City of Bloomington Common Council

Legislative Packet

Wednesday, 23 August 2017

Regular Session

For legislation and material regarding
Ordinance 17-24, please consult the
17 May 2017 Legislative Packet.

All other legislation and material contained herein.

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402
812.349.3409
council@bloomington.in.gov
http://www.bloomington.in.gov/council

City of Bloomington Indiana

City Hall
401 N. Morton St.
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Bloomington, Indiana 47402

Office of the Common Council
(812) 349-3409
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To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: August 18, 2017

Packet Related Material

Memo
Agenda
Calendar

Notices and Agendas:

- **Notice of Change in the Date for the Food and Healthcare Subcommittee of the Affordable Living Committee** (from August 21st to August 28th – at noon in the Dunlap Room)
- **Notice of Gathering to Celebrate Tim and Sue Mayer's Service to the Community** on Thursday, August 24th at 5:30 pm in the City Hall Atrium
- **Notice of Schedule for Consideration of Res 17-28** *(which Adopts the Comprehensive Plan for the City)*

Legislation and Background Material for First Reading (Listing One Item that also Appears under Second Reading):

- **Ord 17-33** To Amend the Zoning Maps from Industrial General (IG) to Institutional (IN) and from Industrial General (IG) to Residential High-Density Multifamily (RH) - Re: 1611 S. Rogers Street (City of Bloomington)
  - Certificate of Action (8/14/17) - Positive Recommendation: 5 – 0 – 0
  - Aerial photo of the site
  - Map of surrounding uses
  - Map of GPP Designation (Employment Center)
  - Memo to Council from Eric Greulich, Zoning Planner
    - August 14, 2017 Plan Commission Materials
      - *(Staff Report – not included since it is repeats what's in the Memo to the Council)*
      - Staff Report – on Request for Subdivision and Use Variance *(which are not subject to Council approval)*
      - Environmental Commission Report

- Petitioner's Statement
  - Narrative
  - Maps and Site Renderings

Contact: Eric Greulich at 812-349-3526, greulice@bloomington.in.gov

Legislation for Second (and Subsequent) Readings and Resolutions:

- **Res 17-35** To Approve Refunding Bonds of the City of Bloomington Park District in an Amount Not to Exceed Six Million Dollars to Refund the City of Bloomington, Indiana Park District Bonds of 2009
  - Memo to the Council from Philippa Guthrie, Corporation Counsel, and Jeffrey Underwood, Controller

  Contact:

  Philippa Guthrie at 812-349-3426, guthriep@bloomington.in.gov
  Jeffrey Underwood at 812-349-3412, underwoj@bloomington.in.gov

- **Ord 17-33** To Amend the Zoning Maps from Industrial General (IG) to Institutional (IN) and from Industrial General (IG) to Residential High-Density Multifamily (RH) - Re: 1611 S. Rogers Street (City of Bloomington)

  (See under First Readings – Above)

  Contact: Eric Greulich at 812-349-3526, greulice@bloomington.in.gov

One Traffic Ordinance Postponed from the May 31st Regular Session and Carried Over from the August 9th Regular Session (without Introduction)

For more information please see:

- **The Legislative Packet for the May 17, 2017 Regular Session, where the legislation, strikeout version of Title 15, staff memo, and Council Office summary can be found; and**
- **The Minutes for the May 31, 2017 Regular Session, where a record of the discussion has been approved by the Council.**

- **Ord 17-24** To Amend Title 15 of the Bloomington Municipal Code (BMC) Entitled "Vehicles and Traffic" - Re: Deleting BMC Chapter 15.36 (Resident-Only Parking Permits)
  - Amendment by Substitution (Am 01) – Revised After Released in the Weekly Packet for the August 9th Regular Session)
    - Memo to Council
    - Parking Commission Packet
    - Am 1 to the Amendment by Substitution (Cm. Volan, Sponsor)

Contact: Barbara McKinney, 812-349-3426, mckinneb@bloomington.in.gov
Andrew Cibor, 812-349-3423, cibora@bloomington.in.gov

Minutes from Regular Session:
None

Memo

One Item to be Introduced under First Reading with That and Two Other Items Ready under Second (and Subsequent) Readings at the Regular Session on Wednesday, August 23rd

The agenda for next Wednesday's Regular Session includes an ordinance under both First and Second Reading and a note setting forth the special procedures required by local code to adopt it in one evening. That ordinance is included in this packet. In addition, there is also a resolution and ordinance under Second Reading. The resolution is included in this packet. The ordinance is coming forward after previous consideration by the Council and now includes an Amendment by Substitution, which was released in a previous packet and another amendment, which can be found in this packet. Please see the Table of Contents (above) and the summary (at the end of this memo) for more on the ordinances and amendments and where to find them.

Schedule for Consideration of Comprehensive Plan (Res 17-28) Included in Packet

Please know that the **Schedule for Consideration of the Comprehensive Plan (Res 17-28)** is included in this material. The Schedule is intended to track the motion adopted by the Council on August 9th and foresees that the Council will adopt further motions regarding the conduct of meetings and, perhaps, adjustments to the Schedule.

First Readings

Item 1 – Ord 17-33 – To Rezone 6.01 Acres of Land at 1607 – 1901 South Rogers from Industrial General (IG) to Institutional (IN) (5.39 Acres) and Residential High Density Multifamily (RH) (0.62 Acres) (City of Bloomington Parks and Recreation Department, Petitioner)

Ord 17-33 would rezone 6.01 acres of land on the east side of South Rogers

adjacent to the future Switchyard Park[1] from Industrial General (IG) to Institutional (IN) (6.01 acres) and to Residential High Density Multifamily (RH) (0.61 acres). The property should be familiar to the Council for at least two reasons. First, it is owned by the City's Parks and Recreation Department and included in the Master Plan for the Switchyard Park. Second, in June, the Council authorized the Board of Park Commissioners to put what would be the RH parcel under a long term lease as an affordable housing project.[2]

Please note that, although not subject to direct approval by the Council, the material includes the subdivision of land between these two uses along a use waiver associated with siting of a parking lot within a floodplain.

Introduction and Adoption Proposed on Same Night Given the Council's familiarity with this site and project, and the need for the developer to demonstrate site control of the 0.62 acre parcel in order to secure financing, the ordinance is scheduled for action on one night. However, if needed, the ordinance could be continued for further consideration at a Special Session being contemplated for Wednesday, August 30th. Please note that both statute and local code prohibit the passage of an ordinance on the same night it is introduced unless the Council unanimously agrees to consider the legislation in one night and passes the legislation by a 2/3's majority vote. While statute excepts zoning ordinances from that prohibition, local code does not. Therefore, in order to allow for action on one night, the agenda has been changed to place First Readings before Second Readings and to include a statement of the voting requirement for this legislation as it appears under Second Reading (Item 2).

Site and Surrounding Uses According to the staff materials, the site, structures, and surrounding uses owe much to the railroad that once served the area. That includes industrial buildings and an office over the several parcels on these 6 acres. Just beyond the site, there is: a former warehouse that now is a recreational facility authorized via a PUD on the north; the B-Line Trail and future Switchyard Park (zoned Institutional) on the east; a mobile home park authorized via a PUD on the south; and more IG zoning and some Single Family Residential (RS) zoning on the west.

Subdivision and Use Variance On the same evening as the rezone, the Plan Commission approved the subdivision of the site into the future parks property

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[1] The addresses include: 1607, 1609, 1611, and 1901 S. Rogers Street.
[2] See Ord 17-32 in the weekly Legislative Packet issued for the Special Session on June 21st.

(5.39 acres) and future affordable housing project (0.62 acres). In addition, the Plan Commission approved a use variance to allow for the location of a portion of a parking lot (with permeable pavers) on a flood plain. (Please note that those approvals are not directly subject to your action on the rezone and would, in fact, stand even in the event the rezone were denied.) The Plan Commission materials are in this packet and indicate that: the access and parking was envisioned in the Switchyard Park Master Plan; the requisite submittals were approved by the State; and, the request was supported by the Environmental Commission.

Growth Policies Plan (GPP) The GPP designates this site and areas to the north and north-west as an "Employment Center," which the memo from Eric Greulich indicates calls for "a mix of office and industrial uses providing large-scale employment opportunities for the Bloomington community and surrounding region." The memo goes on to say that an Employment Center was consistent with the area when the railroad went through, but does not account for the emerging Switchyard Park.

Uses The change in zoning entails changes in use and development standards. For the District Intent, Permitted and Conditional Uses, and Development Standards related to the current and proposed zoning districts, please see these sections of Title 20 (Unified Development Ordinance):

- BMC 20.02.410-440 – Industrial General (IG);
- BMC 20.02.490-520 – Institutional (IN); and
- BMC 20.02.170-190 – High Density Residential Multifamily (RH).[3]

Plan Commission Recommendation: After one hearing on August 14th, the Plan Commission voted 5 – 0 to recommend this rezone with no conditions.

Council Review

The matter was certified to the Council on August 15, 2017 and is slated for action at one hearing on August 23rd. However, if needed, the Council has up to ninety days to approve or reject the proposal. Failure to act in that time period would result in the ordinance taking effect upon its expiration. (I.C. §36-7-4-608[f])

In reviewing proposals to amend the zoning maps or amend the text of the UDO,

[3] at https://bloomington.in.gov/code/

State statute direct that the legislative body "shall pay reasonable regard" to the following:[4]

- the comprehensive plan (the Growth Policies Plan);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of sensitive environmental features;
- the conservation of property values throughout the jurisdiction; *and*
- responsible development and growth. (I.C. §36-7-4-603)

Analysis

Without detailing the determinations set forth in the memo and materials in regard to the above considerations, it appears that the Plan Commission found that the proposed uses of this site complemented each other and were consistent with the overall goals of the Growth Policies Plan and would be better for the community than the current uses.

Second (and Subsequent) Readings and Resolutions

Item 1 – Res 17-35 (Authorizing Issuance of Park District Refunding Bonds to Refinance Park District Bonds of 2009)

Res 17-35 is the first item under Second Reading and authorizes the issuance of Park District bonds to refund district bonds of 2009 which were used to acquire and improve what is now the Twin Lakes Recreation Center. Under statute, the City's Parks District is a taxing unit which may issue bonds if authorized by the City Council, as fiscal body of the City. This resolution provides that authorization.

According to the legislation, materials, and conversations with staff, bonds in the amount of $6.45 million were issued in 2009 for the above project at an average interest rate of 4.3% and periods of repayment not exceeding 20 years. There is now an outstanding amount of $4.975 million and the refunding of these bonds is anticipated to save approximately $350,000 over the remaining period of bond repayment (with a net present value of $290,000). Toward that end, this resolution authorizes the issuance of refunding bonds in an amount not to exceed

[4] Please note that under BMC 20.09.160 (d), the Plan Commission also considers "the conservation of sensitive environmental features."

$6 million at an interest rate of no more than 5%[5] and period of no longer than February 15, 2029.

Item 3 -- Ord 17-24 Amending Title 15 (Vehicles and Traffic) to Repeal and Replace the Resident Only Parking Permit Program.

Recall that Ord 17-24 proposed the elimination of the Resident-Only Parking Permit Program. The matter was postponed from the Regular Session on May 31 to the Regular Session on August 9. Recall that at the August 9 meeting, the 10:30pm rule was invoked and the motion to introduce the ordinance failed. For those reasons, the ordinance returns to the Council on Wednesday, August 23.

As a result of Council deliberations on the matter in May, the Administration submitted an Amendment by Substitution. Instead of *eliminating* the Resident-Only Parking Program as originally proposed with Ord 17-24, the Amendment by Substitution instead replaces the program with one that allows for a residential, on-street parking program where:

- Applicant lives in a single household detached dwelling in an area zoned for residential purposes
- The aforementioned dwelling does not have adequate off-street parking
- The applicant is a person with a permanent disability.

An applicant whose application for a permit is denied by the Parking Enforcement Manager may appeal the Manager's ruling to the Board of Public Works. If the Board finds that the applicant meets the requirements of the chapter or if the applicant finds there are "extenuating circumstances" that justify issuance of a permit, then a permit may be granted.. "Extenuating circumstances" include, but are not limited to, "neighborhood parking conditions that impose unique hardships on the applicant that cannot be reasonably addressed in another way, and such hardships prevent the applicant from being able to remain at the residence if no permit is granted."

Other requirements:

- One permit per single-family dwelling
- One space per single-family dwelling
- Permits only valid for one calendar year. All permits expire on December 31st of year of issuance and applicants must re-apply each year.

[5] This figure is a maximum and not the anticipated interest rate.

- Spaces and permits may only be used for passenger vehicles
- Spaces should not be sublet or rented
- No permits will be issued for spaces on a block in which there is a meter installed
- Permits automatically expire when the applicant is no longer a resident of the residence.

Fees:

- An application fee of $50 is required, except where an applicant is applying for an amended application due to a license plate change or an applicant is submitting an application for a permit renewal.
- If the permit is approved, applicant pays $145 before July 1 or $75 after July 1.

The Parking Enforcement Manager, or his or her designee is charged with approving or disapproving applications for permits. All revenue from the issuance of permits is to be deposited into the City's General Fund.
Recall that when the Amendment by Substitution was issued in the Council's Legislative Packet for the August 9th meeting, and the Amendment was received shortly before the Council's Legislative Packet was issued. For that reason, Council staff did not have time to closely review the proposed change. Subsequently, Council staff worked with the Administration to make additional changes. Councilmember Piedmont-Smith also recommended a change to the Amendment by Substitution. The changes made between the time the Amendment by Substitution was issued in the packet and its current instantiation are as follows:

- Councilmember Piedmont requested a change to 15.36.030(a)(iii)(3) (Application Information) to make clear that a resident may register *more* than one designated transportation vehicle. This is particularly applicable where a resident does not drive herself/himself.
- Adds back in a provision for violations
- Eliminates a redundant effective date clause
- Makes non-substantive language changes in the interest of clarity.

<u>Councilmember Volan's Proposed Amendment to the Amendment by Substitution</u>
Councilmember Volan plans to introduce an amendment to the Amendment by Substitution. Councilmember Volan's amendment (included in this packet) would allow an applicant who does not otherwise meet the eligibility requirements for a Reserved Residential Only Parking Permit to nevertheless obtain such a permit

where the applicant has continuously held a permit in good standing before the effective date of the ordinance. It adds a new provision regarding the removal of signage upon revocation of a permit, and it shifts authority from the Parking Enforcement Manager to the Transportation and Traffic Engineer, or her or his designee. The measure also calls for the deposit of revenue from the program be deposited into the Alternative Transportation Fund, not the General Fund.

Happy Birthday Cm. Ruff – Monday, August 21st!

Happy Birthday Council Administrator/Attorney Dan Sherman – Tuesday, August 22nd!

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
6:30 P.M., WEDNESDAY, AUGUST 23, 2017
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

IV. REPORTS (A maximum of twenty minutes is set aside for each part of this section.)

1. **Councilmembers**
2. **The Mayor and City Offices**
3. **Council Committees**
4. **Public***

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR FIRST READING

1. Ordinance 17-33 - To Amend the Zoning Maps from Industrial General (IG) to Institutional (IN) and from Industrial General (IG) to Residential High-Density Multifamily (RH) - Re: 1611 S. ROGERS STREET (City of Bloomington)

VII. LEGISLATION FOR SECOND (AND SUBSEQUENT) READINGS AND RESOLUTIONS

1. Resolution 17-35 − To Approve Refunding Bonds of the City of Bloomington Park District in an Amount Not to Exceed Six Million Dollars to Refund the City of Bloomington, Indiana Park District Bonds of 2009

Committee Recommendation None

2. Ordinance 17-33 - To Amend the Zoning Maps from Industrial General (IG) to Institutional (IN) and from Industrial General (IG) to Residential High-Density Multifamily (RH) - Re: 1611 S. Rogers Street (City of Bloomington)

Note: This item is listed under First Reading and Second Reading tonight. In order to be passed on the same evening an ordinance is introduced, there must be unanimous consent of the Council to consider the ordinance and a two-thirds majority voting in favor of its passage (BMC 2.04.300)

3. Ordinance 17-24 – To Amend Title 15 of the Bloomington Municipal Code (BMC) Entitles "Vehicles and Traffic" - Re: Deleting BMC Chapter 15.36 (Resident-Only Parking Permits)

Committee Recommendation	(5/24/17)	Do Pass	0 - 7 - 1
Motion to Postpone to August 9th Regular Session	(5/31/17)	Adopt	7 - 0 - 0
Motion to Introduce	(8/09/17)	Adopt	3 - 5 - 0

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 Reports from the Public opportunities. Citizens 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 for people with disabilities are available upon request with adequate notice. Please call (812)349-3409 or e-mail council@bloomington.in.gov.*

Posted & Distributed: August 18, 2017

City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 21-26 August 2017

Monday, 21 August

12:00	pm	Bloomington Entertainment and Art District, Hooker Conference Room
12:00	pm	Board of Public Works – Work Session, McCloskey
12:00	pm	Affordable Living Committee – Housing and Transportation Subcommittee, Kelly
12:00	pm	Affordable Living Committee – Childcare and Employment Subcommittee, Dunlap
5:00	pm	Redevelopment Commission, McCloskey
5:00	pm	Utilities Service Board, Utilities Dept. Board Room, 600 E. Miller Dr.
5:30	pm	Farmers' Market Advisory Council, Parks

Happy Birthday Councilmember Andy Ruff!

Tuesday, 22 August

11:30	am	Plan Commission – Work Session, Kelly
4:00	pm	Bloomington Community Farmers' Market, Madison St. between 6th and 7th St.
4:00	pm	Board of Park Commissioners, Chambers
5:30	pm	Board of Public Works, Chambers
5:30	pm	Bloomington Public Transportation Corporation, Public Transportation Center – 130 W. Grimes Ln.
5:30	pm	Parking Commission, Hooker Conference Room

Happy Birthday Council Administrator/ Attorney Dan Sherman!

Wednesday, 23 August

10:00	am	Metropolitan Planning Organization – Technical Advisory Committee, McCloskey
2:00	pm	Hearing Officer, Kelly
4:30	pm	Dr. Martin Luther King Jr. Birthday Commission, McCloskey
5:30	pm	Commission on Hispanic and Latino Affairs – Special Meeting, Hooker Conference Room
6:30	pm	Metropolitan Planning Organization – Citizens' Advisory Committee, McCloskey
6:30	pm	Common Council – Regular Session, Chambers

Thursday, 24 August

12:00	pm	Monroe County Suicide Prevention Coalition, McCloskey
5:00	pm	Bloomington Historic Preservation Commission, McCloskey
5:30	pm	Board of Zoning Appeals, Chambers
5:30	pm	Recognition of Tim and Sue Mayer's Service to the Community, City Hall Atrium

Friday, 25 August

12:00	pm	Common Council – Internal Work Session, Council Library

Saturday, 26 August

8:00	am	Bloomington Community Farmers' Market, 401 N. Morton St.

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please contact the applicable board or commission or call (812) 349-3400.

Posted and Distributed: Friday, 18 August 2017

City of Bloomington
Office of the Common Council

NOTICE

Councilmember Mayer retired at the end of July, and we are proud to recognize his years of service to the community. Please join us to celebrate Tim and Sue's years of service, talk with old friends, and enjoy some refreshments:

RECOGNITION OF SERVICE TO THE COMMUNITY
TIM AND SUE MAYER
CITY HALL ATRIUM – 401 N. MORTON
THURSDAY, AUGUST 24TH AT 5:30 PM

Because a quorum of the Council may be present, this may constitute a meeting of the Council under Indiana Open Door Law (I.C. 5-14-1.5). For that reason, this provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Friday, August 18, 2017

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City of Bloomington
Office of the Common Council

NOTICE

The Affordable Living Committee's Food and Healthcare Subcommittee meeting for *21 August 2017* has been <u>cancelled.</u>

The meeting has been <u>rescheduled</u> for *28 August 2017* at *Noon, Dunlap Room*.

Pursuant to Indiana Open Door Law (I.C. §5-14-1.5), this provides notice that these meetings will occur and are open for the public to attend, observe, and record what transpires.

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812.349.3409 or e-mail council@bloomington.in.gov.

Posted: Friday, 18 August 2017, 4:30 pm

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NOTICE AND SCHEDULE FOR CONSIDERATION OF THE CITY'S COMPREHENSIVE PLAN (PROPOSED BY RES 17-28)

THE CITY OF BLOOMINGTON COMMON COUNCIL WILL CONSIDER THIS LEGISLATION AT A SERIES OF MEETINGS CONSTITUTING ONE LONG SPECIAL SESSION

THE MEETINGS WILL BE HELD AT THE CITY COUNCIL CHAMBERS (ROOM 115) OF THE CITY HALL,
401 NORTH MORTION, BLOOMINGTON, IN (47401)
ON THE FOLLOWING EVENINGS STARTING AT 6:30 PM

August

Tuesday, August 29, 2017

The Council will have a presentation, discussion, and public comment on Chapter 4: Downtown (Pages 50 – 57)

September

Tuesday, September 12th

The Council will finish previous meeting's presentation (if necessary), consider amendments [1] to Chapter 4: Downtown (covered on August 29th), and have a presentation, discussion & public comment on Chapter: 6: Transportation (Page 66 – 77) and Chapter 7: Land Use (Pages 78 – 97)

Monday, September 25th

The Council will finish the previous meeting's work (if necessary), consider amendments[2] to Chapter 6: Transportation and Chapter 7: Land Use, and have a presentation, discussion & public comment on Chapter 5: Housing and Neighborhoods (Paged 58 – 65)

October

Tuesday, October 10th

The Council will finish the previous meeting's work (if necessary), consider amendments[3] to Chapter 5: Housing and Neighborhoods, and have a presentation, discussion & public comment on Chapter 3: Environment (Pages 42 – 49)

Tuesday, October 24th

The Council will finish the previous meeting's work (if necessary), consider amendments[4] to Chapter 3: Environment, and have a separate presentation, discussion & public comment on the remaining parts of the Plan: Introduction and Executive Summary (Pages 6 – 17); Community Profile (Pages 18 – 24); Chapter 1 Community Services & Economy (Pages 225 – 33); Chapter 2: Culture & Identity (Pages 34 – 40); and Appendix (Pages 98 – 123)

(Over)

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[1] Amendments must be sponsored by Council members and must be submitted to the Council Office at noon on the days set forth below. Amendment packets are to be released on the Council's webpage by the end of the day set forth below. Amendments for Chapter 4: Downtown are due on Tuesday, September 5th with the packet of such amendments scheduled for release on Friday, September 8th.

[2] Amendments for Chapter 6: Transportation and Chapter 7: Land Use are due on Tuesday, September 19th with the packet of such amendments scheduled for release on Friday, September 22nd.

[3] Amendments for Chapter 5: Housing and Neighborhoods are due on Tuesday, October 3rd with the packet of such amendments scheduled for release on Friday, October 6th.

[4] Amendments for Chapter 3: Environments are due on Tuesday, October 17th with the packet of such amendments scheduled for release on Friday, October 20th.

November

Tuesday, November 7th

The Council will finish the previous meeting's work (if necessary), consider amendments[5] to the Introduction and Executive Summary (Pages 6 – 17); Community Profile (Pages 18 – 24); Chapter 1 Community Services & Economy (Pages 225 – 33); Chapter 2: Culture & Identity (Pages 34 – 40); and Appendix (Pages 98 – 123), and conduct a review of the document as a whole.

Wednesday, November 15th

The Council will continue the Special Session to this date where it will have an opportunity to consider any final amendments, reconsider any previously adopted amendments,[6] and entertain a Motion to Adopt the Res 17-28, which would approve the Plan (with any amendments).

City of Bloomington Comprehensive Plan - Index

- Introduction & Executive Summary (6)
- Community Profile (18)
- Chapter 1: Community Services & Economics (26)
- Chapter 2: Culture and Identity (34)
- Chapter 3: Environment (42)
- Chapter 4: Downtown (50)
- Chapter 5: Housing & Neighborhoods (58)
- Chapter 6: Transportation (66)
- Chapter 7: Land Use (78)
- Appendix (98)

Online Materials

Comprehensive Plan (Forwarded by Plan Commission):
https://bloomington.in.gov/boards/plan/comprehensive-plan

Amendment Packets (when available – by date of meeting):
https://bloomington.in.gov/council

** This schedule may be amended by a motion of the Council made during the course of these meetings or at other Regular and Special Sessions occurring over the span of these deliberations. Members of the public may speak on the Plan and any amendments thereto in accordance with a motion or motions adopted by the Council regarding the conduct of these meetings.*

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Posted & Distributed: August 18, 2017

[5] Amendments for Introduction and Executive Summary; Community Profile; Chapter 1 Community Services & Economy; Chapter 2: Culture & Identity; and Appendix are due on Tuesday, October 31st with the packet of such amendments scheduled for release on Friday, November 3rd.

[6] A packet of all previously adopted amendments is scheduled to be released on Friday, November 10th.

ORDINANCE 17-33

TO AMEND THE ZONING MAPS FROM INDUSTRIAL GENERAL (IG) TO INSTITUTIONAL (IN) AND FROM INDUSTRIAL GENERAL (IG) TO RESIDENTIAL HIGH-DENSITY MULTIFAMILY (RH) -
Re: 1611 S. ROGERS STREET
(City of Bloomington)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, ZO-21-17 and recommended that the petitioner, City of Bloomington, be granted an approval to rezone 5.39 acres from Industrial General (IG) to Institutional (IN) and to rezone 0.62 acres from Industrial General (IG) to Residential High-Density Multifamily (RH). The Plan Commission thereby requests that the Common Council consider this petition;

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 IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning of 5.39 acres of property located at 1611 S. Rogers Street shall be changed from Industrial General (IG) to Institutional (IN). The property is further described as follows:

A part of the Northeast quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Northeast quarter; thence NORTH 00 degrees 29 minutes 49 seconds WEST along the east line of said quarter a distance of 1224.54 feet; thence leaving said east line SOUTH 89 degrees 30 minutes 11 seconds WEST 197.64 feet to the northeast corner of the tract conveyed to Robert V. and Nancy L. Shaw by deed recorded in Deed Book 425, page 359 in the office of the Recorder of Monroe County, Indiana and the **POINT OF BEGINNING**; thence SOUTH 88 degrees 16 minutes 15 seconds WEST along the north line of said Robert V. and Nancy L. Shaw a distance of 361.83 feet; thence leaving said north line NORTH 00 degrees 32 minutes 56 seconds EAST a distance of 167.13 feet; thence SOUTH 88 degrees 16 minutes 15 seconds WEST a distance of 162.13 feet; thence NORTH 00 degrees 32 minutes 56 seconds EAST a distance of 617.26 feet; thence NORTH 00 degrees 16 minutes 13 seconds EAST a distance of 140.57 feet to a point on the southern line of the 12.04 acre tract conveyed to the City of Bloomington by deed recorded as instrument number 2003036240 in the office of the Recorder of Monroe County, Indiana and the beginning of a non-tangent curve concave to the southwest having a radius of 428.30 feet and a chord which bears SOUTH 39 degrees 02 minutes 19 seconds EAST 144.26 feet; thence southeasterly along the south and west lines of said City of Bloomington tract the next three (3) courses:
1. SOUTHERLY along said curve an arc distance of 144.95 feet; thence
2. SOUTH 29 degrees 20 minutes 35 seconds EAST 565.07 feet to the beginning of a curve concave
to the west having a radius of 2808.41 feet and a chord which bears SOUTH 25 degrees 53 minutes 19 seconds EAST 338.47 feet; thence
3. SOUTHERLY along said curve an arc distance of 338.67 feet to the POINT OF BEGINNING and containing 5.39 acres, more or less.
.

SECTION 2. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning of 0.62 acres of property located at 1611 S. Rogers Street shall be changed from Industrial General (IG) to Residential High-Density Multifamily (RH). The property is further described as follows:

Commencing at the Southeast corner of said Northeast quarter; thence NORTH 00 degrees 29 minutes 49 seconds WEST along the east line of said quarter a distance of 1224.54 feet; thence leaving said east line SOUTH 89 degrees 30 minutes 11 seconds WEST 197.64 feet to the northeast corner of the tract conveyed to Robert V. and Nancy L. Shaw by deed recorded in Deed Book 425, page 359 in the office of the Recorder of Monroe County, Indiana; thence SOUTH 88 degrees 16 minutes 15 seconds WEST along the north line of said Robert V. and Nancy L. Shaw a distance of 361.83 feet to the **POINT OF BEGINNING**; thence continuing along said north line SOUTH 88 degrees 16 minutes 15 seconds WEST a distance of 162.13 feet; thence leaving said north line NORTH 00 degrees 32 minutes 56 seconds EAST a distance of 167.13 feet; thence NORTH 88 degrees 16 minutes 15 seconds EAST a distance of 162.13 feet; thence SOUTH 00 degrees 32 minutes 56 seconds WEST a distance of 167.13 feet to the point of beginning, and containing 0.62 acres, more or less.

SECTION 3. If any section, sentence or provision of this ordinance, 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 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 4. 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 _____, 2017.

_____
SUSAN SANDBERG, 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 _____, 2017.

_____
Nicole Bolden, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would rezone 5.39 acres from Industrial General (IG) to Institutional (IN) to allow the development of the property for the Switchyard Park and rezone 0.62 acres from Industrial General (IG) to Residential High-Density Multifamily (RH) to allow for an affordable apartment development.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 17-33 is a true and complete copy of Plan Commission Case Number ZO-21-17 which was given a recommendation of approval by a vote of 5 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 14, 2017.

Date: August 15, 2017

Terri Porter, Secretary
Plan Commission

Received by the Common Council Office this 15th day of August, 2017.

Nicole Bolden, City Clerk

Appropriation Ordinance # _____

Fiscal Impact Statement Ordinance # _____

Resolution # _____

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforseen Need _____ Other _____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date	$	$
Revenue Expected for Rest of year	$	$
Appropriations to Date	$	$
Unappropriated Balance	$	$
Effect of Proposed Legislation (+/-)	$	$
Projected Balance	$	$

Signature of Controller

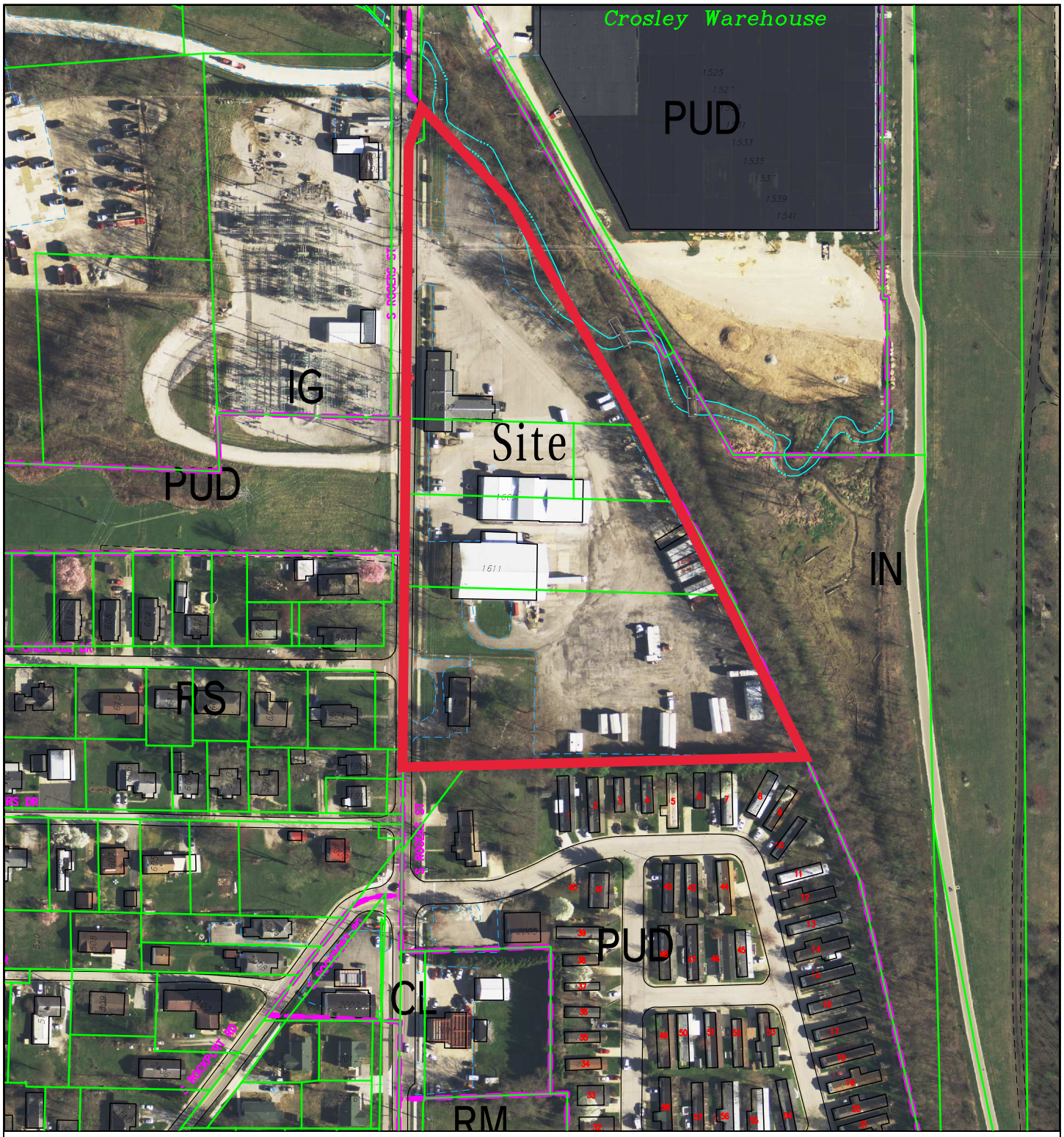
Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No _____

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

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

FUKEBANEI ORD=CERT.MRG



ZO-21-17 City of Bloomington

1611 S Rogers Street

Plan Commission

2016 Aerial Photograph

By: greulice

16 Aug 17

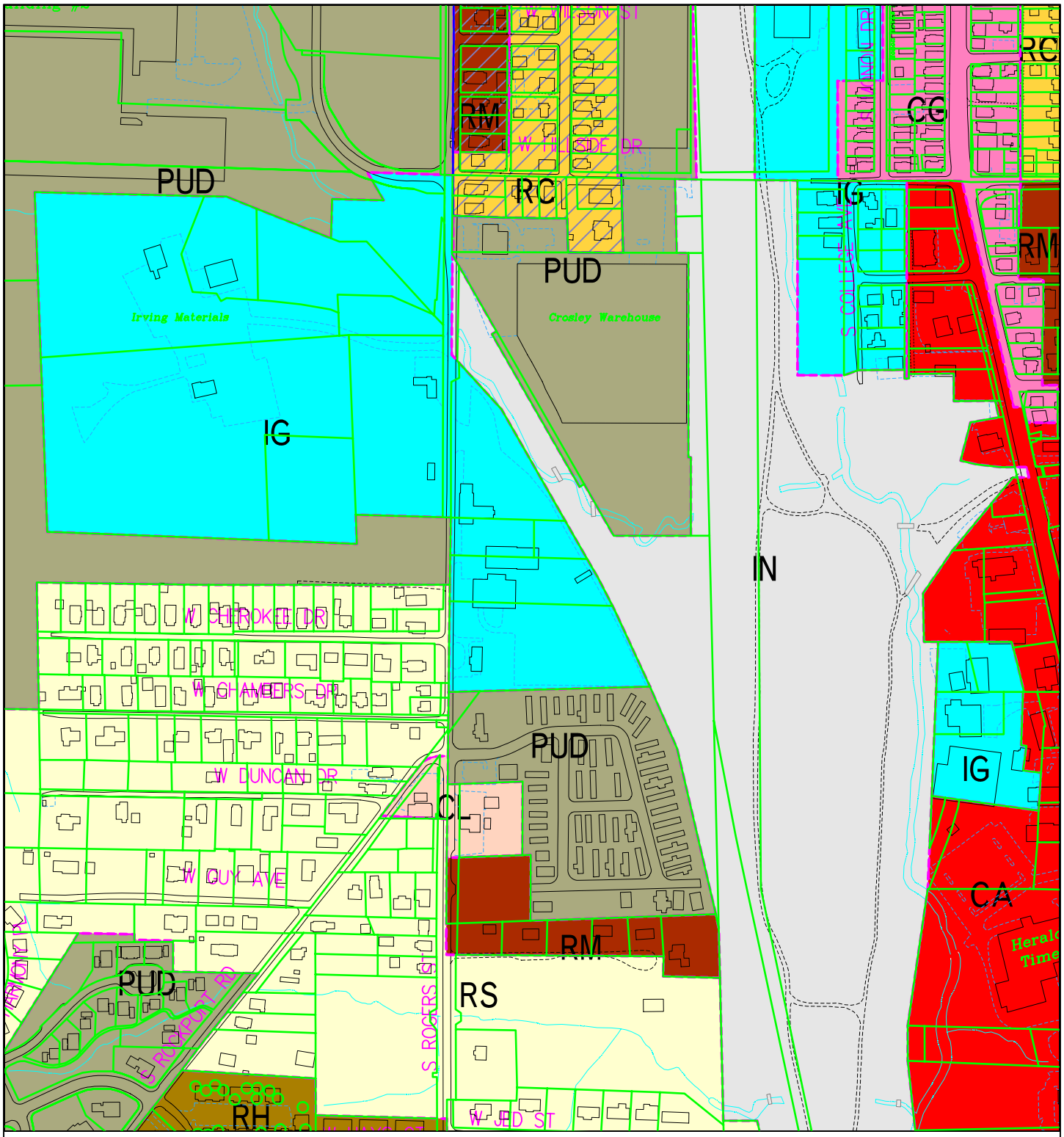
200 0 200 400 600

N

City of Bloomington
Planning & Transportation

Scale: 1" = 200'

For reference only; map information NOT warranted.



City of Bloomington
Planning & Transportation

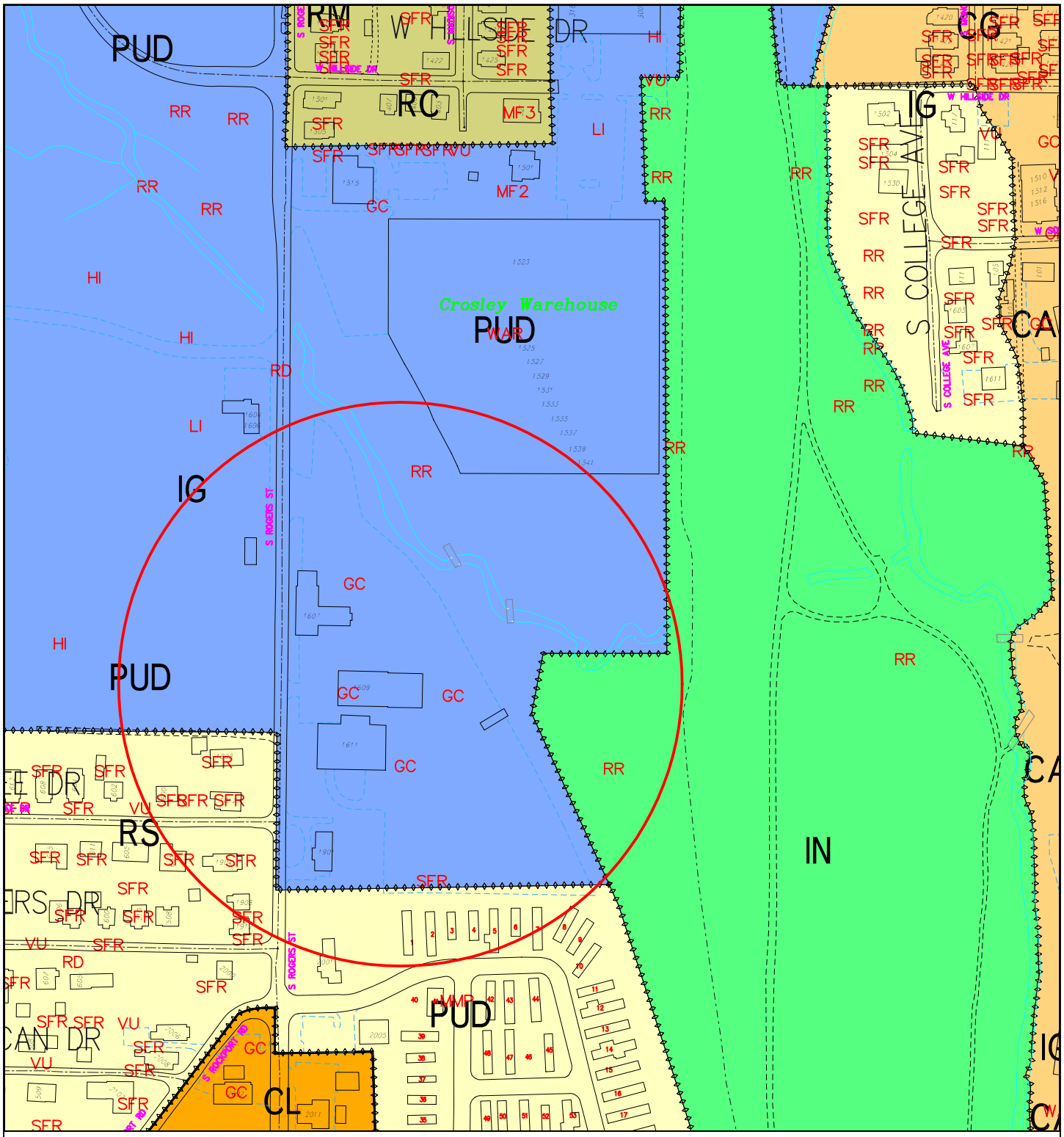
By: greulice
17 Aug 17

400 0 400 800 1200

N

Scale: 1" = 400'

For reference only; map information NOT warranted.



Ord 17-33 To Rezone 1607-1901 S Rogers from IG to IN and from IG to RH

Growth Policies Plan Guidance

Blue = Employment Center; Green = Parks/Open Space; Tan = Urban Residential

By: shermand

17 Aug 17

250 0 250 500 750

N

City of Bloomington

Council Office

Scale: 1" = 250'

For reference only; map information NOT warranted.

Interdepartmental Memo

To: **Members of the Common Council**
From: **Eric Greulich, Zoning Planner**
Subject: **Case #ZO-21-17**
Date: **August 15, 2017**

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case #ZO-21-17. The Plan Commission heard this petition at the August 15, 2017 hearing and voted 5-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting to rezone 5.39 acres from Industrial General (IG) to Institutional (IN) and to rezone 0.62 acres from Industrial General (IG) to Residential High-Density Multifamily (RH).

BACKGROUND:

Overall Area:	6.01 acres
Current Zoning:	Industrial General
GPP Designation:	Employment Center
Existing Land Use:	Industrial storage buildings and office
Proposed Land Use:	Switchyard Park and affordable multifamily apartments
Surrounding Uses:	North – Office and Community Center
	West – Industrial and Single Family Residences
	East – B-Line Trail/Switchyard Park
	South – Mobile Home Park

REPORT: This property is located at 1607, 1609, 1611, and 1901 S Rogers Street and is zoned Industrial General (IG). The properties to the east are zoned Institutional (IN) and Planned Unit Development (PUD), to the west is Industrial General (IG) and Planned Unit Development (PUD), and the Mobile Home Park property to the south is zoned PUD.

The 6.01 acre site consists of several parcels and industrial buildings. The City purchased these properties as part of the Park's Department master plan to redevelop the former McDoel switchyard to a community park. To that end the City is requesting to rezone 5.39 acres of the site from Industrial General (IG) to Institutional (IN). Also requested is to rezone 0.62 acres of the site from Industrial General (IG) to Residential High-Density Multifamily (RH) to allow for a portion of the property to be developed with affordable housing apartments.

Future site plan approval for this site will be forthcoming once more detailed plans have been prepared. This petition is strictly for the rezoning of the property.

GROWTH POLICIES PLAN: This property is zoned for Industrial uses and is designated as an "*Employment Center*". The GPP notes that an *Employment Center* district should contain a mix of office and industrial uses providing large-scale employment opportunities for the Bloomington community and the surrounding region. The zoning and GPP designation of this site was a result of the previous use of the property as an industrial

storage site and industrial offices, which were located here as a result of their location to the former railroad. With the change in ownership and removal of the railroad use from this area for development of the future Switchyard Park, the zoning and future land use for this parcel is better served as a community park. The Plan Commission found that this rezoning was consistent with the Growth Policies plan

---

REVIEW CONSIDERATIONS FOR AMENDMENTS TO THE ZONING MAP (20.09.160(d)(1) When reviewing a zoning map amendment petition, the Plan Commission shall consider the following:

(A) *The recommendations of the Growth Policies Plan –*

PLAN COMMISSION FINDING: While the rezoning of this property is not in keeping with the current GPP designation, the redevelopment of this site as a community and regional park does further many goals and recommendations of the GPP. The portion of the site proposed to be used for affordable multi-family apartments will also further the recommendations of the GPP of encouraging residential dwelling units adjacent to the City's greenways and parks.

(B) *Current conditions and character of structures and uses in each zoning district –*

PLAN COMMISSION FINDING: The current conditions surrounding this site have changed since the abandonment of the railroad along this corridor. The former warehouse to the north was rezoned to allow it to be remodeled into a community center in 2012. The reuse of this property in conjunction with the adjacent larger switchyard property to the east, will be a better use of the property as a whole. The proposed use of a portion of the site for dwelling units is in keeping with the character and uses surrounding the site.

(C) The most desirable use for which the land in each zoning district is adapted –

PLAN COMMISSION FINDING: Rezoning this to Institutional is desirable as it allows this property to be uses in conjunction with the larger parcel to the east that will be used for the Switchyard Park. This rezoning allows the completion of the community and Park's Department master plan for this area to develop a regional park. The GPP recommends placing dwelling units adjacent to the McDoel switchyard and the inclusion of apartments with this petition is highly desirable by the City and community.

(D) The conservation of sensitive environmental features –

PLAN COMMISSION FINDING: The environmental features on this site, as well as the adjacent property, will be avoided to the maximum extent practical.

(E) The conservation of property values throughout the jurisdiction –

PLAN COMMISSION FINDING: The Plan Commission did not anticipate any negative effects on surrounding property values. In fact, the redevelopment of this

site with a park and affordable housing units could increase property values by placing a park next to residential properties rather than industrial uses.

(F) Responsible development and growth –

PLAN COMMISSION FINDING: The Plan Commission found that this rezoning responsibly locates an appropriate land use in the area that allows for redevelopment of the site in keeping with the City's goals to provide a regional park for the benefit of the City and surrounding communities. Again, the GPP encourages the placement of mixed uses and residences immediately adjacent to the McDoel Switchyard and this petition allows both the redevelopment of the Switchyard and the construction of affordable housing units.

RECOMMENDATION: The Plan Commission voted 5-0 to forward this petition to the Common Council with a favorable recommendation and no conditions.

Staff Report

Re: Rezone

Note: This Staff Report duplicates the Memo to the Council and is not included in the materials (but is available upon request).

Staff Report

Re: Subdivision and Use Variance

Note:

This Staff Report was added to the packet to help inform the Council about the proposed use (i.e. parking lot for the Switchyard Park and an affordable housing development). However, while the rezoning is subject to Council approval, the subdivision and use variance are not.

BLOOMINGTON PLAN COMMISSION **CASE #: UV/DP-23-17**
STAFF REPORT **DATE: August 14, 2017**
Location: 1611 S. Rogers Street/245 S Grimes Ln.

PETITIONER: **City of Bloomington, Parks and Recreation**
401 N. Morton Street

CONSULTANT: **Bledsoe Riggert Cooper and James**
1351 W. Tapp Road

REQUEST: The petitioner is requesting a use variance to allow a parking lot in the floodway. This use variance request requires Plan Commission review of compliance with the Growth Policies Plan. Also requested is preliminary and final plat approval of a 2-lot subdivision of 6.01 acres.

Overall Area:	~60 acres
Current Zoning:	Industrial General/Institutional
GPP Designation:	Employment Center/Parks Open Space
Existing Land Use:	Industrial storage buildings/B-Line Trail
Proposed Land Use:	Switchyard Park
Surrounding Uses:	North – Office and Community Center
	West – Industrial and Single Family Residences
	East – B-Line Trail/Switchyard Park
	South – Mobile Home Park

REPORT: The property is located at 1607, 1609, 1611, 1901 S Rogers Street and 245 W. Grimes Lane and is zoned Industrial General (IG) and Institutional (IN). The properties to the east are zoned Institutional (IN) and Planned Unit Development (PUD), to the west is Industrial General (IG) and Planned Unit Development (PUD), and the Mobile Home Park property to the south is zoned PUD. The petitioner is also seeking a rezoning for a portion of the Switchyard properties with a separate petition ZO-21-17.

The overall petition site involves the McDoel Switchyard Park properties that are comprised of the large former railroad corridor that runs from Grimes Lane to Tapp Road as well as a property that was purchased along Rogers Street. The property along Rogers Street is 6.01 acres and consists of several parcels and industrial buildings. To accomplish the approved master plan to redevelop the McDoel Switchyard Park, the petitioner is requesting several approvals. One is to subdivide an existing property that is located on the west side of the Park along Rogers Street into 2 parcels. One of the parcels, Lot #1, will be 5.39 acres and will be used for the future switchyard park. The other lot, Lot #2, will be 0.62 acres and will be used for a future affordable housing project. The proposed Lot #1 meets the minimum lot size of the Institutional zoning district of 21,780 sq.ft. and the proposed Lot #2 meets the minimum lot size of the Residential High-density Multifamily district which is also 21,780 sq. ft.

A second approval is for a use variance to allow a parking lot in the floodway for a portion of the proposed parking area on the north side of the site along Grimes Lane. A separate petition, ZO-21-17, will also be heard by the Plan Commission for the rezoning of these properties along Rogers Street from Industrial General to Institutional and Residential High-density Multifamily.

As part of the City of Bloomington's Parks and Recreation Department's plans for redevelopment of the former CSX Railroad Switchyard, the former switchyard area will be redeveloped for a community and regional park. The City has developed an overall site plan for the approximately 60 acres and has planned many features such as pavilion space, tennis courts, basketball courts, skate park, lawn area, and other recreation features. The overall site plan for the park places all of the parking areas immediately adjacent to the surrounding road connections in order to leave the central open spaces open for recreation space.

One of the proposed access points and parking area is along the Grimes Street frontage on the north side of the proposed park. This portion of the property is very narrow in width and has a portion of the site encumbered by the floodplain of Clear Creek. The City undertook a floodplain analysis of the site to most accurately determine the location of the floodplain and a Letter of Map Revision (LOMR) was approved by FEMA and DNR to revise the floodplain maps accordingly. The north end of the site by Grimes Lane was identified as an ideal location for the placement of several of the site recreation facilities and the parking areas were then located adjacent to those facilities to best serve them. In order to best minimize the placement of structures in the floodplain, it was determined that placing all of the recreation facilities and structures on the west side of the site would allow them to be located out of the floodplain and therefore would best minimize impacts to the floodplain elevation. The placement of the parking lot in the floodplain created the least impact on the floodplain. The parking lot would be constructed at existing grade and would be composed completely of permeable pavers to best minimize impacts to stormwater runoff and flood elevations. While every effort was made to minimize the placement of the parking area in the floodplain, there are some portions of the parking area that are located in the floodway. The UDO does not allow any structures, obstructions, or deposit or excavation to be located in the floodway and thus a use variance is required in order to allow the placement of the parking area in the floodway.

SITE PLAN ISSUES:

Parking: The parking areas that are located in the floodplain will utilize permeable paver blocks to limit any increase in flood elevations. In addition all stormwater will be directed to rain garden basins located along the parking area and also directed to a larger detention basin that will serve the park as a whole and is also designed to provide stormwater improvements through landscaping plantings.

Landscaping: The proposed parking area will meet all landscaping requirements including the placement of required shrubs and tall canopy trees.

PRELIMINARY PLAT REVIEW:

Right of Way: The property has frontage on Rogers Street which is classified as a Secondary Arterial road and is required to have 40' of dedicated right-of-way from centerline. The petitioner has shown this right-of-way dedication on the preliminary plat. There is already a sidewalk along this frontage. Street trees not more than 40' from center will be added with the overall Switchyard Park improvements.

Utilities: Water and sanitary connections are provided along Rogers Street and no easements are required with this plat.

Access: All access to this site will be from Rogers Street. There will be one drivecut on Rogers Street for this site.

Floodplain: A portion of the floodplain of the West Branch of Clear Creek encroaches onto this property and is required to be placed in a common area. The petitioner is requesting a waiver from this requirement and is proposing to place the portions of the site within the floodplain in a drainage easement instead. This will be shown on the final plat and, if approved, a condition of approval has been included to that effect.

Common Area Waiver: The petitioner has requested a waiver from the requirement to place the portions of the site containing the 100-year floodplain in a common area lot. Section 20.09.210(d)(2)(A) states "the Plan Commission may grant a Subdivision Waiver if, after a public hearing, it makes written findings of fact based upon the evidence presented to it in each specific case, that"-

(i) The granting of the Subdivision Waiver shall not be detrimental to the public safety, health, or general welfare, or injurious to other property; and

Recommended Finding: The granting of a waiver to not place the floodplain in common area will not be detrimental to the public safety, health, or general welfare, or injurious to other property. The reason for the requirement to place the floodplain in common area was to insure that future land owners did not build structures on property that was not their own, since the City will own this land there is not the same risk that future owners will not know of the restrictions.

(ii) The conditions upon which the request for a Subdivision Waiver is based are unique to the property for which the Subdivision Waiver is sought and are not applicable generally to other property; and

This section is exempt from review under 20.09.210(d)(2)(B)

(iii) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the subdivision

regulations is carried out (Financial hardship shall not constitute grounds for a waiver); and

This section is exempt from review under 20.09.210(d)(2)(B)

(iv) The Subdivision Waiver shall not in any manner vary the provisions of the development standards, Growth Policies Plan, or Thoroughfare Plan.

Recommended Finding: The Growth Policies Plan encouraged the redevelopment of the McDoel Switchyard and this petition, as well as the rezoning petition, further many of the goals of the GPP and the City.

Environmental Commission: The Environmental Commission has included a memo with this petition that supports the location of the parking lot in the floodway and does not find any negative environmental impacts as a result. A majority of the area for the proposed parking area has already been disturbed with existing parking and asphalt.

GROWTH POLICIES PLAN: The Growth Policies Plan (GPP) designates this property as Parks/Open Space. The GPP notes that 'Parks/Open Space' areas should provide opportunities for both active and passive recreation activities, as well as be accessible to people throughout the community. The overall site design has placed all of the parking areas immediately adjacent to the public road frontages. The City has tried to minimize any impacts from the location of the parking area and has included several features to offset the impacts of the location in the floodway. The redevelopment of this site for a regional park is extremely beneficial to not only the citizens of Bloomington but also surrounding communities. The GPP highlighted the redevelopment of the McDoel Switchyard as highly desirable and a unique opportunity to provide an urban greenway. This petition furthers many goals highlighted in the GPP for the McDoel Switchyard.

The Department finds that this request does not substantially interfere with the general and specific policies of the GPP for this area and dramatically furthers the goals of the GPP and the community.

CONCLUSION: Staff finds that this is an appropriate use of an already developed site. The location of the parking area is appropriate to allow users of the park best access to parking areas and allow the interior of the site to be developed with recreation facilities and structures. The placement of an at-grade parking area with 100% permeable pavers is the most sensitive design possible.

RECOMMENDATION: The Department recommends that the Plan Commission forward petition #UV-23-17 to the Board of Zoning Appeals with a positive recommendation and recommends approval of the preliminary plat with the associated waiver and forwarding the final plat to the September 11, 2017 Plat Committee meeting with the following condition:

1. The portions of the site containing the floodplain of the WBR Clear Creek must be placed in a drainage easement on the final plat.

MEMORANDUM

Date: August 8, 2017

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: UV/DP-23-17: Switchyard Park, Use Variance and Rezone
1611 S. Rogers St.

The purpose of this memo is to convey the Environmental Commission's (EC) opinion regarding a Use Variance and Rezone on a piece of property owned by the City of Bloomington that is planned to become the Switchyard Park, and Residential High Density Multifamily housing.

The Site Plan for the multifamily housing will come before the EC in the future, and we will weigh in on the environmental merits of the proposal then.

There are two main environmental issues associated with this variance request. One is constructing part of a permeable parking lot within the edge of a floodplain, and the other is relocating a wetland.

The EC believes that a variance for encroaching the corner of a permeable parking lot into the edge of the floodplain is acceptable in this case. The lot won't inhibit floodwater flow, the permeable pavers will be maintained by the Parks and Recreation Department, and the other environmental mitigation and enhancements on the Switchyard property will more than offset the encroachment.

Also, the EC believes that elimination of this existing wetland will be offset by creating a new one. The existing wetland has been altered in the past, thus changing the water regime, unbalancing the plant and animal dynamics, and creating a siltation problem. The proposed constructed wetland is sized for proper water detention, will be planted with native riparian plants, is contoured to prevent erosion, and will be maintained by the Parks and Recreation Department. The EC believes this will provide more benefit to the water regime and wildlife than keeping the eroding wetland that is there now.

Therefore, the EC has no opposition to these two environmental variances.

CITY OF BLOOMINGTON
parks and recreation

Date: July 11, 2017

To: City of Bloomington Plan Commission

From: Dave Williams, Operations Director
City of Bloomington
Parks and Recreation

Re: **Petitioner's Statement**
Switchyard Park
Request for Property Rezone and Use Variance for Parking Lot in Floodway
1901 S. Walnut St.

Dear Plan Commissioners,

The Department of Parks and Recreation is seeking a Rezone and Use Variance for the development of Switchyard Park located north of Countryclub Dr., south of Grimes Lane, east of Walnut St., and west of Rogers St. Our requests are as follows:

1. Rezone from IG (Industrial) to IN (Institutional) and IG to RH (Residential Housing)

We are requesting a rezone for 6.79 acres of City of Bloomington owned property located at 1901 S. Rogers St. Following the recommendations from the City of Bloomington Park and Recreation department's 2012 *Switchyard Park Master Plan*, the subject property was purchased in 2013 to accommodate the new park's main entrance/exit, parking, and a maintenance/storage facility using an existing structure.

The Board of Park Commissioners (Board) determined that a portion of the parcel at 1901 S. Rogers St. currently occupied by a residential home is not needed to accommodate Switchyard Park development. The Board approved the disposal of the residential home site property by long term lease to facilitate the construction of affordable housing on this site. By action of the Common Council, Ordinance 17-32, the Board is authorized to use the alternative lease procedure found in Indiana Code 36-1-1-12 to issue an RFP seeking proposals for an affordable housing project on this site, with Plan Commission approval. The proposed affordable housing site is part of the larger 6.79 acre parcel and will require a new legal description for the sub-divided lot and approval by the City Plat Committee. Please see attached aerial photo.

2. Use Variance

We are requesting a Use Variance approval for construction of a parking lot with permeable pavement parking bays in the floodway at the park's north entrance on Grimes Lane.

With passage of the City's General Obligation Bond in 2015, funding for the Switchyard Park project has been secured with plans to begin construction next year. This will be a transformational public project for Bloomington and the surrounding area. Over 50 acres of property will be redeveloped for public use and enjoyment in an underserved area of our community. The Switchyard Park project will also environmentally clean up an industrial site in operation for over 100 years and be a significant catalyst for economic reinvestment in the area.

Switchyard Park is being designed as a regional serving park and will feature many public facilities and recreational attractions:
Active Use Areas (Basketball, Pickle Ball, Bocce Ball, Fitness Stations, Skate Park, Splash Pad, Community Gardens, Playground, Dog Park)
Public Restroom (2,065 SF)
Picnic Areas and Shelters
Pavilion Community Building (11,000 SF)
Event Lawns with Performance Stage (approx. 5 acres for large civic gatherings, festivals, and informal recreational play)
Accessible Trails (in the park and connecting to neighborhoods and the B-Line Trail)
Public Art and Interpretive Signage
Best Practices Stormwater Management ("Day-Lighted" streams to Clear Creek)
Bloomington Police Department Sub Station (2,600 SF)

Our requests are made to accommodate the full build out of Switchyard Park which is anticipated to begin construction in spring 2018 with completion in late 2019.

Respectfully submitted,

Dave Williams
Operations Director
Bloomington Parks and Recreation

cc: James Roach, Development Services Manager, Planning and Transportation
Eric Greulich, Planning and Transportation
Paula McDevitt, Director, Parks and Recreation
Attachments:
Aerial Photo-1901 S. Rogers St.
Switchyard Park Schematic Site Plans (5)

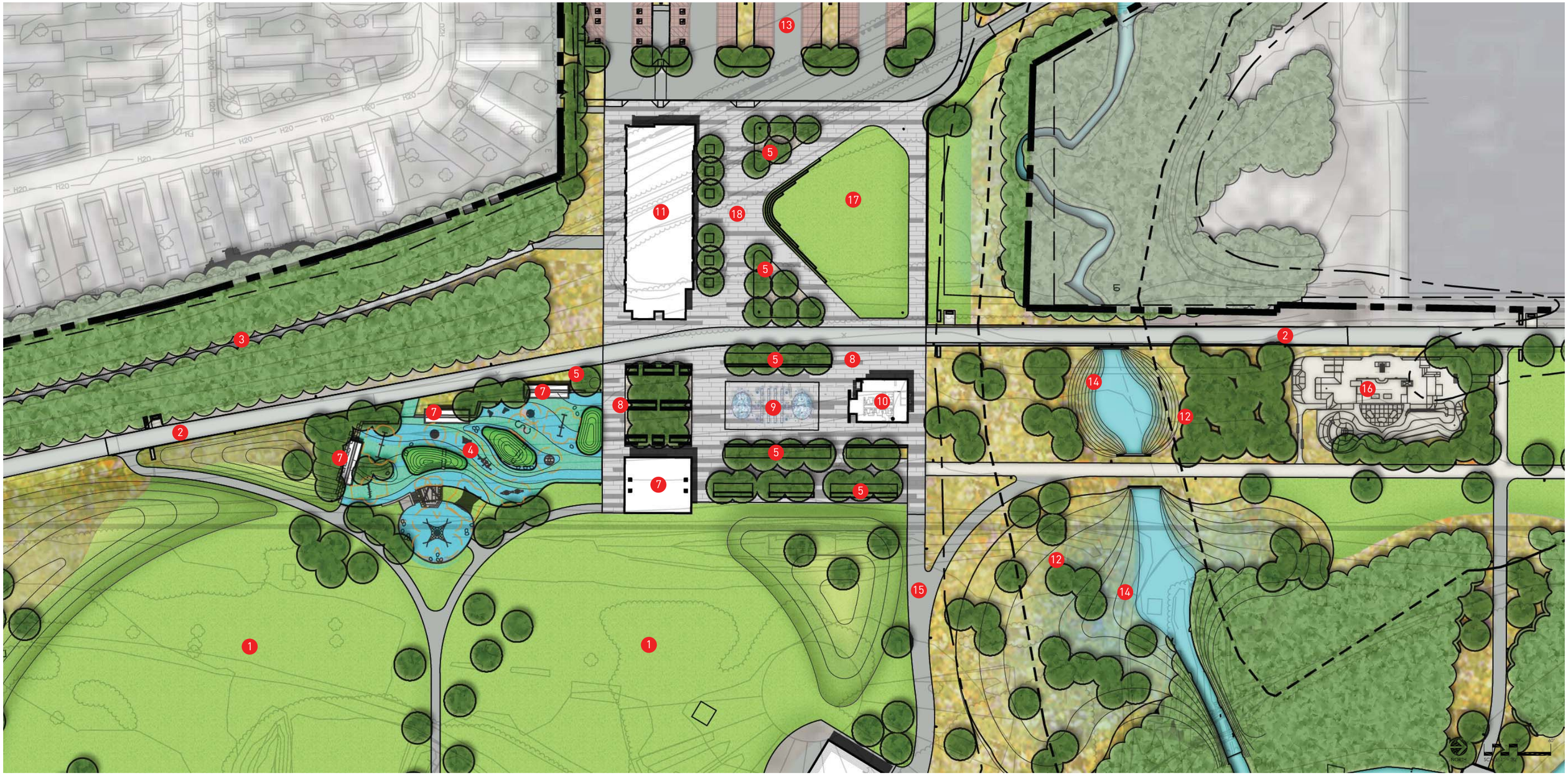
1. Neighborhood Connection Trail
2. Dog Park
3. Seating Bosque
4. Daylighted Stream
5. Shelter
6. Performance/Event Lawn
7. Pavilion/Performance Stage
8. Play Environment
9. Spray Plaza
10. Main Pavilion
11. Street-Style Skate Park
12. North Lawn
13. Parking
14. Community Garden
15. Restrooms/Maintenance
16. Bocce Ball Courts
17. Pickle Ball Courts
18. Adult Fitness Equipment
19. Basketball Court
20. Restrooms/Bike Rental/Police Substation
21. Rogers Street Entrance
22. Walnut Street Entrance
23. Grimes Lane Entrance
24. B-Link Trail
25. B-Line Trail

Switchyard Park Schematic Design Plan
June 2017

CITY OF BLOOMINGTON parks and recreation

RUNDELL ERNSTBERGER ASSOCIATES
URBAN DESIGN + LANDSCAPE ARCHITECTURE | www.reasite.com

AX|S



1. Great Lawn
2. B-Line Trail
3. Soft Surface Trail
4. Play Environment
5. In-Grade Planter
6. Bosque/Banquet Tables/Flexible Seating
7. Shelter
8. The Platform
9. Spray Plaza
10. Restrooms/Maintenance
11. Main Pavilion
12. Naturalized Wetland Area
13. Parking
14. Daylighted Stream
15. Performance Stage Access Drive
16 Street-Style Skate Park
17. Event Lawn
18. Main Pavilion Plaza

Switchyard Park Schematic Design Plan - South Platform Enlargement
June 2017

CITY OF BLOOMINGTON parks and recreation

RUNDELL ERNSTBERGER ASSOCIATES
URBAN DESIGN + LANDSCAPE ARCHITECTURE | www.reasite.com

AXIS

1. North Lawn
2. B-Line Trail
3. Community Garden
4. Raised Garden Planter
5. Community Garden Compost Bins
6. Community Garden Amendment Bins
7. Community Garden Equipment Barn
8. Restrooms/Bike Rental/Police Substation
9. Bocce Courts
10. Pickle ball Court
11. Basketball Court
12. Clear Creek
13. Naturalized/Wetland Area
14. Parking
15. Grimes Lane Entrance
16. Neighborhood Connection Trail
17. Adult Fitness Equipment

Switchyard Park Schematic Design Plan - North Platform Enlargement
June 2017

CITY OF BLOOMINGTON parks and recreation

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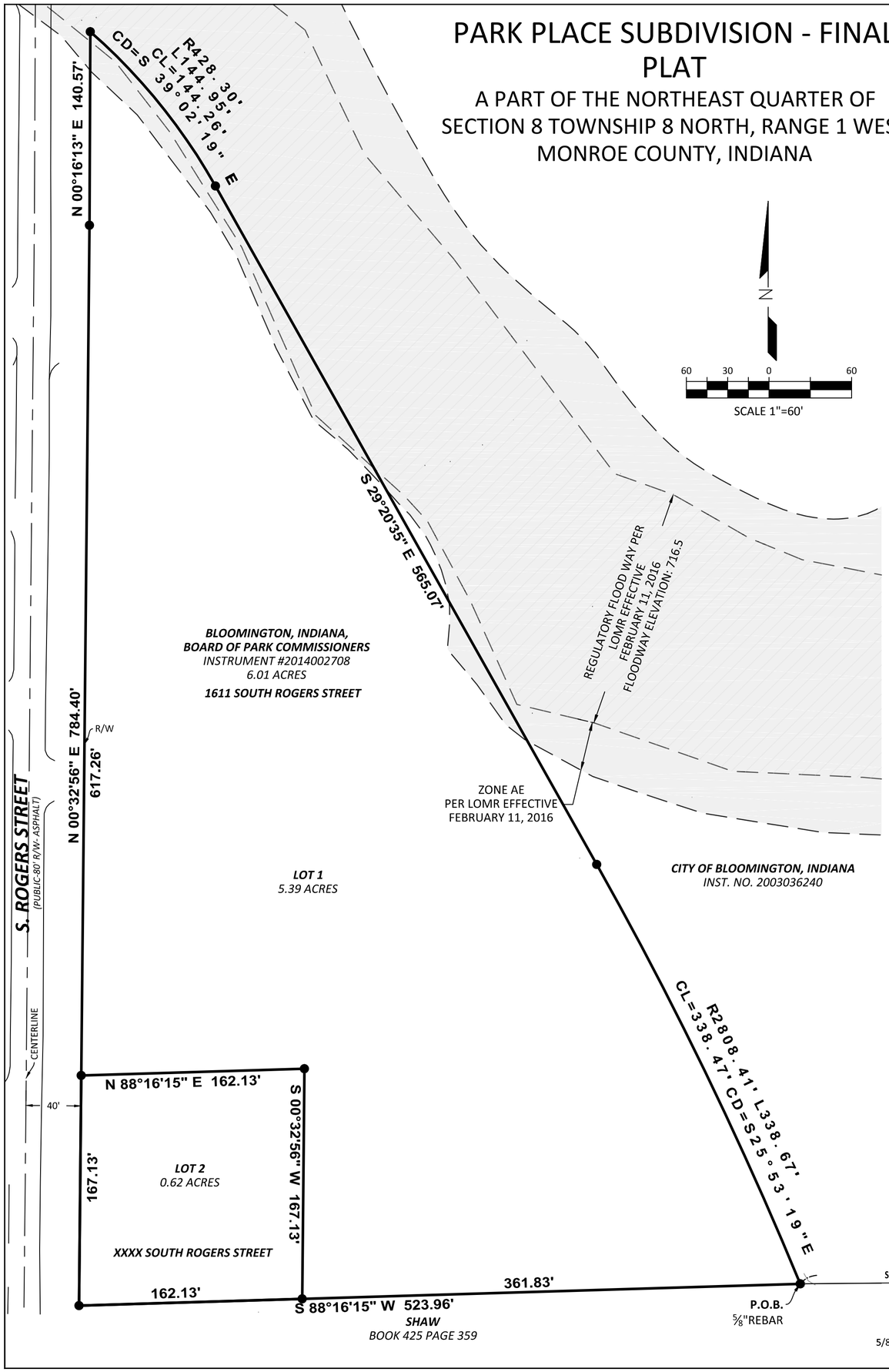
AXIS

PARK PLACE SUBDIVISION - FINAL PLAT

A PART OF THE NORTHEAST QUARTER OF SECTION 8 TOWNSHIP 8 NORTH, RANGE 1 WEST MONROE COUNTY, INDIANA



OWNER CERTIFICATION

The undersigned, the Bloomington, Indiana, Board of Park Commissioners, being the owner of the described real estate, do hereby layoff and plat the same into two lots in accordance with the plat and certificate.

This plat shall be known and designated as Park Place Subdivision.

In Witness Whereof, the Bloomington, Indiana Board of Park Commissioners, have executed this instrument and caused their names to be subscribed thereto, this _____day of _____, 2017.

_____
The Bloomington, Indiana, Board of Park Commissioners

By_____

STATE OF INDIANA COUNTY OF MONROE

Before me, a Notary Public for said County and State, _____, personally appeared and acknowledged the execution of this instrument this _____day of _____, 2017.

_____
Notary Signature

My commission expires:_____

County of Residence:_____

APPROVED BY THE CITY PLAT COMMITTEE AT A MEETING HELD: _____, 2017

_____
Terri Porter, Director Planning & Transportation Department

_____
Adam Wason, Director of Public Works

OWNER/DEVELOPER:

Bloomington, Indiana, Board of Park Commissioners
401 North Morton Street
Bloomington, IN 47404
Phone: 812-349-3400

RECORD INFORMATION:

Bloomington, Indiana, Board of Park Commissioners
Instrument Number 2014002708
53-08-08-100-014.000-009

ZONING:

Subject: IG
Adjoiners: PUD, IN

FLOOD ZONE:

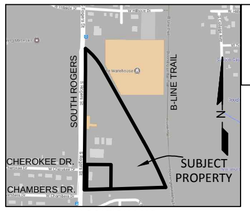
FEMA HAS DESIGNATED PART OF THIS PROPERTY AS A REGULATORY FLOODWAY, AND PART AS FLOOD ZONE "AE" AS SHOWN, THE REST AS FLOOD ZONE X PER MAP NUMBER 18105C0143D AS REVISED PER LETTER OF MAP REVISION EFFECTIVE FEBRUARY 11, 2016.

NOTES:

1. FIELD WORK PERFORMED NOVEMBER 2013 THROUGH JULY, 2017 .
2. ALL REBAR SET ARE ⅝ INCH WITH YELLOW PLASTIC CAP STAMPED "BRCJ INC 6892IN"
3. BEARINGS SHOWN HEREON ARE BASED UPON THE INDIANA STATE PLANE COORDINATE SYSTEM.
4. THIS PLAT IS NOT COMPLETE WITHOUT THE ASSOCIATED RETRACEMENT BOUNDARY SURVEY AND REPORT OF SURVEY RECORDED SEPARATELY AS INSTRUMENT NO. 2017008330.

LEGEND:

● 5/8" REBAR WITH CAP



LOCATION MAP
NOT TO SCALE
N 39.147606
W -86.538105

RECORDER'S STAMP

AUDITOR'S STAMP

LEGAL DESCRIPTION

A part of the Northeast quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Northeast quarter; thence NORTH 00 degrees 29 minutes 49 seconds WEST along the east line of said quarter a distance of 1224.54 feet; thence leaving said east line SOUTH 89 degrees 30 minutes 11 seconds WEST 197.64 feet to the northeast corner of the tract conveyed to Robert V. and Nancy L. Shaw by deed recorded in Deed Book 425, page 359 in the office of the Recorder of Monroe County, Indiana and the **POINT OF BEGINNING**; thence SOUTH 88 degrees 16 minutes 15 seconds WEST along the north line of said Robert V. and Nancy L. Shaw a distance of 523.96 feet; thence leaving said north line NORTH 00 degrees 32 minutes 56 seconds EAST a distance of 784.40 feet; thence NORTH 00 degrees 16 minutes 13 seconds EAST a distance of 140.57 feet to a point on the southern line of the 12.04 acre tract conveyed to the City of Bloomington by deed recorded as instrument number 2003036240 in the office of the Recorder of Monroe County, Indiana and the beginning of a non-tangent curve concave to the southwest having a radius of 428.30 feet and a chord which bears SOUTH 39 degrees 02 minutes 19 seconds EAST 144.26 feet; thence southeasterly along the south and west lines of said City of Bloomington tract the next three (3) courses:

1. SOUTHERLY along said curve an arc distance of 144.95 feet; thence
2. SOUTH 29 degrees 20 minutes 35 seconds EAST 565.07 feet to the beginning of a curve concave to the west having a radius of 2808.41 feet and a chord which bears SOUTH 25 degrees 53 minutes 19 seconds EAST 338.47 feet; thence
3. SOUTHERLY along said curve an arc distance of 338.67 feet to the POINT OF BEGINNING; containing 6.01 acres, more or less.

REPORT OF SURVEY

A report of survey was included with the retracement boundary survey of the subject property by Ben E. Bledsoe of Bledsoe Riggert Guerrettaz, Inc., dated November 21, 2013 and recorded in the Office of the Recorder as Instrument No. 2017008330. The purpose of this Subdivision is to divide the subject parcel into Lot 1 and Lot 2 as directed by the property owners.

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 July XX, 2017

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

PRELIMINARY

Bledsoe Riggert Cooper James
LAND SURVEYING • CIVIL ENGINEERING • GIS
1351 West Tapp Road p: 812-336-8277
Bloomington, Indiana 47403 f: 812-336-0817

PLAT DATED: July 10, 2017 JOB # 9473

RESOLUTION 17-35

TO APPROVE REFUNDING BONDS OF THE CITY OF BLOOMINGTON PARK DISTRICT IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS TO REFUND THE CITY OF BLOOMINGTON, INDIANA PARK DISTRICT BONDS OF 2009

WHEREAS, the Board of Park Commissioners (the "Board") of the City of Bloomington, Indiana (the "City") has previously issued its City of Bloomington, Indiana Park District Bonds of 2009, in the original principal amount of $6,450,000 (the "Prior Bonds"), of which $4,975,000 remains outstanding as of the date hereof (the "Outstanding Bonds"); and

WHEREAS, the Park District of the City (the "District") issued the Prior Bonds for the purpose of providing for the payment of the costs associated with the acquisition and improvement of property to be owned and used for park purposes (formerly the SportsPlex and now the Twin Lakes Recreation Center at 1700 West Bloomfield Road); and

WHEREAS, the Board has determined to issue refunding bonds of the District, payable from general revenues available to the Park District, including revenues available in the Parks General Fund and the Parks Non-Reverting Fund, and to the extent such revenues are not sufficient, from a special ad valorem property tax levied on all property in the District, and designated as "City of Bloomington, Indiana, Park District Refunding Bonds, Series 2017," in an aggregate principal amount not to exceed Six Million Dollars ($6,000,000) (the "Bonds"), for the purpose of refunding all of the Outstanding Bonds in order to achieve debt service savings due to lower interest rates and to pay costs of issuing the Bonds; and

WHEREAS, Indiana Code § 36-10-4-35(g) and Indiana Code § 6-1.1-17-20.5 require the approval of the issuance of the Bonds by the City legislative and fiscal body before bonds of the District may be sold; and

WHEREAS, the Common Council of the City (the "Council"), as the legislative and fiscal body of the City, now desires to approve the issuance of the Bonds.

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

SECTION 1. The Council hereby approves the sale and issuance of the Bonds of the District in an aggregate principal amount not to exceed Six Million Dollars ($6,000,000), for a term ending no later than February 15, 2029, and at a maximum interest rate of 5.0%, to refund the Outstanding Bonds and finance the costs of issuance of the Bonds.

SECTION 2. This Resolution shall be in full force and effect from and after its passage by the Council and its approval by the Mayor of the City.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Indiana upon this ____ day of _____, 2017.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington this ____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk

SIGNED and APPROVED by me upon this ____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This Resolution takes one of the statutory steps necessary to approve the issuance of bonds by the City of Bloomington Park District under Indiana Code § 36-10-4-35 in order to refund the outstanding City of Bloomington, Indiana Park District Bonds of 2009 which were used to purchase and improve what is now the Twin Lakes Recreation Center at 1700 West Bloomfield Road. The refunding bonds will effect a savings for the Park District and pay for the costs of issuance. Under State Law, this refunding must be approved by the Council.

CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM

TO: **Members of the Common Council of the City of Bloomington**

FROM: **Philippa Guthrie, Corporation Counsel**
Jeff Underwood, Controller

CC: **Dan Sherman, Council Administrator/Attorney**

RE: **Refunding of 2009 Park District Bonds**

DATE: **August 14, 2017**

In 2009, the Board of Park Commissioners (with the Council's approval) issued bonds to purchase the SportsPlex at 1700 West Bloomfield Road.

Bonds are refinanced through a process called "refunding." When a bond is refunded, the entity that issued the bonds issues new bonds, and uses the proceeds from those new bonds (which will have a lower interest rate than the outstanding bonds) to pay off the old bonds.

The Park Commissioners have an opportunity to refund the 2009 Bonds, which is expected to have a gross savings to the Park Commissioners of $350,000. The net present value of those savings is $290,000.

The Park Commissioners are expected to approve this refunding at their meeting on August 22, 2017. Pursuant to state law, the Council must also approve the refunding before the Park Commissioners can move forward. If approved, Staff expects the refunding process to be completed in early to mid-October.

AMENDMENT BY SUBSTITUTION

ORDINANCE 17-24

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE (BMC) ENTITLED "VEHICLES AND TRAFFIC"

Re: Deleting and Replacing Bloomington Municipal Code Chapter 15.36 (Reserved Residential Only Parking Permits)

WHEREAS, On October 26, 2016, the City of Bloomington Traffic Commission considered, and by a vote of 7-0, recommended that the Bloomington Common Council delete 15.36 from the Bloomington Municipal Code; and

WHEREAS, In public meetings in May 2017, members of the Bloomington Common Council expressed their preference that BMC 15.36 be modified to focus on helping people with disabilities age in place, rather than deleted; and

WHEREAS, On July 25, 2017, the City of Bloomington Parking Commission considered proposed amendments to Ordinance 17-24 based on comments solicited at the May 2017 Common Council meetings.

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

SECTION 1. Chapter 15.36, entitled "Resident-Only Parking Permits," is hereby repealed and replaced with the following:

Chapter 15.36 RESERVED RESIDENTIAL ON-STREET PARKING PERMITS
Sections:

15.36.010 Definitions
15.36.020 Eligibility
15.36.030 Information required on application
15.36.040 Fees
15.36.050 Information contained on permit
15.36.060 Issuance and revocation of permits
15.36.070 Permit regulations
15.36.080 Expiration of permits
15.36.090 Disposition of revenue
15.36.100 Violations

15.36.010 Definitions

(a) "Adequate off-street parking" means space on a privately owned parcel for one parked automobile, including access to that space from the residence or access that could readily be created without undue expense.
(b) "Adjacent" means as near as possible to the permit-holder's residence and in compliance with applicable accessible parking requirements.
(c) "Household" means an individual or collective body of people living upon the premises. The Household shall not be comprised of more than five adults sixteen years of age or older, in addition to any dependent children of those adults.

(d) "Single household detached dwelling" means a single residential building per parcel occupied by one household. The parcel shall solely be used for residential purposes. Such dwellings shall be characterized by, but not limited to:
    (1) A single house number with a single mailbox for the receipt of materials sent through the United States mail;
    (2) A single kitchen adequate for the preparation of meals;
    (3) A tenancy based upon a legal relationship of a unitary nature, i.e., single lease, mortgage or contractual sales agreement for the entire premises.

15.36.020 Eligibility

(a) The applicant/permittee shall reside in a single household detached dwelling in an area of the City zoned for residential purposes.
(b) The single household detached dwelling shall not have adequate off-street parking.
(c) Except as provided elsewhere in this chapter, the applicant must be a person with a permanent disability who either owns a motor vehicle and has a disability parking placard or disability license plate issued by the Indiana Bureau of Motor Vehicles pursuant to I.C. 9-18.5-8-4 or be a person with a permanent disability who has designated a vehicle, or vehicles, that is/are regularly used to transport him or her pursuant to I.C. 9-18.5-8-1.

15.36.030 Information required on application

(a) The application form shall contain
    i. The name, address, telephone number, and e-mail address of the applicant;
    ii. The year, make, and license number of the automobile owned by the applicant, or the year, make, and license number(s) of the vehicle(s) used to transport the applicant which is authorized to use the reserved residential on-street parking space;
    iii. A signed statement from the applicant that verifies the applicant
        1. resides at the address given in the application and that the residence is a single household detached dwelling,
        2. owns the listed automobile or that it is the vehicle principally used to transport the applicant,
        3. has a disability parking placard or disability license plate issued by the Indiana Bureau of Motor Vehicles for their owned motor vehicle, or has a permanent disability and a designated vehicle or vehicles regularly used to transport him or her, and
        4. does not have adequate off-street parking as defined in this chapter.
(b) Should the automobile and/or its license plate number change while a permit is in force, the applicant must submit an amended application within 10 calendar days.

15.36.040 Fees

(a) The applicant must pay a non-refundable fifty dollar ($50.00) application fee at the time he or she submits the application. An application fee is not required in the following instances:
    i. if the application is for an amended application due to a license plate change while a permit is in force, or
    ii. if the applicant is submitting an application for a parking space the same applicant had a permit for the previous calendar year.
(b) If the permit is approved, the applicant must pay a permit fee of one-hundred forty-five dollars ($145.00), or seventy-five dollars ($75.00) if after July 1st.

15.36.050 Information contained on permit

(a) The permit provided for in this chapter shall contain the following information:
    i. the number of the permit;
    ii. the address of the person to whom the permit is issued; and
    iii. the date of expiration of the permit.
(b) The color of the permit will rotate colors annually

15.36.060 Issuance and revocation of permits.

(a) The application for a permit under this chapter, along with the application fee, shall be submitted to the City Controller, or his or her designee, who shall forward it to the Parking Enforcement Manager. The Parking Enforcement Manager, or his or her designee, shall approve or disapprove the application in accordance with the provisions of this chapter.
(b) The applicant may appeal an adverse ruling by the Parking Enforcement Manager, or his or her designee, to the City of Bloomington's Board of Public Works, whose decision shall be final. The Board may reverse the Parking Enforcement Manager's decision if it finds that the permit met the requirements of this chapter, or if it finds that extenuating circumstances exist which justifies issuing the permit. Extenuating circumstances include, but are not limited to, neighborhood parking conditions that impose unique hardships on the applicant that cannot be reasonably addressed in another way, and such hardships prevent the applicant from being able to remain at the residence if no permit is granted.
(c) The Board of Public Works shall have the authority to revoke any permit upon finding a violation of the regulations in this chapter and to order the forfeiture of all fees.

15.36.070 Permit regulations

The following regulations shall be in effect:
(1) No more than one reserved residential only parking permit space is permitted per single household detached dwelling.
(2) Permits shall be restricted to one per single household detached dwelling.
(3) Permits shall be valid only for the calendar year in which they are issued.
(4) Reserved residential on-street parking spaces shall be used for passenger vehicles only.
(5) Reserved residential on-street parking spaces shall not be subleased or rented, for consideration or gratuitously, to individuals outside the applicant's household.
(6) A permit shall not be issued for any parking space on a block in which there is a parking meter installed by the City.
(7) Permits automatically expire when the applicant is no longer a resident of the residence.

15.36.080 Expiration of permits.

(a) All permits expire on December 31 of the year of issuance.
(b) Permit-holders, including individuals holding permits before the effective date of this ordinance, must re-apply each year. The City Parking Enforcement Manager will provide current permit-holders an advance reminder to apply for a permit the following year. The application and permit fees shall be submitted before December 31 to avoid forfeiture of the reserved residential only parking permit space.

15.36.090 Disposition of revenue.

All funds derived from the granting of permits under the provisions of this chapter shall be placed in the general fund of the City.

15.36.100 Violations

Any violations of this chapter constitute a Class D Violation and are subject to the fines listed in Section 15.64.010 as well as enforced removal of the vehicle.

SECTION 2. 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 applications of this ordinance which can be give 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 effect after its passage by the Common Council and approval by 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 _____, 2017.

_____
SUSAN SANDBERG, 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 _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me up this ___ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance renames the Resident-Only Parking Permit program as the Reserved Residential On-Street Parking Permit program. It modifies the program to focus on the needs of people with disabilities, helping them age in place when the lack of adequate off-street parking makes that difficult if not impossible without a reserved space. It increases the annual fees to help defray the City's costs to implement the program and requires annual applications to ensure compliance with current requirements.

MEMO:

TO: City of Bloomington Common Council
FROM: Andrew Cibor, Transportation & Traffic Engineer
Barbara E. McKinney, Assistant City Attorney
DATE: 8/3/2017
RE: Ordinance 17-24, Update to Title 15 of the Bloomington Municipal Code

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The Traffic Commission supported deleting the Resident-Only Parking Permit program currently codified within Title 15, Chapter 36 of the Bloomington Municipal Code. This decision was primarily based on the code's inconsistency with accessibility requirements for on-street parking spaces. The Traffic Commission's recommendation to delete this section of code was presented to the City Council via Ordinance 17-24. This Ordinance was discussed at the May 24th and May 31st City Council meetings. At those meetings Council raised concerns, provided staff guidance to develop an amended version of Ordinance 17-24, and postponed a vote on the Ordinance until August 9, 2017. The Parking Commission considered some proposed amendments to Ordinance 17-24 at their July 25, 2017 meeting based on comments solicited at the May 2017 Common Council meetings. Based on input received from the Common Council and Parking Commission, a proposed amendment to Ordinance 17-24 was prepared. Some of the changes within the proposed amendment include:

- Rather than deleting BMC Chapter 15.36 it deletes and replaces it
- Adds an eligibility requirement that the applicant be a person with a permanent disability who either owns a car and has a disability placard/license plate or has a designated vehicle, or vehicles, used to transport the applicant
- Provides the Board of Public Works with guidance on extenuating circumstances to consider when evaluating appeals to permit applications. Extenuating circumstances include, but are not limited to, neighborhood parking conditions that impose unique hardships on the applicant that cannot be reasonably addressed in another way and that prevent the applicant from being able to remain at the residence if no permit is granted.
- Increases the application fee from $25 to $50 and increases the permit fee from $26 to $145. The permit fee increase is based on inflation from 1973 to 2017. The $26 fee was first instituted in 1973.
- Identifies the Parking Enforcement Manager as the staff issuer of the permit rather than the Transportation & Traffic Engineer.
- Requires permit holders to reapply by submitting a permit application before it expires every year

CITY OF BLOOMINGTON

PARKING COMMISSION

City of Bloomington Parking Commission Meeting Packet

Tuesday, July 25, 2017

Packet Related Material

1. Meeting Agenda
2. Memo from Jim Blickensdorf
3. Introduction & Neighborhood Zone Financial Report sections
4. Comments from Mary Jo Shaughnessy
5. Comments from Faith Hawkins
6. Private Parking Memo from Planning and Transportation

Next Meeting: August 8th, 2017 Dulap Room #235 5:30 PM

MEMORANDUM

To: Parking Commission

From: Scott Robinson, Planning Services Manager

Date: July 19, 2017

Re: Resident-Only Parking Permits – Title 15.36

Background

The Traffic Commission supported deleting the Resident-Only Parking Permit program currently codified within Title 15, Chapter 36 of the Bloomington Municipal Code. This decision was based on accessibility and other concerns detailed in staff's report seeking a recommendation from the Traffic Commission. This information was previously included in the Parking Commission's June meeting packet. The City Council recently heard Ordinance 17-24 to delete this section of code. There were concerns and limited support by Council members to pass this proposal. The City Council postponed a vote on Ordinance 17-24 to allow time for potential amendments to the Ordinance to be drafted for consideration. Ordinance 17-24 is scheduled to be heard at the August 9th City Council meeting. Staff is in the process of preparing a potential amendment to Ordinance 17-24. These changes include the following:

- Eligibility – in addition to vehicle ownership also include a requirement for valid handicapped parking permit or identify a vehicle to assist in a disabled person's transport;
- Eligibility – permitted only if no off street parking is available and wasn't available when occupant 1st occupied the residence and clarify if no feasible off street accommodations can be provided by applicant;
- Permit – require a permit must be applied for annually;
- Standard – require the on-street parking space meet minimum ADA parking requirements; and
- Fees – increase the fees to better cover some of the associated costs to administer the program.

Recommendations

Staff is seeking guidance from the Parking Commission on the changes to 15.36 listed above as well as other items to consider so staff can prepare for a possible amendment to Ordinance 17-24.

*** Amendment Form ***

Ordinance #: 17-24

Amendment #: 1 to AM 01, an Amendment by Substitution

Submitted By: Cm. Volan, District VI

Date: August 17, 2017

Proposed Amendment:

1. Am 01, an amendment by substitution to Ord 17-24 shall be amended by adding the following new subsection (d) to 15.36.020 Eligibility

   (d) An applicant is exempt from the eligibility requirements of (a)-(c) above where the applicant has continuously held a permit in good standing before the effective date of this ordinance.

2. Am 01, an amendment by substitution to Ord 17-24 shall be amended by replacing the words "Parking Enforcement Manager" with "Transportation and Traffic Engineer, or his or her designee" throughout.

3. Am 01, an amendment by substitution to Ord 17-24 shall be amended by adding the following new subsection (d) to 15.36.060 Issuance and revocation of permits

   (d) Signage and markings on a space shall be removed no less than seven (7) nor no more than thirty (30) calendar days after the Board of Public Works' decision to revoke it.

4. Am 01, an amendment by substitution to Ord17-24, Section 15.36.090 Disposition of revenue, shall be amended by replacing the word "general fund" with "Alternative Transportation Fund, Fund 454."

Synopsis

This amendment is sponsored by Councilmember Volan. The change allows an applicant who does not otherwise meet eligibility requirements for a Reserved Residential Only Parking Permit to nevertheless obtain such a permit where the applicant has continuously held a permit in good standing before the effective date of the ordinance. It adds a new provision regarding the removal of signage upon revocation of a permit, and it shifts authority from the Parking Enforcement Manager to the Transportation and Traffic Engineer, or her or his designee. The measure also calls for the deposit of revenue from the program be deposited into the Alternative Transportation Fund, not the General Fund.

5/24/17 Committee Action: None
5/31/17 Regular Session Action: None
8/9/17 Regular Session Action: *Pending*

(17 August 2017)