Passed: 9-0

ORDINANCE 94-11

TO AMEND THE OUTLINE PLAN
Re: 333 E. Miller Drive
(Public Health Nursing Association, 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, PCD-3-94 and recommended that the petitioner, Public Health Nursing Association be granted an amendment to the outline plan and request that the Common Council consider their 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 an outline plan amendment be approved for 333 E. Miller Drive, Bloomington, Indiana. That property is further described as follows:

> A part of the Northeast quarter of the Northwest quarter of Section 9, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: **BEGINNING** at a point which is 38.35 feet North and 421.14 feet West of the Southeast corner of the said quarter quarter section; thence running South 88° 39′ West for 200.00 feet; thence running North 01° 45′ West for 270.60 feet; thence running North 82° East for 201.19 feet; thence running South 01° 45′ East for 293.90 feet and to the point of beginning. Containing 1.30 acres, more or less. Subject to a 32′ easement along the entire West side and a 20′ easement the centerline of which lies 40′ South of the North line and a 10′ utility easement along the North line.

SECTION II. The Outline Plan Amendment, as recommended by the Plan Commission, shall be attached and made a part of this ordinance.

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 2nd day of March, 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 March, 1994.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

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

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants an outline plan amendment adding "Medical Clinics & Services" to the list of approved uses.

Signed copies to:
Petitioner
Planning
Code Enforcement

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94-11 is a true and complete copy of Plan Commission Case Number PCD-3-94 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 1 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 31, 1994.

Date: February 7, 1994

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____,

Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution #_____

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 Department
CASE NO.: PCD-3-94
DATE: February 7, 1994
LOCATION: 333 E. Miller Dr.
PETITIONER: Public Health Nursing Assoc.

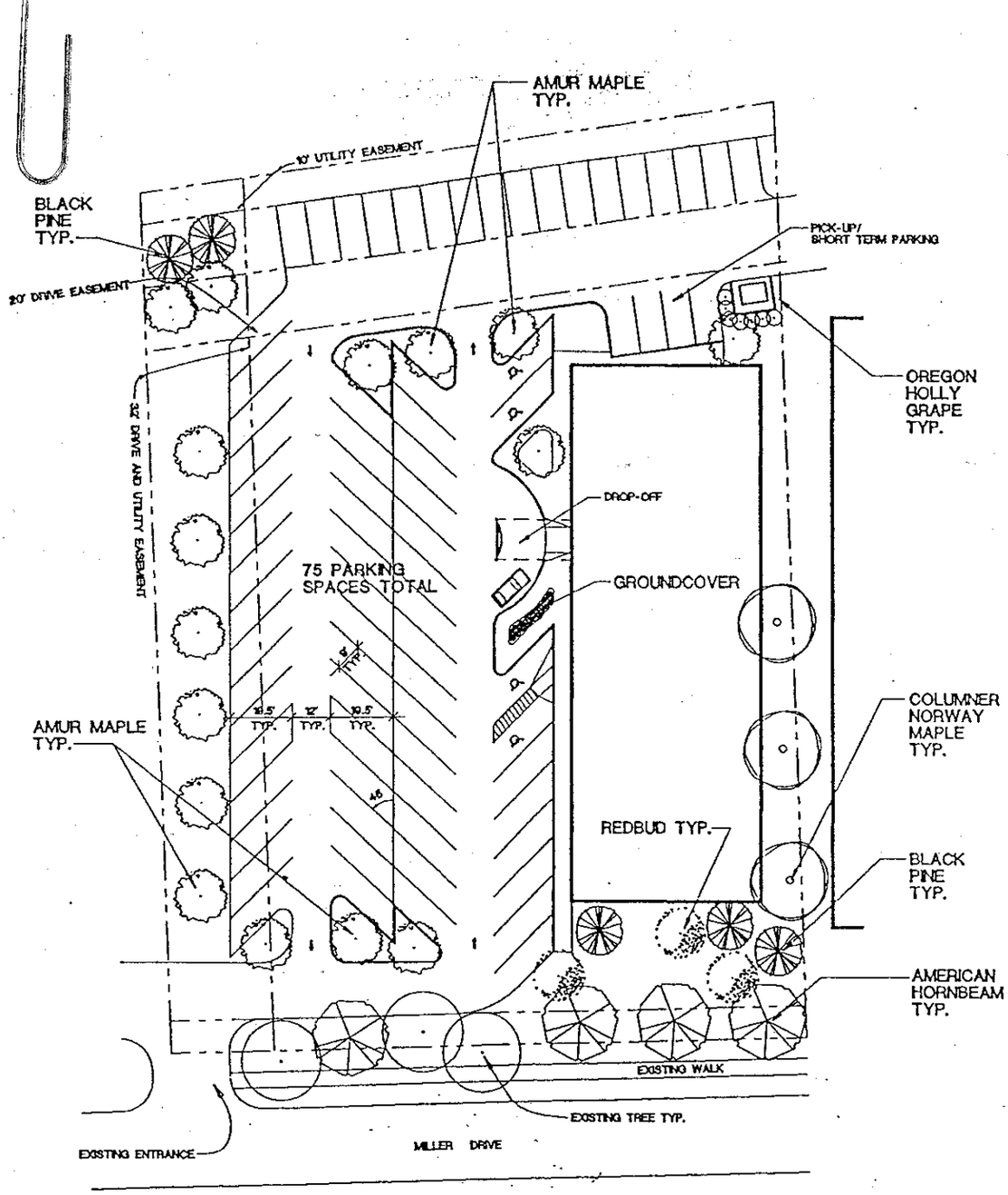
On January 31, 1994 the Bloomington Planning Department approved an outline plan amendment to the ML/PCD located at 333 E. Miller Dr. The petitioner is requesting an outline plan amendment to add " Medical Clinics and Services" to the list of approved uses so that the Public Health Nursing Assoc. can improve and occupy the building.

The property is located in an ML/PCD zoned area on the north side of Miller Dr. and west of Henderson. The property is surrounded by Black Lumber Co., a gymnastics training school, government offices and the bus yard. On this property is the building that Ace Services inhabited for several years. The building is now vacant. The outline plan approval for this ML/PCD was approved in 1985. At that time the use now requested was not anticipated, and therefore not requested. The Public Health Nursing Assoc. has placed an offer on this parcel in hopes of placing there administrative offices and clinic at this location.

The use of this building at this location for medical clinics and services appears to be acceptable. There is a need to find a location for this business which is centrally located and within easy access for people. There is bus route on Miller to provide transportation for the clients. There are established businesses on all sides of this property.

The Growth Policies Plan designates this area as "commercial". The plan acknowledges the existing commercial site. The access to this PCD has been greatly improved with the Walnut St. improvements and a bus route in front of the building.

No conditions of approval were required.



NORTH

PROPOSED SITE PLAN

SCALE: 1"=50'

THE ODLE McGUIRE & SHOOK CORPORATION

ARCHITECTURE • ENGINEERING • LANDSCAPE ARCHITECTURE • INTERIOR DESIGN

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PCD-3-94
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BLOOMINGTON PLAN COMMISSION
PRELIMINARY REPORT
Location: 333 E. Miller Dr.

CASE NO.: PCD-3-94
DATE: January 31, 1994

PETITIONER: Name : Public Health Nursing Assoc.
Address: P.O. Box 2267, Bloomington

COUNSEL: Name : Odle, McGuire & Shook
Address: 6765 N. S.R. 37

PRELIMINARY HEARING DATE: January 31, 1994
FINAL HEARING DATE: February 21, 1994

REQUEST: The petitioner is requesting an outline plan amendment to add " Medical Clinics and Services" to the list of approved uses, and development plan approval for the Public Health Nursing Association to improve and occupy the property located at 333 E. Miller Dr.

EXISTING USE AND DESCRIPTION: The property is located in an ML/PCD zoned area on the north side of Miller Dr. and west of Henderson. The property is surrounded by Black Lumber Co., a gymnastics training school, government offices and the bus yard. On this property is the building that Ace Hardware inhabited for several years. The building is now vacant. The outline plan approval for this ML/PCD was approved in 1985. At that time the use now requested was not anticipated, and therefore not requested. The Public Health Nursing Assoc. has placed an offer on this parcel in hopes of placing there administrative offices and clinic at this location.

The use of this building at this location for medical clinics and services appears to be acceptable. There is a need to find a location for this business which is centrally located and within easy access for people. There is a bus route on Miller to provide transportation for the clients. There are established businesses on all sides of this property.

ISSUES:
R.O.W. Dedication: R.O.W. dedication of thirty feet from the centerline of Miller was required in 1985. No additional right-of-way is required.

Access: The access will remain the same which is currently off E. Miller Dr.

Parking: The Public Health Nursing Assoc. is working to gain adequate parking for all of the clients and employees. The parking lot is being expanded to provide 75 spaces. Staff estimates this as an adequate number.

Utilities: Utilities now serve the building.

Drainage: Drainage was addressed at the time of development of the lot. Drainage may need to be reevaluated if the parking is greatly expanded.

Tree Preservation: The lot is has few trees. Three hawthorne trees and one pine tree will be preserved. Three other trees will be removed.

Landscaping: Landscaping will be upgraded and will include street trees. A plan is included in the site plan.

Architectural Compatibility: The facade of the building will change so that the building does not look like a warehouse. A second story is proposed to added to the north half of the building. This requires setback variances to the east property line.

Sidewalks: Sidewalks are already in place along Miller Dr. The internal walks will be improved to facilitate access for the clinic.

Plan Compliance: The Growth Policies Plan designates this area as "commercial". The plan acknowledges the existing commercial site. The access to this PCD has been greatly improved with the Walnut St. improvements and also has a bus route in front of the building.

Variance: Variance from landscaping along the rear property line is requested. The setback for parking is met, but there is a utility easement and no bushes or trees may be planted in these easements. This area backs onto the Black Lumber warehouses.

RECOMMENDATION: Staff recommends approval of the outline plan amendment with waiver of second hearing. Staff also recommends approval of the development plan with waiver of second hearing with the following conditions:

1) that at the time of the hearing, all supporting documents are presented, and to staff's satisfaction.