

Plan Commission Summary Minutes – July 14, 2025 - 5:30 pm
City of Bloomington Council Chambers – Room #115

Plan Commission minutes are transcribed in a summarized manner. Video footage is available for viewing in the (CATS) Department of the Monroe County Public Library, 303 E Kirkwood Avenue. Phone number: 812-349-3111 or via e-mail at the following address: moneill@monroe.lib.in.us.

The City of Bloomington Plan Commission (PC) met on July 14th, 2025 at 5:30 p.m., a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404 and remotely via Zoom. Members present in Chambers: Tim Ballard, Andrew Cibor, Patrick Holmes, Jillian Kinzie and Hopi Stosberg.

ROLL CALL

Kinzie welcomed new member Patrick Holmes to Plan Commission.

APPROVAL OF MINUTES: June 9th, 2025

Ballard made motion to approve the July 9th, 2025 minutes, Stosberg seconded the motion. Motion passed by roll call – 5:0

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

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

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PETITIONS:

SP-22-24/USE2024-05-0051

Morningside Holdings, LLC

4600 E. Morningside Drive

Parcel: 53-05-36-300-001.001-005

Request: Extension of the site plan approval granted under case #SP-22-24/USE2024-05-0051 on June 10, 2024. Case Manager: Eric Greulich

Eric Greulich, Case Manager, presented SP-22-24. The Department recommends that the Plan Commission approve the request for an extension of the site plan approval with the following conditions of approval:

1. All conditions of approval of SP-22-24 are still valid.
2. The approval granted on June 10, 2024 shall be effective continuously from the original approval date through June 9, 2026.

Daniel Butler, Bynum, Fanyo & Associates, explains that the project is in it's last reviews with Engineering, Planning and CBU. And is hopeful to have an approved site plan within a month or two. A one year extension from June 10, 2024 is preferred, even though a timeline of 2 months is all that is anticipated to have a permit in hand.

Stosberg made comment that last year she voted against this petition, in part due to the horrible use of land resources. And it's really frustrating to me that we're seeing this extension on the very day that we actually managed to see the petition to modify the Udo to change self storage as an allowed use. I know that legally we don't have much recourse right now in granting this extension, but I will not vote affirmatively on a year extension. The longest I will allow them is a 3 month extension which would validate it only until September 9, th 2025.

Stosberg made motion to recommend to approve the request for an extension with the following conditions of approval, one. That all conditions of the approval of SP-22-24 are still valid, and 2. that the approval granted on June 10th, 2024 shall be effective continuously from the original approval date through September 9th, 2025.

Ballard states that a one year extension is what was originally agreed on and should be allowed to proceed. We know how things can happen. They didn't expect to be here a year later asking for an extension.

No second, motion does not continue.

Ballard moved to approve the request for an extension of the Site Plan approval with the following conditions, all conditions of approval of SP-22-24 is still valid. The approval granted on June 10th, 2024 shelf be effective continuously from the original approval. Date through June 9th, 2025. Holmes seconded the motion.

Kinzie states that there are only 5 voting memebbers in chambers that all must vote either one way or the other to pass a vote.

Jackie Scanlon, Assistant Director, states that per rules and procedures in the absence of

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majority, to vote to determine final disposition, the request, petition, or resolution shall be administratively continued to the next regularly scheduled meeting, so if the 5 of you don't vote to continue it, and you can't agree on any one motion, then it will be administratively continued to the August Plan Commission hearing.

Daniel Butler, petitioner, explains that working with other departments sometimes brings unforeseen delays can be out of our hands sometimes we're asking for you to work a little bit on that timeline. If you're not comfortable with passing a year, we understand but 3 months. It may be a little tight, just because of some of those factors. I do believe that it would have a month or 2, but that feels a little tight to us.

Tim Hanson, WS Property Group, states that they started working with AT&T in July 2024, on permits and easements from them consistently until October 2024. Then AT&T stopped communication with them. To find out that in January 2025 that they had sold the property to Rain Capital. So we had to start over in January, working with another company that wasn't familiar with us to get these easements done, which we finally got signed and recorded in May of this year. Concerned that a 3 month extension will only put them back before the Plan Commission asking for another extension.

Stosberg states that she will only vote on a 3 month extension.

Daniel Butler, petitioner, states that they will accept a 3 month extension.

Ballard withdraws motion for a 1 year extension.

Stosberg moved original motion to approve the request for an extension with the following conditions of approval. 1. All conditions of approval of SP-22-24 are still valid, and 2. The approval granted on June 10th, 2024 shall be effectively shall be effective continuously from the original approval. Date through September 9th, 2025.

Ballard seconded the motion.

PUBLIC COMMENT: None

Stosberg made motion to approve SP-22-24, for a 3 month extension. Ballard seconded the motion. Motion passed by roll call 5:0

ZO-03-25

City of Bloomington Planning & Transportation

Text Amendment

Request: Text amendment related to Single-Room

Occupancy and request for waiver of second hearing.

Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission continue petition ZO-03-25 to the required second hearing on August 11, 2025.

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PUBLIC COMMENT:

*Thomas Payne, new Pres. of the near West side neighborhood association, I was very happy to hear about the architectural conformity considerations of this. I'm assuming that HAND, in their permitting process would take into account that if a neighborhood is an historic district, that those guidelines would be the ones that would be followed otherwise for non historic districts.

*Doug Curry, resident of Walnut Creek subdivision, concerned that this is just renaming residential houses like the sober living Malibu House on Chris Lane, one street over from his home on Azalea Lane. There is a high density of this type of housing in his neighborhood already, which is increasing traffic, etc.

*Chris Sturbaum, via Zoom, I spent many years on the Plan Commission. I want to speak and request that you add owner occupancy as a requirement in the residential zones. With that requirement. The homeowner living in the house in question can rent out a room or rooms to a student or caretaker. Fantastic idea. But this same zoning change without an occupancy rule opens the door for investors to profit by creating over occupancy. The investor's obvious profits are at the expense of the quality of life of the neighborhood residents and property values.

*Isabel Piedmont-Smith, via Zoom, Council member district 1, I sponsored this resolution and want to give some context on why. In past history, SRO's could be low quality and stricter regulations were enacted, shutting down rooming houses in the 1970's and 80's. There is widespread support for services for unhoused people, students, retirees and others who would like to live in SROs. And feels that we need a better definition of a single room occupancy, because currently it really doesn't seem any different than a house that's rented to multiple students.

*Stephen Finnerly, resident Chris Lane, feels that the City failed the residents by allowing rental houses like the likes of Pendragon Rentals and Malibu House in their neighborhood. The safety issues that it presents, traffic and the children that reside in the neighborhood. The Malibu House has a revolving door of residents. Feels that it's going to take a lot of oversight for this to happen, especially from HAND. They can't keep up with what they've got now.

*Eric Ost, Via Zoom, states that in the introduction of the petition, the number of adults per bedroom was stated as two. The public version of the petition states a maximum of one adult per bedroom, as appears on page 51 of the 120 page meeting packet. This should be clarified as the petition moves forward, along with the definition of a bedroom. The rezoning to allow SROs in all neighborhoods, but those with covenants prohibiting this type of housing will have an effect on those neighborhoods that are already densely populated and predominately market rate rental housing. Owner occupancy for SROs will actually achieve the objective of affordable housing. The current market focuses on maximum return on the investment at a time when our community says we need to prioritize and incentivize homeownership.

*Kerry Winderman, via Zoom, resident near Azalea Ln, states that this neighborhood feels pretty saturated with residents, and that this petition should definitely be owner occupied or the character of this neighborhood is going to change. Another congestion area is Bloomington HS South, which is also in this vicinity, with thousands of cars every day. Wylie Farms and the bike trails, we want to keep this a peaceful and safe street neighborhoods. I'm afraid what could be a good idea may be taken advantage of for commercial gain.

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*Paul Rousseau, via Zoom, supports Mr. Sturbaum's comments and feels that the capitalist market is notoriously exploitive, and Bloomington already has more than its fair share of exploitation in real estate. Feels that Bloomington should make driving and parking more difficult, to encourage more walking and bicycling, (more the student population).

*Jill Minch, resident of Arlington Rd, does not support this amendment due to traffic issues and how will the SROs be regulated in her neighborhood.

BACK TO COMMISSION:

Stosberg first addressed the concerns of the public about the Malibu House. Clarifying that the Malibu House and other group homes that serve to house people in recovery, fall under a completely different categorization under the UDO. Second clarification, from a council perspective is we are trying to accommodate married couples. Currently a married couple would have to rent two rooms in student housing complexes. This creates the option for married couples to only rent one room.

Stosberg made motion to continue ZO-03-25 to the August 11th, 2025 meeting, Cibor seconded the motion. Motion passed by roll call 5:0

ZO-18-25/ ZO2025-05-0007

City of Bloomington Planning & Transportation

Text Amendment

Request: Amendment to the Use Table to add the use "Urban Agriculture, Commercial" and new Use Specific Standards. Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission continue petition ZO-18-25 to the required second hearing to the August 11, 2025 hearing.

PUBLIC COMMENT:

*Jesse Gilmore, currently MPA program @ IU, received master's in Urban Food Systems from KSU, worked 4.5 years as an Extension Agent and is very excited to see commercial urban agriculture on the plan for Bloomington. 1) Wants to point out that 5 extra feet on a greenhouse height really helps with temperature management. 2) Allowing none landowners to connect with landowners to start an urban agriculture business increases the business opportunities for both individuals. Asks to please consider allowing produce to be sold in "raw or processed form", to boost sales. He also would like to offer his help in implementing commercial urban agriculture in Bloomington.

*Jeff Stake, IU Law School, states that zoning was implemented to protect property rights. It protects financial, emotional, historic, and human investments in property. It protects property. I believe that this amendment will do more harm than good. Allowing commercial farm use in neighborhoods will lead to neighborhood strife and cause community division. I worry that it will undermine faith in local government and respect for local government, to maintain the legitimacy of government by respecting people's reliance on the rules that are there, and to maintain the harmony of our city and our neighborhoods.

*Craig Stewart, resident, opposes this amendment as it is almost a textbook example of special law. In this particular case, the difference between a textbook example is special on what's being done. Here is the fact that the special nature of this modification is disguised by the geographic scope of the

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ordinance modification. I think the way that this ordinance modification is written actually harms that goal rather than helping it.

*Sarah Jane Hughes, via Zoom, Brooks Dr. resident, compliments Jeff Stake comments concerning strife, divisiveness, and more litigation in town, and undermining faith in local governments. I absolutely agree with Mr. Stewart, that this looks like spot zoning, and I agree, unhappily for the primary proponent, that this is disguised by a citywide geographic scope when there are, and I checked recently very few parcels in the R. 1 and R. 2 zones, anyway, that are empty or available for a purpose of this type. So forward looking, we still need to be very concerned about the quality, the integrity of neighborhoods. We need to be very concerned about traffic safety. ZO-18-25 is entirely inconsistent with the character of the neighborhood, and would cause considerable strife among immediate abutters, and those down the road.

*Deb Mather-Boehm, speaking on behalf of her mother, Diamond Mather, who has lived across the street from the proposed for 60 years. They feel that the existing zoning ordinances are there to protect the neighborhoods from commercial businesses, and preserve the character of the old residential areas. Brooks Dr. is a very narrow street, and can't imagine trying to navigate with more cars. One family is dictating the outcome of the whole neighborhood.

*Glenn Gass, via Zoom, this is a zoning issue, we're talking about neighborhoods where people's rights and investments are protected. Not to have that all changed with farming, machinery, livestock, employees and students next door.

*Connie Cook-Glen, there is an agreement between the Institute for Justice, Ellee Spiers and the city, and I have copies to leave with you. I'm very concerned that the facilitator for this agreement is outside the State and does not have Bloomington, Indiana interests or knowledge of the city, and that's very much a concern for me. I'm quite concerned about, and part of those are covered by the Udo, but in a very odd way. There are concerns about water drainage, and fertilizer drainage, poisoning the water supply from chemicals used.

*Jim Glen, has concerns about the number of employees per the packet. Doing the math of acreage to people on the property, 1 ½ to 2 acres would allow 30 to 36 people on that property at one time. This leaves him skeptical and opposes this amendment.

*Joseph Winnia, via Zoom, like to speak in support of the proposed urban agricultural, commercial land use. In short, we're living in a climate crisis that is seldom treated as such. So I think it's heartening to see the proposal for this measure that would allow for a greater ability to grow and distribute food right where it's needed, and also provide educational opportunities centered around it. I also want to quick note how closely this proposal follows the city's Climate Action Plan section 6, on local food and agriculture, which specifically states an action item that says, revised zoning ordinances to remove barriers to urban agriculture, and it says, to examine and pursue other policy levers to increase food production within the city.

*Daniel Conkle, 2109 E Covenanter DR, have resided more than 40 years. If I were a member of this Plan Commission I would want to ask the Plan Commission Staff further about the involvement and role of the Institute for Justice. You're being provided with copies of that, it's dated the 4th of April 2025. That agreement asked the city, or the city agreed to propose amendments to the Udo. Those proposed amendments, though, as described in the agreement that you now will have before you refer only to a potential expansion of an educational component on an urban farm. No mention of commercial, no mention of expanding the size of greenhouses or 50% on the lot or anything of the

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kind. Something happened between the date of that agreement and the proposal that is now being forth.

*Matthew Austin, please allow residents the basic right to use their gardens and homes, to teach and educate others about growing food. That's it. Not to run a commercial farm, not to host large scale events, simply to share knowledge. Let me be clear. This isn't hypothetical. My sister Ellee Spier and her family have built Garden Q and garden Quest as a small urban farm in Bloomington, Indiana. It has inspired over 500 community members from Girl Scouts to IU students that wrote letters of support that were presented at the BZA meeting in November 2024. Teaching people to grow their own food is no longer a luxury, it is a necessity. And yet under the current Udo they are prohibited from teaching a child to plant a tomato without the fear of thousands of dollars in fines. I've heard the critics they say they support what we're doing but suggest it belongs somewhere else that's called Nimbyism. Not in my backyard. Furthermore, the ordinance before you tonight does not grant unrestricted use. It simply creates a pathway for property owners to apply for permission to use our gardens and homes for educational purposes, subject to existing oversight and approval processes. Neighbors retain full rights to voice their concerns at every stage. We want to be able to teach and have people on our property, and the city of Bloomington never defined what "employee" is. Employee includes, volunteer includes intern includes a parent. It is not defined, and we tried to get the city to actually define it. And they never did. And so, based on the property we would be able to, based on the property size, we would be able to have 20 students and then 10 parents managing those students. That's the whole point of the 1 to 2. You can't have 20 students on property without their parents. All parking is figured out. We can get over 20 cars on the driveway. We have no desire to park on Brooks.

*Dave Boehm, Diamond Mather's son in-law, his question is why do we need this zoning amendment when they are already growing stuff? Also, questions if they can actually fit 20 cars in their driveway. Why change the entire zoning of one neighborhood for just one property?

*Kathleen Boggess, via Zoom, I happen to be a member of on the Board of Directors of garden quest, which is all about teaching children how to get in touch with how their food comes to them. Zoning is necessary because the Spiers have gone through all of the steps to get this approved, and they were told at a meeting that I attended, that the correct way to do it was to work with the city and ask for zoning. Also, we're talking about occasional groups coming to this property. It could be a couple times a week. It could be once a month. We don't know, because we haven't been allowed to operate in this fashion yet. I think this ordinance needs to be approved so that we can deal with the real world in current times, and do it in a respectable way.

*Paul Rousseau, via Zoom, I am in support of organic gardening. My issue is scale, and I don't understand why it has to be commercial. When food is produced commercially, that necessarily involves profit, and for something to be profitable, agricultural operation must generally be large enough to mitigate fixed costs. In sharp contrast to organic gardening, a commercial operation will often involve fossil fuel inputs, potential fertilizer runoff potential airborne pesticide drift. So at this time I would support this resolution only if it does not allow commercial agriculture.

*Ellee Spier, Via Zoom, I'm here to say that I am so impressed with the city for taking the steps to become a leader in the country. We need this kind of vision. Someone has to take the 1st step and people are asking for it. We may be the only ones that have gone to the city to ask for it. But there are others. IU wants to start a urban bike tour. They have graduate students that have gotten funding to do this because they see this is the wave of the future. People want to learn from other people who are living and doing what they want to do, they need to be inspired. And this kind of zoning ordinance is inspirational. And that's all I have to say, it is inspirational. Thank you for giving it the opportunity.

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*Penny Austin, retired teacher (MCCSC) of 34 years and a master gardener, and I have learned more on the urban farm than what the Purdue Master Garden could provide. States that Ellee & Brett Spier don't want the big things that the neighbors are fearful of. They just want to educate inside their house in the winter and outside their house to demonstrate how to do it. It's more real when you get a chance to get out of the classroom and to just do it.

Stosberg made motion to continue ZO-18-25 to August 11, 2025 meeting. Cibor seconded the motion. Motion passed by roll call 5:0

Scanlan states that commissioners will need to vote to hear petitions after 9 PM. And to go later than 930 potentially, and has to be unanimous. Otherwise we have to pick a date within the next week to meet again to finish those petitions.

Stosberg moved to suspend the rules and allow introduction of new petitions past 9 pm. Holmes seconded the motion. Vote passed by roll call 5:0

ZO-19-25/ ZO2025-05-0008

City of Bloomington Planning & Transportation
Text Amendment

Request: Amendments to the Use Table outlining which districts the use "Storage, self-service" is allowed within and related Use-Specific Standards. Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission forward petition ZO-19-25 to the Common Council with a favorable recommendation.

Stosberg made motion to waive the second hearing for ZO-19-25 and forward to Common Council with favorable recommendation. Ballard seconded the motion. Motion passed by roll call 5:0

ZO-20-25/ ZO2025-05-0009

City of Bloomington Planning & Transportation
Text Amendment

Request: Use Table amendments for the use "Fraternity/Sorority"; Office use in Mixed-Use Student Housing (MS); and "Vehicle fleet operations, small" and "Vehicle fleet operations, large." Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission forward petition ZO-20-25 to the Common Council with a favorable recommendation.

Stosberg made motion to waive the second hearing for ZO-20-25 with a positive recommendation, with the condition that the fraternity or sorority house heading in the UDO at Error! Reference source not found. be removed, and subsequent headings be renumbered as appropriate. Ballard seconded the motion. Motion passed by roll call 5:0

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ZO-21-25/ ZO2025-05-0010

City of Bloomington Planning & Transportation

Text Amendment

Request: Amendment to the Use Table outlining which districts the use “Vehicle Fuel Station” is allowed within and related Use-Specific Standards. Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission forward petition ZO-21-25 to the Common Council with a favorable recommendation.

Ballard made motion to waive the second hearing for ZO-21-25, and forward to Common Council with a positive recommendation. Stosberg seconded the motion. Motion passed by roll call 5:0

ZO-22-25/ ZO2025-05-0011

City of Bloomington Planning & Transportation

Text Amendment

Amendment to the Use Table outlining which districts the use “Vehicle wash” is allowed within and related Use-Specific Standards. Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission forward petition ZO-22-25 to the Common Council with a favorable recommendation.

Ballard made motion to waive the second hearing for ZO-22-25, and forward to Common Council with a positive recommendation. Stosberg seconded the motion. Motion passed by roll call 5:0

ZO-23-25/ ZO2025-05-0012

City of Bloomington Planning & Transportation

Text Amendment

Amendment to Chapter 7 regarding the definition of “Personal service, small” and Use Table to remove the use “Tattoo or piercing parlor”. Case Manager: Eric Greulich

Eric Greulich, Case Manager, The Planning and Transportation Department recommends that the Plan Commission forward petition ZO-23-25 to the Common Council with a favorable recommendation.

Stosberg made motion to waive the second hearing for ZO-23-25, and forward to Common Council with a positive recommendation. Ballard seconded the motion. Motion passed by roll call 5:0

Meeting adjourned 9:20 pm