Final Vote 8-0

ORDINANCE 92 - 13
To Amend the Outline Plan
Re: Southwest Corner of SR 37 & SR 45
(Wal-Mart Stores, Inc.)

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-39-92, and recommended that the petitioner, Wal-Mart Stores, Inc. be granted an amendment to the Outline Plan and request that the Common Council consider their 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, that an outline plan amendment be approved for the southwest corner of SR 37 & SR 45, Bloomington, IN. The property is further described as follows:

A part of the East half of Section 12, Township 8 North, Range 2 West, Monroe County, Indiana, more particularly described as follows:
COMMENCING at the northeast corner of said Section 12; thence SOUTH 87 degrees 14 minutes 32 seconds WEST along the north line of said Section 12, a distance of 895.36 feet; thence SOUTH 02 degrees 45 minutes 28 seconds EAST 2183.12 feet to the point of beginning, said point being on the south right-of-way of State Road 45; thence SOUTH 75 degrees 36 minutes 58 seconds WEST 32.65 feet along said south right-of-way; thence SOUTH 53 degrees 46 minutes 56 seconds WEST 182.80 feet; thence SOUTH 34 degrees 57 minutes 24 seconds EAST 22.83 feet to a non-tangent curve the radius point of which bears NORTH 56 degrees 10 minutes 42 seconds EAST 139.98 feet; thence southeasterly along said curve through a central angle of 28 degrees 00 minutes 25 seconds a distance of 68.42 feet; thence SOUTH 01 degrees 41 minutes 47 seconds EAST 155.49 feet; thence NORTH 88 degrees 17 minutes 47 seconds EAST 11.95 feet; thence SOUTH 02 degrees 00 minutes 02 seconds EAST 99.22 feet; thence SOUTH 88 degrees 17 minutes 47 seconds WEST 10.01 feet; thence SOUTH 37 degrees 31 minutes 52 seconds EAST 232.83 feet; thence SOUTH 02 degrees 56 minutes 27 seconds EAST 380.47 feet; thence NORTH 87 degrees 50 minutes 56 seconds EAST 120.00 feet; thence SOUTH 02 degrees 56 minutes 27 seconds EAST 260.00 feet; thence NORTH 87 degrees 44 minutes 08 seconds EAST 548.91 feet; thence NORTH 87 degrees 14 minutes 08 seconds EAST 166.51 feet to the west right-of-way of State Road 37; thence the next six (6) courses being along said west right-of-way: (1) NORTH 11 degrees 08 minutes 04 seconds WEST 115.92 feet; (2) NORTH 00 degrees 36 minutes 35 seconds EAST 354.68 feet; (3) NORTH 01 degrees 03 minutes 07 seconds EAST 399.68 feet; (4) NORTH 05 degrees 27 minutes 34 seconds WEST 195.17 feet; (5) NORTH 13 degrees 53 minutes 06 seconds WEST 47.32 feet; (6) NORTH 02 degrees 46 minutes 37 seconds WEST 550.00 feet; (7) NORTH 86 degrees 42 minutes 55 seconds EAST 11.67 feet; (8) NORTH 02 degrees 31 minutes 56 seconds WEST 154.25 feet; (9) NORTH 46 degrees 26 minutes 40 seconds WEST 35.40 feet; thence SOUTH 53 degrees 46 minutes 56 seconds WEST 834.90 feet to a non-tangent curve the radius point to which bears NORTH 44 degrees 16 minutes 19 seconds WEST 1235.92 feet; thence southwesterly through a central angle of 08 degrees 33 minutes 40 seconds a distance of 184.67 feet to the point of beginning, containing 31.27 acres, more or less.

Also, access to a local service road as described in Deed Record 199, page 252, and an easement described in Deed Record 347, page 132, all in the office of the Recorder of Monroe County, Indiana.

SECTION II. The Outline Plan Amendment, as recommended by the Plan Commission, shall be 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 17th day of June, 1992.

PAM SERVICE, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18th day of June, 1992.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of June, 1992.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance, if approved, would amend the outline plan for this 21 acre site to permit expansion of retail use in the area originally known as "Area C". This area is located in the southeast portion of the site and the previous outline plan did not permit retail uses.

Signed copies to:
Planning Dept
Petitioner
Frank Barnhart

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 92-13 is a true and complete copy of Plan Commission Case Number PCD-39-92 which was given a recommendation of approval by a vote of 7 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on May 11, 1992 ,

Date: May 12, 1992 ,

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 12th day of May, 1992 ,

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 X

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 effec 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)