

ORDINANCE NO. 2019-13

Mirwec Planned Unit Development (PUD) Outline Plan Amendment Three

An ordinance to amend the Monroe County Zoning Maps which were adopted December 1996.

Whereas, the Board of Commissioners of Monroe County, Indiana, passed a zoning ordinance and adopted zoning maps effective January 1997, which ordinance and maps are incorporated herein; and,

Whereas, a certain "second amendment" was proposed to the Mirwec Planned Unit Development Outline Plan, which were deemed necessary and advisable to address existing land use trends and to promote the public health, safety, and welfare;

Whereas, the Plan Commission advertised for and conducted a public hearing on the proposed amendment;

Whereas, following the public hearing, the Plan Commission voted to forward the third amendment to the Board of Commissioners with a favorable recommendation;

Whereas, the Plan Commission certified the amendment and its recommendation thereon to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

Whereas, in accordance with Indiana 5-14-1.5-5, the Board of Commissioners provided public notice on its intention to consider the second amendment in ordinance form during its April 16, 2019 meeting, and accepted public comment on the proposed amendment during its April 16, 2019 meeting;

Whereas, the Board of Commissioners finds that the amendment, if adopted, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes, which include, among other purposes, the promotion of the health, safety, morals, convenience, order, and general welfare of the citizens of Monroe County, Indiana, and that the amendment should be adopted;

Whereas, the Board of Commissioners finds and confirms that in the preparation and/or consideration of the amendment, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth;

Now, therefore, be it ordained by the Board of Commissioners of Monroe County, Indiana, as follows:

SECTION I.

The petitioner would like to add a specific multi-use to the property located at 700 S Liberty DR comprised of five uses to be utilized concurrently on Lot A of the Mirwec Plat Subdivision. The uses the petitioner would like to add in a multiuse context are:

1. Automotive Display including classic and exotic cars -- low volume, mostly online sales
2. Automotive Sales for classic and exotic cars primarily.
3. On-site residence (within the existing building -- 2 bed flat, not a rental but for the owner)
4. Furniture sales with the option to be year-round rather than limited to 32 days per year
5. Warehousing for furniture

The property totals 2.11 +/- acres, located at 700 S Liberty DR (Parcel No. 53-09-01-101-003.000-015) in Van Buren Township, Section 1, zoned PUD.

SECTION II.

The following conditions of approval shall apply to this petition:

1. The multi-use proposed in this petition shall not change out one of the five uses shown below with any other permitted use without an outline plan amendment to the Mirwec PUD;
 - a. Automotive Display including classic and exotic cars -- low volume, mostly online sales
 - b. Automotive Sales for classic and exotic cars primarily.
 - c. On-site residence (within the existing building -- 2 bed flat, not a rental but for the owner)
 - d. Furniture sales with the option to be year-round rather than limited to 32 days per year

- e. Warehousing for furniture
2. The multi-use proposed in this petition only applies to Lot A of the Mirwee Plat Subdivision located at 700 S Liberty DR;
 3. The implementation of the multi-use would require a Building Permit review and implementation and change of use site plan approval and implementation;
 4. The anticipated hours for car display and sales will be no greater than 9am-7pm (Mon.-Sat., closed Sundays). Most of these transactions/sales are either on-line or by appointment. No car shows will happen at this location. Test drives are allowed anytime the facility is open as a customer convenience. This is intended to be a low volume situation, especially during weekday, 9am-5pm hours.
 5. There should be no more than 16 cars for display at any time. No new parking stalls (or any other site improvements) for customer parking are being proposed with this petition.
 6. The hours of operation for the furniture gallery and sales would not exceed 9am - 7pm (Mon.- Sun.) This is intended for a low volume sales situation, especially during weekday, 9am- 5pm hours. Competition and customers will dictate when to open during these allowable hours. The business plan calls for there to be a 3 to 4 weekend only sales events annually, as is becoming popular around the country. However, if the weekend sales concept doesn't prove financially successful, the option to have more traditional daily furniture sales within the allowable hours shall be permitted.
 7. The upstairs is currently being used as an inspiration model for 'ETC for the home' furniture sales use. Currently, design and decoration were provided in the approved plan that was classified as a 'B' type occupancy, not a residential space. This outline plan amendment would allow a conversion of this space to an inhabitable residential space on the second level that shall meet residential occupancy Building Department codes.
 8. The residential living space, would be used for a dual purpose - model and personal guest suite. The private residence shall be for the owner of this property only. It will not be rented for profit or income in any manner now or in the future.
 9. There intends to be some car storage (with the furniture) in the warehouse portion of the building. There will be only furniture in the indoor show room with no indoor car display. Only outdoor car display.

SECTION III.

This ordinance shall be in full force and effect from and after its passage and adoption by the Board of Commissioners of Monroe County, Indiana.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 22th day of May, 2019.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes


Julie Thomas, President


Lee Jones, Vice President


Penny Githens, Commissioner

"No" Votes

Julie Thomas, President

Lee Jones, Vice President

Penny Githens, Commissioner

Attest:


Catherine Smith, Monroe County Auditor

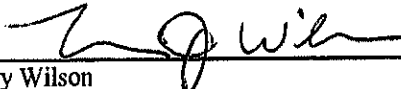
**OFFICE OF
MONROE COUNTY PLAN COMMISSION
501 N Morton Street, Suite 224
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

CERTIFICATION

I, Larry Wilson, hereby certify that during its meeting on April 16th, 2019 the Monroe County Plan Commission considered Petition No. 1902-PUO-01 for an amendment (Ordinance No. 2019-13) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, conditions, and Public Works Department reports, with a vote of 9-0.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



Larry Wilson
Planning Director

5-09-2019
Date