Failed: 0-9

ORDINANCE 97-09

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RS4.5 AND I (INSTITUTIONAL) TO PUD AND APPROVE THE PRELIMINARY PLAN Re: 1208 and 1210 West 8th Street (J. William Baus, Petitioner)

WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-104-96, and recommended that the petitioner, J. William Baus, be granted PUD designation and preliminary plan approval, and request that the Common Council consider their petition to amend the Bloomington zoning maps from RS4.5 and I (Institutional) to PUD and approve the preliminary plan;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the preliminary plan be approved and the property be designated a Planned Unit Development. The property is located at 1208 and 1210 W. 8th St. and is further described as follows:

A part of Section 32, Township 9 North, Range 1 West, Monroe County Indiana, in the City of Bloomington, bounded and described as follows: Beginning at southeast corner of Lot Number 1 in Grandview Addition as recorded in the Office of the Recorder in Monroe County, Indiana, thence running west 46 feet, thence south 60 feet to the north line of Lot Number 33 of Grandview Addition, thence east 74.5 feet to the northeast corner of Lot 33, thence south 28.36 feet to the southeast corner of Lot 33, thence west along the south line of Lot 33 for a distance of 530.97 feet to a point 60 feet distant from the centerline of the Indiana Rail Road, thence running parallel to the right-of-way of the Indiana Railroad north 64 degrees 39 minutes 10 seconds east for 361.29 feet, thence north 25 degrees 20 minutes 50 seconds west for 10 feet, thence north 64 degrees 39 minutes 10 seconds east for 244.26 feet, thence south 47.62 feet to the northwest corner of Lot Number 69 of Fairview Addition, thence east 62 feet to the northeast corner of Lot 69, thence south 132 feet to the southeast corner of Lot 69, thence west 102 feet to the point of beginning.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1997.

_____
ANTHONY PIZZO, President
Bloomington Common Council

FAILED

ATTEST:

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1997.

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this _____ day of _____, 1997.

_____
JOHN FERNANDEZ, Mayor
City of Bloomington

FAILED

SYNOPSIS

This ordinance would rezone approximately 1.75 acres of land located at 1208 and 1210 West Eighth Street from RS4.5 and I to Planned Unit Development and approve a Preliminary Plan for 8 dwellings.

Objectives
Conserve Community Character

1. Identify predominantly single-family/single-household residential neighborhoods; establish regulatory protection for these neighborhoods to maintain their single household status.

2. Reduce the number of non-owner occupied housing units converted or redeveloped for commercial or multi-tenant use; increase home ownership and owner occupancy in the older core neighborhoods.

3. Recognize the value of these residential neighborhoods to families; in the short-term stabilize the number of family households and work over the long-term to increase the number of family households, both owners and renters.

4. Increase the number of downtown housing units with a goal of adding at least 15 to 20 units per year over the next decade.

5. Enhance appearance, maintenance and up-keep of rental units and non-residential areas. Improve their compatibility with adjacent single-household properties.

6. Create opportunities for non-family student housing exclusively devoted to multi-tenant rentals.

7. Maintain existing supply of affordable housing; over the next decade increase the supply of affordable housing to meet projected needs.

8. Decrease the allowable non-related individuals in a dwelling unit to 3 adults except in high density student housing and group home situations.

Implementation Measures
Conserve Community Character

A. Immediately create neighborhood conservation districts as overlay districts to the existing zoning districts. Identify blocks or block fronts where the primary existing use is single-household and/or owner occupied dwelling units. In these blocks or block faces permit existing multi-tenant uses to continue but as non-conforming uses, reclassify all single-household units as R-S. Where multi-tenant properties predominate, review existing zoning on a block-by-block, case-by-case basis. Review existing business zoning within core neighborhoods, consider the appropriateness of the existing use, where inappropriate, reclassify these uses as nonconforming uses.

B. Expand the use of local historic districts to offer protection under the existing zoning code to neighborhoods where the historic context and architectural fabric coincide to provide an area of unique local significance. Historic districts might not contain any specific structures with outstanding or unusual architectural features. These districts may be comprised entirely of vernacular structures, which by their association constitute a distinctive and identifiable example of period housing styles, types and site arrangements. The protection offered by historic district designation reasonably assures that the architectural integrity of the district will not be compromised by incompatible structures or uses. The existing zoning code requires a Certificate of Appropriateness before structural alteration can be made within any historic district. The existing code does permit office use and restricted retail use and may ease parking requirements in some cases. These commercial provisions need to be reexamined on a case by case

FAILED

ESTABLISHED NEIGHBORHOOD CORE

Future Development Policies

The following section highlights those development policies which will guide future development within the established and developed core of the City. This area is fully developed with only occasional opportunities for new development on vacant lots. The critical policies for this area encourage residential reinvestment and owner and family occupancy. Importantly, these areas of diverse housing stock which is solid and affordable should be maintained. Strong emphasis should be placed on sustaining and increasing the attractiveness of the area for single household occupancy and families.

The accompanying map features some unique land use classifications with particular policy implications. Also, the future land use plan for the core neighborhood designates special development opportunity areas. Only those land use categories which have unique and special considerations from those described in the general land use plan will be identified here.

Residential Core Area

These are predominantly single household residential areas. In some cases multi-tenant housing may be integrated within a given block front. However, the overriding context is single household dwelling units. These areas should be maintained and enhanced as single household dwelling unit districts. Zoning and development regulation relative to this area will be reviewed to afford these neighborhoods maximum protection from future incursions of multi-tenant housing or business uses. Within Residential Core Districts new business or multi-tenant housing or housing conversions to alternative uses will be strongly discouraged.

As well, occupancy standards should be three (3) unrelated adults per household except in group living situations for all housing in these areas.

In these areas, reinvestment should be encouraged. The number of owner occupants in these neighborhoods should be increased. It should also be recognized that these areas provide important rental housing opportunities for families. Special public or public/private loan funds made available for home improvement projects in both rental and owner occupied units could be useful in creating renewed interest in these areas for young families. Core areas should be earmarked for sidewalk, street tree, roadway, pathway and drainage improvements. In many cases these improvements can be financed with special assessments.

Core Area Residential (Indiana University Influence Area)

The dashed line circumscribes a core neighborhood area of special significance. This area (generally between 7th and 10th streets and between Indiana and Woodlawn avenues) is an area identified by Indiana University's long range master development plan for anticipated inclusion in the campus boundary. Persons desiring to purchase property in the area should be alerted to Indiana University's intentions for the area. Indiana University has acquired properties in the area as they become available on the market. The University rents dwelling units in the area and has converted a number of single household dwellings for faculty office use and to establish a physical presence for research institutes.

The exact nature of intended campus development is not now known for this area. Until such time as precise development plans can be made and defined, the recommended public position should be to strongly adhere to the core residential policies and to encourage reinvestment and conservation of the area as a single household, single-family residential area.

FAILED

MEMORANDUM

TO: Don Hastings

FROM: M. Figg, K. Komisarcik, M. Litwin, M.E. Murphy, D. Rollo, M. Wedekind

DATE: April 7, 1997

SUBJECT: PUD-14-97 J. William Baus, 1208 W. 8th Street
Request for preliminary plan approval and preliminary plat approval

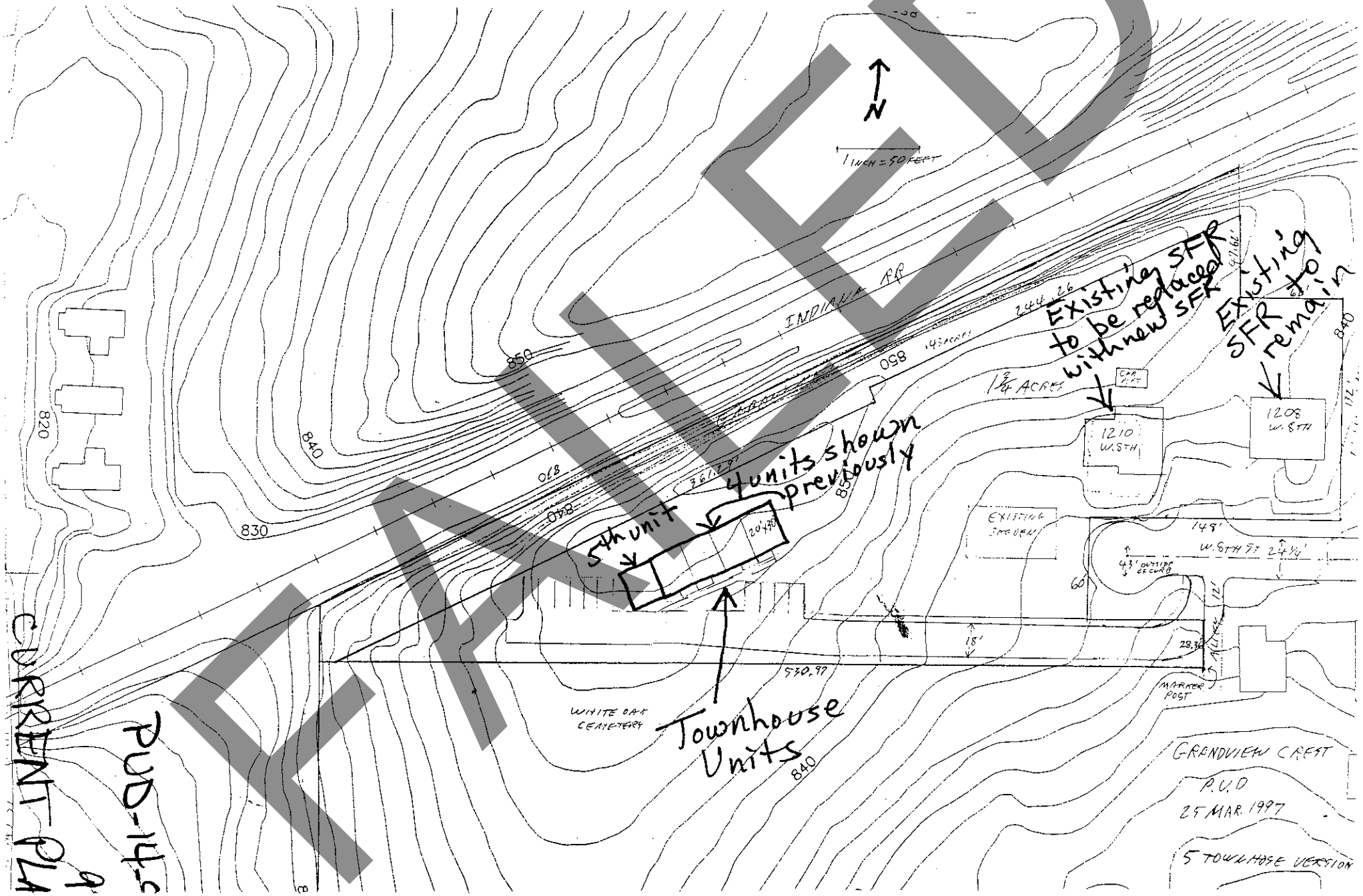
---

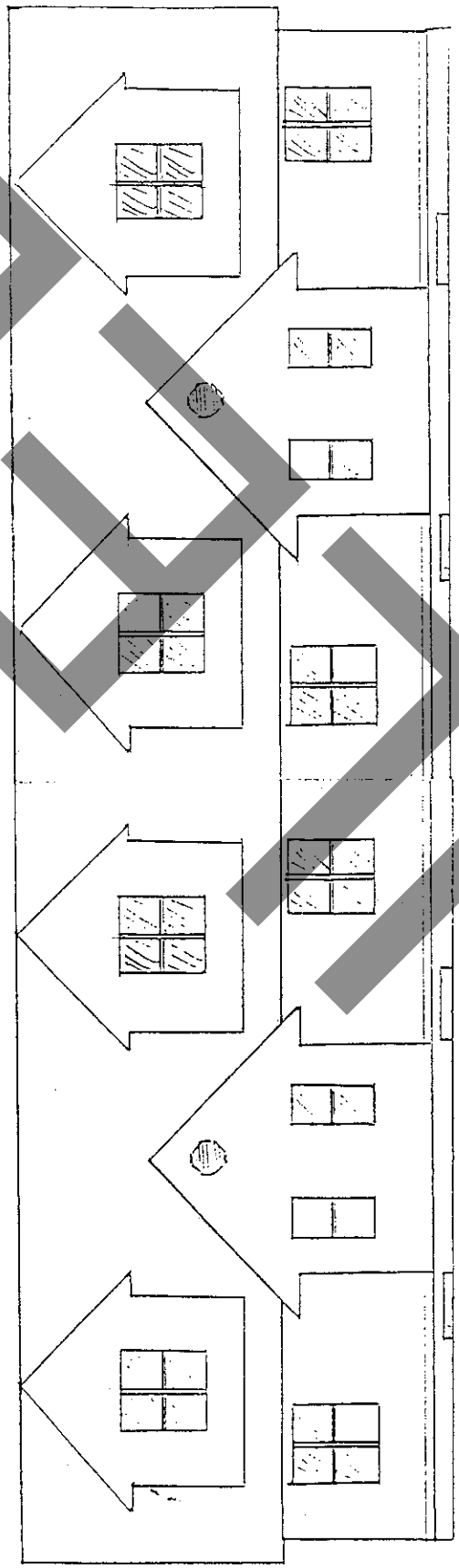
The Planning Subcommittee of the Environmental Commission has reviewed petition the and has the following comments on this proposal.

Tree Preservation The western half of the site is mostly wooded. The petitioner plans to save a 50' strip of trees in the middle of the site and save a buffer strip along the northern edge. In addition the petitioner is planning on placing the buildings so as to preserve as many mature trees as possible. The Planning Subcommittee supports this.

FAILED

PUD-14-97
Environmental 80

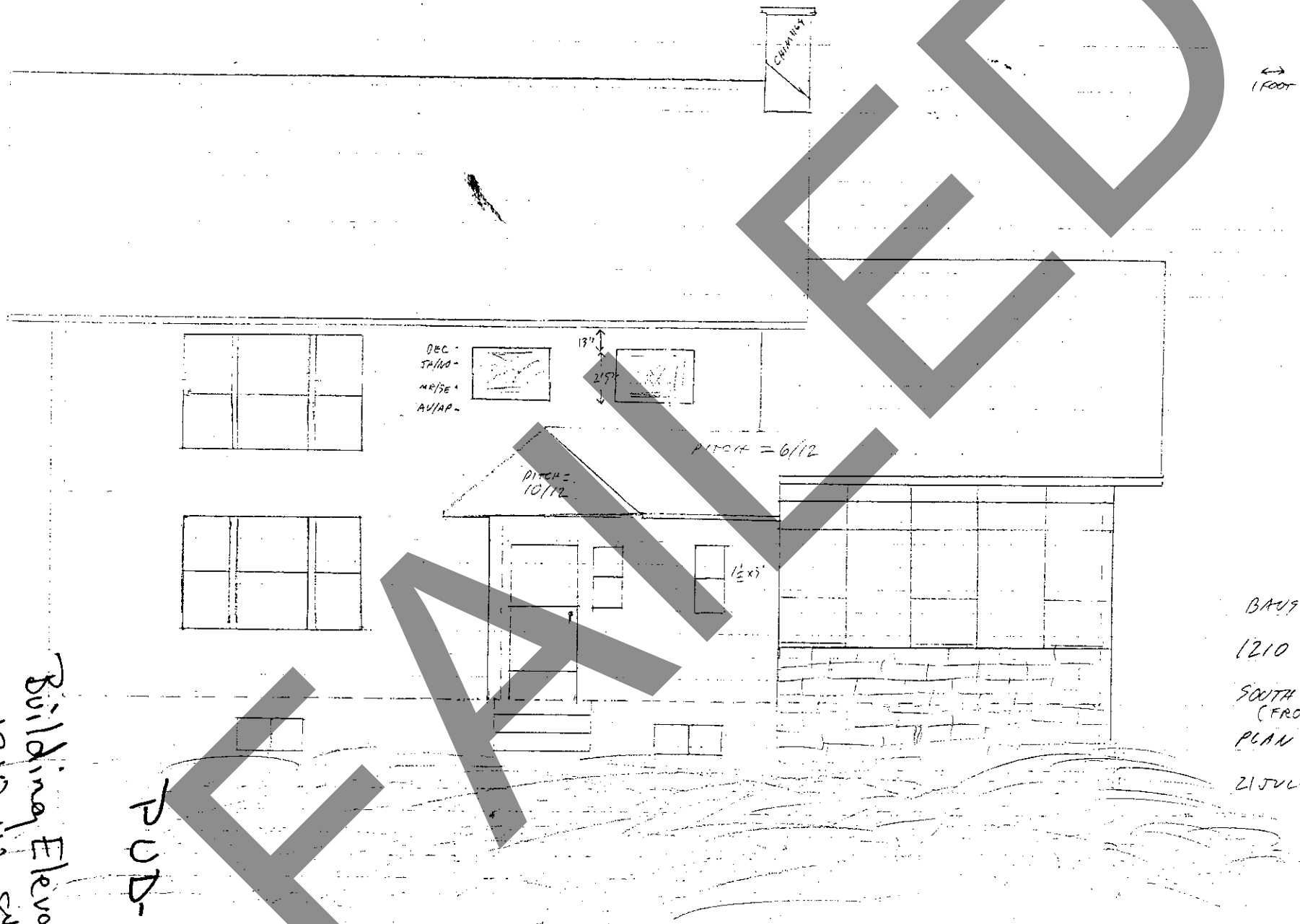

N
1 INCH = 50 FEET
INDIANA RR
Existing SFR to be replaced with new SFR
Existing SFR to remain
1210 W. 8TH
1208 W. 8TH
1 3/4 ACRES
4 units shown previously
5th unit
Townhouse Units
WHITE OAK CEMETERY
EXISTING STRUCTURE
148'
W. 8TH ST
43' OUTSIDE OF CURB
60'
18'
28.36'
MARKER POST
530.99'
244.26'
261.29'
GRANDVIEW CREST
P.U.D
25 MAR. 1997
5 TOWNHOUSE VERSION
PUD-145
CURRENT PLAT



DRAFT

PUD-14-97

Building Elevation
Townhouses 104



BASEMATIS

1210 W 8TH

SOUTH ELEVATION (FRONT)

PLAN G

21 JULY 96

PUD-14-97

Building Elevations

1210 W. 8th Ave

FAILED

APPLICATION

for

GRANDVIEW CREST

Planned Unit Development

Five Townhouse Alternative

The following plan is submitted pursuant to Bloomington Municipal Code 20.05.09.07 B.

1. and 2. **MAPS:**

a. The irregular, but roughly triangular area is bounded on the east by the east line of Lot 69 of Fairview Addition, on the north by the Indiana Railroad right-of-way and on the south by White Oak Cemetery, as depicted on the maps. This constitutes 1 3/4 acres. There is a narrow strip along the north edge which is shown with separate boundaries. This is the area for which a verbal agreement has been reached to purchase it from the Illinois Central RR. The total of both is 2 1/6 acres.

b. There are no easements on this land.

c. The existing land uses on abutting property are as follows:

East	1200 W. 8th = vacant, zoned RS 4.5.
Northeast	Sycamore Land Trust (wooded)
Southeast	1205 W. 8th = single family residence (rental)
South	White Oak Cemetery
Southwest	Vacant lot on Adams St. - owned by the city
North	Indiana Railroad right-of-way

d. Note the very steep approximately 25 foot embankment along the railroad right-of-way to the north.

e. Existing streets: West 8th ends in a cul-de-sac, which the PUD wraps around.

f. No new public streets are planned.

g. No utilities cross this land except for the existing service to 1208 and 1210 W. 8th.

h. No land in the 100 year flood plain. (Not even any in the 100,000 year flood plain!)

i. No water courses, wetlands, or rock outcrops. The perimeter of the existing wooded area is shown on the map. The existing house at 1208 is shown, as is the carport behind 1210. (The carport will be relocated.) The existing house at 1210 is shown as dotted line.

Petitioner's Statement 96

FAILED

3. Miscellaneous: N/A

4. DESCRIPTION OF CHARACTER:

This development has been designed to make the most effective utilization of an unusually shaped parcel of land, while maximizing preservation of natural features and the character of the neighborhood.

Historical Background: In the early years of this century the land in this parcel was cut off from normal development when the Indianapolis and Southern Railroad (now the Indiana Railroad) cut through it at a diagonal. The parcel consists of parts of several lots which could not be developed as separate lots. It also includes the truncated street and alley rights-of-way which were platted in the 1890s but never improved, and have been vacated by the city in two or more installments.

In the early years of this century when this land was developed, the close proximity to the coal burning railroad made the land at this end of 8th Street undesirable for residential use, and the steep embankment along the tracks prevented its use for industrial or commercial purposes. As a result, the homes built at this end of the street were cheaply constructed of poor quality materials. The majority of the original housing stock in the last block of the street is now gone. The existing house at 1210 was poorly constructed and poorly maintained, and would not pass a code inspection without major renovation.

Woodland preservation: Most of the area is heavily wooded and has not been substantially altered for at least half a century. A primary objective of this plan is to maximize preservation of these woods while making the land economically viable in this rapidly developing area of the city. If the land were divided into lots for detached single family housing at the zoned density of the nearby neighborhoods, it would destroy virtually all of the trees in this long narrow triangular parcel. By clustering the housing units, the disturbance of the woods can be minimized.

Density: While most of this PUD lies in an Institutional Zone, the overall density in the PUD will conform to the RS 4.5 zoning in the eastern part of it. The 1 3/4 acres currently owned by the developer produces a density of 4.0 units per acre. If the purchase of the additional .43 acres is completed, the total acreage will be 2 1/6 acres, and the density will drop to 3.2 units per acre.

There is sufficient land for 7 to 9 detached single family houses to be put on this parcel. If this plan is rejected, that is almost certainly that will happen. The 7 units proposed here compares favorably with the alternative.

FAILED

97

Owner occupancy: A second objective is to configure these housing units in such a way as to promote owner occupancy. The five townhouse units will be configured as condominiums rather than as a five unit apartment complex. While the future ownership of these, just as with a single family detached house, can not be accurately predicted, they will be configured so as to encourage owner occupancy.

Land Use Policies Objectives: This PUD meets the objectives of Bloomington's land use policies in the following ways:

Preservation of Green Space: This is accomplished through the clustering of the housing units and the use of conservation easements. The preservation of the woods on the top of this hill, one of the highest places in Bloomington, promotes the small-town look that has traditionally characterized this neighborhood. This plan is an ideal design response the specific environmental constraints of the site, thereby protecting the environmental integrity of the site.

Urban In-fill: This proposal presents a unique way to accommodate the normally conflicting objectives of preserving green space and urban in-fill.

Compatibility with Surrounding Neighborhoods: The visual impact has been given particular attention. The townhouses will be designed to have a "ca. 1900" look to them, and the house at 1210 will look like a single family home even when being used in its configuration with an additional living unit. The townhouses will be similar in size and style to the townhouses recently approved across Adams at 6th and Hopewell (but not as many.)

Promotion of owner occupancy: All of the structures are designed to promote owner occupancy which is a goal of the current neighborhood leaders as well as the Master Plan.

Buffering: This plan provides a graduated change between the extremely high density of the Renaissance Rentals project across Adams and the RS 4.5 to the east. The townhouses will be in the west, closest to the high density and commercial area across Adams. The townhouses will be buffered from the single family neighborhood on W. 8th St. by a conservation easement which will protect the woods between the townhouses and the other two houses, thereby screening them from W. 8th.

Use of the PUD Designation to Accommodate Unique Topographic Features: Most of the originally platted lots on this land became unusable when the Railroad cut diagonally across them. The extremely steep embankment on the north side of this area blocks all chance of access in that part and makes this portion of the land unusable except as wooded green space. The narrow triangular shape makes replatting the western part of the area into single lots impractical. The lots would have very complex lot lines and irregular shapes.

FAILED

98

Promotion of diversity: Bloomington's growth policies plan calls for promoting diversity in housing. This plan fulfills this objective by providing for 3 types of housing in a way that is also is compatible with the neighborhood. This furthers the "Fundamental Public Policy" to "Make certain that each geographic sector of the community offers a range of residential choices..." and furthers the "diversity and magnitude of green spaces [and] passive natural areas...." (Growth Policies Plan, p. 27.)

Size of the PUD: While the ordinance states that the minimum size for a PUD is 3 acres, the ordinance also specifically provides for exceptions to the minimum size limit when dealing with unusual topographic situations or undue hardship. Precedent has been established for this particular use of the exception. The proximity of the railroad and the shape of the land were cited as justification for this exception in the Renaissance Rentals PUD project on Hopewell and 6th St., just west of Adams. The size for that project was 1 1/3 acres. This project is substantially larger at the 1 3/4 acre size, and almost an acre larger at the 2 1/6 acre size.

5. **OWNERSHIP:**

The PUD will be on one and three quarter acres that is currently owned by the developer, J. William Baus. This land was acquired in stages over the last 25 years. Mr. Baus has reached an oral agreement to purchase an additional .43 acres on the north edge of the property. While it is not essential that this purchase be successfully completed to make the project viable, it will enhance the amount of green space within the PUD and will enable greater setbacks from the lot lines.

Each of the buildings at 1208 and 1210 W. 8th will be held as individual properties, along with the land on which they sit. The townhouses will each be held as condominiums, and the land around them will be held in common with the other townhouse owners.

1. 1210 W. 8th will be designated as Grandview Crest Lot 1, and will include all of the land which lies west of a point 40 feet east of the southeast corner of current Grandview Addition Lot 1 as platted in 1893 (this point corresponds roughly to the existing curb at the east edge of the existing driveway which goes to the back of 1210 W. 8th), and east of a line 160 feet west of the current west end of the W. 8th St. right of way.
2. 1208 W. 8th will be designated as Grandview Crest Lot 2, and will include all of the land east of the east line of Grandview Crest Lot 1 (which corresponds roughly to the existing curb at the east edge of the existing driveway which goes to the back of 1210 W 8th). It be 62 feet wide.
3. The townhouses will be in Grandview Crest Lot 3, which will be all of the land west of the west line of Grandview Crest Lot 1 and also shall include the driveway along the north edge of White Oak Cemetery.

FAILED

99

A **Conservation Easement**, enforceable by all other owners of property in the Grandview Crest PUD will be executed covering the following land:

1. The westmost 50 feet of Lot 1,
2. any land in Lot 1 less than 60 feet from the current Indiana Railroad track center line,
3. and any land in Lot 1 within 30 feet of the south boundary of the PUD.
4. any land in Lot 3 less than 60 feet from the current Indiana Railroad track center line.

This easement will ensure that the property subject to the easement will be maintained in a wooded condition.

6. DEVELOPMENT SCHEDULING: The structure at 1210 W. 8th will be built starting in April 1997. The townhouses will commence at a yet to be determined date, after the structure at 1210 is substantially completed.

7. PROPOSED USES:

The structure at 1210 W. 8th will have a gross area of approximately 2330 square feet on one and a half stories, plus basement, basement garage, and unfinished attic. Front elevation drawings of this house are appended.

The structure at 1208 W. 8th has approximately 1000 square feet, plus basement and basement garage. It currently has 2 bedrooms. There are plans to eventually build a third bedroom and basement on the ground floor. (These plans have been in existence for 17 years, but it hasn't happened yet.) A front elevation drawing is appended.

The five townhouses will each be approximately 1200 Sq. Ft. and will be configured as 2 and/or 3 bedroom units. A preliminary front elevation drawing showing these in a four unit configuration is appended.

The combined lot coverage of all the structures will be 8%.

8. FACILITIES PLAN:

a. Access: No new "roads" are needed. The units at 1208 and 1210 will be accessed from West 8th St. as they presently are. The townhouses will be accessed by an 18 foot wide private drive from W. 8th St. The radius of the drive at it's junction with 8th St. will be adjusted to make access by emergency vehicles feasible, and a turn-around that can handle emergency vehicles will be provided near the townhouses.

FAILED

100

b. Sidewalks: A walkway will be provided directly adjacent to the drive to the townhouses.

c. Sanitary Sewers: Sewer service is already available to 1208 and 1210. The townhouses can be served by extending the sewer that currently dead ends at the cul-de-sac in front of 1210 W. 8th St., or by connecting into the sewer serving Adams St. (Both are down hill from the townhouses.)

d. Stormwater management: No stormwater management will be required.

e. Water Supply: Water service is already available to 1208 and 1210. Water can be supplied to the townhouses from the main that ends at the cul-de-sac in front of 1210 W. 8th St., or by connecting into the water supply serving Adams St.

f. Street lighting: Since there are no new streets, no public lighting is needed. The private drives and building perimeters will be lighted as needed by the owners.

g. Public Utilities: None.

9. LANDSCAPE PLAN: A primary objective of this development is to retain as much of the existing vegetation as possible. A serious attempt will be made to avoid trees in the construction of the townhouses, and the precise location of the drive, the parking, and the townhouses themselves, will be adjusted to maximize tree retention. A conservation easement will require that part of the area remain wooded. The landscaping at 1208 and 1210 will remain essentially unchanged.

10. Traffic Analysis. N/A.

11. NEIGHBORHOOD MEETING REPORT: See attached letter.

Submitted 25 March 1997

J. William Baus
1210 W. 8th St.
Bloomington, Ind. 47405

Phone: 339-1210 (h)
855-3322 (w)
E-mail: Baus@indiana.edu

FAILED

J. William Baus
1210 W. 8th St.
Bloomington, Ind. 47404

(812) 339-1210 Home
855-3322 Office

26 November 1996

City of Bloomington Planning Dept.
401 N. Morton
Bloomington, Ind. 47404

Report on meetings with neighborhood associations regarding the proposed Grandview Crest P.U.D.

A formal meeting was held on 25 Nov. 1996 to which all members in the Near West Side Neighborhood Association were personally invited by phone, and the members of the 6th and Hopewell Neighborhood Association were invited through their president. In addition to the formal meeting, I have discussed this project with a much larger number of people on an individual basis over the last few months. As a result of feedback from these discussions the proposal has undergone considerable modification. The reaction of almost all of those with whom I have discussed the current version of the proposal has been very positive.

Dave Walter, president, 6th & Hopewell, was very supportive.

The NWSNA, the association for the neighborhood in which the project will be located has not taken any formal action. Of the officers, 2 are supportive, and one has stated he will not oppose it. (I am the fourth officer and will abstain if any vote is taken.)

The Prospect Hill Neighborhood Association is not within the 500 foot distance from the project, but it is the third closest to the project. I have shown the plans and the area involved to their spokesperson, Bill Sturbaugm, and he was supportive.

In addition to neighborhood associations, I have met with and/or discussed this project with other persons involved with environmental, affordable housing housing, neighborhood protection, and historic preservation issues. I anticipate being able to work with Housing Solutions and others in order to make the townhouse units as affordable as is possible at this density.

Sincerely,

J. William Baus

FAILED

J. William Baus
1210 W. 8th St.
Bloomington, Ind. 47404

(812) 339-1210 Home
855-3322 Office
Baus@indiana.edu

Bloomington City Planing Department
City Hall

31 March 1997

The attached drawing shows a possible configuration for my property at 1208 and 1210 W. 8th St. This configuration meets the criteria for single family residences in the RS 4.5 zone. It shows that it would be possible to put 8 units on the property without any variances from RS 4.5 zoning regulations.

Six of the houses are standard 3 bedroom "double wide" manufactured houses which the vendor says meet city code if placed on a foundation. The dimensions are 28′ X 44′ for one unit and and 26′ 8" X 48′ for the others. The house on lot 5 is obviously custom built, and has approximately 1000 Square feet on the first floor. The house at 1208 (lot 1 in this drawing) is existing.

All of the houses stand on lots of more than 7200 square feet, and all have front and rear setbacks of 25 feet or more, and side setbacks of 8 feet or more. All lots are at least 60 feet wide measured through the building and parallel to the street frontage. Each lot has room for a driveway of 12 feet wide (a figure given to me by Lynn Friedmeyer) with 5 feet or more setback on each side.

The lot lines are pretty strange, but that is a necessary result of putting separate single family houses on this parcel and meeting all the setback requirements. Of course it would be difficult to mow each of these lots as a separately owned unit, but it is likely that these would all be owned by the same landlord and that mowing of the entire area by the landlord would be included in the rent.

I have demonstrated the feasibility of putting 8 detached houses on this property. (There is enough land for 9 houses, and with enough work I might be able to figure out how to fit them in.) Although the 8 detached units would be more profitable, I would rather build one of my plans for 7 units of housing consisting of 2 single family and 5 townhouses, or a standard single family plus one with an included additional unit and 4 townhouses. I also think it is clear that the PUD plans would be more compatible with the goals of the master plan and with the character of the neighborhood than the alternative of 8 detached units.

Sincerely,

J. William Baus

RECEIVED
APR 1
By

FAILED

#10632209
Form Prescribed by State Board of Accounts
CITY - PUBLIC WORKS
(Governmental Unit)
Monroe County, Indiana

attach to Res 97-14

PUBLISHER'S CLA

LINE COUNT
Display Matter (Must not exceed 2 actual lines, neither of which shall to body of the Advertisement is set)- Number of equivalent lines

Head- Number of lines
Body- Number of lines
Tail- Number of lines
Total number of lines in notice: 25

COMPUTATION OF CHARGES:
25 lines 1 column(s) wide, equals 25 equivalent lines
at .364 cents per line ..... $ 9.10
Additional Charges for notices containing rule
or tabular work (50% of above amount) .....
Charge for extra proofs of publication .....
($2.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM ..... $ 9.10
DATA FOR COMPUTING COST
Width of Single Column 12.5 ems Size of type 6 point
Number of insertions 1 time(s)

Pursuant to the provisions and penalties of Ch 155, Acts 1953.
I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Leah Leahy
Title: Billing Clerk

Date: 10/05/97

NOTICE OF PUBLIC HEARING
Notice is hereby given, pursuant to IC 6-1.1-12.1 s amended, that on October 1, 1997, the Bloomington Common Council adopted Resolution 97-14 nd declaring the following property to be an Economic Revitalization Area, and eligible for deductions on property taxes for new manufacturing equipment for a period of 10 years.
633 North Morton Street
Prairie Dog Corporation, Petitioner
A description of the affected area is available for inspection in the office of the Monroe County Assessor.
On the October 15, 1997 at 7:30 P.M. in the Council Chambers of the Showers City Hall, the Common Council will hold a Public Hearing at which time the Council will consider Resolution 97-16 confirming the abatement on new equipment for a ten (10) year period, as well as to determine if a post abatement installation requirement will be waived, and will receive and hear remonstrances and objections from all interested persons.
Patricia Williams, CLERK
City of Bloomington
Date: October 2, 1997 5

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss
Personally appeared before me, a notary public in and for said county and state, the undersigned, Leah Leahy or Sue May who, being duly sworn, says that she is billing clerk for The Herald-Times newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication being as follows:

10/5/97

Leah Leahy

Subscribed and sworn to before me 10/05/97

Sheila L Collins Notary Public, Monroe Co. Indiana
My Commission expires 7/23/00

FAILED

Claim No. _______ Warrant No. ______________
IN FAVOR OF
The Herald-Times
P.O. Box 909, Bloomington, IN 47402

$_________________________

ON ACCOUNT OF APPROPRIATION FOR

____

Appropriation No. 3512 62 682

Allowed____________________, 19___

In the Sum of $____________________________

____

____

____

____

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is based upon statutory authority.
That it is apparently (correct) (incorrect).

____

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and necessary to the public business.

____

______________________, 19_____

FAILED

To: Common Council
From: Don Hastings, Planning Director
Subject: Ordinance 97-09 - Bill Baus
Date: February 12, 1997

MEMORANDUM

FAILED

Attached are staff reports, petitioner's statement, location maps, and preliminary site plan relevant to Ordinance 97-09. The petition is for rezoning to PUD and preliminary plan approval for eight dwelling units on 1.75 acres located at 1208 West 8th Street. This petition was approved by the Plan Commisison on January 27, 1997. The property is an aggregation of platted lots and vacated rights-of-way at the end of West 8th just north of the White Oak cemetery. The proposal includes remodeling of the existing house at 1208 West 8th to allow conversion to a duplex, and razing the existing house at 1210 West 8th to build a new duplex structure. Both of these structures will have the capability of being retrofitted for occupancy as single family dwelling units, and will be constructed in such a way that they will look like single family houses from 8th Street. The proposal also includes construction of four townhouse units on the vacant, wooded area just west of the two existing structures.

The petitioner's preferred access to the townhouse units is from Adams Street via easement over Parks Department-owned land. This is vacant land that is part of the White Oaks Cemetery site. The Parks Department is concerned about granting easement for the road because of the potential for use of this land in the future and also because it is possible graves would have to be moved in order to locate the road. The Plan Commission expressed concern over approving an access from Adams Street when it would require easement approval from another City department, particularly when that department has expressed an unwillingness to grant such easement. Memos from the Parks Department are included in this packet. The petitioner requested that access to the townhouse units be approved in the alternative, with access either from 8th Street or Adams Street, and that final access location be determined at final plan stage. The Plan Commission did not feel comfortable with that proposal and their approval recommendation does not include the Adams Street access. The Plan Commission finds this project to be consistent with the Growth Policies Plan and compatible with surrounding properties in terms of density and residential land use.

The Plan Commission recommends approval of this petition, with the following conditions of approval:

1) The private access drive to the townhouses will be off of 8th Street, not Adams Street, and the alignment must be designed to the satisfaction of the Fire Department to insure truck accessability prior to final plan approval.

2) The private access drive to the townhouses will be 18' wide and will be paved with asphalt. The associated parking must also be paved. A safe area shall be provided at the end of the drive that will allow emergency vehicles to turn around. This turn-around area must be

designed to the satisfaction of the Fire Department prior to final plan approval.

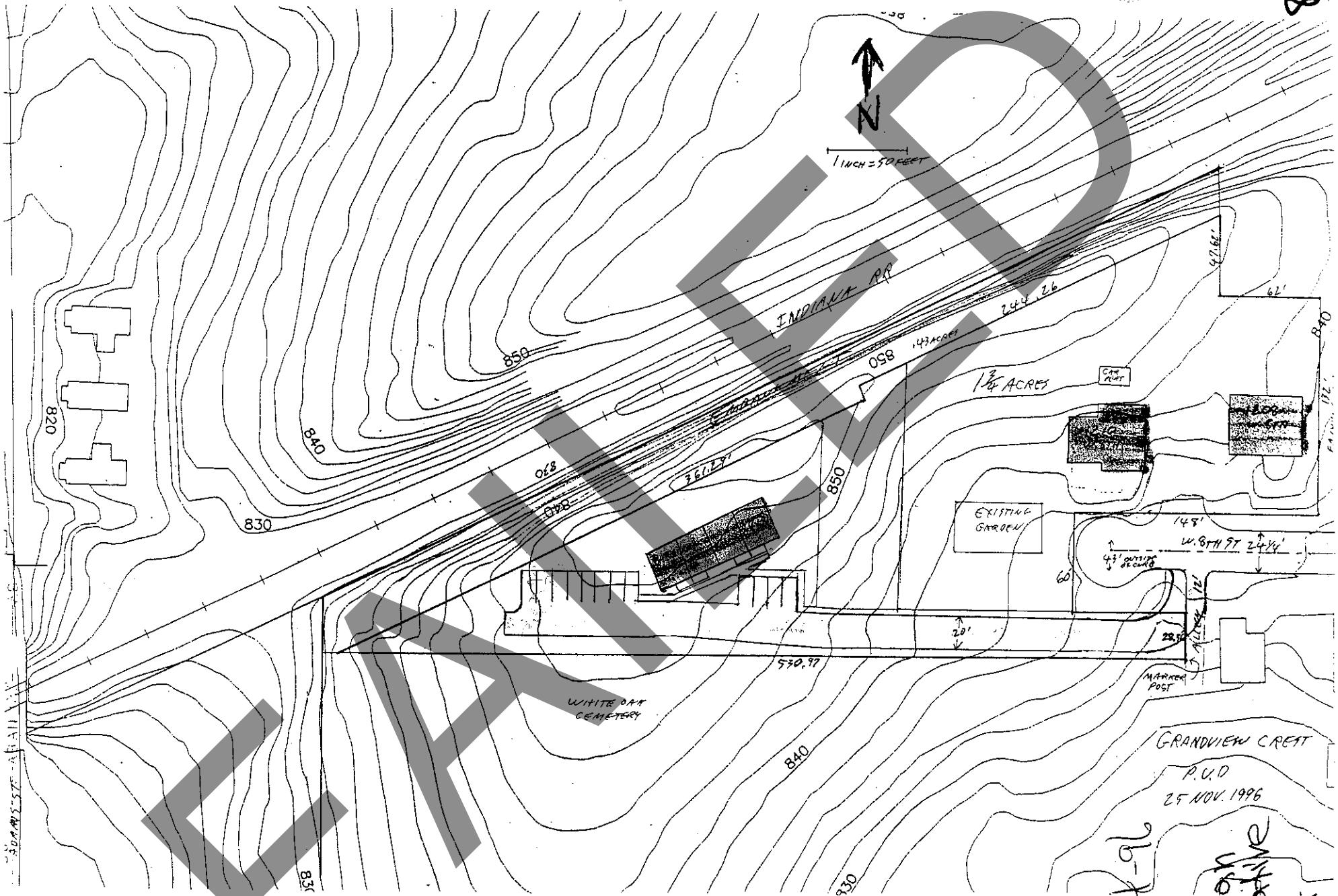
3) The duplexes at 1208 and 1210 West 8th Street shall have gravel access drives with adequate parking for the occupants. The architecture of the duplexes shall be compatible with the surrounding single family structures. Staff shall review the final plan for the duplexes as per BMC 20.05.09.04.E.

4) The final plan for the townhouse units shall be reviewed by the Plan Commission.

5) That waiver of the three-acre minimum PUD standard be granted.

As always, feel free to call me or Toni McClure of my staff (349-3533) if you have questions or comments.

FAILED



PUD-104-96

Site Plan Alternative A

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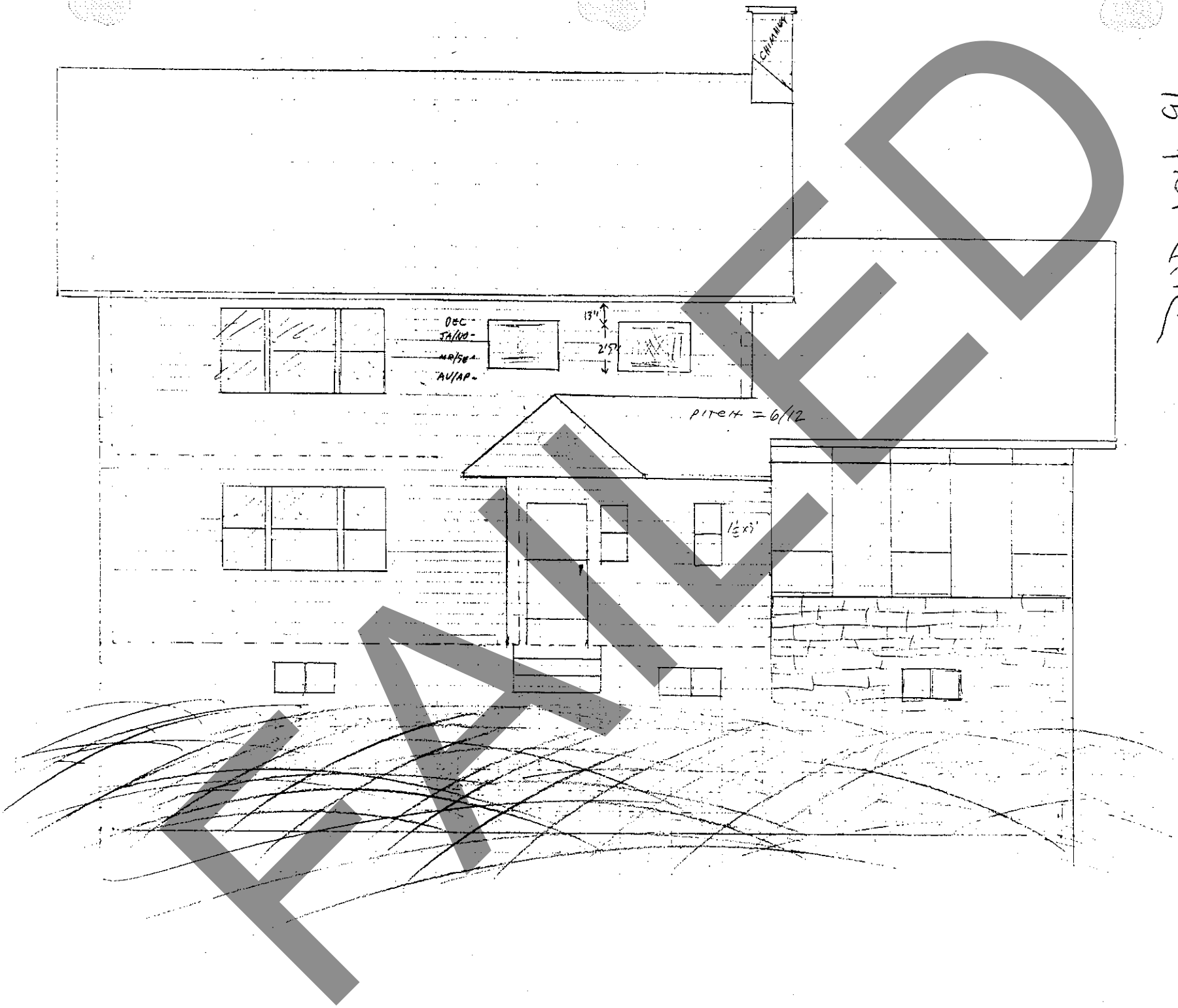


FAILED

PUD-104-94

1 FOOT

28

Duplex Elevation

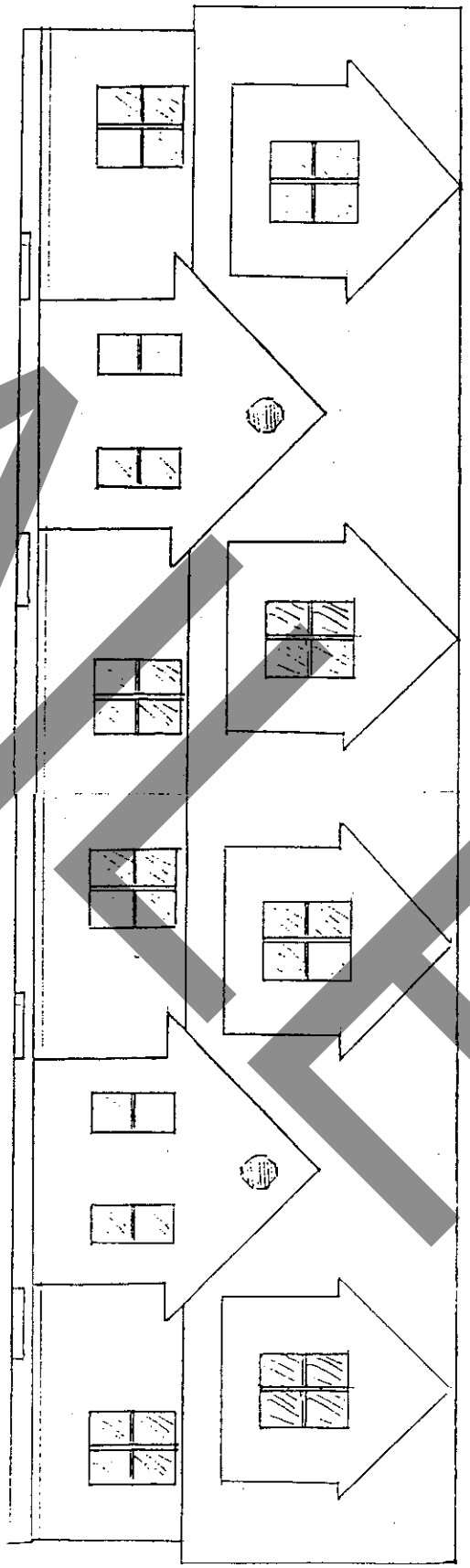
BAUSHAUS

1210 W 8TH

SOUTH ELEVATION (FRONT)

PLAN G

21 JULY 96



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PUD-104-96 83

Front Elevation-
Townhouse

BLOOMINGTON PLAN COMMISSION **CASE #: PUD-104-96**
FINAL REPORT **DATE: January 27, 1997**
LOCATION: 1208, 1210 West 8th. St.

PETITIONER:	Name:	J. William Baus
	Address:	1210 W. 8th. St.
Counsel:	Name:	None
	Address:	

REQUEST: The petitioner is requesting rezone of a 1.75 acre parcel from single family residential (RS 4.5) and Institutional (I) to Planned Unit Development (PUD). Also requested is preliminary plan approval and preliminary plat approval for a three lot subdivision. The petitioner would also like final plan approval for Phase I of this development (the two duplexes) to be delegated to the Planning staff.

EXISTING/SURROUNDING LAND USES AND DESCRIPTION: The parcel in question is located at the western end of West 8th Street and east of Adams Street. It is bordered to the south by the White Oak Cemetery (zoned Institutional), to the north and west by the Indiana Railroad R.O.W., and to the east by single family residential properties (zoned RS 4.5). The property currently contains single unit structures at 1208 and 1210 West 8th Street. A significant portion of the western part of the site is wooded, and the property slopes from northwest to southeast.

PROPOSAL SUMMARY: The petitioner is seeking PUD approval to authorize the placement of eight dwelling units on this 1.75 acre tract (4.57 units per acre). The petitioner is working to acquire a narrow strip of 0.43 acres from the Illinois Central Railroad. If this transaction is realized, the petitioner would own an aggregate of 2.18 acres (a project density of 3.69 units per acre). This possible land acquisition should not be figured into the density evaluation of this proposal, however a condition of approval should be that the .43 acres will be included in the PUD if purchased by the petitioner. The single unit structure at 1208 West 8th Street will be converted to a duplex, while the existing home at 1210 will be torn down to provide space for a new duplex. Also proposed are four townhouse units on the western side of the site. The petitioner proposes that these townhouse units will be for sale as condominiums.

GROWTH POLICIES PLAN COMPLIANCE: The Growth Policies Plan designates this site as "Residential Enhancement". The Plan describes these areas as targeted "for residential rehabilitation" and as priority areas for "public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-ways." The Plan also states that "Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels." The petitioner is proposing no major public improvements, but the proposal does incorporate residential infill on undeveloped land. The Plan also encourages the use of creative site design in order to maximize tree preservation and preservation of other natural features. This proposal specifically intends to locate structures so as

FAILED

to preserve as much of the existing woods as possible.

COMPATIBILITY: The proposed overall density of this project is compatible with the surrounding neighborhood. The development is nicely buffered with non-residential uses (the cemetery and the railroad) on two of three sides. The petitioner proposes to make the two duplex structures look like single family homes in order to increase the compatibility of the appearance with their surroundings. The four townhouse units will not look like most other structures in the neighborhood. However they will be less visible to the neighborhood at large than the duplex structures because of their location on the western portion of the property and because of the tree cover that will be left in that portion of the site.

MINIMUM LOT SIZE REQUIREMENTS FOR PUD: The Zoning Ordinance requires a minimum lot size of three acres for a PUD, although it does provide for variance from that standard. This parcel is 1.75 acres in size (2.18 if the aforementioned additional railroad land is acquired) and variance from the three acre standard is required in order to approve the project. Staff is supportive of this variance for several reasons. The portion of the site that is currently zoned Institutional was zoned that way in 1995 because it was believed to be part of the cemetery. Theoretically the petitioner could get that part of the site rezoned to RS 4.5 and plat up to 7 single family lots on this parcel. This would not result in the level of tree preservation proposed by this petition since more of the site would be required to be covered by drives and structures. In addition, the petitioner has limited opportunity to purchase additional land to aggregate into a three-acre parcel. As stated earlier in this report, there is a railroad to the north, the cemetery to the south, and developed single-family lots to the east. Another mitigating factor is that the proposed PUD uses are compatible with the surrounding zoning in terms of density and residential land use.

ACCESS ISSUES: Access to the two proposed duplexes will come from West 8th Street. The current structures are served by two driveways extending north from 8th Street. The petitioner proposes no changes to these driveways. Although duplex driveways are required to be paved and meet slope restrictions under the terms of the zoning ordinance, staff is supportive of the proposal for gravel drives for the duplex units. Gravel would be more in character with the surrounding neighborhood and would increase the single-family appearance of the structures.

Access to the townhouse units has been proposed in two alternatives. Alternative A is a 20 foot wide private drive which would extend from the dead-end of West 8th. Street. This drive would run along the south property line, avoiding the petitioner's garden and much of the wooded area of the site. Staff is comfortable with the petitioner's request for a 20 foot drive standard and private status. Staff also agrees that there is no policy rationale for having 8th Street connect to Adams Street. Staff is neither comfortable with the curvature of the drive off of 8th Street nor the petitioner's proposal for a gravel surface.

FAILED

The Fire Department reviewed this proposal and offered the opinion that the 8th Street access is preferred because of the steeper grades of the Adams Street access and also the location of a fire hydrant on the cul-de-sac at the end of 8th Street. However, the alignment with 8th Street shown on the petitioner's submittal will not work for their trucks as they would not be able to negotiate the curve into the private drive. The Fire Department also requested that the far end of the drive provide a truck turn-around area and stated that asphalt is preferred over gravel.

The petitioner cites increased affordability as a factor which justifies the gravel access drive and parking. He also cites that gravel is more environmentally friendly in the case of a small development like this one. In terms of affordability, City Engineering staff estimated that the cost of an 8" deep gravel drive 20' wide and 500' long would be approximately $5,000. 8" is the standard depth of residential driveways. An asphalt drive 20' wide and 500' long would cost approximately $10,000, while concrete would cost approximately $42,000. Staff does not believe that the use of gravel would significantly affect the affordability of the four townhouse units.

Staff is concerned that the dust which would be raised by the traffic of four dwelling units would be rather high if the surface is gravel. Staff does not believe the relatively few units justify waiver of paving standards. Several other developments of similar size have been approved over the years with paved drives and parking. Staff is supportive of the proposed 20' width for the access drive.

Alternative B shows townhouse access via Adams Street, with the apron off of Adams being paved and the remainder of the drive surfaced with gravel. The feasibility of this access is dependent on the petitioner's obtaining access through property currently owned by the Parks Department. The petitioner is hopeful that such access can eventually be secured. However, there are issues concerning steep site grades and possible relocation of graves within the cemetery which were raised by the Parks Department earlier in this process. Enclosed in this packet is a memo from the Parks Department which reinforces the earlier letter and states that the Parks Department is not in favor of the Adams Street access.

The petitioner would like to keep his options open and gain preliminary approval for both access alternatives. The petitioner's current proposal is that the access be approved in the alternative, with the proviso that the 8th Street access to the townhouses would be eligible for staff level final plan approval but the Adams Street access would require Plan Commission approval of the final plan. Staff is not comfortable with that proposal because staff opinion is that the townhouse portion of this PUD should require Plan Commission approval regardless of the access location. The preliminary plan presented is schematic and staff believes the Plan Commission should review final plan details in order to ensure public safety. Given the fact that Alternative B would require that the petitioner obtain easement from a property owner who has expressed disinterest in granting such easement, staff recommends that Alternative B be denied and that the petition move forward with

FAILED

only the access off of 8th Street.

RECOMMENDATION:

Staff recommends approval of rezoning, preliminary plan, and preliminary plat for PUD-104-96 with the following conditions of approval:

1) The private access drive to the townhouses will be off of 8th Street, not Adams Street, and the alignment must be approved by the Fire Department to insure truck accessability prior to final plan approval.

2) The private access drive to the townhouses will be 20' wide and will be paved with asphalt. The associated parking must also be paved. A safe area shall be provided at the end of the drive that will allow emergency vehicles to turn around. This turn-around area must be approved by the Fire Department prior to final plan approval.

3) The duplexes at 1208 and 1210 West 8th Street shall have gravel access drives with adequate parking for the occupants. The architecture of the duplexes shall be compatible with the surrounding single family structures. Staff shall review the final plan for the duplexes as per BMC 20.05.09.04.E.

4) The final plan for the townhouse units shall be reviewed by the Plan Commission.

5) That waiver of the three-acre minimum PUD standard be granted.

FAILED

J. William Baus
1210 W. 8th St.
Bloomington, Ind. 47404

(812) 339-1210 Home
855-3322 Office

1 December 1996

City of Bloomington Planning Dept.
401 N. Morton
Bloomington, Ind. 47404

Enclosed please find my application for Grandview Crest Planned Unit Development. In addition to the text, there are three maps: one showing the current conditions, and two showing the proposed development.

There are two versions of the development plans. They are the same except for the means of access to the tounhouse units. It may be several months or even years before it is determined whether or not the preferred access from Adams St. will be feasible. This, however, will have no impact on the development of eastern part of the PUD. Since I wish to begin construction of the unit(s) at 1210 W. 8th this winter, I am proposing that the PUD be approved in a form that authorizes the access to the townhouses as either one of the other of the two alternatives.

Also enclosed are drawings of the proposed house at 1210 W. 8th St., and of the townhouses. The drawing of the townhouses is very preliminary, showing the basic concept, and will be refined considerably as the project progresses. Floor plans for the house at 1210 are available if needed.

Please let me know if there is anything more that is needed or would be of assistance in expediting this proposal.

Sincerely,

J. William Baus

PUD-10-96 70
Petitioner's Statement

FAILED

APPLICATION

for

GRANDVIEW CREST

Planned Unit Development

The following plan is submitted pursuant to Bloomington Municipal Code 20.05.09.07 B.

1. and 2. **MAPS:**

a. The irregular, but roughly triangular area is bounded on the east by the east line of Lot 69 of Fairview Addition, on the north by the Indiana Railroad right-of-way and on the south by White Oak Cemetery, as depicted on the maps. This constitutes 1 3/4 acres. There is a narrow strip along the north edge which is shown with separate boundaries. This is the area for which a verbal agreement has been reached to purchase it from the Illinois Central RR. The total of both is 2 1/6 acres.

b. There are no easements on this land.

c. The existing land uses on abutting property are as follows:

East	1200 W. 8th = vacant, zoned RS 4.5.
Northeast	Sycamore Land Trust (wooded)
Southeast	1205 W. 8th = single family residence (rental)
South	White Oak Cemetery
Southwest	Vacant lot on Adams St. - owned by the city
North	Indiana Railroad right-of-way

d. Note the very steep approximately 25 foot embankment along the railroad right-of-way to the north.

e. Existing streets: West 8th ends in a cul-de-sac, which the PUD wraps around.

f. No new public streets are planned.

g. No utilities cross this land except for the existing service to 1208 and 1210 W. 8th.

h. No land in the 100 year flood plain. (Not even any in the 100,000 year flood plain!)

i. No water courses, wetlands, or rock outcrops. The perimeter of the existing wooded area is shown on the map. The existing house at 1208 is shown, as is the carport behind 1210. (The carport will be relocated.) The existing house at 1210 is shown as dotted line.

FAILED

PUD-104-96

71

3. Miscellaneous: N/A

4. **DESCRIPTION OF CHARACTER:**

This development has been designed to make the most effective utilization of an unusually shaped parcel of land, while maximizing preservation of natural features and the character of the neighborhood.

In the early years of this century the land in this parcel was cut off from normal development when the Indianapolis and Southern Railroad (now the Indiana Railroad) cut through it at a diagonal. It consists of parts of several lots which could not be developed as separate lots. It also includes the truncated street and alley rights-of-way which were platted in the 1890s but never improved, and have been vacated by the city in two or more installments.

Woodland preservation: Most of the area is heavily wooded and has not been substantially altered for at least half a century. A primary objective of this plan is to maximize preservation of these woods while making the land economically viable in this rapidly developing area of the city. If the land were replatted into ordinary lots for detached single family housing at the zoned density of the nearby neighborhoods, it would destroy virtually all of the trees. By clustering the housing units, the disturbance of the woods can be minimized in this long narrow triangular parcel.

Owner occupancy: A second objective is to configure these housing units in such a way as to promote owner occupancy. The four town-houses will be configured as condominiums rather than as a four unit apartment complex. While the future ownership of these, just as with a single family detached house, can not be accurately predicted, they will be configured so as to encourage owner occupancy.

The structures at 1208 and 1210 W. 8th will also be configured so as to promote owner occupancy. They will both be what I shall call single-family/duplex structures. By this I mean that they will both be configured so as to be used as either a single family home or duplex. If used in the duplex configuration there will be a primary living unit and an additional smaller living unit with its own living-room/kitchen, bathroom, and bedroom facilities. In either configuration each will appear from the street to be ordinary single family residences, and they will be amenable to be economically converted from one configuration to another. Obviously, when in the duplex configuration the rental unit would be subject to the normal city rental inspections and controls.

FAILED

72

This configuration follows the historically common practice in this neighborhood of renting parts of homes to relatives or others in need of economical accommodations. It provides a means by which the owner-resident can obtain additional income during the early adult years or the retirement years when they don't need the entire house for their own family. It also serves to increase the pool of low cost rental housing, and can also provide some security for elderly or infirm persons who would not be comfortable in the more anonymous circumstances of normal apartment complexes.

Density: While most of this PUD lies in an Institutional Zone, the overall density in the PUD will conform to the RS 4.5 zoning in the eastern part of it. The 1 3/4 acres currently owned by the developer produces a density of 4.6 units per acre. This figure counts each of the single-family/duplex units as two units. Actual occupancy would probably be less at any given time. Assuming that the purchase of the additional .43 acres is completed, the total acreage will be 2 1/6 acres, and the density will drop to 3.7 units per acre.

Land Use Policies Objectives: This PUD meets the objectives of Bloomington's land use policies in the following ways:

Preservation of Green Space. This is accomplished through the clustering of the housing units and the use of conservation easements. The preservation of the woods on the top of this hill, one of the highest places in Bloomington, promotes the small-town look that has traditionally characterized this neighborhood. This plan is an ideal design response the specific environmental constraints of the site, thereby protecting the environmental integrity of the site.

Urban In-fill. This proposal presents a unique way to accommodate the normally conflicting objectives of preserving green space and urban in-fill.

Compatibility with Surrounding Neighborhoods. All of the structures are designed to promote owner occupancy which is a goal of the current neighborhood leaders. The visual impact has also been given attention. The townhouses will be designed to have a late Victorian look to them, and the single-family/duplex structures will look like single family homes even when being used in a duplex configuration. The townhouses will be similar in size and style to the townhouses recently approved across Adams at 6th and Hopewell.

Buffering. This plan provides a graduated change between the very high density of the Renaissance Rentals project across Adams and the RS 4.5 to the east.

Use of the PUD Designation to Accommodate Unique Topographic Features. Most of the originally platted lots on this land

FAILED

became unusable when the Railroad cut diagonally across them. The extremely steep embankment on the north side of this area blocks all chance of access in that part and makes this portion of the land unusable except as wooded green space. The narrow triangular shape makes replatting the western part of the area into single lots impractical.

Size of the PUD. While the ordinance states that the minimum size for a PUD is 3 acres, the ordinance also specifically provides for exceptions to the minimum size limit when dealing with unusual topographic situations or undue hardship. Precedent has been established for this particular use of the exception. The proximity of the railroad and the shape of the land were cited as justification for this exception in the Renaissance Rentals PUD project on Hopewell and 6th St., just west of Adams. The size for that project was 1 1/3 acres. This project is substantially larger at the 1 3/4 acre size, and almost an acre larger at the 2 1/6 acre size.

5. **OWNERSHIP:**

The PUD will be on one and three quarter acres that is currently owned by the developer, J. William Baus. This land was acquired in stages over the last 25 years. Mr. Baus has reached an oral agreement to purchase an additional .43 acres on the north edge of the property. While it is not essential that this purchase be successfully completed to make the project viable, it will enhance the amount of green space within the PUD and will facilitate access from Adams St.

Each of the buildings at 1208 and 1210 W. 8th will be held as individual properties, along with the land on which they sit. The townhouses will each be held as condominiums, and the land around them will be held in common with the other townhouse owners.

1. 1210 W. 8th will be designated as Grandview Crest Lot 1, and will include all of the land which lies west of a point 35 feet east of the southeast corner of current Grandview Addition Lot 1 as platted in 1893 (this point corresponds roughly to the existing curb at the east edge of the existing driveway which goes to the back of 1210 W. 8th), and east of a line 160 feet west of the current west end of the W. 8th St. right of way.
2. 1208 W. 8th will be designated as Grandview Crest Lot 2, and will include all of the land east of the east line of Grandview Crest Lot 1 (which corresponds roughly to the existing curb at the east edge of the existing driveway which goes to the back of 1210 W 8th). It be 67 feet wide. (Five feet wider than the existing Fairview Lot 69.)
3. The townhouses will be in Grandview Crest Lot 3, which will be all of the land west of the west line of Grandview Crest Lot 1. If the access to the townhouses is from W. 8th St., Lot 3 shall also include the driveway along the north edge of White Oak Cemetery.

FAILED

A **Conservation Easement**, enforceable by all other owners of property in the Grandview Crest PUD will be executed covering the following land:

1. The westmost 50 feet of Lot 1,
2. the part of Lot 1 that lies north of the Lot 2 north line extended,
3. any land in Lot 1 less than 60 feet from the current Indiana Railroad track center line,
4. and any land in Lot 1 within 30 feet of the south boundary of the PUD.
5. any land in Lot 3 less than 60 feet from the current Indiana Railroad track center line that is not used for the access drive into Lot 3 from Adams St.

This easement will ensure that the property subject to the easement will be maintained in a wooded condition.

6. DEVELOPMENT SCHEDULING: The structure at 1210 W. 8th will be built starting approximately 1 March 1997. The townhouses and any modifications to 1208 will commence at a yet to be determined date, after the structure at 1210 is substantially completed.

7. PROPOSED USES:

The structure at 1210 W. 8th will have a gross area of approximately 2330 square feet, plus basement, basement garage, and unfinished attic. In its single family configuration it will have 3 bedrooms. In it's duplex configuration it will have 1 or 2 bedrooms on the first floor, and one bedroom on the second floor. Front elevation drawings of this structure are appended.

The structure at 1208 W. 8th will have, in it's single family configuration, approximately 1000 square feet, plus basement and basement garage. It currently has 2 bedrooms. There are plans to eventually build a third bedroom on the ground floor. (These plans have been in existence for 17 years, but it hasn't happened yet.) In it's duplex configuration it will have 2 bedrooms on the upper floor and 1 bedroom on the ground floor. Each unit would have it's own bathroom and kitchen. A front elevation drawing is appended.

The townhouses will each be approximately 1200 Sq. Ft. Two will be configured as 2 bedroom and two will be configured as 3 bedroom. A preliminary front elevation drawing of these is appended.

The combined lot coverage of all the structures will be 8%.

FAILED

8. FACILITIES PLAN:

a. **Access:** No new "roads" are needed. The units at 1208 and 1210 will be accessed from West 8th St. as they presently are. The townhouses will be accessed by a private drive. There are two directions from which it would be possible to construct the drive to the townhouses. The preferred access is from Adams St., but it would be possible to access them from 8th St. if the Adams St. access could not be arranged.

There are 4 reasons why the Adams St. Access would be preferable.

(1) Access from Adams would leave intact more mature trees and would not be as visible when looking across the cemetery from 7th. St.

(2) The townhouse units are more in character with the neighborhood on Adams than with that on 8th. A dozen townhouse units similar to these were approved earlier this year almost directly across Adams St. from this project. While the density in the Renaissance Rentals project at Hopewell & 6th is four times as high as this project, the type of townhouses anticipated in both projects are similar.

(3) Eighth St. is a residential street while Adams is a collector street which is better equipped to handle the additional traffic.

(4) There would be less accidental traffic if the access were from Adams. People who are lost and find themselves a the dead end of 8th St. often try to drive up my existing short driveway into my back yard. If there were a drive that really went somewhere, many more lost motorists would follow the drive to the townhouses, creating unnecessary traffic on this private drive.

Note: To prevent people from using this as a cut-through, as well as to minimize destruction of green-space, it is important that access is from only one of the two alternative directions.

The only reason to even consider access from 8th St. is that the Adams access requires an easement over a lot on Adams owned the city, and the successful completion of acquisition of additional land from the Illinois Central Railroad. The railroad has orally agreed to the purchase, but there is much corporate red tape to be dealt with before the purchase is final. I am currently in the process of negotiating an easement from the city and at this point I feel that the prospects are promising.

Width of driveway: I am proposing that the access is by way of a 20 foot wide gravel drive and a paved sidewalk adjacent to it. While I understand that 25 foot paved drives are being required for many developments, a 20 foot drive is appropriate in this case for the following reasons:

(1) Eighth Street just east of this property is only 24 feet 3 inches wide.

(2) Adams is only about 22 feet wide.

(3) The drive into these townhouses is not a public street,

FAILED

7

but only a private drive to these four units. Is is not reasonable to require a private drive to be wider than the street that serves it.

(3) Only 4 units will be served by the drive.

(4) Preservation of trees will be enhanced.

(5) The added cost of a wider drive would increase the cost of the housing units.

(6) A 20 foot wide drive is still wide enough for 2 big trucks to pass.

(7) The recent development closest to this one is a 2 unit development by Tim Henke authorized and built within the last 5 years. It is served by a 12 foot wide gravel drive.

Gravel vs. Pavement: There are several reasons why gravel is preferable for the drives and parking areas for this project.

(1) Ecological - Gravel greatly reduces surface run-off problems by slowing the progress of run-off across the surface and permitting some of it to soak into the soil. Pollutants such as oil from cars, are less likely to pollute streams and lakes since they are likely to be captured by the gravel and bound to the limestone and soil until they can decay naturally. Furthermore, gravel drives take only a fraction of the petroleum resources to construct as compared to asphalt.

(2) **Cost:** The cost of a gravel drive is a fraction of the cost of a paved drive. The cost of paving will have to be passed on to the residents of the townhouses. While paving is appropriate for luxury or high traffic drives, this drive will only serve 4 units and affordability rather than luxury is their objective.

b. Sidewalks: A walkway will be provided directly adjacent and parallel to the drive to the townhouses.

c. Sanitary Sewers: Sewer service is already available to 1208 and 1210. The townhouses can be served by extending the sewer that currently dead ends at the cul-de-sac in front of 1210 W. 8th St., or by connecting into the sewer serving Adams St. (Both are down hill from the townhouses.)

d. Stormwater management: If pavement is not required for the townhouse drive and parking, no stormwater management will be required.

e. Water Supply: Water service is already available to 1208 and 1210. Water can be supplied to the townhouses from the main that ends at the cul-de-sac in front of 1210 W. 8th St., or by connecting into the water supply serving Adams St.

f. Street lighting: Since there are no new streets, no public lighting is needed. The private drives and building perimeters can be lighted as needed by the owners.

g. Public Utilities: None.

FAILED

77

9. **LANDSCAPE PLAN:** A primary objective of this development is to retain as much of the existing vegetation as possible. A serious attempt will be made to avoid trees in the construction of the townhouses, and the precise location of the drive and parking will be adjusted to avoid trees. A conservation easement will require that part of the area remain wooded. The landscaping at 1208 and 1210 will remain essentially unchanged.

10. Traffic Analysis. N/A.

11. **NEIGHBORHOOD MEETING REPORT:** See attached letter.

FAILED

Submitted 2 December 1996

J. William Baus
1210 W. 8th St.
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855-3322 (w)
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