

ORDINANCE 87 - 41

To Amend the Zoning Maps from MQ to ML/PCD
and Grant Outline Plan Approval
RE: 2500 Tapp Road (Public Investment Corp.)

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, ML/PCD-40-87, and recommended that the petitioner, Public Investment Corp., 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 MQ to ML/PCD for property located at 2500 Tapp Road, and more particularly described as follows:

The East half of the Southwest Quarter and 30 acres off the West side of the Southeast Quarter, all in Section Seven (7), Township Eight (8), North, Range one (1) West, containing 110 acres more or less. More particularly described in a Survey dated July 31, 1986 by Stephen L. Smith No. S0427, to-wit: Part of the Southwest quarter and part of the Southeast quarter of Section 7, Township 8 North, Range 1 West, Monroe County, Indiana more particularly described as follows: Beginning at the Southeast corner of the West half of the Southwest quarter; thence North 1 degree 38 minutes 47 seconds West along the east line of said west half, 2679.79 feet to the Northeast corner of said west half; thence South 88 degrees 49 minutes 50 seconds East 1332.54 feet to the Northeast corner of said Southwest quarter; thence South 88 degrees 38 minutes 01 seconds East 487.50 feet along the north line of the Southeast quarter of Section 7; thence South 1 degree 22 minutes 27 seconds East 2683.74 feet to the South line of said Southeast quarter; thence North 88 degrees 38 minutes 01 seconds West along said south line 487.50 feet to the Southeast corner of said Southwest quarter; thence North 88 degrees 38 minutes 01 seconds West 1320.00 feet to the point of beginning. Containing in all 111.56 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 of 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 2 day of September, 1987.

Timothy Mayer

TIMOTHY MAYER, 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 3 day of
September, 1987.

Patricia Williams

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 3 day
of September, 1987.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Petitioner (Public Investment Corporation) request a change
of zone from MQ to ML/PCD with outline plan approval for this
111 acre site (2500 Tapp Road). An industrial park is proposed.

signed copies 9/4/87

*Petitioner
Jim Forger 5/5/87
Planning*

MEMO

TO: City Council

RE: Ord. 87-10

FROM: Tim Mueller
Planning Department

DATE: September 2, 1987

This ordinance rezones about 111 acres from MQ, quarry, to ML, approves an outline plan, and designates the site a Planned Commercial Development.

The outline plan consists of a site plan, access improvements at Weimer and Tapp Roads, proposed uses, and conditions of approval. The petitioner has agreed to some changes introduced by the Plan Commission at its final hearing. The attached list of uses is based upon the ML zone's uses and incorporates the Plan Commission's terms of approval.

The conditions of approval are as follows:

1. Uses permitted per the attached list of uses. The intent is to incorporate retail or commercial trade uses into the framework of an industrial park to serve the park or as otherwise may be appropriate, but not to develop a shopping center per se. Such development would be precluded by the single entrance to Tapp, the internal street concept, and the need for additional subdivision approval should a site be created for a shopping center.
2. Access will be limited to one on Tapp, two on Weimer, as shown on the plan and approved by the County Highway Engineer.
3. The site will be buffered to the north by a 100 ft. setback from centerline for any structures along (Wapehani Road) no access to (Wapehani Road) preservation of existing trees within 25 ft. of Wapehani Road, additional screening of parking, loading, and outside mechanicals, enclosure of outdoor storage. *(Substitute North Boundary)*
4. ROW dedication 50 ft. from centerline on Tapp, 30 ft. from centerline on Weimer.
5. Individual building locations will be subject to ML height, bulk, and density requirements.
6. City Utilities Department approval of water and sewer service and Engineering Department approval of storm drainage plans supported by computations are required before permits are issued.
7. Approval incorporates terms contained in attached letter from Monroe County Highway Engineer dated August 3, 1987.

8. The following will be guidelines for development plan approval by the Plan Commission:
- a. Divide the tract into north and south portions along the east-west road to the west property line. The north part would be much more strictly controlled than the south half.
 - b. No use in the PCD not permitted in ML. That is, no MG uses.
 - c. No outside storage.
 - * d. 100 foot buffer.
 - e. Limited signage.
 - * f. Limited lighting.
 - g. Approved landscaping.
 - h. Preserve trees.
 - * i. Control noise.
 - j. Control air pollution and odor.
 - k. No pole buildings.
 - l. Buildings to have veneer facings on sides visible to street or neighbors.
 - * m. No evening or weekend activity.
 - n. No high traffic generating activities.
 - * o. Wapehani Road to remain residential access only.
 - * p. Approvals to be by Plan Commission at public meeting.
 - q. Limited access between north and south.
- * Special attention will be paid to these criteria north of road to west property line.

LIST OF USES

ZO/PCD-40-87 PUBLIC INVESTMENT CORPORATION
2500 Tapp Road

Ordinance #87-10

Industrial

A. Manufacturing/Processing

1. Apparel
2. Bakery, Dairy Products, Confectionary
3. Beverage, Bottling
4. Chemicals and Chemical Products - manufacture of products from already prepared chemical materials.
5. Clock, Scientific Instruments
6. Furniture - custom shops, upholstery shops and small furniture manufacturing may be permitted in the ML zone by the Plan Commission.
7. Meat, Poultry, Seafood - processing or freezing of dressed meat and poultry permitted in all M zones, slaughter or dressing must receive special permission of the Plan Commission and is permitted only in the MG zone.
8. Musical Instruments
9. Paper Products
10. Printing/Newspaper
11. Research Laboratories

B. Industrial, Non-Processing

1. Warehouse, Storage or mini

C. Commercial, Wholesale

1. Building Material
2. Farm Products
3. Food Products
4. Farm Supplies
5. Household Goods

Institutional

A. Public, Quasi Public

1. Religious Organizations
2. Schools, Parks, Playgrounds - conditional use
3. Civic, Community Clubs
4. Daycare Centers - special exception

B. Utilities

1. Communication, Transmission
2. Storage

C. Medical Facilities

1. Rehabilitative Facilities

The following uses are permitted only in the area south of the east-west road to the West lot line.

Business

A. Commercial, Retail

1. Appliance Stores, Small
2. Arts and Crafts
3. Auto/Truck/Marine Sales
4. Auto Parts/ Supplies, New
5. Bicycle Shops
6. Dairy Products
7. Drugstore, Sundry
8. Farm Equipment
9. Grocery and Meats
10. Hardware
11. Mobile Home Sales
12. Motorcycle Sales
13. Used Merchandise
14. Variety Store

B. Commercial Trade

1. Appliance Repair (Small)
2. Auto Repairs - all major overhaul, body and fender work, upholstering and welding shall be conducted within a completely enclosed building and all spray painting shall be conducted within an approved spray booth and provided further, that no outdoor storage of automobile parts, discarded tires, or similar materials, or outdoor storage of more than three wrecked or temporarily inoperable motor vehicles awaiting repairs shall be permitted.
3. Auto Storage Yards - special exception
4. Banks (Branch)
5. Business Service
6. Business and Professional Office
7. Candy, Confectionary
8. Eating, Drinking (Restaurant)
9. Furniture Repair
10. Gasoline Service Station
11. Laundry and Dry Cleaning
12. Personal Service
13. Receration
14. Schools (Trade and Business)
15. Taxi Stands
16. Tire Recapping - special exception
17. Theaters, Drive-In - special exception
18. Building Trades Shops

ML Manufacturing- Light

20.07.06.00 Industrial

A. Manufacturing/ Processing

1. Apparel
2. Bakery, Dairy Products, Confectionary
3. Beverage, Bottling
4. Chemicals and Chemical Products- manufacture of products from already prepared chemical materials
5. Clock, Scientific Instruments
6. Furniture- custom shops, upholstery shops and small furniture manufacturing may be permitted in the ML zone by the plan Commission
7. Meat, Poultry, Seafood- processing or freezing of dressed meat and poultry permitted in all M zones, slaughter or dressing must receive special permission of the Plan Commission and is permitted only in the MG zone
8. Musical Instruments
9. Paper Products
10. Printing/ Newspaper
11. Research Laboratories

B. Industrial, Non- Processing

1. Motor and Bus Terminals
2. Warehouse, Storage

20.07.07.00 Institutional

A. Public, Quasi Public

1. Religious Organizations
2. Schools, Parks, Playgrounds- conditional use
3. Civic, Community Clubs
4. Day- care Centers- special exception

B. Utilities

1. Communication, Transmission
2. Storage

C. Medical Facilities

1. Rehabilitative Facilities

ML Manufacturing- Light

20.07.05.00 Business

A. Commercial, Retail

1. Appliance Stores, Small
2. Arts and Crafts
3. Auto/ Truck/ Marine Sales
4. Auto Parts/ Supplies, New
5. Bicycle Shops
6. Dairy Products
7. Drugstore, Sundry
8. Farm Equipment
9. Grocery and Meats
10. Hardware
11. Mobile Home Sales
12. Motorcycle Sales
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3. Auto Storage Yards- special exception
4. Banks (Branch)
5. Business Service
6. Business and Professional Office
7. Candy, Confectionary
8. Eating, Drinking (Restaurant)
9. Furniture Repair
10. Gasoline Service Station
11. Laundry and Dry Cleaning
12. Personal Service
13. Recreation
14. Schools (Trade and Business)
15. Taxi Stands
16. Tire Recapping- special exception
17. Theaters, Drive- In- special exception
18. Building Trades Shops
19. Warehouses
20. Warehouses (mini)

C. Commercial, Wholesale

1. Building Material
2. Farm Products
3. Food Products
4. Farm Supplies
5. Household Goods

Notes on motion to approve 8/3/87

excl. All over

North

WMA

OK

NO MG uses with Lynn Coyne's suggestions for Buffer

oh

at #6 in no

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number _____, is a true and complete copy of Plan Commission Case Number ML/PCD-40-87 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 August 3, 1987.

Timothy A. Mueller
Planning Director
Tim Mueller, Secretary
Plan Commission

Date: August 5, 1987

Received by the Common Council Office this 12 day of August,
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 _____ |

MO to ML/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. It 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 8/5/87