Final Vote 7-0

ORDINANCE 92 - 36
To Amend the Bloomington Zoning Maps from RS to RL,
Grant PUD Designation, and Approve Outline Plan -
Re: 609 and 611 E. Miller Drive
Lots 63 & 64 of Barclay Gardens
(Kevin Spicer, 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-15-92, and recommended that the petitioner, Kevin Spicer, be granted an amendment to the Bloomington zoning maps, outline plan approval, and PUD designation and request that the Common Council consider his 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 that the zoning be changed from RS to RL for property located at 609 Miller Drive and 611 Miller Drive. The property is further described as follows:

Barclay Gardens Lots 63 and 64 - More particularly described as follows: Beginning at the Southwest corner of said Lot 64; thence South 89 degrees 24 minutes 07 seconds East (assumed bearing) 59.76 feet to the East line of said Lot 64 at a point 3.61 feet North of the Southeast corner of said Lot 64; thence North 1 degree 07 minutes 30 seconds West 2.01 feet on said East line; thence South 86 degrees 05 minutes 48 seconds East 59.97 feet to the East line of said Lot 63; thence South 1 degree 07 minutes 30 seconds East 5.77 feet on and along said East line to the South line of said Lot 63; thence North 85 degrees 57 minutes 13 seconds West 119.96 feet and along said South line to the point of beginning.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Cdddhapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that the property described above be designated a planned unit development.

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 16th day of September, 1992.

Pam Service

PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 17th day of September, 1992.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 17th day of September, 1992.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants rezone from RS to RL/PUD and outline plan approval for Barclay Gardens and Additions Lots 63 and 64 (15,840 sqft.) located at 609 and 611 Miller Drive to allow two duplexes each consisting of one two-bedroom unit and one three-bedroom unit.

Signed copies to:
Planning
Code Enforcement
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 92-36 is a true and complete copy of Plan Commission Case Number RL/PUD-15-92 which was given a recommendation of Approval by a vote of 9 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 24, 1992.

Date: August 25, 1992

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

Received by the Common Council Office this 25 day of August,

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.)

MEMO

TO: The Common Council
FROM: The Planning Department
SUBJECT: RL/PUD-15-92

Petitioner: Kevin Spicer
Location: Miller Drive Barclay Gardens and Additions Lots 64 and 63.
609 & 611 Miller Drive

The Plan Commission voted to approve this petition on August 24, 1992. Requested is a rezone from RS to RL/PUD and outline plan approval. The parcels combined measuring 15,840 sq. ft. are located on Miller Drive east of Henderson. The parcels are located on the north side of Miller across from the City Service and MCCSA Service building. The area is currently zoned RS. All the lots face SI zoning across Miller Drive.

Approved is the construction of two duplexes containing one two-bedroom and one three-bedroom unit in each duplex. The structures will be a combination of brick and siding. The plan meets the parking requirement of ten spaces. A one-way drive is proposed.

A landscape plan including hardwood canopy trees, flowering trees and evergreens will supplement the already existing vegetation which will be preserved. Open space and setback requirements are met.

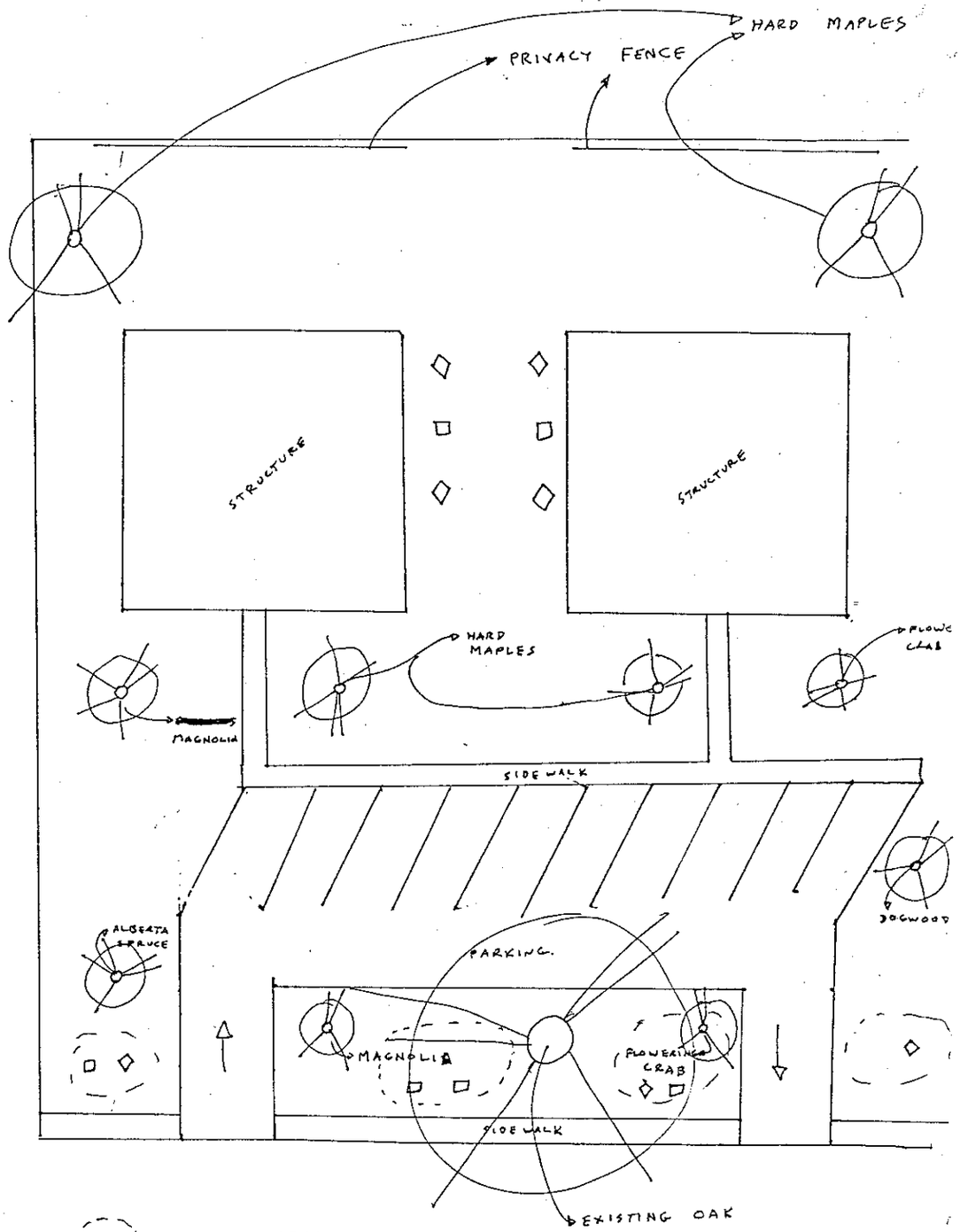
The adopted Miller Neighborhood Drive Plan supports duplexes in this area with compatibility with surrounding neighborhood architecture. The petitioner has added several finishing touches to the units to create the desired effect.

Conditions of Approval:

1) An eight foot privacy fence at the rear of the yard.

2) An earth berm under the fence if structurally feasible.

3) Architecturally compatible structures with shutters on the windows and mill-work on the front porches.



→ MOUND AREA

~~BURNING BUSHES~~ GOLDEN PRIVIT

BURNING BUSHES

NATURAL BUFFER TO BE PRESERVED ALONG NORTH, EAST + WEST SIDES.

RL/PUD-15-92

LANDSCAPE + PARKING PLAN

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 92 - 43 is a true and complete copy of Plan Commission Case Number RS/PUD-66-92 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 September 14, 1992.

Date: September 15, 1992

Timothy A. Mueller
Planning Director

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 15th day of September,

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.)

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MEMO

TO: Common Council

FROM: Planning Staff

DATE: September 15, 1992

CASE: RS/PUD-66-92, approved by the Plan Commission September 14, 1992

On September 14, 1992, the Plan Commission approved PUD designation in an RS zone and the outline plan for 7 acres of land located at 3413 S. Rogers Rd. (north of Gordon Road/Fullerton Pike). The petitioner is proposing a 46 unit zero-lot line single family home development on this seven acre site. The density is 6.6 units per acre.

This is open rolling land with a beautiful tree buffer around the site. Sight distance for the proposed location of the road is good.

The Growth Policies plan for this area states "These areas are most suited for the development of higher intensity housing." ....."Generally, densities of 12 to 15 units per acre will be acceptable average densities. What constitutes high density housing varies by community context.".....“In all cases, High Density Residential housing should only be developed where roadway capacity exists to accommodate anticipated traffic volumes and where direct transit connections exist. High density housing necessitates excellent access to shopping, recreational amenities and employment centers. Development plans for high density housing should incorporate mechanisms to soften the transition to adjacent properties regardless of their land use."

Right-of-way of 35 feet from the centerline of Rogers has been dedicated. There will be one access from South Rogers St. The internal roads and cul-de-sacs will be built to city standards. Variance for cul-de-sac length was approved by the Plan Commission. The BMC allows a maximum of 600 ft in length. The proposed cul-de-sac is approximately 720 ft.

In addition to the landscape buffer, a street tree plot will be planted with native hardwood trees. Sidewalks will be constructed along the frontage of Rogers St. Internal sidewalks will be constructed on both sides of the street to code specifications. An access easement along a 50 foot wide strip on the north property line will lead to the Rails to Trails path. This strip is also dedicated as open space for the development (see the site plan).

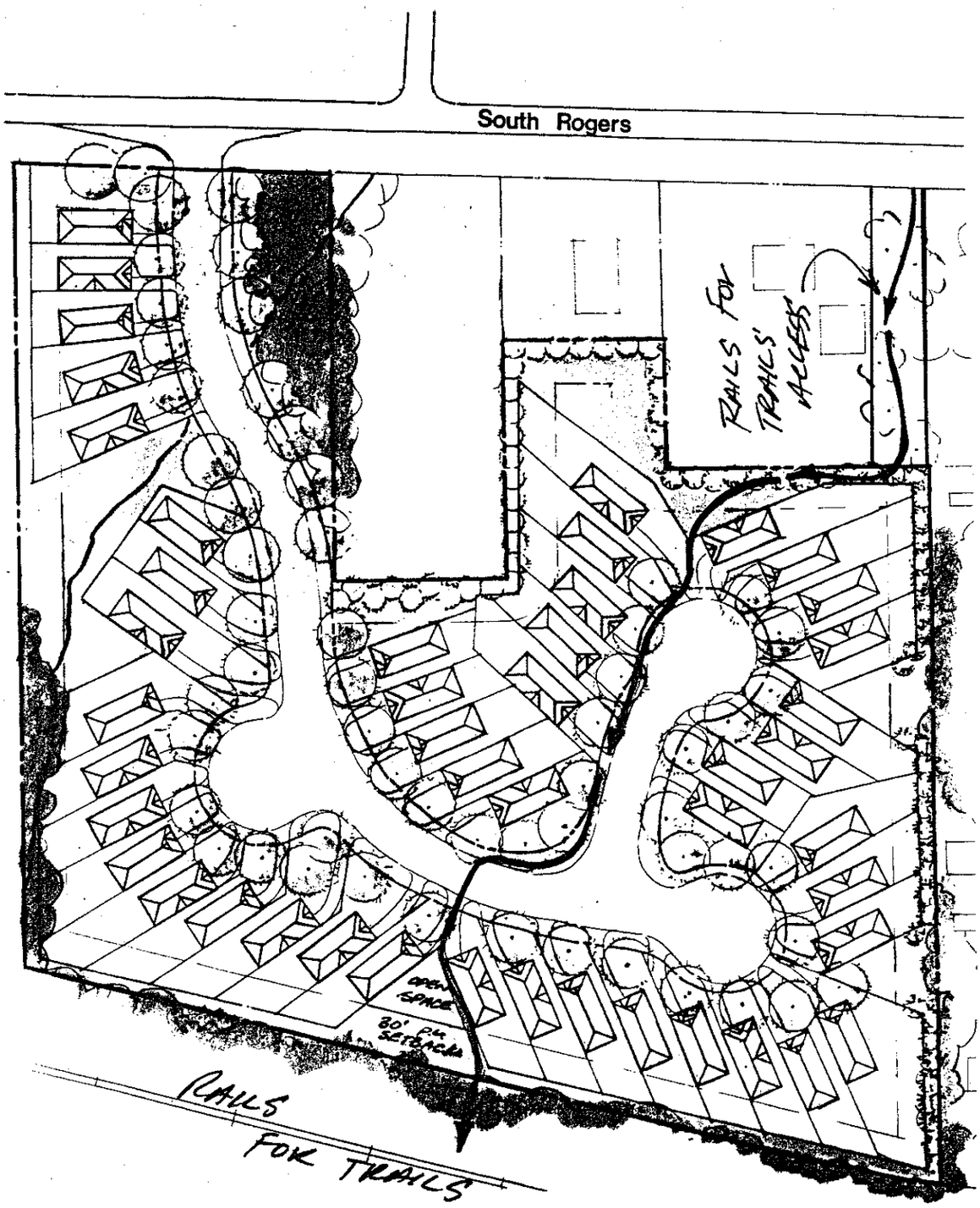
Drainage on this site is proposed to flow directly into the creek on the property. Fully engineered plans and calculations will be required at development plan stage. On preliminary examination of the site, the developer proposes a 16′ wide creek bed with 3:1 slopes and three foot deep to handle the flow of water from the site. When the water leaves the site, it flows through a culvert under the railroad tracks and then enters Clear Creek. Trees will be preserved along the sides of the creek bed. A 30 foot buffer will be preserved along the sides and rear perimeter of the development. The center portion of the site is open field.

The Environmental Commission is concerned about the high density of this project and the lack of open space within the project. The proposed plan does meet the open space requirements. Although there is a wide tree line which buffers the property with large canopy trees, the Commission would like the yards to be large enough to accommodate canopy trees. Concerns were also raised about the detention/drainage for the site. Fully engineered plans are required at development plan stage.

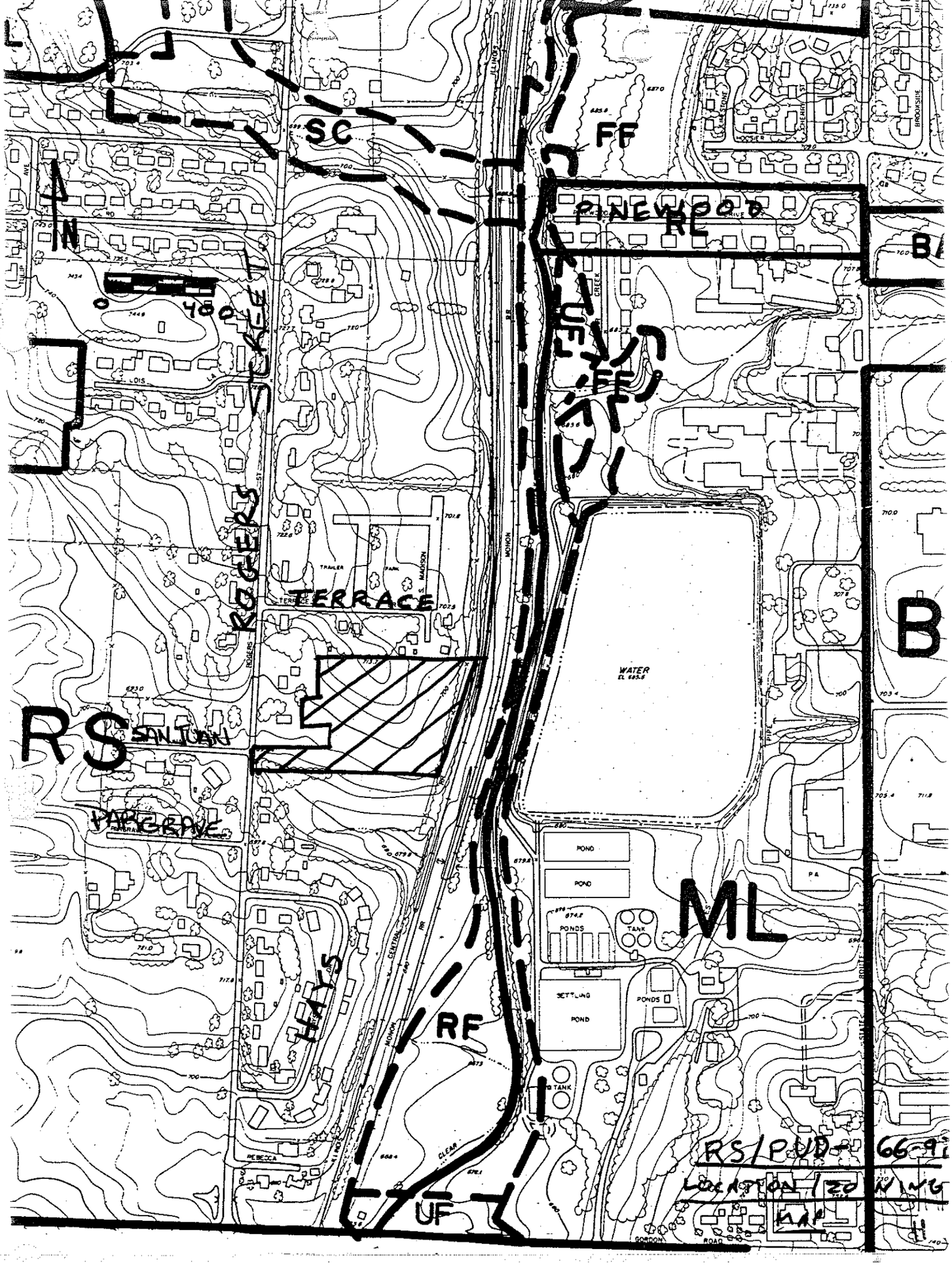
CONDITIONS OF APPROVAL:

1) drainage detention may be required at development plan stage.

2) The fifty by one hundred and ninety foot strip of land on the northwest of the corner of the development is dedicated open space and a pedestrian path to the Rails to Trails path.


South Rogers
RAILS for TRAILS' ACCESS
OPEN SPACE
80' FOR SETBACKS
RAILS FOR TRAILS

Site PLAN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RS/PUD-66-9
LOCATION/ZONING
MAP