Passed: 7-1 (Pam Service)

ORDINANCE 97-40

TO AMEND THE BLOOMINGTON ZONING MAPS
FROM MG/PUD TO BA/PUD
Re: 3000 W. Third St.
(Jerry Gates, Petitioner)

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

WHEREAS, the Plan Commission has considered this case, DP-49-97, and recommended that the petitioner, Jerry Gates, be granted an amendment to the zoning maps from MG/PUD to BA/PUD 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 20.05.09 of the Bloomington Municipal Code, that a portion of the property located at 3000 West Third Street be rezoned from MG/PUD to BA/PUD. The property is further described as follows:

Tract #1
A part of a tract of land described in Deed Record Book 455, page 543, in the Office of the Recorder of Monroe County, Indiana, also being a part of the East Half of the East Half of Section 36, Township 9 North, Range 2 West, in said County, more particularly described as follows:

Commencing at the Southeast corner of said Section; thence North 00 degrees 33 minutes 07 seconds West along the East line of said Section 1882.69 feet; thence South 89 degrees 26 minutes 53 seconds West 766.98 feet to the point of beginning; thence North 00 degrees 36 minutes 59 seconds West 438.42 feet to a point on a tangent curve concave Southeasterly with a radius of 265.00 feet and a chord bearing North 18 degrees 34 minutes 52 seconds East for a distance of 174.28 feet; thence Northeasterly along said curve 177.58 feet; thence South 00 degrees 36 minutes 56 seconds East 527.42 feet; thence South 36 degrees 32 minutes 58 seconds West 94.85 feet to the point of beginning, containing 0.67 acre, more or less.

Tract #2
A part of a tract of land described in Deed Record Book 455, page 543, in the Office of the Recorder of Monroe County, Indiana, also being a part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 9 North, Range 2 West, in said County, more particularly described as follows:

Commencing at the Southeast corner of said Section; thence North 00 degrees 33 minutes 07 seconds West along the East line of said Section 2660.01 feet to the point of beginning; thence South 89 degrees 26 minutes 53 seconds West 187.67 feet; thence North 59 degrees 10 minutes 11 seconds East 99.17 feet to the South line of a tract of land described in Deed Record Book 345, page 260; thence North 89 degrees 26 minutes 53 seconds East along said South line 102.03 feet to said East line; thence South 00 degrees 33 minutes 07 seconds East along said East line 50.00 feet to the point of beginning, containing 0.17 acre, 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 5th day of November, 1997.

ANTHONY PIZZO, 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 6th day of November, 1997.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 6 day of November, 1997.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones two small parcels located along the north/south frontage road within the Whitehall Crossing Shopping Center PUD. The zoning will be changed from General Manufacturing to Arterial Commercial.

Signed copies to:
Petitioner
Planning Dept