City of Bloomington
Common Council

Legislative Packet

Wednesday, 10 May 2017

Special Session
immediately followed by a
Committee of the Whole

Office of the Common Council
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City of Bloomington Indiana

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To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: May 5, 2017

Packet Related Material

Memo
Agenda
Calendar
Meetings, Notices, and Agendas:

- **Reminder: Council Budget Advance** on Wednesday, May 10, 2015 at 5:00 pm in the McCloskey Room
- **Notice of Special Session** to be held on Wednesday, May 10, 2016 immediately before the previously scheduled Committee of the Whole
- **Notice of Schedule for the Affordable Living Committee and Sub-Committees** for the Remainder of the Year

Ordinances for Introduction at the Special Session along with a Resolution – All to be discussed at the Committee of the Whole on Wednesday, May 10, 2016 *(Listed in the Order of Deliberation at the Committee of the Whole)*:

- **Res 17-25** To Approve Refunding Bonds of the City of Bloomington Redevelopment District to Refund 2011 Bonds
  - Memo to Council

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

- ***First Reading at Special Session on May 10th*** – **Ord 17-22** To Amend Title 15 of the Bloomington Municipal Code – Re: Stop, Multi-Stop, and Yield Intersections, One-Way Streets, Increased or Decreased Speed Limits, Angle Parking Zones, No Parking Zones; Limited Parking Zones; Loading Zones; Parking Near Intersections, Parallel and Angle Parking Regulations,

Resident-Only Parking Permits, and Removal of Abandoned Vehicles (Including Maximum Towing and Storage Charges for such Vehicles)

- Memo from Barbara McKinney, Assistant City Attorney, and Andrew Cibor, Transportation and Traffic Engineer
- Maps
- Excerpts from BMC Title 15 – Re: Annotating the Changes to the Code Beyond those made to Various Schedules

Contacts: Barbara McKinney, 812-349-349-3426 or mckinneb@bloomington.in.gov
Andrew Cibor at 812-349-3598 or cibora@bloomington.in.gov

- ***First Reading at Special Session on May 10th.*** Ordinance 17-08 To Amend the Approved Planned Unit Development (PUD) District Ordinance and the Preliminary Plan Attached to Parcel I of the Woolery PUD (Allowing Multi-family Dwellings as a Permitted Use and Approving Development Standards Associated with Such Use) - Re: 2182 W. Tapp Road (Regency Consolidated Residential, LLC, Petitioner)
  - Certification of Plan Commission Action (8-0-0);
  - Memo to Council, from Eric Greulich, Zoning Planner;
  - Memo from Environmental Commission;
  - Maps of Site and Surrounding Area;
  - Aerial Map
  - Assessment of Karst
  - Assessment of Traffic
  - Revised Petitioner's Statement
  - Petitioner's Environmental/Sustainability Plan for the Site
  - Images of the Adams Village Site with and without development
  - Tapp Road Conceptual Plan
  - Townhome Elevations

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

Memo

Budget Advance, Special Session, and Committee of the Whole on Wednesday, May 10th

There are three meetings next Wednesday evening: a

- **Budget Advance at 5:00 pm in the McCloskey Room** (with food available for Council and staff);
- **Special Session** where two ordinances will be introduced (which are in this packet and summarized below); and
- **Committee of the Whole** where the above ordinances and resolution (enclosed and summarize below) will be ready for discussion.

Item One – Res 17-25 – Refunding the Redevelopment District Bonds of 2011

The first item for discussion at the Committee of the Whole next Wednesday is **Res 17-25**. It approves the refunding of the Redevelopment District Bonds of 2011, which were issued by the Redevelopment Commission (with authorization by the Council)[1] to acquire land from Indiana University for what is now known as The Trades District. According to the Memo from Philippa Guthrie, Corporation Counsel, and Jeffrey Underwood, Controller, the "Redevelopment Commission has an opportunity to refund the 2011 Bonds, which is expected to have a gross savings to the Redevelopment Commission of $2,187,231.16 … (with a) net present value of …$721,178.04."

IC 36-7-14-25.1 requires the Council to approve the issuance of bonds by the Redevelopment Commission and specify certain terms in regard to those bonds. In compliance with this provision, the resolution, in part, states that "The Common Council …

- hereby approves the sale and issuance of the Bonds of the District
- in an aggregate principal amount not to exceed Twelve Million Three Hundred Thousand Dollars ($12,300,000),
- for a term ending no later than February 1, 2032,
- at a maximum interest rate of five percent (5.00%),
- with no capitalized interest and with redemption terms approved by the Commission, to finance costs of the Refunding Program.

[1] Ord 11-06 An Ordinance Approving the Issuance of Bonds of the Bloomington Redevelopment District, Acting in the Name of the City of Bloomington, Indiana, in an Amount not to Exceed $13,670,000 to Finance Acquisition of Real Estate and Construction of Certain Improvements in the Downtown Economic Development Area

Please know that once the Council has acted, the Redevelopment Commission, which started the process by resolution earlier this month,[2] will oversee the remaining steps, which should conclude with the issuance of refunding bonds in the next month or so.

Please also know that the Bruce Donaldson, Bond Counsel, will be at the Committee of the Whole next week to answer any questions you may have

Item Two – Ord 17-22 – Periodic Changes to Title 15

The second ordinance (**Ord 17-22**) ready for introduction and discussion on May 10th offers amendments to Title 15 (Vehicles and Traffic). These changes are proposed by the Planning and Transportation Department (including making permanent some 90-day orders), the Bicycle and Pedestrian Commission, the Traffic Commission, the Public Works Department, the Police Department, and the Legal Department. As noted in the memo provided by Barbara McKinney, Assistant City Attorney, and Andrew Cibor, Planning and Transportation Engineer, the changes are the result of "capital projects (e.g., I-69), new development, Vernal Pike being renamed Fountain Drive, housekeeping items to reflect existing conditions, and staff requests."[3] The following provides a brief review of these changes and tracks the order of changes outlined in the ordinance.

[2] RDC Res 17-35 is available in the Council Office
[3] The last traffic ordinance was in July 2016.

Changes to Stop Intersections – Schedule A - (Ordinance Section 1) and Multi-Way Stop Intersections – Schedule B (Ordinance Section 2)

The ordinance adds 15 and deletes 17 stop intersections to:

- Change the name of Vernal Pike to Fountain Drive at various intersections (following construction of I-69);
- Reflect changes due to recent road projects by:
    - Adding stops for various cross streets and Woodlawn Avenue[4] (which now connects from the IMU to 17th Street – per 90-Day Order);
    - Removing a stop intersection at Rex Grossman and Tapp Road due to the closing of those intersections as part of the I-69 project;
- Reflect existing conditions by:
    - Adding a stop for traffic on Acuff Road at Kinser;
    - Adding a stop for traffic on Circle at Mitchell Street;
- Reverse stop controls at:
    - Grant and 8th and 9th (so that traffic on the numbered streets stop at Grant at the recommendation of the Traffic Commission);
    - Walnut Grove and 11th Street (due to closing of railroad crossing further north on Walnut Grove);
- Add a new stop on Smith Avenue at the north/south alley east of the Project School (at the request of the Traffic Commission and as imposed by 90-day order);
- Convert 2-way stops to multi-way stops or add new multi-way stops at:
    - Pete Ellis Drive and Longview Drive (which changes from a stop for traffic on Longview to a 4-way stop at recommendation of the Traffic Commission); and
    - Mitchell & Southdowns (which now will have a 3-Way stop to reflect existing conditions at the request of the Traffic Commission); [5] and
    - Kirkwood & Madison Street (which changes from a 2-way stop for traffic on Madison to a 4-way stop).

Changes to Yield Intersections – BMC 15.12.020, Schedule C (Ordinance Section 3)

The ordinance deletes a yield intersection at Twelfth and Woodlawn in the course of codifying a stop for traffic on Twelfth.

Changes to One-Way Streets (Ordinance Section 4)

The ordinance alters one-way streets as follows:

- **Eighth Street** is currently a one-way street (eastbound) from Morton to Woodlawn. The segment between Morton and College was made two-way in order to accommodate the new County parking garage as a result of a 90-day order and would be codified by this ordinance;
- **Eleventh Street** is currently one-way from Washington to Forrest (eastbound). Upon the request of an engineering firm associated with improvements at IU, the one block between Woodlawn and Forrest will become two-way to improve access following closure of the Walnut Grove railroad crossing;[6]
- **Smith Avenue** from College Avenue to Washington is currently a one-way street (westbound). The change adds a note indicating that bicycles may travel in both directions.

Changes to Speed Limits (Ordinance Section 5)

The code currently imposes a general City-wide speed limit of 25 mph (once signs are in place) and then sets forth, in Schedule J (School, Park, and Playground Speed Zones), road segments with the speed limit of 20 mph and lastly, in Schedule I, Increased or Decreased Speed Limits, sets forth other speed limits throughout the City. The ordinance:

- Updates the name for Vernal Pike (to Fountain Drive);
- Reduces the speed limit on Jordan north of Atwater from 30 to the City-wide speed limit of 25 mph;
- Reflects the posted speed limits along the following street segments:
    - Dunn Street from SR 45/46 to Old SR 37 (30 mph);
    - Old SR 37 from College through Cascades Park (20 mph) to Walnut Street, and from Walnut Street to City Limits (30 mph).

Changes to Angle Parking (Ordinance Section 6 and 11)

One of the more innovative changes made by the ordinance is to provide for both "Pull-in" and "Back-in" angle parking and is being done at the recommendation of the Traffic Commission. The ordinance makes this change by deleting and replacing Section 15.32.175 (Parallel and angle parking) to clarify "parallel

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[4] Along with deleting a stop sign at 17th where a signal has already been codified
[5] Per July 27, 2016 Traffic Commission Packet; and Minutes
[6] Per September 28, 2016 Traffic Commission packet and Minutes.

parking" and "pull-in angle parking," [7] and define "back-in angle parking." [8] To complete the change, the ordinance also amends Schedule L (Angle parking), to add a column labeled "Angle Type" where "pull-in" is indicated for each zone at present and any "back-in" would be indicated where appropriate in the future.

In addition, the ordinance adds the segments by the Lauchli PUD on Hillside (from the Henderson to 420' east of the intersection) and on Henderson from Hillside to 275' south of the intersection) as pull-in parking. *Please note that the schedule does not list the degree of the angle, but that Cibor has indicated that they will be at a 60 degree angle.*

<u>Changes to "No Parking Zones" (Ordinance Sections 7)</u>

The ordinance adds 22 new and deletes 10 "no parking zones" for the following reasons and affecting the following areas:

To improve line-of-sight along these street segments:

- West side of College Avenue – extending the prohibition from 40' to 80' north of Eighth Street;
- West side of Highland Avenue - extending the prohibition from the intersection with 3rd Street to 105 south of it;[9]
- East side of Indiana – imposing the prohibition for the first 85' north of 13th Street
- West side of Rogers Street – from Kirkwood to 75' north of Sixth Street and from 90' south to 95' north of Eighth Street.

To alternate no parking from one side of the street to the other along these street segments:

- **Fess Street – from First to Third Street.** Currently parking is prohibited on the west side for these blocks. This ordinance would switch the no parking to the east side from University Street to Hunter Avenue to improve line-of-sight at no loss to net parking in the area and in lieu of a request for a 4-way stop;[10]
- **Grant Street – from University Street to 12th Street.** Currently parking is prohibited on the east side for these blocks. This ordinance would switch the

[7] "Pull-in angle parking: Where pull-in angled parking is permitted, vehicles shall be parked with the front of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space."
[8] "Back-in angle parking: Where back-in angle parking is required, vehicles shall be parked with the rear of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space."
[9] Per September 28, 2016 Traffic Commission packet and Minutes.
[10] Per July 27, 2016 Traffic Commission Packet and Minutes

no parking to the west side for the first 210' south of Tenth and from Alice Street to 165' north of Seventh Street.

To Change Vernal Pike to Fountain Drive

To remove No Parking restrictions on Fairview between Dixie and Wylie Street (at the request of the Traffic Commission) as a result of recent street improvements.[11]

To change the No Parking prohibitions on the west side of North Walnut Street from Eleventh Street to the SR 45/46 Bypass. Currently the code prohibits parking on the west side of Walnut from Eleventh to Fourteenth Street and the east side of Walnut from Seventh Street to the SR 45/46 Bypass. This change will allow parking on the west side of Walnut from Eleventh to 110' north of Fifteenth and for the first 80' north of Sixteen Street. It follows resurfacing and restriping last year that created bike lanes and provides spaces for on-street parking.

To impose No Parking prohibitions along Moravec Way as it crosses the B-Line Trail into the new Habitat, Trail View Subdivision (at recommendation of the Traffic Commission).

To impose No Parking Prohibitions on the north side of Fourth Street from Elm to Jackson to reflect existing and long-standing signage and with the recommendation of the Traffic Commission.

To restrict parking along newly constructed bicycle lanes on North Woodlawn avenue (per 90-day order) Currently parking is prohibited on either side of Woodlawn from Seventh to Twelfth Street and then on the west side from thirteenth to Fourteenth Street and on the east side from Thirteenth to Seventeenth Street. This ordinance prohibits parking on both sides of Woodlawn from Twelfth Street to Seventeen Street to accommodate bicycle lanes.

<u>Changes to "Limited Parking Zones" (Ordinance Section 8)</u>

The ordinance adds two new and deletes four existing limited parking zones:

To Clarify that 15-minute parking is allowed on the east side of North College for the first 90' south of Seventeenth Street and that 2-hour parking is allowed

[11] Per October 26, 2017 Traffic Commission packet and minutes.

for the next 210' (per 90-day order). This satisfies the property owner and removes some inconsistencies in the code.

To remove limited parking zone on the west side of Rogers north of Kirkwood in order to improve line-of-sight and at the request of the Near West Side Neighborhood Association (and with the recommendation of the Traffic Commission)

Changes to "Loading Zones" (Ordinance Section 9)

This ordinance adds a new loading zone in the 100-block of North Washington to benefit the Monroe County History Museum (per (90-Day Order).

Deletion of Section Regulating Parking Near Intersections (Ordinance Section 10)

This ordinance deletes BMC 15.32.130 which, in absence of certain statutory dictates, bars parking within a certain distance of an intersection at the recommendation of the Traffic Commission.[12] This change is being pursued because the provision would bar parking within thirty feet of an alley, which would reduce parking in many areas and was not the intent of the provision.

Deletion of Resident-Only Parking Permit Program as of January 1, 2018 (Ordinance Section 12)

The ordinance removes the Resident-Only Parking Permit Program as of January 1, 2018 at the urging of staff and the recommendation of the Traffic Commission.[13] Although not often sought nor granted,[14] for decades the City has offered the opportunity for persons living in a single household detached dwelling to obtain this annual permit for one passenger vehicle to park at a designated space on the street when there is a lack of "adequate off-street parking at the applicant's place of residence." (BMC Chapter 15.36) Applicants apply through the Office of Controller and the decision on granting the permit rests with the Planning and Transportation Engineer (with an appeal to the Board of Public Works available). There is an initial administrative fee of $25, an annual permit fee of $26, and decal which is placed on the sign posted at the designated parking space. There appear to be many reasons for the change: the general reluctance to use public streets for private purposes; compliance with ADA requirements (where, apparently, the first designated parking spaces on the street should be for accessible parking); the

[12] Per September 28, 2016 Traffic Commission packet; and Minutes
[13] Per October 26, 2016 Traffic Commission packet and Minutes.
[14] It appears that there about 20 spaces around the City at this time.

presence of adequate parking without use of this permit; and alternatives to address the possible adverse effect upon these permit holders (e.g. Loading Zones and Accessible Parking Zones). *Note: It does not appear that permit-holders were informed of this proposal when it came to the Traffic Commission last October and that, as of this time, few if any, of them have been notified of this change.*

Amending Removal of Abandonned Vehicles to Allow Parking Enforcement Officers to Conduct Towing of these Vehicles (Section 13)

Currently police officers arrange for the towing of abandoned vehicles and generate a fee for the performance of those duties. This ordinance amends BMC 15.52 (Abandoned Vehicles) to allow parking enforcement officers (who are monitoring parking on a daily basis) to perform those duties and generate that fee.

Item Three – <u>Ord 17-08</u> Amending the PUD District Ordinance and Preliminary Plan for Parcel I of the Woolery PUD to allow multi-family dwellings
(Regency Consolidated Residential, LLC, Petitioners – Champaign, IL)

<u>Ord 17-08</u> amends the District Ordinance and Preliminary Plan for Parcel I of the Woolery Planned Unit Development (PUD) at 2182 W. Tapp Road. This PUD amendment is made at the request of Regency Consolidated Residential, LLC, a corporation based in Champaign, IL. This amendment adds "multi-family dwellings" as a permitted use to the existing commercial use of the area. It also attaches Residential High-Density Multifamily (RH) district zoning standards to this parcel, with three modifications described herein.

<u>The Site</u>
The Woolery PUD was created in 1994 (Ordinance 94-51). As a whole, the Woolery PUD was 170 acres and included a mix of uses including single-family residential, multi-family residential, and commercial parcels. The space is primarily on the north side of Tapp Road, with a parcel on the southside. Parcel I is an 8.02-acre space designated for commercial-only use located in the southwest corner of the PUD along the north side of Tapp Road, immediately east of the old Woolery Mill building. As recounted in the staff memo from Zoning Planner, Eric Greulich, this parcel has sat vacant for the last 20 years. Such prolonged vacancy tends to follow trends associated with commercial tracks in PUDs that were later revised to provide for multi-family uses -- the Canada Farms PUD is an example of this. As Petitioner relays in *Petitioner's Statement*, the petitioner has made a concerted effort over the last 3.5 years to develop the space for commercial use; however the parcel has remained undeveloped. The properties surrounding Parcel I are all within the Woolery PUD and include multifamily use on the north and east sides; commercial use (a gymnastics school) on the east side; and, quarry use on the south side. Indeed, Regency Consolidated Residential, has already purchased and completed three phases of the Adams Village development. This PUD amendment would provide for Phase IV.

The Proposal

Through this proposed use of Parcel I for multifamily dwellings is characterized by the following:

- Target Audience: According to *Petitioner's Statement*, the apartments in this development are intended to attract families with young children and residents without children. According to the *Statement*, the existing housing market niche is for 1- and 2-year rentals with a focus on employment at Crane. The proposed development will provide close access to I-69 for commuting.
- Units: The project would be comprised of 111 units (168 bedrooms)
- Bedrooms: The project will consist of 1- and 2-bedroom apartments. 54 units will be 1-bedroom apartments and 57 units will be 2-bedroom apartments. As made clear in the *Petitioner's Statement*, the Dwelling Unit Equivalents (DUEs) are estimated to be at 11.28 DUEs/acre. The RH zone requires no more than 15 units per acre.
- Size: The size of the units is larger than average: 1-bedroom units will be 850 square feet; 2-bedroom units will range from 1,080-1,450 square feet.
- Affordability: 10% of development (~11 units) will accommodate "workforce housing."
- Parking: The development will include 157 parking spaces or 0.93 spaces/bedroom (76 surface spaces; 81 garage spaces)
- Sidewalks: New interior sidewalks will be built to connect to surrounding streets.
- Recycling: On-site recycling will be provided to tenants
- Common area: An interior multi-purpose area will be built and will include a pool, playground, and pavilion with firepit.
- Road Access: The property will be accessed by a new roadcut on Tapp Road (part of original PUD). Road connections will be made to Adams Village apartments to the east and Sunstone Drive to the north.
- Residential High-Density Multifamily (RH): The PUD would adhere to RH Zoning Standards, with exceptions for building height, side-yard building setback, and front parking setback. Those exceptions are described further below.
- Sustainability Plan: Petitioner's proposal includes an Environmental/Sustainability Plan that includes the use of a LEED contractor, bio-retention ponds, rain gardens, bike storage beyond that

required by local code, board for ride-sharing, and, a high-efficiency HVAC system, among other things. *Please see* the attached plan for details.

- On Traffic: The memo submitted to Planning and Transportation from Brehob and Associates, Inc. indicates that traffic generated by the development of the site for multi-family use will be lower than it would be if developed for commercial-only use. However, traffic volume will be higher with multifamily use during peak morning and evening times when residents are leaving for, and returning from, work.

Environmental Commission Recommendations

The Environmental Commission (EC) submitted two recommendations concerning this development. First, the EC requested that petitioner use native landscaping and increase the number of species beneficial to pollinators. (The Plan Commission subsequently required all native landscaping.) Second, the EC requested that petitioner commit to salvaging, recycling, and reusing all possible construction materials not needed on site. (The Plan Commission encouraged, but did not require, this practice.)

Plan Commission Action

The Plan Commission unanimously voted to forward this petition to the Council with a positive recommendation. The Plan Commission approved modifications to general RH district standards and attached conditions of approval. Both the modifications and conditions are described below.

Modifications to RH Development Standards

The development standards of Residential High-Density (RH) zoning requirements BMC § 20.02.170-20.02.200 will attach to this PUD amendment. The petitioner requested, and the Plan Commission, approved the following modifications to the RH standards.

- The Commission allowed an exception to the 50' building height limit by allowing two buildings to be built at 63'.
- The Commission allowed an exception to the 15' building setback, by allowing a 10' setback at the eastern property line.
- The Commission allowed an entrance drive to run along the front of the property, which would be set back approximately 70' from the road and would be buffered by landscaping.

Conditions of Approval

The Plan Commission attached the following four conditions of approval:

- the PUD final plan approval will be reviewed by the Plan Commission;
- All landscaping for this project shall be native species;
- If deemed necessary by the Planning and Transportation Department during final plan review, the petitioner shall install a left-turn lane into this project from Tapp Road; and,
- The petitioner shall provide the workforce housing component of the PUD for a minimum of 99 years.

The Issue of Affordability

Again, the petitioner has committed to devoting 10% of the 111 units to workforce housing. The petitioner worked with the Mayor and the HAND Director, Dori Sims, in identifying this set aside. Specifically, as recounted in *Petitioner's Statement* (the District Ordinance), "Petitioner will dedicate 10% of the apartments to a workforce housing program, wherein rent structure is priced based on workforce housing standards." *Statement*, p. 1. In separate communication with Sims, Sims relays that in this context, workforce housing is understood to include those at or below 130% of Area Median Income.

While the petitioner has made this set-aside commitment, the petitioner requested a 30-year period of affordability. The Plan Commission attached a 99-year period of affordability, approximately the life of units. The Administration and its staff supports the 99-year requirement. During the Plan Commission deliberations on this matter, petitioner represented that it wishes to discuss the period of affordability at the Council as a policy matter. It is anticipated that the petitioner will request that the City develop a unified policy on matters of affordability requirements.

Please note that petitioner, Regency Consolidated Residential, LLC, is the same developer that appeared before the Council last year in interest of the Dunhill PUD, Ord 16-20. In interest of the Dunhill PUD, Regency made a zoning commitment dedicating a financial contribution of $1,340/per bedroom, not to exceed $1 million.

Council Review

The Council is required to vote on a PUD proposal within ninety days of certification from the Plan Commission. The matter was certified to the Council on 13 March 2017 making the deadline for Council action mid June 2017. In instances in which the Plan Commission gives a proposal a favorable recommendation, but the Council fails to act within the ninety-day window, the ordinance takes effect within ninety days after certification.

In reviewing a PUD proposal, the Council's review is guided by both local code and State statute. Both are reviewed below. In reviewing a PUD, Council must have a rational basis for its decision, but otherwise has wide discretion.

Bloomington Municipal Code (BMC)

BMC 20.04.080 directs that, in its review of a PUD, the Council shall consider as many of the following criteria as may be relevant to a specific PUD proposal. Amendments to a PUD are considered in the same manner as the creation of a new PUD. BMC 20.04.080(j)(1).

- The extent to which the PUD meets the requirement of 20.04, Planned Unit Development Districts.
- The extent to which the proposed preliminary plan departs from the UDO provisions otherwise applicable to the property (including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.)
- The extent to which the PUD meets the purpose of the UDO, the GPP, and other adopted planning policy documents.
- The physical design of the PUD and the extent to which it makes adequate provision for public services; provides adequate control over vehicular traffic; provides for and protects designated common open space; and furthers the amenities of light and air, recreation and visual enjoyment.
- Relationship and compatibility of the PUD to adjacent properties and neighborhood, and whether the PUD would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
- The desirability of the proposed preliminary plan to the city's physical development, tax base and economic well-being.

- The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
- The proposal preserves significant ecological, natural, historical and architectural resources.
- The proposal will not be injurious to the public health, safety, and general welfare.
- The proposal is an effective and unified treatment of the development possibilities on the PUD site.

Local code also provides that permitted uses in a PUD are subject to the discretion and approval of the Plan Commission and the Council. Permitted uses are determined in consideration of the GPP, existing zoning, land uses contiguous to the area being rezoned and the development standards outlined in the UDO. BMC 20.04.030.

Indiana Code

Indiana Code § 36-7-4-603 directs that the legislative body "shall pay reasonable regard" to the following:

- 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 property values throughout the jurisdiction; *and*
- responsible development and growth. (I.C. § 36-7-4-603)

Importantly, these are factors that a legislative body must *consider* when making a zone map change decisions. Nothing in statute requires that the Council find absolute conformity with each of the factors outlined above. Instead, the Council is to take into consideration the entire constellation of the criteria, balancing the statutory factors. [15]

[15] Notably, Indiana courts have made clear that municipalities have wide latitude in approving in PUDs and need not always comply with its comprehensive plan. Instead, comprehensive plans are guides to community development, rather than instruments of land-use control. *Borsuk v. Town of St. John*, 820 N.E. 2d 118 (2005).

When adopting or amending a PUD district ordinance, State law provides that the Council may adopt or reject the proposal and may exercise any powers provided under State law. Those powers include:

- Imposing reasonable conditions;
- Conditioning issuance of an improvement location permit on the furnishing of a bond or a satisfactorily written assurance guaranteeing the timely completion of a proposed public improvement;
- Allowing or requiring the owner of real property to make written commitments (I.C. § 36-7-4-1512).

The Growth Policies Plan (GPP) (linked)

Congruence With GPP

Under the GPP, this area is designated as a "Community Activity Center" (CAC), ideal for high-density, mixed-use development. As directed by the GPP, the primary land use in a CAC should be medium-scaled commercial retail or service uses. According to the staff memo from Greulich, "[r]esidential units may be developed as a component of the CAC, and would be most appropriate when uses are arranged as a central node, rather than along a corridor." The memo from Greulich points out that this PUD proposal is congruent with the current GPP's Implementation Measure CCC-1, "In coordination with the Housing and Neighborhood Development Department, adopt neighborhood plans that will be designed to address housing, land uses, the provision of public infrastructure and services, affordable housing and infill development strategies." Greulich writes that this PUD's incorporation of workforce housing would accomplish this goal.

Greulich also outlines other ways in which this proposal articulates with the GPP. The request a number of goals outlined in the GPP, "including the redevelopment of underutilized property, [the] provision of open space, and the creation of a distinctive design style for this area." Furthermore, the Plan Commission found that the development of multi-family residences on this parcel would incent the development of commercial enterprises on adjacent parcels.

Departure From GPP

Greulich's memo lists two priorities of a CAC that are not quite met with this PUD. First, the GPP provides that public transit should be a "major component" of a CAC; however, at this point the area is not yet served by Bloomington Transit (BT). The Greulich memo notes that when Adams Street is extended in the future, it is possible that BT may serve this area. Secondly, the GPP outlines that "[i]incentives should be created to encourage the inclusion of second-story residential units" in CACs. No commercial uses are proposed within the development.

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION AND COMMITTEE OF THE WHOLE
6:30 P.M., WEDNESDAY, MAY 10, 2017
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

SPECIAL SESSION

I. ROLL CALL

II. AGENDA SUMMATION

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

IV. LEGISLATION FOR FIRST READING

1. Ordinance 17-08 To Amend the Approved Planned Unit Development (PUD) District Ordinance and the Preliminary Plan Attached to Parcel I of the Woolery PUD (Allowing Multi-family dwellings as a Permitted Use and Approving Development Standards Associated with such Use) - Re: 2182 W. Tapp Road (Regency Consolidated Residential, LLC, petitioner)

2. Ordinance 17-22 - To amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Stop, Multi-Stop, and Yield Intersections, One-Way Streets, Increased or Decreased Speed Limits, Angle Parking Zones, No Parking Zones; Limited Parking Zones; Loading Zones; Parking Near Intersections, Parallel and Angle Parking Regulations, Resident-Only Parking Permits, and Removal of Abandoned Vehicles (Including Maximum Towing and Storage Charges for such Vehicles)

V. COUNCIL SCHEDULE

VI. ADJOURNMENT *(to be immediately followed by a)*

COMMITTEE OF THE WHOLE

Chair: Chris Sturbaum

1. Resolution 17-25 - To Approve Refunding Bonds of the City of Bloomington Redevelopment District to Refund 2011 Bonds

Asked to attend: Philippa Guthrie, Corporation Counsel
Jeff Underwood, Controller
Bruce Donaldson, Bond Counsel

2. Ordinance 17-22 - To amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Stop, Multi-Stop, and Yield Intersections, One-Way Streets, Increased or Decreased Speed Limits, Angle Parking Zones, No Parking Zones; Limited Parking Zones; Loading Zones; Parking Near Intersections, Parallel and Angle Parking Regulations, Resident-Only Parking Permits, and Removal of Abandoned Vehicles (Including Maximum Towing and Storage Charges for such Vehicles)

Asked to attend: Andrew Cibor, Planning and Transportation Engineer

3. Ordinance 17-08 To Amend the Approved Planned Unit Development (PUD) District Ordinance and the Preliminary Plan Attached to Parcel I of the Woolery PUD (Allowing Multi-family dwellings as a Permitted Use and Approving Development Standards Associated with such Use) - Re: 2182 W. Tapp Road (Regency Consolidated Residential, LLC, petitioner)

Asked to attend: Eric Greulich, Zoning Planner, Planning and Transportation Department
Anahit Behjou, Assistant City Attorney
Representative for the Petitioner

*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 and Distributed: 05 May 2017

City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 08-13 May 2017

Monday, 08 May

4:00 pm Plat Committee, Kelly
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Conference Room
5:30 pm Plan Commission, Chambers

Tuesday, 09 May

4:30 pm Commission on Aging, Hooker Conference Room
6:00 pm City of Bloomington Commission on Sustainability, McCloskey
6:30 pm Sister Cities International, Kelly

Wednesday, 10 May

12:00 pm Bloomington Urban Enterprise Association, McCloskey
4:30 pm Parking Commission – Work Session, Kelly
5:00 pm Bloomington Arts Commission, Law Library
5:00 pm Common Council – Budget Advance, McCloskey
5:30 pm Commission on the Status of Black Males, Hooker Conference Room
6:30 pm Common Council – Special Session *followed by a* Committee of the Whole, Chambers

Thursday, 11 May

12:00 pm Housing Network, McCloskey
4:00 pm Solid Waste Management District, Judge Nat U. Hill, III Room, 301 N. College Ave.
5:00 pm Bloomington Historic Preservation Commission, McCloskey

Friday, 12 May

1:30 pm Metropolitan Planning Organization – Policy Committee, Chambers

Saturday, 13 May

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, 05 May 2017

401 N. Morton Street
Suite 110
Bloomington, IN 47404

City Hall
www.bloomington.in.gov/council
council@bloomington.in.gov

(ph:) 812.349.3409
(f:) 812.349.3570

City of Bloomington
Office of the Common Council

NOTICE

THE COMMON COUNCIL WILL HOLD A

SPECIAL SESSION

WEDNESDAY, MAY 10, 2017
6:30 p.m.
COUNCIL CHAMBERS
CITY HALL, 401 N. MORTON

THIS MEETING WILL BE IMMEDIATELY FOLLOWED BY A
COMMITTEE OF THE WHOLE
PREVIOUSLY SCHEDULED FOR THIS EVENING.

Also, please know that the Council will hold a **Budget Advance** at **5:00 pm** earlier that evening in the McCloskey Room (Room 135 of City Hall) as previously indicated in the Council's *Notice of Annual Schedule*.

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.

Posted: Friday May 5, 2017

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City of Bloomington
Office of the Common Council

NOTICE

THE AFFORDABLE LIVING COMMITTEE AND ITS SUBCOMMITEES

(Housing and Transportation; Food and Healthcare; Childcare and Employment)

WILL MEET ON THE FOLLOWING DAYS IN 2017

Monday	**15 May**	**Noon**	**Hooker Room (#245)**	**All subcommittees**
Monday	**05 June**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**19 June**	**Noon**	**Hooker Room (#245)**	**All subcommittees**
Monday	**10 July**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**24 July**	**Noon**	**Hooker Room (#245)**	**All subcommittees**
Monday	**07 August**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**21 August**	**Noon**	**Kelly Room (#155)**	**Housing and Transportation**
			Council Library (#110)	**Food and Healthcare**
			Dunlap Room (#235)	**Childcare and Employment**
Monday	**11 Sept.**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**25 Sept.**	**Noon**	**Hooker Room (#245)**	**All subcommittees**
Monday	**02 Oct.**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**16 Oct.**	**Noon**	**Kelly Room (#155)**	**Housing and Transportation**
			Council Library (#110)	**Food and Healthcare**
			Dunlap Room (#235)	**Childcare and Employment**
Monday	**06 Nov.**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**20 Nov.**	**Noon**	**Hooker Room (#245)**	**All subcommittees**
Monday	**04 Dec.**	**Noon**	**Hooker Room (#245)**	**Committee**
Monday	**18 Dec.**	**Noon**	**Hooker Room (#245)**	**Committee**

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: 05 May, 2017

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RESOLUTION 17-25

TO APPROVE REFUNDING BONDS OF THE CITY OF BLOOMINGTON REDEVELOPMENT DISTRICT TO REFUND 2011 BONDS

WHEREAS, the Redevelopment Commission (the "Commission") of the City of Bloomington, Indiana (the "City") has determined to issue special taxing district bonds of the Redevelopment District of the City (the "District"), designated as "City of Bloomington, Indiana Redevelopment District Tax Increment Revenue Refunding Bonds, Series 2017," in an aggregate principal amount not to exceed Twelve Million Three Hundred Thousand Dollars ($12,300,000) (the "Bonds"), for the purpose of refunding the Commission's outstanding City of Bloomington, Indiana Redevelopment District Tax Increment Revenue Bonds of 2011, in order to achieve debt service savings due to lower interest rates and to pay costs of issuing the Bonds (the "Refunding Program"); and

WHEREAS, Indiana Code § 36-7-14-25.1 and Indiana Code § 6-1.1-17-20.5 require the approval of the issuance of the Bonds by the City's legislative and fiscal body; 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 Common Council of the City of Bloomington hereby approves the sale and issuance of the Bonds of the District in an aggregate principal amount not to exceed Twelve Million Three Hundred Thousand Dollars ($12,300,000), for a term ending no later than February 1, 2032, at a maximum interest rate of five percent (5.00%), with no capitalized interest and with redemption terms approved by the Commission, to finance costs of the Refunding Program.

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 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
City of Bloomington

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

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

In 2011, the Bloomington Redevelopment Commission issued Bonds to purchase property from Indiana University in what would become The Trades District. As a result of current interest rates, the Redevelopment Commission has an opportunity to refund its 2011 Bonds, which will have the result of reducing the total cost of repayment for the 2011 Bonds. 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 2011 Redevelopment Commission Bonds**

DATE: **May 5, 2017**

In 2011, the Redevelopment Commission (with the Council's approval) issued bonds to purchase and redevelop approximately 12 acres of real estate in the Downtown TIF District. That property, which is now known as The Trades District, was purchased from Indiana University. The process of redeveloping that property is ongoing.

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 Redevelopment Commission has an opportunity to refund the 2011 Bonds, which is expected to have a gross savings to the Redevelopment Commission of $2,187,231.16. The net present value of those savings is $721,178.04.

The Redevelopment Commission approved the refunding at its meeting on May 1, 2017. Pursuant to state law, the Council must also approve the refunding before the Redevelopment Commission can move forward. If approved, Staff expects the refunding process to be completed by the end of the month.

ORDINANCE 17-22

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"
- Re: Stop, Multi-Stop, and Yield Intersections, One-Way Streets, Increased or Decreased Speed Limits, Angle Parking Zones, No Parking Zones; Limited Parking Zones; Loading Zones; Parking Near Intersections, Parallel and Angle Parking Regulations, Resident-Only Parking Permits, and Removal of Abandoned Vehicles
(Including Maximum Towing and Storage Charges for such Vehicles)

WHEREAS, the Traffic Commission, the Bicycle and Pedestrian Commission and City staff from the following departments recommend certain changes be made in the bicycle provisions of Title 15 of the Bloomington Municipal code entitled "Vehicles and Traffic." Planning and Transportation, Police, Public Works, and the Legal Department;

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

SECTION 1. Section 15.12.010, Schedule A, "Stop Intersections" shall be amended to add and delete the following:1

Additions to Schedule A

TRAFFIC ON	SHALL STOP FOR TRAFFIC ON
Acuff Road	Kinser Pike
Alley between Walnut Street and Washington Street	Smith Avenue
Circle Drive	Mitchell Street
Crescent Road	Seventeenth Street
Crescent Road	Fountain Drive
Eighth Street	Fountain Drive
Eighth Street	Grant Street
Fountain Drive	Adams Street
Fountain Drive (Westbound)	Eleventh Street
Fourteenth Street	Woodlawn Avenue
Grey Street	Fountain Drive
Lemon Lane	Fountain Drive
Ninth Street	Grant Street
Thirteenth Street	Woodlawn Avenue
Twelfth Street	Woodlawn Avenue
Walnut Grove	Eleventh Street

Deletions from Schedule A

TRAFFIC ON	SHALL STOP FOR TRAFFIC ON
Crescent Road	Vernal Pike
Eighth Street	Adams Street
Eleventh Street	Walnut Grove
Grant Street	Eighth Street
Grant Street	Ninth Street
Gray Street	Vernal Pike
Lemon Lane	Vernal Pike
Longview Avenue	Pete Ellis Drive
Madison Street	Kirkwood Avenue
Rex Grossman Blvd.	Cota Drive

1 Note to Codifier: Some sections of this ordinance add and delete intersections or street segments to or from various schedules. Please know that the Additions and Deletions are indicated by a heading but are not, as a part of the section, numbered or lettered.

Rex Grossman Blvd.	Tapp Road
Southdowns Drive	Mitchell Street
Vernal Pike	Adams Street
Vernal Pike (Westbound)	Eleventh Street
Woodlawn Avenue	Fourteenth Street
Woodlawn Avenue	Seventeenth Street
Woodlawn Avenue	Tenth Street
Woodlawn Avenue	Thirteenth Street

SECTION 2. Section 15.12.010, Schedule B, "Multi-Stop Intersections" shall be amended to add the following:

MULTI-STOP INTERSECTIONS	
Kirkwood Avenue & Madison Street	4-Way
Mitchell Street & Southdowns Drive	3-Way
Pete Ellis Drive & Longview Avenue	4-Way

SECTION 3. Section 15.12.020, Schedule C, "Yield intersections," shall be amended to delete the following:

TRAFFIC ON	SHALL YIELD TO TRAFFIC ON
Twelfth Street	Woodlawn Avenue (Eastbound)

SECTION 4. Section 15.16.010, Schedule E, "One-Way Streets" shall be amended to add and delete the following:

Additions to Schedule E

STREET	**FROM**	**TO**	**DIRECTION OF TRAVEL**
Eighth Street	College Avenue	Woodlawn Avenue	East
Eleventh Street	Washington Street	Woodlawn Avenue	East
Smith Avenue	Washington Street	College Avenue	West (1)

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

Deletions from Schedule E

STREET	**FROM**	**TO**	**DIRECTION OF TRAVEL**
Eighth Street	Morton Street	Woodlawn Avenue	East
Eleventh Street	Washington Street	Forrest Avenue	East
Smith Avenue	Walnut Street	College Avenue	West
Smith Avenue	Washington Street	Walnut Street	West

SECTION 5. Section 15.24.020, Schedule I, "Increased or Decreased Speed Limits" shall be amended to add and delete the following:

Additions to Schedule I

STREET	**FROM**	**TO**	**POSTED SPEED**
Dunn Street	SR 45/SR 46 Bypass	Old SR 37	30 MPH
Eleventh Street	Walnut Street	Fountain Drive	30 MPH

Fountain Drive	Adams Street	Western Terminus	30 MPH
Old SR 37	College Avenue	Walnut Street	20 MPH
Old SR 37	Walnut Street	City Limits	30 MPH

Deletions from Schedule I

STREET	**FROM**	**TO**	**POSTED SPEED**
Eleventh Street	Walnut Street	Vernal Pike	30 MPH
Jordan Avenue	Atwater Avenue	Seventeenth Street	30 MPH
Vernal Pike	Adams Street	SR 37	30 MPH

SECTION 6. Section 15.32.030, Schedule L, "Angle Parking" shall be amended to:

(a) add a new column entitled, "Angle Type" to the entire schedule;
(b) designate the "Angle Type" of all of the non-header rows as "Pull In"; and
(c) add the following angle parking zones to the schedule:

STREET	**FROM**	**TO**	**SIDE OF STREET**	**ANGLE TYPE**
Henderson Street	Hillside Street	275' South of Hillside Street	East	Pull In
Hillside Drive	Henderson Street	420' East of Henderson Street	South	Pull In

SECTION 7. Section 15.32.080, Schedule M, "No parking zones" shall be amended to add and delete the following:

Additions to Schedule M

STREET	**FROM**	**TO**	**SIDE OF STREET**	**TIME OF RESTRICTION**
College Avenue	Eighth Street	80' North of Eighth Street	West	Any Time
Eighth Street	Fountain Drive	Spring Street	North	Any Time
Eleventh Street	Woodlawn Avenue	Forrest Avenue	North	Any Time
Fess Avenue	Hunter Avenue	Third Street	West	Any Time
Fess Avenue	University Street	Hunter Avenue	East	Any Time
Fess Avenue	First Street	University Street	West	Any Time
Fourth Street	Elm Street	Jackson Street	North	Any Time
Grant Street	Tenth Street	Twelfth Street	East	Any Time
Grant Street	210' South of Tenth Street	Tenth Street	West	Any Time
Grant Street	Alice Street	210' South of Tenth Street	East	Any Time
Grant Street	165' North of Seventh Street	Alice Street	West	Any Time
Grant Street	University Street	165' North of Seventh Street	East	Any Time
Highland Avenue	Third Street	105' South of Third Street	West	Any Time
Indiana Avenue	Thirteenth Street	85' North of Thirteenth Street	East	Any Time
Moravec Way	Southwest corner of 977 Moravec Way Property Line	East property line of 936 Moravec Way	East/South	Any time

Moravec Way	South Sidewalk Ramp Adjacent to 917 Moravec Way	North Sidewalk Ramp Adjacent to 917 Moravec Way	West	Any Time
Rogers Street	300' South of Hillside Drive	75' North of Sixth Street	West	Any Time
Rogers Street	90' South of Eighth Street	95' North of Eighth Street	West	Any Time
Walnut Street	110' North of Fifteenth Street	Sixteenth Street	West	Any Time
Walnut Street	80' North of Sixteenth Street	SR 45/SR 46 Bypass	West	Any Time
Woodlawn Avenue	Fourteenth Street	Seventeenth Street	West	Any Time
Woodlawn Avenue	Twelfth Street	Thirteenth Street	East/West	Any Time

Deletions from Schedule M

STREET	**FROM**	**TO**	**SIDE OF STREET**	**TIME OF RESTRICTION**
College Avenue	Eighth Street	40' North of Eighth Street	West	Any Time
Eighth Street	Vernal Pike	Spring Street	North	Any Time
Fairview Street	Dodds Street	140' North of Dodds Street	East	Any Time
Fairview Street	Private Property Line	Dixie Street	East/West	Any Time
Fairview Street	Wylie Street	130' South of Wylie Street	West	Any Time
Fess Avenue	First Street	Third Street	West	Any Time
Grant Street	University Street	Twelfth Street	East	Any Time
Highland Avenue	50' S. of Third	Third Street	West	Any Time
Rogers Street	300' South of Hillside Drive	Thirteenth Street	West	Any Time
Walnut Street	Eleventh Street	Fourteenth Street	West	Any Time
Walnut Street	Fourteenth Street	Fifteenth Street	West	Any Time

SECTION 8. Section 15.32.090, Schedule N, "Limited parking zones," shall be amended to add and delete the following:

Additions to Schedule N

STREET	**FROM**	**TO**	**SIDE OF ST.**	**LIMIT**
College Avenue	90' South of Seventeenth Street	300' South of Seventeenth Street	East	2 Hr. (6)
College Avenue	Seventeenth Street	90' South of Seventeenth Street	East	15 Min. (6)

Deletions from Schedule N

STREET	**FROM**	**TO**	**SIDE OF ST.**	**LIMIT**
College Avenue	50' South of Seventeenth Street	270' South of Seventeenth Street	East	2 Hr. (1)

College Avenue	30' South of Seventeenth Street	300' South of Seventeenth Street	East	2 Hr. (6)
College Avenue	Seventeenth Street	50' South of Seventeenth Street	East	15 Min.
Rogers Street	Kirkwood Avenue	Sixth Street	West	2 Hr. (8)

SECTION 9. Section 15.32.100, Schedule O, "Loading Zones," shall be amended to add the following:

100	Block of North Washington Street, the first space north of the alley on the east side

SECTION 10. Section 15.32.130, entitled, "Parking near intersections," shall be deleted in its entirety.

SECTION 11. The text of Section 15.32.175, entitled "Parallel and angle parking," shall be deleted in its entirety and replaced with the following:

(a) Parallel parking: Where parallel parking is permitted, vehicles shall park facing the direction required for adjacent traffic. Vehicles must park entirely within a marked parking area when present. When a marked parking area is not present, vehicles must park parallel with the curb or edge of roadway, and wheels must be within one foot of the curb or edge of roadway.

(b) Pull-in angle parking: Where pull-in angled parking is permitted, vehicles shall be parked with the front of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space.

(c) Back-in angle parking: Where back-in angle parking is required, vehicles shall be parked with the rear of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space.

SECTION 12. Section 15.36, "Resident-only parking permits," shall be deleted in its entirety, effective January 1, 2018. The codifier shall make note of this deletion in the code with the next supplement to the municipal code and remove this provision with the first supplement delivered after January 1, 2018.

SECTION 13. Section 15.52.040, "Removal of abandoned vehicles," shall be amended to add the words "or parking enforcement officer" after each use of the word "officer" in 15.52.040 (a), (b), (c) and (d), and to add the words "or parking enforcement officer's" after the word "officer's" in 15.52.040 (a) (1).

SECTION 14. 15.52.060 "Maximum towing and storage charges," shall be amended to add the words "or parking enforcement officer" after the word "officer" as it appears in that section.

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 seeks to amend several sections of Title 15 of the Bloomington Municipal Code. The changes were suggested by the Planning and Transportation Department, the Bicycle and Pedestrian Commission, the Traffic Commission, the Public Works Department, the Police Department, and the Legal Department. Many of the changes implement 90-day orders pertaining to stop intersections, yield intersections, no parking zones, limited parking zones, loading zones, and modifications to previous one-way streets, as those temporary measures proved effective at solving identified traffic and parking problems. Some of the changes are necessary as the result of capital projects such as I-69 and the Woodlawn Avenue connection, reflect the changing of the name of Vernal Pike to Fountain Drive, or to improve intersection line of sight. Additional changes include adding new multi-way stop intersections and modifying speed limits in code. They provide for angled parking in specified locations, label all existing angle parking as “pull in,” and provide parameters for parallel, pull-in angle, and back-in angle on-street parking. They delete §15.36, “Resident-only parking permit,” effective January 1, 2018 and §15.32.130, “Parking near intersections.” They also allow parking enforcement officers to facilitate removal of abandoned vehicles and generate a fee for the performance of those duties.

MEMO:

To: City of Bloomington Common Council
From: Barbara McKinney, Assistant City Attorney
Andrew Cibor, Transportation & Traffic Engineer
Date: May 5 2017
Re: Ordinance 17-22, Updates to Title 15 of the Bloomington Municipal Code

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The attached ordinance is the first proposed update of Title 15 of the calendar year. The majority of the changes are a result of Traffic Commission recommendations and/or 90 Day Orders. Additional changes are a result of capital projects (e.g., I-69), new development, Vernal Pike being renamed Fountain Drive, housekeeping items to reflect existing conditions, and staff requests. Changes proposed by this Ordinance include:

- Adding sixteen (16) new stop intersections to and deleting eighteen (18) existing stop intersections from schedule A;
  - Update street names from Vernal Pike to Fountain Drive
  - Reflect changes made by recent infrastructure projects:
    - Connecting Woodlawn Avenue across the railroad tracks[2]
    - Closing the Walnut Grove railroad crossing[2]
    - Connecting 17th Street to Vernal Pike (new I-69 Overpass)
    - Removal of Rex Grossman intersection at Tapp Road (I-69 impact)
  - Reflect existing conditions at the following intersections:
    - Circle Drive at Mitchell Street[1]
    - Acuff Road at Kinser Pike
    - Rex Grossman at Cota Drive
  - Reversing which street has stop control at the following intersections:
    - Eighth Street and Grant Street[1]
    - Ninth Street and Grant Street[1]
  - New stop control on the alley adjacent to Project School where it intersects with Smith Avenue[1, 2]
  - Conversion of some intersections to multi-stop intersections[1]

- Adding three (3) new multi-stop intersections to Schedule B;
  - Reflect existing conditions at the Mitchell Street and Southdowns Drive intersection[1]
  - Modify stop control at the following intersections:
    - Pete Ellis Drive at Longview Avenue[1]
    - Kirkwood Avenue at Madison Street[1]

- Deleting one (1) yield intersection from Schedule C;
  - Connecting Woodlawn Avenue across the railroad tracks modified its intersection with 12th Street[2]

- Adding three (3) new one-way streets and deleting four (4) existing one-way streets in Schedule E;

1 = Traffic Commission Recommendation
2 = 90-Day Order

- Eighth Street amended to be two-way between Morton Street and College Avenue to improve access for the new County parking garage[1, 2]
- Eleventh Street amended to be two-way between Forrest Avenue and Woodlawn Avenue to improve access as a result of the Walnut Grove railroad crossing closure[1, 2]
- Smith Avenue from Washington Street to College Avenue clarified to permit two-way bicycle travel[2]

- Adding five (5) new Speed Limits and deleting three (3) existing speed limits in Schedule I;
  - Update Vernal Pike references to reflect new street name (Fountain Drive)
  - Reduce speed limit on Jordan Avenue north of Atwater Avenue (25mph) [1]
  - Reflect existing posted speed limits on the following:
    - Dunn Street from SR 45/SR 46 Bypass to Old SR 37 (30mph) [1]
    - Old SR 37 from College Avenue to Walnut Street (20mph) [1]
    - Old SR 37 from Walnut Street to City Limits (30mph) [1]

- Amending Schedule L, Angle Parking, to include a new column entitled Angle Type, and specifying all existing entries as "Pull In" angle parking

- Adding two (2) new Angle Parking locations to Schedule L;
  - Added as a result of a new development at the southeast corner of Hillside Drive and Henderson Street (Pull In)

- Adding twenty two (22) new no parking zones to and deleting eleven (11) no parking zones from Schedule M;
  - Restricting parking to provide improved line of sight at the following locations:
    - West side of College Avenue north of 8th Street[1, 2]
    - West side of Highland Avenue south of 3rd Street[1]
    - East side of Indiana Avenue north of 13th Street[2]
    - West side of Rogers Street at the 6th Street intersection[1]
    - West side of Rogers Street at the 8th Street intersection[1]
  - Rotating which side of the street permits on-street parking to improve line of sight and assist in speed control at the following locations
    - Fess Avenue between 1st Street and 3rd Street[1, 2]
    - Grant Street between 7th Street and 10th Street[1]
  - Update Vernal Pike references to reflect new name of Fountain Drive
  - Permit two-way traffic on 11th Street between Woodlawn and Forrest[1, 2]
  - To reflect existing conditions on 4th Street between Elm Street and Jackson Street[1]
  - To eliminate parking restrictions on Fairview Street between Wylie Street and Dixie Street[1]
  - To restrict parking in newly constructed bicycle lanes on Woodlawn Avenue[2]

1 = Traffic Commission Recommendation
2 = 90-Day Order

- To reflect a combination of existing conditions and recent modifications associated with a resurfacing and restriping effort on Walnut between 11th Street and the SR 45/SR 46 Bypass[2]
- To reflect design intentions and permit appropriate traffic flow in the Trail View Subdivision on Moravec Way[1]

- Adding two (2) new limited parking zones to and deleting four (4) existing limited parking zones from Schedule N;
  - Clean up duplications in code and reflect adjacent property owner request on College Avenue immediately south of 17th Street[2]
  - Parking restriction on Rogers Street between Kirkwood Avenue and 6th Street eliminates limited parking zone need on block[1]

- Adding one (1) loading zone in Schedule O;
  - One parking space on Washington Street to support item drop off by patrons and supporters of the Monroe County History Center[2]

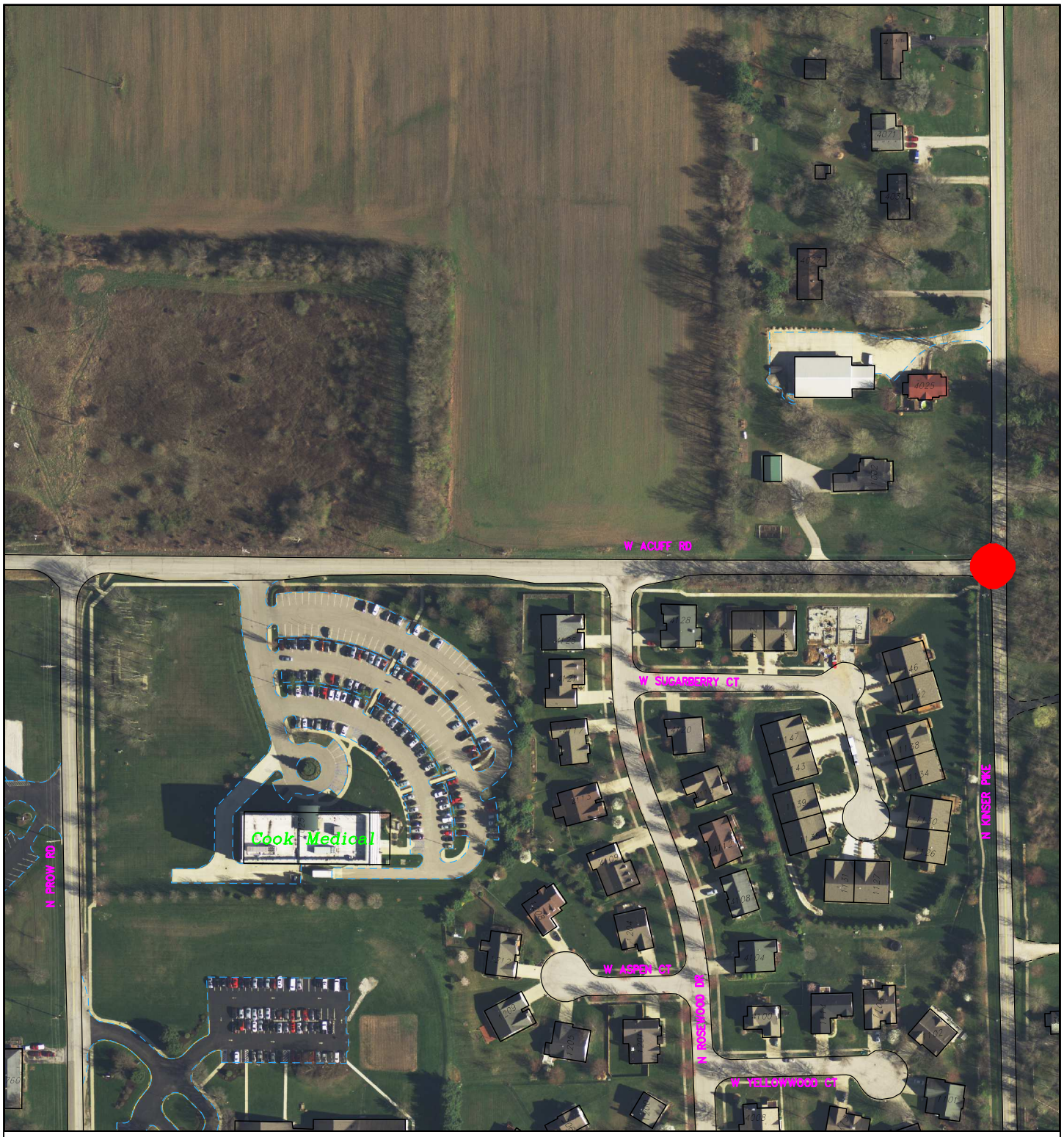
- Deleting Section 15.32.130, Parking near intersections;
  - This section is redundant with State Code requirements at street intersections and may unintentionally restrict parking near alleys[1]

- Amending the parking requirements in Section 15.32.175, Parallel and Angle Parking;
  - Amending requirements of parallel parking[1]
  - Amending current angle parking requirements and specifying that type as pull-in[1]
  - Adding back-in angle parking type and requirements[1]

- Deleting Section 15.36, Resident-only parking permits, effective January 1, 2018[1]; and

- Amending Section 15.52.040 and Section 15.52.060 to permit parking enforcement officers to conduct business associated with the removal of abandoned vehicles and for their services to generate a fee.

1 = Traffic Commission Recommendation
2 = 90-Day Order



15.12.010, Stop Intersections, Addition

City of Bloomington
Planning & Transportation

By: cibora
3 May 17

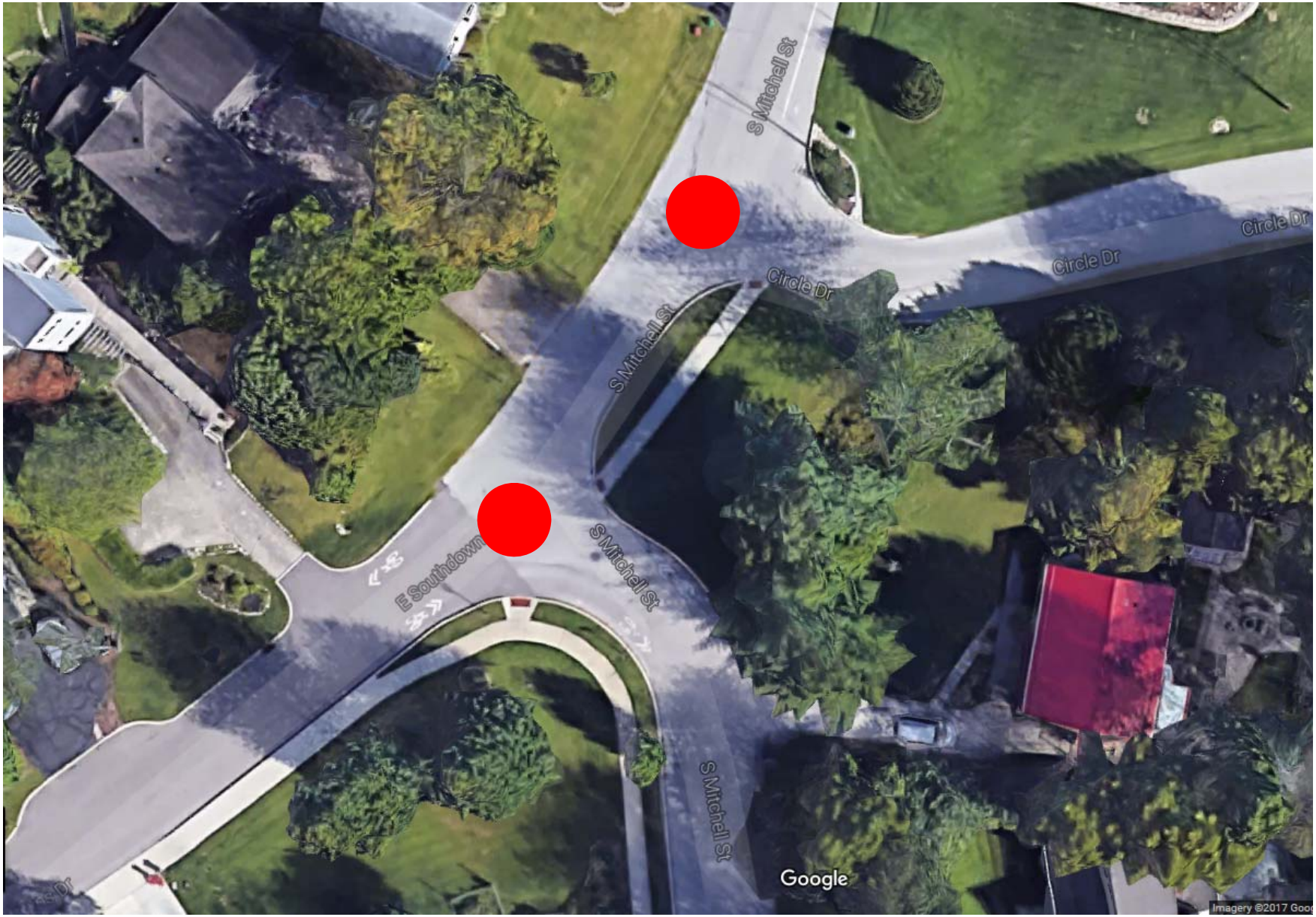
200 0 200 400 600

N

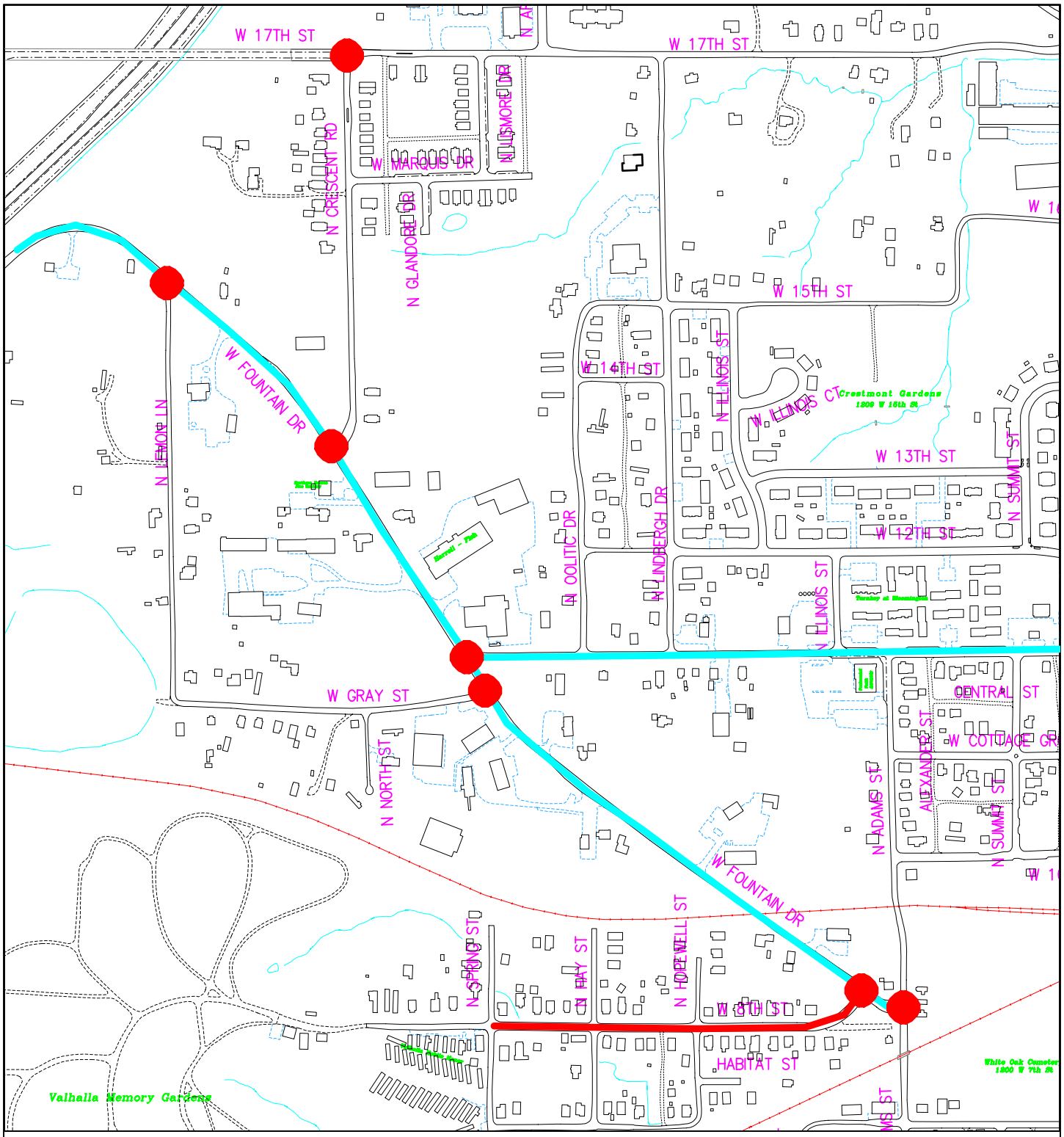
Scale: 1" = 200'

For reference only; map information NOT warranted.

Stop Intersections



15.12.010, Stop Intersections & 15.12.010, Multi-Stop Intersections - Additions & Deletions to reflect existing conditions



15.12.010, Stop Intersections, 15.24.020, Increased or Decreased Speed Limits, 15.32.030, No Parking Zones - Updates to reflect street name change, existing conditions, and new stop control at 17th/Crescent

City of Bloomington
Planning & Transportation

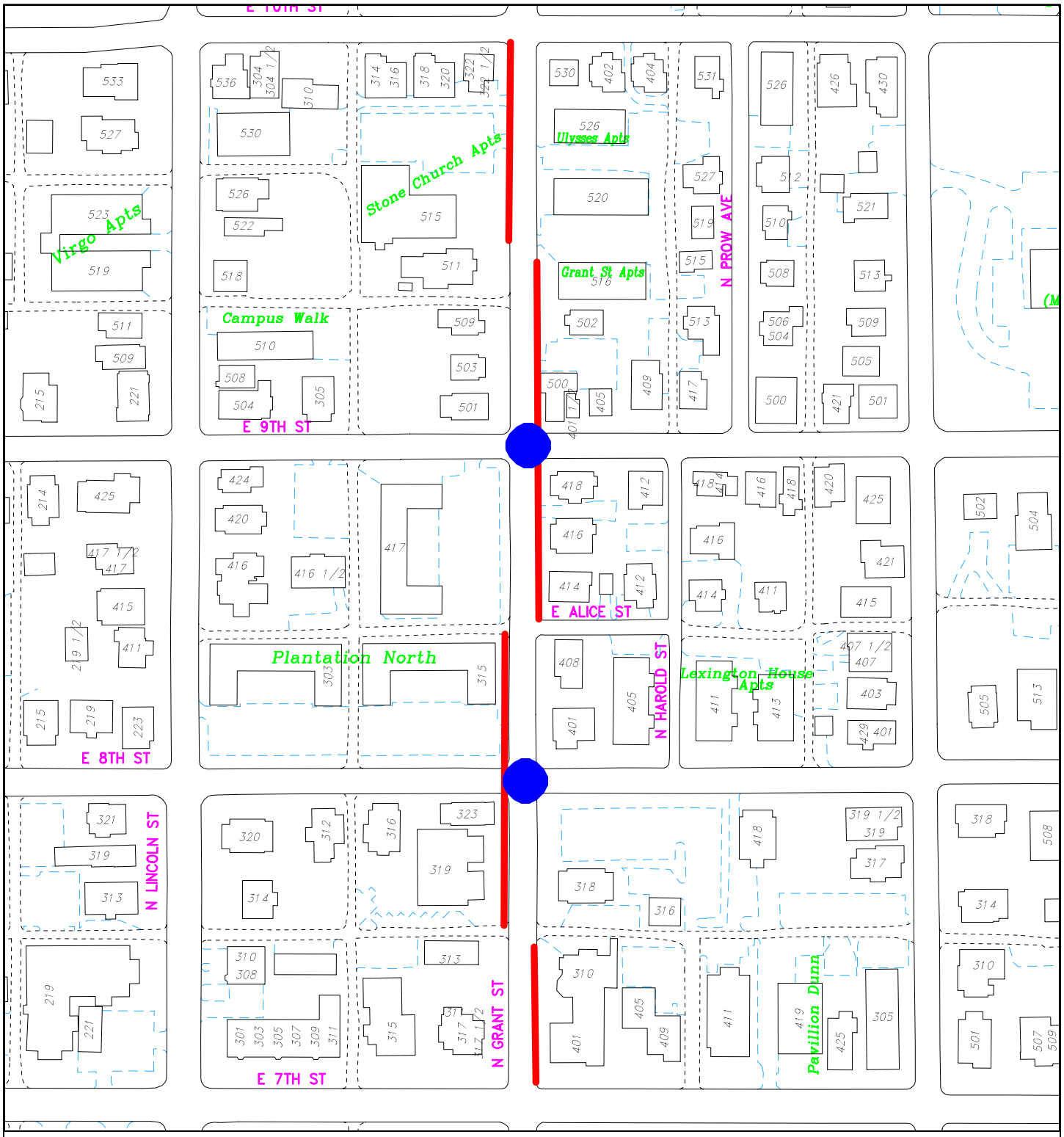
By: cibora
4 May 17

500 0 500 1000 1500

N

Scale: 1" = 500'

For reference only; map information NOT warranted.



15.12.010, Stop Intersections & 15.32.030, No Parking zones - modify which street has stop control and rotate side of street on-street parking is permitted

By: cibora
3 May 17

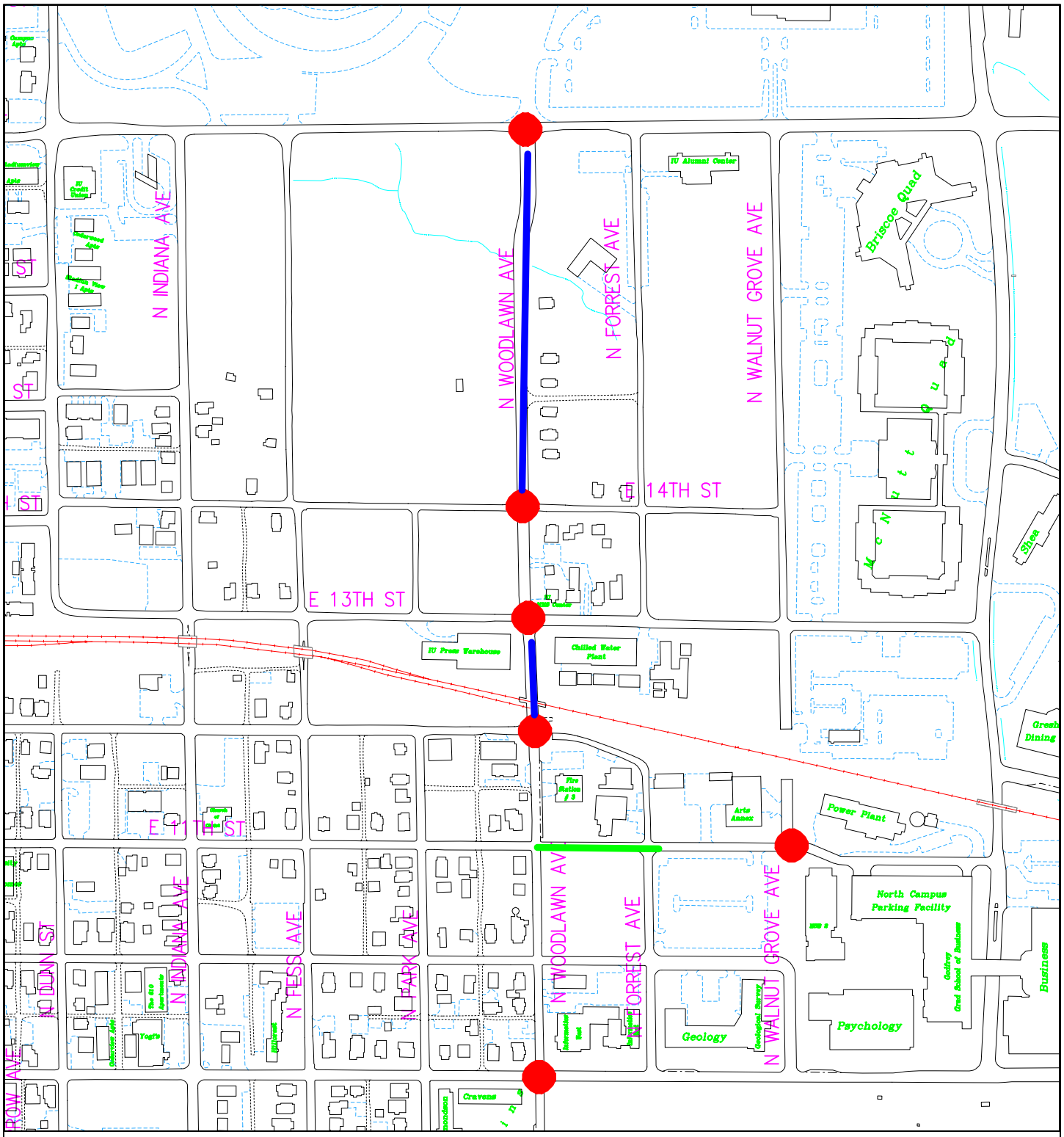
150 0 150 300 450

N

City of Bloomington
Planning & Transportation

Scale: 1" = 150'

For reference only; map information NOT warranted.



15.12.010, Stop Intersections, 15.12.020, Yield Intersections, 15.16.010, One-Way Streets, & 15.32.080, No Parking Zones -- Additions and deletions. Changes generally a result of Woodlawn Avenue capital projects

By: cibora
4 May 17

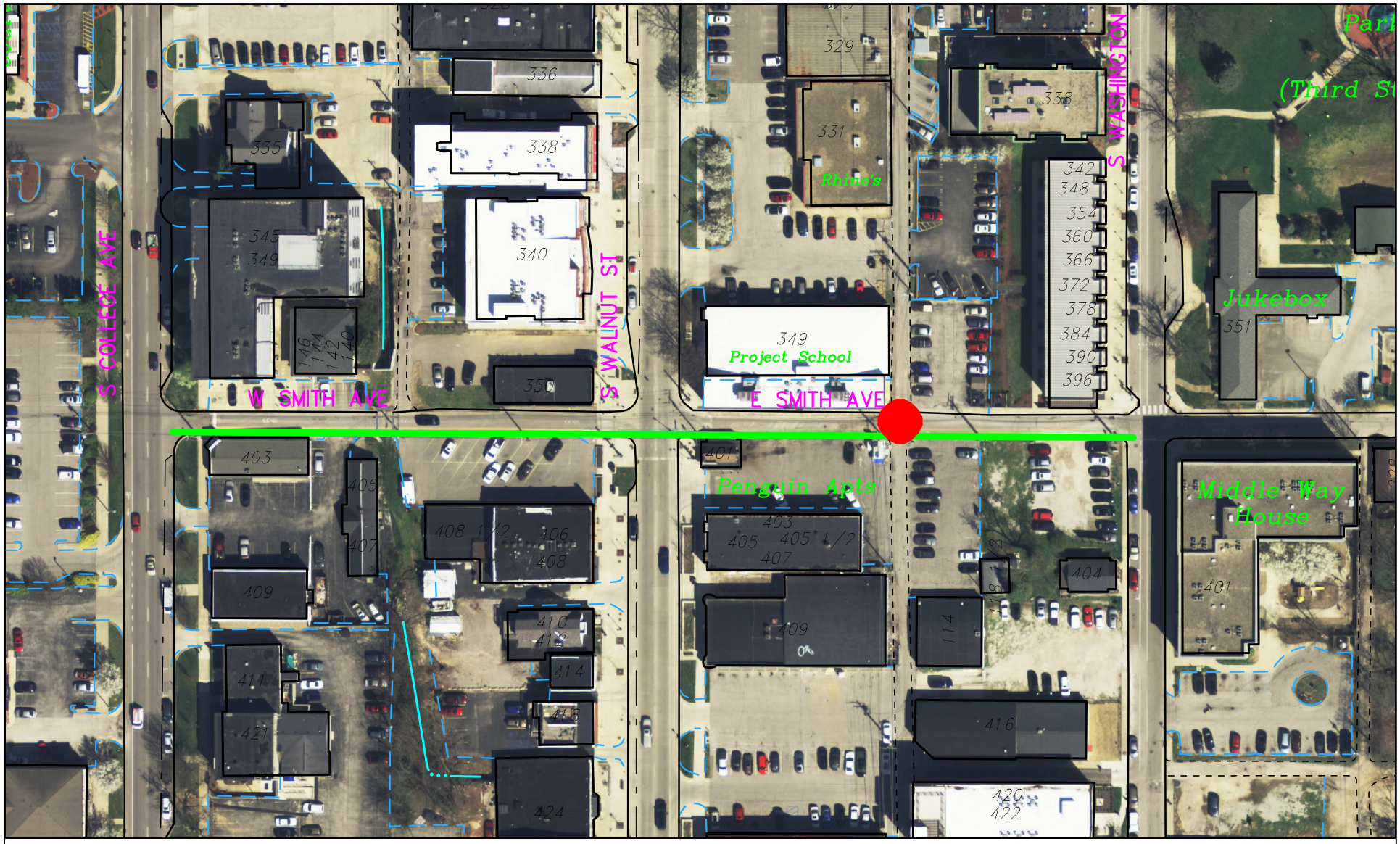
400 0 400 800 1200

N

City of Bloomington
Planning & Transportation

Scale: 1" = 400'

For reference only; map information NOT warranted.



15.12.010, Stop Intersections & 15.16.010 One-Way Streets -- Addition of stop control & allowance for two-way bicycle traffic

By: cibora
3 May 17

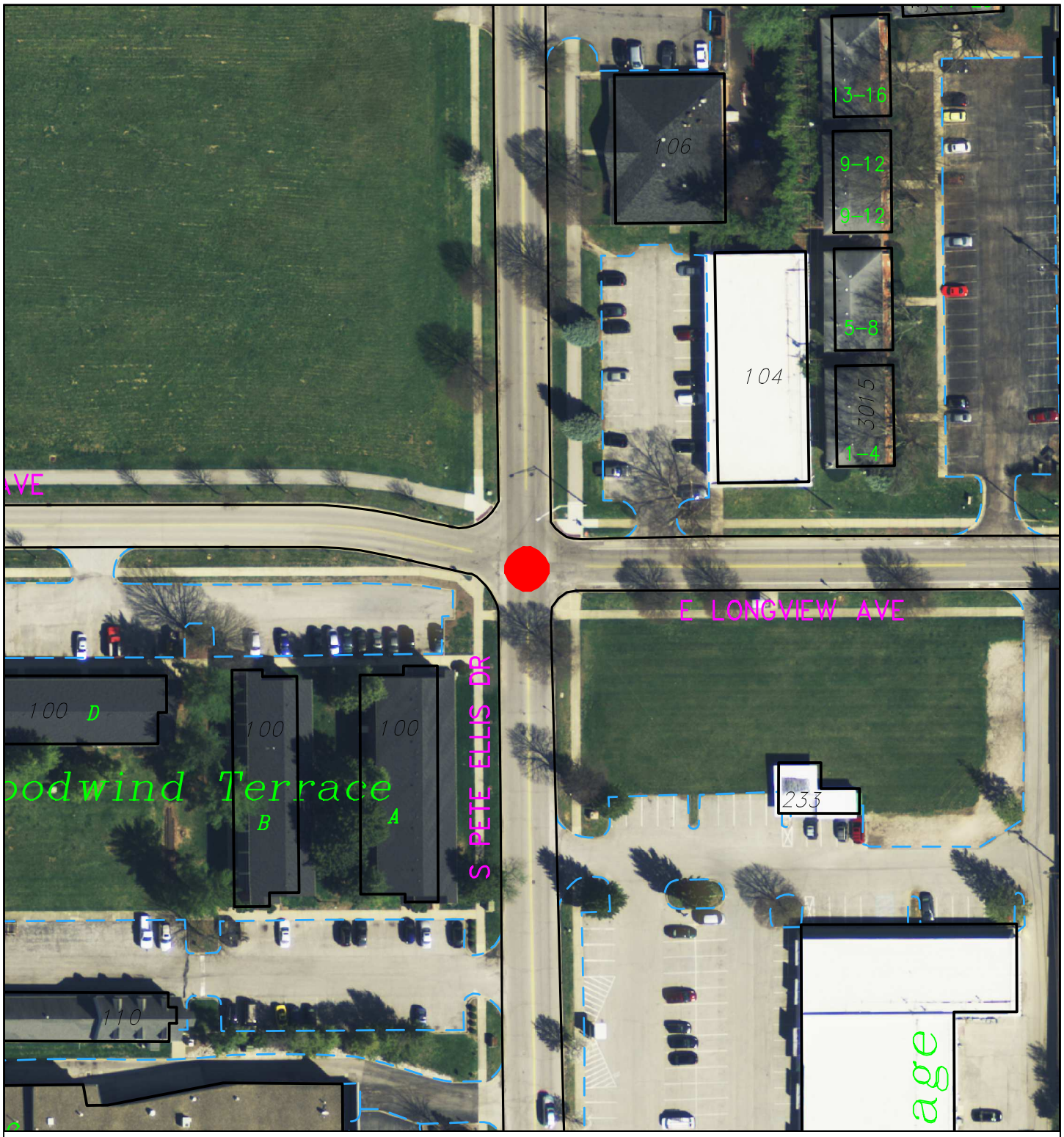
100 0 100 200 300 400

For reference only; map information NOT warranted.

N

City of Bloomington
Planning & Transportation

Scale: 1" = 100'



15.12.010, Stop Intersections & Multi-Stop Intersections -- conversion to all-way stop

City of Bloomington
Planning & Transportation

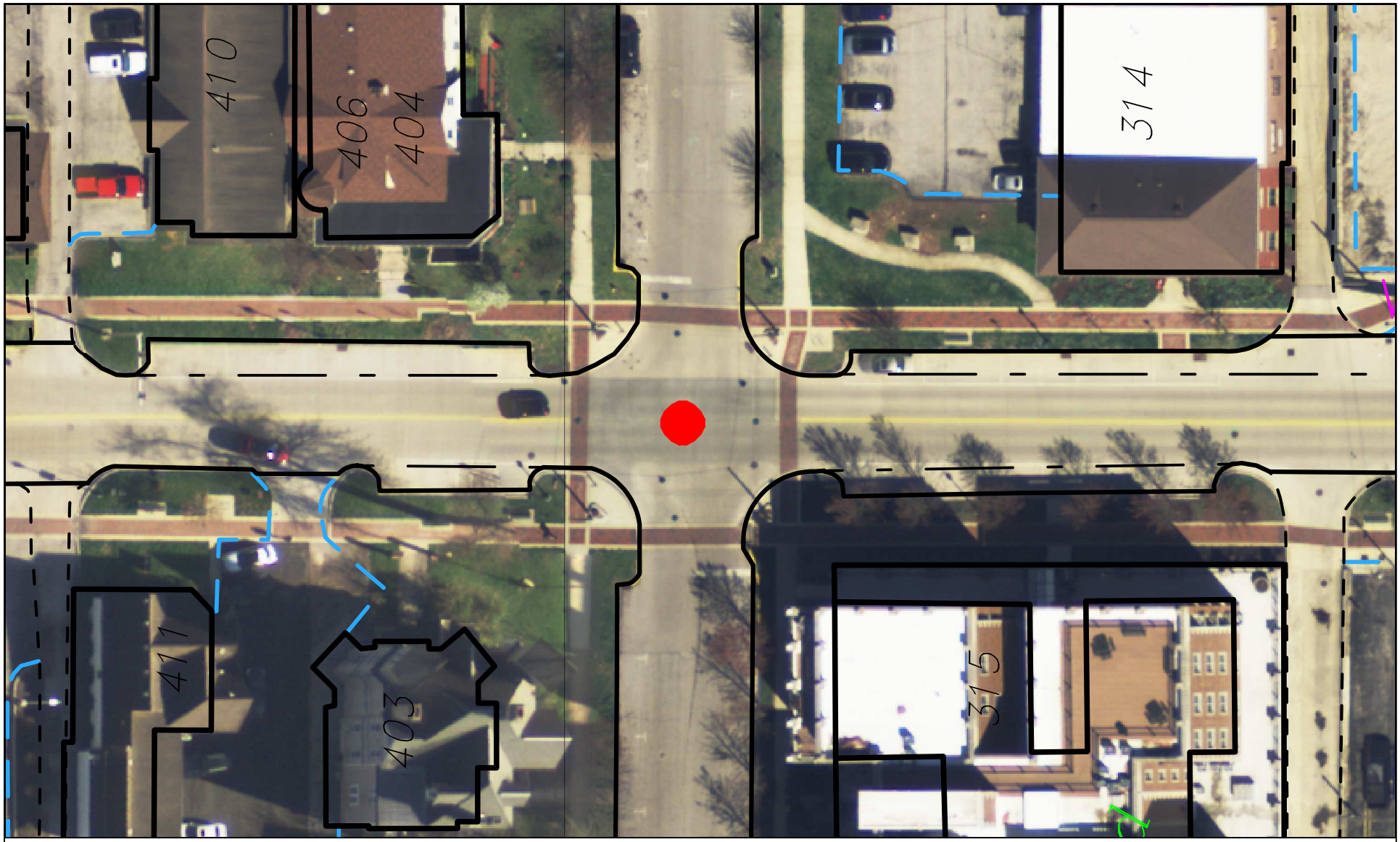
By: cibora
3 May 17

80 0 80 160 240

N

Scale: 1" = 80'

For reference only; map information NOT warranted.



15.12.010, Stop Intersections & Multi-Stop Intersections -- conversion to all-way stop (Kirkwood/Madison)

City of Bloomington
Planning & Transportation

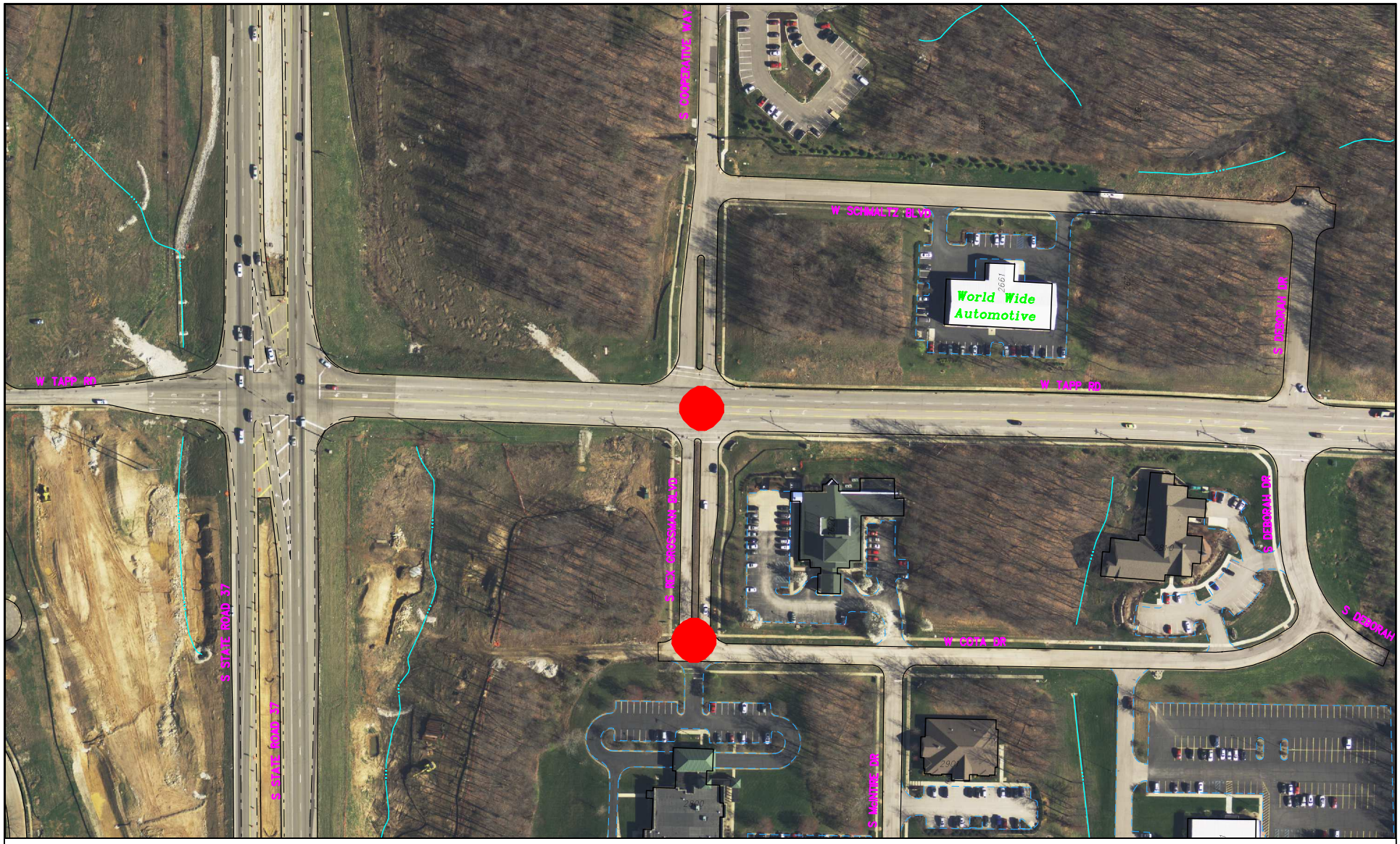
By: cibora
3 May 17

40 0 40 80 120 160

N

Scale: 1" = 40'

For reference only; map information NOT warranted.



15.12.010 Stop Intersections - Deletion of stop controlled intersections

By: cibora
3 May 17

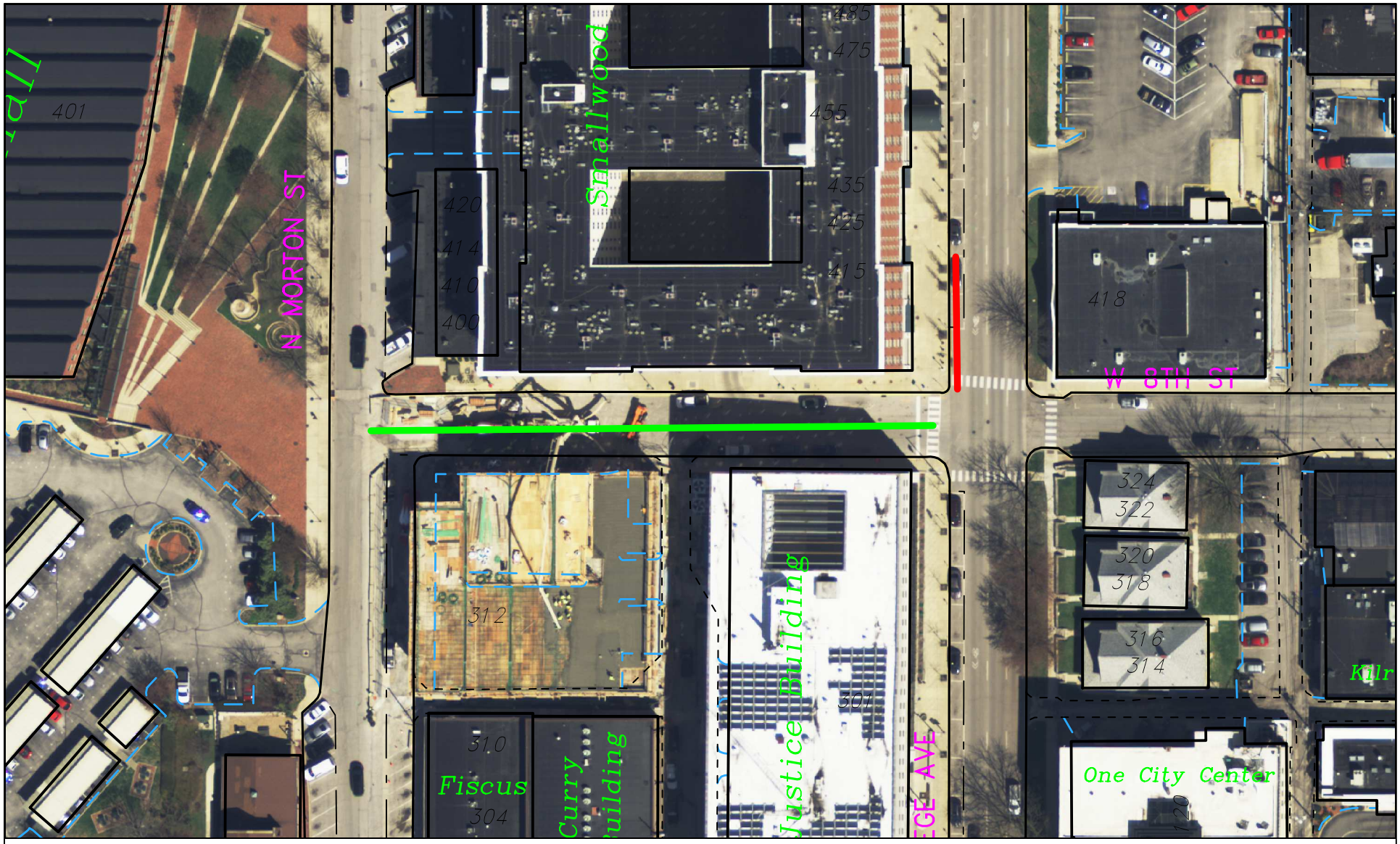
200 0 200 400 600 800

For reference only; map information NOT warranted.

N

City of Bloomington
Planning & Transportation

Scale: 1" = 200'



15.16.010 One-Way Streets & 15.32.080 No Parking Zone - Conversion to two-way traffic and extension of no parking zone

By: cibora
4 May 17

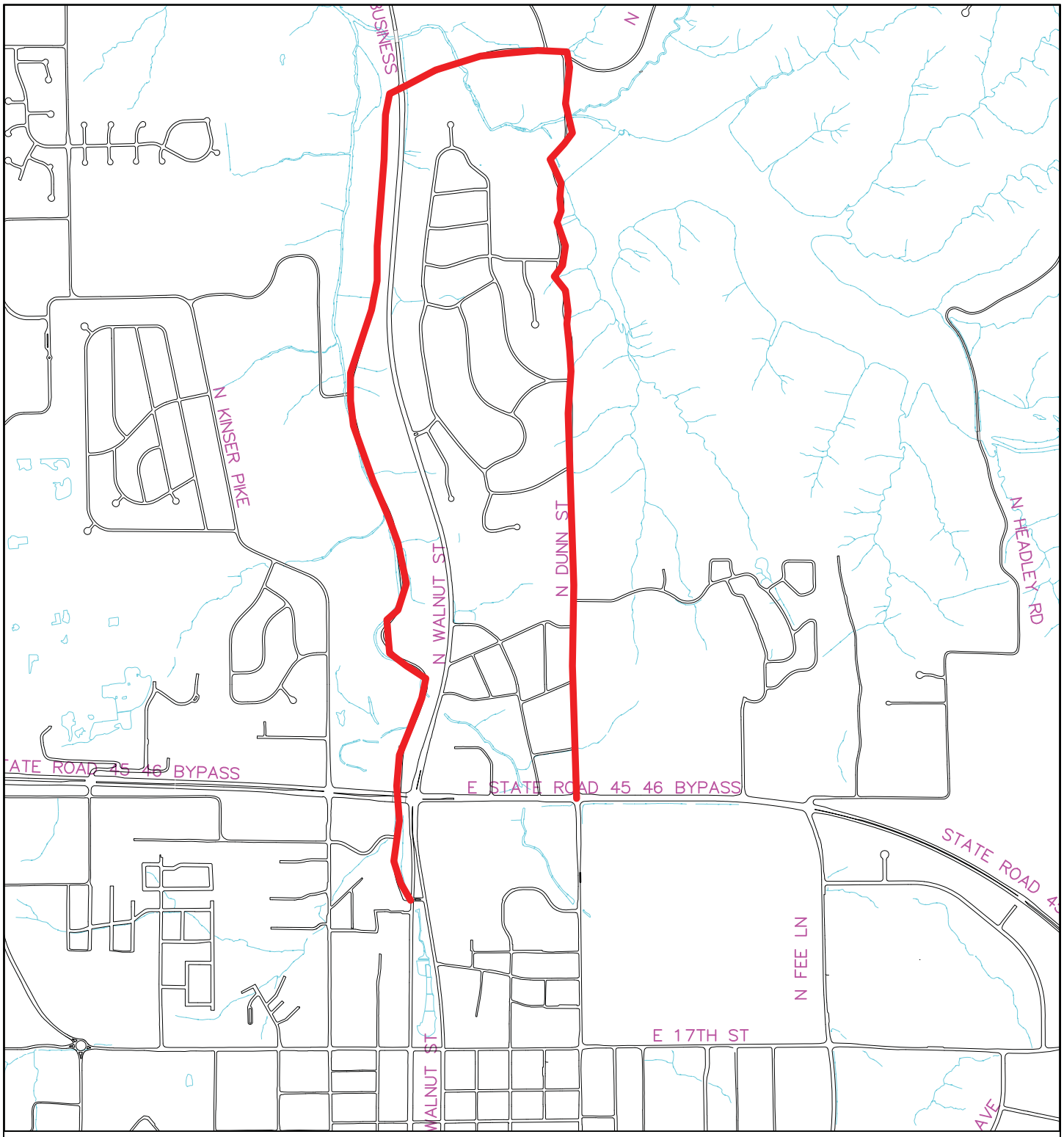
80 0 80 160 240 320

N

City of Bloomington
Planning & Transportation

Scale: 1" = 80'

For reference only; map information NOT warranted.



Old SR 37 and North Dunn Street – Speed Limit

15.24.020, Increased or Decreased Speed Limits - update code to reflect posted speed limits

By: robinsos
6 Dec 16

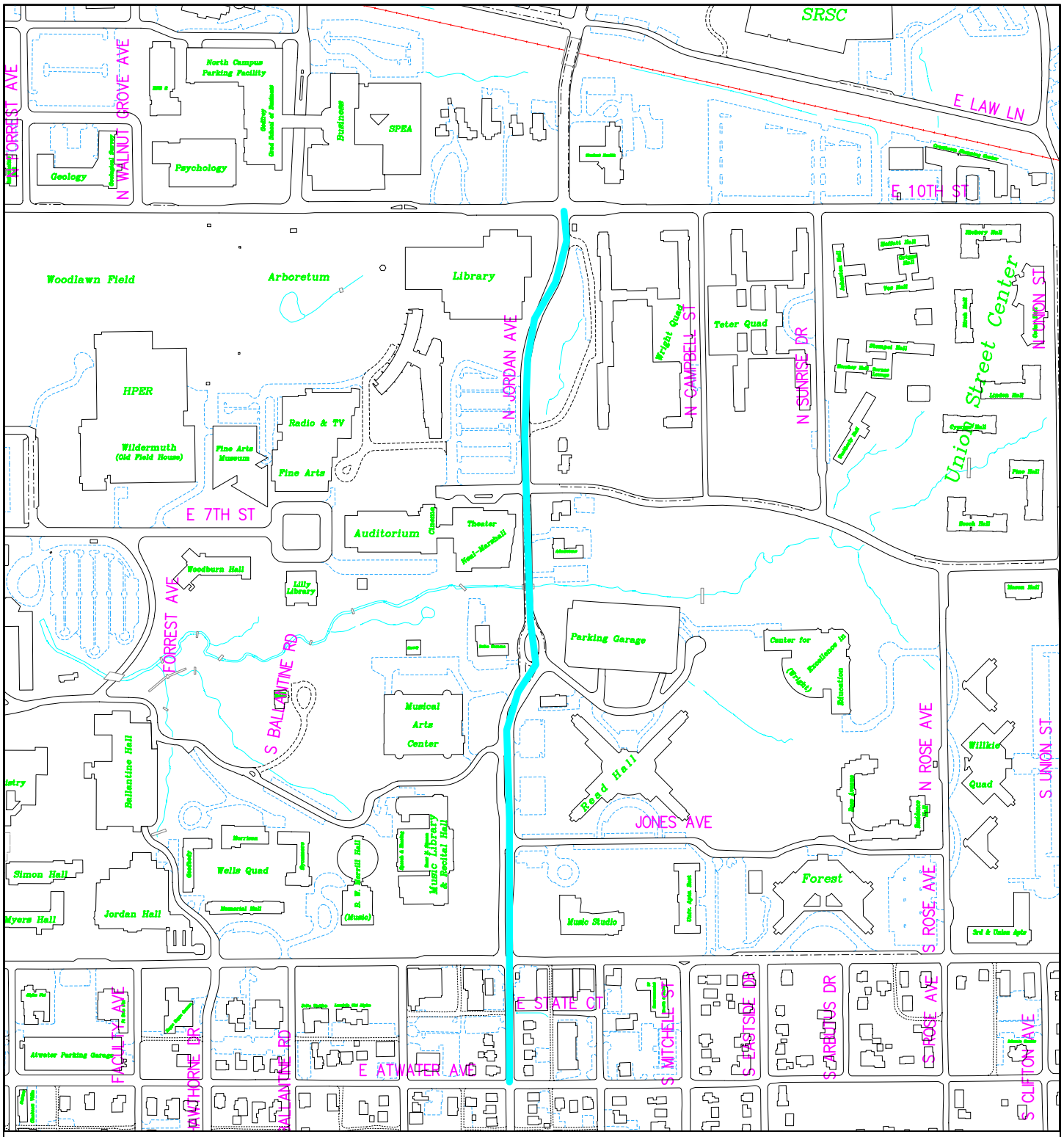
1500 0 1500 3000 4500

N

City of Bloomington
Planning & Transportation

Scale: 1" = 1500'

For reference only; map information NOT warranted.



15.24.020, Increased or Decreased Speed Limits - deletion

City of Bloomington
Planning & Transportation

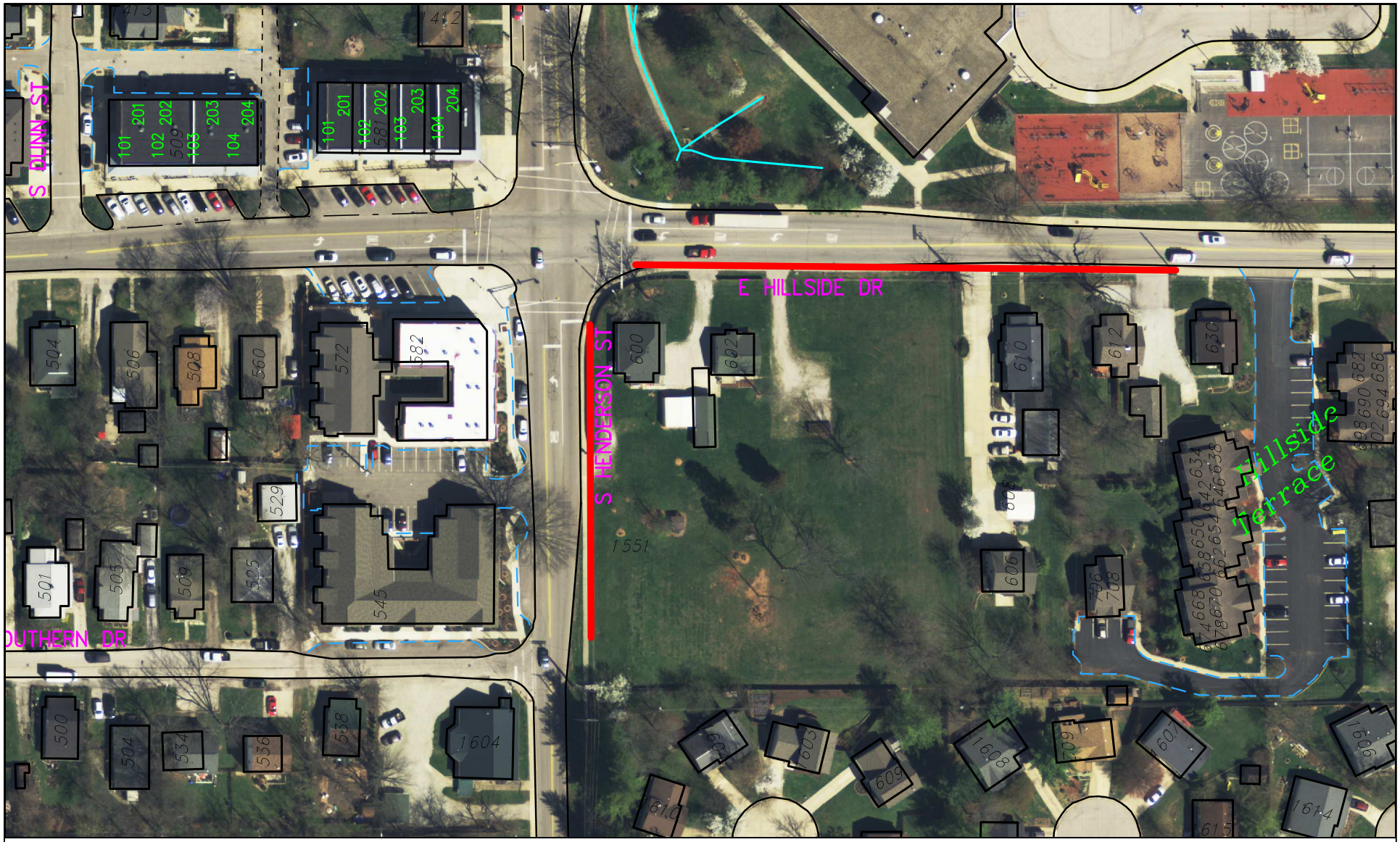
By: cibora
4 May 17

500 0 500 1000 1500

N

Scale: 1" = 500'

For reference only; map information NOT warranted.



15.32.030, Angle Parking - Pull In Angle Parking additions

By: cibora
4 May 17

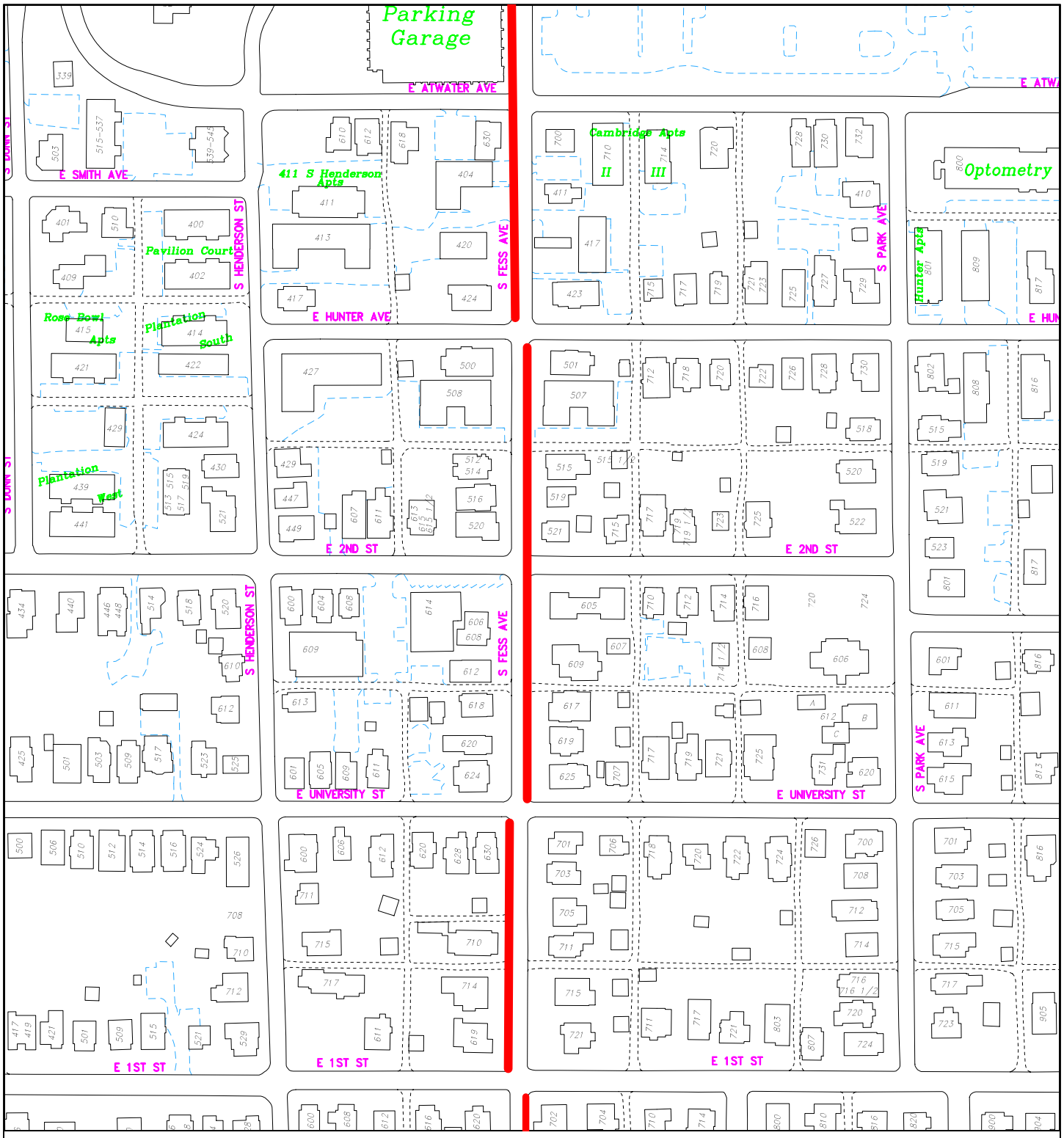
100 0 100 200 300 400

For reference only; map information NOT warranted.

N

City of Bloomington
Planning & Transportation

Scale: 1" = 100'



15.32.080, No Parking Zones - additions and deletions rotating which side of the street permits on-street parking

City of Bloomington
Planning & Transportation

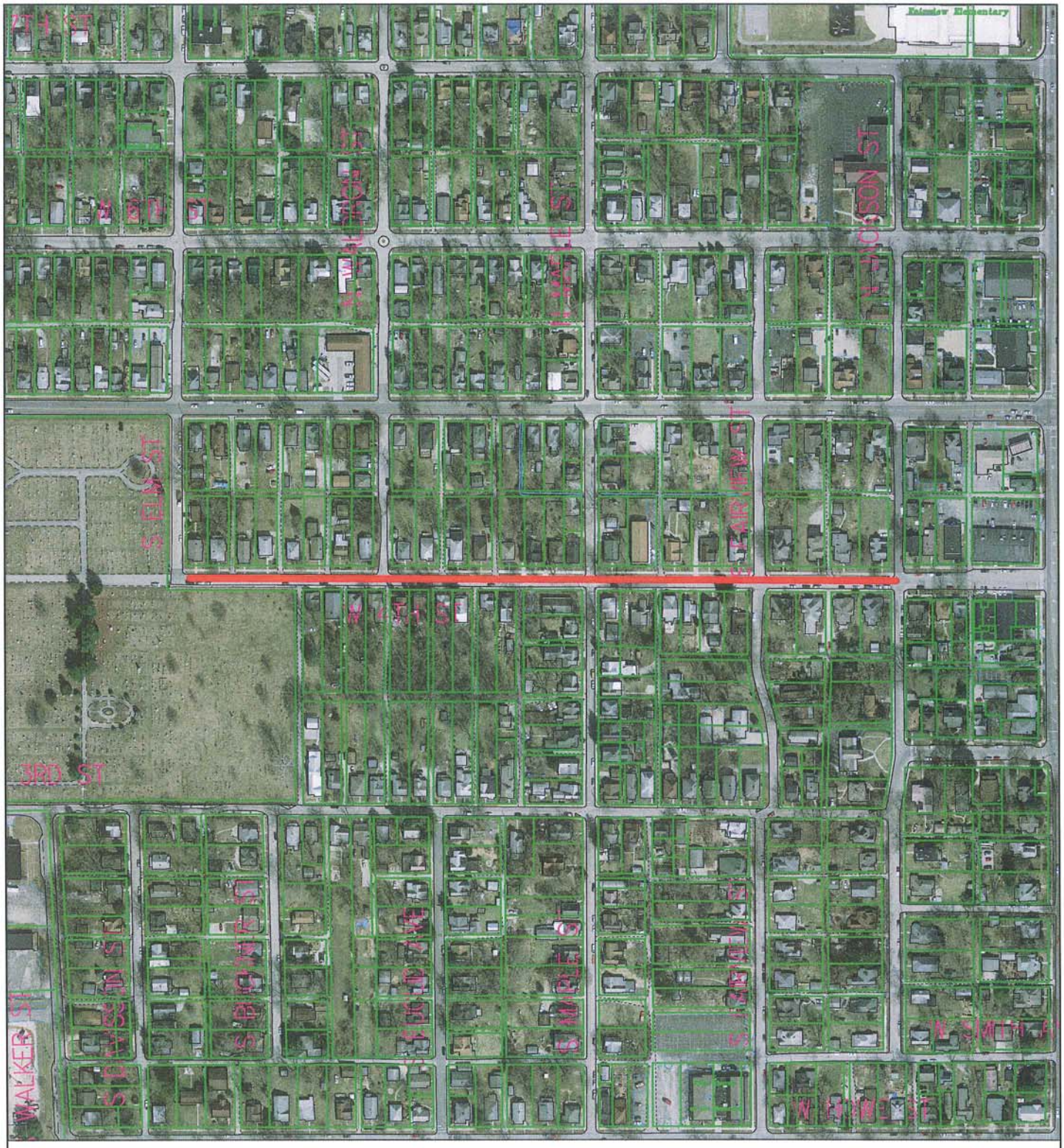
By: cibora
4 May 17

200 0 200 400 600

N

Scale: 1" = 200'

For reference only; map information NOT warranted.



Request to Codify an Existing No-Parking Zone

Northside of W. 4th Street (between S. Elm and S. Jackson Streets)

15.32.080, No Parking zones

By: nickeln

9 Nov 16

300 0 300 600 900

N

City of Bloomington

Planning & Transportation

Scale: 1" = 300'

For reference only; map information NOT warranted.

15.32.080, No Parking zones - addition and deletion to extend no parking zone

By: cibora
4 May 17

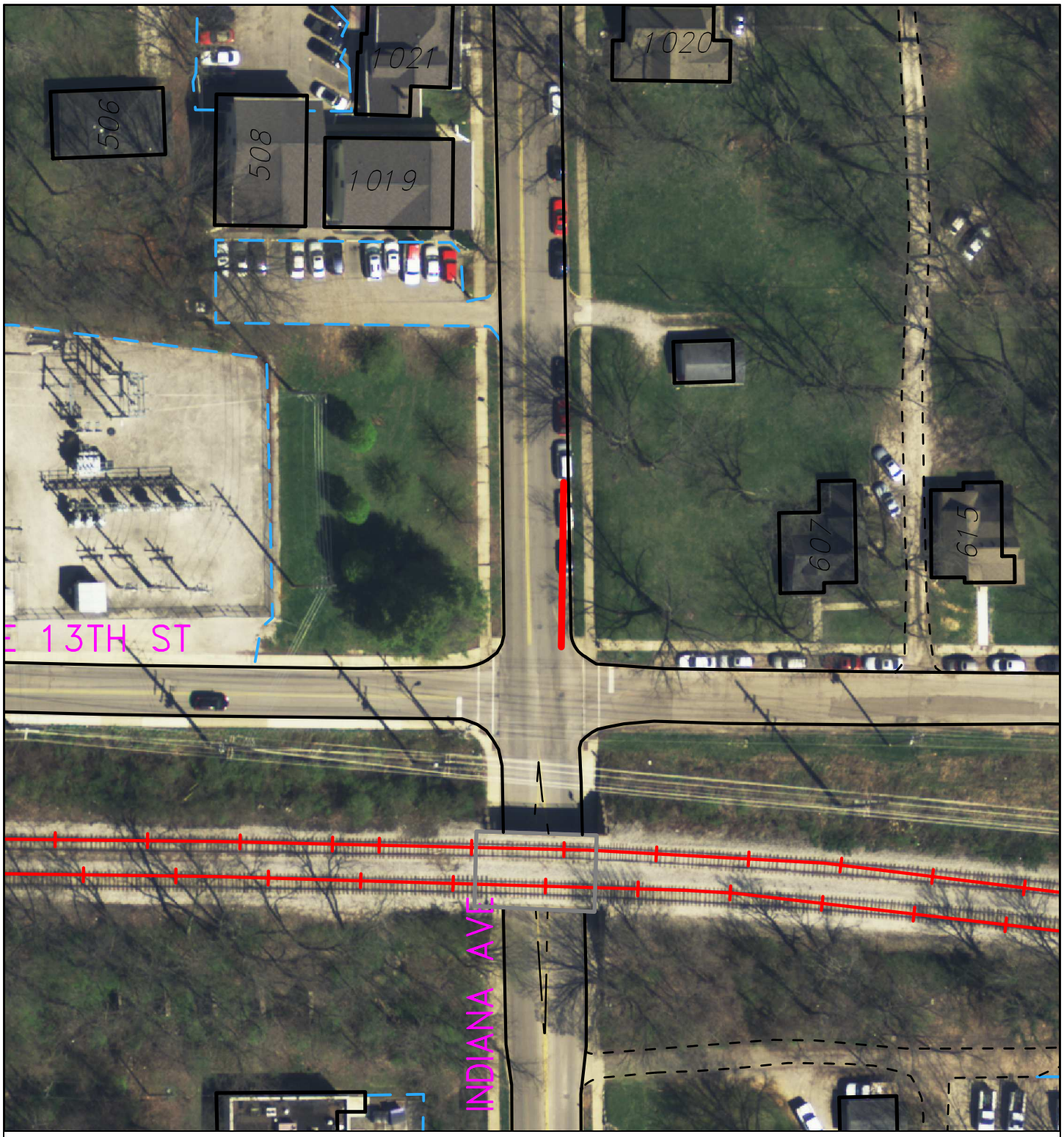
60 0 60 120 180

N

City of Bloomington
Planning & Transportation

Scale: 1" = 60'

For reference only; map information NOT warranted.



15.32.080, No Parking zones - New no parking zone

City of Bloomington
Planning & Transportation

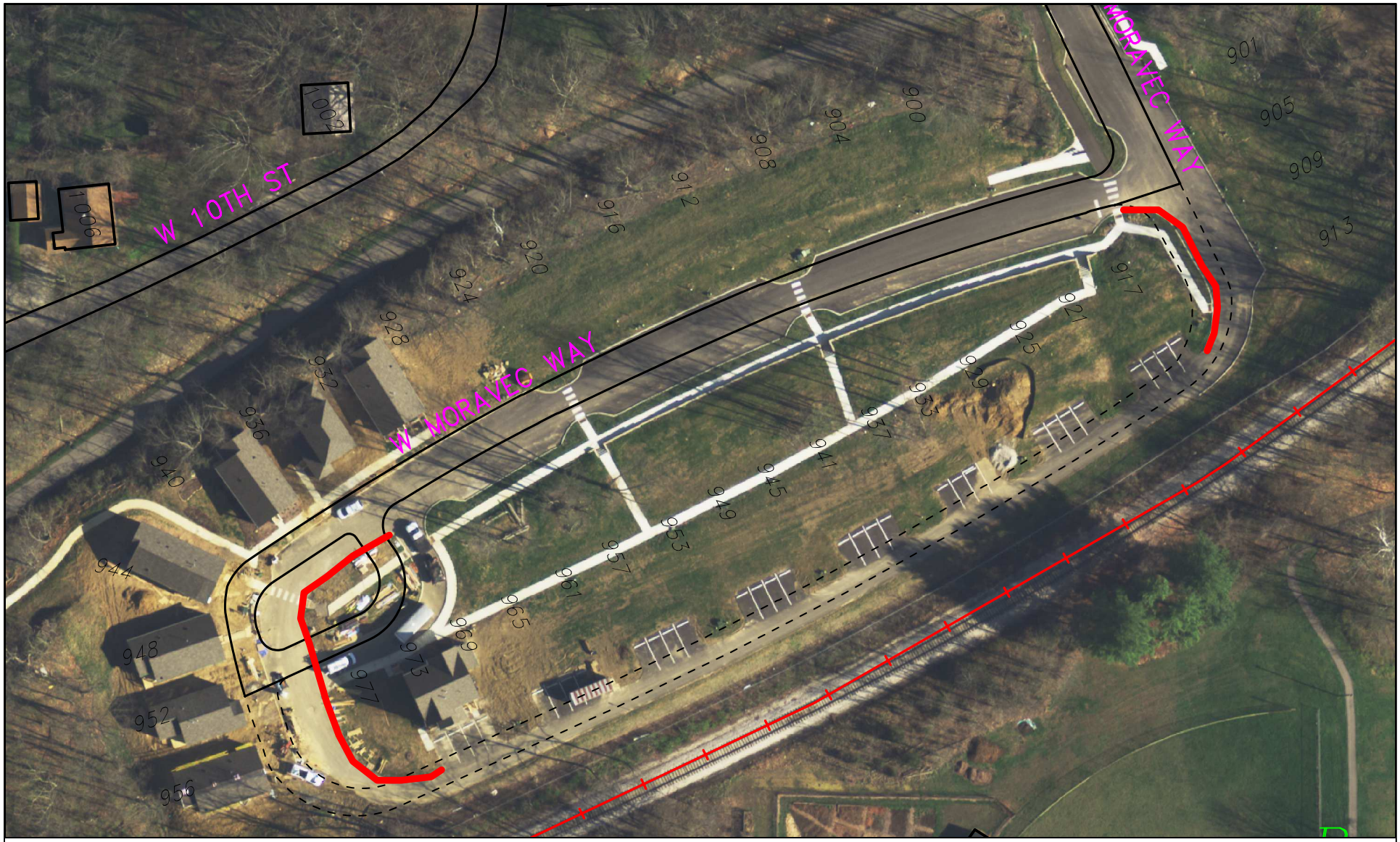
By: cibora
4 May 17

60 0 60 120 180

N

Scale: 1" = 60'

For reference only; map information NOT warranted.



15.32.080, No Parking zones - new no parking zones

By: cibora
4 May 17

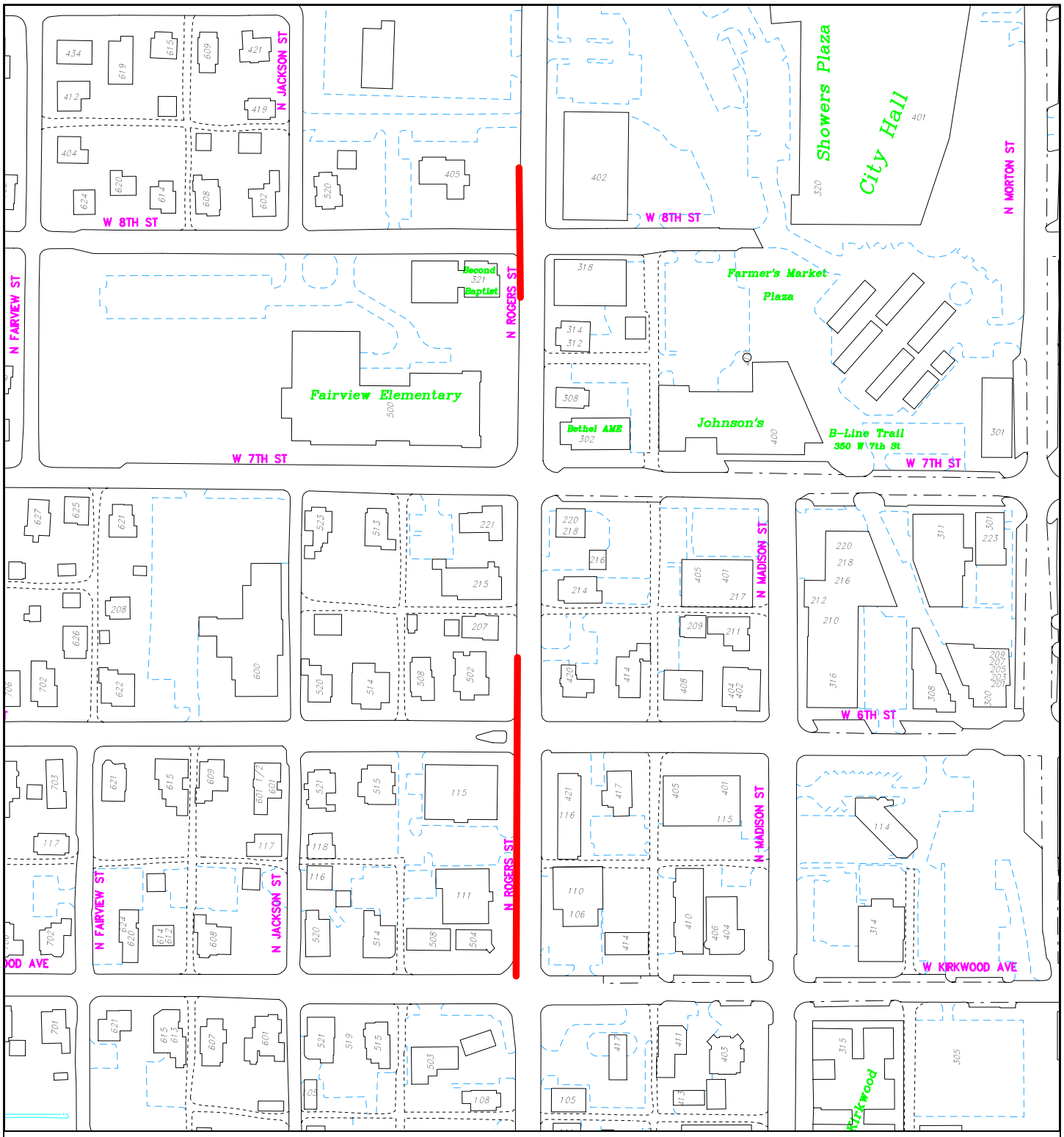
80 0 80 160 240 320

For reference only; map information NOT warranted.

N

City of Bloomington
Planning & Transportation

Scale: 1" = 80'



15.32.080, No Parking zones & 15.32.090 Limited Parking Zones - additions and deletions

City of Bloomington
Planning & Transportation

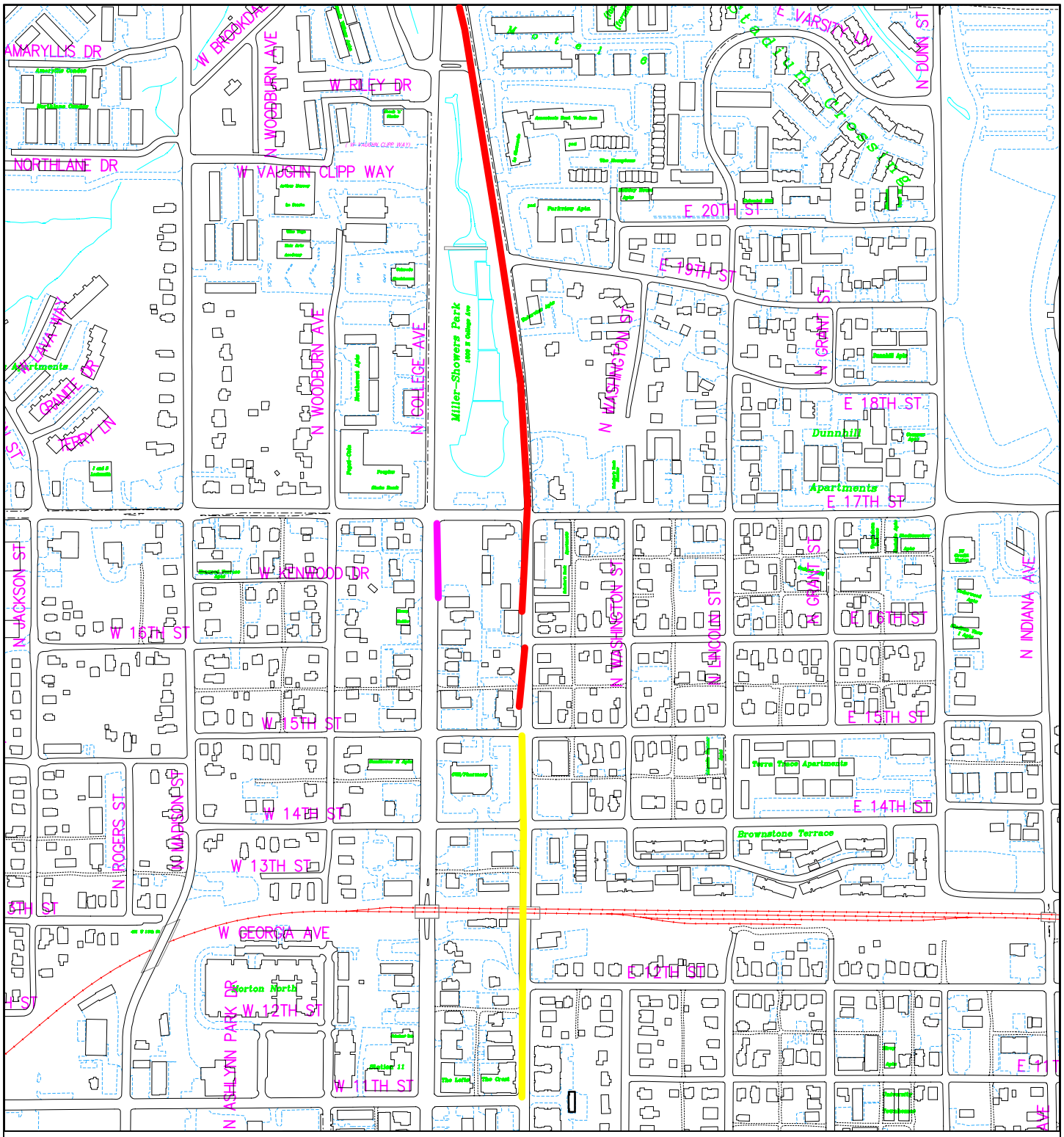
By: cibora
4 May 17

200 0 200 400 600

N

Scale: 1" = 200'

For reference only; map information NOT warranted.



15.32.080, No Parking zones & 15.32.090, Limited Parking Zones - Additions and Deletions

City of Bloomington
Planning & Transportation

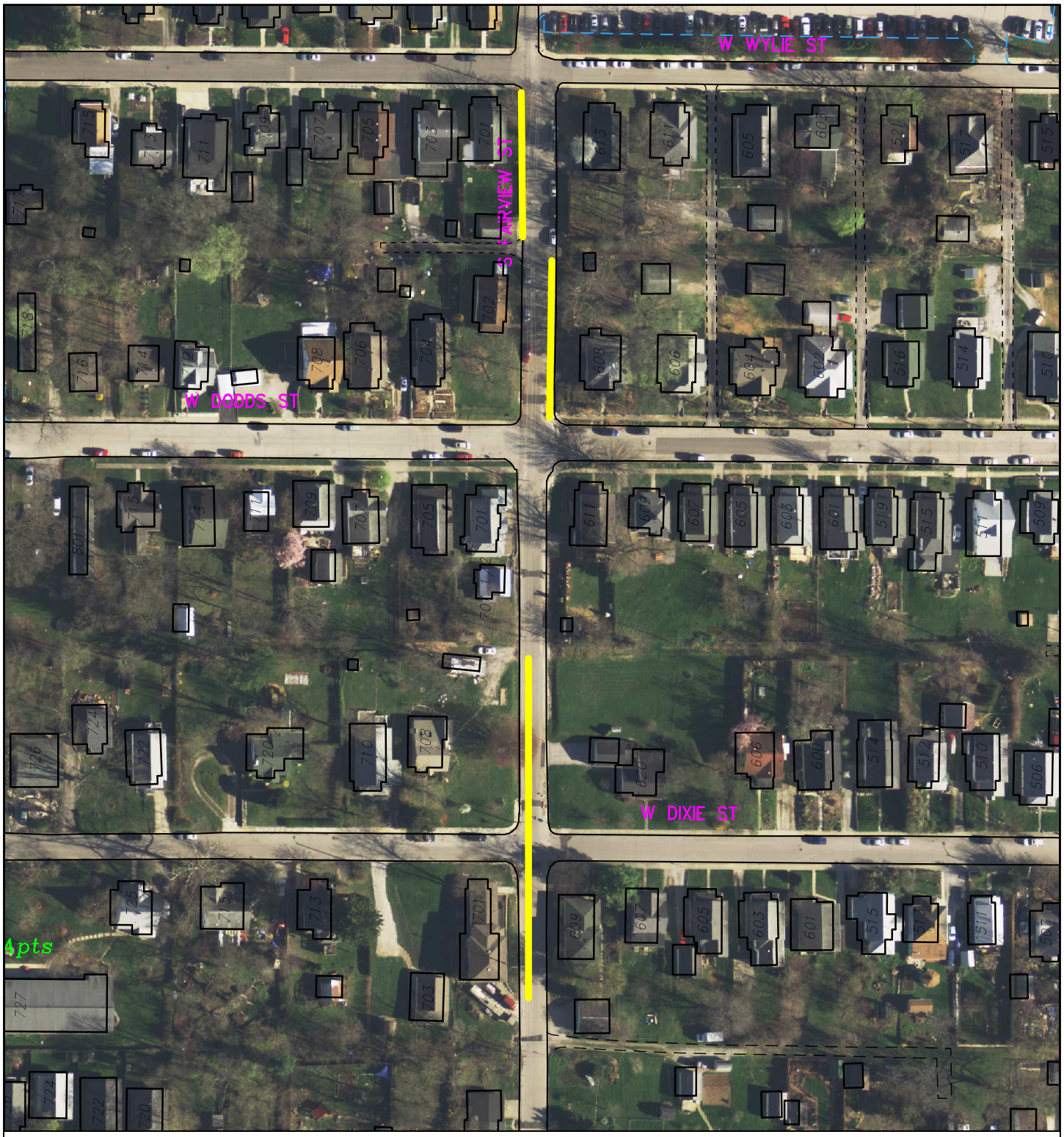
By: cibora
4 May 17

500 0 500 1000 1500

N

Scale: 1" = 500'

For reference only; map information NOT warranted.



15.32.080, No Parking zones - Deletions

By: cibora
4 May 17

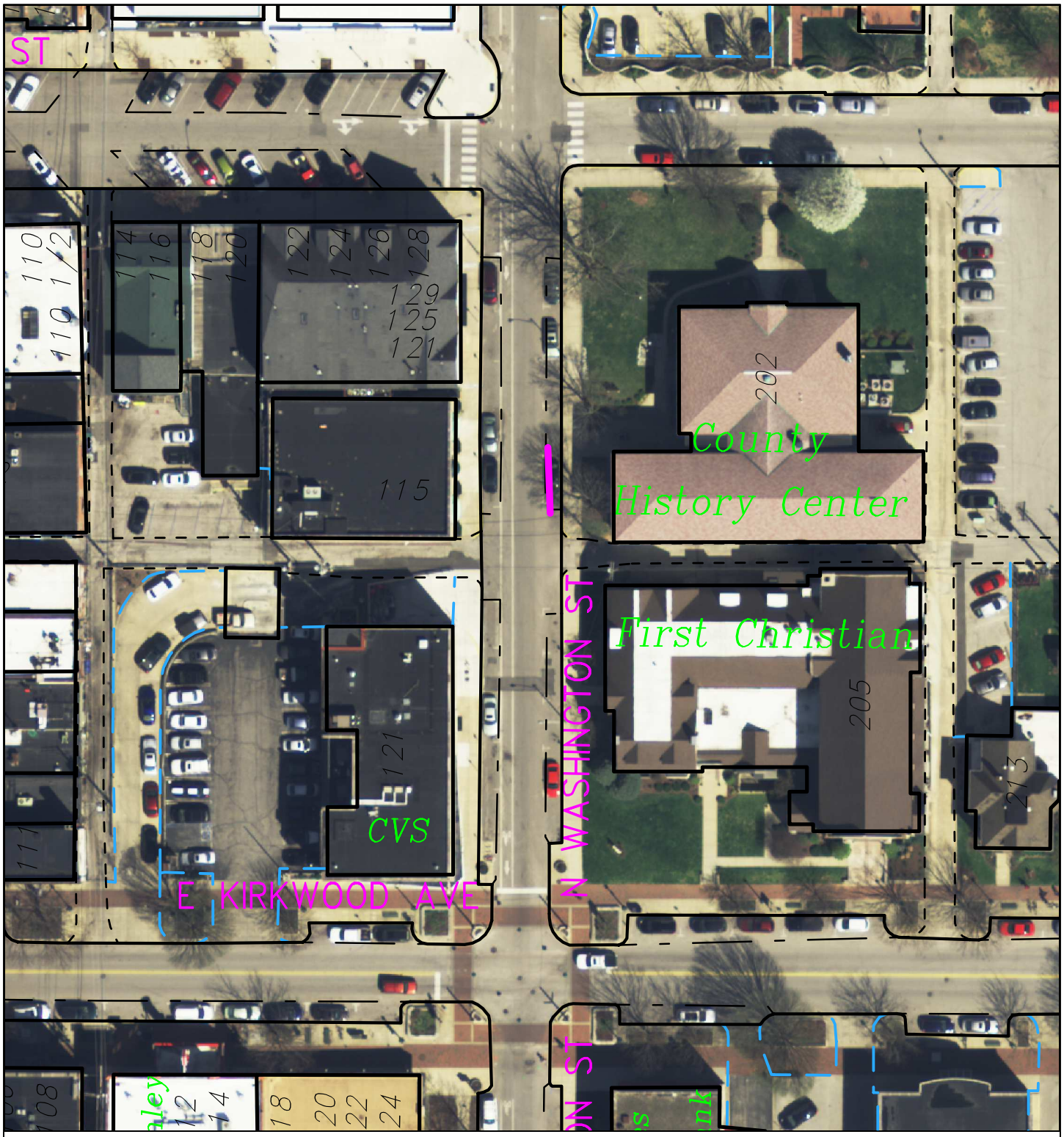
120 0 120 240 360

N

City of Bloomington
Planning & Transportation

Scale: 1" = 120'

For reference only; map information NOT warranted.



15.32.100, Loading Zones - Addition

City of Bloomington
Planning & Transportation

By: cibora
4 May 17

60 0 60 120 180

N

Scale: 1" = 60'

For reference only; map information NOT warranted.

Excerpts from BMC Title 15 – Pertaining to Ord 17-22 (Other Changes Outside of the Various Schedules)

Ord 17-22 – Section 10

~~15.32.130 Parking near intersections.~~

~~When Indiana Code §§ 9-21-16-5 (6) and (7) prescribing how close to designated crosswalks and stop signs a vehicle may park, do not apply, no vehicle shall park within thirty feet of an intersection. Where special considerations warrant, more extensive no parking areas near intersections may be specifically designated.~~

~~(Ord. 91-50 § 4, 1991; Ord. 91-12 § 14, 1991; Ord. 83-56 § 1, 1983: Ord. 82-1 § 1 (part), 1982).~~

Ord 17-22 – Section 11

15.32.175 Parallel and angle parking.

~~Where parallel parking is required, vehicles shall park with the curbside wheels of the vehicle parallel with and within one foot of the curb or within the marked space. Where angled parking is required, vehicles shall be parked with the front wheel nearer the curb touching or within one foot of the curb or within the marked space.~~

(Ord. No. 11-03, § 5, 4-6-2011)

(a) Parallel parking: Where parallel parking is permitted, vehicles shall park facing the direction required for adjacent traffic. Vehicles must park entirely within a marked parking area when present. When a marked parking area is not present, vehicles must park parallel with the curb or edge of roadway, and wheels must be within one foot of the curb or edge of roadway.

(b) Pull-in angle parking: Where pull-in angled parking is permitted, vehicles shall be parked with the front of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space.

(c) Back-in angle parking: Where back-in angle parking is required, vehicles shall be parked with the rear of the vehicle closest to the curb or edge of the roadway. The parked vehicle shall be as close as practical to the curb or edge of the roadway, and be within the marked space.

Ord 17-22 – Section 12 (delete this chapter effective January 1, 2018)

~~Chapter 15.36 RESIDENT-ONLY PARKING PERMITS~~

~~**Sections:**~~

~~15.36.010 Eligibility.~~

~~15.36.020 Information required in application.~~

~~15.36.030 Information contained on permit.~~

~~15.36.040 Decal required.~~

~~15.36.050 Expiration of permits.~~

~~15.36.060 Fees.~~

~~15.36.070 Issuance and revocation of permits.~~

~~15.36.080 Regulations for permit holders.~~

~~15.36.090 Disposition of revenue.~~

~~15.36.100 Violations.~~

~~15.36.010 Eligibility.~~

~~(a) Any person residing in a single household detached dwelling in an area of the city zoned for residential purposes who owns an automobile may apply to the city controller for a permit for one parking space adjacent to such residential property. At the time of application, a valid automobile registration shall be shown.~~

~~(b) "Adjacent" means abutting the property of the residence or, if no such space is available, then directly across the street and within the same block as the residence.~~

~~(c) "Household" means a single individual living upon the premises as a single housekeeping unit or a collective body of persons living upon the premises as a single housekeeping unit.~~

~~(d) "Single household detached dwelling" means a building designed for the occupancy of no more than five adults, i.e., persons sixteen years of age or older and any dependent children of the household. 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.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.020 Information required in application.~~

~~The application form shall contain the name and address of the applicant; the year, make, and license number of the automobile owned by the applicant which is authorized to use the private parking space; and~~

~~a signed statement from the applicant that he resides at the address given in the application, that he owns the listed automobile, and that he does not have adequate off-street parking as defined in this chapter. Should the automobile and/or its license number change while a permit is in force, the applicant shall amend the application.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.030 Information contained on permit.~~

~~The permit provided for in this chapter shall contain the following information: number of the permit; name and address of the person to whom the permit is issued; year, make, and license number of vehicle authorized to use space; and month and date of issuance and date of expiration.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.040 Decal required.~~

~~A small, self-adhesive, colored decal bearing the expiration date of the permit will be issued and the decal shall be affixed to the sign at the location of the private residential parking space. The color of the decal shall change each year. The absence of the decal shall be presumptive evidence that the permit has expired.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.050 Expiration of permits.~~

~~All permits expire on December 31st of the year of issuance. Permits previously issued must be renewed by February 15th or the application and permit expire.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.060 Fees.~~

~~An initial administrative fee of twenty-five dollars and an annual permit fee of twenty-six dollars shall be paid upon issuance of a permit. An annual permit fee of twenty-six dollars shall be paid thereafter (thirteen dollars after July 1st).~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.070 Issuance and revocation of permits.~~

~~(a) The application for a permit under the provisions of this chapter shall be submitted to the city controller who shall forward it to the traffic engineer. The traffic engineer shall approve or disapprove the application in accordance with the provisions of this chapter. An adverse ruling may be appealed to the Board of Public Works, whose decision shall be final.~~

~~(b) The Board of Public Works shall have the authority to revoke any permit upon finding violation of the regulations in this chapter and to order the forfeiture of all fees paid.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~15.36.080 Regulations for permit holders.~~

~~The following regulations shall be in effect:~~

~~(1) A permit shall be issued only when there is a lack of adequate off-street parking at applicant's place of residence. "Adequate off-street parking" shall be defined as space for one automobile, including adequate access to that space.~~

~~(2) Permits shall be restricted to one per residence.~~

~~(3) Permits shall be valid only for the calendar year in which they are issued.~~

~~(4) Private parking spaces shall be used for passenger vehicles only.~~

~~(5) Private 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 space in which there is a parking meter installed by the city.~~

~~(7) The permit holder will purchase and maintain a standard sign as designated by the city.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~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.~~

~~(Ord. 82-1 § 1 (part), 1982).~~

~~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.~~

~~(Ord. 98-52 § 5, 1998: Ord. 92-06 § 3, 1992: Ord. 82-1 § 1 (part), 1982).~~

Ord 17-22 – Section 13

Chapter 15.52 ABANDONED VEHICLES

Sections:

15.52.010 Applicability.

15.52.020 Responsibility of owner.

15.52.030 Vehicles in possession of person other than owner.

15.52.040 Removal of abandoned vehicles.

15.52.060 Maximum towing and storage charges.

15.52.070 Towing contracts.

15.52.080 Liability for loss or damage.

15.52.010 Applicability.

(a) This chapter shall apply to vehicles in possession of persons other than owners of the vehicles and to abandoned vehicles as defined in Chapter 15.04

(b) This chapter shall not apply to any vehicle:

(1) In operable condition specifically adapted or constructed for operation on privately owned raceways;

(2) Stored as the property of a member of the armed forces of the United States who is on active duty assignment;

(3) Located on a vehicle sale lot or at a commercial vehicle servicing facility;

(4) Located upon property licensed or zoned as an automobile scrapyard; or

(5) Registered and licensed under Indiana Code 9-18-12 as an antique vehicle.

(Ord. 08-19 § 49, 2008; Ord. 91-50 § 8, 1991; Ord. 82-1 § 1 (part), 1982).

15.52.020 Responsibility of owner.

The owner of an abandoned vehicle is responsible for the abandonment and is liable for all of the costs incidental to the removal, storage, and disposal of the vehicle or its parts.

(Ord. 89-30 § 4, 1989: Ord. 82-1 § 1 (part), 1982).

15.52.030 Vehicles in possession of person other than owner.

When a police officer **or parking enforcement officer** discovers a vehicle in the possession of a person other than the owner and the person cannot establish his/her right to the possession of that vehicle, the police officer **or parking enforcement officer** shall act in accordance with Indiana Code 9-22-1-5.

(Ord. 08-19 § 50, 2008: Ord. 82-1 § 1 (part), 1982).

15.52.040 Removal of abandoned vehicles.

(a) An officer **or parking enforcement officer** who finds a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's **or parking enforcement officer's** name, city police department, and address and telephone number to contact for information.

(2) That the vehicle or parts are considered abandoned.

(3) That the vehicle or parts will be removed after seventy-two hours.

(4) That the owner will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle or parts.

(5) That the owner may avoid costs by removal of the vehicle or parts within seventy-two hours.

(b) If the tagged vehicle or parts are not removed within the seventy-two hour period, the police officer **or parking enforcement officer** shall prepare a written abandoned vehicle report in accordance with Indiana Code Section 9-22-1-12.

(c) If, in the opinion of the officer **or parking enforcement officer**, the market value of the abandoned vehicle or parts is less than seven hundred fifty dollars, the officer **or parking enforcement officer** shall immediately dispose of the vehicle to a storage yard. A copy of the abandoned vehicle report and photographs relating to the abandoned vehicle shall be forwarded to the bureau. The police department shall retain the original records and photographs for at least two years.

(d) If, in the opinion of the officer or parking enforcement officer, the market value of the abandoned vehicle or parts is seven hundred fifty dollars or more, the officer **or parking enforcement officer**, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the owner or person who may be in control of the vehicle or parts. After seventy-two hours, the officer **or parking enforcement officer** shall require the vehicle or parts to be towed to a storage area.

(Ord. 08-19 §§ 51—54, 2008; Ord. 82-1 § 1 (part), 1982).

15.52.060 Maximum towing and storage charges.

The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed fifty-five dollars during the day, and sixty-five dollars during the night, except where special treatment may be required. Special treatment, including dollying, may not exceed an additional twenty-five dollars. For purposes of this chapter, "day" includes the hours between seven a.m. and six p.m., Monday through Saturday, and "night" includes the hours between six p.m. and seven a.m. Monday through Friday, and six p.m. Saturday evening through seven a.m. Monday morning. Motorcycles are not included in the above mentioned maximums; because of their special handling, the maximum charge at any time for a motorcycle may not exceed fifty dollars. The maximum amount that the service may charge for an arrival on the scene in response to a request by a police officer **or parking enforcement officer** is twenty dollars during the day, and twenty-five dollars during the night hours.

Should the owner/operator wish to retrieve the vehicle from the service during night hours, in addition to any towing and storage charges, an amount not to exceed fifteen dollars may be charged. The maximum amount that may be charged for storage of wrecked vehicles shall not exceed fifteen dollars per day, and the maximum amount that may be charged for storage of all other vehicles shall not exceed ten dollars per day.

(Ord. 01-33 § 2, 2001; Ord. 96-43 § 2, 1996: Ord. 93-01 § 2, 1993: Ord. 88-43 § 2, 1988: Ord. 82-1 § 1 (part), 1982).

15.52.070 Towing contracts.

To facilitate the removal of abandoned vehicles or parts or vehicles declared public nuisances, the police department may enter into towing contracts or agreements for the removal and storage of abandoned vehicles and parts.

(Ord. 82-1 § 1 (part), 1982).

15.52.080 Liability for loss or damage.

Neither the owner, lessee, or occupant of the property from which an abandoned vehicle or parts are removed nor the police department, authorized towing service, or automobile scrapyard is liable for loss or damage to the vehicle or parts occurring during its removal, storage, or disposition.

(Ord. 82-1 § 1 (part), 1982).

ORDINANCE 17-08

TO AMEND THE APPROVED PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ORDINANCE AND THE PRELIMINARY PLAN ATTACHED TO PARCEL I OF THE WOOLERY PUD
(Allowing Multi-family dwellings as a permitted use and approving development standards associated with such use)
- Re: 2182 W. Tapp Road
(Regency Consolidated Residential, LLC, petitioner)

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, PUD-30-16, and recommended that the petitioner, Regency Consolidated Residential, LLC, be granted an approval to amend the District Ordinance and the Preliminary Plan to add "multifamily dwellings" to the list of permitted uses for Parcel I of the Woolery PUD, allowing for a new multi-family apartment complex. The Plan Commission thereby requests that the Common Council consider this petition; and

WHEREAS, the Plan Commission approved PUD-30-16 with the following conditions:
1) The PUD final plan approval will be reviewed by the Plan Commission;
2) All landscaping for this project shall be native species;
3) If deemed necessary by the Planning and Transportation Department during final plan review, the petitioner shall install a left-turn lane into this project from Tapp Road; and,
4) The petitioner shall provide the workforce housing component of the PUD for a minimum of 99 years.

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

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the list of permitted uses for Parcel I of the Woolery PUD shall be amended for the property located at 2182 W. Tapp Road. The property is further described as follows:

Lot 1 in Woolery Planned Community, Phase IX, as shown on the Plat thereof recorded as Instrument Number #2012008140 in the office of the Recorder of Monroe County, Indiana

SECTION II. This amendment to the District Ordinance and the Preliminary Plan shall be approved as attached hereto, as described above, and made a part thereof.

SECTION III. 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 IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

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 upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the District Ordinance and Preliminary Plan of the Woolery PUD to add "multifamily dwellings" as a permitted use on Parcel I and approves development standards associated therewith.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 17-08 is a true and complete copy of Plan Commission Case Number PUD-30-16 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 6 2017.

Date: March, 13, 2017

Frank Sabatine, Secretary
Plan Commission

Received by the Common Council Office this 13th day of March, 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

Interdepartmental Memo

To: **Members of the Common Council**
From: **Eric Greulich, Zoning Planner**
Subject: **Case #PUD-30-16**
Date: **March 15, 2017**

Attached are the staff report, petitioner's statement, District Ordinance, Preliminary Plans, and exhibits which pertain to Plan Commission case #PUD-30-16. The Plan Commission heard this petition at the February 13 and March 6, 2017 hearings and voted 8-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting a PUD amendment to allow multi-family residential units on Parcel I of the Woolery PUD. Also requested is approval of a specific set of development standards.

BACKGROUND:

Area:	8 acres
Current Zoning:	PUD
GPP Designation:	Community Activity Center
Existing Land Use:	Vacant
Proposed Land Use:	Multi-family residences
Surrounding Uses:	North – Multi-family Residences
	West – Multi-family Residences
	East – Indiana University
	South – Single and Multi-family Residences

REPORT: The property is located at 2182 W. Tapp Road and is within the Woolery Planned Unit Development (PUD-64-94). Surrounding properties are also within the Woolery PUD and include multifamily residences to the north and east, commercial (Bloomington United Gymnastics School) to the west, and Quarry to the south.

The Woolery PUD included a mix of land uses including single family residential, multi-family residential, and commercial parcels. This property, as well as the property to the west, were the only portions of the PUD designated for commercial uses. To the west of Weimer Road is the unbuilt Mill Creek PUD that was approved for almost exclusively commercial, office, and industrial uses in 1987 and totals approximately 100 acres. At the time the PUD was created the Woolery Mill was originally going to be used strictly for residential but the PUD was amended in 2001 to allow commercial uses as well, and has partially been developed with offices plus possible future commercial buildings along Kegg Rd. This parcel has remained vacant for more than 20 years. The Plan Commission has seen similar trends within old PUDs that originally had commercial tracts planned that were later developed with multi-family housing as the tracts have remained undeveloped (e.g. Canada Farm PUD). While neighborhood serving commercial uses were envisioned with several PUDs, Staff has noticed that grocery stores and other neighborhood serving uses have located along major arterial streets and not in neighborhoods.

The petitioner is proposing to amend the PUD to allow multi-family residences on this parcel rather than the original approved commercial uses. The petitioner proposes to construct 54, 1-bedroom units and 57, 2-bedroom units for a total of 111 units and 168 bedrooms. There will be several different buildings constructed that are predominantly centered around a large open space multi-purpose area. Most of the buildings will have a garage on the lower level with one additional parking space outside of the garage. In addition, there are total of 76 surface parking spaces plus 81 parking spaces in the garages for a total of 157 parking spaces for the 168 bedrooms. This equals approximately 0.93 parking spaces per bedroom.

The property will be accessed by a new road cut on Tapp Road that was envisioned in the PUD and will also have road connections to the Adams Village apartments to the east as well as a connection to Sunstone Drive to the north. The interior road will be private. There is currently an 8' asphalt sidepath along the Tapp Road property frontage. New interior sidewalks will be constructed to connect to the surrounding public streets. The inner multi-purpose area will have a swimming pool, playground, and pavilion with a firepit for use by the residents. There are two proposed stormwater basins that will be used to meet stormwater detention requirements. Architecture has been submitted for the proposed buildings and they will all be finished with a cementitous siding on all four sides. The petitioner has committed to setting aside 10% of the units for workforce housing and is continuing to work with the City to provide affordable housing on this site, the main issue of contention at this point is the length of a time period for the commitment. The petitioner would prefer a 30-year commitment however Staff is seeking a longer commitment and a 99-year commitment was required by the Plan Commission. The petitioner has committed to providing on-site recycling for the residents.

No PUD final plan approval is requested at this time. The PUD final plan must go back to the Plan Commission for approval.

GROWTH POLICIES PLAN: This property is designated as "*Community Activity Center*". Since this area is designated as a CAC, most of the GPP comments center on a commercial center rather than a multi-family development. However, the GPP notes that the intent of these areas is to provide community-serving commercial opportunities in the context of a high density, mixed use development. The GPP notes that the primary land use in the CAC should be medium scaled commercial retail and services uses. Residential units may be developed as a component of the CAC, and would be most appropriate when uses are arranged as a central node rather than along a corridor. The GPP also gives guidance to The GPP also notes that-

- *"Public Transit access should be a major component of the urban services provided for any Community Activity Center".* This area is not yet served by Bloomington Transit. It is possible in the future when Adams Street is extended that transit service will be provided to this area.

- *"Incentives should be created to encourage the inclusion of second-story residential units in the development of Community Activity Centers".* This petition would feature exclusively residential units and no commercial uses are proposed.

Conserve Community Character –

Implementation Measures

> *CCC-1 In coordination with the Housing and Neighborhood Development Department, adopt neighborhood plans that will be designed to address housing, land uses, the provision of public infrastructure and services, affordable housing and infill development strategies.*
>
> This petition would incorporate affordable housing and would work to accomplish this goal. As this portion of the city grows with the construction of I-69 it is important to provide a mix of housing types adjacent to the corridor. Tapp Road will have an interchange with I-69 and could be an attractive location for residents using I-69.

This petition incorporates some of the goals described within the GPP including redevelopment of underutilized property, provision of open space, and the creation of a distinctive design style for this area. The Plan Commission found that allowing multi-family residences on this property would increase the possibility of commercial uses occurring on adjacent parcels. The inclusion of affordable housing also furthers many goals of the GPP and the Administration.

PRELIMINARY PLAN ISSUES:

Workforce Housing Issue: The petitioner has committed to providing a minimum of 10% of the units for workforce housing. These units would have fixed rents relative to the minimum wage. At this time the petitioner would prefer a time commitment of 30-years for the workforce units, however Staff and the Plan Commission required a 99-year commitment. Staff expects the petitioner to discuss this issue further at the hearings.

Architecture/Design: Renderings have been submitted for all of the proposed buildings. There will be three different building types throughout the site with the majority of the buildings facing the central multi-purpose open space. All of the buildings will have pitched roofs and will be finished with hardiplank siding. The Plan Commission approved some of the buildings to exceed the 50’ height limit and to allow for 60’ tall buildings as a result of the existing topography and the desire for ground floor garage space. The submitted renderings show that the proposed taller buildings in this project due not exceed the height of the nearby buildings of Adams Village.

Access: The project will be accessed through several access points. There will be one new drivecut on Tapp Road for this petition. There will also be road connections to the Adams Village apartments to the east and to Sunstone Drive to the north. There is one interior road that loops around the development and is private. The petitioner submitted a possible alteration to Tapp Road that would allow for a dedicated turn lane to be added if deemed necessary. This would be decided with the PUD final plan approval.

Development Standards: This PUD would use the Residential High-Density Multifamily (RH) district standards with the 3 modifications as outlined in the petitioner statement for building height, side yard building setback, and front parking setback. The Plan Commission approved the following modifications:

- To allow 2 of the “Flats” buildings to be 63’ rather than the 50’ that is allowed.
- To allow a 10’ building setback along the east property line rather than the 15’ that is required.
- To allow an entrance drive to run along the front of the property, this drive would be set back approximately 70’ from the road and will be buffered with landscaping.

Parking: Most of the buildings will have a garage on the lower level with one additional parking space outside of the garage. In addition, there are total of 76 surface parking spaces plus 81 parking spaces in the garages for a total of 157 parking spaces for the 168 bedrooms, which equals approximately 0.93 parking spaces per bedroom. The UDO has a maximum of one parking space per bedroom and this project does not exceed that allowance.

Pedestrian Facilities: There is already an 8’ wide asphalt sidepath along Tapp Road that is in good condition. Internal sidewalks will be provided to provide safe pedestrian routes through the site and will be evaluated with the site plan approval.

Utilities: The site is well served by existing utilities and no problems have been highlighted so far with providing utility services to the site.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) has made 2 recommendations concerning this development.

1.) The Petitioner should use all native plant species in the Landscape Plan as committed to in the Petitioner’s Statement, and increase the amount of species beneficial to pollinators.

STAFF RESPONSE: The Plan Commission required that all landscaping with this project be native species and a condition of approval to that effect was approved.

2.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction materials not needed on site.

STAFF RESPONSE: The Plan Commission did not require this recommendation, but Staff encourages the petitioner to salvage, recycle, or reuse all possible construction material as possible.

CONCLUSION: The Plan Commission found that this location would be ideal for high density multifamily housing and would be consistent with several goals of the Growth Policies Plan. The location close to the I-69 corridor presents a unique location for commuters as well as individuals working on that side of town. The presence of other land within this PUD as well as adjacent properties for possible future commercial uses provides opportunities for commercial businesses in this area to serve the residents. The Plan Commission also found that the 3 proposed modifications to the RH district standards for this petition were appropriate.

RECOMMENDATION: The Plan Commission voted 8-0 to forward this petition to the Common Council with a favorable recommendation and the following conditions of approval:

1. PUD final plan approval will be reviewed by the Plan Commission.
2. All landscaping for this project shall be native species.
3. If deemed necessary by the Planning and Transportation Department during final plan review, the petitioner shall install a left-turn lane into this project from Tapp Road.
4. The petitioner shall provide the workforce housing component for a minimum of 99 years.

MEMORANDUM

Date: March 1, 2017

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-30-16, Adams Village apartments
2182 W. Tapp Road

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed Plan. The Petitioner's request is to amend the Woolery Farm Planned Unit Development (PUD) to change the use in Parcel 1, from commercial to Residential High-Density Multifamily (RH), as described in the Uniform Development Ordinance (UDO). The PUD Final Plan review for this site will come forward at a later date.

The EC applauds the Petitioner for the environment-enhancing features built into the site design and the building. Additionally, the EC is pleased that the Petitioner conducted a non-technical karst investigation that shows that this area is likely not a karst feature.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) LANDSCAPING
The Petitioner's Statement committed to using native plants; however, there are some listed in the Schematic Design that are not native to south central Indiana. The EC recommends that the Petitioner revise the Landscape Plan to include only native plants, and to increase the number of species beneficial to pollinating animals and insects.

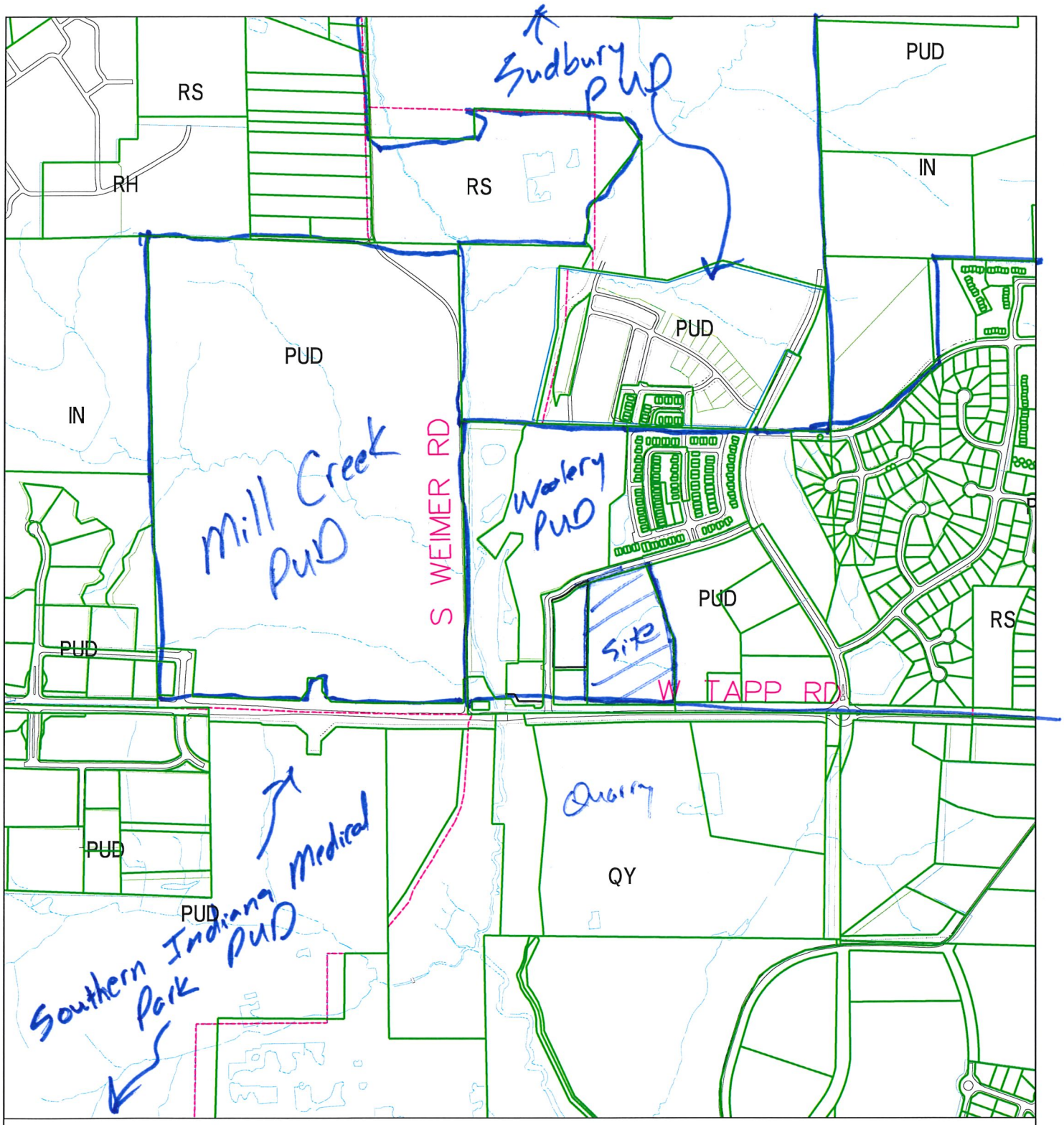
The EC believes that the proposed site represents an opportunity to enhance that special sense of environmental character that Bloomington is known for, by demonstrating through example that we are, indeed, a Tree City USA, a National Wildlife Federation Wildlife Habitat Community, and a winner of America in Bloom's national competition.

2.) CONSTRUCTION DEBRIS
The EC recommends that debris generated from construction of the new buildings be collected for reuse or recycling. This material could be sold to local salvage businesses, given to a resale store for future re-use, or recycled. Very little material should have to be disposed in a landfill.

EC RECOMENDATIONS

1.) The Petitioner should use all native plant species in the Landscape Plan as committed to in the Petitioner's Statement, and increase the amount of species beneficial to pollinators.

2.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction materials not needed on site.



PUD-30-16 Regency Consolidated Residential, LLC

2182 W Tapp Road

Plan Commission

Surrounding land uses, parcels, zoning

By: greulice

31 Jan 17

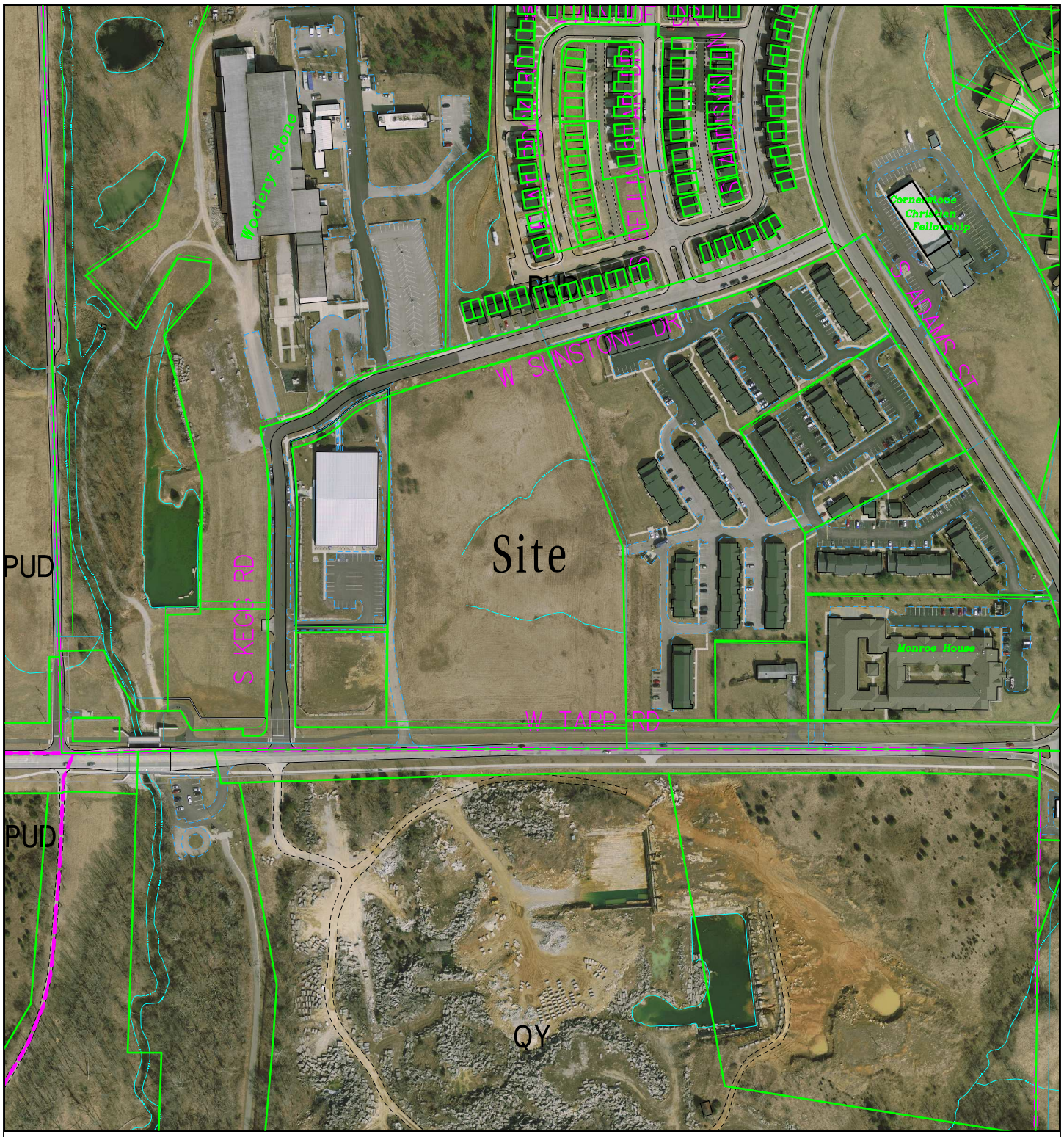
800 0 800 1600 2400

N

City of Bloomington
Planning & Transportation

Scale: 1" = 800'

For reference only; map information NOT warranted.



PUD-30-16 Regency Consolidated Residential, LLC

2182 W Tapp Road

Plan Commission

2014 Aerial Photograph

By: greulice

31 Jan 17

300 0 300 600 900

N

City of Bloomington
Planning & Transportation

Scale: 1" = 300'

For reference only; map information NOT warranted.

Smith Brehob & Associates, Inc.

Providing professional land planning, design, surveying and approval processing for a sustainable environment.

Stephen L. Smith P.E., L.S.
Steven A. Brehob B.S.Cn.T.
Todd M. Borgman PLS
Katherine E. Stein, P.E.
Donald J. Kocarek, LA.

MEMORANDUM

To: Eric Greulich
From: Steve Brehob
Date: 2-20-17
Re: Woolery Lot 1 – Adams Village Expansion
Karst Investigation

Summary

It appears that the broad flat area along the western side of the property was in part created by filling of the area over time and not providing for a means of drainage of the valley leading to it. Evidence of karst features within the valley (soil piping, shallow depressions) were not present. There are some locations with a shallow depth to bedrock within drainage channel areas where soil erosion over time has exposed the bedrock. The only two depressions found were immediately adjacent to the old mill access drive on the west side of Woolery Lot 1. These depressions appear to have been created by subsidence of fill material placed over a former limestone block and scrap embankment.

Background

The site is located at the SW corner of the Woolery PUD along the north side of Tapp Road immediately east of the old Woolery Mill building. The site topography is rolling and generally drains from NE to SW towards Clear Creek. A karst study was requested to determine if there were karst features on the site and specifically focus on the SW corner of the property. On February 20th, a field investigation of the site was conducted. The entire site was traversed looking for evidence of karst features. All of the drainage ways were studied from low to high end and a thorough review of the large flat area in question was completed. The large flat area currently drains, though poorly in some locations towards the old mill access drive. The access drive is a few inches higher than the large flat area and it is evident that some ponding occurs. The slope in the area is remarkably flat and was likely filled or graded. After field review, several sources of information and data was studied to determine if the low areas on site had previously been identified as a karst features or if there was evidence available to lead to that conclusion.

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www.smithbrehob.com

Smith Brehob & Associates, Inc.

Exhibit A
Existing site topographic survey showing the large flat area in question.

Exhibit B
In reviewing the 1966 Bloomington Quad Map, a closed contour is evident immediately east of the eastern drive connecting the old Woolery Mill building to Tapp Road. The quad map indicates that a valley ran from NE to SW across Lot 1 towards Clear Creek.

Exhibit C
Aerial photography from 1961 shows this drive and large mill blocks on either side of it. A darker area in the photograph that follows the valley leads to the east side of the access drive and stops at the mill blocks. This dark area resumes in line with the center of the valley on the west side of the access drive at the mill blocks. This darker area evident in the photograph indicates a drainage way. It is doubtful that the drive would have been constructed by the Woolery Mill across the valley without some means to convey runoff from the upstream drainage basin under the access drive. A fill slope from the roadway down on both sides, constructed of mill blocks is also evident.

Exhibit D
Aerial photography from 1967 shows the same pattern described above.

Exhibit E
A current photograph of the site shows that the mill blocks staked along the roadway are no longer evident and the area has likely been filled.

Exhibit F
The Woolery Farm PUD drawings from 1994 were hand drawn, but utilized the 1975 City of Bloomington 2' aerial contour maps for background data. That data shows a closed shape on the east side of the mill access drive with a WE (water edge) notation. By that time, the area in question was holding water and may have been a pond.

Exhibit G
This attachment is a current photograph of two depressions along the east side of the access drive. The area to the east of the access drive is now level with the drive. There are several depressions adjacent to the drive where limestone scrap and blocks with square cut edges are evident where dirt has washed down between the void spaces in the blocks creating a hole. The limestone below is not layered but appears that it was randomly dumped. There is no pipe visible in the area. The underlying limestone appears to be evidence of the limestone block embankments visible in the aerial photographs from 1961 and 1967. Without a pipe to drain the area from one side of the drive to the other, water will migrate to the drive above and below grade, pulling soils though the void spaces in the blocks and scrap creating depressions.

Exhibit H

Attachment G is the PUD Outline Plan staff report from 1994 (RS/PUD/BA/BL/PCD-64-94) . The report mentions the presence of karst features on Parcels J and H, but does not note any features on Parcel I (Woolery Lot 1). This report would have been prepared prior to any work or fill placement on the adjacent Woolery Mill PUD. Had karst features been present on Parcel I, I presume that they would have been noted in the Environmental Commission report prepared at that time.

EXHIBIT A

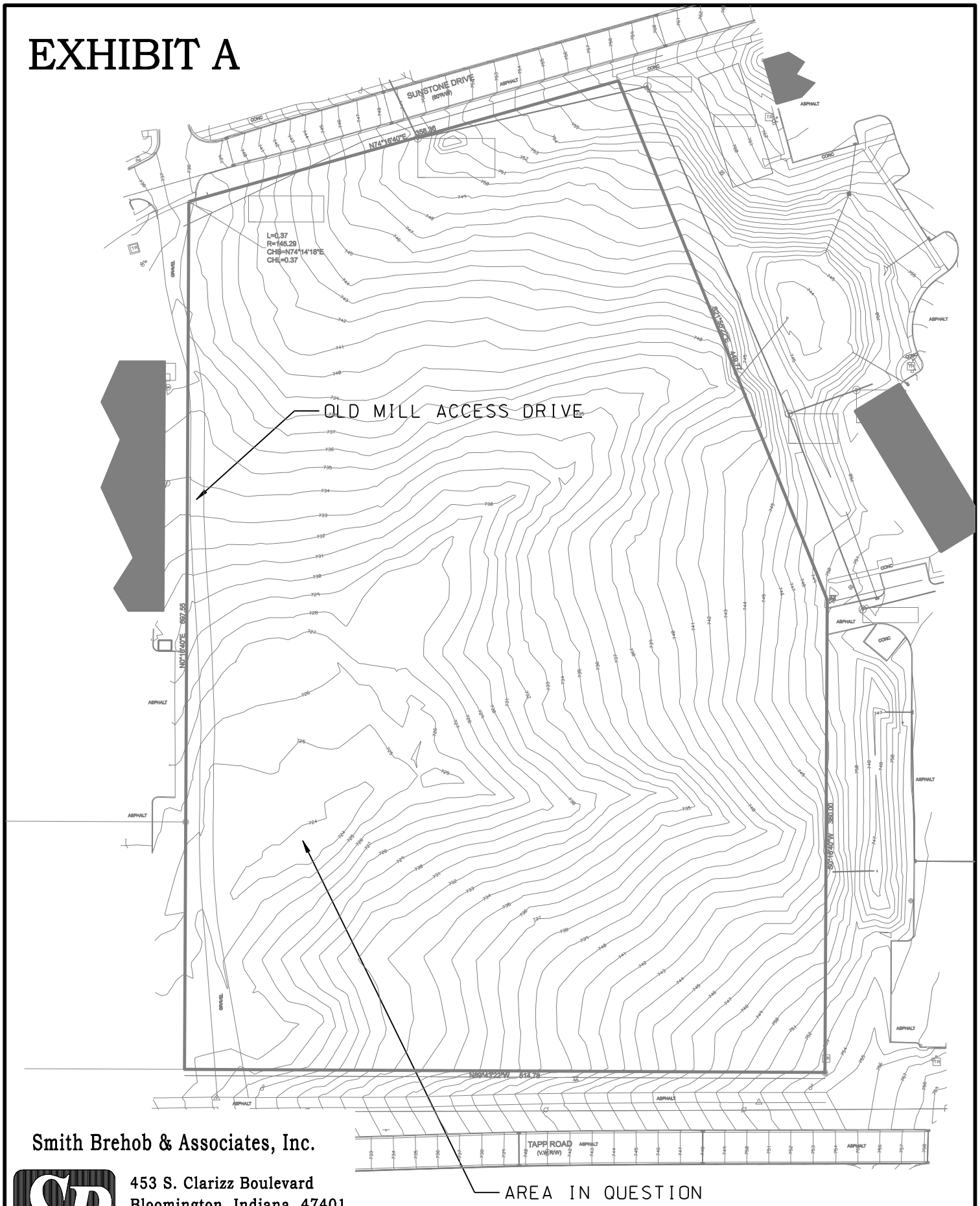

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EXHIBIT B

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EXHIBIT C

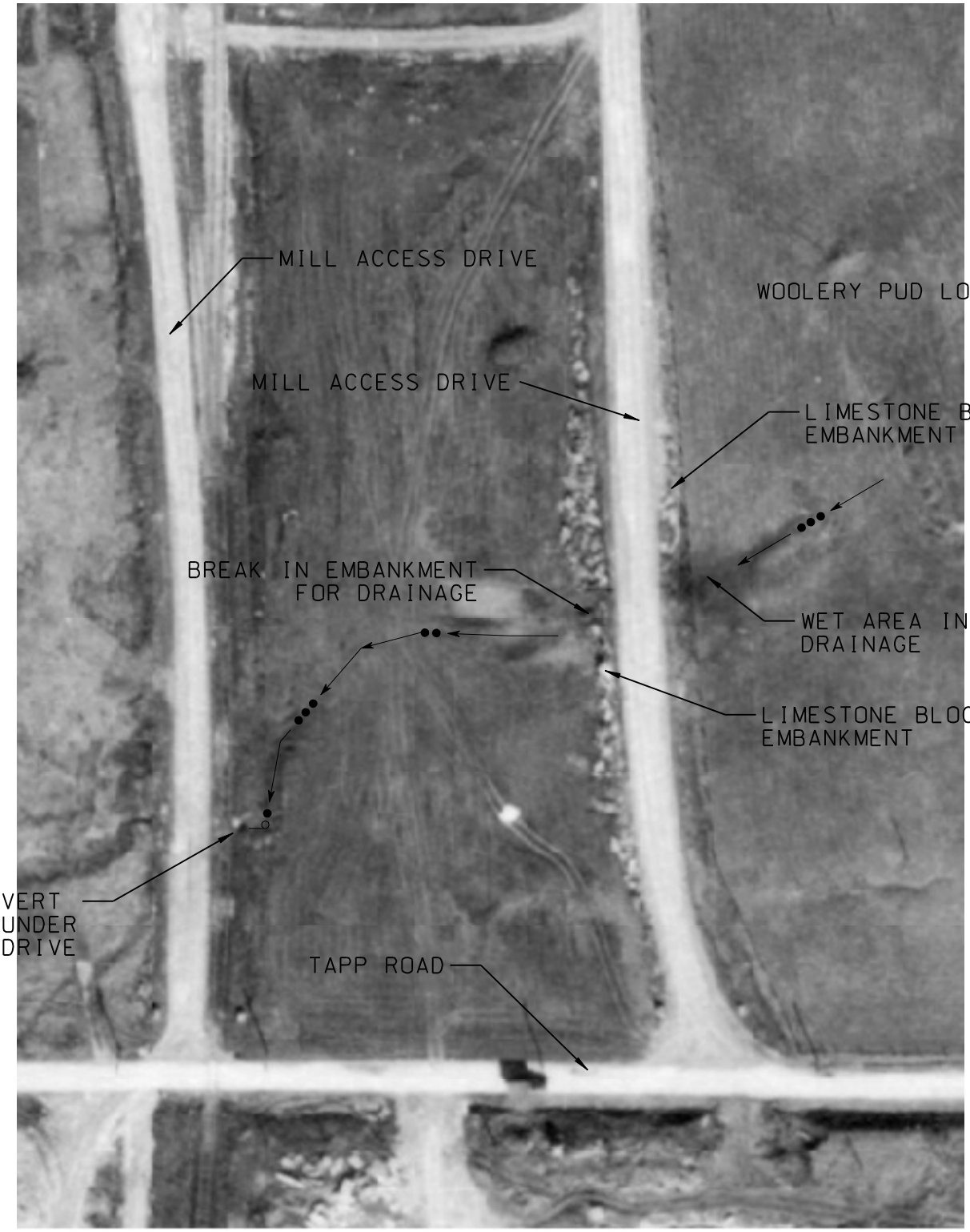

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EXHIBIT D

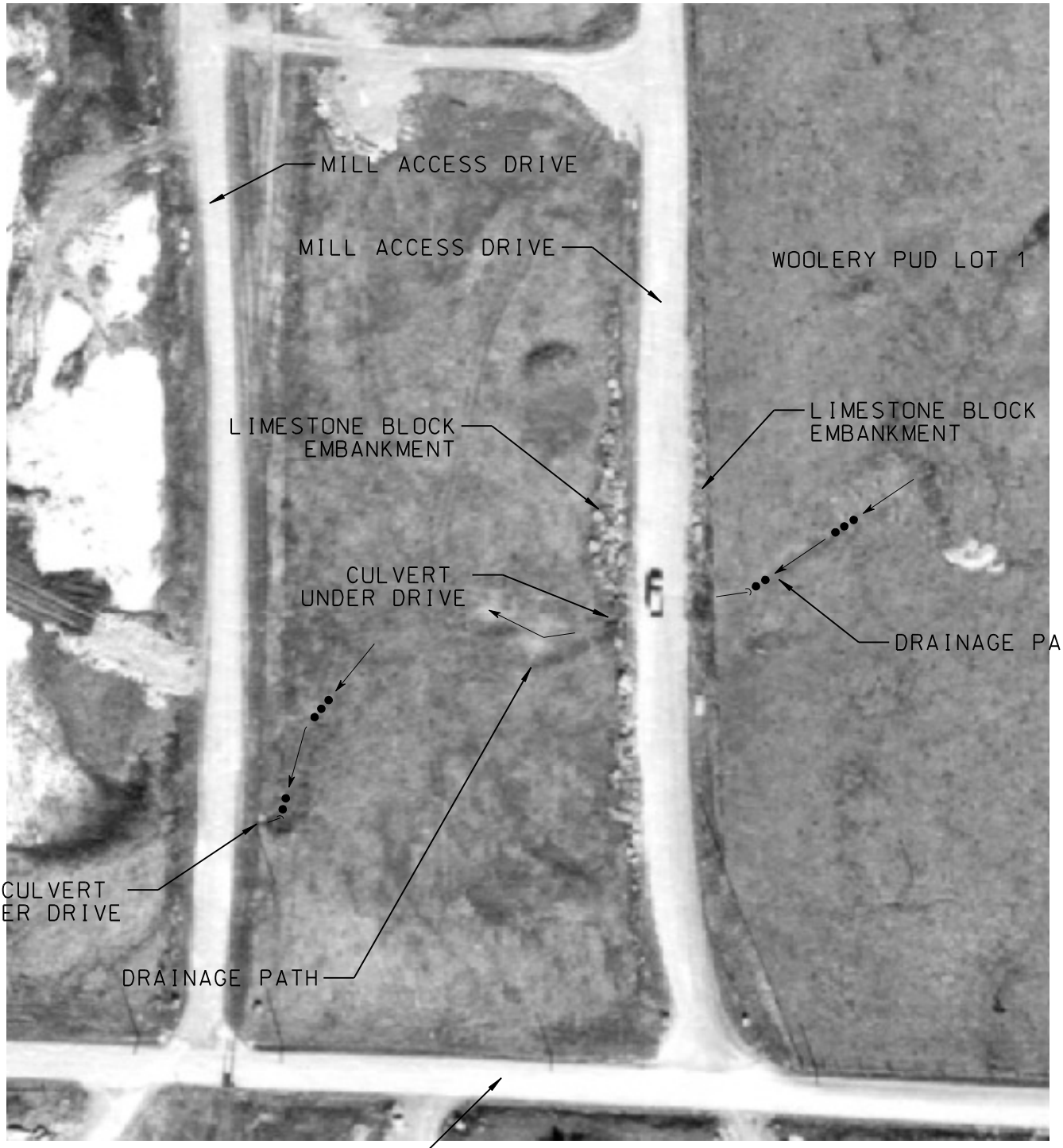

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EXHIBIT E

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EXHIBIT F

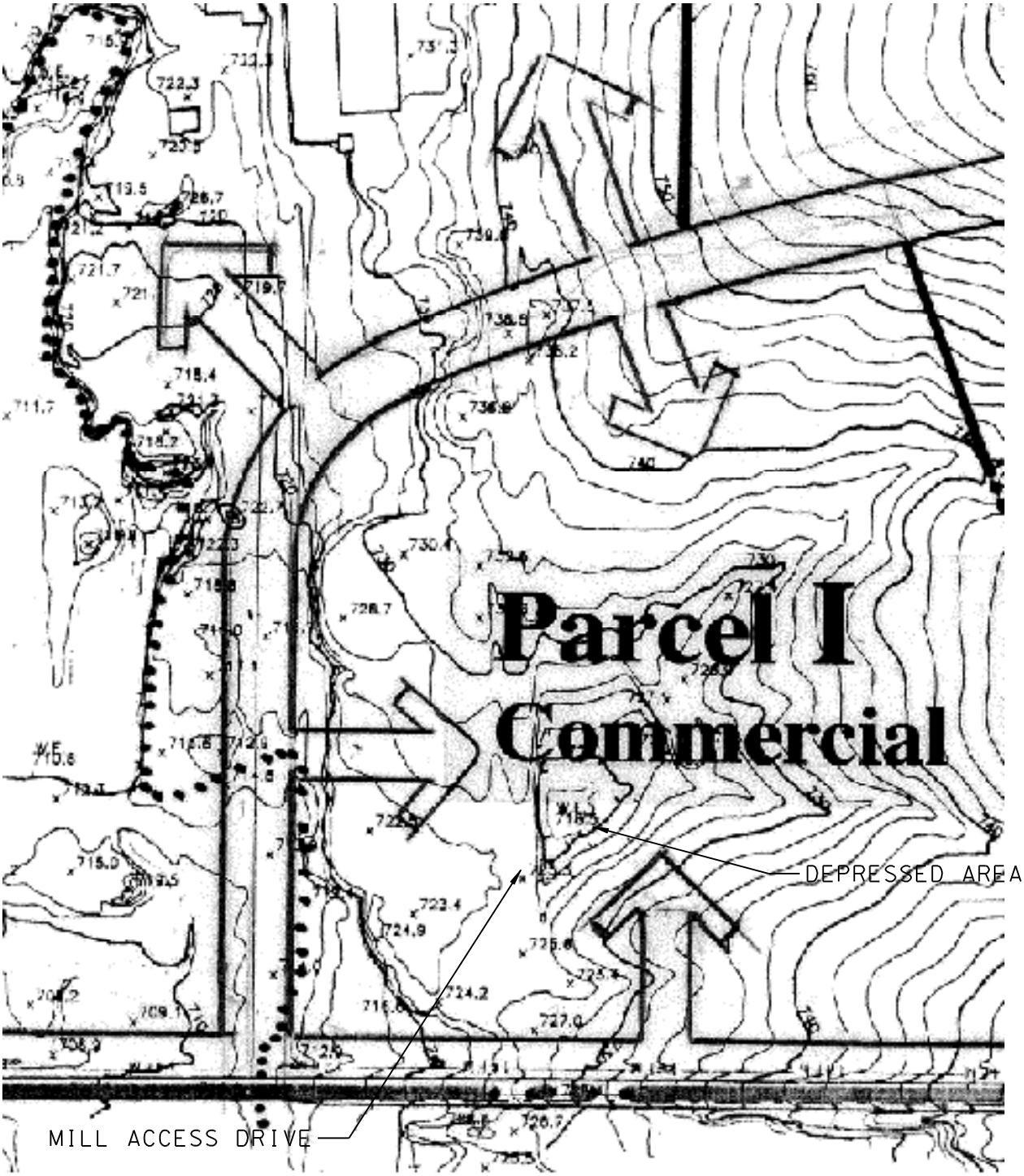

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EXHIBIT G

SQUARE CUT STONE VISIBLE.

SQUARE CUT STONE VISIBLE.

Smith Brehob & Associates, Inc.

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October 31, 1994

To: Tim Mueller

From: T. Micuda, K. Komisarcik, G. Heise,
M. Wedekind, P. Werner

Subj: RS/PUD/BA/BL/PCD-64-94 Woolery Stone Company 2080 & 2101 Tapp Rd.

For a description of the site and a general overview of environmental conditions, see our report for the October 10 Plan Commission meeting. This report will concentrate on specific recommendations.

Tree Preservation - Because existing trees are scattered and generally found on the perimeter boundaries of the site, there are great opportunities for tree preservation. The Environmental Commission recommends that the petitioners locate and design around these tree concentrations prior to submission of development plans to staff. The Environmental Commission expects the petitioners to utilize setback variances, adjusted lot configurations, retaining walls, and common space if they are necessary to achieve tree preservation goals. The most important areas for tree preservation on the site include a grove of oaks and hickories between Parcels E and F, some oaks, maples, beeches, and tulip poplars on the northwest and eastern portions of Parcel H, and a nice grove of sugar maples on Parcel J.

Floodway/Wetland Preservation - The western portion of Parcel A is located in an urban floodway zone. This zone consists of a stream which runs parallel to Weimer Road, several small, open ponds, one small wetland pond, and a much larger wetland pond. This is a high quality wildlife habitat that is proximate to areas that have suffered flooding problems from Twin Lakes dam. The Environmental Commission would be very resistant to future proposals involving cut and fill in this floodway zone and recommends that this area be preserved in its natural state. There is also an intermittent stream with a special conservancy zoning status located in the central portion of the property. The Environmental Commission is much less concerned about this stream because of its lack of streamside vegetation and its heavy agricultural use. We do not have any objections to the detention basins proposed for this stream.

Karst Topography - There are sinkholes on the property, including a larger sink on Parcel J and a series of sinkholes on the northern portion of Parcel H. We also observed shallow depth-to-bedrock throughout the site. The Environmental Commission recommends that all sinkholes be located prior to development plan stage and that the petitioners submit information about depth-to-bedrock throughout the site. In general, our recommendations for sinkhole protection are as follows:

1. to avoid increasing stormwater runoff into sinkholes
2. to avoid the location of structures, utility cuts, and roads over karst features
3. to protect existing vegetation surrounding sinkholes

Landscaping and Erosion Control - These issues will be addressed at development plan stage.

70

E.C. Report
RS/PUD-BA/BL/PCD-64-94

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Providing professional land planning, design, surveying and approval processing for a sustainable environment.

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Todd M. Borgman PLS
Katherine E. Stein, P.E.
Donald J. Kocarek, LA.

MEMORANDUM

To: Eric Greulich
From: Steve Brehob
Date: 3-01-17
Re: Woolery Lot 1 – Adams Village Expansion
Trip Generation

Summary

Total traffic volume generated by the site will be greater with site development as a shopping center as opposed to a multifamily development. However AM peak traffic volume will be higher with a multifamily development as people are leaving and returning from work when the shopping center may not be open at the peak times for traffic on Tapp Road. Specific uses within the shopping center could skew that finding to generate a higher AM peak if a large breakfast restaurant were included in the shopping center.

Background

The site is approximately 8 acres in size and is zoned for commercial development. The proposed PUD Outline Plan Amendment would add multifamily residential to the list of approved uses on the parcel. The conceptual plan for multifamily development indicates a total of 111 units (168 beds). A comparison was made for traffic volumes based on data available in the ITE Manual, 7th Edition for codes 220 Apartments and 820 Shopping Center

<u>Traffic Generation – Multifamily</u>

Average Vehicle Trip Ends vs. Dwelling Units on a Weekday
50% entering, 50% exiting
T = 6.01(X)+150.35 = 6.01(111 units)+150.35 = 817.46 trips

Average Vehicle Trip Ends vs. Dwelling Units – AM Peak
20% entering, 80% exiting
T=0.49(X)+3.73 = 0.49(111)+3.73 = 58.12 trips

Average Vehicle Trip Ends vs. Dwelling Units – PM Peak
65% entering, 35% exiting
T=0.55(X)+17.65 = 0.55(111)+17.65 = 78.70 trips

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Average Vehicle Trip Ends vs. Dwelling Units – Saturday
50% entering, 50% exiting
T=7.85(X)-256.19 = 7.85(111)-256.19 = 615.16 trips

Average Vehicle Trip Ends vs. Dwelling Units – Sunday
50% entering, 50% exiting
T=6.42(X)-101.12 = 6.42(111)-101.12 = 611.50 trips

Traffic Generation – Shopping Center

Using a rule of thumb of 10,000 SF leasable area per acre , assume 80,000 SF of shopping center

Average Vehicle Trip Ends vs. Square foot leasable area
50% entering, 50% exiting
LnT = 0.65Ln(X)+5.83 = 0.65Ln(80)+5.83 = 5874 trips

Hourly variations for shopping centers of less than 100,000 SF indicate that the highest percentage of entering traffic for a shopping center is 5-6 pm (10.3% of total ADT) and the highest period of exiting traffic is also at 5-6 pm (11.0% ADT). The table does not list variation times prior to 10:00 am. Using those variations, it could be anticipated that the PM peak would be in the range of 587 to 646 vehicles.

PETITIONER'S STATEMENT

Regency Consolidated Residential LLC ("Petitioner" or "RCR") petitions for an amendment to the Woolery Farm PUD pertaining to Parcel I to add multi-family residential use and site – specific development standards. The original PUD outline plan was approved in 1995 comprising 170 acres, primarily along the north side of Tapp Road with a smaller parcel on the south side of Tapp Road.

Parcel I in the original PUD was 13.5 acres approved for arterial commercial land uses. Through a series of PUD Amendments, Parcel I has been reduced and partially used and now consists of 8.02 acres. Parcel I is located in the southwest corner of the PUD with frontage on Tapp Road.

Parcel I remains undeveloped in the more than 20 years subsequent to the PUD approval. Adjacent to Parcel I is Adams Village, a multi-family residential development constructed in three (3) phases. Regency Consolidated Residential purchased Phase I of Adams Village already constructed and expanded Adams Village with subsequent phases. Regency now seeks to add Phase IV for the Adams Village development with additional multi-family housing.

Development standards to be applied to multi-family use will be consistent with the residential high intensity development (RH) under the Uniform Development Ordinance. Architectural standards, lighting, landscaping, pervious surface area, density and other development standards for the RH zone would apply except for specific deviations stated herein. Petitioner proposes a parking plan that has 76 surface level spaces. Townhome apartments will have interior garages.

The project consists of 1and 2 bedroom apartments. The DUE will be well under the RH standard of 15 DUE/acre. The conceptual plan calculates DUEs at 11.28/acre. The bedroom and apartment configuration is for all 1-bedroom units as flats. The 2-bedroom apartments will be 33 townhomes and 24 flats. The 33 townhome apartments will have interior garages.

Development of the parcel as an expansion of Adams Village will an eastside connection by an interior street to the existing Adams Village to allow for all residents throughout the Adams Village complex to make use of common space and tenant amenities, including a pool, clubhouse and fitness center. Direct access to Tapp Road (south side) and Sunstone Drive (north side) provides access to public roads.

Petitioner will dedicate 10% of the apartments to a workforce housing program, wherein rent structure is priced based on workforce housing standards.

The original PUD anticipated a commercial development of Parcel I. This parcel has been available for over 20 years and there has been a concerted effort to develop it commercially over the last 3 ½ years, but it remains undeveloped. Petitioner has analyzed housing requirements in the existing tenant mix in Adams Village. Market niche for housing is heavily weighted toward tenants seeking shorter, moderate term rental periods, one and two years, with a heavy emphasis on employment at Crane. Tenants are seeking housing in the Bloomington area, but with close access to I-69 for commuting to Crane. The available commercial zone ground adjacent to I-69 and specifically commercial zoned ground at the Tapp Road and I-69 interchange is more likely

to capture available commercial development for the foreseeable future. Commercial developments generally are seeking exposure and access to I-69 that cannot be equaled at Parcel I being further distant from the access to I-69.

Petitioner proposes a multi-family complex consisting of 111 units. The apartments are designed to attract families with young children and residents without children in the household. The tenant amenities to be included are intended to serve tenant needs for young families, including recreation areas, the pool, fitness center and access to a walking trail and large open green space, but with modern apartment construction and a garage for use for vehicle storage or tenant storage. The apartments are larger than average 1 and 2 bedroom apartments at approximately 850 square feet for 1-BR units and 2-BR units ranging from 1080 square feet to 1450 square feet. The development will provide modern construction and efficiencies with tenant amenities with a work force housing component. Work force housing does not mean austere, older or "bare bones" housing. The multi-family use helps meet a market need on the west side of Bloomington.

Minor deviations from the full RH development standards:

1. RH standard is 15' side yard setback for buildings. Along the south east property line, adjacent to green space on the existing Adams Village development, request 10' sideyard setback.

2. Building height. RH standard is 50'. Establish height ranging from 53' to 63', adapting buildings to grade changes

Site Plan commitments

1. Connectivity to Adams Village, Tapp Road and Sunstone Drive
2. On-site recycling
3. Landscape plan to use native plants

Michael L. Carmin
Attorney for Petitioner

401382 / 23596-2

Regency Consolidated Residential LLC
Environmental/Sustainability Plans
For
Adams Village Expansion
Bloomington, IN
March 1, 2017

1. Execution
    a. Architect and General Contractor to have LEED credentials

2. Site
    a. Use of Bio-Retention with Bio-Filtration of rain/surface water with the Rain Gardens to enhance water quality for storm water discharge from this site AND from the existing Adams Village site as the existing Adams Village site drains through this site and was developed prior to the implementation of water quality enhancement practices.
    b. Retain all topsoil on site to be used to create ambient features in the open areas
    c. Use of all native plant material in the landscape design and permit no invasive plants
    d. Where natural flow of water so permits, direct rooftop water to rain gardens.
    e. Use of natural lawns (native prairie grasses) in lieu of turf grasses within the perimeter buffer areas.
    f. Non-toxic pest control
    g. Reduce light pollution – provide Dark Sky Friendly exterior lighting Drought tolerant plants
    h. Energy efficient exterior lighting

3. Resident
    a. Condensed Building Density to allow for increased open space
    b. Access to open space by all the residents of Adams Village
    c. Design of exterior feature areas for resident interactions in an environmentally friendly manner.
    d. Encourage biking – Since the site is located near the Clear Creek Trail, additional bicycle storage facilities above what are required by code. Secured parking inside a structure.
    e. Property Management Providing
        i. Bulletin board for ride-sharing
        ii. Proactive media campaign recommending recycling and other matters to sustain the environment.
        iii. Resident programs of bicycling, walking, exercising and use of the exterior green areas.

        iv. Duke Energy Saving tips to save energy.
    f. Encourage recycling through easy-access recycling areas.

4. Building Improvements
    a. Enhanced air filters in residential units
    b. Indoor contaminant control during construction
    c. Preoccupancy flush of buildings with fresh air
    d. Enhanced building insulation – R21 in walls
    e. Reduced envelope leakage
    f. High efficiency HVAC (SEER rating)
    g. Hot water pipe insulation
    h. Efficient plumbing fixtures (low flow toilets, showers and faucets)
    i. Energy Star residential appliances
    j. Water efficient clothes washers
    k. Low emitting materials - VOC (adhesives, paints, flooring)
    l. Improved daylight and views
    m. Comply With REScheck software program for energy compliance
    n. Provide a WUFI analysis to ensure that the building envelope is appropriate for the climate zone
    o. Project Office Building
        i. Built to same environmental standards as the residential units.
        ii. Provide occupancy sensors in the Lease Office
        iii. Walk-off mats in the office.
        iv. Smoke-free environment

NILES BOLTON ASSOCIATES

NILES BOLTON ASSOCIATES

ADAMS VILLAGE - BLOOMINGTON, IN

SCHEMATIC DESIGN

January 30, 2017

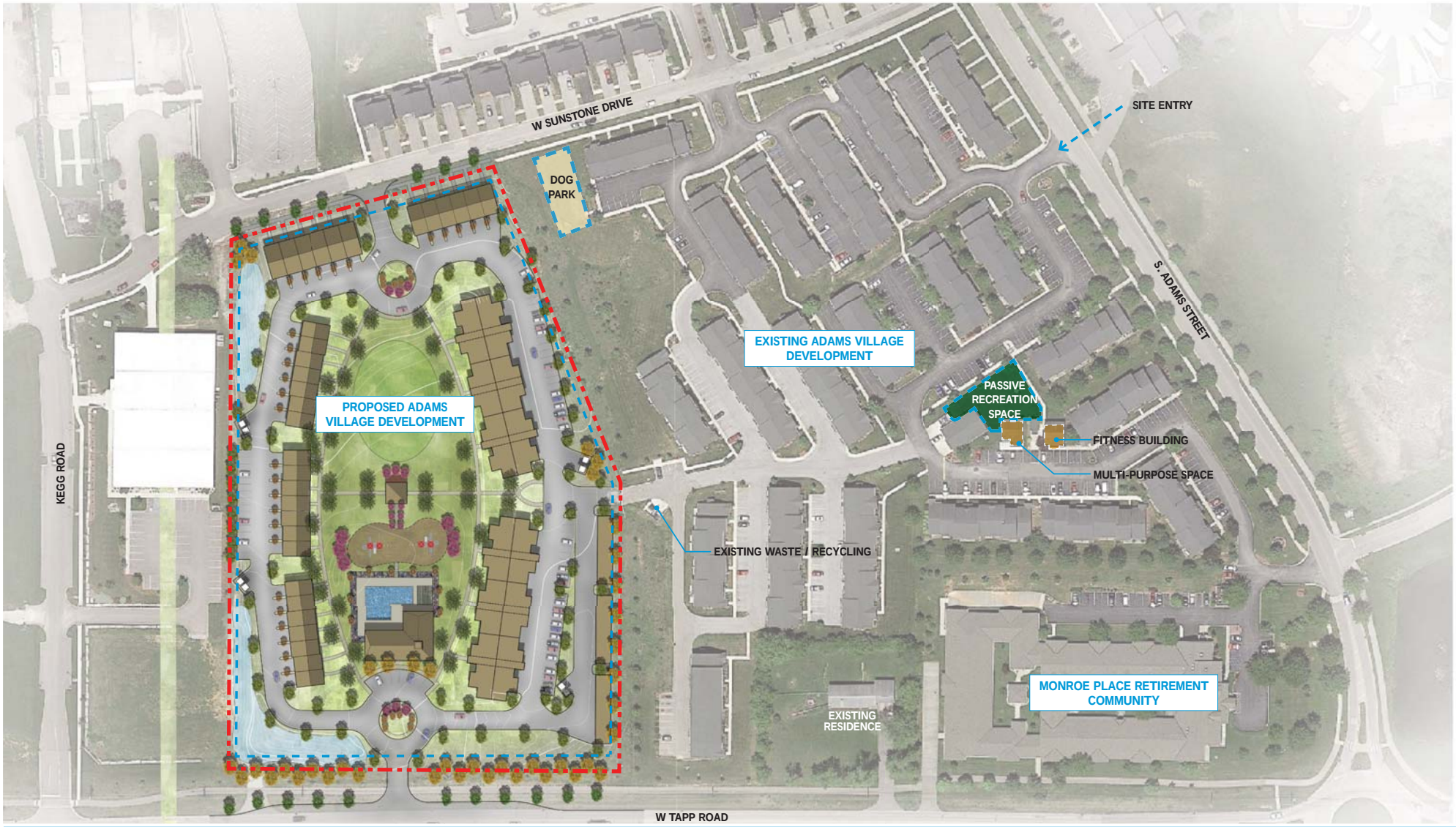
A RESIDENTIAL COMMUNITY TO BE DEVELOPED BY:

REGENCY CONSOLIDATED RESIDENTIAL, LLC

NILES BOLTON ASSOCIATES

Overall Site Plan - Context Map

Adams Village - Bloomington, IN



Regency Consolidated Residential, LLC| 01.30.17| Scale:1:120|

NILES BOLTON ASSOCIATES

Schematic Design - Site Plan

Adams Village - Bloomington, IN

SITE KEY:

- 15' SETBACK BUILDING - FRONT / SIDE
- 20' SETBACK - FRONT PARKING
- 10' SETBACK - SIDE PARKING / BUFFER YARD

PROJECT DATA:

SITE AREA: 8 ACRES +/-

RESIDENTIAL:

TOWNHOMES (TYPE A AND B)

33 (2) BED UNITS = **66 BEDS TOTAL**

FLATS (TYPE C)

12 (2) BED UNITS = 24 BEDS
24 (1) BED UNITS = 24 BEDS
36 UNITS/BLDG = 48 BEDS/BLDG

@ 2 BUILDINGS
72 UNITS TOTAL = **96 BEDS TOTAL**

CARRIAGE UNITS (TYPE D)

2 (1) BED UNITS = 2 BEDS

@ 3 BUILDINGS
6 UNITS TOTAL = **6 BEDS TOTAL**

TOTAL UNIT TYPES:

1 BEDROOM=54 units
2 BEDROOM=57 units
111 TOTAL UNITS = 168 TOTAL BEDS

PARKING:

GARAGE SPACES:	
TOWNHOME GARAGES:	33
FLAT GARAGES:	24
CARRIAGE GARAGES:	24
TOTAL GARAGE SPACES	**81**
TOTAL SURFACE SPACES:	**76**
TOTAL PARKING SPACES:	**157**
(0.93 SPACES/BED)	
(1.41 SPACES/UNIT)	

PERVIOUS / IMPERVIOUS STUDY:

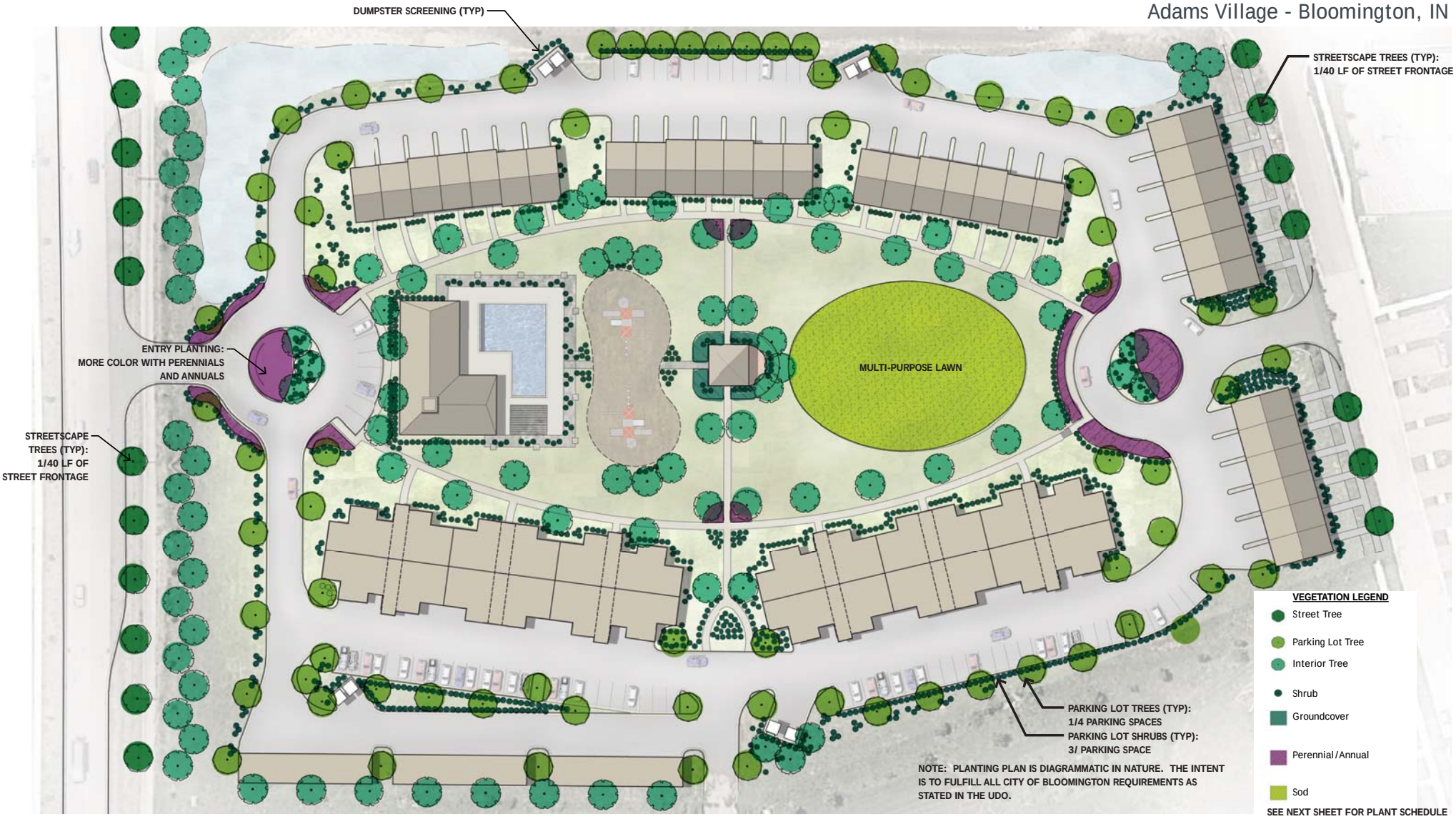
SITE AREA: 357,767 SF

PERVIOUS: 183,673 (51%)

IMPERVIOUS: 174,094 SF (49%)

Conceptual Planting Plan

Adams Village - Bloomington, IN



SEE NEXT SHEET FOR PLANT SCHEDULE

Conceptual Planting Plan

Adams Village - Bloomington, IN

CONCEPT PLANT SCHEDULE

STREET TREES
FAGUS GRANDIFOLIA / AMERICAN BEECH
QUERCUS ALBA / WHITE OAK
QUERCUS RUBRA / RED OAK

PARKING LOT TREES
ACER RUBRUM / RED MAPLE
CRATAEGUS PHAENOPYRUM / WASHINGTON HAWTHORN

INTERIOR TREES
ACER GRISEUM / PAPERBARK MAPLE
ACER RUBRUM "AUTUMN FLAME" / AUTUMN FLAME MAPLE
AMELANCHIER ARBOREA / DOWNY SERVICEBERRY
CARYA CORDIFORMIS / BITTERNUT HICKORY
CARYA TOMENTOSA / MOCKNUT HICKORY
ILEX OPACA / AMERICAN HOLLY
JUGLANS NIGRA / BLACK WALNUT
PRUNUS SERRULATA / JAPANESE FLOWERING CHERRY
SASSAFRAS ALBIDUM / SASSAFRAS
TSUGA CANADENSIS / CANADIAN HEMLOCK

SHRUBS
BUXUS SEMPERVIRENS / AMERICAN BOXWOOD
CALYCANTHUS FLORIDUS / SWEET SHRUB
CHAMAECYPARIS SPP / FALSE CYPRESS
HYDRANGEA QUERCIFOLIA / OAKLEAF HYDRANGEA
ILEX VERTICILLATA / WINTERBERRY
ITEA VIRGINICA / VIRGINIA WILLOW
JUNIPERUS SPP / JUNIPER SPECIES
PHYSOCARPUS OPULIFOLIUS / NINEBARK
RHODODENDRON SPP / RHODODENDRON SPECIES
TAXUS CANADENSIS / AMERICAN YEW

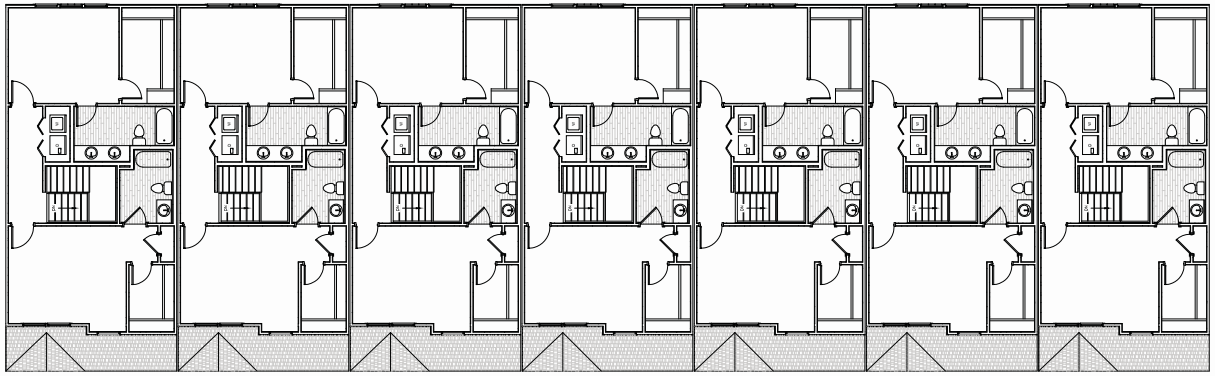
GROUNDCOVER
BOUTELOUA CURTIPENDULA / SIDE OATS GRAMA
CHRYSOGONUM VIRGINIANUM / GOLDEN STAR
PANICUM VIRGATUM / SWITCH GRASS
PARTHENOCISSUS QUINQUEFOLIA / VIRGINA CREEPER
PHLOX SUBULATA / MOSS PHLOX
POLYSTICHUM ACROSTICHOIDES / CHRISTMAS FERN

PERENNIALS
ECHINACEA PURPUREA / PURPLE CONEFLOWER
EUPATORIUM MACULATUM / JOE PYE WEED
HOSTA SPP / HOSTA SPECIES
PHLOX DIVARICATA / WILD BLUE PHLOX
RUDBECKIA HIRTA / BLACK-EYED SUSAN

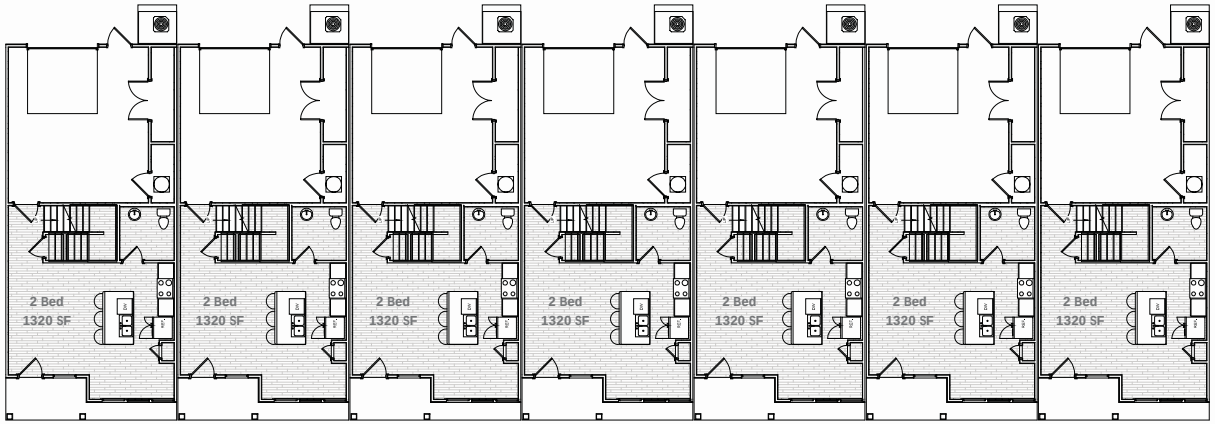
SOD
CYNODON DACTYLON "CELEBRATION" / CELEBRATION BERMUDA GRASS

Townhome Plan - (Building Type A)

Adams Village - Bloomington, IN



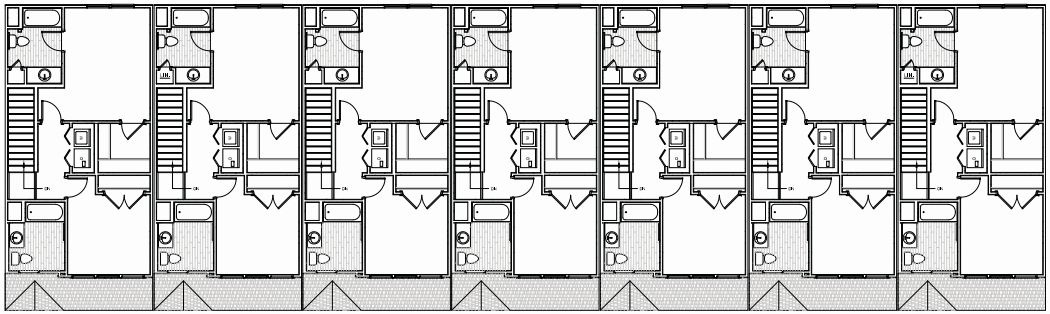
Level 2



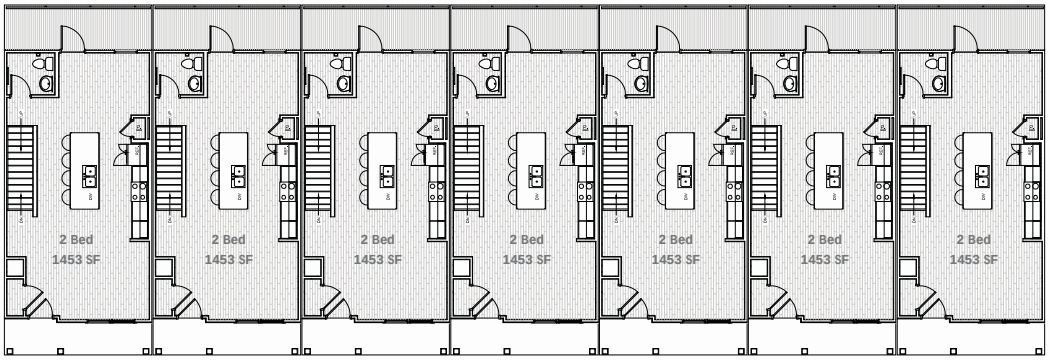
Level 1

Townhome Plan - Levels 1-3 - (Building Type B)

Adams Village - Bloomington, IN



Level 3



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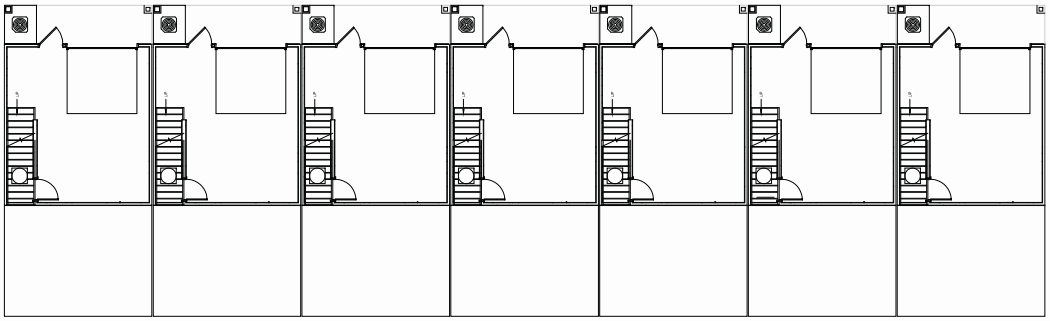
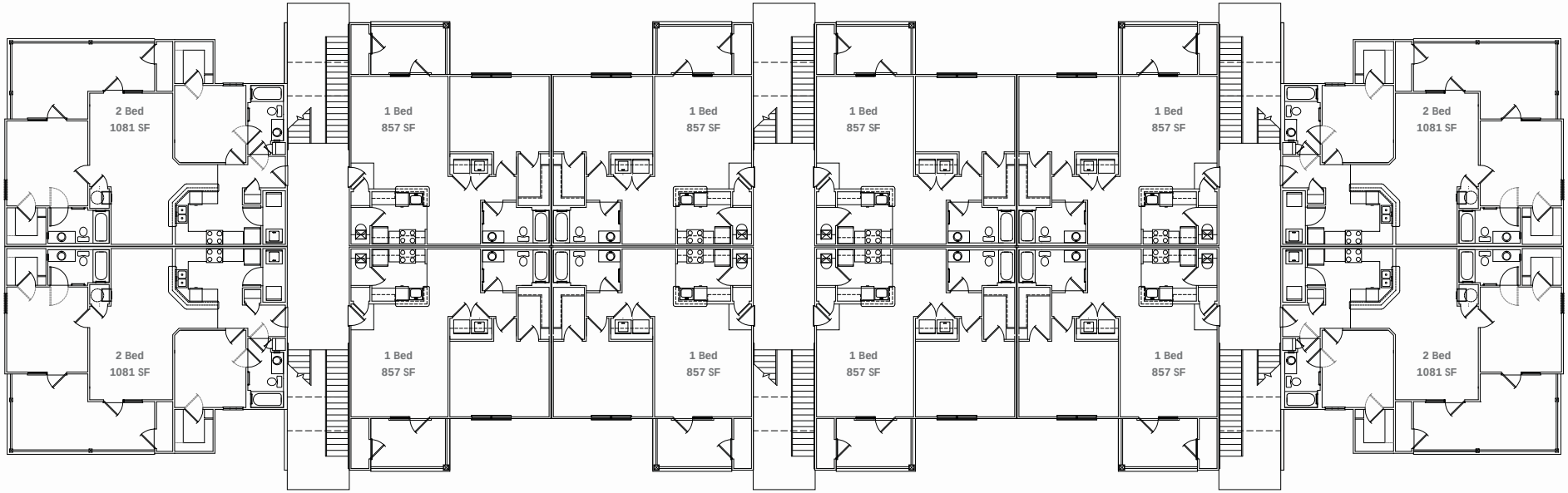


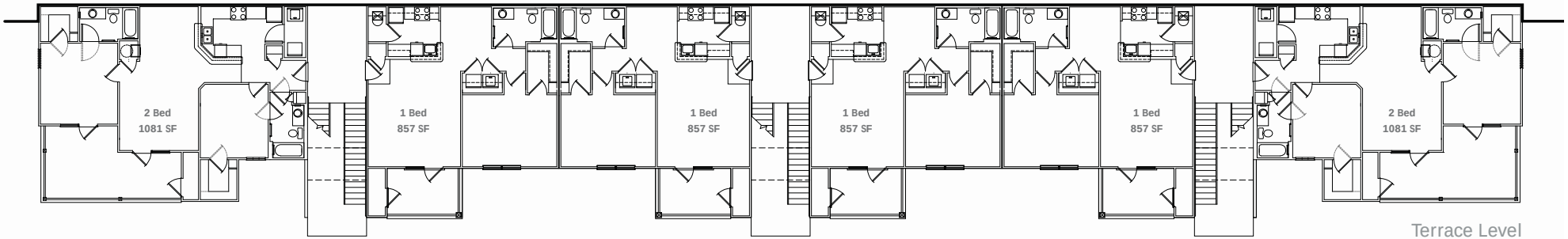
Level 1

Flats Building Plan - (Building Type C)

Adams Village - Bloomington, IN



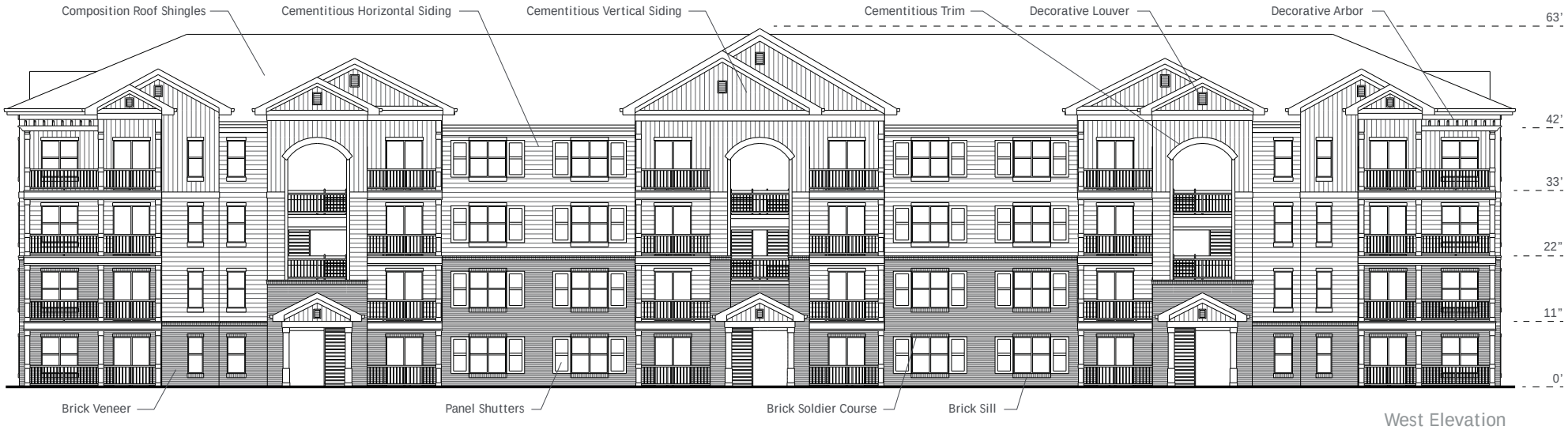
Levels 3 and 4



Terrace Level

Flats Building Elevation - (Building Type C)

Adams Village - Bloomington, IN



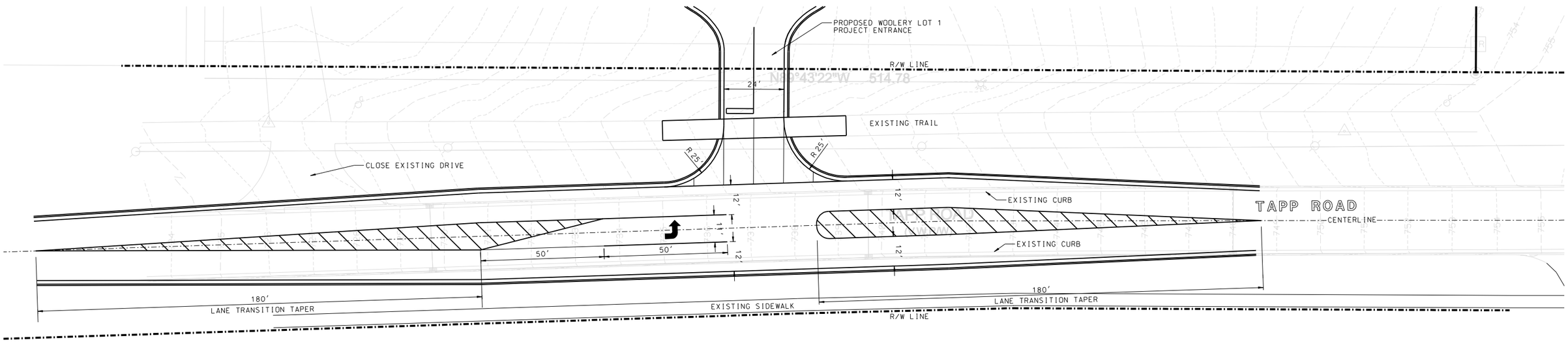
West Elevation

South Elevation

Schematic Design - Perspective Rendering

Adams Village - Bloomington, IN

WOOLERY PUD LOT 1
LEFT TURN LANE
CONCEPTUAL PLAN



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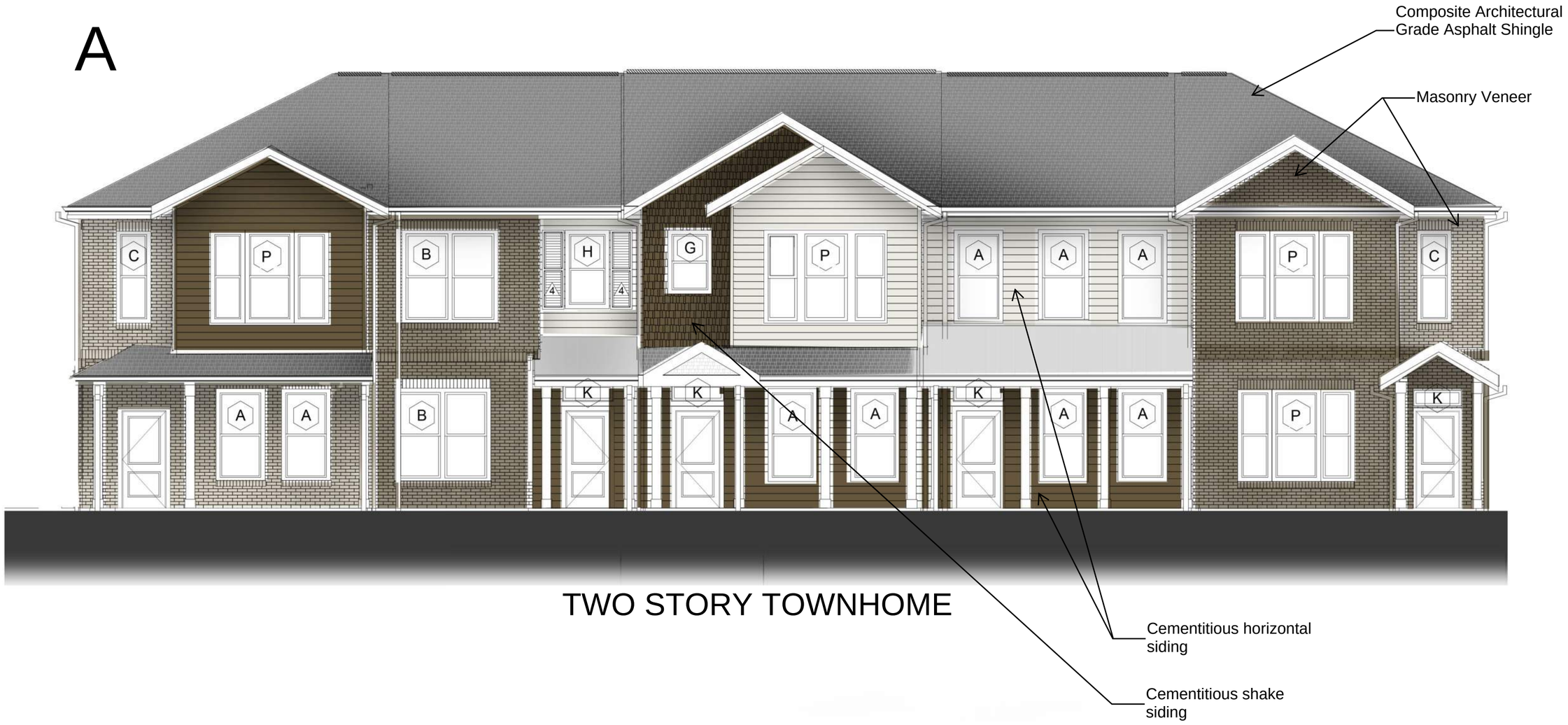
A



TWO STORY TOWNHOME

B

THREE STORY TOWNHOME