

ORDINANCE 04-08

not recorded on
4/24/04 first
reading.

TO AMEND THE BLOOMINGTON ZONING MAPS FROM Q TO PUD
AND TO ADOPT THE PRELIMINARY PLAN FOR
THE SOUTHERN INDIANA MEDICAL PARK II PLANNED UNIT DEVELOPMENT
RE: 2401 West Tapp Road
(Southern Indiana Medical Park II, LLC, Petitioners)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and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

WHEREAS, the Plan Commission has considered this case, PUD-05-04, and made no recommendation regarding the request made by the petitioners, Southern Indiana Medical Park II, LLC, to rezone the property located at 2401 West Tapp Road from Quarry (Q) to Planned Unit Development (PUD) and approve a preliminary plan for the Southern Indiana Medical Park II PUD. The Plan Commission thereby requests that the Common Council consider this petition without recommendation;

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 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code the property located at 2401 West Tapp Road shall be rezoned from Quarry (Q) to Planned Unit Development (PUD), the Preliminary Plan for the PUD shall be approved, and the list of permitted uses shall be amended. The property is further described as follows:

The following described real estate in Monroe County, State of Indiana, to-wit: The Northwest quarter of Section 18, Township 8 North, Range 1 West, also the West half of the Northwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, except the following described part thereof, to-wit: Beginning at the Northeast corner of said tract of land, running thence South 40 rods; thence West 36 feet; thence northeast to a point on the North line of said described real estate one rod West of the place of beginning; thence east one rod to the place of beginning.

ALSO, the West half of the Southwest quarter of the Northeast quarter of said Section 18, Township 8 North Range 1 West.

ALSO, a part of the East half of the Northwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, described as follows, to-wit: Beginning at the Southwest corner of said tract of land; thence running North 40 rods; thence East 36 feet; thence Southwest to a point on the South line of said tract of land, 1 rod East of the place of beginning; thence West 1 rod to the place of beginning.

EXCEPTING THEREFROM: a part of the Northwest quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at the Southwest corner of said quarter section; thence North 00 degrees 18 minutes 31 seconds West 2640.94 feet along the west line of said quarter section to a Southern boundary of Tapp Road; thence Northeasterly 32.93 feet along said Southern boundary to the North line of said quarter section; thence South 89 degrees 52 minutes 00 seconds East 267.53 feet along said North line to a South boundary of Tapp Road; thence Easterly 134.93 feet along said South boundary to a Southern boundary of Tapp Road; thence Southeasterly 99.33 feet along said Southern boundary to a South boundary of Tapp Road; thence Easterly 75.24 feet along said South boundary; thence South 77 degrees 38 minutes 45 seconds West 238.18 feet; thence South 50 degrees 23 minutes 08 seconds West 124.40 feet; thence South 00 degrees 12 minutes 00 seconds East 250 feet; thence South 07 degrees 47 minutes 41 seconds East 151.33 feet; thence South 00 degrees 12 minutes 00 seconds East 1150 feet; thence South 05 degrees 54 minutes 38 seconds East 251.25 feet; thence South 04 degrees 33 minutes 49 seconds West 301.04 feet; thence South 00 degrees 12 minutes 00 seconds East 406.69 feet to the South line of said quarter section; thence North 89 degrees 16 minutes 00 seconds West 295.02 feet along said South line o the point of beginning.

ALSO EXCEPTING THEREFROM: Lot Number One of 2300 Tapp Road Subdivision, being a part of Section 18, Township 8 North, Range 1 West, in Monroe County, Indiana, as shown by the plat thereof recorded in Plat Cabinet "B", Envelope 325, in the office of the Recorder of Monroe County, Indiana.

ALSO EXCEPTING THEREFROM: A part of the Northwest quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana described as follows: Beginning at a point that is 609.61 feet South 88 degrees 38 minutes 01 second East of the Northwest corner of said Northwest quarter, said point being on the North line of said Northwest quarter and in Tapp Road; thence South 88 degrees 38 minutes 01 second East over and along said North line for a distance of 1136.44 feet; thence South 01 degree 49 minutes 58 seconds East for a distance of 1108.71 feet; thence North 88 degrees 38 minutes 01 second West for a distance of 1177.49 feet to the East right of way of Indiana State Road #37; thence Northerly over and along said right of way by the following courses and distances: North 00 degrees 12 minutes 00 seconds West 571.61 feet; thence North 07 degrees 47 minutes 41 seconds West; 151.33 feet; thence North 00 degrees 12 minutes 00 seconds West 250.00 feet; thence North 50 degrees 23 minutes 08 seconds East 124.40 feet; thence North 78 degrees 05 minutes 33 seconds East 238.18 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: A part of the southwest quarter of the Northwest quarter and a part of the West half of the Southwest quarter of the Northeast quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana described as follows: Beginning at a point on the East line of said West half of the Southwest quarter of the Northeast quarter of said Section 18, said point being 583.86 feet South 01 degree 07 minutes 12 seconds East of the Northeast corner of said half quarter quarter; thence South 01 degree 07 minutes 12 seconds East for a distance of 723.29 feet to the Southeast corner of said half quarter quarter; thence North 89 degrees 04 minutes 15 seconds West over and along the East-West half section line of said Section 18 for a distance of 1713.54 feet; thence North 00 degree 55 minutes 45 seconds East for a distance of 728.23 feet; thence North 89 degrees 32 minutes 56 seconds East for a distance of 762.29 feet; thence North for a distance of 401.89 feet; thence East for a distance of 259.31 feet; thence South 00 degrees 26 minutes 13 seconds East for a distance of 494.67 feet; thence East for a distance of 661.15 feet to the point of beginning. Containing after all exceptions 100.94 acres more or less.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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 _____ day of _____, 2004.

MIKE DIEKHOFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

MARK KRUZAN, Mayor
City of Bloomington


SYNOPSIS

This ordinance rezones 101 acres on West Tapp Road from Quarry to Planned Unit Development and approves a preliminary plan for the Southern Indiana Medical Park II. This PUD comes forward without recommendation from the Plan Commission and would allow for a mix of office, medical, and industrial uses as well as accessory commercial uses and preserves 63 acres of forested land.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 04-08 is a true and complete copy of Plan Commission Case Number PUD-05-04 which was given NO RECOMMENDATION by the Bloomington City Plan Commission at a public hearing held on April 12, 2004.

Date: April 14, 2004



 Thomas B. Micuda, Secretary
 Plan Commission

Received by the Common Council Office this ___ day of _____, 2004.

 Regina Moore, City Clerk

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

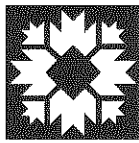
 Signature of Controller

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.)



City of Bloomington
Planning Department

Memo from the Plan Commission

To: Dan Sherman, Council Attorney

From: Tom Micuda, Planning Director

Subj: Plan Commission Report Adopting Amendment to ZO-19-04

Date: November 15, 2004

At its November 8th public hearing, the City of Bloomington Plan Commission formally considered the Common Council's amendment to Case # ZO-19-04. At this hearing, the Plan Commission voted 7-0 to adopt the amendment. This amendment, identified as Amendment 01 for Ordinance O4-28, is minor in nature and merely corrects the syntax contained in Part (b) of Section 20.07.14.02.

The Plan Commission hereby files its report with the legislative body indicating its approval of the Common Council's amendment to Case # ZO-19-04.

Tom Micuda, Planning Director
Plan Commission Secretary