Passed 7-1 (Pat Cole)

ORDINANCE 92 - 17
To Amend the Bloomington Zoning Maps from BA to RL,
Grant PUD Designation, and Outline Plan Approval
Re: 4300 Morningside Drive
(Jeff Jones)

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, RL/PUD-28-92, and recommended that the petitioner, Jeff Jones, be granted an amendment to the Bloomington zoning maps, PUD designation, and outline plan approval and request that the Common Council consider their petition for rezoning of certain property.

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 that the zoning be changed from BA to RL for property located at 4300 Morningside Drive. The property is further described as follows:

A part of the South half of the Southwest quarter of Section 36, Township 9 North, Range 1 West in Monroe County, Indiana, being more particularly described as follows: COMMENCING at the northeast corner of the said half quarter Section; thence SOUTH 00 degrees 19 minutes 18 seconds WEST along the east line of the said half quarter Section 484.99 feet; thence NORTH 89 degrees 40 minutes 42 seconds WEST perpendicular with said east line 315.45 feet; thence SOUTH 73 degrees 19 minutes 18 seconds WEST 188.25 feet to the point of beginning which is in the centerline of Morningside Drive; thence continuing SOUTH 73 degrees 19 minutes 18 seconds WEST 348.49 feet to the east line of Lot 208 in Park Ridge East, Part One as recorded in Plat Book 5, pages 17 and 17A, in the office of the Recorder of Monroe County, Indiana; thence NORTH 08 degrees 12 minutes 02 seconds EAST along the east line of the said Park Ridge East, Part One, a distance of 227.00 feet; thence SOUTH 76 degrees 50 minutes 54 seconds EAST 317.34 feet to the said centerline of Morningside Drive; thence SOUTH 08 degrees 12 minutes 02 seconds WEST 53.00 feet to the point of beginning, containing 1.016 acres, more or less.

SECTION II. 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 that the property described below be designated a planned unit development.

Part of the South Half of the Southwest Quarter of Section 36, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the said Half Quarter Section; thence South 00 degrees 19 minutes 18 seconds West along the East line of the said Half Quarter Section 484.99 feet; thence North 89 degrees 40 minutes 42 seconds West perpendicular with said East line 315.45 feet; thence South 73 degrees 19 minutes 18 seconds West 188.25 feet to the place of beginning which is in the center line of Morningside Drive; continuing thence South 73 degrees 19 minutes 18 seconds West 348.49 feet to the East line of Lot 208 in "Park Ridge East - Part One" as recorded in Plat Book 5, pages 17 and 17-A in the office of the Recorder of Monroe County, Indiana; thence North 08 degrees 12 minutes 02 seconds East along the East line of the said "Park Ridge East - Part One" 385.00 feet to the center line of

Morningside Drive at the beginning of a curve having a radius of 235.23 feet along a chord bearing S69°47'58"E 97.81 feet and along the said center line 98.53 feet to a point; thence South 57 degrees 47 minutes 58 seconds East along the said centerline 154.36 feet to the beginning of a curve having a radius of 133.95 feet along chord bearing S240°47'58" East 145.90 feet; thence Southerly along the said curve and along the said center line 154.29 feet to a point; thence South 08 degrees 12 minutes 02 seconds West along the said center line 32.91 feet to the place of beginning, containing 1.866 acres, more or less.

Subject, however, to the right of way of the said Morningside Drive which is 30.00 feet by parallel lines South and West of and adjacent to the said center line and contains 0.292 acres, more or less, leaving 1.574 acres, more or less, clear of said right of way.

SECTION III. The Outline Plan shall be attached hereto and made a part thereof.

SECTION IV. 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 17th day of June, 1992.

Pam Service, PRESIDENT
Bloomington Common Council

ATTEST:

Patricia Williams, CLERK
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18 day of June, 1992.

Patricia Williams, CLERK
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of June, 1992.

Tomilea Allison, Mayor
City of Bloomington

SYNOPSIS

This involves a request for rezone of 0.9 acres of a 1.55 acre parcel from BA to RL/PUD, PUD designation for the remainder of the site currently zoned RL, and outline plan approval for 20 condominium units on Morningside Drive south of the Park Ridge East Park.

Signed copies to:
Planning
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 92-17 is a true and complete copy of Plan Commission Case Number RL/PUD-28-92 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 May 18, 1992.

Date: May 19, 1992

Timothy A. Mueller
Planning Director
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 19th day of May, 1992,

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.)

Bloomington Plan Commission

Case #RL/PUD-28-92

Jeff Jones
4300 Morningside Drive

May 18, 1992

The Plan Commission approved a request for the rezone of 0.9 acres from BA to RL/PUD and give PUD designation to the remaining portion of the site that is zoned RL. Outline plan approval was also obtained for the entire 1.55 acre site to construct a 20-unit rowhouse development.

The property is located on Morningside Drive just south of the Park Ridge East Park. The surrounding land uses are mixed. There is a motel to the south, offices to the west, park and single family homes to the north, and condominiums and then single family homes to the east.

Approval was granted by the Plan Commission with the following conditions:

1. There will be a maximum of 20 units on the site.

2. A maximum of 16 three-bedroom units, minimum of 4 two-bedroom units. No four or five bedroom units.

3. A maximum of three unrelated adults in a unit, following RS standards of occupancy.

4. Raised landscaping berms and a 6' high wooden fence as shown on the plan.

5. The architectural style will follow that of Georgetown, with a minimum of 5.5 pitch roofs.

6. Decks or patios on the first floor only.

7. On site lighting will be kept to a minimum. Use existing lighting where possible.

8. Basements, if built, will be used for utility and storage only. Only daylight awning basement windows will be allowed.

9. Continued coordination with the Georgetown residents through development plan stage.

10. 30' R.O.W. has been dedicated along Morningside Drive.

Outline Plan Conditions
Jeff Jones RL/PUD

1.) Maximum of 20 townhouse units on 1.57 acres or 12.75 units/acre density.

2.) Maximum 16 three-bedroom units, minimum 4 two-bedroom units. No four or five bedroom units.

3.) RS zone criteria for maximum of three unrelated adults allowed.

4.) Combination of landscaped mounding and 6' high wood fencing as shown on the plan to control pedestrian cross-access, headlight pollution, and provide privacy.

5.) Architectural compatibility in the form of mix of compatible masonry with siding materials, and a minimum of 5/12 roof pitches.

6.) Decks or patios only on the first floor.

7.) Limit on-site lighting to minimum to reduce effect on adjacent homes. Try to rely on existing street lighting where possible.

8.) If basements are proposed, they will be designed strictly for storage and utility use, not for additional sleeping area. Only daylight type awning basement windows will be allowed.

9.) When later sold as condominium units, consider methods to encourage owner occupancy versus further rental or multiple unit purchases.

10.) Continue coordination with Georgetown Village residents during development plan stage.

/sy