Passed: 7-1 (Volan)-1 (Chopra)

ORDINANCE 17-25

TO AMEND THE ZONING MAPS FROM SINGLE FAMILY RESIDENTIAL (RS) TO INDUSTRIAL GENERAL (IG)
- Re: 1.5 Acres Located at 1920 West Fountain Drive
(Shelby Bloomington, LLC)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the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, ZO-14-17 and recommended that the petitioner, Shelby Bloomington LLC, be granted an approval to rezone 1.5 acres from Single Family Residential (RS) to Industrial General (IG). 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 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning of the property located at 4021-4025 W. 3rd Street shall be changed from Planned Unit Development (PUD) to Commercial General (CG). The property is further described as follows:

> A PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 1 WEST, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT 39.45 RODS EAST AND 109.64 RODS SOUTH OF A POINT 9 FEET EAST AND 40 RODS SOUTH FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP AND RANGE AFORESAID; THENCE NORTHWEST ALONG THE VERNAL PIKE TO ITS INTERSECTION WITH THE ELEVENTH STREET PIKE; THENCE EAST ALONG THE SAID ELEVENTH STREET PIKE 240 FEET; THENCE SOUTH TO THE PLACE OF BEGINNING, CONTAINING 1.5 ACRES, MORE OR LESS.

SECTION 2. 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 3. 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 28th day of June, 2017.

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 26th day of June, 2017.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 30th day of June, 2017.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would rezone 1.5 acres located at 1920 West Fountain Drive from Single Family Residential (RS) to Industrial General (IG).

Distributed to: Mayor, Clerk, Council Administrator, Legal, Controller, Planning

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 17-25 is a true and complete copy of Plan Commission Case Number ZO-14-17 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on May 8, 2017.

Date: May 18, 2017

Terri Porter, Secretary
Plan Commission

Received by the Common Council Office this 18th day of May, 2017.

Nicole Bolden, City Clerk

Appropriation Ordinance # _____

Fiscal Impact Statement Ordinance # _____

Resolution # _____

Type of Legislation:

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

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.)

FUKEBANEI ORD=CERT.MRG