

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Tuesday, October 22, 2019, at 6:00 pm, Council President Dave Rollo presided over a Special Session of the Common Council.	COMMON COUNCIL SPECIAL SESSION October 22, 2019
Councilmembers present: Allison Chopra, Dorothy Granger, Isabel Piedmont-Smith, Dave Rollo, Andy Ruff (arrived at 6:05 pm), Susan Sandberg, Jim Sims, Chris Sturbaum, Stephen Volan Councilmembers absent: none	ROLL CALL [6:01 pm]
Council President Dave Rollo summarized the agenda.	AGENDA SUMMATION [6:03 pm]
Dan Sherman, Council Attorney, reviewed the upcoming schedule.	COUNCIL SCHEDULE
Rollo reconvened consideration of <u>Ordinance 19-24</u> .	<u>ORDINANCE 19-24 TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"</u>
Volan reviewed the procedures for the meeting.	
Scott Robinson, Assistant Director for Planning and Transportation, presented Chapter 3 (Use Regulations), followed up on items from the previous meeting, and reviewed the process leading to proposed <u>Ordinance 19-24</u> .	Presentation, Discussion, and Public Comment on Chapter 3: Use Regulations
Sturbaum asked if any Additional Dwelling Units (ADUs) had been turned down in the conditional use process. Robinson stated that there had not been many applications and that he believes that none had been turned down. Robinson explained some barriers for ADUs. Sturbaum clarified that it was not conditional use that made the ADUs not be approved. Robinson confirmed that was correct. Sturbaum asked if the Board of Zoning Appeals would turn down an application if all conditions were met. Robinson explained that if all the standards were met, staff would recommend approval. Sturbaum asked how many conditional use approvals were given in the last year, and if any went against staff recommendations.	Council discussion:
Piedmont-Smith read from a Council of Neighborhood Associations (CONA) mailer that stated that plexes and larger apartments were proposed to be added to single-family neighborhoods in Bloomington, and asked the staff if that was true. Robinson explained that larger apartments would not be allowed and that duplexes and triplexes would be allowed conditionally, in the R1, R2, and R3 districts. Robinson confirmed that quads would be allowed only in R4 which was not zoned. Piedmont-Smith asked if staff had a response to inquiries about property taxes would increase if plexes were allowed. Robinson responded that he had asked the county about property taxes and provided examples of other contributing factors to property taxes. Piedmont-Smith asked if increasing density in existing neighborhoods was a smart-growth strategy. Robinson said that it was if done carefully and clarified that staff was looking at locations where the city could grow. He said conditional use allowed for small, incremental changes.	

Volan asked staff to describe the difference between a fourplex and a building with 5 units and how the city treats each.

Robinson explained that, currently, it would be a multifamily unit, and that the R4 and RM districts would limit buildings to 8 units. Robinson explained that it is based on units and not families.

Volan recommended language that the city could use based on city services. Volan asked what the city services were for quadplexes versus larger buildings.

Robinson stated that there were some differences and provided some examples, but said that he would need to know the specifics.

Granger asked about developers going into neighborhoods and tearing down to rebuild plexes and asked how demolition delay had any impact.

Robinson explained that demolition delay would factor into some neighborhoods, especially older ones, and that more information about demolition delay would be covered in Chapter 6.

Granger asked how demolition delay would play into if something was allowed conditionally.

Robinson stated that demolition delay would occur prior to the conditional use process.

Jackie Scanlan, Development Services Manager, stated that any request for demolition, including partial for some properties listed in the City of Bloomington's Historic Sites and Structures Survey, would have to go through a demolition delay.

Chopra asked staff to speak to how diversity in housing types lends itself to socioeconomic status, race, and equity within those groups.

Robinson stated that much of the housing that existed was larger multifamily units and single-family units, and that explained how some requirements excluded access to those locations for some economic classes. Robinson explained that the introduction of other types of housing diversified the housing types and provided examples.

Chopra noted that if the community was interested in social equity and breaking social barriers, this would be a good solution.

Robinson confirmed that was correct and was the staff's recommendation.

Sims asked how many ADUs had been approved.

Robinson stated that 10 or 11 had been approved.

Sims asked if the number would have changed if it was permitted, or by right.

Robinson explained that he could not speculate on that but suspected there might be growing interest in it.

Sims asked what staff expected in terms of demolitions.

Robinson said that the staff did not expect many demolitions.

Sims stated that there was concern in the community the proposal passed, that developers would go in and bulldoze properties.

Terri Porter, Director of Planning and Transportation, replied that there were limitations that detoured developers opting for that route, because the house would have to be the same size for the neighborhood. Porter stated that a new building could not be bigger and stick out.

Presentation, Discussion, and
Public Comment on Chapter 3: Use
Regulations (*cont'd*)

Sandberg asked about mobile and modular homes, and where that kind of housing would be placed.

Robinson stated that that type of housing was permitted, and there were standards that had to be met.

Sandberg explained that there was a conversation about people currently residing in mobile and modular homes being displaced by more upscale housing.

Rollo referenced the Comprehensive Plan's incentives to increase owner-occupancy and asked if it was fair to assume that plexes were mainly rentals.

Robinson stated that he did not think it was a fair assumption.

Rollo referenced the ratio of ownership to rentals by neighborhood and asked if the Planning Department had a goal or a ratio in mind that was ideal for neighborhoods.

Robinson stated that there was data on the current ratio of ownership to rentals and that throughout the city it was about 50:50. Robinson explained that some properties turn over to owner-occupied, or to a rental, and that was natural. Robinson clarified that for plexes, it would likely be a mix of rentals and owner-occupied.

Piedmont-Smith asked about healthcare uses, and why methadone clinics and opioid rehabilitation facilities were allowed in fewer districts and only as a conditional use. She said it further stigmatized rehabilitation clinics as being different than other clinics.

Robinson said the Planning staff would research and get back to the council.

Volan asked how many housing units were overseen by the city.

Porter stated that she believed it was around 35,000.

Volan asked about how many of those were single-family units.

Robinson stated that the Planning staff would get back to the council with that information.

Sturbaum read from the Comprehensive Plan and asked why it was decided to put density in already dense, already built-out, core neighborhoods. Sturbaum asked why the decision went against direct advice from the Comprehensive Plan.

Robinson responded that the Comprehensive Plan also provided guidance on diversifying housing and that the two maps identified corridors that would allow the proposed type of housing. Robinson explained that plexes in neighborhoods would be incremental, that there were standards, and would be conditional.

Lisa Abbott, Bloomington Board of Realtors, stated that no realtors had been contacted by national developers and spoke about historic districts. Abbott stated that it was unlikely that developers would buy homes to tear down and construct new plexes.

Public comment:

Kate Myers spoke about neighborhoods and the areas that could be developed in the city.

Nathan Geiger commented on politics, housing shortages, climate change, segregation, and that the proposed plan was moderate and incremental.

Tim Mueller, former Director of Planning, commented on conditional use as tool and discussed specific standards and processes.

Presentation, Discussion, and
Public Comment on Chapter 3: Use
Regulations (*cont'd*)

Dave Warren spoke about housing stock, plexes, sprawl, and human rights.

Steve Brewer spoke about out-of-town developers reaching out to homeowners about purchasing their homes.

Jessika Griffin asked the council to allow duplexes, triplexes, and ADUs as by right permitted use and to remove exclusionary code barriers like lot size.

Patrick Siney commented on his experience in owning an old home and development in Bloomington.

Orion Day spoke about incremental development and an increase in density. Day also spoke about core neighborhoods being unaffordable and financially discriminatory.

Jenny Southern discussed having lived in a variety of homes in Bloomington, zoning changes, and homes turning to rentals.

Daniel Bingham commented on the future of kids, cutting carbon emissions, the greenhouse gases report, zoning, sprawl, housing affordability, sustainability, density, and plexes.

Peter Dorfman spoke about incremental development, private equity, exclusionary zoning, diversifying housing, and up-zoning.

Phil Stafford, Chair of the Commission on Aging, discussed aging in place, densification on the edges of neighborhoods, the housing stock, the hospital relocation, plexes, and conditional use requiring owner-occupancy.

Bill Baus discussed core neighborhood density, property he owned, demolition delay, parking, diversity, plexes, and owner-occupancy.

David Keppel spoke in favor of by-right plexes and ADUs as proposed in the original UDO. Keppel urged the council to consider the future, urban density, and quoted Greta Thunberg.

Dave Weiber spoke about his experience living in Bloomington for 45 years, affordability, plexes, environmental impact, and core neighborhoods.

Mary Morgan, Greater Bloomington Chamber of Commerce, spoke about the housing stock and crisis, plexes, ADUs, housing needs, alarmist rhetoric and false claims, and the harm to residents who cannot afford to live in Bloomington.

Margaret Squires discussed changes in neighborhoods, and varying impacts of climate change. Squires advocated for increased affordable and dense housing to help reduce the carbon footprint.

Carol Thompson stated that she was opposed to plexes, or larger quads, being built in single-family neighborhoods. Thompson discussed houses being converted into student rentals, affordable housing, and housing stock.

Greg Alexander spoke about PUDs, design including cul-de-sacs, public transportation, and physical segregation of neighborhoods.

Presentation, Discussion, and
Public Comment on Chapter 3: Use
Regulations (*cont'd*)

Public comment:

Elizabeth Cox Ash commented on conservation districts, petitions for neighborhood protections, and urged the council to protect the neighborhoods from density.

Presentation, Discussion, and Public Comment on Chapter 3: Use Regulations (*cont'd*)

Forrest Gilmore, Director of Shalom Center, spoke about homelessness, that there was no housing integration, about having lived in a duplex to offset the cost, and racially and economically segregated neighborhoods.

Public comment:

Jim Rosenbarger discussed plexes, density, walkability, and zoning. Rosenbarger also discussed the problems with the proposal including a blanket approach to zoning.

Emily Pike, Executive Director of New Hope for Families, commented on her conversations with community members. Pike discussed plexes, ADUs, and other tools to tackle the housing crisis, and exclusionary zoning.

Alex Whitesails spoke about his generation's job prospectives and economic factors that threatened the stability of workers. Whitesails discussed his ability to own a home, and the history of property owners and power.

William Klapp commented on housing affordability, his experience renting in Bloomington, and the housing stock.

Kathy Phillips stated that there were fraternities that lived in two houses in her neighborhood and urged that fraternal orders not be allowed in residential neighborhoods.

Gail Talla discussed being a homeowner in Bloomington and requirements like insurance, repairs, etc. Talla spoke about environmental crises, climate change, and an alternative way of growth to build community.

Norma Jean Munchin spoke about her neighborhood, mature trees, the importance of backyards, and other concerns about developments.

Nan Brewer urged the council to not be shortsighted about historical homes, zoning in the 70s, and plexes.

Mary Jane Hall, President of Bloomington Board of Realtors, spoke from a realtor's perspective about homes, neighborhoods, and about the lack of housing and choice.

Jan Sorby, CONA, spoke about rise in property taxes and the assessed property value.

Eoban Binder discussed renting and spoke about Portland, OR's zoning process in the 90s, plexes, and incremental change that would occur in Bloomington.

Lindsey Hummel urged council to support by-right plexes and dwelling units, referenced data from the Regional Housing Study for Monroe County, and spoke about housing affordability.

Erin Predmore, Greater Bloomington Chamber of Commerce, clarified how property's value is assessed. Predmore stated that Bloomington was losing good workers who could not afford to live in the city.

Hamish Munroe spoke about housing stock, zoning, sprawl, and homelessness.

David Stuart stated that allowing changes conditionally was basically allowing them by right because developers would find a way to do it since there was money involved.

Betty Rose Nagle commented on plexes and ADUs, and owner occupancy.

Jane Goodman talked about secure and affordable housing for everyone, and how to legislate toward this goal. Goodman spoke about plexes and out-of-state developers seeking opportunities.

Judy Berkshire commented on the increase in the number of rentals in her neighborhood on the east side over the last 7 years.

Michelle Henderson discussed housing that was affordable, rentals, and plexes. Henderson asked the council to consider low-wage renters.

Richard Lewis spoke about a transition area to his neighborhood and a building that was being built there which would address different types of housing needs. Lewis urged the council to consider experiments like that and to explore other open spaces.

Linda Stewart urged the council to conserve single-family zoning in the core neighborhoods.

Geoff McKim spoke about property tax and clarified that Indiana did not use the best and highest use assessment for properties.

Pam Weaver discussed single family, detached housing, gentrification, owner occupancy and enforcement.

Stephanie Stewart discussed policy, core neighborhoods, and protections.

Bess Lee talked about differing opinions and accusations, affordable housing, and language.

Sturbaum moved and it was seconded to extend the time allotted for public comment. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 2 (Piedmont-Smith, Volan).

Lori Hoevenner discussed housing and implored council to not alter her neighborhood permanently by allowing plexes. Hoevenner spoke in favor of single family zoning.

Patrick Murray spoke about neighborhood density, conditional use, neighborhood demographics, affordability, and his experience with housing in Bloomington,

Cynthia Bretheim commented on the lack of affordable housing, and racial bias. Bretheim commented on apartments, renting, and reparations for residents who were redlined.

Matt Flaherty discussed the careful regulation of the proposal, plexes, reducing costs, walkability, diversifying the housing stock, setting good code, and not regulating who gets to live in a particular area.

Presentation, Discussion, and Public Comment on Chapter 3: Use Regulations (*cont'd*)

Public comment:

Vote to extend public comment [9:19 pm]

Public comment:

Amy Berndtson commented that students could not afford to live in Bloomington, and that the student population was coming to a cliff in 2020. Berndtson asked everyone to consider what type of housing was wanted long-term in Bloomington.

Presentation, Discussion, and
Public Comment on Chapter 3: Use
Regulations (*cont'd*)

Public comment:

Clay Fuqua wondered why the UDO focused on core neighborhoods and not the edges or the parts of the city that were more amenable.

John Lawrence, CONA, discussed density and the read from the Comprehensive Plan.

Jean Simonian spoke about private equity control, rentals, conditional ADU, land use and ownership, and the history of disenfranchisement.

Betty Bridgewaters spoke about her home which was purchased by her grandmother over 100 years ago, neighboring rentals, housing density, and plexes.

Zachary Donovan, a member of Bloomington Cooperative Living, discussed affordable housing density, and members' cost of living being around \$575. Donovan explained that they were left out of the proposed UDO and urged the council to allow them to continue their work.

Kate Rosenbarger commented on homeownership and renters, plexes, and that the number of bedrooms and size of single-family homes was not regulated in the same way as plexes.

Marc Cornett discussed core neighborhoods, zoning, types of housing, planning, and single-family homes. Cornett highlighted that there was investment speculation for properties near the university.

Mark Wroblewski urged the council to reject the proposed UDO and to stop selling the town to outside interests.

Novella Shuck spoke about renting in a core neighborhood and stated that she was lucky to have found housing there. Shuck asked the council to allow duplexes and triplexes, even in core neighborhoods and commented on the segregation by class.

Wendy Bricht commented on the delicate balance of living close to the university and density. Bricht spoke about rentals in her neighborhood, and her concern about it becoming student rentals.

Cory Ray discussed the difficulty of finding housing in Bloomington. Ray discussed housing data pertaining to demand and supply, and affordability.

Volan moved to extend the meeting. The motion did not receive a second.

There were no other matters or actions discussed.

Any Other Matters or Actions
Related to this Proposal Ready to
be Raised at this Meeting
[10:01 pm]

Rollo recessed the meeting.

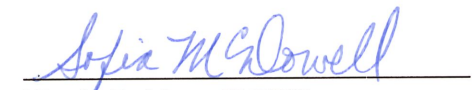
RECESS [10:02 pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
1 day of June, 2022.

APPROVE:


Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:


~~Nicole Bolden, CLERK~~
City of Bloomington
Sofia McDowell
Chief Deputy Clerk