Passed: 8-1 (P. Servies)

ORDINANCE 98-01

TO AMEND THE BLOOMINGTON ZONING MAPS TO EXPAND THE BLOOMINGTON ZONING JURISDICTION DUE TO ANNEXATION AND TO ASSIGN A ZONING DESIGNATION

Re: 3000 West Third Street
(City of Bloomington, Petitioner)

WHEREAS, on May 1, 1995, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning," including the incorporated zoning maps, and Title 21, entitled "Land Use and Development"; and

WHEREAS, on June 21, 1995, the Common Council adopted Ordinance 95-10 which designated the property commonly known as Whitehall Crossing as a Planned Unit Development (PUD) and approved a Preliminary Plan for the development of the site; and

WHEREAS, subsequently the City and the County entered into an interlocal agreement regarding their planning and zoning authority which, in part, affected this site; and

WHEREAS, on November 5, 1997 the Common Council adopted Ordinance 97-40 which amended the Preliminary Plan for this PUD; and

WHEREAS, on November 19, 1997 the Common Council adopted Ordinance 97-41 and Resolution 97-17, which annexed the commercial portion of this site into the City; and

WHEREAS, the City of Bloomington desires to include this recently annexed property within it's zoning jurisdiction and to acknowledge the previously approved PUD and the amended Preliminary Plan; and

WHEREAS, the Plan Commission has considered this case, ZO-57-97, and recommended that the City's zoning jurisdiction be expanded to include this parcel and that the petitioner, the City of Bloomington, be granted an amendment to the zoning maps and request that the Common Council consider this 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 Chapters 20.03 and 20.05 of the Bloomington Municipal Code, the City's zoning jurisdiction shall be expanded to include this recently annexed property and further, that this property shall be designated as a Planned Unit Development governed by the Preliminary Plan as approved by Ordinance 95-10 and as amended by Ordinance 97-40. The property is further described as follows:

A part of the east half of Section 36, Township 9 North, Range 2 West, and a part of the west half of Section 31, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at the southeast corner of said Section 36; thence NORTH 00 degrees 33 minutes 07 seconds West 1009.99 feet on the east line of said section to the POINT OF BEGINNING, thence on the north line of Annexation Ordinance Number 86-52 the following four (4) courses: 1). NORTH 89 degrees 22 minutes 00 seconds West 118.38 feet; thence 2). NORTH 90 degrees 00 minutes 00 seconds West 400.13 feet; thence 3). NORTH 00 degrees 00 minutes 00 seconds West 49.50; thence 4). SOUTH 90 degrees 00 minutes 00 seconds West 196.62 feet to the west line of Gates Drive; thence on said west line the following eight (8) courses: 1). 80.49 feet on a 165.00 foot radius non-tangent curve to the left whose chord bears NORTH 16 degrees 05

minutes 31 seconds West 79.69 feet; thence 2). NORTH 30 degrees 03 minutes 59 seconds West 142.25 feet; thence 3). 120.79 feet on a 235.00 foot radius tangent curve to the right; thence 4). NORTH 00 degrees 36 minutes 59 seconds West 940.05 feet; thence 5). 529.82 feet on a 335.00 foot radius tangent curve to the right; thence 6). NORTH 89 degrees 59 minutes 59 seconds East 118.37 feet; thence 7). 88.78 feet on a 165.00 foot radius tangent curve to the left; thence 8). NORTH 59 degrees 10 minutes 11 seconds East 63.98 feet; thence NORTH 89 degrees 26 minutes 53 seconds East 240.86 feet to the aforementioned east line of Section 36; thence NORTH 00 degrees 33 minutes 07 seconds West 500.00 feet on said east line to the south right-of-way of the CSX Railroad; thence on said south right-of-way the following four (4) courses: 1). SOUTH 82 degrees 16 minutes 20 seconds East 145.41 feet; thence 2). SOUTH 82 degrees 55 minutes 17 seconds East 130.06 feet; thence 3). SOUTH 83 degrees 10 minutes 50 seconds East 768.21 feet; thence 4). SOUTH 83 degrees 10 minutes 50 seconds East 854.51 feet to the east right-of-way of State Road 37; thence on said right-of-way the following nine (9) courses: 1). SOUTH 42 degrees 43 minutes 09 seconds West 684.36 feet; thence 2). SOUTH 63 degrees 42 minutes 27 seconds West 236.62 feet; thence 3). SOUTH 47 degrees 38 minutes 58 seconds West 176.80 feet; thence 4). SOUTH 40 degrees 41 minutes 00 seconds West 305.00 feet; thence 5). SOUTH 34 degrees 14 minutes 00 seconds West 385.00 feet; thence 6). SOUTH 21 degrees 37 minutes 00 seconds West 327.00 feet; thence 7). SOUTH 29 degrees 56 minutes 00 seconds West 199.00 feet; thence 8). SOUTH 17 degrees 55 minutes 00 seconds West 139.00 feet; thence 9). SOUTH 14 degrees 03 minutes 00 seconds West 204.00 feet to the east line of the aforementioned Annexation Ordinance Number 86-52; thence on said Annexation Ordinance Number 86-52 the following two (2) courses: 1). NORTH 00 degrees 00 minutes 00 seconds East 107.77 feet; thence 2). NORTH 89 degrees 22 minutes 00 seconds West 314.75 feet to the POINT OF BEGINNING, containing 79.37 acres, more or less.

SECTION II. 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 21st day of January, 1998.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 22nd day of January, 1998.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 23 day of January, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance extends the City's zoning jurisdiction to include the recently annexed 79.4 acre Whitehall Crossing property located at 3000 West Third Street and re-establishes the PUD designation and Preliminary Plan previously approved by the Common Council.

Signed copy:
Planning Dept