Passed: 9-0

ORDINANCE 94-07

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RL and ML to MG, GRANT PCD DESIGNATION, AND APPROVE OUTLINE PLAN
Re: 2500 N. Curry Pike
(John F. Griner, 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, MG/PCD-71-93 and recommended that the petitioner, John F. Griner be granted an amendment to the Bloomington zoning maps, PCD designation, and 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 that the zoning be changed from RL to MG for the property located at 2500 N. Curry Pike. That property is further described as follows:

A part of the Northwest quarter of the Southeast quarter and a part of the Southwest quarter of the Northeast quarter of Section 25, Township 9 North, Range 2 West, Monroe County, Indiana, described as follows: **Beginning** at a point that is 233.71 feet East of the Northwest corner of the Northwest quarter of the Southwest quarter, thence North for 1152.75 feet, thence South 83 degrees 44 minutes East for 471.29 feet, thence South 03 degrees 10 minutes 40 seconds West for 1305.62 feet, thence West for 382.74 feet, thence North for 222.77 feet and to the point of beginning.

SECTION II. Through the authority of IC 36-7-4 that the zoning be changed from ML to MG for the property located at 2500 N. Curry Pike. That property is further described as follows:

Lots 2 and 3 in Griner Addition, a subdivision of Monroe County, Indiana, being a part of the Northeast quarter and a part of the Southeast quarter of Section 25, Township 9 North, Range 2 West, Monroe County, Indiana, as shown by the plat thereof recorded November 7, 1984, in Plat Cabinet B, Envelope 293, as amended by amendment to plat recorded November 28, 1984, in Plat Cabinet B, Envelope 294.

SECTION III. 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 be designated a PCD.

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 2nd day of February, 1994.

Jim Sherman

JIM SHERMAN, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of February, 1994.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 3rd day of February, 1994.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants the rezone from ML and RL to MG with PCD designation, outline plan approval, and preliminary/final plat approval for the 15.3 acre parcel located at 2500 N. Curry Pike.

Signed copies to
Planning
Petitioner

MG/PCD-71-93 **John F. Griner**
2500 N. Curry Pike
Request for rezone from ML and RL to MG with PCD designation, outline plan approval, and preliminary plat approval for 15.31 acres of land

Nancy Hiestand reported. This property is located on N. Curry Pike just south of Woodyard Rd. The Master Plan calls for this area to be rezoned to industrial use. A different site plan has been submitted since the preliminary hearing. There will be one entrance to the subdivision and two cul-de-sacs. The petitioner wants to phase this development. The petitioner is not requesting subdivision and the proposed lots are schematic. Lot 2 will be developed first. Lot 1 is now located north of the access. The detention pond is in the same location. There will be a raised 6' berm and 50' buffer along Pioneer Lane. There will be a 30' buffer with landscaping along the south property line. When the detention area is developed, it will also require landscaping. Depending on Engineering Dept. review of the drainage, it may not be necessary to build the full detention with phase I. During negotiation with the petitioner, it was decided that sidewalk will be placed on only one side of the interior drive. The petitioner has agreed to place sidewalk on Pioneer Lane. Staff recommends putting the sidewalk on the residential side rather than in the tree preservation area. Staff and Tom Micuda (Environmental Commission) researched the "Grain Mill" use. During negotiations with the petitioner, "Wet Milling" was dropped. If a "Feed Mill" is proposed at development plan stage, staff will attempt to get the same kind of constraints as "Dry Mill". The petitioner voluntarily dropped "Paper Products from Wood or Pulp". The petitioner wants the "Metal Plating" use to stay on the proposed list of permitted uses under "Metal Fabrication". Staff is requesting a 50' R.O.W. dedication on Curry Pike, and a 30' R.O.W. dedication on Pioneer Lane. Staff recommends approval with the following conditions: 1) A 30' landscape buffer be placed next to the residential properties on the southeast side of the site with the first development plan approval. 2) Sidewalk is required on both Curry Pike and Pioneer Lane. Only one side of the interior road will have sidewalk. 3) One access from Curry Pike. 4) Detention be reviewed with the first phase of development with Engineering approval of whether it's necessary during that phase. 5) Placement of a landscape berm along Pioneer. During the first phase there are three possible options for temporary buffering of the site: 1) Develop the entire berm in Phase I; 2) Require the petitioner to develop a raised berm at the first lot developed; 3) Require the petitioner to install a temporary screen on lot 2 which would be removed and replanted in the appropriate buffering area along Pioneer Lane during the second phase. 6) An accel/decel lane will be constructed with the first phase of development. The Engineering Dept. will review the need for a passing blister.

ORD 94-67 BACKGROUND

Nancy Hiestand read the E.C. report (see packet). The E.C. requests the following: 1) That large native canopy trees be planted as each development plan is submitted. 2) Evergreen buffering along the southern and eastern perimeter of the site. 3) Preservation of the deciduous tree line to the east (west side of Pioneer Lane).

Lynn Coyne, representing the petitioner, stated they agree with staff's recommendations. The

sidewalk will be put in on Pioneer Lane. This issue will be addressed at development plan phase and if the neighbors don't want it, the petitioner agrees to "swapping" the location. A row of evergreens or screening will be placed to screen the building on Lot 2 from Pioneer Lane.

Linda Williamson, Bloomington Economic Development Corporation, stated they support this petition.

Laraine Cooksey stated business and residential can co-exist and landscaping expense should not be taken lightly.

***Tom Swafford moved approval of MG/PCD-71-93 per staff recommendations; Doug Duncan seconded. Approved 10:0

MG/PCD-71-93 **John F. Griner**
2500 N. Curry Pike
Request for rezone from ML and RL to MG with PCD designation, outline plan approval, and preliminary plat approval for 15.31 acres of land

Nancy Hiestand reported. There are approximately two acres located in the ML zone and 13 acres located in the RL zone. The existing Griner Engineering site is not part of this petition. The petitioner's proposal shows a main access from Curry Pike, 60' R.O.W.s within the development, and two cul-de-sacs. The single access will be located off of Curry Pike. A driveway is also shown on lot 1. Staff recommends a single access for the entire nine lot development. The petitioner would like to "phase" the development. Each lot will be subject to development plan approval. There will be a 50' R.O.W. extraction on Curry Pike and 30' on Pioneer Lane. There are residential properties on Pioneer Lane. The petitioner is proposing a 50' buffer, a berm, additional landscaping, and will preserve an existing tree line. There will also be an additional 30' landscape buffer placed adjacent to a residential property on the southeast side of the site. Curry Pike will be realigned in the future and a lot of land will be taken. The petitioner does not want to place a buffer along the northern part of the property but the issue is still being negotiated. There are no existing drainage problems. The detention pond has been located at the most natural point on the site. There is a list of proposed permitted uses (see staff report). Manufacturing of paper products from wood or pulp would be allowed. It is usually available by special exception only. Staff is requesting acel/decel lanes and a passing blister on Curry Pike. Staff insists that sidewalks be placed on Curry Pike. The sidewalk issue in whole is currently being negotiated. There will not be any retail uses in this development. The Master Plan calls for industrial uses at this location. A berm will be placed along the existing tree line between Curry Pike and Pioneer Lane to buffer noise. The petitioner has talked to the neighborhood. Staff recommends continuing this petition to the January 10, 1994 agenda.

ORD 94-07 Back Ground

Tom Swafford asked if the access off of Curry Pike will be closed.

Nancy Hiestand stated no. The petitioner is receptive to a shared drive serving lot 1 of this development and the existing Griner Engineering site. The interior drive will serve the remaining lots.

Tom Micuda, Environmental Commission, stated they support the southeast buffer. One of the environmental commissioners expressed concern about the metal plating use.

Kerry Weger and Tom Micuda discussed the permitted uses.

Lynn Coyne, representing the petitioner, stated engineering details will be worked out to staff satisfaction. The sidewalk will be problematic and most likely addressed at development plan stage. The petitioner would like the metal plating use left as a permitted use. The petitioner

agrees with the recommended buffering.

End of Tape 1 Side B

Vicky Crowe asked if sewer will be brought in.

Tom Swafford stated yes.

***Joe Hoffmann moved to continue MG/PCD-71-93 to the January 10, 1994 agenda; Bill Riggert seconded. Approved 9:0

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94-07 is a true and complete copy of Plan Commission Case Number MG/PCD-71-93 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 10, 1994.

Date: January 11, 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 #_____ Resolution #_____
Ordinance

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.)

MEMO

To :	Common Council
From :	Planning Staff
Petitioner :	John F. Griner
Case No. :	MG/PCD-71-93
Location :	2500 N. Curry Pike
Subject :	Request for rezone from ML and RL to MG with PCD designation, outline plan approval , and preliminary and final plat approval for 15.3 acres of land

On January 10, 1994, the Bloomington Plan Commission approved the above request on a 15.3 acre parcel of land on 2500 N. Curry Pike. The site is vacant land located on the east side of Curry Pike just south of Woodyard Rd. There are several industries to the south of this land. The land will be used as a manufacturing park with a specific list of uses. Please see the attached list.

The Growth Policies Plan calls for this area to be designated "industrial" for land use purposes. This proposal is in compliance with the plan. The proposal includes a landscaped buffer between the PCD and the residential area along Pioneer Lane and also on the south east of the site.

The petition was approved with the following conditions:

1. A 30' landscaped buffer be placed next to the residential property on the southeast side of the site with the first development plan approval.

2. Sidewalks are required on both Curry Pike and Pioneer Lane. Interior sidewalks should be placed on one side.

3. One access to the development from Curry Pike.

4. Detention will be reviewed with the first phase of development with Engineering approval of whether it's necessary during that phase.

5. Placement of a landscaped berm along Pioneer Lane. During the first phase there are three possible options for temporary buffering of the site. Three methods of addressing this are: 1) Develop the entire berm in Phase I. 2) Construct a landscape berm on Lot #2 with Phase I. 3) The petitioner install a temporary screen at on lot #2 to be removed and replanted in the appropriate raised berm along Pioneer Lane during the second phase.

6. An acel/decel lane or passing blister will be constructed with the first phase of development. The passing blister will be considered at that time.

PROPOSED LIST OF PERMITTED USES: MG/PCD-71-93

ML

Commercial Retail
Arts and Crafts

Commercial Trade
Laundry and Dry Cleaning
Building and Trade Shop
Warehouses
Warehouses (Mini)

Commercial Wholesale
Building Material
Farm Products
Farm Supplies
Food Products
Household Goods

Manufacturing and Processing
Apparel
Bakery, Dairy Products, and Confectionery
Beverages Bottling
Clocks and Scientific Equipment
Research Laboratories
Other Paper Products
Printing/Newspapers

Industrial Non-processing
Warehouse Storage

Institutional
Religious Organization
Civic, Community Clubs

Utilities

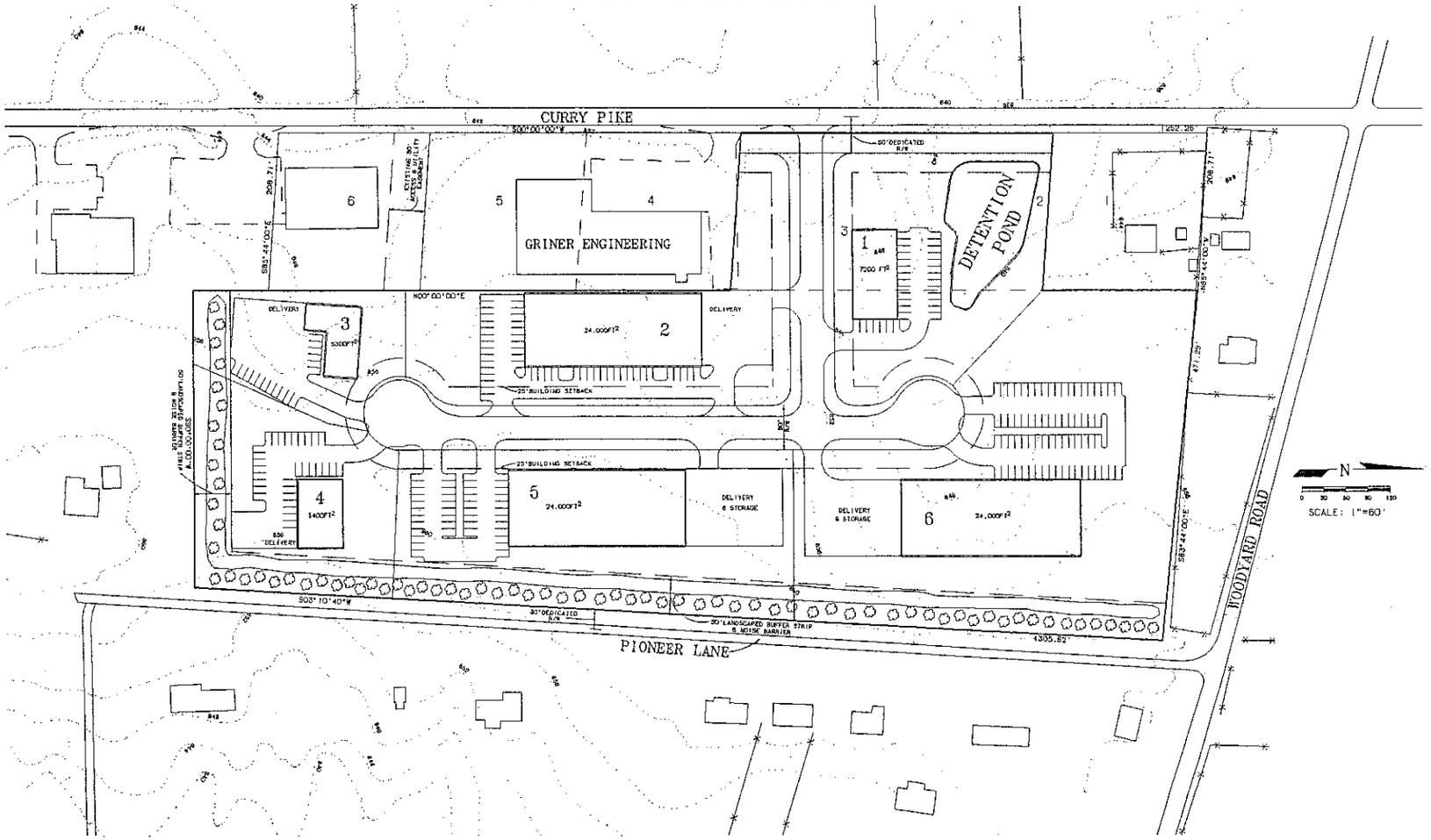
Communications, Transmission
Storage

MG

Manufacturing Processing
Drugs & Pharmaceuticals
Electronic Equipment
Furniture
Grain Mills (Dry or Feed Mills only with Dust Containment Restriction)
Machinery, Tool & Die
Metal Fabrication
Millwork, Veneer, Sawmills

APPROVED LIST
1/10/94

GRINER EXHIBIT



PROPOSED PLANNED INDUSTRIAL DEVELOPMENT
- 13.31 ACRES OF EXISTING RL ZONED GROUND
- LOTS 2 & 3 GRINER ADDITION, 2 ACRES ML ZONED GROUND
TOTAL ACRES = 15.31

EXISTING ALLOWED USE ON RL ZONED GROUND
13.31 ACRES @ 10 UNITS/ACRE = 133 RESIDENTIAL UNITS

Revisions	By	Date

Diedsoe Tapp & Co., Inc.
1800 W. 2nd St., Suite F
Bloomington, IN 47404
(812) 334-4227

GRINER EXHIBIT
FOR
JOHN GRINER

DESIGNED BY: PGT	1 OF 1
DRAWN BY: TAB	
CHECKED BY: DSP	
DATE 1-4-94	DATE JAN. 4, 1994 JOB# 0188

MEMO

To :	Common Council
From :	Planning Staff
Petitioner :	John F. Griner
Case No. :	MG/PCD-71-93
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Subject :	Request for rezone from ML and RL to MG with PCD designation, outline plan approval , and preliminary and final plat approval for 15.3 acres of land

On January 10, 1994, the Bloomington Plan Commission approved the above request on a 15.3 acre parcel of land on 2500 N. Curry Pike. The site is vacant land located on the east side of Curry Pike just south of Woodyard Rd. There are several industries to the south of this land. The land will be used as a manufacturing park with a specific list of uses. Please see the attached list. A 50' landscaped buffer is to be maintained along the Pioneer Lane right-of-way which is adjacent to residential properties. The petitioner will place a 30' landscaped buffer on the south east property line next to a single residential lot at that location.

The Growth Policies Plan calls for this area to be designated "industrial" for land use purposes. This proposal is in compliance with the plan. The proposal includes a landscaped buffer between the PCD and the residential area along Pioneer Lane and also on the south east of the site.

The petitioner has agreed to place sidewalks along the residential side of Pioneer if the residents of the homes want them constructed. The condition of approval for the sidewalks stated by Tom Swafford reflects that the sidewalk along Pioneer will be built only if the residents of Pioneer want them.

The petition was approved with the following conditions:

1. A 30' landscaped buffer be placed next to the residential property on the southeast side of the site with the first development plan approval.

2. Sidewalks are required on both Curry Pike and Pioneer Lane. Interior sidewalks should be placed on one side.

3. One access to the development from Curry Pike.

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