

To Amend the Zoning Maps from RE to RS/PUD
and Grant Outline Plan Approval
RE: 3000 Block of Rogers Road (Max Kendall)

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-48-88, and recommended that the petitioner, Max Kendall, 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 the property located at 3000 Block of East Rogers Road, and more particularly described as follows:


A part of the North half of Section 15, Township 8 North, Range 1 West in Monroe County, Indiana. Commencing at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 15, said point being in the Northeast corner of Sherwood Oaks Section Seven; thence along the North line of said quarter quarter south 89 degrees 7 minutes 46 seconds East 1312.95 feet to the West line of the Southwest quarter of the Southeast quarter of Section 10; thence North 0 degrees 6 minutes 30 seconds West 194.00 feet to the centerline of Rogers Road; thence South 83 degrees 39 minutes 57 seconds East along the centerline 479.72 feet; thence leaving said centerline South 66 degrees 40 minutes 20 seconds East 388.21 feet to the North line of Section 15; thence along said North line and the centerline of Rogers Road South 89 degrees 7 minutes 46 seconds East 757.00 feet to the Point of beginning; thence continuing along said North line and centerline South 89 degrees 7 minutes 46 seconds East 1035.90 feet to the Northeast corner of the Northeast Quarter of Section 15; thence leaving said north line and centerline and continuing along the East line of said Northeast Quarter South 00 degrees 00 minutes 00 seconds East 759.00 feet; thence leaving said East line North 89 degrees 09 minutes 47 seconds West 1379.15 feet; thence North 33 degrees 58 minutes 04 seconds East 607.48 feet; thence North 0 degrees 52 minutes 14 seconds East 250.00 feet and to the point of beginning, containing 20.09 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.

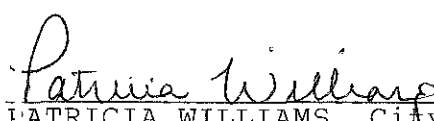
PASSED and ADOPTED by the Common Council
of the City of Bloomington, Monroe County, Indiana, upon
this 19 day of October, 1988.


PAM SERVICE, President
Bloomington Common Council

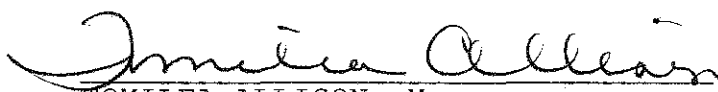
ATTEST:


PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City
of Bloomington, Monroe County, Indiana, upon this 20
day of Oct, 1988.


PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 21
day of Oct, 1988.


TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

The petitioner (Max Kendall) proposes 21 single family
lots on 11 acres and 48 multi-family units on the remaining
9 acres for an overall density of 3.75 units per acre.
This 20 acre site is adjacent to the Stands on Rogers
Road.

Signed copies 10/27/88

*Planning
Petitioner*

****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-48-88 which was given a recommendation of approval by a vote of 8 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 12, 1988

Date: 9/22/88

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

Received by the Common Council Office this 30 day of September

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

RE to RS/PUD and outline plan approval.

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____
Unforeseen Need _____

Emergency _____
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

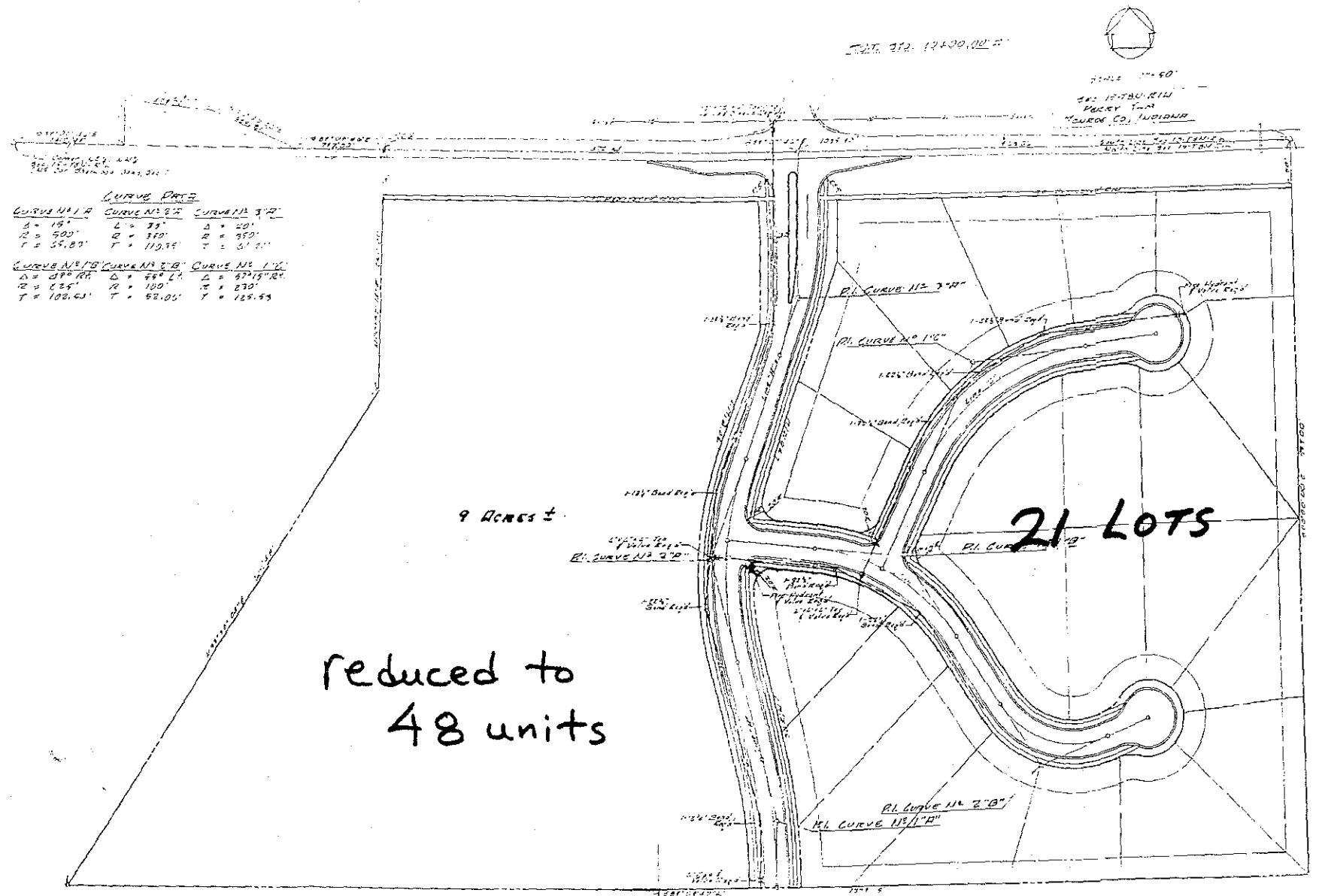
If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

This property is not within 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 9/22/88



Revised Plan
P.O.D. 48-88

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Agency submitting legislation Planning Department

By Timothy Mueller Date 9/22/88

ANDREW C. MALLOR
ATTORNEYS AT LAW

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Andrew C. Mallor
Geoffrey M. Grodner
James F. Bohrer
Julie V. Knost

September 2, 1988

Mr. Tim Mueller
City Planning Director
City of Bloomington
City County Building
Bloomington, IN 47401

RE: Thomas C. Martin/Kendall Pedigo Development Co.
RE113-071G

Dear Tim:

This firm represents Thomas C. and Angela Martin, the owners of the 20.09 acres of Real Estate located in the North half of Section 15, Township 8 North, Range One West in Monroe County.

Please consider this letter an amendment to the pending Petition filed on behalf of the property owner by Kendall/Pedigo Development Co. requesting that the Real Estate be approved for development as an RS-PUD. Specifically, the Petition should be amended as follows:

(1) The density of the West 9 acres of the Real Estate will be reduced from 54 Units to 48 Units.

(2) In the event the request for an RS-PUD is denied, the owner of the Real Estate wishes to petition for and have heard at the September 12, 1988 meeting a Petition for change of zoning from RE to RS.

Tim, as you know, this proposal has undergone several changes, each of which has reduced the overall density of the project. The revised request for an RS-PUD now has a density lower than the surrounding properties as well as a density which is below what would be available to the developer under the RS Zoning Classification. The preference of my clients is to have the project approved as an RS-PUD because they believe it will result in a

development that: enhances the value of the property; is consistent with all stated City of Bloomington zoning classifications and policies, and is a use which is compatible with the higher density adjoining properties.

This letter should be attached to the Petition which is pending and will be heard by the Planning Commission on September 12, 1988. If you have any questions about the content of this letter, please contact me.

Very truly yours,

James F. Bohrer
Attorney at Law

JFB:jr

Since the earlier hearings, this PUD request next to the Stands on E. Rogers Street has been reduced in density from 5.5 units/acre to 3.75. The multi-family area has been cut from 10 to 9 acres and from 80 to 54 units (6 units/acre). The single family component remains at 21 lots.

	<u>Multi</u>	<u>Single</u>	<u>Density</u>
Stands as approved	157	210	3.95
Stands as developed	112	200	3.40
Proposed Kendall site	54	21	3.75

This represents a slightly higher density and a considerably higher proportion of multi-family to single family land area. We are not prepared to endorse the concept of 9 out of every 20 acres in the vicinity being multi-family. On the other hand, the site abuts "The Stands" 14 acre multi-family parcel and the proposed plan presents a single-family interface with future development east along E. Rogers Street. The 3.75 units/acre density is consistent with what could be achieved by a tight RS subdivision. The traffic impacts of the 75 units under consideration will not be of adverse impact on E. Rogers conditions (Density levels on the extensive vacant areas south and east, of course, are a significant issue).

SEPTEMBER 12, 1988

Update The proposal has been reduced from 54 multi-family units to 48. Overall density is 3.4 units/acre. It is also requested that, in the event that the PUD is not approved, the RE to RS component of the request be adopted on September 12. RS, developed with minimum 60' x 120' lots, comes to over 4 units/acre, so the proposal is consistent with surrounding zoning. The International Traffic Engineers Trip Generation manual shows 10 daily trip ends for single family and 6.1 for multi-family. Based on these rates, 3 scenarios and their traffic are as follows:

	<u>units</u> <u>acre</u>	<u>units</u>	<u>trips</u> <u>units</u>	<u>trips</u>
Maximum RS development	4.75	95	10	950
Typical RS development	3	60	10	600
Proposal		21 lots 48 apts.	10 6.1	210 293
				503
Surrounding development	2.5	50	10	500

Staff observes that this site could be developed in a manner consistent with single family surroundings without harm to the public interest. At the same time, we feel that its arrangement makes some sense in its relation to the Stands multi-family. It does not set the pattern for multi-family on The next tract east. Staff recommends approval on condition of a substantial landscaped feature in the East Rogers setback for the 48 unit tract, similar to Sycamore Village, and entrance improvements designed to also serve as a passing blister for turns into Spicewood Lane.