

ORDINANCE 88 - 33

To Amend the Zoning Maps from RE to MP/PCD
and Grant Outline Approval

RE: Southeast corner of S.R. 37 and Vernal Pike
(Harrell Mechanical)

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, MP/PCD-43-88, and recommended that the petitioner, Harrell Mechanical, 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 MP/PCD for property located at the southeast corner of S.R. 37 and Vernal Pike, and more particularly described as follows:

A part of the East one-half of the Northeast quarter of Section 31, Township 9 North, Range 1 West, described as follows: Beginning at a point which is 1,748.70 feet South 51 degrees 19 minutes East from the Northwest corner of the East half of the Northwest quarter of said Section and South 89 degrees 50 minutes 23 seconds East 34.42 feet to the real point of beginning; thence North 1 degree 13 minutes 14 seconds East 783.59 feet; thence North 47 degrees 22 minutes 00 seconds East 234.95 feet; thence South 0 degrees 00 minutes 39 seconds East 166.94 feet; thence South 86 degrees 28 minutes 51 seconds East 193.37 feet; thence South 16 degrees 56 minutes East 203.88 feet; thence North 88 degrees 45 minutes 36 seconds West 1.10 feet; thence South 0 degrees 53 minutes 55 seconds West 350.19 feet; thence North 89 degrees 34 minutes 18 seconds East 8.11 feet; thence South 0 degrees 25 minutes 42 seconds East 41.26 feet; thence North 88 degrees 46 minutes 36 seconds West 180.91 feet; thence South 0 degrees 08 minutes 49 seconds East 237.71 feet; thence North 89 degrees 55 minutes 21 seconds West 179.11 feet and to the point of beginning. Containing in all 6.069 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 Commercial 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

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

PATRICIA WILLIAMS, City Clerk

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

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Petitioner (Harrell Mechanical) proposes building trade uses
on this approximately 7 acre site on Vernal Pike just east
of S.R. 37 and west of Lemon Lane.

****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 MP/PCD-43-88 Case Number _____ 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

Date: July 14, 1988,

Tim Mueller, Secretary
Plan Commission

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

RE to MP/PCD with outline plan approval

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.

The 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

JULY 11, 1988

Requested is rezoning from RE to MP or MP/PCD for 7 acres of land located south of Vernal Pike and east of the 37 Bypass. Also requested is a two-lot subdivision in order to create the seven acre tract as a separate parcel. The site is part of a larger (+/- 50 acres) tract owned by Westinghouse.

Issues raised at preliminary hearing included;
Access to remaining Westinghouse land. A single access is proposed for this property as well as the remaining Westinghouse lands. This access will be required to be constructed to standards acceptable to the City and County Engineers. Accell/decel lanes and realignment between the new drive and the existing access drive may be required. Full details will be provided at the hearing.

ROW dedication. Adequate ROW was acquired in this area when the State built the 37 Bypass, no additional dedication is required along Vernal Pike.

Sidewalks are required along the Vernal frontage. Given the sites proximity to residences and developing areas Staff is inclined toward requiring sidewalk installation. Full report will be presented at the hearing.

Storm water detention will be required with development of this property. Sinkhole locations and impacts will be closely scrutinized. Any use of sinks for detention or building sites must be fully documented.

MP zoning or PCD? The Commission requested that this item be published for either MP or MP/PCD rezoning which the Staff has done. Staff has no objection to straight MP or PCD zoning. If The Commissions preference is PCD then an appropriate list of use must be approved. Included with this report is a list of uses allowed in the MP zone.

Sanitary sewer will be provided by tapping into the private force main serving this area. Verification of capacity and access to the main will be required. City water service is available and adequate.

Staff recommends approval of this rezoning to either MP or MP/PCD and preliminary and final plat approval with the following requirements.

Only one access will be provided for this 7 acre tract as well as the remaining Westinghouse land. Access improvements will be subject to County and City Engineers approval.

Verification of capacity and connection rights for use of private sewer force main.

Sidewalk be constructed on the Vernal frontage or variance be granted.

Storm water detention will be required with development of the site. Adequate documentation of sinkhole locations and any proposed use of sinkholes will be required.

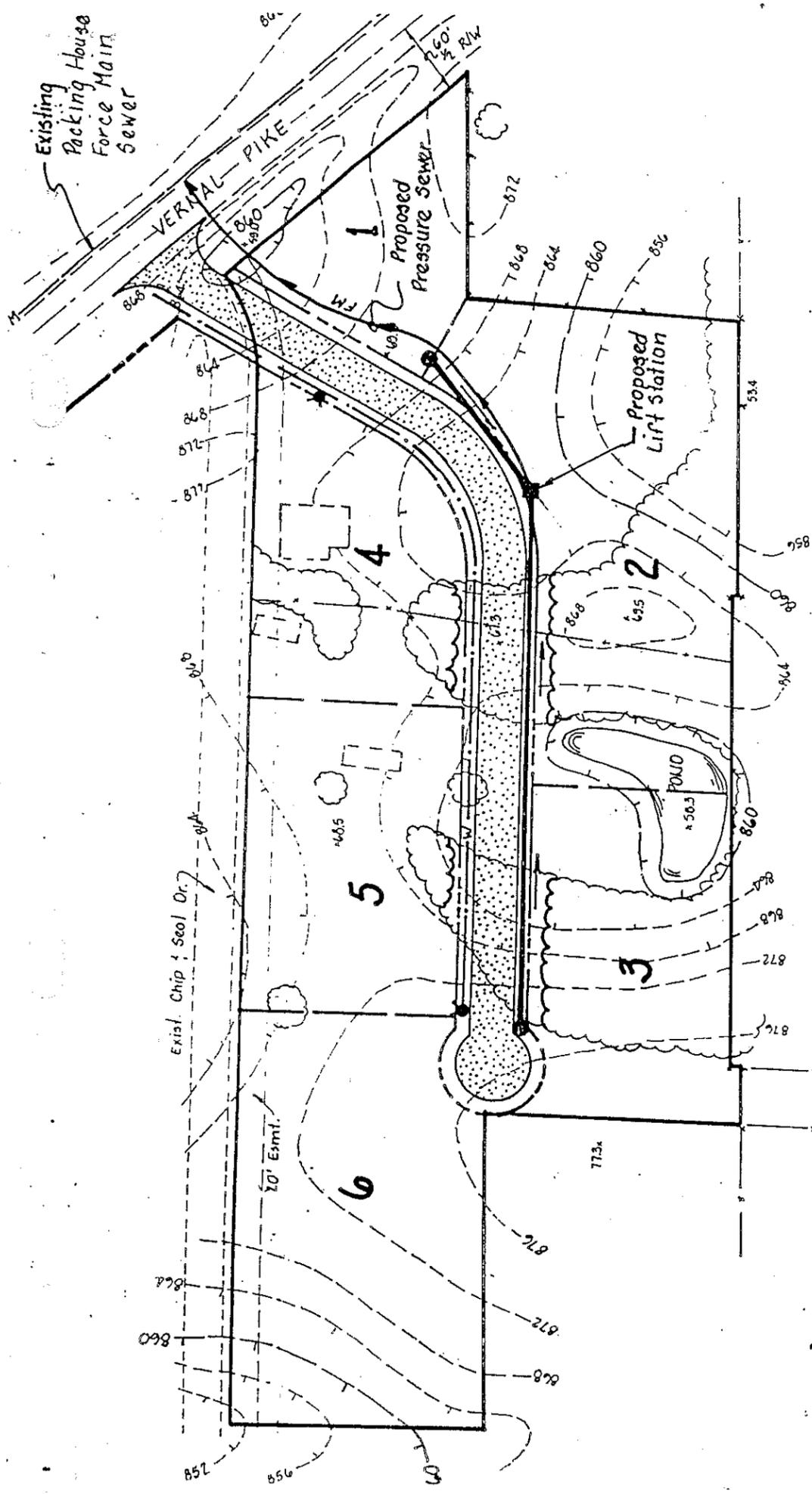
JUSTIFICATION

The Petitioner has met with City and County authorities and has determined that access and utilities are feasible and acceptable.

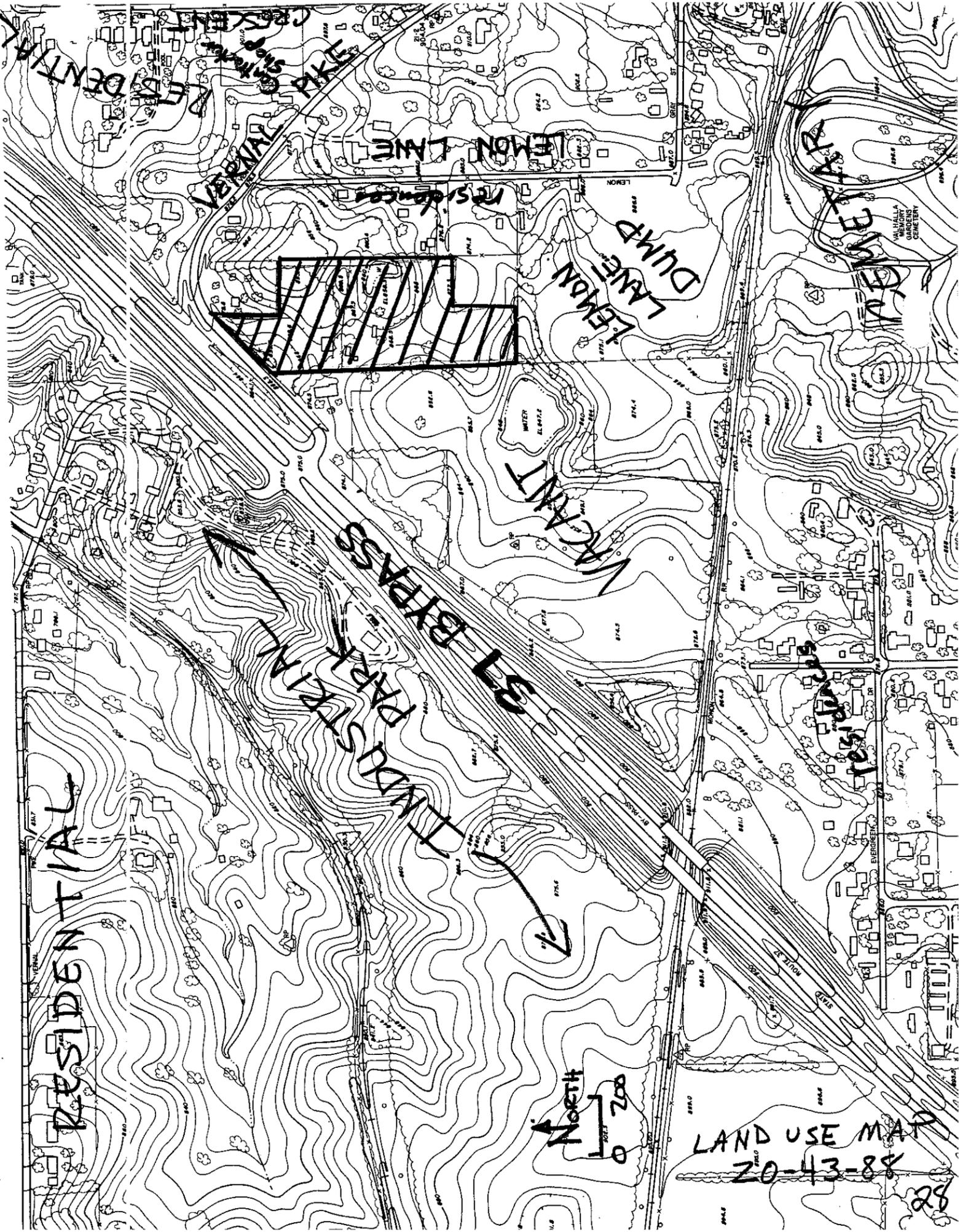
Petitioner's proposed use is for Harrell Mechanical, Inc., a mechanical trades shop. He hopes to attract other building trade shops to the development.

This land has been tested and is clear of hazardous waste.

The use proposed will fit into the area of its present uses and is close to State Road 37 By-Pass which furnishes good access for trade business. Trade businesses are not heavy traffic producers as are retail uses and will not cause traffic problems. Further, the intersection of Vernal Pike and State Road 37 By-Pass is signalized.



PROPOSED PLAT
 20-43-88
 29



RESIDENTIAL

VERNAL AVE

LEMON LANE

LEMON DUMP

VERNAL AVE

ST. CHARITY

ST. CHARITY

North
0 200

LAND USE MAP
20-43-88

28

RESIDENTIAL

EVERGREEN

WATER ELONGATE

VALLEY MEMORY GARDENS CEMETERY