

1st: 7/18  
COMMITTEE: 7-0  
FINAL: 8/1 9-0

ORDINANCE 90 - 40

To Amend the Zoning Maps from RH and BL to RL  
and to Grant Outline Plan Approval and Designate PUD  
Re: Property located at the northwest corner of Sunset Drive  
and Park Square Drive  
(Jim Wray)

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, RL/PUD-56-90, and recommended that the petitioner, Jim Wray, be granted an amendment to the Bloomington zoning maps and outline plan approval and PUD designation and request that the Common Council consider the petition for change of zoning, outline plan approval and PUD designation on certain property.

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 RH and BL to RL for property located at the northwest corner of Sunset Drive and Park Square Drive, and more particularly described as follows:

Part of the Northwest quarter of Section 1, Township 8 North, Range 2 West, Tract A and Tract B of Highland Village Subdivision, 12th Addition.

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, as recommended by the Plan Commission, shall be attached hereto and made a part hereof.

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 1st day of August, 1990.

*Iris Kiesling*  
\_\_\_\_\_  
Iris Kiesling, 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 7nd day of  
August, 1990.

Patricia Williams  
Patricia Williams, City Clerk

SIGNED and APPROVED by me upon this 7nd day of  
August, 1990.

Tomilea Allison  
Tomilea Allison, Mayor  
City of Bloomington

SYNOPSIS

This ordinance rezones 5.91 acres from RH and BL to RL/PUD and grants outline plan approval. A 28 lot duplex subdivision will be built on the property.

Signed copies:  
Planning  
Petitioner

\*\*\*ORDINANCE CERTIFICATION\*\*\*

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 90-40 is a true and complete copy of Plan Commission Case Number RL/PUD-56-90 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and      Abstentions by the Bloomington City Plan Commission at a public hearing held on July 9, 1990.

Date: July 16, 1990

Timothy A. Mueller  
Tim Mueller, Secretary  
Plan Commission

Received by the Common Council Office this      day of     

Patricia Williams, City Clerk

Appropriation Ordinance #      Fiscal Impact Statement #      Resolution #       
Ordinance

Type of Legislation:

Appropriation <u>    </u>	End of Program <u>    </u>	Penal Ordinance <u>    </u>
Budget Transfer <u>    </u>	New Program <u>    </u>	Grant Approval <u>    </u>
Salary Change <u>    </u>	Bonding <u>    </u>	Administrative Change <u>    </u>
Zoning Change <u>    </u>	Investments <u>    </u>	Short-Term Borrowing <u>    </u>
New Fees <u>    </u>	Annexation <u>    </u>	Other <u>    </u>

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	<u>    </u>	<u>    </u>
Fund Balance as of January 1	\$ <u>    </u>	\$ <u>    </u>
Revenue to Date	<u>    </u>	<u>    </u>
Revenue Expected for Rest of year	<u>    </u>	<u>    </u>
Appropriations to Date	<u>    </u>	<u>    </u>
Unappropriated Balance	<u>    </u>	<u>    </u>
Effect of Proposed Legislation(+/-)	<u>    </u>	<u>    </u>
Projected Balance	\$ <u>    </u>	\$ <u>    </u>

Signature of Controller     

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes      No X

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)

City of  
Bloomington  
Indiana



Planning  
Department

Post Office Box 100  
Municipal Building  
Bloomington, Indiana 47402  
Telephone 812 339 2261  
Extensions 65/69

To: Council

From: Tim Mueller - Planning Director

Re: Ordinance 90-40

Date: July 19, 1990

This Ordinance designates a PUD and approves an outline plan for duplex lots on about 6 acres. One acre at the northwest corner of the site, at the corner of Belle Ave. and Park Square Drive, is zoned BL. The balance is RH. The proposed duplex subdivision is consistent with RH zoning; the purpose of the PUD designation is to include the acre of BL in the development. On July 23, the Plan Commission will proceed with a subdivision approval of the RH portion to allow construction to commence, pending the finalization of the PUD processing.

The outline plan consists of the petitioners statement and plan. The plan establishes streets, lots, and storm water facilities, including detention south of the cul-de-sac. The building footprints shown on the exhibit are schematic and not part of the approval. Each lot will be subject to staff level site plan approval. There are 28 duplexes on lots of about 75' x 100'. The plan includes the construction of Park Square Drive west of the site and Belle Ave. north of the site.

The staff report for the July 9 meeting did not address the forwarding of this to the Council at that time. Between the issuance of that report and the hearing, we decided that the matter could be expedited by acting on the PUD designation right away, so that it could be placed before the Council.

64

zoning allows. The duplex format of development is consistent with other existing development along Park Sq. Dr.

Staff recommends both petitions be forwarded for final hearing to July 23rd.

BLOOMINGTON PLAN COMMISSION  
PRELIMINARY STAFF REPORT  
RL/PUD-56-90 DP-56-90

JULY 9, 1990

This request is two-fold. Preliminary and final plat approval is requested for a 23 lot duplex development on 4.92 acres of RH zoned property. Also requested is a RL/PUD. The PUD would include the 23 duplex lots on the RH land as well as 5 additional duplexes on .99 acres of property that is currently zoned BL. The reason for the two overlapping requests is to allow construction to begin on the RH zoned land while the PUD is considered by the City Council.

The proposal calls for the extension of two public streets, Park Square Dr. and Bell Ave. A new public cul-de-sac would be constructed into the site from Bell Ave. Public sanitary sewer and water service will be provided. Lot sizes average approx. 7,000sq. ft. Storm water detention will occur on-site. The detention facility will hook into the existing storm water system at the existing inlet in Sunset Dr.

This is a preliminary hearing on both requests. Staff has several issues and concerns to be addressed before final hearing. A principal concern involves the extension of the public streets in the development. Both Park Sq. and Bell Ave. will be extended. The extension of Park Sq. will take the street within approx. 500ft. of Whitehall Pike. There has been concern expressed by this neighborhood about traffic circulation. Currently some of the Curry Pike industry traffic uses the local neighborhood streets as a cut through to Whitehall. In addition the construction of a new school on Park Sq. just south of this property is anticipated to add to the traffic load in the area. Extension of Park Sq. Rd. all the way to connect to Whitehall Pike would help to relieve traffic problems in the neighborhood. Traffic moving north on Curry and desiring to travel west on Whitehall could use Gifford Rd. and Park Sq. to get to Whitehall west of Curry. This would funnel traffic around Highland Village to Whitehall or Curry on collector streets rather than through the interior of the neighborhood on local streets. Extending Park Sq. to Whitehall would also provide improved access to the new school. Staff is working with the petitioner, the School Corp. and the County Commissioners on this issue. Some form of arrangement which results in Park Sq. being extended all the way to Whitehall Pike is the desired goal. How this may be achieved is under discussion and will be detailed at the hearing.

Staff views the elimination of the BL zoned area and designating the entire project as a PUD as a plus. The BL area has no frontage on Whitehall and abuts residentially zoned property. The remainder of the subject property is zoned RH which would allow development of up to 100 units. Designation of the RL/PUD as requested will result in a density of less than half of what the current



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

June 14, 1990

City of Bloomington  
Planning Commission  
PO Box 100  
Bloomington, IN 47402

RE: Highland Village Duplexes - RL/PUD - Project No. 409012

Dear Planning Commission Members:

Our client, Mr. Jim Wray, respectfully requests approximately 4.92 acres of RH zoned land and 0.99 acres of BL zoned land to be rezoned to an RL/PUD designation. The existing zoning allows for the construction of up to 98 multi family units and 0.99 acres of Light Business uses. Our client has plans and another petition to develop the land for duplex condominiums. The proposed RL/PUD would eliminate the 0.99 acres of BL zoned land and allow the entire property to be developed with 28 duplexes for a total of 56 units. This would result in an average density of 9.81 units per acre.

We feel that the RL/PUD designation would be more compatible with the surrounding neighborhood rather than leaving the BL zone in place.

Planning Commission

June 14, 1990

Page Two

67

We will be working out details with the staff and answer any questions you may have at the meeting.

Very truly yours,

BYNUM FANYO & ASSOCIATES, INC.

Jeffrey S. Fanyo, PE

cc: Jim Wray  
File

Petitioner's Statement  
RL/PUD-56-90

Chris Spiek reported. Requested is preliminary and final plat approval for a 23-lot duplex development on 4.92 acres of RH zoned land. Also requested is RL/PUD designation. The PUD would include the 23 duplex lots on the RH land as well as 5 additional duplex lots on .99 acres which is currently zoned BL. The proposal calls for the extension of two public streets, Park Square Drive and Bell Avenue. Park Square Drive would be extended north from its current termination at Sunset Drive and Bell Avenue would be extended east. The extension of Park Square Drive will bring the street within 500 ft. of Whitehall Pike (Third Street). Some initial discussions have been held with the developer, the County Engineer, and MCCSC to explore the possibility of achieving a further extension of Park Square Drive to link-up with Whitehall Pike. Such a link-up would facilitate access to the new school which is being built as well as relieve some of the traffic problems in the neighborhood. Regarding the RL/PUD portion of the request, staff views the elimination of the BL zoned land and designation of the entire property as a PUD to be a positive step. Designation of the RL/PUD as requested will result in a density of less than half of what the current RH zoning allows. Staff recommends approval of RL/PUD-56-90 with waiver of second hearing and forwarding of the preliminary and

final plat approval (DP-56-90) to July 23, 1990 for second hearing.

Hoffman queried ownership of the vacant land adjacent to Whitehall Pike. Spiek noted that the property is owned by a person in Columbus, Ohio and that the petitioner will be meeting with that owner before the next hearing. Spiek noted that it would be advantageous for that owner for the road to be extended now, and that what is being considered is a minimum cross-section road to achieve the link-up with Whitehall Pike with the owner of the vacant property being required to improve further when that property is developed. Young felt that a substandard road should not be built. Weger queried landscaping requirements. Spiek noted that a plan has been submitted and will be reviewed. Zabriskie queried whether MCCSC will contribute to the road. Spiek stated that it is being discussed. Cooksey queried whether neighborhood associations have been contacted. Yes. Discussion ensued regarding the possible street link-up. Mueller stated that discussion of the road link-up is at a very preliminary stage and that a 2-lane, 24-ft. road serving no development would not be considered as a substandard road. Mayer commented that sidewalks are more important than the width of the road. Young was concerned with the potential unattractiveness of the plan with everything lined up in straight lines. Swafford was concerned with tree preservation.

Jeff Fanyo was present representing the petitioner, Jim Wray. Fanyo reiterated that two requests are being made: 1) preliminary and final plat for the duplex subdivision; and 2) rezoning and designation of RL/PUD for the entire site. Regarding the uniformity of the layout, each duplex will be different and it will not be a row of identical buildings. The landscaping plan exceeds minimum requirements. Storm water detention will be tied into existing closed system. The proposed duplexes are compatible with the mixed housing uses in the Highland Village area. The right-of-way for the extension of Park Square Drive is already dedicated as well as for the extension of Bell Avenue.

Remonstrator Pat Houser, adjacent property owner and representative of the Highland Village Neighborhood Association, felt that the extension of the streets would help alleviate traffic problems. Houser requested that the developer be sensitive to landscaping buffer, especially to single-family homes, and preserve some greenspace for a play area, and preserve as many trees as possible. In general, the neighborhood is positive about the development.

\*\*\*Joe Hoffman moved; Tim Mayer seconded approval of RL/PUD-56-90 per staff recommendation with waiver of second hearing and forwarding DP-56-90 to July 23, 1990 for second hearing. Carried 9-0 (Fernandez absent for vote).

DRAFT  
Not  
Approved

WHITEHALL PIKE

RE



SITE OF NEW SCHOOL

PARK SQ DR.

BL

BL

RH

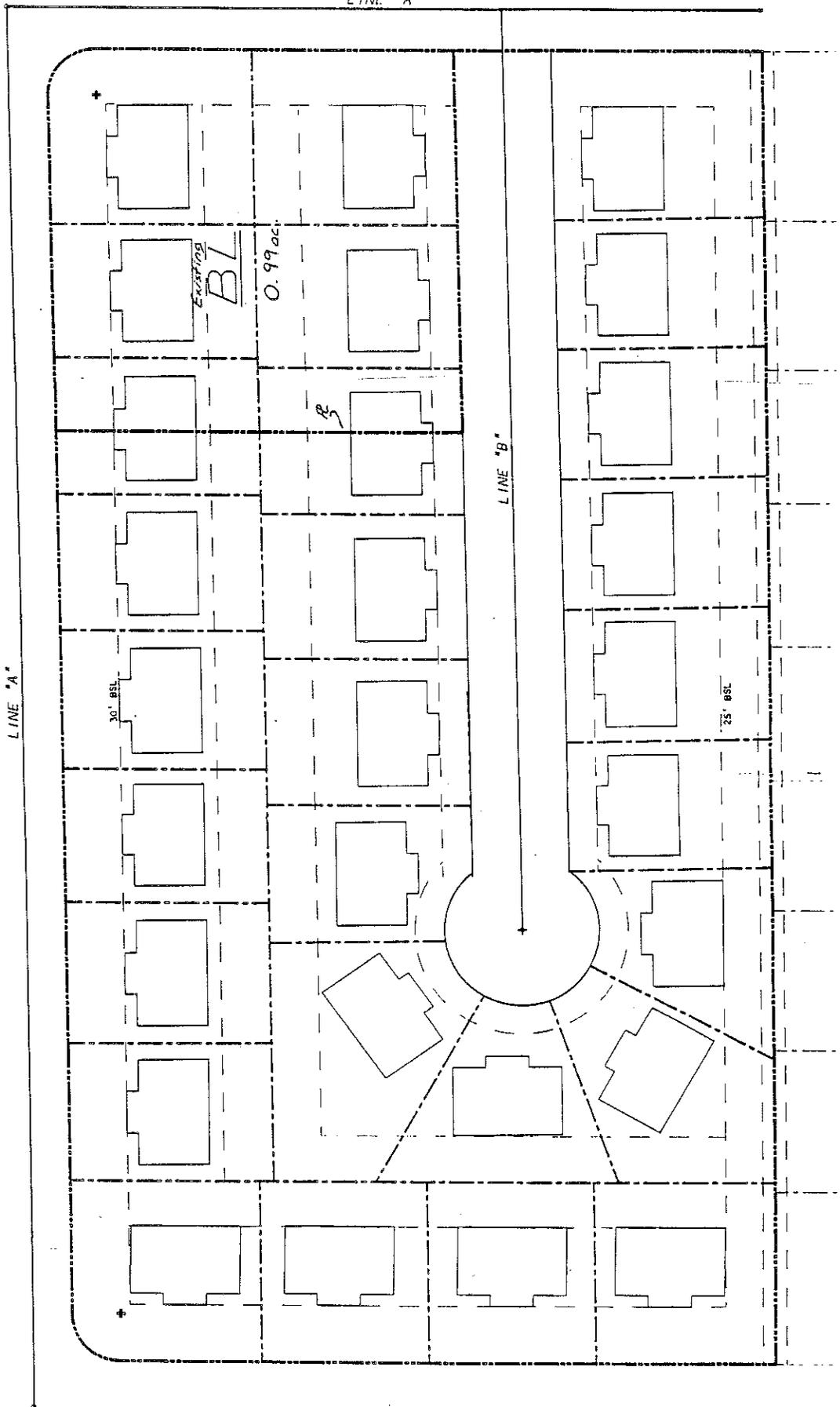
BELLE AVE

RS

RL

RL/PUD Zoning Map 56-96

LINE "A"



LINE "A"

LINE "B"

30' BSL

25' BSL

0.99 ac

BL

B

RL/PUD 56-90 Site Plan



1" = 40'

1271