

Council 30-7  
final 70

ORDINANCE 91 - 22

To Amend the Zoning Maps to Designate PUD  
and to Grant Outline Plan Approval  
Re: Property located West of Stoutes Creek Road  
and South of S.R. 46  
(James Chesney and Charles Wright)

WHEREAS, the Common Council passed a Zoning Ordinance 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, RE/PUD-3-91, and recommended that the petitioners, James Chesney and Charles Wright, be denied approval of planned unit designation and outline plan and request that the Common Council consider their petition for approval of planned unit designation and outline plan on certain property.

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 be approved and Planned Unit Designation be granted for property located West of Stoutes Creek Road and South of S.R. 46, and more particularly described as follows:

A part of the East half of Section 19, Township 9 North, Range 1, West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter of said Section 19, thence along the West line of said East half North 00 degrees 19 minutes 43 seconds East 1265.00 feet to the point of beginning; thence continuing North 00 degrees 19 minutes 43 seconds East 166.17 feet; thence leaving said West line South 61 degrees 50 minutes 21 seconds East 342.29 feet; thence North 26 degrees 35 minutes 21 seconds East 414.22 feet; thence North 04 degrees 48 minutes 33 seconds West 148.00 feet; thence South 89 degrees 18 minutes 33 seconds East 46.00 feet; thence North 15 degrees 49 minutes 02 seconds East 550.20 feet to the centerline of Stoutes Creek Road; thence along said centerline South 67 degrees 02 minutes 33 seconds East 139.19 feet; thence leaving said centerline North 12 degrees 29 minutes 50 seconds East 837.06 feet to the West right-of-way line of Highway 46; thence along said right-of-way line the following courses and distances; South 67 degrees 04 minutes 18 seconds East 223.90 feet; thence South 61 degrees 14 minutes 54 seconds East 174.21 feet; thence South 48 degrees 48 minutes 33 seconds East 204.07 feet; thence South 33 degrees 55 minutes 22 seconds East 123.43 feet; thence leaving said right-of-way line South 47 degrees 31 minutes 33 seconds West 127.52 feet; thence South 39 degrees 37 minutes 10 seconds West 87.59 feet; thence South 62 degrees 34 minutes 27 seconds East 341.68 feet to the aforementioned West right-of-way line of Highway 46; thence continuing along said right-of-way line South 24 degrees 43 minutes 52 seconds East 651.81 feet; thence leaving said right-of-way line North 89 degrees 31 minutes 06 seconds West 418.41 feet to the West bank of Stoutes Creek; thence along the said West bank the following courses and distances: South 21 degrees 48 minutes 03 seconds West 249.72 feet; thence South 05 degrees 26 minutes 32 seconds East 119.57 feet;

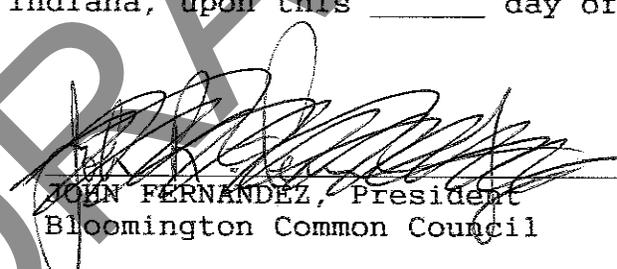
thence South 42 degrees 15 minutes 47 seconds West 170.70 feet to the centerline of a stream feeding said Stoutes Creek; thence along said stream North 90 degrees 00 minutes 00 seconds West 240.00 feet; thence North 45 degrees 00 minutes 00 seconds West 70.00 feet; thence South 44 degrees 30 minutes 00 seconds West 110.00 feet; thence North 80 degrees 00 minutes 00 seconds West 400.00 feet; thence South 39 degrees 30 minutes 00 seconds West 105.00 feet; thence South 87 degrees 00 minutes 00 seconds West 305.00 feet; thence North 50 degrees 00 minutes 00 seconds West 230.00 feet; thence North 89 degrees 30 minutes 00 seconds West 140.00 feet to the point of beginning.

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 the property including the parcel described above be designated a Planned Unit Development.

SECTION III. The Outline Plan, as requested but denied by the Plan Commission, shall be attached hereto and made a part hereof.

SECTION IV. 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 \_\_\_\_\_ day of \_\_\_\_\_, 1991.

  
JOHN FERNANDEZ, 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 \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
TOMILEA ALLISON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance designates approximately 47 acres as a Planned Unit Development and grants outline plan approval for 23 single-family homes and 136 duplex units. The property is located between Stoutes Creek and S.R. 46.

Clerk's Notes:

The following is a chronology regarding Ordinance 91-22

**April 3, 1991**— In a Common Council Committee of the Whole meeting the council voted a recommendation to postpone until May 15<sup>th</sup> by a vote of 7-0

**May 15, 1991**— In a Common Council Regular Session (Second Reading) the council voted a recommendation to postpone until May 22<sup>nd</sup> & June 5<sup>th</sup> by a vote of 8-0

**May 22, 1991**— In a Common Council Committee of the Whole meeting the council voted a recommendation of Do Pass by a vote of 1-6

**June 6, 1991**— In a Common Council Regular Session Mayor John Fernandez announced that the Ordinance was withdrawn by the Petitioner

WITHDRAWN

March 8, 1991

To: Common Council  
From: Planning Dept.  
Re: RE/PUD-3-91 (Chesney & Wright)

The Plan Commission recommended denial of RE/PUD-3-91 (Chesney & Wright) at its March 4, 1991 meeting. Requested was PUD designation and outline plan approval for approximately 47 acres located north of Stoutes Creek and running to S.R. 46. Proposed were 23 single-family homes and 136 duplex units.

WITHDRAWN

\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 91-22 is a true and complete copy of Plan Commission Case Number RE/PUD-3-91 which received a recommendation of denial by a vote of 10 Ayes, 1 Nays, and      Abstentions by the Bloomington City Plan Commission at a public hearing held on March 4, 1991.

Date: March 8, 1991

Timothy A. Mueller  
Tim Mueller ~~Plan Secretary~~  
Plan Commission

Received by the Common Council Office this 11 day of March, 1991

Pamela  
Patricia Williams, City Clerk

Appropriation Ordinance # \_\_\_\_\_ Fiscal Impact Statement # \_\_\_\_\_ Resolution# \_\_\_\_\_  
Ordinance

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 \_\_\_\_\_  
Unforeseen 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 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)