

# City of Bloomington Common Council

## Legislative Packet

Containing legislation and materials related to:

Wednesday, 27 January 2021

5:30 PM - Administration Committee

6:30 PM - Committee of the Whole

*\*Please see the notes on the [Agenda](#) addressing public meetings during the public health emergency. For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*



# CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:  
ADMINISTRATION COMMITTEE  
WEDNESDAY | 5:30 PM  
27 JANUARY 2021

*Per Executive Orders issued by the Governor, this meeting will be conducted electronically.*

*The public may access the meeting at the following link:*

<https://bloomington.zoom.us/j/92920338535?pwd=ZDBsOTFoeWJvTUluZzJleUFvR2xuQT09>

**Chair: Steve Volan**

- A. Ordinance 21-03 (formerly Ordinance 20-33) – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” – Re: Chapter 2.02 (Boards and Commissions – revised) and Chapter 2.04 (Common Council – revised)

## STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

*As a result of Executive Orders issued by Indiana Governor Eric Holcomb, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:*

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to [council@bloomington.in.gov](mailto:council@bloomington.in.gov)).*

*Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.*

**--Continued on next page--**

**Posted: 22 January 2021**



# CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:  
COMMITTEE OF THE WHOLE  
WEDNESDAY | 6:30 PM  
27 JANUARY 2021

*Per Executive Orders issued by the Governor, this meeting will be conducted electronically.*

*The public may access the meeting at the following link:*

<https://bloomington.zoom.us/j/92920338535?pwd=ZDBsOTFoeWJvTUluZzJleUFvR2xuQT09>

**Chair: Ron Smith**

- A. Ordinance 21-04 – To Amend Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Kohr Building Historic District
- B. Ordinance 21-05 - To Amend Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection” To Establish a Historic District – Re: The Boxman-Mitchell Building Historic District

Asked to Attend:   Conor Herterich, Program Manager - Historic Preservation

## STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

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- *allowing members of the Council or its committees to participate in meetings electronically;*
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- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to [council@bloomington.in.gov](mailto:council@bloomington.in.gov)).*

*Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.*

Posted: 22 January 2021



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

**Wednesday, 27 January 2021**

***Administration Committee - 5:30 pm***

***Committee of the Whole - 6:30 pm***

*Per [Executive Orders](#) issued by the Governor, these meetings will be conducted electronically.*

*The public may access the meetings at the following link:*

*<https://bloomington.zoom.us/j/92920338535?pwd=ZDBsOTFoeWJvTUluZzJleUFvR2xuQT09>*

**STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY**

*As a result of Executive Orders issued by Indiana Governor Eric Holcomb, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:*

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to [council@bloomington.in.gov](mailto:council@bloomington.in.gov)).*

*Please check <https://bloomington.in.gov/council> for the most up-to-date information*

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





## MEMO FROM COUNCIL OFFICE ON:

### **Ordinance 21-03 (formerly Ordinance 20-33) – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” - Re: Chapter 2.02 (Boards and Commissions – revised) and Chapter 2.04 (Common Council – revised)**

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#### **Background**

This legislation was first introduced during the Special Session on Wednesday, December 9, 2020 under the title Ordinance 20-33 and was referred to the Administration Committee, which met that same night. During that Administration Committee meeting, it was moved and seconded to postpone committee deliberations for Ordinance 20-33 to a future Administration Committee meeting. The motion passed with a vote of 3-0-1.

During the Regular Session on January 13, 2021, the Council reintroduced the ordinance under a new number, Ordinance 21-03, to reflect the start of a new year. The Council also extended the time for the Administration Committee to report on the item to the Regular Session on February 3, 2021.

#### **Synopsis**

This ordinance is sponsored by Councilmember Volan and would amend portions of Title 2 of the Bloomington Municipal Code entitled “Administration and Personnel.” The ordinance makes the following changes:

- It requires that certain information about each city board or commission be maintained on the city’s website and revises the process to be followed upon a board or commission vacancy.
- It revises BMC Section 2.04.255 (“Committees – Scheduling”) to clarify council committee scheduling and the process of referring legislation to a council committee.
- It revises BMC Section 2.04.270 (“Ordinances and resolutions—Filing, copies and agendas”) to specify that the Council President is authorized to approve the agendas for committee meetings convened to consider legislation referred to them.
- It deletes BMC Section 2.04.290 (“Ordinances and resolutions—Fiscal impact statement required”).

*Note: This ordinance was revised after distribution in the Legislative Packet but before being introduced for first reading at the December 9, 2020 Special Session. The revision added the third Whereas clause, inserted a new Section 4, amended Section 5 to clarify council committees shall not meet to hear legislation during any scheduled summer recess, and renumbered subsequent sections accordingly.*



*Also note: This ordinance was previously introduced and discussed under the former number Ordinance 20-33, but was renumbered as Ordinance 21-03 and revised with an updated signature block to reflect the new year and election of a new Council President on January 6, 2021.*

### **Relevant Materials**

- Ordinance 21-03 (formerly Ord 20-33)
- Relevant portions of Bloomington Municipal Code Chapters 2.02 and 2.04 with proposed changes tracked
- Draft fiscal impact statement
- Fiscal Impact Statement for Ordinance 21-03 forthcoming

### **Summary**

Ordinance 21-03 (formerly Ord 20-33) proposes changes to various provisions in Bloomington Municipal Code Title 2.

First, Sections 1-3 of the ordinance revise the process to be followed when a vacancy occurs on a city board or commission. The process currently called for by local code was adopted in 1976 by Ordinance 76-27. It requires the creation of a synopsis containing certain information about the vacancy and the board, and calls for that synopsis and a statement on how to apply to the board to be sent to the local media at least fifteen days (except in certain emergency situations) before an appointment can be made.

The process proposed by Ordinance 21-03 would require that relevant information about each city board or commission be available and maintained on the city's website. When a vacancy occurs, the ordinance would require that an announcement be sent to the local media. That announcement would need to contain the relevant information about the particular board or commission (or direct the public to the information available on the city's website) along with a statement on how members of the public can apply for the vacancy

Second, Section 4 of the ordinance revises BMC 2.04.255 in a number of ways:

- It specifies that council committees (including the committee of the whole or standing committees) convened to consider legislation shall meet on second or fourth Wednesdays of each month, unless cancelled or otherwise rescheduled by a majority vote of the Council.
- It eliminates a provision that calls for committee of the whole meetings to convene at 6:30 p.m. local time so that meetings of the committee of the whole can be scheduled alongside standing committee meetings with more flexibility.
- It authorizes the council president to make a referral of legislation to the appropriate council committee when legislation is introduced, but states that such a referral can be changed by a motion of the council with a majority vote. The



requirement that a motion to refer legislation to a standing committee be entertained before a motion for referral to committee of the whole remains in place.

- It allows the council president to schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.

Third, Section 5 of the ordinance revises BMC 2.04.270 to clarify that the council president shall approve the agendas for committee meetings convened to consider referred legislation.

Finally, Section 6 eliminates BMC 2.04.290, which currently requires the submittal of fiscal impact statements with every piece of legislation. This code section was adopted in 1979 by [Ordinance 79-97](#), though prior ordinances ([Ordinance 77-23](#); [Ordinance 78-71](#)) contained earlier iterations of the same requirement. In 2013, with [Ordinance 13-05](#), the Council revised this code section to eliminate a provision that required a super-majority of the Council to avoid deferring a piece of legislation when someone asserted that the fiscal impact statement requirement had not been satisfied. [Ordinance 13-05](#) also acknowledged that the submittal of fiscal impact statements had not been practiced in decades, but called for the provision to be made workable by the development of rules to facilitate the implementation of the provision. Subsequently, a fiscal impact statement template (included in this packet) was created, but it appears that such statements were not submitted with legislation until 2020.

### Contact

Steve Volan, [volans@bloomington.in.gov](mailto:volans@bloomington.in.gov), (812) 349-3409

Stephen Lucas, [lucass@bloomington.in.gov](mailto:lucass@bloomington.in.gov), (812) 349-3409

## ORDINANCE 21-03

### TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED “ADMINISTRATION AND PERSONNEL” –

#### Re: Chapter 2.02 (Boards and Commissions – *revised*) and Chapter 2.04 (Common Council – *revised*)

WHEREAS, portions of Title 2 of the Bloomington Municipal Code (“BMC”) have not been updated in decades, and a review of such has determined that Chapters 2.02 and 2.04 should be amended; and

WHEREAS, BMC Chapter 2.02, which details the process to be followed upon a board or commission vacancy, contains sections that have not been updated in over forty years and revisions to this process are needed to reflect changes in technology and availability of information; and

WHEREAS, since 2014, the Council has rescheduled its summer recess from August to allow the recess to begin in either June or July, and the practice of scheduling its summer recess as needed should be reflected in BMC 2.04.050; and

WHEREAS, the use of standing committees by the Common Council throughout 2020 has demonstrated that certain amendments should be made to BMC Sections 2.04.255 and 2.04.270; and

WHEREAS, as previously acknowledged in Ordinance 13-05, BMC Section 2.04.290 requires the submittal of fiscal impact statements with certain pieces of legislation, but had not been practiced for decades and such statements are not necessary; and

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

SECTION 1. Section 2.02.010 shall be deleted in its entirety and replaced with a new Section 2.02.010 entitled “Boards and Commissions - Public information required”, which shall read as follows and the amended title of the section shall be reflected in the table of contents for this chapter:

#### 2.02.010 – Boards and Commissions - Public information required.

Each city board or commission, or a city employee officially designated to facilitate the work of the board or commission, shall ensure that the following information about the board or commission is publicly available and accurately maintained on the city’s website:

- (1) The name of the board or commission;
- (2) The purpose or purview of the board or commission;
- (3) The current membership of the board or commission, including the term start and end dates for each seat;
- (4) Any requirements for eligibility;
- (5) The duties of the members on the board or commission;
- (6) An estimate of the time required to fulfill the duties; and
- (7) Compensation, if any is provided.

SECTION 2. Section 2.02.020 shall be deleted in its entirety and replaced with a new Section 2.02.020 entitled “Vacancy - Announcement”, which shall read as follows and the amended title of the section shall be reflected in the table of contents for this chapter:

2.02.020 – Vacancy-Announcement.

At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, an announcement shall be sent to the local media that either includes or directs the public to the information required by 2.02.010 about the board or commission. The announcement shall also include a statement on how to apply for the vacant position(s).

SECTION 3. Section 2.02.030 shall be amended by changing the word “synopsis” to “announcement” in the first sentence, so that the section shall read:

No appointments shall be made sooner than fifteen days after submission of the announcement to the media, unless the mayor declares to the common council that an emergency situation exists on a board or commission due to the vacancy, and the mayor recommends and common council votes unanimously to make the appointment before the fifteen days have run.

SECTION 4. Section 2.04.050(e) shall be amended to read as follows:

(e) "The council may choose to schedule a summer recess, provided the council meets at least once a month. If such a recess is scheduled, no legislation shall be heard for first reading at the final regular session prior to the recess."

SECTION 5. Section 2.04.255 shall be amended to read as follows:

(a) When a committee is to consider legislation referred by the council, it shall convene its meeting on the second or fourth Wednesday of the month. The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time. Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

(1) If more than one standing committee has had legislation referred to it during the same period of time, the committees shall not be scheduled at the same time, so that any council members may attend any meeting.

(2) Such committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.

(b) The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.

(c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1, and shall not meet to hear legislation during the Council’s official recess, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

SECTION 6. Section 2.04.270 shall be amended by revising the third sentence, so that the sentence shall read:

The president shall approve the agendas for regular sessions, special sessions called by the president or voted upon by the council, and committees convened to consider legislation referred to them, and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel.

SECTION 7. Section 2.04.290, entitled “Ordinances and resolutions—Fiscal impact statement required,” shall be deleted in its entirety.

SECTION 8. If any section, sentence, provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 9. This ordinance shall be in full force and effect from an after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JIM SIMS, 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 \_\_\_\_\_, 2020.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

## SYNOPSIS

This ordinance is sponsored by Councilmember Volan and would amend portions of Title 2 of the Bloomington Municipal Code entitled “Administration and Personnel.” The ordinance makes the following changes:

- It requires that certain information about each city board or commission be maintained on the city’s website and revises the process to be followed upon a board or commission vacancy.
- It revises BMC Section 2.04.050 (“Regular Meetings”) to clarify that the Council may schedule its summer recess as needed.
- It revises BMC Section 2.04.255 (“Committees – Scheduling”) to clarify council committee scheduling and the process of referring legislation to a council committee.
- It revises BMC Section 2.04.270 (“Ordinances and resolutions—Filing, copies and agendas”) to specify that the Council President is authorized to approve the agendas for committee meetings convened to consider legislation referred to them.
- It deletes BMC Section 2.04.290 (“Ordinances and resolutions—Fiscal impact statement required”).

*Note: This ordinance was revised after distribution in the Legislative Packet but before being introduced for first reading at the December 9, 2020 Special Session. The revision added the third Whereas clause, inserted a new Section 4, amended Section 5 to clarify council committees shall not meet to hear legislation during any scheduled summer recess, and renumbered subsequent sections accordingly.*

*Note: This ordinance was revised after distribution in the Legislative Packet and after it was introduced for first reading at the December 9, 2020 Special Session. The revision renumbered the legislation from Ord.20-33 to Ord 21-03; and updated the signature block by striking “Stephen Volan” and replacing it with “Jim Sims” to reflect the recent election of Councilmember Sims to Council President.*

Changes proposed by Ordinance 20-33 to:  
BMC CHAPTER 2.02 – BOARDS AND COMMISSIONS

**Bold** wording is proposed new language added.

~~Strikethrough~~ wording is language that is proposed to be deleted.

~~2.02.010 – Vacancy – Synopsis required.~~

~~At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, the city board or commission shall write a synopsis regarding the vacancy, giving the name of the board or commission, the number of vacancies and any requirements for eligibility, the duties of the position, an estimate of the time required to fulfill the duties, and compensation.~~

**2.02.010 – Boards and Commissions - Public information required.**

**Each city board or commission, or a city employee officially designated to facilitate the work of the board or commission, shall ensure that the following information about the board or commission is publicly available and accurately maintained on the city's website:**

- (1) The name of the board or commission;**
- (2) The purpose or purview of the board or commission;**
- (3) The current membership of the board or commission, including the term start and end dates for each seat;**
- (4) Any requirements for eligibility;**
- (5) The duties of the members on the board or commission;**
- (6) An estimate of the time required to fulfill the duties; and**
- (7) Compensation, if any is provided.**

~~2.02.020 – Synopsis – To be sent to local media.~~

~~The synopsis shall be sent to the mayor's office in the case of a mayoral appointment and to the common council office in the case of a council appointment. Upon receiving the synopsis, those offices shall edit them as necessary. They shall then be sent, together with a statement on how to apply for the position, to the local media.~~

**2.02.020 – Vacancy-Announcement.**

**At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, an announcement shall be sent to the local media that either includes or directs the public to the information required by 2.02.010 about the board or commission. The announcement shall also include a statement on how to apply for the vacant position(s).**



#### 2.02.030 - Appointments—Time limit before making.

No appointments shall be made sooner than fifteen days after submission of the ~~synopsis~~ **announcement** to the media, unless the mayor declares to the common council that an emergency situation exists on a board or commission due to the vacancy, and the mayor recommends and common council votes unanimously to make the appointment before the fifteen days have run.

#### 2.02.040 - Advisory appointments to city boards, commissions, and councils.

- (a) Except as set forth in part (d), city boards, commissions, and councils may expand their membership by no more than four members to serve in a non-voting advisory capacity. To do so, these entities shall adopt and file with the common council a motion which states their intention to expand their membership in this regard by a specified number of positions. As directed by BMC 2.08.020(2), the motion shall set forth the initial period of staggered terms and, after that period, the terms shall be the same length as other positions on those entities.
- (b) The appointments to these positions shall comply with this chapter and shall be made by the common council in the same manner as appointments to fill the other positions on these entities.
- (c) Expansion of a board, commission, or council under this section does not preclude those entities from engaging volunteers to assist in their activities.
- (d) The appointment of non-voting advisory members shall not be available for the following boards, commissions, and councils:
  - (1) Plan commission (Indiana Code § 36-7-4-207);
  - (2) Board of zoning appeals (Indiana Code § 36-7-4-902-903; 906);
  - (3) Board of public works (Indiana Code § 36-4-9-6);
  - (4) Utilities services board (Indiana Code § 8-1-2-100);
  - (5) Redevelopment commission (Indiana Code § 36-7-14-6.1 & 7);
  - (6) Common council;
  - (7) Economic development commission (Indiana Code § 36-7-12);
  - (8) Board of park commissioners (Indiana Code § 36-10-4-7);
  - (9) Housing authority (Indiana Code § 36-7-18);
  - (10) Bloomington industrial advisory commission (Indiana Code § 36-7-13);
  - (11) Public safety board (Indiana Code § 36-8);
  - (13) Bloomington Urban Enterprise Association (Indiana Code § 4-4-6.1-4);
  - (14) Firefighters pension board (Indiana Code § 36-8-7);
  - (15) Police pension board (Indiana Code § 36-8); and
  - (16) Public transportation corporation (Indiana Code § 36-9-4-15).

Changes proposed by Ordinance 20-33 to:  
BMC CHAPTER 2.04 – COMMON COUNCIL

**Bold** language is proposed new language added.

~~Strikethrough~~ wording is language that is proposed to be deleted.

2.04.255 - Committees—Scheduling.

- (a) ~~Meetings of standing committees or the committee of the whole convened to consider legislation referred by the council shall meet~~ **When a committee is to consider legislation referred by the council, it shall convene its meeting** on the second or fourth Wednesday of the month. **The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time.** Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.
- (1) If more than one standing committee has had legislation referred to it during the same period of time, the committees shall not be scheduled at the same time, so that any council members may attend any meeting.
- (2) Such standing committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.
- ~~(3) Such meetings of the committee of the whole shall convene at 6:30 p.m. local time.~~
- (b) **The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.**
- (c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1 during the month of August, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

2.04.270 - Ordinances and resolutions—Filing, copies and agendas.

Each ordinance or resolution submitted to the council shall be in an editable, electronic form, accompanied by any relevant documents, and filed with the council office at least ten days before the meeting at which the legislation is to be introduced. That time frame may be extended by a vote of the council or at the request of the president. The president shall approve the agendas for ~~committees of the whole, regular sessions, and~~ special sessions called by the president or voted upon by the council, **and committees convened to consider legislation referred to them,** and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel. The president may, at the meeting when ordinances are introduced for first reading, announce that the council will consider any of those

ordinances as well as any resolutions expected to be considered during that legislative cycle at the next two regularly scheduled committees of the whole before receiving formal action at the following regularly scheduled regular session.

2.04.290 Ordinances and resolutions Fiscal impact statement required.

- ~~(a) Any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement. The statement shall describe the effect of the legislation on the financial condition of the city government and shall become a part of the official record of the legislation.~~
- ~~(b) The fiscal impact statement shall be submitted on a form provided by the council staff and shall set forth in as much detail as possible all fiscal data relevant to the legislation, including the effect on the costs and revenues of city government, the funds affected, and factors which could lead to significant additional expenditures in the future.~~
- ~~(c) The fiscal impact statement shall be prepared by the city agency submitting the legislation and shall carry the signature of the responsible city official. If the legislation directly affects city funds, the controller shall complete that part of the statement dealing with information on the funds affected by the legislation. The council staff may edit the statement to clarify information and ensure accuracy and completeness.~~
- ~~(d) The city agency submitting the legislation shall be responsible for determining whether the legislation will have a major impact on the city's financial condition. If the agency determines that the legislation will not have a major fiscal impact, the agency shall submit a fiscal impact statement stating its conclusion and the basis for it.~~
- ~~(e) The council may adopt rules and regulations to effectuate the purposes of this section.~~



**BLOOMINGTON COMMON COUNCIL  
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

**LEGISLATION NUMBER AND TITLE**

**PROPOSED EFFECTIVE DATE**

**FISCAL IMPACT.** 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, briefly explain below.

**FISCAL IMPACT FOUND.** If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

**IMPACT ON REVENUE (DESCRIBE)**

**IMPACT ON EXPENDITURES (DESCRIBE)**

**FUTURE IMPACT.** Describe factors which could lead to significant additional expenditures in the future.

**FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER**  
If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

Signature of Controller

Signature of City Official responsible for submitting legislation



## MEMO FROM COUNCIL OFFICE ON:

### **Ordinance 21-04 – To Amend Title 8 of the Bloomington Municipal Code, entitled “Historic Preservation and Protection” to establish a Historic District – Re: The Kohr Building Historic District**

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#### **Synopsis**

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic and Conservation Districts” in order to designate “The Kohr Building – the building located at the southeast corner of parcel number 53-08-05-100-058-000-009, located at the corner of West 1<sup>st</sup> Street and South Rogers Street in the City of Bloomington, Monroe County, Indiana”<sup>1</sup> as a historic district. Built in 1947, the Kohr Building still retains its physical integrity, architectural significance, and association with the history of healthcare and medicine in Bloomington. While it was not the first hospital building constructed on the site, it is the oldest surviving building and is therefore a part of the city’s healthcare legacy. The building is not listed on the National Register of Historic Places, nor has it been identified in the state or local historic sites and structures inventories so it has not been given a rating; however, this is likely because the building is physically attached to a larger hospital complex that was built in various decades of the late twentieth century which most architectural historians would find “non-contributing”. Regardless, the Kohr Building is one of the few examples of Art Deco architecture in Bloomington and stands as a testament to the evolution of the original Bloomington Hospital site from farmhouse to medical complex over the course of the twentieth century.

#### **Relevant Materials**

- Ordinance 21-04
- Staff Report from Bloomington Historic Preservation Commission
- Facility Assessment Overview
- Kohr Building Map
- Fiscal Impact Statement forthcoming

#### **Summary**

Ordinance 21-04 would designate “The Kohr Building” as a historic district as provided under Title 8 of the Bloomington Municipal Code entitled “Historic Preservation and Protection”. The provisions of BMC Title 8 are enabled by state law under Indiana Code 36-7-11 (and following provisions) and are intended to:

- Protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage;

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<sup>1</sup> It is worth noting that this is not the legal description of the property but rather describes the property by location within the larger hospital parcel. Staff do not believe the Kohr Building has its own legal description since it is part of the larger hospital parcel. Staff anticipate that, when the property is redeveloped, the land will be surveyed and a specific plat for the Kohr property will be identified at that time.



- Ensure the harmonious and orderly growth and development of the City;
- Maintain established residential neighborhoods in danger of having their distinctiveness destroyed;
- Enhance property values and attract new residents; and
- Ensure the viability of the traditional downtown area and to enhance tourism.

The Historic Preservation Commission is authorized to make recommendations to Council regarding the establishment of historic districts either on its own accord or by petition of the property owner. In this case, the HPC recommends that the Kohr Building be designated as a single-property historic district due to the building's association with the evolution of the Bloomington hospital site; its historical value as the oldest building remaining on the hospital grounds; and because it has architectural characteristics that can be identified as Art Deco, an architectural style in the United States from the late 1920s through the 1940s.

A historic district designation authorizes the Commission to review and issue a certificate of appropriateness prior to the issuance of a permit for, or prior to work beginning on any of the following within all areas of an historic district<sup>2</sup>:

- The demolition of any building;
- The moving of any building;
- A conspicuous change in the exterior appearance of any historic building or any part of or appurtenance to such a building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance, or
- Any new construction of a principal building or accessory building or structure subject to view from a public way.

In order to bring forward an historic designation, the BMC requires that the HPC hold a public hearing<sup>3</sup> and submit a map and staff report (Report) to the Council. The map identifies the district and classifies properties, and the Report explains these actions in terms of the historic and architectural criteria set forth in the ordinance.<sup>4</sup> These criteria provide the grounds for the designation.

Ordinance 21-04:

- Approves the map and establishes the district, which provide the basis for the designation;
- Attaches the map and the report;
- Describes the district and classifies the property;

---

<sup>2</sup> See BMC 8.08.020

<sup>3</sup> A hearing on the Kohr Building was properly noticed and held on November 14, 2019.

<sup>4</sup> See BMC 8.08.01[e]



**City of Bloomington Indiana**

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

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

- Inserts the newly-established district into the List of Historic and Conservation Districts contained within BMC 8.20.

**Contact**

Conor Herterich, Historic Preservation Program Manager, (812) 349-3507

**ORDINANCE 21-04**

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
“HISTORIC PRESERVATION AND PROTECTION” TO ESTABLISH A HISTORIC  
DISTRICT – Re: The Kohr Building Historic District**

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission (“Commission”) and established procedures for designating historic districts in the City of Bloomington; and
- WHEREAS, on November 14, 2019, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of the property; and
- WHEREAS, at the same hearing, the Commission found that the Kohr Building meets the historical and architectural significance that merits the protection of the property as a historic district; and
- WHEREAS, at the same hearing, the Commission approved a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in Bloomington Municipal Code 8.08.010; and
- WHEREAS, at the same hearing, the Commission voted to submit the map and report to the Common Council which may recommend local historic designation of said property, for its consideration; and
- WHEREAS, the report considered by the Commission at this hearing notes that the structure is located at the northwest quadrant of the intersection of Rogers Street and 1st Street. It is an Art Deco style limestone building built in 1947 as an expansion to the hospital building constructed on the site in 1919.

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

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

This property is further described as:

The building located at the southeast corner of parcel number 53-08-05-100-058-000-009, located at the corner of West 1<sup>st</sup> Street and South Rogers Street in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The building located at the southeast corner of parcel number 53-08-05-100-058-000-009 shall be classified as “Notable”.

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled “List of Designated Historic and Conservation Districts,” is hereby amended to insert “The Kohr Building” and such entry shall read as follows:

The Kohr Building

The building located at the southeast corner of parcel number 53-08-05-100-058-000-009, located at the corner of West 1<sup>st</sup> Street and South Rogers Street in the City of Bloomington, Monroe County, Indiana.

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.



PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JIM SIMS, 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 \_\_\_\_\_, 2021.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

## SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic and Conservation Districts” in order to designate “The Kohr Building – the building located at the southeast corner of parcel number 53-08-05-100-058-000-009, located at the corner of West 1<sup>st</sup> Street and South Rogers Street in the City of Bloomington, Monroe County, Indiana” as a historic district. Built in 1947, the Kohr Building still retains its physical integrity, architectural significance, and association with the history of healthcare and medicine in Bloomington. While it was not the first hospital building constructed on the site, it is the oldest surviving building and is therefore a part of the city’s healthcare legacy. The building is not listed on the National Register of Historic Places, nor has it been identified in the state or local historic sites and structures inventories so it has not been given a rating; however, this is likely because the building is physically attached to a larger hospital complex that was built in various decades of the late twentieth century which most architectural historians would find “non-contributing”. Regardless, the Kohr Building is one of the few examples of Art Deco architecture in Bloomington and stands as a testament to the evolution of the original Bloomington Hospital site from farmhouse to medical complex over the course of the twentieth century.

## Kohr Hospital Building

The Kohr Hospital Building qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1): c (2): f and g.

(1) Historic:

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

(2) Architecturally worthy:

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

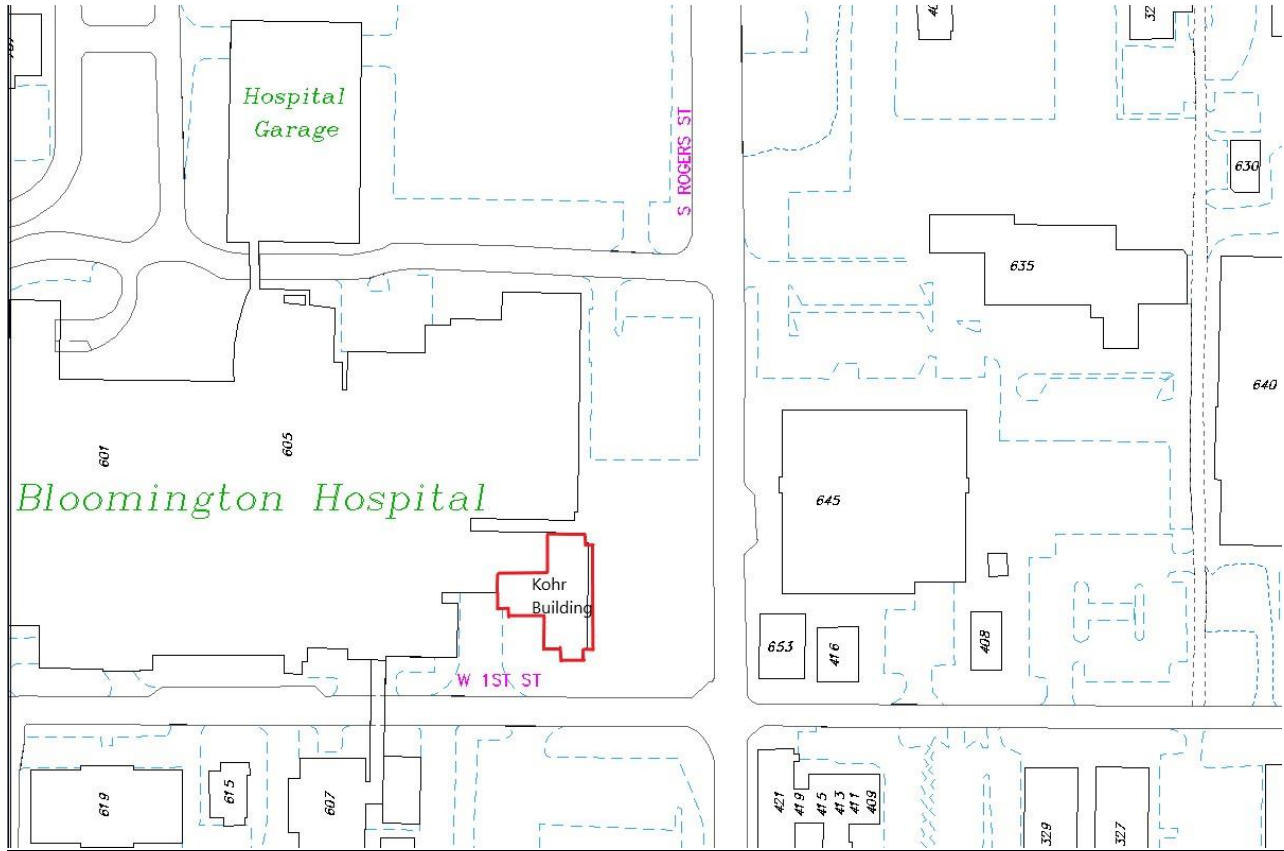
### **Case Background**

The current site for IU Health Bloomington Hospital, located at the northwest quadrant of the intersection of Rogers Street and 1st Street, has a long history of serving the community's health care needs. The 1947 wing, now called the Kohr Building, is the oldest surviving building on the hospital site and still retains its integrity and architectural significance. With the planned demolition of the rest of the buildings on the hospital site, it is crucial to preserve the Kohr Building because of its significance to the history of healthcare and medicine in Bloomington.

### **Historic surveys rating and designations:**

The building is not currently listed in the National Register of Historic Places or the Indiana Register of Historic Sites & Structures. It has not been identified in the Indiana Historic Sites & Structures Inventory, either in the City of Bloomington Interim Report (1986) or in the 2015 resurvey. The property is not within a local historic district or local conservation district under the jurisdiction of the Bloomington Historic Preservation Commission.

**Map**  
**Kohr Hospital Building Outlined in Red**



### **Historic Background: Criteria (1) A**

**A:** Built in 1947, the Kohr Building was not the first hospital on the site but it is part of the evolution of the Bloomington hospital site and therefore a part of the history of medicine and healthcare in the city. Bloomington's first hospital was established as part of a philanthropic effort by the Local Council of Woman who purchased a two story, brick Italianate style farm house in 1905. Known as the Hopewell House, the 10 bed facility cared for patients and was used as a nursing school. To meet an increased need for services caused partially by returning WWI veterans, a 35 bed limestone building was built on the hospital site in 1919 and the Hopewell House was transformed into nurse's quarters.

In a short period of time the medical needs of the city quickly outgrew the capacity of the hospital. Organized by the Local Council of Women, the building campaign for a limestone addition on the east side of the 1919 building began as early as 1943. The existing twenty-four-year-old building was inadequate to meet patient demand and did not meet the expectations of the American Hospital Association, which stated that a hospital was to have five beds per 1,000 population. The answer was the Kohr Building. Completed in 1947 the Kohr Building increased the hospital's capacity adding 75 beds and 25 bassinets and even included a state of the art x-ray machine, clinical laboratory, and pathology lab.

The success of Bloomington hospital is evinced by its continued expansion in the second half of the twentieth century. Continuous growth and evolving medical technology have continued to be the motivation behind Bloomington Hospital's building expansions. Despite having just completed an addition in 1947, plans for an additional 140 beds and 213,000 square feet of space began in the mid-1950s. Construction on the west expansion started in 1963 with demolition of the Hopewell House where the hospital originated. The 1919 and 1947 buildings (as a collective, they are often referred to as the East Building) were then remodeled to become a 60-bed convalescent hospital with additional spaces for employees' and doctors' lounges, and medical record storage.<sup>12</sup> Soon after the addition's completion in March 1965, the hospital established one of the state's first cardiac care units. The 1919 limestone building was demolished in the 1990s to make room for additional expansion to the emergency services department, a new laboratory and obstetrics unit, and new facilities for cardiovascular surgery and catheterizations. By this time Bloomington Hospital had become the second largest employer in Monroe County, behind Indiana University.

The Kohr Building meets **Criteria 1(a)** because of its association with the evolution of the Bloomington hospital site and because it has historical value as the oldest building still extant on the grounds.

## **Architectural Significance Criteria (2) F**

**F:** The Kohr Building is a restrained, late Art Deco style structure. Art Deco was a popular architectural style in the United States from the 1920s through the 1940s with many public buildings such as post offices, libraries, government offices, and hospitals built in the style. Art Deco buildings have a sleek, linear appearance with stylized, often geometric ornamentation. The primary façade of Art Deco buildings can feature a series of setbacks that create a stepped outline. Low-relief decorative panels can be found at entrances, around windows, along roof edges or as string courses. Art Deco buildings have distinctive smooth finish building materials such as stucco, concrete block, glazed brick, or in the case of the Kohr Building, limestone. Other notable Art Deco style buildings in Bloomington are the Old Monroe County Jail, the Coca Cola Bottling Plant, and Meyers Hall on the Indiana University campus.

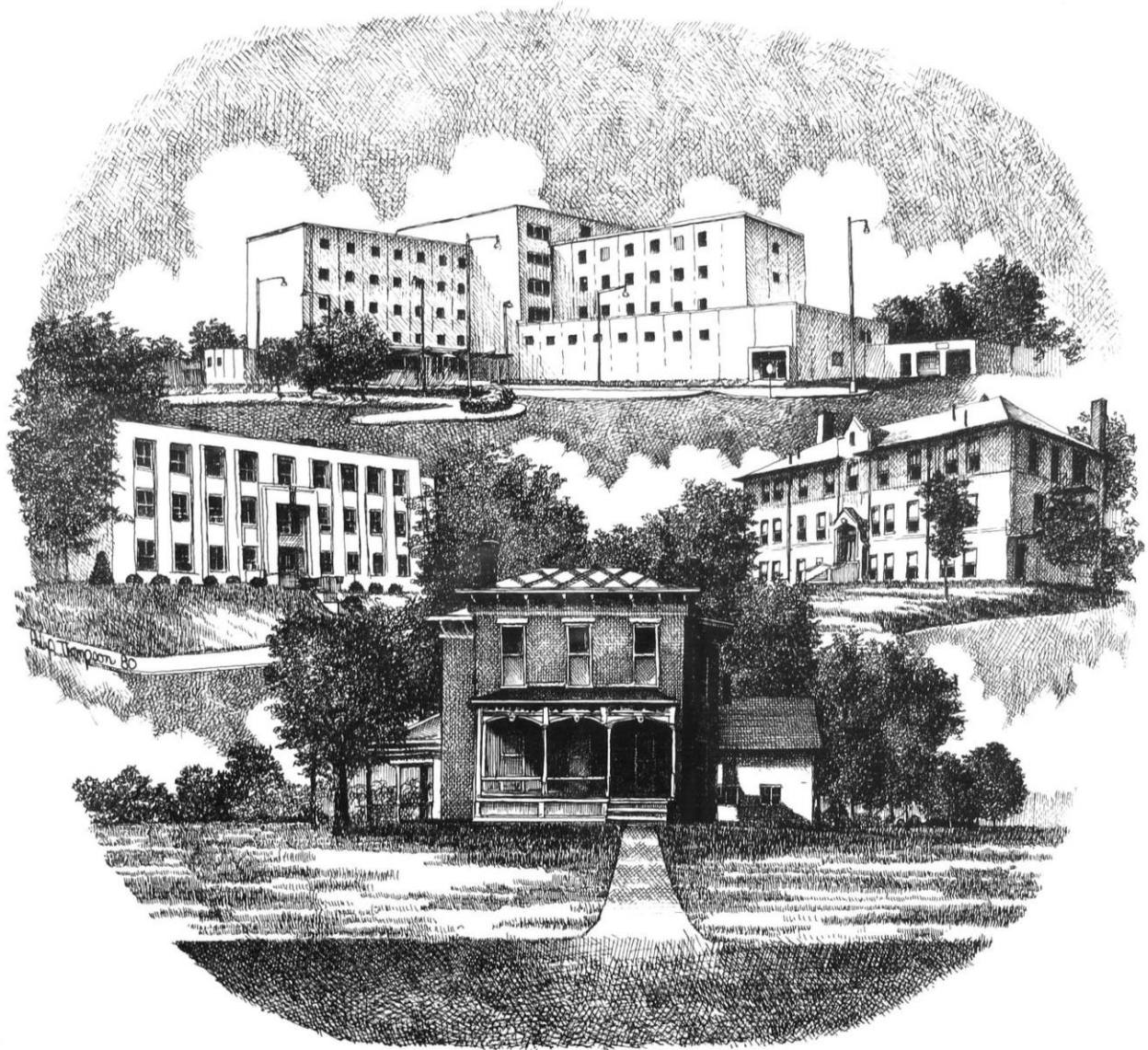
The exterior of the Kohr Building presents the bold massing, vertical emphasis, and strategically-placed stylized ornamentation characteristic of the Art Deco style. The small Art Deco motifs found under the windows, on the parapet, and at the top of the extruded entry are the only decorative features in the design. While the stair towers are monolithic in nature, the use of glass block to allow light to enter the space is a feature often found in Art Moderne style buildings.

The Kohr Building meets **Criteria 2(f)** because it has architectural characteristics that can be identified as Art Deco, a popular architectural style in the United States from the late 1920s through the 1940s. Many public buildings, including hospitals, were designed in the Art Deco style during that time period.

**Photographs of the Kohr Building**

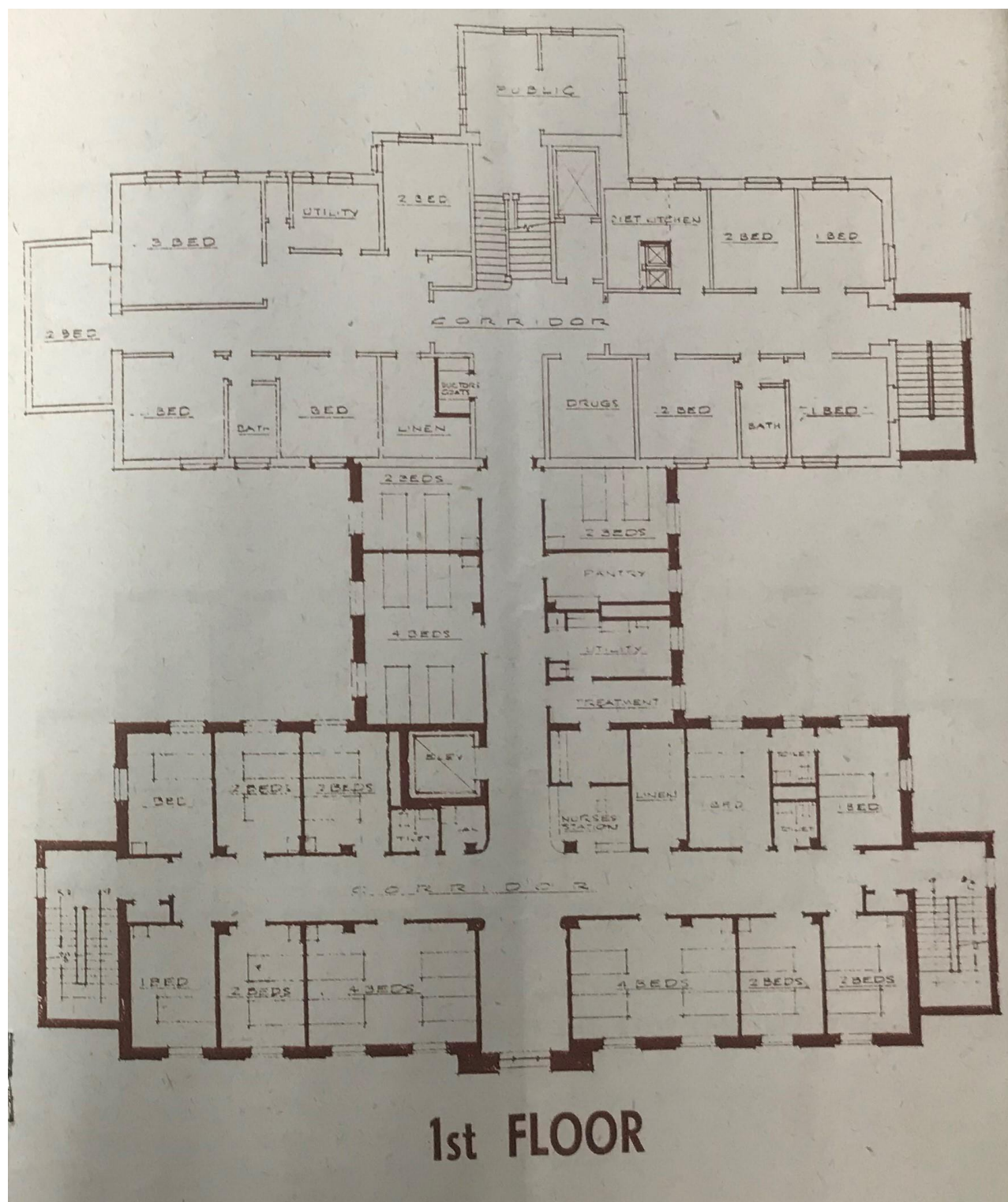


Photo of the Kohr Building. Date unknown. Courtesy of the Monroe County History Center.



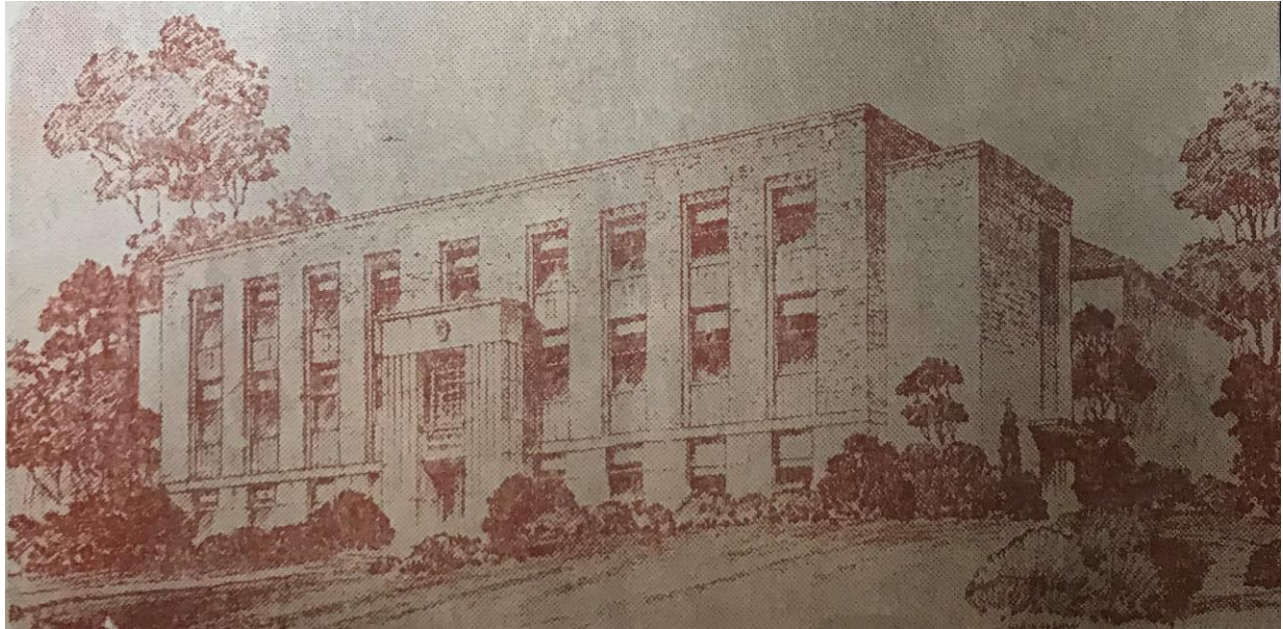
Sketch created for 75th anniversary of Bloomington hospital in 1980, Hopewell House occupied by the hospital in 1905 (bottom center), 1919 wing (center right), Kohr Building (center left), 1965 wing (top center). Courtesy of the Monroe County History Center.





Floor plans were part of a fund raising pamphlet for the Kohr Building. Courtesy of the Monroe County History Center.





Sketch of the Kohr Building taken from the fund raising pamphlet. Courtesy of the Monroe County History Center.



Front entrance. Recessed entry with floral motif over center of entryway.





Floral motifs under second floor windows.

**Staff Recommendation: Meets Criteria for Designation. Forward to Common Council.**

Staff recommends that the Kohr Building (structure located at the northwest corner of South Rogers and West 1st Streets) be designated as a single-property historic district. After careful consideration of the application and review of the Historic District Criteria as found in Ordinance 95-20 of the Municipal Code, staff finds that the property not only meets, but exceeds the minimum criteria listed in the code.

The district meets **Criteria 1(a)** because of its association with the evolution of the Bloomington hospital site and because it has historical value as the oldest building remaining on the grounds. The building was built as a response to changing technology and an increased demand for medical services spurred by service members returning from overseas. These factors, which were the impetus for the buildings construction, are connected to the larger nationwide trend of investment in medical facilities and technology that occurred across post-war America.

The Kohr Building meets **Criteria 2(f)** because it has architectural characteristics that can be identified as Art Deco, a popular architectural style in the United States from the late 1920s through the 1940s. Many public buildings, including hospitals, were designed in the Art Deco style during that time period.

# Facility Assessment Overview

Kohr Building & Parking Garage

June 2019

# Kohr Building



Built 1947

4 Stories

23,000 sf (incl. basement)

# Parking Garage



Built 1989

5 Stories

390 spaces

[https://earth.google.com/web/@39.15988909,-86.5393571,250.4115921a,213.17367553d,35y,-76.39788129h,59.99854039t,0r/data=C\\_hlaEAoIL20vMHNudHkYASABKAI](https://earth.google.com/web/@39.15988909,-86.5393571,250.4115921a,213.17367553d,35y,-76.39788129h,59.99854039t,0r/data=C_hlaEAoIL20vMHNudHkYASABKAI)



# Urban Land Institute Study

## Review Lens

- Compatibility of Buildings with Redevelopment of the Site

## Questions Addressed

- Will the Kohr Building and Parking Garage benefit future development of the site? Should either be kept for reuse?

## Conclusion

- Keep the Parking Garage to serve future employment on the site.
- Demolish the Kohr Building to free up site for new development.

## Vision

- Incorporate exterior pieces of Kohr Building in new site development.
- Enhance Parking Garage with ground-level activities and mural/artwork on exterior

# Historic Resource Assessment

## Review Lens

- Architectural or Historical Significance

## Questions Addressed

- Does the hospital or portions thereof retain architectural or historical significance?

## Findings

- The 1947 Wing retains a high degree of integrity on the exterior and low to moderate degree on the interior.

## Conclusion

- The 1947 Wing (Kohr Building) is the only portion of the hospital that retains integrity and architectural significance.

# Historic Resource Assessment

- Architectural Significance
  - Notable work by architectural firm McGuire & Shook
- Historical Significance
  - Association with the evolution of Bloomington Hospital
- Character-defining Architectural Features That Have Been Retained
  - Exterior: Massing, Art Deco Ornaments, Front Steps, Exterior Materials, Fenestration, Lampposts
  - Interior: General Interior Layout, Curved Walls, Terrazzo Flooring
- Current Historic Designations
  - None

# Environmental Building Evaluation (Kohr)

## Review Lens

- Asbestos, Lead-based Paint, Lead in Drinking Water, and Mold

## Questions Addressed

- Are environmental concerns present that could impact occupancy, renovations, or operations?

## Findings

- Asbestos-containing materials (ACM) are present. The ACM is well-maintained and in good condition.

# Environmental Building Evaluation (Kohr)

- Asbestos (ACM)
  - Confirmed to be present and intact. Includes pipe insulation and fittings, floor tile and mastic, linoleum and mastic, sink insulation, drain insulation, duct sealer, and exterior caulking.
- Lead-based Paint (LBP)
  - None identified at a concentration that meets EPA's or HUD's LBP definition. However, low-level concentrations of lead were detected ( $<1.0 \text{ mg/cm}^2$ ) which would fall under OSHA regulations.
- Lead in Drinking Water
  - Detected, but all samples met the drinking water standard for lead. However, none of the samples collected were 1st draw samples (6 hr motionless) due to continuous operations at hospital.
- Mold/Moisture
  - No visible evidence of mold (limited visual inspection)

# Engineering Assessment

## Review Lens

- Feasibility (based on condition of structural and exterior envelope, M/E/P, and fire suppression system)

## Questions Addressed

- Is it feasible to keep and maintain the Kohr Building and/or the Parking Garage structures when the remainder of the facility is demolished?

## Findings

- Parking Garage = \$1.71M over next 10 years vs. \$9M to construct new
- Kohr Building = \$2.25M over next 3 years vs. \$6M to construct new

## Conclusion

- Both structures could be kept and repurposed, if desired.
- The Parking Garage is easier and less expensive.

# Kohr Building

- Immediate (in conjunction with demo of the site)
  - Install new power service, water service, communications, fire service, and fire alarm controls
  - Remove areas that directly abutt NW corner by hand during demo
  - Reconstruct the NW facade (rear  $\frac{1}{3}$  of building facade) to protect from weather and match remaining structure
- 2-3 Years (when building is repurposed)
  - Install new HVAC, new power equipment, new lighting, new plumbing, and new roof
  - Excavate and expose basement wall; install new waterproofing and perimeter drain
  - Replace gutters and downspouts; spot repairs to original limestone facade, limestone cheek walls, and concrete steps; replace handrails



LOW  
RIDE

LOW  
BOOK

3rd FLOOR

2nd FLOOR

1st FLOOR

**BASEMENT**




-  ORIGINAL STRUCTURE  
 STAIR/ELEVATOR ADDITION TO REMAIN  
 EXTENT OF ADJACENT BUILDING TO BE DEMOLISHED



FIGURE 3



# Parking Garage

- Immediate (in conjunction with demo of the site)
  - Install new power service, water service, communications, fire service, and fire alarm controls
  - Reconstruct south facade and guardrail after pedestrian bridge removal
  - Install sealant on column joints
  - Install door sweeps
- 2-3 Years
  - Install new power equipment, switch to LED lighting
  - Repair concrete, repair/replace deck sealant joints and expansion joints; seal deck surfaces
  - Repair facade (glazing, damaged limestone panels, sealant joints)
  - Repair stair towers (painting, door hardware, roof membrane)
  - General maintenance (restriping, etc.)
- 5-10 Years
  - General maintenance (repair concrete and joints, seal deck, painting, etc.)

# Projected Repair & Retrofit Costs

Costs are in 2019 Dollars  
Estimates do not include soft costs (A/E fees and CM fees), hazardous material removal, or other construction contingencies

	KOHR BUILDING	PARKING GARAGE	BOTH
Immediate	\$600,000-\$750,000	\$140,000	\$740,000-\$890,000
2-3 Years	\$1.25M - \$1.5M	\$1.12M	\$2.37M - \$2.62M
5-10 Years	---	\$450,000	\$450,000
TOTAL	\$1.85M - \$2.25M	\$1.71M	\$3.56M - \$3.96M

## Cost Comparison



Input / Feedback / Questions

# Option 1: Keep Kohr Building

Pro



Con



Cost



- Immediate \$600-\$750K
- 2-3 YRS \$1.25M-\$1.5M
- TOTAL \$1.85M - \$2.25M

## Option 2: Keep Parking Garage

Pro



Con



Cost



- Immediate \$140K
- 2-3 YRS \$1.12M
- 5-10 YRS \$450K
- TOTAL \$1.71M

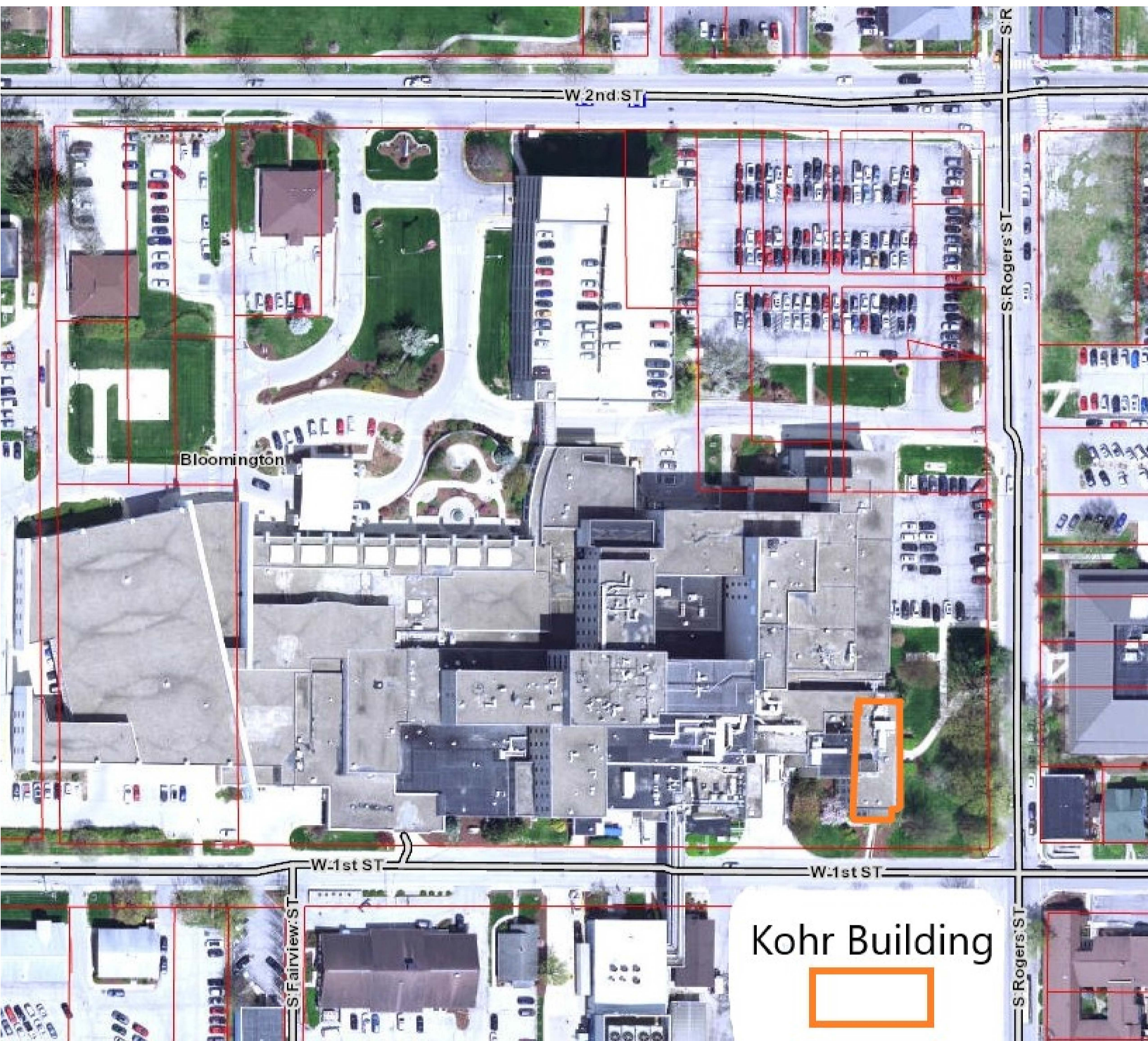
# Next Steps

- Review (June - August)
  - Written Assessments
  - Facility Tours
- Preliminary Decision and Committee Updates (September-October)
- Final Decision to IU Health (November)





# Thank You



Kohr Building



## **MEMO FROM COUNCIL OFFICE ON:**

### **Ordinance 21-05 – Amend Title 8 of the Bloomington Municipal code, Entitled “Historic Preservation and Protection” to establish a Historic District – Re: The Boxman-Mitchell Building Historic District**

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#### **Synopsis**

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic and Conservation Districts” in order to designate “The Boxman-Mitchell Building– 424 ½ South Walnut Street” as a historic district. The proposed district consists of two buildings. The northern building is a one story, wood frame building with red brick veneer on the northern façade (facing an alley) and on the east façade (facing S. Walnut). The southern building is a two story, wood frame building with a red brick veneer on the east façade. Both of these structures were built in 1925 by Ira Mitchell, one of the Mitchell brother responsible for a string of commercial structures that were built along South Walnut in the 1920s. The Mitchell Brothers left an indelible mark on the urban landscape of Bloomington. They built at least four brick commercial block buildings and a handful of brick homes along South Walnut, all of which survive to this day. These buildings are part of the architectural fingerprint of the city and form a recognizable pattern along its southern corridor. The building is also notable for its historical association with Henry Boxman, a local restaurant entrepreneur who operated “Boxman’s Restaurant” from 1929 to 1958. Boxman gained national recognition for his food and also boasted the first neon sign and air conditioned dining experience in Bloomington at this location.

#### **Relevant Materials**

- Ordinance 21-05
- Staff Report from Bloomington Historic Preservation Commission
- Building Assessment
- Boxman-Mitchell Building Map
- Fiscal Impact Statement Forthcoming

#### **Summary**

Ordinance 21-04 would designate the “Boxman-Mitchell Building” as a historic district as provided under Title 8 of the Bloomington Municipal Code entitled “Historic Preservation and Protection”. The provisions of BMC Title 8 are enabled by state law under Indiana Code 36-7-11 (and following provisions) and are intended to:

- Protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage;
- Ensure the harmonious and orderly growth and development of the City;
- Maintain established residential neighborhoods in danger of having their distinctiveness destroyed;





- Enhance property values and attract new residents; and
- Ensure the viability of the traditional downtown area and to enhance tourism.

The Historic Preservation Commission is authorized to make recommendations to Council regarding the establishment of historic districts either on its own accord or by petition of the property owner. In this case, the HPC recommends that the Boxman-Mitchell Building be designated as a single-property historic district due to it meeting the historical and architectural significance that merits the protection of the property as a historic district.

A historic district designation authorizes the Commission to review and issue a certificate of appropriateness prior to the issuance of a permit for, or prior to work beginning on any of the following within all areas of an historic district<sup>1</sup>:

- The demolition of any building;
- The moving of any building;
- A conspicuous change in the exterior appearance of any historic building or any part of or appurtenance to such a building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance, or
- Any new construction of a principal building or accessory building or structure subject to view from a public way.

According the BMC, in order to bring forward an historic designation, the HPC must hold a public hearing<sup>2</sup> and submit a map and staff report (Report) to the Council. The map identifies the district and classifies properties, and the Report explains these actions in terms of the historic and architectural criteria set forth in the ordinance.<sup>3</sup> These criteria provide the grounds for the designation.

#### Ordinance 21-05:

- Approves the map and establishes the district, which provide the basis for the designation;
- Attaches the map and the report;
- Describes the district and classifies the properties;
- Inserts the newly-established district into the List of Historic and Conservation Districts contained within BMC 8.20.

#### **Contact**

Conor Herterich, Historic Preservation Program Manager, (812) 349-3507

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<sup>1</sup> See BMC 8.08.020

<sup>2</sup> A hearing on the Boxman-Mitchell Building was properly noticed and held on October 22, 2020.

<sup>3</sup> See BMC 8.08.01[e]

**ORDINANCE 21-05**

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED  
“HISTORIC PRESERVATION AND PROTECTION”  
TO ESTABLISH A HISTORIC DISTRICT –  
Re: The Boxman-Mitchell Building Historic District**

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission (“Commission”) and established procedures for designating historic districts in the City of Bloomington; and
- WHEREAS, on October 22, 2020, the Commission held a public hearing for the purpose of allowing discussion and public comment on a proposed historic designation of the Boxman-Mitchell Building, located at 424 ½ South Walnut Street; and
- WHEREAS, at the same hearing, the Commission found that the Boxman-Mitchell Building meets the historical and architectural significance that merits the protection of the property as a historic district; and
- WHEREAS, at the same hearing, the Commission approved a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in Bloomington Municipal Code 8.08.010; and
- WHEREAS, at the same hearing, the Commission voted to submit the map and report to the Common Council which may recommend local historic designation of said property, for its consideration; and
- WHEREAS, the report considered by the Commission at this hearing notes that the structure is located at 424 ½ S. Walnut Street. It is a one and two-part commercial building built in 1925 by Ira Mitchell, a member of the Mitchell family, who built a handful of iconic brick commercial structures along South Walnut during the 1920s.

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

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The legal description of this property is further described as:

015-09570-00 Seminary Pt Lot 20 in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The property located at 424 ½ South Walnut Street shall be classified as “Contributing”.

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled “List of Designated Historic and Conservation Districts,” is hereby amended to insert “Boxman-Mitchell Building” and such entry shall read as follows:

The Boxman-Mitchell Building

424 ½ South Walnut Street

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JIM SIMS, 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 \_\_\_\_\_, 2021.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic and Conservation Districts” in order to designate “The Boxman-Mitchell Building– 424 ½ South Walnut Street” as a historic district. The proposed district consists of two buildings. The northern building is a one story, wood frame building with red brick veneer on the northern façade (facing an alley) and on the east façade (facing S. Walnut). The southern building is a two story, wood frame building with a red brick veneer on the east façade. Both of these structures were built in 1925 by Ira Mitchell, one of the Mitchell brother responsible for a string of commercial structures that were built along South Walnut in the 1920s. The Mitchell Brothers left an indelible mark on the urban landscape of Bloomington. They built at least four brick commercial block buildings and a handful of brick homes along South Walnut, all of which survive to this day. These buildings are part of the architectural fingerprint of the city and form a recognizable pattern along its southern corridor. The building is also notable for its historical association with Henry Boxman, a local restaurant entrepreneur who operated “Boxman’s Restaurant” from 1929 to 1958. Boxman gained national recognition for his food and also boasted the first neon sign and air conditioned dining experience in Bloomington at this location.

## 424 ½ S. Walnut St

Staff Report

Bloomington Historic Preservation Commission

### Case Background

The most recent business to operate out of the building was the “Players Pub” but they closed their doors in 2019. New ownership is proposing to demolish the building in its entirety and build a multi-story mixed use building on the lot. The lot is currently zoned (MD) Mixed-Use Downtown.

At the 8/13/2020 meeting the Bloomington Historic Preservation asked about the history of the building and Henry Boxman. This report was written to address those two questions.

### Historic surveys rating and designations:

The building is not currently listed in the National Register of Historic Places. It is listed in both the Indiana Historic Sites & Structures Inventory and the Bloomington Historic Sites and Structures List as “Contributing”. The property is not within a local historic district or local conservation district under the jurisdiction of the Bloomington Historic Preservation Commission.

### Map 424 ½ S. Walnut Outlined in Red





## **Building History:**

The evidence for the building's date of construction comes from two sources, Bloomington City Directories and Sanborn Fire Insurance Maps. While the 1923-1924 City Directory does not list any of the 420-424 S. Walnut addresses, they can be found in the 1925-26 City Directory.<sup>1</sup> The 1913 Sanborn Fire insurance map shows an undeveloped lot where the building would be located, however on the ensuing 1927 map edition, the building can clearly be seen in its current form.<sup>2</sup> Therefore, the building must have been constructed between 1913 and 1927. The 1925-26 City Directory is the earliest to list addresses at 420-424 S. Walnut which is why this is the estimated date of construction.

The 1927 Sanborn map depicts a building divided into three sections with three separate addresses; 422, 424, and 426 S. Walnut. Staff believes the Sanborn map makers incorrectly labeled the addresses, which should have been listed as 420, 422, 424 S. Walnut.<sup>3</sup> The map indicates that the building was wood frame construction with a brick veneer on the north and east facades and composition roofing. The 420 and 422 sections are on the north end of the building and are a single story. A wood frame partition wall separates these two sections both of which are labeled as "services". The southernmost section, 424, is two stories in height with "offices" on the first floor and "dwelling" on the second. There is a two story open porch on the rear.

A more accurate picture of the building's early history emerges when information found in the 1925-1929 City Directories is synthesized with the 1927 Sanborn map. The northernmost building section (420) operated as a mercantile store with windows on the north part of the building facing the alley. The middle section (422) was food services and is listed as a soda fountain/eatery known as the Dew Drop Inn. The first floor of the southern section (424) served as an office for a local stone company, and the second floor (424 ½) served as living space. The occupants of these four addresses were listed as tenants with the exception of Ira Mitchell (424 ½) who is denoted as a property owner.

Several lines of evidence point to the Mitchell Brothers of Bloomington as the original builders and owners of the structure. Looking at the physical evidence there is an "M" pattern inlaid on the upper half of the brick façade of the two story building section. This feature can be seen on a photograph of the building found on a postcard from 1951. Testimony from Charlie Boxman, who moved to 424 ½ S. Walnut after his father Henry Boxman purchased the Dew Drop Inn in 1928, also supports this conclusion. Charlie wrote in an email that the "M" stands for Mitchell and was "emblazoned on the upper part of the second story section of the original brick façade".<sup>4</sup> Finally, the 1925-26 City Directory listed Ira Mitchell as the occupant and owner of 424 S. Walnut. It should also be noted that the Mitchell Brothers were actively building commercial/mixed use buildings in Bloomington in the late 1920s'. A few lots north on the same block at 406 S. Walnut, the Mitchell Brothers built a two story mixed use building in 1927. Further south at 1504 S. Walnut they built a similar two-story brick building in 1928. Stanley P. Mitchell is one of the

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<sup>1</sup> Bloomington, Indiana, City Directory, 1925-26 (Bloomington, IN.), page 357.

<sup>2</sup> Sanborn Map Company. Bloomington, Monroe County, Indiana, 1913. New York: Sanborn Map & Publishing Co, 1913. "Sanborn Fire Insurance Maps". <<https://libraries.indiana.edu/union-list-sanborn-maps>> (August 17, 2020); Sanborn Map Company. Bloomington, Monroe County, Indiana, 1927, Sheet 6.

<sup>3</sup> These are the address numbers that will be used for the remainder of the report.

<sup>4</sup> Boxman, Charlie. "Old Bloomington". Email, 2009. Monroe County History Center Vertical Stacks, "Boxman's Restaurant".

brothers credited with the building at 1504 S. Walnut.<sup>5</sup> Staff is unsure of the identities of the other Mitchell family members responsible for the string of buildings constructed in the late 1920s', however the Mitchell's had a homestead just two miles south of the courthouse on S. Walnut. The patriarch of the family, Cpt Issac Mitchell, was a Civil War veteran and Ira Mitchell is listed as one of the family members who attended Cpt. Mitchell's ninetieth birthday celebration at the homestead in 1931.<sup>6</sup> It is reasonable to believe that members of the Mitchell family partitioned, sold, or developed pieces of their land located along S. Walnut to capitalize on the expansion of homes and businesses along that road in the 1920s' as Bloomington's urbanized core expanded.

In 1928 the Dew Drop Inn (422 S. Walnut) was purchased by a couple that would make the building a local landmark and garner Bloomington's food scene state and national recognition. Twenty-five year old Henry Boxman and his wife Hattie kept the Dew Drop Inn moniker and continued to cater to the high school crowd that had frequented the previous business. Although they continued to serve similar menu items such as hot dogs, baked beans, ice cream, and popcorn, they geared their business toward a new form of transportation that would forever alter the American food service industry—the automobile. Under Boxman ownership, the Dew Drop Inn was the first eatery in Bloomington to offer a curbside service where menu items were delivered on specialized trays to cars parked on South Walnut Street.<sup>7</sup>

Boxman continued to innovate and adapt his business. The curbside service, which had brought initial success to the business, only lasted a few years because South Walnut Street became heavily trafficked as more automobiles hit the road and curbside service became dangerous. In response, the Boxman's shifted their business focus, rebranded the eatery "Boxman's Restaurant", and emphasized sit-down dining. Henry found a new use for his curbside trays and offered the "dessert tray" where a variety of sweet treats were brought to the customer's table making it difficult to resist buying an item. This technique was so successful it was featured in the Wall Street Journal in a front page article on the "Art of Selling".<sup>8</sup> In 1935 Henry Boxman bought the adjoining two-story section of the building (424), expanded the dining space on the first floor to offer private dinner service to groups and moved his family into the second floor apartment. The family lived there for three years until the Boxman's purchased the Free-Classic, two story home adjacent to the business at 432 S. Walnut.

The building at 424 S. Walnut would continue to be the site of many "firsts" in Bloomington as Henry Boxman continuously modernized his business. Known as a student of marketing and advertisement, it is no surprise that Henry installed Bloomington's first neon sign at his restaurant. When it was first turned on it caused quite a stir as citizens viewing it from a distance thought a fire had broken out downtown. His restaurant also boasted the first commercial gas-fired heating boiler and the second commercial air conditioner in town.<sup>9</sup>

Henry Boxman operated the restaurant at 422 & 424 S. Walnut from 1928 until 1957 when he retired and sold the business to the Moore's who operated the Fiesta Restaurant. His thirty year tenure was the longest of any of the property's owners. The last fifty years of the building's history

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<sup>5</sup> *City of Bloomington Interim Report: Indiana Historic Sites and Structures Inventory* (Bloomington: City of Bloomington, 2004), 129.

<sup>6</sup> Shotts, Connie. "Captain Isaac Mitchell Celebrated 90th Birthday." *Bloomington Evening World*. May 5, 1931, p. 4.

<sup>7</sup> *Courier-Tribune*, Bloomington, IN. "Boxman's Second Kentucky Fried Chicken Store Opens." January 22, 1969, pg. 4.

<sup>8</sup> Shawgo, Ron. "Boxman's Fried Chicken sold: Restaurant era has come to a close." *Herald Times*, August 27, 1983.

<sup>9</sup> Shawgo, Ron.

has seen a multitude of owners engage in a number of different businesses, mostly related to the food and beverage service. Over that time the building suffered through a series of exterior “renovations” that added layers of incompatible materials and rearranged openings. In 2013 the owner of the building received a \$10,000 historic façade grant from the BUEA and the Walnut façade was partially restored to the way it appeared in the 1950s’.

### **Henry Boxman History:**

Henry Boxman’s childhood was formidable. Born in 1903 on a farm near Columbus, Indiana, Boxman was one of ten children. His mother died when he was two and he was forced to quit school at thirteen after the last of his older sister’s left home and his father died. He supported himself by working for six years at Munt’s Restaurant in Columbus, Indiana where he learned the basics of the restaurant industry.<sup>10</sup> At age twenty Henry applied to become a sales rep with RJ Reynolds Tobacco Company in Indianapolis but was turned down because he was too young. He kept applying and was hired the next year and soon became assistant divisional manager. Henry’s early hardships likely contributed to his unwavering drive and focus towards making his business successful. He called it “sticktoitness”.<sup>11</sup>

At age twenty-five Henry and his new wife Hattie-Bell purchased the Dew Drop Inn Restaurant at 422 S. Walnut Street. The business would bring state and national recognition to Bloomington and cement Henry Boxman’s legacy as one of Bloomington’s greatest restaurateurs. The Dew Drop, often referred to as a barbeque stand, was a popular after-school gathering place for local high school students because it was only a block away from Bloomington High School. Initially, Henry did not change the menu and continued to serve short-order items such as burgers, hotdogs, and ice cream. In fact, the Dew Drop was listed as a “Soda Fountain” in the 1926-2929 City Directories.

The 1930’s brought hardship and change to Bloomington, but Henry Boxman adapted his eatery to survive through a time that brought catastrophe to many other small businesses. By 1932, Henry had changed the name of the Dew Drop to “Boxman’s Restaurant” and eliminated curbside service in order to transition to a more formal, sit-down restaurant experience. That same year, to celebrate the 4th anniversary of his tenure, Boxman offered chicken dinners for 4 cents each (dinners were usually 50 cents). The deeply discounted prices drew quite a crowd in those depression days and a local police officer was assigned to keep the peace. Boxman, who ended the day with a \$250 loss, served almost 1,000 people and said he turned away almost as many.<sup>12</sup> Although maintaining a business throughout the Great Depression was likely a monumental challenge, Boxman also found time to improve his community. He led the effort to reactivate the Bloomington Chamber of Commerce and was named its president in 1936. He was also active in the Bloomington Exchange Club, and as president of the club in 1936, came up with the slogan “Bloomington- Gateway to Scenic Southern Indiana”.<sup>13</sup>

Boxman’s community service continued in the 1940s and took on greater significance when he was appointed to serve as a food consultant to the Secretary of War, one of 96 restaurant men from all

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<sup>10</sup> Tufford, Carole. “A restaurateur to remember: Henry Boxman; food put Bloomington on the Map.” *Herald Telephone*, Bloomington, Indiana, April 19, 1989.

<sup>11</sup> Matavuli, Nick. “Boxman still has ‘fingers in the pie’.” *Herald Telephone*, Bloomington, Indiana, April 9, 1980, p 30.

<sup>12</sup> “1,032 Chicken Dinners at 4c Each Sold at \$250 Loss.” *Bloomington Evening World*, August 15, 1932.

<sup>13</sup> Goodall, Kenneth. “Men of Bloomington, Henry F. Boxman”. June 2, 1954.

over the United States who volunteered their time and expertise to increase the efficiency of military food preparation and facilities. For this work Henry received a personally signed letter from President Truman. Boxman also helped the war effort by closing on Sundays, the heaviest day of the week in volume and sales. This allowed him to save his rationed food supplies for the week days so that war workers could eat, although he still ran out of food and was forced to use meat substitutes.<sup>14</sup>

The 1950s really catapulted Henry Boxman onto the national stage. The Bloomington restaurant gained the attention of food critic pioneer Duncan Hines, who wrote the newspaper food column “Adventures in Good Eating at Home”. Hines spoke highly of Boxman’s Restaurant and regularly featured it in his column for fifteen years—he was particularly fond of the Dutch Apple Pie.<sup>15</sup> Boxman’s was also recognized in Clementine Paddleford’s “National Food” column in *This Week Magazine*. In the article, titled “Chow in a College Town”, Paddleford wrote that “...motor tourists come to Boxman’s from all corners of the nation. Dinners here are worth a half-days extra driving.”<sup>16</sup> Boxman’s was also featured in *Cooking for Profit* magazine which labeled him as one of the outstanding restaurateurs in the county.<sup>17</sup>

Boxman was both active and renowned in the state and national restaurant associations. He was a charter member of the Indiana Restaurant Association, its third president, and a lifetime member of the board of directors. In addition, Boxman was elected to serve on the board of directors of the National Restaurant Association and was the second person inducted into that organization’s Restaurant Hall of Fame.<sup>18</sup>

It was through the National Restaurant Association that Henry Boxman became good friends with Harlan Sanders, otherwise known as Colonel Sanders, the bombastic founder of Kentucky Fried Chicken (KFC). Although Boxman sold his restaurant in 1957 to work as Food Services Director for Bloomington’s Metropolitan Schools, he soon came out of restaurant retirement and opened Bloomington’s first KFC in 1963. This restaurant was located next door to the old Boxman’s Restaurant. In fact, he had the building constructed in the front yard of his home at 432 S. Walnut—much to his wife’s chagrin. Boxman opened a second location in the College Mall area in 1968 and even brought Harlan Sanders to that store’s opening day to meet and greet customers. The Colonel and Boxman maintained a close friendship for the rest of their lives.

Perhaps Carolyn Tufford said it best in her 1989 Herald-Telephone article, “Henry Boxman was a restaurateur to remember...his food put Bloomington on the map”. Boxman cultivated a short order high school hangout into a dining landmark that grabbed the attention of national food critics. His business weathered a great depression and a world war. He was a founding member and honorary director of state and national restaurant associations and the second person inducted in the national restaurant hall of fame. He is a stellar example of selfless service to his community as a lifelong member of the chamber of commerce and the exchange club. Despite his illustrious career, Boxman is a relatively unknown person of interest, even locally speaking. It is to be determined if he can be considered “a person who played a significant role in local, state, or national history”.

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<sup>14</sup> Matavuli, Nick

<sup>15</sup> Hines, Duncan. “Adventures in Good Eating”. January, 1953.

<sup>16</sup> *Courier-Tribune*, Bloomington, IN. “Boxman’s Second Kentucky Fried Chicken Store Opens.”

<sup>17</sup> *Cooking for Profit*. “Boxman’s of Bloomington”. May, 1963.

<sup>18</sup> Goodall, Kenneth.

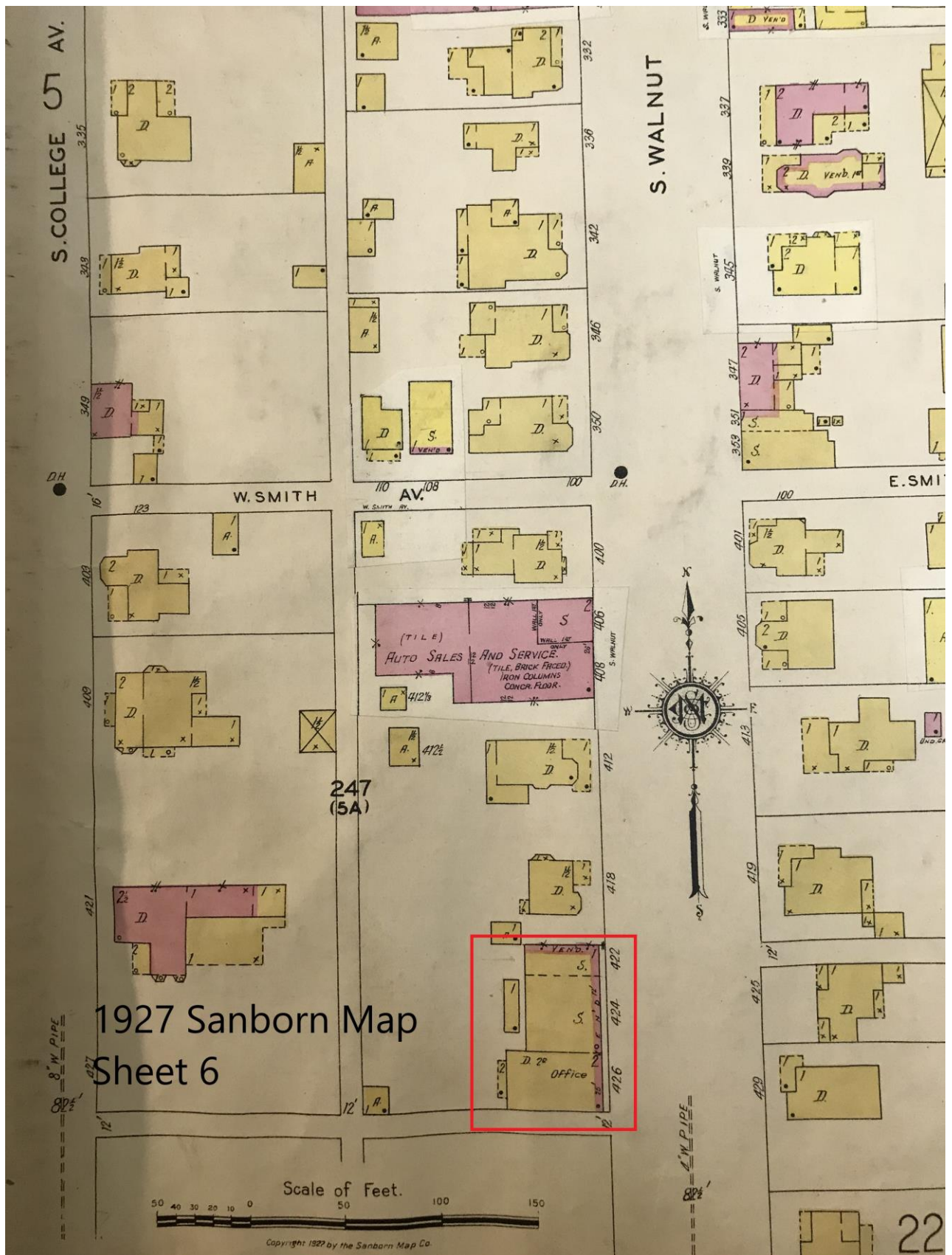


Digitized from the Indiana University Map Collection by Historical Information Gatherers, Inc.

www.historicalinfo.com

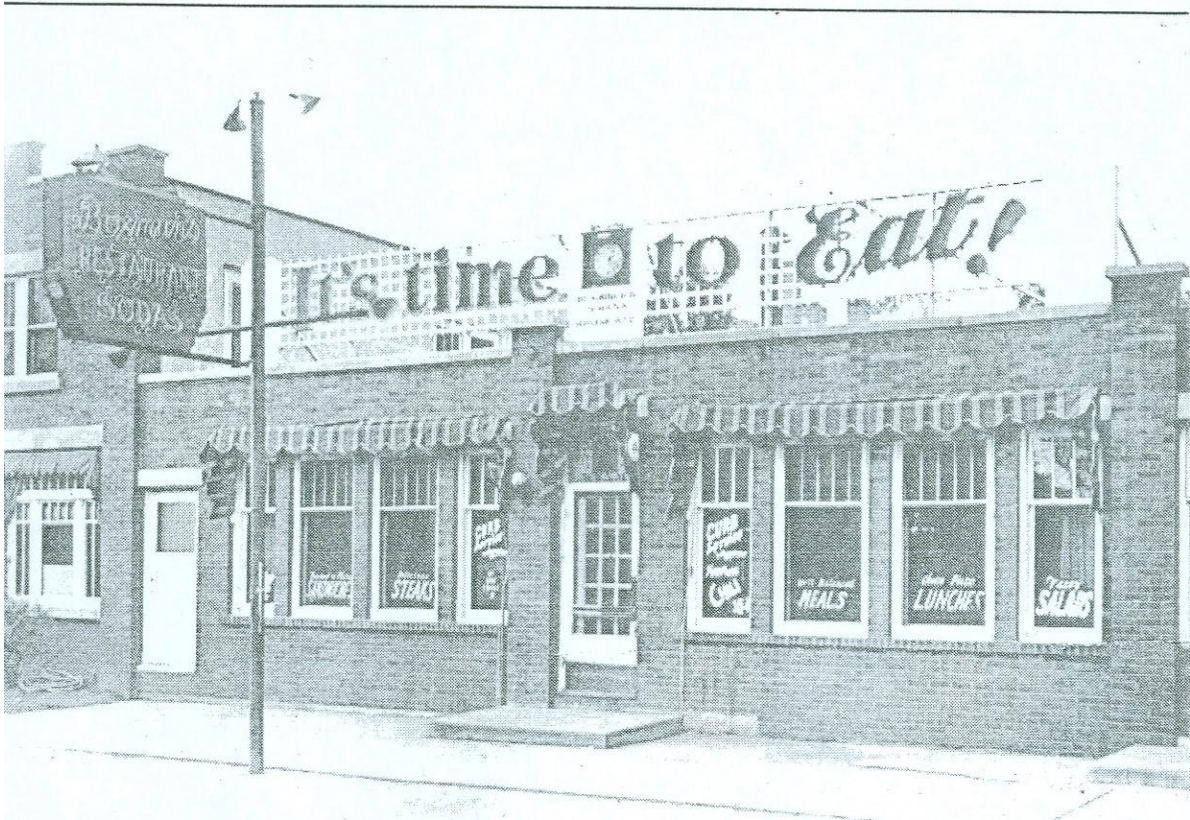
1913 Sanborn Map



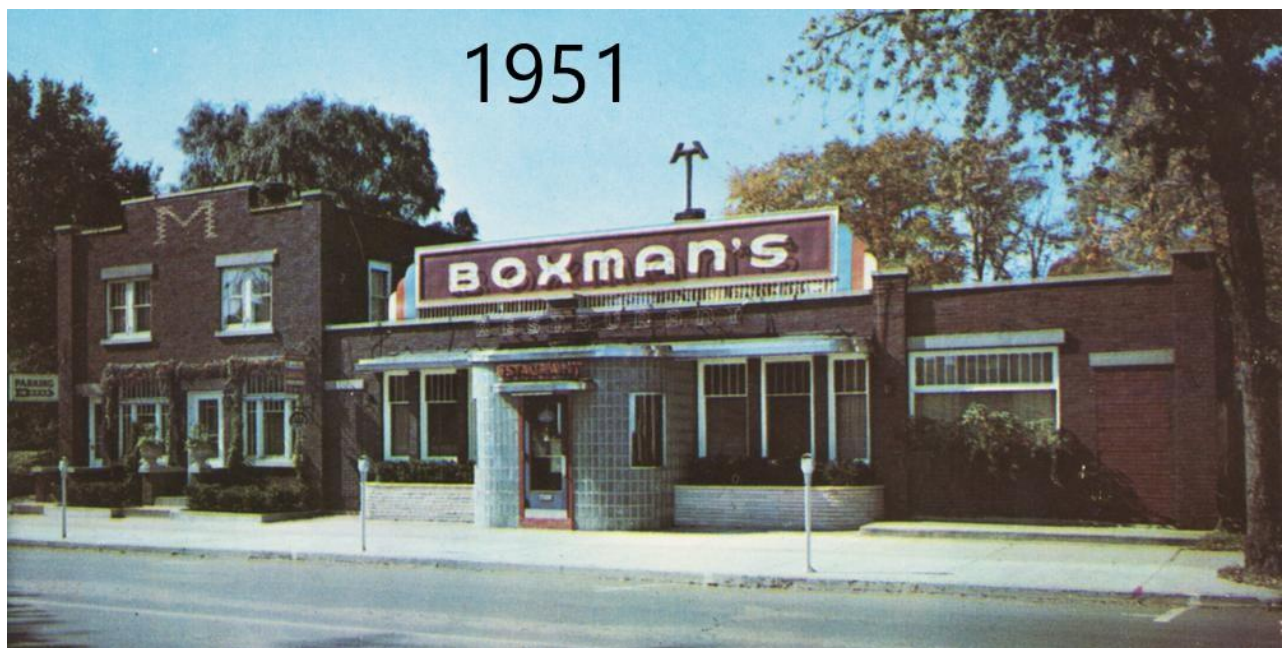


1927 Sanborn Map





Earliest photo found of Boxman's Restaurant



A photograph of Boxman's from a postcard.





Henry Boxman with his pastry lady (likely behind the famous Dutch Apple Pie) c. 1950



Boxman opened this KFC in 1963, Blomington's first. Note that he lived in the white house in the background.



Photo taken in 2001 shows the heavily altered façade.



Photo taken in 2010 shows that the lower half of the façade has been restored and windows opened.

**Historic District Criteria.** An historic district shall include a building, groups of buildings, structure(s), site(s), monument(s), streetscape(s), or neighborhood(s) which meet at least one of the following criteria:

(1) Historic:

(A) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history.

(B) Is the site of an historic event.

(C) Exemplifies the cultural, political, economic, social, or historic heritage of the community.

(2) Architecturally worthy:

(A) Embodies distinguishing characteristics of an architectural or engineering type

(B) Is the work of a designer whose individual work has significantly influenced the development of the community.

(C) Is the work of a designer of such prominence that such work gains its value from the designee's reputation.

(D) Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation.

(E) Contains any architectural style, detail, or other element in danger of being lost.

(F) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood or the city.

(G) Exemplifies the built environment in an era of history characterized by a distinctive architectural style.



# Building Assessment

424 S Walnut Street  
Bloomington, In 47404

Josh Alley  
424 Walnut LLC

MATTE  
BLACK  
ARCHIT  
ECTURE

The structure at 424 South Walnut, according to available GIS data, was built around 1900 and consists of a 2-story portion on the southeast side of the property along with a 1-story portion on the northeast side of the property. The 2-story portion consists of a vacant commercial space (formerly food and entertainment establishment) with a residential apartment above (condition and occupancy unknown). The 1-story portion contains an open commercial space with a commercial kitchen, bar, restrooms and accessory storage spaces in the western portion of that space. The commercial spaces are connected and open to one another even though it appears that at one point in time they were separate (as evidence by a partial masonry wall opening).

The exterior comprises of masonry and wood-framed construction with a traditional brick storefront on the east (street) side and cmu or wood-framing on the remaining facades. The rear (west) side of the structure is partially below grade due to the slope of the property up to the west. There is an upper level covered deck and lower level storage space at the rear of the 2-story portion that appears to have been added on at some point. The roof consists of a rubber membrane with visible low spots and significant disrepair and neglect. The masonry appears to be in poor condition, especially on the north and parts of the east (street) side. There is noticeable cracking, mortar loss, holes and staining that reflect years of neglect. The condition and makeup of the south exterior façade is somewhat unknown as it appears to have been covered over recently with fiber cement siding. There is exposed wood framing and water damage, particularly at the north and west facades. Also, the roof membrane has been extended down over the north façade and improperly lapped and “sealed” to the brick below. Air and light is visible through the exterior from the northwest corner of the structure. Per previous discussions with CBU a former open culvert that runs under the north portion of the existing building was filled and sealed off during major storm water renovations several years ago.

Some online searches and the GIS database indicate that the east (streetfront) façade has seen a host of materials, entries and tenants with an unknown “original” condition or appearance. There are currently 3 entries on the front of the building, 1 of which leads to the upstairs apartment, a second which is accessed via a long residential style wood ramp and stoop and the third via a vestibule which contains a step up inside to the main commercial floor. The vestibule appears to have been added on at some point and utilizes glass block and a storefront door, which isn't per the original time of construction. The large non-masonry signage area above the vestibule also appears to have been added at a later date and doesn't reflect any particular style or era of construction. Based on older photographs the building front contained larger stoops and multiple tenant entry locations that have since been removed, altered or covered up. The windows and doors appear to be of various types, styles and conditions (most not appearing original) reflecting various tenants, owners and again years of neglect and most likely limited resources.

The interior structure and condition is decidedly not safe nor up to current building code or accessibility standards. The main floor level, which is over a foot above the sidewalk level, varies by several inches in places and interior columns and beams appear to be almost randomly placed with unknown foundation and load-carrying capacities. Some columns have sunken into the floor by several inches indicating there may be no foundation at all. Many beams are sagging and have been covered, reinforced or spliced together in a very haphazard way. The ceiling indicates substantial water damage and may be hiding significant roof structure issues.

BFW Crane (structural engineer) was consulted by the previous owner to help prepare drawings for a new roof replacement as that was deemed to be the most dangerous portion of the existing structure. An initial construction estimate to replace the entire roof of the 1-story portion with a new structure and roof based on those drawings was over \$300,000.00 (see proposal by Building Associates). That did not include any other issues outlined above. The condition of the mechanical, electrical and plumbing systems are somewhat undetermined but most appear to be either outdated, out of code compliance or unsafe. It is very likely that lead and/or asbestos exists within the structure and would also need to be abated. The foundation and crawlspace below the structure wasn't inspected but most likely needs attention as well.

In summary, there are significant and costly repairs, renovations and replacements that would need to be done to the existing structure just to make it occupiable and functional (let alone valuable or desirable to a tenant). It's very likely based on initial estimates that those repairs would exceed the current value of the building and land itself. The building doesn't appear to be a notable example of the original era of construction nor does it contribute to a larger historical context in any significant way. While there are some older structures nearby that have been maintained and do provide a sense of an older context, most of the properties are either newer mixed-use, somewhat older residential or under-developed and out of place (i.e. don't relate to the historic or current architectural fabric). The recommendation would be to demolish the structure and develop the property anew with consideration to both the former (historic) and existing (modern) fabric of the neighborhood. Care should be taken to provide appropriate space that would restore a sense of place and community for years to come.

Thanks and let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Matt Ellenwood". The signature is fluid and cursive, with the first name "Matt" and last name "Ellenwood" clearly distinguishable.

Matt Ellenwood, AIA, IN Architect #AR11100124





Boxman-Mitchell  
Building ★