

ORDINANCE 88 - 32

To Amend the Zoning Map from RE to RS/PUD
and Grant Outline Plan Approval

RE: Northwest Corner of Smith and Rogers Road
(Howard Young)

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-44-88, and recommended that the petitioner, Howard Young, be granted an amendment to the Bloomington zoning maps and request that the Common Council consider their petition for rezoning of certain property:

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

SECTION I. Through the authority of IC 36-7-4 that the zoning be changed from RE to RS/PUD for property located at the northwest corner of Smith Road and Rogers Road, and more particularly described as follows:

A part of the Southeast quarter of Section 11, Township 8 North, Range 1 West Monroe County, Indiana, more particularly described as follows:

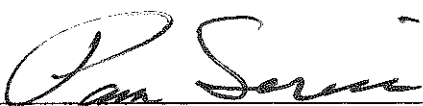
Commencing at the northwest corner of the southwest quarter of said section marked by a stone; thence south 00 degrees 07 minutes 24 seconds West along the west line of said southwest quarter 38.59 feet; thence south 89 degrees 52 minutes 36 seconds East 661.10 feet to a railroad spike in the centerline of Sare Road; thence south 88 degrees 24 minutes 42 seconds East along a fence line marking the north line of said southwest quarter 1959.51 feet to the point of beginning, said point being the northwest corner of the southeast quarter of said section and marked by a fence corner; thence on the following three courses along the north line of said southeast quarter (1) south 87 degrees 55 minutes 35 seconds East 120.55 feet; (2) south 88 degrees 06 minutes 04 seconds East 1212.31 feet; (3) south 88 degrees 17 minutes 52 seconds East 663.84 feet; thence South 00 degrees 06 minutes 10 seconds West 487.61 feet; thence South 87 degrees 45 minutes 06 seconds West 593.16 feet; thence South 45 degrees 21 minutes 45 seconds West 957.45 feet; thence South 24 degrees 19 minutes 52 seconds West 390.51 feet; thence South 47 degrees 35 minutes 23 seconds West 359.39 feet; thence South 62 degrees 41 minutes 35 seconds West 335.53 feet to the west line of said southwest quarter; thence North 00 degrees 06 minutes 10 seconds East along said west line 2000.00 feet to the point of beginning, containing 49.27 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 above designated property be designated a Planned Unit Development.

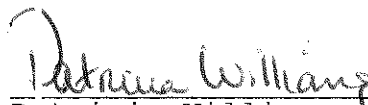
SECTION III. The Outline Plan, as recommended by the Plan Commission, shall be as attached hereto and made a part hereof.

SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

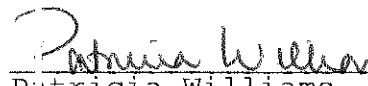
PASSED and ADOPTED by the Common Council of the
City of Bloomington, Monroe County, Indiana, upon this 3
day of August, 1988.


Pam Service, President
Bloomington Common Council

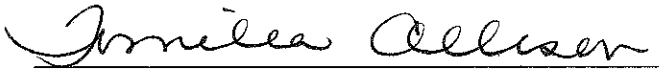
ATTEST:


Patricia Williams, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington,
Monroe County, Indiana, upon this 4 day of August, 1988.


Patricia Williams, City Clerk

SIGNED and APPROVED by me upon this 4 day of
August, 1988.


TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Petitioner (Howard Young) proposes a single family subdivision
on this 49 acre tract adjacent to Hyde Park at the northwest
corner of Smith Road and Rogers Road at density of 2.5 units
per acre.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number _____, is a true and complete copy of Plan Commission Case Number PUD-44-88 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 July 11, 1988.

Timothy A. Mueller
Planning Director
Tim Mueller, Secretary
Plan Commission

Date: 7/14/88

Received by the Common Council Office this 14 day of July, 1988.

Patricia Williams
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	<u>X</u>	Investments	_____	Short-Term Borrowing	_____
New Fees	_____	Annexation	_____	Other	_____

outline plan approval and RE to RS/PUD

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 X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

This property is outside the City's incorporated limits.

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 7/14/88



May 7, 1988

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

Terry Quillman
Vice President

Daniel Neubecker L.A.
Project Manager

B. Ledsoe L.S.
Senior Manager

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

RE: Grossman Subdivision and Rezone

Dear Commissioners:

Dan Grossman respectfully requests your consideration of his petition to subdivide 49 acres from his farm in the northwest corner of Smith Road and Rogers Road and to rezone the 49 acres to an RS/Planned Unit Development.

The elements of the Planned Unit Development would allow single family residential development with the density not to exceed 2.5 lots/acre. Road connections would be made to the north, west, and east as shown on the schematic plan. The lot layout and local roads shown on the schematic plan are illustrative only and would be presented in final form to the Plan Commission at Development Plan stage. The roadway connection to the north connects to an existing roadway in Hyde Park. The roadway connection to the west to the Schmaltz farm ties in one lot depth south of the existing Hyde Park development. The property is bounded on the south by a creek and flood plain.

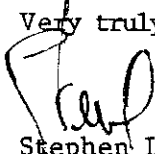
Sanitary sewer would be provided via a lift station at the southwest corner of the site pumping into the gravity sewers in the existing Hyde Park Subdivision. We will coordinate that schematic design with the Utility Department.

The following items are being enclosed with this application:

1. A Schematic Plan
2. Legal of the Grossman Farm
3. Legal of the 49 acres
4. Application Form and Application Fee

Proof of notification to adjacent property owners will be submitted next week. I will be in contact with you between now and the time of the hearing to discuss the issues of the petition.

Very truly yours,


Stephen L. Smith
Smith Quillman Associates, Inc.

cc: file 1227
Dan Grossman
Howard Young

4625 Morningside Drive
Post Office Box 155
Bloomington, Indiana 47402
Telephone 812 336-6536

8553 Bash Street
Suite 104
Indianapolis, Indiana 46250
Telephone 317 841-9102

JULY 11, 1988

Requested is rezoning to RS/PUD and outline plan approval for a proposed single family residential development on 49 acres adjacent to Hyde Park. A maximum density of 2.5 units/acre is proposed for the subdivision.

Issues raised at preliminary hearing are addressed as follows: Sanitary sewer will be provided along the Jackson Creek floodplain and partially adjacent to the southernmost street in the development. (see exhibit) A lift station will pump into the existing Hyde Park gravity system. The sewer line will be oversized to accommodate future development with the Utilities Dept. picking up the cost of the oversize.

Street connections are proposed to the west and east but not across Jackson Creek to the south. Staff has reviewed the proposal and would modify it as follows: Adequate sight distance should be assured where the east stub would extend to Smith Rd. with outline approval. In addition a requirement for extension of the road to Smith should be an element of outline approval. Staff suggests that the road should be built with the final phase of this project. The Commission should establish a minimum number of lots that would constitute this last phase, the Staff suggests that when 75% of the project is developed the road should be required.

The pedestrian and bike element of the Thoroughfare plan calls for a bicycle and pedestrian easement through the Jackson Creek floodplain. This easement should be required to be dedicated with development of the site. The easement would be reserved for later development as a bike/pedestrian path.

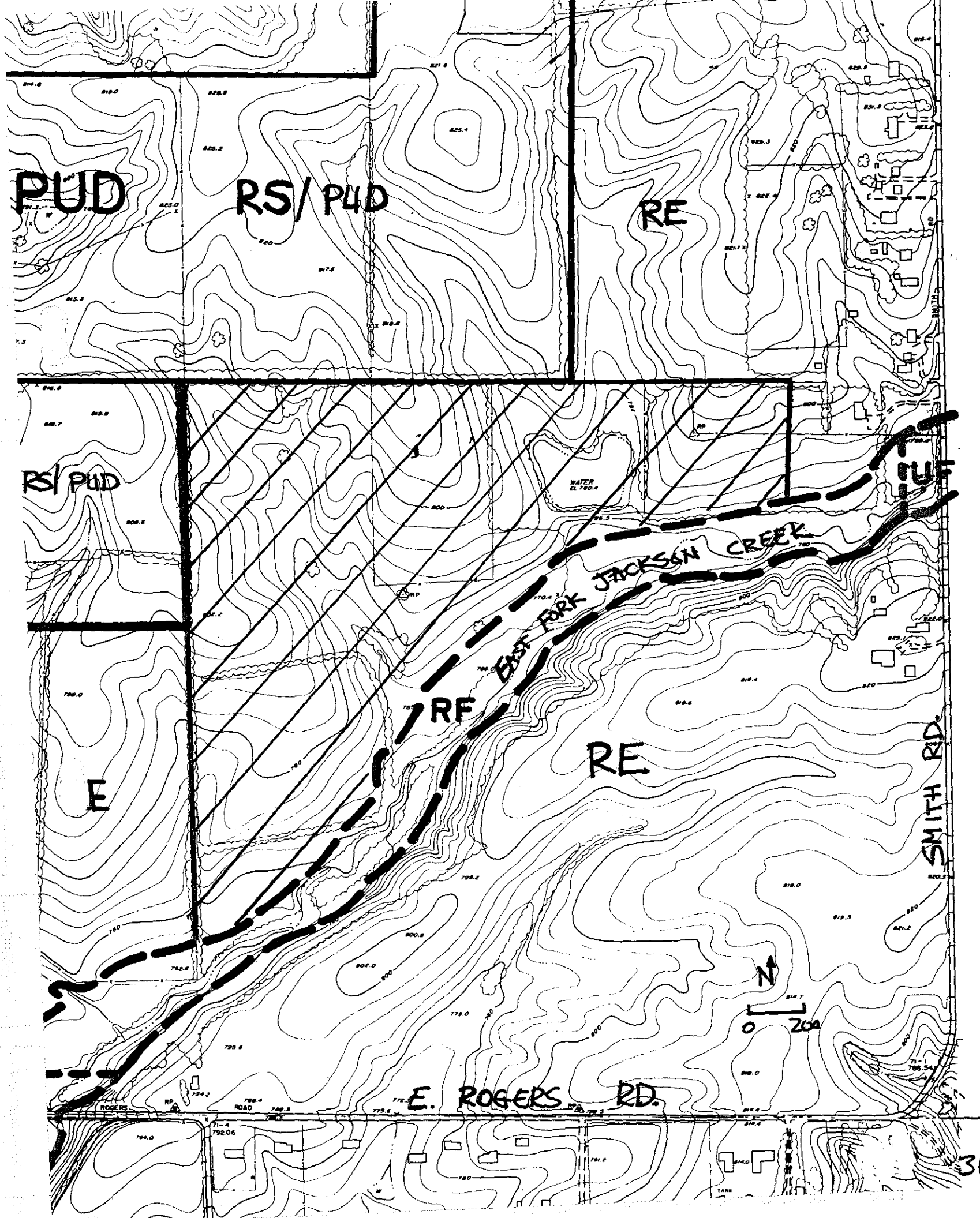
Staff would recommend requiring fencing of the existing pond in the NE portion of the property. Fencing should be required due to the ponds proximity to a public street.

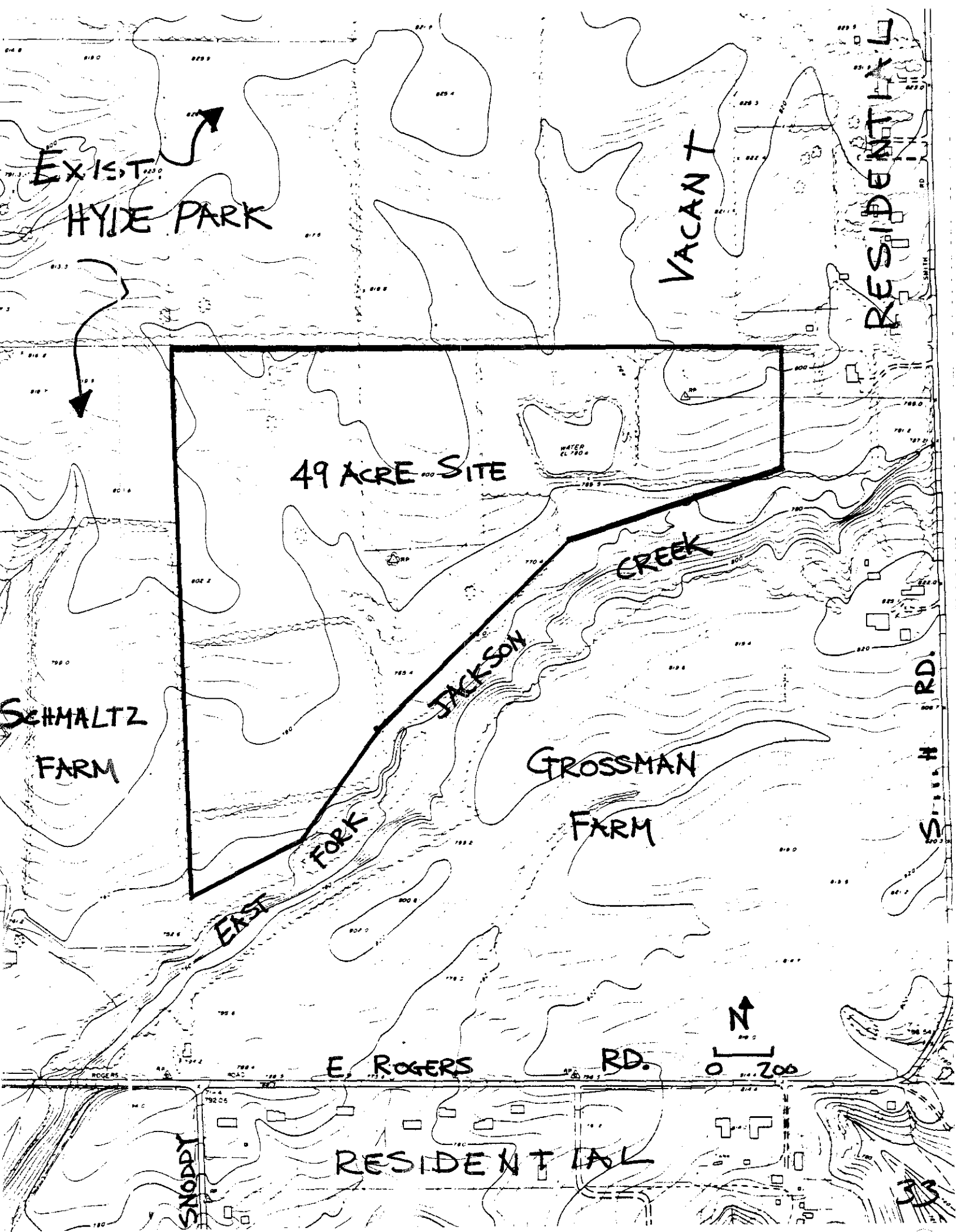
Staff recommends approval of this rezoning to RS/PUD and outline plan with the requirements as noted above.

Staff would note that this approval does not include preliminary subdivision plat approval. This approval would come with development plan when detailed plans are reviewed.

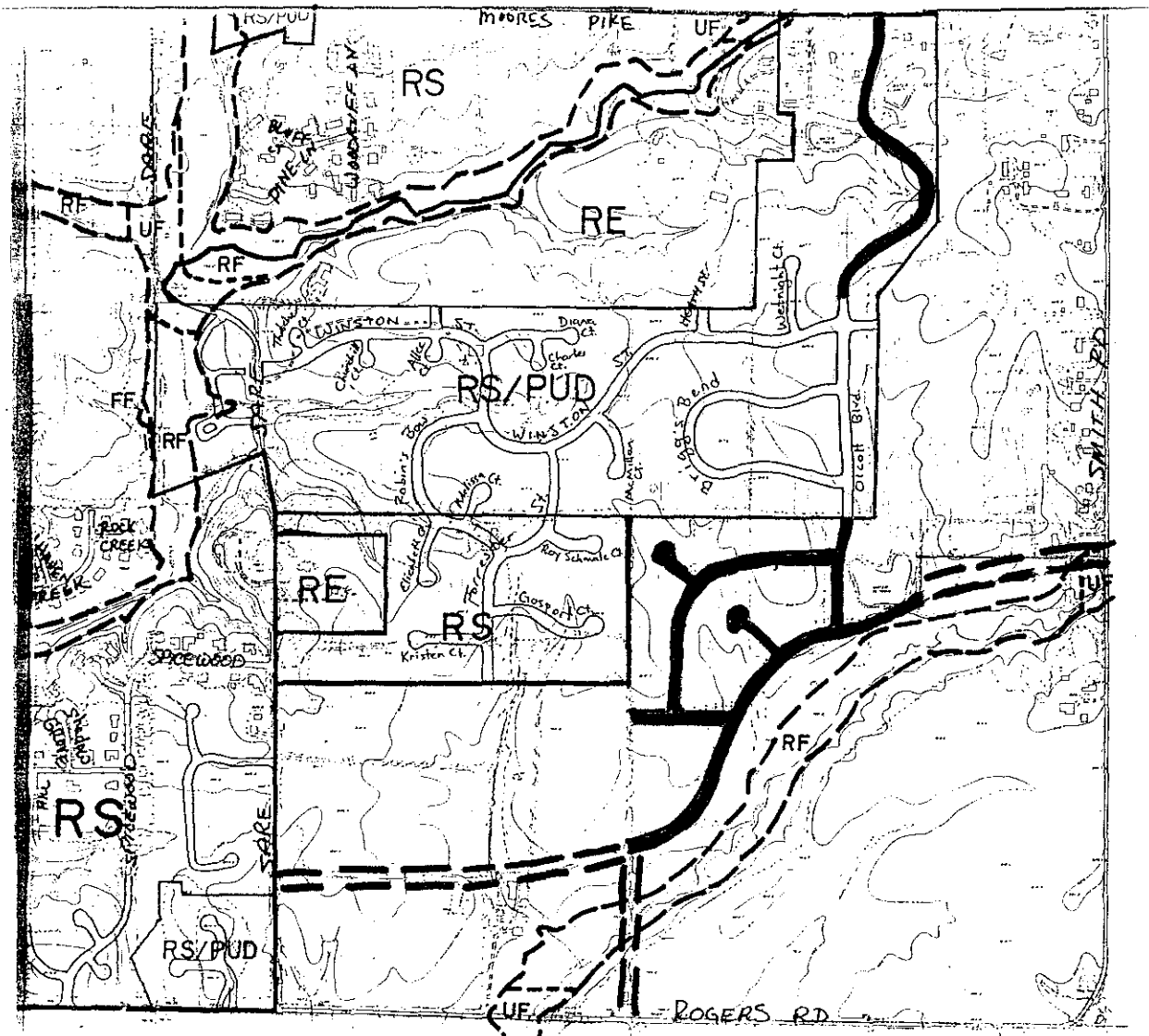
Rs stds

Detention will be Required





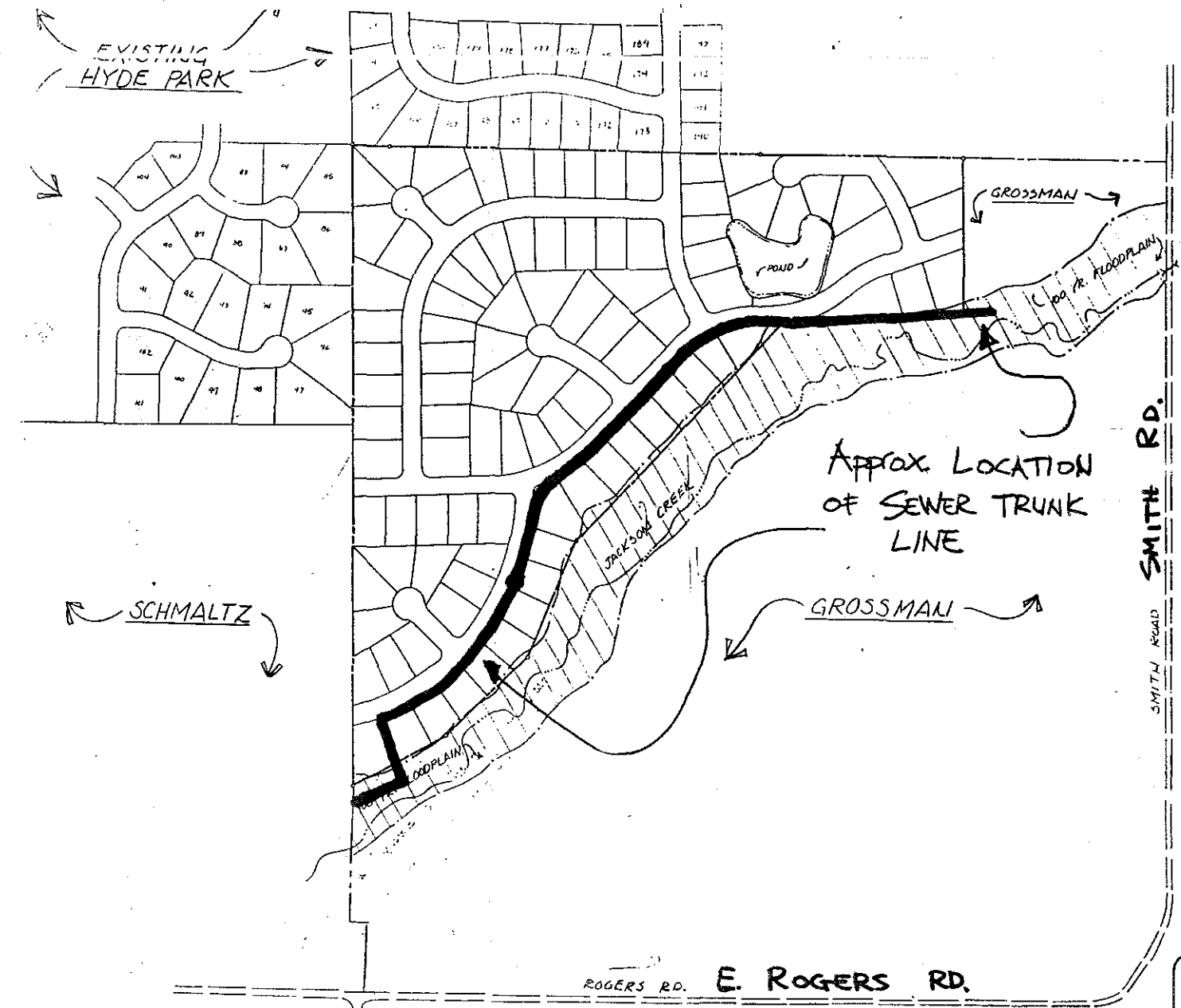
HYDE PARK STREETS



NORTH

- PROPOSED STREETS
- EXIST STREET
- THOROUGHFARE PLAN LINK

SEWER LOCATION EXHIBIT



49 acre Subdivision Schematic Plan for Rezoning

