ORDINANCE 16-19

TO REZONE A PROPERTY FROM COMMERCIAL GENERAL (CG) TO COMMERCIAL ARTERIAL (CA)
- Re: 3380, 3440, and 3480 W. Runkle Way
(VMP Development, Petitioner)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, ZO-13-16, and recommended that the petitioner, VMP Development, be granted an approval to rezone 5.32 acres from Commercial General (CG) to Commercial Arterial (CA). The Plan Commission thereby requests that the Common Council consider this petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning for the property located at 3380, 3440, and 3480 W. Runkle Way shall be changed from Commercial General (CG) to Commercial Arterial (CA). The property is further described as follows:

> Lots 8A, 8B, 8C and 8D, Second Replat of Lot 8 as Shown on the Replat of Whitehall Park, Lots 5, 6 and 8 Final Plat, as shown by the plat thereof recorded as Instrument Number 2009017183 in the Office of the Recorder of Monroe County, Indiana.

SECTION 2. This rezoning shall be approved as attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. 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 7th day of September, 2016.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 9th day of September, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 9th day of September, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would rezone 5.32 acres located on West Runkle Way from Commercial General (CG) to Commercial Arterial (CA) to allow for a proposed new hotel.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 16-19 is a true and complete copy of Plan Commission Case Number ZO-13-16 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 8, 2016.

Date: August ~~16~~ 15, 2016

Christy L. Langley, Secretary
Plan Commission

Received by the Common Council Office this 15 day of August, 2016.

Nicole Bolden, 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 _____
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.)

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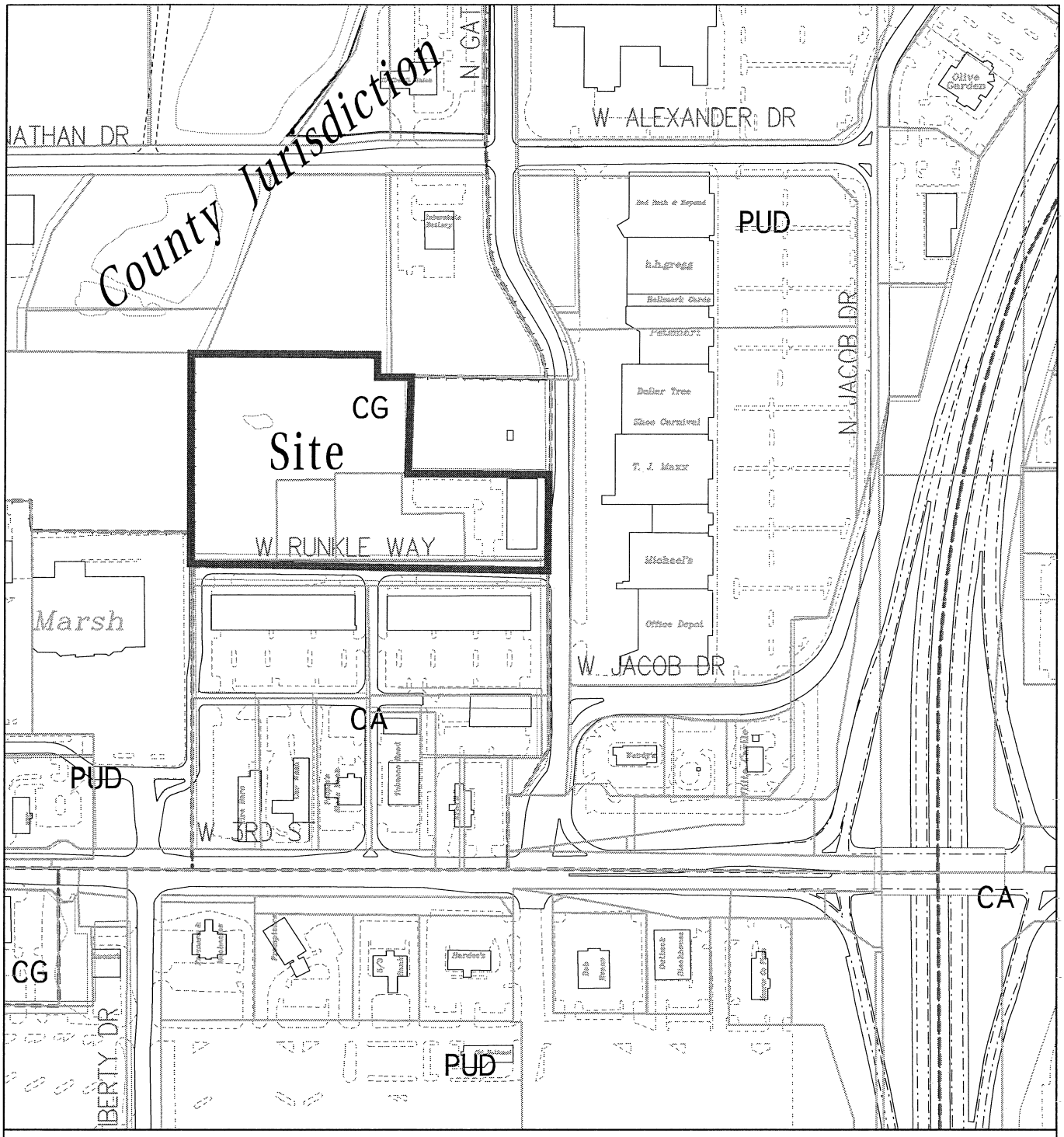


ZO-13-16 VMP Development

3380 W Runkle Way

Plan Commission

Site Location, Zoning, Land Use, Parcels

By: greulice

2 Jun 16

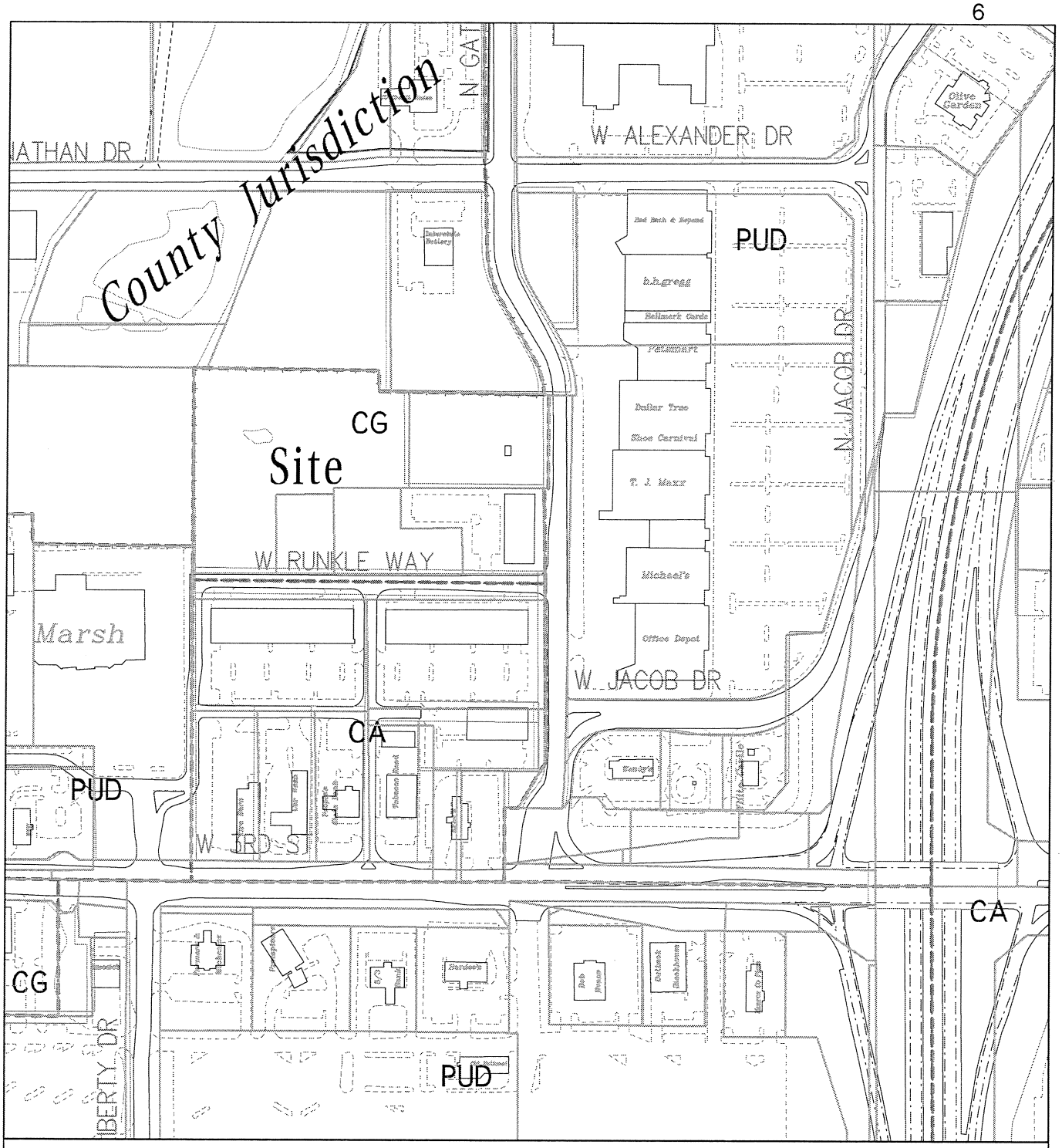
300 0 300 600 900

N

City of Bloomington
Planning & Transportation

Scale: 1" = 300'

For reference only; map information NOT warranted.



ZO-13-16 VMP Development

3380 W Runkle Way

Plan Commission

Site Location, Zoning, Land Use, Parcels

By: greulice

2 Jun 16

300 0 300 600 900

N

City of Bloomington
Planning & Transportation

Scale: 1" = 300'

For reference only; map information NOT warranted.

ZO-13-16 VMP Development

3380 W. Runkle Way

Plan Commission

2014 Aerial Photograph

By: greulice

2 Jun 16

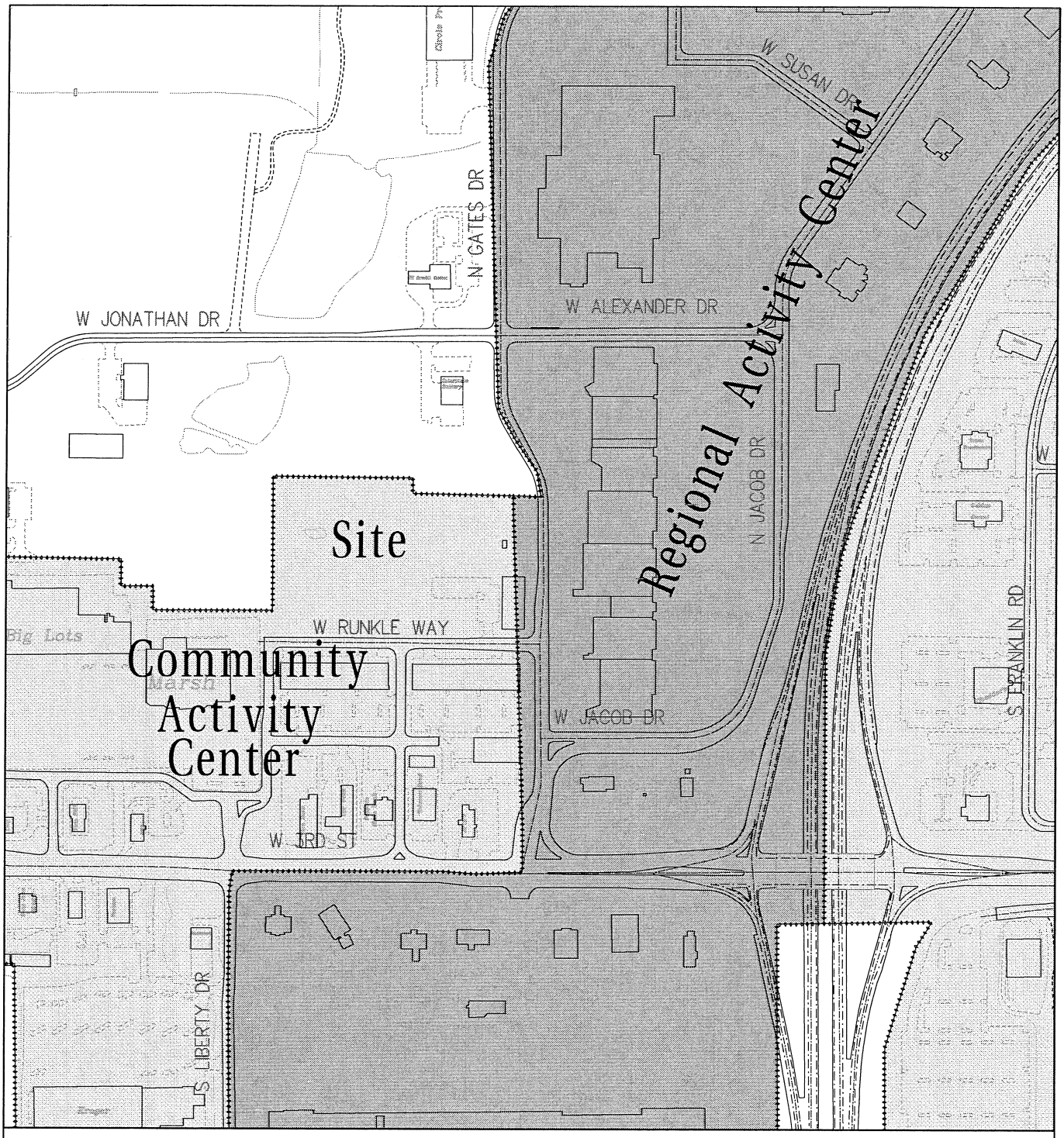
200 0 200 400 600

N

City of Bloomington
Planning & Transportation

Scale: 1" = 200'

For reference only; map information NOT warranted.



Z0-13-16 3380 W Runkle Way

VMP Development

Plan Commission

Growth Policies Plan Map

By: greulice

2 Jun 16

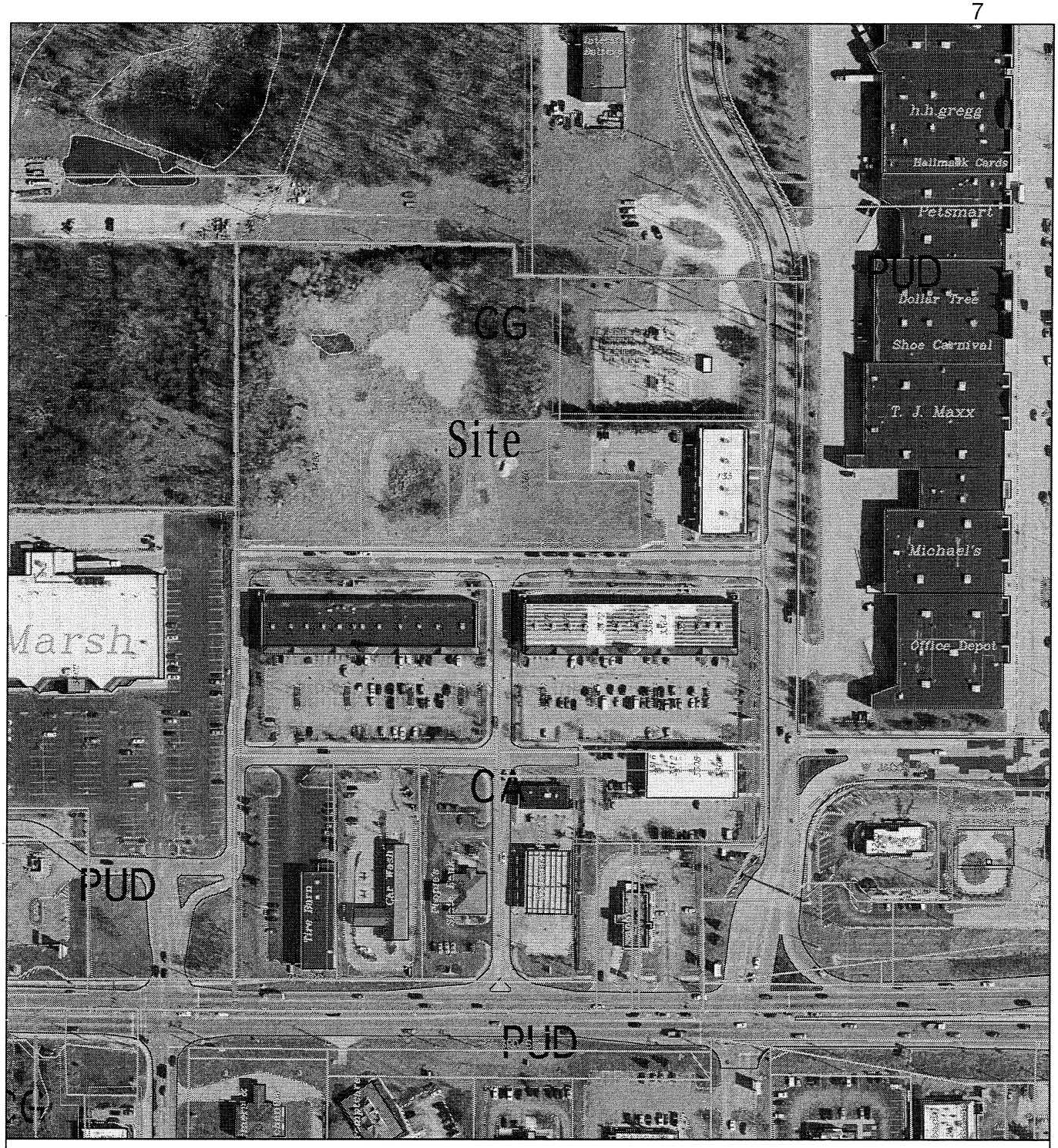
400 0 400 800 1200

N

City of Bloomington
Planning & Transportation

Scale: 1" = 400'

For reference only; map information NOT warranted.



ZO-13-16 VMP Development

3380 W. Runkle Way

Plan Commission

2014 Aerial Photograph

By: greulice

2 Jun 16

200 0 200 400 600

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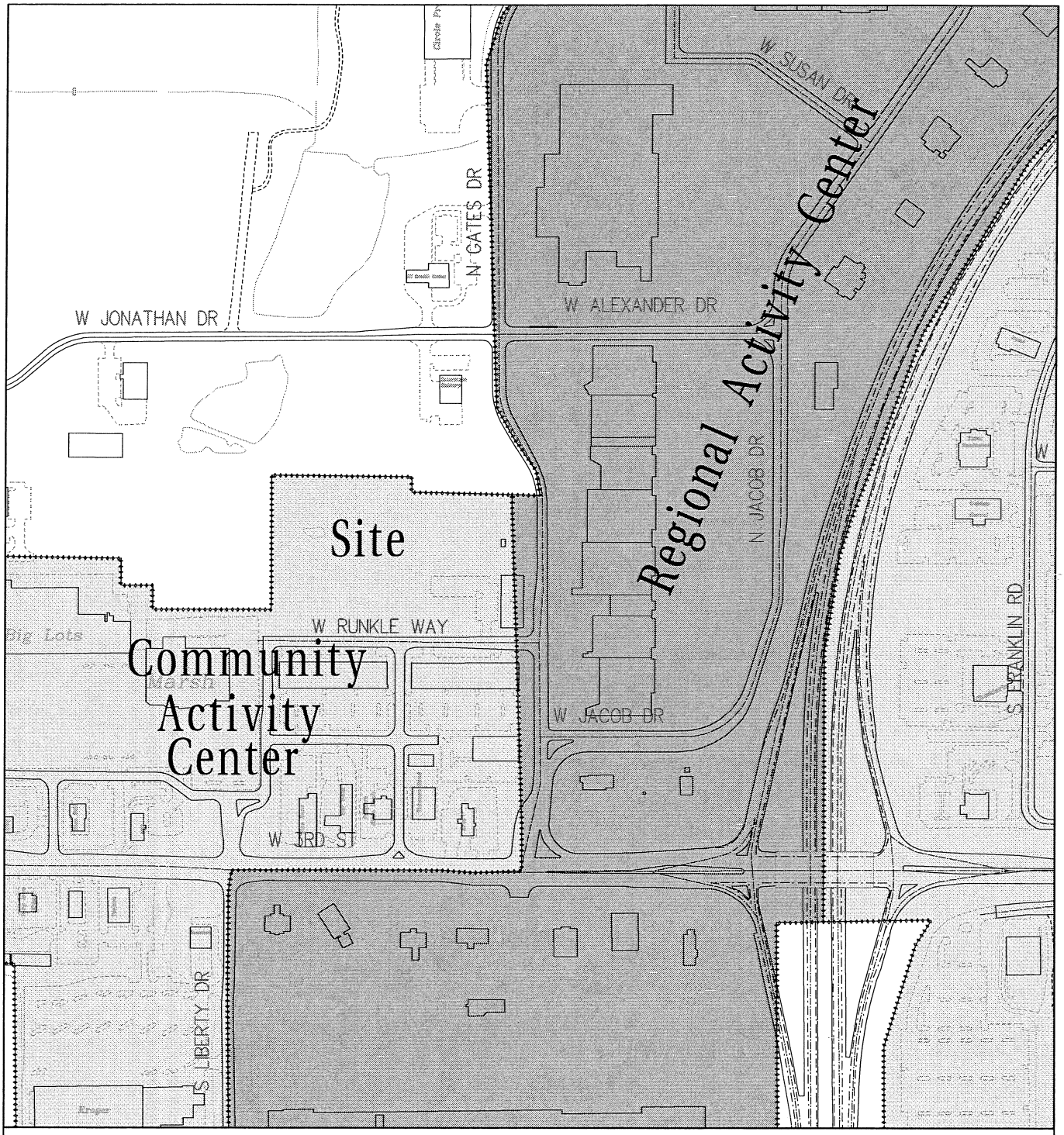
City of Bloomington
Planning & Transportation

Scale: 1" = 200'

For reference only; map information NOT warranted.



ZO-13-16 3380 W Runkle Way

VMP Development

Plan Commission

Growth Policies Plan Map

By: greulice

2 Jun 16

400 0 400 800 1200

N

City of Bloomington
Planning & Transportation

Scale: 1" = 400'

For reference only; map information NOT warranted.

Interdepartmental Memo

To: **Members of the Common Council**
From: **Eric Greulich, Zoning Planner**
Subject: **Case #ZO-13-16**
Date: **August 10, 2016**

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case #ZO-13-16. The Plan Commission heard this petition at the June 6 and August 8, 2016 hearings and voted 7-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting to rezone 5.32 acres from Commercial General (CG) to Commercial Arterial (CA).

BACKGROUND:

Area:	5.32 acres
Current Zoning:	CG
GPP Designation:	Community Activity Center
Existing Land Use:	Multi-tenant commercial building
Proposed Land Use:	Commercial
Surrounding Uses:	North – County Jurisdiction (PSI substation)
	West – Commercial shopping center
	East – Commercial shopping center (Whitehall Crossing)
	South – Commercial shopping center (Whitehall Park)

REPORT: The properties are located at 3380, 3440, & 3480 W. Runkle Way. The properties are all zoned Commercial General (CG). Surrounding land uses are all commercial shopping centers with Monroe County planning jurisdiction to the north. This site was subdivided in 2009 (DP-28-09) to create four lots. All required right-of-way and preservation areas where set aside with that approval. The site has been developed with a multi-tenant commercial building and surface parking lot on one lot, a detention pond on a common area lot, and 2 remaining vacant lots.

The petitioner is requesting to rezone the property from Commercial General (CG) to Commercial Arterial (CA). The rezone is requested to allow for development of a hotel on the site. A schematic layout for the hotel was presented to the Plan Commission and would be able to meet UDO requirements. A separate site plan approval from the Plan Commission is required prior to construction of the hotel. There is an existing detention pond on the site that would be relocated for the hotel and would be re-platted to be placed on a new common area lot.

GROWTH POLICIES PLAN: This property, as well as the Commercial Arterial land to the south, is designated as "*Community Activity Center*". The GPP notes that a *Community Activity Center* is designed to provide community-serving commercial opportunities in the context of a high density, mixed use development. CAC's are larger

in scale and higher in intensity than the *Neighborhood Activity Center*. The primary land uses in a CAC should be medium scaled commercial retail and service uses, which would be accomplished with this rezoning request.

ISSUES:

Traffic Impacts: The petitioner submitted a traffic study analyzing the existing transportation facilities and possible impacts. The traffic study showed that the amount of traffic for a hotel is not any greater than already permitted Commercial General uses and the rezoning would not have a greater impact on adjacent roads or intersection. Primary access to this site would come from Gates Drive to the east, which is classified as a Primary Collector street in the Thoroughfare Plan. There is a signalized intersection at Gates Drive and 3rd Street. The Plan Commission found that the location of this site in close proximity to the future I-69 corridor makes it an attractive location for a hotel to serve interstate travelers.

List of Uses: The uses that would be allowed with this rezoning that would not be allowed with the current Commercial General zoning district are:

- Auto body shop
- Boat sales
- Building supply store
- Building trade shop
- Check cashing
- Country club
- Department store
- Golf driving range, outdoor
- Hotel/motel
- Miniature golf
- Mini-warehouse facility
- Radio/tv station
- Research center
- Retail, outdoor
- Sexually oriented business
- Theater, indoor
- Vehicle repair
- Vehicle sales rental

The petitioner has committed to record a zoning commitment to not allow the following uses on this property:

- Check cashing
- Convenience store with gas or alternative fuels
- Country club
- Dwelling, single family (detached)
- Gasoline station
- Oil change facility

- Sexually oriented business
- Tattoo/piercing parlor
- Theater, indoor
- Transportation terminal

Utilities: There are existing public utilities that serve this property and no problems have been identified in the current utility service. As mentioned previously, if a hotel is constructed on this site it will most likely require the relocation of the existing stormwater detention pond to another portion of the lot. This will be reviewed with future site plan approvals.

CONCLUSION: The area proposed for rezoning is already designated as a Community Activity Center in the Growth Policies plan and is immediately adjacent to Commercial Arterial zoning land. The submitted traffic study showed that the proposed new hotel would not increase traffic rates beyond other Commercial General uses. The location of this site along the future I-69 corridor provides an ideal location for this land use.

RECOMMENDATION: The Plan Commission voted 7-0 to forward this petition to the Common Council with a favorable recommendation and the following conditions:

1. No site plan approval is given with this petition.
2. The zoning commitment regarding the list of excluded uses must be recorded within 30 days of rezoning approval from Council.

PETITIONER'S STATEMENT

VMP Development, LLC petitions the City of Bloomington to rezone property located at 3380, 3440 and 3480 W. Runkle Way and property located at 135 N. Gates Drive, Bloomington, Indiana from Commercial General to Commercial Arterial.

Current Zoning: Commercial General

Proposed Zoning: Commercial Arterial

Real Estate: Lot 8A, Whitehall Park, 135 N. Gates Drive
Lot 8B, Whitehall Park, 3380 N. Gates Drive
Lot 8C, Whitehall Park, 3480 W. Runkle Way
Lot 8D, Whitehall Park, 3440 W. Runkle Way

Acreage: Lot 8A, .95 acres. Possible lot adjustment to .84 acres
Lot 8B, .88 acres. Possible lot line adjustment to 1.00 acres
Lot 8C, 3.3 acres. Possible lot line adjustment to 3.25 acres
Lot 8D, .49 acres. Possible lot line adjustment to .53 acres

Petitioner requests rezoning to CA to allow development of Lots 8B and 8D as a Comfort Suites hotel. The detention pond presently located on Lot 8D would be relocated to the northwest portion of Lot 8C, adjacent to the designated tree preservation area on Lot 8C. Interior lot line adjustments among the lots would reconfigure lots 8B and 8D to a size required to accommodate the hotel development with adequate onsite parking.

Current and Proposed Development:

Lot 8A is a small commercial strip building. The majority of the space is occupied by David's Bridal.

Lot 8B and 8D to be redeveloped as the hotel.

Lot 8C is reserved for future development. Projected uses of Lot 8C include possible multi-family housing. Development of Lot 8C would allow for extension of Liberty Drive connecting to Jonathan Drive. A part of Lot 8C would remain undeveloped and reserved for tree preservation and the relocated detention pond.

Surrounding Uses:

Lots adjacent to the south and fronting on the south side of W. Runkle Way are all zoned commercial arterial and are fully developed commercial strip buildings. Adjacent to the east, and east of N. Gates Drive is the fully developed Whitehall Crossing commercial

center and zoned PUD. The northwest corner of the site is the existing Duke Energy power substation. North of Lot 8C is the Curry Industrial Park PUD. West of the property, adjacent to Lot 8C is the continuation of the Curry Industrial Park PUD. The southwest corner from Lot 8C is the north corner of Whitehall Square Commercial PUD.

Vehicular Access.

The property is accessed from W. Third Street through Gates Drive on the east. Runkle Way extends across the south side of the property from Gates Drive. North Runkle Way presently dead ends at the west property line. Runkle Way has not been extended through or around the Whitehall Square Commercial PUD. Runkle Way connects south to W. Third Street through a private easement road which serves Whitehall Crossing and the commercial buildings on the south side of W. Runkle Way.

There are no known environmental constraints on the property except the previously designated tree preservation area and the requirement to relocate the existing detention pond.

Petitioner's proposed development of Lots 8B and 8D as the hotel is anticipated to be in compliance with all development standards existing for the CA zone.

Permitted Uses:

As a condition of approval to be documented and recorded by appropriate commitment for the use and development of real estate, the permitted uses in the CA zone would be amended to delete the following uses:

Check cashing;
Convenience store with gas or alternative fuels;
Country Club;
Dwelling, single family (detached);
Gasoline station;
Oil change facility;
Sexually oriented business;
Tattoo/piercing parlor;
Theater, indoor
Transportation terminal

Traffic study and analysis comparing and examining traffic generation for CA uses compared to the current zoning for CG is included with this Petition.

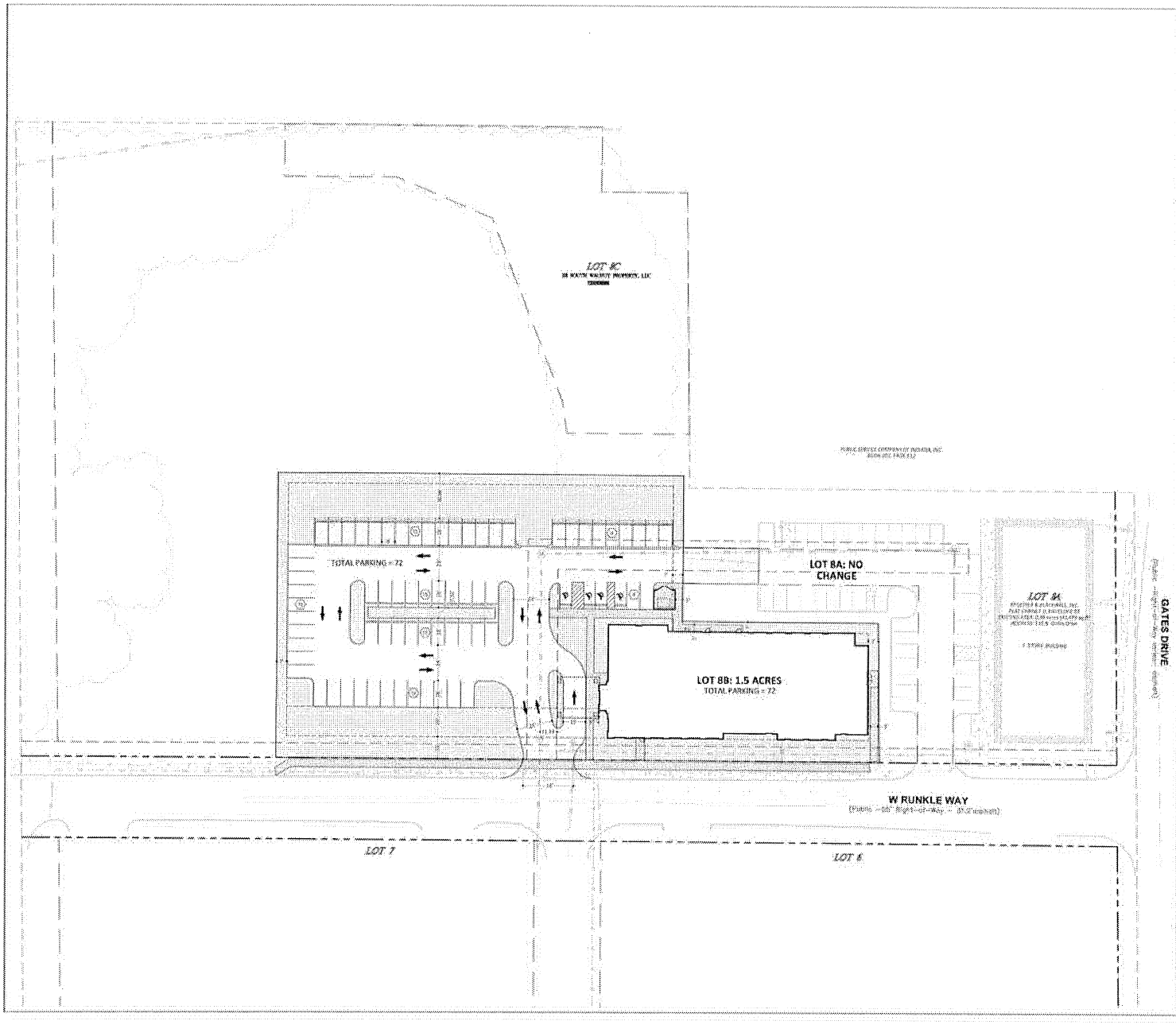
Process:

Petitioner requests waiver of a second Plan Commission hearing on this Petition.

VMP DEVELOPMENT

by: _____
Michael L. Carmin,
Attorney for Petitioner

396656 / 23689-1



GENERAL NOTES

PLAN NOTES

LEGEND

IMPERVIOUS SURFACE

LOT 8B

LOT AREA:	65340 SQ.FT. (1.5 ACRES)
IMPERVIOUS AREA:	38526 SQ.FT. (59%)
PERVIOUS AREA:	26784 SQ.FT. (41%)

BRCJ
1351 West Tapp Road
Bloomington, Indiana 47403
Phone: 812.336.8277
Fax: 812.336.0317
www.brcjnet.com
BLOOMINGTON BEDFORD PAOLI

Whitehall Park Comfort Inn
135 N. Gates Drive
Bloomington, IN
BRG Project No: 9016

SITE IMPROVEMENT PLAN OPTION 8

NORTH

SCALE: 1" = 30'

Date:	Issue:
07-25-2016	OWNER REVIEW

REVISION SCHEDULE

Rev. #	Rev. Description:	Issue Date

Drawn By: BLN
Designed By: BLN
Checked By: XXX

C401

Proposed Site Plan

Whitehall Park Trip Generation Comparison
Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Comparison	Hotel Average Trip Ends	CG Uses Average Trip Ends	Difference Average Trip Ends	Pecent Reduction in Trips
Weekday	760	2044	1284	62.81
Weekday AM Peak Hour	47	190	143	75.31
Weekday PM Peak Hour	55	174	119	68.53
Saturday	737	2051	1314	64.07
Saturday Peak Hour	65	184	119	64.73
Sunday	535	1515	979	64.65
Sunday Peak Hour	50	67	17	24.90

Traffic Study

Whitehall Park Trip Generation Comparison
Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Hotel Trip Generation	Average Rate	Average Trip Ends
Average Vehicle Trip Ends vs. Occupied Rooms at 72		
Weekday	8.92	642
Weekday AM Peak Hour	0.64	46
Weekday PM Peak Hour	0.74	53
Saturday	10.50	756
Saturday Peak Hour	0.87	63
Sunday	8.48	611
Sunday Peak Hour	0.75	54
Average Vehicle Trip Ends vs. Rooms at 72		
Weekday	8.17	588
Weekday AM Peak Hour	0.52	37
Weekday PM Peak Hour	0.61	44
Saturday	8.19	590
Saturday Peak Hour	0.72	52
Sunday	5.95	428
Sunday Peak Hour	0.56	40
Average Vehicle Trip Ends vs. Employees at 12		
Weekday	14.34	172
Weekday AM Peak Hour	0.79	9
Weekday PM Peak Hour	0.90	11
Saturday	12.27	147
Saturday Peak Hour	1.10	13
Sunday	8.92	107
Sunday Peak Hour	0.83	10
Average Vehicle Trip Ends vs. Rooms at 72 + Employees at 12		
Weekday		760
Weekday AM Peak Hour		47
Weekday PM Peak Hour		55
Saturday		737
Saturday Peak Hour		65
Sunday		535
Sunday Peak Hour		50

Whitehall Park Trip Generation Comparison
Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Permitted CG Uses for a 14,000 Gross SF Building	Average Rate	Average Trip Ends	Average Rate Employees	Average Trip Ends Employees	Average Trip Ends Total
General Office Building - ITE Land Use 710 (Page 1159)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 4,000 SF with 6 Employees					
Weekday	11.10	44	3.32	19.92	64
Weekday AM Peak Hour	1.55	5	0.48	2.88	8
Weekday PM Peak Hour	1.49	4	0.46	2.76	7
Saturday	2.37	7	0.54	3.24	10
Saturday Peak Hour	0.41	1	0.09	0.54	2
Sunday	0.98	3	0.22	1.32	4
Sunday Peak Hour	0.14	0	0.03	0.18	1
Hardware/Paint Store - ITE Land Use 816 (Page 1366)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 4,000 SF					
Weekday	51.29	205			
Weekday AM Peak Hour	4.91	15			
Weekday PM Peak Hour	4.74	14			
Saturday	82.52	248			
Saturday Peak Hour	11.18	34			
Sunday	68.65	206			
Sunday Peak Hour	9.81	29			
Specialty Retail Center - ITE Land Use 814 (Page 1337)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	44.32	89			
Weekday AM Peak Hour	6.84	14			
Weekday PM Peak Hour	5.02	10			
Saturday	42.04	84			
Saturday Peak Hour	no data	no data			
Sunday	20.43	41			
Sunday Peak Hour	no data	no data			
High-Turnover (Sit-Down) Restaurant - ITE Land Use 932 (Page 1723)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	127.15	254			
Weekday AM Peak Hour	13.53	27			
Weekday PM Peak Hour	18.80	38			
Saturday	158.37	317			
Saturday Peak Hour	20.00	40			
Sunday	131.84	264			
Sunday Peak Hour	18.46	37			
Fast-Food Restaurant w/o Dive-Through - ITE Land Use 933 (Page 1741)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	716.00	1432			
Weekday AM Peak Hour	63.50	127			
Weekday PM Peak Hour	52.40	105			
Saturday	696.00	1392			
Saturday Peak Hour	54.55	109			
Sunday	500.00	1000			
Sunday Peak Hour	no data	no data			

Permitted CG Uses for a 14,000 Gross SF Building	
Average Vehicle Trip Ends Combined	
Weekday	2,044
Weekday AM Peak Hour	190
Weekday PM Peak Hour	174
Saturday	2,051
Saturday Peak Hour	184
Sunday	1,515
Sunday Peak Hour	67