Passed 7-0

ORDINANCE 93-32
TO GRANT RE/PUD DESIGNATION AND OUTLINE PLAN APPROVAL
Re: 1101 Fullerton Pike
(Raymond Moore Enterprises, Inc. Petitioner)

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, RE/PUD-42-93, and recommended that the petitioner, Raymond Moore Enterprises, Inc. be granted PUD designation and outline plan approval and request that the Common Council consider his petition;

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, than an outline plan be approved and the property designated a Planned Unit Development. The property, commonly known as 1101 Fullerton Pike, is further described as follows:

PARCEL "A"

Part of the Northwest quarter of Section 20, Township 8 North, Range 1 West, Perry Township, Monroe County, Indiana, and part of Lot 4 of Deckard Addition as recorded in Plat Book 7, page 219, Office of the Recorder of Monroe County, Indiana, more particularly described as follows:

Commencing at a rebar found at the Northeast corner of said Northwest quarter, being the Northeast corner of said Lot 4; thence South 01 degrees 27 minutes 34 seconds East along the East line of said northwest quarter and along the East line of said Lot 4 for 2306.23 feet to a rebar set at the point of beginning; thence continuing South 01 degrees 47 minutes 34 seconds East along said East line 282.92 feet to a boat spike found on the center line of That Road; thence South 89 degrees 33 minutes 12 seconds West along said road 397.30 feet to a railroad spike set in said road; thence north 00 degrees 41 minutes 05 seconds East 286.36 feet to a rebar; thence South 89 degrees 55 minutes 54 seconds East 385.02 feet to the point of beginning, containing 2.555 acres, more or less, EXCEPTING therefrom a 30.00 foot wide dedicated right-of-way for That Road along the entire South line of the subject parcel and containing a net area after said exception of 2.282 acres, more or less.

Subject to a 60.00 foot wide ingress, egress, and utility easement along the entire West side of the subject parcel and subject to all other easements and rights-of-way of record.

PARCEL "B"

Part of the Northwest quarter of Section 20, Township 8 North, Range 1 West, Perry Township, Monroe County, Indiana, and part of Lot 4 of Deckard Addition as recorded in Plat Book 7, page 219, Office of the Recorder of Monroe County, Indiana, more particularly described as follows:

Beginning at a rebar found at the Northeast corner of said northwest quarter, being the Northeast corner of said Lot 4; thence South 01 degrees 47 minutes 34 seconds East along the East line of said Northwest quarter and along the East line of said Lot 4 for 2306.23 feet to a rebar; thence North 89 degrees 55 minutes 54 seconds West 385.02 feet to a rebar; thence continuing North 89 degrees 55 minutes 54 seconds

West 575.00 feet to an iron pipe; thence North 11 degrees 42 minutes 22 seconds West 963.38 feet to a wood fence corner; thence North 01 degrees 23 minutes 42 seconds West 1377.60 feet to a rebar set on the North line of said Northwest corner and on the North line of said Lot 4; thence South 89 degrees 08 minutes 04 seconds East along said North line 1117.06 feet to the point of beginning, containing 57.838 acres more or less, EXCEPTING therefrom a 50.00 foot wide dedicated right-of-way for Gordon Pike along the entire North side of the subject parcel and containing a net area after said exception of 56.556 acres, more or less.

Together with a 60.00 foot wide ingress, egress, and utility easement more particularly described as follows:

Commencing at a rebar found at the Northeast corner of said Northwest quarter, being the Northeast corner of said Lot 4 of Deckard Addition; thence South 01 degrees 47 minutes 34 seconds East along the East line of said Northwest quarter and along the East line of said Lot 4 for 2589.15 feet to a boat spike found in the center line of That Road; thence South 89 degrees 33 minutes 12 seconds West along That Road for 337.29 feet to the point of beginning; thence continuing South 89 degrees 33 minutes 12 seconds West along That Road 60.01 feet to a railroad spike; thence North 00 degrees 41 minutes 05 seconds East 286.36 feet to a rebar; thence South 89 degrees 55 minutes 54 seconds East 60.00 feet; thence South 00 degrees 41 minutes 05 seconds West 285.82 feet to the point of beginning, containing 0.394 acres, more or less.

SECTION II. The Outline Plan shall be attached hereto and made a part thereof.

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 15th day of September, 1993.

JACK W. HOPKINS, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16th day of September, 1993.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 16th day of September, 1993.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates this 58 acre parcel located west of Clear Creek Estates, between Fullerton and That Rd., from RE to RE/PUD, and approves an outline plan for 104 single family homes.

Signed copies to
Planning
Petitioner

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 93-32 is a true and complete copy of Plan Commission Case Number RE/PUD-42-93 which was given a recommendation of approval by a vote of 7 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 9, 1993.

Date: August 23, 1993

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

Received by the Common Council Office this 23rd day of August, 1993,

Patricia Williams
Patricia Williams, 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_____
Unforseen 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.)