Passed: 7-2

ORDINANCE 92 - 53

To Amend the Bloomington Zoning Maps from RS to RH, Grant PUD Designation and Approve Outline Plan Re: 888 East Hillside Drive (Abodes, Inc., 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, RH/PUD-71-92, and recommended that the petitioner, Abodes, Inc., be granted an amendment to the Bloomington zoning maps, outline plan approval, and PUD designation 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 that the zoning be changed from RS to RH for property located at 888 East Hillside Drive. The property is further described as follows:

> Part of Lots 12, 13, 14, and 15 of Barclay Gardens, City of Bloomington as recorded in Plat Cabinet B, Envelope 38, Office of the Recorder, Monroe County, Indiana, containing 1.64 acres more or less.

SECTION II. 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 that the property described above be designated a planned unit development.

SECTION III. The Outline Plan shall be attached hereto and made a part thereof.

SECTION IV. 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 18th day of November, 1992.

Pam Service

PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 19 day of November, 1992.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 19th day of November, 1992.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants rezone from RS to RH/PUD and outline plan approval for 1.64 acres located at 888 Hillside Drive to allow 14 two-bedroom units and 12 one-bedroom units in addition to the existing three-bedroom house.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 92-53 is a true and complete copy of Plan Commission Case Number RH/PUD-71-92 which was given a recommendation of approval by a vote of 7 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 26, 1992.

Date: October 27, 1992

Tim Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 27th day of October,

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? NO Yes_____ No_____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

Although construction of this project will increase the tax base somewhat, that impact will not be significant. City services are already provided to this area.

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.)

Ord 92-53

AGREEMENT BETWEEN
ABODES, INC., GEORGE HALLAGAN, & CHARLES SHORT

On November 4th, 1992 the undersigned met and agreed to the following:

1. All cost of installing sanitary sewer to the Hallagan and Short properties shall be shared by Charles Short and Abodes, Inc.
2. All cost of extending an 8–inch water main and fire hydrant will be shared by Charles Short and Abodes, Inc.
3. The cost of constructing a common entrance drive to line up with the center line of Woodlawn located on the Hallagan property shall be shared by Charles Short and Abodes, Inc.
4. The ongoing cost of maintaining the common entry such as snow removal, cleaning and repair will be shared by Charles Short and Abodes, Inc.
5. George Hallagan will have no responsibilities for any of the cost associated with items 1 thru 4 inclusive.
6. Charles Short shall carry customary insurance to indemnify George Hallagan of all liability that may arise from Charles Short's use of the common drive.
7. The common drive shall be constructed shortly after approval of Abodes, Inc. petition by the City Council on November 18, 1992 on the property of George Hallagan.
8. The water line and sewer main shall be constructed soon after the construction of the entrance drive.
9. George Hallagan waives any right he may have to the existing fence along his west property line and agrees to its removal to enable the construction of the above shared improvements.

The above is agreed to this 4th day of November, 1992.

George Hallagan

Charles Short

Michael Pollock, Abodes, Inc.

INTERDEPARTMENTAL MEMO

To: Common Council
From: Planning
Subject: Ordinance 92-53 - PUD Outline Plan for Abodes
Date: October 27, 1992

Ordinance 92-53 rezones a 1.6 acre site from RS to RH, approves an outline plan, and designates the site a Planned Unit Development. The outline plan includes 12-1 bedroom and 16-2 bedroom units arranged in 4 buildings to the rear of the existing house near the center of the site, which will be part of the project as a 3 bedroom unit. The 29 units constitute a density of 18 units/acre. The existing, damaged house directly opposite Woodlawn will be demolished so that the driveway, which will be shared with the project to the west, can line up with Woodlawn. That project, approved on a petition from Elkins, has been purchased by Chuck Short and is under construction. The outline plan has evolved since the initial submittal by the addition of the existing house's lot to the previous 1.2 acre U-shaped site, and by the increase from 24 to 29 units.

The Miller Drive Neighborhood Plan endorses multi-family development along the south side of Hillside between Woodlawn and Park, recognizing the presence of several properties which would benefit from new investment and the adjacent industrial land to the south.

The staff report to the Plan Commission drew attention to the density, the 3 story height of some of the buildings, and the 10' setbacks. A very detailed outline plan was submitted to demonstrate the ability of the site to accommodate the density. Development Plan approval by the Plan Commission will follow outline plan approval. After consideration of these issues the commission recommended approval by a 7:2 vote with these conditions:

1. The agreement to share the drive opposite Woodlawn Ave. with Chuck Short's project to the west will be in place before the council takes action (staff has advised petitioner, site owner, and Mr. Short to have this ready by committee discussion) and that the shared drive will be completed in time for the occupancy of the Chuck Short project.

2. The buildings along the east and west property lines be relocated toward the center of the project to increase the sideyards.

3. All trees to be relocated will be transplanted with the advice and use of a qualified tree expert (staff comment: the plan preserves most of the site's specimen trees. 3 trees in the northeast building's footprint and a row of pines behind the existing house will be relocated).

4. The sidewalk along the entrance drive will be relocated from the curbside to the east of the trees along the drive or to an acceptable location on the adjacent site.

FINAL STAFF REPORT
RH/PUD-71-92
ABODES, INC.
888 E. HILLSIDE DRIVE

October 26, 1992

This petition was previously a request for rezoning, PUD designation, and outline plan approval for 12 one-bedroom and 12 two-bedroom dwelling units on this 1.2 acre U-shaped parcel immediately across from the Carlisle facility. Several issues were raised at the preliminary hearing on September 8, including the proposed density of 20 units per acre.

Since September 8 petitioner has acquired the property in the middle of the U-shaped parcel, resulting in a rectangular parcel with a total size of 1.6 acres. Petitioner now proposes to retain and refurbish the existing 3-bedroom house plus construct 12 one-bedroom units and 16 two-bedroom units on the site for an overall density of 18 units per acre (29 units total). The new proposal maintains the previously proposed undisturbed open space on the northeastern section of the parcel.

The building to the west will be a two-story building with two bedroom townhouses and is set 14 feet from the property line. The three story one bedroom units have been shifted to the est side of the property.

The petitioner has provided a plan which sites the existing trees, verifies which trees will be retained, and specifies which trees will be relocated and where they will be placed on the site. Four trees may be removed. The street-scape is good.

The site is surrounded by apartments to the west, Carisle to the north, quarry to the south, and housing to the east. Although we feel this is a good plan, Staff is still concerned about the density of this property.

ISSUES:

1) An easement agreement and financial committment must be received before November 18, 1992. The access may be gravel, but must be paved within one year.

2) There is only 14 feet from the two story building to the west property line and only 10 feet from the three story building to the east property line.

3) Staff is very concerned about the survival rate of the trees to be transplanted. Staff would like to reserve the right to work with the petitioner to try to leave some of the trees in place. This may involve adjusting the building placement.

4) The density on this project is 18 units per acre which is high. If one of the 1 bedroom units from the east side of the project were deleted and one of the 2 bedroom units from the east side of the project were deleted, a more adequate buffer would be maintained to the adjacent single family area. This area will eventually upgrade and should be allowed a larger side area than ten

C

feet on a three story building which will overshadow the adjacent property. In addition, this will reduce the parking requirement to 46 spaces (53 spaces are currently shown on the plan). This reduction of seven spaces could also help saving some of the trees.

To: Mr. Tim Mueller
Plan Department
City of Bloomington

From: Environmental Commission: G. Heise, K. Komisarcik, M. Wedekind

Date: August 19, 1992

We have visited the three sites listed below and present herewith our conclusions regarding possible environmental issues involved in Plan Commission approval.

1. Abodes, 888 E. Hillside.
The property slopes downward to a drainage ditch at its south end. The developer should ensure that adequate provision is made for drainage from the large (ca. 40 cars) parking lot. Specifically: is the capacity of the drainage ditch sufficient for the run-off from a major storm? Will run-off from the parking lot cause erosion or other problems as it flows down between the two bedroom units to the south end of the property, or (preferably) will there be a drainage system for the parking lot?

2. DP-64-92. Saidah, 1275 Short St.
No environment problems noted. Healthy well-established trees now on property should be preserved.

3. Abodes. 716 W. 17th St.
No environmental issues are raised by proposed conversion to condominiums. We note, incidentally, that the large maple in the middle of the driveway entrance appears to be dying - presumably because the paving has left too little space for its roots.

CC: Tom Swafford

Staff note:
detention will be engineered for development plan approval.

STAFF REPORT
RH/PUD-71-92
ABODES, INC.
888 E. HILLSIDE DRIVE

October 5, 1992

This petition was previously a request for rezoning, PUD designation, and outline plan approval for 12 one-bedroom and 12 two-bedroom dwelling units on this 1.2 acre U-shaped parcel immediately across from the Carlisle facility. Several issues were raised at the preliminary hearing on September 8, including the proposed density of 20 units per acre.

Since September 8 petitioner has acquired the property in the middle of the U-shaped parcel, resulting in a rectangular parcel with a total size of 1.6 acres. Petitioner now proposes to retain and refurbish the existing 3-bedroom house plus construct 12 one-bedroom units and 16 two-bedroom units on the site for an overall density of 18 units per acre. The new proposal maintains the previously proposed undisturbed open space on the northeastern section of the parcel. Existing vegetation will be saved to the extent possible; some of the existing pine trees will be relocated elsewhere on the site.

Staff has requested that petitioner provide a plan which would site existing trees, verify which trees would be retained, and specify which trees would be relocated and where they would be placed on the site. Given the density requested, staff feels this is crucial to a decision. It may be possible to adjust the site plan to minimize the impacts on adjacent properties; we need more detail in order to know whether that's possible with the proposed density.

Staff recommends that this case be continued to the October 26 meeting.

PRELIMINARY STAFF REPORT SEPTEMBER 8, 1992
ABODES, INC.
888 E. HILLSIDE DRIVE

REQUEST: Rezone from RS to RH, PUD designation, and outline plan approval for 24 units

. . . . . .

This 1.2 acre U-shaped parcel is located on Hillside Drive immediately east of the recently approved 17 unit elderly and handicapped project. Petitioner is seeking approval for 24 units for a total density of 20 units per acre. Proposed are 12 2-bedroom townhouse units and 12 1-bedroom flats in three buildings. Also sought is variance from the 5 acre PUD requirement and from the required 30' buffer on the east and north property lines.

Access is proposed to line up with Woodlawn Avenue and petitioner has agreed to work with the property owner to the west to provide access to that property as well. An accel/decel lane is provided on Hillside.

The site slopes gently to the south property line and to an existing drainage ditch. The scope of this proposed development is such that a storm water drainage plan will be required at development plan stage to ensure no adverse effects to surrounding properties.

There are several trees located in the eastern leg of the U-shape; petitioner proposes to retain all of these. In addition there are a large number of pine trees of various sizes (from 3' tall to 40' tall) around the perimeter of the property. A grove of deciduous trees is located on the southern portion of the property; some appear to actually be on this parcel while most appear to be on the property to the south. Petitioner will spot all existing trees on a site plan prior to hearing.

The recently approved Miller Drive Neighborhood Plan calls for higher density mixed use residential in this area; the page which deals with that is included in this packet. An issue to be considered in this case is whether 20 units per acre is the appropriate density. The Comprehensive Plan calls for overall densities of 12-15 units per acre in designated high density residential areas. Petitioner cites the density of the adjacent project (22 units per acre) as justification for his proposed density. Staff notes that the adjacent project consists solely of 1-bedroom units and that the higher density approved was predicated on participation in the HOME program. The density was justified by the fact that the project provides affordable housing for an under-served segment of the population.

Staff recommends that this petition be forwarded to the October 5 agenda for final hearing.

FROM MILLER DR NBHD. PLAN

Area A - Hillside Drive

Recommendation:

The northwest corner of the Miller Drive Neighborhood between Henderson on the west and Huntington on the east, fronting Hillside Drive, should be used for higher density opportunities. Where possible, duplexes on single lots facing the street or fronting on new cul-de-sacs or loops should be built. Some single family homes on cul-de-sacs would also be recommended.

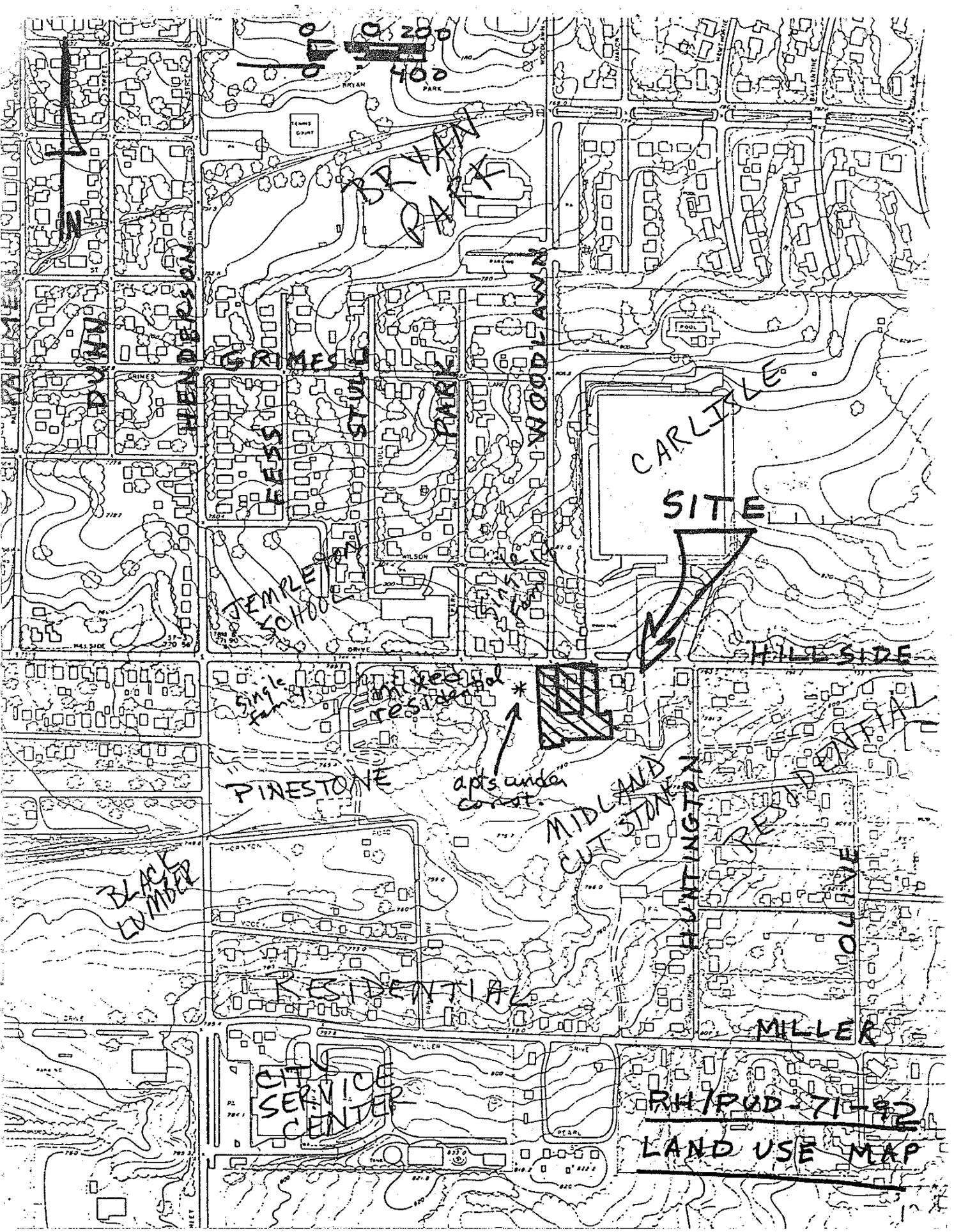
The area along Hillside Drive from Henderson to Huntington, north of Pinestone and the Midland Cut Stone property, includes some higher density infill opportunities. The area west of Part Street should accommodate single family infill among the existing residences. There is opportunity for a small lot subdivision at the west end of the area. An exception to this single family format is an opportunity for low density multi-family housing on the site of the existing mobile home park.

Between Park Street and Huntington, mixed residential uses at higher densities are advised.

Justification:

In keeping with the concept of a more compact urban form (anti urban sprawl), it will be necessary to increase density per acre near the CBD of Bloomington. Hillside Drive is slated for $800,000 in roadway upgrade and can better handle the traffic compared to the interior neighborhood streets. There are opportunities for residential reuse of blighted areas along the south side of Hillside Drive and allowing moderate density would help to upgrade these areas.

The area between Pinestone and the new Templeton School must be compatible with adjacent Pinestone and should be marketable for single family development given proximity to the school and its open space.



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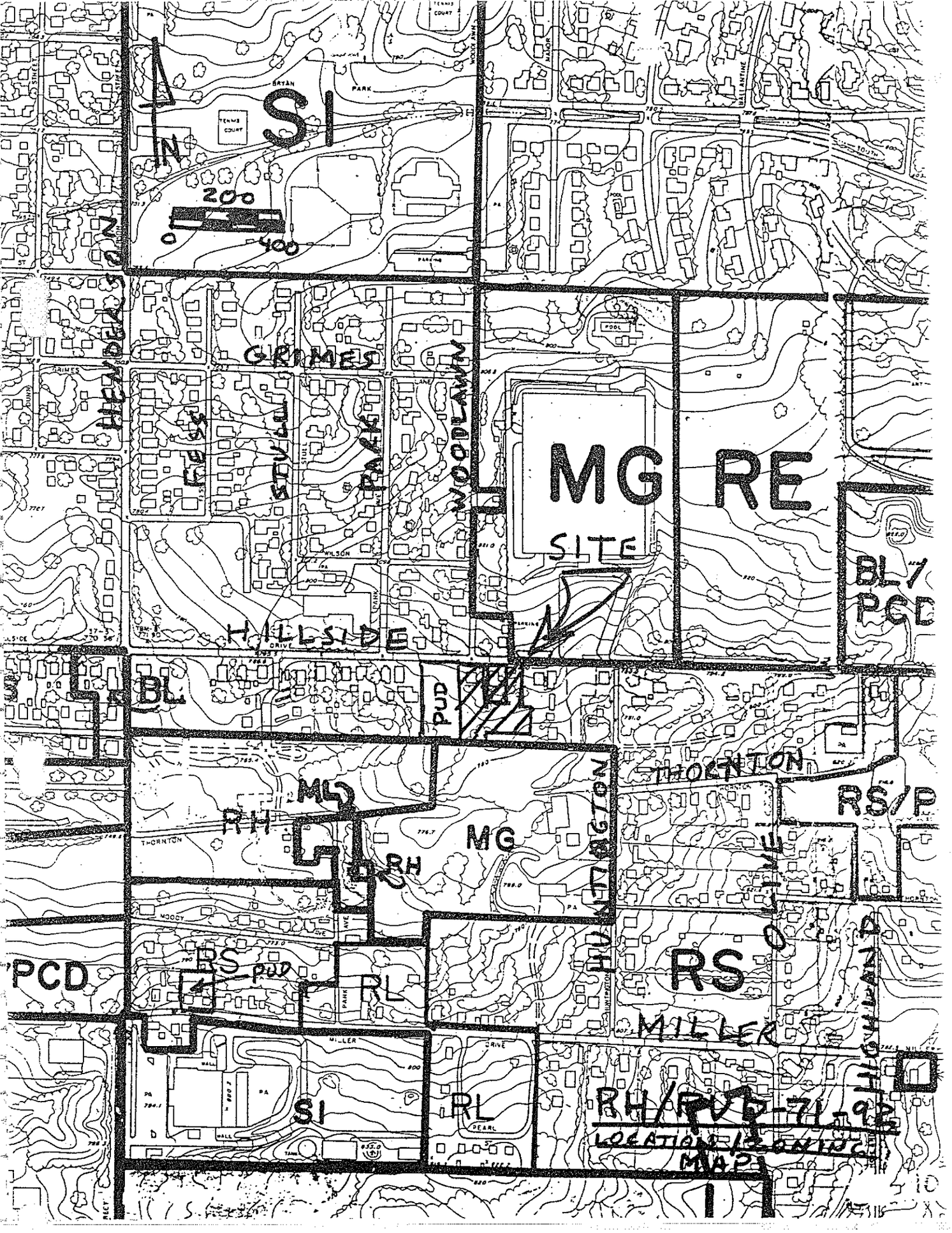
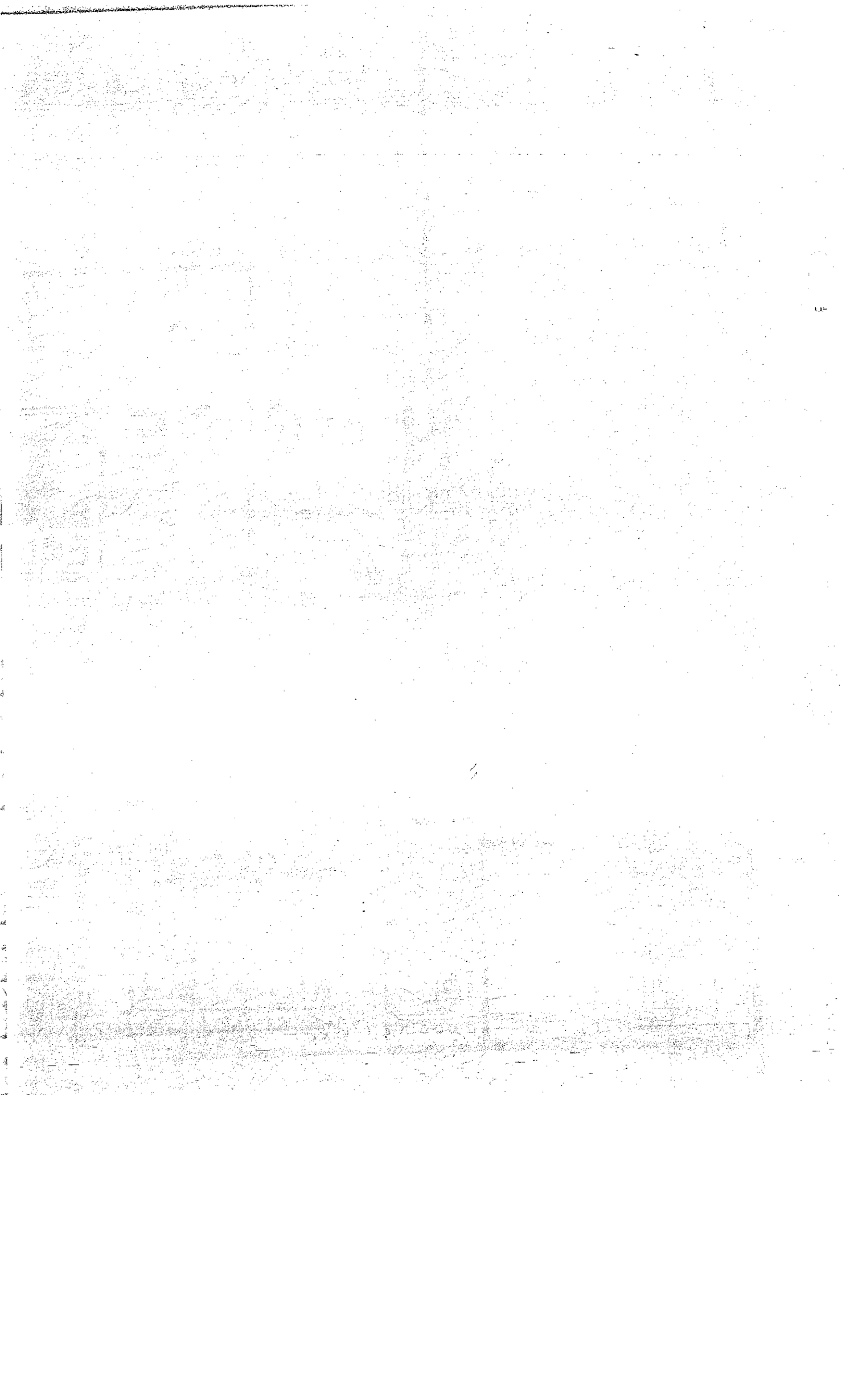
RH/PUD-71-92
LAND USE MAP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LOCATION/ZONING
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