

ORDINANCE 87 - 54
To Amend the Outline Plan

RE: Northeast corner Winslow and Henderson (Ron Killion)

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-64-87, and recommended that the petitioner, Ron Killion, be granted an outline plan amendment 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 property located at the Northeast corner of Winslow and Henderson and further described as follows:

Part of the southwest quarter of the southeast quarter of Section 9, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows: Commencing at the northwest corner of said quarter quarter section, said corner being a 5/8" rebar with yellow plastic cap set this survey; thence on and along the west line of said quarter quarter section South 0 degree 15 minutes 22 seconds East (assumed bearing) 688.45 feet; thence North 90 degrees 00 minutes 00 seconds East, 40.00 feet to the east right-of-way line of Henderson Street, said corner marked by a 5/8" rebar with yellow plastic cap set, and being the point of beginning; thence continue North 90 degrees 00 minutes 00 seconds East, 472.45 feet to the west line of Henderson Court (Book 264 page 348, Office of the Recorder) and marked by a 5/8" rebar with yellow plastic cap set; thence South 1 degree 41 minutes 30 seconds West, 630.27 feet on and along the west line of Henderson Court to the south line of said quarter quarter section and a railroad spike set this survey; thence on and along said south line North 90 degrees 00 minutes 00 seconds West, 451.00 feet to a railroad spike set on the east right-of-way line of Henderson Street and said point being 40.00 feet East of the southwest corner of said quarter quarter section; thence on and along said east right-of-way North 0 degree 15 minutes 22 seconds West, 630.00 feet to the point of beginning, containing 6.67 acres, more or less and subject to any legal rights of way and easements.

SECTION II. The Outline Plan, as recommended by the Plan Commission, shall be as 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 11 day of November, 1987.

Timothy Mayer
TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams (Deputy Clerk)
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of
Bloomington, Monroe County, Indiana, upon this ____ day
of Nov, 1987.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 13th
day of November, 1987.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Requested is an amendment to the outline plan approved for this 6.7 acre site at the Northeast corner of Winslow and Henderson in 1984. The current request involves changes to the approved list of uses, reduction in the required setback and elimination of the requirement that uses be limited to a maximum of 3,000 sq. ft. of floor area (for home improvement uses).

****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 PCD-64-87 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 October 19, 1987.

Timothy A. Mueller
Planning Director

Date: 10/22/87

Tim Mueller, Secretary
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 _____

outline plan amendment

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. The property is already receiving City services.

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 10/22/87

PLAN COMMISSION
October 19, 1987
Staff Report
PCD-64-87
RON KILLION

This outline plan (as described in the enclosed October 5th report) is being revised to accommodate staff concerns. The revisions are expected to address Henderson and Winslow improvements, back-out parking and fire lanes. Report will be made at the hearing.

BLOOMINGTON PLAN COMMISSION
OCTOBER 5, 1987
STAFF REPORT PCD-64-87
RON KILLION

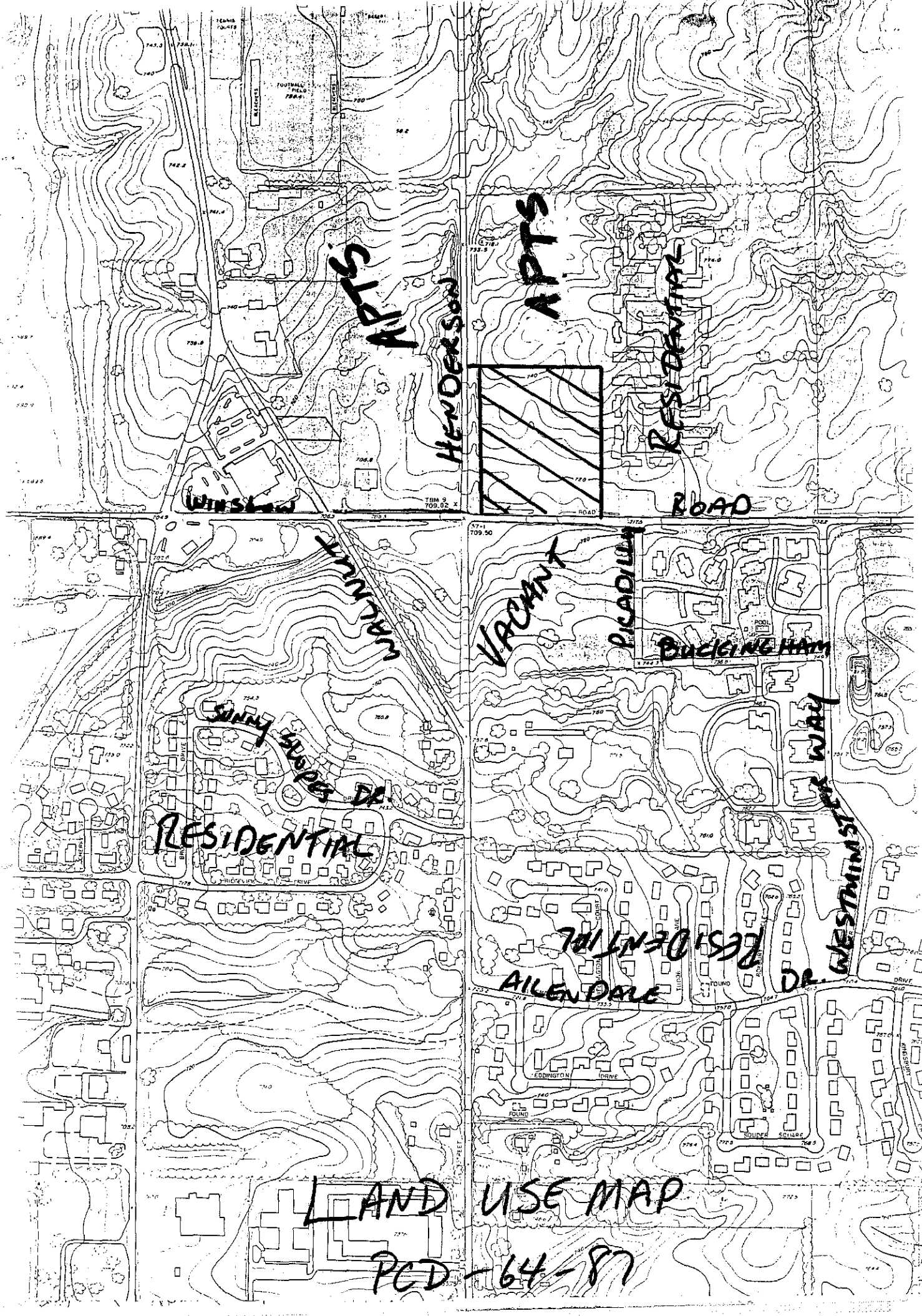
Requested is an ammendment with waiver of second hearing to the outline plan approved for this 6.7 acre site in 1984. The approved plan called for a small shopping complex involving BL type use with a 3,000sq. ft. limitation on any individual use within the development. The

first phase of this project was (Peoples Bank) constructed in late 84.

The current request involves changes to the approved list of uses and a reduction in the required setbacks along the north and east sides of the site. Proposed is adding mini-warehouses to the list of uses and eliminating the requirement that uses be limited to a maximum of 3,000sq. ft. of floor area.

Also requested is a reduction in the 30ft. setback called for in the sites interface with residentially zoned land to the north and east. Proposed is a 10 ft. landscaped setback. The back wall of the mini-warehouses would be on the setback line and would be a brick wall. The landscaping would be placed between the wall and the property line.

Supporting documentation relative to this request were only recieved on 9/28 and have not been fully reviewed by the Staff. In general the proposal appears sound, however Staff is withholding recommendation at this time. Pending completion of the review and any input from affected adjoining property owners Staff may be prepared to make recommendation at the hearing. However continuance to the Oct. 19 meeting may be warranted if there are unresolved issues.



APTS

HENDERSON ROAD

APTS

RESIDENTIAL

ROAD

MOUNTAIN VIEW

VACANT

PICADILLY

BUCKINGHAM

SUNNY HILLS DR.

RESIDENTIAL

WESTMINSTER WAY

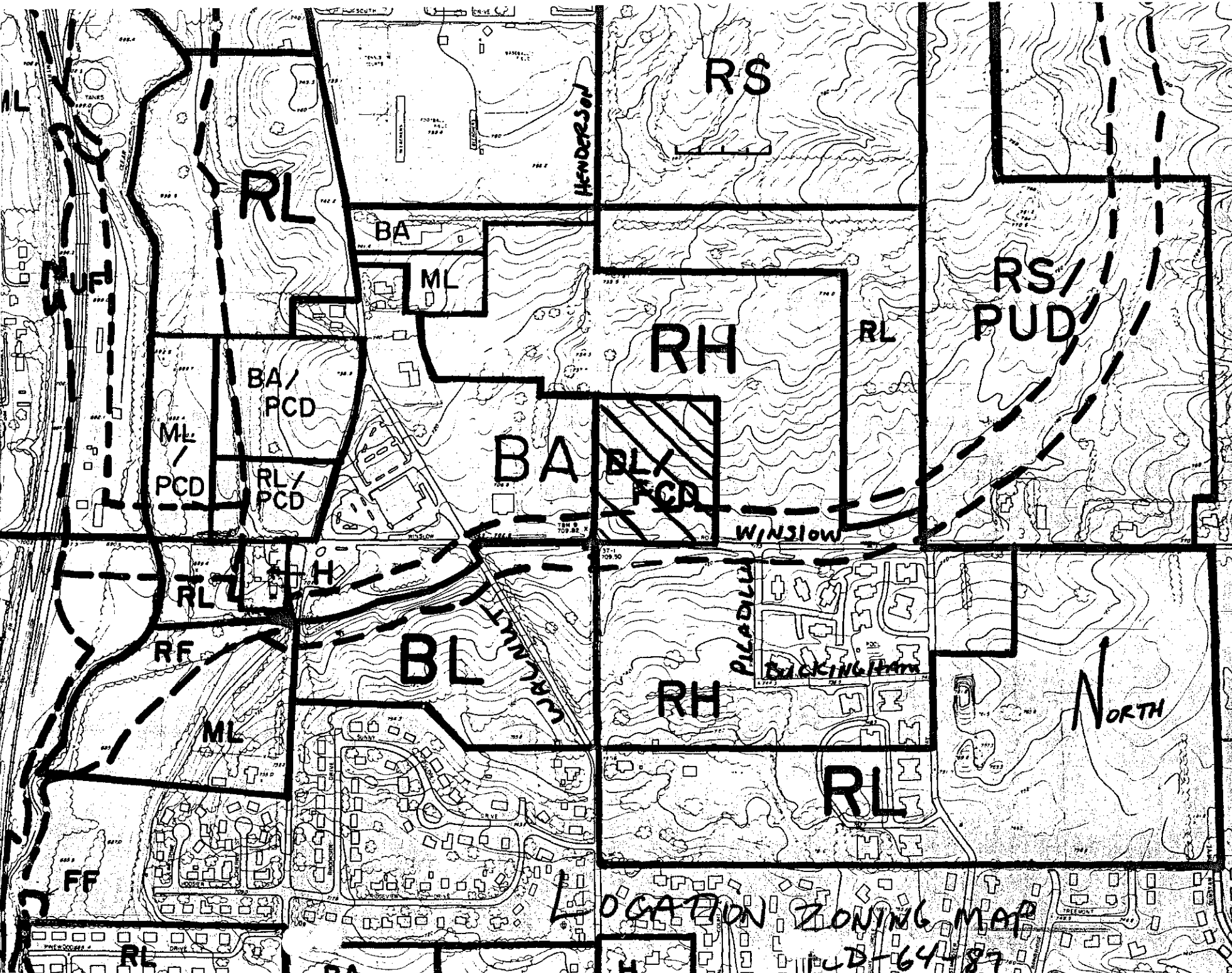
RESIDENTIAL
AILENDALE

LAND USE MAP

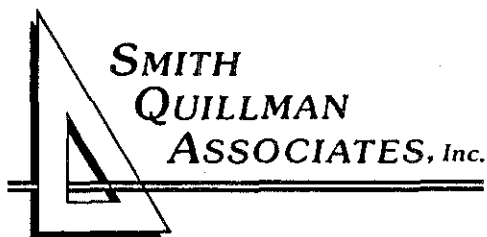
PCD-64-87

North

11



LOCATION ZONING MAP
 PUD-64-87



Stephen L. Smith P.E., L.S.
Terry Quillman

CONSULTING ENGINEERS

Dan Neubecker, L.A.
Ben E. Bledsoe, L.S.

Civil Engineering, Land Surveying, and Land Planning Services for Land Development, Sewers, Water and Transportation

September 16, 1987

City of Bloomington Plan Commission
P.O. Box 100
Bloomington, IN 47402

REFERENCE: People's Square PCD Amendment

Dear Commissioners:

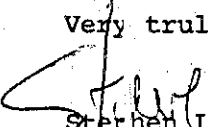
We respectfully request your consideration of our amendment to the plan commercial development, People's Square at the northeast corner of Winslow Road and Henderson Street. The original BL/PCD was approved by the commission and council in 1984. Since that time People's State Bank has established a branch in this location, the property has changed hands and marketing has taken place. It is marketing efforts and the prospective tenants that have been developed that cause us to bring these amendments to you for approval. The changes are as follows:

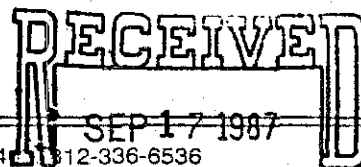
- 1) Amend the maximum size for any one user from 3000 sq.ft. to 15,000 sq. ft. for home improvement retail types of uses. These uses would include such things as carpet, furniture, appliances and household accessories.
- 2) Add mini-warehouses to the list of uses and place them as shown on the current site plan.
- 3) Allow a 10' setback along the north and east property lines where the mini-warehouses are to be placed. We will provide a detailed plan showing landscaping and treatment of the outside wall of the mini-warehouses.

Your standard application form, application fee of \$105, legal description and site plan are being submitted with this letter. Proof of notification to adjacent property owners will be submitted prior to the hearing.

Given the minor nature of this amendment and the late calendar date, we respectfully request waiver of the second hearing and forwarding to the city council after the first hearing.

Very truly yours,


Stephen L. Smith,
Smith Quillman Associates, Inc.



P.O. Box 155, 4625 E. Morningside Dr., Bloomington, IN 47402 317-336-6536

8553 Bash Street, Suite 104, Indianapolis, IN 46250, 317-336-6536 **PLANNING DEPARTMENT**

87-54

The following list of uses was approved for this development in 1984:

Gift Shop, Grocery & Meats, Hardware, Jewelry, Pet Shop, Sporting Goods, Variety Store, Appliance Repair, Banks (Main), Banks (Branch), Business Service, Multi-Family Dwellings-20 units/acre in Northern 150 ft. of the site only, Business and Professional Offices, Candy Confection, Restaurant, Funeral Service, Laundry & Pay Cleaning, Personal Service, Appliance Store, Auto Parts, Bakery, Printing, Radio & TV Stations, Theaters, Veterinary Service, Apparel, Bicycle Shop, Books/Newstands, Dairy Products, Drug Stores, Flower Shops, Furniture and Appliance.

The current proposal adds the following uses to this list:

Mini-Warehouses
Home Improvement
Retail - carpet, household accessories

Conditions of Approval:

1. Construction of new lane on east side of Henderson.
2. Construction of new lane on north side of Winslow.
3. Elimination of 3,000 sq. ft. maximum floor area for home improvement stores.
4. Variance from 30' setback requirement for mini-warehouses.

OCTOBER 19, 1987

Page Three

Don Francis was present. He stated that he is interested in the rear parcel and plans to level the site and improve it. The tree service business will be done mainly on other people's property.

No remonstrators were present.

Mr. Mueller stated that the petitioner will be required to pave to his west property line on Hunter. The Stated has urged the City not to allow uses that would be high traffic. Some use of the property can't be denied.

***Dean Behnke moved to approve ML/PCD-52-87 with the deletions of A.1 (Bakery, Dairy Products, Confectionary); A.2 (Beverage, Bottling); A.7 (Printing/Newspaper) from the list in the packet; Pat Murphy seconded. Carried 8-0.

PCD-64-87 Ron Killion
NE corner of Winslow and Henderson
Request for outline plan amendment.

Tim Mueller presented the staff report. This is an amendment to a previously approved outline plan. The zoning pattern for this area was established in the late 1960's. In 1973 the overall zoning plan zoned this site BL. The approved outline plan called for a single access road going through the project with individual parcels, limited to BL uses. The proposed plan more of a shopping center format. A private drive between Winslow and Henderson is still proposed. Shared parking is proposed in front. A new use is proposed (mini-warehousing) along the east and north boundaries of the site. Also requested is elimination of the 3,000 sq. ft. floor area limit for the BL zone with respect to homes improvement stores. Staff has no problem with the changes. Petitioners have had no comment from the surrounding property owners. Variance from the required 30 ft. setback for the mini-warehouses is requested. Staff is in favor of the variance concept. The back-out parking has been eliminated. Entrance improvements have been elaborated upon since the last meeting. At that time simply requiring a passing blister with accel and decel lanes along Winslow and the same on Henderson with a specific format to be determined at the time of development plan approval. The details have now been determined. A new lane will be added on the east side of Henderson and a new lane will also be added on the north side of Winslow. Staff is very satisfied with the street improvements as submitted. Sidewalks will be constructed on both street frontages. Staff recommends approval with setback variance.

Steve Smith was present representing the petitioner. He elaborated on the requested outline plan amendments and presented cross-sections of the requested grades for the mini-warehouses.

Page Four

Bill Brown asked questions about the height of the buildings, the type of siding and the Plan Commission's purview.

Mr. Mueller stated that the specific design of the warehouse back wall would be subject to the Plan Commission's approval.

Dean Behnke stated that this project will greatly help the traffic flow in the area. The intersection will be signalized.

Mr. Mueller defined "home improvement" - no lumber companies; would include carpet, furniture, appliances, household accessories.

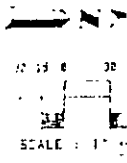
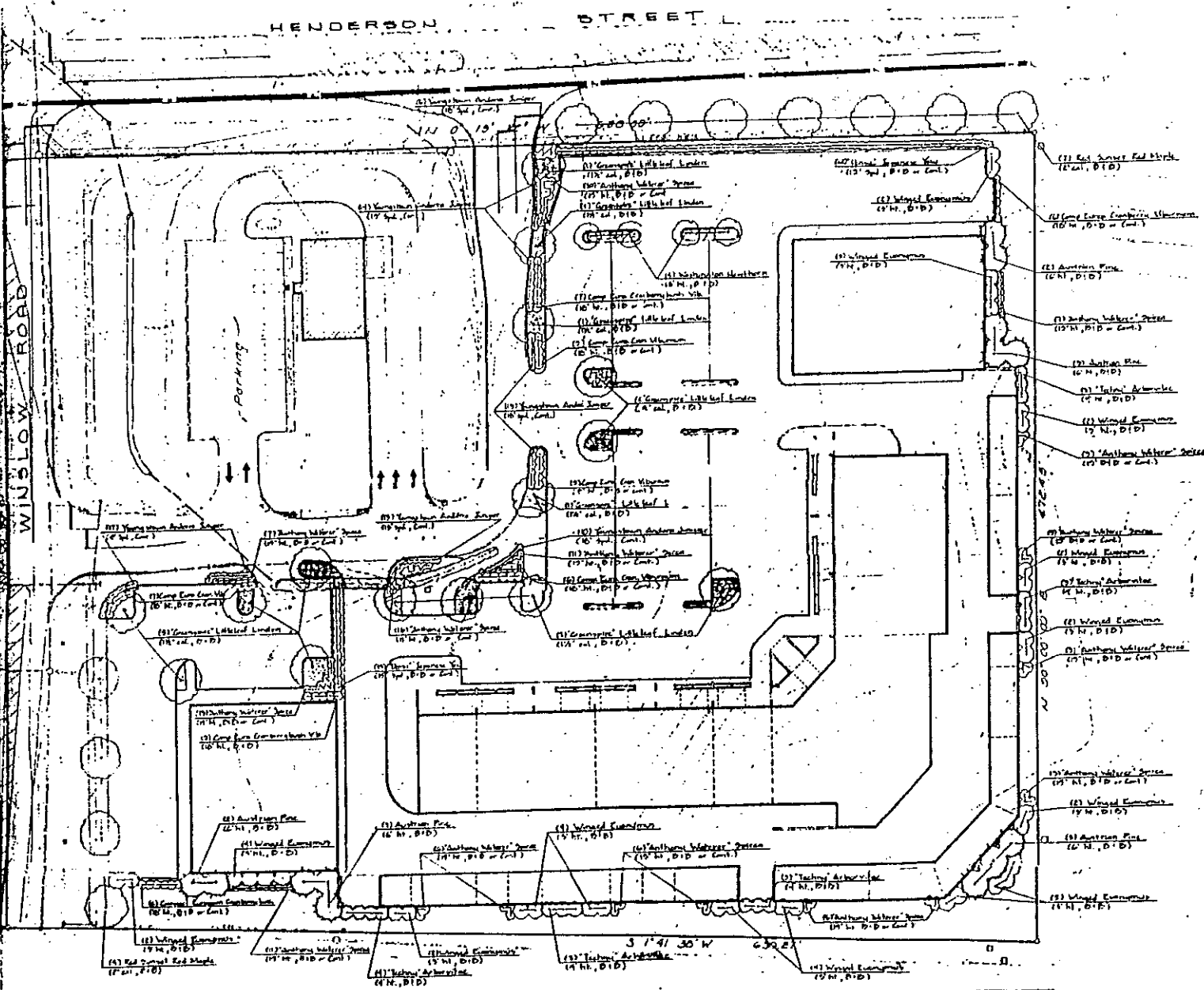
***Dean Behnke moved to approve PCD-64-87 per the staff recommendation Rod Young seconded. Carried 8-0.

PCD-65-87 Bill Brown/Bob Stancomb
Southwest corner of S.R. 37 and 45
Request for change of zone from RE to BA/PCD
with outline plan approval.

Tim Mueller presented the staff report. This is a 17 acre parcel that lies directly south of the PCD approval from a year ago. The parcel is heavily wooded. To the north is the developing Park 37 (industrial/commercial development); Oakdale Square Apartments and the City-owned Wapehani Boy Scout camp across S.R. 37; to the south is the yet undeveloped industrial park that is owned by Public Investment; to the west is single family residential development. The previously approved outline plan was approved as a concept but did tie down the land uses and access points. One access point would be a re-aligned Hickory Leaf Drive to directly opposite the Park 37 entrance. The second entrance would be closer to 37 and would not be useable until the interchange improvements are in. The approved plan involved a buffer around the entire perimeter. The land uses were somewhat varied with tighter regulation closer to the residential than on the rest of the site. The list of approved uses is basically BA in character with a broad range of commercial development opportunities. This 17 acre site would become part of the larger site and be serviced in the same manner. No pictorial site plan has been submitted. The list of uses is the same as for the northern section with a 100 ft. buffer around the perimeter of the site left with existing trees and vegetation (adjacent to the existing residences). Issues are: 1. this land is heavily wooded as opposed to the northern portion that was open pasture land; 2. commercial development directly adjacent to single family residential.

Steve Smith was present representing the petitioners. In 1986 the parcel to the north was rezoned and this parcel is an addition to that. The Plan Commission and Council have indicated that this intersection is a good place for commercial and industrial development. The improvements to S.R. 45 make this an even better location for development. Petitioners are meeting with the neighbors to work out concerns.

HENDERSON STREET L.



NOTE:
 BRICK PAVING
 GROUND COVER - PURPLE LEAF WHITE-CREEPER, 2 1/4" FEAT FDS 4" O.C.

SHRUB BEDS SHALL BE UNDERLAIN WITH POLYESTER GEOTEXTILE FABRIC AND MULCHED WITH 3" (depth) OF CLEAN HARDWOOD MULCH. PLANTING BEDS SHALL BE SEPARATED FROM GRASSED AREAS WITH A POLYETHYLENE BED DIVIDER.

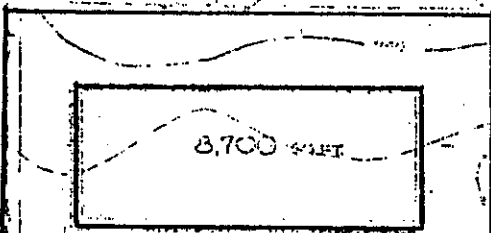
PEOPLE'S SQUARE
 LANDSCAPE PLAN

PRELIMINARY PL
 NOT FOR CONSTRU

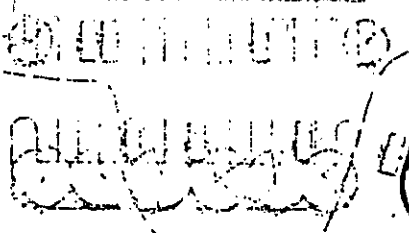
FUTURE APARTMENTS

N
1" = 50'

HENDERSON STREET (80' R/W)



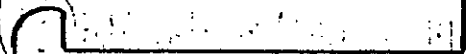
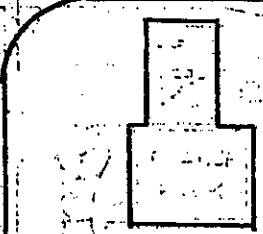
8,700 sqft



TYPICAL LOT LAYOUTS



5,000 sqft



Building
P/R/W

WINSLOW ROAD (100' R/W Req'd.)

PCD-24-84

SITE PLAN 37