ORDINANCE 80-10

To Amend the Bloomington
Zoning Maps, Dated June 7, 1978

WHEREAS, the Common Council of the City of Bloomington, Indiana, passed a Zoning Ordinance amendment and adopted new incorporated zoning maps on June 7, 1978, and

WHEREAS, said Zoning Ordinance and maps are now incorporated in the Bloomington Municipal Code as Title 20 of said Code, and

WHEREAS, the City Plan Commission has considered this case, and recommended said Bloomington zoning maps be amended by the rezoning of certain property, case number ZO-55-79, and

WHEREAS, the petitioner, Daisy and Joseph Garton, requests that the Common Council of the City of Bloomington consider this petition for the rezoning of said property,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

Through the authority of Chapter 174 of the 1947 Acts of the General Assembly of the State of Indiana, as amended, that the property located at the Southeast corner of Pete Ellis Drive and East Tenth Street be rezoned as follows:

Parcel A: From BL-Limited Business Districts, RL-Low Density Multi-Dwelling Districts, and RH-High Density Residential Districts to RL-Low Density Multi-Dwelling Districts for the property located at the Southeast corner of Pete Ellis Drive and East Tenth Street.

Parcel B: From RL-Low Density Multi-Dwelling Districts, BL-Limited Business Districts, and RH-High Density Residential Districts to BL-Limited Business Districts for the property located at the Southeast corner of Pete Ellis Drive and East Tenth Street.

SECTION I. That the Bloomington Zoning Map of June 7, 1978 be amended to rezone the following described lands as follows, to-wit:

Parcel A: From BL-Limited Business Districts, RL-Low Density Multi-Dwelling Districts, and RH-High Density Residential Districts to RL-Low Density Multi-Dwelling Districts, more particularly described as:

Part of the North half of the Southwest Quarter of Section 35, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows: Commencing at the Northeast corner of the Southwest Quarter of Section 35, Township 9 North, Range 1 West; thence North 89°56'57" West, along the North line of said Southwest Quarter, a distance of 620.05 feet; thence South 00°38'06" East parallel with the East line of said Southwest quarter, a distance of 611.60 feet to the centerline of a proposed street and the POINT OF BEGINNING; thence continuing South 00°38'06" East, parallel with said east line, a distance of 230.86 feet to the North right-of-way line of the Illinois Central Railroad; thence North 77°06'14" West, along said right-of-way line, a distance of 633.00 feet; thence North 12°53'46" East, parallel with the East line of Pete Ellis Drive, a distance of 353.85 feet to the centerline of said proposed street; thence North 72°53'46" East, along said centerline, a distance of 82.68 feet to the point of curvature of a curve concave southwesterly having a radius of 200.00 feet; thence southeasterly, along said centerline curve, through a central angle of 65°07'43" an arc distance of 227.34 feet to the point of tangency of said curve; thence South 41°58'31" East, along said centerline, a distance of 216.68 feet to the point of curvature of a curve concave northeasterly having a radius of 200.00 feet; thence southeasterly, along said centerline curve, through a central angle of 35°07'43" an arc distance of 122.62 feet to the POINT OF BEGINNING.

Parcel B: From RL-Low Density Multi-Dwelling Districrs, BL-Limited Business Districts, and RH-High Density Residential Districts to BL-Limited Business Districts, more particularly described as:

Part of the North Half of the Southwest Quarter of Section 35, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows: Commencing at the Northeast corner of the Southwest Quarter of Section 35, Township 9 North, Range 1 West, thence North 89°56'57" West along the North line of said Southwest Quarter, a distance of 620.23 feet to the Point of Beginning ; thence South 00°36'53" East parallel with the East line of said Southwest Quarter, a distance of 611.60 feet to the centerline of a proposed street and the point of curvature of a curve Northeasterly having a radius of 200 feet; thence Northwesterly, along said centerline, though a central angle of 35°90'39" an arc distance of 122.73 feet to the point of tangency of said curve; thence North 41°57'04" West along said centerline, a distance of 216.16 feet to the point of curvature of a curve concave Southwesterly having a radius of 200 feet; thence Westerly along said centerline curve, through a central angle of 65°09'11" an arc distance of 227.43 feet to the point of tangency of said curve; thence South 72°53'46" West along said centerline, a distance of 100 feet, to the point of curvature of a curve Northeasterly having a radius of 300 feet; thence Westerly along said centerline curve, through a central angle of 30°00'00" an arc distance of 157.08 feet to the point of tangency of said curve; thence North 77°06'14" West along said centerline a distance of 20 feet and to the West Right-of-Way of Pete Ellis Drive; thence North 12°53'46" East along said Right-of-Way line a distance of 218.41 feet more or less and to the point of curvature of a curve concave Northwesterly having a radius of 435 feet; thence Northerly along said curve, through a central angle of 12°33'45" an arc distance of 95.38 feet to the point of tangency of said curve; thence North 00°03'03" East a distance of 53.48 feet to the North line of said Southwest Quarter; thence South 89°56'57" East along said North line a distance of 660.14 feet and to the POINT OF BEGINNING.

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 6th day of February, 1979.

Tomilea Allison
Tomilea Allison, President
Bloomington Common Council

ATTEST:

Nora M. Connors
Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 7th day of February, 1980.

Nora M. Connors
Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 13th day of February, 1980.

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would change the zoning for the properties located at the Southeast corner of Pete Ellis Drive and East Tenth Street as follows: Parcel A, from RL, RH, and BL to RL; Parcel B, from RL, RH, BL to BL. The petitioners are Daisy and Joseph Garton.

Fiscal Impact Statement

Appropriation Ordinance # _____ Ordinance # 80-10 Resolution # _____

Type of Legislation:

Appropriation		End of Program		Penal Ordinance	
Budget Transfer		New Program		Grant Approval	
Salary Change		Bonding		Administrative Change	
Zoning Change	X	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 X 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)

The proposed ordinance will result in a revision of existing RH, RL and BL zoning to a BL and RL pattern on an approximately 12.5 acre site located at the southeast corner of Pete Ellis Drive and East 10th Street (Highway 45). The site is currently vacant and outside of the corporate limits, although it adjoins the City on both its north and south property lines with annexation anticipated as the property develops. Unspecified apartment and commercial uses are proposed on the site, resulting in a substantial amount of development that would generate increased property tax revenues that are expected to flow to the City following annexation. The general area is well served by City services with the burden of connection costs falling upon the applicant, including construction of a public street (local designation) to serve the internal needs of the site. The costs to the City are expected to be relatively inconsequential.

Agency submitting legislation City of Bloomington Planning Department

By Lee R. Klotz Date Nov. 7, 1979

I HEREBY MOVE THAT ✓ ORDINANCE ____ APPROPRIATION ORDINANCE # 80-10, ENTITLED Amend Zoning re: NE corner of Pete Ellis Dr. & E. 10th Street (Horton) 2 parcels

BE INTRODUCED AND READ FOR FIRST READING BY TITLE ONLY AT THE COUNCIL MEETING HELD ON January 7, 1980.

Floyd W. Orcutt
(Signature)