

ORDINANCE #79-83

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 designation of certain property as a Planned Commercial Development and an outline plan be approved, and

WHEREAS, said outline plan cannot be implemented due to revisions required by the Indiana State Highway Commission, and

WHEREAS, the petitioner, MEL SIMON & ASSOCIATES, requests that the Common Council of the City of Bloomington consider this petition for the designation of said property as a Planned Commercial Development and for approval of a revised outline plan.

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 400 feet more or less to a point; thence South 68 degrees 51 minutes 17 seconds West 800 feet more or less, to the West line of said half quarter section; thence North 00 degrees 11 minutes 17 seconds East along the West line of said half quarter section 1780 feet more or less; to a point that is South 00 degrees 11 minutes 17 seconds West 225 feet from the south right-of-way of Third Street (SR 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.

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 1ST day of NOVEMBER, 1979
by the Common Council of the City of Bloomington, Monroe County, Indiana.

Tomilea Allison

Tomilea Allison, President
Bloomington Common Council

Tomilea Allison

Tomilea Allison, President
Bloomington Common Council

ATTEST:

Nora Connors

Nora Connors, City Clerk

Presented by me to the Mayor of the City of Bloomington this
2ND day of NOVEMBER, 1979, at the hour of 9:00 a.m.

Nora Connors

Nora Connors, City Clerk

This Ordinance approved and signed by me this 9TH day of
NOVEMBER, 1979, at the hour of 10:00 a.m.

Francis X. McCloskey

Francis X. McCloskey, Mayor
City of Bloomington, Indiana

SYNOPSIS

ORDINANCE NO. 79-83

To Amend the Zoning Maps of June 7, 1978

This ordinance, if approved, will redesignate the existing College Mall Shopping Center and its proposed expansion (BA) as a Planned Commercial Development (PCD) so as to include another fraction of an acre formerly excluded from the plans, and will approve revised outline plans which alter the proposed improvements to abutting streets. The petitioner is Melvin Simon and Associates.

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Appropriation Ordinance # _____ Ordinance # 79-83 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

I HEREBY MOVE THAT _____ ORDINANCE _____ APPROPRIATION

ORDINANCE # 79-83, ENTITLED Amend Zoning
To Designate College Mall as a PCD
and to Approve Outline Plan

BE INTRODUCED AND READ FOR FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON Oct. 4, 1979

John F. Richardson

(Signature)