Passed

ORDINANCE 95-13

TO GRANT RS/PUD DESIGNATION AND OUTLINE PLAN APPROVAL
Re: 1630 S. Curry Pk.
(Jill Lane, 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-95-94, and recommended that the petitioner, Jill Lane be granted PUD designation and outline plan approval and request that the Common Council consider their 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 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that a Planned Unit Development be designated and an outline plan be approved for the property located at 1630 S. Curry Pk. The property is further described as follows:

A part of the Southwest quarter of Section 1, Township 8 North, Range 2 West, bounded as follows to-wit:

Beginning at a point on the centerline of the Pike Road, on or near the quarter section line, running South from the center of Section, and 300 feet North of the South line of Section 1, and running thence South 300 feet to the South line of said Section 1, thence West on said South line of said Section 1, 871.2 feet, thence North 300 feet, thence East 871.2 feet to the place of beginning, containing 6.00 acres, more or less.

SECTION II. The Outline 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 19 day of April, 1995.

Iris Kiesling

IRIS KIESLING, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of April, 1995.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 20 day of April, 1995.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants a PUD designation (RS/PUD) and approves an outline plan for six acres of property located at 1630 S.Curry Pike. The outline plan would create 38 two bedroom units. These units would be spread over four 8 unit buildings, 2 duplexes, and an existing house that would be converted into another duplex.

Signed copies to:
Petitioner
Planning

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 95-13 is a true and complete copy of Plan Commission Case Number RS/PUD-95-94 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 March 13, 1995.

Date: March 20, 1995

Timothy A. Mueller

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____,

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:

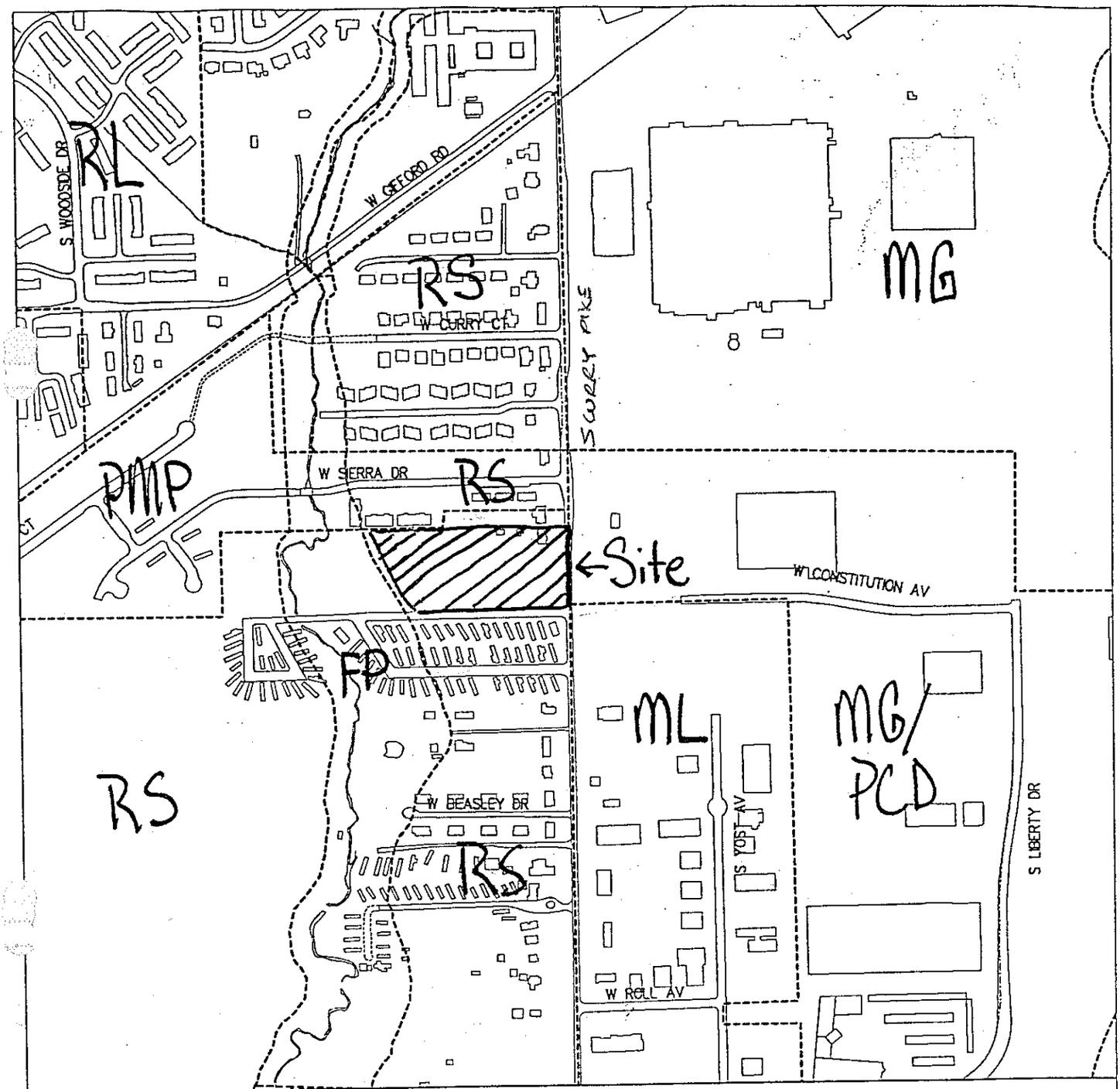
Fund(s) Affected	_____	_____
Fund Balance as of January 1	$_____	$_____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	$_____	$_____

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.)



RS/PUD-95-94

1630 S. Curry Pike

Location/Zoning

1500

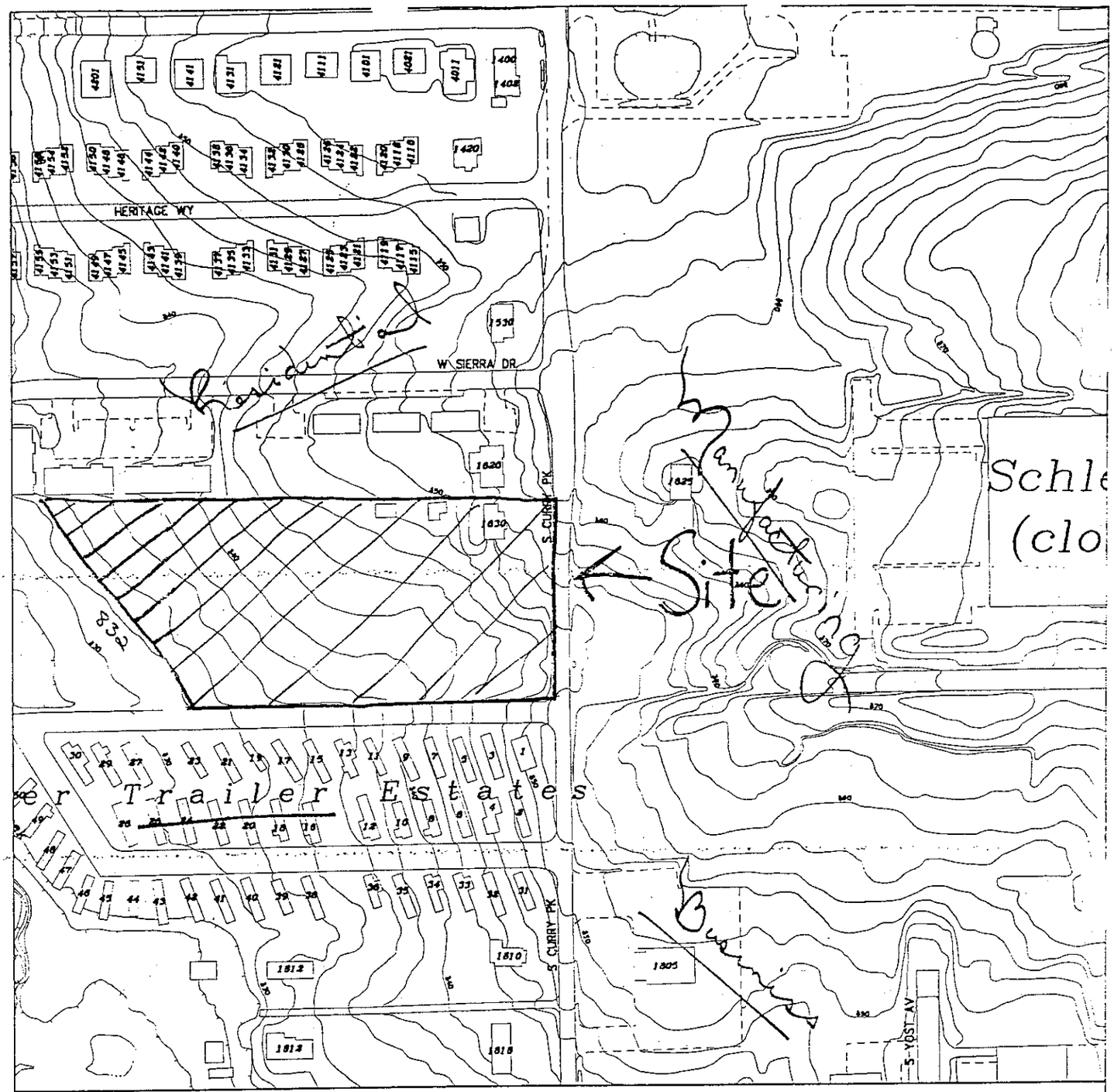
Date: 7 Feb 1995

100 0 500 500 1000

N

City of Bloomington

Scale: 1" = 500'



RS/PUD-95-94

1630 S. Curry Pike

Land Use

600

Date: 7 Feb 1995

100 0 200 200 400

N

City of Bloomington

Scale: 1" = 200'

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RS/PUD-94-95
Site Plan
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MEMO

To: Bloomington Common Council
From: Planning Department
Case No.: RS/PUD-94-95
Date: March 20, 1995
Location: 1630 S. Curry Pike
Petitioner: Jill Lane
Counsel: Bynum Fanyo & Assoc., Inc.

The Bloomington Plan Commission approved a request for a rezone from RS to RS/PUD and an outline plan for six acres of land located at 1630 S. Curry Pike. The total acreage of the site is 8.86, but 2.86 acres of this land on the western portion is located in a (FP) floodplain zone. The underlying zone for the entire parcel is RS.

This is a narrow long parcel zoned RS. The western one-third of the site also has an overlay zone of Floodplain. Currently there are one home and two out-buildings on the site. This home is proposed to be remodeled to two apartment units (a duplex). Several mature trees are located on the eastern portion of the site near Curry Pike. These trees will be preserved with this plan. There are also trees scattered on the perimeter and in the floodplain area.

Proposed are four apartment buildings of eight units each and two duplexes. The home on the site will be retained and converted to two apartment units. All of the units are proposed to be two bedroom. This totals 38 units on six acres for a density of 6.33 units per acre. No construction is proposed for the floodplain area.

R.O.W. Dedication of 50' from the centerline of Curry Pike is required. Access will be from one main drive. The drive to the home will be closed and will also use the main drive. This main access will be from a proposed road to be realigned to the Lamplighter Trailer Park which borders the petitioner's south property line. This new access will be aligned with the road cut for Constitution Ave. This will improve traffic control by eliminating a cut to Curry Pike.

Drainage problems on the site will also be corrected. The county will place 20 to 30 ft. of underground drainage piping on the south edge of the site.

Sidewalks will be placed on Curry Pike, the new access drive, and on the interior drive for pedestrian access.

This proposal is in compliance with the goals of the Growth Policies Plan. The draft ordinance maps call for this area to be zoned RS 3.5/PRO 6. As a PUD this project the meets the criteria for PUD. There will be 30' vegetated buffers on the north, south, and west sides. Open space and density are met.

RS/PUD-95-94

Jill Lane
1630 S. Curry Pike
Request for a RS/PUD designation for six acres, and outline plan approval to construct 36 apartments in 4 buildings and 2 duplexes. One house and two outbuildings will remain intact and contain two apartments.

Conditions of approval:

1. Engineering Dept. review of the drainage plans.

2. Right-of-way dedication as determined by the county Highway Department and must be sufficient for the proposed improvements.

3. Subject to Engineering Dept. approval of the new access which will intersect with improvements to Constitution. A temporary access may be needed depending on how quickly the development plan is submitted for approval.

4. If no access can be verified to the adjacent neighbor's north property line, then the issue of access to that property will be reviewed at development plan stage.

BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

December 5, 1994

City of Bloomington
Plan Commission
PO Box 100
Bloomington, Indiana 47402

Dear Plan Commission Members:

Our client respectfully requests a rezone for a 8.86 acre tract at 1630 S. Curry Pike. This site is currently zoned RS for which we are requesting a PUD designation for the Eastern 6.0 acres. We are proposing to construct 36 apartments contained in 4 buildings of 8 units each and two duplexes. One house with two out buildings currently exists on site and will remain intact containing 2 apartments. A total of 38 units on 6 acres gives a density of 6.3 units/acre. This proposal is less dense than the existing land uses to both the North and South and poses no threat to these properties. This project complies with the growth policies plan and in no way harms the general welfare of the community.

We are currently working with members of the Planning staff on this proposal and will be pleased to answer any questions you may have. Please feel free to contact us at anytime.

Very truly yours,

BYNUM FANYO & ASSOCIATES, INC.

John Blackketter

xc: BFA File #409484

RS/PUD -95-94
PETITIONERS
STATEMENT

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700 NORTH WALNUT STREET BLOOMINGTON, INDIANA 47404 812-332-8030

RS/PUD-94-95
Site Plan
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BLOOMINGTON PLAN COMMISSION
FINAL STAFF REPORT

Case No:RS/PUD-95-94
Date: March 13, 1995

Location: 1630 S. Curry Pike, Bloomington, IN 47403

PETITIONER:	Name :	Jill Lane
	Address:	417 Western Lane Dr.
COUNSEL:	Name:	Bynum Fanyo & Associates, Inc.
	Address:	700 North Walnut, Bloomington, IN 47408

FINAL HEARING DATE: March 13, 1994

REQUEST: The petitioner requests PUD designation for approximately 6 acres of land located on the west side of Curry Pike. The site is zoned RS and will fall within the maximum number of units for an RS/PUD designation at the proposed 6.33 units per acre. Remaining land, of which approximately 2.86 acres is zoned FP, is located in the Sinking Creek floodway. No development is proposed in this area.

PROPOSAL SUMMARY: The plan includes thirty eight residential units, four 8 unit buildings and two 2 new duplexes. An existing single family house will be retained and converted to a duplex. Plans show a single drive with back out parking. The existing house will have a private drive off the main access. 72 parking places are proposed, sufficient for 2 bedroom units.

REPORT

The site is located across from industrial uses in a high traffic area. This corridor carries substantial commuter traffic to the employment centers located along Curry Pike. The petitioner's site is north of the Bloomfield Road intersection which bears traffic from adjacent counties. For this reason, although staff supports the multifamily use, access location and planned County improvements to the corridor are issues of concern.

Since the preliminary hearing, staff has discussed improvements to Curry Pike planned by the County Highway Department which impact this site plan. A rise located north of the petitioner's proposed access will be cut down to improve substandard sight distance. Additionally, a drive to the Lamplighter trailer park, which borders the petitioner's south property line will be aligned with the road cut for Constitution on the east side of Curry. ROW dedication for these improvements are required from this petitioner. Staff will be discussing the feasibility of accessing from the new entrance at Constitution which will become public for an additional 170' feet west of Curry Pike. Meetings with the petitioner have indicated that they are willing to comply with County Engineering's request for an access from this extension. This would consolidate traffic into an aligned intersection and prevent an additional cut to Curry. In conjunction these improvements, the county will place sidewalks on the west side of Curry.

Drainage problems on the site will be corrected as part of this project as well. The

county will place 20 to 30 feet of underground drainage piping on the south edge of this site. This should improve conditions noted by a remonstrator at the last hearing.

Staff has reviewed information concerning an access easement on the property forming part of the northern boundary of this site. As a condition of approval in the 1987 petition of Wayne Johnson at 1520 South Curry, a sixty foot right-of-way dedication was required. The location of this reservation was approximately 100 feet from the rear property line of the adjacent single family residence. Staff is concerned that this dedication, was not in fact, accomplished. Staff continues to research this issue which will be submitted to Code Enforcement, if no easement can be verified.

The plan shows preservation of the few specimen trees located on the property. Buffering is sufficient on all frontages excepting an the existing single family structure.. Substantial vegetation in the floodway are not a part of this petition.

RECOMMENDATION

Staff recommends approval of RS/PUD-75-94 with the following conditions:

1. Subject to Engineering review of drainage plans.
2. ROW dedication as determined by the County Highway Department, sufficient for proposed improvements.
3. Subject to Engineering approval of new access location.
4. If no access can be verified to the adjacent neighbor's property (north side) then access must be provided through the petitioner's site.

February 20, 1995

To: Tim Mueller

From: T. Micuda, K. Komisarcik, G. Heise,
M. Wedekind, P. Werner

Subj: RS/PUD-95-94 Jill Lane 1630 S. Curry Pike

Site Description - The site in question is very flat, sloping gradually from northeast to southwest. It is located within the sensitive Sinking Creek watershed. A portion of the property under ownership is located within the Sinking Creek 100-year FEMA floodway. However, none of this area is proposed to be developed. There are scattered trees along both the northern and southern perimeters, the single family homesite, and the eastern interior of the property. No karst features were detected during the property inspection.

Tree Preservation - Since almost all of the site interior is flat and open, preservation of all specimen trees is quite feasible. Perimeter vegetation consists of tall evergreen, cherry, oak, and hackberry species. Many of the trees are of good quality and provide a nice transition to other developments, particularly the mobile home park to the south. The interior trees spotted on the site plan are of good quality, though one of the silver maples has several multiple stems. The Environmental Commission recommends that the three large interior trees be preserved. These are likely to be the only specimen trees that will be affected by future construction on this site.

Drainage/Detention - Details on this issue will be worked out at development plan stage, but the Environmental Commission does recommend that some thought be given to drainage at outline plan stage due to the flooding problems characteristic of this watershed. The first issue that must be dealt with is whether stormwater should be routed directly to Sinking Creek given its proximate location or whether it should be detained to account for the increased development density. Timing the site's stormwater flow so that it does not coincide with drainage from Cook Incorporated or Otis Elevator would also be an important consideration. **At the time of this writing, the petitioners have not yet provided the information requested by the Environmental Commission on this issue. We are working with the petitioners and will make a report at the hearing.**

BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
Location: 1630 S. Curry Pike

CASE NO.: RS/PUD-94-95
DATE: February 20, 1995

PETITIONER: Name : Jill Lane
Address: 417 Western Dr.

COUNSEL: Name : Bynum Fanyo & Assoc., Inc.
Address: 700 N. Walnut St.

PRELIMINARY HEARING DATE: February 20, 1995
FINAL HEARING DATE: March 13, 1995

REQUEST:The petitioner is requesting a rezone an outline plan for six acres of land located at 1630 S. Curry Pike. The total acreage of the site is 8.86, but 2.86 acres of this land on the western portion is located in a (FP) floodplain zone. The underlying zone for the entire parcel is RS.

EXISTING USE AND DESCRIPTION: This is a narrow long parcel zoned RS. The western one-third of the site also has an overlay zone of Floodplain. Currently there is one home and two out-buildings on the site. This home is proposed to be remodeled to two apartment units (a duplex). Several mature trees are located on the eastern portion of the site near Curry Pike. These trees will be preserved with this plan. There are also trees scattered on the perimeter and in the floodplain area.

PROPOSED USE AND DESCRIPTION: Proposed are four apartment buildings of eight units each and two duplexes. The home on the site will be retained and converted to two apartment units. All of the units are proposed to be two bedroom. This totals 38 units on six acres for a density of 6.33 units per acre. No construction is proposed for the floodplain area.

ISSUES:
R.O.W. Dedication: Dedication of 50', from the centerline of Curry Pike is required.

Access: Access will be from one main drive. The drive to the home will be closed and will also use the main drive.

Utilities: Sewer will be brought to the site. All other utilities are available.

Drainage: Drainage will be addressed at development plan stage.

Tree Preservation: No trees are to be removed with this approval.

Sidewalks: Sidewalks will be placed on Curry Pike and on the interior drive for pedestrian access.

Plan Compliance: The draft ordinance maps call for this area to be zoned RS 3.5/PRO 6. As a PUD this project the meets the criteria for PUD. There will be 30' vegetated buffers on the north, south , and west sides. Open space and density are met.

RECOMMENDATION: Staff recommends a second hearing on March 13, 1995.