

ORDINANCE 96-10

TO AMEND THE PRELIMINARY PLAN

**Re: 3300 Sare Road
(Ken Blackwell, Petitioner)**

WHEREAS, the Common Council adopted Ordinance ~~95-21~~ which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-67-95, and recommended that the petitioner, Ken Blackwell, be granted an amendment to the preliminary plan and request that the Common Council consider their 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, a preliminary plan amendment be approved for the property located at 3300 Sare Road and further described as follows:

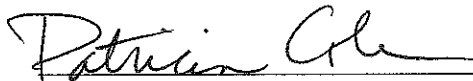
A part of the Northeast quarter and a part of the South half of Section 15, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows: **COMMENCING** at the Southeast corner of said Section; thence North 89 degrees 23 minutes 15 seconds West along the South line of said section 2640.08 feet to the Southwest corner of the Southeast quarter of said section; thence continuing North 89 degrees 23 minutes 15 seconds West along said South line 336.79 feet; thence leaving said South line North 00 degrees 36 minutes 45 seconds East 398.92 feet to the point of beginning; thence continuing North 00 degrees 36 minutes 45 seconds East 853.14 feet to the Southwest corner of a 6.84 acre tract of land; thence South 85 degrees 08 minutes 10 seconds East along a Southerly line of said tract 249.36 feet; thence North 58 degrees 54 minutes 44 seconds East along a Southerly line of said tract 195.82 feet; thence North 79 degrees 56 minutes 58 seconds East along a Southerly line of said tract 186.45 feet; thence North 14 degrees 37 minutes 17 seconds West along an Easterly line of said tract 629.27 feet to the South line of a tract of land recorded in Deed Record Book 438, Pages 329-330 of the Monroe County Recorder's Office; thence along the lines of said tract the following 5 courses bearings and distances, 1) South 89 degrees 55 minutes 00 seconds East 648.71 feet; 2) North 11 degrees 19 minutes 28 seconds East 861.64 feet; 3) North 62 degrees 31 minutes 56 seconds West 93.76 feet; 4) 316.25 feet along a 2787.69 foot radius tangent curve concave Northeasterly with a chord bearing North 59 degrees 16 minutes 55 seconds West 316.08 feet; 5) North 56 degrees 01 minutes 56 seconds West 250.00 feet to the East line of a tract of land recorded in Deed Record Book 337, pages 140 & 141 of said Recorder's Office; thence North 33 degrees 58 minutes 14 seconds East along said East line 1254.53 feet to the Southwest corner of a tract of land recorded in Deed Record Book 429, Pages 326-327 of said Recorder's Office; thence South 89 degrees 12 minutes 20 seconds East along said South line 1170.80 feet to the Southeast corner thereof, said point being on the East line of a tract of land recorded in Deed Record Book 425, Pages 233-238 of said Recorder's Office; thence South 00 degrees 14 minutes 02 seconds West along said East line 2011.60 feet; thence South 45 degrees 17 minutes 08 degrees West 369.00 feet; thence South 52 degrees 48 minutes 00 seconds West 340.22 feet; thence North 64 degrees 38 minutes 01 seconds West 57.19 feet; thence North 84 degrees 39 minutes 35 seconds West 161.93 feet; thence South 10 degrees 47 minutes 23 seconds West 140.70 feet; thence South 12 degrees 19 minutes 40 seconds East 48.74 feet; thence South 30 degrees 37 minutes 10 seconds West 89.22 feet; thence North 89 degrees 18 minutes 29 seconds West 363.17 feet; thence South 00 degrees 41 minutes 31 seconds West 200.00 feet; thence South 89 degrees 18 minutes 29 seconds East 253.59 feet; thence South 00 degrees 12 minutes 00 seconds East 240.21 feet; thence South 00 degrees 24 minutes 51 seconds West 634.09 feet; thence North 82 degrees 20 minutes 43 seconds West 1037.54 feet; thence North 89 degrees 23 minutes 15 seconds West 492.56 feet; thence South 20 degrees 42 minutes 25 seconds West 163.84 feet;

thence South 76 degrees 59 minutes 09 seconds West 78.11 feet and to the point of beginning, containing in all 125.51 acres, more or less.

SECTION II. The Preliminary Plan Amendment, as recommended by the Plan Commission, shall be attached hereto and made a part of this ordinance.

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.

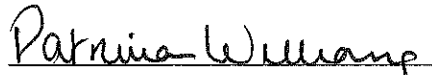
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1st day of May, 1996.



JIM SHERMAN, President
Bloomington Common Council

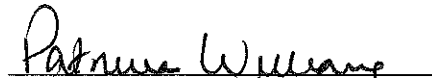
Patricia Cole, Vice-President

ATTEST:



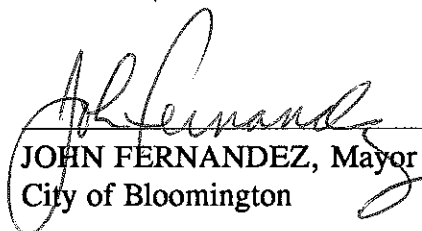
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of May, 1996.



PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 2 day of May, 1996.



JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the Canada Farm Planned Unit Development to stipulate that Sare Road will be extended south from East Rogers Road to the middle school site by the end of the paving season in 1997 or when the anchor store is built, whichever comes first.

copies to:
Petitioner, Planning

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 96-10 is a true and complete copy of Plan Commission Case Number PUD-67-95 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on February 19, 1996.

Toni K. McClure

Toni K. McClure, Secretary
Plan Commission

Date: February 29, 1996

Received by the Common Council Office this 29th day of February, 1996,

Patricia Williams
Patricia Williams, City Clerk

Appropriation Ordinance # _____ Fiscal Impact Statement # _____ Resolution # _____
Ordinance _____ Ordinance _____

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.)

PUD-67-95

Ken Blackwell
3300 Sare Road

Request for an amendment to a recently approved PUD to change the date of construction to read: "The construction of the portion of the Sare Rd. extension from the south line of Areas "B" and "F" south to the school site shall take place at the time the 30,000 s.f. anchor store in Area "F" is built or by the end of the 1997 paving season, whichever comes first".

Toni McClure reported. This petition is a fairly simple and straightforward amendment to a PUD that you approved on January 8 that is still in the Council hearings. It simply amends one facet of that approval. That approval included the construction of the Sare Rd. extension from E. Rogers Rd. through the development to the end of the commercial area at this location with the first stage of development. It then proceeded to say that the remaining section of the road that proceeds on south to the school site, would be constructed by the end of the paving season of 1998 or when the anchor store went in for the commercial area, whichever came first. The petition is now being amended to say that this section of the road, from the southern end of the commercial area to the school site, will be constructed by the end of the paving season of 1997 or when the anchor store goes in, whichever comes first. Staff is recommending approval of that amendment. We'd like to proceed with that to the Council so we are asking for a waiver of second hearing.

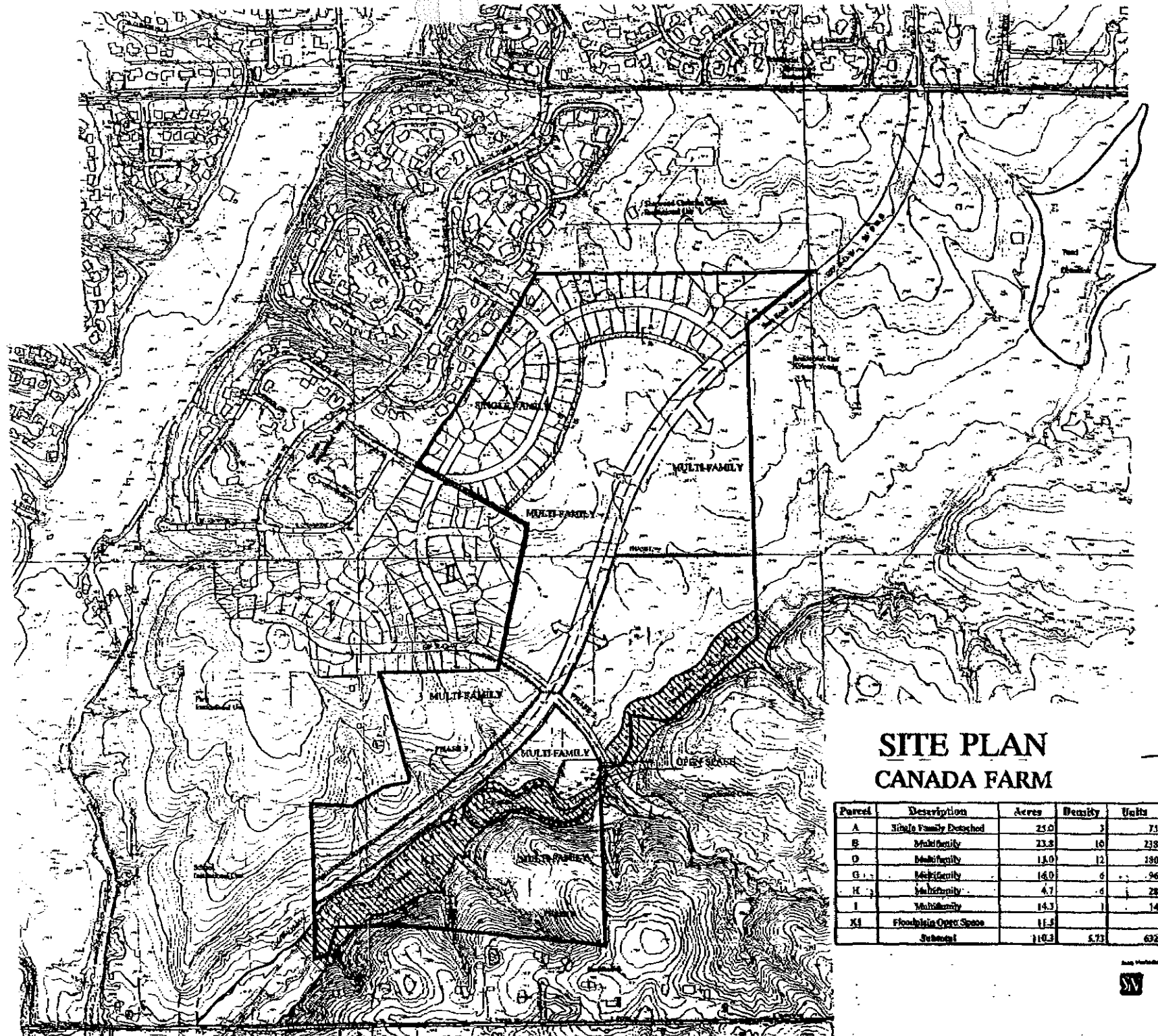
Lynne Coyne, Andrews, Harrell, Mann, Chapman, and Coyne, represented Mr. Blackwell. It is very straightforward and very simple. We're doing this to keep the commitment we made to change the date from '98 to '97.

***Joe Hoffmann moved approval of PUD-67-95 with waiver of second hearing; Rick Zabriskie seconded. Approved 10:0

12-28-95

P.3

DEC 28 '95 16:12 SMITH QUILLMAN ASSOC



SITE PLAN CANADA FARM

Parcel	Description	Acres	Density	Units
A	Single Family Detached	24.0	3	71
B	Multifamily	23.8	10	238
D	Multifamily	13.0	12	150
G	Multifamily	18.0	6	96
H	Multifamily	4.7	6	28
I	Multifamily	14.3	1	14
X1	Floodplain Over Space	11.5		
	Summit	110.3	5.71	632



Scale: 1" = 100'
 10/20/95
 11/1/95
 11/10/95
 12/22/95

Smith Quillman & Associates, Inc.

