Passed: 9-0

ORDINANCE 94-47

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE to RS, GRANT PUD DESIGNATION, AND APPROVE OUTLINE PLAN
Re: 900 W. S.R. 45 Bypass
(Robert Shaw, Stone Lake 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-51-94 and recommended that the petitioner, Robert Shaw, Stone Lake 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 900 W. S.R. 45/46 Bypass. That property is further described as follows:

The west half of the following described tract containing 2.50 acres, more or less: A part of the Northeast quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana, described as follows: **BEGINNING** at a point that is 858.85 feet North and 918.30 feet East of the Southwest corner of said Northeast quarter section, said point also being the Northwest corner of the Arlington School Tract as described and heretofore recorded in Deed Record Book 125, page 619; thence East on the North line of said School Tract 507.02 feet to the Southwesterly corner of Cascades Addition; thence on and along the West line of said Addition North 01 degree 13 minutes 58 seconds West 428.02 feet; thence West 510.94 feet; thence South 01 degree 45 minutes 33 seconds East 428.10 feet to the point of beginning, containing 5.00 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 below be designated a PUD.

A part of the Northeast quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana, more particularly described as follows: **COMMENCING** at the Northeast corner of Lot 2 in Stone Lake Phase I, Section I, as recorded in Plat Book 8, page 272, in the Office of the Recorder of Monroe County, Indiana; thence NORTH 00 degrees 00 minutes 00 seconds EAST a distance of 455.22 feet to a 5/8" rebar with yellow cap; thence SOUTH 90 degrees 00 minutes 00 seconds EAST a distance of 4.60 feet to the point of beginning; thence continuing SOUTH 90 degrees 00 minutes 00 seconds EAST a distance of 247.60 feet; thence SOUTH 01 degree 45 minutes 33 seconds EAST a distance of 100.00 feet; thence SOUTH 90 degrees 00 minutes 00 seconds EAST a distance of 507.02 feet; thence NORTH 01 degrees 13 minutes 58 seconds WEST a distance of 783.56 feet; thence SOUTH 90 degrees 00 minutes 00 seconds WEST a distance of 661.65 feet; thence SOUTH 00 degrees 00 minutes 02 seconds EAST a distance of 467.30 feet to the point of curvature of a tangent curve to the right having a chord bearing and distance of SOUTH 17 degrees 05 minutes 10 seconds WEST, 117.53 feet and a radius of 200.00 feet; thence along said curve through a central angle of 34 degrees 10 minutes 25 seconds a distance of 119.29 feet to the point of tangent; thence SOUTH 34 degrees 10 minutes 23 seconds WEST a distance of 7.77 feet to the point of curvature of a tangent curve to the left having a chord bearing a distance of SOUTH 22 degrees 28 minutes 59 seconds WEST, 105.36 feet and a radius of 260.00 feet; thence along said curve through a central angle of 23 degrees 22 minutes 47 seconds and a length of 106.09 feet to the

point of beginning, containing 11.83 acres, more or less.

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 19 day of October, 1994.

JIM SHERMAN, President
Bloomington Common Council

ATTEST:
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of October, 1994.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 21 day of October, 1994.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 2.5 acres of the 11.83 acre parcel located at 900 West S.R. 45/46 Bypass from RE to RS. It also joins this 2.5 acres and an adjacent 2.5 acres with an existing 6.83 acre RS/PUD and then approves an outline plan for a 61 unit condominium project covering the entire area.

Signed copies to:
Petitioner
Planning

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94-47 is a true and complete copy of Plan Commission Case Number RS/PUD-51-94 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 19, 1994.

Timothy A. Mueller

Date: September 20, 1994

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:

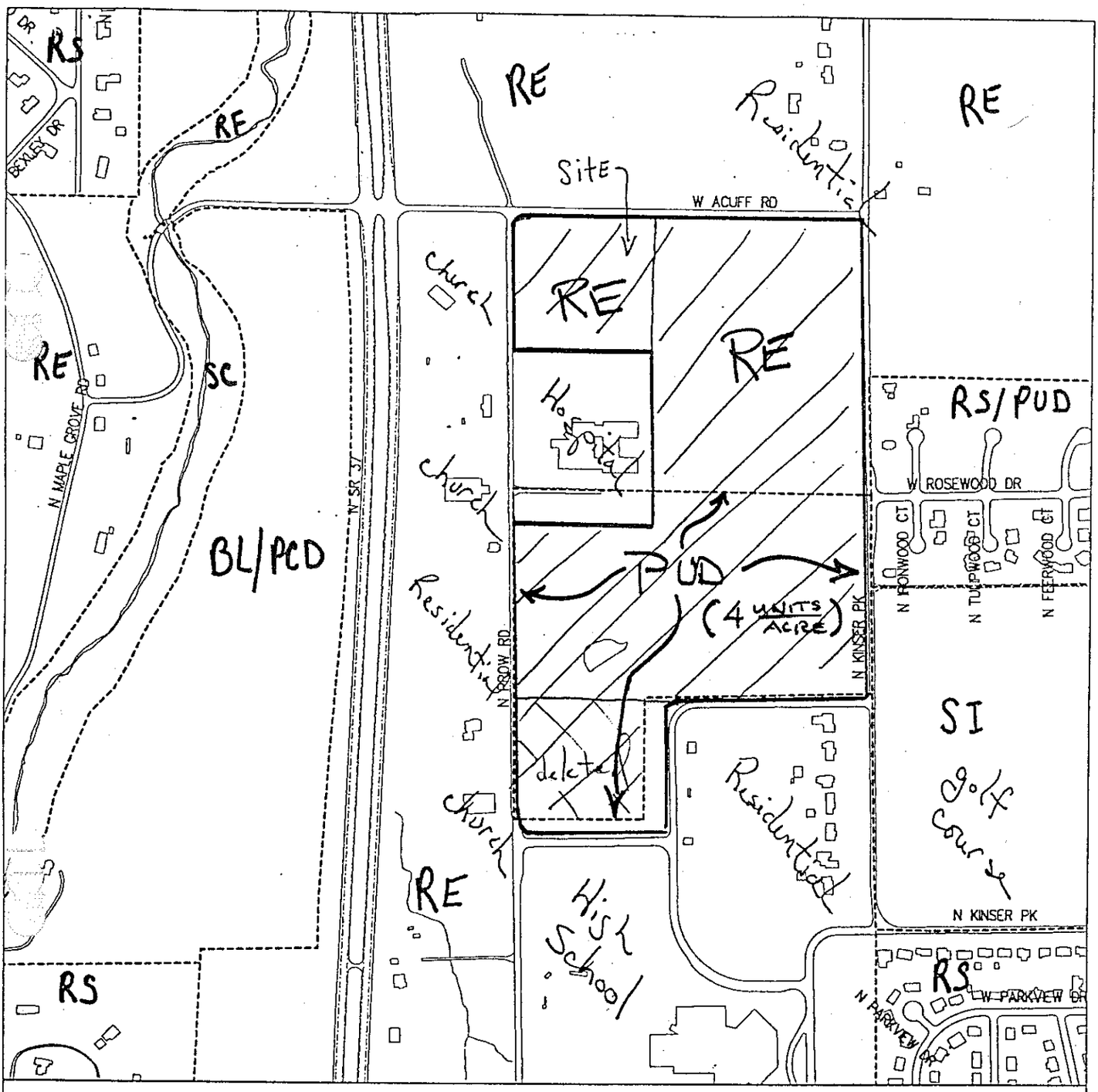
Fund(s) Affected		
Fund Balance as of January 1	$_____	$_____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	$_____	$_____

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.)



Land Use/Zoning Map

3800 N. Prow Road

BL/PCD/RS/PUD-62-94

Date: 19 Sep 1994

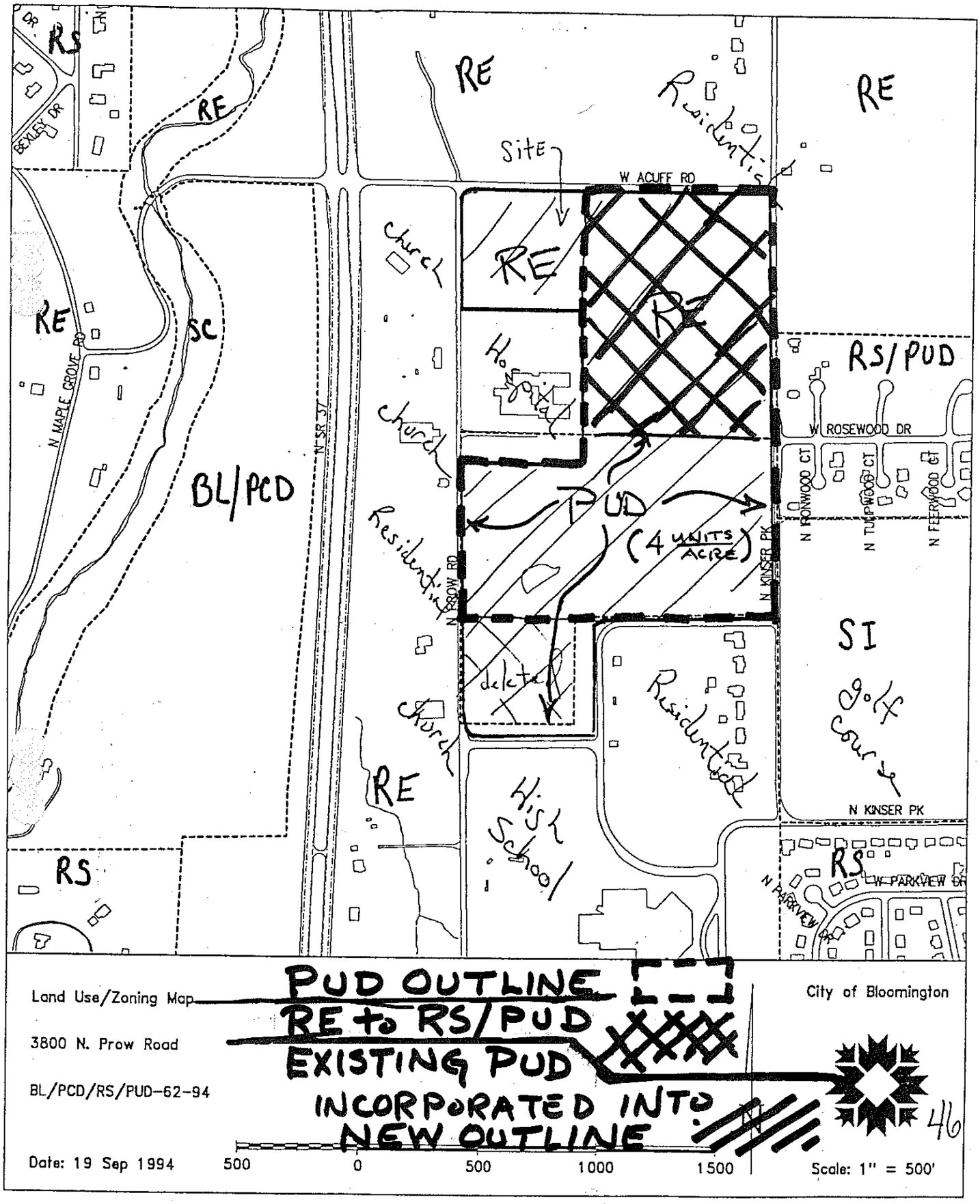
Existing Zoning

500 0 500 1000 1500

N

City of Bloomington

Scale: 1" = 500'


RS
RE
RE
RE
Residential
Site
W ACUFF RD
BEXLEY DR
RE
RE
Church
Hospital
RE
SC
N MAPLE GROVE RD
N SR 37
BL/PCD
Church
Residential
PUD
(4 UNITS/ACRE)
N PROW RD
N KINSER PK
RS/PUD
W ROSEWOOD DR
N IRONWOOD CT
N TULIPWOOD CT
N FEERWOOD CT
SI
golf course
deleted
Church
Residential
RE
High School
N KINSER PK
RS
RS
W PARKVIEW DR
N PARKVIEW DR
PUD OUTLINE
RE to RS/PUD
EXISTING PUD
INCORPORATED INTO NEW OUTLINE
Land Use/Zoning Map
3800 N. Prow Road
BL/PCD/RS/PUD-62-94
Date: 19 Sep 1994
500
0
500
1000
1500
City of Bloomington
Scale: 1" = 500'

MEMO

To: Common Council
From: Planning Department
Date: November 2, 1994
Case No.: BL/PCD-RS/PUD-62-94
Location: 3800 N. Prow Rd.
Petitioner : Lee Marchant
Counsel: Smith Neubecker & Assoc., Inc.

On October 31, 1994 the Bloomington Plan Commission approved a rezone from RE and RE/PUD to RS/PUD and BL/PCD on the property known as a portion of the Kivett-Burns PUD. The original proposal provided for 48 acres as residential and 5 acres as business park. As approved, 4.4 acres of proposed multi-family use on the south portion of the property was deleted, leaving 43.6 acres as residential and 5 acres as business.

In November 1984, a portion of this land was granted PUD/PCD approval (PUD/PCD-66-84). At that time, the overall residential density was approved at four units per acre.

The existing land use is cornfields and rolling pasture with cows. There are clumps of trees within the site and trees are scattered around the edges of the parcel. Areas of the perimeter have very dense thicket. There are no structures on this land.

This property is divided into single family, duplexes, and business park. On the schematic maps, the following information is provided.

Area A is located on the northwest corner of the site and is bordered by Acuff Rd. and Kinser Pike.

Detached Single Family Dwellings
19 acres
51 lots
2.68 DU/AC
8,000 sq. ft. min. lot size

Area B is located on the southeast corner of the site and is bordered by Kinser Pike and large lot single family homes.

Attached duplex units
11.8 acres
60 units
5 DU/AC
5,000 sq. ft. min. lot size

Area C is located is located on the west side of the site and is bordered by Prow Rd., with Bloomington Meadows Hospital directly to the north.

Detached single family or duplex units
11.7 acres
46 lots
3.9 DU/AC
5,000 sq. ft. min. lot size
50 x 100 feet typical lot size

Area E is located on the northwest corner of the site and is bordered by Bloomington Meadows Hospital, Acuff Rd., and Prow Rd. It will support approx. 50,000 sq. ft. of prof. office space.

Business Park (see the petitioner's statement for the list of proposed uses)
5 acres
4 lots

Right-of-way dedication is required along Acuff Rd., Prow Rd., and Kinser Rd. (30' from the centerline of the road for each). The plan shows three entrances on to Prow Rd., one entrance onto Kinser and one entrance onto Prow Rd. Entrance improvements will be required. Sidewalks will be required along all of the exterior street and both sides of the interior streets.

The Growth Policies Plan designates the northern portion of this site "employment". These areas are to be planned corporate business parks. Please see the attached page. The lower portion of the site is designated "low density residential". While this plan does not conform to the Master Plan completely, the components are in place. In addition, there is land to the north under the same ownership. As a condition of approval, it is on record that an acceptance letter from the seller was received regarding the property located north of Acuff Rd. being developed as a business park.

BL/PCD/RS/PUD-62-94

Lee Marchant
3800 N. Prow Rd.
Request for rezone of approximately 48 acres from RE to RS/PUD and proposed to be developed as a mutli-family residential project with approximately 201 units, rezone of approximately 5 acres from RE to BL/PCD and proposed to be developed as a business park, and outline plan approval for the approximate 53 acre tract as a whole.

Conditions of approval:

1. It be on record that an acceptance letter from the seller was received regarding the property located north of Acuff Rd. being developed as a business park.

2. Deletion of the multi-family project at this time.

3. Regarding the business park, support services will not be started until 20,000 s.f. of the business park is constructed.

4. The set-down restaurant use will be without drive-thru service.

October 31, 1994

To: Tim Mueller

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

Subj: BL/PCD-RS/PUD-62-94 Lee Marchant 3800 Prow Rd.

For a description of the site and some general environmental conditions see the Environmental Commission report for the October 10, 1994 Plan Commission meeting. This report focuses on recommendations.

Tree Preservation - Due to the location of trees on the perimeter of the site and lack of cut and fill that will be necessary, tree preservation issues are relatively simple. One important preservation area is the southeast portion of Area B. We request that the petitioner explore the use of street setback variances or larger, deeper lots to retain a greater amount of existing vegetation. On Area C, there is a line of silver and sugar maples located north of the proposed detention area which can be preserved through the following means: reduced street setbacks, adjustments in lot configuration, or use of common area. At development plan stage, it will be necessary to spot specimen trees on the perimeter boundaries on the site to determine where the proposed sidewalks should meander and where street trees and evergreen trees should be planted.

Landscaping - Landscaping will be addressed at development plan stage.

Erosion Control and Drainage - Erosion control and drainage will both be fully addressed at development plan stage. The County Engineer has notified the staff that the intersection of Prow and Acuff Roads is currently having drainage problems. This issue should be discussed with City and County staffs prior to development plan approval. Originally, there was some concern that a large amount of the petitioner's stormwater detention was being directed into a possible karst feature. Since the first hearing, this area has been rechecked in the field and no sinkholes were found.

cc. Rod Young

Smith Neubecker & Associates, Inc.

August 26, 1994

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

Daniel Neubecker L.A.
Project Manager

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

RE: Kinser Pike

Dear Tim and Plan Commissioners:

On behalf of our client Ruth Jensen, we respectfully request BL/PCD and RS/PUD rezone of approximately 53 acres of land currently zoned RE. The new RS/PUD zoning designation will be used to develop a multi-use planned unit development of approximately 201 units. These units include attached and detached homes that will blend into surrounding land uses. The BL/PCD provides the start of the corporate business park envisioned by the Master Plan.

The location of the project is on the west side of Kinser Pike north of Bloomington High School North. The site has slightly to moderately sloped topography which will allow easy construction of homes and infrastructure thus minimizing environmental disruption. 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 small patches of small young trees. Preservation of vegetation is a part of the site design.

The development generally complies with the City of Bloomington Growth Policies Plan. In particular, low density residential is defined for this area. This development also nurtures environmental integrity through improving property without significant disturbance to the natural environment. Other Master Plan policies that are also reflected in the proposed development include mitigation of traffic, sustain economic vibrancy and leverage public capital.

This project provides a transition from residential on Kinser Pike to the Meadows Hospital and proposed employment/office complex at Acuff & Prow Roads.

4625 Morningside Drive
Post Office Box 5355
Bloomington, Indiana 47407-5355
Telephone 812 336-6536
FAX 812 336-0513

Included with this letter is the application form, application fee, Outline Plan Drawing, Illustrative Site Plan, Pedestrian & Buffer Concept Drawing, Outline Plan Statement, Rezoning Affidavit, and legal description. Proof of certified mailing notices to adjacent property owners will be provided prior to the hearing. We look forward to working with you over the next several weeks as our petition moves through the Plan Commission and Council.

Sincerely,

Steve

Stephen L. Smith, P.E., L.S.
President
Smith Neubecker & Associates, Inc.

cc: 2249

KINSER PIKE RS/PUD & BL/PCD
OUTLINE PLAN STATEMENT
AUGUST 26, 1994

Kinser Pike PUD is a proposed multi-use Planned Unit Development on 53 acres on Bloomington's north side. The property fronts Kinser Pike and is located north of Bloomington High School North. The project is surrounded by equal or lower density housing or related institutions. Included in this multi-use development is five acres of business park that provides the start of the corporate business park area north of Acuff.

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

RS/PUD

The Outline Plan drawing and the illustrative site plan show the elements of this Planned Unit Development. These include:

- Roadway circulation pattern providing access to Prow Road, Kinser Pike and Acuff Road.
- Schematic lot and unit layout and internal street pattern. The lot, unit and road layout will be finalized at Development Plan stage.
- Preliminary storm water detention location.
- General location of existing vegetation.
- General concept for pedestrian circulation.
- Buffer areas.

Areas A, B, C, and D are shown on the outline plan drawing with their respective densities and lot sizes.

Yard setbacks are proposed as follows to allow more flexibility in the type of homes on these lots.

- Rear Yard 25'
- Side Yard 6' minimum and 15' total (one or two story)
- Front Yard 20'
- 15' PUD Buffer

Traffic

Connections are proposed to Kinser, Acuff, and Prow providing an efficient secondary collector roadway network within the PUD.

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 illustrated on the Outline Plan drawing. Cul-de-sac streets will have a 50' right-of-way with 28' wide street back to back.

Site Drainage

Conceptual detention design is included in the site plan at three strategic locations based on preliminary analysis. A detailed analysis will be conducted at the Development Plan 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.

Common Open Space

This development is proposed to be standard detached single family and attached multi-family. Open space will include perimeter green space buffer and pond areas.

Buffer Along Kinser, Acuff & Prow

The perimeter green space buffer will serve two functions. First the buffer will be used as a visual screen for non-compatible land uses around the site. This buffer will consist of mounding and evergreen trees to improve privacy along the hospital, BL/PCD, and high school frontage. A minimum of 15' of the existing vegetation along the south side of Area B will be retained as buffer. The second buffer will be located at the back of the new lots along the Prow, Acuff and Kinser Pike right-of-ways. This buffer includes earth mounds, landscaping, and a serpentine sidewalk.

Pedestrian Circulation

All internal streets shall have sidewalks on both sides. Acuff, Prow and Kinser will have serpentine sidewalks integrated into the roadway buffer along the property frontage. These sidewalk and buffer configurations are shown schematically on sheet 3.

BL/PCD Business Park

Five acres of this development are proposed as BL/PCD Business Park to test the market for Corporate Employment Center as envisioned in the Bloomington Master Policy Plan. The five acre site will support about 50,000 square feet of professional office space. This could be a single structure, but more likely will be several buildings, each with separate ownership. The development plan will provide the details of the proposal and may come in the form of a subdivision to allow sale of lots for office building construction.

The project is large enough to test the market and begin to serve as a transition from Kinser Pike residential, yet small enough to be accommodated by the existing roadway system.

The proposed land uses are intended to fit into the Corporate Employment Center goal and to take advantage of this strategic location relative to State Road 37 and adjacent to Meadows Hospital. The proposed land uses include:

- Offices: Corporate, Professional, and Medical
- Research Facilities and Laboratories
- Support Services not to exceed a total of 10,000 square feet, these uses could include:

Branch Bank	Drug Store
Business Services	Gift Shop
Convenience Shopping	Sit-down Restaurant
Day Care	

Drawings

Kinser Pike Development BL/PCD and RS/PUD Outline Plan Drawing
Kinser Pike Development BL/PCD and RS/PUD Illustrative Schematic Plan
Pedestrian Circulation and Buffer Concept

KINSER PIKE DEVELOPMENT

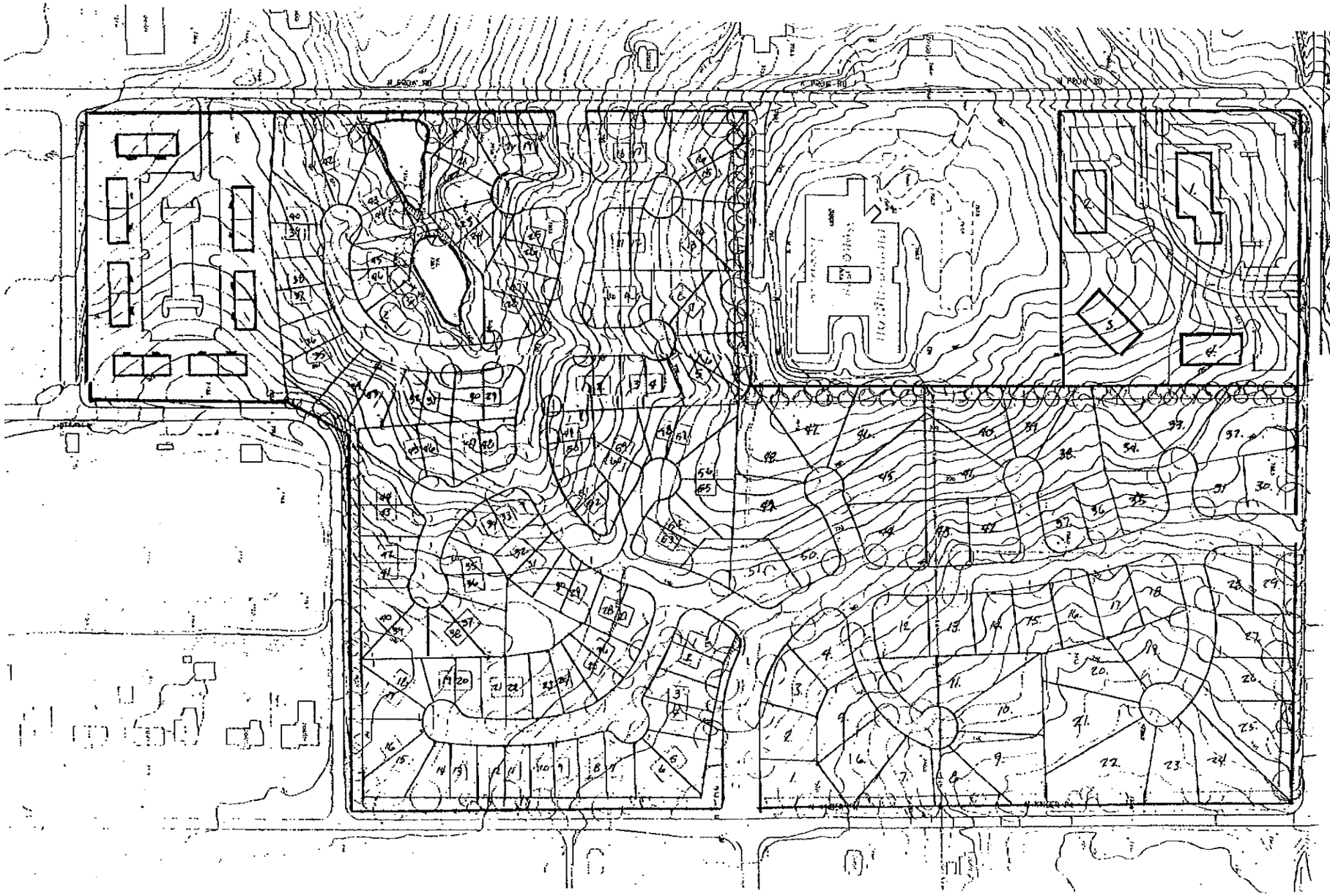
BL/PCD RS/PUD OUTLINE PLAN DRAWING

Site Plan
53

* LETTERING AND [X] PROVIDED BY COUNCIL OFFICE

KINSER PIKE DEVELOPMENT

ILLUSTRATIVE SITE PLAN



NOV 04 '94 15:06 SMITH QUILLMAN ASSOC

October 31, 1994

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

RE: Kinser Pike Planned Development

Dear Mr. Mueller and Plan Commissioners:

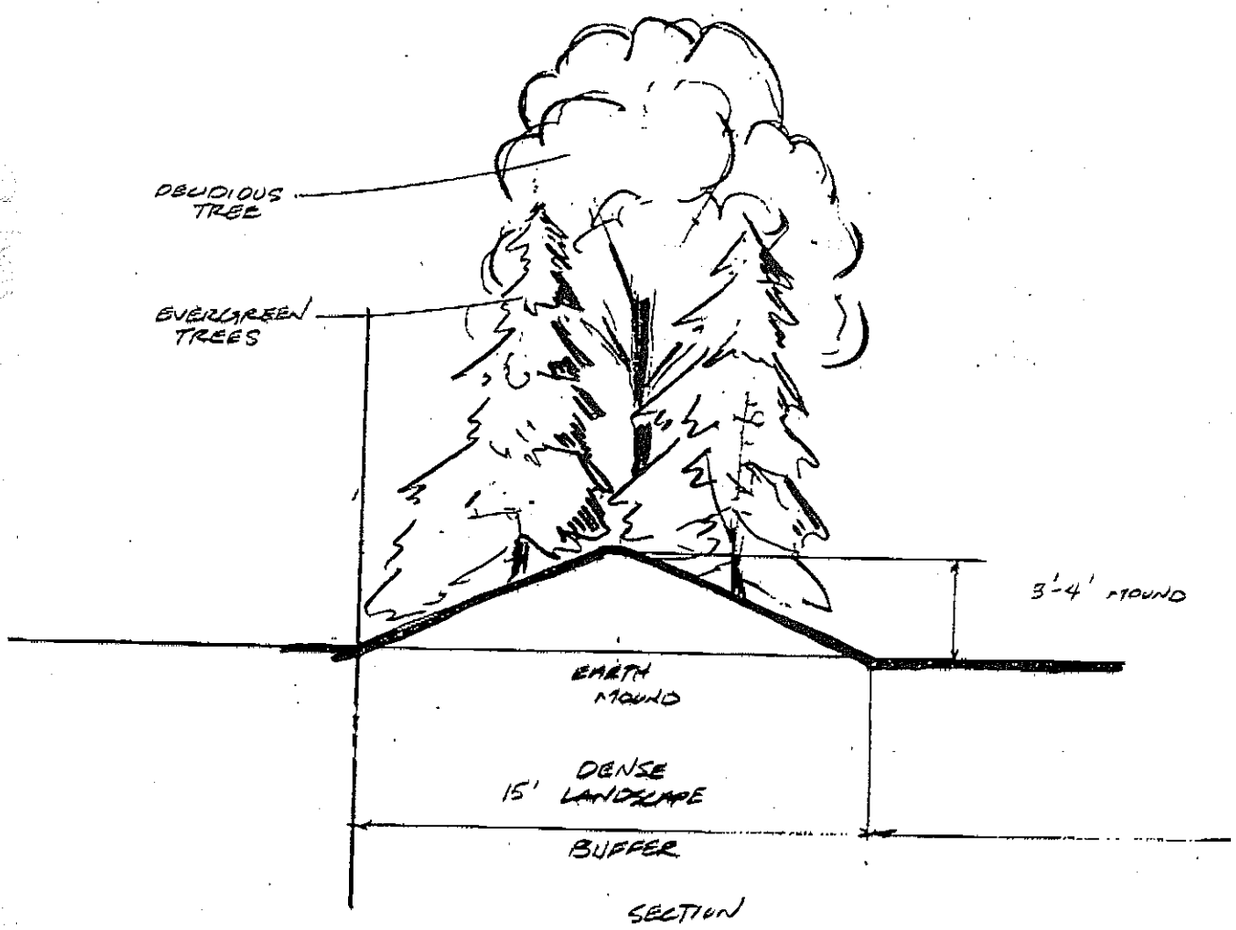
We currently have a petition pending before the Bloomington Plan Commission for designation of a residential and business planned development. In the context of this rezone petition, you have requested information about our parcel of land that lies north of Acuff Road. This letter is to confirm that we understand that the growth policies plan calls for this area to be an "employment center" and that your proposed zoning maps propose the area to be designated Business Park.

Our current petition includes the transition from residential use on Kinser Pike to the business park use at Acuff and Prow. Specifically, the transition from residential to business is being made at the east line of our 5 acre business parcel.

Our land lying north of Acuff will become business park land use. The land will most likely be developed as a comprehensive planned development with a range of business and business support uses consistent with the Bloomington Growth Policies Plan.

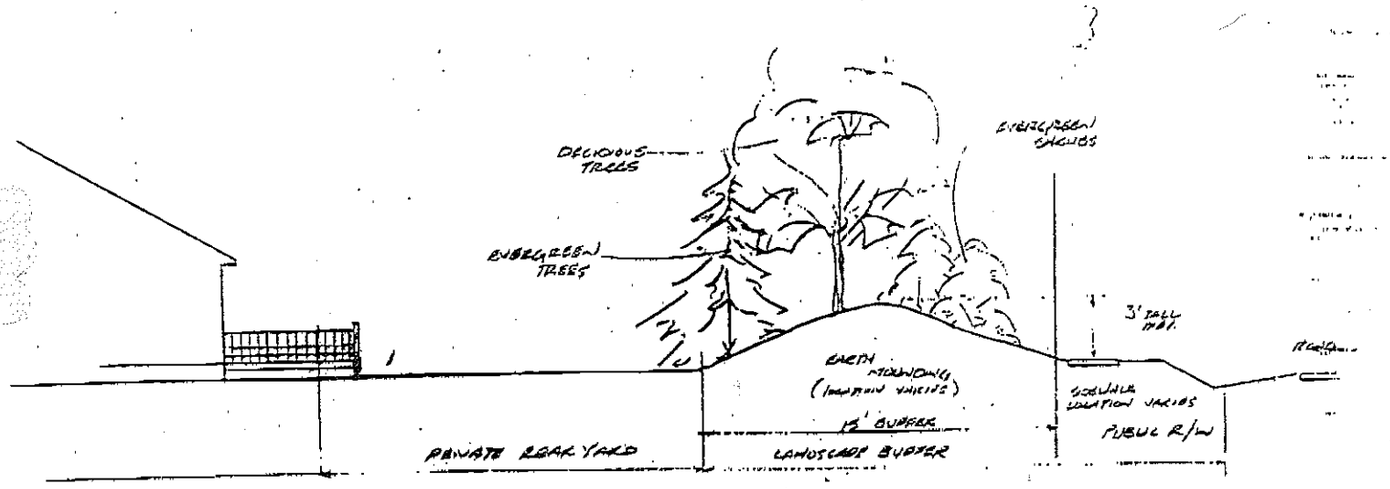
Very truly yours,

Joel D. Ripmaster
Representative for Ruth Burns Jensen

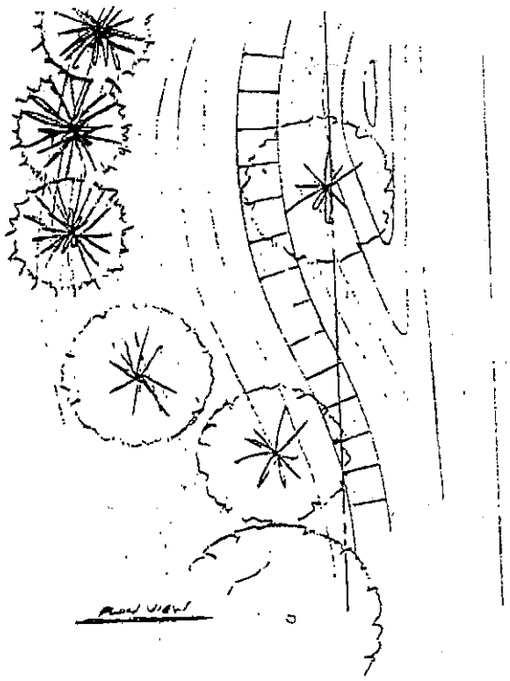


SECTION
LANDSCAPE SCREEN BUFFER

Buffer Detail



SECTION
ROADWAY BUFFER AT PUBLIC R/W

NO SCALE

Street Side Buffer and Sidewalk Detail