

ORDINANCE 80-50

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

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, PCD-19-80, and recommended that the petitioner, JERRY GATES, be granted an amendment to the Bloomington zoning maps and request that the Common Council consider their petition for rezoning of 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 18-7-4 that the zoning be changed from RH, Residential to BL, Limited Business for property located on the West 75% of the Southeast corner of S.R. 46 Bypass and East 10th Street, more particularly described as follows:

A part of the Southeast Quarter of Section 34, Township 9 North, Range 1, West, Monroe County, Indiana, bounded and described as follows:

Commencing at the Northeast corner of said Quarter Section and on the centerline of S.R. 45, thence running South 89° 06' 13" West for 100.01 feet on and along the centerline of said State Road to the point of beginning, thence running South parallel to the east line of said Section for 355.06 feet to the North right-of-way of the Illinois Central Railroad, thence with said railroad right-of-way North 80° 03' 54" West for 323.50 feet and to a point where said railroad right-of-way intersects the East right-of-way of State Road 46 Bypass, thence leaving the railroad right-of-way and running along said State Road right-of-way North 24° 12' 56" West for 146.84 feet, thence continuing along said State Road right-of-way North 30° 00' 28" East for 158.64 feet, thence North for 23.07 feet to the centerline of State Road 45, thence along the centerline of said State Road 45 North 89° 06' 13" East for 299.48 feet and to the point of beginning, containing 2.52 acres more or less. Subject to the right-of-way of State Road 45.

SECTION II. Through the authority of IC 18-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code that an outline plan be approved and that all of the property on the Southeast corner of S.R. 46 Bypass and East 10th Street be designated a Planned Commercial Development, more particularly described as:

A part of the Southeast quarter of Section 34, Township 9 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at the Northeast corner of said quarter in said Section 34 and in the centerline of State Road 45, thence leaving said State road centerline and running South along the East line of said section for 374.14 feet and to the North right-of-way of the Illinois Central Railroad, thence with said railroad right-of-way North 80 degrees 03 minutes 54 seconds West for 425.02 feet and to a point where said railroad right-of-way intersects the East right-of-way of State Road 46 Bypass, thence leaving the railroad right-of-way and with said State road right-of-way North 24 degrees 12 minutes 56 seconds West for 146.84 feet, thence North 30 degrees 00 minutes 28 seconds East for 158.64 feet, thence North for 23.07 feet and to a point where the said Bypass right-of-way intersects the centerline of 10th Street or State Road 45, thence with said State road centerline North 89 degrees 06 minutes 13 seconds East for 399.49 feet and to the point of beginning. Containing in all 3.36 acres, more or less. Subject to a right-of-way from centerline of 10th Street or State Road 45, width of right-of-way is subject to State and City requirements for development of above described land.

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 20th day of NOVEMBER, 1980.

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 21st day of NOVEMBER, 1980.

Nora M. Connors
Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 25th day of NOVEMBER, 1980.

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

SYNOPSIS

This ordinance, if adopted, will rezone the west 75% of the parcel on the southeast corner of S.R. 46 Bypass and East 10th Street from RH to BL, approve an outline plan, and designate the entire parcel a planned commercial development. The rezoning enables development of the site as a small retail and office complex.

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 80- 50 , is a true and complete copy of Plan Commission Case Number PCD-19-80 , which was give a recommendation of APPROVAL , by a vote of Ayes: 6 , Nays: 3 , Abstentions: 0 , by the Bloomington City Plan Commission at a public hearing held on SEPTEMBER 8th , 1980.

Timothy A. Mueller

Date: SEPTEMBER 15th, 1980

Tim Mueller Planning Director Plan Commission

Received by the Common Council Office this 15 day of SEPTEMBER , 1980.

Nora M. Connors, City Clerk

Fiscal Impact Statement

Appropriation Ordinance # _____ Ordinance # XXX Resolution # _____

Type of Legislation:

Appropriation _____ End of Program _____ Penal Ordinance _____
Budget Transfer _____ New Program _____ Grant Approval _____
Salary Change _____ Bonding _____ Administrative Change _____
Zoning Change XXX Investments _____ Short-Term Borrowing _____
New Fees _____ Annexation _____ Other PLANNED DEVELOPMENT DESIGNATION

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 XXX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

The site is not in the corporate limits. All capital utility costs will be borne by the developer. Eventual annexation will affect costs and revenues.

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)

CITY OF BLOOMINGTON PLANNING DEPARTMENT

Agency submitting legislation _____

By TIM MUELLER Date SEPTEMBER 15, 1980

DEFEATED 10/23/80
AYES: 3, NAYS: 5

APPEALED TO P.C.
AND APPROVED

APPROVED 11/20/80
AYES: 5, NAYS: 4

I HEREBY MOVE THAT XX ORDINANCE _____ APPROPRIATION
ORDINANCE # 80-50, ENTITLED TO AMEND ZONING RE:
SE CORNER OF SR 46 BYPASS & E. 10TH STREET FROM
RH TO BL/PCD
BE INTRODUCED AND READ FOR FIRST READ BY TITLE ONLY
AT THE COUNCIL MEETING HELD ON SEPTEMBER 18, 1980 .

Roy W. Olcott