

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 13, 2019, at 6:00 pm, Council President Dave Rollo presided over a Special Session of the Common Council.	COMMON COUNCIL SPECIAL SESSION November 13, 2019
Councilmembers present: Allison Chopra (arrived 6:13 pm), Dorothy Granger, Isabel Piedmont-Smith, Dave Rollo, Andy Ruff, Susan Sandberg, Jim Sims, Chris Sturbaum, Stephen Volan Councilmembers absent: none	ROLL CALL [6:08 pm]
Council President Dave Rollo summarized the agenda.	AGENDA SUMMATION [6:09 pm]
Volan moved and it was seconded that <u>Appropriation Ordinance 19-08</u> be read by title and synopsis only. The motion was approved by a voice vote. City Clerk Nicole Bolden read <u>Appropriation Ordinance 19-08</u> by title and synopsis only.	LEGISLATION FOR FIRST READING [6:14 pm] <u>Appropriation Ordinance 19-08</u> TO SPECIALLY APPROPRIATE FROM THE RENTAL INSPECTION PROGRAM AND THE PARKING METER FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Various Transfers of Funds within the General Fund, Parks and Recreation General Fund, Parking Facilities Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund; Cumulative Capital Development Fund and, Appropriating Additional Funds from the Parking Meter Fund and the Rental Inspection Fund)
Stephen Lucas, Deputy Attorney/Administrator, reviewed the proposed 2020 schedule.	COUNCIL SCHEDULE [6:15 pm]
There was brief council discussion.	
Volan moved and it was seconded to amend the council schedule by renaming the Committee of the Whole/Land Use Committee column to Committee Discussion. The motion was approved by a voice vote.	
Volan moved that legislative cycle 12 be moved to after the summer recess.	
There was brief council discussion.	
The motion to move legislative cycle 12 to after the summer recess was approved by a voice vote.	
Volan moved and it was seconded to adopt the council schedule as amended. The motion was approved by a voice vote. Chopra stated that she wished to abstain.	Vote to adopt Amended Council Schedule [6:17 pm]
Sherman stated that there was a work session that may need to be scheduled to discuss the Convention Center and “predatory towing.” Rollo asked that the work session be scheduled.	

<p>Rollo stated that the next item was the continued consideration of <u>Ordinance 19-24</u>.</p> <p>Scott Robinson, Assistant Director for the Planning and Transportation Department, read a statement from the Legal Department regarding imposing owner-occupied ordinances in the Unified Development Ordinance (UDO). The statement included that there had not been litigation of the requirement in Indiana, but that there had been in various other states. The statement summarized that the city Legal Department believed that owner-occupied zoning would be invalidated, but that due to existing owner-occupancy requirements for accessory dwelling units, it was more likely to survive a legal challenge.</p> <p>Piedmont-Smith commented that this affected her proposed Am 04, which was withdrawn.</p> <p>Robinson stated that that was correct.</p> <p>Piedmont-Smith responded that she wanted it to be on record that she had made an attempt.</p> <p>Volan moved and it was seconded to amend the procedures for consideration of <u>Ordinance 19-24</u> so that each amendment would be heard in the following manner:</p> <ul style="list-style-type: none">– Sponsor presentation: 10 minutes.– Comment from Planning and Transportation staff: 5 minutes.– Common Council questions: 2 minutes per council member per round, 20 minutes total.– Public Input: if less than 50 speakers, then one 3-minute statement per speaker. If more than 50 speakers, then one 2-minute statement per speaker. No more than 2.5 hours for public comment. This period may be extended by a majority vote of the council.– Additional council questions: 2 minutes per council member, per round, 20 minutes total.– Common Council debate and vote: 3 minutes per council member per round. <p>Volan asked the public who intended to speak, and 41 members of the public raised their hand.</p> <p>There was brief council discussion.</p> <p>Piedmont-Smith moved and it was seconded to amend the structure of debate to include a two minute time limit to public comment. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.</p> <p>The motion to approve the structure debate as amended was approved via a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.</p> <p>Ruff reviewed the order of amendments with the consideration of ballot ranking by each council member.</p> <p>Volan stated that he opposed the motion because the amendments were not equal, with one amendment permitting plexes, and another opposing plexes.</p> <p>Piedmont-Smith stated that she agreed with Volan because Amendment 03 and Amendment 05 were a compromise, and implored her colleagues to consider the compromises first and then consider the plexes as a whole.</p>	<p>CONTINUED CONSIDERATION OF <u>ORDINANCE 19-24</u> TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED UNIFIED DEVELOPMENT ORDINANCE [6:24 pm]</p> <p>Presentation, Discussion, and Public Comment on <u>Ordinance 19-24</u></p> <p>Council discussion:</p> <p>Motion to Approve Conduct of Deliberations</p> <p>Vote to Amend the Structure of Debate [6:28 pm]</p> <p>Vote to Approve the Structure of Debate as Amended [6:33 pm]</p> <p>Deliberation on the Consideration of the Order of Amendments</p>
---	--

Ruff stated that ballot-ranking for amendments was a democratic way to consider the amendments.

Deliberation on the
Consideration of the Order of
Amendments (*cont'd*)

Rollo stated that, as President of the council, he could have set the agenda unilaterally, but that ballot-ranking was the most democratic way.

Volan responded that if Amendment 01 was ranked first, then it was likely the only amendment to be considered.

Chopra asked if the vote sheets will be public record, and Sherman stated that they would and that the results would be read into the record.

Volan moved and it was seconded to proceed with the rank-choice voting. The motion was approved by a voice vote.

Vote to Approve the Ballot-
Ranking of Amendments to
Ordinance 19-24 [6:38 pm]

Clerk Bolden read the ranking of amendments per councilmember.

Ranking of Amendments

Granger: Am 01: 2, Am 02: 3, Am 03 & Am 05: 1
Rollo: Am 01: 1, Am 02: 2, Am 03 & Am 05: 3
Volan: Am 01: 3, Am 02: 2, Am 03 & Am 05: 1
Sims: Am 01: 3, Am 02: 2, Am 03 & Am 05: 1
Sturbaum: Am 01: 1, Am 02: 2, Am 03 & Am 05: 3
Sandberg: Am 01: 1, Am 02: 2, Am 03 & Am 05: 3
Piedmont-Smith: Am 01: 2, Am 02: 3, Am 03 & Am 05: 1
Chopra: Am 01: 3, Am 02: 2, Am 03 & Am 05: 1
Ruff: Am 01: 1, Am 02: 2, Am 03 & Am 05: 3
RESULT: Am 01: 17, Am 03 & Am 5: 17, Am 02: 20

Rollo stated that there would be a second round of voting, per the motion.

Volan objected to the rank-choice ballot language.

Second Round: Ranking of
Amendments to Ordinance 19-
24 [6:50pm]

Second round of ballot-ranking of amendments:

Granger: Am 01: 2, Am 03 & Am 05: 1
Rollo: Am 01: 1, Am 03 & Am 05: 2
Volan: Am 01: 2, Am 03 & Am 05: 1
Sims: Am 01: 2, Am 03 & Am 05: 2
Sturbaum: Am 01: 1, Am 03 & Am 05: 2
Sandberg: Am 01: 1, Am 03 & Am 05: 2
Piedmont-Smith: Am 01: 2, Am 03 & Am 05: 1
Chopra: Am 01: 2, Am 03 & Am 05: 1
Ruff: Am 01: 1, Am 03 & Am 05: 2
RESULT: Am 01: 14, Am 03 & Am 5: 13

Piedmont-Smith moved and it was seconded to adopt Amendment 03 to Ordinance 19-24. Piedmont-Smith presented Amendment 03.

Presentation, Discussion, and
Public Comment on Amendment
03 to Ordinance 19-24 [6:52 pm]

Amendment 03 Synopsis: The purpose of this amendment is to limit the number of bedrooms in duplexes and triplexes in existing residential neighborhoods in response to public concerns about increased density.

Council discussion:

Volan stated that there was an upper limit on duplexes and triplexes, and asked if there was a lower limit for plexes.

Piedmont-Smith stated that it referred to the total number of bedrooms in the unit.

Robinson commented that the definition of bedroom needed to be considered.

Jackie Scanlan, Development Services Manager, stated that the definition of “dwelling, multi-family” particularly excluded duplexes, and that staff suggested clarifying the language to say a maximum of two per unit.

Presentation, Discussion, and
Public Comment on Amendment
03 to Ordinance 19-24 (*cont’d*)

Council discussion:

Granger asked why there was not a limit to bedrooms in the four-plexes.

Piedmont-Smith stated that the fourplexes were only allowed in the R4 zoning district which was not mapped, and that it would be important for density in the long run.

Sims asked about a single parent with two children, and whether they would then need to move to a triplex?

Piedmont-Smith stated that that particular family would not be able to move into a duplex.

Piedmont-Smith stated that she would like to amend Amendment 03 to state that, in the duplex section, the relevant sentence read “no duplex dwelling structure shall contain more than two bedrooms per unit,” and in the triplex section, “no triplex dwelling structure shall contain more than two bedrooms per unit.’

Volan moved and it was seconded to amend Amendment 03 as stated by Piedmont-Smith. The motion was approved by a voice vote.

Vote to amend Amendment 03
[7:02 pm]

Sturbaum asked if R4 would be zoned into existing family neighborhoods.

Council discussion:

Piedmont-Smith stated that that was correct.

Rollo stated that Amendment 03 applied to all zones, so if conditional use was considered in R1, R2, and R3, then it would apply to all zones.

Piedmont-Smith stated that that was correct.

Robinson clarified that the difference between conditional use versus by right was that existing areas would go through the conditional use process while new areas would be allowed by right.

David Keppel offered his strong support for Amendment 03.

Public comment:

Ed Whitesville spoke against the limitation of two bedrooms per unit.

Peter Dorfman stated that he was thankful to Councilmember Piedmont-Smith for drafting Amendment 03, but that further study needed to be done to fully understand the impact.

Ramsey Harik spoke against Amendment 03.

Mary Morgan, Greater Chamber of Commerce, stated that she was proud to be a part of a coalition to increase density. Morgan stated that she appreciated the consideration of the amendments.

Sandy Clothier stated that she lived in a core neighborhood and that if it was to apply to all zones, that it was ridiculous to limit duplexes to two bedrooms.

Pam Weaver, stated that she was speaking on behalf of the Commission on Sustainability, and that there were 8 not in favor of Amendment 03, 1 in favor of Amendment 03, and 2 abstaining.

Jean Simonian stated that she applauded the good faith effort of Piedmont-Smith but that Amendment 03 guaranteed that families would not be able to live there.

Presentation, Discussion, and Public Comment on Amendment 03 to Ordinance 19-24 (cont'd)

Kayte Young stated that she was in favor of the UDO, but was concerned that it was going to get watered down and lose its power. Young stated that she was most concerned about equity and affordable housing.

Public comment:

Lori Hoevenner urged councilmembers to vote against Amendment 03.

Jean Capler stated that she was in favor of allowing housing type diversity and increased density.

Kate Rosenbarger stated that she was in favor of Am 02, but if Amendment 03 helped to address concerns, that it was a good compromise.

Steve Wyatt stated that there were affordable houses in core neighborhoods due to the compact lots, and that home ownership gave equity and long-term investment. Wyatt stated that the city should be creating more compact neighborhoods.

Cathy Fuentes-Rohwer commented that increased density was good for the environment and the community.

Richard Linnemeier stated that he was a resident and homeowner of 13 units of affordable housing, and that it was impossible to predict what the amendments would do. Linnemeier proposed a limit to the number of units and to study the results.

Sara Copper stated that if Amendment 03 would help councilmembers accept plexes then she would be in favor of it but was disappointed in limiting the bedrooms.

Peter Finn voiced his strong opposition to Amendment 03 and Amendment 05 because it would not provide for more affordable housing.

Kathleen Myers stated that she did not understand why large swaths of land were not being looked at for development.

Joe Bergen, Director of City Relations for IU Student Government, stated that Amendment 03 was a step but that Amendment 02 was the bold solution.

Quintin Thompson commented that Amendment 03 brought together sustainability and compromise.

Dominic Thompson, Speaker for IU Student Government, stated that there was a housing crisis in Bloomington and urged council to vote against Amendment 03 because it limited the number of units.

Jess Tang stated that she was a student renter, and that she and her partner had been offered opportunities to stay in Bloomington after graduation, but that they were looking for sustainable ways that did not include living far away and driving. Tang spoke against restricting units to two bedrooms.

Cassiday Moriarity stated that she had lived in Bloomington for four years, and that limiting the bedrooms to two per unit would limit options for families.

Presentation, Discussion, and
Public Comment on Amendment
03 to Ordinance 19-24 (*cont'd*)

Dave Warren spoke in favor of more housing.

Public comment:

Christine Linnemeier stated that she was in favor of Amendment 01, but that Amendment 03 would cut out families and put in students.

Eliza Dowd stated that she was a student renter, and that people her age could not afford to live in Bloomington. Dowd spoke about the housing and environmental crises and commented that affordable and denser housing would cut carbon emissions and would lead to a more inclusive community.

Alan Balkema, President of the Near West Side Neighborhood, stated that he was against Amendment 03, Amendment 05, and Am 02.

Charles Krazyinka stated that he had renovated a house on 1st street but that if Amendment 03 or Amendment 02 would have passed, he likely would not have done so.

Burhan Elturam stated that he lived in the Near West Side Neighborhood for the last 45 years. Elturam stated that the changes had been quantitative but not qualitative, and that there were still people who could not afford a home.

Alex Goodlad stated that density was necessary because of the climate crisis, and stated that there was no evidence that there would be only students that lived in multiplexes.

Kathleen Bogess stated that she was a Court Appointed Special Advocate (CASA) and that it would be nice if Children in Need of Services (CHINS) families had affordable housing, with strong role models. Bogess stated that two bedrooms was too limiting, and urged the council to vote against Amendment 03.

Betty Bridgewaters stated that she had a duplex on S. Washington and rented to students and married people. Bridgewaters stated that the two bedroom limitation was not ideal, and that she would vote down Amendment 03.

Jan Sorby stated that she lived in a core neighborhood, and thanked Piedmont-Smith for attempting to compromise, but that this was not a good solution because it put the affordable housing at risk.

Will Stahly stated that he was against the amendment to Amendment 03.

Joe Lee thanked Piedmont-Smith for her attempt to compromise. Lee stated that there was no plan to assure affordable housing or environmental protection. Lee stated that the plan did not solve Bloomington's housing problem, but did solve IU's housing crisis.

Marc Cornett stated that core neighborhoods were in the shadow of IU, and that families could not compete with multiple incomes. Cornett urged the council to vote no on Amendment 03.

Michelle Henderson stated that she appreciated the compromise on multiplexes by limiting bedrooms and conditional [use] based on

guidelines, but that voting on anything conditional was like voting by right.

Presentation, Discussion, and
Public Comment on Amendment
03 to Ordinance 19-24 (cont'd)

Nathan Geiger stated that he taught at the university and that he opposed the current amendment as worded, and that he supported the UDO and by right plexes. Geiger stated that he opposed Amendment 03.

Public comment:

John Torok stated that he lived in Elm Heights, and that a developer bought a house and built two units on top, graveled everything they could, and tore down trees. Torok stated that it was not affordable housing.

Sally Jones expressed her opposition to Amendment 03 and stated that there was no evidence that it would increase home ownership or integrate neighborhoods. Jones stated that there should be innovative solutions to help families buy the homes. Jones stated there was not a plan to address the infrastructure of increased density, like storm water drains.

Christopher Harrell, from the Near West Side Neighborhood, expressed his opposition to Amendment 03 because it limited the ability to address the affordable housing issue. Harrell stated that he did not support limiting the bedrooms.

Jackie Witmer-Mouton, had lived in Bloomington since 1983. She stated that there was no language in the UDO that guaranteed affordability or diversity, or protected the quality of the neighborhood.

Cory Ray stated that he preferred Amendment 02, and expressed his support for the UDO and allowing duplexes and triplexes by right. Ray stated that Bloomington had the opportunity to increase density and take the lead in innovative opportunities to promote diversity.

Wendy Bricht stated that she appreciated Amendment 03 because it was honest, even though she did not support multiplexes. Bricht stated that developers wanted to build in core neighborhoods because of the guaranteed high rent.

Jeff Mansfield stated that he lived in District 01, and that he wanted to support Amendment 03 but was concerned about limiting the bedrooms and urged the council to consider amending the amendment.

Darrell Boggess stated that he lived near the IU campus and had noticed a change in the neighborhood, and that he opposed the amendment. Boggess stated that he did not see how plexes in neighborhoods made a difference in the community and in responding to climate crisis.

Charles Gillespie stated that he represented renters in the community and that buying a home in Bloomington was not feasible for many. Gillespie stated that Bloomington could be doing more to attract and retain talented young people, and that allowing plexes in core neighborhoods would do that. Gillespie stated that he was not opposed to limiting the bedrooms, but that two bedrooms was too small.

Sturbaum stated that people did not understand what core neighborhoods were and that Amendment 03 was largely meaningless and only slightly less terrible.

Presentation, Discussion, and
Public Comment on Amendment
03 to Ordinance 19-24 (*cont'd*)

Granger stated that she appreciated Amendment 03 but that she was not sure that limiting the number of bedrooms increased diversity and that she would vote against the amendment.

Council discussion:

Piedmont-Smith spoke of compromise and of listening, and addressed the public's concerns. Piedmont-Smith commented that plexes were not going to fix the affordable housing problems. She explained that plexes would have the same landscape and setback requirements as single family housing. Piedmont-Smith had spoken with Vic Kelson, Director of Public Utilities, regarding overtaxed infrastructure, who said it was not a problem and more efficient to have housing closer together.

Sandberg said she would not support Amendment 03 and commented that more thought was needed regarding families and people of low income. Sandberg spoke about the placement of plexes. She stated that she would support Amendment 01, and appreciated the compromise on Amendment 03.

Chopra stated that Amendment 03 offered a compromise and that she would be voting in favor of the amendment. She said that she supported plexes everywhere, including in her neighborhood.

Volan discussed the number of bedrooms and student housing. He commented that some families wanted separate bedrooms for their children. Volan stated that he would not object to the amendment to Amendment 03 if it would make a difference in the outcome.

Piedmont-Smith stated that she lived in a core neighborhood and that there was a mobile home park, a homeless shelter, and the community kitchen all nearby. She said she loved her neighborhood, and spoke about the different housing types there and stated that she wanted more people to be able to live in her neighborhood.

Sims stated that he could not vote against plexes and discussed the need to talk about housing that was affordable. Sims did not particularly like Amendment 03 and clarified that his position was in the middle with conditional use.

Rollo spoke in opposition to plexes in existing neighborhoods because they were a threat to the neighborhoods and to single-family homes. He explained that plexes opened neighborhoods up to predatory speculative development. He commented that Amendment 03 was intended to limit bedrooms as a compromise, and that he opposed the amendment.

Sturbaum commented that there were places to build for the missing middle. He spoke about excluding neighborhoods that were completely built out. Sturbaum stated that he supported density and plexes but not in existing neighborhoods.

Ruff discussed plexes as affordable housing, and said that staff indicated that was not the intent. He also commented on the increased number of high-income, out of state and international students, developers, and speculators who were intending to

maximize their profit. Ruff stated that he would be voting against Amendment 03.

Presentation, Discussion, and Public Comment on Amendment 03 to Ordinance 19-24 (cont'd)

Volan explained that the core neighborhoods worked for the people already living there and not for those who wanted to reside there. He commented about attempting to find a compromise, and that he preferred that Amendment 02, Amendment 03, and Amendment 05 be combined.

Council discussion:

Sims repeated that there was a housing crisis and discussed previous debate concerning ADUs (Accessory Dwelling Units). He also commented that thirty could be built under conditional approval, but that only ten had been built. Sims questioned if that could be done with plexes, and the impact analyzed later. He explained that it could be done, the right way, the equitable and fair way.

Sandberg moved and it was seconded to adopt Amendment 03 as amended. The motion received a roll call vote of Ayes: 4 (Chopra, Piedmont-Smith, Sims, Volan), Nays: 5, Abstain: 0. FAILED.

Vote to Adopt Amendment 03 as Amended to Ordinance 19-24 [8:54 pm]

Piedmont-Smith moved and it was seconded to adopt Amendment 05 to the Ordinance 19-24. Piedmont-Smith presented Amendment 05.

Presentation, Discussion, and Public Comment on Amendment 05 to Ordinance 19-24

Amendment 05 Synopsis: Limits "plexes" on property in R1, R2 & R3 districts where demolition of at least 35% of the principal dwelling structure occurred within the previous three years and the construction of the duplex structure would exceed the gross square footage of the original structure by more than 25%.

Robinson clarified that the proposal was to allow plexes in many residential districts, and was not targeting specific neighborhoods. He said there was confusion on affordable housing and affordability, and clarified that the state had limited the ability to do inclusionary housing. He further clarified that there were voluntary incentives for plexes to require affordability but the intent was not for affordable housing.

Jackie Scanlan, Development Services, said that tracking could be easily done and provided an example of building permits. She discussed the public's fear that developers would completely demolish homes. Scanlan explained that several local developers had stated that buying a property in the core districts to tear down and build a duplex did not make financial sense. Scanlan spoke about median home price in Bloomington, and some of the main goals of the Comprehensive Plan including smart-growth adherence. She commented that Amendment 05 facilitated that. Scanlan also clarified that staff from the Utilities Department confirmed there was plenty of infrastructure to support this type of growth.

Chopra stated that it was important to consider data given that some public comments claimed that there was no evidence or data. She asked Scanlan to expound on the data.

Council discussion:

Scanlan mentioned that data was presented at the Plan Commission, and that current information about Bloomington had been gathered. She spoke about the analysis of land value where existing plexes were in core neighborhoods, as well as any negative effect on land value, compared to other single-family homes. She said there was no correlation found. She explained that staff looked at the American Community Survey, as required by law, which showed that homeowners in Bloomington's core neighborhoods had twice as

many cars than renters. Scanlan discussed concerns that renters would each would have a car, which was not accurate based on community data. She commented that the homeowner-occupied homes in the RC districts had been steady since 2008. She clarified that owner-occupancy in plexes had increased and that the public was looking for duplexes to own, and to rent the other side.

Presentation, Discussion, and
Public Comment on Amendment
05 to Ordinance 19-24 (*cont'd*)

Council discussion:

Sims asked if there was information on covenants and restrictions in neighborhoods throughout the city; what they were, and when they expired.

Scanlan confirmed there was a list of subdivisions based on zoning. She discussed the RS (non-core neighborhoods) subdivisions and their restrictions. Scanlan stated that things not allowed by covenant was a private issue, and not widespread.

Volan reiterated that if more than one-third of the house was torn down, a plex could not be built for three years, and could not be more than 25% greater than the square footage of the original building. Volan asked to what extent the changes would help or hinder the development of plexes, and if it would incentivize the building or more or fewer plexes.

Scanlan responded that she believed it would discourage teardown for duplexes, but that it would not dissuade a remodel in homes occupied by families.

Volan asked if someone could buy two houses next to each other, and wait three years to build something on the combined lots.

Scanlan stated that under existing regulations, they would be able to but not be able to build greater than 25% of the original structure. Scanlan clarified that the proposal gave the council, as decision-makers, the time to address the issue if it became problematic.

Ruff commented on the proposed amendments, and locations where duplexes could and could not be. He explained that Amendment 01, only addressed R1, R2, and R3 zones, and that there were residential zones and mixed-use zones where plexes would be permitted even with the passage of Amendment 01.

Scanlan responded that that was correct because R4 was not yet mapped. She explained that in a multi-family zone, and based on discussions with local developers, it would be less likely to develop a 40 foot wide duplex when a larger building could be built in the commercial districts. Scanlan stated that this also addressed Volan's earlier question about a duplex on two lots and said it could still only be 40 foot wide. She said that design requirements were the same as building a single-family structure, and that the side of the plex that faced the road could only be 40 foot wide to fit in with the neighborhood.

Sturbaum asked if the 40 foot width applied to remodeling, such as a converting a ranch home that was 60 foot wide into a duplex.

Scanlan stated that nothing was excluded, so it would apply to remodeling. She said a ranch home could not be converted into a duplex without a variance if the building was more than 40 feet wide.

Sturbaum asked about the suburban ranch homes.

Scanlan stated that that was possible they would be excluded if they were over 40 feet wide.

Sturbaum asked for additional details about lot sizes and any subdivisions that prohibited single-family zoning.

Scanlan stated that staff could provide that information and map.

Volan moved and it was seconded to limit public comment to one minute per person, and one minute and a half for council comment. There was brief council discussion.

Presentation, Discussion, and Public Comment on Amendment 05 to Ordinance 19-24 (*cont'd*)

The motion to limit public comment to one minute per person, and to limit council comment to one minute and a half, was approved by a voice vote.

Vote to limit public comment and council comment [9:13 pm]

Peter Dorfman stated that the website Home.com listed Bloomington as the 5th most attractive for small college towns with a high rate of return for developers.

Public comment:

Ramsey Harik spoke about putting plexes in green and brown spaces.

David Keppel stated that Amendment 05 was the most important item to consider and commended the amendment.

Richard Linnemeier stated that he supported Sandberg's idea of extreme density and would support a higher building. He stated it was important to use the data correctly.

Jim Rosenbarger commented that investors would be looking at the largest, nicest houses they could find to do a minimal amount of work on them, and would just change the occupancy.

Jane Goodman referenced the US Landlord Index for College Towns and Cities. She stated that Bloomington was ranked 19th overall, and that when compared to cities of its size, it was ranked 5th.

Richard Lewis spoke about recent sales in Prospect Hill neighborhood, and that two had been torn down. He stated that it would affect the community for the lots to be vacant for three years.

Marc Cornett urged the council to vote against the amendment.

Pam Weaver urged the council to vote in favor of the amendment because it was an excellent compromise from an environmental standpoint, and it was better to encourage redevelopment rather than tear down.

Jean Simonian stated that there needed to be clarity into real estate development because it had changed since 2008. She commented on tax advantages and other factors that made the holding of empty lots, by big outside developers, for appreciation.

Wendy Bernstein stated that she had been trying to picture what the house across the street from her would look like with 30% missing for three years.

Dave Warren said that Amendment 05 was a good amendment and that while it was not perfect, wanted to encourage the council to vote in favor of it in an effort to reach the missing middle.

Quintin Thompson stated that he believed the Amendment 05 was a good compromise and urged the council to vote in favor of it.

Michelle Henderson spoke about small and shabby rentals, rented by low-income individuals. She said that those were the houses that would be demolished wondered where the renters would go.

Joe Bergin, Director of City Relations, IU Student Government, stated that he supported Amendment 05.

Presentation, Discussion, and
Public Comment on Amendment
05 to Ordinance 19-24 (*cont'd*)

Alex Goodlad spoke in support of Amendment 05, and the need to redevelop in a way that addressed climate change.

Public comment:

Olivia Dorfman stated that the Near West Side Neighborhood had some of the least expensive rentals in the city mostly because they were older and smaller homes. She said that Fairview Elementary school was 90% free or reduced lunch, and that their housing was likely the first to be plucked out of the neighborhood.

Jackie Witmer-Mouton stated that there was no language in the amendments regarding affordable housing. She said that she was able to buy a house in Barclay, which was a bit more dangerous, but that she could not afford a house near Bryan Park.

Volan asked if anyone demolished a house and left it empty.

Council discussion:

Scott Robinson stated that there was an annual report that listed the demolition reports, but that he did not know how long the lots stayed vacant.

Ryan Robling, Zoning Planner, stated that most demolitions, including all the current year's were rebuilt as single family homes.

Volan asked about lots staying vacant for three years.

Robling stated that there was nothing that prevented that, but that it was very uncommon.

Volan asked if there were standards for preventing the pooling of water, for example.

Robling stated that there were vacancy standards that a parcel would have to meet in order to remain vacant.

Volan stated that many core neighborhoods were historic districts, and asked if there were protections against certain kinds of demolition.

Robling stated that there were.

Volan stated that if he wanted to tear down the back part of his own home, that there was a process he would have to go through.

Robling stated that that was correct, there was a process he would have to go through via the Historic Preservation Commission.

Sturbaum read from the Comprehensive Plan and summarized that the core neighborhoods should not be the focus. He said that the proposal was far off from the Comprehensive Plan.

Sandberg stated that she would be opposing Amendment 05, because the problem was that developers would buy the property and expand it. She explained that would increase occupancy in already dense areas that had narrow streets and limited parking.

Volan stated that Sturbaum referenced the Comprehensive Plan, and also read a portion it. Volan summarized that policy 5.1.2 established affordable housing in locations with close proximity to schools, employment center, transit, recreational opportunities, and other community services to increase access.

Ruff stated that the proposal was an experiment and said that the Comprehensive Plan called for the establishment of affordable housing, yet there was no reason to believe that it would actually create affordable housing.

Piedmont-Smith shared that she felt that compromise had become a dirty word, and that those who were opposed to plexes were unwilling to listen. She explained that the proposal would not immediately lead to affordable housing, but that compromise was ideal.

Presentation, Discussion, and Public Comment on Amendment 05 to Ordinance 19-24 (cont'd)

Council discussion:

Granger stated that she supported Amendment 05 and the original Amendment 03, and applauded her colleague for trying to compromise. Granger stated that she would support Amendment 05.

Ruff stated that it was not all or nothing, and that there were zones where plexes would be allowed.

Sturbaum commented on his work in neighborhoods, and the effects of zoning. He said there was a healthy balance of rentals and home-owning, but that there would not be more single-family zones built after the adoption of the UDO. He commented that plexes needed to be built on edges, corridors, and new land that was being made available.

Rollo discussed on tear-downs, transformation of homes, and the threat to existing neighborhoods. He emphasized that smaller homes faced the greatest threat. Rollo said that plexes in core neighborhoods would not work towards affordability. He reiterated that the most vulnerable homes would be transformed into plexes renting at market rate.

Volan commented on Smallwood and said that the same year, that year four houses in Garden Hill flipped to owner-occupied. He said that Sims brought up a good point about the difference between affordable housing and housing that was affordable. Volan explained that some housing would be market-rate, and not affordable for some. Volan stated that Amendment 05 would be thoughtful development.

The motion to adopt Amendment 05 to Ordinance 19-24 received a roll call vote of Ayes: 6, Nays: 3 (Ruff, Sturbaum, Sandberg), Abstain: 0.

Vote to Adopt Amendment 05 to Ordinance 19-24 [9:44pm]

Sturbaum moved and it was seconded to adopt Amendment 01 to Ordinance 19-24. Sturbaum and Rollo presented Amendment 01.

Presentation, Discussion, and Public Comment on Amendment 01 to Ordinance 19-24

Amendment 01 Synopsis: This amendment brings forward a simplified version of PC Am-4A. It prohibits the “plexes” on properties zoned R1, R2 & R3 on the effective date of the UDO by making two changes. First, it amends Table 3-1: Allowed Use Table by removing the “C” (Conditional Use) for duplexes and triplexes in R1, R2, and R3 districts and, second, it strikes two provisions in the Use-Specific Standards for “plexes” that would allow them in those districts via reconfiguring lots.

Robinson explained the intent behind the plexes and described key details, zones, and housing issues.

Ruff moved and it was seconded to extend debate to 11:00pm. There was council debate.

The motion to extend debate until 11pm received a roll call vote of Ayes: 3 (Ruff, Granger, Rollo), Nays: 6, Abstain: 0. FAILED.

Vote to Extend Debate [10:10 pm]


Rollo recessed the meeting until November 14, 2019.

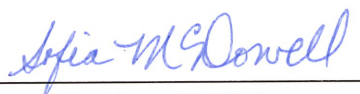
RECESS [10:11pm]

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

APPROVE:

ATTEST:


Susan Sandberg, PRESIDENT
Bloomington Common Council


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