

(passed 7-2)  
Pollo.  
Volan

ORDINANCE 06-17

**TO AMEND THE PRELIMINARY PLAN FOR THE KINGSTON PLANNED UNIT  
DEVELOPMENT TO ALLOW OFFICE AND RETAIL LAND USES -**

**Re: 123 S. Kingston Dr  
(Bryan Rental, 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WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and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-12-06, and recommended that the petitioners, Bryan Rental, be granted an amendment to preliminary plan for the Kingston PUD to allow office and retail land uses on the requested petition site. 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:

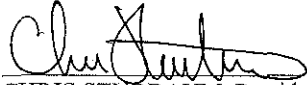
SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the preliminary plan and the list of permitted uses shall be amended for a portion of the Kingston PUD located at 123 S. Kingston Dr. The property is further described as follows:

A part of the southwest quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: COMMENCING at a point on the south line of said southwest quarter that is 422.20 feet NORTH 89 degrees 27 minutes 27 seconds West (assumed bearing) of the southeast corner of the said southwest quarter, said point being in the centerline of East Third Street; thence NORTH 00 degrees 34 minutes EAST, parallel to and 222.00 feet east of the east right-of-way of Kingston Place for a distance of 190.00 feet; thence northwesterly over and along a curve to the left having a radius of 12.00 feet and a deflection angle of 53 degrees 07 minutes 48 seconds for a distance of 11.13 feet; thence NORTH 52 degrees 33 minutes 48 seconds WEST for a distance of 100.66 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 76.97 feet to the east right-of-way of Kingston Place; thence northeasterly over and along the east right-of-way of Kingston Place and over and along a curve to the left having a radius of 121.13 feet for an arc distance of 50.71 feet, the chord of said curve bearing NORTH 12 degrees 19 minutes 08 seconds EAST for a distance of 50.34 feet; thence NORTH 00 degrees 19 minutes East continuing over and along the east right-of-way of Kingston Place for a distance of 538.21 feet to the Point of Beginning; thence along the east right-of-way of Kingston Place NORTH 00 degrees 19 minutes East 100.00 feet; thence SOUTH 89 degrees 25 minutes 30 seconds East over and along the south right-of-way of Longview Avenue for a distance of 150.69 feet; thence continuing over and along the said last named right-of-way over and along a curve to the left having a radius of 223.15 feet and a deflection angle of 40 degrees 22 minutes for a distance of 157.22 feet; thence NORTH 50 degrees 12 minutes 30 seconds East continuing over and along the said right-of-way for a distance of 265.88 feet; thence continuing over and along the said right-of-way over and along a curve to the right having a radius of 181.15 feet and a deflection angle of 24 degrees 19 minutes 02 seconds for a distance of 76.88 feet to a stone monument and to the east line of the southwest quarter of the Section 35, also being the west line of Park Ridge and Park Ridge North; thence south over and along the said east line for a distance of 712.30 feet; thence NORTH 89 degrees 27 minutes 27 seconds West, parallel to the south line of the said southwest quarter for a distance of 223.63 feet; thence NORTH 01 degrees 05 minutes 46 seconds East 159.71 feet; thence NORTH 20 degrees 01 minutes 34 seconds East 77.82 feet; thence NORTH 00 degrees 21 minutes 32 seconds East 47.49 feet; thence NORTH 56 degrees 59 minutes 01 seconds West 50.00 feet; thence NORTH 89 degrees 25 minutes 30 seconds West 92.00 feet; thence NORTH 70 degrees 46 minutes 58 seconds West 136.38 feet; thence NORTH 89 degrees 25 minutes 30 seconds West 111.87 feet to the Point of Beginning. Said tract containing 4.294 acres, more or less.

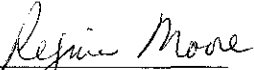
SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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.

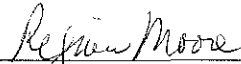
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 4<sup>th</sup> day of OCTOBER, 2006.

  
CHRIS STURBAUM, 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 5<sup>th</sup> day of OCTOBER, 2006.

  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this Six day of October, 2006.

  
MARK KRUZAN, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance amends the preliminary plan for the Kingston Planned Unit Development located at 123 S. Kingston to allow office and retail uses.

Signed copies to:

Legal (8)

Controller

Planning

engineering (Halay)

CA/CA3)

clerk

file