

**Plan Commission Summary Minutes – October 9, 2023 - 5:30 pm**  
**City of Bloomington Council Chambers – Room #115**

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

The City of Bloomington Plan Commission (PC) met on October 9, 2023 at 5:30 p.m., a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404 and remotely via Zoom. Members present in Chambers: Tim Ballard, Andrew Cibor, Ellen Coe Rodkey, Jillian Kinzie, and Ron Smith. Flavia Burrell was present via Zoom.

**ROLL CALL**

**APPROVAL OF MINUTES:** September 11, 2023

**Coe Rodkey moved to approve the minutes for the September 11, 2023 meeting. Ballard seconded the motion. Motion approved by roll call – 6:0.**

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

Jackie Scanlan, Development Services Manager, had a member of the public request additional speaking time longer than 5 minutes.

**Smith made a motion to extend public comment to 10 minutes. Ballard seconded. Motion passes by roll call – 6:0.**

Scanlan also stated that Plan Commission lunch meeting will be held on September 12, 2023.

**PETITION TABLED:**

**SP-24-22      Cutters Kirkwood 123 LLC**  
115 E Kirkwood Ave  
Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.  
*Case Manager: Karina Pazos*

**CONSENT AGENDA:**

**SP-38-22      Strauser Construction Co., Inc.**  
420 E. 19<sup>th</sup> Street  
Request: Petitioner is requesting a one-year extension of the major site plan granted under SP-38-22 on September 23, 2022.  
*Case Manager: Gabriel Holbrow*

**Coe Rodkey moved to approve the consent agenda. Smith seconded the motion. Motion carried by roll call 6:0.**

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**PETITIONS:**

**ZO-34-23**      **City of Bloomington Planning and Transportation**  
Text Amendment  
Request: Text amendments to the Unified Development Ordinance amendments related to sign standards.  
*Case Manager: Jackie Scanlan*

Scanlan presented ZO-34-23. Staff is proposing a text amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code (BMC), related to eliminating certain existing signs and affirmatively requiring their removal no later than January 1, 2031.

**PUBLIC COMMENT:**

Mike Carmin spoke against this text amendment. He finds billboards a cost effective form of advertising. He finds this petition inconsistent with other city policies. He would like to see more billboards.

Thomas Landis spoke against this text amendment. He finds it arbitrary and silly to sunset a method of advertising that's well known. He doesn't see an argument for removing the billboards when there is a potential for positive gain. Removing these billboards would be a waste of infrastructure when it's going to get melted down and be used for scrap.

Skip Chambers is known for the history Facebook page of Bloomington. He considers billboards a part of Bloomington history. It helps a lot of local businesses get the word out to the public.

Adriene Adams read some letters from a few nonprofits and a few business clients that he has that spoke against this petition. He read letters from: Bloomington Insurance and Financial Services, Choice Realty, Cancer Support Community of South Central Indiana, and Hoosier Hills Food Bank.

Jennifer Myers spoke against this text amendment. She spoke in support of Lamar Advertising and how they support the community.

Eric Kamen spoke against this text amendment. Kamen went over the Fifth Amendment of the Constitution as he believes this ordinance is an invasion of our Constitution.

Alan Townsend spoke against this text amendment. His first concern was the notice that was published in the newspaper. Next, Townsend read a section of Indiana code that prohibits cities to remove billboards. The value of the display has to be appraised without the use of amortization and then the owner of the display has to be paid.

Sonny Shah has 4 reasons why the board should not approve this petition. First reason is the rationale of this petition. The second reason is how billboards are a very unique way of marketing. Third reason is a prohibition on free speech. Lastly, it will set a precedent that the city can take away rights. He urges the board not to remove the signs as they are very valuable to small business owners.

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Juan Carlos Carasquel spoke against the petition and encouraged the board to deny it. He stated that this petition is another attempt by the administrative to take away rights from property owners. He also stated he is an owner of a billboard and he was not notified about this hearing.

Dave Kamen stated that billboards are historic. Kamen wanted to make sure billboard owners get compensated if the billboards do get removed.

**COMMISSION COMMENTS:**

Discussion ensued regarding the approval/denial process. Scanlan explained that Plan Commission will send a recommendation to the City Council whether it's a positive, negative, or no decision at all. Council will have 90 days to make a final decision. If City Council does not take up the issue then Plan Commission gets the final decision.

Scanlan also explained the notification process. Since this petition isn't a zoning amendment, and just a text amendment, notices weren't required to be sent out.

Smith asked about a timeframe; Scanlan said this body does not have one. Smith also asked if legal wished to offer an opinion to this petition.

Beth Cate, Corporate Counsel, stated that phasing out the billboards does not present a constitutional taking's issue.

Kinzie asked about amortization without compensation. Cate stated as a matter of constitutional law, compensation for this scheme would be required. Cate will look into whether compensation would be required by statute.

**Coe Rodkey made a motion to move ZO-34-23 to the November meeting. Smith seconded. Motion passes by roll call – 6:0.**

Meeting adjourned at 7:32 p.m.