

1ST READING: 9/6/89
2ND READING: 9/13/89
O.P.: 70

ORDINANCE 89 - 38
To Grant Outline Plan Approval
RE: 1300 Block of West Allen Street (Ed Hewitt)

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, PUD-48-89, and recommended that the petitioner, Ed Hewitt, be granted outline plan approval and PUD designation and request that the Common Council consider their petition for outline plan approval and PUD designation on certain property;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

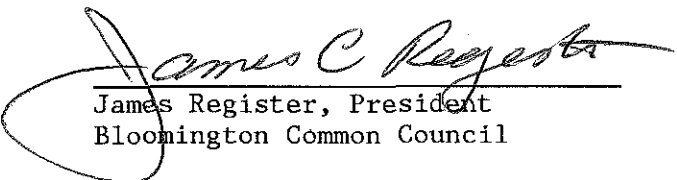
SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that the property located to the west of 1355 W. Allen Street be designated a Planned Unit Development. The property is further described as follows:

A part of Seminary Lots No. 166 & 167 in a part of Section 5, Township 8 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point that is 417.21 feet East of the Northwest corner of Seminary Lot No. 166 and on the North line of said Seminary Lot and in Allen Street, thence running on said North line East for 202.50 feet, thence leaving said line and running South 01 degrees 33 minutes 49 seconds East for 221.78 feet, thence East for 109.30 feet and to the East line of said Seminary Lot 166, thence running with said East line of Seminary Lots 166 and 167 South 05 degrees 21 minutes 44 seconds East for 550.27 feet, thence leaving said East line and running West for 297.18 feet and to a point 417.21 feet East of the West line of said Seminary Lots, thence running North 05 degrees 21 minutes 44 seconds West for 772.93 feet and to the point of beginning. Containing in all 4.73 acres, more or less. Subject to a 25.00 foot easement from the centerline of said Allen Street for Highway right-of-way.

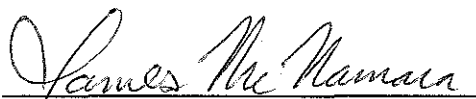
SECTION II. The Outline Plan, as recommended by the Plan Commission, shall be as attached hereto and made a part hereof.

SECTION III. 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 20TH day of SEPTEMBER, 1989.


James Register, President
Bloomington Common Council

ATTEST:


Patricia Williams, City Clerk
James McNamara, Deputy Clerk

PRESENTED by me to the Mayor of the City of Bloomington,
Morroe County, Indiana, upon this 21 day of September,
1989.

Patricia Williams
Patricia Williams, City Clerk
James McNamara, Deputy Clerk

SIGNED and APPROVED by me upon this 22 day of
September, 1989.

Tomilea Allison
Tomilea Allison, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates a 4.6 acre parcel of RS zoned land on the south side of West Allen Street, between Adams Street and the Hilltop Apartments, as a Planned Unit Development and approves an outline plan for 35 3-bedroom units.

Copy to:
Planning
Petitioner: JEFF FANTO

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 89-38, is a true and complete copy of Plan Commission Case Number PUD-48-89 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 21, 1989,

Date: August 28, 1989

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission Director

Received by the Common Council Office this 28 day of August, 1989.

Patricia Williams, City Clerk

Appropriation Ordinance # _____ Fiscal Impact Statement # _____ Resolution# _____
Ordinance

Type of Legislation:

Appropriation _____ End of Program _____ Penal Ordinance _____
Budget Transfer _____ New Program _____ Grant Approval _____
Salary Change _____ Bonding _____ Administrative Change _____
Zoning Change XX 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 _____
Unforeseen 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 XX

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)

Agency submitting legislation _____ Planning Department

By Timothy Mueller Date August 28, 1989

BLOOMINGTON PLAN COMMISSION
FINAL STAFF REPORT
RS/PUD-48-89 ED HEWITT
WEST ALLEN ST.

AUGUST 21, 1989

Requested is outline plan approval for a 35 unit RS/PUD on 4.73 acres located in the 1200 block of W. Allen St. Proposed is a condominium project with nine buildings arranged around a private drive accessing from Allen St. Accel and decel lanes are proposed at the entrance. Parking is provided in lots located between the buildings. The site is located west of RCA on the south side of Allen St. Surrounding uses are generally single residential with a mobile home park and apartments to the west. RCA owns land bordering this property on the south side.

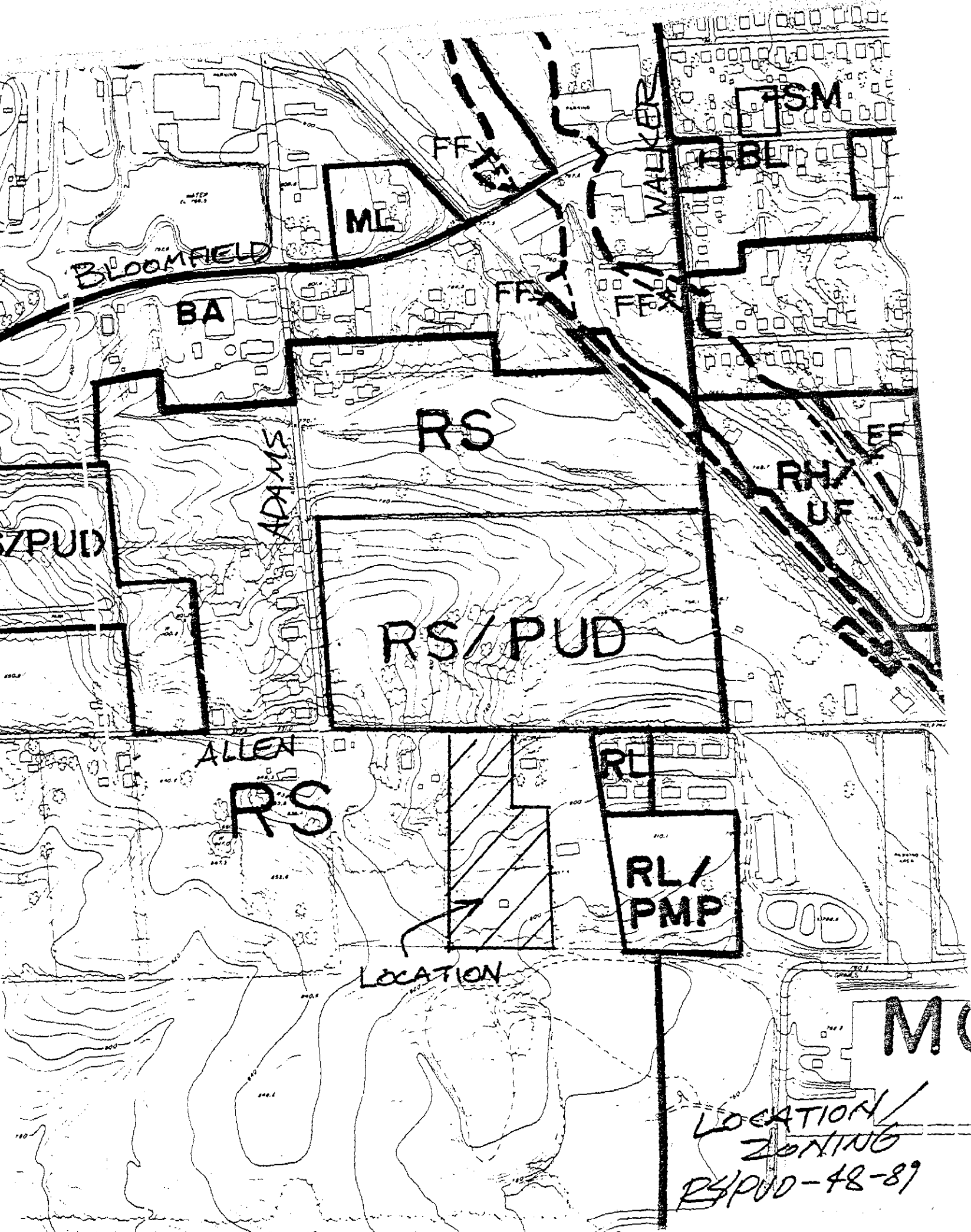
This property is located within the area recommended for single family or low-density multi-family development by the master plan update completed for this area. Density proposed for this development is at the high end of this scale at 7.3 units/acre. Access is to be from W. Allen St. Concern was raised at the preliminary hearing regarding traffic on Allen in this area. An Oct. 1987 traffic count in this area shows an average weekday traffic count of 4839 vehicles. This is within acceptable capacity levels for a two-lane rural street such as Allen. 35 new units would add in the area of 200 additional trips per day to the road. County Hwy. has issued a driveway permit for this project. The entrance will require at a minimum accel/decel lanes. Full detailing of entrance improvements and determination on need for a passing blister should be deferred to development plan stage.

Initial contacts with City Utilities indicate the property can be served by both public sewer and water facilities. Development plans will require full engineering of the systems. Storm water drainage detention will be required. The plan does not identify any area for storm water retention. Retention will be a requirement for this project. Development plans will include an engineered storm water plan.

Internal pedestrian accommodations should include a walk on one side of the internal drive as well as walks flanking the parking areas. A walk on Allen St. is also a code requirement.

This site contains 4.7 acres. The code requires a PUD to contain at least 5 acres. Variance from this requirement is necessary. Staff supports the variance. Undue hardship would be imposed by requiring the five acre minimum in this case. The site in question is a separate parcel of record that falls short of the minimum size by .3 acre.

Staff recommends approval of this outline plan. Maximum number of units not to exceed 35. Fully engineered plans including storm water detention and landscaping will be required with development plan approval.



LOCATION/
ZONING
R4PUD-48-89