

PASSED: 7-2
(JF, IK)

ORDINANCE 90 - 56

To Amend the Outline Plan for a Planned Commercial Development
Re: The Southeast Corner of State Road 37 and Tapp Road
(Robert and Brian Stancombe)

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, PCD-80-90, and recommended that the petitioners, Robert and Brian Stancombe, be granted an amendment to the outline plan and request that the Common Council consider their petition for outline plan amendment 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 amendment be approved for the southeast corner of State Road 37 and Tapp Road. The property is further described as follows:

A part of the Northwest Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at a point that is 609.61 feet South 88 degrees 38 minutes 01 second East of the Northwest corner of said Northwest Quarter, said point being on the North line of said Northwest Quarter and in Tapp Road, thence South 88 degrees 38 minutes 01 second East over and along said North line for a distance of 1136.44 feet, thence South 01 degrees 49 minutes 58 seconds East for a distance of 1108.71 feet, thence North 88 degrees 38 minutes 01 second West for a distance of 1477.49 feet to the East right-of-way of Indiana State Road #37, thence northerly over and along said right of way by the following courses and distances: North 00 degrees 12 minutes 00 seconds West, 571.61 feet; thence North 07 degrees 47 minutes 41 seconds West 151.33 feet; thence North 00 degrees 12 minutes 00 seconds West, 250.00 feet; thence North 50 degrees 23 minutes 08 seconds East, 124.40 feet; thence North 78 degrees 05 minutes 33 seconds East, 238.18 feet to the point of beginning. Containing 37.00 acres, more or less.

SECTION II. The Outline Plan Amendment, as recommended by the Plan Commission, shall be 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 5th day of December, 1990.

Iris Kiesling

IRIS KIESLING, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

Signed upon to:
Planning
Rebecca

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 6th day of December, 1990.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 7th day of December, 1990.

Tomilea Allison
TOMILEA ALLLISON, Mayor
City of Bloomington

SYNOPSIS

This amendment to the outline plan allows public fund-raising activities to be added to the list of permitted uses for the PCD. The fund-raising activities are allowed specifically for C.O.T.A. (Children's Organ Transplant Association) which is a non-profit organization.

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 90-56 is a true and complete copy of Plan Commission Case Number PCD-80-90 which was forwarded without recommendation by a vote of 6 Ayes, 4 Nays, and _____ Abstentions by the Bloomington City Plan Commission at a public hearing held on November 19, 1990

Date: November 20, 1990,

Timothy A. Mueller
 Tim Mueller, ~~Assistant~~ Director
 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 _____
 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.

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)



COTA

Children's Organ Transplant Association

917 South Rogers Street
 Bloomington, IN 47403
 (812) 336-8872
 (800) 366-2682

December 4, 1990

Members of the City Council
 City of Bloomington
 P. O. Box 100
 Bloomington, Indiana 47402

**HONORARY BOARD
 OF DIRECTORS**

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First Lady of Indiana
- Dominic Dobson
Indy Car Driver
- Phyllis Dudenboffer
General Federation of
Women's Clubs
- Katie Guerrero
Championship Auto Racing
Auxiliary
- Roberto Guerrero
Indy Car Driver
- Bob Knight
Indiana University
Basketball Coach

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Director of
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Riley Hospital for Children,
Indianapolis
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Director of Liver Transplantation
UCLA Medical Center,
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- Munci Kalayoglu, M.D., F.A.C.S.
Director of Liver Transplantation
University of Wisconsin,
Madison

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Dear Council Members:

Again I would like to express my apologies for the controversy over the land that we purchased to build COTA national headquarters.

I am unable to attend the meeting of December 5, 1990, because I will be in Wisconsin launching a campaign for a little 18-month-old girl in need of a heart and lung transplant.

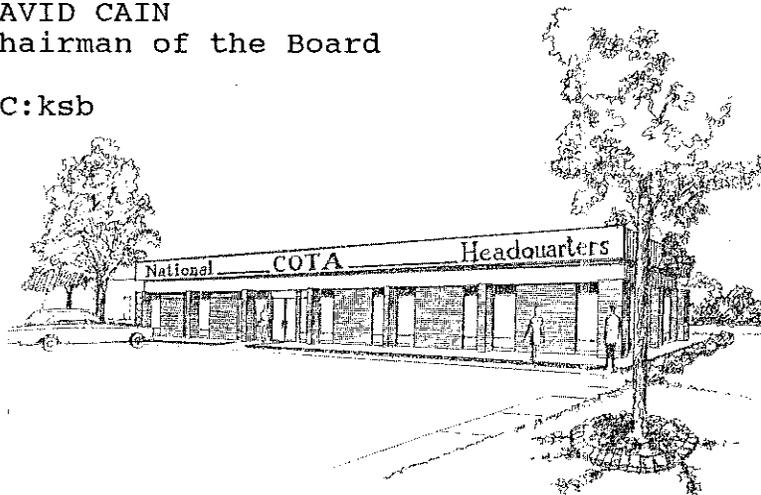
To reiterate what I had been discussing at the prior meeting, COTA has no desires to have a flashing sign saying bingo, nor will we inconvenience any neighbors by off-site parking. If an event would require additional parking, we will make arrangements with adjacent property owners.

I sincerely appreciate your cooperation and your belief in COTA.

Sincerely,

DAVID CAIN
 Chairman of the Board

DC:ksb



received
 12/5/90 PW

Touch . . . and let live



PROGRESS DEVELOPMENT GROUP

December 12, 1990

Members of the City Council
City of Bloomington
P.O. Box 100
Bloomington , IN 47402

Dear Sirs and Madams:

Listed below are the restrictions that we are submitting to be part of the amendment to the outline and request for Progress Park.

1. Use variance is not transferable to anyone else should C.O.T.A. leave the site.
2. Fund raising activities will benefit C.O.T.A. only.
3. Occupancy of the building would be limited to available parking and building code restrictions.
4. No parking along Tapp Road would be permitted.
5. No parking on streets inside of the development would be permitted.
6. Any additional parking needed would be leased or pre-arranged with owner's of future sides inside the development park.
7. No temporary signs would be allowed on site.
8. Permanent signs would be located on the development sign at the park entrance and limited to name and address only.
9. Building would be available for other community organizations for meetings and other non-fund raising events

Sincerely,

Robert Stancombe
President
Progress Development Group

ad
P.O. Box 6354
Bloomington, IN
47407-6354

812-824-7788
812-824-8586

received
12/15/90 PW

BLOOMINGTON PLAN COMMISSION
STAFF REPORT
ROBERT & BRIAN STANCOMBE
PCD-80-90
S.E. Corner of S.R. 37 & Tapp Rd.

November 19, 1990

Proposed is revision to the list of permitted uses for the PCD on the Southeast Corner of Tapp Road and S.R. 37. The headquarters office of Childrens Organ Transplant Association is already approved. The petitioner (property owner) learned of COTA's need for fund raising activities (bingo, auctions, concerts, dances) after the fact. This approval would add these fund raising activities to the permitted uses. Staff has requested specific limits on number of people (no more than can be accommodated with approved on site parking, including other sites by specific permission), signage of these events, and scope and frequency of events. We understand that bingo will take place two evenings weekly, and other events a few times annually. Pending an explicit submittal of constraints by COTA and the petitioner, staff is prepared to recommend approval with waiver of second hearing, to apply to COTA only, due to the specific circumstance of a national headquarters for a service employer engaged in charitable fund raising.

BLOOMINGTON PLAN COMMISSION
STAFF REPORT
PUD-80-90
SE CORNER OF S.R.37 AND TAPP RD.
ROBERT AND BRIAN STANCOMBE

NOVEMBER 19, 1990

UPDATE:

The enclosed letter from Mr. David Cain, chairman of the board of COTA, addresses several issues brought forth by the Plan Commission at the previous meeting. The concerns include signage, parking facilities, and the specific limits of the organizations fundraising activities.

RE

ML/PCD

MQ

TAPP ROAD

RS

NORTH

ML/PCD

SITE

MQ

SC

LOCATION / ZONING MAP

PCD-68-70 Location Zoning Map

37





COTA

Children's Organ Transplant Association

917 South Rogers Street
 Bloomington, IN 47403
 (812) 336-8872
 (800) 366-2682

October 12, 1990

Members of the City Council
 and City Planning Commission Members.
 City of Bloomington
 P. O. Box 100
 Bloomington, Indiana 47402

Dear Sirs and Madams:

Regarding COTA's national headquarters to be constructed at Highway 37 and Tapp Road, it is my hope to clear up any misunderstandings as to what COTA's national headquarters primary use will be.

As most of you are aware, COTA has grown to a national charity that helps children throughout the country that would indeed die without the life-saving transplant. COTA's ultimate goal is to ensure that no child dies due to the lack of funds. With the overwhelming growth of COTA, it has become necessary to build a national headquarters with ample room to accommodate and to coordinate nationwide efforts.

The proposed national headquarters will consist of 50% for office and warehousing and 50% as an activity room that will be used for fundraising activities.

It is also our plan to allow other civic and charitable organizations to utilize our facility at no charge to them. At no time will we allow alcoholic beverages or drugs on our property.

Local fundraising is a necessary component to ensure COTA's continued success in providing children with organ transplants. Fundraising including bingo is an ancillary function of the Children's Organ Transplant Association facility. The primary function will be the National Headquarters office and warehousing of fundraising materials. As the number of national sponsors increase, the need for local fundraising will significantly decrease. Currently, bingo is played two nights a week with approximately 60 to 70 persons attending. In the new facility plans call for two to three times per week of bingo meetings. Likely days will be Wednesday evening and Sunday afternoon. We expect 100 to 120 persons attending.

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Members of the City Council
and City Planning Commission Members
October 12, 1990
Page Two

Larger monthly or quarterly events which may have upwards of 500 attendees (auctions, guest speakers, organizational meetings, etc.) will have adequate parking utilizing 150 parking spaces. Additional parking will be available on the truck marshaling area located west side of the building and on street parking along COTA Avenue.

There will be no permanent on site signage promotion of any fundraising activities; only on site signage for building identification, and a rendering will be provided.

At our current rate of growth, we anticipate in a short period of time 20 or more employees, and we do hope that all of you will feel a sense of pride in having COTA's national headquarters in Bloomington. -

Thank you very much for your consideration.

Sincerely,



DAVID CAIN
Chairman of the Board

DC:ksb



BYNUM FANYO & ASSOCIATES, INC.

October 10, 1990

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

Planning Commission
City of Bloomington
PO Box 100
Bloomington, Indiana 47402

RE: Progress Park; Amend Outline Plan Approval - Project #409033

Dear Planning Commission Members:

Our clients, Brian and Bob Stancombe respectfully, request approval of amending the list of uses for the referred project to allow for fund-raising activities on the proposed 3.5 acres COTA site.

This amendment is necessary to allow COTA to be able to use their proposed facilities to raise the necessary funds to support organ transplants to children in need. Foreseeable activities may include bingo, auction and dances.

Since this issue has received prior discussions at both the City Council and Planning Commission we are requesting that a waiver of second hearing be granted to allow construction to begin before severe weather sets in.

Very truly yours,

BYNUM FANYO & ASSOCIATES, INC.

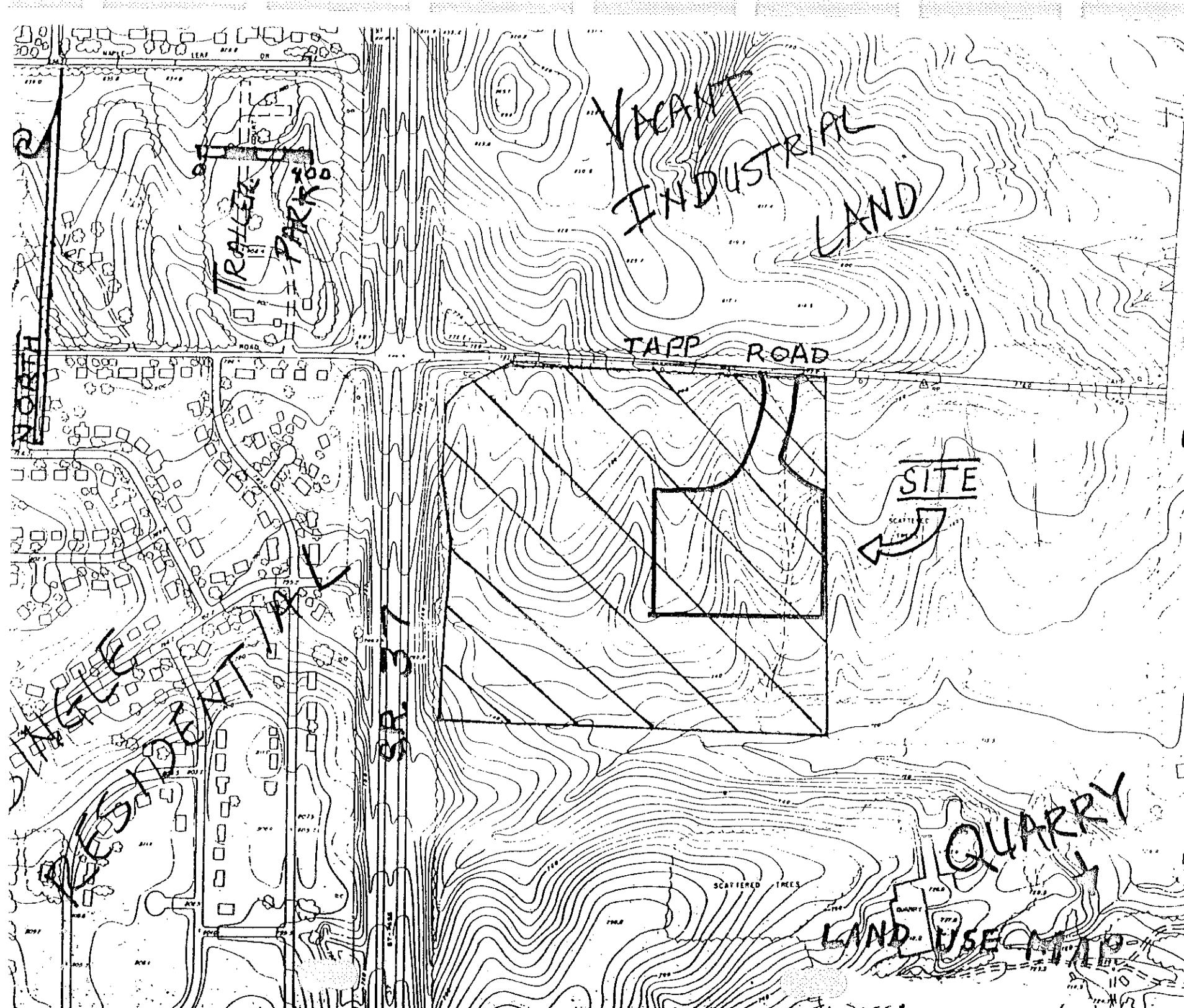
Jeffrey S. Fanyo, P.E.

xc: Bob Stancombe
David Cain
Jim Register

700 NORTH WALNUT STREET BLOOMINGTON, INDIANA 47401

812-332-8030

40



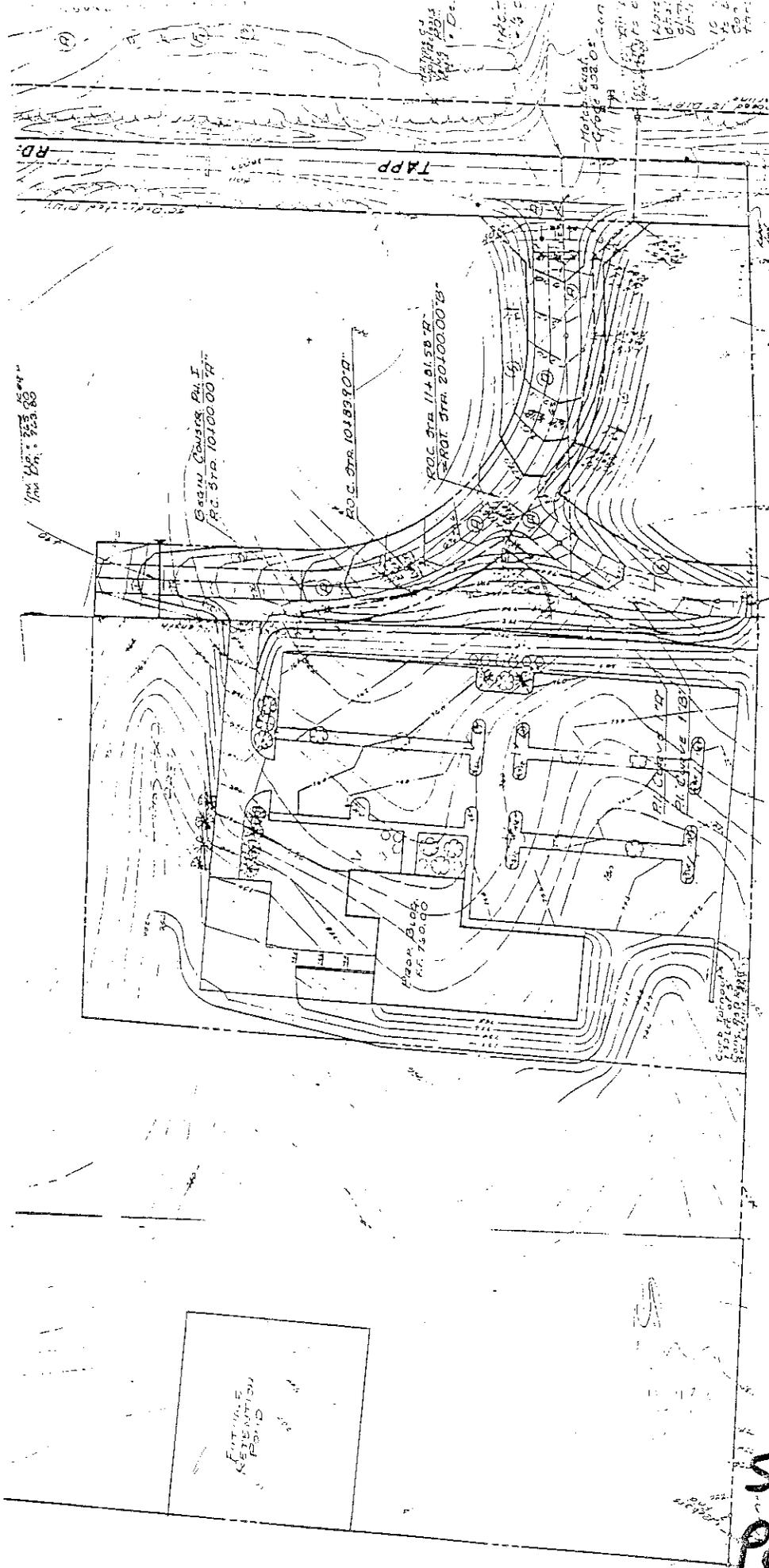
VACANT
INDUSTRIAL
LAND

TAPP ROAD

SITE

QUARRY
LAND USE MAP

PCD-68-90 Land Use



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 SITE PLAN
 PLD-68-90