

MONROE COUNTY PLAN REVIEW COMMITTEE



**November 8, 2017
6:00 pm**

**Monroe County Government Center
501 N. Morton Street, Suite 100B
Bloomington, IN 47404**

A G E N D A
MONROE COUNTY PLAN REVIEW COMMITTEE

North Showers Building, 501 N. Morton Street, Suite 100B, Bloomington, IN

November 8, 2017

6:00 p.m.

OLD BUSINESS: **None.**

NEW BUSINESS:

1. 1710-REZ-11 Koontz (LTB Properties, LLC) Rezone from Single Dwelling PAGE 3
Residential (RS, AIFA) to Arterial Commercial (CA).
One (1) 1.67 +/- acre parcel in Perry Township, Section 6 at 500 S Cory Ln.
Zoned RS, AIFA.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

MONROE COUNTY PLAN REVIEW COMMITTEE**November 8, 2017**

PLANNER Jordan Yanke
CASE NUMBER 1710-REZ-11 Koontz (LTB Properties, LLC)
PETITIONER Michael Koontz (LTB Properties, LLC)
ADDRESS 500 S Cory Lane, Bloomington, IN 47403
REQUEST Rezone from Single Dwelling Residential (RS – AIFA) to Arterial Commercial (CA)
ACRES 1.67 acres +/-
ZONE RS (AIFA)
TOWNSHIP Perry
SECTION 6
MCUA PHASE I DESIGNATION: MCUA Mixed Residential
MCUA PHASE II DESIGNATION: Urban Infill Neighborhood (N1)

EXHIBITS

1. Petitioner Letter
2. Waiver of Second Hearing Request
3. Site Plan

RECOMMENDATION

Staff recommends **Approval** based on the Findings of Fact subject to the County Highway and Drainage Engineer reports, and subject to the following conditions:

- A culvert pipe be installed under the existing driveway and the driveway be re-graded so its pavement matches the roadway edge of pavement;
- The petitioner place a 25 foot Conservancy Easement upon the northern portion of the lot to protect the existing Sinkhole Conservancy Area (SCA) to the north;
- The petitioner submit a proposed landscaping plan to mitigate noise concerns associated with the kennel;

PLAN REVIEW COMMITTEE

The petition will be heard at the November 8, 2017 meeting.

SUMMARY

The petition site is one parcel totaling 1.67 +/- acres located in Perry Township. The site maintains frontage along S Cory LN (Local Road). The current zoning of the site is Single Dwelling Residential (RS), and the parcel is located within the former Areas Intended for Annexation (AIFA). The rezone request is to have the petition site's zoning changed to Arterial Commercial (CA). The impetus for the rezone request is to have an expanded list of business/commercial uses for the property and to be able to utilize the parcel for Commercial/Industrial Adaptive Reuse (multi-use – see Exhibit 1). Additionally, the requested zoning of Arterial Commercial (CA) will permit the existing kennel. This is a new rezone request different than the one heard at the September 2017 Plan Commission hearing for General Business (GB). The General Business (GB) zoning designation does not permit kennels.

The petitioner has informed the Planning Department that the parcel's vacant structure (see Figure 4) originally built in 1942 cannot be reasonably utilized for residential use due to the nature of its construction. Therefore, the petitioner has informed the Planning Department the immediate plans upon rezone approval would be to utilize the vacant structure for an electrical supply company, which is permitted in the Arterial Commercial (CA) Zoning District.

DISCUSSION

The petition site fronts S Cory Lane, designated as a Local Road. According to the Monroe County Highway Department, the traffic count for S Cory Lane is 1,600 ADT. There is a current kennel operation on the site permitted by way of a use variance previously approved by the City of Bloomington Board of Zoning Appeals when the property was within their zoning jurisdiction. The kennel is also permitted in the requested zoning designation. The City of Bloomington approved three use variances for the subject property from 1992 to 2001. They are as follows:

- Use variance approved for Dental Studio (1992);
- Use variance approved for Publishing Company (1992);
- Use variance approved for Kennel (2001);

The property sits between commercial zoning and residential zoning districts. The nearby uses include single-family residential, a manufactured home park, and commercial uses to the north along W 3rd Street. The closest commercial use is an auto parts store at the intersection of S Cory Lane and W 3rd Street, which is approximately 675 feet to the north of the petition site. Through the petitioner's submitted statement and staff's review of the property, it is evident the property is suitable for business use. The vacant structure mentioned previously is classified as commercial according to the county's GIS system. The character and use of the property has been commercial dating back to the mid-1900s and has been since.

Finally, the number of permitted uses would expand for the petition site upon rezone approval and it would permit multi-use on the property. Multiple uses within the Arterial Commercial (CA) Zoning District are permitted via the County's recently adopted multi-use designation of *Commercial/Industrial Adaptive Reuse*. Additional site plan approval would be required. Finally, at this time the site is limited to the uses permitted previously by the City of Bloomington's Board of Zoning Appeals or a use permitted under the Single Dwelling Residential (RS) Zoning District.

Note the description of the requested zoning below:

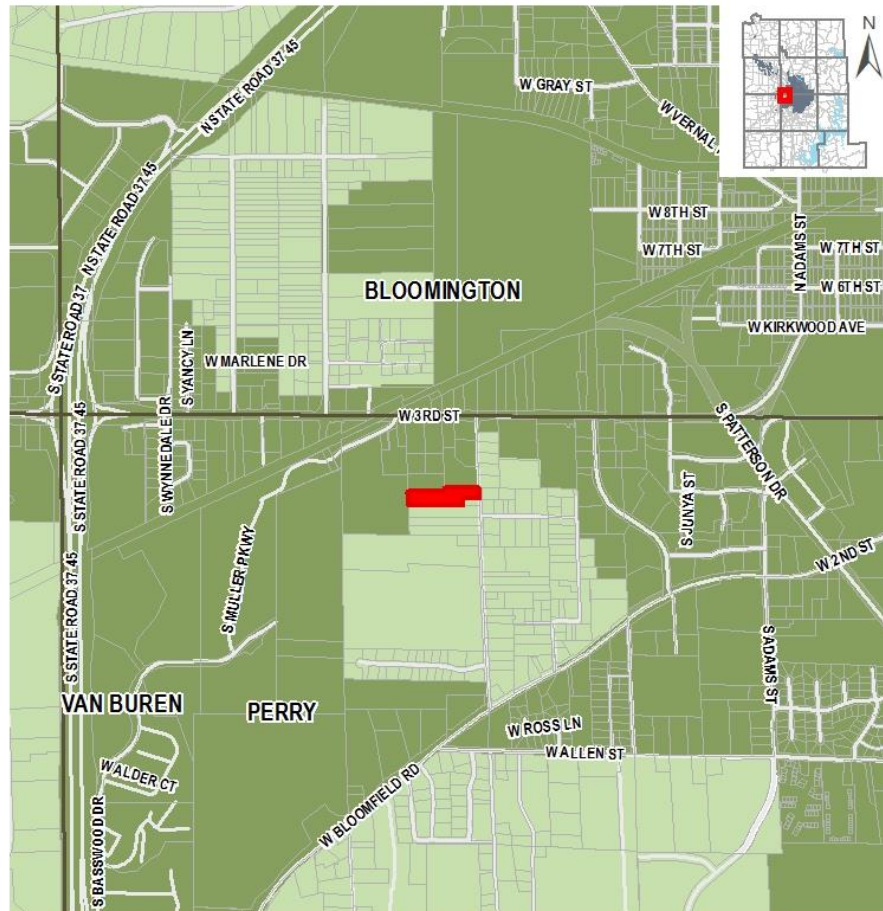
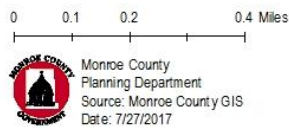
Arterial Commercial (CA) District. The purpose of this district is to provide well-planned major commercial centers along major thoroughfares, access to which is primarily automotive. These centers require significant transportation and parking facilities which are not appropriate in more congested or less auto-oriented parts of the city. The intent of this district is to provide a planning mechanism that ensures efficient use of space, minimal congestion, and attractive development which creates a pleasant and healthy environment for the residents of the Bloomington area.

LOCATION MAP

The petition site is located at 500 S Cory LN in Section 6 of Perry Township.

Location Map

- Petitioner
- Townships
- Roads
- Parcels
- Incorporated Areas**
- Bloomington



ZONING MAP

The petition site is zoned Single Dwelling Residential (RS) and is part of the former Areas Intended for Annexation (AIFA). Nearby properties located within Monroe County zoning jurisdiction are zoned the same while nearby properties located within the City of Bloomington's zoning jurisdiction are zoned Commercial Arterial (CA), Manufactured/Mobile Home Park (MH), and Residential Multifamily (RM).

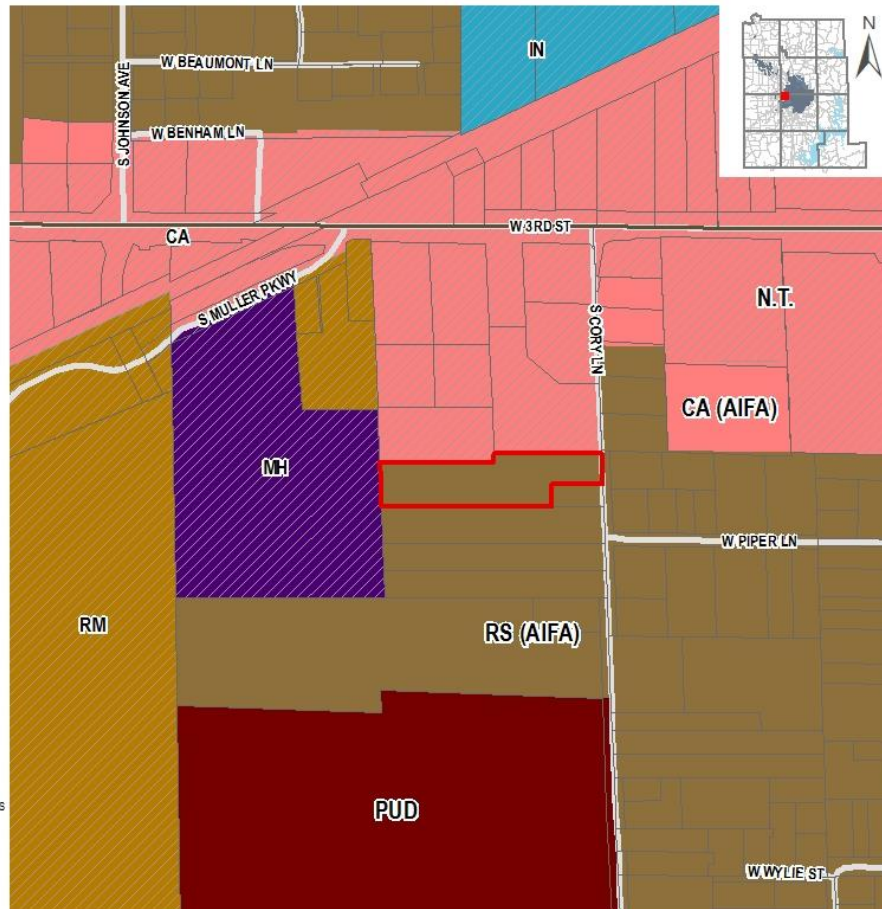
Current Zoning Map

- Petitioner
 - Parcels
 - Roads
- Monroe County Zoning**
- CA - Commercial Arterial
 - N.T. - No Tag (Outside Juris.)
 - PUD - Planned Unit Development
 - RS - Single Dwelling Residential
- Bloomington Zoning**
- CA, Commercial Arterial
 - IN, Institutional
 - MH, Manufactured/Mobile Home Park
 - RM, Residential Multifamily

0 0.035 0.07 0.14 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 7/27/2017

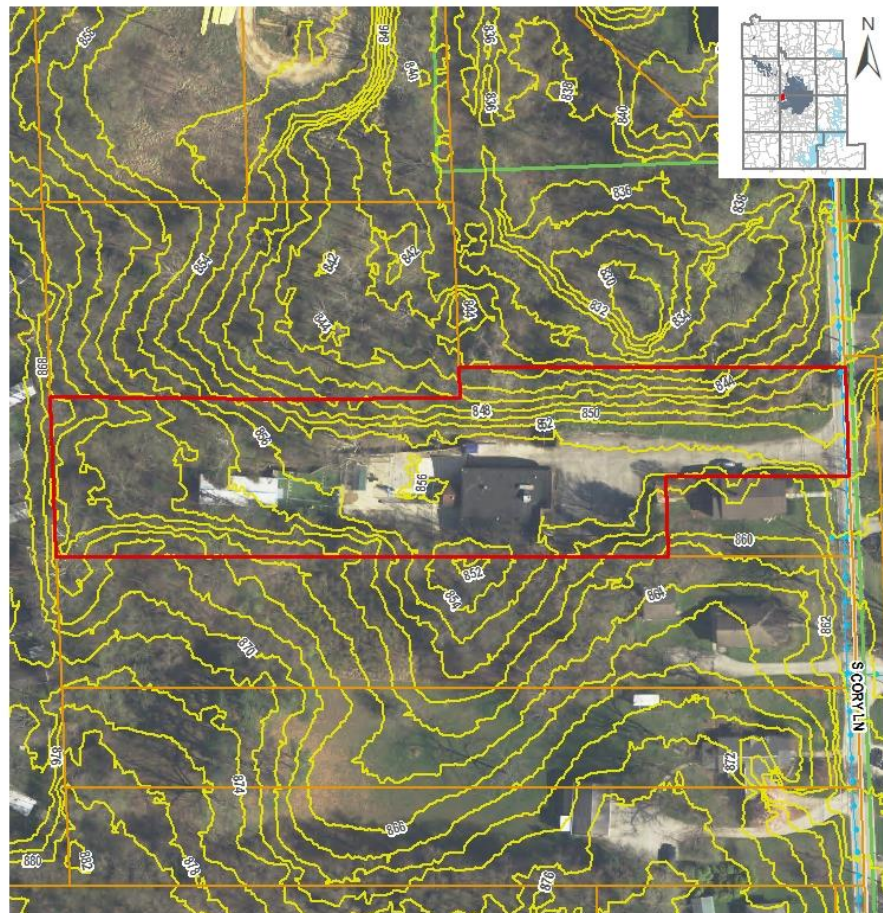
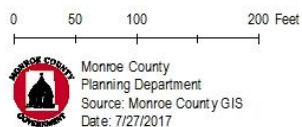


SITE CONDITIONS

The petition site contains four existing structures. The largest structure on site was originally built in 1942. The other structures are a pole barn and two utility sheds. The site is located near apparent sinkholes. There is also steep slope on the property, mostly located toward the northern part of the property along the driveway (see Figure 3). The petition site is adjacent to residential uses and vacant, wooded lots. The parcel is not located in FEMA Floodplain.

Site Conditions Map



-  Petitioner
-  Parcels
-  2-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads



Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads

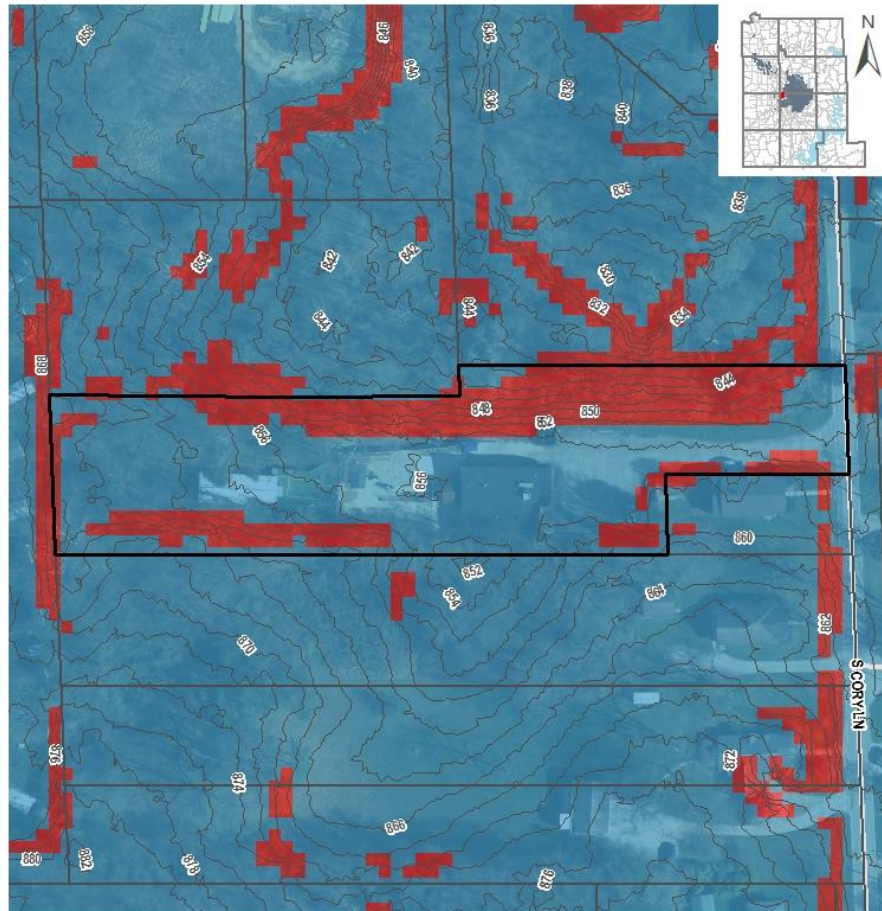
Percent Slope (2010)

-  0 - 15
-  > 15

0 50 100 200 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 7/27/2017



SITE PICTURES



Figure 1: View of S Cory LN at the petition site's driveway entrance. Photo taken facing south.



Figure 2: View of S Cory LN at the petition site's driveway entrance. Photo taken facing north.



Figure 3: View of petition site from S Cory LN with the originally constructed building (1942) in the distance. Photo taken facing west.



Figure 4: View of the petition site's originally constructed building (1942). This building is currently vacant. Photo taken facing west.



Figure 5: View of petition site's current parking area serving the site. Photo taken facing south.



Figure 6: View of petition site's area that is utilized for the existing Kennel operation/use. This photo is from the rear edge of the originally constructed building (1942) in Figure 4 above. There is a structure shown partially on the right side of this photo which is used for the Kennel. Photo taken facing west.



COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the Mixed Residential designation of the Monroe County Urbanizing Area Plan (MCUA), which states:

5.1.1 Mixed Residential

Mixed residential neighborhoods accommodate a wide array of both single-family and attached housing types, integrated into a cohesive neighborhood. They may also include neighborhood commercial uses as a local amenity.

These neighborhoods are intended to serve growing market demand for new housing choices among the full spectrum of demographic groups. Residential buildings should be compatible in height and overall scale, but with varied architectural character. These neighborhoods are often located immediately adjacent to mixed-Use districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

A. Transportation

Streets

Streets in mixed residential neighborhoods should be designed at a pedestrian scale. Like mixed-Use districts, the street system should be interconnected to form a block pattern, although it is not necessary to be an exact grid. An emphasis on multiple interconnected streets which also includes alley access for services and parking, will minimize the need for collector streets, which are common in more conventional Suburban residential neighborhoods. Cul-de-sacs and dead-ends are not appropriate for this development type. Unlike typical Suburban residential subdivisions, mixed residential development is intended to be designed as walkable neighborhoods. Most residents will likely own cars, but neighborhood design should de-emphasize the automobile.

Bike, pedestrian, and Transit modes

Streets should have sidewalks on both sides, with tree lawns of sufficient width to support large shade trees. Arterial streets leading to or through these neighborhoods may be lined with multi-use paths. Neighborhood streets should be designed in a manner that allows for safe and comfortable bicycle travel without the need for separate on-street bicycle facilities such as bike lanes. As with mixed-Use districts, primary streets in mixed residential neighborhoods should be designed to accommodate transit.

B. Utilities

Sewer and water

The majority of mixed residential areas designated in the land Use Plan are located within existing sewer service areas. Preliminary analysis indicates that most of these areas have sufficient capacity for additional development. Detailed capacity analyses will be necessary with individual development proposals to ensure existing infrastructure can accommodate new residential units and that agreements for extension for residential growth are in place.

Power

Overhead utility lines should be buried to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

Communications

Communications needs will vary within mixed residential neighborhoods, but upgrades to infrastructure should be considered for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate capacity.

C. Open space

Park Types

Pocket parks, greens, squares, commons, neighborhood parks and greenways are all appropriate for mixed residential neighborhoods. Parks should be provided within a walkable distance (one-eighth to one-quarter mile) of all residential units, and should serve as an organizing element around which the neighborhood is designed.

Urban Agriculture

Community gardens should be encouraged within mixed residential neighborhoods. These may be designed as significant focal points and gathering spaces within larger neighborhood parks, or as dedicated plots of land solely used for community food production.

D. Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Lighting for neighborhood streets should be of a pedestrian scale (16 to 18 feet in height).

Street/Site furnishings

Public benches and seating areas are most appropriately located within neighborhood parks and open spaces, but may be also be located along sidewalks. Bicycle parking racks may be provided within the tree lawn/ landscape zone at periodic intervals.

E. Development Guidelines

Open Space

Approximately 200 square feet of publicly accessible open space per dwelling unit. Emphasis should be placed on creating well-designed and appropriately proportioned open spaces that encourage regular use and activity by area residents.

Parking Ratios

Single-family lots will typically provide 1 to 2 spaces in a garage and/or driveway. Parking for multi-family buildings should be provided generally at 1 to 1.75 spaces per unit, depending on unit type/number of beds. On-street parking should be permitted to contribute to required parking minimums as a means to reduce surface parking and calm traffic on residential streets.

Site design

Front setbacks should range from 10 to 20 feet, with porches, lawns or landscape gardens between the sidewalk and building face. Buildings should frame the street, with modest side setbacks (5 to 8 feet), creating a relatively continuous building edge. Garages and parking areas should be located to the rear of buildings, accessed from a rear lane or alley. If garages are front-loaded, they should be set back from the building face. Neighborhoods should be designed with compatible mixtures of buildings and unit types, rather than individual subareas catering to individual market segments.

Building form

Neighborhoods should be designed with architectural diversity in terms of building scale, form, and style. Particular architectural themes or vernaculars may be appropriate, but themes should not be overly emphasized to the point of creating monotonous or contrived streetscapes. Well-designed neighborhoods should feel as though they have evolved organically over time.

Materials

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

Private Signs

Mixed residential neighborhoods should not feel like a typical tract subdivision. It may be appropriate for neighborhoods to include gateway features and signs, but these should be used sparingly and in strategic locations, rather than for individually platted subareas.

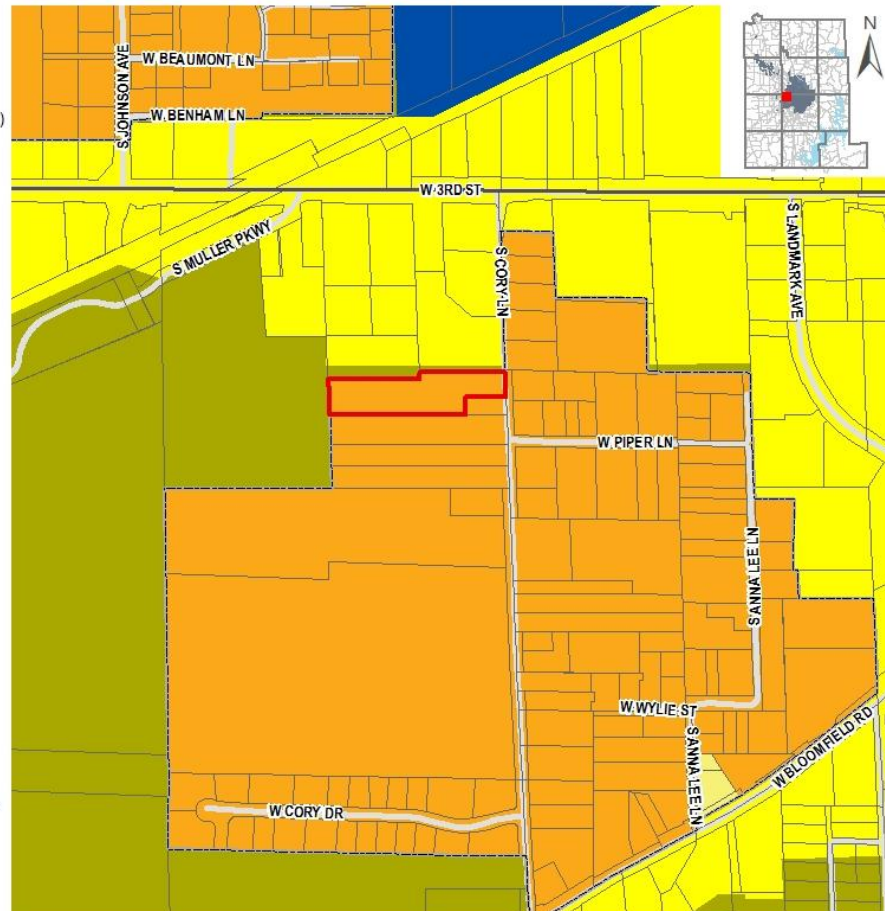
Comprehensive Plan

-  Petitioner
 -  Townships
 -  Monroe Co. Urbanizing Area (MCUA)
 -  Parcels
 -  Roads
- Comp. Plan Land Use (Updated 2015)**
-  MCUA Mixed Residential
 -  MCUA Suburban Residential
- Bloomington Growth Policies Plan**
-  Community Activity Center
 -  Public/ Semi-Public/ Institutional
 -  Urban Residential

0 0.0425 0.085 0.17 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 7/27/2017



The Urbanizing Area Plan – Phase II Implementation Report and Zoning Framework has the petition site designated **Urban Infill Neighborhood (N1)**, which is described as follows:

N1 URBAN INFILL NEIGHBORHOOD

This district includes the areas known as former Areas Intended for Annexation (AIFA) and former Fringe of the City of Bloomington that are largely developed. This district is intended to promote compact mixed residential infill development, as described in the Mixed Residential land use type designated in the Urbanizing Area Plan. Commercial mixed use development may be appropriate along primary streets at the edges of these neighborhoods. New development should be compatible with surrounding development within the City of Bloomington.

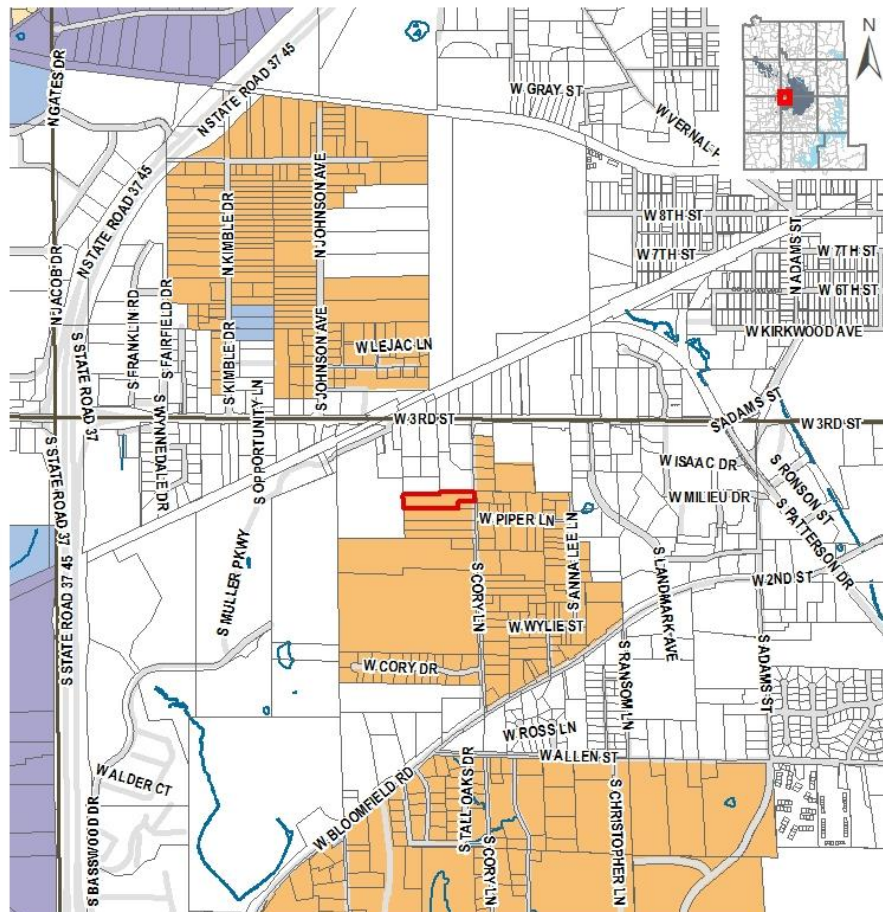
Proposed Zoning Map (2016)

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Proposed Zoning**
 - E1 - West Side Employment
 - N1 - Urban Infill Neighborhood
 - N2 - Neighborhood Development
 - OS - Open Space
 - CV - Civic

0 0.1 0.2 0.4 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 7/27/2017



Building Type Locations

	GATEWAY DISTRICTS			EMPLOYMENT DISTRICTS			NEIGHBORHOOD DISTRICTS				SPECIAL DISTRICTS		
	GATEWAY WEST G1	GATEWAY SOUTH G2	GATEWAY NORTH G3	WEST SIDE EMPLOYMENT E1	SOUTH SIDE EMPLOYMENT E2	AIRPORT E3	URBAN INFILL NEIGHBORHOOD N1	NEIGHBORHOOD DEVELOPMENT N2	CONSERVATION DEVELOPMENT N3	RURAL TRANSITION N4	QUARRY LANDSCAPE QL	OPEN SPACE OS	CIVIC CV
Single Family - Small Lot (Rear-Loaded)		+					+	+	+				
Single Family - Small Lot (Front-Loaded)		+					+	+	+				
Single Family - Contemporary							+	+					
Single Family - Mid-Century							+	+					
Single Family - Rural Residential									+	+			
Attached Townhome	+	+		+			+	+					
Attached Courtyard		+		+				+					
Two-Family Home (Duplex)		+					+	+	+	+			
Multi-Family	+	+		+			+	+					
Commercial	+	+	+	+	+		+	+					
Commercial Outlot	+	+	+	+	+								
Neighborhood Mixed-Use	+	+					+	+					
Mixed-Use	+	+		+			+	+					
Office Building	+	+	+	+	+		+	+					
Civic/Institutional Building	+	+	+				+	+					+
Flex Building - Option A	+	+	+	+	+	+							
Flex Building - Option B				+	+	+							
Large-Format Flex Industrial				+	+	+							
Re-Use/Retrofit	+	+	+	+	+	+	+	+	+	+	+	+	+

FINDINGS OF FACT - REZONE

In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Board of County Commissioners shall pay reasonable regard to:

(A) The Comprehensive Plan;

Findings:

- The Comprehensive Plan designates the petition site as MCUA Mixed Residential;
- The Urbanizing Area Plan – Phase II Implementation Report and Zoning Framework has the petition site designated Urban Infill Neighborhood (N1), which is described above;
- The Comprehensive Plan directly addresses the importance of residential infill and development/redevelopment within an area such as the petition site, with commercial opportunities recommended near primary roads and on the periphery of residential neighborhoods;
- The Monroe County Urbanizing Area Plan states the neighborhood is directed to accommodate mixed residential uses and commercial uses as neighborhood amenities;
- Proposed uses would be consistent with the comprehensive plan;

(B) Current conditions and the character of current structures and uses in each district;

Findings:

- The petition site is currently located in the Single Dwelling Residential (RS) Zoning District within the former Areas Intended for Annexation (AIFA);
- The site contains a vacant building originally constructed in 1942, in addition to a pole barn and two utility structures utilized for an on-site kennel operation;
- The kennel is permitted by way of a use variance approved by the City of Bloomington Board of Zoning Appeals in 2001. The kennel is permitted in the requested zoning as well;
- The City of Bloomington Board of Zoning Appeals also approved previous use variances for a dental studio and publishing company. These previous approvals have resulted in a “spot zone” in terms of use, while at the same time the petition site has limited ability to return to the original zoning’s intent;
- The petition site is adjacent to residential uses and vacant, wooded properties;
- Properties to the north (eight parcels totaling 8.43 +/- acres) are zoned commercial and there are nearby commercial uses to the north along W 3rd ST;
- Current zoning limits the site to residential uses or uses previously approved by the City of Bloomington Board of Zoning Appeals;
- According to the Monroe County Highway Department, S Cory LN has an ADT of 1,600;
- The petition site fronts S Cory LN, which connects two arterial streets (W 3rd ST and W Bloomfield RD). S Cory LN is approximately 17 feet in width;

(C) The most desirable use for which the land in each district is adapted;

Findings:

- See Findings under Section A and Section B;
- The petition site totals 1.67 +/- acres;
- Upon potential rezone approval, permitted uses on the petition site will include those permitted within the Arterial Commercial (CA) Zoning District in Chapter 833 of the Monroe County Zoning Ordinance. Commercial/Industrial Adaptive Reuse (multi-use) would also be permitted per rezone approval;

(D) The conservation of property values throughout the jurisdiction; and

Findings:

- The effect of the approval of the rezone on property values is difficult to determine;
- The current kennel use on the property would be allowed to persist with or without the rezone approval; therefore, allowing existing conditions and values to remain constant;

(E) Responsible development and growth.

Findings:

- See Findings under Section A, Section B, and Section C;
- According to the Monroe County Thoroughfare Plan, S Cory LN is classified as a Local Road;
- S Cory LN is not listed within the top 20 Roads for Number of Crashes in the County's most recent Motor Vehicle Traffic Crash Summary;
- According to the Monroe County Highway Department, S Cory LN has an ADT of 1,600;
- The site is served by sanitary sewer;

EXHIBIT 1: Petitioner Letter

Property Located at 500 S. Cory Lane.

Dear Jordan and Planning Commission,

LTB properties the owner of property located at 500 S. Cory Lane (Parcel #53-08-06-100-079.000-008) is seeking a rezone to bring zoning in line with past history and allowable variances granted by City of Bloomington.

History of 500 S. Cory Lane

Originally Constructed in 1942

Building was purchased from First National Bank in 1938 by Irene Neal (Neal was the Grandmother of Dr. Neal (Veterinarian). Dr. Neal, and Dr. Koeppen Opened Eastside Veterinarian clinic somewhere around 1946. It was a mainstay in that area into the 80's. The property changed hand several times Between the Doctors and added a third partner Mr. Sinex. This parcel was put into the Veterinarian Clinic's name in 1988 where it remained until 1997 as it was sold to Jim Koch & Mary Alice Cox. The Eastside Veterinarian clinic changed its name to Bloomington Veterinarian Clinic in the Mid 90's where it remained until the two Doctors Retired in 2001. Dorrinne M. Theodore purchased in 2001 and opened Barkin Buddies LLC in 2002. This dog Kennel and boarding facility operated as a daily dog daycare, an extended stay boarding facility as well as grooming and pet supply facility. In 2013 Barkin Buddies LLC went out of business. LTB Properties purchased this building in July 2015 with the intent of opening Lightning Electrical Distributors INC. and Wags & Whiskers LLC




This parcel is currently zoned as residential. As you can see from the before mentioned history it has NEVER been a residence nor used as a residence. This property has ALWAYS been used as a NON-RESIDENTIAL property. According to the Monroe County Assessor it is a NON-RESIDENTIAL structure with retail space as can be seen on the included tax bill and assessment. Since the mid 1940's this property has always been seen by my neighbors as a NON-RESIDENTIAL property. The only labeling of this parcel as residential is the County Planning. Lastly, it looks evident that this parcel was overlooked as it was grouped with adjacent residential property to the South. In addition, with Commercial Property boarding the North property line and divided by the City/County boundary is further evidence that this property was overlooked when property zoning adjacent to 3rd street was created as it followed city and county boundary lines.

Our intended use of this property will be an Electrical Supply Company and continued use as dog daycare/ Kennel. The Electrical Supply Company (Hardware Store) is also an allowable use under then same classification as the previous uses which have been allowed on this parcel per variances granted by City of Bloomington.

In closing, In order to bring zoning in line with past history of this property and current allowable uses granted by the City of Bloomington thru variances this property should be rezoned to Arterial Commercial (CA)

Michael J Koontz

EXHIBIT 2: Waiver of Second Hearing Request

 Reply  Reply All  Forward



Mon 7/24/2017 11:07 AM

Michael Koontz <michael@lightningedi.com>

Re-zone

To Jordan Yanke

I would like to waive the second hearing unless more info is needed

Michael Koontz
Lightning Electrical Distributors, Inc

Sent from my iPhone

EXHIBIT 3: Site Plan

