Passed: 8-0

ORDINANCE 99-06

TO AMEND THE PRELIMINARY PLAN FOR THE BELLE TRACE PLANNED UNIT DEVELOPMENT
Re: 3630 East 10th Street
(CarDon & Associates, Petitioner)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning," including the incorporated zoning maps, and Title 21 entitled "Land Use and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

WHEREAS, the Plan Commission has considered this case, PUD-77-98, and recommended that the petitioner, CarDon & Associates, be granted a preliminary plan amendment of the property located at 3630 East 10th Street, an existing PUD;

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 amended for the existing planned unit development. The property located at 3630 East 10th Street is further described as follows:

> A part of the Southeast quarter and a part of the Northeast quarter, all in Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:
>
> Beginning at the Northwest corner of said Southeast quarter said point being on the centerline of State Road #45; thence South 88 degrees 08 minutes 13 seconds East along said centerline 127.55 feet to a curve concave Northwesterly with a radius of 900.00 feet and a chord bearing North 85 degrees 17 minutes 52 seconds East for a distance of 205.80 feet; thence Northeasterly along said curve and said centerline 206.25 feet; thence North 78 degrees 43 minutes 57 seconds East along said centerline 190.70 feet; thence North 80 degrees 51 minutes 41 seconds East along said centerline 93.02 feet; thence leaving said centerline South 01 degrees 53 minutes 16 seconds West 1211.30 feet to the Northerly right-of-way of the Illinois Central Railroad; thence North 74 degrees 50 minutes 32 seconds West along said right-of-way 621.66 feet; thence leaving said right-of-way North 01 degrees 39 minutes 30 seconds East 983.75 feet to the point of beginning, containing 15.40 acres, more or less.

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 3rd day of March, 1999.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of March, 1999.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 4th day of March, 1999.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves an amendment to the preliminary plan for the Belle Trace PUD that expands the nursing home by 24% and allows covered parking over 58 parking spaces.

Signed copies to:
Planning
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 98-49 is a true and complete copy of Plan Commission Case Number PUD-77-98 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on February 1, 1999.

Date: February 4,1999.

Donald F. Hastings, Secretary
Plan Commission

Received by the Common Council Office this 4th day of February, 1998.

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.)

FILENAME: ORD-CERT.MRG

To: Common Council
From: Lynne Friedmeyer, Planning Department
Subject: PUD-77-98 (CarDon & Associates)
Date: February 8, 1999

MEMORANDUM

At the February 1, 1999 Plan Commission hearing, the Commission voted to approve a preliminary plan amendment for the Belle Trace PUD. The recent zoning history of this property began when the property at 3630 E. 10th Street, now known as the Belle Trace Retirement Community, was rezoned from RS/PUD to RL/PUD in April 1994 under Case # PUD-5-94. This rezone granted approval of a retirement community on approximately 15 acres. Final plan approval for this PUD was granted in August 1996 under Case # PUD-68-96. Later in November 1997, the petitioner requested a preliminary plan amendment and a final plan approval in order to separate the nursing home facility from the main building. The nursing home facility was approved to be located on the southeast corner of the site. The number of beds and units remained the same. The Growth Policies Plan designates this area as High Density Residential. The PUD still complies with this designation.

The petitioner, CarDon Associates, first requested that three changes be made to the preliminary plan for the Bell Trace PUD. However, at the January 11, 1999 Plan Commission hearing the petitioner was requesting a Preliminary Plan amendment and Final Plan approval for the Belle Trace PUD in order to reduce the required 60 foot rear setback to 30 feet, to expand the nursing home on the south end of the site above the 20% maximum for a minor change, and to place roofs in the form of carports and garages over 58 of the approved existing parking spaces. After discussion and comments from the Plan Commission, the petitioner revised the request to include only the expansion of the nursing home on the south end of the site by 24%, and to place roofs in the form of carports and garages over 58 of the approved existing parking spaces. The request to reduce the required 60 foot rear setback to 30 feet was withdrawn.

The first request is for the enlargement of the nursing home facility. PUD regulations require a major plan amendment when the cube of building increases more than 20%. The petitioner was granted approval to place the nursing home facility in the southeast corner of the site in the 1997 approval. The facility was approved as a 16,800 square foot, one story building. The requested expansion of the proposed single story building to 22,000 square feet is a 24% increase in the cube of the building. Since the initial hearing the proposed location of the building has been moved out of the 60 foot required setback, and will not require the removal of additional trees. The expansion is needed to allow more single bed private rooms for the patients.

The second petition request is for the creation of 58 covered parking spaces. These parking spaces currently exist on the site. Many of the residents will have cars. To assist these people in keeping their cars free of ice and snow, the petitioner is requesting carports and garages for some of the parking spaces. This request does not impact open space, and tree preservation is not an issue. The carports and garages are proposed to be brick with shingled roofs.

During the course of the neighborhood meeting and the preliminary Plan Commission hearing on January 11, 1999, two concerns were brought forth. The first is the lack of tree buffer in the vicinity of the eastern detention area. The petitioner agreed to place a minimum of seven hardwood deciduous trees and five evergreen trees in this area. Then once the cottages are constructed in that area, additional landscaping will be placed. The second concern was the exterior lighting plan for the complex. Instead of placing brighter security lighting on the main building, the petitioner agreed to place pedestrian scale lighting on the interior streets of the development.

Conditions of Approval (PUD-77-98):

1 A tree buffer shall be placed along the east edge of the property in the area of the detention facility. A minimum of seven (two inch caliper) hardwood deciduous trees and five (6 foot tall) evergreen trees will be installed in the 1999 planting season.

2 Home style low wattage decorative lanterns shall be placed on the nursing home facility to insure a residential character to the building and a minimum of light pollution over the property lines.

3 Pedestrian scale street lighting shall be installed on the interior streets of the development. No additional halogen lamps will be placed on the main building.

The Plan Commission vote was 8:0 to approve.

Please feel free to call me at 349-3423 should you have questions or need additional information on this matter.

■

BLOOMINGTON PLAN COMMISSION
STAFF REPORT
LOCATION: 3630 E. 10th Street

CASE NO: PUD-77-98
DATE: February 1, 1999

PETITIONER: Name: CarDon & Associates
Address : 2749 E. Covenanter

COUNSEL: Name: Bynum Fanyo
Address : 528 N. Walnut Street

REQUEST REVISION: At the January 11, 1999 Plan Commission hearing the petitioner was requesting a Preliminary Plan amendment and Final Plan approval for the Belle Trace PUD in order to reduce the required 60 foot rear setback to 30 feet, to expand the nursing home on the south end of the site above the 20% maximum for a minor change, and to place roofs in the form of carports and garages over 58 of the approved existing parking spaces. After discussion and comments from the Plan Commission, the petitioner has revised the request to include only the expansion of the nursing home on the south end of the site by 24%, and to place roofs in the form of carports and garages over 58 of the approved existing parking spaces. The request to reduce the required 60 foot rear setback to 30 feet has been withdrawn.

REPORT SUMMARY: The first request is for the enlargement of the nursing home facility. PUD regulations require a major plan amendment when the cube of building increases more than 20%. The petitioner was granted approval to place the nursing home facility in the southeast corner of the site in the 1997 approval. The facility was approved as a 16,800 square foot, one story building. The requested expansion of the proposed single story building to 22,000 square feet is a 24% increase in the cube of the building. Since the initial hearing the proposed location of the building has been moved out of the 60 foot required setback, and will not require the removal of additional trees. The expansion is needed to allow more single bed private rooms for the patients. Staff is supportive of this building enlargement for better patient care.

The second petition request is for the creation of 58 covered parking spaces. These parking spaces currently exist on the site. Many of the residents will have cars. To assist these people in keeping their cars free of ice and snow, the petitioner is requesting carports and garages for some of the parking spaces. This request does not impact open space, and tree preservation is not an issue. The carports and garages are proposed to be brick with shingled roofs. Staff is supportive of the use of carports and garages.

During the course of the neighborhood meeting and the preliminary Plan Commission hearing on January 11, 1999, two concerns were brought forth. The first is the lack of tree buffer in the vicinity of the eastern detention area. The

petitioner has agreed to place a minimum of seven hardwood deciduous trees and five evergreen trees in this area. Then once the cottages are constructed in that area, additional landscaping will be placed. The second concern was the exterior lighting plan for the complex. Instead of placing brighter security lighting on the main building, the petitioner has agreed to place pedestrian scale lighting on the interior streets of the development.

RECOMMENDATION: Based on the written findings, staff recommends approval of this petition with the following Conditions:

1) A tree buffer shall be placed along the east edge of the property in the area of the detention facility. A minimum of seven (two inch caliper) hardwood deciduous trees and five (6 foot tall) evergreen trees will be installed in the 1999 planting season.

2) Home style low wattage decorative lanterns shall be placed on the nursing home facility to insure a residential character to the building and a minimum of light pollution over the property lines.

3) Pedestrian scale street lighting shall be installed on the interior streets of the development. No additional halogen lamps will be placed on the main building.

BLOOMINGTON PLAN COMMISSION **CASE NO: PUD-77-98**
STAFF REPORT **DATE: January 11, 1999**
LOCATION: 3630 E. 10th Street

PETITIONER: Name: CarDon & Associates
Address : 2749 E. Covenanter

COUNSEL: Name: Bynum Fanyo
Address : 528 N. Walnut Street

PRELIMINARY HEARING DATE: January 11, 1999
FINAL HEARING DATE: February 1, 1999

REQUEST: The petitioner is requesting a Preliminary Plan amendment and Final Plan approval for the Belle Trace PUD in order to reduce the required 60 foot rear setback to 30 feet, to expand the nursing home on the south end of the site above the 20 % maximum for a minor change, and to place roofs in the form of carports and garages over 58 of the approved existing parking spaces.

REPORT SUMMARY: The property at 3630 E. 10th Street, now known as the Belle Trace Retirement Community, was rezoned from RS/PUD to RL/PUD in April 1994 under Case # PUD-5-94. This rezone granted approval of a retirement community on approximately 15 acres. Final plan approval for this PUD was granted in August 1996 under Case # PUD-68-96. Later in November 1997, the petitioner requested a preliminary plan amendment and a final plan approval in order to separate the nursing home facility from the main building. The nursing home facility was approved to be located on the southeast corner of the site. The number of beds and units remained the same. The petitioner, CarDon Associates, is now seeking a preliminary plan approval in order to 1) reduce the required 60 foot rear setback to 30 feet; 2) allow expansion of the nursing home facility by 24% where the maximum expansion of a cube of a building may not exceed 20% without proper approvals; and 3) cover 58 parking spaces with a combination of carports and garages.

The first request is to amend one of the original conditions of approval of the 1994 rezone. At that time, a 60 foot buffer/tree preservation setback was required along the south property line. This 60 foot setback was required as a part of the petitioner's tree preservation plan, and also to serve as a buffer area to the railroad and residents of the Park Ridge Subdivision. The petitioner is requesting this setback be reduced to 30 feet in width in order to place multifamily housing units (now duplex structures) back further away from the main building. This shift in the setback will require the removal of approximately 56 mature trees that were slated for preservation. The trees are a combination of large shade trees and pine trees. Technically, the duplex homes can be placed closer to the main building with the preservation of the 60 foot buffer. However, the petitioner is concerned

that the small homes will be overshadowed by the mass of the main facility. Staff is quite hesitant to support relief from this condition of approval. The crux of the issue is tree preservation, which cannot be taken lightly. The Growth Policies Plan (GPP) calls for tree preservation whenever possible. Nearly all of the trees would be removed to facilitate the grading for the homes, with the exception of a small cluster of trees in the southwest corner of the site. The proposed landscape plan calls for 9 deciduous trees and 21 pine trees to be planted along the south boundary line to buffer the Park Ridge neighborhood. This new landscape plan for the buffer area does not adequately mitigate the loss of the mature tree crown and buffer. In conclusion, staff does not support this amendment request.

The second request is for the enlargement of the nursing home facility. PUD regulations require a major plan amendment when the cube of building increases more than 20%. The petitioner was granted approval to place the nursing home facility in the southeast corner of the site in the 1997 approval. The facility was approved as a 16,800 square foot, one story building. The requested expansion of the proposed building to 22,000 square feet is a 24% increase in the cube of the building. The proposed enlargement of the building also intrudes into the 60 foot required setback. Once again staff does not support this amendment request due to its negative impact on tree preservation.

The third petition request is for the creation of 58 covered parking spaces. These parking spaces currently exist on the site. Many of the residents will have cars. To assist these people in keeping their cars free of ice and snow, the petitioner is requesting carports and garages for some of the parking spaces. This request does not impact open space, and tree preservation is not an issue. The carports and garages are proposed to be brick with shingled roofs. Staff is supportive of the use of carports and garages.

RECOMMENDATION: Staff recommends a second hearing for this petition on February 1, 1999.

BYNUM FANYO & ASSOCIATES, INC.

CIVIL ENGINEERING
PLANNING

January 20, 1999

City of Bloomington Planning
401 N. Morton St.
Bloomington, IN 47404

Re: Bell Trace Retirement Community
Preliminary Plan Amendments - Revised Statement

Dear Plan Commission Members,

On behalf of our client, CarDon & Associates, we are respectfully requesting preliminary and final plan amendment approval for the following revisions to the previously approved Bell Trace retirement community.

In November/December 1997, we received approval of a preliminary plan amendment to locate an assisted care living facility in the southeast corner of the site. This facility was to be 16,800 square feet and house 42 beds. We are now requesting to enlarge the building to 22,000 square feet, still only housing 42 assisted care beds. This is a result of a need for more private rooms in the facility, requiring a slight enlargement of the building. This enlargement does not encroach into either of the 60-foot setbacks, and does not remove additional trees as a result. This will not require the relocation of any existing utilities or roads, or any proposed garden apartment units. Twenty parking spaces will be included with this building and be placed directly across the street from the entrance. This will better serve the visitors to the facility, and does not decrease open space from the original approval as is shown on the enclosed table.

Additionally, a part of this request is the addition of covered parking structures in select areas on site. We are asking to build structures to cover 58 parking stalls along and adjacent to the central congregate building. (See attached plan for exact locations) These structures will consist of a steel and wood frame structural system supporting a 5/12 pitched shingled roof. Each structure will cover six spaces and have four garaged spaces and two carport spaces. The only exception are the covered spaces along the East end of the building, which will have a mixture of garages.

PUD-77-98
Petitioner's Statement
(5)

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

and carports. These structures will be placed over existing paved parking stalls, therefore not eliminating any existing or proposed green space.

As part of this revision, we are retracting our original request to decrease the southern setback line from 60-feet to 30-feet, following Plan Commission comments and neighborhood opposition. We apologize for any inconvenience this may have caused. The developer will also be utilizing some deciduous hardwood trees for screening along the east property line and addressing some site lighting concerns brought up by neighbors at the neighborhood meeting on January 6, 1999.

We have been working thoroughly with the planning staff on this request and would be pleased to answer any questions you may have.

Very truly yours,

BYNUM FANYO & ASSOCIATES, INC.

John Blackketter

xc: BFA File #409886

JB/kw

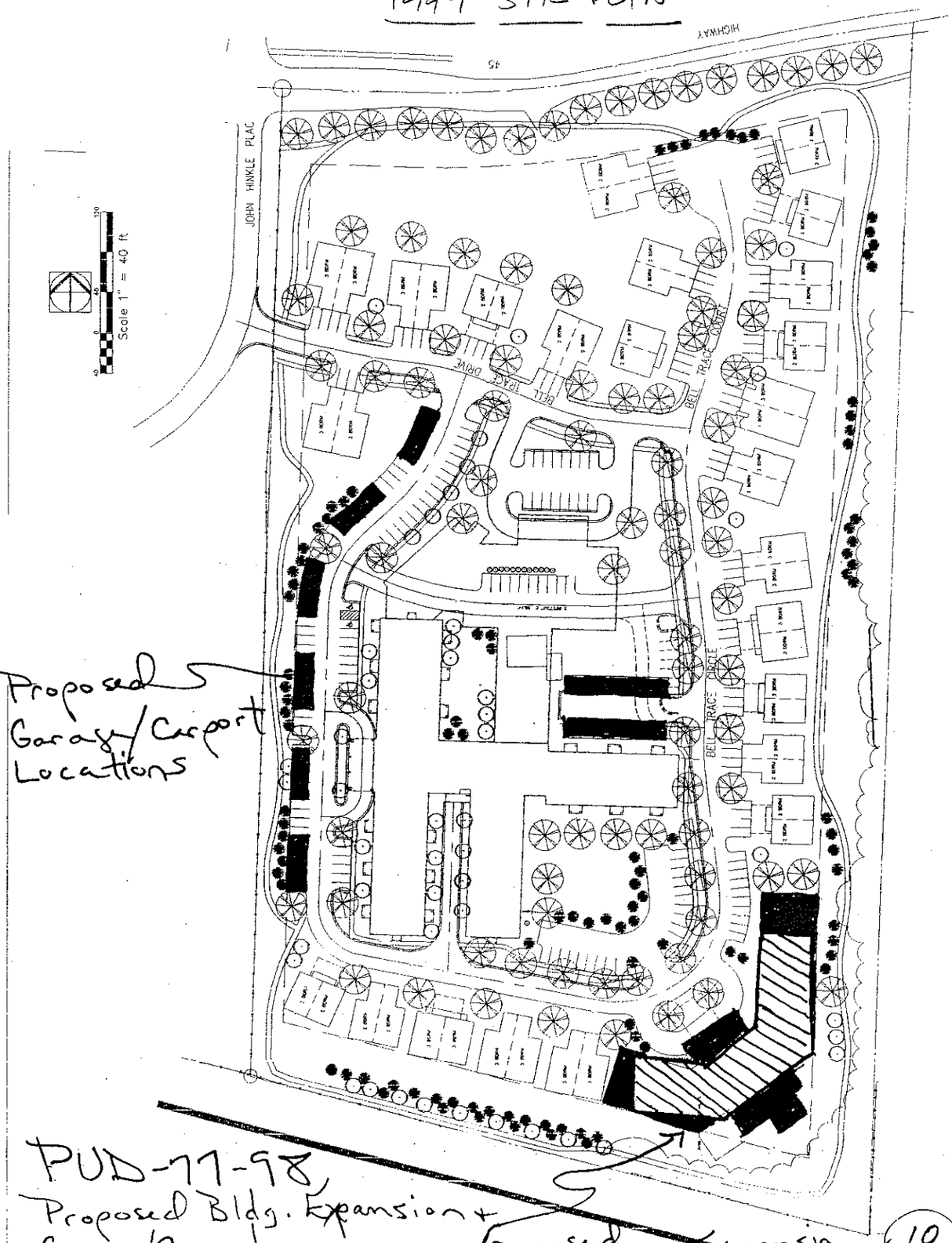
Bell Trace Retirement Community
Change in Impervious Area

- At Original Final Plan Stage:
  - ◊ Amount of Impervious Rooftops Not Including Center Congregate Building: 105,840 sf.
- With This Current Plan Amendment:
  - ◊ Amount of Impervious Rooftops Not Including Center Congregate Building: 92,608 sf.
  - ◊ Area of parking to be added with Assisted Care Facility: 7,560 sf.

TOTAL 100,168 sf.

* A net different of 5,672 sf. less impervious area than originally approved.

1999 SITE PLAN

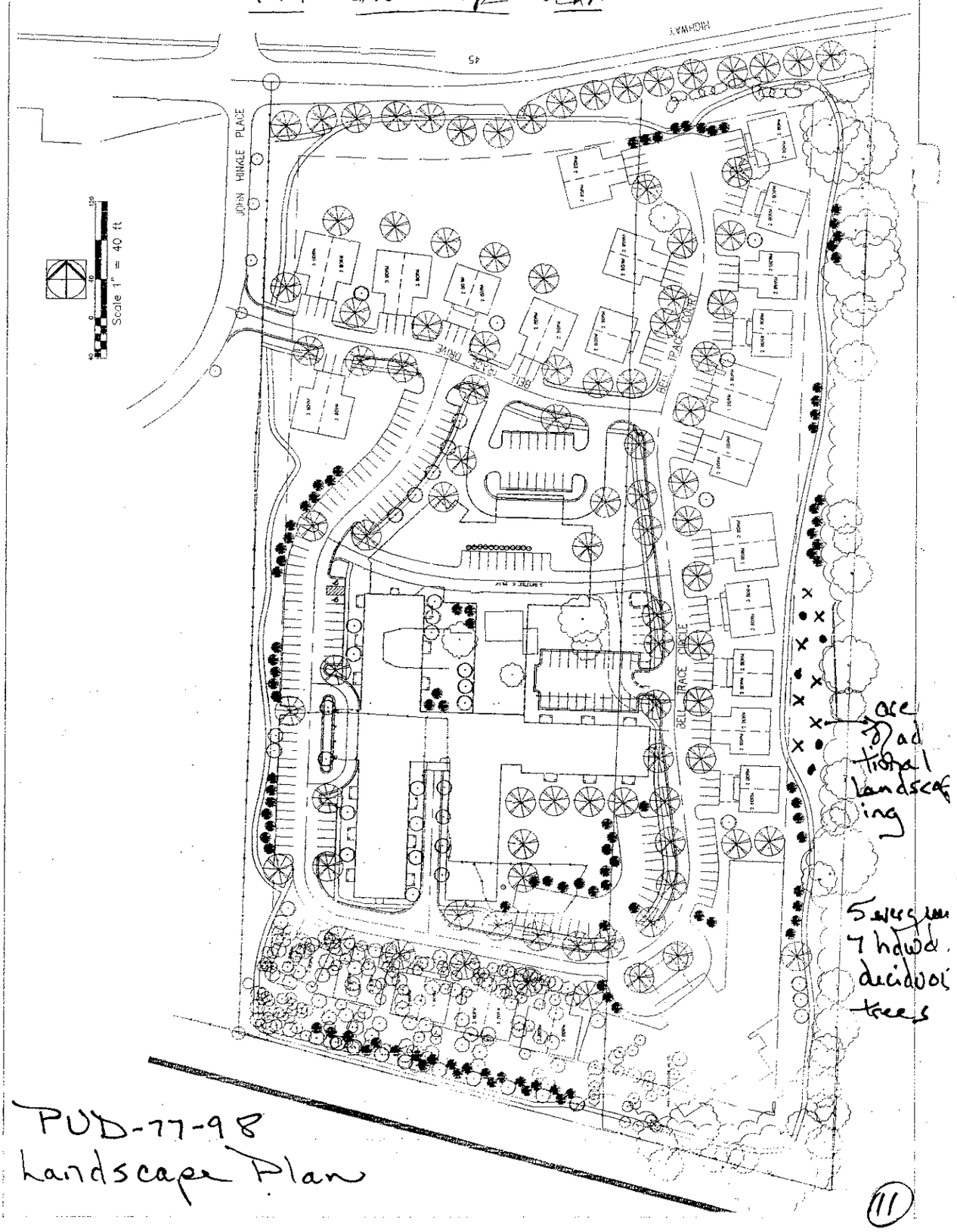


Proposed Garage/Carport Locations

PUD-77-98
Proposed Bldg. Expansion + Garage/Carports

Proposed Nursing Home Expansion

1999 LANDSCAPE PLAN



PUD-77-98
Landscape Plan

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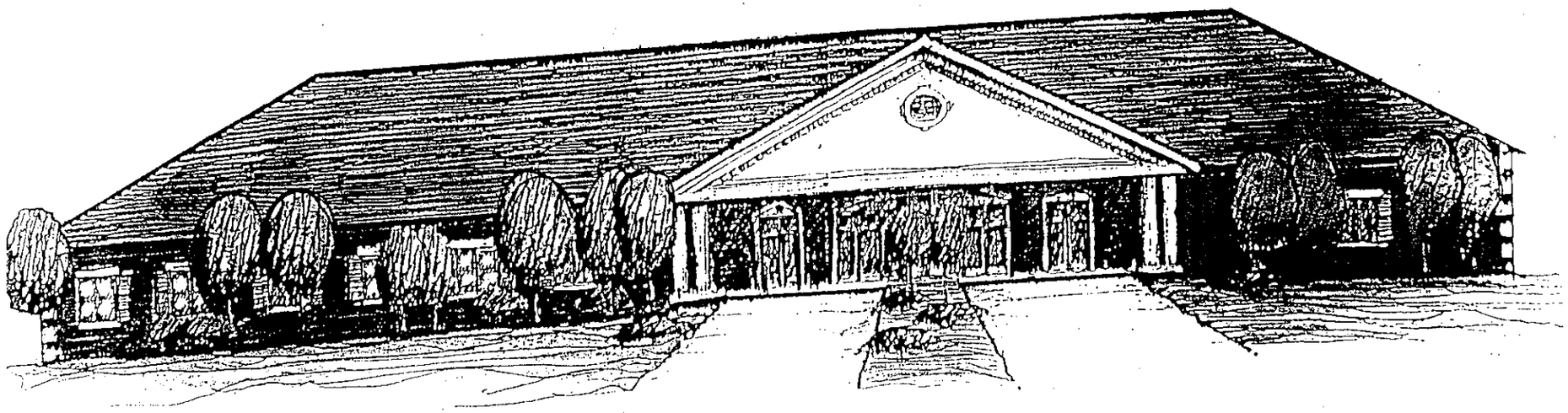
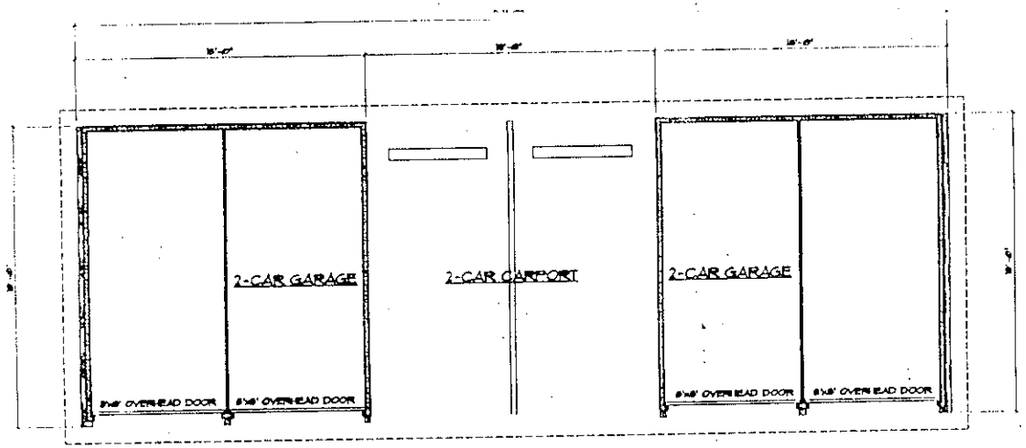
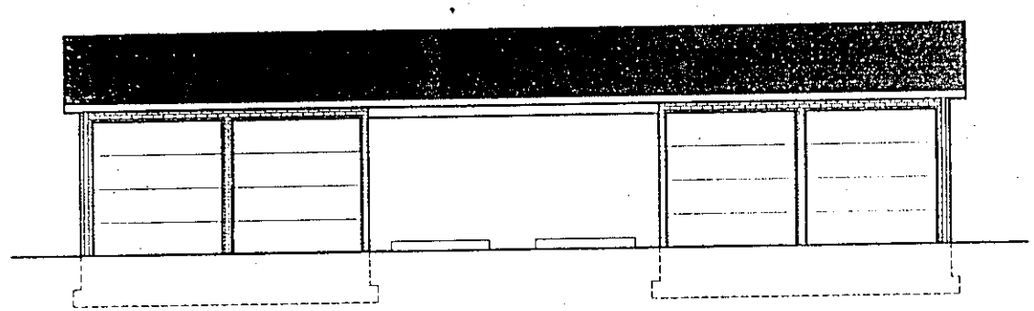


Proposed Building Elevation.



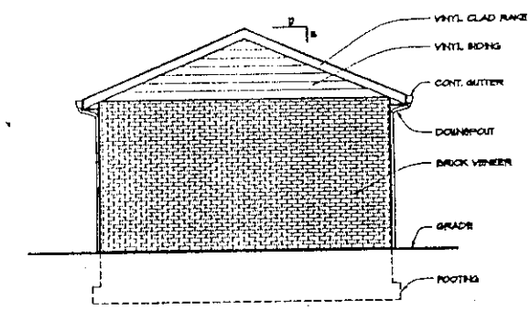
(A) FLOOR PLAN
NOT TO SCALE

VARIES, REF. SHEET S-1



(B) FRONT ELEVATION
NOT TO SCALE

REAR ELEVATION SIMILAR



(C) LEFT SIDE ELEVATION
NOT TO SCALE

RIGHT ELEVATION SAME BUT REVERSED

Proposed covered parking shelters for
BELL TRACE RETIREMENT COMMUNITY
3630 East Tenth Street
Bloomington Indiana

FLOOR PLAN

A-1

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