Passed: 7-2
(PS, MP)

ORDINANCE 98-37

TO AMEND THE BLOOMINGTON ZONING MAPS FROM ONE PLANNED UNIT DEVELOPMENT TO ANOTHER PLANNED UNIT DEVELOPMENT AND TO APPROVE THE PRELIMINARY PLAN
Re: 1700 West Bloomfield Road
(Bruce A. Furr & Kenneth Blackwell, Petitioners)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning," including the incorporated zoning maps, and Title 21, entitled "Land Use and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, the Plan Commission has considered this case, PUD-26-98, and recommended that the petitioners, Bruce A. Furr and Kenneth Blackwell, be granted a rezone of the property located at 1700 West Bloomfield Road from one Planned Unit Development (PUD) to an another Planned Unit Development and also receive preliminary plan approval;

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 20.05.09 of the Bloomington Municipal Code, the preliminary plan be approved and the property be rezoned from one Planned Unit Development to another Planned Unit Development. The property is located at 1700 West Bloomfield Road and is further described as follows:

A part of the Southeast quarter of Section Six (6), Township Eight (8) North, Range One (1) West, Beginning at a point that is 533.28 feet South and 205.26 feet East of the Northwest corner of the Southeast quarter of Section Six (6); thence East for a distance of 266.64 feet, thence South 18 degrees 28 minutes East for a distance of 211.10 feet, thence West for a distance of 266.64 feet, thence North 18 degrees 28 minutes West for a distance of 211.10 feet, to the place of beginning, containing 1.29 acres, more or less.

A part of the Southeast quarter of Section 6, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at a point on the West line of said Southeast quarter that is 529.69 feet South of the Northwest corner of said quarter; thence South 85 degrees 06 minutes 42 seconds East for 212.06 feet; thence South 13 degrees 06 minutes 40 seconds East for 221.10 feet and to the East line of an existing driveway easement; thence South 06 degrees 06 minutes 45 seconds East on and along said East line for 597.75 feet and to the centerline of State Road #45; thence South 52 degrees 43 minutes 11 seconds West on and along said centerline for 226.54 feet; thence North 00 degrees 01 minutes 10 seconds West for 220.00 feet; thence South 86 degrees 32 minutes 45 seconds West for 145.00 feet and to said West line of said Southeast quarter; thence North on and along said West line for 753.61 feet and to the point of beginning. Containing in all 5.24 acres, more or less.

Part of the Southeast quarter of Section Six (6), Township Eight (8) North, Range One (1) West, in Monroe County, Indiana, described as follows: Commencing at a point in the center of the Dinsmore Pike, said point is North Fifty-two (52) degrees East Twenty-four (24) poles and Nineteen (19) links distance from an iron pin in the center of the Dinsmore Pike on the West line of Seminary Lot No. One Hundred Ninety-one (191), thence North Forty-seven and one-half (47-1/2) degrees East Three Hundred Sixty-one and one-half (361-1/2) feet, thence North Three Hundred Sixty-eight and one-sixth (368-1/6) feet, thence West Two Hundred Sixty-six and five hundred thirty-three thousandths (266.533) feet, thence South Six Hundred Twelve and four tenths (612.4) feet to the center of the Dinsmore Pike Road, the starting point, being the Southeast corner of a two acre lot heretofore deeded to Ebb Poole; containing Three (3) acres, more or less.

A part of the South East quarter of Section Number Six (6), Township Number Eight (8) North, Range Number One (1) West, being a part of Seminary out lot Number One Hundred ninety-one (191) and bounded as follows: Commencing at a point where the

West line of Seminary out lot Number One Hundred Ninety-one (191) intersects the center line of State Highway pavement of State Highway Number Forty-five (45), (Centerline of old Dinsmore Pike) running thence north over and along the said West line of Seminary out lot Number One Hundred Ninety-one (191) for a distance of Two Hundred Forty-nine and one-half (249-1/2) feet, thence East One Hundred Forty-five (145) feet; thence south One Hundred Forty-eight (148) feet to the center line of State Highway pavement of State Highway Number Forty-five (45) (Center line of old Dinsmore Pike); thence South Fifty-two degrees (52) West over and along of the center line of said Highway pavement of State Road Number Forty-five (45) (Dinsmore Pike) for a distance of One Hundred Eighty-two (182) feet to the point of beginning, containing in all Seventy-four Hundredths (0.74) acres, more or less.

Subject to an existing right-of-way along the centerline of State Road #45 and subject to all other road rights-of-way.

SECTION II. The Preliminary 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 16th day of September, 1998.

TIMOTHY MAYER, 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 17th day of September, 1998.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 17 day of September, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 10.47 acres of property located near the Twin Lakes Sports Complex from one Planned Unit Development (PUD) to another PUD, and approves the accompanying preliminary plan. The preliminary plan provides for the construction of 70,400 sf building that could house a sports complex or certain other institutional uses.

Signed copies to:
Planning
Petitioner