A	B	C	D	E	Applicable	
49	Hotels and motels	X	X	X	X	X		
50	Industrial uses with potentially adverse effects	X	L (50B)	X	L (50D)	X	IG	INDUST
51	Kennels	X	X	X	X	X		
52	Light manufacturing	P	P	P	P	P	IL	INDUST
53	Limited commercial	P	L (53B)	P	P	L (53E)	IL	RETAIL
54	Lodge halls	X	X	X	X	X		
55	Machinery and equipment repair	P	P	P	P	P	IL	INDUST
56	Mental health facilities	P	P	P	X	X	M	OFFICE
57	Mini-warehouses	X	L (57B)	L (57C)	X	L (57E)	IL	INDUST
58	Mortuaries	P	P	P	P	P	CG	OFFICE
59	Multiple-family dwellings	X	X	X	L (59D)	X	RM7	RESID
60	Newspaper printing	P	P	P	P	P	IL	INDUST
61	Nurseries/greenhouses	X	X	X	P	X		INDUST
62	Off-site parking	P	P	P	P	X		n/a
63	Offices	P	P	P	P	P	IL	OFFICE
64	Outdoor retail and wholesale uses	X	X	X	X	X		
65	Outdoor storage as an accessory use to a permitted use in enclosed building	X	P	P	L (65D)	P	IL	INDUST
66	Outpatient care facilities	P	P	P	X	X	M	OFFICE
67	Parking garages as principal use	P	P	P	P	P	IL	n/a
68	Parking lots and garages	P	P	P	P	P	IL	n/a
69	Parks and playgrounds	X	X	X	P	X		
70	Personal services	P	P	P	P	P	P	RETAIL
71	Police stations	P	P	P	P	P	IL	n/a
72	Print shops	P	P	P	P	P	IL	INDUST
73	Public libraries and museums	X	X	X	X	X		
74	Quarries and other excavation activities	X	X	X	X	X		
75	Radio/TV stations	X	P	P	P	X	IL	OFFICE
76	Recreation centers	P	P	P	P	X	IL	RETAIL
77	Rehabilitative facilities	P	P	P	X	X	M	OFFICE
78	Relocation of off-premise signs	X	X	X	X	X		
79	Research and development	P	P	P	P	P	IL	INDUST
80	Research laboratories	P	P	P	P	P	IL	INDUST
81	Residential care homes for developmentally disabled individuals	X	X	X	X	X		
82	Residential care homes for mentally ill individuals	X	X	X	X	X		
83	Residential care homes for up to five individuals, other than the developmentally disabled or mentally ill	X	X	X	X	X		
84	Restaurants	P	X	P	P	X	CG	RETAIL
85	Retail sales in enclosed buildings	P	L (85B)	P	P	L (85E)	CL	RETAIL
86	Rooming/lodging houses	X	X	X	X	X		
87	Schools: elementary, middle, and high	X	X	X	X	X		
88	Schools, trade and business	P	P	P	P	X	IL	INDUST
89	Shared parking	P	P	P	P	P	IL	n/a
90	Single-family detached dwellings	X	X	X	L (90D)	X	RS4.5	RESID
91	Solid waste/recycling centers	X	X	X	X	X		
92	Sororities and fraternities	X	X	X	X	X		
93	Stone processing activities	X	X	X	X	X		
94	Taxi stands	P	X	P	P	X	IL	n/a
95	Theaters, indoor	X	X	X	X	X		
96	Townhouses	X	X	X	L (96D)	X	RM7	RESID
97	Utility substations and transmission facilities	X	P	P	P	P	IL	INDUST
98	Warehousing & storage (see # 99 below)	X	X	X	X	X		
99	Warehousing and storage, within enclosed buildings	P	L (99B)	L (99C)	L (99D)	P	IL	INDUST
100	Wholesale in enclosed buildings	P	L (100B)	L (100C)	L (100D)	P	IL	INDUST
101	Wholesale trade (see # 100 above)	X	X	X	X	X		

Table 1 -- THOMSON PUD LIST OF USES

TYPE OF USE		A	B	C	D	E	Applicable	
<i>Uses Not Currently Listed in Adopted Zoning Ordinance</i>								
102	Flexspace	P	P	P	P	P	IL	INDUST
101	Manufacturing/ Showroom	P	L (101B)	P	P	L (101E)	IL	IND/RET
NOTES:								
(1) Except as otherwise regulated in the preliminary PUD approval.								
LEGEND:								
X = Prohibited								
P = Permitted use in the PUD								
L = Limited Use with Conditions								

Other Site-Specific Design Considerations:

- New development should not impede truck traffic from industrial uses.
- Noise and vibration impacts from industrial uses should not negatively impact residential uses to the east.
- New uses should not use land area that may be needed for industrial uses in Tract C.
- The amount and intensity of new uses shall be constrained by the availability of parking. Staff shall base parking requirements on Code, but may reduce Code requirements by up to 20% if the petitioner provides documentation that Code requirements are excessive for a specific use based on standards established by professional sources such as the Urban Land Institute and Institute of Transportation Engineers; that the reduced standards are needed to facilitate the redevelopment of a substandard site; and, that no negative off-site impacts will occur.
- New internal lot lines are not subject to minimum setbacks set forth elsewhere in this PUD and the Code; staff shall consider minimum setbacks needed for safety and access.
- Any new development on the northeast parcels where Grimes will be realigned must consider the need for parking for future uses on Tract E.
- If Plant 1 is demolished in whole or part, new construction on this site must present passive uses to the east and north.
- Floodplain permits are required for development in the floodplain that runs roughly along the railroad tracks.

Architectural Concepts:

- None for existing structures.
- If Plant 1 is demolished, design of east and north facades facing future non-industrial development or roadways should be reviewed based on visual impact on non-industrial users.

Phasing:

- Phase 1. Final plan approvals should take into account the need for parking for future uses in Tract B.

TRACT D

Size: 85 acres

Purpose:

- Provide an area primarily for new industrial uses, but to also accommodate office, retail and residential uses.

<u>General Uses:</u>	Targeted Maximum
	<u>Area (not additive)</u>
Industrial	85 acres
Office	20 acres
Retail	10 acres
Residential (7 du/ac max)	5 acres

Specific Uses:

Refer to Table 1.

Development Standards:

- Refer to Table 1.
- New development shall satisfy existing Code requirements except as otherwise provided in this PUD plan.

Facilities Plan:

- Roads. (1) A east/ west road shall be provided to secondary arterial standards connecting Rogers Street and the stubbing at the western boundary of Tract D at a location approved by the City. This roadway shall be a boulevard in design. A minimum ROW dedication of 90 feet is required where existing conditions permit. (2) A secondary east/ west road stubbing at the west boundary of the IMI parcel and terminating at the north/ south road may be required by the City, depending on the needs of the proposed final plan. (3) At least one, and possibly two, north/ south roads connecting Tract B to the east/ west secondary arterial shall be required. The southern leg of this north/ south road shall be a boulevard in design.
- Sidewalks/ Paths. A demarcated five foot dedicated bike lane provided along the entire length of both sides of the future east/ west secondary arterial. Sidewalks on both sides shall also be provided. At least one north-south easement and path shall be provided to connect from the east-west road to the Thomson Park. At least one north-south pedestrian easement and path shall be provided that connects the interior of Tract D to the pedestrian path easement that links Tract D to Thomson Park.
- Sanitary Sewers. To be extended.
- Stormwater Management. Two major detention areas are designated on the southern portion of the site. Detailed stormwater management plans are to be assessed in conjunction with overall PUD stormwater management plan.
- Water Supply. To be extended.
- Public Utilities. To be extended.

Landscaping:

- Street Trees - This parcel has no existing public street frontage except for a narrow strip along South Rogers St. Street trees will be placed along the proposed east-west connecting street through this parcel. Other future roadways serving Parcel D shall also be landscaped with street trees.

- **Parking Lot Landscaping** - Parking lot landscaping in this Parcel shall meet all code requirements. The exception would be for parking lots serving IG or IL land uses, or land uses located in Parcel B, which may be landscaped at a rate of 4% of surface area. Parking lot landscaping for dedicated truck parking lots shall be waived.
- **Perimeter Landscaping Requirements**
 - East* - Because this setback falls adjacent to the IMI Concrete Plant, landscaped buffer plantings are proposed to be ½ of normal side/rearyard code requirements.
 - West* - The existing western tree line shall be preserved and used to ensure a minimum 50 foot landscaped buffer against future residential development such as the Sudbury PUD. This buffer will be a combination of new evergreens and at least a 30 foot tree preservation area.
 - North (adjacent to Tract B)* - Due to the likelihood of integrated and similar land uses between Parcels B and D, proposed perimeter landscaping shall be reduced from normal code requirements. It is anticipated that D-values will be ½ of normal rearyard code requirements, with the ultimate requirements to be set a final plan stage for Parcel D.
 - North (adjacent to Sudbury PUD)* - Same buffering as required along the west perimeter. This buffer may be increased to accommodate additional sinkhole protection.
 - South* - Along the Thomson Park interface, an existing tree line in the southeast quadrant shall be preserved. On the eastern boundary of the proposed 4.4 acre residential section, an evergreen buffer will be planted at the west edge of the single family home lots along Cherokee Drive and Chambers Ave. North of the homes on Cherokee Drive, an evergreen buffer will be installed south of the proposed east-west through street. On the remainder of the south property line of Parcel D, a low, dense evergreen buffer shall be installed along the southern edge of the 150 foot overhead power line easement.

Other Site-Specific Design Considerations:

- Noise and vibrations from industrial uses should not negatively impact residential uses to the south and west.
- Final plans must satisfy environmental performance standards, including no disturbance within 25 feet of the last closed contours of identified sinkholes.

Architectural Concepts:

- Facades within view of future roadways should have higher architectural quality. Retail and office developments should have unifying design themes to enhance the planned development nature of the PUD.

Phasing:

- Phase 2. Final plan approvals should consider the need for future parking for Tract B.
- Phase 2. Access from Rogers Street or the future extension of Adams Street is required as a condition of development of non-industrial uses.

**BLOOMINGTON PLAN COMMISSION
FINAL REPORT
LOCATION: 1700 S. Rogers Street**

**CASE NO.: PUD-12-02
DATE: July 8, 2002**

PETITIONER: Monroe County Commissioners

COUNSEL: Smith Neubecker and Associates
453 S. Clarizz Blvd., Bloomington

REQUEST: The petitioners are requesting a preliminary plan amendment to Tract D of the Thomson Area Planned Unit Development (PUD), originally approved in 1998, to change the permitted uses to allow for juvenile and adult correctional and rehabilitative facilities and a range of institutional uses.

UPDATE: This petition was last heard at the June 17, 2002 Plan Commission Meeting. Since the first hearing, staff has worked to develop conditions of approval and phasing requirements for the proposal.

PROPOSED USES: The petitioners are proposing a wide range of "Public and Governmental Uses" for this tract. They also propose to maintain the existing permitted industrial, residential, office and retail uses that were established in 1998. In response to issues raised at first Plan Commission hearing, staff has proposed several changes to this list of uses.

The primary change is requiring that jails only be allowed as a conditional use instead of a permitted use. This would require use approval from the Board of Zoning Appeals prior to a future final plan approval rendered by the Plan Commission. Correctional facilities are not permitted uses in any zoning district. These facilities are allowed only as conditional uses in the Institutional (I), Arterial Commercial (CA) and General Industrial (IG) zoning districts. By approving correctional facilities as a permitted use, the Plan Commission would essentially be "pre-zoning" land for a jail without any specific plans for a jail. Staff recommends that discretionary review authority be maintained by the BZA until specific plans are available for review.

Another change proposed by staff is an attempt to address concerns about the possible drain of county office workers from the downtown. While office uses and governmental uses were originally approved for this Tract, it was never envisioned that this property would be used as a government office complex. At the first hearing, some members of the Plan Commission expressed concern that general county offices would be moved out of the downtown and the Courthouse into new facilities on this tract. Staff has attempted to address this by limiting the definition of government institutions. The proposed definition of governmental institutions for this tract does not include offices that serve the general public.

To this point, the petitioners have not agreed to either of these proposed changes to the permitted use list.

Finally, staff recommends that the list of uses be amended to more closely correspond with the permitted uses as listed in the Zoning Ordinance. Two of the petitioner's proposed uses, court facilities and residential youth shelters, are not actually uses listed in the Zoning Ordinance. These uses should be included within the definitions of government institutions and rehabilitative facilities, respectively. As a result of these changes, staff recommends that the following use list be approved for Tract D.

New Permitted Uses

- Community center
- Correctional facilities (*excluding Jails*)
- Court facility
- Cultural facility
- Government Institutions (including court facilities, archival facilities, accessory offices and governmental offices that do not serve the general public)*
- Offices (this is already a permitted use)*
- Parks and playgrounds
- Parking lots and garages
- Police station
- Rehabilitative facility (*including residential youth shelter*)
- ~~Residential youth shelter~~
- Schools (including elementary, middle, high, trade and business)

New Conditional Uses

- Correctional facilities (*Jails*)

PRELIMINARY PLAN AND SITE PLAN ISSUES

Transit: Transit service is currently available on Rogers Street on the east side of this tract. After consulting with Bloomington Transit, staff has verified that route times would not be negatively affected if transit service was provided for the interior of the site.

Road Standards: Due to the limited land available for construction of the new east-west road, a reduction in right-of-way dedication is required. An 80-foot right-of-way is required on the interior of the site, per the Thoroughfare Plan. Within the narrow strip of land connecting the site to Rogers St., right-of-way varies from 80 feet to approximately 65 feet. Staff recommends the dedication of all land within this strip for right-of-way.

In order to limit the impact of the new east-west road to the homes along Cherokee Drive, staff recommends that it be shifted as far north as possible, within the limits of available right-of-way. Staff also recommends that if possible, landscape buffering be established between the road and the homes. Both of these issues would be evaluated with the first final plan approval for this tract.

In terms of roadway standards, the petitioners have proposed a two-lane road with 12-foot travel lanes and no dividing median. This road would be constructed with tree plots and a 5-foot sidewalk on the north side and an 8-foot sidepath on the south side. At the eastern end of the property, near Rogers Street, the width of the roadway strip widens and can accommodate a left turn lane, an acceleration and deceleration lane, and a pedestrian refuge median.

Connectivity: The petitioners are proposing one street stub to the south. This stub will connect to vacant residentially zoned land and will eventually connect to Quarry St., further to the south. This stub is in compliance with the original PUD. Staff recommends that the right-of-way for this road be dedicated with the first final plan approved for this tract.

The petitioners have proposed to remove the requirement that a new public street be constructed to connect with Tract B to the north. While both of the schematic locations for this road shown in the 1998 PUD would be difficult to construct, staff still recommends that an access easement or right-of-way be provided to connect Tract D with the southwest portion of Tract B. Please note the location of this possible connection on the exhibit labeled "Connectivity Requirements". Staff recommends that this easement or right-of-way be recorded with future final plan approvals.

In addition, the petitioners have depicted a possible access easement connecting Tract D with a portion of Tract B. Staff has analyzed this easement location and recommends that it be shifted to line up with a proposed roadway connection to the south (Please see the Connectivity Requirements exhibit).

Road Phasing: The proposed new east-west road will eventually connect to the future Adams Street within the Sudbury PUD and to Weimer Road further to the west. Given this road's importance to future developments, staff recommends that construction of this road to the west property line of Tract D be tied to immediately anticipated construction. More specifically, staff recommends that the new east-west road be constructed from Rogers Street to serve the first facility (most likely the Juvenile Justice Facility), and that construction or bonding for the remaining east-west road occur with final plan for the second facility (most likely the community corrections facility).

Pedestrian Accommodations: A multi-purpose path was required with the original PUD to connect Tract D to Thomson Park to the south. Staff recommends that the location of this path be shifted to the east to connect with

an existing path that is already located on the east side of the park (see Connectivity Requirements exhibit). Dedication of a pedestrian easement and construction of this path shall take place with Final Plan approval.

The Bicycle and Pedestrian Safety Commission has also requested that an easement be platted to connect the homes along Cherokee Drive and Chambers Drive to Thomson Park. This could be accomplished with a 15-foot pedestrian easement along the east and south property lines near these streets. Staff recommends that this easement be dedicated as well.

Buffering: The existing homes along Cherokee Drive will be buffered from the proposed facilities by existing tree lines in the southeast corner of the site. The visual impact of the facilities will also be lessened by distance, approximately 1,000 feet from the nearest home. Other design features that should be included to limit impact include shifting the proposed east-west road as far north as possible and including landscape buffering along the road and in front of the facilities.

Environmental Issues: All of the environmentally sensitive areas and buffers required with the original 1998 PUD will be maintained with this petition. In addition, staff recommends that a larger conservation area be required around the cluster of karst features located in the southwest portion of the tract. Final details of the conservation area, as well as all needed easements will be part of future final plans.

RECOMMENDATION: Staff recommends approval of the petition with the following conditions:

1. The list of permitted uses for Tract D shall be amended to include the following permitted uses: New Permitted Uses: Community center, Correctional facilities (excluding Jails), Cultural facility, Government Institutions (including Court facilities, archival facilities, accessory offices and general governmental offices that do not serve the general public), Parks and playgrounds, Parking lots and garages, Police station, Rehabilitative facility (including residential youth shelter), Schools (including elementary, middle, high, trade and business).
2. Jails shall be added as a conditional use for Tract D. Conditional use review by the Board of Zoning Appeals is required for any future jail.
3. Final Plan review for any jail facility shall be the purview of the Plan Commission. Review of all other final plans shall be delegated to the Planning Staff per the guidelines of original PUD (PUD-41-98).
4. The new east-west road shall be constructed as needed for the first facility to be located on Tract D. Construction or bonding for the remainder of the

east-west road shall occur with final plan approval for second constructed facility.

5. Final design for the new east-west road shall be reviewed by the City Engineering Department at Final Plan stage and shall include landscape buffering, an acceleration deceleration lane, a pedestrian median along Rogers Street, and left turn lanes as needed.
6. Right-of-way for the required road stub to the south shall be dedicated with the first final plan. An access easement or right-of-way to connect Tract D with the southwest portion of Tract B shall be provided with the first final plan. Construction or bonding for these connections shall be required as needed for adjacent development or with full build-out of Tract D.
7. Dedication and construction of a pedestrian path connection between the proposed east-west road and Thomson Park, at the eastern end of the park, shall take place with the final plan for the first facility. A 15- foot pedestrian easement is also required along the east and south property lines to connect Chambers Drive and Cherokee Drive to Thomson Park
8. All Tract D conservancy areas established as part of the 1998 PUD will be maintained as part of this PUD amendment. In addition, a larger conservation area shall be established surrounding the karst features located in the southwest portion of this tract.

**BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
LOCATION: 1700 S. Rogers Street**

**CASE NO.: PUD-12-02
DATE: June 17, 2002**

PETITIONER: Monroe County Commissioners

COUNSEL: Smith Neubecker and Associates
453 S. Clarizz Blvd., Bloomington

REQUEST: The petitioners are requesting a preliminary plan amendment to Tract D of the Thomson Area Planned Unit Development (PUD), originally approved in 1998, to change the permitted uses to allow for juvenile and adult correctional and rehabilitative facilities and a range of institutional uses.

SUMMARY: The property in question is located southwest of the former Thomson plant. The property is Tract D of the Thomson Area PUD, which was originally approved in 1998 (PUD-41-98) and included 222 acres. This 85 acre tract, approximately 1/3 of total PUD, stretches nearly 4000 feet from S. Rogers St. west to the eastern edge of the Sudbury PUD. It is bounded by Rogers Street, the IMI concrete plant and a Cinergy substation to the east, single family residential uses to the southeast, vacant residential land and the Thomson Community Park to the south, vacant industrial and business tracts of the Sudbury PUD to the west and Tract B of the Thomson PUD, including the existing warehouses, to the north.

The property is currently vacant and is mostly cleared. Eastern portions of the property include land that had been quarried in the past. All former quarries have since been filled. Large electrical transmission lines and an electric easement cross the property on its south side. The property includes several scattered tree stands, scattered karst features, a clustering of karst features in the southwest portion of the property, steep slopes and existing wood to the north.

The petitioners, The Monroe County Commissioners, are proposing to amend the Thomson Area PUD to change the permitted uses and development conditions for this tract. The uses proposed include juvenile and adult correctional and rehabilitative facilities and a range of institutional uses. Other changes to the PUD includes the removal of required road connections to Tract B to the north and changes to the shape of Tract D.

Proposed Uses: The petitioners are proposing a wide range of "Public and Governmental Uses" for this tract. They also propose to maintain the existing permitted industrial, residential, office and retail uses that were established in 1998.

Public and Governmental Uses	
Community center	Offices

Cultural facility	Rehabilitative facility
Court facility	Police station
Residential youth shelter	Parks and playgrounds
Parking lots and garages	Schools (including elementary, middle, high, trade and business)
Correctional facilities	

Anticipated Development: The petitioners have shown three of the potential uses on the schematic site plan; a juvenile justice facility, a community corrections facility and a jail. They have also discussed, but not represented, the development of an archival facility for County record keeping. Timing of the construction of these uses is not currently know, but the petitioners have indicated that the juvenile justice facility and community corrections facility would be built in a first phase. The anticipated uses are described in more detail as follows:

1. **Juvenile Justice Facility:** The immediate need prompting this amendment request is for a juvenile justice facility. This use, depicted as the middle building on the schematic site plan, is anticipated to be approximately 55,00 square feet in size, house 65 juveniles and contain a staff of 140 employees. This facility would contain a mix of secure detention and minimum-security dormitory style housing.

Unlike the county's current youth shelter at 515 S. Adams Street, all residents of this proposed facility would be remanded by the court system. Juvenile offenders with a history of sexual aggression or severe violence would not be housed at this facility, but would instead receive special treatment elsewhere. The petitioners stress that treatment and education as well as family oriented programs would be major components of the facility.

2. **Community Corrections Facility:** The second anticipated use is an approximately 36,000 square foot community corrections facility. This facility, depicted as the eastern building in the schematic site plan, could house 100 adults and include a staff of 50 employees. Community Corrections is a component of the criminal justice system administered by the Monroe County Probation Department and includes programs such as work release, home detention, alternative sentencing, road crews, and public restitution. Inmates would be housed in a minimum security environment. Community Corrections offices are currently located near 7th and Madison Streets and detention takes place within the Monroe County Jail. Development of the community corrections facility is anticipated to follow the construction of the juvenile justice facility.
3. **Jail:** The building in the northwest corner of the property is an approximately 170,000 square foot, 400 bed, jail. While the County has no immediate need for a second jail or a replacement jail, they do anticipate this may be a need in

the future. The construction of the proposed community corrections facility would take some pressure off of the current jail, increasing its viability, and decreasing the immediate need for a new or second jail facility.

4. **Archival Facility:** While not depicted on the site plan, the petitioners have indicated their desire to develop a facility to archive public records. This facility could house records of the County as well as the Monroe County Community School Corporation and would not require a large amount of land.

Other Changes to the PUD: Apart from the proposed changes to the permitted use list, two other changes to the PUD are proposed. The petitioners propose to change the shape of Tract D by removing approximately 5 acres near the northeast corner of the site and making this acreage part of Tract B. The petitioners believe this land would be better used as potential parking for the existing warehouses on Tract B. With this change, the petitioner are also proposing to make approximately 5 acres near the southwest corner of Tract B part of Tract D. This land sites much higher in elevation than the rest of Tract B and is better accessed from the south, through Tract D.

The final change to the PUD includes eliminating road connectivity from Tract D, north to Tract B. Two schematic locations for these connections were shown in the original 1998 PUD. In place of these connections, the petitioners have proposed a single access easement to allow Tract B, and a possible future parking lot for the existing warehouses, to access the new east-west road. While both of the schematic locations shown in the 1998 PUD would be difficult to construct given existing constraints on the property, staff still recommends that a location for a second access easement be investigated to connect Tracts D and B.

PRELIMINARY PLAN AND SITE PLAN ISSUES

Transit: Transit service is currently available on Rogers Street at the far east side of this Tract. Future transit service to the interior of the site, on the new east/west road, would be dependent on whether the additional service time negatively affects the current route on S. Rogers St.

Access: One primary access point is proposed for this Tract. A 70-80 foot wide, 1100 foot long, strip of land connects the main portion of the Tract to S. Rogers Street. The petitioner are proposing, in conformance with the original PUD, a new public street running from S. Rogers St., through this strip of land and stubbing to the property line to the west. This road will eventually connect to the existing Sudbury Drive in the Sudbury PUD and continue on to S. Weimer Road.

Road Standards: The 2002 Master Thoroughfare Plan, recently approved by the Plan Commission but not yet approved by the Common Council, classifies the new east-west road as a Secondary Arterial. The plan directs secondary Arterials to have two 12-foot travel lanes, 4-foot bike lanes (or sidepaths where access

cuts are limited) and a 14-foot median. The original Thomson PUD encouraged a landscaped median for this street. Given the narrow width of land available for an east-west road, the petitioners are proposing a reduction in these road requirements. Proposed is a two lane road with 12 foot travel lanes without a median. This road would be constructed with tree plots and with a 5-foot sidewalk on the north side and an 8-foot sidepath on the south side. At the far eastern end of the property, near Rogers Street, the width of the roadway strip widens and can accommodate a left turn lane.

Traffic Study/Traffic Impacts: The petitioners have submitted a traffic study analyzing the impacts of the proposed PUD amendment on the street system. This study takes into account anticipated traffic from the full development of Tract D, the removal of a road connection to the north and assumes that the east-west road has not been built all the way through to Weimer Road.

While the original traffic study for this PUD anticipated a range of Average Daily Trips (ADTs) for Tract D from 3,000 to 7,000, the new traffic study claims a decrease of trips, down to 3,000 ADT. Because of the removal of a road connection to Tract B, all 3,000 trips will enter through S. Rogers Street. Where 2,000 to 3,000 new ADTs were anticipated for Rogers St. itself in the original traffic study, this number goes up to approximately 4,500 new ADTs. The new traffic study also finds that this development will not create the immediate need for a traffic signal at the S. Rogers Street intersection.

Connectivity: The petitioners are proposing one additional street stub to the south. This stub will connect to vacant residentially zoned land and will eventually connect to Quarry St., further to the south. This stub is in compliance with the original PUD.

Chambers Drive and Cherokee Drive stub to the PUD property lines to the east. No connection is proposed at this time. If the southeast portion of the Tract is developed residentially, as intended in the original PUD, connections to these streets are still possible.

Pedestrian Facilities: As stated previously, the petitioners have proposed a sidewalk on the north side and a multi-use sidepath on the south side of the east-west road and no bicycle lanes. While this is inconsistent with the Alternative Transportation and Greenways System Plan (the Plan recommends bike lanes) and the approved plans for the Sudbury PUD, it is supported by the City's Bicycle and Pedestrian Safety Commission. The Commission believes that separated facilities, given the few number of curb cuts, would be most appropriate. These facilities will require changes to future final plans of some parcels in the Sudbury PUD. In addition to the sidepath, sidewalks are required on S. Rogers St. and the stub street to the south.

A pedestrian path was required to connect this Tract to Thomson Park to the south in the original PUD. While the petitioners have shown a schematic location for this connection, the path may be better located further to the east. A location further to the east would be more open and would provide a shorter distance to the main activity areas of the park.

Environmental Issues: The original Thomson Area PUD identified several areas on this Tract as areas for preservation. The PUD requires preservation of a 30 foot buffer between this tract at the Sudbury PUD to the west, two large tree lines in the southeast corner of the property as a buffer to the existing residential neighborhood, the wooded areas on steep slopes along the north property line between Tracts D and B and all karst features, especially the large clustering of sinkholes in the southwest part of the property. None of these environmental features or commitments to preservation will be changed with this petition. The Environmental Commission may recommend larger areas for preservation than previously approved in 1998, especially the wooded area in and around the sinkhole cluster in the southwest portion of the Tract.

Utilities: Water and sanitary sewer mains have been stubbed to the property lines and have been sized to accommodate development on this Tract. These mains were put in place in conjunction with utility work in the residential neighborhood southeast of the property. Approval of utility plans is required prior to any final approvals.

Stormwater: Schematic stormwater plans were incorporated with the original PUD and proposed the creation of stormwater detention ponds near the property line with Thomson Park to the south, to the northeast on Tract B and at the far southwest corner of this Tract. Final approval will occur at the permit stage.

Fiscal Impacts of PUD Amendment

This site is within the Thomson Walnut Tax Increment Finance District (TIF) and a Community Redevelopment Enhancement District (CRED). These districts were created to provide fiscal incentives to redevelop the Thomson site. This petition for institutional uses will affect the fiscal revenues of both of these districts.

TIF District: The Thomson/Walnut TIF district includes approximately 650 acres of commercial and industrial land. The district includes all of the Thomson PUD, plus Thomson Park, large parts of the McDoel railroad switchyard, the industrial portions of the Sudbury PUD and properties on the west side of Walnut Street from Dodds Street to Winslow Road.

TIF districts capture all collected property tax increases, starting from a given year, of properties within the district. Instead of being used for the general

function of government, the increases in property taxes from redevelopment or increasing property values goes to fund future infrastructure and other public investment within the district.

The property in question represents approximately 13% of all the land within this TIF district. It also represents more than 50% of the vacant land within the district. With this petition, the property would be removed from tax rolls and would no longer contribute to the TIF district.

While there are no outstanding revenue bonds associated with this district, many improvements are planned for the general area. Anticipated future uses of TIF funds include redevelopment of the McDoel switchyard and further development of the Bloomington Digital Underground, not to mention needed infrastructure investment for roadway improvements.

CRED District: The Thomson CRED district, as well as the State enabling legislation for CRED districts and the Thomson PUD, was created in 1998 to further spur redevelopment of this property. Like TIF districts, CRED districts capture the incremental taxes, from a given base year, to be used for infrastructure and other public and redevelopment uses within the district. CRED districts capture income and sales taxes from the companies and employees with the district. The Thomson Area CRED includes all of the Thomson PUD.

While this petition would not result in the removal of this tract's contributions to the CRED, approximately 300 employees are anticipated with the petitioner's proposed uses. Therefore, its fiscal contribution could be less than that of several large industrial uses. An industrial park development would potentially employ several times the number of people as anticipated with the proposed governmental uses.

Growth Policies Plan Review (Existing Plan)

This property is within the "Industrial" land use category of the Growth Policies Plan. This category includes existing and planned industrial facilities as well as allocation of land for the future. These areas include "large, uninterrupted tracts of level land with few environmental constraints and with excellent highway and arterial [street] access."

The GPP calls out for site and facility reuse plans, such as the 1998 Thomson PUD plan, as industrial uses are displaced. As a matter of redevelopment policy, "Industrial areas should be reserved for exclusive use of industrial and employment generating enterprises."

The "Sustain Economic and Cultural Vibrancy" Guiding Principle also gives guidance on this petition. This principal advocates that the City "reserve and maintain an exclusive supply of land to accommodate future employment growth

and enterprise development” and urges the City to “... ensure existing firms that expansion space will be found.”

Draft 2002 Growth Policies Plan Review

This property is within the "Employment" land use category of the Draft Growth Policies Plan. The Employment land use category advocates mixed office and industrial uses and strives for large-scale employment opportunities for the region. In these areas, the draft GPP focuses on corporate headquarters and industrial uses in a "business or industrial park" environment.

The policies of the "Public/Semi-public/Institutional" land use category also gives guidance on the proposed use. The GPP has identified areas of existing government and social services uses and has attempted to designate adequate land to support these uses in the future. The draft GPP also notes that future public and institutional uses should respect and compliment the existing character of surrounding uses and should mitigate operational impacts.

Finally, the "Sustain Economic and Cultural Vibrancy" Guiding Principle relates directly to the proposal. This principal advocates the City to ensure that adequate land is available for future employment center development. The draft GPP also advocates "ensuring that vacant land is not converted to uses that are incompatible with economic development goal."

DISCUSSION POINTS

Planning Staff recommends the Plan Commission weigh the proposed PUD amendment and its community-wide benefits against its impacts to the industrial land base of the City, the existing financing districts and the existing neighborhoods. Staff would like guidance from the Plan Commission on the following issues:

1. **Land Use:** The Thomson Area PUD was created by the City of Bloomington in 1998 to spur the successful reuse of the site. The PUD stressed coordinated development and stressed that development on one Tract should not hinder the future access, parking or site development of other tracts. This petition would remove the potential for private industrial or employment based development from 85 acres of industrial land. While office uses were originally permitted for this Tract, they were limited to only 20 acres of the tract. This petition might also negatively affect the potential for development of other industrial tracts in the area.
2. **Fiscal Impacts:** As noted earlier in this report, this site is within the Thomson/Walnut Tax Increment Finance District (TIF) and a Community Redevelopment Enhancement District (CRED). One of the stated goals of the PUD is to "attract land uses that maximize benefits of the Community

Redevelopment Enhancement District (CRED).” The Plan Commission should weigh the proposed PUD amendment and its public benefits against the impacts to these financing districts.

3. **Neighborhood Issues:** Staff recommends that the petitioners conduct a neighborhood meeting to get input from residents, including the McDoel Gardens, and Autumnviews neighborhood associations and property owners on Cherokee Dr., Chambers Dr., Duncan Dr. and Guy Ave.. In addition, input should be sought from the developer of the Sudbury PUD to the west, to gauge how this petition might affect the proposed industrial uses there, as well as to coordinate continuity of bicycle and pedestrian facilities.

RECOMMENDATION: Staff recommends that the PUD Preliminary Plan Amendment request be forwarded to the July 8 Plan Commission meeting.

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Plan Commission minutes are transcribed in a summarized manner. Audiotapes are available in the Planning Department for full reference. Videotapes are also available for viewing in the Audio-visual (CATS) Department (phone #349-3111 or E-mail address: moneill@monroe.lib.in.us) of the Monroe County Public Library, 303 E. Kirkwood Ave.

The City of Bloomington Plan Commission met on Monday, July 8, 2002 at 5:30 p.m. in City Council Chambers. Members present: Scott Burgins, Marcia Donnerstein, Susan Fernandes, Jonathan Heald, Joe Hoffmann, Milan Pece, Richard Satnick, Tom Seeber, Bill Stuebe, and Jeffrey Willsey.

MINUTES TO BE APPROVED: None.

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

- Tom Micuda presented an update on the GPP process. City Council has decided to address the GPP review process starting in September rather than splitting the presentations between July and September. In the meantime, he will talk to the Plan Commission about the update of our Zoning and Subdivision Ordinances.
- Micuda noted that the interlocal agreement called for quarterly workshops in order to facilitate better communication between the City and County on more regional or long term growth issues. Micuda and Bob Cowell, the County planning director, are planning to meet on August 6 tentatively. He will consult with the Plan Commission on meeting location, time and agenda. He would be happy to have topics suggested from the Plan Commissioners. He asked for the Plan Commission to contact him about their availability on August 6.

PETITION CONTINUED TO AUGUST 12, 2002:

**SP-07-02 Mohney Development
 2955T E. Winston St.**

PETITIONS:

**PUD-12-02 Monroe County Commissioners
 1700 S. Rogers St.**

Jim Roach presented the staff report. This is the second of two hearings on this petition. The Monroe County Commissioners are requesting a preliminary plan amendment to Tract D of the Thomson Area PUD. The tract is made up of 85 acres located north of the Thomson Community Park, west of Rogers Street, northwest of the neighborhood around Cherokee Street, and east of future industrial land of the Sudbury PUD. There will be a future extension of Adams Street to the west and a future MCCSC elementary school south of the park. The petitioners are requesting the addition of a range of public and governmental uses to the permitted use list for Tract D, changes to the schematic layout of the roads through the tract, and changes to the shape of the tract. Additional uses requested include a juvenile justice facility—including facilities for juvenile corrections, juvenile detention, and a mix of secure detention and minimum security dormitory housing to hold and do treatment and counseling activities for juvenile offenders. The second requested use is a community corrections facility—with more non-traditional sentencing programs like probation, home detention, alternative sentencing, and work-release programs. The petitioners feel that they have an immediate need for these facilities at this site. A third requested use is for a potential future jail facility. This could be a 170, 000 square foot jail facility with approximately 400 beds. There is no immediate need for this facility but the petitioners would like to keep their options open to develop this site as a governmental services/correctional facilities campus. The fourth facility is an archival facility to house records in the future.

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Since the first hearing, staff has worked with the County Commissioners to establish some phasing. Staff suggests that the jail be allowed as a conditional use rather than a permitted use. Any future plans for a jail would have to come to the Board of Zoning Appeals (BZA) for review. There is no specific plan to build a jail at this time. Final plan review for a jail would be subject to Plan Commission approval. The second use issue concerns the governmental office uses proposed. There has been some concern that this petition may lead to the removal of county offices from downtown. To address that, staff suggests that the specific definition for this parcel would not include offices that would be used by the general public. This is an attempt to allow for a wide range of uses on this parcel but to address the concern that County offices might move from the downtown. Road and construction phasing would be done. A veritable right-of-way would be placed on the site for the future location of the east-west road. The road would narrow and then widen out closer to Rogers. The Public Works Department wants the full 80 feet of right-of-way. They feel it is necessary for construction and maintenance of this road. In order to accommodate those concerns, the road profile would need to change drastically. In order to do this, the road would have to be shifted north of the utility pole and further away from the existing homes. The proposed road location is not included in this parcel but is owned by another party. Most of these details could be worked out at the final plan stage. Staff has proposed a phasing schedule for the road construction. Staff has proposed a phasing schedule that would include construction of the main east-west road up to where it is needed for the first facility that is built. The remainder of the road to the west property line would be constructed when the second facility is built. There are two facilities that are considered to be needed more immediately—including the juvenile facility and the community corrections facility. There is no clear time frame when the second set of buildings will be constructed. Without the road connection to the west, the facilities would sit on a dead end cul de sac. The connection of this east-west thoroughfare is very important to the community. The petitioners have not agreed to this phasing schedule. Another schedule will be presented at this meeting. The petitioner is proposing that the full public road north-south connections be removed. There would still be a drive to connect to the south side of the existing warehouse Parcel B easements and private drive for emergency access for the western part of the parcel to tract B and both vehicular and pedestrian connections to the south. The connections to the south will connect to a vacant residential tract and eventually connect to the Parkhill and Rockview Hills additions. The petitioner suggests that this dedication and construction only take place as development occurs in the southeast corner of tract D. Staff would note that there are no clear short or long-term plans for development for any development in that area. Staff would recommend that the construction of the connection to the south take place when an additional access point to the vacant land is needed.

Staff recommends approval of the petition with the following conditions of approval:

1. The list of permitted uses for Tract D shall be amended to include the following permitted uses:
New Permitted Uses: Community center, Correctional facilities (excluding Jails), Cultural facility, Government Institutions (including Court facilities, archival facilities, accessory offices and general governmental offices that do not serve the general public), Parks and playgrounds, Parking lots and garages, Police station, Rehabilitative facility (including residential youth shelter), Schools (including elementary, middle, high, trade and business).
2. Jails shall be added, as a conditional use for Tract D. Conditional use review by the Board of Zoning Appeals is required for any future jail.
3. Final Plan review for any jail facility shall be the purview of the Plan Commission. Review of all other final plans shall be delegated to the Planning Staff per the guidelines of original PUD (PUD-41-98).
4. The new east-west road shall be constructed as needed for the first facility to be located on Tract D. Construction or bonding for the remainder of the east-west road shall occur with final plan approval for second constructed facility.

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5. Final design for the new east-west road shall be reviewed by the City Engineering Department at final plan stage and shall include landscape buffering, an acceleration deceleration lane, a pedestrian median along Rogers Street, and left turn lanes as needed.
6. Right-of-way for the required road stub to the south shall be dedicated with the first final plan. An access easement or right-of-way to connect Tract D with the southwest portion of Tract B shall be provided with the first final plan. Construction or bonding for these connections shall be required as needed for adjacent development or with full build-out of Tract D.
7. Dedication and construction of a pedestrian path connection between the proposed east-west road and Thomson Park, at the eastern end of the park, shall take place with the final plan for the first facility. A 15-foot pedestrian easement is also required along the east and south property lines to connect Chambers Drive and Cherokee Drive to Thomson Park
8. All Tract D conservancy areas established as part of the 1998 PUD will be maintained as part of this PUD amendment. In addition, a larger conservation area shall be established surrounding the karst features located in the southwest portion of this tract.

Steve Smith spoke for the petitioner. He felt that it was agreed that this would be a good location for this facility. He wanted to discuss the conditions of approval. He distributed the petitioner's amended conditions of approval. He commented on several conditions of approval and presented the petitioner's requests to alter those conditions. We need to include jails. The offices need to be able to serve the general public. They asked that it be completely deleted. They asked that it be completely deleted. He presented alternative wording as found in the petitioner's statement from last week. They are looking at different road phasing than is required from other petitioners. They won't need the road on the west part of the parcel for quite a while and shouldn't have to build that part now. They will build the eastern part of the road. They asked to be treated like other petitioners and be able to build roads and dedicate easements, as they are needed. Staff's conditions would be forcing the county to build out ahead of their requirements. They were surprised to have the issue of the location of the east-west road come up today. The proposed road location has been in this location on the map. We knew that it was narrow. This was the chosen location of the road in 1998 by the Plan Commission and City Council. It is the best location for the east-west roadway.

Brian O'Neill reiterated that this is an important project and why. It is not a county problem, but a problem for the entire area. He asked for the City to cooperate. (See minutes from 6/17/02.) Building this project would be a more effective and less expensive solution than building a maximum-security jail. The County would like this site to be a possible location of future expansion of County office space. The County is trying to comply with the PUD from 1998 with the location of the east-west road. A letter has been put into the permanent record from the developer of the whole site saying that they have no reservations about the location of these uses on this parcel. He said that it would be very expensive to construct office space on the Semicon lot. Fairview Elementary School is much closer to the present jail than the location of the new Broadview Elementary will be to this site. He pointed out that parents could do the best job they can and still have a child who may need services from a facility like this. There will be less traffic generated from this use than from any of the present allowed uses on this site. The County will handle the illegal dumping that has happened on this site and any subsequent clean-up necessary. Offices are an acceptable use on this site now. The County objected to the constraints placed on the petition by staff's conditions of approval. It is unacceptable to forbid office use on this site. Moving offices is a County decision. It is important for a purchase of this magnitude to have the flexibility to put future county correctional services on this site. There has been concern that a private entity might end up build and operate a jail. This is not the County's intent and a condition of approval disallowing this kind of situation would be acceptable. Any jail built on this property would require a bond issue.

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Plan Commission approval and City Council approval would be necessary for this to happen. It is perfectly appropriate to have this option for this government site.

Bill Stuebe asked for questions from the Plan Commission for staff or the petitioner.

Scott Burgins asked if the County was okay with Condition #3?

O'Neill said yes, site plan review is part of the normal process.

Susan Fernandes said that some of the neighborhood concern was about the impact on neighboring property values. Has staff researched this issue?

Roach spoke to a real estate appraiser from Kokomo. Based on his experience, he had not seen a dramatic change in property values after a similar facility was constructed.

O'Neill said that his findings were in agreement with staff's findings. In some areas, new residential construction has occurred in neighborhood around these facilities.

Fernandes asked what kind of buffering would be possible if the road was not shifted to the north? Do they have room for planting or buffering?

Smith said that there is only one location where there space to build the road is tight and that is around the single power pole. Along the rest of its length, there would be a standard tree plot.

Micuda said that in the area of the power pole there is a 40-foot space between the pole and the south property line. That will make it tight to get the road and the landscaping in there.

Fernandes asked if the poles could be moved.

Smith said no.

Fernandes asked Micuda what kind of County offices would not serve the general public?

Micuda said that staff wanted to prevent County office relocation via a simple site plan approval. It would be more appropriate to have that decision based on a larger approval. Staff is open to suggestions about rephrasing that condition. Staff had talked about making the use restrictions specific to the courthouse uses. It is up to Plan Commission to see if they think this restriction is appropriate.

O'Neill said that if they get a PUD amendment now, they shouldn't have to come back to the Plan Commission for every office they may build there.

Micuda said that it is not uncommon for large PUDs that will come in over a long period of time to be amended more than once.

O'Neill said that he had never seen one that required a separate approval for every single use that was originally proposed.

Smith said that the way it is written, the County could relocate their offices to any other location but to their own property.

Jonathan Heald asked why the urgency to have those moves okayed, if they won't need to do it for such a long time?

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O'Neill said they want to ensure some flexibility when they purchase this property.

Heald asked if the narrowest point is 44 feet between the power pole and the property line? How would the petitioner be able to put in a road with two 12-foot travel lanes, 2-foot curb and gutter on both sides of the street, an 8-foot bicycle path and a five-foot sidewalk? That would leave a total of 3 feet for buffering on both sides.

O'Neill said that the multi-use path and sidewalk will be separated from the road.

Smith said that the road is 26 feet, multi-use path is 8 feet, and a 10-foot tree plot. The sidewalk can be on the north side of the pole. Their right-of-way is nearly 70 feet wide with the power pole in there. The power pole would sit right off the curb in the tree plot.

Heald asked why they think this location is the best location for the road?

Smith said that this is the only property that was part of the Thomson PUD. Further north, there are buildings, flood plain, and a PSI substation. It is important that this road connects to Sudbury. The land further north doesn't belong to this property owner.

Bill Steger, County Attorney, said that they haven't been able to approach the property owners since this issue only came up this afternoon. In the past, they had approached Cinergy about a roadway connection through their property. CINergy said they would consider it for a private drive but not for a public roadway due to liability.

Milan Pece asked for details about the County's proposal to delete condition #6. What is the difference between staff's requirements and the County's proposal?

Micuda said that in condition #6, staff is referring to the different connections adjoining the property. Staff has stated is that the rights-of-way should be dedicated as part of the known development (the first two facilities) so that the construction could occur either under a full buildout scenario or as needed. Smith would like the connectivity to be linked to the later phases of development.

Smith objected to the bonding or construction being dependent on some one else's needs rather than the project's.

Pece asked Smith if they are proposing that the east-west road be completed all the way to the property line even though you won't build to your west property line?

Smith said yes.

Joe Hoffmann asked if the petitioner is actually giving in on condition #4?

Smith said yes. They would prefer an alternative but they understand the community need for that east-west road.

Hoffmann asked if there was no prospect of moving this power pole? It would cost us money but couldn't they compel CINergy to move it?

Smith said it could not be moved. It is a very large steel pole.

Hoffmann asked if the County had the authority to condemn the pole and pay for the replacement?

O'Neill said there would have to be legal opinion on that because they are a utility and they have

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rights of eminent domain, too.

Smith said that the pole is in the tree plot. We wouldn't gain that much from moving it.

Hoffmann said that it interferes with what could be put in the south buffer. If a jail was needed, wouldn't there be a need for court facilities here, too? It doesn't make much sense to put a jail there without a court.

O'Neill said that there may be a better use for the Justice Building someday. The County wants to have the option. Expanding the present building would be expensive and hard to manage, but it could be done. It would be a long time before anything else would be built there.

Hoffmann asked if Bloomington Transit (BT) would serve this site?

Roach said that they say that they could, but they haven't made the decision to serve it yet.

Hoffmann asked staff that if the site is zoned for office use now, how can we regulate a particular kind of office? Why is that our concern?

Micuda said that it is a little bit out of our usual purview. Several Plan Commissioners and some people in the public had expressed concern about not putting some limitation on moving offices out of downtown. Some people might argue that these kind of offices have a core geographic need to be downtown. Staff would be prepared to withdraw this, if it is procedurally awkward for them?

Hoffmann said that he was having a similar problem with the jail issue. The community correctional facility would house criminals—admittedly minimum security. The juvenile facility will house juveniles who have been in trouble with the law. Some of those kids will be high-security risks, too. The jail is not a prison; it is a holding place while certain things happen. How is it different as a land use issue?

Micuda said that these issues are usually reviewed by having a lot more information at the table for the public policy body to make the decision. There is a short-term need for the juvenile facility so we have a little bit more information about that. We have no information about the jail facility other than square footage and bed count. In the absence of information, when evaluating a controversial use, we would prefer it be a discretionary use. We have very little information to make a decision about zoning for a jail facility.

Hoffmann asked if it would be appropriate in the PUD process to build in something a little bit between the two? For example, something where we would specifically retain authority as a Plan Commission over the jail issue to do a more extensive review than a typical site plan would get. Could we retain a little more authority over issues relating to whatever people think are important—size, location on the site, management issues, hours of operation, etc. Could we do this in the PUD context?

Micuda presented the three conditions associated with rendering conditional use approvals for correctional facilities. Adequate access is obviously present in this case. The second condition deals with site design, structure, intensity of use, etc. That is relatively a known quantity. There is less information about #3—design, supervision, specifics about operation, etc.

Hoffmann said that site design would be part of our normal approval process.

Micuda said that the Plan Commission (not necessarily staff's recommendation) could make it a permitted use, subject to a Plan Commission final plan approval but make a reference to conditional

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use criteria. Staff still feels like that gives up too much discretion.

O'Neill said that the petition is meeting all of those criteria for the juvenile facility now. He said for the Plan Commission to go ahead and make those conditions but do it now.

Hoffmann said that an issue like supervision characteristics is not part of our normal site plan review authority. It would be part of conditional use. We could make it explicitly part of the final plan review process.

O'Neill said that supervision characteristics of a jail are under very strict regulations are non-negotiable by any of us.

Hoffmann said that the conditions of approval seem to be written in terms of maintaining the east-west road in its current and proposed location with the narrowing of the right-of-way to account for the narrowing of the land that is owned by the petitioner. Are you going to stick to that condition?

Micuda said that the staff recommendation is as is listed in the staff report since it is the only available land. We wanted to bring it to your attention since it will require a substandard right-of-way as opposed to the standard 80-foot that we normally have. That is a trade off. And there will be legitimate difficulties in being able to put this road in and achieve the buffering we would like with the property owners to the south.

Tom Seeber asked about the reality of another way in. What is the time line on building the east-west road? What if the power lines come down?

Micuda said that staff has searched for a second way in and out of this property—whether it would be a connection to the south or a connection to Tract B. There is a short-term scenario of having a single dead end street off of Rogers St. that will be controlled by the pace of development.

Seeber said that although office uses are an approved use at this location but this is not a bank or an insurance company. He was struggling with where to draw the line on this public policy issue. Moving the County offices to this site would not be as convenient for the public as downtown—the hub of the city.

O'Neill said that he understood Seeber's concerns. They have no plans to move County government from downtown. The crowding in the County offices is much worse than in 1997. They have to do something to address it. This is the largest piece of land close to the courthouse.

Seeber said that this would be water under the bridge once the Plan Commission would approve it and it happens. But, if we grant a blanket office use, if a County campus is created, you would walk as far from building to building for services as you would if you bought part of the Showers Building or another location in that vicinity.

O'Neill said that they have looked into other locations closer to the Courthouse and have been blocked in every single one of them.

Seeber said that there is a lot of available real estate downtown. It would be possible to find an 8,000 square foot lot that would be suitable to put a three-story county office building on. That would serve 1/3 of the need you said you have.

Jeffrey Willsey disclosed that he was on the committee that recommended this site. The County Commissioners actually selected the site. He didn't feel that this would affect his ability to vote on this petition. Is this a greenfield or a brownfield development?

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Micuda said he considers it a redevelopment site since it is within the city boundaries. He would call it a brownfield—but it is a difficult question.

Willsey asked if this site is closer or farther away from the center of the population distribution in the county as opposed to the city?

Micuda said it is probably nearer the center of population in Monroe County given the population growth in the southwest part of Bloomington. There are certain typical uses that are traditionally associated with downtown including museums, libraries and government facilities. It is legitimate that we want to ensure that basic civic function and not be compromised with this zoning petition.

Willsey asked if staff is concerned that the level of review with the BZA would be inadequate compared to the quality of the decisions that could be made by the Plan Commission tonight? Is there less public scrutiny with BZA?

Micuda said the level of information was staff's main concern. The level of information would be so much greater if the facility was more of a near term proposal. There should be a Plan Commission and City Council role in the ultimate decision with all of the information present as to a jail going on this facility.

Willsey asked if they would exclude the use altogether and require the petitioner to come back to amend?

Micuda said that would be one of their options. It is a legitimate option for the community to exercise when evaluating a difficult facility to locate in the community.

O'Neill referred to the conditional use criteria list and restated that they will meet these criteria for the juvenile facility.

Willsey pointed out that the criteria O'Neill reviewed was the criteria that would be used in a hearing for a conditional use. So, it would be a relative safe harbor for the County to come in under a BZA versus if they were required to come in as an amendment. Would the City Council and the Plan Commission be bound by these three criteria?

Micuda said that with conditional uses the specific criteria just reviewed and additional more general criteria would govern the BZA's decision. With a PUD amendment process, there would be more flexibility. Staff thinks that this is an appropriate discretionary decision.

O'Neill said he didn't understand why another discretionary decision would have to be done when the criteria are the same.

Smith said that this zoning decision should be able to be made without a detailed site plan.

Marcia Donnerstein was impressed with how close the proposed road is to the existing houses. She asked Micuda to summarize the problems with the alternative plan to move the road to the north?

Micuda said that the central drawback of moving the road to the north is that additional property would have to be purchased. The property we have now is in the petitioner's control. Moving the road north would also put it right up against the PSI substation.

Donnerstein asked if there was any other option?

Micuda said no. The only other way would be for the City to get involved because this is a TIF and

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CRED district. Some of the revenue associated with that development would be put towards property acquisition.

Donnerstein asked Smith what he thought about moving the road?

Smith said it's not necessary, but he didn't object. Putting the road closer to the substation may be worse than it being close to the power pole.

Stuebe said that he encouraged the petitioner that if there is any chance that there would be a jail, he would prefer thrashing that issue out now rather than later.

Seeber asked Micuda how long PUDs are valid and how that relates to this—if at all?

Micuda said that there is an expiration factor but not in this case. If there was a zoning approval rendered by Plan Commission and City Council, and no action was taken for 18 months, the amendment would expire. A final plan has 3 years before the approval expires. There is no issue if the county builds part of it and the rest sits vacant for a little bit of time. There is no expiration that would kick in under that scenario.

Stuebe asked for public comment.

Dr. Melinda Weakley, Adolescent Care Unit director at Bloomington Hospital, spoke about the need for this facility.

Flo Hartman, a neighbor who lives on Cherokee Dr., said that they are very concerned about the facility. What about the maintenance of the buffering? Who's responsible? She was worried about a jail, too.

Micuda said the person who installed the buffering would be responsible.

Hyscel Ward, of Chambers Drive, said they don't trust people because about 30 years ago Public Service asked them to sign a release for the utility pole. Then, they put up a bigger pole with bigger lines. There have been severe health problems in his neighborhood that he attributes to the power lines. He doesn't think he could trust the City or the County.

Ken Dillard, a Chambers Drive resident, questioned the need for the facility. He spoke more about the jail than the juvenile detention center. He thinks a jail will be built soon. The County is spending a lot of money for unusable land. He suggested the County adding a second and third shift in their offices to take care of the space problem. He had suggestions for decreasing the jail population.

Micuda entered a statement into the record for Jack Baker, the president of the McDoel Neighborhood Association. The Neighborhood Association feels that a residential youth shelter is an appropriate use for the area. The Neighborhood Association feel that correctional, rehabilitative and detention uses are not in the best interest of the surrounding community. They oppose changing the PUD to allow these uses. They suggest that the issue of a new jail be brought up when the need develops. The Thomson PUD should not be changed now to allow this use which the County Commissioners admit may not develop in the future.

Kevin Shiflet, a Monroe County citizen, asked if Hillside Dr. is supposed to become an east-west arterial and go all the way through to connect to SR 37? If this is going to be a major east-west road, why wouldn't it be a four lane road? There is too much constriction on this road. When this issue started, the County Commissioners only spoke about a juvenile facility. He objected to not finding about the jail until after a lot of discussion. What is the big deal about having to have

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another approval process later on the jail? Once it is approved, it will be a done deal.

Micuda said that there is an east-west road shown on the Thomson PUD from 1998 and on this site plan. It is not Hillside Drive. It would be an east-west road that starts at Rogers St., runs through the property, and connect to Weimer Rd. The Hillside Drive extension is about connecting it to S. Rogers Street. That has nothing to do with this petition.

Vi Taliafero said that we need the facility. She encouraged the Plan Commission to approve the petition with the original conditions.

Stuebe asked the Plan Commission for final discussion and action.

Hoffmann asked Micuda about the timing factor on the roads to the north and south. They are willing to build the east-west road so that is not an issue now. There does seem to be an issue about the timing of the actual requirement to construct the roads to the north and south.

Micuda said that staff was concerned with roadway phasing in case the road is not built north and south. The petitioner wants the roads to be built, as they need them. That could leave a long period of time where there would be one way in and one way out.

Hoffmann said that the petitioner's letter of July 3 refers to the County building the southern roadway if and when they develop the adjoining site. What is the adjoining site?

Micuda said that it means the area in the triangle, the corner in the southeast area of the site.

Smith said that is what they envisioned. The first two facilities would basically need a driveway. Secondary access is not needed for that amount of traffic.

Hoffmann said that the issue is secondary access for emergency purposes. It is not an illegitimate concern for any public facility to have a second way in or out of the site. You may not have to build both the north and the south road faster than the County wants to do them. It seems reasonable to insist that some secondary access be forthcoming in a reasonable period of time.

Smith said that it might be reasonable to request one of the three to come with Phase II.

Hoffmann asked if they would oppose one of those access points be phased in with Phase II.

Micuda said that the petitioners want the community corrections and the juvenile facilities to be reviewed at staff level for final plan approval. This is the Plan Commission's last look at some of these issues before staff level approval would proceed. There should be one connectivity requirement with the second facility on the site being built.

O'Neill said that they would accept the connectivity as Smith has described.

Burgins said that the City and County need to work this out. He outlined the issues of agreement.

Stuebe said that the County will be in the downtown for a long time. The downtown workers contribute to the economy downtown. There is a County parking problem downtown. He didn't see the need for large County growth downtown. It could be easier access for people to visit County government offices if they were to move to a suburban site. He is glad that the County is looking at the big picture.

Donnerstein noted that in staff report, staff suggests shifting the road as far north as possible. That

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is not in the conditions of approval now. Should we add a condition of approval that would require study of the movement of the road to the north and making available certain TIF money for the acquisition of the land? She would like to leave the possibility on the table.

Fernandes said that they should notice that this road doesn't serve these houses that it runs behind. There is small roadway in the right-of-way to the site. The houses are farther away from this right-of-way than they are from the road in front of their houses. Don't lose the forest for the trees. The road and the facility will be buffered very well. We might consider some structural buffering like a fence. The important thing is that this will provide facilities that we need badly. It is not up to the Plan Commission to determine where the County offices should go.

*****Hoffmann moved approval of PUD-12-02 with following set of conditions.**

1. As stated in the staff report except the deletion of "excluding jails" and "that do not serve the general public."
2. Delete completely.
3. As stated in the staff report but amended as follows, "...any jail facility will be a public, not a private, facility and will generally conform to the size, location, and population density proposed by the petitioner at this time. Final plan review for any jail facility shall be the purview of the Plan Commission. As part of such final plan review, the Plan Commission will retain the authority to review site design, as well as, any other appropriate issues related to the operation of such facility. Review of all other final plans shall be delegated to the Planning staff per the guidelines of the original PUD."
4. As stated in the staff report.
5. As stated in the staff report, but with the following sentence added at the end, "Petitioner will work with the City and adjacent property owners to consider feasible alternative designs for the east-west road including moving power poles or acquiring additional land that would permit shifting of the road further to the north."
6. Substitute the staging plan as set forth in the petitioners' letter of July 3 with respect to road connections, add the following sentence: "At least one of the three possible secondary access points will be constructed by the petitioner at the time of construction of the second facility."
7. As stated in the staff report.
8. As stated in the staff report.

Willsey asked if the City Council would have the same power as reserved for the Plan Commission in condition #3?

Hoffmann said he didn't think that final plan reviews go to City Council.

Willsey said that this PUD amendment petition will go to City Council. A site review would not go to City Council. Condition #3 reserves the right for the Plan Commission to review additional factors which are essentially those factors that we would take into account at the time that we would study this as a variance.

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Hoffmann said no. This proposed motion would make a jail an authorized use as part of the PUD. All we would have left at that point would be final plan review. Final plan review would incorporate the additional variables but he didn't think that the Plan Commission could then require it to go to City Council.

Willsey said so Condition #3 moves the final plan review to the Plan Commission for a more robust review.

*****Willsey seconded the motion.**

Micuda said that staff accepts the new conditions but would like to hear from the petitioner.

O'Neill said that they accepted the conditions of approval. He appreciated the thoughtfulness of the motion and the discussion.

Hoffmann commented that he didn't want to say that the location of a jail or public-serving County offices on this site would be easy issues. He might even oppose doing some of those things. Those issues are County decisions—with the City retaining as much control as possible.

Stuebe agreed.

Fernandes was concerned about the addition to condition #5. In considering different routes, how would they know when they've done enough?

Hoffmann said that he employed the word "feasible" with the intent to indicate that the petitioner doesn't have to do what is not feasible. Some complications could include cost and adjacent property owners not cooperating. He wants staff to be able to look at this road when it connects further to the west. He was concerned that in the future, we might find that the constricted design of the road may not be what we want. He wants to give petitioner and staff leeway.

Fernandes asked if this could include the County's use of condemnation?

Hoffmann said that he was comfortable leaving it up to staff and the county. As a fallback, they can do what they are proposing right now.

Micuda said that the worst case scenario would be acquisition but we would certainly not require condemnation.

O'Neill said that he interpreted this as meaning that the alternatives would be subject to the County's discretion.

Hoffmann said that the condition basically requires the County to work in good faith with City staff.

*****The vote was taken. The petition was approved as amended by a vote of 10:0.**

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PUD-12-02

Monroe County Commissioners
1700 S. Rogers St.

Jim Roach presented the staff report. The Monroe County Commissioners are requesting a preliminary plan amendment to Tract D of the Thomson Area PUD. The tract is made up of 85 acres located north of the Thomson Community Park, west of Rogers Street, northwest of the neighborhood around Cherokee Street, and east of future industrial land of the Sudbury PUD. There will be a future extension to Adams Street to the west and a future MCCSC elementary school south of the park. They request the addition of a range of public and governmental uses to the permitted use list for Tract D, changes to the schematic layout of the roads through the tract, and changes to the shape of the tract. Additional uses requested include a juvenile justice facility—including facilities for juvenile corrections, juvenile detention, and a mix of secure detention and minimum security dormitory housing to hold and do treatment and counseling activities for juvenile offenders. The second requested use is a community corrections facility—with more non-traditional sentencing programs like probation, home detention, alternative sentencing, and work-release programs. The petitioners feel that they have an immediate need for these facilities at this site. A third requested use is for a potential future jail facility. This could be a 170,000 square foot jail facility with approximately 400 beds. There is no immediate need for this facility but the petitioners would like to keep their options open to develop this site as a governmental services/correctional facilities campus. The fourth facility is an archival facility to house records in the future.

The petitioners request a change to the shape of Parcel D. They would like to transfer 5 acres to Tract D from the southwest corner of Tract B and remove approximately 5 acres from the northeast corner of Tract D and adding it to Tract B. The petitioner is also requesting the elimination of road connections north to Tract B. They propose a single access easement to allow Tract B and a possible future parking lot to connect to a future east-west road. Staff still recommends that a north-south connection be made.

The petitioners are proposing a new east-west road that will eventually connect to Adams Street and Weimer Road. Due to site plan constraints, the petitioners are proposing to construct a street that is slightly narrower right-of-way than the Master Thoroughfare Plan calls for. It could be built with two 12-foot travel lanes, sidewalk on one side of the street, a multi-purpose path on the south side of the street and appropriate turning lanes at the connection to S. Rogers St. A traffic study was submitted by the petitioners. It indicates a decrease in overall trips from Tract D per day with these users. All of the trips are now funneled onto South Rogers St. due to the lack of the north-south road connections. Those trips will increase to 4500 trips per day. No changes were made to the original environmental assessment on the property. Approval of utility and stormwater plans is required prior to final plan approval. The site is within the Thomson Walnut Tax Increment Finance District (TIF) and a Community Redevelopment Enhancement District (CRED). Since this parcel would be property of Monroe County, it would generate no tax money to go into the TIF and less money into the CRED. Both the existing and the newly approved Growth Policies Plans encourage employment-generating uses on this parcel.

Roach asked for Plan Commission comments on land use, fiscal impacts and neighborhood issues. A decision needs to be made as to whether the governmental uses are pressing enough to warrant subtracting this land from our industrial uses land bank. Fiscal impacts will be felt on the TIF and the CRED funds. The public need must be weighed against the effect on future development benefits from these diminished funds. Staff recommends a neighborhood meeting between the petitioners and residents from the surrounding areas. Staff recommends that the PUD Preliminary Plan Amendment request be forwarded to the July 8 Plan Commission meeting.

Josh Campbell presented the Environmental Commission (EC) report. There are areas throughout this site where previous tree preservation commitments have been made. There are several dry

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ponds and some karst areas on the site, too. The EC recommends:

1. The entire wooded area located in the southwest portion of this site should be placed in a conservation easement.
2. The submitted environmental assessment should be amended to identifying all karst features on this site.
3. The swallow hole, and stormwater draining to the swallow hole, located in the southern portion of the site should be adequately protected. This includes not increasing to decreasing the flow of water to this feature.

Stuebe said that the petitioners have asked in advance for an extension of the normal report presentation time. They are asking for a total of 30 minutes.

*****Burgins moved to extend the petitioners' time to 30 minutes. Pece seconded the motion. A voice vote was unanimous to approve the motion.**

Steve Smith spoke for the petitioner. The petition is to amend the PUD to add rehabilitative and correction facilities to the Area D of the PUD. We are asking to slightly amend the areas of the PUD and change the road standards to fit the space that they have. In 1997, we brought in the Urban Land Institute to assist with the property. We considered many uses for this land to determine which uses might be viable. The study done at that time listed many other possible uses for this land besides industrial. The 1998 PUD zoning indicated that this property should continue to be considered for industrial uses because it had been used that way before and there were existing industrial buildings on the site. Many other uses were considered possible when the property was zoned PUD. PUD was used since this format would make it easy for a petitioner to get a project approved and make this property productive. Governmental institutions, mental health facilities, and rehabilitative facilities were allowed on some individual tracts. A correctional facility is only allowed as a conditional use in our community and in commercial arterial, general industrial and institutional sites. There are not many of these sites available. A conditional use on a general industrial site is the most likely location. A rehabilitative use is allowed as a conditional use in almost every zone in the Zoning Ordinance. Also, the traffic study has been updated. With this project, there would be a reduction in trips since commercial uses are not anticipated now. The petitioner will work with staff about a second access point to the north. The site plan in the packet was drawn just to see if the facilities would fit on this property. He promised that before the next hearing they would work with the suggestions made by the EC. The site's rolling topography will buffer the buildings from the neighbors' property. The TIF was set up in 1991 to help keep Thomson in Bloomington. Its role now is to facilitate the re-use of this site. Many other non-taxable uses would be allowed under the PUD. The CRED was set up in 1998 (and took effect in 2000) for this property. Income tax will still be taxable for workers at these facilities. It is unlikely that we will see a large-scale industrial use on any of this property in the near future.

Brian O'Neill, Monroe County Commissioner, said that a facility to treat children and relieve the overcrowding in the jail would serve the entire community. Correctional facilities always require a rezone or PUD amendment. We need to decide if this is an appropriate use of this land and what our other options might be. Wherever they build this facility, the land will be taken out of the tax base. At the present time, we are removing children from the community and sending them, in some cases, hundreds of miles away for treatment. It is better to rehabilitate children in the context of their families or caregivers. We are paying millions of dollars to have children treated in other communities when we could be paying these dollars to local professionals and personnel. These issues also apply to our community corrections situation. Also, we have a liability with an overcrowded jail. Our jail was originally built to hold 120 people, then double-bunked to hold 190 and is presently holding between 230-240 offenders. The jail is also understaffed. It is irresponsible of the community to put the offenders and the jailers at risk. Lawsuits are possible due to the overcrowding situation. We want to be able to rehabilitate our juvenile and adult offenders. We do

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not want to build another maximum-security jail. If we can build a work release, minimum-security facility, he hopes that we could improve the situation at the jail. Treatment is not very effective or affordable in a maximum-security environment. A minimum-security facility would work much better. We could provide job training, addictions treatment, and counseling within a family-context in our correctional facility. 70-80% of people in jail have addiction problems. The people moving through our criminal justice system are our neighbors and will continue to be our neighbors after they have served their sentences. We have had an excellent corrections program in the community. He praised the quality of the property. We want to construct the possibility of expansion into the new facilities. Several broad-based committees have worked for over a year to come up with this plan. The Juvenile Treatment Task Force had a site selection committee that made a very exhaustive review of 15 sites. Property was solicited for possible locations. The recommended site was adjacent to this site on Rogers St. Although that site met many of the criteria—which include being near to other service providers (the Hospital, Dept. of Workforce Development, etc.), having public transportation and being centrally located in the county—it was an extremely constrained site. It was decided to ask the Plan Commission to approve this particular site. The County has many space needs, in addition to the correctional and the juvenile treatment facility needs. A study in 1996 found that the County needs an additional 80,000 square feet of office space for needs other than for correctional and juvenile treatment needs. Those needs continue to grow and have to be dealt with soon. Expanding in our location downtown would be problematic. The GPP calls for more residential infill development downtown, not more government buildings. He offered to speak to the neighbors of this proposed site anytime, anyplace. We want to be partners in this venture. The purpose of this is to avoid the need to build another jail. A successful rehabilitative facility could be a model for other communities.

Stuebe asked for Plan Commission questions.

Burgins asked if the developers of this plan have had any reaction to the potential loss of tax revenue from the construction of this facility at this location?

O'Neill said that they haven't heard from the developers about this. Presently, there is a potential buyer who may be investing \$40 million into a residential project next to the jail. He presented a map illustrating how many businesses and residences fall within $\frac{1}{4}$ - $\frac{1}{2}$ mile of the present corrections facility site. A $\frac{1}{4}$ mile radius around the proposed facility is almost contained entirely within the site.

Fernandes asked if they had talked to people in the areas where juvenile treatment centers now exist about their impacts on neighborhoods or communities?

O'Neill said they had talked about their services and their ability to rehabilitate children but not their impacts on neighborhoods. He discussed more details about the nature of a juvenile treatment center.

Daisy Reimann said that her committee looked into those issues when they visited the Kokomo facility. Staff said that they had never had any problems with their facility being in a residential neighborhood.

Marge Faber further commented. They had observed that further residential development had taken place in areas adjacent to an existing juvenile facility even after the facility was built.

Fernandes asked staff if they thought that the existence of this facility might have a negative impact on attracting other industry to this site?

Micuda said that staff would like to find out more directly from adjacent property owners to see if

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they have any concerns.

O'Neill said they could ask people with businesses downtown close to the corrections facility and see if they have had any negative impacts?

Fernandes said that the site seems to be naturally buffered fairly well from residential areas except at the south and parts of the east side. Are there plans to do additional landscape buffering in those areas?

O'Neill said that they intend to exceed the current landscaping buffering codes. Traffic along the long entryway will be what requires buffering.

Smith said that the site is much larger and more wooded than it appears on this map.

Fernandes asked how many industries or businesses of 300 employees have we attracted in the last 5 years or so?

Micuda said staff would have to research that.

Fernandes would like to know where this fits in our picture.

Stuebe said that Linda Williamson told him today that that BEDC has no reservations about negative impacts on further development of that area. They are pleased that part of this site will finally be used.

Heald asked where the archive facility might be placed?

Smith said that there are lots of possible locations. More than likely it will be along the road or in the flat field area of the site.

Heald said that the east-west road splits the parcel in two. What potential uses do they see for the southern half of the site?

O'Neill said that they would be interested in putting in some county offices eventually there.

Heald asked if Earth Tech is identifying and locating the karst features on the site?

O'Neill said yes and they will create any necessary easements.

Heald asked about the site constraints for the construction of the road.

O'Neill said that it is constrained by the narrowness of the entrance, by the terrain, and by the utility easement.

Smith said that they have enough room to build a road without all of the extra features originally planned.

Heald asked about the existing center on Adams St. Could they expand that?

O'Neill said that they have a youth shelter at that site.

Heald asked if the youth shelter would be moved to this site?

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O'Neill said they hadn't decided about that yet.

Pece asked O'Neill to summarize the purpose of the jail. Will it be maximum security?

O'Neill said that maximum-security jails are designed to put people in single cells to protect the public, the other prisoners and the staff. These are people who have behavioral problems. The idea is to be punitive. These prisoners will eventually be released so we need to have services for them. As people move through the system, they will be able to be brought to a dormitory situation community corrections center that is much more effective in delivering services to people. The work-release part comes when they are deemed to be ready to begin transitioning into the community. The community corrections facility has functioned well for years and hasn't had any serious problems that he is aware of.

Pece asked if it was correct that the people moving to community corrections will be people who are frequently out in the community now on either job release, public restitution, or community corrections projects?

Judge Marc Kellams, the presiding judge over the community corrections system, said that all seven local judges support these two facilities as desperately needed for many reasons. They don't like ordering juveniles to facilities so far away. The community corrections center is so constrained by its space that they are forced to use the jail as an overflow facility when many people there wouldn't need to be in a secure facility. We regularly have 80-100 people on home detention, many people who are doing public restitution for minor offences, and many people who are involved in a day reporting program. We have a number of programs preparing people to take their GED, find jobs or better their lives in different ways. When we talk about emptying the jail, we are not talking about letting dangerous people out into the community corrections center. The people with long-term sentences go to the Department of Correction. We need to reserve the jail for those people who are dangerous because it is very expensive to run a maximum-security facility. Most of those people are part of our community there to learn lessons to better their lives.

Judge Viola Taliaferro said that juvenile court is different than the adult system. It is hard for her to believe that after talking about this for 14 years, we still have nothing in our community to serve our children over any extended period of time. We send our children out of their community and distances away from their support systems. It is inhumane. Children have even less than the adults have in this community. Her charge is to see that children have appropriate consequences and treatment and strengthen families. She urged the Plan Commission to consider our children's needs.

Kurt Zorn asked that the public be allowed to make their comments now since so many people were speaking for the petitioners.

Stuebe called for public comment.

Burgins asked how big Bryan Park is?

Micuda said it is 40 acres.

Dr. Melinda Weakley, the director of the Bloomington Hospital Adolescent Care Center, strongly supported the future juvenile care center. Children are sent very far away for treatment. We are missing the biggest component to these children's treatment—their families. Children return repeatedly when the families are not incorporated into their treatment. This is a huge step in the right direction.

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Charlotte Zietlow, a member of two task forces on this issue, said that after looking at many potential sites, this site is the best. Greenspace and buffering will be possible with this site. That is very important for both the neighbors and the people in the facilities. She asked for support.

David Sabbagh, City Councilman, said that everyone agrees that the facility is needed. He was concerned about changing the roads and putting more traffic on Rogers St. The original PUD had incorporated a nice east-west and north-south road through the property. He was concerned about the TIF and the CRED. Just recently, we spent about \$1 million to tear down Building One and we voted to replace that TIF money. With property taxes changing, he wasn't eager to take property off of the tax roles. TIFs are guaranteed to pay back certain things. We have a government neighborhood downtown but seem unwilling to work on that. He was concerned about spreading County government all over town. That may generate more car trips. The property to the west and north of the Justice Building is very centrally located and has good public transportation. We need the juvenile treatment center. The question of location is the issue. It would be preferable to keep County government all downtown. That would diffuse some of the discussion that will follow. They could include a parking lot and solve some of the downtown parking problems, too.

Stacy Ream said that she served on the committee and is a parent who has been involved in the system. She said that the rural setting of her son's treatment facility was nice. The kids could get outside and enjoy the open greenspace.

Don Walters supported a juvenile center but not the location being currently considered. He said that there are a lot of facts in the literature provided by the petitioners that aren't true. He lives in Broadview and is concerned with the impacts on Broadview Elementary School. He read an article from the newspaper that said that the Justice Center could be expanded for future needs. Why are all of the possible locations west of Rogers St.? He thought there would be other appropriate areas that have been not used for many years in town.

Elizabeth Cox-Ash, from McDoel Gardens, said that she is concerned about the jail being located there. A jail was not in the original plans for the PUD. They have had a neighborhood association meeting with Marge Faber. The neighbors approve of the juvenile treatment center but not a jail. Our children should not be put in with hardened criminals.

Heisel Ward, a Bloomington businessman, loves this area. The people in the neighborhood are taxpayers and don't want this in their backyard. He knew a child who benefited from extra attention and care. He was against the idea of juvenile treatment centers.

Briar Frasier, a family preservation officer for Monroe County, assured the public that they go to great lengths to keep children in their homes. When children need to be put in residential treatment centers, it is done for their own good and for that of their families and the community. Where these children go now, their families cannot participate in their treatment. Children and adults are not allowed by law to be housed in the same facility. These are two separate buildings on a giant plot of land.

Ron Thompson, the director of the Youth Services Bureau of Monroe County, does not fear for the public's safety within proximity of the jail. Neighborhoods always fear these facilities but the facts do not justify that fear. Twenty-five percent of our nation's youth are at serious risk for becoming non-productive adults. There is no perfect site for the shelter.

Ken Dillard, 1102 Chambers Drive, thought that parents need to raise their children with love and discipline. He was not worried about the location of the facilities. He thought that purchasing 85 acres is excessive. Having other government services go in at this site will add to taxes.

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Marge Faber said that the reason that all of the potential locations are west of Rogers St. is that those were the only locations that were offered for consideration. Juvenile treatment results in children staying out of the justice system.

Jack Baker, of the McDoel neighborhood, said that all of the government facilities are clearly necessary. He was concerned that the discussion this evening was centered on one site. This may not be the best site. The neighborhood supported a youth treatment facility there but not correctional facilities. The McDoel neighborhood is concerned about impacts from a jail or rehabilitative facility near them. Their neighborhood is already under pressure. A nearby jail might affect people considering moving to their neighborhood. He was concerned about increased traffic and people wandering through their neighborhood. There are problems associated with every social services agency presently located in their neighborhood. He would be in favor of the petitioners waiting until they have a specific site plan to bring their request forward. He worried that if they add "jail" to the accepted use list, it would be too easy for it to slip by without adequate public debate.

Shirley Evans, president of the Broadview Neighborhood Association, said that only half of their neighborhood has been annexed into the city. They are trying to increase the value of their property. They are frightened that this will decrease their properties' values. They are worried about traffic. They don't have sidewalks all along Rogers now.

Kevin Shiflet, citizen of Monroe County, said that a Phase 1 ESA assessment was done in April by James Keith. He reviewed the assessment, which said that Earth Tech couldn't find any history about the transfer of the property from RCA to Thomson. He said that Hoosier Stone Company had once owned the property, then it was a McDoel mill and, before that, the Walker brothers had owned it. In 1963, it was sold to RCA. He reviewed more of the history of this property. The property was left unused until 1991 when Thomson built their 14-acre warehouse. The environmental assessment didn't go back far enough and it wasn't thorough enough. The quarries on the property were filled in 1991. He asked that nothing be done on the petition until the Environmental Commission does an assessment and makes comments. He had pictures of barrels on the property, which weren't noted in the Earth Tech study.

Randy Carmichael lived in this area as a child. He has seen PCB capacitors on the property. There was a lot of dumping done in this area using 55-gallon drums. He said that the map looks like they may use this former dumping area. He called for more assessment.

Stuebe asked for Plan Commission discussion.

Zorn asked Steve Smith to say how much of this land would be developable for industrial uses?

Smith said that about 60 acres would be usable but it wouldn't be good for a large industrial use. Smaller buildings would have to be built rather than really large buildings.

Zorn asked O'Neill the amount of taxes being generated by this property now? He would like to know how much would be taken out of the tax roles.

O'Neill said that he didn't know but would find out.

Zorn said that the County Commissioners should be very concerned about any potential environmental liability before they take title of this land.

O'Neill said that Earth Tech did an inspection of the property. They have letters from the Health Board. The environmental officer, Dennis Williamson, who monitored the PCB sites for many years has been asked to do an exhaustive file search of Health Department records, conduct a site visit,

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conduct personal interviews with local individuals knowledgeable of the area (including Dr. Carmichael) and review previous ESA Phase 1 conducted in 1999. The conclusion was that no environmental health hazards currently exist at this site.

Seeber said that we seem to be debating the appropriateness of the use. At the next hearing, he encouraged discussion about the land use issues.

Pece asked Smith how far the closest building would be from Cherokee Dr. and Chambers Dr.?

Smith said it would be about 800 - 1000 feet from the closest house.

Pece asked what would be in the closest building?

Smith said it would be a community corrections building. This is just an illustrative site map.

Pece asked if the buildings would be visible from those houses?

Smith said no.

A neighbor interjected that it would be visible in the wintertime.

Pece asked how much of Adams St. would remain to be completed after the County does their part, if this is approved?

Smith said that Sudbury would link the parts of the road together.

Fernandes said that at the next meeting, she would like to hear more about the visual buffers for the street and the site. She would like us to poll some communities who have a center like this and see what their experiences has been. This is probably one of the best sites available for this. The buffering can be improved upon.

Burgins summarized some points made tonight. People were concerned that the PUD was created for different uses than are proposed with this petition. The petition might negatively affect the potential for development. The BEDC doesn't seem to be concerned about that. Fiscal impacts were another concern (TIF and CRED) but the developers have not expressed concern that they may not get the advantages that they might with different circumstances. There are some neighborhood issues remaining but it seems that some are being worked out. We should look again at the conservation easements and make sure that we protect some specific trees.

*****Heald moved to second this petition to a second hearing on July 8, 2002. Seeber seconded the motion. A roll call vote was unanimous. The motion was approved, 8-0.**

The meeting was adjourned.

