



City of Bloomington Common Council

Legislative Packet – Addendum

(Issued on Wednesday, 17 March 2021)

Wednesday, 17 March 2021

Regular Session

6:30 pm

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:
REGULAR SESSION
WEDNESDAY | 6:30 PM
17 March 2021

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/92934905576?pwd=UDVRVFc4QUNQWjR4VHZFUDNnN2g2dz09>

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

- | | |
|------------------|---------------------|
| – 09 June 2004 | – 08 September 2004 |
| – 21 July 2004 | – 22 September 2004 |
| – 04 August 2004 | – 15 December 2004 |

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

- A. Councilmembers
- B. The Mayor and City Offices
 - a. Commission on Aging – 2020 COA Annual Report
- C. Council Committees
- D. Public*

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 21-09 – To Amend Title 9 of the Bloomington Municipal Code Entitled “Water” (Rate Adjustment)

This item was not referred to a committee.

- B. Ordinance 21-10 – An Ordinance Authorizing the Acquisition, Construction and Installation by the City of Bloomington, Indiana, of Certain Extensions and Improvements to the City’s Waterworks Utility, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks Utility and Other Related Matters

This item was not referred to a committee.

- C. Ordinance 21-08 – To Amend the City of Bloomington Zoning Maps by Rezoning 87 Acres from Planned Unit Development to Mixed-Use Corridor (MC) – Re: 3100 W. Fullerton Pike (Bill C Brown Revocable Trust, Petitioner)

Land Use Committee Recommendation (10 March 2021) – Do Pass: 0-3-1

VII. LEGISLATION FOR FIRST READINGS

- A. Ordinance 21-11 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” – Re: Updating and Harmonizing Portions of Title 2 of the Municipal Code
- B. Ordinance 21-12 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” - Re: Restricted Turns on Red at Signalized Intersections
- C. Ordinance 21-13 – To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles And Traffic" Re: Amending Chapters 12.32.080, Schedule M, “No Parking Zones,” to remove three “no parking” zones and add ten “no parking” zones; and to amend Chapter 15.32.100, Schedule O, “Loading Zones,” to add two loading zones

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

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

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

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).*

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.



Land Use Committee City of Bloomington Common Council

Report on Referral of:

Ordinance 21-08 - To Amend the City of Bloomington Zoning Maps by Rezoning 87 Acres from Planned Unit Development to Mixed-Use Corridor (MC) – Re: 3100 W. Fullerton Pike (Bill C Brown Revocable Trust, Petitioner)

Referral and Deliberations:

Date	Entity	Action
03/03/2021	Common Council Regular Session	Introduction and referral to Land Use Committee
03/10/2021	Council Land Use Committee Meeting	Presentation, discussion, public comment, do pass vote, return to Council
03/17/2021	Common Council Regular Session	<i>Pending</i>

Summary and Recommendations

The Land Use Committee met on Wednesday, March 10, 2021 for 3 hours, approximately 71 minutes of which was spent reviewing and discussing Ordinance 21-08. Eric Greulich, Senior Zoning Planner, presented the proposal and gave a history and overview of the site.

Greulich explained that the Comprehensive Plan called for the area in question to be zoned for employment uses, which was also the use planning staff felt was most appropriate for the property. He expressed concern that rezoning the property to allow for certain commercial uses permitted in the mixed-use corridor (MC) district would decrease the likelihood that the property would develop with the employment uses called for by the Comprehensive Plan. Greulich explained that the Plan Commission forwarded the proposal to the Council with no recommendation.

Michael Carmin, attorney for the Petitioner, spoke about the constraints on the property and the likelihood that the property would develop with the employment uses desired by staff. He suggested that the MC zone would increase flexibility, marketability, and make it more likely that the lot would actually be developed. He described an obligation to construct a road if the property were subdivided, which he said made it difficult to develop the property without attracting multiple users/tenants to operate within a future development.



City of Bloomington Indiana

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Committee members asked questions about the Plan Commission's deliberations on the proposal, about the permitted uses allowed in the MC zone versus the mixed-use employment (ME) zone, and about the reasons that development had not already occurred on the property. Greulich noted there was a table comparing the allowed uses of each district included within the packet materials.

Carmin described interest the petitioner had received regarding a potential training center locating on the property. However, he said there were amenities like a hotel and full-service restaurant that would be expected. He also said that the road that would have to be constructed upon subdivision of the property made development by or for a single user prohibitively expensive.

Committee members asked additional questions about the road requirement and whether there were plans to use TIF funding to help pay for the road. Greulich said he did not know of any plans to use TIF funds to help pay for construction of such a road.

Committee members pointed out that the Comprehensive Plan called for the area in question to serve as an employment center and expressed deference to the vision in the Plan.

There was no public comment on the proposal. Committee members were not in favor of the ordinance. The do-pass recommendation received a vote of Ayes: 0, Nays: 3, Abstain: 1 (Volan).

/s/Isabel Piedmont-Smith
Isabel Piedmont-Smith, Chair

3/16/2021
Date

/s/Matt Flaherty
Matt Flaherty

3/16/2021
Date

/s/Kate Rosenbarger
Kate Rosenbarger

3/16/2021
Date

/s/Stephen Volan
Stephen Volan

3/15/2021
Date