



# City of Bloomington Common Council

## Legislative Packet

Containing legislation and materials related to:

Wednesday, 04 October 2023

Regular Session at 6:30pm



# CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:  
REGULAR SESSION  
WEDNESDAY | 6:30 PM  
04 October 2023

*Council Chambers (#115), Showers Building, 401 N. Morton Street  
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/84539145789?pwd=ZERYU0Izb1QxOFBQb1NPN3o5eVhzdz09>

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES: None
- IV. REPORTS *(A maximum of twenty minutes is set aside for each part of this section.)*
  - A. Councilmembers
  - B. The Mayor and City Offices
    - i. Report from Housing and Neighborhood Development & Heading Home of South Central Indiana
  - C. Council Committees
  - D. Public\*
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS
  - A. Resolution 23-17 – To Initiate Amendments to the City’s Comprehensive Plan Re: Leading Pedestrian Intervals and Pedestrian Recall Phases
  - B. Ordinance 23-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B
  - C. Ordinance 23-22 – To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments Located Between West 1<sup>st</sup> Street, West 2<sup>nd</sup> Street, South Rogers Street, and South Walker Street (City of Bloomington Redevelopment Commission, Petitioner)

*(over)*

\*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

Posted: 29 September 2023

## **VII. LEGISLATION FOR FIRST READINGS**

- A.** Ordinance 23-27 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments Set Forth in BMC 20.03
  
- B.** Ordinance 23-28 –To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” Re: Amending Section 15.08.040 to update how temporary, experimental, or emergency traffic regulations may be made and enforced; Section 15.12.010 to add three stop intersections; Section 15.16.010 to amend the included intersections of one-way travel on Henderson Street; Section 15.24.020 to modify the posted speed limit on Seventeenth Street; Section 15.32.030 to add back in angle parking on Pete Ellis Drive; Section 15.32.080 to add no parking spaces on Eight Street, Swain Avenue, Wilson Street, Southern Drive and Third Street and to; Section 15.32.090 to remove limited parking zones on Allen Street, Eighth Street, Swain Avenue and Third Street and add limited parking zone on Third Street; Section 15.32.100 to add a loading zone on East Longview Avenue; and Section 15.32.110 to add a bus zone on Third Street.

## **VIII. ADDITIONAL PUBLIC COMMENT \***

*(A maximum of twenty-five minutes is set aside for this section.)*

## **IX. COUNCIL SCHEDULE**

## **X. ADJOURNMENT**

\*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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**Posted: 29 September 2023**



## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Ash Kulak, Deputy Administrator/Deputy Attorney

**Date:** September 29, 2023

**Re:** Resolution 23-17 - To Initiate Amendments to the City's Comprehensive Plan Re: Leading Pedestrian Intervals and Pedestrian Recall Phases

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### Synopsis

This resolution, sponsored by Councilmember Flaherty, directs the Plan Commission to prepare an amendment to the City's Comprehensive Plan consistent with the prioritization of leading pedestrian intervals and pedestrian recall phases as the default mechanisms, when feasible, at pedestrian crossings over which the City has exclusive control.

### Relevant Materials

- Resolution 23-17
- USDOT Fact Sheet

### Summary

Resolution 23-17 is sponsored by Councilmember Flaherty and would initiate an amendment to the City's Comprehensive Plan for the purpose of prioritizing the use of leading pedestrian intervals and pedestrian recall phases at signalized intersections where feasible.

Leading pedestrian intervals (LPIs) give pedestrians a walk signal several seconds before vehicles are given a green light. Several city intersections already use this technology in intersections with high pedestrian activity, including 3rd Street & Indiana Ave. An example of how this technology works can be found at the following [YouTube video](#) demonstrating pedestrian traffic crossing for a few seconds before the traffic light turns green.

Pedestrian recall phases trigger walk signals at every cycle without the need for pedestrians to push a button to activate the signal. Pedestrian recall phases are recommended in downtown areas and other urban areas of high pedestrian activity and low vehicular traffic speed.

This resolution would call for an amendment to the Comprehensive Plan to establish a city preference to prioritize the use of both LPIs and pedestrian recall phases within the city, where feasible.

According to Indiana Code [36-7-4-501](#), the Comprehensive Plan is meant for the promotion of public health, safety, morals, convenience, order, or the general welfare and for the sake of efficiency and economy in the process of development.



Once adopted, the City must give consideration to the general policies and pattern of development set out in the Comprehensive Plan in the:

- (1) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities;
- (2) authorization, construction, alteration, or abandonment of public ways, public places, public lands, public structures, or public utilities; and
- (3) adoption, amendment, or repeal of zoning ordinances, including zone maps and PUD district ordinances, subdivision control ordinances, historic preservation ordinances, and other land use ordinances.

The resolution cites existing portions of the City's [Comprehensive Plan](#) that call for prioritizing pedestrian safety in various ways.

Indiana Code [36-7-4-511](#) allows the Common Council to initiate an amendment to the Comprehensive Plan. This resolution would do so by directing the Plan Commission to prepare the amendment and to submit it to the Council for consideration. In preparing the amendment, the Plan Commission would be required to follow the procedures set forth in state law for the adoption of comprehensive plans, which include the publication of a notice and holding one or more public hearings on the proposal.

State law says that the Plan Commission has sixty (60) days to prepare and submit an amendment after the formal written request by the Council. However, the Council may grant the Commission an extension of time, of specified duration, in which to prepare and submit the amendment. Planning staff have indicated that they intend to prepare and propose Comprehensive Plan and Transportation Plan updates by spring 2024 to, in part, better position the city to apply for [Safe Streets and Roads for All \(SS4A\)](#) grant funding from the federal government. In addition, city staff from Engineering and Public Works – Street Division have mentioned that city-controlled crosswalks will be undergoing a signal phasing and retiming study beginning before the end of this year. In order to avoid a duplication of efforts and to align this proposed amendment with the upcoming efforts from the Planning and Transportation, Engineering, and Public Works Departments, this resolution provides that the Plan Commission has 300 days to prepare and submit the amendment rather than 60 days.

**Statement from Planning & Transportation:** Scott Robinson, Director of Planning & Transportation, has provided the following comments about the resolution that he wishes to share with the Council: “This is consistent with our timeline and a Comprehensive Plan/Transportation update. Staff can incorporate these changes as part of this forthcoming effort – pending final approval of the resolution.”



**City of Bloomington Indiana**

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**Fiscal Impact:** The sponsor of this legislation does not expect it to have any direct fiscal impact to the City other than what was already budgeted for. According to City Engineer Andrew Cibor, the signal retiming study was included in the 2023 budget, and it would cover implementation of LPIs or more pedestrian recall phases. Public Works also has a budget request within the 2024 budget proposal that would enable more use of these tools as old technology and equipment are upgraded or replaced.

**Contact**

Councilmember Matt Flaherty, [matt.flaherty@bloomington.in.gov](mailto:matt.flaherty@bloomington.in.gov), 812-349-3409

Scott Robinson, Planning & Transportation Director, [robinsos@bloomington.in.gov](mailto:robinsos@bloomington.in.gov), 812-349-3566

Andrew Cibor, Director of Engineering, [andrew.cibor@bloomington.in.gov](mailto:andrew.cibor@bloomington.in.gov), 812-349-3913

Joe VanDeventer, Director of Street Operations, [vandevej@bloomington.in.gov](mailto:vandevej@bloomington.in.gov), 812-349-3448

## RESOLUTION 23-17

### TO INITIATE AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN Re: Leading Pedestrian Intervals and Pedestrian Recall Phases

- WHEREAS, pursuant to Indiana Code 36-7-4-501, the Plan Commission is responsible for preparing comprehensive plans and amendments thereto and forwarding them to the Common Council; and
- WHEREAS, a new Comprehensive Plan was adopted on March 20, 2018 via Resolution 18-01, in accordance with Indiana Code 36-7-4-500; and
- WHEREAS, a Transportation Plan was adopted in 2019 via Resolution 19-01 and serves as an amendment to the Comprehensive Plan; and
- WHEREAS, pursuant to Indiana Code 36-7-4-511, each amendment to the Comprehensive Plan must be approved according to the procedure set forth in the 500 series; and
- WHEREAS, Indiana Code 36-7-4-511 provides that the Common Council may direct the Plan Commission to prepare an amendment to the Comprehensive Plan; and,
- WHEREAS, the Comprehensive Plan is the City's long-range vision for the community, upon which future land use and other policy decisions are predicated; and
- WHEREAS, the Transportation Plan, as an amendment to the Comprehensive Plan, builds on the goals of the Comprehensive Plan and supports Bloomington's vision of a safe, efficient, accessible, and well-connected multimodal transportation system; and
- WHEREAS, the Comprehensive Plan includes goals and policies that prioritize pedestrian safety, including identifying, prioritizing, and funding pedestrian roadway crossings that should be improved (p.77) and continually monitoring traffic patterns and evaluating changes, including, among other things, signal timing adjustments (p.77); and
- WHEREAS, two mechanisms that advance these pedestrian safety goals in the Comprehensive Plan include the implementation, as default mechanisms, of leading pedestrian intervals and pedestrian recall phases at pedestrian crossings; and
- WHEREAS, leading pedestrian intervals (or LPIs) provide pedestrians and mobility aid users the opportunity to enter a crosswalk several seconds before vehicles are given a green indication, which has been shown to increase pedestrian safety by increasing visibility of crossing pedestrians, reducing conflicts between pedestrians and vehicles, increasing the likelihood of motorists yielding to pedestrians, and enhancing safety for pedestrians who may be slower to enter into a crosswalk<sup>1</sup>; and
- WHEREAS, several studies have shown that leading pedestrian intervals can reduce pedestrian-vehicle crashes by at least 13%<sup>2</sup> and by as much as 59%<sup>3</sup> compared to

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<sup>1</sup> U.S. Department of Transportation. "Leading Pedestrian Interval." Report No. FHWA-SA-21-032. Federal Highway Administration. <https://highways.dot.gov/safety/proven-safety-countermeasures/leading-pedestrian-interval>.

<sup>2</sup> U.S. Department of Transportation. "Leading Pedestrian Interval (LPI) Countermeasure Tech Sheet." Report No. FHWA-SA-19-040. Federal Highway Administration. (October 2019). [https://safety.fhwa.dot.gov/ped\\_bike/step/resources/docs/fhwasa19040.pdf](https://safety.fhwa.dot.gov/ped_bike/step/resources/docs/fhwasa19040.pdf). See also Nafakh, A. J., Zhang, Y., Hubbard, S., & Fricker, J. D. (2021). Assessment of a displaced pedestrian crossing for multilane arterials (Joint Transportation Research Program Publication No. FHWA/IN/JTRP-2021/16). West Lafayette, IN: Purdue University. <https://doi.org/10.5703/1288284317318>.

<sup>3</sup> Fayish, A.C., & Gross, F. "Safety Effectiveness of Leading Pedestrian Intervals Evaluated by a Before-After Study with Comparison Groups." Transportation Research Board: Journal of the Transportation Research Board No. 2198. (2010). pp. 15-22. [https://nacto.org/docs/usdg/safety\\_effectiveness\\_of\\_lpi\\_fayish.pdf](https://nacto.org/docs/usdg/safety_effectiveness_of_lpi_fayish.pdf).

non-treated intersections, with a 19% percentage crash reduction (CRF) figure that might be expected after implementing LPIs as a countermeasure<sup>4</sup>; and

WHEREAS, other municipalities leading on pedestrian safety have implemented policies or legislation to encourage installation of LPIs;<sup>5</sup> and

WHEREAS, pedestrian recall phases, which trigger a walk phase automatically at every cycle, increase predictability and regularity, especially in areas of high pedestrian volume where pedestrians are most likely to need to cross, compared to actuated signals, which require a push button to be pressed to activate a walk phase; and

WHEREAS, the National Association of City Transportation Officials, an association of 96 major North American cities and transit agencies, recommends pedestrian recall phases in all downtown areas, central business districts, and urban areas in which pedestrians are anticipated and speeds are intended to be low, while actuated signals are recommended along priority rapid transit corridors to increase the reliability of transit service and avoid unnecessary delays;<sup>6</sup> and

WHEREAS, the Comprehensive Plan prioritizes pedestrian safety in several Goals and Policies:

**Goal 6.1 Increase Sustainability:** Improve the sustainability of the transportation system (p.74);

**Policy 6.1.7:** Prioritize safety and accessibility over capacity in transportation planning, design, construction, and maintenance decisions;

**Goal 6.3 Improve the Bicycle and Pedestrian Network:** Maintain, improve, and expand an accessible, safe, and efficient network for pedestrians . . . (p.74);

**Policy 6.3.4:** Require pedestrian-friendly design features (p.75);

**Goal 6.4 Prioritize Non-Automotive Modes:** Continue to integrate all modes into the transportation network and to prioritize bicycle, pedestrian, public transit, and other non-automotive modes to make our network equally accessible, safe, and efficient for all users (p.75);

WHEREAS, the City expects to initiate a signal phasing and retiming study at city-maintained signalized intersections before the end of the 2023; and

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<sup>4</sup> Goughnour, E., D. Carter, C. Lyon, B. Persaud, B. Lan, P. Chun, I. Hamilton, and K. Signor. "Safety Evaluation of Protected Left-Turn Phasing and Leading Pedestrian Intervals on Pedestrian Safety." Report No. FHWA-HRT-18-044. Federal Highway Administration. (October 2018). <https://www.cmfclearinghouse.org/detail.php?facid=9903>.

<sup>5</sup> The City of Spokane, Washington passed [Ordinance C35768](#) on May 13, 2019, which amended its municipal code to include the encouragement of leading pedestrian intervals at all signalized intersections ([16A.84.050](#)). The City of Alexandria, Virginia adopted a Vision Zero Action Plan in an effort to eliminate fatal and severe crashes by 2028, which prioritizes the installation of leading pedestrian intervals and no turn on red restrictions at key signalized intersections. City of Alexandria, Virginia. "Leading Pedestrian Intervals (LPI) & No Turn on Red (NTOR)." (updated April 2023). <https://www.alexandriava.gov/transportation-planning/leading-pedestrian-intervals-lpi-no-turn-on-red-ntor>. Over fifty municipalities in the United States have committed to a Vision Zero plan or strategy based on community data and input, which identifies and implements several priorities and strategies to center safety and equity. Vision Zero Network. "Vision Zero Communities." <https://visionzeronetwork.org/resources/vision-zero-communities/>. See also Fox, J. "Where to Start on the Road to Vision Zero." Vision Zero Network. (April 21, 2023). <https://visionzeronetwork.org/where-to-start/>. The State of California recently passed state legislation in 2022 requiring its municipalities to install LPIs. [Assembly Bill No. 2264](#). Within the State of Indiana, the Indianapolis/Marion County [Pedestrian Safety Action Plan](#) conducted in 2016 lists "leading pedestrian intervals" as a possible countermeasure to several conditions affecting pedestrian safety.

<sup>6</sup> National Association of City Transportation Officials. "Fixed vs. Actuated Signalization." <https://nacto.org/publication/urban-street-design-guide/intersection-design-elements/traffic-signals/fixed-vs-actuated-signalization>. [Ordinance C35768](#) of the City of Spokane also encourages the implementation of a pedestrian recall phase at all signalized intersections between the hours of 6 a.m. and midnight ([16A.84.040](#)).



WHEREAS, the Common Council recommends city staff develop guidelines to incorporate its preferences for leading pedestrian intervals and pedestrian recall phases at as many of the City-controlled crosswalks as is currently feasible, in conjunction with this coming signal retiming study and Transportation Plan update; and

WHEREAS, the Common Council wishes, pursuant to Indiana Code 36-7-4-511, to direct the Plan Commission to prepare an amendment to the Comprehensive Plan to reflect these preferences;

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

SECTION 1. Pursuant to Indiana Code 36-7-4-511, the Common Council directs the Plan Commission to prepare an amendment to the City of Bloomington Comprehensive Plan to include new policies consistent with the following guidance:

1. Establish a city-wide policy to prioritize the use of leading pedestrian intervals at signalized intersections when feasible, especially in areas with high pedestrian activity, while reasonably balancing the goals set out in the City Comprehensive Plan (including the Transportation Plan).
2. Establish a city-wide policy to prioritize pedestrian recall as the default mechanism over actuated signals for pedestrian crossings at signalized intersections, especially in areas with high pedestrian activity, while reasonably balancing the goals set out in the City Comprehensive Plan (including the Transportation Plan).

SECTION 2. Pursuant to Indiana Code 36-7-4-511, the Plan Commission is instructed to prepare and submit this amendment in the same manner as any other amendment to the Comprehensive Plan. The Plan Commission is instructed to prepare and submit the amendment within three hundred (300) days from the effective date of this resolution, unless granted an additional extension of time, of specified duration, in which to prepare and submit the amendment.

SECTION 3. If any section, sentence, or provision of this resolution, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this resolution which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this resolution are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

**SYNOPSIS**

This resolution, sponsored by Councilmember Flaherty, directs the Plan Commission to prepare an amendment to the City’s Comprehensive Plan consistent with the prioritization of leading pedestrian intervals and pedestrian recall phases as the default mechanisms, when feasible, at signalized pedestrian crossings over which the City has exclusive control.



### Safety Benefits:

# 13%

reduction in pedestrian-vehicle crashes at intersections.<sup>1</sup>

## Leading Pedestrian Interval

A leading pedestrian interval (LPI) gives pedestrians the opportunity to enter the crosswalk at an intersection 3-7 seconds before vehicles are given a green indication. Pedestrians can better establish their presence in the crosswalk before vehicles have priority to turn right or left.

### LPIs provide the following benefits:

- Increased visibility of crossing pedestrians.
- Reduced conflicts between pedestrians and vehicles.
- Increased likelihood of motorists yielding to pedestrians.
- Enhanced safety for pedestrians who may be slower to start into the intersection.

FHWA's Handbook for *Designing Roadways for the Aging Population* recommends the use of the LPI at intersections with high turning vehicle volumes. Transportation agencies should refer to the *Manual on Uniform Traffic Control Devices* for guidance on LPI timing and ensure that pedestrian signals are accessible for all users. Costs for implementing LPIs are very low when only signal timing alteration is required.



An LPI allows a pedestrian to establish a presence in the crosswalk before vehicles are given a green indication. Source: FHWA



LPIs reduce potential conflicts between pedestrians and turning vehicles. Source: FHWA

For more information on this and other FHWA Proven Safety Countermeasures, please visit <https://safety.fhwa.dot.gov/provencountermeasures/> and [https://safety.fhwa.dot.gov/ped\\_bike/step/resources/docs/fhwasa19040.pdf](https://safety.fhwa.dot.gov/ped_bike/step/resources/docs/fhwasa19040.pdf).

<sup>1</sup> Goughnour, E., D. Carter, C. Lyon, B. Persaud, B. Lan, P. Chun, I. Hamilton, and K. Signor. "Safety Evaluation of Protected Left-Turn Phasing and Leading Pedestrian Intervals on Pedestrian Safety." Report No. FHWA-HRT-18-044. Federal Highway Administration. (October 2018)



## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Council Office

**Date:** September 29, 2023

**Re:** Ordinance 23-23 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Amending Section 15.12.010 (Stop Intersections) to Remove a Stop Intersection from Schedule A and Add a Multi-Stop Intersection to Schedule B

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### Synopsis

This ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff, the Traffic Commission, and Bicycle & Pedestrian Safety Commission. The ordinance makes the following change:

- Replaces a stop intersection with a multi-stop intersection on Seventh Street.

### Relevant Materials

- Ordinance 23-23
- Memo from Andrew Cibor, City Engineer
- Staff Report to Traffic Commission and Bicycle & Pedestrian Safety Commission re: 7-Line Project Update and All-Way Stop Control Installation
- 180-Day Order # 23-01 dated April 10, 2023
- Minutes from March 20, 2023 Bicycle & Pedestrian Safety Commission meeting
- Minutes from March 22, 2023 Traffic Commission meeting

### Summary

Ordinance 23-23 proposes to amend Section 15.12.010 within Title 15 ("Vehicles and Traffic") of the Bloomington Municipal Code (BMC), accessible online at the following link: [https://library.municode.com/in/bloomington/codes/code\\_of\\_ordinances?nodeId=TIT15\\_VETR\\_CH15.12STYISIIN\\_15.12.010STIN](https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT15_VETR_CH15.12STYISIIN_15.12.010STIN).

The ordinance, brought forward by staff and recommended by the Traffic Commission and the Bicycle & Pedestrian Safety Commission, proposes codifying a three-way stop location at the intersection of 7<sup>th</sup> Street and Dunn Street. The intersection currently functions as a three-way stop location as a result of a 180-day order issued in April 2023 by the City Engineer. This ordinance would adopt and codify this by updating the relevant tables in local code.

City engineering staff prepared a staff report and recommendation for the Traffic Commission and the Bicycle & Pedestrian Safety Commissions, which has also been included in this packet. In that report, staff explained the changes to 7<sup>th</sup> Street implemented as part of the recent 7-Line project, which included removal of various stop locations along the corridor.



**City of Bloomington Indiana**

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In presenting to the two commissions, staff recommended reinstallation of all-way stop controls at five intersections, including the intersection at 7<sup>th</sup> and Dunn. The staff report prepared for these two commissions summarizes recent bicycle traffic data, transit metrics, pedestrian activity, motor vehicle traffic, parking impacts, and crash data. The report discusses the Indiana Manual on Uniform Traffic Control Devices (MUTCD) guidelines and criteria for all-way stop locations and explains how these guidelines apply to the 7<sup>th</sup> and Dunn intersection, as well as four additional intersections along 7<sup>th</sup> Street.

Both the Traffic Commission and the Bicycle & Pedestrian Safety Commission recommended reinstalling all-way stop controls only at the 7<sup>th</sup> and Dunn intersection. Because of this, Ordinance 23-23 only proposes codifying all-way stop controls at this single intersection.

A 180-day order, made pursuant to [BMC 15.08.040](#), was then issued in April 2023 by the city engineer to implement this change as a temporary measure. Because a stop sign has already been reinstalled at this intersection, staff notes there is no expected fiscal impact as a result of adopting this ordinance.

**Contact**

Andrew Cibor, Director of Engineering, 812-349-3913, [andrew.cibor@bloomington.in.gov](mailto:andrew.cibor@bloomington.in.gov)

**ORDINANCE 23-23**

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE  
ENTITLED "VEHICLES AND TRAFFIC"**

- **Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B**

WHEREAS, the Traffic Commission, Bicycle & Pedestrian Safety Commission, and City staff from the Engineering Department recommend certain changes be made in Title 15 of the Bloomington Municipal Code entitled "Vehicles and Traffic";

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

SECTION 1. Section 15.12.010, entitled "Stop Intersections" shall be amended by deleting the following from Schedule A:

**Delete:**

| <b>TRAFFIC ON</b> | <b>SHALL STOP FOR TRAFFIC ON</b> |
|-------------------|----------------------------------|
| Dunn Street       | Seventh Street                   |

SECTION 2. Section 15.12.010, entitled "Stop Intersections" shall be amended by adding the following to Schedule B:

**Add:**

|                              |       |
|------------------------------|-------|
| Seventh Street & Dunn Street | 3-Way |
|------------------------------|-------|

SECTION 3. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance that 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 4. This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk,  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff, the Traffic Commission, and the Bicycle and Pedestrian Safety Commission. The ordinance makes the following change:

- Replaces a stop intersection with a multi-stop intersection on Seventh Street

## MEMORANDUM

**To:** Common Council

**From:** Andrew Cibor, City Engineer

**Date:** September 15, 2023

**Re:** Proposed Ordinance # 23-23, to amend Title 15 to change stop signs on Seventh Street

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Ordinance #23-23 proposes changes to the Title 15 - Vehicles and Traffic section of the Bloomington Municipal Code that are consistent with recommendations supported by city staff, the Bicycle & Pedestrian Safety Commission, and the Traffic Commission regarding stop sign control at the intersection of Seventh Street and Dunn Street.

As a part of the City's effort to monitor the Seventh Street corridor after the completion of the 7-Line project, the Engineering Department prepared a report that was reviewed and discussed by the Bicycle & Pedestrian Safety Commission and the Traffic Commission at their March 2023 meetings. After reviewing and discussing the report, both Commissions voted to support the conversion of the Seventh Street and Dunn Street intersection from a one-way stop controlled intersection (southbound traffic on Dunn St was required to stop for traffic on Seventh Street) to an all-way (3-Way) stop controlled intersection where all approaching traffic would be required to stop. This recommendation was largely due to a pattern of crashes that were susceptible to correction with the installation of all-way stop control. Due to the pattern of crashes, and consistent with the Commission recommendations, a 180 Day Order was issued on April 10, 2023 and the intersection was converted to all-way stop control on April 12, 2023. The subject 180 Day Order is set to expire on October 9, 2023. Recent crash data confirms that installation of all-way stop control has successfully reduced crashes at this intersection. Staff recommends that this change become a permanent Title 15 update.

The ordinance includes the following changes:

- Section 1:
  - Removes the stop intersection at Dunn Street and Seventh Street. *Traffic Commission, Bicycle & Pedestrian Safety Commission, Engineering Department*
- Section 2:
  - Adds a 3-way stop intersection at Seventh Street & Dunn Street. *Traffic Commission, Bicycle & Pedestrian Safety Commission, Engineering Department*

The proposed ordinance does not have a fiscal impact given the changes have already been implemented. Generally, anticipated expenditures to add or remove signs, posts, etc. are covered within the annual operating budget.

Attachments:

1. March 22, 2023 7-Line Project Update and All-Way Stop Control Installation Staff Report for the Traffic Commission and Bicycle & Pedestrian Safety Commission
2. 180 Day Order 23-01 to Install all-way stop control at the intersection of 7th Street and Dunn Street





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**TRAFFIC/BPSC  
STAFF REPORT**

**Case #:** TC-23-01  
**Date:** March 22, 2023

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**FROM:** Andrew Cibor, PE, PTOE, Engineering Department

**REQUEST:** 7-Line Project Update and All-Way Stop Control Installation

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**Location:** 7<sup>th</sup> Street (B-Line Trail to Woodlawn)

**Description and Purpose:**

The 7-Line project was one of seven Bicentennial Bond projects proposed by Mayor John Hamilton and approved by the City Council in 2018. The project was also identified as a Phase 1 priority project in the Transportation Plan adopted by City Council in 2019. The project was envisioned to provide a protected east-west bicycle lane and improved transit corridor to connect the B-Line, downtown, Indiana University campus, and eastside neighborhoods. In August 2020, City Council unanimously approved Ordinance 20-14 with parking and stop sign changes associated with the project. These changes were also supported by the city's Parking, Traffic, and Bicycle & Pedestrian Safety Commissions. Project construction was completed in late 2021. This report provides a brief update on the overall project after one full year of operation and makes recommendations for updates to the corridor.

**Early Trends:**

**Bicycle Traffic** – Based on data from a permanent bicycle counter on 7<sup>th</sup> Street adjacent to the Indiana University (IU) campus where the two-way protected bicycle lane replaced standard bicycle lanes, bicycle/scooter use has increased 26%. Additionally, a January 2019 (pre-project) peak period (7-9AM and 4-6PM) traffic count was compared with a February 2023 (post-project) traffic count in the block between Dunn Street and Grant Street to assess bicycle traffic change in a block that previously did not have bicycle lanes. While these counts are less robust than the permanent counter because weather and other variables need to be considered, the data shows that bicycle/scooter use in this area of the corridor increased 259%.

**Transit Metrics** – Quantitative data to compare pre-project and post-project transit travel times, ridership, etc. is not available. Bloomington Transit (BT) has been upgrading technology to better measure these items going forward and has been working to modify their routes, manage changes in travel patterns, etc. Specifically as a part of this project some bus stops were consolidated to assist with travel times, and efficiency along the corridor is assumed to have improved as a result of stop sign removal, removal of on-street parking, and construction of bus stop islands that do not require buses to exit the travel lane. When the street first reopened after construction, BT and IU Campus Bus noted some concern with the width of the road and some turning movements. Minor project modifications were implemented at some intersections to address many of those concerns. Additionally, BT has been actively working to enhance driver training in various road conditions found throughout the city.

**Pedestrian Activity** – Staff has heard some concern about the level of comfort for pedestrians crossing 7<sup>th</sup> Street where stop signs were removed within the 7-Line project limits; however, the limited pedestrian data available at this time indicates more pedestrians are crossing the street, corridor-wide reported pedestrian crashes have decreased, and accessibility has been improved (the project constructed 59 accessible curb ramps and removed numerous sidewalk trip hazards).

**Motor Vehicle Traffic** – Traffic counts on 7<sup>th</sup> Street have increased by 11% to 27% in the area between Walnut Street and Indiana Avenue since the installation of the protected bike lane and removal of stop signs. The measured average speed in this area is 27mph with an eighty-fifth percentile speed of nearly 32mph. The measured speeds are higher than desired (the speed limit is 25mph) and suggest the majority of drivers are comfortable driving in 10' wide travel lanes. The data indicates no significant change in traffic volumes on 7<sup>th</sup> Street in the vicinity of Morton Street and a decrease in traffic volumes on some of the intersecting streets where all-way stop control was removed (e.g., Morton Street traffic decreased 5% and Dunn Street traffic decreased 15%). Some drivers have driven into the bicycle lanes, either intentionally to illegally park/load or mistakenly due to confusion. Flexible delineator posts were installed at the entrance to the bicycle lanes at key intersections, and the incidence of this behavior has decreased significantly (the flexible posts were removed over the winter to facilitate snow removal, but will be reinstalled in the spring).

**Parking Impact** – The majority of on-street parking was removed from 7<sup>th</sup> Street within the 7-Line project area. As a part of the project, 44 parking spaces were added nearby on Dunn Street. 2019 data showed 35% utilization of parking spaces on 7<sup>th</sup> Street based on revenue potential (equivalent to 42 parking spaces). Multiple underutilized parking garages nearby the project were also identified during the project planning and development phases. Post-project parking data comparisons are limited given the majority of on-street parking on 7<sup>th</sup> Street in the project area was removed. Accessible parking spaces that were previously located on 7<sup>th</sup> Street were relocated on adjacent streets as necessary to maintain ADA compliance.

**Crash Data** - It is desirable to use multiple years of crash data to make robust evaluations. However, using one year of post-project crash data (2022 calendar year) for this corridor indicates a trend of increased crashes at the intersections where all-way stop control was removed, and a decrease in crashes at mid-block locations and at other intersections where intersection control did not change. This crash trend is further analyzed in the following section.

### **Enhancement Alternative:**

The data and observations available to date indicate that while the protected bicycle lanes are generally operating as intended, the five intersections where all-way stop control was removed (7<sup>th</sup> Street at Morton Street, Washington Street, Lincoln Street, Grant Street, and Dunn Street) would benefit from modifications. The crash data for these intersections indicates that nearly all reported crashes were a result of drivers on the side street failing to yield to drivers on 7<sup>th</sup> Street. In many of these crash reports, the driver on the side street told the reporting police officer that they mistakenly thought the intersection had all-way stop control. At these intersections during the 2022 calendar year, there were also two reported crashes involving drivers failing to yield to users of the protected bicycle lane (one scooter at Dunn Street and one bicycle at Washington Street) and one reported crash involving a scooter failing to yield to a driver (southbound scooter on Morton Street). There were no reported crashes involving pedestrians.

Each of these five intersections has visible stop bars on the pavement and a stop sign with a “cross traffic does not stop” plaque. The one-way intersecting streets (Washington Street, Lincoln Street, and Dunn Street) have these signs located both on the left and right side of the road where it intersects with 7<sup>th</sup> Street. Additional signs and markings are not expected to be beneficial for clarifying the existing stop control at these intersections.

Installation of all-way stop control was evaluated at these intersections as an option to address the observed crash patterns. The Indiana Manual on Uniform Traffic Control Devices (MUTCD) includes specific criteria that should be followed for all-way stop installations. There are multiple reasons that stop signs are only recommended if they meet the MUTCD guidelines:

- Stop signs that do not meet recommended criteria are frequently violated (have low compliance rates). Drivers might come to a full stop initially, but over time they may begin rolling through the stop or even completely ignoring it because they rarely see what they believe to be a reason to stop. This behavior is problematic at the intersection with the all-way stop (for example, a pedestrian crossing the street thinks that traffic will stop at the stop sign, but a driver approaching the stop sign is used to simply slowing down and doesn't notice the pedestrian) and also at other intersections (as drivers lose respect for stop signs in general). There are multiple existing all-way stop intersections in town for which the City regularly receives complaints and safety concerns about drivers who do not stop (*In the context of 7<sup>th</sup> Street it is likely that many users, particularly people on bicycle or scooter who do not want to lose momentum, will not come to a full stop.*)
- Studies show that stop signs are not an effective tool for reducing speeds. Stop signs generally reduce speeds near the location where they are installed, but do not reduce speeds along the rest of a corridor. In fact, studies show that drivers tend to increase their speed between stop signs. Numerous references, including documents from the Institute of Transportation Engineers (ITE) and the National Association of City Transportation Officials (NACTO), explicitly recommend against using stop signs as a tool for speed reduction. (*If all-way stop control is reinstalled on 7<sup>th</sup> Street, then the corridor would have stop signs or traffic signals at every block between the B-Line and Indiana Avenue. Speeds on the corridor would likely decrease because the majority of the street would be in close proximity to a stop sign.*)
- Unwarranted stop signs are not conducive to efficient traffic flow for vehicles (including bicycles, cars, and transit), particularly on collector or arterial streets. Stop signs at every single block make a corridor less convenient for vehicular travel. (*Stop control was modified on 7<sup>th</sup> Street with the explicit goal to “improve east/west connectivity and efficiency for bicyclists and transit users.”*)

MUTCD guidance for all-way stop installations states that intersections should meet one of the following:

- As an interim measure while awaiting installation of traffic signals.
- Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop.
- Minimum volume thresholds.
- Where no single criterion is satisfied, but the location meets a combination of the crash and volume criteria to at least 80% of values.

The following table summarizes these criteria for each subject intersection.

| Intersection Cross Street | Interim measure for traffic signal installation? | ≥ 5 reported crashes susceptible to correction by all-way stop? | Meets minimum volume threshold? | Meets a combination of thresholds to at least 80% of values? |
|---------------------------|--|---|---------------------------------|--|
| <b>Morton St</b>          | No   | No (3)*   | No                              | No   |
| <b>Washington St</b>      | No   | Yes (5)*  | No                              | N/A  |
| <b>Lincoln St</b>         | No   | Yes (5)*  | No                              | N/A  |
| <b>Grant St</b>           | No   | No (4)  | No                              | No   |
| <b>Dunn St</b>            | No   | Yes (12)  | Yes**                           | N/A  |

\*This criteria uses a rolling 12-month period. For intersections that did not have at least 5 crashes during the 2022 year of crash data (1/1/2022 through 12/31/2022), a subsequent evaluation was performed to search for a higher 12-month period using data available to date (e.g. 2/1/2022 through 1/31/2023). The Morton, Washington, and Lincoln intersections yielded an increase with this evaluation. When looking only at 2022 data, Morton had 2 crashes, Washington had 4 crashes, and Lincoln had 4 crashes.

\*\*The Dunn Street intersection did not meet the minimum volume criteria based on pre-project data, but does meet the criteria using post-project data.

The MUTCD also allows the following optional criteria to be considered as a part of an engineering study regarding all-way stop control:

- The need to control left-turn conflicts (*Not applicable, but stop control may be beneficial for controlling motor vehicle turns across the protected bike lane.*)
- The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes (*Pedestrian use is generally high due to proximity to both downtown and Indiana University campus.*)
- Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop (*Visibility is limited in some locations. Adequate visibility is available if drivers pull forward after stopping, but this action can generate conflict with the pedestrian crosswalks.*)
- An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection (*This consideration is typically applied in fully residential areas, but does have some relevance for 7<sup>th</sup> Street.*)

The Dunn Street, Washington Street, and Lincoln Street intersections each meet at least one MUTCD criteria for all-way stop control installation. The Grant Street and Morton Street intersections do not meet the primary criteria, but they are close to meeting the crash data criteria and, if unchanged, it is possible that they would fully meet this criteria in a future 12-month period. The Morton Street intersection is currently the furthest from meeting the primary criteria, but anecdotal observations indicate that this intersection potentially experiences the highest level of driver confusion and has the potential for more crashes. The MUTCD's optional criteria provide further support for installation of all-way stop control at each of these intersections.

It is worth noting that the majority of crashes are a result of motor vehicle drivers failing to yield to other motor vehicles, but the improvement option of implementing all-way stop control would have the most negative impact to efficiency for transit and bicycle/scooter traffic. The crashes involving motor vehicles are primarily right angle collisions. While the majority of crashes have not involved any injury, this crash type has potential to create serious injuries. Additionally, the

implementation of all-way stop control can also reduce the potential for crashes involving users of the protected bicycle lanes (there have been some reported crashes involving people on bicycle/scooter, and observations indicate that some bicycle/scooter users must rapidly brake to avoid conflict with turning motor vehicles that failed to properly yield).

**Title 15 Changes:**

In order for all-way stop control to be implemented, Section 15.12.010, Schedule B “Multi-Stop Intersections” would need to be edited with the following changes.

Section 15.12.010, entitled “Stop intersections,” shall be amended by deleting the following from Schedule A Stop Intersections:

| Traffic on        | Shall Stop for Traffic on |
|-------------------|---------------------------|
| Morton Street     | Seventh Street            |
| Washington Street | Seventh Street            |
| Lincoln Street    | Seventh Street            |
| Grant Street      | Seventh Street            |
| Dunn Street       | Seventh Street            |

Section 15.12.010, entitled “Stop intersections,” shall be amended by adding the following to Schedule B Multi-Stop Intersections:

|                                    |       |
|------------------------------------|-------|
| Seventh Street & Morton Street     | 4-Way |
| Seventh Street & Washington Street | 3-Way |
| Seventh Street & Lincoln Street    | 3-Way |
| Seventh Street & Grant Street      | 4-Way |
| Seventh Street & Dunn Street       | 3-Way |

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**Recommendation:**

This project has been successful for improving east-west accessibility and mobility for all modes of transportation. All-way stop control implementation is expected to result in an additional positive metric through a reduction of reported crashes along the corridor. Staff recommends that a Title 15 amendment be forwarded to City Council with a positive recommendation to reinstall all-way stop control at the five locations listed above. While the data is more compelling for some of these intersections than others, staff believe that all-way stop control installation is appropriate at all five locations. Implementing this operational change at all five intersections at the same time, as opposed to using an incremental approach, is expected to improve user ability to adapt to the change.

## 180-DAY ORDER

Pursuant to Bloomington Municipal Code § 15.08.040 I hereby issue this 180-Day Order, the details of which are described in detail below, for the following reason(s):

- To make and enforce temporary regulations;
- To make and enforce experimental regulations;
- To make and enforce regulations necessary to deal with emergencies; and/or
- To make and enforce regulations necessary to deal with special conditions.

In the fall of 2021, all-way stop control was removed from the intersection of 7<sup>th</sup> Street and Dunn Street in coordination with the multimodal 7-Line project. In the new configuration, 7<sup>th</sup> Street is free-flow and only Dunn Street has a stop sign. This Request originated from a review of crash data along the corridor and a 7-Line project status report that was requested by the City's Bicycle & Pedestrian Safety Commission, Traffic Commission, and other community members. The crash data for the intersection of 7<sup>th</sup> Street and Dunn Street shows a significant increase in intersection related crashes that are susceptible to correction with the installation of all-way stop control. In order to reduce crash risk at this intersection, it will be converted back to all-way stop control. Implementation of this change requires installation of appropriate pavement markings and signs. This proposed change was supported by the Bicycle & Pedestrian Safety Commission and Traffic Commission at their March 2023 meetings. After careful review and consideration the Request has been granted and the following actions will be implemented:

Install all-way stop control at the intersection of 7<sup>th</sup> Street and Dunn Street.

Questions regarding this Order shall be directed to the City Engineer.



\_\_\_\_\_  
Signature of City Engineer



\_\_\_\_\_  
Date

**Effective Date:** 4/12/2023

**Expiration Date:** 10/9/2023

**Case Number:** 23-01

**Minutes**  
**Bicycle Pedestrian Safety Commission**  
Monday, March 20, 2023

**Meeting Agenda:**

**1. Attendance:**

Commissioners: Paul Ash, Pauly Tarricone, Jaclyn Ray, Zach Huneck, Mitch Rice, Rob Danzman

Staff: Hank Duncan, Andrew Cibor, Steve Cotter, Ryan Robling

Public: Eoban Binder, Greg Alexander, Hopi Stosberg, Natalie Levin, Anne Kavelerchik, Eric Ost

**2. Approval of Minutes of Meeting: January 9, 2023**

Jaclyn moves; Paul seconds; roll called, all approved 6-0

**3. Election of Officers – Chair, Vice Chair, Secretary**

Chair: Ann nominates herself; Jaclyn seconds; all vote in favor

Vice Chair: Zach nominates himself; Paul seconds; all vote in favor

Secretary: Jaclyn nominates herself; Paul seconds; all vote in favor

**4. New Business**

a. 2023 Traffic Calming and Greenways Program; the website is being updated

i. Staff-Led Projects – Hank Duncan

a. Morningside Drive public meetings

i. Wed May 10 Park Ridge East

ii. Tues Aug 15 in city hall

b. Allen Street Greenway public meetings

i. Wed May 24 at Allen St and B-line

ii. Aug 17 in city hall atrium

Hawthorne/Weatherstone traffic calming is still on hold because Council has not considered whether they want to require Council approval to move forward.

ii. Resident-Led Projects and Deadlines

Many letters of intent have been submitted. March 24 is the deadline for submission. Hank will set up meeting by April 7 with each potential applicant, and all applications are due by April 14

b. 7-Line Project Update & All-Way Stop Control Installation – Andrew Cibor

There has been an increase in crashes related to removal of stop signs at cross streets. Andrew's recommendation is to restore some of the stop signs.

Paul says that comments on-line are that 7<sup>th</sup> Street was safer before, but he disagrees.

Pauly asks whether other solutions are being considered, like rumble strips to slow traffic rather than restoring stop signs. Andrew says that reviewing the crash reports drivers say that they thought that cross traffic stopped. The road is already narrow, and drivers are going to fast anyway. He's afraid of causing confusion by having some drivers slow down while others don't know why.

Mitch thinks this is a problem with the memory of drivers. Drivers' inattention should not force us into a corner requiring more stop signs. Andrew says there is usually a window after making a change when you expect people to have trouble remembering. Mitch thinks there should be signage reminding users. Andrew says there are signs saying cross traffic doesn't stop.

Rob asked whether these increases in crashes are limited to the 7-line or whether other intersections are also seeing an uptick. Andrew says it is only where they changed the stop signs.

Pauly thinks that bicyclists tend not to stop at stop signs. Pauly asks whether that's considered. Andrew says they know that some users don't stop at stop signs. He says that it's rare for drivers to come to a full stop. Drivers tend to slow down from driving 30 mph while bicyclists are going 12 mph so it's not so clear that they are slowing down.

Andrew plans to recommend to Council that stop signs be reinstated.

Ann asked whether the recommendation is to reinstate all 5 stop signs or just the one at Dunn which had the most crashes. Andrew wants to recommend all be reinstated.

Paul asked whether Andrew expects drivers will slow down because of the stop signs. Paul thinks that drivers are now driving faster than before the project. Andrew expects that reinstating the stop signs will slow traffic.

Paul moves to support the recommendation that all stop signs be reinstated.

Jaclyn wants to know when this might go to Council. Andrew doesn't think it will be in the next month; he still needs to present it to the traffic commission.

Zach asked about reinstating just some stop signs. Andrew says that Washington and Lincoln as well as Dunn meet the threshold for reinstatement, and that Morton and Grant are close. Zach was questioning whether a year was enough. Mitch thinks that one year is not enough.

Zach is seconding Paul's motion.

Ryan is asking for public comment

Eoban Binder asks what is the MUTCD guidance? He notes that lower speeds reduce the number and severity of crashes. He wonders why other ways of reducing crashes, such as reducing speeds, are being considered. He thinks that making bicyclists stop at every intersection is stupid. He thinks that staff should consider other means of reducing crashes. He noted that People for Bicycles gave Bloomington an award for the 7-line, and he doesn't think we would have the award if there were a stop sign at each intersection.

Greg Alexander appreciates the report and the design. He thought that taking out the stop signs would be good if people drove at 20 mph, but not if people are going over 32 mph. If we have to reinstate the stop signs to get people to drive safely, then we should tear up the traffic plan. He thinks there should be more ticketing to enforce legal speed limits. He thinks this is a law enforcement problem.

Hopi Stosberg is echoing what Eoban said. She especially doesn't want stop signs going up the hill. She is ok with reinstating the Dunn Street stop sign. She says her biggest problem is with people turning the corner onto side streets in front of her after passing her. She would like to eliminate cross streets, or prevent people from turning onto them from 7th.



Natalie Levin bikes the 7-line to work and used to avoid it but prefers it now because of the lack of stop signs. She thinks that stop signs cause friction with drivers especially on a hill. If the stop signs go back up, she will return to biking on 4<sup>th</sup> street.

Anne Kavelerchik uses the 7-line now but didn't before and wouldn't if the stop signs were reinstated on the hill. She says her biggest problem is with cars turning left especially those going west. She suggests installing signs telling drivers how fast their cars are going. She wants to slow traffic without stop signs. Adding stop signs would hurt cyclists.

Ryan asking for more public comment. No more comments.

Paul votes against. Pauly thinks other changes should be considered and votes against. Jaclyn votes against all 5 intersections having stop signs. Ann votes against all 5. Mitch votes no but favors a stop at Dunn. Zach votes no. Rob no. All are opposed to reinstating all 5 stop signs.

Mitch moves to recommend reinstating only the Dunn Street sign. Pauly seconds.

Public comment is required and the commissioners vote to limit it to 30 seconds per person.

Eoban still objects to a stop sign as a permanent measure and wants other recommendations to be considered such as traffic calming and lower speed limits.

Greg agrees with Eoban.

Eric Ost appreciates the meeting and the effort in Andrew's report. As a bicyclist he thinks it's peculiar that bicyclists don't stop at stop signs.

Roll call vote is taken, and all agree to reinstating the stop sign only at Dunn.

c. Micro-Mobility Recommendations for 2023 and Beyond – Hank Duncan

Deferring this topic to next month because of the time. There will be a report on this to Council March 29 and at Board of Public Works when they next meet.

## **5. Old Business**

none

## **6. Reports from Commissioners**

Jacklyn wants all the pedestrian walk symbols to come on without having someone push a button. Currently some require a person to push the button, and some don't.

## **7. Public Comment**

## **8. Adjourn**

**BLOOMINGTON TRAFFIC COMMISSION  
MINUTES**

**March 22, 2023**

**4:30 P.M. –In-person and Virtual Hybrid meeting  
City Hall, Council Chambers**

Online link: <https://bloomington.zoom.us/j/88977374111>

Meeting ID: 889 7737 4111

Passcode: 037820

Dial in: +1 312 626 6799 US (Chicago)

**I. Call to Order:**

In-person: Ryterband, Alexander, Cibor, Shadday,

Online: Burns, Moloci

Staff: Ryan Robling

**II. Approval of Minutes:**

A. November 16, 2022

Motion: Ryterband Second: Alexander

Ryterband, Alexander, Cibor, Moloci, Burns, Shadday

**III. Communications from Commission:**

A. Election of Chair and Vice Chair

Nomination: Chair – Shadday. Alexander Second: Cibor The nomination passed 6-0

Nomination: Vice Chair – Ryterband. Alexander Second: Cibor The nomination passed 6-0

B. Ryterband – Expressed support of Commissioner Alexander as a member of Traffic Commission

Alexander – Reported on various multi-use trails/paths and their engineering throughout the City.

**IV. Public Comment:\* None**

**V. Reports from Staff: None**

**VI. Old Business:\* None**

**VII. New Business:\***

A. TC-23-01: 7-Line Project Update and All-Way Stop Control Installation ,  
*Andrew Cibor, PE, PTOE, Engineering Department*

Commission discussion ensued

1. Forward a positive recommendation to install a multi-stop intersection at the Seventh Street & Dunn St intersection to the Common Council.

Motion: Ryterband Second: Alexander. The motion passed: 6-0

2. Forward TC-23-01 to the Common Council with a positive recommendation.  
Motion: Burns Second: Cibor The motion failed: 2-4 (Nays: Shadday, Moloci, Ryterband, Alexander)

**VIII. Traffic Inquiries:** None

**IX. Adjournment:** 5:53 PM

*Next meeting – April 26, 2023 – City Council Chambers*

*\*Action Requested/Public comment prior to any vote (limited to five minutes per speaker)*

***Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812) 349-3429 or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).***



## MEMO FROM COUNCIL OFFICE

**To:** Members of the Common Council

**From:** Council Office

**Date:** September 29, 2023

**Re:** Ordinance 23-22 - To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street, South Rogers Street, and South Walker Street (City of Bloomington Redevelopment Commission, Petitioner)

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### Synopsis

The petitioner, City of Bloomington Redevelopment Commission, requests vacation of two segments of alley right-of-way that were previously used as part of an IU Health parking lot to facilitate the development of the Hopewell Neighborhood. The east-west segment will be replaced by an alley slightly further south. The north-south alley will be partially replaced by a pedestrian easement.

### Relevant Materials

- Ordinance 23-22
- Staff Report from Planning and Transportation
- Primary Plat and Exhibits
- Board of Public Works Staff Report
- Petition for Vacation of Public Right-of-Way
- Link to Bloomington Hospital Site Redevelopment webpage (<https://bloomingtonhospitalsite.com/>), which includes
  - Information on the master planning process
  - Frequently asked questions
  - Bloomington Hospital Site Redevelopment Master Plan Report – January 2021

### Summary

Ordinance 23-22 proposes to vacate two existing alleys in order to develop the Hopewell Subdivision in accordance with the Bloomington Hospital Site Redevelopment Master Plan. Resources related to the Bloomington Hospital Site Redevelopment Master Plan can be found [here](#). The petitioner, Bloomington Redevelopment Commission (RDC), requests to vacate two platted alley right-of-way segments south of 2<sup>nd</sup> Street and west of Rogers Street. These right-of-way vacations will enable a replatting of the area consistent with the Master Plan and a primary plat approved by the Plan Commission on July 10, 2023.

Vacations of rights-of-way are governed by procedures contained in state law (IC § 36-7-3-12 and following statutes). In addition to state law requirements, Bloomington has adopted local procedures and criteria for public right-of-way vacations. In Bloomington, the process



typically begins with a pre-petition review of an application submitted to the Planning and Transportation Department. Pre-petition materials submitted by the petitioner are reviewed, and all utility services, safety services, and the Board of Public Works are notified of the proposed action. Upon completion of the pre-petition review, staff and the Board of Public Works each make a recommendation on the request. The Petitioner then submits the request to the Council Office, and upon receipt of the petition, a date is set for the required public hearing, where remonstrances and objections must be heard. The public hearing for Ordinance 23-22 will be held on October 4, 2023 at 6:30 p.m. The City Clerk must assure that owners of property abutting the right(s)-of-way are notified by certified mail of the proposed action. The Clerk must also advertise the hearing wherein the public may offer the Council its comments and objections

In response to a question about the fiscal impact of this ordinance, Planning and Transportation Director Scott Robinson writes:

- Land is currently not generating any property taxes.
- Current ROW is improved, but Public Works has not maintained the alleys as IU Health or Bloomington Hospital has maintained the overall site as a surface parking lot.
- Any planned redevelopment for the portions of vacated ROW would have fiscal impacts as the ownership would be transferred to a taxable unit. This would not happen immediately, but rather sometime in the next 1-3 years as property/lots are transferred to new owners.
- The primary plat was approved with a condition of this ROW vacation request being approved. There would be a time and financial cost to the applicant (the City's RDC) to initiate a new primary plat that maintains the existing alley rights of way. Placing a value on this is difficult
- The Kohr redevelopment, pending Low Income Housing Tax Credit (LIHTC) approval/award, would be impacted by failure to vacate the right of way and meet the condition of the Primary Plat. This would likely jeopardize the anticipated LIHTC award for the Kohr proposal. This too would have a time and financial impact

Objections or grounds for remonstrations are generally limited by statute to questions of access, use of public ways, and the orderly development of the neighborhood or unit as a whole. (See IC § 36-7-3-13). Aside from a failure of notice or an instance of impropriety, there is little recourse for those who object to the denial of vacation of right-of-way.

The Council's action to vacate a right-of-way must be done in the public interest. In [Resolution 87-02](#), the Council adopted the following criteria to guide its review of a request for right-of-way vacation:



1. Current Status – Access to Property: the current utilization of the right-of-way in question – as a means of providing vehicular or pedestrian access to private property, churches, schools, or other public places, for public utility or drainage purposes, or for other public purpose.
2. Necessity for Growth of the City:
  - a. Future Status – the future potential for public utilization, possible future need for the right-of-way due to future changes in land use;
  - b. Proposed Private Ownership Utilization – the proposed utilization of parcel in question if it reverts to private ownership, potential for increased benefit to the City under private ownership (does the proposed use contribute to the orderly growth of the City);
  - c. Compliance with regulations – the effect of vacation upon compliance with all applicable regulations: subdivision, zoning, access control, off-street parking (does the vacation present a non-compliance problem or hinder future compliance upon anticipated development or change of use?);
  - d. Relation to Plans – the relationship of vacation with the Master Plan, Thoroughfare Plan, Neighborhood Plans, or any special studies that might apply.

On September 12, 2023, after hearing from staff, the Board of Public Works recommended approval of the vacation. A copy of the Board of Public Works Staff Report is included in the packet materials.

In the event the Council adopts Ordinance 23-22, the Clerk must then file a copy with the County Recorder and the County Auditor.

**Contact**

Scott Robinson, Director Planning and Transportation, [robinsos@bloomington.in.gov](mailto:robinsos@bloomington.in.gov), (812) 349-3566

Andrew Cibor, Director, Engineering, [andrew.cibor@bloomington.in.gov](mailto:andrew.cibor@bloomington.in.gov), (812) 349-3913

**ORDINANCE 23-22**

**TO VACATE PUBLIC PARCELS –**

**Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street,  
South Rogers Street, and South Walker Street  
(City of Bloomington Redevelopment Commission, Petitioner)**

WHEREAS, Ind. Code § 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, in Resolution 18-06, the Common Council approved the purchase of the legacy site of the IU Health Bloomington Hospital for redevelopment into the new Hopewell neighborhood by Petitioner, the City of Bloomington Redevelopment Commission; and

WHEREAS, part of this redevelopment includes the area near the southwest corner of 2<sup>nd</sup> and Rogers Streets as detailed in the Hospital Reuse Master Plan, which called for the vacation of current public parcel alleys in favor of expanded development areas; and

WHEREAS, the Petitioner, the City of Bloomington Redevelopment Commission, has ownership interest in real estate that is contiguous to the public right of way and has filed to vacate two (2) portions of public parcels more particularly described below; and

WHEREAS, pursuant to I.C. § 36-7-3-12(c), the City Clerk has provided notice to owners of abutting property and published notice of the public hearing on this matter, which will be held during the Common Council Regular Session meeting on Wednesday, October 4, 2023, at 6:30 p.m. in the Council Chambers, Room 115, of City Hall, 401 North Morton Street; and

WHEREAS, pursuant to I.C. § 36-7-3-12, upon vacation the City Clerk shall furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor;

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

SECTION 1. Through the authority of I.C. § 36-7-3-12, two (2) portions of City owned property shall be vacated as described below:

A part of St. Clair's Sub-division of parts of Seminary Lots 37 and 46 as shown on the plat found in Plat Cabinet B, Envelope 9 in the Monroe County Recorder's Office and described as:

The entirety of the north/south alley lying west of Lots 2, 5, 6 and 7.

Also, the entirety of the east/west alley lying south of Lots 1, 2, 3 and 4.

SECTION 2. 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 3. 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
City of Bloomington

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

The petitioner, City of Bloomington Redevelopment Commission, requests vacation of two segments of alley right-of-way that were previously used as part of an IU Health parking lot to facilitate the development of the Hopewell Neighborhood. The east-west segment will be replaced by an alley slightly further south. The north-south alley will be partially replaced by a pedestrian easement.



## Case # ZO-23-22 Memo

**To:** Bloomington Common Council

**From:** Scott Robinson, AICP Planning and Transportation Director

**Date:** September 15, 2023

**Re:** Ordinance 23-22: Hopewell West Right-of-Way Vacation Request

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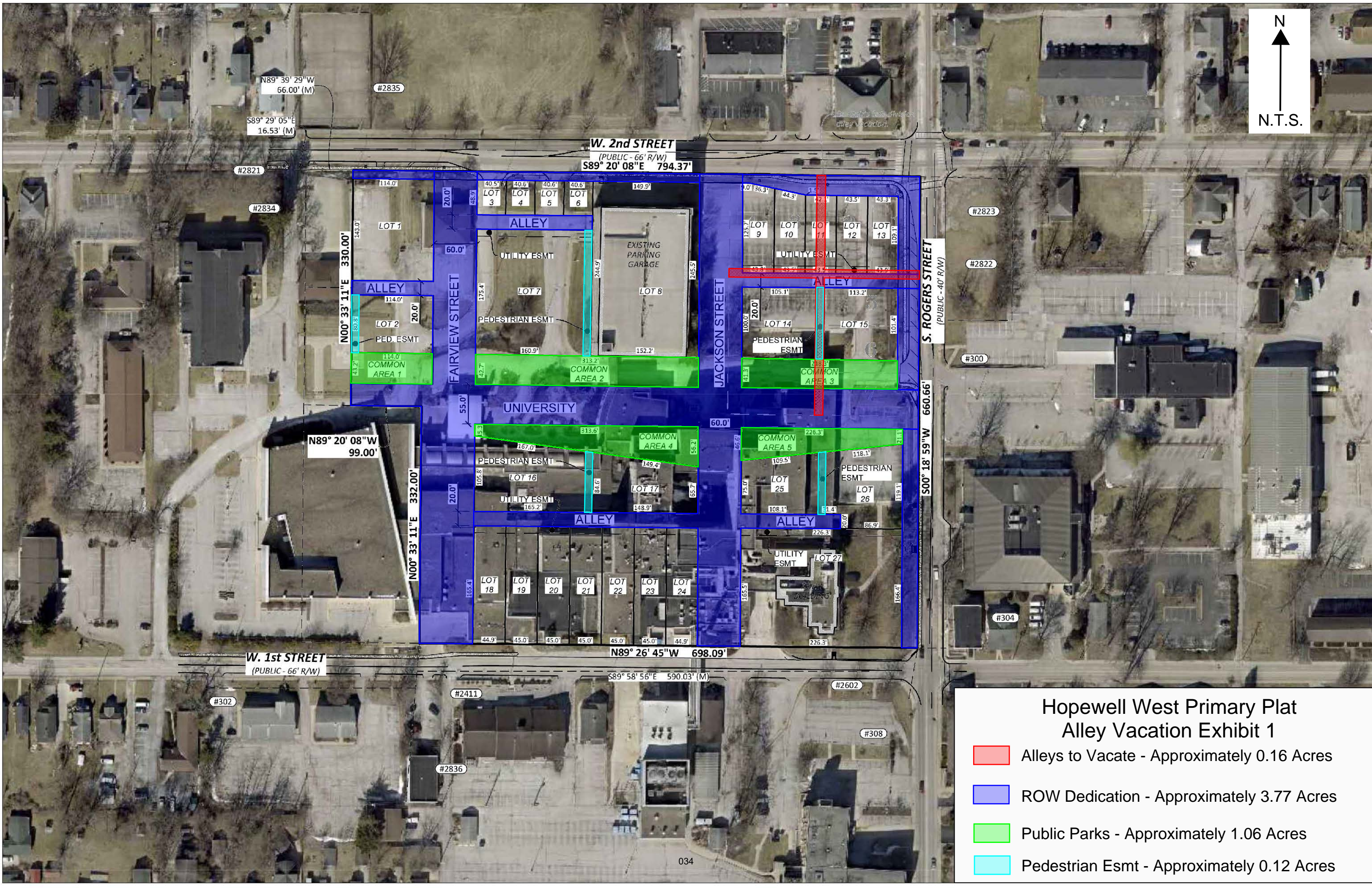
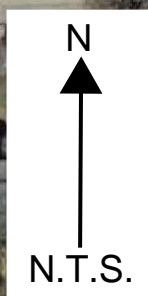
The Bloomington Hospital Site Redevelopment Master Plan Report (Master Plan) outlined the planning, design concepts, public amenities, estimated costs, and phasing to redevelop the Hopewell Neighborhood. The location where the hospital was formerly located and its surroundings, southwest of the corner of 2<sup>nd</sup> Street and Rogers Street, is moving through the platting process in order to fulfill the vision for the legacy Bloomington Hospital site. A primary plat was approved by the Plan Commission on July 10, 2023 and it details the realignment of property boundaries and public right-of-way (ROW).

Part of this realignment of property boundaries requires existing platted ROW to be vacated (a north-south alley and east-west alley, each 12 feet wide). The ROW segments were most recently being used as part of a parking lot by IU Health. The east-west alley would be replaced with a 20 foot wide alley ROW slightly further south than the existing location. The north-south alley would be partially replaced with a pedestrian access easement in the area south of the proposed east-west alley location. Additionally, a 60 foot wide ROW for Jackson Street is planned roughly 100 feet west of the existing north-south alley location. The extension of Jackson Street is consistent with the design concepts of the Master Plan.

The Planning and Transportation Department notified utilities of the ROW vacation application. A utility easement is proposed just north of the new east-west alley location, and any necessary utility coordination will take place after the new ROW is dedicated and cleared for their relocations.

The Planning and Transportation Department presented the proposed ROW vacation to the Board of Public Works (BPW) at its September 12, 2023 public meeting, which allowed an opportunity for additional input on this request. The BPW provided a positive recommendation for this ROW vacation request.

The Department, along with the Engineering Department, is requesting that Council vacate the existing platted alleys ROW located immediately southwest of the corner of 2<sup>nd</sup> and Rogers Streets. Maps and exhibits are also included for reference.

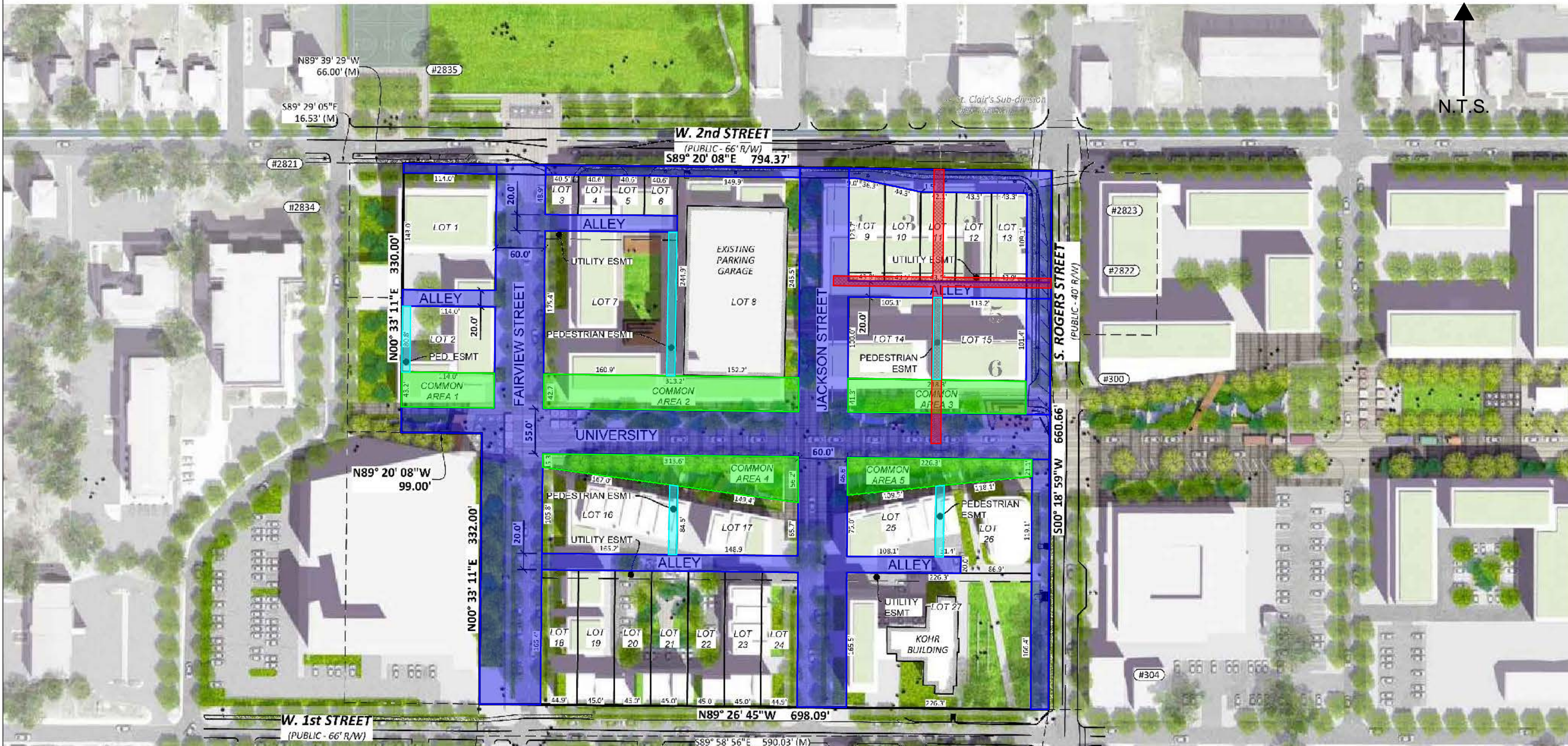


### Hopewell West Primary Plat Alley Vacation Exhibit 1

- Alleys to Vacate - Approximately 0.16 Acres
- ROW Dedication - Approximately 3.77 Acres
- Public Parks - Approximately 1.06 Acres
- Pedestrian Esmt - Approximately 0.12 Acres



N.T.S.



### Hopewell West Primary Plat Alley Vacation Exhibit 2

- Alleys to Vacate - Approximately 0.16 Acres
- ROW Dedication - Approximately 3.77 Acres
- Public Parks - Approximately 1.06 Acres
- Pedestrian Esmt - Approximately 0.12 Acres



## Board of Public Works Staff Report

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|                                   |   |
|-----------------------------------|---|
| <b>Project/Event:</b>             | Alley Right-of-Way Vacation – Hopewell West Development<br>Proposing to Vacate Existing North-South and East-West<br>Alleys |
| <b>Petitioner/Representative:</b> | Engineering Department  |
| <b>Staff Representative:</b>      | Scott Robinson, Director Planning and Transportation  |
| <b>Date:</b>                      | 09/08/2023  |

---

**Report:** As part of the redevelopment of the former Hopewell site, two platted alleys at the southwest corner of 2<sup>nd</sup> and Rogers Streets are to be vacated to allow for orderly design of new ROWs, alleys, and development parcels. The alleys have most recently been utilized by IU Health as part of a parking lot. The Hopewell West project area is generally bounded by 2nd Street to the north, 1st Street to the south, Rogers Street to the east, and the location of a future Fairview Street connection to the west. Both platted alleys are 12 feet wide. The east-west platted alley will be replaced by a 20 foot wide alley slightly to the south of the existing platted location. The north-south platted alley would be replaced in the area south of the east-west platted alley by a pedestrian easement. The project also plans to extend Jackson Street from 2<sup>nd</sup> Street to 1<sup>st</sup> Street. While the vacation of ROW is a City Council decision it has been the standard practice to present the vacations for BPW consideration prior to requesting the vacation from Council. The project seeks BPW opinion on the proposed ROW vacations.

The Bloomington Redevelopment Commission represented by Crossroad Engineers on this request has agreements to purchase the lands bordering the alleys. All local utilities have been contacted. Only CBU has replied to date, with no comments.

The alley vacations requested are in line with the Bloomington Hospital Site Redevelopment Master Plan Report dated January 2021 that underwent a rigorous public engagement process. The east-west connection currently provided by the alleys will be remain slightly to the south of the existing alley. South of this alley, a pedestrian easement is proposed to continue to provide public pedestrian access from the alley to the park area to the south.

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**City of Bloomington  
Planning and Transportation Department**

**PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY**

Filing Date \_\_\_\_\_ Ordinance # \_\_\_\_\_  
Filing Fee Paid \_\_\_\_\_ BPW Resolution # \_\_\_\_\_

1<sup>st</sup> Reading \_\_\_\_\_  
Committee \_\_\_\_\_  
Final Hearing \_\_\_\_\_

Address of Property 601 W 2nd Street

Applicant's Name Redevelopment Commission - City of Bloomington

Address 401 N Morton Street Phone 812-349-3913

E-Mail \_\_\_\_\_

Counsel or Consultant Andrew Wolf - CrossRoad Engineers, P.C.

Address 115 N 17th Ave, Beech Grove, IN 46107 Phone 317-780-1555 x124

E-Mail awolf@crossroadengineers.com

This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

\_\_\_\_\_ The undersigned agree that the applicant will notify all adjacent property owners by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all foregoing information is correct and that I (we) are the owners (legal agents for owners) of property adjacent to the proposed vacation of public right-of-way which is the subject of this application.

Signature: 

## ATTACHMENT A

### UTILITIES AND CITY SERVICES TO BE NOTIFIED OF VACATION REQUESTS

Board of Public Works [Adam Wason](#)  
812-349-3410  
Director  
P.O. Box 100  
Bloomington, IN 47402

Fire & Ambulance [Chief](#)  
812-332-9763  
Fire Chief  
P.O. Box 100  
Bloomington, IN. 47402

[REDACTED] [CenterPoint](#)  
812-330-4008  
1-800-666-2853  
Superintendent  
205 S. Madison St.  
P.O. Box 966  
Bloomington, IN. 47402

Duke Energy [Brandon.Wilson2@duke-energy.com](mailto:Brandon.Wilson2@duke-energy.com)  
812-336-6371 [Brandon Wilson](#)  
Manager  
P.O. Box 1028  
Bloomington, IN. 47402

Comcast [Scott Templeton](#)  
812-332-4152 [Scott\\_Templeton@comcast.com](mailto:Scott_Templeton@comcast.com)  
2051 W. Vernal Pike  
Bloomington, IN. 47401

Utilities Department  
812-339-1444 (Ext. #206)  
Utility Engineer  
P.O. Box 100  
Bloomington, IN 47402

Police Department [Chief Diekoff](#)  
812-349-4477  
Chief of Police  
P.O. Box 100  
Bloomington, IN 47402

TCI of Indiana, Inc.  
812-332-9185  
1600 W. 3<sup>rd</sup> St.  
P.O. Box 729  
Bloomington, IN 47402

AT&T Indiana Bell [am5495@att.com](mailto:am5495@att.com)  
812-334-4597 [Andy Mullis - Need to check](#)  
Engineering Dept.  
4517 E. Indiana Bell Ct.  
Bloomington, IN 47402

ITS  
812-349-3454  
Director  
P.O. Box 100  
Bloomington, IN 47402

August 15, 2023

Planning & Transportation Department  
City of Bloomington, Indiana



Re: Hopewell West – Alley Vacation: Pre-Petition Review Request

To Whom It May Concern,

As part of the Petition for the Vacation of a Public Right-of-Way, we are providing this letter to serve as a pre-petition review request for the Planning and Transportation Department's use and reference.

The exhibit of alley and legal description can be found on the attached page.

The subject alley right-of-way was previously used by IU Health hospital as a parking lot and the property will be transferred to the City of Bloomington RDC to be used as part of a new development called Hopewell West later this calendar year. As part of the property transaction, the site has been demolished and now sits as undeveloped land.

This site is part of the Transform Redevelopment Overlay (TRO) and the site has achieved Primary Plat approval on July 10, 2023. In order to complete the platting process and meet the requirements of the TRO the old alley rights-of-way need vacated. New alley rights-of-way are established in conformance with the TRO.

In addition to the public discussion at the July 10<sup>th</sup> Plan Commission meeting regarding the Primary Plat, the alley vacations requested are in line with the Bloomington Hospital Site Redevelopment Master Plan Report dated January 2021 that underwent a rigorous public engagement process. The act of vacating this alley right-of-way will not in any way negatively impact the site and will allow the development of the Hopewell West site to meet all established guidelines and new alley requirements as part of the TRO. There are no other properties or property owners that this vacation will impact. All utilities on this site have been disconnected and removed as part of the demolition process.

If you have any questions or need additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Wolf". The signature is written in a cursive, flowing style.

Andrew J. Wolf, PE  
317-780-1555 x124  
awolf@crossroadengineers.com

**ALLEY VACATION EXHIBIT**  
 A PART OF ST. CLAIR'S SUBDIVISION  
 OF PARTS OF SEMINARY LOTS 37 AND 46,  
 BLOOMINGTON, MONROE CO., INDIANA  
 JOB No. 11335

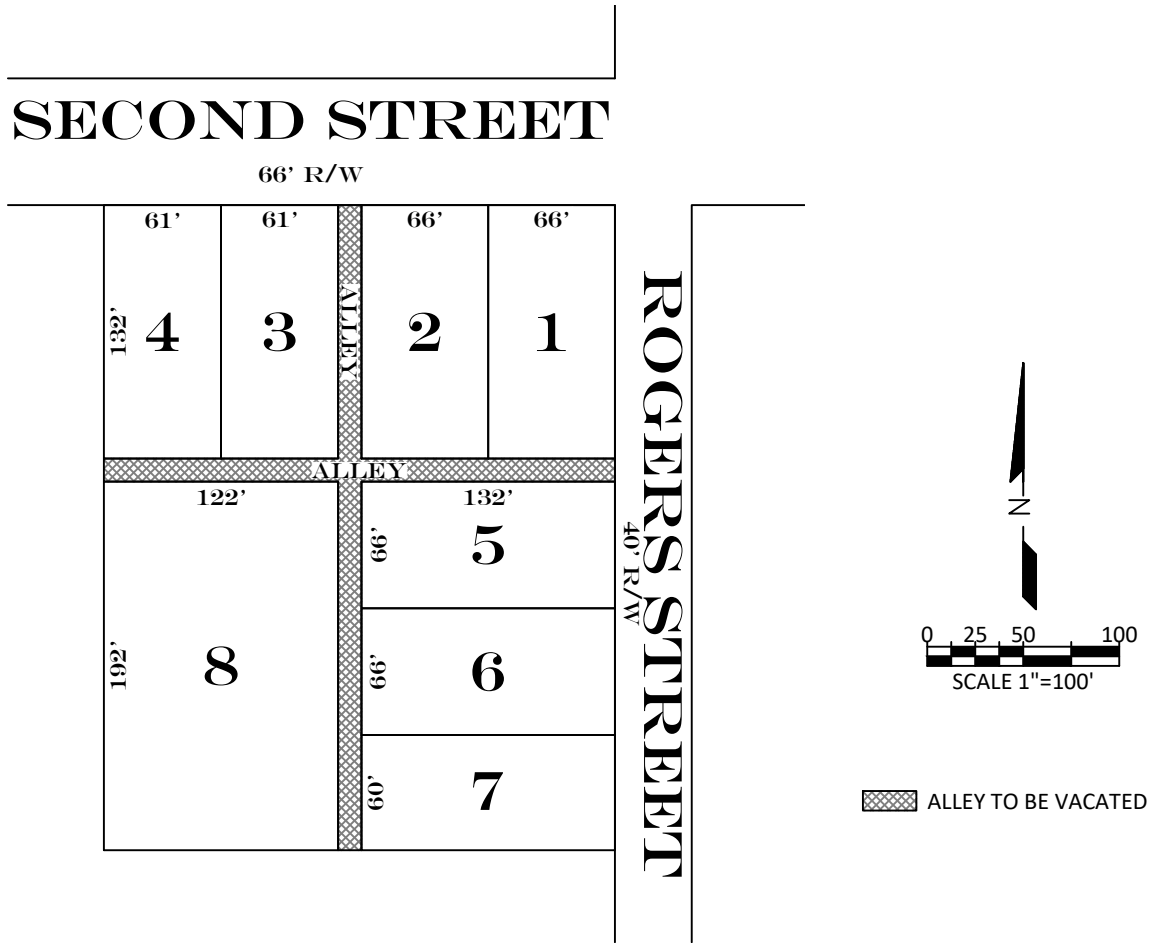
Owners Name: Bloomington Hospital, Inc.,  
 DB 364 Page 240, Inst# 2004018581, Inst# 2010019969

Alleys to be vacated:

A part of St. Clair's Sub-division of parts of Seminary Lots 37 and 46 as shown on the plat found in Plat Cabinet B, Envelope 9 in the Monroe County Recorder's Office and described as:

The entirety of the north/south alley lying west of Lots 2, 5, 6 and 7.

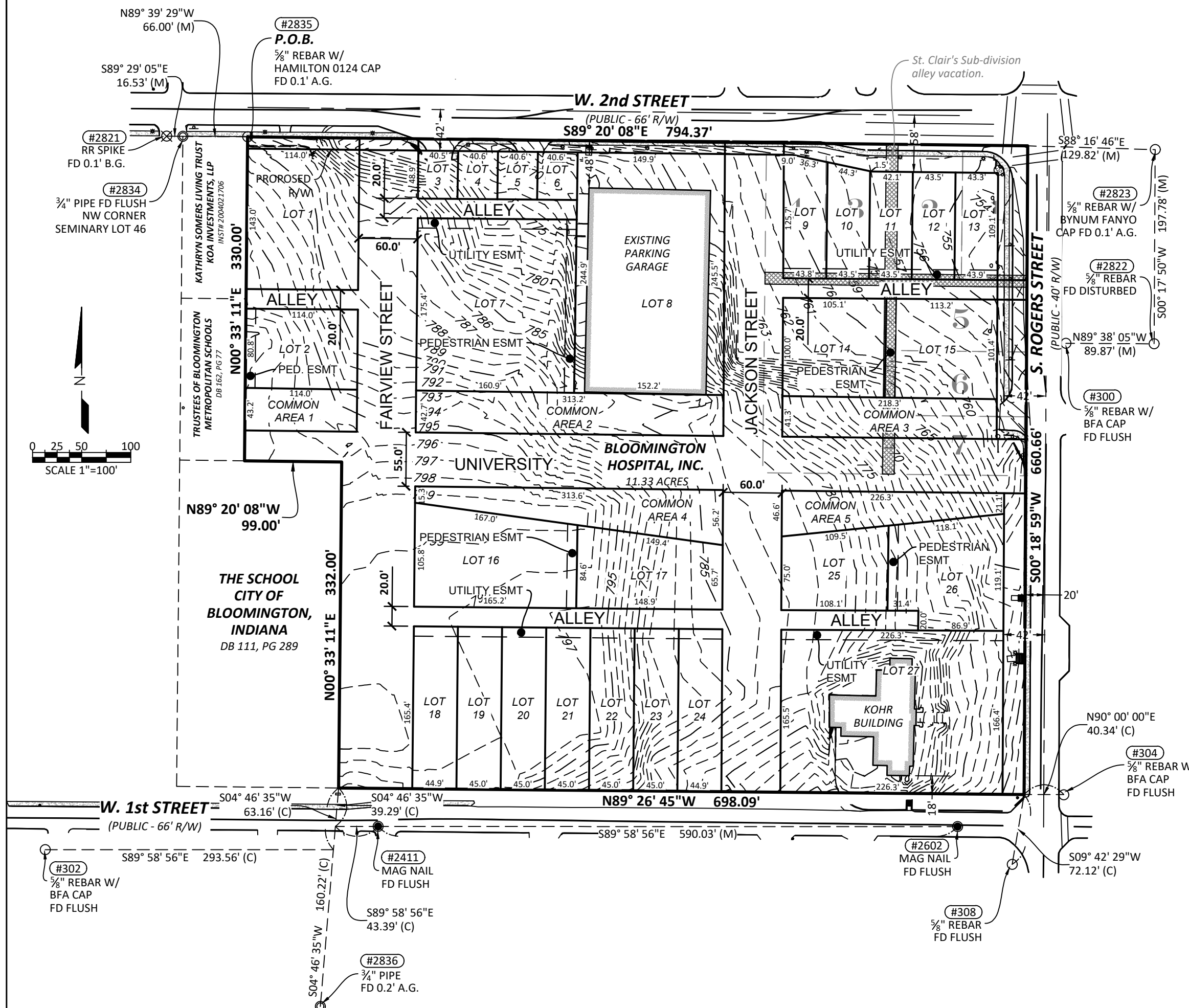
Also, the entirety of the east/west alley lying south of Lots 1, 2, 3 and 4.



S:\Jobs\11300-11399\11335 HOPEWELL WEST (2ND & ROGERS, BLGTM)\DRAW\C3D\11335\_VACATION.dwg



# HOPEWELL WEST SUBDIVISION - PRIMARY PLAT A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 1 WEST MONROE COUNTY, INDIANA



**LEGEND:**

- ROAD CENTERLINE
- - - LINE NOT TO SCALE
- 5/8" REBAR WITH CAP "BRCJ, INC 6892 IN"
- IRON PIPE FOUND AS NOTED
- REBAR FOUND AS NOTED
- ⊗ RAILROAD SPIKE FOUND AS NOTED
- ⊗ MAG NAIL FOUND AS NOTED
- R/W RIGHT-OF-WAY
- C/L CENTERLINE
- A.G. ABOVE GROUND
- B.G. BELOW GROUND
- FD FOUND
- XXXX ADDRESS

**OWNER/DEVELOPER:**  
Bloomington Hospital, Inc.  
XXXX N. XXXX Road  
Bloomington, IN 4740X  
Phone: 812-

**RECORD INFORMATION:**  
Bloomington Hospital, Inc.  
DB 364, PG 240, INST# 2004018581,  
INST# 2010019969  
53-08-05-100-057.000-009,  
53-08-05-100-058.000-009,  
53-08-05-100-059.000-009,  
53-08-05-100-119.000-009,  
53-08-05-100-120.000-009,  
53-08-05-100-127.000-009,  
53-08-05-100-132.000-009,  
53-08-05-115-012.000-009

**TRANSFORM REDEVELOPMENT OVERLAY (TRO) SETBACKS:**  
FRONT = 0 TO 15 FEET  
SIDE = 0 FEET (5' ABUTTING RESIDENTIAL ZONING)  
REAR = 0 FEET (25' ABUTTING RESIDENTIAL ZONING)

**FLOOD ZONE:**  
PROPERTY IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.) PER FEMA FLOOD INSURANCE RATE MAP NUMBER 18105C0141D, DATED DECEMBER 17, 2010.

**ZONING:**  
Subject: MM/TRO  
Adjoiners: MM, MI/TRO

**NOTES:**

- FIELD WORK PERFORMED MAY 3-12, 2023.
- ALL REBAR SET ARE 5/8" INCH WITH YELLOW PLASTIC CAP STAMPED "BRCJ, INC 6892 IN" THIS SURVEY IS THE MONROE COUNTY ZONE OF THE INDIANA GEOSPACIAL COORDINATE SYSTEM (INGCS), NAD83 (2011).
- ALL LOTS, NUMBERED 1 THROUGH 8, AND ALL ALLEYS SHOW ON THE PLAT OF ST. CLAIR'S SUB-DIVISION OF PARTS OF SEMINARY LOTS 37 AND 46 AND AS FOUND IN PLAT CABINET B, ENVELOPE 9 IN THE MONROE COUNTY RECORDER'S OFFICE ARE HEREBY VACATED.

## LEGAL DESCRIPTION

A part of Seminary Lots 37 and 46 and St. Clair's Subdivision of parts of Seminary Lots 37 and 46 in the City of Bloomington, Monroe County, Indiana, and more particularly described by Christopher L. Porter, LS21200022, on May 15, 2023, as part of Bledsoe Riggert Cooper James, Inc. Job Number 11335, as follows:

Commencing at a 3/4-inch diameter iron pipe marking the northwest corner of Seminary Lot 46; thence along the north line of said Lot 46 SOUTH 89 degrees 39 minutes 29 seconds EAST a distance of 66.00 feet to a 5/8-inch diameter rebar with cap and the Point of Beginning; thence continuing along said north line SOUTH 89 degrees 20 minutes 08 seconds EAST a distance of 794.37 feet to the northeast corner of Lot 1 of St. Clair's Subdivision as recorded in Plat Book 15, Page 65 in the Monroe County Recorder's office and the west right of way line of Rogers Street; thence along said right of way line SOUTH 00 degrees 18 minutes 59 seconds WEST a distance of 660.66 feet to the north right of way line of First Street; thence along said right of way line NORTH 89 degrees 26 minutes 45 seconds WEST a distance of 698.09 feet to the east line of Deed Book 111, Page 289 in said Recorder's office; thence along the east line of said Deed Book NORTH 00 degrees 33 minutes 11 seconds EAST a distance of 332.00 feet; thence NORTH 89 degrees 20 minutes 08 seconds WEST a distance of 99.00 feet to the southeast corner of Deed Book 162, Page 77; thence along the east line of said Deed Book and the east line of Instrument Number 2004021706 NORTH 00 degrees 33 minutes 11 seconds EAST a distance of 330.00 feet to the point of beginning, containing 11.33 acres, more or less.

This description includes the platted alleys in St. Clair's Subdivision. Said alleys may not have been vacated at the time this description was prepared.

## REPORT OF SURVEY

In accordance with Title 865, 1-12-1 through 1-12-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- (a) Reference monuments of record
- (b) Title documents of record
- (c) Evidence of active lines of occupation
- (d) Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of this survey is within that allowable for an Urban survey (0.07 feet (21 millimeters) plus 50 parts per million) as defined in IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level).

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This is a partial Retracement Survey and an Original Survey performed at the request of the City of Bloomington Redevelopment Commission.

The property is currently in the name of Bloomington Hospital, Inc (Deed Book 364, Page 240, Instrument No. 2004018581 and Instrument Number 2010019969).

The field work was performed May, 2023.

- SURVEYS & PLATS OF RECORD:**
- ALTA/NSPS Land Title Survey for Indiana University Health, Inc. by Terry D. Wright, Hamilton Designs Job Number 2018-147, dated May 25, 2018, provided by Indiana University Health, Inc.
  - Plat of Seminary Square and Lots, found in Plat Cabinet B, Envelope 5 in the Monroe County Recorder's office.
  - Plat of St. Claire's Subdivision of Parts of Seminary Lots 37 and 46, found in Plat Cabinet B, Envelope 9 in said Recorder's office.
  - Survey of Seminary Lots 11, 12, 13, 14 and Part of Lot 10 and Part of Seminary Lot 37 by Charles D. Graham, found recorded as Instrument Number 2021024040 in said Recorder's Office.

- MONUMENTS FOUND:**
- A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown as number 500 on the Graham survey.
  - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown on the Hamilton survey as the northwest corner of Tract 6, PCL 3 per Deed Record 371, Page 479.
  - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown as number 504 on the Graham survey.
  - A 5/8-inch diameter rebar with illegible cap was found flush with grade. The origin of this monument is unknown.
  - A railroad spike was found 0.1 foot below grade. The origin of this monument is unknown.
  - A 5/8-inch diameter rebar was found disturbed. This monument is shown as number 501 on the Graham survey.
  - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found 0.1 foot above grade. This monument is shown as number 502 on the Graham survey.
  - A 3/4-inch diameter iron pipe was found flush with grade and accepted as the northwest corner of Seminary Lot 46 per survey 1.
  - A 5/8-inch diameter rebar with Hamilton 0124 cap was found 0.1 foot above grade and accepted as the northwest corner of Instrument Number 2004018581 per survey 1.
  - A 3/4-inch diameter iron pipe was found 0.2 feet above grade. This monument is shown on the Hamilton survey as the southeast corner of Tract 6, PCL 2 per Deed Record 371, Page 478.

**DEED ANALYSIS:**  
No discrepancies were found when comparing the legal descriptions for the western adjoiners with the Bloomington Hospital, Inc. descriptions.

**ESTABLISHMENT OF LINES AND CORNERS:**  
Monument 2835 as held for the geometry shown on the Hamilton survey. Said geometry was then rotated to monument 2836 to establish the perimeter lines of the Bloomington Hospital, Inc. parcels.

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: Up to 1.5 feet when comparing the distance between monuments 2835 and 2836 calculated per the Hamilton survey with the measured distance.

Due to Occupation or possession lines: No discrepancies noted.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines: No discrepancies noted.

## OWNER CERTIFICATION

Bloomington Hospital, Inc., Owner of the real estate shown and described herein, does hereby certify, layoff, and plat (X) tracts, numbered X-X.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as HOPEWELL WEST Subdivision.

IN WITNESS WHEREOF, the undersigned Owner set their hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

Bloomington Hospital, Inc.

**STATE OF INDIANA COUNTY OF MONROE**  
Before me, a Notary Public in and for said County and State, personally appeared Bloomington Hospital, Inc., owner, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public (Signature)

Notary Public (Printed Name)

My Commission Expires: \_\_\_\_\_

My County of Residence: \_\_\_\_\_

**PLAN COMMISSION AND BOARD OF PUBLIC WORKS**  
Under the authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington as follows:

APPROVED BY THE PLAT COMMITTEE AT A MEETING HELD: \_\_\_\_\_, 2023

Director of Planning & Transportation Department

## SURVEYOR'S CERTIFICATION

This survey was executed according to survey requirements contained in Section 1 through 19 of 865 IAC 1-12.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

Certified this 26th day of June, 2023.

*Christopher L. Porter*  
Christopher L. Porter  
Professional Surveyor No. LS21200022  
State of Indiana



Revised 7-21-2023: Updated street right of way and proposed lot lines.

## PRELIMINARY PLAT NOTE:

1. Site was an active demolition project when field work was performed. Contours are shown based on an AutoCAD file by DLZ, provided by The City of Bloomington, and represent proposed elevations at 1 foot intervals.

**Bledsoe Riggert Cooper James**  
**BRCJ**  
LAND SURVEYING • CIVIL ENGINEERING • GIS  
1351 West Tapp Road Bloomington, Indiana 47403  
Phone: 812-336-8277 Email: cporter@brjcivil.com  
PLAT DATED: July 31, 2023 JOB # 11335



## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Stephen Lucas, Council Administrator/Attorney

**Date:** September 29, 2023

**Re:** Ordinance 23-27 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments Set Forth In BMC 20.03

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### Synopsis

This petition contains amendments in Chapter 3 related to first-floor, nonresidential use space.

### Relevant Materials

- Ordinance 23-27
- Certification form from Plan Commission
- Attachment A & staff memo, showing proposed changes to Unified Development Ordinance

### Background

At its August 14, 2023 and September 11, 2023 meetings, the Plan Commission considered amending the text of the Unified Development Ordinance (UDO) to change requirements for ground-floor, nonresidential uses in the downtown character overlay district. Plan Commission Case ZO-29-23 was given a recommendation of denial by a vote of 6-3-0 at the September meeting. The September Plan Commission meeting can be viewed online here: <https://youtu.be/BZwQiLHw6II?feature=shared&t=8820>. The August Plan Commission meeting can be viewed online here: <https://youtu.be/9ikhDDJ2z0c?feature=shared&t=10540>.

The proposal was prompted by interest from Plan Commission members wanting to consider revisions to additional use standards that apply in certain downtown areas. Neither the Plan Commission nor planning staff recommend adoption of this ordinance.

### Options for introduction of ordinance

The Council may wish to introduce and take up consideration of Ordinance 23-27 as it generally handles items of legislation. Alternatively, given that the Plan Commission initiated the proposal only to give it a negative recommendation, the Council may wish to simply not introduce the ordinance. If the Council does not introduce or take action on the ordinance within 90 days of the Plan Commission's certification, the ordinance would be considered defeated. If the Council would rather not spend time discussing this matter, the Council has the option to not introduce the ordinance for first reading on October 4<sup>th</sup>.



## Summary

The proposed text amendment to the city's UDO would revise the additional use standards applicable in the downtown character overlay district codified at [BMC 20.03.010](#)(e).

Currently, the UDO requires that a minimum of 50% of the total ground floor area of buildings in certain downtown blocks be used for nonresidential primary uses. The proposed change would reduce this percentage to 30% if either or both of the affordable housing and sustainable development incentives detailed in [BMC 20.04.110](#) are used. The revised standard would require a minimum of 1,500 square feet of ground floor area to be used for nonresidential use.

A map of the affected area from the UDO, labeled Figure 48, is included in the packet.

### General Information about UDO Updates:

General information about the UDO, including the complete text of the current UDO, can be found here: <https://bloomington.in.gov/planning/udo>. Councilmembers and the public can find the city's Comprehensive Plan online here:

<https://bloomington.in.gov/planning/comprehensive-plan>.

Proposals to amend the text of the UDO are governed by state law under Indiana Code (IC) 36-7-4 in the "[600 Series – Zoning Ordinance](#)." As a threshold matter, state law provides that the purpose of the local planning and zoning laws are "to encourage units to improve the health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end:

1. that highway systems be carefully planned;
2. that new communities grow only with adequate public way, utility, health, educational, and recreational facilities;
3. that the needs of agriculture, forestry, industry, and business be recognized in future growth;
4. that residential areas provide healthful surroundings for family life; and
5. that the growth of the community is commensurate with and promotive of the efficient and economical use of public funds."

### [I.C. 36-7-4-201](#).

Further, in considering UDO text amendments, both state and local codes require the legislative body to pay reasonable regard to:



1. the Comprehensive Plan;
2. current conditions and the character of current structures and uses in each district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of sensitive environmental features (a local criterion);
5. the conservation of property values throughout the jurisdiction; and
6. responsible development and growth.

[I.C. 36-7-4-603](#); [BMC 20.06.070\(d\)\(4\)](#).

Importantly, these are factors that a legislative body must *consider* when deliberating on zoning ordinance proposals. However, nothing in statute requires that the Council find absolute conformity with each of the factors outlined above. Instead, the Council is to take into consideration the entire constellation of the criteria, balancing the statutory factors.

Notably, Indiana courts have found that comprehensive plans are guides to community development, rather than instruments of land-use control. A municipality must consider all factors and make a balanced determination. *Borsuk v. Town of St. John*, 820 N.E.2d 118, 122 (2005).

[IC 36-7-4-607](#) provides the following procedure that applies to a proposal to amend or partially repeal the text of the UDO:

- After the Plan Commission determines its recommendation on a proposal, it certifies the proposal to the Council with either a favorable recommendation, an unfavorable recommendation, or no recommendation. This proposal received an unfavorable recommendation from the Plan Commission by a vote of 6-3. The Council must consider the Commission's recommendation before acting on the proposal.
- At the first regular meeting of the Council after the proposal is certified (or at any subsequent meeting within 90 days after the proposal is certified), the Council may adopt, reject, or amend the proposal. The Council must post and give notice at least 48 hours in advance of its intention to consider the proposal at a meeting.
- If the Council fails to act on a proposal that received a negative recommendation within 90 days after certification, the proposal is defeated.
- Assuming the Council does act within the 90 days after this proposal was certified to it, the Council can adopt, reject, or amend the proposal. If the Council amends the proposal, the Council must return it to the Plan Commission for its consideration along with a written statement of the reasons for the amendment. Doing so would start a 45-day period for the Plan Commission to consider the Council's amendment(s).



**City of Bloomington Indiana**

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: [council@bloomington.in.gov](mailto:council@bloomington.in.gov)

- If the Plan Commission approves of the Council's amendment(s) or fails to act within 45 days, the ordinance would stand as passed by the Council. If the Plan Commission disapproves of the amendment or rejection, the Council's action on the original amendment or rejection stands only if confirmed by another vote of the Council within forty-five (45) days after the Plan Commission certifies its disapproval.

These detailed procedures may seem cumbersome, but they are designed to ensure that there is a dialogue between the Plan Commission and the Council.

**Contacts**

Jacqueline Scanlan, Development Services Manager, 812-349-3423,  
[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)

Scott Robinson, Director, Planning and Transportation Department, 812-349-3423,  
[robinsos@bloomington.in.gov](mailto:robinsos@bloomington.in.gov)

**ORDINANCE 23-27**

**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)  
OF THE BLOOMINGTON MUNICIPAL CODE –  
Re: Amendments Set Forth in BMC 20.03**

WHEREAS, the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and

WHEREAS, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”); and

WHEREAS, on December 18, 2019 the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

WHEREAS, on January 14, 2020 the Mayor signed and approved Ordinance 19-24; and

WHEREAS, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and

WHEREAS, on April 18, 2020, the Unified Development Ordinance became effective; and

WHEREAS, on September 11, 2023, the Plan Commission voted to forward this amendment proposal to the Common Council with a negative recommendation, after providing notice and holding public hearings on the proposal as required by law; and

WHEREAS, the Plan Commission certified this amendment proposal to the Common Council on September 19, 2023; and

WHEREAS, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:

- 1) the Comprehensive Plan;
- 2) current conditions and character of current structures and uses in each district;
- 3) the most desirable use for which land in each district is adapted;
- 4) the conservation of property values throughout the jurisdiction; and
- 5) responsible development and growth; and

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

SECTION 1. Title 20, entitled “Unified Development Ordinance”, is amended.

SECTION 2. An amended Title 20, entitled “Unified Development Ordinance”, including other materials that are incorporated therein by reference, is hereby adopted. Said replacement ordinance consists of the following documents which are attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a negative recommendation, consisting of:
  - (A) ZO-29-23 (“Attachment A”)
  - (B) Any Council amendments thereto (“Attachment B”)

SECTION 3. The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section II into a single text document for codification.

SECTION 4. Severability. 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 5. 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED AND APPROVED by me upon this \_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This petition contains amendments in Chapter 3 of the UDO related to first-floor, nonresidential use space.

\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 23-27 is a true and complete copy of Plan Commission Case Number ZO-29-23 which was given a recommendation of denial by a vote of 6 Ayes, 3 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 11, 2023.



Date: September 19, 2023

\_\_\_\_\_  
Scott Robinson, Secretary  
Plan Commission

Received by the Common Council Office this 19th day of September, 2023.



\_\_\_\_\_  
Nicole Bolden, City Clerk

|                              |       |   |       |              |       |
|------------------------------|-------|---|-------|--------------|-------|
| Appropriation<br>Ordinance # | _____ | Fiscal Impact<br>Statement<br>Ordinance # | _____ | Resolution # | _____ |
|------------------------------|-------|---|-------|--------------|-------|

Type of Legislation:

|   |  |   |
|---|--|---|
| Appropriation<br>Budget Transfer<br>Salary Change | End of Program<br>New Program<br>Bonding | Penal Ordinance<br>Grant Approval<br>Administrative<br>Change |
| Zoning Change<br>New Fees                         | Investments<br>Annexation                | Short-Term Borrowing<br>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 XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

Approval of case ZO-29-23 amends the Unified Development Ordinance (UDO), with amendments to Chapter 3 related to first floor nonresidential uses. There are no known major impacts on existing City appropriations, fiscal liability, or revenues with this change. This ordinance is in accordance with Indiana Code 36-7-4-600.

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.)



## Case # ZO-29-23 Memo

**To:** Bloomington Common Council

**From:** Jackie Scanlan, AICP Development Services Manager

**Date:** September 19, 2023

**Re:** Text Amendments to Unified Development Ordinance: First Floor Non-Residential Downtown

---

The Plan Commission heard case ZO-29-23 on September 11, 2023 and voted to send the petition to the Common Council with a negative recommendation with a vote of 6-3.

The Plan Commission discussed changes to first-floor requirements in a particular portion of the Mixed-Use Downtown (MD) zoning district at its August 14, 2023 and its September 11, 2023 hearing. A previous discussion related to this topic was raised. Below is information from that discussion, which was held in March 2023.

Staff did a walking survey of the blocks marked with black lines in Figure 48 from the Unified Development Ordinance (UDO), which is the only area that would be affected by this amendment. Of the 278 non-residential spaces observed, 16 were vacant. That is a less than 6% vacancy rate for the areas affected by this amendment. While the vacant spaces included areas that have contained spaces that previously contained commercial uses, they also include such spaces as the vacant Fire station and Election Center, and a number of properties that experts in the room suspected as being held as vacant based on knowledge of the ownership or history of the site.

Linking the proposal for the allowance of reduced non-residential space to the use of incentives does a couple of things. On one hand, it can increase the value of the incentives to a developer while increasing the positives of a development to the community if the incentives are used. On the other hand, it acknowledges that a number of the projects that we have seen in the affected area already use incentives which could then take advantage of the reduced non-residential space, which seems to be the flexibility that was mentioned in August.

The Department slightly altered the proposal language below to clarify that one or both Incentives can be used.

### August Report

The Plan Commission asked the Planning and Transportation Department to review and propose an amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code, related to the requirement for nonresidential uses on the first floor in some portions of the Mixed-Use Downtown (MD) zoning district.

The Planning and Transportation Department prepared an amendment to the Unified Development Ordinance in response to the request.

That petition is as follows:

1. ZO-29-23 | UDO Chapter 3, Use Regulations: 20.03.010(e)(1)

ZO-29-23 UDO Chapter 3, Use Regulations: 20.03.010(e)(1)

The proposed amendment, which would allow a reduced nonresidential requirement if incentives are utilized in the development, is in bold. For reference, Figure 48 is below.

Nonresidential Ground Floor Standards

A minimum of 50 percent of the total ground floor area of a building located along each street frontage identified by a black line in Figure 48 shall be occupied by nonresidential primary uses listed in Table 3-1 as Permitted or Conditional in the MD zoning district, as those Permitted or Conditional uses are modified by those prohibited uses listed in subsection (2) below. **If use of either or both of the Incentives listed in 20.04.110 is approved, the minimum percentage shall be reduced to 30 percent. At no time shall the required nonresidential use occupy less than 1,500 square feet of said ground floor area.** Enclosed parking garages shall not be counted toward the required nonresidential use.

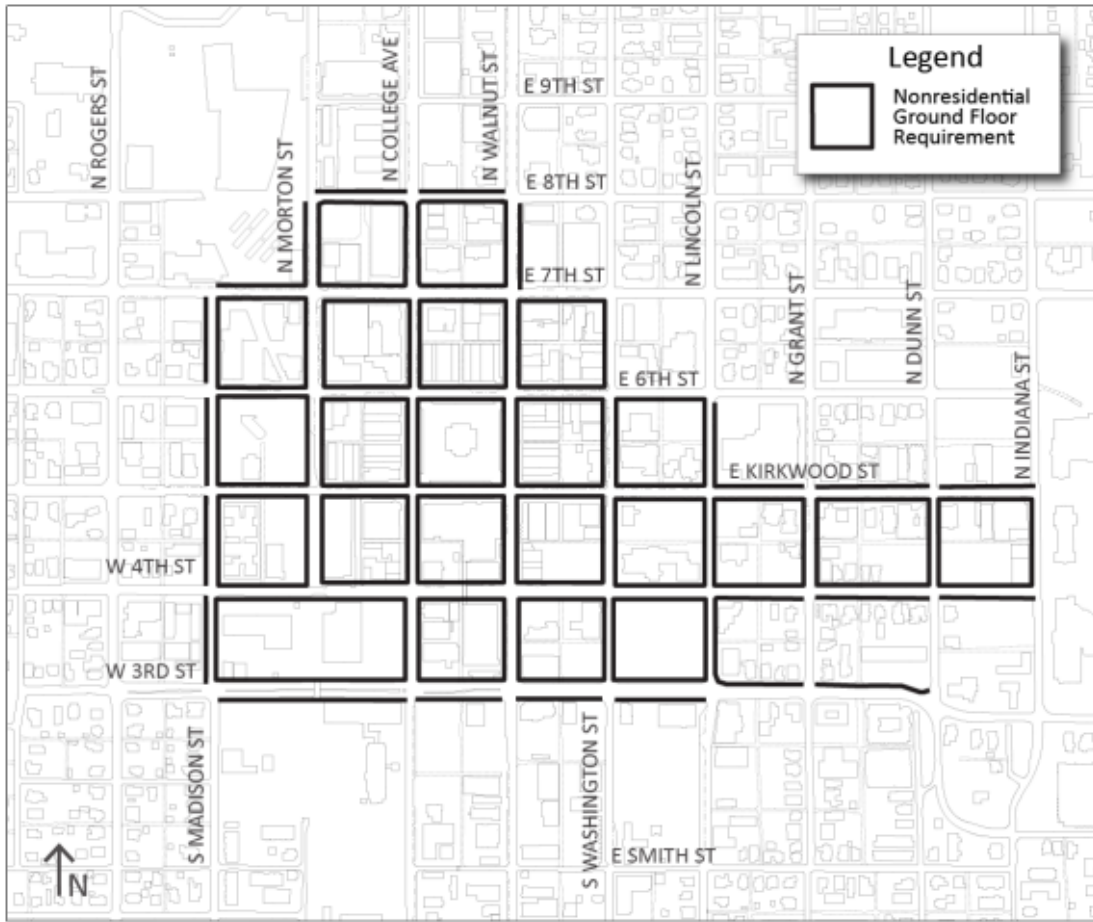


Figure 48: Downtown Nonresidential Ground Floor Requirement



## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Stephen Lucas, Council Administrator/Attorney

**Date:** September 29, 2023

**Re:** Ordinance 23-28 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

---

### Synopsis

This ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff, the Parking Commission, the Traffic Commission, and the Bicycle and Pedestrian Safety Commission. The ordinance makes the following changes:

- Empowers the city engineer and chief of police to make and enforce regulations necessary to effectuate the provisions of Title 15.
- Removes two stop intersections and adds six stop intersections.
- Allows two-way travel for bicycles on a portion of Henderson Street.
- Decreases the maximum speed limit on a portion of Seventeenth Street.
- Adds back-in angle parking on Pete Ellis Drive.
- Adds no parking spaces on Eighth Street, Southern Drive, Swain Avenue, Wilson Street, and Third Street.
- Removes limited parking zones on Allen Street, Eight Street, Swain Avenue, and Third Street and adds a limited parking zone on Third Street.
- Adds a loading zone on the 2800 block of E. Longview Avenue.
- Adds a bus zone to Third Street.

### Relevant Materials

- Ordinance 23-28
- Memo from staff (including maps of affected locations)

### Summary

Ordinance 23-28 proposes to amend various sections of Title 15 ("Vehicles and Traffic") of the Bloomington Municipal Code, accessible online [here](#). Title 15 contains codified traffic and parking controls for the city and is subject to frequent change and revision.

As the staff memo notes, the proposals are a result of public requests, feedback through commissions' recommendations, or changes stemming from temporary 180-day orders. The proposed changes would affect stop intersections, one-way streets, speed limits, angle parking, no parking zones, limited parking zones, loading zones, and bus zones. The section of local code detailing how temporary, experimental, or emergency traffic regulations may be issued would also be revised to clarify that the city engineer may make such regulations while the chief of police is authorized to enforce them. The reasons for the proposed changes and maps of the affected locations are provided in the staff memo.

### Contact

Ryan Robling, Planning Services Manager, 812-349-3459, [roblingr@bloomington.in.gov](mailto:roblingr@bloomington.in.gov) (questions sent to Ryan may be directed to other staff members as needed)

**ORDINANCE 23-28**

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE  
ENTITLED "VEHICLES AND TRAFFIC"**

**Re: Amending Section 15.08.040 to update how temporary, experimental, or emergency traffic regulations may be made and enforced; Section 15.12.010 to add three stop intersections; Section 15.16.010 to amend the included intersections of one-way travel on Henderson Street; Section 15.24.020 to modify the posted speed limit on Seventeenth Street; Section 15.32.030 to add back in angle parking on Pete Ellis Drive; Section 15.32.080 to add no parking spaces on Eight Street, Swain Avenue, Wilson Street, Southern Drive and Third Street and to; Section 15.32.090 to remove limited parking zones on Allen Street, Eighth Street, Swain Avenue and Third Street and add limited parking zone on Third Street; Section 15.32.100 to add a loading zone on East Longview Avenue; and Section 15.32.110 to add a bus zone on Third Street.**

WHEREAS, the Traffic Commission, Parking Commission, Bicycle and Pedestrian Safety Commission, and City staff from the Engineering, Legal, Parking Services division of Public Works, Planning and Transportation, and Police departments recommend certain changes be made in Title 15 of the Bloomington Municipal Code entitled "Vehicles and Traffic"; and

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

SECTION 1. Section 15.08.040, entitled "Temporary, experimental or emergency traffic regulations" shall be amended by deleting and adding the following:

**Delete**

The chief of police with the approval of the transportation and traffic engineer is empowered to make regulations necessary to effectuate the provisions of this title and any other city traffic ordinances, and to make and enforce temporary or experimental regulations. Either the chief of police or the transportation and traffic engineer is empowered to make regulations necessary to deal with emergencies or special conditions.

- (a) Temporary, experimental, or emergency regulations shall not remain in effect for more than one hundred eighty days;
- (b) In the event the chief of police, transportation and traffic engineer or traffic commission recommends that any order entered under this section be made permanent, such recommendation shall be made in writing and submitted to the common council for its consideration within one hundred twenty days of the date of entry of said order.

**Add**

The city engineer is empowered to make regulations necessary to effectuate the provisions of this title and any other city traffic ordinances. These regulations may pertain to temporary, experimental, or emergency conditions. The chief of police with the approval of the city engineer is empowered to enforce such temporary regulations.

- (a) Temporary, experimental, or emergency regulations shall not remain in effect for more than one hundred eighty days;
- (b) In the event the chief of police, city engineer or Traffic Commission recommends that any order entered under this section be made permanent, such recommendation shall be made in writing and submitted to the common council for its consideration prior to the expiration of the order.

SECTION 2. Section 15.12.010, entitled “Stop Intersections” shall be amended by deleting and adding the following from Schedule A:

Delete

| <b>TRAFFIC ON</b>          | <b>SHALL STOP FOR TRAFFIC ON</b> |
|----------------------------|----------------------------------|
| Crescent Road              | Fountain Drive                   |
| Fountain Drive (Westbound) | Eleventh Street                  |

Add

| <b>TRAFFIC ON</b>                              | <b>SHALL STOP FOR TRAFFIC ON</b> |
|--|----------------------------------|
| Alley between Kirkwood Avenue and Sixth Street | Dunn Street                      |
| Alley between Kirkwood Avenue and Sixth Street | Indiana Avenue                   |
| Alley between Dunn Street and Henderson Street | Driscoll Street                  |
| Alley between Dunn Street and Palmer Avenue    | Driscoll Street                  |
| Fountain Drive (Eastbound)                     | Crescent Road                    |
| Eleventh Street                                | Fountain Drive                   |

SECTION 3. Section 15.16.010, entitled “One-way streets,” shall be amended by deleting and adding the following from Schedule E:

Delete

| <b>Street</b>    | <b>From</b>   | <b>To</b>      | <b>Direction of Travel</b> |
|------------------|---------------|----------------|----------------------------|
| Henderson Street | Second Street | Indiana Avenue | North                      |

Add

| <b>Street</b>    | <b>From</b>   | <b>To</b>      | <b>Direction of Travel</b> |
|------------------|---------------|----------------|----------------------------|
| Henderson Street | Second Street | Hunter Avenue  | North (1)                  |
| Henderson Street | Hunter Avenue | Indiana Avenue | North                      |

(1) One-way for motor vehicle traffic only. Two-way bicycle traffic permitted.

SECTION 4. Section 15.24.020, entitled “Increased or decreased speed limits,” shall be amended by deleting and adding the following from Schedule I:

Delete

| Street             | From          | To             | Posted Speed |
|--------------------|---------------|----------------|--------------|
| Seventeenth Street | Monroe Street | Jackson Street | 35           |

Add

| Street             | From          | To             | Posted Speed |
|--------------------|---------------|----------------|--------------|
| Seventeenth Street | Monroe Street | Jackson Street | 30           |

SECTION 5. Section 15.32.030, entitled “Angle Parking,” shall be amended by adding the following to Schedule L:

Add

| Street           | From            | To                         | Side of Street | Angle Type |
|------------------|-----------------|----------------------------|----------------|------------|
| Pete Ellis Drive | Longview Avenue | 350’ N. of Longview Avenue | West           | Back In    |

SECTION 6. Section 15.32.080, entitled “No Parking Zones,” shall be amended by adding the following to Schedule M:

Add

| Street         | From                       | To                                      | Side of Street | Time of Restriction         |
|----------------|----------------------------|---|----------------|-----------------------------|
| Eighth Street  | Walnut Street              | First four spaces east of Walnut Street | South          | 9:00 p.m. to 4:00 a.m. only |
| Southern Drive | Grant Street               | West to Dead End                        | South          | Anytime                     |
| Swain Avenue   | State Court Street         | 30’ S. of 3rd Street                    | West           | 6:00 p.m. to 8:00 a.m. only |
| Wilson Street  | Park Avenue                | 48’ W. of Park Avenue                   | North          | Anytime                     |
| Third Street   | 40’ east of Eastside Drive | Rose Avenue                             | North          | Anytime                     |

SECTION 7. Section 15.32.090, entitled “Limited Parking Zones,” shall be amended by deleting and adding the following to Schedule N:

Delete

| Street        | From                | To                                      | Side of Street | Limit                       |
|---------------|---------------------|---|----------------|-----------------------------|
| Allen Street  | 220’ West of Rogers | Rogers Street                           | North          | 2 Hr. (4)                   |
| Eighth Street | Walnut Street       | First four spaces east of Walnut Street | South          | 9:00 p.m. to 4:00 a.m. only |
| Swain Avenue  | State Court Street  | 30’ S. of 3rd Street                    | West           | 6:00 p.m. to 8:00 a.m. only |
| Third Street  | Eastside Drive      | Rose Avenue                             | North          | 10 Min. (6)                 |

Add

| Street       | From           | To                         | Side of Street | Limit       |
|--------------|----------------|----------------------------|----------------|-------------|
| Third Street | Eastside Drive | 80’ west of Eastside Drive | North          | 15 Min. (6) |

SECTION 8. Section 15.32.100, entitled “Loading zones,” shall be amended by adding the following to Schedule O:

Add

|      |  |  |  |  |
|------|--|--|--|--|
| 2800 | Block of East Longview Avenue, from 100’ to 180’ east of South Williamsburg Drive on the north side. |  |  |  |
|------|--|--|--|--|

SECTION 9. Section 15.32.110, entitled “Bus Zones,” shall be amended by adding the following to Schedule P:

Add

| Street       | From           | To                         | Side of Street | Time of Restriction |
|--------------|----------------|----------------------------|----------------|---------------------|
| Third Street | Eastside Drive | 40’ east of Eastside Drive | North          | All Time            |

SECTION 10. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application 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 11. This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.



PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk,  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance amends Title 15, “Vehicles and Traffic,” of the Bloomington Municipal Code and comes forth at the request of City staff, the Parking Commission, the Traffic Commission, and the Bicycle and Pedestrian Safety Commission. The ordinance makes the following changes:

- Empowers the city engineer and chief of police to make and enforce regulations necessary to effectuate the provisions of Title 15.
- Removes two stop intersections and adds six stop intersections.
- Allows two-way travel for bicycles on a portion of Henderson Street.
- Decreases the maximum speed limit on a portion of Seventeenth Street.
- Adds back-in angle parking on Pete Ellis Drive.
- Adds no parking spaces on Eighth Street, Southern Drive, Swain Avenue, Wilson Street, and Third Street.
- Removes limited parking zones on Allen Street, Eight Street, Swain Avenue, and Third Street and adds a limited parking zone on Third Street.
- Adds a loading zone on the 2800 block of E. Longview Avenue.
- Adds a bus zone to Third Street.

---

## MEMORANDUM

**To:** Common Council

**From:** Andrew Cibor, City Engineer; Raye Ann Cox, Parking Enforcement Manager; Neil Kopper, Senior Project Engineer; Scott Oldham, Captain of Operations of Bloomington Police Department; Aleksandrina Pratt, Assistant City Attorney; Ryan Robling, Planning Services Manager; Beth Rosenbarger, Assistant Director of Planning and Transportation; Michelle Wahl, Parking Services Director

**Date:** October 4, 2023

**Re:** Proposed Ordinance # 23-28, to make various amendments to Title 15

---

City staff from the Engineering, Legal, Parking Services division of Public Works, Planning and Transportation, and Police departments have compiled a number of recommendations for changes to Title 15, the vehicle and traffic section of the Bloomington Municipal Code. Proposed Ordinance #23-28 would make these changes.

The proposed changes will address concerns that have been identified through staff's review of the existing code, public requests, recommendations from related commissions, or as mandated by 180-day orders. The maps attached will provide a visual representation of these proposed changes.

The ordinance includes the following changes:

- Section 1:
  - An update to the “temporary, experimental or emergency traffic regulations” to clarify roles and responsibilities of the city engineer and chief of police in making regulations necessary effectuate the provisions of title 15 and any other city traffic ordinances.
    - This change matches the language of title 15 to internal best practices. This will grant the city engineer the power to issue 180-day orders, and clarify that the chief of police is responsible for enforcing those orders. Currently 180-day orders can only be issued by the chief of police.
- Section 2:
  - Removes one stop intersection on Crescent Road at Fountain Drive.
  - Removes one stop intersection on Fountain Drive (westbound) at Eleventh Street.
  - Adds one stop intersection on Fountain Drive (Eastbound) at Crescent Road.
  - Adds one stop intersection on Eleventh Street at Fountain Drive.
    - This is a result of the B-Line Connection Project which will connect the B-Line Trail's Adams Street terminus with the 17th Street multiuse path near I-69. It involves reconstructing the Fountain/Crescent and

- Fountain/11th intersections and reevaluating traffic control based on factors like traffic volume and geometry, per the Indiana Manual on Uniform Traffic Control Devices (MUTCD). The alignment at the Crescent/Fountain intersection will change to accommodate new traffic patterns. Shown in Map 01.
- Adds two stop intersections on the Alley between Kirkwood Avenue and Sixth Street at Dunn Street, and Indiana Avenue.
    - The current alley layout resembles a street rather than a typical alley. Installing two stop signs will alleviate confusion and conflicts at these intersections. The Traffic Commission voted to forward TC-23-05 to the Common Council with a positive recommendation. Shown in Map 02.
  - Adds one stop intersection on the Alley between Dunn Street and Henderson Street at Driscoll Street.
  - Adds one stop intersection on the Alley between Dunn Street and Palmer Avenue at Driscoll Street.
    - The current alleys resemble neighborhood streets rather than a typical alley. Installing stop signs will alleviate confusion and conflicts at these intersections. The Traffic Commission voted to forward TC-23-06 to the Common Council with a positive recommendation. Shown in Map 03.
- Section 3:
    - Modifies one-way traffic on Henderson Street between Second Street and Hunter Avenue to allow for two-way bicycle traffic.
      - The Henderson Neighborhood Greenway is identified as a high property bicycle network connection, but it currently allows only one-way traffic. The proposed change maintains one-way traffic for motor vehicles but enables two-way bicycle travel. Shown in Map 04.
  - Section 4:
    - Modifies the posted speed of Seventeenth Street from Monroe Street to Jackson Street from 35 MPH to 30 MPH.
      - The proposed change will limit maximum speeds on Seventeenth Street adjacent to the Seventeenth Street Multiuse path to 30 MPH.
  - Section 5:
    - Adds back in angle parking on Pete Ellis Drive from Longview Avenue to 350' North of Longview Avenue.
      - Back in angled parking was originally proposed as part of PUD-31-21. The PUD was approved by the Plan Commission on April 12, 2021. The back in angled parking was reviewed and approved by Planning and Transportation and Engineering and constructed in 2023. Shown in red on Map 05.

- Section 6:
  - Adds no parking zone on the south side of Eight Street from Walnut to First four spaces east of Walnut Street between the hours of 9:00 p.m. to 4:00 a.m.
  - Adds no parking zone on the west side of Swain Avenue from State Court Street to 30' S. of 3rd Street between the hours of 6:00 p.m. to 8:00 a.m.
    - These are corrections, as the current restrictions were incorrectly included in the “limited parking zone” section of Title 15.
  - Adds no parking zone on the south side of Southern Drive from Grant Street to End of the street.
    - Originated from reports from the Sanitation Division stating that sanitation trucks cannot access solid waste carts on East Southern Drive due to parked vehicles, requiring manual cart retrieval. City regulations mandate a minimum of 12 feet for traffic movement; self-regulation on low-traffic streets is the norm unless issues arise. The Traffic Commission voted to forward TC-23-08 to the Common Council with a positive recommendation. Shown in Map 06.
  - Adds no parking zone on the north side of Wilson Street from Park Avenue to 48' west of Park Avenue.
    - Residents reported difficulty turning from Park Avenue to Wilson Street due to sight limitations due to park vehicles. The Traffic Commission voted to forward TC-23-03 to the Common Council with a positive recommendation. Shown in Map 07.
  - Adds no parking zone on the north side of Third Street from 40' east of Eastside Drive to Rose Avenue.
    - This change is included as part of the creation of a new bus zone in section 9.
  
- Section 7:
  - Removes the limited parking zone on the north side of Allen Street from 220' West of Rogers Street to Rogers Street.
    - This request came from the neighborhood residents, and had support of local businesses. The Parking Commission voted to forward PC-23-01 to the Common Council with a positive recommendation. Shown in Map 08.
  - Removes the limited parking zone on the south side of Eight Street from Walnut to the first four spaces east of Walnut Street.
  - Removes the limited parking zone on the west side of Swain Avenue from State Court Street to 30' south of Third Street.
    - These changes are part of the correction seen in section 6.
  - Removes the 10 minute limited parking zone on the north side of Third Street from Eastside Drive to Rose Avenue.
    - This change is included as part of the creation of a new bus zone in section 9.
  - Adds 15 minute limited parking zone on the north side of Third Street from Eastside Drive to 80' west of Eastside Drive.
    - Allows for the creation of a bus zone. This change can be seen in section 9.

- Section 8:
  - Adds a loading zone to the north side of 2800 block of Longview Avenue from 100' to 180' east of South Williamsburg Drive.
    - Loading zone was originally proposed as part of PUD-31-21. The PUD was approved by the Plan Commission on April 12, 2021. The loading zone was reviewed and approved by Planning and Transportation and Engineering and constructed in 2023. Shown in blue on Map 05.
- Section 9:
  - Adds bus zone on the north side of Third Street from Eastside drive to 40' east of Eastside Drive.
    - Creates a new bus zone on Third Street.

The anticipated fiscal impact of these proposed changes is minimal. Generally, anticipated expenditures to add or remove signs, poles, etc. related to the Title 15 changes proposed, are covered by the 2023 Budget.



Map 02



Map 03



Map 04



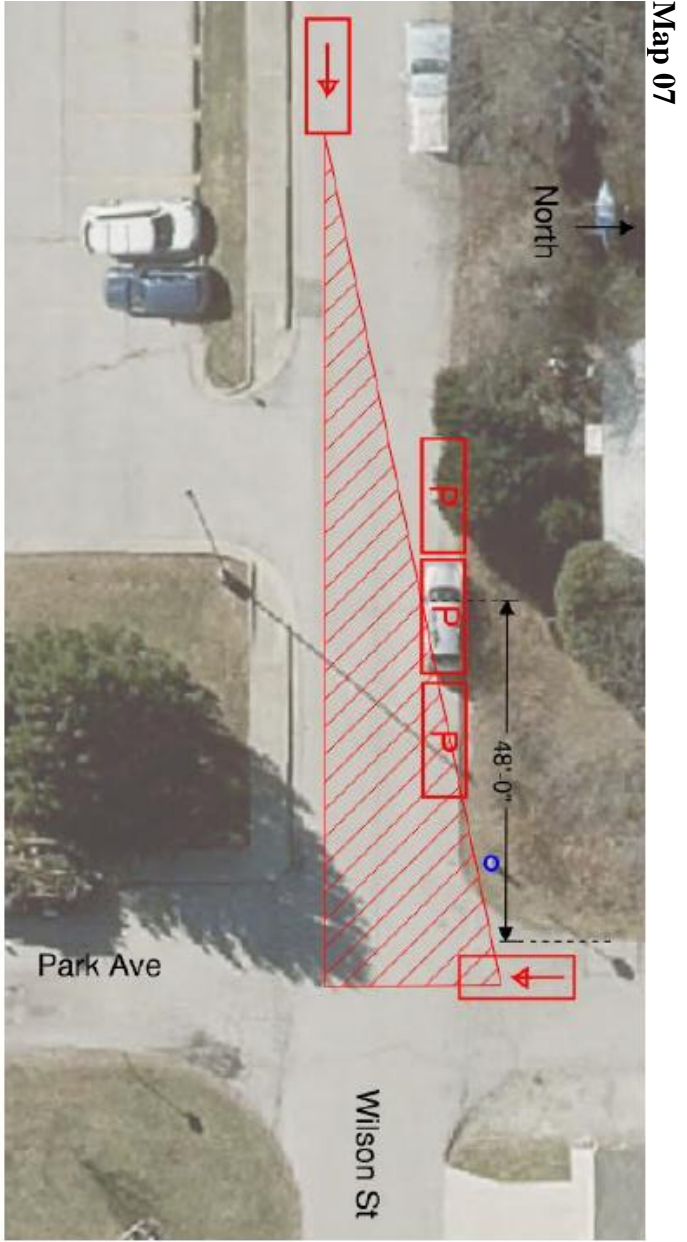


Map 05





Map 06



Map 07

# Map 08

