

ORDINANCE #79-12

AN ORDINANCE TO AMEND THE BLOOMINGTON
ZONING MAPS, DATED JUNE 7, 1978

WHEREAS, the Common Council of the City of Bloomington, Indiana, passed a Zoning Ordinance amendment and adopted new incorporated zoning maps on June 7, 1978, and

WHEREAS, said Zoning Ordinance and maps are now incorporated in the Bloomington Municipal Code as Title 20 of said Code, and

WHEREAS, the City Plan Commission has considered this case, PCD-5-79 and recommended said Bloomington zoning maps be amended by the rezoning of certain property, and

WHEREAS, the petitioner, MEL SIMON & ASSOCIATES, requests that the Common Council of the City of Bloomington consider this petition for the rezoning of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, that the authority of Chapter 174 of the 1947 Acts of the General Assembly of the State of Indiana, as amended, that the property located at the S.E. corner of E. Third Street and College Mall Rd., (College Mall) be designated as a Planned Commercial Development and outline plan be approved.

SECTION 1. That the Bloomington Zoning Map of June 7, 1978 be amended to rezone the following described land as follows, to-wit:

A part of the West Half of the Northwest Quarter of Section 2, Township 8 North, Range 1 West in Monroe County, Indiana, and described as follows: Beginning on the north line of said half quarter section North 89 degrees 07 minutes 07 seconds West 250.00 feet from the northeast corner of said half quarter section; thence South 00 degrees 11 minutes 17 seconds West and parallel to the east line of said half quarter section 435.60 feet; thence South 89 degrees 07 minutes 07 seconds East and parallel to the north line of said half quarter section 250.00 feet to the east line of said half quarter section; thence South 00 degrees 11 minutes 17 seconds West along the east line of said half quarter section 1,576.53 feet; thence South 68 degrees 51 minutes 17 seconds West 289.48 feet; thence North 00 degrees 11 minutes 17 seconds East and parallel to the east line of said half quarter section 210.53 feet; thence North 88 degrees 42 minutes 42 seconds West 619.68 feet (618.50 feet as recorded in Book 171 Page 109) to the east right of way of College Mall Drive; thence North 04 degrees 19 minutes 53 seconds East along said right of way 481.49 feet; thence North 00 degrees 14 minutes 07 seconds West along said right of way 219.25 feet; thence North 05 degrees 09 minutes 07 seconds West along said right of way 495.71 feet; thence North 07 degrees 16 minutes 07 seconds West along said right of way 528.65 feet to the south line of the property conveyed to Charles C. and Helen L. Enslow in Book 143 Pages 17 and 18; thence South 89 degrees 00 minutes 07 seconds East and said south line 175.36 feet to the southeast corner of said property as recorded in Book 143, Pages 17 and 18; thence North 00 degrees 15 minutes 16 seconds East along the east line of said property 190.00 feet to the north line of said half quarter section and being South 89 degrees 07 minutes 07 seconds East 510.30 feet from the northwest corner of said half quarter section; thence South 89 degrees 07 minutes 07 seconds East along the north line of said half quarter section 545.28 feet to the point of beginning and containing 37.1127 acres more or less.

A part of the East half of Northwest quarter of Section 2, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning on the north line of said half quarter section South 89 degrees 07 minutes 07 seconds East (assumed bearings) 150.00 feet from the northwest corner of said half quarter section; thence continuing South 89 degrees 07 minutes 07 seconds East along the north line of said half quarter section 276.79 feet; thence South 00 degrees 00 minutes 00 seconds East along the west right of way of a tract of land granted to the City of Bloomington as recorded in Book 198 page 24 in the Office of the Recorder of Monroe County, Indiana, 260.00 feet to a point of curvature to the right; thence Southwesterly along said right of way 140.17 feet, along an arc to the right and having a radius of 584.70 feet and subtended by a long chord having a bearing of South 06 degrees 52 minutes 04 seconds West and a length of 139.84 feet; thence South 13 degrees 44 minutes 08 seconds West along said right of way 97.07 feet to a point of curvature to the left; thence Southwesterly along said right of way 158.39 feet along an arc to the left and having a radius of 660.70 feet and subtended by a long chord having a bearing of South 06 degrees 52 minutes 04 seconds West and a length of 158.01 feet; thence South 00 degrees 00 minutes 00 seconds East along said right of way 309.15 feet; thence South 89 degrees 07 minutes 07 seconds East and parallel to the north line of said half quarter section 778.01 feet to a point that is North 89 degrees 07 minutes 07 seconds West 165.02 feet from the east line of said half quarter section; thence South 00 degrees 00 minutes 00 seconds East and parallel to the east line of said half quarter section 799.55 feet; thence North 87 degrees 40 minutes 35 seconds West, 1152.62 feet to the west line of said half quarter section; thence North 00 degrees 11 minutes 17 seconds East along the west line of said quarter section 1463.26 feet; to a point that is South 00 degrees 11 minutes 17 seconds West 225 feet from the south right of way of Third Street (S.R. 46); thence South 89 degrees 13 minutes 20 seconds East and parallel to the south line of said right of way 150.00 feet; thence North 00 degrees 11 minutes 17 seconds East and parallel to the west line of said right of way 266.99 feet to the point of beginning and containing 28.5715 acres more or less.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED AND ADOPTED this 19 day of April, 1979
by the Common Council of the City of Bloomington, Monroe County, Indiana.

Tomilea Allison
Tomilea Allison, President
Bloomington Common Council

ATTEST:

Karel Dolnick
Karel Dolnick, City Clerk

Presented by me to the Mayor of the City of Bloomington this 26 day of April, ~~1978~~ 1979, at the hour of 3:00 p. m.

Karel Dolnick
Karel Dolnick, City Clerk

This Ordinance approved and signed by me this 26 day of April, ~~1978~~ 1979, at the hour of m.

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington, Indiana

SYNOPSIS

ORDINANCE NO. 79-12

To Amend the Zoning Maps of June 7, 1978

This ordinance, if approved, will designate the existing College Mall Shopping Center and its proposed expansion (BA) as a Planned Commercial Development (PCD). The petitioner is Melvin Simon and Associates.

FISCAL IMPACT STATEMENT

Appropriation Ordinance # _____ Ordinance # 79-12 Resolution # _____

Type of Legislation:

Appropriation _____	End of Program _____	Penal Ordinance _____
Budget Transfer _____	New Program _____	Grant Approval _____
Salary Change _____	Bonding _____	Administrative Change _____
Zoning Change <u>X</u>	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 X 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) — The proposed ordinance will designate the College Mall area as a Planned Commercial Development. This will permit the commercial facility to approximately double in size. Inasmuch as this parcel is located within the corporate limits of the City, the Mall expansion can be expected to generate a very substantial amount of additional tax revenue. The developer will also make substantial site improvements in the public right-of-way including the construction of the street connection between Buick-Cadillac Blvd. and Clarriz Blvd. Costs to the City are expected to be slight in comparison to the benefits reaped because utilities, streets, etc., other than those to be installed by the developer, are provided to the site. As cited in the Capital Improvement Plan, the City will cooperate with the developer in the proposed improvements to College Mall Road.

Agency submitting legislation Planning Department, City of Bloomington

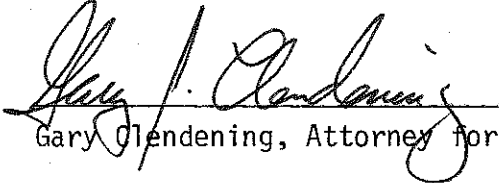
By Lee R. Klotz Date February 15, 1979

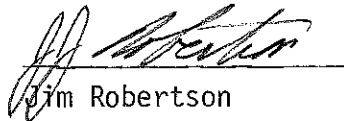
April 19, 1979

To the Members of the Common Council:

We, the undersigned, do hereby give our consent to the modifications proposed by the Common Council to the outline plan attached to Ordinance 79-12, An Ordinance to Amend the Bloomington Zoning Maps, Dated June 7, 1978 regarding the College Mall Rezoning, at the Common Council meeting of April 19, 1979.

Melvin Simon and Associates


Gary Clendening, Attorney for Petitioner


Jim Robertson

ARLINGTON VALLEY MOBILE HOME PARK


1600 NORTH WILLIS DRIVE
BLOOMINGTON, INDIANA

PHONE 339-5392

TO THE COUNCIL:

We, the undersigned agree to the modifications imposed
by the Council on the Arlington Valley PUD Petition.

Rumple Bros. Construction


Kenneth L. Rumple

I HEREBY MOVE THAT ✓ ORDINANCE APPROPRIATION

ORDINANCE # 79-12, ENTITLED An Ordinance
to Amend the Bloomington Zoning
Maps Dated June 7, 1978.

BE INTRODUCED AND READ FOR FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON 2/21/79

John F. Richardson

(Signature)