Passed 6-3
(Diekhoff, Mayer, Sabbagh)

ORDINANCE 04-13

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RS 4.5 TO PUD AND TO APPROVE THE PRELIMINARY PLAN FOR THE SOUTH DUNN STREET PLANNED UNIT DEVELOPMENT (PUD)
RE: 1330 South Dunn Street
(Neighborhood Solutions LLC, Petitioner)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and Development;" and

WHEREAS, the Plan Commission has considered this case, PUD-09-04, and recommended that the petitioner, Neighborhood Solutions LLC, be granted a rezone of the property located at 1330 South Dunn Street from RS4.5 to Planned Unit Development and also be granted a preliminary plan approval for the South Dunn Street PUD. The Plan Commission 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 I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the property located at 1330 South Dunn Street shall be rezoned from RS4.5 to Planned Unit Development (PUD) and the Preliminary Plan shall be approved. The property is further described as follows:

A part of southwest quarter of Section 4, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:

A part of the West half of Seminary Lot Eighty (80) in Township Eight (8) North, Range 1 West, not platted Rolling Park Addition, and described as follows, to-wit: Beginning at a point Four Hundred Fifty (450) feet West of a corner stone in the Northeast corner of Lot Number 1 in Rolling Park Addition to the City of Bloomington, as shown by the recorded plat thereof in the office of the Recorder in Monroe County, thence East One Hundred Thirty-two (132) feet, thence South to the Southeast corner of Lot Number Fifty-one (51) in said Rolling Park Addition, thence West on and over the South line of said Lot Number Fifty-one (51) in said addition, a distance of One Hundred Thirty-two (132) feet, thence North to the place of beginning;

Also a part of the East half of Seminary Lot Eighty (80) in Township Eight (8) North, Range 1 West, not platted Rolling Park Addition, and described as follows, to-wit: Beginning at a point One Hundred Forty (140) feet West of a corner stone in the Northeast corner of Lot Number 1 in Rolling Park Addition to the City of Bloomington, as shown by the recorded plat thereof in the office of the Recorder in Monroe County, thence West One Hundred Thirty-two (132) feet, thence South to the Northwest corner of Lot Number Eighteen (18) in said Rolling Park Addition, thence East on and over the North line of said Lot Number Eighteen (18) in said addition, a distance of One Hundred Thirty-two (132) feet, thence North to the place of beginning;

Also, fifteen (15) feet by parallel lines off the South side of Lot Number Fifteen (15) in Rolling Park Addition to the City of Bloomington, Indiana, and also Lot Number Sixteen (16) in said Rolling Park Addition, the plat of which is recorded in Plat Book No. 3 at page 68 in the Office of the Recorder of Monroe County, Indiana.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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 4th day of August, 2004.

MIKE DIEKHOFF, 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 5th day of August, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 5TH day of AUGUST, 2004.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 6. 9 gross acres along South Dunn Street between Hillside Drive and Grimes Lane from RS4.5 to Planned Unit Development. It also approves a preliminary plan that allows for up to 43 single family lots to the north and three lots of commercial/ multi-family uses along Hillside Drive.

Signed copies to:

legal (5)	petitioner	traffic	CA/CA (2)
controller	PW	clerk	
planning	engineering	file	