Passed: 8-0

ORDINANCE 95-04

TO GRANT RS/PUD DESIGNATION AND OUTLINE PLAN APPROVAL
Re: 1401 W. Allen
(Richland Construction, Petitioner)

WHEREAS, the Common Council passed a Zoning Ordinance amendment and adopted new incorporated zoning maps on June 7, 1978 which are now incorporated in Title 20 of the Bloomington Municipal Code; and

WHEREAS, the Plan Commission has considered this case, RS/PUD-79-94, and recommended that the petitioner, Richland Construction be granted PUD designation and outline plan approval and request that the Common Council consider their petition;

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 20.13 of the Bloomington Municipal Code, that an outline plan be approved and the property designated a Planned Unit Development. The property is located at 1401 W. Allen and is further described as follows:

A part of Seminary Lots 166 and 167 in Monroe County, Indiana, bounded and described as follows, to-wit:

Beginning at the Northwest corner of Seminary Lot 166; thence East on the North line of said lot 417.208 feet; thence leaving said North line and running parallel to the West lines of Seminary Lots 166 and 167 South 05 degrees 21 minutes 44 seconds East for 772.93 feet and to a point that is 5 poles and 16 links (94.38) feet North of the South line of Seminary Lot 167; thence running West and parallel to the South line of said Seminary Lot for 417.208 feet and to the West line of Seminary Lot 167 at a point that is 94.38 feet North from the Southwest corner of said lot; thence running on the West line of Lots 166 and 167 North 05 degrees 21 minutes 44 seconds West for 772.93 feet and to the point of beginning.

Excepting therefrom 1 acre square in form out of the Northwest corner of said Seminary Lot 166.

SECTION II. The Outline 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 18 day of January, 1995.

Iris Kiesling

IRIS KIESLING, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 19th day of January, 1995.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 19th day of January, 1995.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants PUD designation in an RS zone and approves an outline plan for approximately 7.4 acres located at 1401 W. Allen. This ordinance allows a 48-unit multi-family project on this parcel.

Signed copies to:
Planning
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 95-04 is a true and complete copy of Plan Commission Case Number RS/PUD-79-94 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on December 12, 1994.

Date: December 15, 1994

Timothy A. Mueller

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____,

Patricia Williams

Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution #_____

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other_____

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure_____ Emergency_____
Unforseen Need _____ Other_____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	$_____	$_____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	$_____	$_____

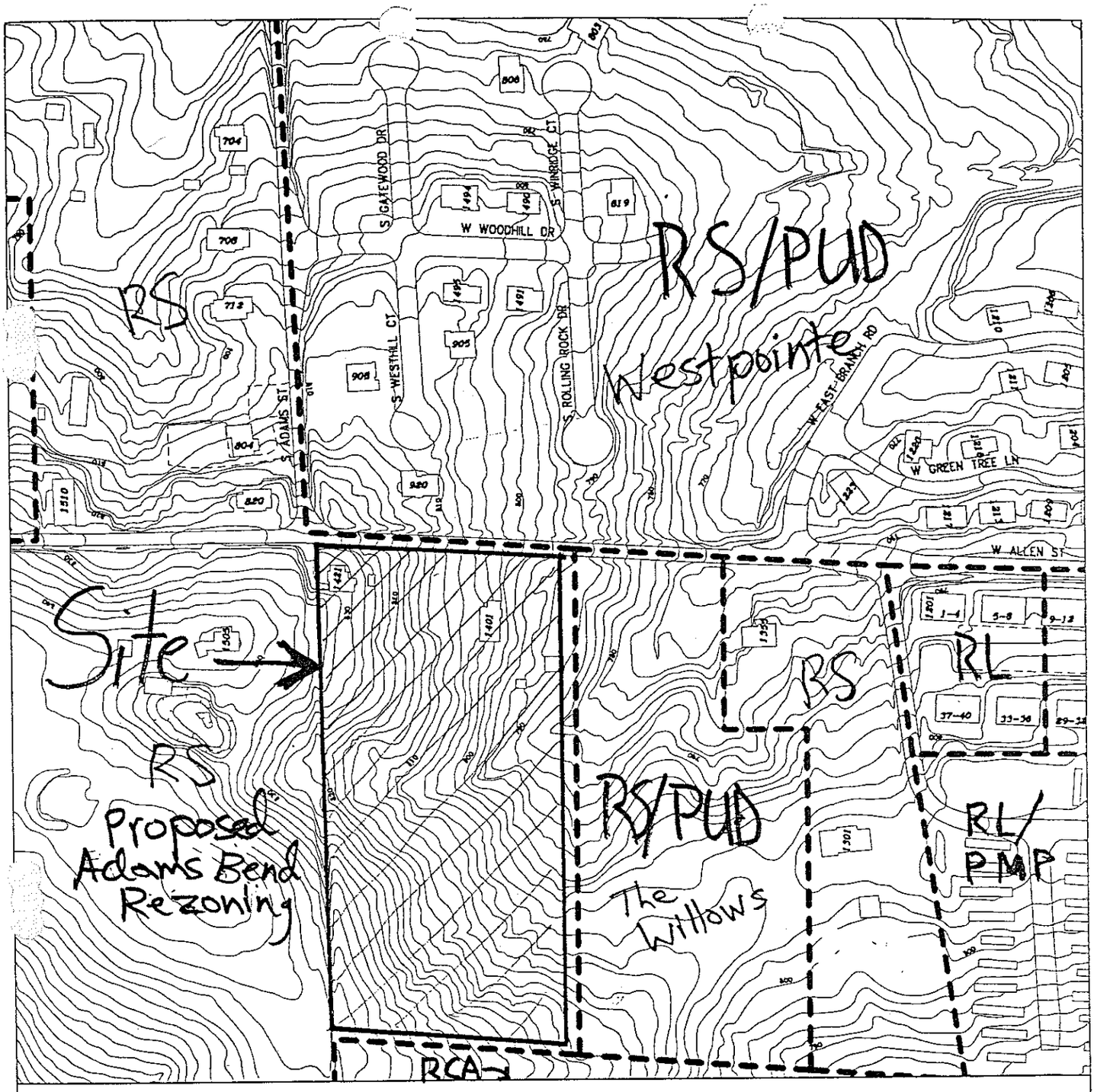
Signature of Controller_____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes_____ No_____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

RS/PUD 79-94
Conditions of Approval:
1. Residential drives to be closed after construction of the drive is completed.
2. Entrance design to be established at development plan stage.
3. A detention area large enough to accommodate the petitioner's needs must be verified on the site or a written agreement with adjacent owner establishing cooperative detention submitted.
4. The spotting of specimen trees and preservable stands of trees be made a development plan stage. Petitioner will investigate the use of retaining walls and shifted building footprints to preserve large blocks of trees.
5. Petitioner shall leave the sinkholes in their natural state and clean the debris out of the western most sinkhole.



Planning Commission

RS/PUD-79-94

Land Use/Location/Zoning

Date: 19 Oct 1994

100 0 200 200 400

N

City of Bloomington

Scale: 1" = 200'

RS/PUD-79-94 LANDUSE LOCATION ZONING

MEMO

To: Common Council
From: Planning Department
Date: December 12, 1994
Case No: RS/PUD-79-94
Location: 1401 West Allen, Bloomington, IN 47403
Petitioner: Richland Construction
Counsel: Bynum Fanyo & Associates, Inc.

On December 12, 1994, the Bloomington Plan Commission approved a request for PUD designation and outline plan approval for a 48 unit multifamily project on 7.4 acres on the south side of Allen Street.

The project is located on the southeast side of the intersection of Adams and Allen Streets. The proposed density is 6.75 units an acre which includes plans to preserve two single family residences located on the site. An existing single family house on the west side of the site has obtained approval from the Board of Public Works to encroach on the proposed extension of the Adams Street right-of-way. The sole access to this project will be from Adams Street. During construction the drive to 1401 West Allen will remain open. The existing private drives will be closed after the entrance from Adams is completed and construction of the drive is completed. Should both Adams Bend (on the adjacent 12 acre tract) and this project receive approval, a new right-of-way will be shared with the adjacent Adam's Bend development to a point approximately 260' south of Allen Street.

The new residential construction will include duplex and quadplex structures arranged around a common drive with no outlet. Forty two three-bedroom units and six two-bedroom units are proposed. Each structure will have a single bay attached garage.

The petitioner has completed an aerial review of the site and located two sink holes on the property. These will not be affected by the proposed construction. The interior road has been realigned to avoid impact. There is a deep swale located at the intersection of interior streets.

Staff anticipates completion of the new truck access route to Thomsen in the next year and a half. The intersection of the truck route with Allen Street will be signalized. Truck traffic will be routed north avoiding use of Allen Street from the new intersection west. The proposed intersection of Allen and Adams is to be designed as a four way stop. For this reason, staff would prefer to defer the intersection design to development plan approval. With a four way stop, a 31' street would be adequate.

Plans for entrance improvements are being discussed with the Board of Public Works and Engineering Departments. The petitioner is

responsible for 31′ of pavement, at the intersection further widening may be required.

A ROW dedication of 35 feet on Allen and Adams are required. The private interior drive will be developed as a 28′ street. The petitioner shows sidewalks on Allen and an interior network throughout.

The petitioner is required to either submit an agreement verifying that The Willows will provide the required storm water detention for this entire project or that there is adequate open area on the petitioner's site to provide detention. Because the owners of the Willows have been unavailable, the petitioner showed adequate open space on the proposed development.

The parcel is adjacent to higher density development on the east side so there is no buffering requirement. A 30′ buffer is maintained on the west boundary. The south side of the site is adjacent to industrial uses. On this side the plan shows a minimum of 65′ of vegetated buffer.

December 12, 1994

To: Tim Mueller

From: T. Micuda, K. Komisarcik, G. Heise,
M. Wedekind, P. Werner

Subj: RS/PUD-79-94 Richland Construction 1401 W. Allen St.

Site Description - The upper two-thirds of the site is rolling, largely open terrain, with a well-defined swale running through the center of the property. The southern third of the site contains a forest of young deciduous trees. This forest continues along nearly the entire west property line. Slopes are not prohibitive to land development; they are in the 15 percent range in portions of the southwest and northwest corners of the site. Two karst features were noted on the site.

Recommendations

Tree Preservation - The Environmental Commission recommends that the following areas of trees be preserved:

1. specimen silver maples along the two single family residences **(This is being done with the petitioner's plan)**
2. existing trees along the eastern and western perimeters of the site which will not be impacted by the proposed collector street **(This is being done with the petitioner's plan)**
3. an existing block of hardwood trees on the southern portion of the property

The Environmental Commission is concerned with the amount of tree removal proposed for the southern portion of the site and recommends that the petitioners examine additional tree preservation measures at the development plan stage such as the use of retaining walls or modifications of building locations.

Karst Topography - One karst feature was identified in the western portion of the drainage swale running through the center of the site. It is a sinkhole with a soil collapse area in its center. As is typical, the soil collapse area has a good deal of both man-made and natural debris. The petitioners have located this feature away from proposed building and parking areas. The Environmental Commission recommends that the sinkhole be left in a natural state and that the debris in its bottom be cleaned out. A much smaller sinkhole has been spotted on the eastern portion of the site. It is also located in an area that will not be disturbed by building and pavement construction.

cc. Rod Young

— RS/PUD-79-94 ENVIRONMENTAL COMMISSION REPORT 32

BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

October 7, 1994

City of Bloomington
Plan Commission
PO Box 100
Bloomington, Indiana 47402

RE: West Allen Street RS/PUD

Dear Plan Commission Members:

Our client respectfully requests Outline Plan Approval for an RS/PUD on 7.4 acres located in the 1400 block of West Allen Street. The proposed plan contains 48 units situated in both duplex and quad–plex type structures plus two existing single family residences. Access to the site will come from the Southward expansion of Adams Street. The cut at 1401 West Allen will be utilized for site access in the event the Adams Street extension is not completed. At what time the extension is finished the cut into Allen Street will be removed completely. Retention for this parcel will be controlled through modification of the existing retention pond from The Willows, for which the owner has granted approval.

This proposal follows the recommendations of the Growth Policies Plan for this area and poses no threat to the surrounding land uses. We have been working with members of the Planning Staff and adjacent developers in order to provide the most efficient design solution possible. Please feel free to contact us with any questions you may have.

Very truly yours,

BYNUM FANYO & ASSOCIATES, INC.

John Blackketter

John Blackketter
xc: BFA File #409453

700 NORTH WALNUT STREET BLOOMINGTON, INDIANA 4740

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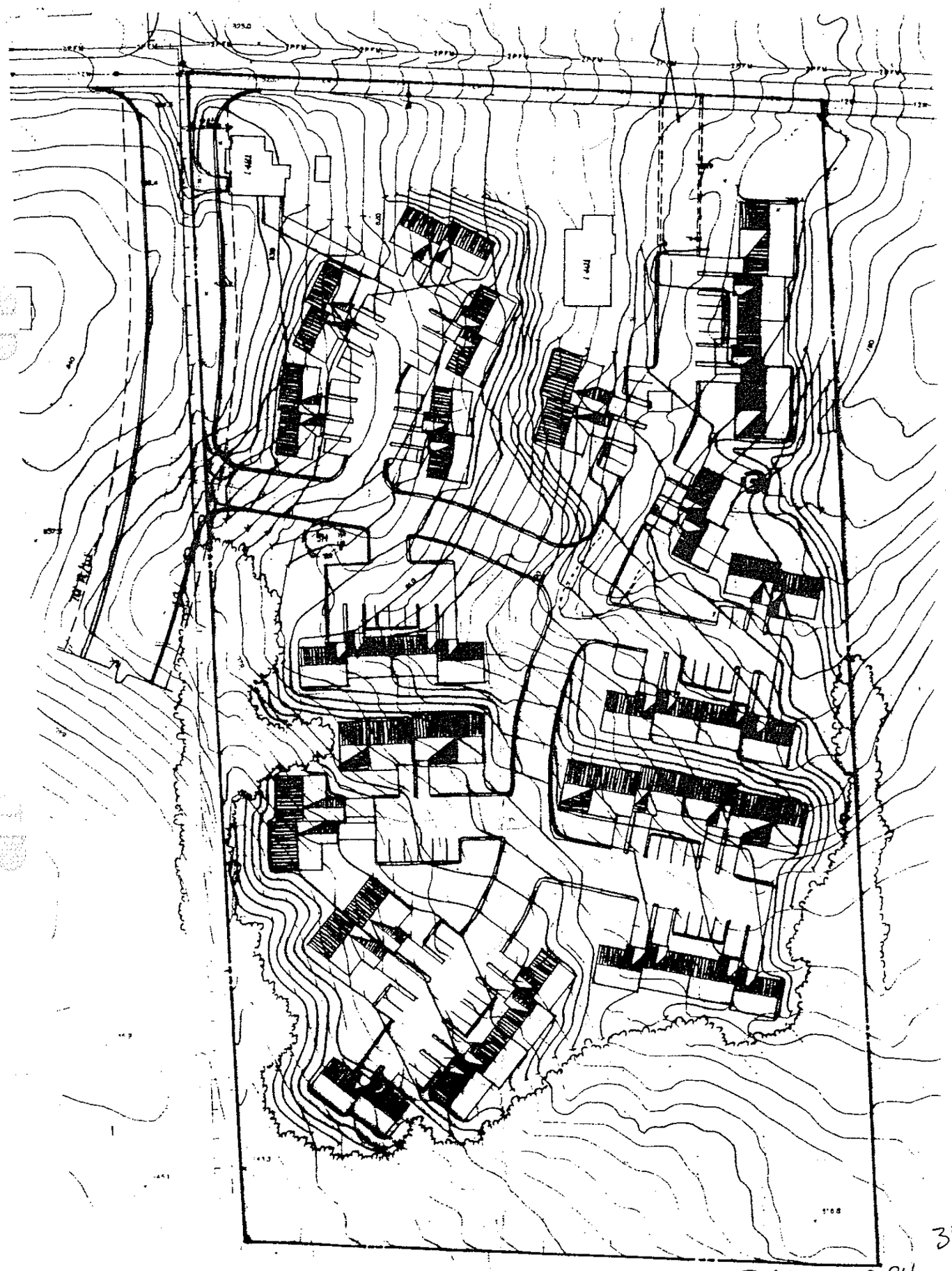
RS/PUD-79-94 Petitioner's Statement



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RS/PUD-79-94
Site Plan

RS/PUD-79-94 Schematic Road Alignment for Adams St.

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BLOOMINGTON PLAN COMMISSION Case No:RS/PUD-79-94
PRELIMINARY STAFF REPORT Date: November 28, 1994
Location: 1401 West Allen, Bloomington, IN 47403

PETITIONER: Name : Richland Construction
Address: P.O. Box 1306, Bloomington, IN 47402

COUNSEL: Name: Bynum Fanyo & Associates, Inc.
Address: 700 North Walnut, Bloomington, IN 47408

PRELIMINARY HEARING DATE: November 28, 1994

REQUEST: This is the preliminary hearing for a request for PUD designation and outline plan approval for a 48 unit multifamily project on 7.4 acres on the south side of Allen Street.

PROPOSAL SUMMARY: The proposed density is 6.4 units an acre and is within guidelines for an RS/PUD development. The petitioner plans to preserve two single family residences located on the site. The driveways will be relocated so that access is obtained from interior drives. The forty eight units will be organized into duplex and quadplex structures. The petitioner will share provision of right-of-way and construction costs of the new Adams street extension with an adjacent owner. Obligation will be shared to the location of this project's entrance drive. approximately 260' south of Allen. Upon its completion, this will be the single access to the development.

EXISTING LAND USE ANALYSIS: Previously much of this land was large lot residential and has been slowly converted to planned unit developments. West Pointe, The Willows, and several trailer parks have been developed in the last ten years. New commercial construction at Rogers and Second Streets, public improvements, and the rate of infill development promises to make this a more compact and efficient working neighborhood. There are currently two single family houses located on the lot with separate drives. The house on the west side of the parcel is located extremely close to an existing right-of-way which will be widened as a part of this petition.

EXISTING ZONING ANALYSIS: The site is zoned RS and is surrounded by residential properties in a variety of formats from single family to apartments and trailers. The property abuts Thomsen land currently being use for semi-trailer storage.

REPORT

The site is heavily vegetated on the southern one third of the property. Representatives of the Environmental Commission have walked the site and attempted to identify specimen trees outside this tree line. Trees on this parcel are generally not as mature as those on the Adams Bend site adjacent to it. Detention will be shared with the neighboring Willows projects. An agreement between the two property owners to resize the area will be provided.

Each unit will have three bedrooms. Parking will be provided by single bay garages, a stacked space and at least one additional parking space. The underlying RS zoning would require two stacked spaces. The plan attempts to minimize the impression of large surface parking areas successfully.

IMPACTS AND ISSUES:

a. Access
The petitioner has agreed to provide additional right-of-way for the construction of an aligned intersection with Allen and Adams. This extension will be partially located on the property for approximately 260' where the sole access

to the development will be located. The petitioner will use the existing drive to 1401 West Allen as a temporary access before completion of the extension which will be coordinated with the adjacent property owner, whose petition will also be heard this evening. The Engineering Department will work with petitioners to generate an acceptable intersection design. A report will be made at the final hearing, how plans may be flexible until development plan approval.

b. Right of Way Dedication
A ROW dedication of 35 feet on Allen is required. The same dedication is required for the Adams extension. The petitioner is also requesting an encroachment of the footprint of the existing house into this right-of-way from the Board of Public Works. Ultimately, the house will obtain access from an interior drive.

d. Sidewalks
The petitioner shows sidewalks on Allen and an interior network throughout.

e. Grades
The site has been walked by staff and two possible sinkholes have been identified. There is a central swale running from east to west.

f. Sewer/Water availability
Sewer and water provisions are available. Particulars will be reviewed by Utilities at a later time.

g. Storm Water Drainage
The petitioner has reached an agreement with The Willows which will provide detention for this entire project. The existing detention will be re-engineered to guarantee capacity. By final hearing the petitioner will be required to show a contractual arrangement or letter which verifies this use. Otherwise the petitioner will be required to submit a plan for detention on his site.

h. Tree preservation
The location of open space on the south side of the site is an attempt to minimize the encroachment of construction to the existing treeline. There are several valuable specimen trees located along the old right-of-way on the west side of the site. These also will be preserved. Several additional trees in the yards of the existing houses are scheduled for preservation.

i. Buffers
Because the parcel is adjacent to higher density projects on either side so no buffering is required. A full 60' is provide on the south side which is adjacent to industrial uses.

j. Master Plan Compliance
The plan falls with density requirements for an RS/PUD which limits the number of units per acre to a maximum of 8 units per acre. The area will be zoned PRO6. With the acknowledgement that current zoning would allow 8 units per acre, and that future plans will permit 6, staff feels comfortable with the density.

RECOMMENDATIONS AND COMMENTS:

Staff recommends forwarding RS/PUD-75-94 to second hearing at a yet unscheduled time.

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