CITY OF BLOOMINGTON

PLAN COMMISSION

October 6, 2025, 5:30 P.M.
Council Chambers, Room #115
Hybrid Zoom Link:

https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

CITY OF BLOOMINGTON
PLAN COMMISSION (Hybrid Meeting)
❖City Council Chambers, 401 N Morton Street Bloomington – Room #115
October 6, 2025 at 5:30 p.m.

❖Virtual Link:
https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

Petition Map: https://bton.in/G6BiA

ROLL CALL

MINUTES TO BE APPROVED: August 11, 2025 & September 8, 2025

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Hearing Officer – Back-Up Appointment

PETITIONS TABLED:

SP-24-22

Cutters Kirkwood 123 LLC
115 E Kirkwood Ave
Parcel: 53-05-33-310-062.000-005
Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.
Case Manager: Jackie Scanlan

ZO-34-23

City of Bloomington Planning and Transportation
Text Amendment
Request: Text amendment related to Sign Standards and request for waiver of second hearing.
Case Manager: Jackie Scanlan

ZO-01-25/RZONE2025-01-005

City of Bloomington Planning & Transportation
Text Amendment
Request: Text Amendments to Unified Development Ordinance: Affordable Housing Incentives.
Case Manager: Jackie Scanlan

*****Next Meeting November 10, 2025*** **Last Updated: 10/3/2025**

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

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Melissa Hirtzel** at **hirtzelm@bloomington.in.gov** and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

CONTINUED:

SP-28-25/ SP2025-08-0084

Built LLC
1320 S Rogers St
Parcel: 53-08-05-400-026.000-009
Request: The Plan Commission of the City of Bloomington, Indiana has been petitioned to hear a request for final plan approval to allow the construction of five buildings for the use "Contractor's Yard" in Parcel C of the Thomson Planned Unit Development (PUD).
Case Manager: Eric Greulich

PETITIONS:

ZO-33-25/ ZO2025-09-0013

City of Bloomington Planning and Transportation
Text Amendment
Request: Text Amendment related to Resolution 2025-12 to amend 20.04.110 (Incentives) of the Title 20, the Unified Development Ordinance.
Case Manager: Jackie Scanlan

Plan Commission Members

- Tim Ballard (Appointed by Mayor) – Current term: 1/02/2023 – 01/01/2027
- Flavia Burrell (Appointed by Board of Public Works) – Current term: 01/03/2023-01/02/2027
- Andrew Cibor (Appointed by Planning and Transportation Department) – Current term: 01/01/2024-12/31/2027
- Trohn Enright-Randolph (Appointed by Monroe County Plan Commission) – Current term: 01/04/2024-01/03/2028
- Patrick Holmes (Appointed by Mayor) – Current term: 01/02/2024-01/01/2028
- Jillian Kinzie (Appointed by Mayor) – Current term: 01/06/2025-12/31/2028
- Ellen Coe Rodkey (Appointed by Parks and Recreation) – Current term: 01/01/2023-12/31/2026
- Christopher Smith (Appointed by Mayor) – Current term: 01/02/2024-01/01/2028
- Hopi Stosberg (Appointed by Common Council) – Current term: 01/02/2024-01/01/2028
- Brad Wisler (Appointed by Mayor) – Current term: 1/1/2023-12/31/2025

*****Next Meeting November 10, 2025*** **Last Updated: 10/3/2025**

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Case # ZO2025-09-0013 Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Assistant Director

Date: October 2, 2025

Re: Text Amendments to Unified Development Ordinance: Response to Resolution 2025-12

REVIEW:
Through Resolution 2025-12, the Bloomington Common Council directed the Plan Commission to prepare a proposal that accomplishes two directives described in the resolution. Those directives are listed below.

1. To amend Unified Development Ordinance (UDO), 20.04.110(c)(5) "to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development."

2. To amend the text of UDO, 20.04.110(c)(7) "to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized (sic) a payment-in-lieu procedure."

Resolution 2025-12 is similar to Resolution 2024-23, which was discussed at the February 2025 Plan Commission hearing. Because the first Plan Commission hearing did not occur within the state-mandated 60 day period, the Common Council chose to re-introduce the content of Resolution 2024-23. The Common Council amended the content and only the two items listed above remained together in a resolution, 2025-12.

The Planning and Transportation Department hosted a discussion with local developers, realty representatives, builders, Plan Commission members, and other stakeholders on August 26, 2025 to gain insight on how the incentive structures of 20.04.110 (Incentives) could be improved. Along with city staff, 4 Plan Commissioners and 9 members of the development community attended. Additional feedback was received from other members of the development and design community, as well. The following four questions were sent to the group in advance of the meeting.

1. How well are the existing Housing Affordability Incentives working? What are some examples of the successful or unsuccessful application of the incentives?
2. What other incentives (beyond those involving building height and bulk) should be considered?
3. How could the payment-in-lieu qualifying standard be improved?
4. Other questions, thoughts, ideas...?

Some takeaways from that meeting and other feedback received included that more clarity is needed in the incentive process for non-residential projects; projects for strictly affordable housing single-family and duplex developers are difficult to accomplish within the current incentive and other offering structures of the city; a reduction in development standards materials requirements should be explored; the current incentives are largely targeted toward rental apartments to the detriment of other types of development; the current payment-in-lieu amount is too low; and the role of the Housing and Neighborhood Development (HAND) Department should be analyzed.

While much of the feedback was not incentive-focused, it was used to inform the proposed amendments.

Redline proposals for the 2 directives in 2025-12 are below.

1. To amend Unified Development Ordinance (UDO), 20.04.110(c)(5) "to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development."

The Planning & Transportation Department proposes to increase maximum impervious surface coverage allowances for single-family detached and duplex residential lots in particular districts on projects utilizing the affordable housing incentives and projects meeting the Tier 2 requirements.

(5) Affordable Housing Incentives

(A) Reduced Bulk Requirements

The following dimensional standards shall apply to single-family (detached) and duplex residential lots in the R1, R2, R3, and R4 zoning districts that meet either of the two criteria in subsection (2) above:

i. The minimum lot area for subdivision may be reduced up to 50 percent.

ii. The minimum lot width for subdivision may be reduced up to 40 percent.

iii. The side building setbacks may be reduced to five feet regardless of the number of stories.

iv. The rear building setback may be reduced to 15 feet.

~~iv.~~ v. The maximum impervious surface coverage for lots that are also intended for owner-occupancy may be reduced to 20 percent.

~~v.~~ vi. Where these standards conflict with the neighborhood transition standards established in Section Error! Reference source not found. (Error! Reference source not found.), the neighborhood transition standards shall govern.

(B) Primary Structure Height

i. Eligibility

In addition to the eligibility criteria in Error! Reference source not found., affordable housing projects seeking increased maximum primary structure height shall comply with the following criteria:

1. The building shall contain six or more dwelling units; and
2. Unit size and bedroom mix for deed-restricted units shall be comparable to those for market-rate units.

ii. Tier 1 Projects

Projects that meet the Tier 1 affordability standards may increase the primary structure height by one floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section Error! Reference source not found. (Error! Reference source not found.).

iii. Tier 2 Projects

Projects that meet the Tier 2 affordability standards may increase the primary structure height by two floors of building height, not to exceed 24 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section Error! Reference source not found. (Error! Reference source not found.). Projects that meet the Tier 2 affordability standards may increase the maximum impervious surface coverage allowance by 10 percent, and may decrease the landscape area by 10 percent.

iv. Sustainable Development Bonus

1. Tier 1 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet.
2. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.

2. To amend the text of UDO, 20.04.110(c)(7) "to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized (sic) a payment-in-lieu procedure."

Resolution 2025-12 indicates that "any payment-in-lieu qualifying standard should exceed the requirements of actual creation of permanently affordable units…" When 20.04.110 was originally adopted in 2020, the requirements in order to utilize the payment-in-lieu options were more difficult to accomplish. The Common Council amended the UDO in June 2022 to amend those requirements to what they are today. As noted above, feedback received indicated that the payment amount is too low.

20.04.110(c)(7) references administrative procedures that are located in the Administrative Manual. The Department proposes to limit the Payment-in-Lieu option to petitions for projects that contain more than 50 units. This is aligned with the mandate to increase the qualifying standard for the payment-in-lieu option. The Department proposes to amend the Administrative Manual in order to change the calculation unit from 'bedroom' to 'unit' with an additional fee for units with four or five bedrooms; to increase the percentage of units considered in the calculation; and to raise the fee per calculation unit.

(7) Payment-in-Lieu

(A) A payment-in-lieu of providing housing that meets the Tier 1 or Tier 2 affordability criteria in petitions for projects that contain more than 50 units may be authorized by an agreement with the City and all payments will be deposited into the Housing Development Fund.

(B) The provisions of this Section 20.01.010(a)(7) shall become effective no later than the effective date of the UDO, by which time administrative procedures for calculating, collecting, accounting for, and spending payments-in-lieu in compliance with all applicable law shall be adopted and publicly available in the Administrative Manual within the Planning and Transportation Department. The procedures used for calculating, collecting, accounting for, and spending shall be reviewed frequently and updated as local housing market conditions change. The calculations may use or be based upon one or more of the following methods:

i. Housing and Urban Development (HUD) annual rents based on Area Median Income;
ii. Area Median Income (per person, income bracket, etc.);
iii. Rental rates per unit or per bedroom;
iv. Utility rates allowances per unit;
v. Tiered rental rates based on percentages above and/or below AMI; and
vi. Payment contribution rates.

Below is an excerpt from the Administrative Manual: Affordable and Workforce Housing in Development Process section with proposed amendments.

Calculating a Housing Development Fund Contribution (aka "Payment-in-Lieu")
For nonresidential, student housing, or dormitory projects, a linkage study must first be approved by the City. The project must also satisfy all applicable standards within 20.04.110 C, Affordable Housing, of the UDO. Residential projects must satisfy all applicable standards within 20.04.110 C, Affordable Housing, of the UDO.

Contributions to the Housing Development Fund will be calculated as follows:~~on a bedroom basis as follows:~~

- Eligible units calculation:~~Eligible bedroom calculation:~~
    - 30~~15~~% of total project ~~bedrooms~~ dwelling units, rounded up to the nearest whole unit~~bedroom~~.
- The base contribution rate per eligible ~~bedroom~~ unit is $50~~20~~,000. This rate applies for units containing one to three bedrooms. For units with four or five bedrooms, an additional $5,000 is required for each bedroom over three bedrooms. This contribution rate may be changed annually by City staff to reflect changing construction costs or other economic factors affecting development costs.

Sample Project Calculation:

~~32~~ 132 total ~~bedrooms~~ units x 0.30~~0.15~~ = 39.6~~4.8~~
Round up to 40~~5~~ ~~bedrooms~~eligible units
~~5 bedrooms~~40 eligible units x $~~20,000~~50,000 = $2,000,000~~100,000~~
Extra bedrooms over three bedroom units: 12
12 x $5,000 = $60,000

$2,060,000 total contribution to the Housing Development Fund

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CONCLUSION: The proposed changes requested by the Common Council through Resolution 2025-12 are intended to 'incentivize developers in creation of affordable housing units' through changes to Title 20 (UDO) of the Bloomington Municipal Code. The Planning and Transportation Department has drafted the above proposal to address 2025-12.

Some items to consider include:

- The proposed response to Resolution 2025-12 raises the costs for the payment-in-lieu option, which could make the on-site or off-site units more desirable. Is that the best case scenario? HAND has expressed a preference for payment-in-lieu as opposed to developer built and monitored units.
- Should we have a separate incentives section for developers of strictly affordable owner-occupied developments?
- Do these proposed changes incentivize developers in creation of affordable housing units?

RECOMMENDATION: The Department recommends forwarding the petition to the November 10, 2025 Plan Commission hearing.

Passed 8-0 (Rollo absent)

RESOLUTION 2025-12

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives).

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

WHEREAS thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance" ("UDO") in order to implement the vision for community development put forward in the Comprehensive Plan; and

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

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

WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and

WHEREAS pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and

WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and

WHEREAS the Common Council reinitiates, in part, its intent to pursue the objectives set forth in Resolution 2024-23; and

WHEREAS the Common Council wishes to assess and amend the relevant provisions of the UDO in order to incentivize developers in creation of affordable housing units; and

WHEREAS the UDO allows developers to take advantage of affordable housing incentives by making a payment-in-lieu of the creation of permanently affordable housing units; and

WHEREAS any payment-in-lieu qualifying standard should exceed the requirements of actual creation of permanently affordable units; and

WHEREAS The Common Council further wishes to ensure any payment-in-lieu options are meeting the long term interests of Bloomington housing needs; and

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

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

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

SECTION 1. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(5)) (Affordable Housing Incentives) to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development.

SECTION 2. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.04.110(c)(7)) (Payment-in-Lieu), to assess the payment-in-lieu option and consider an increase in the qualifying standard for developments utilized a payment-in-lieu procedure.

SECTION 3. Upon passage of this resolution, and pursuant to IC 36-7-607, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 4.If any section, sentence or provision of this legislation, 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 legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 30 day of July, 2025.

HOPI STOSBERG, 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 31 day of July, 2025.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED by me upon this 6 day of August, 2025.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, reinitiates, in part, the proposal in Resolution 2024-23 (adopted on November 20, 2024) to amend Title 20 (the Unified Development Ordinance or "UDO") of the Bloomington Municipal Code. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to assess and consider changes to the affordable housing incentive structure and the payment-in-lieu option.

Distributed to: Clerk, Council Attorney, Controller, HAND, Legal, Mayor, and Planning & Transportation.