

Passed:

ORDINANCE 97-34

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE1 TO PUD
AND TO APPROVE THE PRELIMINARY PLAN**

**Re: 1500 Eagleview Dr.
(Raymond Moore Enterprises, Petitioner)**

WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-30-97, and recommended that the petitioner, Raymond Moore Enterprises, be granted PUD designation and preliminary plan approval, and request that the Common Council consider their petition to amend the Bloomington zoning maps from RE1 to PUD and approve the preliminary plan;

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 approved and the property be designated a Planned Unit Development. The property is located at 1500 Eagleview Drive and is further described as follows:

Part of the Northwest quarter of Section 20, Township 8 North, Range 1 West, Perry Township, Monroe County, Indiana, being part of Lot 4 of Deckard Addition as recorded in Plat Cabinet "B", Envelope 308, Office of the Recorder of Monroe County, Indiana, more particularly described as follows:

Commencing at a rebar found at the Northeast corner of said Northwest quarter, being the Northeast corner of said Lot 4; thence North 89 degrees 08 minutes 04 seconds West along the North line of said Northwest quarter and along the North line of said Lot 4 for 1117.06 feet; thence South 01 degrees 23 minutes 42 seconds East 1377.60 feet to a wood fence corner at the point of beginning; thence South 11 degrees 42 minutes 22 seconds East along a fence line 485.63 feet to rebar with cap; thence South 89 degrees 56 minutes 40 seconds West 253.80 feet to a rebar with cap set on the West line of said Lot 4; thence North 33 degrees 18 minutes 33 seconds West along said West line 570.90 feet to rebar with cap; thence North 87 degrees 24 minutes 22 seconds East along the North line of said Lot 4 and along a fence line 233.64 feet to a fence corner; thence North 01 degrees 23 minutes 42 seconds West 13.36 feet to rebar with cap; thence South 89 degrees 08 minutes 04 seconds East 221.34 feet to the point of beginning, containing 3.864 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 17th day of September, 1997.


ANTHONY PIZZO, 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 18th day of September, 1997.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 18th day of September, 1997.

John Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants rezone of 3.864 acres from RE1 to PUD in order to add a five lot cul-de-sac to the Eagleview Planned Unit Development.

Signed copies to:
Petitioner
Planning

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 97-34 is a true and complete copy of Plan Commission Case Number PUD-30-97 which was given a recommendation of approval by a vote of 6 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 11, 1997.

Date: August 12, 1997

Don Hastings
Donald F. Hastings, Secretary
Plan Commission

Received by the Common Council Office this ____ day of _____, 1997.

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.)

MEMO

TO: Common Council
FROM: Planning Department
DATE: August 12, 1997
CASE NO: PUD-30-97
LOCATION: 1500 Eagleview Dr. (Eagleview Subdivision)
PETITIONER: Raymond Moore
COUNSEL: Kevin Potter

On August 11, 1997, the Bloomington Plan Commission approved a request for a rezone of approximately 3.864 acres from RE1 to PUD in order to create five single family home lots, preliminary plan approval, preliminary plat approval, and delegation of the final plan review/approval to staff. This 3.8 acre parcel is west of and adjacent to the existing Eagleview (PUD) Subdivision.

The Eagleview Subdivision was rezoned Planned Unit Development in 1993. Up to 119 single family home lots were approved over approximately 58 acres. This subdivision is located south of Gordon Pike, north of That Road, and west of Clear Creek Estates. On February 20, 1995, the Plan Commission granted final plan and plat approval for 41 single family lots in Section I of Eagle View. Section II was approved for 27 lots on September 16, 1996 and Section III was approved for 38 on March 10, 1997. This parcel being added to the subdivision is located directly west of Phase III off of Eagleview Drive. The density of the proposed lots is 0.77 units per acre. This is consistent with the density approved for the southern portion of the Eagleview subdivision, which varies from half-acre lots to one acre lots. Standards for single family subdivisions are met including sidewalks, street trees, right-of-way dedication, and street construction to city engineering standards.

In terms of Growth Policies Plan compliance, the proposed lots are approximately 0.77 acres each. All of the proposed lots will have setbacks, and lot coverage comparable to the requirements that were established during the original PUD approval. This PUD expansion is consistent with previous approvals granted in the area.

The site has few trees in the area of the building footprints and infrastructure. These trees will be preserved and the large areas of trees in the drainage easement on the north and east side of the subdivision will be placed in the drainage and tree conservancy area on the plat. The north edge of the subdivision is in the 100-year flood plain leading to the West Branch of Clear Creek. This area slopes steeply down toward the creek. The only disturbance to this area will be to connect the sewer to the large interceptor line running with Clear Creek. The area of disturbance will be fenced and inspected prior to issuance of any grading or site

development permits. The Parks Department trail system is intended to run along the ROW for the southwest interceptor. This trail system is a linear park for the use of the community. After several meetings with the petitioner, Raymond Moore, and Dave Williams, Parks and Rec. Department, it was determined that it was not feasible to place a trail connection between the lots at this location. Better locations for gaining access to the trail would be the intersections of That Road and the trail and Gordon Pike and the trail. These are areas that can also be developed as trail heads, where there can be parking areas and water fountains.

Two sinkholes have been identified on the subdivision site (Lots 107 and 110). The petitioner has met the terms of the zoning ordinance by committing to conservancy easements around both of the features. Erosion control into the sinkhole on Lot #107, which has a discernable opening, will be handled by a new methodology. Rather than simply silt fencing the area surrounding the sinkholes, the petitioner will experiment with placing a grate, geotextile fabric, and anchoring stone in the area of the sinkhole opening. This second protection layer should act to better protect the sinkholes from sediment which can breach the silt fencing layer in large rain events. The grate will be removed after construction is complete and the ground is stabilized.

All entrance improvements (approved with the original PUD) along Gordon Pike and That Road have either been completed or financially guaranteed and remain in effect with the addition of this PUD. Financial guarantees which have yet to be implemented include a possible passing blister along Gordon Pike and improvements to the stopping distance east of the petitioner's entrance on That Road. Implementation of the passing blister is dependent on traffic warrants, while improvements to the That Road stopping distance will commence either in August of 1998 or when the entire subdivision is 50 percent occupied, whichever comes first.

PUD-30-97 CONDITIONS OF APPROVAL:

1. All City and non-City utilities must be shown on the site plan at final plan stage and prior to the issuance of site development permits.
2. Drainage facilities shall be designed and constructed to the satisfaction of the City Engineer.
3. Detention basins shall be installed, stabilized, and inspected prior to any additional grading of the subdivision site.
4. All required conservancy easements (drainage, tree, and sinkhole) must be depicted on the final plat.
5. Sinkhole erosion control protection measures shall be approved by the City Engineer. Sinkhole grates shall not be removed from their locations until adjacent building lots have received final occupancy permits. Sinkholes which currently contain debris shall be cleaned out.
6. Tree protection fencing and perimeter erosion control fencing shall be installed by petitioner and inspected by staff prior to the issuance of site development permits.

Raymond Moore Enterprises, Inc.

Commercial/Residential • Development & Construction

June 17, 1997

City of Bloomington
Plan Commission
Post Office Box 100
Bloomington, IN 47402-0100

Re: Petition to Rezone - Eagleview Subdivision Phase IV

Dear Plan Commissioners:

Raymond Moore Enterprises, Inc. hereby requests a rezone of 3.864 acres from RE1 to PUD, preliminary plan approval and preliminary plat approval for a five lot subdivision, with waiver of second hearing.

Also, we would like to ask that final plan approval be delegated to the planning staff.

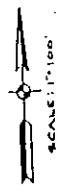
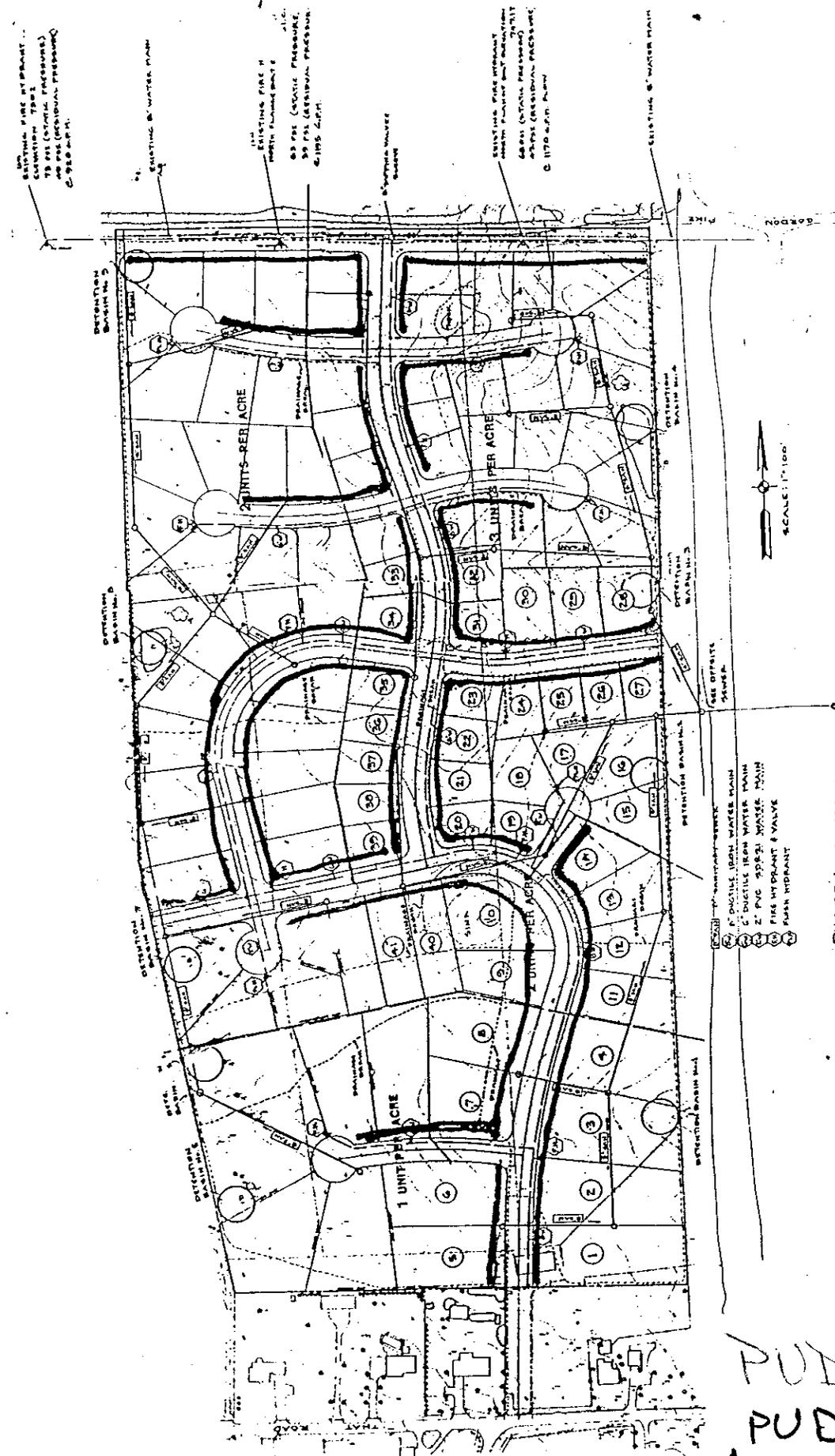
Thank you very much for your time and attention to this petition.

Sincerely,


Raymond Moore, President

/jp

Petitioner's
Statement
PDS-30-97



PHASE 1 - LOTS 1-41

PUD-30-97
 PUD-4-97
 Approved Sidewalk
 Layout-Outline
 Plan

RE-91-94
 Sidewalk Placement

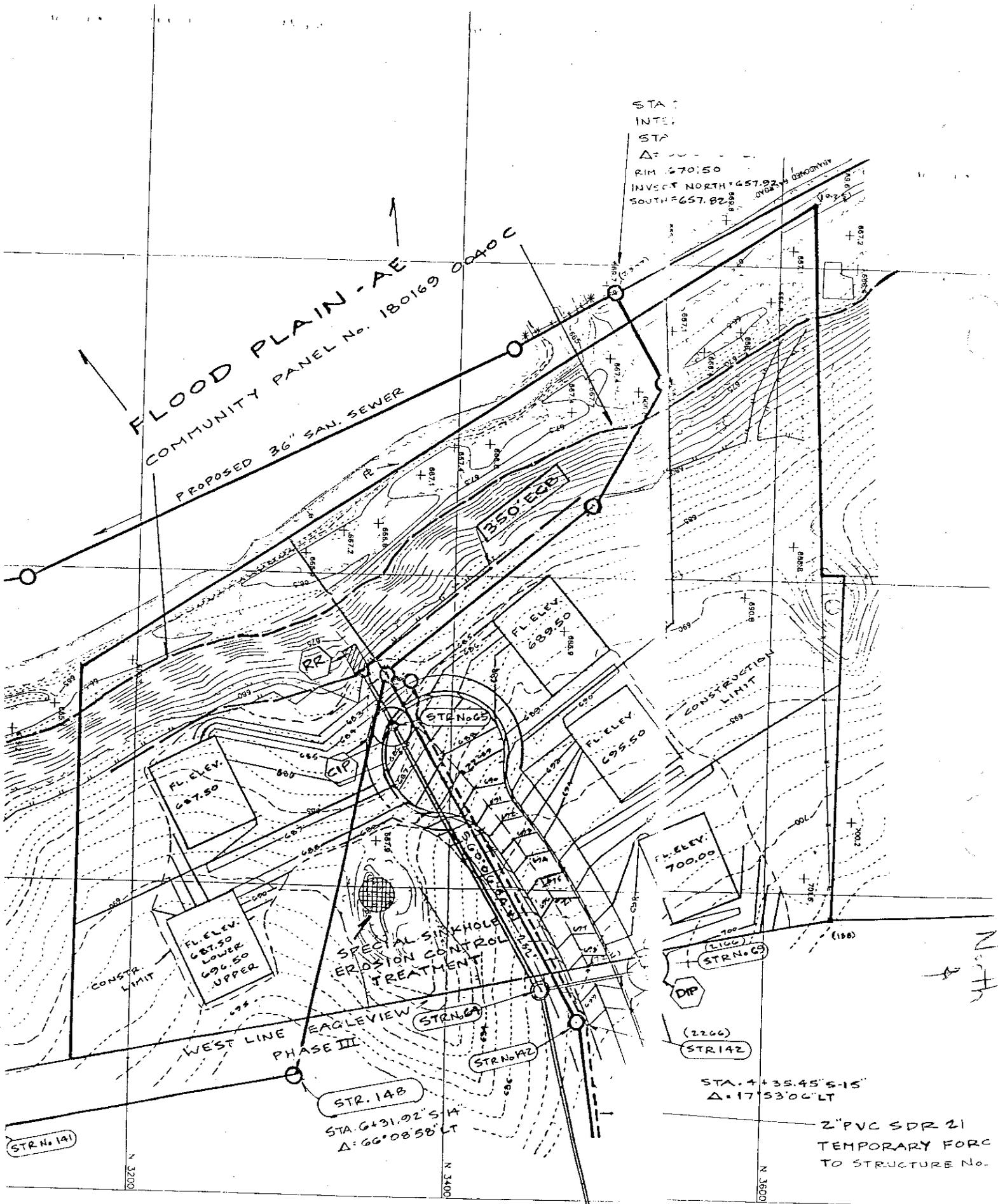
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KEVIN B. POTTER, P.E. & L.S.
 P.O. Box 5882
 Bloomington, Indiana 47407
 No. 1839
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF INDIANA

Eagle View
 RE/PUD

OVERALL PLAN
 6

date: 05-26-03 2:11:44



STA:
 INTE:
 STA:
 $\Delta: 17^{\circ}53'00''$ LT
 RIM 670.50
 INVERT NORTH = 657.92
 SOUTH = 657.82

FLOOD PLAIN - AE
 COMMUNITY PANEL No. 180169 0040 C

PROPOSED 36" SAN. SEWER

350' EOB

STR No 65

FL. ELEV. 689.50

FL. ELEV. 695.50

FL. ELEV. 700.00

FL. ELEV. 687.50

FL. ELEV. 687.50 LOWER

696.50 UPPER

SPECIAL SINKHOLE
 EROSION CONTROL
 TREATMENT

WEST LINE EAGLEVIEW
 PHASE III

STR No 64

STR No 62

STR. 148

STA. 6+31.02'S+H
 $\Delta: 66^{\circ}08'58''$ LT

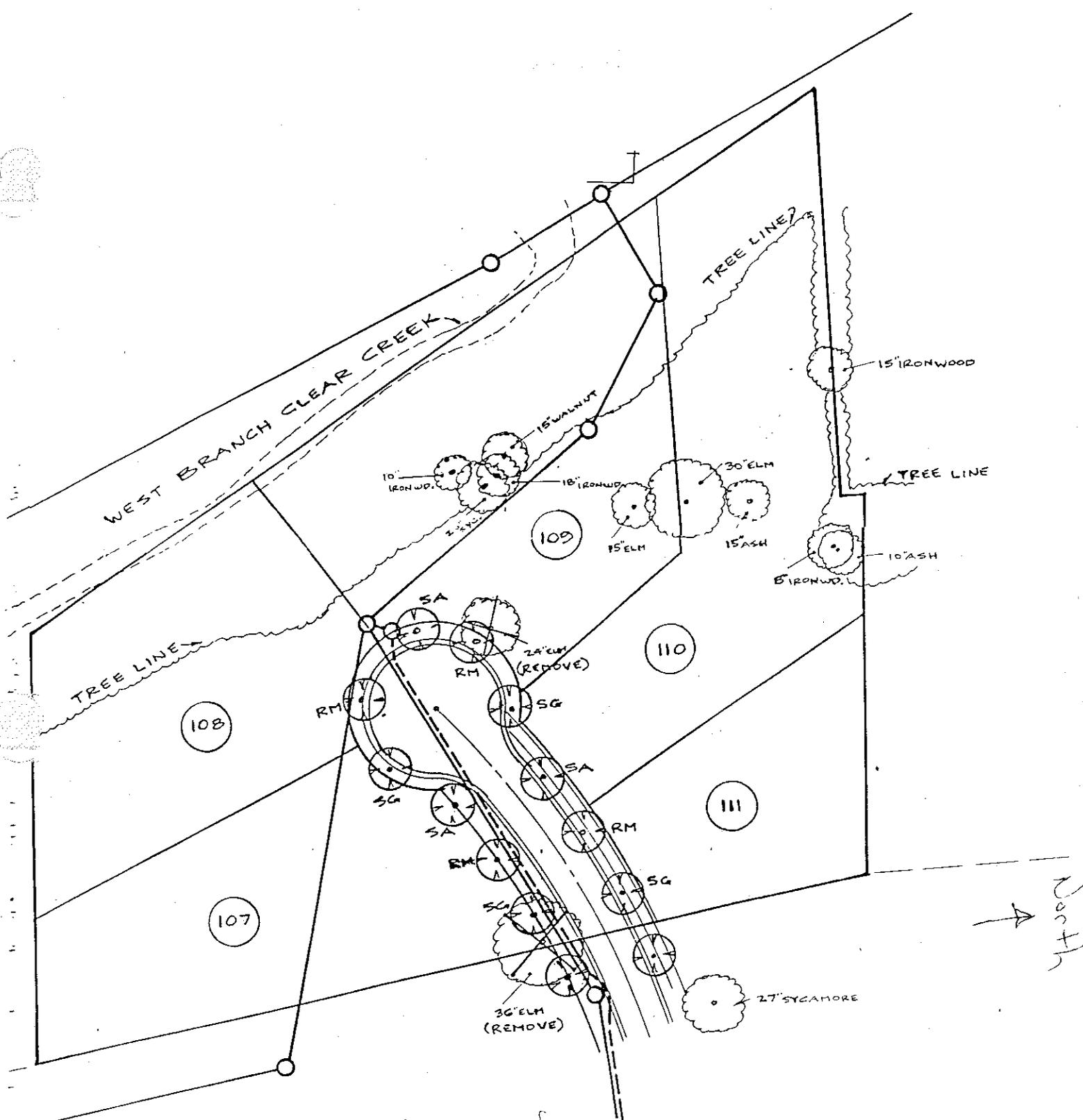
(1100) STR No 63

(2200) STR 142

STA. 4+35.45'S+15'
 $\Delta: 17^{\circ}53'00''$ LT

2" PVC SDR 21
 TEMPORARY FORCE
 TO STRUCTURE No.

PUD-30-97
 Sinkhole, Floodplain & Utilities

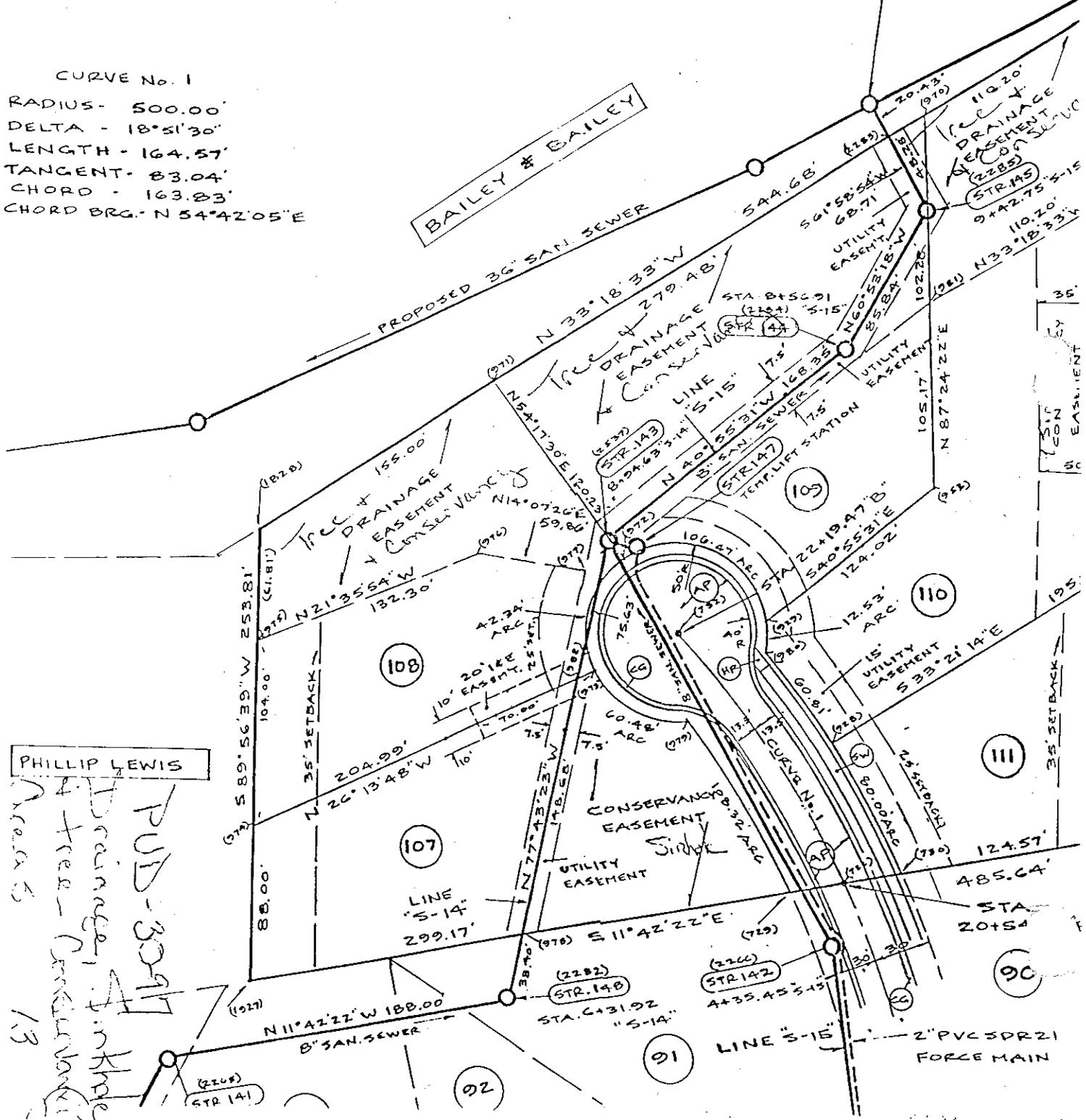


Site and
LANDSCAPE PLAN
 1" = 40'

PUD-30-97
 12

CURVE No. 1
 RADIUS - 500.00'
 DELTA - 18°51'30"
 LENGTH - 164.57'
 TANGENT - 83.04'
 CHORD - 163.23'
 CHORD BRG. - N 54°42'05" E

BAILEY & BAILEY



PHILLIP LEWIS

PUD-3097
Drainage in the
area - Consideration
1/3

(2208) STR 141

(92)

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