

To: City of Bloomington Planning Commission

From: Planning Staff

Date: June 11, 2020

Re: Revision to Recommended Preliminary Development Plan Condition of Approval

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As identified in the staff report to the Planning Commission, City sanitary sewer improvements are planned for the South Loop District that will increase capacity to serve future development in the area, including the proposed American Square development. Without the improvements, there would be insufficient sewer capacity to serve the high-density development as designated in the South Loop District Plan and Comprehensive Plan.

The City has begun planning for those improvements, but the City Council has not yet “ordered” the project. The recommended preliminary development plan condition ties building permit issuance to the City accepting a construction bid for the sewer improvements. Upon further reflection, staff believes this would unnecessarily delay the issuance of building permits for the development. As an alternative, staff recommends tying building permit issuance to the City Council accepting a feasibility study and ordering the project, which would provide the level of certainty needed to allow construction to commence. Accepting the feasibility study and ordering the project will occur at an earlier date than bid acceptance. Staff recommends, and the applicant is agreeable to, the following revision:

Recommended PDP condition #3 in packet:

*To ensure sufficient sanitary sewer capacity and to avoid sanitary sewer surcharge, a building permit must not be issued for Phase I or Phase II unless the City has accepted a bid for a project to increase sanitary sewer capacity sufficient to serve the project phase or the Director of Public Works has determined that adequate sanitary sewer capacity exists to serve the development phase.*

Proposed condition revision:

*To ensure sufficient sanitary sewer capacity and to avoid sanitary sewer surcharge, a building permit must not be issued for Phase I or Phase II unless the **City Council has accepted a feasibility study and ordered the associated project(s)** to increase sanitary sewer capacity sufficient to serve the project phase or the Director of Public Works has determined that adequate sanitary sewer capacity exists to serve the development phase.*

Planning staff recommends approval of the preliminary development plan and final development plan, subject to the conditions and Code requirements listed in the staff report, with the revision to preliminary development plan condition of approval #3 as identified above.