Passed 9-0

ORDINANCE 10-01

TO AMEND THE BLOOMINGTON ZONING MAPS FROM COMMERCIAL GENERAL (CG), INDUSTRIAL GENERAL (IG) AND PLANNED UNIT DEVELOPMENT (PUD) TO A PLANNED UNIT DEVELOPMENT (PUD) AND ADOPT THE DISTRICT ORDINANCE AND PRELIMINARY PLAN FOR THE 18.32 ACRE PATTERSON POINTE PUD - Re: 420 S. Patterson Drive (Patterson Pointe LLC, Petitioner)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, PUD-29-09; recommended that the petitioner, Patterson Pointe LLC, be granted this request to rezone the property from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a PUD as well as to approve the PUD District Ordinance and Preliminary Plan; and, thereby requests that the Common Council consider this petition;

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the property located at 420 S. Patterson Drive shall be rezoned from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a PUD and the PUD District Ordinance and Preliminary Plan be approved. The property is further described as follows:

Lot 1 and the Remainder of Patterson Pointe Subdivision, Final Plat, as shown by the recorded plat thereof, recorded in Plat Cabinet D, Envelope 90, in the Office of the Recorder of Monroe County, Indiana

ALSO:
Lot 2 of Landmark Business Center, Phase V, Final Plat, as shown by the recorded plat thereof, recorded in Plat Cabinet C, Envelope 386, in the Office of the Recorder of Monroe County, Indiana.

ALSO:
A part of Lots 4 thru 8 in Lake View Park Addition, a subdivision of seminary lots 139, 140, 141, and 142, in the City of Bloomington, Indiana as shown by the plat recorded in plat cabinet B, envelope 42, in the office of the Recorder of Monroe County, Indiana, being more particularly describes as follows:

Commencing at a brass monument marking the Northwest corner of Section 5 Township 8 North, Range 1 West Monroe County, Indiana; thence South 88 degrees 58 minutesa17 seconds East along the north line of said section for a distance of 220.60 feet; thence South 01 degrees 31 minutes 59 seconds West along the west line of lot 4 in said Lake View Park Addition for a distance of 44.82 feet to the south right-of-way of 3rd Street to a rebar with cap stamped SNA marking the Point of Beginning; thence South 88 degrees 57 minutes 34 seconds East along the south right-of-way of 3rd Street for a distance of 367.58 feet to a rebar with cap stamped SNA; thence South 01 degrees 30 minutes 45 seconds East along the east line of lot 8 in said Lake View Addition for a distance of 186.89 feet to a chiseled x in concrete; thence North 88 degrees 59 minutes 43 seconds West for a distance of 73.50 feet to a chiseled x in concrete; thence South 01 degrees 31 minute 59 seconds East along the east line of lot 7 in said Lake View Addition for a distance of 70.00 feet to a mag nail; thence North 88 degrees 59 minutes 43 seconds West for a distance of 294.00 feet to a rebar with cap stamped Bledsoe Tapp; thence North 01

degrees 31 minutes 59 seconds West along the west line of lot 4 in said Lake View Addition for a distance of 257.21 feet to the Point of Beginning, containing 2.45 acres more or less.

SECTION 2. The PUD District Ordinance and Preliminary Plan shall be attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. 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 21st day of JANUARY, 2010.

ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of JANUARY, 2010.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22nd day of JANUARY, 2010.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves the rezoning of 18.32 Acres of land at 420 S. Patterson Drive from Commercial General (CG), Industrial General (IG), and Planned Unit Development (PUD) to a PUD and approves a PUD District Ordinance and Preliminary Plan to provide for a high school, multi-family residential and mixed use buildings in what will be known as the Patterson Pointe PUD.

On January 20, 2010 the Council adopted Ord10-01 as modified by: Reasonable Condition (RC) 01- which improved connectivity to Area C (New Tech High School); RC-02 – which narrowed the east side of the new signalized intersection of "Old' West 3rd Street and Patterson Drive; and a motion "that the Council approve RC-4 and RC-5 as alternatives that the Petitioner may pursue with the Plan Commission."

Signed copies to:
legal(10)
controller
planning
Plan commission
petitioner

CA/CA(3)
Clerk
deputy