

Passed: 7-0

ORDINANCE 95-09

**TO AMEND THE BLOOMINGTON ZONING MAPS
FROM RS AND MG TO BA, GRANT A PCD DESIGNATION
AND APPROVE AN OUTLINE PLAN FOR THE EXPANDED PCD,
AND OTHERWISE AMEND THE OUTLINE PLAN**

**Re: 1360 Bloomfield Rd.
(Rogers Group, Inc., 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, BA/PCD-8-94, and recommended that the petitioner, Rogers Group, Inc., be granted an amendment to the Bloomington zoning maps, PCD designation, outline plan approval, and outline plan amendment 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 and pursuant to Chapter 20.13 of the Bloomington Municipal Code that the zoning for some of the parcels listed below be changed from RS to BA and others from MG to BA; the property as a whole be designated as part of one Planned Commercial Development; and, an outline plan and an outline plan amendment be approved for this development. The property is located at 1360 West Bloomfield Road and is further described as follows:

PARCEL ONE:

A part of the west half of Section 5 and a part of the east half of Section 6, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at the northeast corner of said Section 6; thence WEST 53 feet, more or less; thence SOUTH 474 feet, more or less, along land of Eudaly, Inc.; thence WEST 370.00 feet; thence SOUTH 621 feet, more or less, along Sunset Hill Addition to the POINT OF BEGINNING; thence EAST 420.00 feet; thence SOUTH 412.75 feet; thence WEST 274.21 feet; thence NORTH 372.77 feet; thence WEST 149.78 feet; thence NORTH 40.00 feet to the Point of Beginning, containing 2.72 acres, more or less.

PARCEL TWO:

COMMENCING at the northwest corner of said Section 6; thence EAST 200.00 feet; thence SOUTH 172.00 feet; thence EAST 73.50 feet; thence SOUTH 485.59 feet; SOUTH 85 degrees 00 minutes 00 seconds East 124.48 feet; thence SOUTH 31 degrees 41 minutes 32 seconds East 76.18 feet to the POINT OF BEGINNING; thence SOUTH 31 degrees 41 minutes 32 seconds East 435.14 feet; thence NORTH 85 degrees 00 minutes 00 seconds West 260.00 feet; thence NORTH 05 degrees 00 minutes 00 seconds East 348.92 feet to the Point of Beginning, containing 1.04 acres, more or less.

PARCEL THREE:

COMMENCING at the northwest corner of said Section 6; thence EAST 200.00 feet; thence SOUTH 172.00 feet; thence EAST 73.50 feet; thence SOUTH 290.00 feet to the POINT OF BEGINNING; thence SOUTH 31 degrees 41 minutes 32 seconds East 236.05 feet; thence NORTH 85 degrees 00 minutes 00 seconds West 124.48 feet; thence NORTH 190.00 feet to the Point of Beginning, containing 0.27 acres, more or

less.

AND TO DELETE PARCEL FOUR:

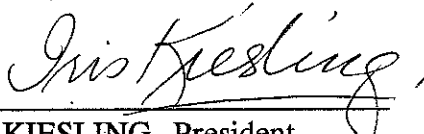
COMMENCING at the northwest corner of said Section 6; thence EAST 200.00 feet; thence SOUTH 172.00 feet; thence EAST 73.58 feet; thence SOUTH 485.59 feet; thence SOUTH 85 degrees 00 minutes 00 seconds East 124.48 feet to the POINT OF BEGINNING; thence SOUTH 31 degrees 41 minutes 32 seconds East 76.18 feet; thence NORTH 05 degrees 00 minutes 00 seconds East 61.08 feet; thence NORTH 85 degrees 00 minutes 00 seconds West 45.52 feet to the Point of Beginning, containing 0.03 acres, more or less.

Net Increase to 1994 PCD, 4.03 acres.


SECTION II. The Outline Plan and Outline Plan Amendment shall be attached hereto and made a part thereof.

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.

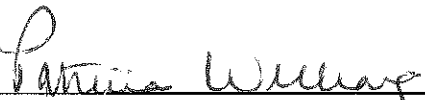
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 22 day of March, 1995.


IRIS KIESLING, President
Bloomington Common Council


ATTEST:


PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 23 day of March, 1995.


PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 28th day of March, 1995.


TOMILEA ALLISON, Mayor
City of Bloomington Deputy for Mayor

SYNOPSIS

This ordinance expands the Adams Crossing PCD, approves the outline plan for the new area, and otherwise amends the outline plan for the whole development. First, it adds about 4 acres to the PCD by rezoning 2.5 acres from RS to BA/PCD and 1.5 acres from MG to BA/PCD, which increases the development from twenty-seven acres to thirty-one acres. And, second it amends the outline plan for the PCD by eliminating most of the industrial uses and adding a right-in and right-out access point onto West Bloomfield Road.

*Signed copies to
Planning
Petition*

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 95-09 is a true and complete copy of Plan Commission Case Number BA/PCD-8-94 which was given a recommendation of approval by a vote of 8 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on February 20, 1995.

Date: February 21, 1995

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 21st day of February, 1995,

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 _____

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
DATE: February 21, 1995
CASE NO: BA/PCD-8-94
LOCATION: 1360 Bloomfield Rd.
PETITIONER: Rogers Group, Inc.
COUNSEL: Smith Quillman Assoc., Inc.

On February 20, 1995, the Bloomington Plan Commission approved a request for several changes in the outline plan previously approved for the Rogers Group development at Second St. and Adams St. The changes include an additional two acres be added to the development as a rezone from RS to BA/PCD and 1.5 acres be rezoned from MG to BA/PCD with outline plan approval. The area adjacent to Anna Lee Lane will be buffered to protect the neighborhood from the commercial uses. The 1.5 acres is the area for the "B" shops off of Adams St. which the petitioner is requesting be added back into the PCD zoned area.

Also approved was an outline plan amendment which eliminates most of the industrial uses from the site. Please see the list of uses included in this packet.

A right-in right-out lane is proposed to be added to the east of the approved Second St. entrance. No changes will be made to the Third St. entrance to the project. The entrance will remain off Landmark Ave. The outlot off of Third St. will be allowed a drive cut, but must have an indirect path through the parking lots. The total acreage for Adam's Crossing development will increase from 27 to 30.5 acres.

The alignment of Landmark Ave. through the development is proposed to flow between Third and Second St. and align across from the existing entrance to the Jim Williams Business Park (the old Western Sun entrance) The right-in right-out would be located between Adams St. and Landmark Ave. This appears to be a good solution to the traffic patterns in the area, but will need to be reviewed in detail at development plan stage.

The Growth Policies Plan designates this area "industrial" use. This area has recently been rezoned to BA/PCD and has received outline plan approval. This large site is evolving into a professional office and retail development. The light manufacturing type uses are being eliminated.

BA/PCD-8-94

Rogers Group, Inc.
1360 Bloomfield Rd.

Request for rezone of two acres to BA/PCD and outline plan approval, and an amendment to the previously approved outline plan to eliminate industrial uses. Adams Crossing is being increased from 27 to 29 acres.

Conditions of approval:

1. The Third St. entrance remain as approved in the original outline plan and that the neighborhood on Anna Lee Lane be buffered from the commercial uses.
2. Add "Day Care" to the approved list of uses.
3. Only the street cuts depicted on the plan be approved. No outlot cuts are approved.
4. The new alignment of Landmark Ave. meets City Engineering's satisfaction.

The Plan Commission is not commenting nor making any recommendation on the signage at this time.

5. The drive that interconnects the parking lots be somehow subject to City Engineering approval.

LIST OF PROPOSED USES AS OF 1/26/95
BA/PCD-8-94

BA USES

Antiques
Apparel
Appliance Stores
Arts and Crafts
Auto Parts - New
Bakery
Bicycle Shops
Books
Newsstands
Dairy Products
Day Care
Department, Discount Stores
Drug Stores, Sundries
Floral Shops
Furniture and Appliances
Gift Shop
Grocery
Hardware
Jewelry
Liquor Stores
Pet Shops
Sporting Goods
Used Merchandise
Variety Store
Banks, Branch
Business Service
Business and Professional Office
Candy Confectionery
Eating, Drinking, Restaurant
Furniture Repair
Gasoline Service Station
Laundry and Dry Cleaning
Personal Service
Printing
Medical Office
Building Supply Retail

COMMERCIAL WHOLESALE

Building Materials
Farm Products
Farm Supplies
Food Products
Household Goods
Business and Professional Offices
Building Trade Shops
Medical Offices

MANUFACTURING PROCESSING

Printing
Research Laboratories

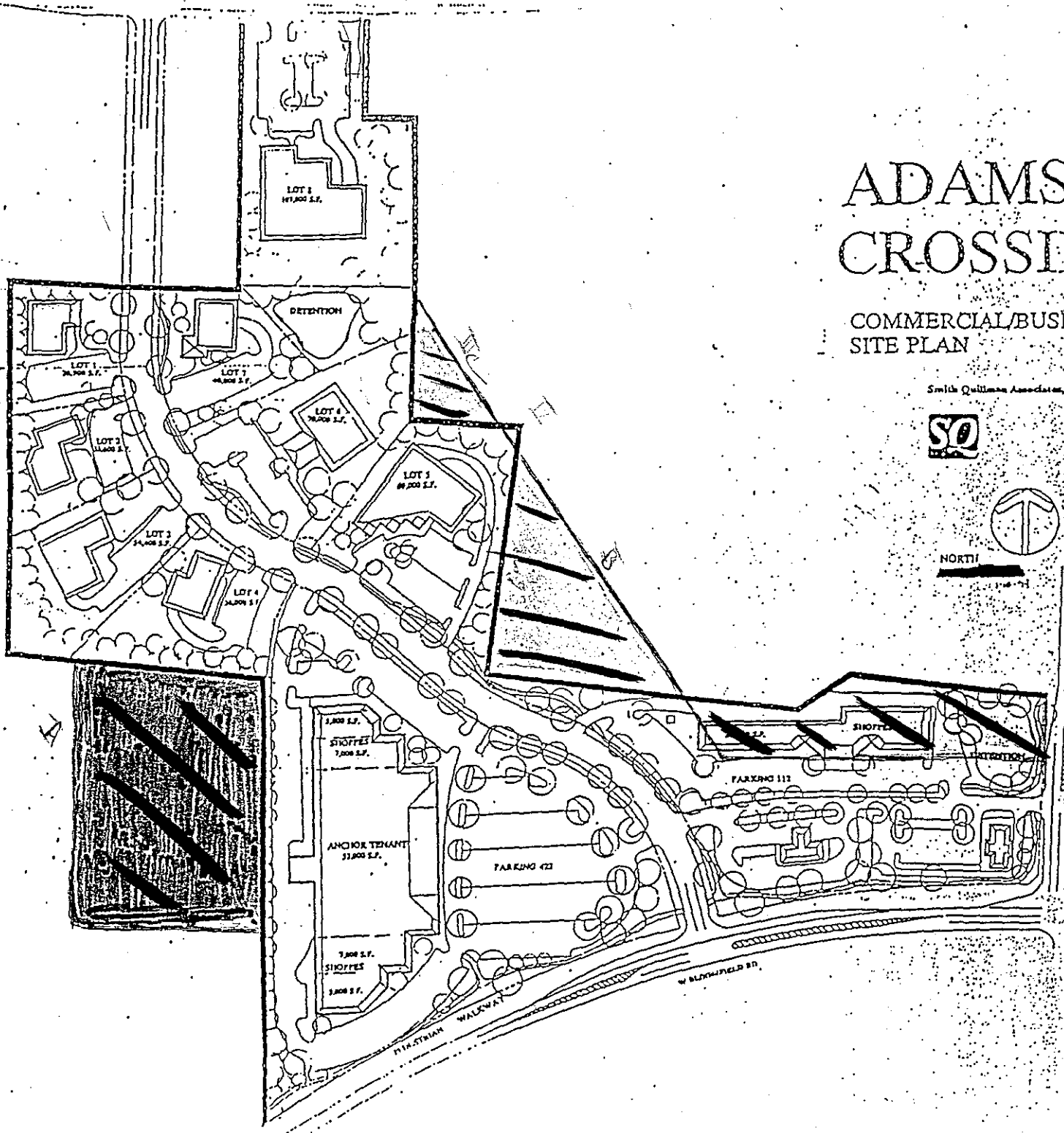
ADAMS CROSSING

COMMERCIAL/BUSINESS
SITE PLAN

Smith Quillman Associates, Inc.



NORTH

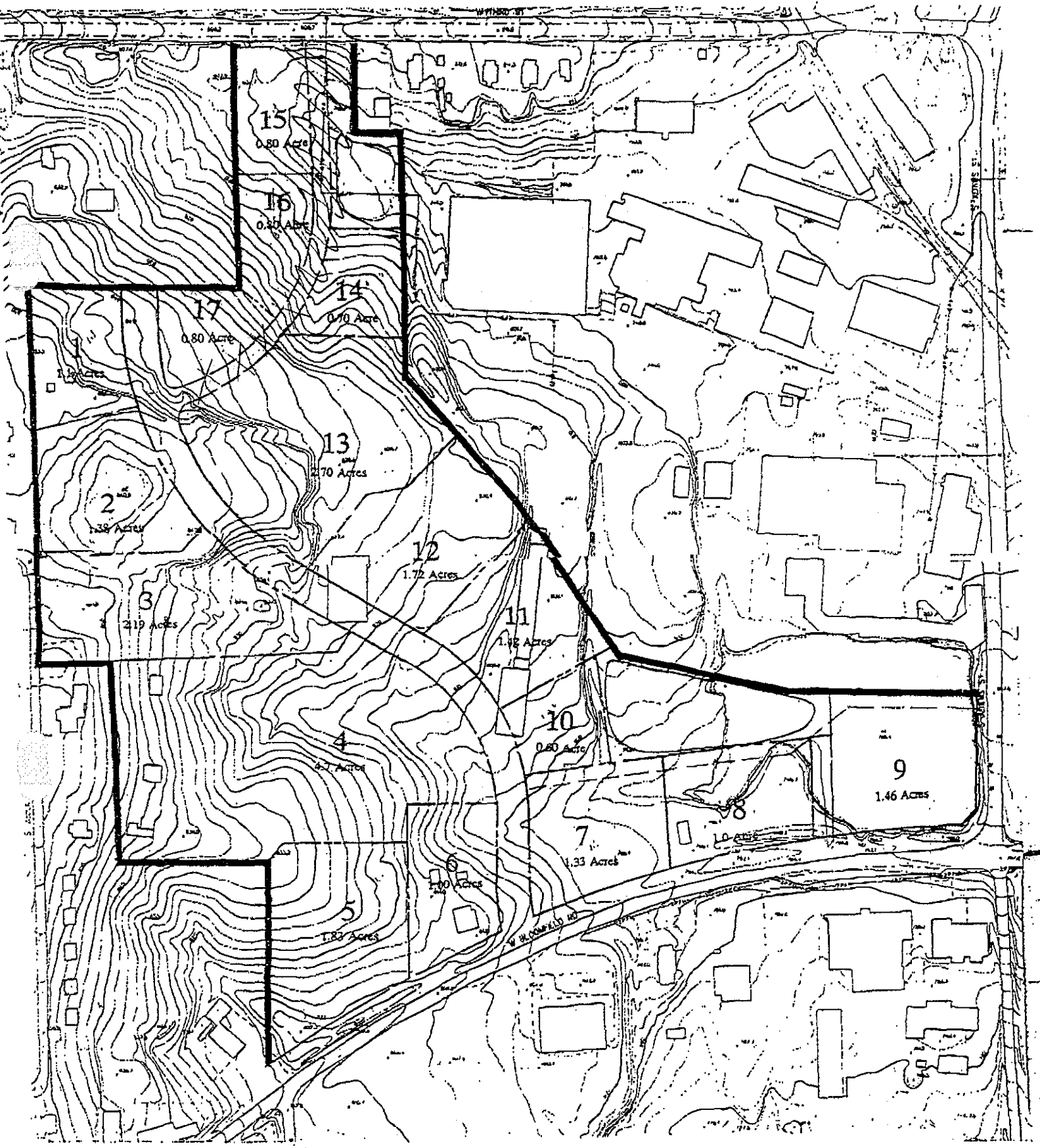


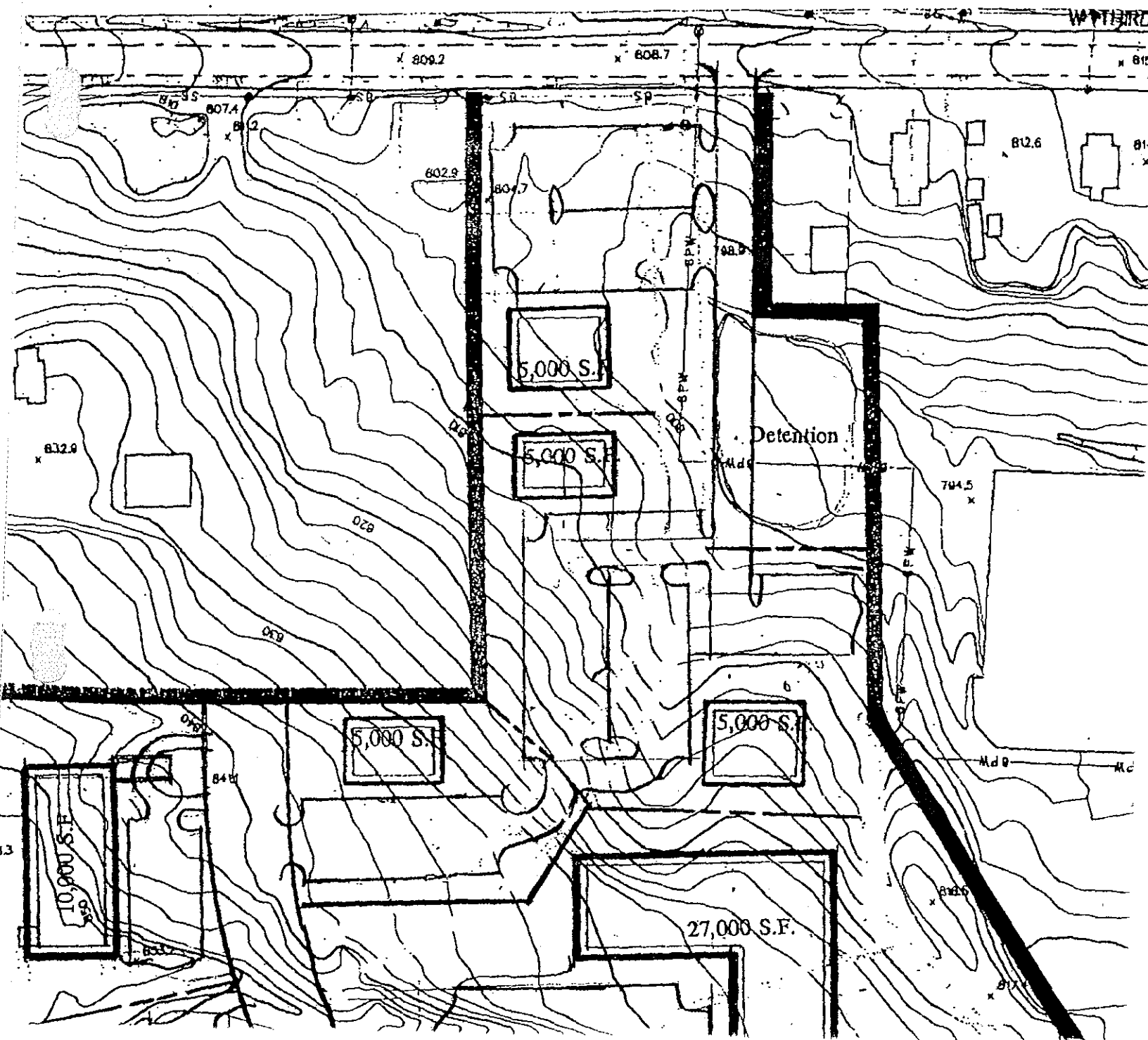
3 ADAMS ST

To: Toni McClure

FROM: Mike Probat

2/15/95





Smith Neubecker & Associates, Inc.



February 14, 1995

Stephen L. Smith P.E., L.S.
President

Daniel Neubecker L.A.
Project Manager

City of Bloomington Plan Commission
c/o Lynne Friedmeyer, City Planner
P.O. Box 100
Bloomington, IN 47402

RE: Adam's Crossing

Dear Lynne and Plan Commissioners:

Subsequent to the discussion at the last plan commission meeting and a closer examination on our part of the Adam's Crossing project we are proposing the following changes to our current rezone petition:

1. We agree with the Planning staff and propose to bring the primary entrance to Third Street into the existing Landmark Drive.
2. A single drive will be constructed to serve the outlot on Third Street.
3. Because of our lack of frontage at our entrance to the primary arterial, Third Street, we are seeking outline approval to allow up to 100 square feet of sign (per side) near the existing Landmark Drive and Third Street entry. This would be a center I.D. and/or major tenant signs. The specifics of this sign would be subject to an agreement with the property owners and Plan Commission approval at the Development Plan stage.
4. The primary access to Bloomfield Road is proposed to be moved westward to align with the Jim Williams business park. The three lane roadway improvements to Bloomfield Road will be extended to that point.
5. The right turn in right turn out entrance that we were proposing at the West end of the project onto Bloomfield Road would be moved to the East end of the project along Bloomfield Road.
6. We request that the area along Bloomfield Road fronting Adams Street remain in the planned commercial development as highlighted in yellow on the attached drawing.
7. We would like to clarify for the record that the present use of the

4625 Morningside Drive
Post Office Box 5355
Bloomington, Indiana 47407-5355
Telephone 812 336-6536
FAX 812 336-0513

6

Smith Neubecker & Associates, Inc.



City of Bloomington Plan Commission
February 14, 1995
Page 2

land be allowed to continue until such time as that use is discontinued to allow implementation of the new planned commercial development. We anticipate that this will happen gradually over a period of years.

Thank you for your assistance in refining these amendments to the Adam's Crossing planned commercial development.

Very truly yours,

Steven L. Smith
SMITH NEUBECKER & ASSOCIATES, INC.

SLS:la

cc: Doug Jones
File #2189F-4

City of
Bloomington
Indiana



Tomilea Allison
Mayor

Post Office Box 100
Municipal Building
Bloomington, Indiana 47402

Planning Department

812-331-6423

February 16, 1995

Mr. Steve Smith
Smith Neubecker & Associates
P.O. Box 5355
Bloomington, IN. 47407

Dear Steve,

We received your letter of 2-14-95 regarding changes to Adams Crossing, and forwarded it to the Plan Commission with our favorable recommendation. Before the meeting, we need to verify that the new access to Bloomfield is satisfactory to Engineering.

It was our understanding that the outlot on Whitehall would be served by its own driveway, which is what #2 in your letter seems to say.

Today, we received a revised sketch plan dated 2-15-95 which shows the outlot drive continuing through to the shopping center. Please clarify your proposal as soon as possible. As you might expect, we are not in favor of a second shopping center entrance to Whitehall Pike.

We will encourage approval of the signage on Whitehall Pike. However, that location is not part of the planned development, so a use variance by the Board of Zoning Appeals would be necessary for the off-premise sign. The deadline for the March 23 meeting is March 6. If the sign is essential to your plan, I suggest a prompt BZA action so it will be a given when the outline plan revision goes to the Council.

Sincerely,

Tim Mueller (ckl)

Timothy A. Mueller, AICP
Planning Director

TM/ckl

cc: Doug Jones

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