Passed: 5-0

ORDINANCE 94-30

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE to RS, GRANT PUD DESIGNATION, AND OUTLINE PLAN APPROVAL Re: 711 S. Smith Rd. (Gentry Estates Development Corp., 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-36-94 and recommended that the petitioner, Gentry Estates Development Corp. be granted an amendment to the Bloomington zoning maps, 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 that the zoning be changed from RE to RS for the property located at 711 S. Smith Rd. That property is further described as follows:

A part of the Northwest quarter of the Southwest quarter of Section One, Township Eight North, Range One West, bounded and described as follows, to-wit: **Beginning** at a point Twenty-four (24) rods South of the northwest corner of the Northwest quarter of the Southwest quarter of said Section One, running thence South Forty (40) rods thence East Eighty (80) rods thence North Forty (40) rods thence West Eighty (80) rods to the place of beginning containing nine (9) acres more or less.

ALSO,

A part of the Southwest quarter of the Northwest quarter and a part of the Northwest quarter of the Southwest quarter of Section 1, Township 8 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: **Beginning** at a found railroad spike at the Northwest corner of the Southwest quarter of the Northwest quarter; thence from said point of beginning and with the North line of said quarter quarter Section and running South 89 degrees 19 minutes 17 seconds East for 1299.71 feet and to a found iron pipe at the Northeast corner of said Southwest quarter of the Northwest quarter, passing a found iron pipe at 29 feet; thence with the east line of said Southwest quarter of the Northwast quarter and the Northwest quarter of the Southwest quarter and running South 00 degrees 01 minutes 12 seconds West for 1616.08 feet and to a found iron pipe that is 396 feet South of the Northeast corner of said Northwest quarter of the Southwest quarter; thence North 89 degrees 51 minutes 42 seconds West for 1299.06 feet and to be a found nail and tin on the west line of said Northwest quarter of the Southwest quarter, passing a found iron pipe at 1283.06 feet; thence with the west line of said Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter and running North (assumed bearing) for 1628.34 feet and the point of beginning, passing a found railroad spike marking the Northwest corner of said Northwest quarter of the Southwest quarter at 396 feet. Containing 48.39 acres, more or less.

ALSO,

A part of the Northwest quarter of the Southwest quarter of fractional Section One (1), Township Eight (8) North, Range

One (1) West, Monroe County, Indiana, and more particularly described as follows: **Beginning** at the Northwest corner of said Southwest quarter thence South 396.00 feet, thence North Eighty-nine (89) Degrees, Forty-eight (48) Minutes, Two (02) Seconds East 442.66 feet to the true point of beginning: thence North Eighty-nine (89) Degrees, Forty-eight (48) Minutes, Two (02) Seconds East 856.12 feet, thence South Zero (00) Degrees, One (01) Minute, Eleven (11) Seconds West 363.03 feet, thence South Eighty-nine (89) Degrees, Forty-eight (48) Minutes, Seven (07) Seconds West 1033.46 feet, thence North Forty-five (45) Degrees, Twenty-seven (27) Minutes, Forty (40) Seconds East 255.57 feet, thence North One (01) Degree, Twenty-seven (27) Minutes, Thirty-seven (37) Seconds West 184.43 to the true point of beginning. Containing 7.48 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 be designated a PUD.

SECTION III. The Outline Plan shall be attached and made a part of this ordinance.

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 3rd day of August, 1994.

Antonia Pizzo, M.D.
~~JIM SHERMAN, 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 4th day of August, 1994.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 4th day of August, 1994.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 64 acres located at 711 S. Smith Rd. from RE to RS/PUD and grants approval of an outline plan for a 177 single family home subdivision on the property.

Signed upon
Planning
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94-30 is a true and complete copy of Plan Commission Case Number RS/PUD-36-94 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on June 27, 1994.

Date: June 28, 1994

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.)

MEMO

To: Common Council
From: Planning Department
Petitioner: Gentry Estates Development Corp.
Case No.: RS/PUD-36-94
Location: 711 S. Smith Road
Date: June 27, 1994

On June 27, 1994 the Bloomington Plan Commission approved a rezone from RE to RS/PUD and outline plan approval of approximately 64 acres to 177 single family home lots at a density of 2.7 units per acre on this parcel. This site is located west of the existing Gentry Estates development which is zoned RS/PUD. The proposed development is bordered by Stonegate subdivision to the north, Hoosier Acres to the west, Gentry to the east, and a portion of the Huntington Farm property to the south.

The approved proposal is slightly less in density (5-6 units per acre) than suggested in the Growth Policies Plan. However, it is compatible with all of the surrounding neighborhoods.

This development is very sensitive to the tree preservation issue. The existing property is the site of a meadow land which was used for pasture in the past. An old farmhouse has been removed several years ago. The old farm driveway with large shade trees is one of the entrances to the development. There is also a grove of large mature beech trees on the south-east portion of the property. In order to preserve most of these trees, the existing stub from the existing Gentry Estates street, is proposed as a stub street instead of a through street. There will also be a street stub to the Harvey property. Sidewalks will be provided as well as street trees.

Dedication of right-of-way from the centerline of Smith Rd., 50', is required. The interior streets will be dedicated at 60' R.O.W. while the cul-de-sacs will have a 50' dedicated right-of-way. The streets will meet city standards.

Access onto Smith Rd. has been reduced from four potential points along Smith Rd. to two points. Access to the Harvey property will be from a street stub so that when that property develops there will be internal access. Site distance has been approved by the County Highway Engineer. Acel/decel and passing lanes will be provided. There will also be a through street connection from Gentry Estates (east), as well as a cul-de-sac which will serve several homes on the proposed development. These streets provide neighborhood connectivity and also follow the Thoroughfare Master Plan.

There is a SC (special conservancy) zoning area with a

drainage way flowing through the property in a southwesterly direction. Homes placed in this area must meet criteria for the this overlay zone.

Variances for yard setbacks are as follows:
sideyard: minimum 6', 10' other side; combined yards 16' for one or two story homes.

rearyard: 25'

Street trees are required between the street and the sidewalk. Sidewalks will be constructed along Smith Pike and on both sides of the interior streets and cul-de-sacs. A pedestrian access will be provided from the existing Gentry Estates street stub to the southwest corner of the property. If the property to the south develops first, the Parks Dept. has expressed interest in having an easement which would run from the existing Gentry Estates to Smith Rd. along the south property line of this development.

Approval of this petition was granted with the following conditions:

1. Pedestrian access should be provided from the street stub in existing Gentry Estates.

2. The number of streets accessing Smith Rd. be reduced to two.

3. A road stub will be placed to the Harvey property.

June 27, 1994

To: Tim Mueller

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

Subj: RS/PUD-36-94 Gentry Estates Dev. Corp. 711 S. Smith Rd.

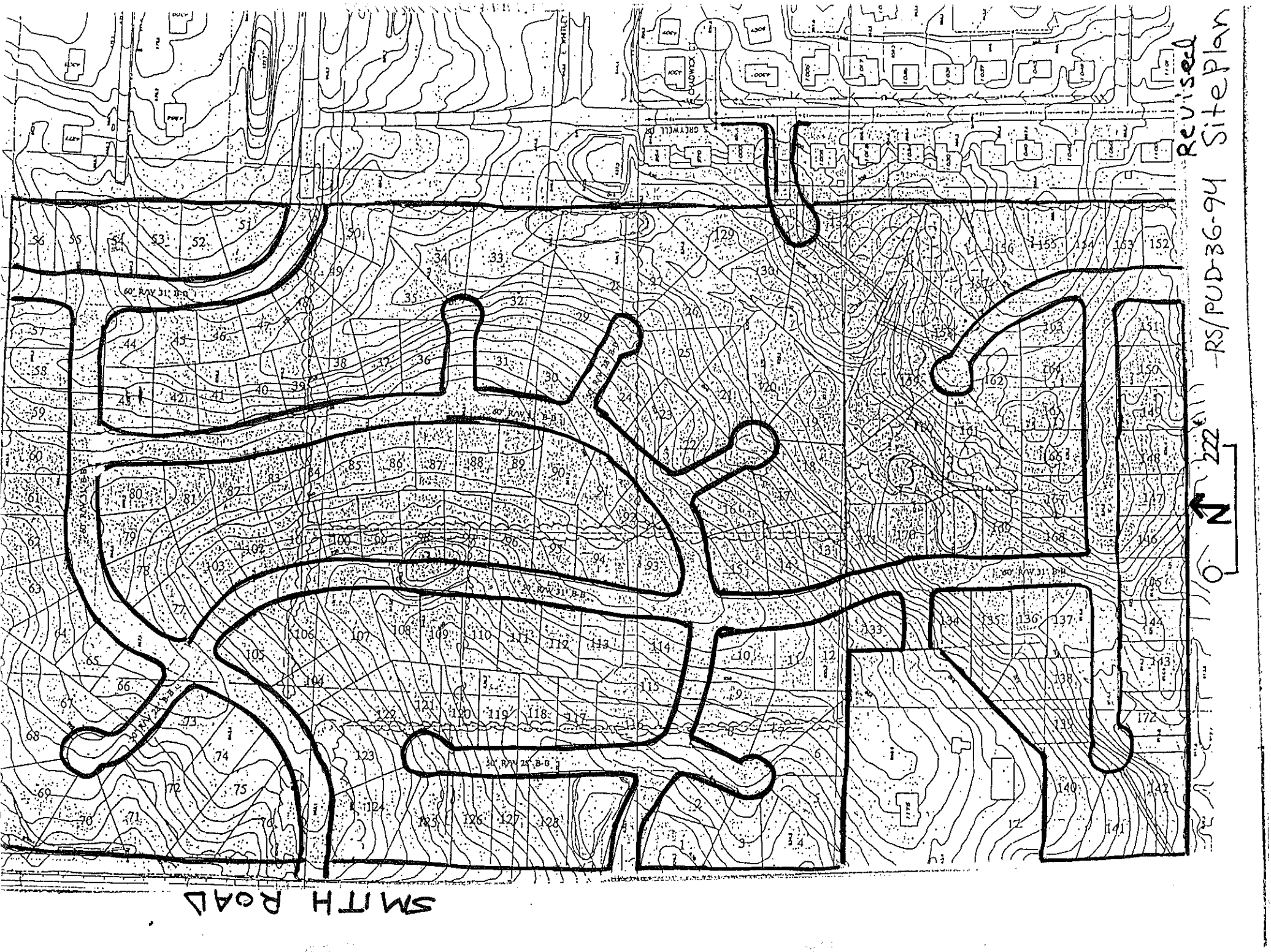
After inspecting the site and reviewing the petitioner's plans, the Environmental Commission has the following comments:

1. As stated in the previous hearing, there is a mature woods consisting primarily of American beech and sycamore trees that is located in a triangular area bounded by Lot 157 to the southeast, Lot 129 to the northeast, and Lot 160 to the west. The petitioner has eliminated a through street in this area, which will allow for the preservation of dozens more specimen trees. The only other design change which could be implemented to achieve additional tree preservation without resulting in a decrease in the project's density would be adjusting street setbacks. Pulling the homes closer to the cul-de-sacs with 15 foot street setbacks would allow a larger area of forest to remain undisturbed. Lots whose dimensions would allow for street setback variances include Lot 129, Lot 131 and 132, and Lots 157-159.

2. The map included in the packet shows a special conservancy (SC) zone running through the southern portion of the site. Lots shaded darkly on the map indicate where building sites appear to be entirely within the SC zone. Lots that are cross-hatched show where building sites would be located partially within the SC zone. City code does not prevent the building of structures in these zones. The petitioner only needs to demonstrate that drainage flows will not be diverted, that the waterway will be able to accommodate stormwater drainage, and that proposed structures will be situated above flood elevations of the waterway. The issue of the appropriate level of buildout in this SC zone can be resolved at development plan stage, but the Environmental Commission does expect the petitioners to address this situation thoroughly at ~~this~~ that time.

3. A small wetland area is located on the rear portions of Lots 165, 166, and Lot 162. It is a nice habitat that is situated in a location where preservation can occur without the loss of any lots. All that would be needed to accomplish preservation is the granting of a street setback variance on Lot 165. The Environmental Commission requests that this wetland area be maintained in its natural state, and that the street setback on Lot 165 be adjusted from 25 feet to 15 feet.

4. One issue that needs to be determined is whether a sidewalk should be built that would provide pedestrian linkage between cul-de-sacs. Normally, the Environmental Commission would be very supportive of providing additional pedestrian access in a subdivision. However, the location of this access would cause the removal of a large number of mature trees in an area the petitioners have already made concessions to preserve. We do not support the provision of pedestrian access at the expense of this mature forest.


Revised
-RS/PUD-36-94 Site Plan
222'
N
SMITH ROAD

Smith Neubecker & Associates, Inc.

Stephen L. Smith P.E., L.S.
President

Daniel Neubecker L.A.
Project Manager

May 16, 1994

City of Bloomington Plan Department
c/o Tim Mueller, Director
P. O. Box 100
Bloomington, IN 47402-0100

RE: Gentry West

Dear Tim and Plan Commissioners:

On behalf of Gentry Estates Development Corporation, we respectfully request RS-PUD rezone on approximately 64 acres of land currently zoned RE. The new RS-PUD zoning designation will be used to develop a single-family neighborhood of approximately 177 homes. These homes will blend into surrounding neighborhoods to the north, east and west of this site based on existing densities of homes per acre.

The location of the project is on the east side of Smith Road across from Hoosier Acres neighborhood. This development will have a housing type similar to Gentry Estates. The site has slightly to moderately sloped topography which will allow many walkout basement homes, thus minimizing site mass grading.

The property is mostly pasture and will easily accept residential development of this kind. On-site trees consist mostly of young fence row trees, and there are small patches of mature trees. Preservation of vegetation is a part of the site design.

The circulation patterns and access points are a direct result of consultation with County Engineer and the City thoroughfare plan. Proper circulation and connection of stubs are part of the Outline Plan.

The development complies with the City of Bloomington Growth Policies Plan. In particular, to conserve community character as defined by surrounding neighborhoods. This development also nurtures environmental integrity through improving property without significant disturbance to the natural environment. Other Master Plan policies are also reflected in the proposed development - mitigate traffic, sustain economic vibrancy and leverage public capital.

This property is classified as Low Density Residential Area and promotes densities of 3-6 du/ac. "The higher densities are more advantages for the community but not every new subdivision will provide developed densities approaching 4 du/ac." The Master Plan also states, "In all cases, density and the arrangement of uses on a development site should be sensitive to surrounding development patterns." To

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Post Office Box 5355
Bloomington, Indiana 47407-5355
Telephone 812 336-6536
FAX 812 336-0513

Petitioner's Statement
RS/PUD-36-94

further enforce compatibility, the Master Plan continues to state, "...as well as the site plan itself and its impact on surrounding property should primarily control the developed density."

This application includes the following:

- Application Letter
- Outline Plan Drawing
- Outline Plan Statement
- Rezoning Affidavit
- Legal Description
- Application Form
- Application Fee

Proof of notice to adjoining property owner will be submitted prior to the first hearing. We look forward to working with you over the next several weeks as our petition moves forward through the Plan Commission and Council.

Sincerely,

Michael J. Probst, A.S.L.A.
Smith Neubecker & Associates, Inc.

MJP:rb

Enclosures

cc: File #2228

GENTRY WEST RS/PUD
OUTLINE PLAN STATEMENT
MAY 16, 1994

Gentry West is a proposed single family residential development on 64 acres of land. The property fronts Smith Road and is located South of Stonegate Subdivision. The project is flanked on the east by Gentry Estates and by Hoosier Acres to the west. The project is basically surrounded by equal or lower density housing.

The site's land form is well suited for a single family subdivision. Due to the rolling topography of the land, road and home construction will not require significant removal of site vegetation or massive earth removal. The proposed subdivision roadway layout will provide a network of roadway connections to existing neighborhoods.

Schematic Plan

The Outline Plan drawing shows the elements of single family residential development. These include:

1. Roadway access to Smith Road,
2. Roadway connections to the south, north and east,
3. Schematic lot layout and internal street pattern. This and the lot layout will be finalized at the Development Plan stage,
4. Preliminary storm water detention,
5. General location of existing vegetation.

The Outline Plan shows 177 total single family lots, 133 in Phase I and II and 44 lots in Phase III. The lot sizes will range from 70' X 100' to 80' X 130' with a minimum size of 7,000 square feet. The proposed lot width at the building line is 50' on cul-de-sac lots.

The proposed variances in yard setbacks will allow more flexibility in the type of homes on these lots. Yard set backs are as follows:

- Rear Yard 25'
- Side Yard 6' minimum and 10' total (one or two story)
- Front Yard 25'

The subdivision densities are a direct consideration of surrounding densities. The overall gross density is 2.76 du/ac and 2.90 du/ac net density. The density in Hoosier Acres is approximately 1.5 du/ac, Stonegate is 2.6 du/ac, and Gentry Estates is approximately 2.5 du/ac.

Traffic

The project will provide the missing road segment from east to west connecting S.R. 446 to Smith Road. The roadway layout also connects stub streets from north to the south through this property.

The access points from this project to Smith Road will provide safety and visibility for motorists. The necessary acceleration and deceleration lanes as recommended by the County Engineer will be incorporated as part of the overall development. Initial concepts to incorporate left turn lanes to the access points along Smith Road are being analyzed.

The subdivision roads will be designed and built to City of Bloomington standards. The standard roadway dimensions for this development are 60' right-of-way with 31' back to back street section on the main streets as indicated on the Outline Plan. On secondary streets, we propose a 50' right-of-way with 31' back to back street section. It is also proposed that the cul-de-sac streets be a 50' right-of-way with a 28' wide street back to back.

Site Drainage

Conceptual detention is included in the site plan at three strategic locations based on preliminary analysis. A detailed analysis will be conducted at the Design Development stage of this project that will accommodate site water in accordance with current City regulations.

Utilities

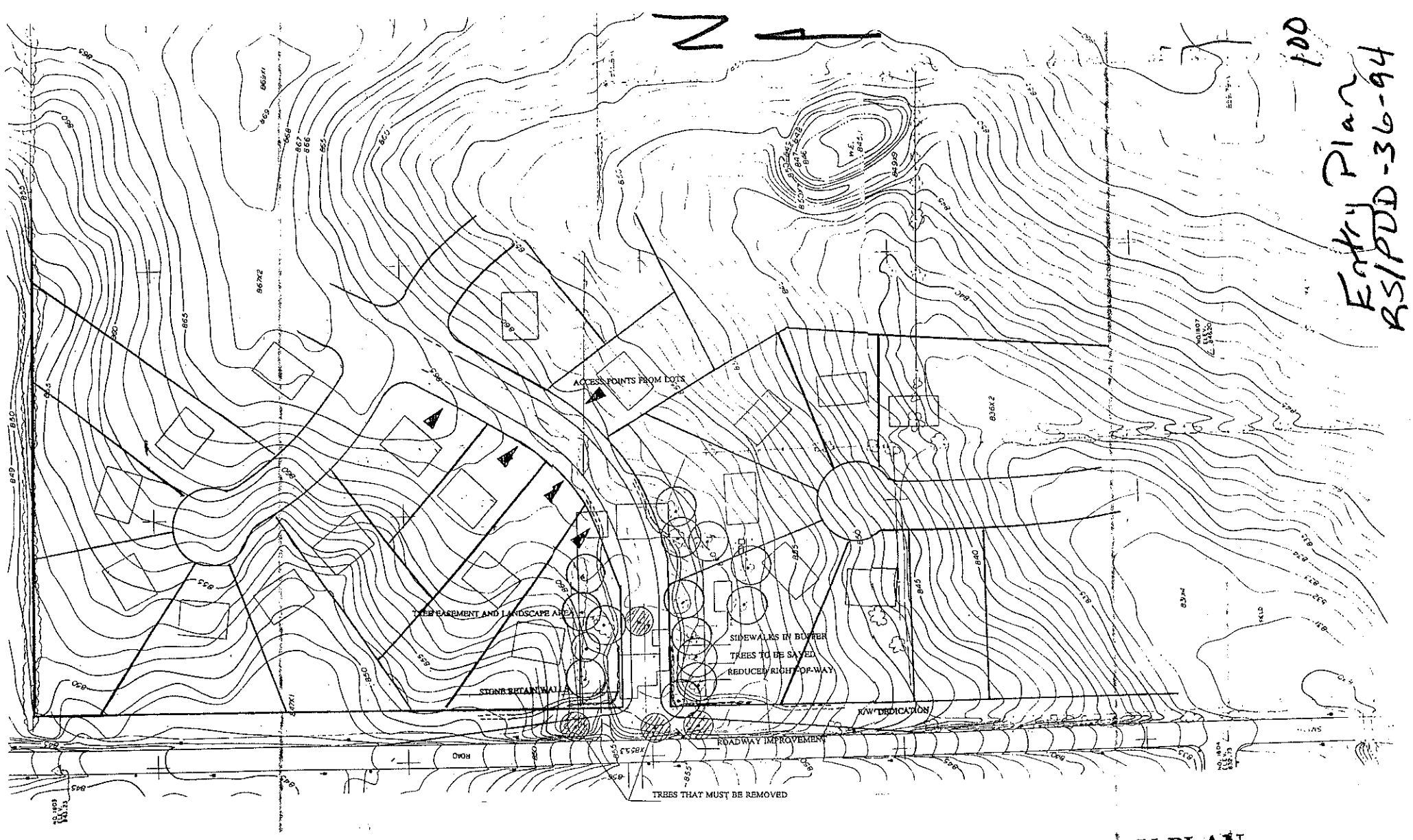
City sewer and water will be included in this project. Initial contact has been made with the City of Bloomington Utilities Department in order to generate water and sewer concepts, layout and connections.

Site Entries and Tree Protection

Site vegetation consists mostly of pasture grasses. There are some fence row trees and patches of maturing and fully mature trees. A patch of mature Maples is located around the first entry point along Smith Road. Approximately 16 mature trees are located around a removed farm house which will supply the room for an entry drive. The entry drive will fit between the major groups of trees which are on either side of the right-of-way. The trees will be located in a protective tree easement for long-term protection from construction and future property owners. An adjustment to standard right-of-way widths and standard road sections are requested to increase tree protection and improve the entry's visual quality.

A large percentage of fence row trees will not be removed by the road or site construction, and will be incorporated into the single family lots.

A grove of trees consisting of approximately 9.0 acres is located on the east side of the site. There is a mixture of small trees and young trees. The location of larger cul-de-sac lots will minimize tree removal in this area.



ENTRY PLAN

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Entry Plan
RS/PUD-36-94