



City of Bloomington Common Council

Legislative Packet

Regular Session

07 November 2007

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

812.349.3409

council@bloomington.in.gov
<http://www.bloomington.in.gov/council>



Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

None

Annual Council Schedule

- **Annual Schedule for 2008**
 - Memo from Council Office

Legislation for Final Action:

None

Legislation and Background Material for First Reading:

- **Ord 07-15** To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish A Historic District - Re: 430 North Washington and 209-211 East 8th Street (Fierst Rentals, Petitioners)
 - Map of Surrounding Zoning; Aerial Photo; Map of Designation; Report prepared by Nancy Hiestand, Program Manager, Historic Preservation; Photos

Contact: Nancy Hiestand at 349-3507 or hiestann@bloomington.in.gov

Minutes from Regular Session:

- October 3, 2007

Memo

One Item Ready for Introduction at the Regular Session on Wednesday, November 7, 2007

As incumbents and other candidates wind up their campaigns for a seat on the Council next week, the Council will be beginning to wind down the year by introducing one ordinance for the third-to-last legislative cycle of the year. That ordinance and related materials can be found in this packet.

Annual Schedule

This packet contains the proposed Council Schedule for 2008 and a memo explaining it. Please review the material and offer your comments and be ready to a vote on it this coming Wednesday.

Here are some of the meetings or deadlines that do not follow the usual first-four-Wednesdays-a-month schedule:

- **January** – proposed Organizational and Committee of the Whole on Wednesday, January 9th (rather than the first Monday of the month (January 7th));
- **Fifth Wednesdays** - note that there are five Wednesdays in January, April, July, and October (*which affect deadlines for filing legislation and provide opportunities to shift your meetings.*);
- **March** – proposed doubling up meetings on the first Wednesday with a Regular Session immediately followed by a Committee of the Whole in order to take off during Spring Break;
- **Budget Meetings (May, July, and September)**
This schedule proposes holding the:
 - Budget Advance on Wednesday, May 14th;
 - Departmental Budget Hearings on the fourth week of July (July 21st – 24th), and
 - Usual budget hearings on the first and second Wednesdays in September.

Please note that the Mayor's Office has approved these dates (with the understanding that a new mayor might propose a different budget schedule.)

- **Other Meetings in July** – proposed Committee of the Whole on the fifth Wednesday of July (in order to avoid doubling up earlier in the month or canceling that meeting.)
- **October** – The first Committee of the Whole in October falls on the eve of Yom Kippur, which the Council has scheduled around in the past. Rather decide what to do about the conflict now, the Annual Schedule notes the conflict and lets the Council take action next year when it has a better idea of the work load that month.
- **November** – proposed doubling up of Regular Session and Committee of the Whole on November 19th, because the Council will not meet on the Wednesday before Thanksgiving (November 26th.)

First Readings

Item One- Ord 07-25 - Amending Title 8 (Historic Preservation and Protection) in Order to Designate 430 North Washington and 209-211 East 8th Street as a Historic District

Ord 07-25 amends Title 8 of the BMC by establishing 430 North Washington and 209-211 East 8th Street as a historic district at the request of the property owner. The owner, Fierst Rentals, needs this designation in order to obtain the conditional use approval it is seeking under the historic adaptive reuse standards of the Unified Development Ordinance. This conditional use approval would convert two rental properties into an extended-stay facility and allow a variance from the parking setback requirements along an alleyway.

Historic Preservation Ordinances

Before describing the proposed district, the next few paragraphs provide a brief overview of the Title 8 regarding Historic Preservation and Protection. The provisions of that title conform to State law (I.C. 36-7-11 et seq.) and are intended to protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage. These provisions are intended to:

- ensure the harmonious and orderly growth and development of the City;

- maintain established, but endangered, neighborhoods;
- enhance property values and attract new residents; and
- ensure the viability of the traditional downtown area and to enhance tourism.

The Historic Preservation Commission is authorized to make recommendations to the Council regarding the establishment of historic districts. It also promulgates rules and procedures for reviewing changes to the external appearance of these properties which takes the form of either granting or denying certificates of appropriateness for the proposed changes.

The BMC provides for various levels of historic designation, areas, and ratings which largely correspond to incremental levels of protection. There are two forms of designation. The first form is the Conservation District, which is a less restrictive (and often interim form of) designation (initially for three years), and the second is the full historic district. Within each district, properties may be divided into the more regulated primary or less regulated secondary areas. Each property within a district may be rated as either outstanding, notable, contributing, or noncontributing, according to its significance.

According to the BMC, in order to bring forward a historic designation, the Historic Preservation Commission must hold a public hearing and submit a map and report to the Council. The map identifies the district and the report explains the designation in terms of the criteria set forth in the ordinance. The criteria address the historic or architectural importance of the property.

Although not relevant to the present petition, the Commission may impose interim protection on the district that prevents any exterior alteration of the property until the Council acts on the designation. It also has an opportunity to consider historic designation of properties listed on the Bloomington Survey of Historic Sites and Structures which are slated for demolition.

430 North Washington – Petitioner’s Intentions

The Petitioner, Fierst Rentals, own two adjoining lots with three buildings in the Old Northeast Neighborhood which, along with the surrounding area, are zoned Residential Multifamily (RM). It is seeking a conditional use approval with the Board of Zoning Appeals (BZA) under the historic adaptive reuse standards which require that the property be designated as historic, among other requirements. The petition would convert these rentals into an extended stay facility that will serve

clients of the ProCure Proton Therapy Training Center as well as other visitors to the City.

The site includes the Showers Graham House at the corner of North Washington and East 9th Street (430 N. Washington) as well as a carriage house, formal garden, parking lot, and a duplex (209-211 East 8th) along the alley to the east. The proposed changes would reduce density, create a new access to the formal garden from the parking lot, pave the parking lot and allow parking within 7' of the alley, and turn the carriage house into the caretaker's home. Approval of the Conditional Use was tied to: 1) this designation and the granting of a Certificate of Appropriateness for the exterior changes to the property; 2) landscaping that complies with the zoning requirements for the RM district; and 3) signage that complies with the Limited Commercial (CL) district. The Old Northeast Neighborhood Association and the High Point Residents Association strongly endorse this project.

Historic Criteria

430 North Washington Street. The Showers Graham House is in the North Washington Street (National) Historic District, which includes as many as 13 houses associated with the Showers family. This 4,000 s.f. home was built in 1907 for William Edward Showers, who was the third generation of the Showers family to run the Showers Brothers (Furniture) Company. It was owned by William Graham for one year (in 1929) whose fortunes rose in the 1920s to include an auto dealership at the location of the Convention Center and the Graham Hotel, which served as his residence after 1929. Graham also served as Post Master. The property also includes the carriage house and garden wall which are considered contributing structures.

209-211 East 8th Street. This duplex has a much humbler presence and history. It was built between 1913 and 1916 and housed skilled workers at the Showers Plant, a local pharmacist and machinist, and then single women and widows who often worked as teachers and in other professional positions. It first appeared on the City's Survey of historic properties in 2001 as one of the scattered-site properties.

For these reasons, the Commission found that the property:

- has significant value as part of the development, heritage and cultural characteristics of the City and is associated with persons who played a significant role in local history; and
- exemplifies our cultural, economic and social heritage.

Architectural Criteria

430 North Washington Street. This Classical Revival style home has grand, “two-story Ionic columns, original 20 over one (pane) light windows, modillions and decorative swags” which are all in good repair. There is a formal, walled garden which has been there from at least 1913 and was restored by the Ben Mitchell family who moved to the property in 1979.

209-211 East 8th Street. This “frame and brick building has Arts and Crafts details with good integrity, including original doors and windows, wide eaves and hipped dormer.” It is “an early multi-family form” that “is unique among Bloomington’s inventory of duplexes.” One inappropriate modification can be seen on the front where an “exterior stair on the porch lead[s] to the second floor.”

With this in mind, the Commission found that the property:

- embodies distinctive characteristics of architectural or engineering type;
- contains architectural features that are in danger of being lost;
- represents an established and familiar visual feature of a City neighborhood; and
- exemplifies the distinctive architectural style of the built environment of a particular era of the community’s history.

Rating of Property

At its meeting on October 7, 2007, the Commission approved this designation by a vote of 6 – 0 – 0 and rated 430 North Washington (the Showers Graham house property) as “notable” with the carriage house and garden wall as contributing structures, and 209-211 East 8th as “contributing.”

Happy Birthday Brad Wisler (November 6th)!

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, NOVEMBER 7, 2007
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: October 3, 2007 (Regular Session)

IV. REPORTS FROM:

1. Councilmembers
2. The Mayor and City Offices
3. Council Committees
 - Annual Schedule for 2008
4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

None

VII. LEGISLATION FOR FIRST READING

1. Ordinance 07-25 To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District – Re: 430 North Washington and 209-211 East 8th Street (Fierst Rentals, Petitioners)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

City of
Bloomington
Indiana

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To: Council Members
From: Council Office
Re: Calendar for the Week of November 5-10, 2007

November is National Adopt a Senior Pet Month!

Monday, November 5, 2007

4:30 pm Plat Committee, Hooker Room
5:00 pm Redevelopment Commission, McCloskey
5:30 pm Plan Commission, Council Chambers
5:30 pm Bicycle & Pedestrian Safety Work Session, Hooker Room
6:00 pm Bloomington Entertainment and Arts District Organizational Meeting, Bloomington Convention Center
6:30 pm *Home Construction and Remodeling for Energy Efficiency* – Building Science Seminar presented by Bob Geswein, Rogers Room, Bloomington Convention Center, 302 S. College Ave.

Tuesday, November 6, 2007



City Holiday: Election Day – Offices Closed.

Happy Birthday Brad Wisler, Councilmember, District II!

Wednesday, November 7, 2007

10:30 am Safe Routes to School, McCloskey
12:00 pm Bloomington Urban Enterprise Association, McCloskey
3:00 pm Mobility Steering Committee, McCloskey
4:15 pm Commission on the Status of Black Males, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, November 8, 2007

12:00 pm Housing Network, McCloskey
2:00 pm Bid Opening for Small Arms Training Facility, McCloskey
3:30 pm Bloomington Historic Preservation Commission, McCloskey
3:30 pm *Creating Good Places to Grow Old: The Municipal Role* – Presented by Phil Stafford, PhD., Council Chambers
6:00 pm *NAACP Freedom Fund Banquet Wrap-Up Meeting*, Dunlap

Friday, November 9, 2007

1:30 pm Metropolitan Planning Organization Policy Committee & Technical Advisory Committee, McCloskey

Saturday, November 10, 2007

9:00 am Bloomington Community Farmers' Market, Showers Common

**COMMON COUNCIL
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2008
(Subject to Revision by Common Council)**

<u>DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON</u>	<u>DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON</u>	<u>REGULAR SESSION 1st READING FOR ORDS.</u>	<u>COMMITTEE DISCUSSION</u>	<u>REGULAR SESSION FINAL ACTION</u>
Mon. Dec. 17 (2007)	Mon. Dec. 17 (2007)	¹ Jan. 9	¹ Jan. 9	Jan. 16
Mon. Jan. 7	Mon. Jan. 14	Jan. 16	Jan. 23	² Feb. 6
Wed. Jan. 23	Mon. Feb. 4	² Feb. 6	Feb. 13	Feb. 20
Mon. Feb. 11	Mon. Feb. 18	Feb. 20	Feb. 27	Mar. 5
Mon. Feb. 25	Mon. Feb. 25	Mar. 5	³ Mar. 5	Mar. 19
Mon. Mar. 10	Fri. Mar. 14	Mar. 19	Mar. 26	Apr. 2
Mon. Mar. 24	Mon. Mar. 31	Apr. 2	Apr. 9	Apr. 16
Mon. Apr. 7	Mon. Apr. 14	Apr. 16	Apr. 23	² May 7
Wed. Apr. 23	Fri. May 2	May 7	⁴ May 14	May 21
Mon. May 12	Mon. May 19	May 21	May 28	June 4
Fri. May 23	Mon. Jun. 2	June 4	June 11	June 18
Mon. June 9	Mon. June 16	June 18	June 25	July 2
Mon. June 23	Mon. June 30	July 2	July 9	July 16
Mon. July 7	Mon. July 14	July 16	⁵ July 30	⁶ Aug. 6
AUGUST RECESS				
Wed. Aug. 20	Wed. Aug. 20	⁷ Sep. 3	⁷ Sep. 10	Sep. 17
Mon. Sep. 8	Mon. Sep. 15	Sep. 17	Sep. 24	Oct. 1
Mon. Sep. 22	Mon. Sep. 29	Oct. 1	⁸ Oct. 8	Oct. 15
Mon. Oct. 6	Mon. Oct. 13	Oct. 15	Oct. 22	² Nov. 5
Wed. Oct. 22	Wed. Oct. 29	² Nov. 5	Nov. 12	⁹ Nov. 19
Wed. Nov. 5	Wed. Nov. 5	⁹ Nov. 19	⁹ Nov. 19	Dec. 3
Wed. Nov. 19	Mon. Dec. 1	Dec. 3	Dec. 10	⁷ Dec. 17
YEAR END RECESS				
First Legislative Cycle for 2007:				
Mon. Dec. 22 (2008)	Mon. Dec. 22 (2008)	¹ Wed. Jan. 7 (2009)	¹ Wed. Jan. 7 (2009)	Wed. Jan. 21 (2009)

Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 7:30 p.m. The following footnotes list and explain the exceptions to this general rule:

1. There will be an annual Organizational Meeting on this date when the Council elects officers and gives legislation first reading. The meeting is generally held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (BMC 2.04.050[c & d]). However, by the adoption of this schedule, the Council has set this meeting for the first Wednesday after the first Monday in January. This meeting will be immediately followed by a Committee of the Whole.
2. There will be two weeks between the Committee of the Whole and the Regular Session due to the occurrence of a fifth Wednesday in these months.
3. The Council will not meet during Spring Break and will hold a special Committee of the Whole after the Regular Session on the first Wednesday of March.
4. There will be a Council Budget Advance in the McCloskey Room of City Hall at 5:30 p.m. on Wednesday, May 14th and departmental budget hearings in the Council Chambers at 6:00 p.m. on Monday, July 21st, Tuesday, July 22nd, Wednesday, July 23rd, and Thursday, July 24th, 2008.
5. Due to the Departmental Budget Hearings being held during the fourth week of July, the second Committee of the Whole will be held on the fifth Wednesday of July.
6. Since the Council will have a brief recess after first meeting in August and the second Regular Session in December, no legislation will be introduced for first reading at these meetings. (BMC 2.04.060 (e) & (g))
7. The Council will consider the City Budget for 2009 along with routine legislation during the first legislative cycle in September. The public hearing on the City Budget will be held during the Committee of the Whole that will occur immediately after the Regular Session on Wednesday, September 3rd and final adoption is scheduled for a Special Session on Wednesday, September 10th.
8. The first Committee of the Whole in October falls on the evening of Yom Kippur. In all likelihood and depending upon the workload that month, the Council will either hold the meeting immediately after the first Regular Session in October or cancel it.
9. There will not be a Committee of the Whole meeting on the fourth Wednesday of November, which is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). For that reason, there will be a Regular Session immediately followed by a Committee of the Whole on Wednesday, November 19, 2008.



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Approving the Annual Schedule for Year 2008 on November 7th
Date: November 2, 2007

Contents

Memo with Highlights of Meeting and Scheduling Issues
Proposed Annual Schedule for 2008

Memo

The Council should set its schedule for next year by mid-November so that our calendar can be finished before our Intern, Michael Falls, leaves for winter vacation. The Council typically meets on the first four Wednesdays of the month, with Regular Sessions being held on the first and third Wednesday and Committees of the Whole being held on the second and fourth Wednesday.

Explanation of the Schedule Sheet. The Annual Schedule presents these meetings in legislative cycles which appear as 21 rows with 5 columns. The rows indicate the 21 legislative cycles next year. Legislative cycles begin with a Regular Session, are followed by a Committee of the Whole, and end with another Regular Session. The 5 columns indicate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
Deadline for Filing Ordinances	Deadline for Filing Resolutions	Regular Session When Ordinances are Introduced	Committee of the Whole When Ordinances and Newly Introduced Resolutions are Discussed	Regular Session When Ordinances and Resolutions are Ready for Final Action

Deadlines. The deadline for legislation generally falls 10 days before the meeting when legislation is scheduled to be introduced (whether at a Regular Session or a Committee of the Whole) and provides time for staff to review the legislation and prepare the weekly legislative packet for distribution on Friday. The deadline is typically on the Monday of the week before that meeting (or, in other words, the Monday of the week the Council packet for that meeting goes out). However, the deadline is moved back a day when there is a City holiday and is moved back as much as a week when there are 5th Wednesdays in the month. This latter change allows staff to take time-off other than during the August Recess. Please note that the Municipal Code requires legislation and background material be filed at least two weeks before the item is to be introduced at the Council.

Explanation of the Footnotes. The footnotes in the Annual Schedule indicate those occasions when the Council does not meet on a Wednesday or does not follow the usual four-Wednesdays-a-month routine.

Religious Holidays. Please note that this calendar schedules a Committee of the Whole on the evening of Yom Kippur (October 8th). In order to avoid this conflict, the Council could schedule this meeting after the Regular Session on October 1st, shift all the last three meetings back a week because there are five Wednesdays that month, or dispense with the meeting entirely. The decision to double up on the first Wednesday or cancel the Committee of the Whole could be made next year but, given the number of changes entailed, the decision to shift three meeting should be made with the Annual Schedule. The decision here is to keep that meeting on that date and allow the Council to make changes once it knows more about the work load in October.

There may be other religious holidays you want to observe and for that reason a copy of the IU "Five-Year Religious Holidays Calendar" is available in the Council Office or can be found on the web at http://www.indiana.edu/~deanfac/rel_hol_cal.html.

Please review the following highlights and the accompanying schedule and be prepared to vote on the schedule at the November 7th Regular Session.

Proposed Annual Schedule - Highlights and Issues

January

Wednesday, January 2nd No Meeting (See below)

Wednesday, January 9th Organizational Meeting and Committee of the Whole. *Please note that while statute no longer requires the Council to hold an Organizational Meeting on the first Monday of the new year (unless it was a legal holiday, in which case the meeting was to be held on Tuesday), our local code still does. However, under local code you may reschedule that meeting by a majority vote of the Council (e.g. by approving a different date in the Annual Schedule).*
Question: Do you want to meet on the first Wednesday after the first Monday of the year?

Wednesday, January 30th No Meeting – Fifth Wednesday

March

Spring Break occurs during the week of March 10th – 14th. This schedule avoids meeting during Spring Break by holding a Committee of the Whole immediately after the first Regular Session of the month.

Wednesday, March 5th Regular Session immediately followed by a Committee of the Whole (because the Committee of the Whole would otherwise fall during Spring Break).

Wednesday, March 12th No Committee of the Whole (Spring Break)

April

Wednesday, April 30th No Meeting – Fifth Wednesday

May

Wednesday, May 14th

“Budget Advance” in the McCloskey Room at 5:30 p.m. *Please note that the schedule for the year’s budget meetings (May, July, and September) has been confirmed by the Mayor’s Office with the understanding that a new mayor may want to propose a different one.*

July

July is unusual for two reasons: first, there are five Wednesdays in the month and second, the Council will hold departmental budget hearings over four evenings during the fourth week of the month. This will mean that the Committee of the Whole will be shifted to the fifth Wednesday of the month.

Monday, July 21st

Start of Departmental Budget Hearings which will begin at 6:00 p.m.

(Through)
Thursday, July 24th

End of Departmental Budget Hearings

Wednesday, July 30th

Committee of the Whole will be held on the fifth Wednesday

August

Wednesday, August 6th

August Recess begins after Regular Session

September

Wednesday, September 3rd

August Recess ends with Regular Session immediately followed by Committee of the Whole to discuss 2009 Budget

Wednesday, September 10th

Council will hold Special Session to take action on 2008 budget immediately followed by Committee of the Whole.

October

There are five Wednesdays this month and the second Wednesday falls on the evening of Yom Kippur, which the Council has scheduled around in the past. As noted in the opening paragraphs, this schedule leaves the Committee of Whole on that night rather than doubling up the week before, canceling the meeting entirely or shifting the last three meetings of the month back a week. All but the last alternative could easily be done by a motion of the Council next September.

Wednesday, October 29th

No Meeting – Fifth Wednesday

November

Thanksgiving falls after the fourth Wednesday of the month

Wednesday, November 19th

Regular Session immediately followed by a Committee of the Whole (in order to provide for a Committee of the Whole which would not otherwise occur because of Thanksgiving).

Wednesday, November 26th

4th Wednesday – No Meeting - Night Before Thanksgiving

December

Wednesday, December 17th Last meeting of the year

ORDINANCE 07-25

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
“HISTORIC PRESERVATION AND PROTECTION”
TO ESTABLISH A HISTORIC DISTRICT -
Re: 430 North Washington and 209-211 East 8th Street
(Fierst Rentals, Petitioners)**

WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission and established procedures for designating historic districts in the City of Bloomington; and

WHEREAS, the Historic Preservation Commission held public hearings on October 11, 2007 for the purpose of allowing discussion and public comment on the proposed historic district designation of 430 North Washington and 209-211 East 8th Street; and

WHEREAS, at the October 11, 2007 meeting the Historic Preservation Commission found that the buildings have historic and architectural significance that merits the protection of the property as a historic district; and

WHEREAS, the Commission has prepared a map and a written report which validates the proposed district by addressing the criteria outlined in BMC 8.08.10; and

WHEREAS, the Commission voted to submit the map and report to the Common Council which recommend local historic designation of said properties;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA. THAT:

SECTION I. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Historic Preservation Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection. The legal description of this property is further described as:

Part of Out Lot Number 31 in the City of Bloomington, Monroe County, Indiana, described as follows, to wit: Beginning at a point on the West line of said Out Lot Number 31, 251 $\frac{1}{4}$ feet North of the Southwest corner of said Out Lot Number 31, running thence East 82 $\frac{1}{3}$ feet, thence South 70 feet, thence East to a point 144 feet West of the East line of said Out Lot Number 31, thence North 130 feet, thence West to the West line of said Out Lot Number 31 thence South 60 feet to the place of beginning. And

A part of Out lot Number 31 in the City of Bloomington, Indiana, bounded and described as follows, to wit: Beginning at a point 149 $\frac{1}{2}$ feet West of the Southeast corner of said Out Lot 31, running thence West 79 feet, then North 170 $\frac{3}{4}$ feet, thence East 79 feet, thence South 170 $\frac{3}{4}$ feet to the place of beginning.

SECTION II. The property at 430 North Washington shall be classified as “notable” and the property at 209-211 East 8th Street shall be classified as “contributing.”

SECTION III. Chapter 8.20 of the Bloomington Municipal Code, entitled “List of Designated Historic Districts,” is hereby amended to insert a line regarding the “430 North Washington and 209-211 East 8th Street” which shall read as follows:

430 North Washington 209-211 East 8th Street

SECTION IV. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances 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 V. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2007.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2007

REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this ____ day of _____, 2007.

MARK KRUZAN, Mayor
City of Bloomington

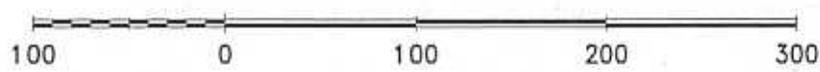
SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic Districts” in order to designate “430 North Washington and 209-211 East 8th Street” as a historic district. The owner of the property sought these actions and, after a public hearing on October 11th, 2007, the Historic Preservation Commission recommended them to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). These two properties will be adapted as a Bed and Breakfast subject to approval of the BZA under the historic adaptive reuse provisions of the Unified Development Ordinance which require listing of the properties as a local historic district. The outstanding Classical Revival style house at 430 North Washington was built for a Showers family member and illustrates the affluence of the city’s growing industrial base in the late 19th and Early 20th Centuries. The duplex at 209-211 East 8th Street is an early example of the duplex form whose past occupants, by contrast with most contemporary subdivisions, reflect the diverse demographic make-up of early urban neighborhoods. Local designation will provide the flexibility to insure that these properties are preserved.



CU/V-38-07
 Fierst
 Location/Zoning map

By: johnsor
 9 Oct 07



City of Bloomington
 Planning



Scale: 1" = 100'

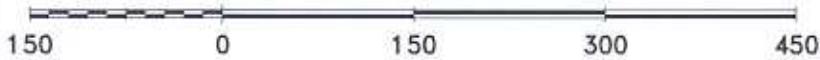
58

For reference only; map information NOT warranted.



Ord 07-25 – Historic Designation of 430 N. Wash & 209-11 E. 8th
 Map of Surrounding Land Uses and Area
 Arrows Indicate District and * Indicates ProCure Site

By: shermand
 30 Oct 07

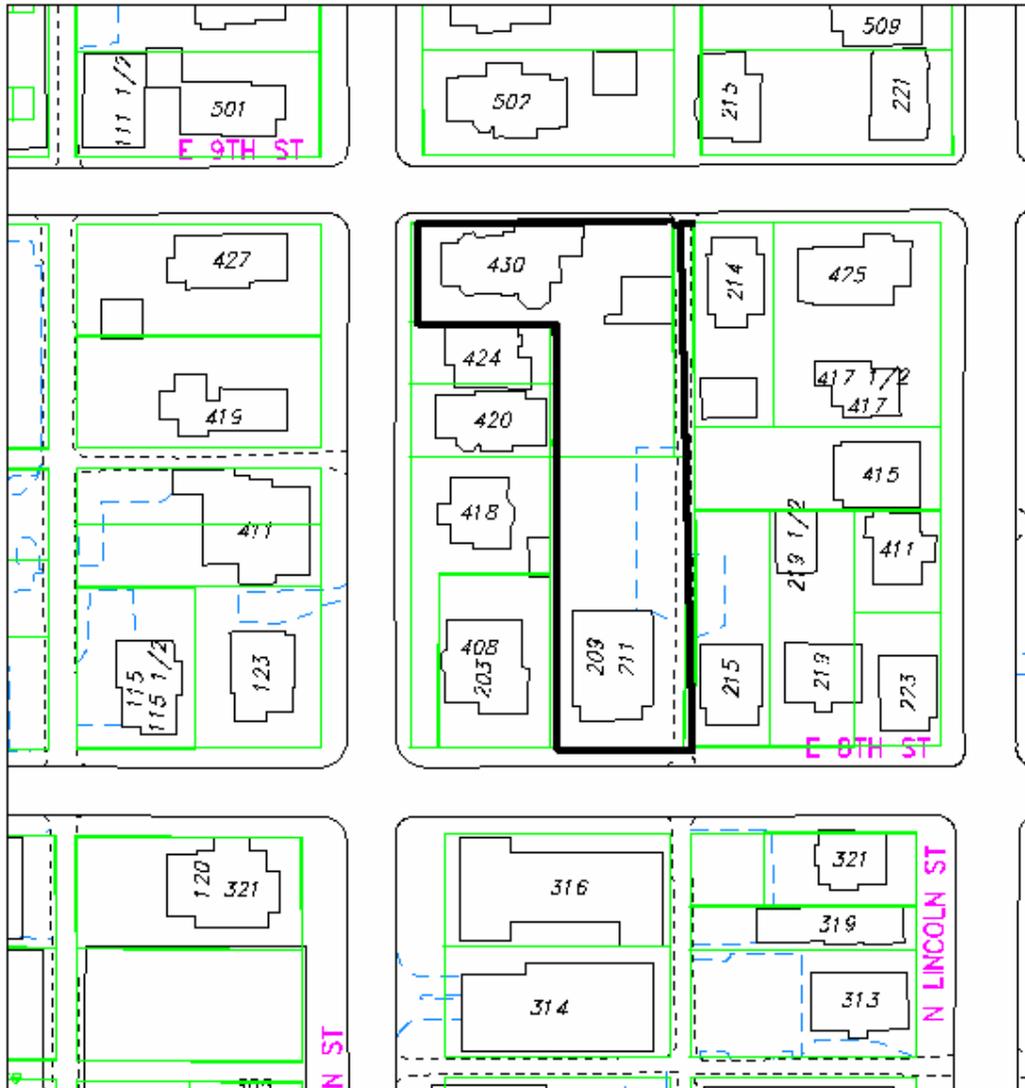


City of Bloomington
 Clerk & Council



Scale: 1" = 150'

For reference only; map information NOT warranted.



HD-02-07 Historic District Map

430 North Washington Street and 209-211 East 8th Street

REPORT TO THE COMMON COUNCIL

Bloomington Historic Preservation Commission
HD-02-07
430 North Washington and 209-211 East Eighth Street
Zoning RM 7/ PRO 12

The property at 430 North Washington and 209-211 East Eighth Street qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code: (1) a and c; (2) a, e, f, and g.

(1) Historic:

- ➡ a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or
- ➡ b. Is the site of an historic event; or
- ➡ c. Exemplifies the cultural, political, economic, social, or historic heritage of the community.

(2) Architecturally worthy:

- ➡ a. Embodies distinguishing characteristics of an architectural or engineering type; or
- b. Is the work of a designer whose individual work has significantly influenced the development of the community; or
- c. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
- d. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- ➡ e. Contains any architectural style, detail, or other element in danger of being lost; or
- ➡ f. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or
- ➡ g. Exemplifies the built environment in an era of history characterized by a distinctive architectural style

105-055-62023 O **430 Showers-Graham House; Neo-Classical, 1905 NR**
105-055-90039 C **Duplex, 209 East Eighth Street; Craftsman, c.1910; Architecture**

This is a request for historic designation by the owners, who have also requested a conditional use approval from the Board of Zoning appeals under a section of the Unified Development Ordinance that provides flexibility of use for historic properties. This is available only to locally

designated properties. The owner wishes to obtain permission to use these two buildings, currently residential rentals, as bed and breakfast facilities catering to downtown clients. Although one of the properties is located within the boundaries of the North Washington Street National Register District, it is zoned RM7/ PRO 12, which allows higher occupancy than the single family use for which it was designed.

The Showers Graham House (see attached photographs) was listed on the National Register of Historic Places in 1991 as a part of the North Washington Street Historic District, a district developed by the Showers Family which contained as many as 13 houses associated with the family. The general area was platted in 1889 as the 'Bollman Addition' and by 1898 most of the

SHOP NOTES

Published by the Employees of Showers Brothers Company
Bloomington, Indiana

Vol 1.

May 5, 1917

No. 4



Mr. W. Edw. Showers
V. Pres. and Gen'l. Mgr.
Showers Bros. Company

lots were developed. The earlier generation of the Showers family (J.D. and W.N.) had settled and built large homes in the 400 block of North Walnut, both of which were razed and are currently surface parking lots.

They built homes in the Bollman Addition for family and friends insuring proximity to the factory which had been removed to Morton and West 8th Street after the fire of 1884 at their east end plant. Ironically the loss of their own plant, and the relocation of the Indiana University campus to Dunn's Woods, made the east side of town a more stable area of residential development.

The Classical Revival Showers Graham House was built for the third generation of the furniture-making family and later passed into the ownership of William Graham whose rising fortunes in the 1920's were reflected in automobile dealerships and hotels, contrasting with the 19th century industrial wealth of the Showers family. Wm. Edward Showers, for whom the house was built, in 1907 was president of the company for 13 years. While living at this location, he rose from Vice President and general manager to President of the Showers Brothers Furniture Factory. He was William Showers' son (William

Showers was one of the brothers named in the Showers Brothers Furniture Factory). Although

the house was over 4000 square feet of living space, there were never more than 6 family members living there during his occupancy.

The house is the most distinguished example of Classical Revival style in the city and has attained landmark status through the care and maintenance of its prior and current owners. The Ben Mitchell family, who moved there in 1979, started an extensive restoration of the walled gardens behind the house. The walls are clearly shown on the 1913 Sanborn maps so are a contributing part of the site. The property is rated “outstanding” which means it is considered individually eligible for the National Register. Architectural features including two-story Ionic columns, original 20 over one light windows, modillions and decorative swags are currently in good repair. It is the intent of the current owners to provide a use that will insure both the viability and maintenance of the home in the future. The house also has a contributing carriage house on Ninth Street, where caretakers will stay.

William Graham is listed as owner of the property in 1929 only. It was the same year that the Graham hotel was completed. The Convention Center, once the flagship building of his auto



sales business was completed in 1928. He is listed in the 1929-30 City Directory as Bloomington’s postmaster and the owner of an auto dealership on South College and Third Street. At one time, the dealership spanned both sides of the street, including the Convention Center and the current building on the SE corner. After 1929, Graham’s residence is listed at the hotel that carries his name.



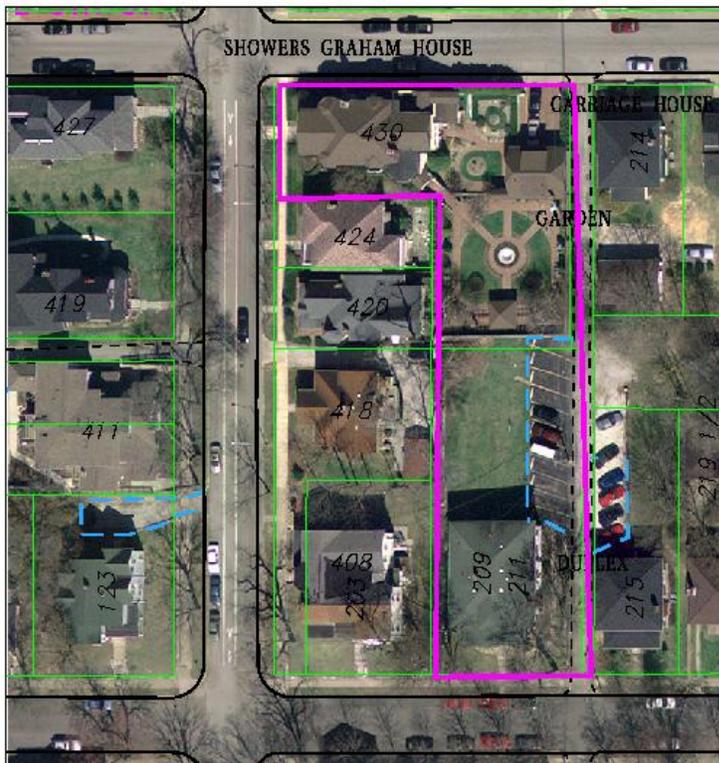


The other property included in the district faces 8th Street and is contiguous to the Showers Graham property along its northern lot line.

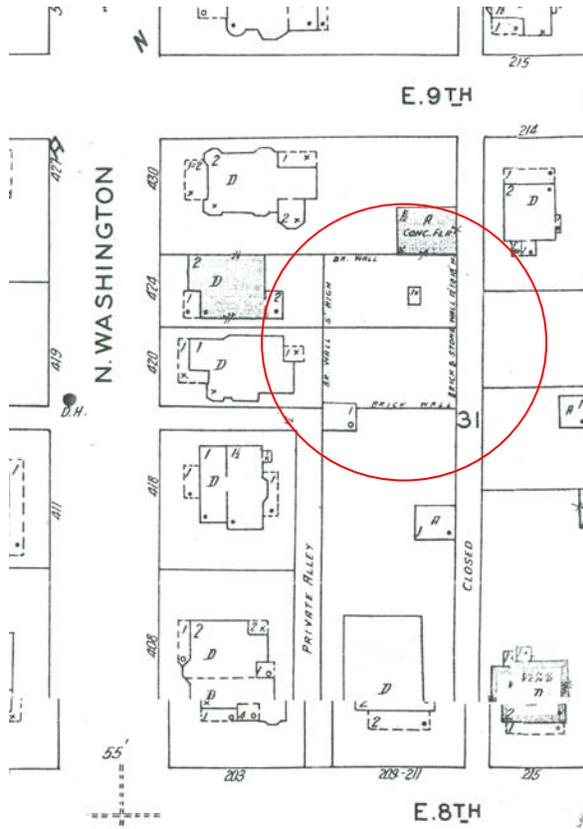
The duplex on 8th Street was included in the 2001 survey, for the first time, as a part of the scattered sites contiguous to the North Washington District. Since it was built as a duplex, it does not reflect the underlying significance of the North Washington Street district, which

was listed on the grounds of its single family residential character. The house appears sometime between 1913 and 1927, apparently replacing another family home. The frame and brick

building has Arts and Crafts details with good integrity, including original doors and windows, wide eaves and a hipped dormer. Perhaps the only inappropriate modification is an exterior stair on the front porch leading to the second floor. It was classified as a “contributing” structure, and an early multi-family form, it is unique among Bloomington’s inventory of duplexes. In 1916 wither side of the house was occupied by skilled workers at the Showers Plant. Through time it housed everything from a Monon machinist to a pharmacist and by the late 1930’s, it could be characterized as a residence for single ladies and widows. Many of these women had



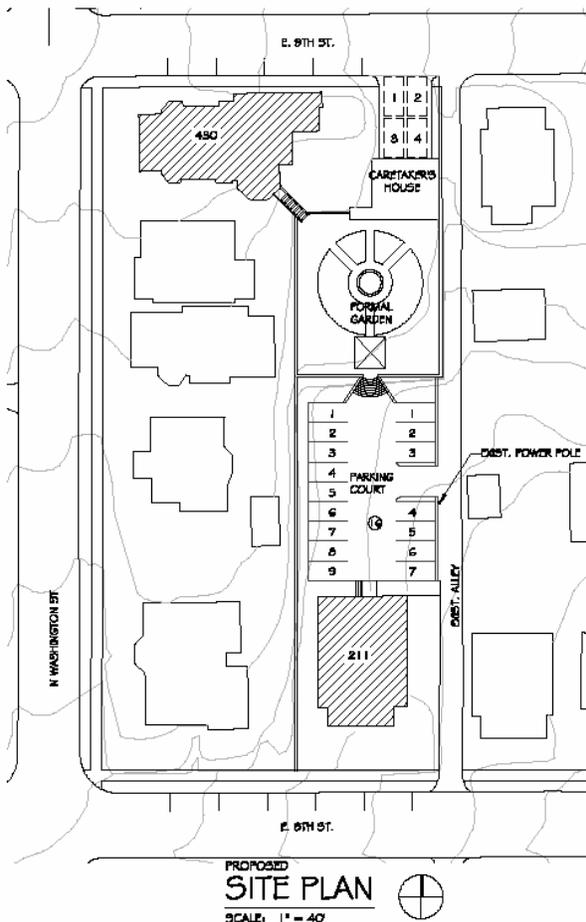
professional positions as treasurers and teachers.



1927 Sanborn map showing walled garden



Photograph shows walls of the garden at 430 North Washington and current parking configuration.



FIERST BED AND BREAKFAST

KIRKWOOD DESIGN STUDIO P.C. ARCHITECTS

09-19-2007

The petitioners have submitted a site plan showing how the proposed use would impact the site. Although no exterior changes are proposed for the buildings themselves, an opening in the garden wall facing south toward the Eighth Street property would provide access across the yards to each property.

Currently the rear yard of 209-211 East 8th Street is open lawn with a gravel pull-in parking area. This area will be paved according to the above parking site plan. The owners intend to return to the Commission for a certificate of

Appropriateness to make these modifications and have already revealed the intent to make these changes as a part of the designation discussion. They have also submitted a landscaping plan. Signage will require a COA.

The owners are working with Kirkwood Design Studio to develop a final site plan and successfully obtained a variance for this use at the October 18th BZA. The owners anticipate the need for a COA for some site changes, including access to the walled garden. These properties have been used as residential rentals, and in the case of the duplex have been in this use for many years. The Showers Graham House has only recently been converted to rental use. The owners have found it difficult to repair and maintain the buildings. The proposed use will allow the owners to more directly affect the preservation of these buildings. Local designation will insure that the exteriors retain their architectural integrity.

Staff recommends approval.





In the Council Chambers of the Showers City Hall on Wednesday, October 3, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 3, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Volan, Sabbagh, Mayer
Absent: Sturbaum

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

David Sabbagh congratulated all who participated in the Hoosiers Outrun Cancer event and announced the Breast Cancer Awareness Walk, Crisis Pregnancy Center Walk and the Alzheimer's Association Memory Walk noting that community residents can get exercise while raising money for good causes within the next week.

Steve Volan noted that the events of the last week saying that the 14th Annual Lotus Festival had record ticket sales. He congratulated the Parks and Recreation department on behalf of all council members on the occasion of their National Recreation and Parks Administration Gold Medal award for 2007. Volan noted the Chamber of Commerce parking task force met that day, and encouraged folks to contact this task force for information on this issue. He noted a recent need to take a bus back to the downtown from College Mall and noted that the pedestrian infrastructure near Third and College Mall Road was sorely lacking and needed upgrading as soon as possible. He lastly noted that the 'sharrows' in the downtown were working to encourage bikes and cars to share the traffic lanes

Andy Ruff used this time to set a record straight about the Living Wage Ordinance, saying that it had been grossly misrepresented and shamefully distorted in a recent political debate. He said he assumed it was a mistake and not a purposeful act to suggest that it applied only to the private sector and not the city. He said that it took over a year to craft this legislation so that it was acceptable to public, not-for profits and to the city, and that it applied to each. He urged those with questions to contact him or the council staff.

Susan Sandberg said she was pleased to be a part of the strategic planning process for the Bloomington Economic and Arts District as a co chair of a subcommittee. She noted that the process was a work in progress and asked those who are interested to contact Miah Michaelson, Assistant Director of Economic Development for the Arts.

Tim Mayor noted the annual Red Cross Book Sale was taking place that weekend and noted the thousands of books on hundreds of topics.

There was no report from the Mayor's office.

MAYOR and CITY OFFICES

There were no reports from any council committees.

COUNCIL COMMITTEES

Larry Williams, landlord of property near 10th and North Monroe Street, said he had heard of traffic calming balloting going on and said he came to find out more about it, and was actually against the plan. He showed pictures of the area and said that folks just want to work on their cars in the street. He noted that traffic calming islands turn to ragweed because no one really takes care of them. He added that he wanted to speak about this at this meeting because he might not be able to attend the meeting when this item might be discussed.

PUBLIC INPUT

President Rollo appointed council members Sandberg, Mayer and Volan to the council interview committee for applicants to the newly formed Commission on Latino and Hispanic Affairs. He gave information to the public about applying to this commission on line or in person in the Council and Clerk’s office.

BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action at this meeting.

LEGISLATION FOR SECOND READING

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 07-24 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: to Amend Chapter 15.26 (Neighborhood Traffic Safety Program) to Approve Installation of Traffic Calming Devices in the Arden Drive Area.

Ordinance 07-24

There was no public comment at this section of the meeting.

PUBLIC INPUT

The meeting was adjourned at 8:00 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

