Passed 9-0

ORDINANCE 13-06

TO AMEND THE BLOOMINGTON ZONING MAPS FROM COMMERCIAL ARTERIAL (CA) TO A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS PATTERSON PARK AS WELL AS TO APPROVE A PRELIMINARY PLAN AND DISTRICT ORDINANCE
- Re: 445 S. Patterson Drive
(Trinitas Ventures, LLC, Petitioner)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, PUD-39-12, and recommended that the petitioner, Trinitas Ventures, LLC, be granted a request to rezone the property to a Planned Unit Development. The Plan Commission thereby requests that the Common Council consider this petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the property located at 445 S. Patterson Drive shall be rezoned from Commercial Arterial (CA) to a Planned Unit Development (PUD). The property is further described as follows:

Lot 2 of the Patterson Park, Phase One; Final Plat, as shown by the recorded plat thereof, recorded in Plat Cabinet "C", envelope 330, in the Office of the Recorder of Monroe County, Indiana

ALSO:
Lot 5 of the Patterson Park, Phase Two; Final Plat, as shown by the recorded plat thereof, recorded in Plat Cabinet "C", envelope 401, in the Office of the Recorder of Monroe County, Indiana

ALSO:
Commencing at a P.K. nail found marking the northeast corner of the Northwest quarter of said Section 5; Thence on the north line of said Northwest quarter North 88 degrees 48 minutes 50 seconds West (basis of bearings being the plat of Patterson Park, Phase One; Final Plat, recorded as Instrument Number 2003011010 in Plat Cabinet "C", envelope 330, Monroe County Recorder) 972.50 feet; Thence leaving said north line of the Northwest quarter South 1 degree 11 minutes 10 seconds West 31.66 feet to a rebar with a surveyor cap found on the west line of a subdivision known as Weddle Park and recorded as Instrument Number 320910 in Plat Cabinet "C", envelope 85, Monroe County Recorder; Thence on the west line of Weddle Park and on and along the centerline of a creek South 28 degrees 18 minutes 36 seconds East 314.83 feet to a rebar with a surveyor cap found at the true Point of Beginning;

A part of Seminary Lots 137, 138, 143, 144, 145, and 146 in the City of Bloomington, as recorded in Deed Record Book "N" at page 503 in the office of the Recorder of Monroe County, Indiana, and with all being a part of Section 5, Township 8 North, Range 1 West, Perry Township, said county and state, more particularly described as follows:

Thence continuing South 28 degrees 18 minutes 36 seconds East 103.09 feet; Thence South 29 degrees 00 minutes 08 seconds East 251.30 feet; Thence South 27 degrees 44 minutes 02 seconds East 220.79 feet; Thence leaving the west line of Weddle Park and the creek South 82 degrees 20 minutes 34 seconds West 15.14 feet to a rebar found; Thence continuing South 82 degrees 20 minutes 34 seconds West 96.61 feet to a rebar with a surveyor cap found at the southeast corner of Lot 2 in Patterson Park, Phase One: Final Plat, recorded as Instrument Number 2003011010 in Plat Cabinet "C", envelope 330, Monroe County Recorder; Thence

on the boundary lines of Lot 2 North 36 degrees 02 minutes 25 seconds West 61.34 feet to a rebar found; Thence South 53 degrees 57 minutes 35 seconds West 38.00 feet to a MAG nail found; Thence North 36 degrees 02 minutes 25 seconds West 60.00 feet to a MAG nail found; Thence South 53 degrees 57 minutes 35 seconds West 50.00 feet to a rebar with a surveyor cap set; Thence South 36 degrees 02 minutes 25 seconds East 60.00 feet to a MAG nail found; Thence South 53 degrees 57 minutes 35 seconds West 165.66 feet to a MAG nail found on the east right of way line of Patterson Drive; Thence leaving the boundary lines of Lot 2 and on the Patterson Drive right of way line North 38 degrees 57 minutes 37 seconds West 341.22 feet to a rebar with a surveyor cap found at the beginning of a curve concave to the east and having a radius of 5003.01 feet; Thence on said curve Northwesterly 89.38 feet through a central angle of 1 degree 01 minute 25 seconds; Thence on a non-tangent line North 36 degrees 19 minutes 45 seconds West 167.71 feet to a rebar found; Thence North 14 degrees 05 minutes 03 seconds West 72.98 feet to a MAG nail found; Thence North 1 degree 16 minutes 51 seconds West 79.31 feet to a rebar found marking the southwest corner of Lot 5 in Patterson Park, Phase Two; Final Plat, recorded as Instrument Number 2005004879 in Plat Cabinet "D", envelope 1, Monroe County Recorder; Thence leaving the Patterson Drive right of way line and on the south line of Lot 5 North 90 degrees 00 minutes 00 seconds East 467.49 feet to the Point of Beginning containing within said bounds 5.999 acres according to a survey by Douglas R. Curry, Registered Surveyor No. 890006 in December of 2012.

SECTION 2. The Preliminary Plan and District Ordinance shall be approved and attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. 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 27th day of MARCH, 2013.

DARRYL NEHER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 28th day of MARCH, 2013.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 28th day of MARCH, 2013.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves the rezoning of 8.49 acres located at 445 S. Patterson Drive from Commercial Arterial (CA) to Planned Unit Development (PUD) and approves the Preliminary Plan and District Ordinance for this property to allow for a mixed-use development.

Note: At a Special Session on March 27, 2013, the Council adopted Reasonable Condition 01, 02e, 03 & 04 which are attached to this ordinance.

Please note that the Outline Plan for this PUD was revised to incorporate most of the Conditions of Approval imposed by the Plan Commission. The Outline Plan (or "District Ordinance") is different from what was distributed in the Council Legislative Packet, is attached to this ordinance, and is entitled "Patterson Park PUD Outline Plan – August 11, 2012, Updated, January 30, 2013, February 13, 2013, Prepared by Trinitas Ventures, LLC"

*** Reasonable Conditions Form ***

Ordinance #: 13-06

Reasonable Condition #: 01

Submitted By: Chris Sturbaum, Council Member, District 1

Date: March 27, 2013

Proposed Reasonable Condition: The Council imposes the following Reasonable Condition upon the Patterson Park Planned Unit Development:

1. The curvy street connecting the future Prospect Street with Old Third Street through Areas B and C shall have parallel parking on each side in accordance with Page 22 of the Outline Plan for Planned Unit Development.

Synopsis

This Reasonable Condition is sponsored by Councilmember Sturbaum. It provides for parallel parking on the internal "curvy" street that runs through Areas B and C as set forth on Page 22 of the Outline Plan for this PUD.

3/6/13 Committee Action: None
3/27/13 Regular Session Action: 9 – 0
Adopted

(March 27, 2013)

*** Reasonable Conditions Form ***

Ordinance #: 13-06

Reasonable Condition #: 03

Submitted By: Chris Sturbaum, Council Member, District 1

Date: March 27, 2013

Proposed Reasonable Condition: The Council imposes the following Reasonable Condition upon the Patterson Park Planned Unit Development:

1. Building 1 and 9 shall have a commercial design character. Building 1 shall line up with Building 2 along Patterson Drive and Building 9 shall be oriented parallel to Patterson Drive to the maximum extent possible.

Synopsis

This amendment is sponsored by Councilmember Sturbaum. It requires that: 1) Building 1 and 9 have a commercial design character; 2) Building 1 line up with Building 2 along Patterson Drive; and 3) Building 9 be oriented parallel to Patterson Drive to the maximum extent possible.

3/6/13 Committee Action: None
3/27/13 Regular Session Action: 9 – 0
Adopted

(March 27, 2013)

*** Reasonable Conditions Form ***

Ordinance #: 13-06

Reasonable Condition #: 04

Submitted By: Chris Sturbaum, Council Member, District 1

Date: March 27, 2013

Proposed Reasonable Condition: The Council imposes the following Reasonable Condition upon the Patterson Park Planned Unit Development:

1. There shall be a maximum of 20 5-bedroom units in the entire PUD. In addition, Areas B and C may not exceed a combined 15 net units per acre and must receive final plan approval concurrently.

Synopsis

This Reasonable Condition is sponsored by Councilmember Sturbaum. It imposes a maximum of 20 5-bedroom units for the entire PUD. In order to keep the project viable while still preserving its character, the Reasonable Condition also requires that Areas B and C may not exceed a combined 15 net units per acre and must receive final plan approval concurrently.

3/6/13 Committee Action: None
3/27/13 Regular Session Action: 9 – 0
Adopted

(March 27, 2013)

*** Reasonable Conditions Form ***

Ordinance #: 13-06

Reasonable Condition #: 02e

Submitted By: Chris Sturbaum, Council Member, District 1

Date: March 27, 2013

Proposed Reasonable Condition: The Council imposes the following Reasonable Condition upon the Patterson Park Planned Unit Development:

1. Unless contradicted by safety issues, the configuration of Patterson Drive and angled parking shall be as indicated in the exhibit known as "Patterson Drive Schematic 4" and the required stop light shall be installed at the intersection of Adams Street and Patterson Drive.

The Council further requests that Plan Staff return to the Council to present the traffic study and report on what was done in regard to this reasonable condition.

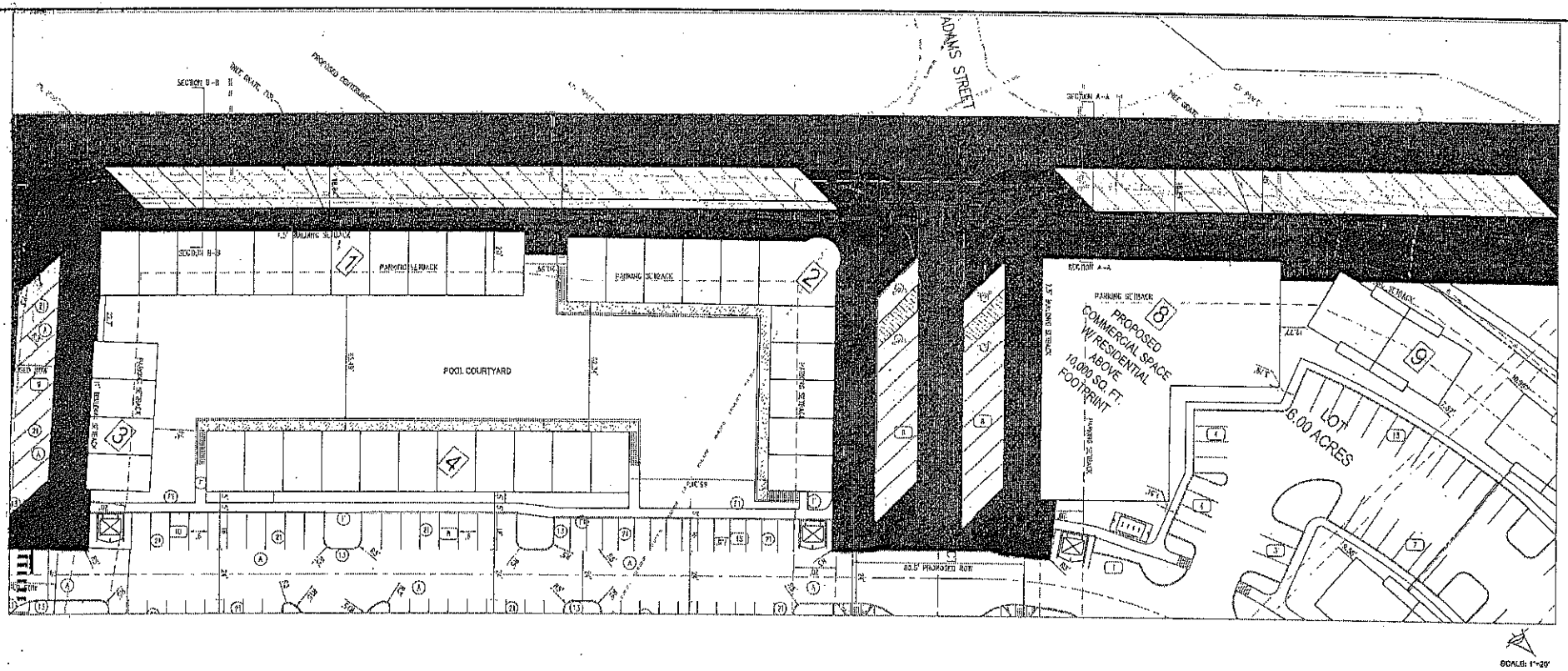
Synopsis

This Reasonable Condition is sponsored by Councilmember Sturbaum. It requires that, unless contradicted by traffic studies, the configuration of Patterson Drive and angled parking to be as shown on the exhibit known as "Patterson Drive Schematic 4" and the required stop light shall be located at the intersection of Adams Street and Patterson Drive. Note that this Reasonable Condition was amended to refer to "safety issues" rather than "traffic studies and to request a report from staff regarding the traffic study and action taken in regard to it.

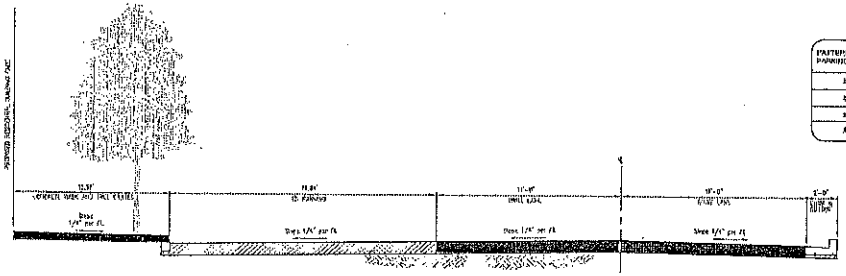
3/6/13 Committee Action: None
3/27/13 Regular Session Action: 8 – 1 (Mayer) – Re: Amendment to RC-2
8 – 0 - 1 (Mayer) – Re: RC 2e (RC-2 as amended)

Adopted

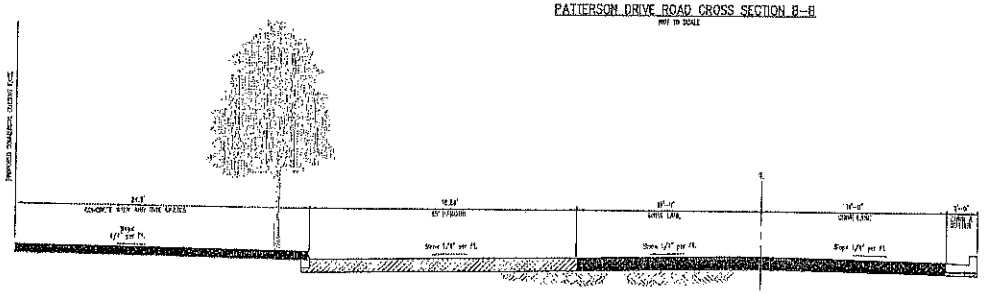
(March 27, 2013)



PATTERSON DRIVE PARKING OF NORTH	45° PARKING WIDTH	PROPOSED PATTERSON DRIVE PARKING STALLS COUNT	PROPOSED PATTERSON DRIVE DRIVE LANE WIDTH	PROPOSED COMMERCIAL BUILDING SIDEWALK/TREE GRATE WIDTH	PROPOSED RESIDENTIAL BUILDING SIDEWALK/TREE GRATE WIDTH
P1	18.84'	33	12'	10.0'	10.83'
P2	18.84'	33	11'	13.8'	12.83'
P3	18.84'	45	12'	23.8'	10.83'
P4	18.84'	45	11'	24.8'	12.83'



PATTERSON DRIVE ROAD CROSS SECTION B-B
NOT TO SCALE



PATTERSON DRIVE ROAD CROSS SECTION A-A
NOT TO SCALE

RC #2e

NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY MACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS

revisions

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PLANNING
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verified by

PROPOSED
PATTERSON PARK PUD

PATTERSON DRIVE
BLOOMINGTON, INDIANA

title: PATTERSON DRIVE SCHEMATIC #4

designed by: DJB
drawn by: DJB
checked by: JBP
sheet no:
project no.: 4012186