Passed: 8-1 (LK)

ORDINANCE 93-07

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RL TO BA, GRANT PUD AND PCD DESIGNATION, AND APPROVE OUTLINE PLAN
Re: 123 S. Kingston
(Teblok Corporation, 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, BA/PCD/RL/PUD-86-92, and recommended that the petitioner, Teblok Corporation be granted an amendment to the Bloomington zoning maps, PCD and PUD designation, and outline plan approval 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 that the zoning be changed from RL to BA for a portion of the property located at 123 S. Kingston. That portion of the property is further described as follows:

A part of the southwest quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:
COMMENCING at a point on the south line of the said southwest quarter that is 422.20 feet NORTH 89 degrees 27 minutes 27 seconds WEST (assumed bearing) of the southeast corner of said southwest quarter, said point being in the centerline of East Third Street; thence NORTH 00 degrees 34 minutes EAST, parallel to and 222.00 feet east of the east right-of-way of Kingston Place for a distance of 190.00 feet; thence northwesterly over and along a curve to the left having a radius of 12.00 feet and a deflection angle of 53 degrees 07 minutes 48 seconds for a distance of 11.13 feet; thence NORTH 52 degrees 33 minutes 48 seconds WEST for a distance of 100.66 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 76.97 feet to the east right-of-way of Kingston Place; thence northeasterly over and along the east right-of-way of Kingston Place over and along a curve to the left having a radius of 121.13 feet for an arc distance of 31.31 feet, the chord of said curve bearing NORTH 16 degrees 54 minutes 48 seconds EAST for a distance of 31.22 feet to a point marking the point of beginning; thence continuing along said curve a distance of 19.40 feet, the chord of said curve bearing NORTH 04 degrees 54 minutes 20 seconds EAST a distance of 19.38 feet; thence along the east right-of-way of Kingston Place for a distance of 538.21 feet; thence leaving said right-of-way SOUTH 89 degrees 25 minutes 30 seconds EAST for a distance of 111.87 feet; thence SOUTH 70 degrees 46 minutes 58 seconds a distance of 136.38 feet; thence SOUTH 89 degrees 25 minutes 30 seconds a distance of 92.00 feet; thence SOUTH 56 degrees 59 minutes 01 second EAST a distance of 50.00 feet; thence SOUTH 00 degrees 21 minutes 32 seconds WEST a distance of 47.49 feet; thence SOUTH 20 degrees 01 minute 34 seconds WEST a distance of 77.82 feet; thence SOUTH 01 degree 05 minutes 46 seconds WEST a distance of 159.71 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST a distance of 51.37 feet; thence south parallel to the east line of the southwest quarter for a distance of 206.36 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST a distance of 297.84 feet to the Point of Beginning, containing 4.09 acres more or less.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that a portion of the property described be designated a PCD. That portion is described as follows:

A part of the southwest quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:
BEGINNING at a point on the south line of the said southwest quarter that is 422.20 feet NORTH 89 degrees 27 minutes 27 seconds WEST (assumed bearing) of the southeast corner of said southwest quarter, said point being in the centerline of East Third Street; thence NORTH 00 degrees 34 minutes EAST, parallel to and 222.00 feet east of the east right-of-way of Kingston Place for a distance of 190.00 feet; thence northwesterly over and along a curve to the left having a radius of 12.00 feet and a deflection angle of 53 degrees 07 minutes 48 seconds for a distance of 11.13 feet; thence NORTH 52 degrees 33 minutes 48 seconds WEST for a distance of 100.66 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 76.97 feet to the east right-of-way of Kingston Place; thence northeasterly over and along the east right-of-way of Kingston Place over and along a curve to the left having a radius of 121.13 feet for an arc distance of 50.71 feet, the chord of said curve bearing NORTH 12 degrees 19 minutes 08 seconds EAST for a distance of 50.34 feet; thence NORTH 00 degrees 19 minutes EAST continuing over and along the east right-of-way of Kingston Place for a distance of 538.21 feet; thence leaving said right-of-way SOUTH 89 degrees 25 minutes 30 seconds EAST for a distance of 111.87 feet; thence SOUTH 70 degrees 46 minutes 58 seconds a distance of 136.38 feet; thence SOUTH 89 degrees 25 minutes 30 seconds a distance of 92.00 feet; thence SOUTH 56 degrees 59 minutes 01 second EAST a distance of 50.00 feet; thence SOUTH 00 degrees 21 minutes 32 seconds WEST a distance of 47.49 feet; thence SOUTH 20 degrees 01 minute 34 seconds WEST a distance of 77.82 feet; thence SOUTH 01 degree 05 minutes 46 seconds WEST a distance of 159.71 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST a distance of 51.37 feet; thence south parallel to the east line of the southwest quarter for a distance of 496.36 feet to the south line of the said southwest quarter, and also the centerline of East Third Street; thence NORTH 89 degrees 27 minutes 27 seconds WEST over and along the south line of the said southwest quarter and the centerline of East Third Street for a distance of 147.20 feet to the Point of Beginning, containing 5.23 acres more or less.

SECTION III. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that a portion of the property be designated a PUD. That portion is described as follows:

A part of the southwest quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:
COMMENCING at a point on the south line of the said southwest quarter that is 422.20 feet NORTH 89 degrees 27 minutes 27 seconds WEST (assumed bearing) of the southeast corner of said southwest quarter, said point being in the centerline of East Third Street; thence NORTH 00 degrees 34 minutes EAST, parallel to and 222.00 feet east of the east right-of-way of Kingston Place for a distance of 190.00 feet; thence northwesterly over and along a curve to the left having a radius of 12.00 feet and a deflection angle of 53 degrees 07 minutes 48 seconds for a distance of 11.13 feet; thence NORTH 52 degrees 33 minutes 48 seconds WEST for a distance of 100.66 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 76.97 feet to the east right-of-way of Kingston Place; thence northeasterly over

and along the east right-of-way of Kingston Place over and along a curve to the left having a radius of 121.13 feet for an arc distance of 50.71 feet, the chord of said curve bearing NORTH 12 degrees 19 minutes 08 seconds EAST for a distance of 50.34 feet; thence NORTH 00 degrees 19 minutes EAST continuing over and along the east right-of-way of Kingston Place for a distance of 538.21 feet to a point marking the Point of Beginning, continuing along said east right-of-way 100.00 feet to the intersection with the south right-of-way of Longview Avenue; thence SOUTH 89 degrees 25 minutes 30 seconds EAST over and along the south right-of-way of Longview Avenue for a distance of 150.69 feet; thence continuing over and along the said last named right-of-way over and along a curve to the left having a radius of 223.15 feet and a deflection angle of 40 degrees 22 minutes for a distance of 157.22 feet; thence NORTH 50 degrees 12 minutes 30 seconds EAST continuing over and along the said right-of-way for a distance of 265.88 feet; thence continuing over and along the said right-of-way over and along a curve to the right having a radius of 181.15 feet and a deflection angle of 24 degrees 19 minutes 02 seconds for a distance of 76.88 feet to a stone monument and to the east line of the southwest quarter of the said Section 35 also being the west line of Park Ridge and Park Ridge North; thence south over and along the said east line for a distance of 712.30 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 223.63 feet; thence NORTH 01 degree 05 minutes 46 seconds EAST a distance of 159.71 feet; thence NORTH 20 degrees 01 minute 34 seconds EAST a distance of 77.82 feet; thence NORTH 00 degrees 21 minutes 32 seconds EAST a distance of 47.49 feet; thence NORTH 56 degrees 59 minutes 01 second WEST a distance of 50.00 feet; thence NORTH 89 degrees 25 minutes 30 seconds WEST a distance of 92.00 feet; thence NORTH 70 degrees 46 minutes 58 seconds WEST a distance of 136.38 feet; thence NORTH 89 degrees 25 minutes 30 seconds WEST a distance of 111.87 feet to the Point of Beginning, containing 4.29 acres more or less.

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

SECTION V. 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 3rd day of March, 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 4th day of March, 1993

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 4th day of March, 1993.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

Signed copies to:
Planning
Code Enf.
Petitioner

SYNOPSIS

This ordinance rezones approximately 4 acres from RL to BA, grants a BA/PCD and an RL/PUD, and approves the outline plans for these developments. The commercial site will have a maximum of three users of at least 20,000 sf floor area per user in a building with a maximum of 61,250 square feet. The residential development includes 22 two bedroom duplex units with attached two car garages that are buffered from the commercial site and compatible with the surrounding residential area.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 93-07 is a true and complete copy of Plan Commission Case Number BA/PCD/RL/PUD-86-92 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 1 Abstentions by the Bloomington City Plan Commission at a public hearing held on February 15, 1993.

Date: February 16, 1993

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____,

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.)