1st: 2/7
comm: 2/14 P.H. 5-2
Final: 2/21 5-3
(RS, IK, RF)

ORDINANCE 90 - 5
To Amend the Zoning Maps from RE, RH, and RL TO RS
and To Grant Outline Plan Approval and Designate PUD
Re: Property located on the north side of East 10th Street
Between Woodbridge III and Russell Road (Thomas Bucci)

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/71-89, and recommended that the petitioner, Thomas Bucci, be granted an amendment to the Bloomington zoning maps and outline plan approval and PUD designation and request that the Common Council consider the petition for change of zoning, outline plan approval and PUD designation on 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 RE, RH, and RL to RS for property located on the north side of East 10th Street between Woodbridge III and Russell Road, and more particularly described as follows:

A part of the northeast quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana,.being more particularly described as follows:

BEGINNING at a stone at the northwest corner of said northeast quarter; thence SOUTH 87 degrees 15 minutes 36 seconds EAST along the north line of said northeast quarter a distance of 211.26 feet; thence South 11 degrees 50 minutes 41 seconds EAST 687.95 feet; thence SOUTH 87 degrees 22 minutes 44 seconds EAST 456.00 feet; thence NORTH 02 degrees 37 minutes 16 seconds EAST 17.00 feet; thence SOUTH 87 degrees 22 minutes 44 seconds EAST 400.00 feet; thence NORTH 02 degrees 37 minutes 16 seconds EAST 14.00 feet; thence SOUTH 87 degrees 22 minutes 44 seconds EAST 600.00 feet; thence SOUTH 02 degrees 37 minutes 16 seconds WEST 14.00 feet; thence SOUTH 87 degrees 22 minutes 44 seconds EAST 800.00 feet to the east line of said northeast quarter; thence SOUTH 00 degrees 00 minutes 00 seconds WEST along said east line 670.00 feet to the southeast corner of the north half of the northeast quarter of said section; thence SOUTH 01 degrees 27 minutes 38 seconds WEST along the east line of the south half of the northeast quarter a distance of 48.72 feet to the centerline of State Road 45; said point being in a curve concave to the south; thence along said curve on a chord bearing SOUTH 25 degrees 30 minutes 56 seconds WEST 47.09 feet; thence the next twenty-one (21) courses, being along said centerline; (1) SOUTH 18 degrees 17 minutes 06 seconds WEST 119.72 feet; (2) thence SOUTH 22 degrees 29 minutes 20 seconds WEST 148.51 feet; (3) thence SOUTH 26 degrees 05 minutes 40 seconds WEST 179.70 feet; (4) thence SOUTH 24 degrees 52 minutes 47 seconds WEST 356.21; (5) thence SOUTH 27 degrees 19 minutes 29 seconds WEST 97.39 feet; (6) thence SOUTH 51 degrees 50 minutes 33 seconds WEST 205.87 feet; (7) thence SOUTH 77 degrees 24 minutes 41 seconds WEST 143.43 feet; (8) thence SOUTH 81 degrees 48 minutes 04 seconds WEST 122.59 feet; (9) thence SOUTH 84 degrees 44 minutes 56 seconds WEST 99.93 feet; (10) thence NORTH 88 degrees 51 minutes 37 seconds WEST 90.42 feet; (11) thence NORTH 79 degrees 36 minutes 39 seconds WEST 185.65 feet; (12) thence NORTH 83 degrees 02 minutes 53 seconds WEST 84.21 feet; (13) thence SOUTH 88 degrees 55 minutes 29 seconds WEST 178.39 feet; (14) thence SOUTH 85 degrees 31 minutes 16 seconds WEST 398.21 feet; (15) thence SOUTH 85 degrees 04 minutes 05 seconds WEST 152.15 feet; (16) thence SOUTH 84 degrees 07 minutes 43 seconds WEST 120.12 feet; (17) thence SOUTH 82 degrees 19 minutes 24 seconds WEST 68.48 feet; (18) thence SOUTH 80 degrees 14 minutes 45 seconds WEST 67.47 feet; (19) thence SOUTH 78 degrees 37 minutes 55 seconds WEST 182.78 feet; (20) thence SOUTH 81 degrees 38 minutes 45 seconds WEST 112.15 feet; (21) thence SOUTH 85 degrees 17 minutes 56 seconds WEST 63.85 feet; thence leaving said centerline NORTH 01 degree 48 minutes 05 seconds EAST 1319.14 feet; thence SOUTH 87 degrees 23 minutes 11 seconds EAST 164.97 feet; thence NORTH 12 degrees 11 minutes 35 seconds WEST 1364.53 feet to the point of beginning, containing 100.859 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 including the parcel described above be designated a Planned Unit Development.

SECTION III. The Outline Plan, as recommended by the Plan Commission, shall be attached hereto and made a part hereof.

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 21 day of February, 1990.

Iris Kiesling, President
Bloomington Common Council

ATTEST:

Patricia Williams, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this 23 day of February, 1990.

Patricia Williams, City Clerk

SIGNED and APPROVED by me upon this 23 day of February, 1990.

Tomilea Allison, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones 100.859 acres from RE, RL, RH, to RS/PUD and grants outline plan approval. The outline plan is approved in two alternatives, one with a 12 acre school site, one without the school site. This development will consist of attached housing in duplex and fourplex building as well as single family houses. Total number of housing units will be 314 with the school site and 306 without the school site.

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 including the parcel described above be designated a Planned Unit Development.

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Patricia Williams

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****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 90-5, is a true and complete copy of Plan Commission Case Number RS/PUD-71-89 which was given a recommendation of approval by a vote of 7 Ayes, 3 Nays, and ____ Abstentions by the Bloomington City Plan Commission at a public hearing held on January 29, 1990.

Date: January 29, 1990,

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 29 day of January, 1990.

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 X

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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RS/PUD-71-89

Recommended Conditions of Approval

1. Outline plan is schematic in nature. It is not to be construed as a commitment by the city to the exact street geometry and building location.

2. Development will conform to required street setbacks. Internal drive will be set back and screened from 10th Street.

3. Street to Haeberle subdivision will be deleted. A separate street connection to Russell Road will be required.

4. Russell Road right-of-way dedication and sidewalk will be provided across school site frontage.

5. Additional right-of-way dedication required for 10th Street realignment.

6. Plan Commission retains discretion to further review and refine erosion and siltation controls with development plan approval. Development plan shall include phasing program in which limited areas will be disturbed then immediately stabilized with construction and erosion/siltation controls before the next phase is disturbed.

7. No stripping, grading or tree removal shall take place without development plan approval.

8. Internal streets serving condominiums will be private; Plan Commission will determine status of street serving school site and single residences along north side of site during development plan review.

9. Specific alignment of Russell Road -- 10th Street intersection will be determined in development plan review.

10. Development is subject to RS dwelling unit occupancy regulations.

11. Development along the north property line where the site interfaces with Rachels Glen subdivision will be limited to RE single family development density. (40,000 sq. ft. single family lots.) This results in an overall maximum site density of 314 units with the school site, and 306 units without the school site.

CITY OF BLOOMINGTON

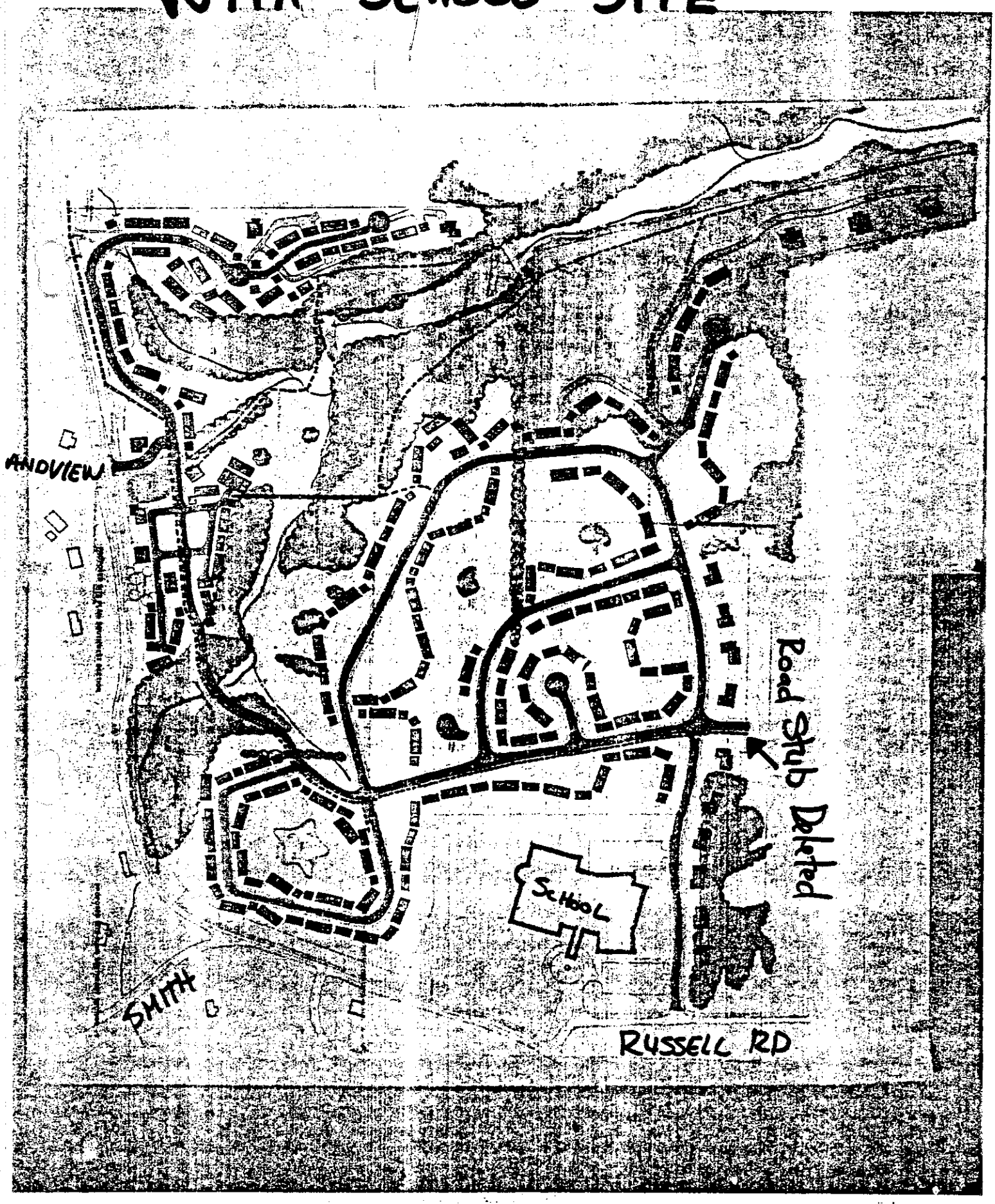
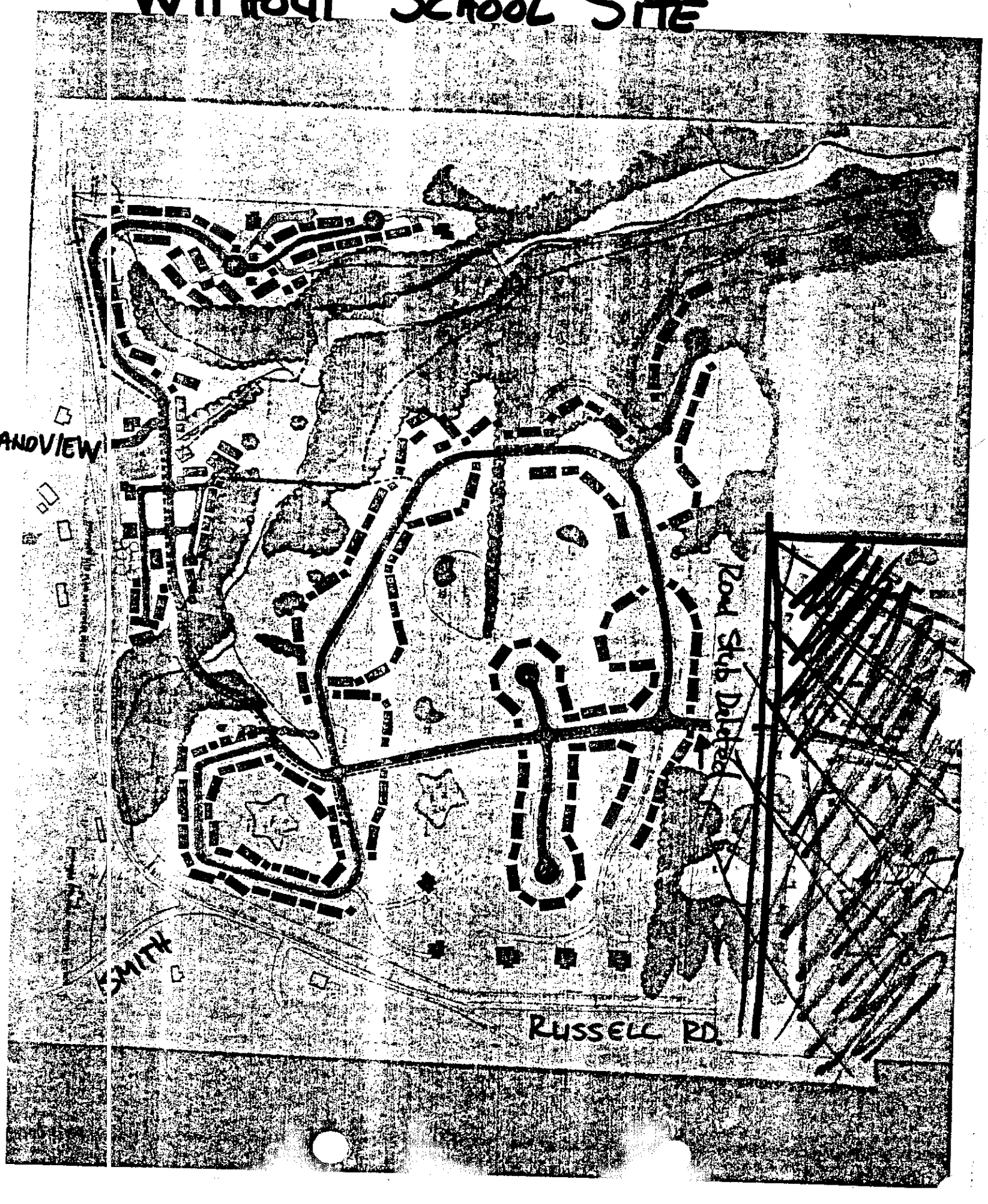
Interdepartmental Memo

TO: Council Members SUBJ: Outline Plan Approval

FROM: Planning Department DATE: January 31, 1990

This project received outline plan approval on 1/9/90. The plan was approved in two alternatives, one with a school site, one without. The School Corporation has (3) years to decide whether or not to accept the 12 acre school site. The condition's of approval are attached as well as a reduced copy of the approved plans.

With School Site



Without School Site