

# **Bloomington Common Council Regular Session Packet Addendum**

Wednesday, May 6, 2026 at 6:30 p.m.

Council Chambers, City Hall, 401 North Morton Street, Bloomington, IN 47404

The meeting may also be accessed [remotely](#)<sup>1</sup>.

1. Supporting Documents for Ordinance 2026-06 - Hopewell Planned Unit Development (PUD)
  - a. Revised Reasonable Conditions to Ordinance 2026-06 - Hopewell Planned Unit Development (PUD)
  - b. Proposed Written Acknowledgement 1 for Ordinance 2026-06 - Hopewell PUD
  - c. Memorandum from Councilmember Stosberg on Hopewell PUD
  - d. Memorandum from HAND Director Killion-Hanson regarding Hopewell PUD
  - e. Constituent Table Shared on Regular Meeting on April 22, 2026, regarding Ordinance 2026-06 - Hopewell PUD
  - f. Bloomington Redevelopment Commission Resolution 26-32: Approval of Certain Conditions Passed by the Common Council for the Hopewell South PUD Plan and Position on Uncertain Options

Bloomington City Council meetings can be watched on the following websites:

- [Community Access Television Services \(CATS\)](#)<sup>2</sup>
- [City's YouTube Channel](#)<sup>3</sup>

[Materials for this meeting](#)<sup>4</sup> are available on Council's website.

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<sup>1</sup> <https://bloomington.zoom.us/j/88279574478?pwd=kMCLZSZ9KM1j60bSHrkpgzbgKtWegJ.1>

<sup>2</sup> <https://catstv.net/>

<sup>3</sup> <https://www.youtube.com/@citybloomington>

<sup>4</sup> <https://bloomington.in.gov/council/meetings/2026>

**Reasonable Conditions Ordinance 2026-06**

<b>RC #</b>	<b>Council Sponsor</b>	<b>Reasonable Condition Topic</b>	<b>Synopsis</b>	<b>Notes</b>
1	CM Stosberg	Use Table	Proposed condition requires an updated Allowed Use Table to reflect the stated Project Goals and a rational phasing plan.	Adopted by Council on 3.25.2026 Regular Session
2	CM Stosberg	Phasing Plan	This condition requires the applicant to provide a phasing plan as part of the final plan approval process.	Adopted by Council on 3.25.2026 Regular Session
3	CM Ruff	ADUs	ADUs in the PUD shall be subject to the existing BMC owner occupancy residency requirements that apply to other residential zones in the City	Withdrawn by RC Sponsor
4B	CM Rosenbarger	Permanent Affordability	This condition would require at least 50% of Hopewell units or properties to remain permanently affordable, with affordable homes proportionate in size and bedroom mix to market-rate homes and comparable in quality and appearance.	Updated version 4B in packet addendum
5	CM Zulich	Permanent Affordability	The units designated as permanently affordable will follow affordability guidelines set forth by the administration, which will include tools such as silent second mortgages and/or Right of First Refusal. The administration will report the full & final affordability structure to the council prior to the first home sale.	Voted on by Council on 3.25.2026 Regular Session (result 3-6) not adopted.
6	CM Flaherty	Sustainability	All buildings must use either electricity or on-site renewable energy sources for all significant energy needs, including for space heating, water heating, and cooking	Adopted by Council on 3.25.2026 Regular Session. Withdrawn by CM Flaherty in favor of a <u>written</u>

				commitment that is substantively aligned
7B	CM Flaherty	Sustainability	All buildings must meet one of the energy efficiency standards contained in Unified Development Ordinance 20.04.110(d)(2)(B).	Adopted by Council on 4.22.2026 Regular Session
8B	CM Flaherty	Land Use	The PUD Street Standards and Street Sections will be updated to reflect a 6 foot minimum sidewalk width	Adopted by Council on 4.22.2026 Regular Session. Updated Version 8B combined with 9B (below)
9C	CM Flaherty	Land Use	Sidewalks that serve as frontage with no drive lane will be updated to reflect a minimum sidewalk width of 10 feet. This includes the sidewalks bisecting Block 9, running along the southern edge of Block 10, and running north-south approximately in the middle of Block 10	As above.
10A	CM Flaherty	Land Use	The PUD Street Standards and Street Sections will be updated to reflect a Tree Plot / Green Infrastructure minimum width of 6 feet. Tree plots must be located between the sidewalk and drive lanes within the street cross section wherever physically possible.	Adopted by Council on 4.22.2026 Regular Session
11	CM Flaherty	Land Use	The PUD Street Section for Lanes (alleys) will be updated to reflect a maximum width of 12 feet including concrete ribbon.	Withdrawn by CM Flaherty.
12C	CM Flaherty	Land Use	The Rogers Street cross section modified to comply with the Transportation Plan for a General Urban Street, including Block 8 where possible.	Adopted by Council on 4.22.2026 Regular Session

13	CM Rosenbarger	Short term rentals	This condition would allow short-term rentals only when they are truly owner-occupied, rather than operating as full-time investor rentals. It also requires compliance with applicable lodging taxes and sets a clear occupancy cap. The goal is to reduce the loss of housing units to full-time short-term rental use and preserve the neighborhood's residential character.	
14A	CM Stosberg	Street Design	Would require lanes be designed for a vehicular speed of 10 miles per hour.	Adopted by Council on April 22, 2026 Regular Session
15	CM Asare & Zulich	Permanent Affordability	This Reasonable Condition is paired with a resolution sponsored by Councilmember Zulich directing the Housing and neighborhood development department to Develop a Framework for Long-Term Housing Affordability.	In Packet Addendum

ORDINANCE 2026-06

PENDING REASONABLE CONDITIONS

**\*\*\* Reasonable Condition Form \*\*\***

- Ordinance: 2026-06
- Reasonable Condition #: 4B
- Submitted by: CM Kate Rosenbarger and CM Hopi Stosberg
- Date: April 30, 2026

**Proposed Reasonable Condition**

At least fifty percent (50%) of all dwelling units in the Hopewell PUD shall be designated as Permanently Affordable (PA)

1. Unit mix: the mix of PA units (bedrooms, square footage) must be proportionate to the market-rate units in the Hopewell PUD.
2. Functional equivalency: PA units must be functionally equivalent in construction quality and exterior appearance to market-rate units.

Compliance with the PA requirement shall be secured through one of the following recorded legal instruments:

1. Deed restrictions or covenants: a perpetual deed restriction or covenant (99 years, renewing at the transfer of each deeded property) that runs with the land, binding all current and future owners to the affordability limits.
2. Ground leases: A community land trust (CLT) or similar entity shall own the land and secure a long-term ground lease (minimum 99 years), in order to separate land ownership from structure ownership, ensuring the home remains affordable at every subsequent resale.
3. Or other legal mechanism for permanent affordability as subsequently approved by this council as an amendment to this ordinance.

All affordability restrictions imposed in this reasonable condition shall be permanent. Permanent affordability will be defined as the greater of a period of no less than 99 years or the life of the building during which the affordably dedicated properties within the PUD will be restricted to being rented or sold at amounts determined for low or very-low income households as defined by Housing and Urban Development (HUD) Average Median Income (AMI) and the Bloomington Unified Development Ordinance, or its successor legislation. Permanent affordability mechanisms shall be designed in such a manner that do not require additional public subsidy. Restrictions shall not expire upon the sale or transfer of the property or structure.

Eligibility - 35% of total units reserved for households earning at or below 120% AMI.  
15% of total units reserved for households earning at or below 90% AMI.

## **Synopsis**

This reasonable condition introduces Permanent Affordability (PA) to the Hopewell PUD, where none currently exists. When Hopewell was purchased, the intent was to create permanently affordable housing - something the City of Bloomington lacks. The goal is to create a new neighborhood with affordable options, and to keep those options affordable forever, hence Permanent Affordability. Permanent affordability is a stepping stone between renting and owning market-rate homes, and having options for purchase in Hopewell is necessary. This RC hopes to allow affordable unit and property options that are similar to market-rate options: from condos, to townhouses, to small homes, to full-sized homes.

Further, this reasonable condition brings this PUD in line with the current UDO standards for permanent affordability in a PUD, which states: at least 15% of total dwelling units within the PUD will be permanently income-limited to households earning at or below 90% AMI (amended from 120% AMI). Passed as Ordinance 2026-02 on January 14, 2026.

This updated condition strengthens the definition of permanent affordability.

**05/06/2026 Regular Session Action:** Pending

**\*\*\* Reasonable Condition Form \*\*\***

- Ordinance: 2026-06
- Reasonable Condition #: 13
- Submitted by: **CM Rosenbarger**
- Date: March 19, 2026

**Proposed Reasonable Condition: Short-term Rental Restrictions**

Any short-term rental within the PUD shall comply with the definition of a short-term rental set forth in the Unified Development Ordinance or Bloomington Municipal Code, meaning a dwelling unit or portion thereof rented for fewer than thirty (30) consecutive days.

All short-term rentals within the PUD shall be owner-occupied. For purposes of this condition, owner-occupied means the property owner maintains the dwelling as their primary residence and resides there for at least one hundred eighty-five (185) days per calendar year, or otherwise meets the applicable definition of owner-occupancy under the UDO or Bloomington Municipal Code.

Operators of any short-term rental within the PUD shall be responsible for collecting and remitting all applicable taxes, including the Innkeeper's Tax and any other required state or local lodging taxes.

Occupancy of any short-term rental shall not exceed two (2) persons per bedroom plus two (2) additional occupants.

**Synopsis**

This condition would allow short-term rentals only when they are truly owner-occupied, rather than operating as full-time investor rentals. It also requires compliance with applicable lodging taxes and sets a clear occupancy cap. The goal is to reduce the loss of housing units to full-time short-term rental use and preserve the neighborhood's residential character.

**03/25/2026 Regular Session Action:** Pending

# Bloomington Common Council Reasonable Conditions Form

Ordinance: 2026-06

Reasonable Condition Number: 15

Submitted By: Councilmembers Zulich and Asare

Date: April 30, 2026

## Proposed Reasonable Condition:

1. **Percentage of Units.** At least fifty percent (50%) of all dwelling units in the Hopewell PUD shall be designated as Permanently Affordable (PA).
2. **Unit mix.** The mix of PA units (bedrooms and square footage) shall be generally proportionate across the Hopewell PUD as a whole and distributed across multiple housing typologies present within the PUD to the extent practicable.
3. **Functional equivalency.** PA units shall be functionally equivalent in construction quality and exterior appearance and integrated within the architectural character of the Hopewell PUD.
4. **PA Instruments.** Compliance with the PA requirement shall be secured through one or more of the following recorded legal instruments:
  - a. **Deed restrictions or covenants:** A perpetual deed restriction or covenant (99 years, renewing at the transfer of each deeded property) that runs with the land, binding all current and future owners to the affordability limits.
  - b. **Ground leases:** A community land trust (CLT) or similar entity shall own the land and secure a long-term ground lease (minimum 99 years), separating land ownership from structure ownership to ensure affordability at each resale.
  - c. **Shared-equity silent second mortgages:** A recorded subordinate mortgage or lien containing enforceable resale price restrictions and income eligibility requirements that run with the land and remain binding upon transfer or refinancing.
  - d. **Shared-appreciation mortgages:** A recorded shared-appreciation instrument limiting resale value through an equity-sharing formula that preserves affordability across successive ownership transfers.

- e. **Subordinate affordability liens:** A recorded affordability lien securing permanent resale price restrictions and income eligibility requirements enforceable by the City or its designee.
  - f. **Resale-restricted affordability covenants:** A perpetual recorded covenant establishing enforceable resale price controls and eligibility requirements that bind all future owners and successors in interest.
  - g. **Perpetual affordability regulatory agreements:** A recorded regulatory agreement between the property owner and the City, or its designee, imposing permanent affordability requirements that run with the land.
  - h. **Land Use Restriction Agreements (LURAs):** A recorded Land Use Restriction Agreement or similar affordability covenant associated with federal, state, or local housing programs that imposes enforceable long-term income eligibility and rent or resale restrictions consistent with the permanent affordability requirements of this condition.
  - i. **Limited-equity condominium declarations:** A condominium declaration recorded with the master deed that restricts resale prices and purchaser eligibility in perpetuity.
  - j. **Limited-equity cooperative ownership structures:** A cooperative ownership structure with recorded share transfer restrictions ensuring continued affordability across successive occupants.
  - k. **Affordability easements:** A recorded affordability easement or similar servitude running with the land that permanently restricts occupancy eligibility and resale price.
  - l. **Rights of first refusal paired with resale-price restrictions:** A recorded right of first refusal held by the City or its designee, combined with enforceable resale price controls ensuring continued affordability.
  - m. **Options to purchase paired with resale-price restrictions:** A recorded option agreement allowing the City or its designee to acquire the property at a formula-restricted price for transfer to an eligible household.
5. **Permanent Restrictions.** All affordability restrictions imposed in this reasonable condition shall be permanent.
6. **Definition of Permanent Affordability.** Permanent affordability will be defined as the greater of a period of no less than 99 years or the life of the building during which the affordably dedicated properties within the PUD will be restricted to being rented or sold at amounts determined for households as defined by Housing and Urban Development (HUD) Area Median Income (AMI) and the Bloomington Unified Development Ordinance, or its successor legislation.

7. **Public Subsidy.** Permanent affordability mechanisms should, where feasible, be structured to remain enforceable independent of ongoing public subsidy. However, the use of public subsidy to establish, preserve, extend, or deepen permanent affordability shall be permitted, provided that affordability restrictions remain in effect for the duration required under this condition.
8. **Eligibility.** Thirty-five percent (35%) of total units shall be reserved for households earning at or below 120% AMI. Fifteen percent (15%) of total units shall be reserved for households earning at or below 90% AMI.
9. **Approval.** Prior to the recording of affordability instruments or the sale of any dwelling unit within the Hopewell PUD, whichever occurs first, the Administration shall present the proposed permanent affordability implementation framework, including mechanisms, stewardship structure, monitoring procedures, and enforcement instruments, to the Common Council for approval by resolution.

### **Synopsis**

This Reasonable Condition 15 is sponsored by Councilmembers Zulich and Asare. It is paired with a resolution sponsored by Councilmember Zulich directing the Housing and neighborhood development department to Develop a Framework for Long-Term Housing Affordability.

**05/05/2026 Regular Session Action:** Pending

ORDINANCE 2026-06

ADOPTED REASONABLE CONDITIONS

## **Bloomington Common Council Reasonable Conditions Form**

- Ordinance 2026-06 to Amend the City of Bloomington Zoning Maps by Rezoning a 6.3 Acre Property from Residential Urban Lot (R4) and Residential Multifamily Lot (RM) within the Transform Redevelopment Overlay (TRO) to Planned Unit Development (PUD) and to Approve a District Ordinance and Preliminary Plan
- RC 01
- Submitted by Councilmember **Hopi Stosberg**
- **March 16, 2026**

### **Proposed Reasonable Condition:**

1. As permitted under state law, the Allowed Use Table will be amended to reflect the Project Goals listed in the cover letter to create residential lots with attainable home ownership opportunities within a neighborhood of connected street networks consistent with Bloomington's traditional street grid.

### **Synopsis**

This Reasonable Condition 01 is sponsored by Councilmember **Stosberg**. It requires an updated Allowed Use Table to reflect the stated Project Goals and a rational phasing plan.

**03/25/2026 Regular Session Action:** Adopted March 25, 2026

## **Bloomington Common Council Reasonable Conditions Form**

- Ordinance 2026-06 to Amend the City of Bloomington Zoning Maps by Rezoning a 6.3 Acre Property from Residential Urban Lot (R4) and Residential Multifamily Lot (RM) within the Transform Redevelopment Overlay (TRO) to Planned Unit Development (PUD) and to Approve a District Ordinance and Preliminary Plan
- RC 02
- Submitted by Councilmember **Hopi Stosberg**
- **March 16, 2026**

### **Proposed Reasonable Condition:**

1. A rational phasing plan will be created for submission with the final plan to include a short description of each phase, including expected timelines. Phase 1 must include construction of all interior roads, shared greenspace and pedestrian improvements, and utility infrastructure including stormwater management facilities.

### **Synopsis**

This Reasonable Condition 02 is sponsored by Councilmember **Stosberg**. This condition requires the applicant to provide a phasing plan as part of the final plan approval process.

**03/25/2026 Regular Session Action:** Adopted March 25, 2026

**\*\*\* Reasonable Condition Form \*\*\***

- Ordinance: 2026-06
- Reasonable Condition #: 6
- Submitted by: Councilmember Flaherty
- Date: March 25, 2026

**Proposed Reasonable Condition:**

1. All buildings must use either electricity or on-site renewable energy sources for all significant energy needs, including for space heating, water heating, and cooking.

**Synopsis**

This reasonable condition requires that all buildings in the Planned Unit Development will be all-electric for major energy needs, which is called for in the Bloomington Climate Action Plan (Action EB4-A-2). Bloomington has a goal of net zero greenhouse gas emissions community wide by 2050, and building electrification is one of the core strategies to decarbonize the buildings sector.

**03/25/2026 Regular Session Action:** Adopted March 25, 2026

**\*\*\* Reasonable Condition Form \*\*\***

- Ordinance: 2026-06
- Reasonable Condition #: 7B
- Submitted by: Councilmember Flaherty
- Date: April 22, 2026

**Proposed Reasonable Condition:**

1. All buildings must meet the energy efficiency standards contained in Unified Development Ordinance 20.04.110(d)(2)(B), Option 1, part v.

**Synopsis**

This reasonable condition requires that buildings in the Planned Unit Development meet one of the energy efficiency options under Option 2 of the Eligibility Criteria for Sustainable Development incentives in the UDO. These include achieving Silver Certification by the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system or similar alternative designations.

While energy efficient construction entails a relatively minor increase in upfront cost, the operational energy savings significantly outweigh this premium with a relatively short payback period and substantial positive net present value for the remaining life of the building. Buildings with LEED (or similar) certifications also frequently lead to a modest sale price premium. These buildings also significantly reduce greenhouse gas emissions over their lifecycle.

Note: This reasonable condition has been updated since its inclusion in the March 25, 2026 council packet. It provides greater flexibility and administrative ease for compliance with energy efficiency standards.

**04/22/2026 Regular Session Action:** Adopted April 22, 2026

**\*\*\* Reasonable Condition Form \*\*\***

Ordinance: 2026-06

Reasonable Condition #: 8C & 9C

Submitted by: Councilmember Flaherty

Date: April 22, 2026

**Proposed Reasonable Condition:**

1. The PUD Street Standards and Street Sections will be updated to reflect a 6 foot minimum sidewalk width for all streets except Rogers Street and Lanes. Right of way dedication will be increased as necessary to accommodate these changes.
2. The sidewalks bisecting Block 9 in the east-west and north-south directions will be updated to reflect a minimum width of 8 feet. These sidewalks shall be fully within either (a) the public right of way or (b) a pedestrian and bicyclist easement. Right of way dedication will be increased as necessary to accommodate this change. The sidewalk running north-south may be narrowed as necessary to accommodate planned, accessible parking spaces.

**Synopsis**

This reasonable condition updates the sidewalk minimum width from 5 feet to 6 feet, consistent with Transportation Plan requirements for Neighborhood Residential Streets and UDO requirements for subdivisions and rezones.

This change will increase pedestrian comfort and accessibility, especially for two users of wheeled mobility devices to be able to pass each other on a sidewalk.

Additionally, for the sidewalks running east-west and north-south in the middle of Block 9, the minimum width is updated to 8 feet in order to support an improved pedestrian and bicyclist experience and an urban form in which these sidewalks will be perceived and experienced as a real “front” for the homes.

The Director of Planning & Transportation confirmed via email that none of these changes will reduce the number of developable lots in the Hopewell South PUD.

Note: This reasonable condition has been updated since its inclusion in the April 1, 2026 council packet.

**04/22/2026 Regular Session Action:** Adopted April 22, 2026

**\*\*\* Reasonable Condition Form \*\*\***

Ordinance: 2026-06

Reasonable Condition #: 10B

Submitted by: Councilmember Flaherty

Date: April 22, 2026

**Proposed Reasonable Condition:**

1. The PUD Street Standards and Street Sections, including the Wylie Street and Jackson Street cross sections, will be updated as necessary to reflect a Tree Plot minimum width of 5 feet, located between the sidewalk and drive lane, for all portions of right of way located within the PUD.
2. In Block 8, on the north side of Wylie Street, the sidewalk may be immediately adjacent to the street for a portion of the block as necessary to accommodate the existing building, if preserved.
3. Right of way dedication will be increased as necessary to accommodate these changes.
4. Front setbacks along Wylie in Block 9 may be decreased as necessary to accommodate the additional right of way dedication.

**Synopsis**

This reasonable condition requires all streets included in the Street Standards and Street Sections to include a 5 foot tree plot. The Director of Planning & Transportation confirmed via email that this change will not reduce the number of developable lots in the Hopewell South PUD.

Block 8 would not require a tree plot on Wylie Street for a portion of the block as necessary if the existing building is preserved, since it may render a tree plot physically difficult or impossible to achieve. This is the same approach the city took in improving the infrastructure on 1st Street within Hopewell, where a brief stretch of monolithic sidewalk (i.e., no tree plot) was built on the north side of the street immediately west of Madison Street due to the existing building and steep grade of the land.

Note: This reasonable condition has been updated since its inclusion in the April 1, 2026 council packet, primarily for clarity.

**04/22/2026 Regular Session Action:** Adopted as amended April 22, 2026

**\*\*\* Reasonable Condition Form \*\*\***

Ordinance: 2026-06

Reasonable Condition #: 12C

Submitted by: Councilmember Flaherty

Date: April 22, 2026

**Proposed Reasonable Condition:**

1. The Rogers Street cross section will be updated to reflect the design requirements of the Transportation Plan for a General Urban Street, including a 5 foot tree plot and 10 foot sidewalk.
2. In Block 8, if the immediate proximity to the stairwell of the existing building, the width of either the tree plot or sidewalk may be reduced if grading or design elements make it physically challenging to maintain the widths specified in paragraph 1.

**Synopsis**

The planned right of way dedication of 31 feet from centerline does not need to be updated for this reasonable condition. Rogers Street follows the General Urban Street typology, which includes a 10 foot drive lane, 5 foot bike lane, 5 foot tree plot, and 10 foot sidewalk. The city has already constructed 10 foot sidewalks in the new portion of Rogers Street infrastructure in Hopewell to the north of the PUD location.

The physical dimensions of Block 8 along Rogers Street can support this change, including where the existing building is located. This was confirmed via email with both the City Engineer and the Director of Planning & Transportation. A small portion of the building may be close to the sidewalk, which is common in urban settings including at the current Bloomington Police Department headquarters. Additionally, flexibility is granted to allow variation in tree plot or sidewalk width as needed to accommodate the existing building.

Note: This reasonable condition has been updated since its inclusion in the April 1, 2026 council packet. It simplified and clarified the reasonable condition and updated it to align with the right of way dedication already planned in the PUD.

**04/22/2026 Regular Session Action:** Adopted April 22, 2026

## **Bloomington Common Council Reasonable Conditions Form**

- Ordinance 2026-06 to Amend the City of Bloomington Zoning Maps by Rezoning a 6.3 Acre Property from Residential Urban Lot (R4) and Residential Multifamily Lot (RM) within the Transform Redevelopment Overlay (TRO) to Planned Unit Development (PUD) and to Approve a District Ordinance and Preliminary Plan
- RC 14
- Submitted by Councilmember **Hopi Stosberg**
- **April 20, 2026**

### **Proposed Reasonable Condition:**

1. The Petitioner will work with the City of Bloomington Engineering and Planning and Transportation Departments to design the Lanes with a target speed of 10 miles per hour, utilizing design elements intended to create a low-speed and high comfort environment for vulnerable road users.

### **Synopsis**

This Reasonable Condition 14 is sponsored by Councilmember **Stosberg**. It requires Lanes be designed for a vehicular speed of 10 miles per hour.

**4/22/2026 Regular Session Action:** Adopted April 22, 2026

- Ordinance: 2026-06
- Written Acknowledgment #1
- Submitted by: Councilmember Flaherty and Redevelopment Commission
- Date: April 22, 2026

**Proposed Agreed Energy Efficiency Housing Standards:**

1. All homes shall be designed using pre-approved plans modeled to achieve energy performance equivalent to a Home Energy Rating System (HERS) score of 65 or better.
2. Construction documents shall incorporate best-practice air sealing, duct placement within conditioned space, and high-efficiency, all-electric systems. Building inspections shall confirm compliant installation to details.

**Synopsis**

This is a written acknowledgment from the Bloomington Redevelopment Commission that memorializes the City's intent to utilize the Home Energy Ratings System (HERS) and to incorporate best practices for energy efficiency in design and construction documents.

**05/06/2026 Regular Session Action:**

# Memo in Response to Director Killion-Hanson

To: Bloomington City Council Colleagues  
From: Hopi Stosberg, District 3 Councilmember  
Date: May 5, 2026  
RE: Anna Killion-Hanson's recent Hopewell documents

When I was reading through the Right of First Refusal/Silent Second document from Director Killion-Hanson, I paid special attention to the formulas being used and the mathematical assumptions being made. I found some incorrect assumptions and calculations. I'm not sure whether any related conclusions would need to be reevaluated based on correct mathematical calculations.

The example formula used three calculations to draw its conclusions, appraisal, appreciation cap and change in index. I will deal with these one at a time.

## Appraisal

I believe the appraisal was an estimated number used only as an example and have no comment on the estimation made of \$125,000.

## Appreciation Cap

There is a capped appreciation of 3% per year considered over a 10 year period. The formula shared in this document is incorrect. If you simply take the original price multiplied by the 3% and then the number of years, you get an appreciated value of \$856,548 ( $\$83,160 * 1.03 * 10$ ). This is clearly not correct. Using the [formula for compound interest](#) is a more appropriate formula. If we assume that the dwelling will only appreciate once per year, then you need to take capped interest and raise it to the power of time (years) and then multiply that by the original value. This gives an appreciated value of \$111,760 (after 10 years) ( $\$83,160 * 1.03^{10}$ ).

## Change in Index

The document presented gives a Change in Index of 14%, estimating the AMI at time of sale to be \$26,000. Similar to the appraisal, this is a number that cannot be truly known, however, you can look at historic AMI data to see what kind of changes have occurred to the AMI calculation over a similar period of time. Looking at [AMI changes between 2015-2025](#) I calculated the change in Index over that 10 year period to be 73%. Using this change of index, the Formula price becomes \$143,867 ( $\$83,160 * 1.73$ ) and the estimated 30% AMI for a single person household is \$39,357 ( $\$22,750 * 1.73$ ). This is still an estimate, but I deem it to be more accurate since it is calculated using historic AMI data over the same number of years as appreciation.

## Average

The average of the correctly figured Appreciation Cap and what I consider to be a more accurate Change in Index becomes \$127,814 (the sum of \$111,760 and \$143,867, divided by 2).

## Conclusions

Perhaps this changes nothing about the conclusion, except I am still left wondering how this difference is going to be made up by the funding entity. In other words, the question is, if the city has the right of first refusal to purchase this house for the new value of \$125,000 (since the appraised value is now the lower number), where does that \$125,000 come from? If in the original purchase, there was assistance with the down payment utilizing a silent second mortgage of \$16,632 (20% of the original purchase price), then in the subsequent sale, if the silent second follows the same rule, then it would be a silent second of \$25,000. Where does that money come from? The original silent second can be essentially "imaginary" since we currently own the property, but that subsequent silent second needs to pay off the first owner. Even if we subtract the first silent second, there is still a balance of \$8,368 that someone needs to come up with. How would this work? Addressing these concerns would help my understanding of this process.

To address one other thing in the memo from Director Killion-Hanson, methods of financing are a concern with this PUD because this is currently city property and a city commission and department are on the hook for ensuring this works. City commissions and departments use public funds to operate and as part of the fiscal body of the city it is within my purview, and the purview of all councilmembers, to ask these questions and receive satisfactory answers before consenting to deviate from our city documents.

# MEMORANDUM

**TO:** City Council  
**FROM:** Anna Killion-Hanson, Director of Housing & Neighborhood Development  
**DATE:** May 4, 2026  
**RE:** Re: Reasonable Condition #4

The Thomson administration and Council share the same core objective: deliver more homes, including more affordable homes. The Hopewell South PUD exists to demonstrate that Bloomington can deliver more housing units—at a lower cost per unit—by removing regulatory barriers embedded in the current UDO. Bloomington has not produced enough housing to meet demand, and the lack of supply continues to drive prices up across the broader market.

Right now, our zoning framework does not adequately address the problem. It is overly rigid, costly, and misaligned with local needs—steering development toward large, out-of-state, student-oriented multifamily projects while making it increasingly difficult to build attainable homes for the people who live and work here.

A PUD is a corrective tool, not an exception to good policy. It allows us to reset the rules and test a different approach: one that prioritizes efficient land use, smaller-scale homeownership, and increasing the number of units we can actually deliver. The Hopewell proposal has gone through extensive coordination with City engineering, fire, sanitation, and planning staff, and the Plan Commission recommended the proposal unanimously.

At its core, Hopewell is about proving a simple but critical point:

**If we want housing prices to stabilize, we must increase supply and create pathways for smaller homes on smaller lots—and that means making it easier, not harder, to build homes.**

The RDC has committed to meeting the affordability requirements of the UDO. They are unable to lock in specific pricing or financing mechanisms prior to knowing the underlying costs (several of which are being impacted during the revisions process by the City Council).

One cannot set prices before one knows costs. Land value, infrastructure, construction, and interest rates will ultimately determine what is feasible. Attempting to force affordability levels in advance puts the city at risk of having yet another neighborhood that is approved, but ultimately unable to be constructed.

Cost ÷ number of units = price.

If the City requires homes to be sold below the cost to build, those homes require additional subsidy. Without that subsidy, the affordability requirement may reduce the number of homes delivered.

The UDO does not distinguish between multifamily and single-family housing—and that distinction matters when it comes to affordability. Lenders have testified at council that permanent deed restrictions and land trusts do not function well in the single-family market, particularly for conventional mortgage financing.

While these tools can be helpful in a portfolio of tools for affordability. They cannot be the only tools.

The ordinance reflects that understanding. It intentionally preserves flexibility:

**“There are many mechanisms to protect long-term affordability... including silent second mortgages, equity share agreements, rights of first refusal, and partnerships with nonprofit organizations.”**

This language ensures accountability while allowing us to use tools that will actually work.

Habitat for Humanity’s Osage Place PUD offers a useful comparison, as it is the only other PUD in this community delivering affordable homeownership. That program uses tools such as silent second mortgages, resale management, and flexible affordability structures.

- Council did not manage affordability mechanisms.
- There was not a 99 year or permanent affordability requirement.
- Osage Place is using the exact same tools we have identified: silent second mortgages, resale controls such as right of first refusals, and flexible affordability structures.

**This project is being held to a fundamentally different and far more rigid standard, and one that does not have a track record nor a prediction of success by local experts.**

What is being proposed here is not consistency in policy, but escalation.

**There is already a commitment to permanent affordability.**

But this condition attempts to mandate the mechanism—before costs are known, before financing is secured, and despite clear evidence that those mechanisms are not universally workable in the for-sale market.

Local lenders and the operator of the local land trust have testified that:

- Financing these models is difficult
- They are not suitable for every buyer
- Expanding them right now could delay housing delivery

This signals potential failure.

Funding mechanisms, ratios, and guidelines are not just about choosing a tool—ultimately, the decision leads to whether homes actually get built.

At a time when everyday costs are rising—including gas approaching \$5 a gallon—it is imperative that buyers can shop across multiple lenders to secure the best terms. Interest rates vary widely, even within the same day, and access to competitive financing is one of the most important drivers of affordability.

Restricting that flexibility in the name of affordability can actually undermine it.

Land trusts are one tool, but not the only tool. And right now, they are struggling in Bloomington. We need flexibility to deliver the most affordability possible. This is what will lead to actually housing the people who need it.

Reasonable Condition 4 does not only set a goal—it dictates the mechanism, without regard to feasibility, financing realities, or market function. Requiring the Commission to return for approval on every alternative affordability mechanism reveals a fundamental disconnect from the realities of housing finance and development, where rigid, pre-prescribed approaches can undermine both feasibility and the very affordability outcomes the condition seeks to achieve.

The RDC has committed to:

- Delivering affordability
- Meeting UDO requirements
- Using proven tools

What is happening here is different:

- Dictating mechanisms at the land-use stage
- Ignoring lender and industry input
- Altering ratios that have been proven to succeed

Overregulation here will undermine affordability and potentially stop the project. The way it has been proposed, it will likely increase prices, rather than reduce them.

The goal is a feast of housing options—at different price points, using different tools, serving different buyers.

Strapping the city with a land trust right now, with the lack of absorption and financing challenges in the current one, seems like we are being set up to fail.

To correct affordable housing in Bloomington for the long term, we need to figure out how to make it easier to increase the type of supply we need.

We are committed to delivering as many units as possible below 120% AMI—including below 90%. But we need real numbers to do that—not guesses.

We are prepared to report back transparently on what is achieved and how affordability is preserved.

The administration is committed to working together for the best possible outcomes, and appreciates your partnership in getting to a place where our policy allows for that.

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## Suggested changes to Reasonable Condition 4 Redline

### Proposed Reasonable Condition 4

~~At least fifty percent (50%)~~ As many ~~of all~~ dwelling units in the Hopewell PUD shall be designated as Permanently Affordable (PA) ~~as possible (with a minimum of 25% total)~~.

1. Unit mix: the mix of PA units (bedrooms, square footage) must be proportionate to the market-rate units in the Hopewell PUD.
2. Functional equivalency: PA units must be functionally equivalent in construction quality and exterior appearance to market-rate units.

Compliance with the PA requirement shall be secured through one of the following recorded legal instruments:

1. 1. Deed restrictions or covenants: a perpetual deed restriction or covenant (99 years, renewing at the transfer of each deeded property) that runs with the land, binding all current and future owners to the affordability limits.
2. 2. Ground leases: A community land trust (CLT) or similar entity shall own the land and secure a long-term ground lease (minimum 99 years), in order to separate land ownership from structure ownership, ensuring the home remains affordable at every subsequent resale.
3. 3. Or ~~any~~ other legal mechanism ~~available to preserve~~ permanent affordability ~~as subsequently approved by this council as an amendment to this ordinance~~.

~~The Redevelopment Commission shall do everything possible to deliver as many units as possible under 90% AMI and will report back with the number of units achieved under that threshold.~~

~~Under no circumstances shall the targeted AMI be 120% AMI if lower AMIs can be demonstrably achieved.~~

~~At least once annually, the Housing & Neighborhood Development Department shall monitor the project and provide a report on:~~

- ~~Number of PA homes completed~~
- ~~% of AMI achieved~~
- ~~Mechanisms protecting PA~~
- ~~Project averages~~

# Real World Example:

Please find below one real-world example of the complications associated with land trusts.

## Example 1:

The appraisal does not include the land, impacting the loan-to-income ratio. This increases the mortgage insurance.

Payment: \$1,727 (80-100% AMI).

**Loan Estimate**

DATE ISSUED: [REDACTED]/2026  
 APPLICANTS: [REDACTED]  
 PROPERTY: [REDACTED]  
 SALE PRICE: \$214,800 - without land

LOAN TERM: 30 years  
 PURPOSE: Purchase  
 PRODUCT: Fixed Rate  
 LOAN TYPE:  Conventional  FHA  VA   
 LOAN ID #: 980000517  
 RATE LOCK:  NO  YES, until  
*Before closing, your interest rate, points, and lender credits can change unless you lock the interest rate. All other estimated closing costs expire on 2/4/2026 at 5:00 PM EST*

Loan Terms	Can this amount increase after closing?	
Loan Amount	\$208,356	NO
Interest Rate	6.75 %	NO
Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i>	\$1,351.39	NO
<b>Does the loan have these features?</b>		
Prepayment Penalty	NO	
Balloon Payment	NO	

Projected Payments		
Payment Calculation	Years 1-13	Years 14-30
Principal & Interest	\$1,351.39	\$1,351.39
Mortgage Insurance	+ 111	+ -
Estimated Escrow <i>Amount can increase over time</i>	+ 265	+ 265
Estimated Total Monthly Payment	\$1,727	\$1,616

Estimated Taxes, Insurance & Assessments <i>Amount can increase over time</i>	\$265 Monthly	This estimate includes <input checked="" type="checkbox"/> Property Taxes <input checked="" type="checkbox"/> Homeowner's Insurance <input type="checkbox"/> Other: <i>See Section G on page 2 for escrowed property costs. You must pay for other property costs separately.</i>	In escrow? YES YES
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**Example 2:**

If the land is included in the appraisal, the land equity helps drive down the loan-to-value ratio, reducing the interest rate and also removing PMI. Payment= \$1457(60-80% AMI)

Loan Estimate		LOAN TERM	30 years
DATE ISSUED	█/2026	PURPOSE	Purchase
APPLICANTS	██████████	PRODUCT	Fixed Rate
PROPERTY	██████████	LOAN TYPE	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> FHA <input type="checkbox"/> VA <input type="checkbox"/> _____
	Bloomington, IN █	LOAN ID #	980000517
SALE PRICE	\$277,000 <i>with land</i>	RATE LOCK	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES, until 5/7/2026 at 5:00 PM EDT <i>Before closing, your interest rate, points, and lender credits can change unless you lock the interest rate. All other estimated closing costs expire on</i>
Loan Terms		Can this amount increase after closing?	
Loan Amount	\$214,800	NO	
Interest Rate	5.625 %	NO	
Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i>	\$1,236.51	NO	
		Does the loan have these features?	
Prepayment Penalty		NO	
Balloon Payment		NO	
Projected Payments			
Payment Calculation		Years 1-30	
Principal & Interest		\$1,236.51	
Mortgage Insurance	+	0	
Estimated Escrow <i>Amount can increase over time</i>	+	220	
Estimated Total Monthly Payment		\$1,457	

*Jo MI WIP*

# Right of First Refusal/Silent Seconds

One of the proposed affordability frameworks—centered on silent second mortgages and rights of first refusal—is not conceptual or unenforceable; it is grounded in well-established, legally binding contractual mechanisms that are routinely used to preserve long-term affordability.

A silent second mortgage is recorded at the time of sale and remains in place until its terms are satisfied. It is not forgiven unless the homeowner complies with the contractual requirements, including resale to an income-qualified buyer at a price aligned with Area Median Income (AMI) standards. This ensures that the public investment is protected and that affordability is preserved beyond the initial transaction.

Similarly, a right of first refusal (ROFR) is a contractual right that allows a designated party to purchase the home at a pre-negotiated, formula-based price before it is offered on the open market. The Redevelopment Commission envisions a robust network of nonprofit and community partners who share the affordability mission. In practice, these partners will rarely need to take ownership of units themselves; instead, they will typically exercise the ROFR by assigning the purchase right to another income-eligible buyer—ensuring continuity of affordability without disrupting normal market activity.

These mechanisms run with the property, are enforceable through recorded documents, and are fully discoverable through title searches. At the same time, they avoid the rigidity and unintended consequences often associated with permanent deed restrictions, which can create barriers to financing, reduce market participation, and limit homeowner mobility.

It is important to distinguish between establishing a clear affordability requirement and micromanaging the tools used to achieve it. The specific legal documents and terms have not yet been finalized—and appropriately so. Land use approvals are intended to set policy direction, not dictate the exact structure of private financing instruments. We are committed to providing the affordability required, and we would like to go above and beyond that as much as possible. However, prescribing the exact legal architecture at this stage risks sidelining the expertise of housing practitioners, lenders, and nonprofit partners who are essential to making these programs function effectively in real-world conditions.

A more constructive approach is to approve the use of silent seconds and rights of first refusal with a requirement for periodic reporting back to Council. This would provide transparency and accountability—allowing Council to verify that affordability goals are being met—while also creating an opportunity to learn from implementation, refine strategies, and respond to market conditions over time.

Buyer purchases home with sales price \$83,160

- Affordable to annual income \$24,789.43:

Affordability is preserved using

- Silent Second Mortgage; AND
  - Recorded with the property
- Right of First Refusal
  - Requires that upon the next sale home must be offered to the City, non-profit, or assignee at a prenegotiated, formula-based price.

**Example of possible structure:**

- Prenegotiated purchase price the average of:
  - Appraisal
  - The formula-based price is determined by the capped appreciation model

**Example formula:**

(a) The amount of Homeowner's Base Price plus

(b) An amount equal to the Homeowner's Base Price multiplied by the total percentage of increase, since the date the Agreement was signed, in the AMI Index, as determined and published by the HUD.

(c) Price to be the average of the AMI Index price and the appreciation model

(d) In no event may the average annual increase exceed 3% appreciation per year.

(e) In no event may the purchase price ever exceed PUD AMI restrictions

(f) In the event that the Mortgagor(s)/Borrower(s) has incurred in excess of \$1,000.00 for a single improvement to the real estate during the entirety of Mortgagor(s)/Borrower(s)'s tenancy, as evidenced by providing receipt(s) or other documented proof, the purchase price may increase to reimburse to the Mortgagor(s)/Borrower(s) the cost of the improvement.

Ordinary maintenance expenses, including but not limited to, painting, repair of fixtures and/or appliances, and replacement of fixtures and/or appliances do not qualify as improvements. The City has sole discretion to determine whether an expense is an improvement under this policy.

Example: Original AMI at time of purchase: \$22,750

Same AMI at time of sale \$26,000

Change in index= 14%

\$83,160 x 1.14= \$94802

Price X 1+change in index = Formula Price

3% Appreciation cap=  $\$83,160 \times 1.03 \times \# \text{ of years}$ . Year one equals the initial purchase price.

*3% appreciation will be calculated on a compounding basis by year.  $\$83,160 \times 1.03 = \$85,654.80$   $\times 1.03 = \$88,224.44$ , with this method being used to adjust over the total number of years between the initial purchase and recent sale.*

- 10 years later buyer wants to sell the home
  - Max Purchase Price
    - Based on appraisal- \$125,000
    - Average of formula and appreciation cap: \$101,653
      - Based on Formula = \$94,802
      - Based on appreciation cap- \$108,504

The lesser of the appraisal and the formula is: \$101,653

In no circumstance could the home sell for more than the AMI restrictions in the PUD.

Purchase agreement executed for \$101,653 for income eligible home buyer and required to execute a new RROF & SS at closing.

# Regarding Constituent Table

At the last meeting, a constituent passed out a document attempting to compare silent seconds and right of first refusals.

This document was plagued with issues, including.

- Using 2024 Census AMI numbers, not HUD AMI's that are published each and every year
- Using a median sales price as the basis
- Miscalculating AMI
- Showing a \$120,000 subsidy per home in all scenarios
- Making numerous incorrect assumptions
- Never applying the conditions that a silent second or right of first refusal would contain such as max home price, AMI limitations
- Failing to include PMI for land trust models
- Failing to include the additional land trust fee (Summit Hill's is \$45/mo)

It is very difficult to compare apples to apples because they are different and do not contain the same terms. The document shared was misleading.

## Affordability Comparison

- Given:**
1. 2024 Monroe County Area Median Income = \$ 67,457
  2. Land trust restricts homeowner equity accrual to 25% of market value increase.
  3. All are first-time home buyers who qualify for 3.5% down payment through Federal Housing Administration.
  4. For 30-year mortgage with annual interest rate of 6.0%, monthly payments are 0.600% of the loan principal.
  5. Initial Affordable Housing Subsidy = \$ 120,000
  6. Annual property tax rate for homestead is 1% of the market value.
  7. Annual homeowners insurance is 1% of the market value.

- Predictions:**
1. Bloomington housing prices rise by 5% per year.
  2. Monroe County Area Median Income rises by 2.7% per year.

	Area Median Income	Home Market Value	Reduced Purchase Price	Monthly Mortgage Payment	Monthly Property Tax and Insurance	Total Monthly Cost	Minimum Required Income	AMI Level	
2027	\$ 73,070	\$ 360,000	\$ 240,000	\$ 1,390	\$ 600	\$ 1,990	\$ 79,584	109%	
2037	<b>Community Land Trust</b>	\$ 95,377	\$ 586,400	\$ 296,600	\$ 1,717	\$ 977	\$ 2,695	\$ 107,786	113%
	<b>Silent Second Mortgage</b>	\$ 95,377	\$ 586,400	\$ 466,400	\$ 2,700	\$ 977	\$ 3,678	\$ 147,112	154%

**26-32**  
**RESOLUTION OF THE**  
**REDEVELOPMENT COMMISSION OF THE**  
**CITY OF BLOOMINGTON, INDIANA**

**APPROVAL OF CERTAIN CONDITIONS PASSED BY THE**  
**COMMON COUNCIL FOR THE HOPEWELL SOUTH PUD PLAN AND**  
**POSITION ON UNCERTAIN CONDITIONS**

WHEREAS, in Resolution 18-10, the Bloomington Redevelopment Commission (“RDC”) approved a project to envision reuse of the Legacy IU Health Bloomington Hospital Site (“Hopewell Project”), and authorized the City to negotiate terms of purchase for the Old Hospital Site;

WHEREAS, the RDC approved the purchase of the Hopewell Project in Resolution 18-31;

WHEREAS, in Resolution 23-73, the RDC authorized the public offering of Hopewell South, Blocks 9 and 10;

WHEREAS, in Resolution 24-65, a second, revised, updated offer was authorized by the RDC for public offering of Hopewell South Blocks 9 and 10;

WHEREAS, by Resolution 25-84, any and all bids for Hopewell South Blocks 9 and 10 as they did not appropriately serve the goals and vision for Blocks 9 and 10 of Hopewell South;

WHEREAS, the RDC has determined that a different course of action for Blocks 9 and 10 of Hopewell South is necessary as the existing plan is not achievable;

WHEREAS, by Resolution 25-85 the RDC approved new comprehensive and coordinated design of Blocks 8, 9, and 10 of Hopewell South with Flintlock Ltd. Co;

WHEREAS, Flintlock Ltd. Co has prepared a draft Planned Unit Development (“PUD”) with detailed exhibits on how the PUD could be structured;

WHEREAS, by Resolution 25-130 the RDC approved an amendment to the Flintlock Ltd. Co.’s scope of work to include the zoning process of creating a Planned Unit Development (PUD) in order to maximize the number of affordable housing units;

WHEREAS, by Resolution 25-152 the RDC determined that the rezoning of Hopewell South Blocks 8, 9, and 10 to a PUD will further the public's best interests and redevelopment of Hopewell South;

WHEREAS, the Common Council has voted and passed certain conditions pending the Council's overall approval or denial of the Hopewell South PUD;

WHEREAS, there are differing legal counsel opinions between the Common Council and the RDC as to whether certain conditions are classified as reasonable conditions or as amendments to the PUD, where amendments must be agreed upon by the Hopewell South PUD petitioner, the RDC;

WHEREAS, to eliminate any potential challenge on the classification of certain conditions, the RDC wants to accept certain conditions passed by the Common Council so that their classification would therefore be irrelevant;

WHEREAS, the Common Council is continuing to debate certain other conditions, what they may contain, and whether they will pass during a vote; and,

WHEREAS, the RDC wishes to express the RDC's position on the pending conditions being considered by the Common Council, said position being based on solid research and setting of goals that are reasonable and practical under the circumstances that exist or may arise over the development and life of Hopewell South.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

1. The Bloomington Redevelopment Commission (RDC) reaffirms its support for the Hopewell South Planned Unit Development ("PUD") Project.
2. The conditions that the Common Council have placed on the Hopewell South PUD will increase design and construction costs, especially those related to the widening of sidewalks and right of ways. However, to move this critical neighborhood development along for affordable housing for our residents, the RDC will accept the following conditions placed on the Hopewell South PUD by the City of Bloomington Common Council, provided that these conditions do not significantly impact the affordability goals of the project.

- a. RC 01 – As permitted under state law, the Allowed Use Table will be amended to reflect the Project Goals listed in the cover letter to create residential lots with attainable home ownership opportunities within a neighborhood of connected street networks consistent with Bloomington’s traditional street grid. Including changes City Staff and Consultant made in written PUD.
- b. RC 02 – A rational phasing plan will be created for submission with the final plan to include a short description of each phase, including expected timelines. Phase 1 must include construction of all interior roads, shared greenspace and pedestrian improvements, and utility infrastructure, including stormwater management facilities.
- c. RC 08C – The PUD Street Standards and Street Sections will be updated to reflect a 6-foot minimum sidewalk width for all streets except Rogers Street and Lanes. Right-of-way dedication will be increased as necessary to accommodate these changes.
- d. RC 09C – The sidewalks bisecting Block 9 in the east-west and north-south directions will be updated to reflect a minimum width of 8 feet. These sidewalks shall be fully within either (a) the public right of way or (b) a pedestrian and bicyclist easement. Right-of-way dedication will be increased as necessary to accommodate this change. The sidewalk running north-south may be narrowed as necessary to accommodate planned accessible parking spaces.
- e. RC 10B – ¶ 1. The PUD Street Standards and Street Sections, including the Wylie Street and Jackson Street cross sections, will be updated as necessary to reflect a Tree Plot minimum width of 5 feet, located between the sidewalk and drive lane, for all portions of right of way located within the PUD. ¶ 2. In Block 8, on the north side of Wylie Street, the sidewalk may be immediately adjacent to the street for a portion of the block as necessary to accommodate the existing building, if preserved. ¶ 3. Right of way dedication will be increased as necessary to accommodate these changes. ¶ 4. Front setbacks along Wiley in Block 9 may be decreased as necessary to accommodate the additional right-of-way dedication.
- f. RC 12C – ¶ 1. The Rogers Street cross-section will be updated to reflect the design requirements of the Transportation Plan for a General Urban Street, including a 5-foot tree plot and 10 foot sidewalk. ¶ 2. In Block 8, in the immediate proximity to the stairwell of the existing building, the width of either the tree plot or sidewalk may be reduced if grading or design elements make it physically challenging to maintain the widths specified in paragraph 1.
- g. RC14 – The Petitioner will work with the City of Bloomington Engineering, Planning, and Transportation Departments to design the Lanes with a target speed of 10 miles per hour, utilizing design elements intended to create a low-speed and high comfort environment for vulnerable road users.

3. The Common Council, on March 25, 2025, passed RC 06, which read: “All buildings must use either electricity or on-site renewable energy sources for all significant energy needs, including for space heating, water heating, and cooking.” The RDC rejects RC 06 as it is directly prohibited by Indiana Code § 8-1-2-101.2. The RDC is not planning to install any utilities other than those specifically shown in the Hopewell South PUD plan.
4. Energy Efficiency – The RDC is committed to implementing reasonable, cost-effective, and practicable measures to provide as much energy efficiency for the benefit of both the homeowners and the environment. Construction documents shall incorporate best-practice air sealing, duct placement within conditioned space, and high-efficiency systems. In order to achieve as much efficiency as possible, the RDC commits to conducting a plan review with a certified energy rater for each of the building plans in the plan catalog with a targeted Home Energy Rating Score of 65.
5. Affordability – The RDC reaffirms its commitment to make housing at Hopewell South PUD, if approved, as affordable as can be obtained during the economic conditions at the given time and truly desires to maintain affordability as far into the future as is reasonably able to be achieved. Additionally, the RDC will fervently strive to assist those at or below the 100% AMI as defined in the Hopewell South PUD plan. The RDC reiterates its Affordable Housing Commitment from said plan:

The Hopewell South Development will be a Tier 1 Affordable Housing Development per UDO 20.04.110(C) Affordable Housing. At least 50 percent of total dwelling units within the PUD will be affordable to home buyers under 100% AMI, which demonstrates our strong commitment to providing affordability. At least 15 percent of total dwelling units within the PUD are permanently income-limited to households earning less than 120% of Area Median Income (AMI). There are many mechanisms to protect long-term affordability that the Redevelopment Commission may consider, such as but not limited to, a silent second mortgage, equity share agreement, right of first offer/refusal, and partnerships with non-profit organizations that can more easily execute deed restrictions.

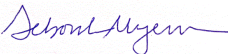
The Hopewell South PUD does not clearly state how the RDC intends to meet Tier 1. The RDC is committed to an increase of ten percent (10%) more permanently affordable dwelling units for homeowners under 120% AMI thus satisfying the approval criteria of UDO 20.06.070(c)(4)(E).

The RDC would willingly commit to increase the percentage of affordable dwelling units and make more units permanently affordable at a lower AMI if it were possible. But

given the current economic market and the unknown future, the RDC cannot rightfully commit to something that may well be unattainable under current and/or future circumstances. What the RDC can do, and will do, is state that the RDC’s overarching purpose of creating the Hopewell South PUD is to serve as many people and families as possible, providing truly affordable homes in a neighborhood that they can be proud of, and having that affordability component last far into the future, for generations to come. The RDC agrees to report on an annual basis to the Common Council the efforts made to maximize affordability.

- 6. Short Term Rentals – Local governments may not unreasonably restrict short term rentals (See Indiana Code §§ 36-1-24-8 & 9). However, the RDC recognizes concerns with short term rentals and how that may negatively impact the affordability goals for people and families and the overall neighborhood environment of Hopewell South. The RDC believes a Hopewell South Homeowners Association will be the appropriate tool to truly be able to set guidelines and have those boundaries monitored by the homeowners themselves.
- 7. The RDC authorizes the Redevelopment Commission Executive Director, Anna Killion-Hanson, or her designee, to present this Resolution, in whole or in part, in physical form, electronic form, or orally as the circumstances warrant, to the City of Bloomington Common Council at any given time or place following this Resolution’s adoption. Including, but not limited to, at the Common Council’s regular meeting to be held on May 6, 2026, in the Council Chambers at Bloomington City Hall.
- 8. The RDC authorizes City Staff to perform any and all functions and activities necessary to effectuate the purposes of this Resolution.


BLOOMINGTON REDEVELOPMENT COMMISSION

Signed by:  
  
 5035EA2923D3410

5/5/2026

Deborah Myerson, President

ATTEST:

Signed by:  
  
 61E73EEB35264DA...

5/5/2026

John West, Secretary