

In Bloomington, Indiana on Thursday, May 13, 2021 at 6:30pm, Council President Jim Sims presided over a Special Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
SPECIAL SESSION
May 13, 2021

Councilmembers present via Zoom: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers absent: none

ROLL CALL [6:31pm]

Clerk's Note: On May 04, 2021, the Common Council called to order a Special Session, which began the Council's consideration of Ordinance 21-23 and Ordinance 21-24 to be completed over a series of meetings including May 05, May 06, May 12, and May 13 of 2021.

Council President Jim Sims summarized the agenda.

AGENDA SUMMATION [6:32pm]

Sims summarized the conduct of deliberations for the Special Session.

CONDUCT OF DELIBERATIONS
[6:37pm]

ORDINANCE 21-23 [6:41pm]

Ordinance 21-23 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Regulations Related to Dwelling, Duplex; Dwelling, Triplex, and Dwelling, Fourplex Set Forth in BMC 20.03 and 20.04

Continued consideration of Amendment 05 to Ordinance 21-23.

Amendment 05 to Ordinance 21-23

Amendment 05 Synopsis: This Amendment to Ordinance 21-23 is brought by Councilmembers Sandberg and Rollo and seeks to add two additional findings to the Conditional Use Approval Criteria for duplexes.

Renee Miller commented on the need for anti-racist and anti-classist policy and against Amendment 05.

Public comment:

Jon Lawrence spoke in favor of Amendment 05, and about the cost of building a duplex.

Wendy Bricht discussed reasons in support of Amendment 05.

Russ Skibo supported Amendment 05.

Tomi Allison spoke about public comment, conditional use, parking, and in support of Amendment 05.

Jessika Griffin commented on traffic, parking, renting, and against Amendment 05.

Karen Duffy discussed language in and her support for Amendment 05.

Barbara Moss supported Amendment 05.

Eric Ost spoke about infrastructure, parking, duplexes, and in favor of Amendment 05.

Alex Goodlad commented on plexes, and on applying Amendment 05 consistently.

Amendment 05 to Ordinance 21-23 (cont'd)

Heather Lacy, Deputy Attorney/Administrator, read the following written comments submitted via Zoom chat:

Public Comment:

- Jo Lee commented on infrastructure and in support of Amendment 05.
- Dave Stewart supported Amendment 05.
- Linda Stewart supported Amendment 05.

Steve Layman spoke in support of Amendment 05.

Sharon Yarber discussed her support for Amendment 05.

Ed Bernstein supported Amendment 05.

Victoria Witty asked council to vote in favor of Amendment 05.

Peter Bogdanoff commented in favor of Amendment 05.

Rollo stated that Amendment 05 did not preclude other uses and could always be revisited. Amendment 05 restored language that had been removed. Rollo said that Scanlan implied that duplexes were trivial and he disagreed. Eliminating single family zoning for all of Bloomington was broad-sweeping and transformative. He said the impact may be significant, especially in the core neighborhoods. He commented further about the core neighborhoods. It was important to codify the language in Amendment 05. He urged council to support Amendment 05.

Council comment:

Piedmont-Smith said that in the discussion of Amendment 03, she commented that conditional use criteria was more appropriate for protecting against negative impacts. After reviewing the specific text of Amendment 05, she was now opposed to it because it created conditional use criteria only for duplex dwellings in R1, R2, and R3. The concerns were applicable to the other conditional uses in the Unified Development Ordinance (UDO). If the concerns were universal, the criteria should be applied to all uses by asking the Plan Commission to consider making changes. She commented on the pre-submittal neighborhood meeting, which had already been accepted in Amendment 03. She also commented on the part of Amendment 05 that addressed traffic congestion and said that in the previous UDO, that condition was invoked in non-residential uses where drivers had to go through residential neighborhoods. She further commented on some redundancy and vague language in Amendment 05. She opposed Amendment 05.

Volan clarified that, during the previous debate, he should have limited his critique to certain public comments by proponents of Amendment 04. He understands the sincerity of the sponsors of Amendment 05. The sponsors and supporters of Amendment 05 did not see how they framed single family houses as equating to homeowners despite thousands being rentals. They equated duplexes with students, which should be separated. He referenced the sponsors' response that a single family home on a vacant lot would not cause undue burden, but a duplex would. He said it was bad policy. He commented on traffic, parking, and cars. He pointed out that more off-street parking should not be advocated for in consideration of environmental concerns. Conducting a traffic study was not ideal for a duplex. He said the remedy was to regulate the

demand for parking with a neighborhood parking zone. He could not support Amendment 05 as written.

Amendment 05 to Ordinance 21-23 (cont'd)

Flaherty stated that he would not support Amendment 05 because it introduced arbitrariness and subjectivity which was bad public policy. It resulted in disparate outcomes in similarly situated home builders. Fair, equitable policies, clear and fair rules, and aiming to eliminate ambiguity should be the goal. He discussed parking constraints and concerns, and the appropriate process to address those issues. He commented on treating duplexes and single family homes differently when the impact was similar or the same, and giving the privilege to the single family home and not the duplexes. He listened to all constituents and addressed their concerns. He said it was a complex process when there were diverse and sometimes incompatible constituent concerns on things like the missing middle housing. All nine councilmembers cared deeply about Bloomington, its neighborhoods and residents, and voted in line with their level-best assessment of what was ideal for the city.

Council comment:

Smith echoed Flaherty on councilmembers' attempt to do what was best for the community. He questioned why the language was removed from the UDO in the first place. Effectively, Planning [Department] was limiting the influence of the BZA by taking away some of the criteria and causing an undue burden to the community, like traffic congestion. Smith also echoed Rollo and said that it could be revisited, and so could the types of uses. Amendment 05 helped the BZA respond to concerned neighbors. He would support Amendment 05.

Sandberg reiterated that Amendment 05 was a good faith effort on her and Rollo's part to address constituent concerns. It was the only recourse to add the language back in to the criteria for a duplex. She explained that parts B and C were the only new points, and that part A was already in as a pending matter via Amendment 02. She also explained the role of members of the Plan Commission and the BZA as arbiters of code and the rules, and they had to consider if the petition suited the city code. It was different than the duties of councilmembers. She and Rollo were trying to return the helpful language to the UDO and were not intending to be divisive. She commented on her role as a BZA member. She said that the discussion had been helpful.

Sgambelluri commented on the rhetoric in the discussion that evening. It was unhelpful to have councilmembers' personal motives questioned or written off. She said that a lot of knowledgeable, well-informed, and skilled residents were concerned and others were not. Sgambelluri's vote hinged on where to include protections, in the UDO, when adding duplexes to neighborhoods. She reviewed Section 20.06 of the UDO, and considered if that language adequately addressed concerns about duplexes. She believed it would, and she would not support Amendment 05.

Sims referenced the neighborhood meeting, as required in the pre-submittal process. Concerns of the public needed to be addressed and not dismissed. He said the public's concerns were not dismissed during the discussion. He commented on the outreach to him.

Rollo responded to Flaherty's comment regarding not applying the criteria in Amendment 05 to single family homes, and said that it was a false equivalence. A single family home would occupy a vacant lot and have little effect on the community. He reiterated that there

was a sweeping change of eliminating single family zoning to allow plexes which was bound to increase density and could have a significant effect. Increasing density was one of the motivations of the proponents of plexes. Plexes were different than single family homes which was why plexes were included in Amendment 05.

Amendment 05 to Ordinance 21-23 (*cont'd*)

Council comment:

Volan said that Rollo's argument would be more amenable if Amendment 03 had not passed, which limited duplexes to fifteen per year. He commented that made the impact negligible despite there being 35,000 housing units in the city.

The motion to adopt Amendment 05 to Ordinance 21-23 received a roll call vote of Ayes: 3 (Rollo, Sandberg, Smith), Nays: 6, Abstain: 0. FAILED

Vote to adopt Amendment 05 to Ordinance 21-23 [7:43pm]

Rollo asked Scanlan about her comment on existing duplexes in the city.

Ordinance 21-23 as amended

Scanlan stated that it was plexes and that she would share that information with council.

Council questions:

Volan asked staff for a brief explanation of current plexes in the city as well as their opinion on Ordinance 21-23 as amended.

Scanlan explained that the current plexes were only mapped, but did not contain information about bedrooms. She would forward the current information to council. The changes to Ordinance 21-23 that were made by council aligned with what staff brought forward to the Plan Commission. She provided additional details regarding the changes.

Smith asked Scanlan for clarity on the report regarding duplexes.

Scanlan said staff would track the proposals for that use, why they were approved or not, the location, and more. If staff noticed the same types of issues came up, like what was done with ADUs, that staff would note that.

Smith asked if council would be notified if there were more applications for duplexes than the cap allowed.

Scanlan confirmed that was correct.

Piedmont-Smith asked if staff would also keep track of the bedrooms in duplexes.

Scanlan said yes.

Rollo asked Scanlan about the annexation areas and if homeowners would receive notice of the changes in the UDO that would apply to their neighborhoods, like eliminating single family zoning.

Scanlan said that Planning staff was not spearheading annexation, but that homeowners in the annexation areas would receive the required notification. The rezone would happen at that time, and staff expected there would be questions then. She also noted that duplexes were an option and were not the rule.

Rollo responded that he meant to say that duplexes were an option in all areas.

Volan asked staff about how zoning officers interpreted terms like "undue" or "character of the neighborhood."

Scanlan said that the Hearing Officer would not be seeing duplex requests because per code, those requests go through the BZA. If the term was defined in the UDO, then that was what was used. If not, then the plain definition. She suspected that it was recommended to remove that language was because it was too stringent or difficult to interpret.

Dave Warren asked council to vote yes for Ordinance 21-23 as amended and provided reasons.

Ordinance 21-23 as amended
(cont'd)

Jessika Griffin urged council to vote in favor of Ordinance 21-23.

Public comment:

Richard Lewis thanked council and staff, and commented on affordability.

Joe Lee spoke in favor of affordable and sustainable housing and expressed concern about where density should go.

Bess Lee commented on what had been lost during the discussion and impacts of upzoning and community members not being heard.

Alex Goodlad advised council to vote for the UDO as amended. He commented on the process.

Greg Alexander thanked council for their patience during the process of considering Ordinance 21-23.

Cathi Crabtree said that Ordinance 21-23 as amended was a step in the right direction for Bloomington. She commented on affordable housing.

Barbara Moss urged council to vote no on the UDO. She referenced a petition by community members.

Margaret Clements also referenced two petitions and begged council to listen to the community.

Betty Rose Nagle commented on an article in the newspaper regarding anti-racism training. She wondered why the administration did not use local experts.

Pam Weaver asked council to support the amended language and said it did not go far enough. She said she would like to see twice as many people in neighborhoods.

Jan Sorby spoke about plexes with restrictions and provided examples and urged council to vote against the changes.

Steve Layman asked council to reject the amended UDO because there too many issues with it.

Jean Simonian commented that the administration was selling more and more of Bloomington. She said that more of the wrong type of housing was continued to be built.

Leslie Skooglund hoped council would vote yes on the amended UDO. She thanked council for their time and work.

Renee Miller asked council to vote in favor of Ordinance 21-23. She commented on the rhetoric of public speakers.

Chris Sturbaum commented that the duplex amendment was not ready in 2019 nor at the present time. He said no one had suggested eliminating single family housing.

Matthew Klauss spoke about the process and said that it was important to know that people cared. He urged council to vote yes.

Steve Akers asked council to vote no on the UDO. He said he was discouraged on the laborious process.

Ordinance 21-23 as amended
(cont'd)

Lacy read the following comments that were submitted via the Zoom chat:

Public comment:

- Dave Stewart wrote against upzoning and said that the purpose had not been about affordability.
- Linda Stewart said she was against plexes in core neighborhoods.
- Constance Glenn echoed that the process never should have happened and urged council to vote against the UDO.

Mark Cornett spoke about his urban design experience and experiencing Bloomington as a pedestrian. He commented on zoning.

Lawrence Levy said that upzoning was madness and against duplexes. He spoke about the process and councilmembers' positions and developers.

Wendy Bernstein said the top-down approach by the mayor was disenfranchising. She said the UDO process was not done properly.

Jeff Richardson observed the thoughtful comments by Volan regarding divisiveness. He commented on engagement, listening, and processes.

Wendy Bricht spoke about distrust, fear, rental, and higher housing costs for neighborhoods that were already transitioning. She commented on density and affordable housing.

Russ Skibo thanked the councilmembers who had considered community members' concerns. He questioned why the proposal was reintroduced when it had been rejected the prior year.

Eric Ost urged council and the administration use the expertise of the community to resolve housing concerns.

Peter Bogdanoff asked council to consider the concerns of the community and to not ignore lessons of the past.

Dave Weaver urged council to vote yes to the amended language and to move on towards adding density to Bloomington. He thanked everyone for their hard work.

Flaherty stated that he had already shared his views on Ordinance 21-23 and its amendments. He had many conversations with community members and thanked them for their engagement, as well as city staff, the Plan Commission, council, and clerk staff. Re-allowing some small-scale missing middle housing that matched the historic character of Bloomington was important. It was an incremental step forward though it had been reduced from the initial proposal of the Planning Department. There was strong empirical evidence indicating that many housing types played a role in facilitating sustainability, affordability, and inclusion goals. He commented on affordability statistics that showed the benefit of providing middle income housing. He further commented on engagement with the community, available tools for housing, and challenges. He looked forward to working on housing policies and solutions, as the representative on the Council's Housing Committee. The incremental change was a middle ground amongst

Council comment:

diverse community views, and was well supported by the Climate Action Plan and the Comprehensive Plan. He would be voting yes on Ordinance 21-23.

Ordinance 21-23 as amended
(cont'd)

Council comment:

Piedmont-Smith said that the discussion had been difficult and that she heard legitimate arguments from both sides. She respected that everyone had the best interest of the community at heart. Her research showed that duplexes were a good idea in residential neighborhoods, and that Ordinance 21-23 was a good step forward in allowing duplexes and not favoring the most expensive type of housing; single family detached homes. She commented on the amendment process which modified the proposal from the Planning Department, and explained the changes. She would be voting for Ordinance 21-23.

Smith commented the difficult yet productive discussion regarding Ordinance 21-23, and the housing crisis for the missing middle and low income individuals. He supported affordable housing and thought that the UDO had become better than before. He was stunned that the mayor brought the debate back, after it had been defeated at the end of 2019. He was also stunned by the actions of the Plan Commission. He explained that council sometimes voted against the wishes of their constituents. There were too many rentals already in Bloomington and he expressed concern about having more rentals, which would not turn in to home ownership. He further commented about the former Kmart development, affordability, and the missing middle. He said that the city could devote a large portion of the \$23 million of the ARPA funds to affordable housing. About 80% of the constituents who had spoken, expressed their disdain for the proposal. He could not support Ordinance 21-23.

Clerk's Note: Cms. Rosenbarger, Sgambelluri, and Sandberg commented but per Community Access Television Services (CATS), "Audio missing due to technical difficulties-please stand by." For approximately six minutes, there was no audio in the recording.

Rollo said that the UDO proceedings had been a broken process. The primary flaw was deviating significantly from the Comprehensive Plan, which was the guiding document for zoning and development. He commented that the argument that the Comprehensive Plan supported plex-zoning in all single family zones was not accurate and referenced Section 6 which explicitly discouraged plexing within neighborhoods and provided examples. No document specified that single family zoning should be removed from the city. The Comprehensive Plan directed where to use density; along corridors, and arterials adjacent to village centers. He questioned why the administration did not seek to amend the Comprehensive Plan first, and suspected that it was because it would be onerous to do so. It was good that there were some restrictions and it was bad that affordability was not implemented since there were already too few tools for that. He said that affordability was abandoned in favor of converting single family homes into duplexes which would become rentals. He said that would drive costs up further. Rollo said there were many questions left unanswered and provided examples.

Volan valued the feedback from those who had lived in the city for many years, and also those new to the city, including students. He understood that it was not possible to vet all of the public comments, or the credentials of those making claims. He commented on process. Opponents of the changes were not ignored,

but were disagreed with. Many agreed on a variety of issues, but came to differing conclusions relating to the discussion. Volan explained that those opposing the changes were unprepared for being disagreed with and resorted to false equivalencies and feeling attacked. The community was not limited to those who showed up to council meetings. He said it was incumbent on council to avoid appeals to emotion. He commented on the process including Robert's Rules, the city's having followed the process prescribed by state statute, Plan Commission, and council's role. Opponents claimed to have been disenfranchised by the process, which was representative democracy, and not direct democracy where referendums were proposed and those who could show up, would. He would be supporting Ordinance 21-23.

Ordinance 21-23 as amended
(cont'd)

Council comment:

Sims said he would support Ordinance 21-23 as amended. From the beginning, he strived to be collaborative and compromising. He was glad there would be an opportunity to review the results of the decisions. He thanked the Council Attorney and council staff, City Clerk and clerk staff, Planning and Transportation staff, and council for their time and effort throughout the process. He thanked the participating public regardless of their level of participation. He commented on the public comments regarding the culture of Bloomington and hoped that it was being seen through the lens of multicultural populations.

The motion to adopt Ordinance 21-23 as amended received a roll call vote of Ayes: 6, Nays: 3 (Rollo, Sandberg, Smith), Abstain: 0.

Vote to adopt ordinance 21-23 as amended [9:32pm]

ORDINANCE 21-24 [9:33pm]

Flaherty moved and it was seconded that Ordinance 21-24 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 21-24 - To Repeal and Replace the Official Zoning Map within Title 20 of the Bloomington Municipal Code Entitled "Unified Development Ordinance"

Flaherty moved and it was seconded that Ordinance 21-24 be adopted.

Scanlan presented Ordinance 21-24 which updated the Official Zoning Map (OZM) in order to best apply the updated UDO regulations. It also located the new Mixed Student Housing (MS), Parks and Open Space (MO), R1, and R4 districts, aligned the OZM with the goals of the Comprehensive Plan, rezoned parcels to correct split zoned lots, rezoned parcels that no longer matched the existing of likely future uses on the site, rezoned 102 Planned Unit Developments (PUDs) to base zoning districts, rezoned the MH district to match the Bloomington Hospital Site Redevelopment Master Plan Report, and rezoned most EM parcels to ME. She displayed the available proposed maps and stated that the maps had been available online for a while, and highlighted some important changes. Scanlan reviewed the process and steps council could take at the meeting.

Rollo asked about PUDs which required a demonstrable public good, and provided the council with leverage to, for instance, preserve environmental features, include affordable housing, or have commercial uses. He had been suspicious of council giving up that ability. Trinitas, for example, was moving forward by-right, and the initial proposal had included affordable housing, but now did not. It would be multifamily and most likely student housing.

Ordinance 21-24 (cont'd)

Council questions:

Scanlan said there were differences, and that PUDs provided council the ability to leverage common good. There was a time limit on how long PUDs should be in place. Council would still have the ability to leverage common good with PUDs when new petitions were proposed. Scanlan explained that Trinitas had looked through the new code, and decided to build within those parameters which was different from their original proposal. Council approved some of the administration's proposed changes to lower the thresholds to allow by-right construction to meet goals through incentives, or through the PUD option. She commented on already built PUDs that were already built out. Renwick was one PUD that had not already been built out.

Rollo asked what the expiration time was for PUDs.

Scanlan would confirm that information and let council know.

Flaherty commented on not being able to map Renwick to a base zoning district in the UDO. Staff likely looked at existing PUDs and attempted to map the best matching base zoning district. He asked what happened with discrepancies and if there were uses in the PUDs, proposed to be rezoned, to base districts with lawful, non-conforming uses.

Scanlan said that if there were current uses, or dimensional standards, that did not meet the base zoning district, then they would become lawful, non-conforming.

Flaherty asked if that was concerning, or if it was not very extensive.

Scanlan explained that staff did not believe it would be extensive based on the research that staff was able to do. When PUDs were written, they identified base zoning districts from code, from the time they were proposed. Over time, those districts had stayed very similar. Unless there were PUDs that had very specific use restrictions, staff had been able to match zoning districts for most.

Smith wondered about negative impacts, and asked what the pros and cons were of changing the zoning from PUDs to a zone.

Scanlan responded that newly lawful, nonconforming uses could remain in perpetuity but could not expand the use. Staff had heard from current property owners, mostly commercial properties, and had worked with them on districts that were appropriate for anticipated future development and that also met the Comprehensive Plan. She provided some examples. The main pro was regularity and predictability for current and future property owners. She clarified that if the property owner wanted to build outside the standards, then they could propose a PUD to council.

Sgambelluri was impressed with staff's work on existing PUDs and asked what happened with the rest of the PUDs that were not included.

Scanlan responded and stated that she was also responding to Rollo's earlier question regarding the timeline of PUDs. The preliminary plan was considered abandoned if after three years, no final plan was in place, or ten years after the approval of the preliminary plan had started but was not completed. For existing PUDs, staff would monitor them, and provided examples. She said that existing PUDs could be rezoned via council action.

Sgambelluri asked if the monitoring was ongoing.

Scanlan confirmed that staff tracked them annually.

Sgambelluri asked about existing PUDs being split up.

Scanlan stated that staff was advised by counsel to not recommend splitting up PUDs. She commented on the Thompson

PUD, which was large, and had recent development. Staff would entertain rezones with property owners.

Ordinance 21-24 (cont'd)

Sgambelluri asked if rezoning made the city become “PUD-averse.”

Council questions:

Scanlan was not sure because most of the PUDs were older, though there were some new ones. It would be ideal to look at the PUD regulations to determine the answer. Scanlan said that PUDs were supposed to be for interesting, mixed-use developments. In Bloomington, PUDs were a tool for single use. Scanlan said that now, PUDs were being used in a different way and provided examples.

Rollo commented on the PUD utility like Hillside and Henderson village center. In 2019, when the R4 district was first proposed, former councilmember Chris Sturbaum had asked that district and if it would include core neighborhoods. Rollo said that the consultant had stated that R4 would not include core neighborhoods. He asked if the R4 designation had changed in consideration of what planning staff had put forward and what the consultant had stated.

Scanlan said nothing had changed. Some people believed that R4 districts would only be used for new developments, but Scanlan clarified that there was no indication of that in the purpose of the R4 district. She explained that was the language that went into code and was used by the consultant. When staff put out the proposed map, staff started with a proposal for R4 that was based on an analysis with the goal of getting feedback. She further explained that staff had made changes based on feedback and provided examples. She said R4 districts were intended to be transitions between mixed-use and single family home neighborhoods.

Greg Alexander said there were many great aspects to the proposed maps but also commented on his concerns with it, limitations in his neighborhood, and the inability to subdivide some lots to increase density.

Public comment:

Jean Simonian echoed Rollo’s recollection regarding the consultant’s statement that R4 would be for undeveloped land. She commented on high profitability of rentals, streets, and residential neighborhoods.

Cheyenne Riker represented several properties along 1st Street which were zoned MH and the proposal would rezone only what his company owned. He explained that the properties had been purchased with the intent to rezone for medical uses. The proposal would significantly reduce the value of their investment.

Jean Lennon supported R4 in the arterial areas and that increasing density up to quadplexes was not problematic, but that larger units did not fit the character of the area.

Pam Weaver was disappointed in the limitations of R4 districts. She said that Rollo highlighted a village center at Henderson and Hillside but seemed to be against creating more through housing density. She wished R4 was included in more areas in the Elm Heights area.

Sarah Mosier supported adding housing density to core neighborhoods like her neighborhood, Prospect Hill. She commented that it now seemed like a double compromise.

Volan asked staff to explain council’s ability to amend the map.

Council comment:

Robinson said there were three options for council that evening; adopt the proposed maps, reject the proposed maps which would

Ordinance 21-24 (cont'd)

Council comment:

mean that no changes would be made to the districts, or take no action thus resulting in the proposed maps being adopted in ninety days. Council could not amend the maps. Plan Commission had the ability to at their review and did not amend the maps.

Volan asked for verification that normally, something from Plan Commission could be amended by council, and then it would go back to the commission. But it was not the case with mapping.

Robinson confirmed that was correct because state laws were different for the maps than the text language for the UDO.

Volan asked if if the administration would have to start over with mapping if council rejected the proposed map.

Robinson confirmed that was correct and provided examples and consequences.

Volan asked for clarification on how rejecting the proposed maps would affect the low income building, like the Kohr building.

Robinson explained the process for the low-income tax credit, including proposals, criteria, zoning requirements, the application process, and the timeline involved in the project.

Flaherty followed up on the public comment regarding the property owner along 1st Street, and asked if the concerns had been brought up before the Plan Commission, and what recourse the property owner had.

Robinson said that part of the delay in the mapping process was contingent on the hospital redevelopment planning process. The recommendations of that study were included in the proposed zoning map. There had been a lot of outreach and feedback during that process. He explained that anyone could request a rezone.

Volan said that the last time he voted on a proposed map was in 2006 and it had been complex. In contrast, the current proposed map was not as complicated. Staff had done an excellent job summarizing the changes, the presentations, and in drafting a coherent new map. He agreed with some public speakers who said there was not enough R4 districting but that it was a good start. The new UDO provided better ability to address property owners' concerns. Volan stated that the UDO should be updated on a more frequent basis. He reiterated that it was a duly prescribed process by state statute. He was confident that if changes were needed, it could be done through rezoning.

Flaherty thanked staff, Plan Commission, and members of the public. He acknowledged that the management of PUDs was an administrative burden on staff's resources so updating them to base zoning was ideal. He said that Rollo brought up good points and that it was important to strike a balance in having certainty for developers as well as strategically using the PUD process to address gaps. Flaherty said that Greg Alexander's points were valid and provided reasons including that lots would be developed into luxury single family homes and not affordable housing types. That, and other concerns, could be addressed in the future. He noted the validity of Pam Weaver's comment concerning village centers in the context of the map as well as in the future. Examining pedestrian sheds surrounding village centers could provide good data on enhancing those areas. He looked forward to revisiting the language of the UDO as well as maps on a more frequent basis.

Rollo referenced that the original R4 district, which was undesignated, excluded core neighborhoods. It had been expanded in the first draft of the proposed map, and was scaled back to be about one-quarter of the original proposal but came with

conditional use in R1, R2, and R3. He said there was a decision to repeal the council's resolve in 2019 to not use upzoning in a broad and reckless fashion. He commented on the process of amending the maps by sending it back to the Plan Commission. He said he may vote yes, but was not decided yet.

Ordinance 21-24 (cont'd)

Council comment:

The motion to adopt Ordinance 21-24 received a roll call vote of Ayes: 8, Nays: 1 (Rollo), Abstain: 0.

Vote to adopt Ordinance 21-24 [10:37pm]

Lacy reviewed the upcoming council schedule.

COUNCIL SCHEDULE [10:37pm]

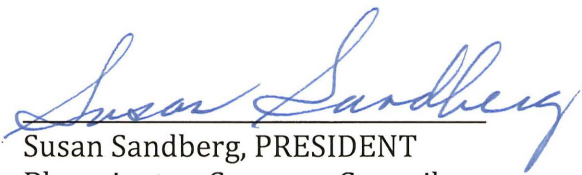
Flaherty moved and it was seconded to adjourn the meeting. Sims adjourned the meeting.


ADJOURNMENT [10:39pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 02 day of November, 2022.

APPROVE:

ATTEST:


Susan Sandberg, PRESIDENT
Bloomington Common Council


Nicole Bolden, CLERK
City of Bloomington