

ORDINANCE 92 - 43

TO GRANT RS/PUD DESIGNATION AND OUTLINE PLAN APPROVAL -
RE: 3413 S. ROGERS STREET
(RICK DECKARD, 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-66-92, and recommended that the petitioner, Rick Deckard, be granted PUD designation and outline plan approval 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 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and the property designated a Planned Unit Development. The property is further described as follows:

A part of the Southeast quarter of Section 17, Township 8 North, Range 1 West, bounded and described as follows, to-wit: Beginning at a point in the center line of the highway leading from Bloomington to Clear Creek and Bedford; known as the Rogers Street Pike, and formerly designated State Highway No. 22, which point is 30 feet West and 1017 feet South of a stone marker on the East and West centerline of said Section and is 648 feet West of the West boundary line of the Illinois Central right-of-way, also known as Bloomington Southern Railroad Company right-of-way and more particularly described and located in deed executed by Artha J. Fess and William C. Fess, her husband on March 30, 1912, and recorded on page 30 of Deed Record 59, of the records of the County Recorder of Monroe County, Indiana, running thence South on said center line of said highway a distance of 210 feet, thence East 598 feet to the west line of said railroad right-of-way, thence Northeast along the said West boundary line of said right-of-way 217 feet; thence West 648 feet and to the point of beginning, and being the same real estate conveyed by Richard R. Randall to Jackson A. Johnson and Katie C. Johnson by deed executed October 23, 1926, and recorded on page 393 of Deed Record 78 of the Records of the County Recorder of Monroe County, Indiana.

and

Lot Number One (1) and Number Two (2) of Stone Addition as shown by the plat thereof recorded in Plat Book 7, page 145 in the office of the Recorder of Monroe County, Indiana.

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 21st day of October, 1992.

Aris Kiesling
PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of October, 1992.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 2nd day of October, 1992.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants PUD designation within the existing RS zone and outline plan approval for 46 single family zero-lot-line units located on seven acres.

Signed copies to:
Planning
Pilotone
Code Enforcement

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.

Timothy A. Mueller
Plan Commission Secretary

Date: September 15, 1992

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 # _____ Resolution # _____
Ordinance

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 _____
Unforeseen 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.)

2

1. The first part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown, among others.

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).

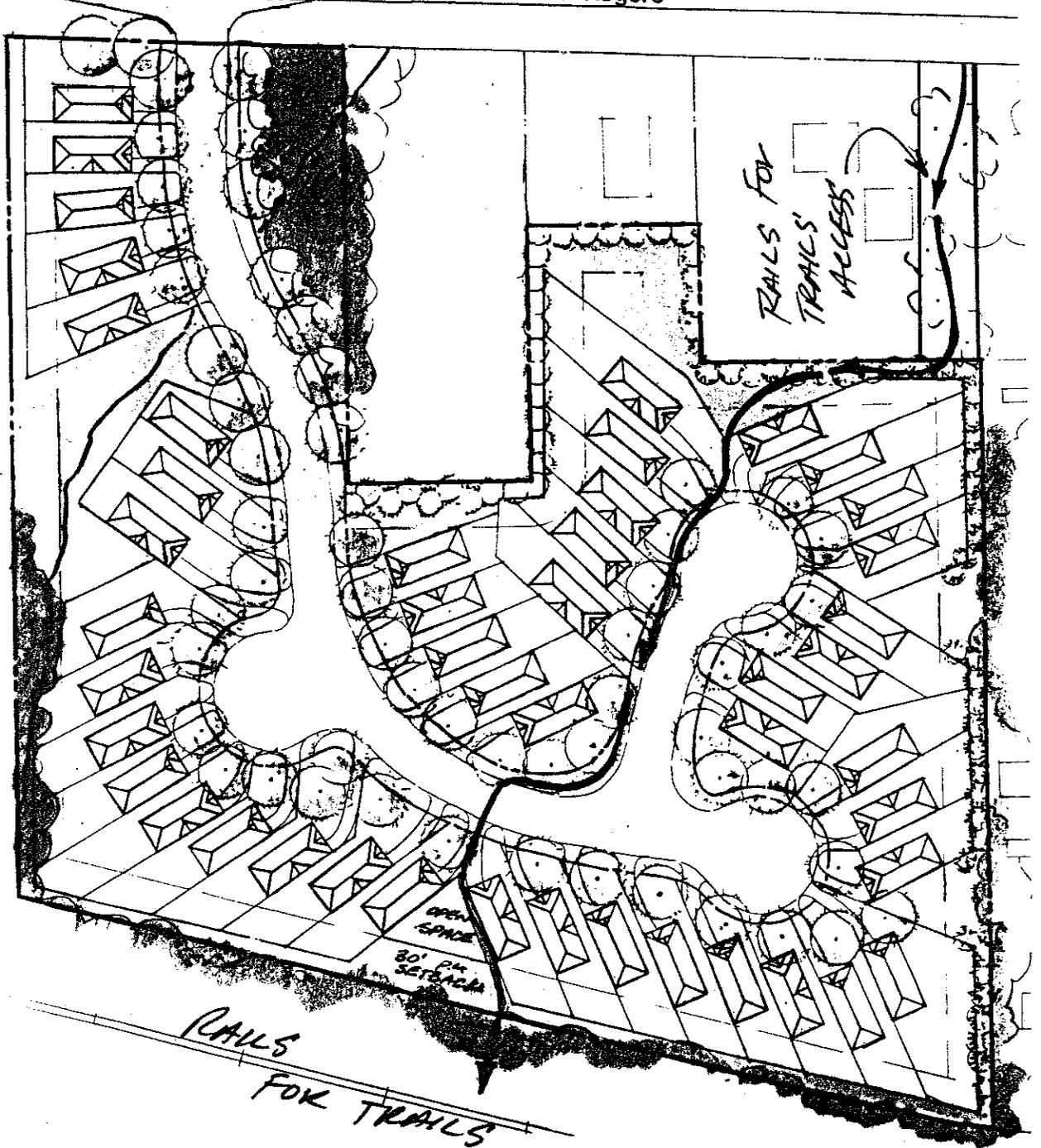
Drainage on this site is proposed to flow directly into the creek on the property. Fully engineered plans and calculations will be required at development plan stage. On preliminary examination of the site, the developer proposes a 16' wide creek bed with 3:1 slopes and three foot deep to handle the 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



Site PLAN



