ORDINANCE 94-50

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE TO RL/PUD AND MP/PCD AND GRANT OUTLINE PLAN APPROVAL Re: 5701 WEST S.R. 48 (Brett Davis of J&B Builders, 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, RL/PUD/MP/PCD-63-94 and has recommended that the petitioner, Brett Davis (J&B Builders), be granted an amendment to the Bloomington zoning maps, a PUD and PCD designation, and an outline plan approval 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, the zoning for the property located at 5701 W. S.R. 48 be changed from RE to RL with a PUD designation. That property is further described as follows:

The Southwest Quarter of Section 2, Township 8 North, Range 2 West in Monroe County, Indiana, containing 160 acres more or less excepting therefrom the following described tracts:

Exception No. 1 - A part of the Southwest quarter of the Southwest quarter of said Section 2, Township 8 North, Range 2 West, described as follows: Beginning at a point on the South line of said quarter quarter, 600 feet west of the southeast corner thereof; thence NORTH 01 degree 43 minutes WEST and parallel with the east line of said quarter quarter 746 feet to an iron pipe; thence WEST 521 feet to an iron pipe; thence SOUTH 1 degree 43 minutes EAST 746 feet to the south line of said quarter quarter; thence EAST along said south line 521 feet to the place of beginning, containing 8.92 acres, more or less.

Exception No. 2 - A part of the Southwest Quarter of Section 2 Township 8 North Range 2 West, bounded and described as follows, to-wit: Beginning at the Southeast corner of said Southwest quarter; thence running west over and along the south section line 100 feet; thence NORTH 200 feet; thence EAST 100 feet and to the east boundary line of said quarter section; thence SOUTH over and along said east boundary line 200 feet and to the place of beginning, containing .5 acre, more or less.

Exception No. 3 - A part of the Southwest quarter of the Southwest quarter of Section 2, Township 8 North, Range 2 West, Van Buren Township, Monroe County, Indiana, and more particularly described as follows: Beginning SOUTH 88 degrees and 36 minutes EAST 480.00 feet from the Southwest corner of said Section, and on a railroad spike in the Gifford Road and on the south line of said Section; thence NORTH 210.00 feet to an iron rod; thence NORTH 88 degrees and 36 minutes WEST 200.00 feet to an iron rod; thence SOUTH 210.00 feet to a railroad spike in the said road and on the south line of said section; thence on the said road and section line SOUTH 88 degrees 36 minutes EAST 200.00 feet to the place of beginning, containing 1.00 acre more or less.

Course datum used in this description is based on an assumed due north bearing of the west line of said section.

Exception No. 4 - A part of the Southwest quarter of the Southwest quarter of Section 2, Township 8 North, Range 2 West, Van Buren Township, Monroe County, Indiana,

and more particularly described as follows: Beginning SOUTH 88 degrees and 36 minutes EAST 480.00 feet from the southwest corner of said Section, and on a railroad spike in the Gifford Road and on the south line of said section; thence NORTH 210.00 feet to an iron rod, thence SOUTH 88 degrees 36 minutes EAST 210.00 feet to an iron rod; thence SOUTH 210.00 feet to a railroad spike in the said road and on the south line of said Section, thence on the said Road and Section line NORTH 88 degrees 36 minutes WEST 210 feet to the place of beginning, containing 1.01 acres, more or less.

Exception No. 5 - A part of the Southwest quarter of the southwest quarter of Section 2, Township 8 North, Range 2 West, Van Buren Township, Monroe County, Indiana, and more particularly described as follows: Beginning at the southwest corner of said Section 2 and in Gifford Road; thence NORTH 210 feet along Kirby Road; thence SOUTH 88 degrees 36 minutes EAST 280 feet to an iron rod; thence SOUTH 210 feet to a railroad spike in said Gifford Road and on the south line of said Section; thence on the said road and section line NORTH 88 degrees 36 minutes WEST 280 feet to the place of beginning, containing 1.35 acres more or less.

Exception No. 6 - A part of the Southwest Quarter of Section 2, Township 8 North, Range 2 West, bounded and described as follows; to-wit: Beginning at a concrete nail in the centerline of the Gifford Road 300.0 feet west of the Southeast corner of the southwest quarter of said Section 2, Township 8 North, Range 2 West, said corner being marked by a concrete nail at the point of intersection of said centerline of said Gifford Road with the centerline of an unimproved public roadway running in a northerly direction therefrom; thence WEST over and along said centerline of said Gifford Road and south line of said quarter section for 300.0 feet to a concrete nail; thence leaving said centerline of said Gifford Road on a bearing of NORTH 1 degree 43 minutes WEST for 200.0 feet to an iron pipe, passing over another iron pipe, 22.2 feet from said centerline as measured along the described line; thence EAST 300.0 feet to an iron pipe; thence SOUTH 1 degree 43 minutes EAST for 200.0 feet to the point of beginning, passing over another iron pipe 22.0 feet therefrom as measured along the described line, containing 1.377, more or less.

Exception No. 7 - A part of the Southwest Quarter of Section 2, Township 8 North, Range 2 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the south line of said Southwest quarter and in Gifford Road, said point of beginning begin NORTH 89 degrees 11 minutes 54 seconds WEST, 100.00 feet from the Southeast corner of said Southwest quarter, said point of beginning being also the Southwest corner of a tract of land that is described in a deed from William Carl and Beverly Juroff to Gary Lee and Nancy Jo Bruce and recorded March 29, 1979 in Deed Record 267, page 06 in the office of the Recorder of Monroe County, Indiana; thence form said point of beginning and with the west line of said Bruce tract and running NORTH 00 degrees 00 minutes 13 seconds WEST for 200.00 feet and to the Northwest corner of said Bruce tract; thence SOUTH 89 degrees 11 minutes 54 seconds EAST for 100.00 feet and to the Northeast corner of said Bruce tract on the east line of said Southwest quarter; thence with the east line of said Southwest quarter and running NORTH 00 degrees 00 minutes 13 seconds WEST for 137.33 feet; thence leaving said east line and running NORTH 89 degrees 11 minutes 54 seconds WEST for 258.26 feet; thence SOUTH 00 degrees 00 minutes 13 seconds EAST for 337.33 feet and to the south line of said Southwest quarter; thence with the south line of said Southwest quarter and running SOUTH 89 degrees 11 minutes 54 seconds EAST for 158.26 feet and to the point of beginning, containing 1.541 acres, more or less.

Also Excepting the following dedicated roadway.

A part of the Southwest Quarter of Section 2, Township 8 North, Range 2 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the south line of said Southwest Quarter and in Gifford Road, said point of beginning being NORTH 89 degrees 11 minutes 54 seconds WEST 258.26 feet from the Southeast corner of said Southwest quarter; thence from said point of beginning and

running NORTH 00 degrees 00 minutes 13 seconds WEST for 674.67 feet; thence NORTH 89 degrees 11 minutes 54 seconds WEST for 60.00 feet; thence SOUTH 00 degrees 00 minutes 13 seconds EAST for 674.67 feet and to the south line of said Southwest quarter; thence with said south line and running SOUTH 89 degrees 11 minutes 54 seconds EAST for 60.00 feet and to the point of beginning, containing 0.929 acres, more or less.

Containing after said exceptions 143.38 acres.

Also, the Northwest Quarter of Section 2, Township 8 North, Range 2 West in Monroe County, Indiana, containing 134 acres more or less, excepting therefrom the following described tracts:

Exception A - A part of the said quarter section, bounded and described as follows, to-wit: Beginning at the Northwest corner of said quarter section, thence SOUTH 52 rods; thence EAST 28 rods; thence NORTH 32 rods; thence EAST 8 rods; thence NORTH 20 rods and to the north line of said quarter section; thence WEST 36 rods over and along the said north line, and to the place of beginning, containing 10.1 acres, more or less.

Exception B - A part of the said quarter section, bounded and described as follows, to-wit: Beginning at the northeast corner of said quarter section, where there is a stone put down in the ground on the Township line in the main road leading from Bloomington to Smith's Ferry, and running thence WEST 6 poles and 20 links to the half mile stake of Section 35, Township 9 North, Range 2 West where there is a stone put down on the Township line in said Road; thence SOUTH 7½ degrees EAST 137 poles and 23 links to a stone put down in the East and West center line; thence EAST 3 poles 6½ links to a stone put down in the East and West center line; thence NORTH 137 poles and 23 links to the place of beginning; said exception containing 4.31 acres, more or less.

Exception C - A part of the said quarter section, bounded and described as follows, to-wit: Beginning at a point on the north line of said quarter section 6 rods and 20 links west of the northeast corner thereof; thence SOUTH 7½ degrees EAST 20 rods; thence WEST parallel to the north line of said quarter section 404 feet; thence NORTH 7½ degrees WEST and parallel to the east line of this excepted tract 20 rods, and to the north line of the said quarter section; thence EAST 404 feet over and along the North line of said quarter section, and to the place of beginning, containing 3 acres, more or less.

Exception D - A part of the Northeast Quarter of the Northwest Quarter of Section Two (2), Township Eight (8) North, Range Two (2) West, Monroe County, Indiana, and more particularly described as follows: Beginning at a point on the North line of said Section and in the center line of State Road Number 48, said point being SOUTH 89 degrees 53 minutes 50 seconds WEST 825.20 feet from the Northeast corner of the Northwest Quarter of said Section; thence continuing along said North line and said center line SOUTH 89 degrees 53 minutes 50 seconds WEST 264.00 feet; thence leaving said North Line and said center line SOUTH 1 degree 54 minutes EAST 330.00 feet to an iron pipe; thence NORTH 89 degrees 53 minutes 50 seconds EAST 264.00 feet to an iron pipe; thence NORTH 1 degree 54 minutes WEST 330.00 feet to the place of beginning. Containing 2.00 acres, more or less.

Exception E - A part of the Northwest Quarter of Section 2, Township 8 North, Range 2 West, bounded and described as follows, to-wit: Beginning at a point on the north line of said quarter section 6 rods and 20 links west of the northweast corner thereof; thence running SOUTH 7½ degrees EAST 20 rods and to the real point of beginning which real point of beginning is the southeast corner of a certain tract of land conveyed by Turner Wiley and Ollie P. Wiley, to Leonard Edward Scaggs and Sarah Jean Scaggs, by Warranty Deed recorded in Deed Record 120, at page 86 of the records of the County Recorder of Monroe County, Indiana; running thence SOUTH 7½ degrees EAST 10 rods; thence WEST and parallel to the south line of the tract

above referred to 8 rods; thence in a NORTHEASTERLY direction and parallel to the tract herein conveyed 10 rods and to the southwest corner of the tract above referred to; thence EAST over and along the south line of said tract referred to 8 rods and to the place of beginning, containing 0.5 acres more or less.

Exception F - A part of the Northwest Quarter of Section 2, Township 8 North, Range 2 West, Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point on the west line of said northwest quarter of Section 2, Township 8 North, Range 2 West, said point being 1245.75 feet south of the northwest corner of said quarter section, said point also being the southwest corner of a tract of land conveyed to Robert Byers by Russell Wiley, and recorded April 12, 1956 in Deed Record 119, page 592 in the office of the Recorder of Monroe County, Indiana; thence with the south line of said Byers tract and running from said point of beginning NORTH 87 degrees 10 minutes EAST for 205.00 feet; thence leaving the south line of said Byers tract and running SOUTH 02 degrees 09 minutes EAST for 100.00 feet; thence SOUTH 87 degrees 10 minutes WEST for 205.00 feet, and to the west line of said northwest quarter; thence NORTH 2 degrees 09 minutes WEST for 100.00 feet, and to the place of beginning, containing 0.47 acres more or less.

Exception G - A part of the Southwest Quarter of the northwest quarter of Section 2, Township 8 North, Range 2 West, Van Buren Township, Monroe County, Indiana, and more particularly described as follows: Beginning at a P.K. nail on the Kirby Road 3,499.0 feet north from the southwest corner of said section; thence NORTH 100.00 feet to a P.K. Nail on the said road, thence north 89 degrees and 20 minutes EAST 222.24 feet to a post; thence SOUTH 00 degrees and 52 minutes WEST 100.00 feet to an iron rod, thence SOUTH 89 degrees and 19 minutes WEST 220.82 feet to the place of beginning, containing 0.51 acres, more or less.

Exception H - A part of the Northwest quarter of Section 2, Township 8 North, Range 2 West, bounded and described as follows, to-wit: Beginning at a point on the west line thereof, 52 rods south of the northwest corner, running thence EAST a distance of 28 rods; thence SOUTH 12 rods; thence WEST 28 rods, and to the said west line, thence NORTH on said west line a distance of 12 rods, and to the point of beginning, containing 2.1 acres, more or less.

Exception I - A part of the Northwest quarter of Section 2, Township 8 North, Range 2 West, bounded and described as follows, to-wit: Beginning at a point on the west line thereof 64 rods south of the northwest corner running thence east a distance of 28 rods, thence SOUTH 11½ rods; thence WEST 28 rods, and to the said west line; thence NORTH on said west line a distance of 11½ rods, and to the point of beginning, containing 2 acres, more or less.

Exception J - A part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 8 North, Range 2 West, Monroe County, Indiana, also being all of Lot Number 1 in Wiley Farms Subdivision, an unrecorded plat being more particularly described as follows: COMMENCING at the southwest corner of said Section 2; thence NORTH along the west line of said Section 2, a distance of 3,307.00 feet and to the point of beginning; thence continuing along said line NORTH 190.00 feet; thence leaving said line EAST 252.63 feet; thence SOUTH 190.00 feet; thence WEST to the point of beginning, containing 1.10 acres, more or less.

Exception K - A part of the Southwest quarter of the Northwest quarter of Section 2, Township 8 North, Range 2 West, Monroe County, Indiana, also being all of Lot 3 in Wiley Farms Subdivision an unrecorded plat being more particularly described as follows: COMMENCING at the southwest corner of said Section 2; thence NORTH along the west line of said Section 2 a distance of 2,849.00 feet to the point of beginning; thence continuing along said line NORTH 200.00 feet; thence leaving said line EAST 240.00 feet; thence SOUTH 200.00 feet; thence WEST 240.00 feet to the point of beginning. Containing 1.10 Acres, more or less, less 40 feet of even width lying east of the centerline of Kirby Road for a right-of-way.

Containing, after said exceptions 106.81 acres.

Also excepting:

A part of the Northwest Quarter of Section 2, Township 8 North, Range 2 West in Monroe County Indiana more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter of said Section 2; thence SOUTH along the east line of said quarter 50 feet; thence WEST parallel to the center of State Road 48 a distance of 1220 feet to the POINT OF BEGINNING; thence continuing WEST 377 feet; thence SOUTH 540 feet; thence EAST 237 feet, thence NORTHEASTERLY 558 feet to the POINT OF BEGINNING, containing 3.8 acres, more or less.

Also excepting:

A part of the Southeast Quarter of Section 2, Township 8 North, Range 2 West in Monroe County, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section thence SOUTH 200 feet; thence EAST 30 feet to the POINT OF BEGINNING; thence SOUTH parallel to the centerline of Kirby Road 2246 feet to a point 210 feet north of the south line of said quarter; thence EAST parallel with the south line of said quarter 600 feet; thence NORTH 840 feet; thence EAST 100 feet; thence NORTH 1406 feet; thence WEST 700 feet and to the POINT OF BEGINNING, containing 34.2, acres more or less.

Containing after all exceptions 212.2 acres, more or less.

SECTION II. Through the authority of IC 36-7-4 the zoning for two parcels of property located at 5701 W. S.R. 48 be changed from RE to MP with a PCD designation. That property is further described as follows:

A part of the Southeast Quarter of Section 2, Township 8 North, Range 2 West in Monroe County, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section thence SOUTH 200 feet; thence EAST 30 feet to the POINT OF BEGINNING; thence SOUTH parallel to the centerline of Kirby Road 2246 feet to a point 210 feet north of the south line of said quarter; thence EAST parallel with the south line of said quarter 600 feet; thence NORTH 840 feet; thence EAST 100 feet; thence NORTH 1406 feet; thence WEST 700 feet and to the POINT OF BEGINNING, containing 34.2, acres more or less.

ALSO:

A part of the Northwest Quarter of Section 2, Township 8 North, Range 2 West in Monroe County Indiana more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter of said Section 2; thence SOUTH along the east line of said quarter 50 feet; thence WEST parallel to the center of State Road 48 a distance of 1220 feet to the POINT OF BEGINNING; thence continuing WEST 377 feet; thence SOUTH 540 feet; thence EAST 237 feet, thence NORTHEASTERLY 558 feet to the POINT OF BEGINNING, containing 3.8 acres, more or less.

SECTION III. Through the authority of IC 36-7-4 and pursuant to Chapter 20.14 of the Bloomington Municipal Code, that an outline plan be approved.

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

SECTION V. 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 7th day of December, 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 9th day of December, 1994.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 9th day of December, 1994.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants a rezoning from RE to RL/PUD and MP/PCD and approves an outline plan for the 250 acre Wiley Farm located at 5701 W. S.R. 48.

Signed upon:
Planning
Petitioner - c/o SMITH NEUKOMM

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94-50 is a true and complete copy of Plan Commission Case Number RL/PUD/MP/PCD-63-94 which was given a recommendation of approval by a vote of 10 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October ~~31,~~ 1994.

Date: November 1, 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:

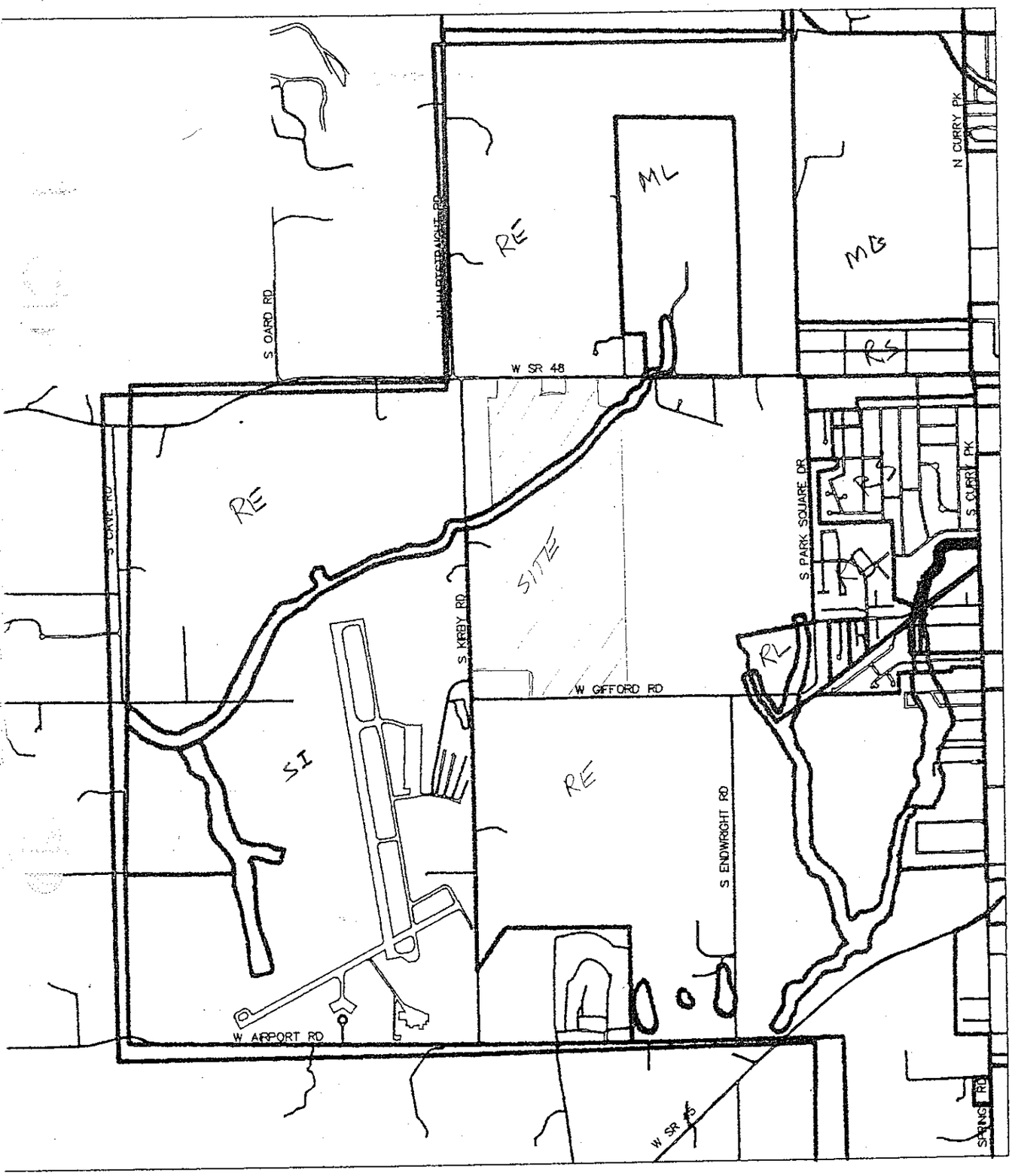
Fund(s) Affected		
Fund Balance as of January 1	$_____	$_____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	$_____	$_____

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.)



S OARD RD
N HARTSTRAIGHT RD
RE
ML
MG
N CURRY PK
RS
W SR 48
S CAVE RD
RE
SITE
S KIRBY RD
S PARK SQUARE DR
RS
S CURRY PK
RL
W GIFFORD RD
SI
RE
S ENDWRIGHT RD
W AIRPORT RD
W SR 45
SPRING RD

MEMO

To: Common Council
From: Planning Department
Date: November 2, 1994
Case No.: RL/PUD-MP/PCD-63-94
Location: 5701 West State Road 48
Petitioner: Brett Davis, J&B Builders, Inc.
Counsel: Smith Neubecker & Assoc., Inc.

On October 31, 1994, the Bloomington Plan Commission approved a rezone of 250 acres currently zoned RE to RL/PUD and MP/PCD and outline plan approval. This parcel contains 250 acres and is bordered by S.R. 48 to the north, Kirby Rd. and the airport to the west, and Gifford Rd. to the south. There is farmland to the east along with large lot residences. The site is gently rolling pasture with trees scattered throughout the site. The site is impacted by two drainage systems (Cave Creek and Sinking Creek), karst topography, and some relatively steep slopes.

This parcel is proposed to be developed into a mixed use area, including light industrial, a business park, low, medium and high residential housing, and a park. The petitioner has attempted to work with the existing topography and drainage. The original proposal was changed slightly to increase the industrial use. The areas of development as proposed are summarized below.

TRACT A 29 acres, located off S.R. 48, single family detached homes, 86 units, 2.97 DU/AC

TRACT B 17.5 acres, located off S.R. 48, single family detached homes or institutional, 62 units, 3.54 DU/AC

TRACT C 24.5 acres, located south of Tract B on the east side of the site, single family detached homes, 86 units, 3.51 DU/AC

TRACT D 22.1 acres, located centrally located on the site just south of TRACT A, medium density residential, 100 units, 4.52 DU/AC

TRACT E 37.6 acres, located along the east side of the site, medium density residential, 190 units, 5.05 DU/AC

TRACT F 18.4 acres, located centrally on the site adjacent to the light industrial use, high density residential, 184 units, 10 DU/AC

TRACT G 9.2 acres, located between Tracts I and F, medium density residential, 56 units, 6.09 DU/AC

TRACT H 12.8 acres, located on the southeast corner of the site, large single family

home lots, 5 units, 0.39 DU/AC

TRACT I 21.1 acres, located on the south edge of the site, single family detached homes, 42 units, 1.99 DU/AC

TRACT J 7.2 acres, located on the south center portion of the site, single family detached homes, 15 units, 2.08 DU/AC

TRACT K 34.2 acres, located along the western edge of the site, 4 proposed lots

TRACT L 3.8 acres, limited neighborhood business off S.R. 48 (see list of proposed uses)

TRACT M 6.4 acre park

Right-of-way dedication is required along Gifford Rd.(35' from CL), S.R. 48 (50' from CL), and Kirby Rd. (40' from CL). One access point is proposed for S.R. 48, one access point for Gifford, and multiple access points for Kirby. An issue for development plan approval will be the number of accesses for the industrial portion of the site. Sidewalks will be required along the perimeter streets as well as the internal streets.

Drainage is a major issue to this development. Although this is outline plan stage, this area drains to two very sensitive basins; Sinking Creek and Cave Creek. Sinking Creek drains to the south where this proposal calls for larger estate size lots. The area draining towards Cave Creek includes industrial uses to the west, park to the east and high, medium and low density residential housing to the east and north. A business Park is planned for the north area of the site. The petitioners have done a considerable amount of engineering work to assure that the drainage situation will be acceptable. The concept now involves a larger area than originally proposed.

The detention area, much bigger than the regulatory floodplain, will allow an uncommon approach to storm drainage management. Conventional detention basins store the increase in the 100 year storm while the detention basin continues to discharge at the predevelopment rate of runoff. In other words, a big flow in and a small flow out occur simultaneously. The basin is sized to fill up during a 100 year storm, then continue to trickle down when the storm is over.

An impoundment of water would still be waiting where Cave Creek enters a cave downstream when water from a conventional basin would arrive downstream. The solution is to store 100% of the project's increase in runoff from a 100 year storm with no discharge. This requires a larger detention area and managed (human decision) release of the water. This is essentially what the Corps of Engineers does with the system of flood control reservoirs of which Lake Monroe is a part.

In addition, the petitioner's detention area will be sized to accommodate another 28 acre-feet (1 acre/1 foot deep) of water over and above the development's impact. The effect

is that the flood problem at the cave will actually be reduced, not just held constant.

The Growth Policies Plan includes the site in an area designated "landbank": areas in which major development should await contiguous development and urban services, with periodic reconsideration to determine whether development is warranted based on the nature of evolving development patterns. Early in the process of developing the new zoning ordinance, the Commission decided not to carry the "landbank" concept from plan to ordinance. The area along both sides of S.R. 48 in this vicinity were targeted for industrial zoning, given Park 48 and the airport's proximity. Urban density residential uses, perhaps clustered to avoid sinkholes, was discussed for the steeper, karst impacted portion of this site.

The area was viewed as an appropriate component of a "compact urban form" because the airport area and proposed airport related economic development lie to the west, Park 48 and proposed zoning for more economic development lie to the north, the area is served by an adequate highway, and severed by an elementary school to the east. Earlier this year, the petitioner received approval of a large-lot plat under the existing RE zoning, effectively blocking the industrial zoning scenario. After that approval, discussion continued as to what development alternatives might best serve the Growth Policies Plan's goals. Two fundamental issues drove this continued discussion: the inclusion of some land for industrial development, and the need for an exceptional response to flooding problems along Cave Creek west of the airport. The proposed plan is the result.

RE zoning motivates a developer to cookie-cutter the site into as many 40,000 s.f. lots as the regulations permit. Any acre devoted to common open space or stormwater detention would be a valuable lot foregone. A higher density enables the developer to allocate significant area to these functions. The plan shows several wooded buffer areas between land use components, a 6.4 acre park, and a very large detention area.

The mixed residential components at an average density of 3.7 units/acre are consistent with the plan's density goal for development in appropriate areas, and are well conceived in terms of wooded areas, other site features, and surrounding uses. The 3.8 acre business area at the S.R. 48 entrance is sized to serve the local needs for day-to-day convenience shopping.

Note that the MP, Manufacturing Park zoning, serves as the underlying zoning for both PCD components: the industrial area on Kirby and the neighborhood shopping on Whitehall Pike.

RL/PUD/MP/PCD-63-94

Brett Davis, J&B Builders, Inc.
5701 W. S.R. 48
Request for rezone of approximately 206.4 acres from RE to RL/PUD and proposed to be developed as a residential project with approximately 896 units, rezone of approximately 31.6 acres from RE to MP/PCD and proposed to be development as 27.38 acres light industrial, 3.8 acres limited neighborhood business, and a 6.4 acre park, and outline plan approval for the approximate 250 acre tract as a whole.

Conditions of approval:

1. The petitioner's development plan shall be designed with a report by a geotechnical consultant regarding the proposed stormwater detention system. This report should address the underlying geology of the Cave Creek basin, suitability of the detention basin's design, and measures for handling leakages in the system caused by karst features. If the geotechnical report determines that the 74 acre feet of additional stormwater cannot be deteained, or if the specified storage cannot be accomplished in an appropriate location, then this outline plan provides that the land use shall be as permitted by the current zoning; residential estate (RE).

2. The entire detention facility must be fully completed with Phase I of the petitioner's development plans, or as otherwise determined by the Plan Commission.

3. The development plan shall contain a written agreement between the petitioner's and Monroe County for the operation of the stormwater detention facility by the County. If this written agreement between the petitioner's and the County cannot be secured prior to development plan approval then this outline plan provides that the lane use shall be as permitted by the current zoning; residential estate (RE).

4. Responsibility and ongoing funding for the maintenance of the stormwater detention facility will be provided by homeowner's association agreement. The agreement will enable Monroe County or the City of Bloomington to order maintenance or repairs, or to perform them at the homeowner's expense. This agreement shall be a component of any development plan.

5. Except for the stormwater commitments, the outline plan is a schematic representation; all engineering details, required dedications, and other site plan details are to be considered in the development plan approval process.

6. The Kirby Road entrances will be considered in the development plan review process. The Commission reserves the discretion to combine the entrances or require a service road.

7. Regarding the list of allowed uses: Chemicals and chemical products in the industrial

uses be limited to non-reactive combinations of previously prepared components. Delete Meat/Poultry/Seafood. Metal fabrication be limited to indoor processing and storage only with no significant external impacts. Delete Millwork and Sawmills. Paper products will exclude the manufacturing and use of pulp materials. Delete drugs and pharmaceuticals.

8. The Engineering staff and petitioner examine the possibility and feasibility of additional retention over and above that proposed.

October 31, 1994

To: Tim Mueller

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

Subj: RL/PUD-MP/PCD-63-94 J & B Builders 5701 W. SR 48

Please see our October 10, 1994 staff report for a full description of the site and some general environmental considerations. This report concentrates on recommendations.

Stormwater Detention - In light of the significant flooding that has occurred downstream in the Cavewood Estates subdivision and surrounding farmland, stormwater detention is the most important development issue on the site. Issues revolving around the detention plan include:

1) Basin Type - The Environmental Commission is in favor of using a dry detention basin in order to secure the maximum amount of storage capacity possible. The petitioner's plan is in agreement with this concept.

2) Basin Monitoring - The basin is being designed to manually control the release of stormwater flow. This is designed because the drainage downstream is so poor that it becomes necessary to hold back stormwater for much longer periods of time. We are supportive of a manually controlled detention basin and believe that it is the best way to insure that downstream residents will be adequately protected during large storm events. However, the Environmental Commission will not support a detention system of this importance that it would only be maintained by a homeowners association. An agreement between the petitioners and the County to insure governmental monitoring of the basin would be the best way to address this issue. If an agreement is not worked out to adequately address basin monitoring, the Environmental Commission would be reluctant to support an upzoning of land of this magnitude.

3) Geotechnical Report - The Environmental Commission strongly feels that a geotechnical report is necessary as a condition of any development plan approval for this site. This report should examine the underlying geology of the proposed detention area, locate any leakages in the basin due to karst features and propose adjustments in the size and capacity of the detention system based on any karst problems. Again, if the geotechnical shows that there are insoluble problems in the detention system due to karst, the Environmental Commission would not support any proposal at the densities being proposed by the petitioner.

A more complete report on the detention issue and other environmental issues will be given at the hearing as discussions with the petitioner and staff are completed.

cc. Rod Young

Smith Neubecker & Associates, Inc.

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

Daniel Neubecker L.A.
Project Manager

September 1, 1994

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

Dear Tim and Plan Commissioners:

We are pleased to submit this comprehensive land use plan for the development of the Wiley Farm on Bloomington's west side. This is an unique plan for an integrated development of a large (250 acres) parcel with varied features and opportunities.

We respectfully request consideration of the Plan Commission for rezoning from Residential Estate RE to RL Planned Unit Development and Plan Manufacturing Park. Our submission includes the outline plan drawings, outline plan statement, abbreviated property description and standard application form. Proof of notice to adjacent owners will be submitted prior to the hearing.

We look forward to working with you over ensuing weeks on this unique development proposal for Bloomington's west side.

Very truly yours,

Stephen L. Smith
SMITH NEUBECKER & ASSOCIATES, INC.

SLS:vp

Enclosures

cc: Lynn Coyne
Brett Davis
File #2296

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

WILEY FARM
PLANNED DEVELOPMENT
OUTLINE PLAN STATEMENT
9/1/94

The Wiley Farm is a planned development of a 250 acre tract at the corner of State Road 48 and Kirby Road on Bloomington's west side. Proposed is a mix of land uses that compliment each other, fit the existing features of the site, blend with surrounding land uses and meet many of the goals of the Bloomington Master policy plan.

The planned development calls for up to 896 residential units varying from 2.5 acre lot single-family to 10 units per acre multi-family. A small retail commercial area is proposed to compliment the project and serve area needs. Twenty-seven acres along the Kirby Road frontage adjacent to the airport is planned as a manufacturing park. The natural features of the site provide for open space, park land, buffers and transitions between land uses. Table 1 "Land Use and Density Summary" shows the size, maximum number of units and maximum density for each of the tracts.

This petition seeks rezone from the existing RE to RL Planned Unit Development and Planned Manufacturing Park.

LAND USE

RESIDENTIAL

The project will vary from estate lots to high density residential. Areas A, B and C are intended to be smaller lot single family detached subdivisions. Area D, E, and G are medium density residential and may be attached doubles, triples, quads, townhouses or small lot detached housing. Area F is high density housing intended to be multi-family buildings with multiple units in each building. Area H is estate lots at a density of 2.5 acres per lot. Areas I and J are large lot subdivision tracts of approximately two lots per acre.

MANUFACTURING

Area K is intended to be consistent with the current MP zone.

> "The industrial park district is established to provide areas in which the use of the land is limited to light manufacturing, warehousing, wholesaling, storage and corporate offices."

Allowable uses in the MP portion of the project will include:

58

Commercial Trade

Business Service and Professional Office
Schools
Trade and Business
Building Trade Shops
Warehouses
Mini Warehouses

Commercial Wholesale

Building Material
Farm Products
Farm Supplies
Food Products
Household Goods

Manufacturing Processing

Apparel
Bakery
Dairy Products
Confectionery
Beverage Bottling
Chemicals and Chemical Products
Clocks
Scientific Instrument
Drugs and Pharmaceuticals
Electronic Equipment
Furniture
Meat, Poultry, Seafood
Medical Equipment
Metal Fabrication
Mill Work
Sawmills
Paper Products
Printing Newspapers
Research Laboratories
Miscellaneous Small Products
Sporting Goods, Toys, Novelties

Industrial Non-Processing

Warehouse
Storage

BUSINESS

Area L is designated as neighborhood serving retail services. This area shall be limited to 3.8 acres with a maximum of 30,000 gross square foot of building area. No individual use shall contain more than 10,000 square feet of gross floor area. Access will be directly to the internal collector street. Significant landscape and mounding will provide the interface between the business use and adjacent residential uses. Allowable uses will include:

Convenience Store
Day Care
Gift Shop
Retail Bakery
Drug Store
Personal Service
Arts and Crafts
Dairy Products
Floor Shop
Grocery
Meats

Hardware
Jewelry
Variety Store
Business and Professional Office
Clinics and Services
Doctor and Dentist Offices

OPEN SPACE

Extensive green space is proposed throughout this project to insure a pleasant residential environment. The natural site amenities are being retained, augmented and utilized to enhance the quality of the development.

An open space system shall be provided along the existing floodway. This system will include one or more lakes, detention, and natural green areas. This area becomes a major focal point of the development.

A neighborhood park is located in the central portion of the project utilizing some existing steeper sloped wooded land. This park also includes some flatter open areas that can be used for parking and open field play areas. The park may be developed, owned and maintained as a common area for this development or dedicated to the public for improvements and ownership. Discussion will commence between the applicant and City and County Parks Departments.

There are numerous other locations on the site with existing vegetation or with steep slopes. These areas are proposed to be used as buffer and transitions between land uses and projects.

TRAFFIC AND CIRCULATION

A key element to this planned development is the roadway network. A system of collector, secondary collector and local streets run throughout the project. The roadway connections are provided to all surrounding streets and properties.

The main collector roadway accesses State Road 48 and will serve as a thoroughfare into the project. From State Road 48 to the T-intersection no units shall have direct access to this thoroughfare. There will be numerous local roads entering the development serving parcels A, B, C, D, E and L. A center island will be constructed at S.R. 48 and a landscape plan developed along the R/W of this collector.

The secondary collector runs from Kirby Road to Gifford Road. This road is intended to directly serve units and provide an indirect connection to Kirby and Gifford and a good connection to the internal collector roadway.

A series of local streets will provide interconnection throughout the project as well as access to the land to the east. Direct accesses are proposed to Kirby Road for each of the four parcels of manufacturing land. Kirby is a relatively low volume road, and an attempt is being made to keep the development costs and associated land prices reasonable to encourage MP development in this location.

STORM WATER

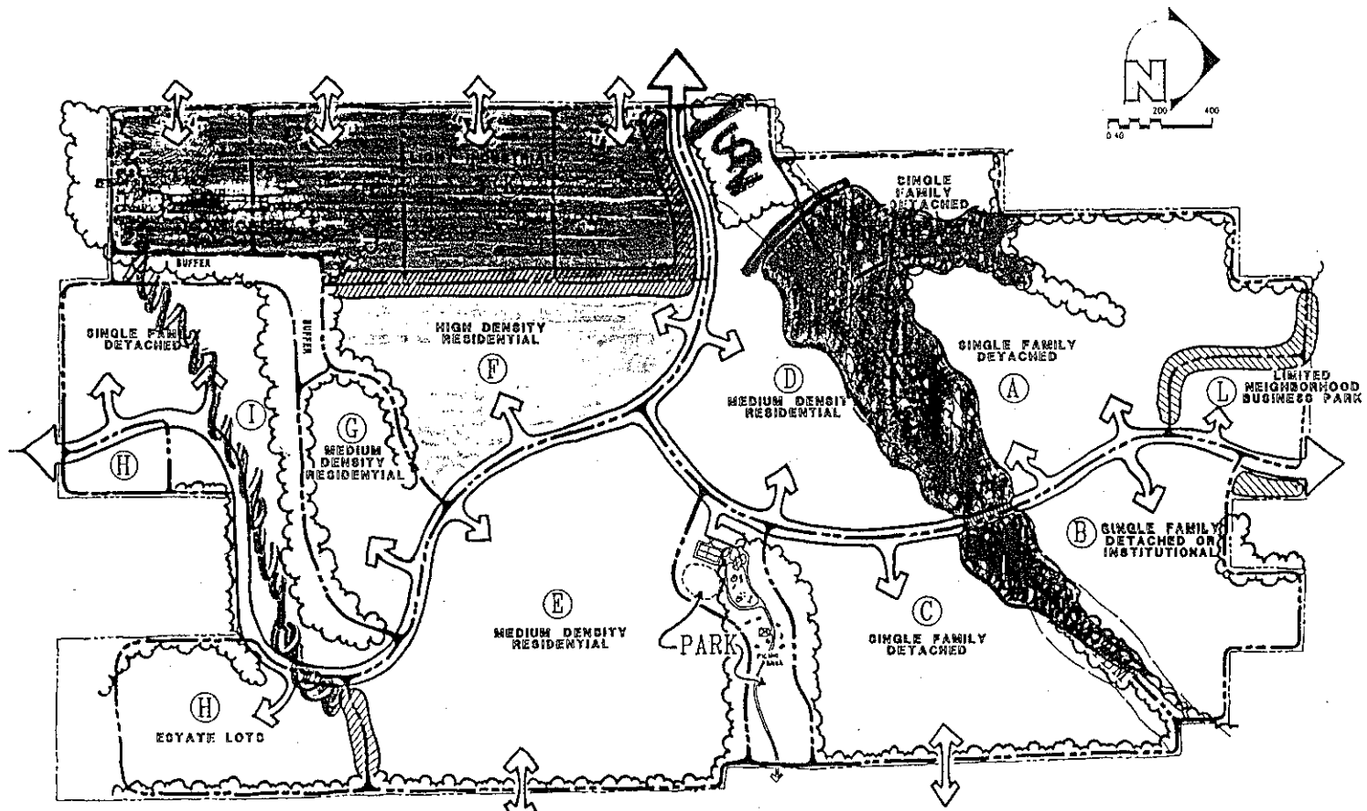
A comprehensive storm water control system is proposed. The open space system along the existing floodway shall include significant detention facilities. The storm water detention shall be designed to provide a very long and slow discharge in recognition of downstream flooding problems. In so far as geologic conditions will allow, lakes shall be constructed in the floodway to serve both as amenities and as storm water control. An overall storm water plan will be designed with a first development plan.

SETBACKS

Building setbacks unique to this planned development are proposed based on the type of housing project. The following setbacks shall apply:

Housing Type and Area	Building Front Setback	Building Side Least Setback	Building Side Combined Setback	Rear Yard Setback
Single-Family Areas A, B & C	20 feet	6 feet	15 feet	25 feet
Medium Density Residential Areas D, E & G	20 feet	5 feet	10 feet	15 feet
Estate Lots Area H	30 feet	10 feet	25 feet	25 feet
Single-Family Large Lot Areas I & J	25 feet	8 feet	20 feet	25 feet

(6)



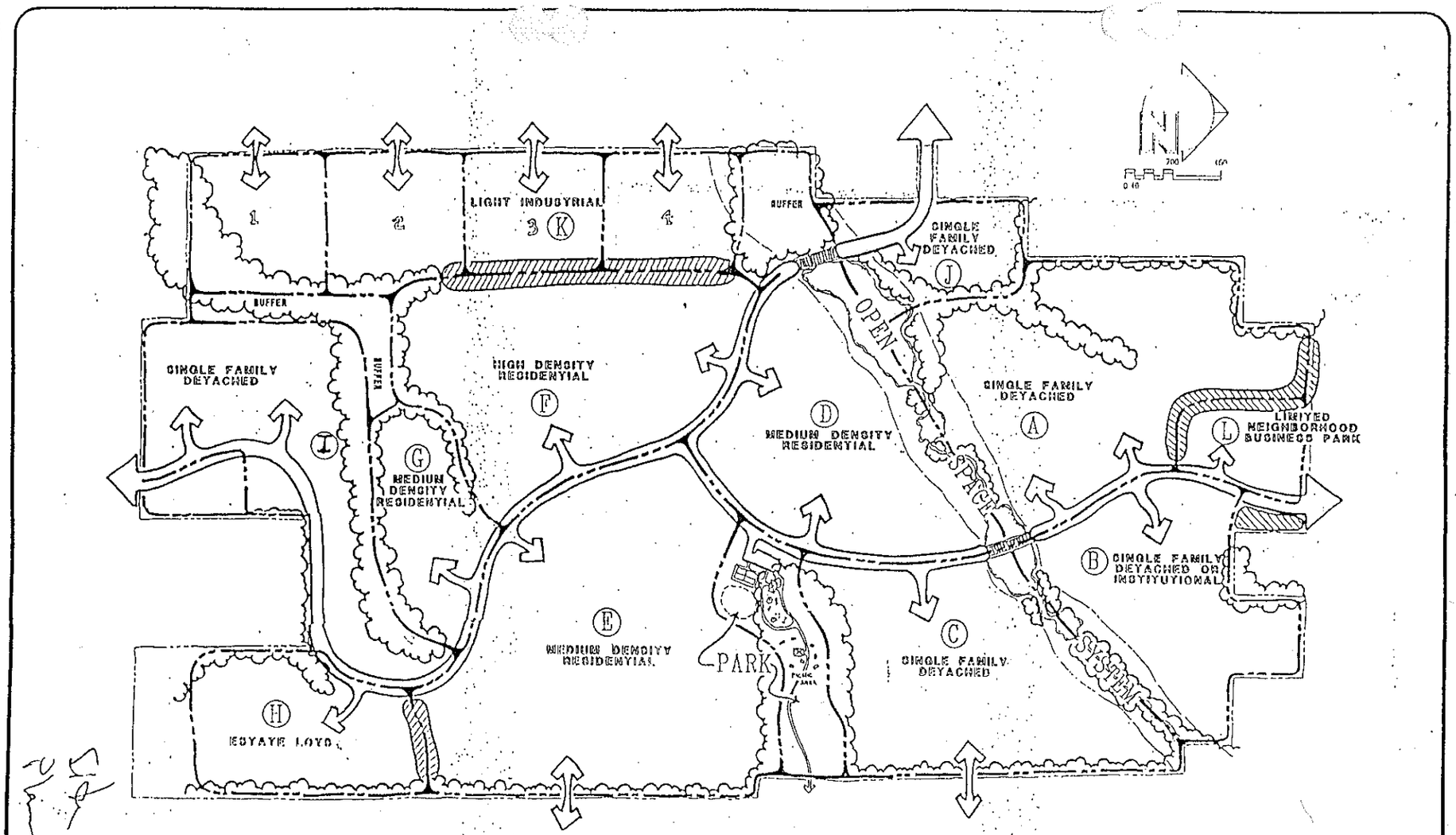
REVISIONS

Wiley Farm

PLANNED DEVELOPMENT

Wiley Farm Planned Development

TRACT	LAND USE	APPROXIMATE SIZE (acres)	MAXIMUM # UNITS	MAXIMUM DENSITY
A	Single Family Detached	28.7	84	3.68
B	Single Family Detached or Institutional	17.5	63	3.58
C	Single Family Detached	24.2	88	3.53
D	Medium Density Residential	23.9	100	4.67
E	Medium Density Residential	37.7	190	5.11
F	High Density Residential	19.6	154	10.00
G	Medium Density Residential	9.1	38	5.15
H	Estate Lots	15.9	6	0.68
I	Single Family Detached	20.5	72	2.91
J	Single Family Detached	7.1	15	2.11
	Park	8.6		
	Buffer (not included in other tracts)	5.5		
	SUBTOTAL	312.2	821	3.90
K	Light Industrial	34.2		
L	Limited Neighborhood Business	3.8		
	TOTAL	354.3		



Wiley Farm Planned Development

TRACT	LAND USE	APPROXIMATE SITE (acres)	MAXIMUM UNITS	MAXIMUM DENSITY
A	Single Family Detached	29.6	86	2.92
B	Single Family Detached or Institutional	11.5	42	3.54
C	Single Family Detached	24.5	86	3.51
D	Medium Density Residential	22.5	100	4.44
E	Medium Density Residential	37.6	190	5.05
F	High Density Residential	25.7	254	10.00
G	Medium Density Residential	9.7	58	6.00
H	Estate Lots	12.8	5	0.39
I	Single Family Detached	21.1	42	1.99
J	Single Family Detached	7.2	15	2.08
	SUBTOTAL	206.4	896	4.34
K	Light Industrial	21.3	-	-
L	Limited Neighborhood Business	2.6	-	-
	Park	6.1		
	Buffer (not included in other tracts)	5.5		
	TOTAL	240.9		

Wiley Farm

PLANNED DEVELOPMENT

PREPARED BY SMITH HEDRICKER & ASSOCIATES, INC

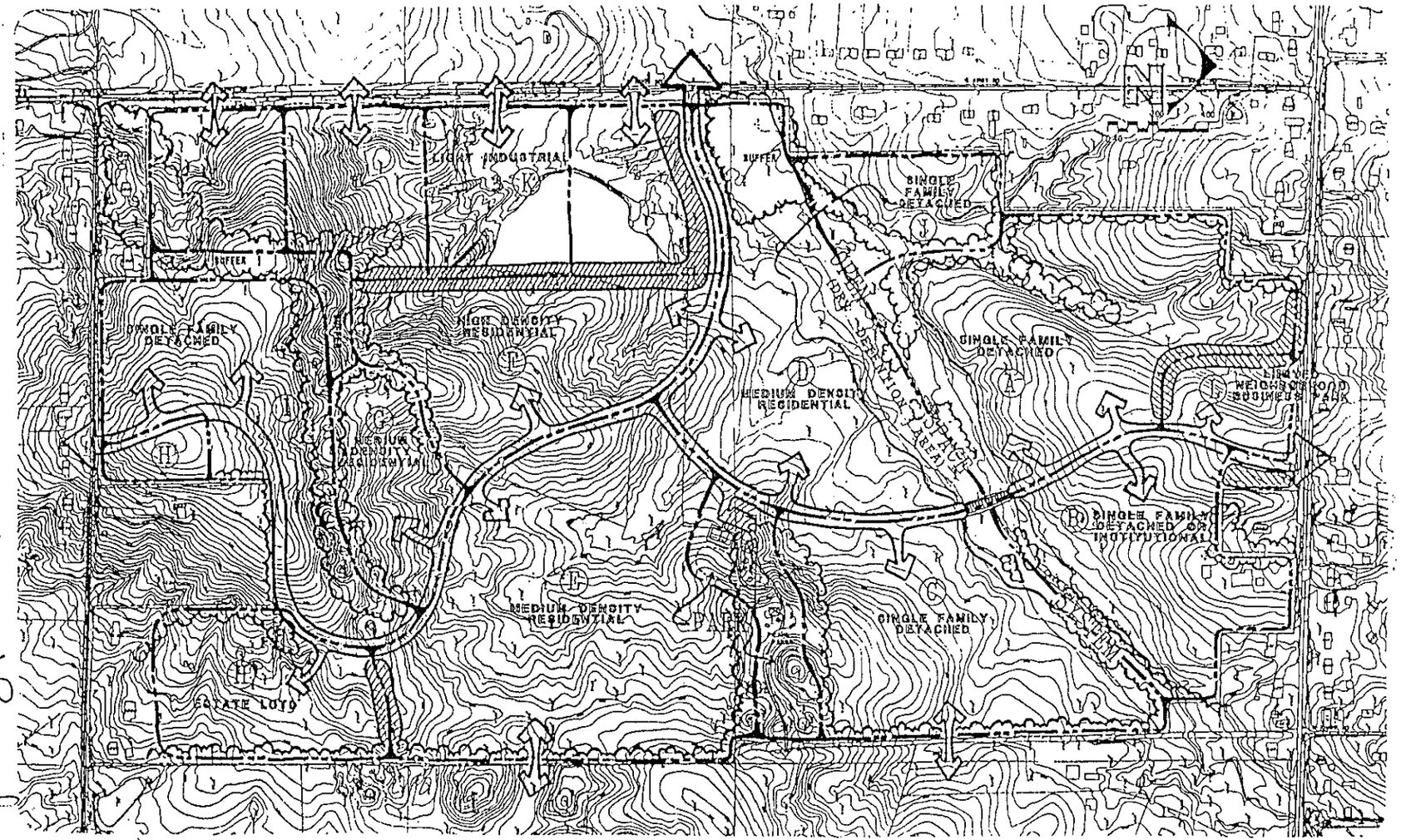
Wiley Farm Planned Development

TRACT	LAND USE	APPROXIMATE SIZE (acres)	MAXIMUM # UNITS	MAXIMUM DENSITY
A	Single Family Detached	29.0	86	2.97
B	Single Family Detached or Institutional	17.5	62	3.54
C	Single Family Detached	24.5	86	3.51
D	Medium Density Residential	22.1	100	4.52
E	Medium Density Residential	37.6	190	5.05
F	High Density Residential	~~25.4~~ 18.4*	~~254~~ 184*	10.00
G	Medium Density Residential	9.2	56	6.09
H	Estate Lots	12.8	5	0.39
I	Single Family Detached	21.1	42	1.99
J	Single Family Detached	7.2	15	2.08
	SUBTOTAL	~~206.1~~ 199.4	~~896~~ 736	4.34
K	Light Industrial	~~27.8~~ 34.2 *		
L	Limited Neighborhood Business	3.8		
	Park	6.4		
	Buffer (not included in other tracts)	5.6		
	TOTAL	250.0		

Table 1

Land Use and Density Summary

* INDUSTRIAL AREA WAS INCREASED AS SUGGESTED IN PRE-HEARING



Revised Site Plan

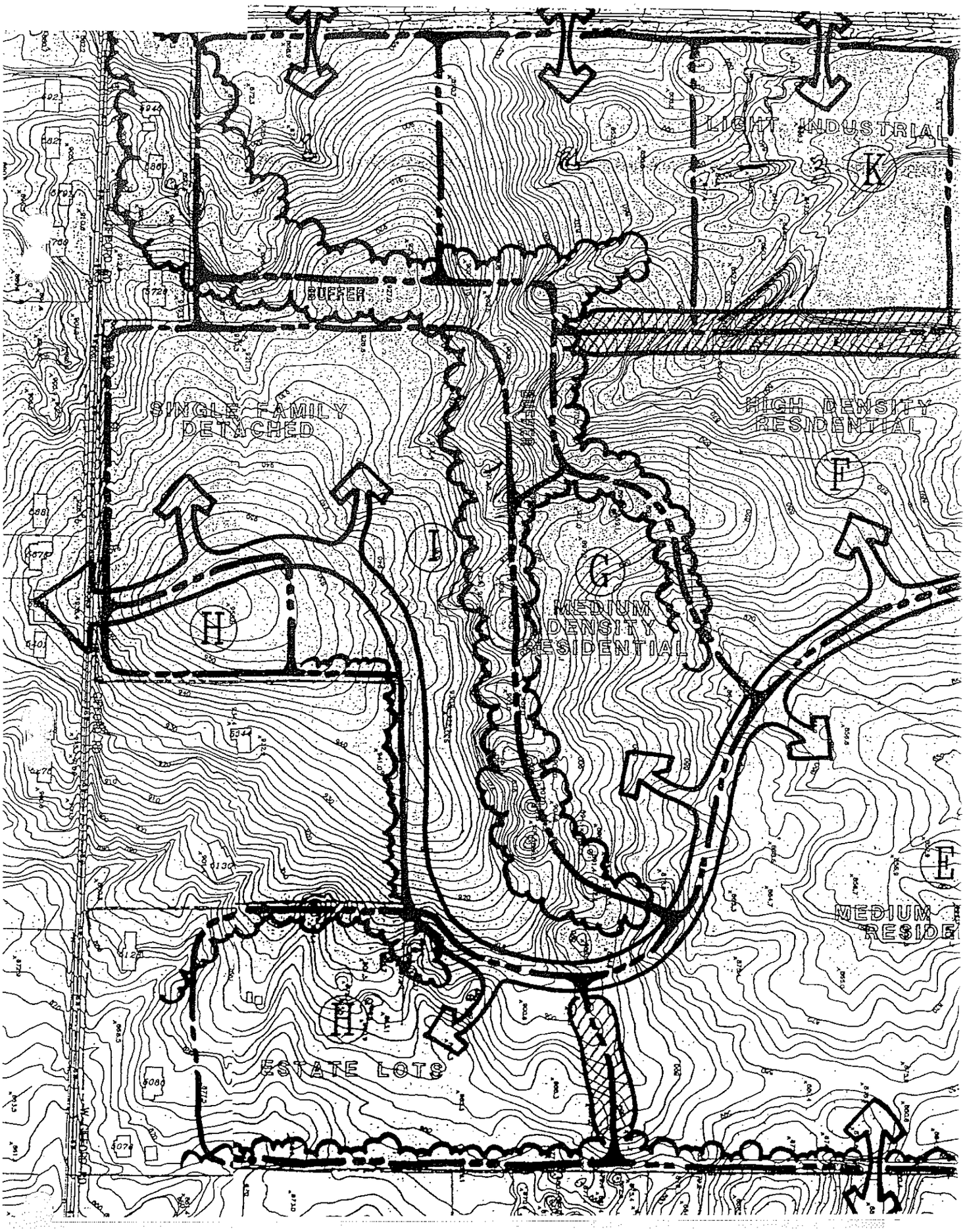
66

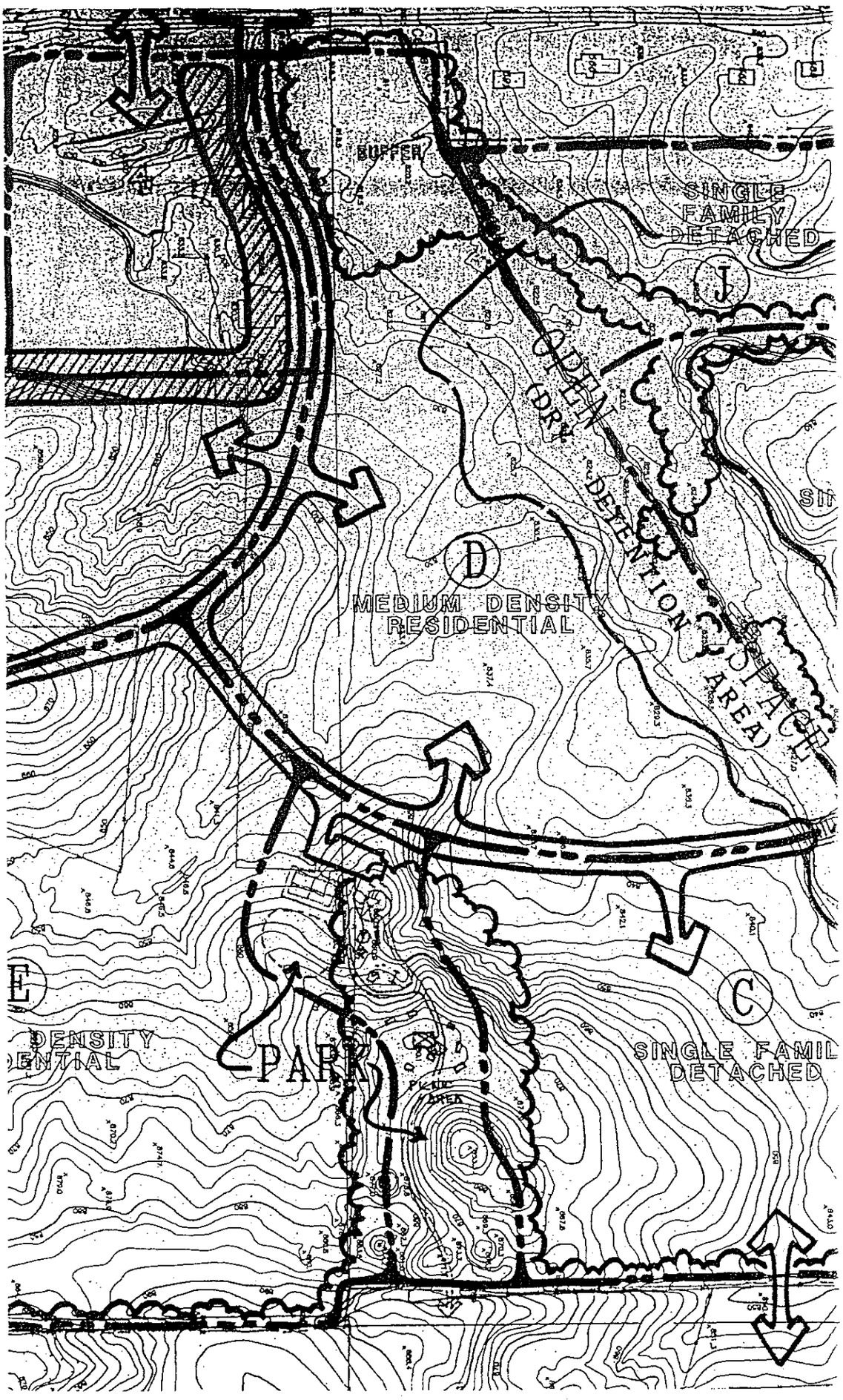
Wiley Farm Planned Development

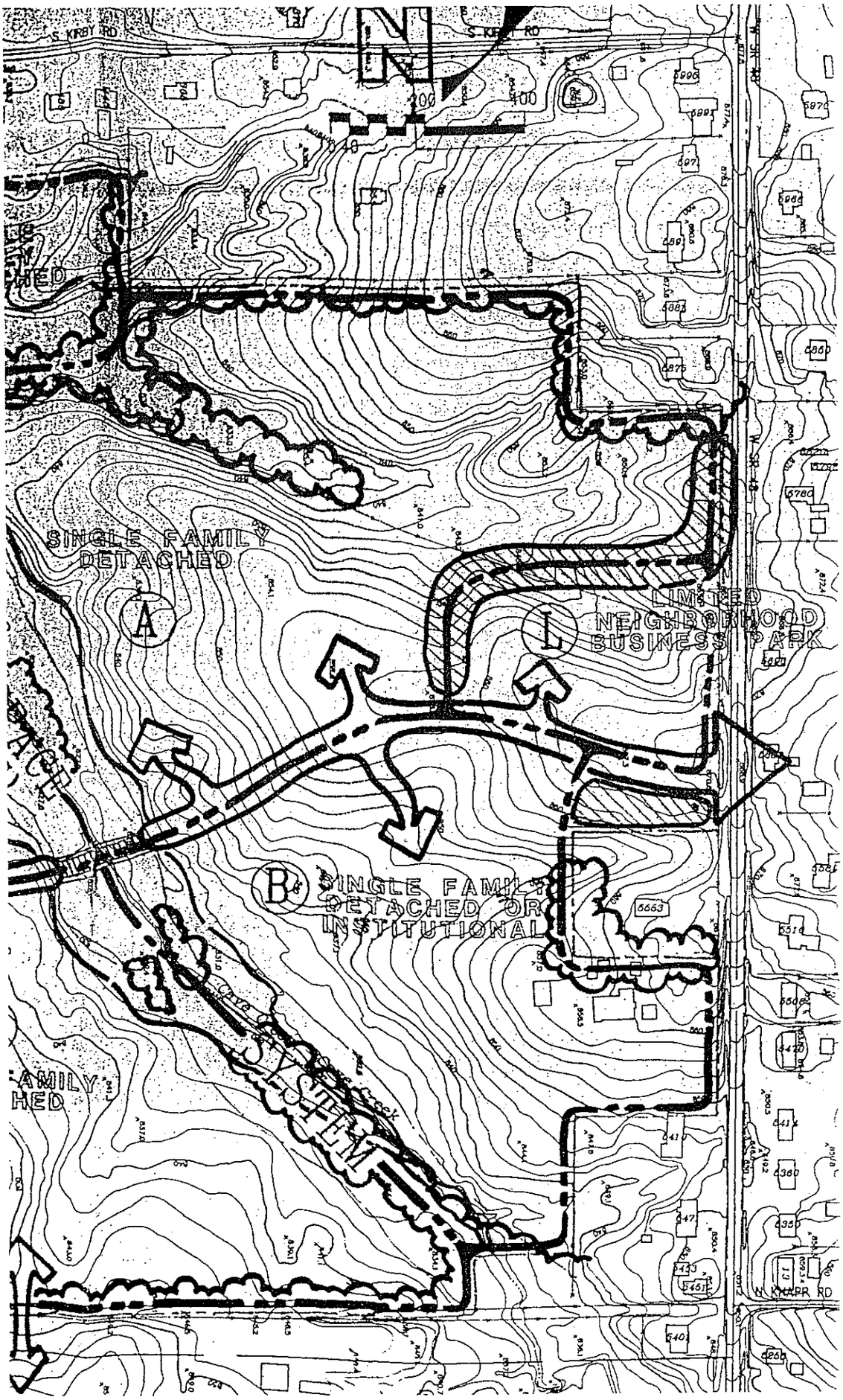
TRACT	LAND USE	APPROXIMATE SIZE (acres)	MAXIMUM # UNITS	MAXIMUM DENSITY
A	Single Family Detached	29.7	84	3.00
B	Single Family Detached or Institutional	17.3	63	3.64
C	Single Family Detached	34.2	88	3.33
D	Medium Density Residential	21.8	100	4.37
E	Medium Density Residential	37.2	190	5.11
F	High Density Residential	19.4	194	10.00
G	Medium Density Residential	9.9	58	6.15
H	Estate Lots	15.5	6	0.43
I	Single Family Detached	30.8	62	2.01
J	Single Family Detached	7.1	15	2.11
	Park	8.4		
	Buffer (not included in other tracts)	3.9		
	SUBTOTAL	213.2	877	3.90
K	Light Industrial	34.3		
L	Limited Neighborhood Business	3.0		
	TOTAL	250.2		

Wiley Farm

PLANNED DEVELOPMENT


LIGHT INDUSTRIAL
K
BUFFER
SINGLE FAMILY DETACHED
HIGH DENSITY RESIDENTIAL
F
I
G
MEDIUM DENSITY RESIDENTIAL
H
E
MEDIUM RESIDE
H1
ESTATE LOTS


BUFFER
SINGLE FAMILY DETACHED
J
OPEN DR.
DETENTION SPACE AREA)
D
MEDIUM DENSITY RESIDENTIAL
E
DENSITY
ENTIAL
PARK
PICNIC AREA
C
SINGLE FAMIL
DETACHED


S KIRBY RD
S KIRBY RD
SINGLE FAMILY DETACHED
A
LIMITED NEIGHBORHOOD BUSINESS PARK
L
B
SINGLE FAMILY DETACHED OR INSTITUTIONAL
SYSTEM
N KNAPP RD

Smith Neubecker & Associates, Inc.

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

Daniel Neubecker L.A.
Project Manager

October 26, 1994

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

RE: Wiley Farm Plan Development

Dear Tim and Plan Commissioners:

Ongoing communications and planning for the Wiley Farm Plan Development since the first public hearing of the Plan Commission have resulted in clarifications and/or updates to two items in the plan. These items are the amount of land allocated to **industrial** and the commitment on **storm water controls.**

The **industrial** area has been expanded eastward to the edge of the old "earth borrow area" and to a grade break that forms somewhat of a natural buffer between the industrial and the residential uses. This change, shown on the amended outline plan drawing, increases the industrial area to 34.2 acres.

Storm water. Further analysis of the storm water detention requirements indicates that a dry basin is appropriate because of the volume of storage necessary. The area will become green space with a storm water easement overlayed. Title to the land will either be with the Home Owners Association or with the County under the control of the County Drainage Board. Further investigation has indicated that the volume of runoff as well as the rate of runoff leaving this site and flowing towards Cave Creek needs to be addressed. Flooding in Cave Creek persists for several days after a large rainfall. This basin will be sized to reduce the volume of runoff during those days following the rainfall event. The water stored will be released after the downstream water has subsided. The basin will be sized to hold a 100-year post-development runoff to the 50-year pre-development rate and volume, the 50-year volume and rate to the 25-year volume and rate, and the 25-year rate to the 10-year volume and rate. Smaller storms will be allowed to flow in their normal fashion. In each of these cases the volume of water would be discharged from the basin at such time as the downstream facilities are able to handle the volume. The details of this design are being developed by Smith Neubecker & Associates, Inc. engineers in coordination with the City Engineering Department and the County Drainage Board. Full details will be developed for development plan stage. An analysis will also be performed at the development plan stage relative to potential karst impacts on the proposed basin.

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

The updated outline plan reflects these changes.

Very truly yours,

Stephen L. Smith
SMITH NEUBECKER & ASSOCIATES, INC.

SLS:vp

Enclosures

cc: Lynn Coyne
Brett Davis
File #2296