Passed 8-0

ORDINANCE 17-04

TO AMEND THE ZONING MAPS FROM PLANNED UNIT DEVELOPMENT (PUD) TO COMMERCIAL GENERAL (CG)
- Re: 4021-4025 West 3rd Street
(GMS-Pavilion Properties, 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WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the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, ZO-40-16, and recommended that the petitioner, GMS-Pavilion, be granted an approval to rezone 1.98 acres from Planned Unit Development (PUD) to Commercial General (CG). 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:

Lot One (1) Hammond West Third Property, as shown by the plat thereof, recorded in Plat Cabinet C, Envelope 101, in the office of the Recorder of Monroe County, Indiana.

Lot Two (2) in Hammond West Third Property as shown by the plat thereof, recorded in Plat Cabinet C, Envelope 101, in the office of the Recorder of Monroe County, Indiana.

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 1 day of March, 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 2 day of March, 2017.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 2d day of March, 2017.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would rezone 1.98 acres located at 4021-4025 West 3rd Street from Planned Unit Development (PUD) to Commercial General (CG).

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 17-04 is a true and complete copy of Plan Commission Case Number ZO-40-16 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 9, 2017.

Date: January 12, 2017

Christy L. Langley, Secretary
Plan Commission

Received by the Common Council Office this 12th day of Janvary, 2017.

Stephen Lucas
~~Nicole Bolden, City Clerk~~
Stephen Lucas, Deputy 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 _____
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 _____

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.)

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