

**Plan Commission Summary Minutes – SPECIAL SESSION July 25, 2023 – 10:00 A.M.
City of Bloomington Council Chambers – Room #115**

The City of Bloomington Plan Commission (PC) met on July 25, 2023 at 10:00 a.m., for a special session. A hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404 and remotely via Zoom. Members present in Chambers: Tim Ballard, Andrew Cibor, Chris Cockerham, Jillian Kinzie, Karin St. John, and Trohn Enright-Randolph. Absent members were Flavia Burrell, Ellen Coe-Rodkey, Ron Smith, and Brad Wisler.

ROLL CALL

APPROVAL OF MINUTES: None

REPORTS, RESOLUTIONS AND COMMUNICATIONS: None

PETITION:

ZO-12-23 **City of Bloomington Parking Space Maximum**
Amendment to Ordinance 23-10

Jackie Scanlan, Development Services Manager, explained the intentions of the special session. Scanlan explained that the special session was called when the item was inadvertently left off the plan commission's previous meeting agenda. Waiting until the plan commission's next regular meeting in August would have stretched past the 45-day statutory window for action, after the city council made its amendments. Because of the short turn around time, no amendments could be added by the Plan Commission. The Plan Commission could only approve or deny the City Council's amendment.

The first amendment was keeping the maximum number of parking spaces allowed for restaurant at 10 per 1,000 square feet of gross floor area, as opposed to 15 parking spaces per 1,000 square feet as the Plan Commission originally recommended.

The second amendment was limiting 1 parking space for every 8 seats, as opposed to what the Plan Commission had recommended which was 1 parking space for every 4 seats.

Commissioner Cockerham noted that increasing the number of restaurant parking could help decrease the number of variances that go to the Board of Zoning Appeals.

Discussion ensued regarding open air stadium and what is considered a stadium in Bloomington. An example of an open air stadium is the stage at Switchyard Park.

St. John voiced a concern about how important parking is for restaurants since a good portion of Bloomington's economy comes from restaurants. Scanlan stated that if a restaurant wants to increase parking, they can request a variance with the Board of Zoning Appeals.

Discussion ensued regarding the process if the commissioners don't agree with the council's amendment. Scanlan stated if the commissioners vote against the parking amendment, council could potentially overrule the vote. Scanlan explained to the Commission that staff is on board with the amendment council suggested. Scanlan would like to work with the department to come up with another option that would be presented at the Spring UDO annual update next year.

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Cockerham suggested incorporating dedicated parking spots for food delivery services.

Discussion ensued whether or not the two amendments could be approved as one motion or separate; Scanlan stated they can be approved separately.

Cibor asked what staff's recommendation is on the amendment; Scanlan said staff is recommending approval.

St. John asked if staff recommended the limit of stadium parking spaces of 1 space for every 4 spaces. Scanlan explained that the number was based on the American Planning Association guide.

Cockerham motioned ZO-12-23 amendment #2 and forward to City Council with a positive recommendation. St. John seconded the motion. Motion carried by roll call vote 5:0.

Kinzie asked Scanlan to elaborate on the timing of the spring annual update; Scanlan explained the update usually occurs in February or March.

Enwright-Randolph asked about the procedure. Stephen Lucas, City Council Attorney, explained that if the Commissioners were to disapprove any amendment, Council has another 45 day window to take a final vote. Enwright-Randolph asked if Planning could bring another amendment to Council for consideration as an additional option; Lucas said that's not an option. If the plan commission is not able to achieve a majority on any action to respond to the city council's amendments, then under state law, after sitting 45 days with no action, the city council's action stands.

Scanlan explained that with only five plan commissioners present, that meant any decision to approve the council's ordinance as amended, or to disapprove of it, would have to be unanimous. That's because in order to take any action, the plan commission has to have a majority of its members—that is, at least five—vote in favor of a motion, no matter how many are present at a meeting.

Robinson stated that the ordinance needs to be voted as one motion. The vote on the second amendment is not valid.

Kinzie believes this does need more consideration about the nuance, and is inclined to let the Planning department work on addressing the Commissioners concerns at the UDO update next Spring.

Cibor made a motion to adopt ZO-12-23 and forward to City Council with a positive recommendation. Ballard seconded the motion. Motion carried by roll call 5:0.

Meeting adjourned 11:13 A.M.