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The Plan Commission met on June 5, 2017 in the Council Chambers at 401 N. Morton St. at 5:30 p.m. The members present: Cibor, Hoffman, Kappas, Kinzie, Maritano, Piedmont-Smith, Neher and Kappas.

ROLL CALL

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Terri Porter, Director of Planning and Transportation, said that the Comprehensive Master Plan draft, although not perfect, has been much improved. The Plan will continue to be defined and reinforced by the update of the UDO and by decisions made by the Plan Commission and the Board of Zoning Appeals.

Hoffmann said that he hoped that the next week’s meeting would be an adoption Plan Commission Meeting.

Scott Robinson, Planning Services Manager, said 160, 168, 164, 181 and 187 will not be on the consent agenda. He said that Amendment 164 might be contingent on the discussion regarding amendment 181. It may be better to discuss 181 before Amendment 164.

WITHDRAWN

Hoffmann: Amendments 144, 165, 172 are withdrawn from the May 2017 draft. The City Council has the authority to amend this draft. The draft that is finalized by the Plan Commission may be further changed by the City Council.

CONSENT AGENDA:

MP-12-17 Amendments to the Comprehensive Plan for the City of Bloomington
Amendments to the May 2017 draft:
146, 147, 149, 151, 152, 153, 155, 156, 157, 159, 160*, 161, 162 (revised version), 164*, 166, 167, 168*, 170, 171, 173, 174, 175, 176, 180, 181*, 183, 184, 187*, 188, 189, and 190
Case Manager: Scott Robinson

*These items were removed from the Consent Agenda and moved to petitions for discussion at this meeting.

Hoffmann said that these amendments were selected by staff for approval.

There were no members of the public to protest the adoption of amendments in the consent agenda.

****Neher moved to adopt the amendments on the Consent Agenda. Kinzie seconded. Voice vote passed 7:0 – Consent Agenda adopted.**

PETITIONS:

- **MP-12-17** **Amendments to the Comprehensive Plan for the City of Bloomington**
Amendments to the May 2017 draft:
25, 127, 145, 148, 150, 154, 158, **160**, 163, **164**, **168**, 169, 177, 178,
179, **181**, 182, 185, and 186, **187**
Case Manager: Scott Robinson

STAFF PRESENTATION:

Hoffman said that he needed to make a point to thank Scott Robinson and Josh Desmond, Assistant Director of the Planning and Transportation Department, for their hard work in revising the Draft of the Comprehensive Master Plan.

Scott Robinson, Planning Services Manager, said that the work was a team effort which gave him a great deal of support. He appreciated the acknowledgment. Amendment #25 was originally requested by staff to be withdrawn when it was first proposed to allow staff to do more background research into Section 8. He included background information in the packet regarding section 8. Staff recommends a change in language deviating from what was originally proposed for Amendment #25 that is more consistent with how the Section 8 program works here and in many communities. Staff's recommendation is to amend what was proposed as highlighted in the packet to reflect the real functioning of the program, but is still in the spirit of the original intent of the amendment.

Hoffmann: Staff's recommendation is the extended sentence in red, to approve the spirit of Amendment #25 in its original form but to add language to clarify that there are multiple ways to achieve this goal.

Robinson: In the second part, there is additional language if the Commission feels there must be more clarity about the project-based aspect. Staff's preference is to adopt the simpler section (the first sentence in red).

Piedmont-Smith: Am I correct that this came from the Commission on Aging? I sponsored it last time.

Maritano: Actually, it came from BTCC and Achieve. And we're co-sponsoring.

Piedmont-Smith: I'm fine with this new language.

Maritano: I'm fine with this new language.

No public comment.

****Isabel Piedmont-Smith moved to approve Amendment #25, just the first part in red. Wisler seconded. Voice vote passed 7:0 – Amendment #25 approved as modified.**

Robinson: Amendment #127 is in the packet tonight because at the last meeting, there was not a majority of the Plan Commissioners that approved it. Per the bylaws, there must be a majority of all Plan Commissioners, not just the ones present. New language for Amendment #127 has to be proposed as an Amendment #191.

Hoffmann: Please clarify for me. At a normal Plan Commission meeting, if we have seven members present, then a vote of 4 is considered a majority of the members present. That's our

rule for normal meeting, is it not? If we have quorum, then it's a majority of the members present. Is this different? Amendment #127 failed at the last meeting.

Anahit Beijou, from the Legal Department, said that the majority of the entire membership of Plan Commission, must vote in order to pass. There must always be five votes to pass.

Hoffmann: Thank you for that clarification. So are we considering this now? Or as #191.

Robinson: Since it failed last time, I think it would have to be revised and re-submitted.

Hoffmann: What I would suggest is to propose this Amendment with this wording or other wording for a vote this evening.

****Piedmont-Smith moved to propose an amendment with the exact same text as was proposed in Amendment #127.**

Hoffmann: I take it staff's position remains the same on this amendment?

Robinson: It failed at the last meeting. We recommend that it be denied.

Hoffmann: I take it that staff's recommendation is that it's already covered. In other words, it's not necessary to amend in this way.

Piedmont-Smith said that she felt that the new language was more direct about describing the policies under Goal 6.4. It's about parking, so let's just say that it's about parking.

No public comment.

Cibor: I think I voted for it last time. But as I was looking at new proposed language, where it talks about planning and developing on-street parking for cars and bicycles and I was reading the following policy statements. Some of them parking with parking that wouldn't be on-street. I would propose still potentially being in favor of the new amendment just with the deletion of "on-street."

Hoffmann: Is that considered a friendly amendment by the sponsor?

Piedmont-Smith: Yes it is.

Hoffmann: We are now considering the amendment as modified by deleting the words "on-street."

****Cibor moved to approve the new proposed Amendment #191 without the words "on-street." Maritano seconded. Roll call vote passed 6:0 – Amendment #191 adopted.**

Hoffmann: Amendment #145.

Robinson: Amendment #145 is on page 24. It looks at changing the policy to prioritizing the staffing and resources of Police and Fire departments. Staff has concerns about the policy identifying how the departments. Specifically, the Planning Department and Plan Commission really don't have authority to direct these issues. We are okay with the spirit or the idea of the amendment but we have concerns with the exact language. It may be more broadly written to say that "the City could maintain appropriate staffing levels, resources and training for public safety needs" might be more appropriate. But this amendment as proposed is targeting very specifically two departments within the city. As submitted, we would recommend voting no.

Cibor: I would potentially be open to modifying the language in some way. I thought that this goal 1.1 talks about the safety of residents and visitors, yet there is no follow-up policy related to police

or fire services, or staff, which I think is a key part of safety within the city. So I put this together, but I'm not set on that language. If someone has a suggestion, I'm open to it.

Neher: Could staff speak with more specificity to their concern about this language?

Robinson: I think the way the documents generally read, it's a broad document for the whole city. It seems to be targeting two specific departments where you can argue that appropriate staffing and resources for safety encompasses more so just the fire and police departments. You have crews that maintain facilities in the Parks Department, Public Works Department, and Street Department. Our office takes complaints from a community in different shapes and forms so I think that looking big picture, it's probably more appropriate to probably rephrase that. It embodies more than just the Police and Fire Departments. Secondly, our department doesn't have any authority over those two department per se.

Neher: So, as a follow up, if we strike the language specifying the Police and Fire Departments, and instead insert language regarding City personnel response for public safety, which speaks directly to the goal, would that alleviate your concern?

Robinson: Yes. I think this generally covers...

Neher: I would ask the sponsor of the amendment if he would consider a friendly amendment to say "training for city personnel responsible for public safety."

Hoffmann: We now have a proposed modification of Amendment #145 to read in Policy 1.1.4.: "Prioritize appropriate staffing resources and training for city personnel who are tasked with protecting public safety." That's our new version of amendment #145.

No public comment.

****Piedmont-Smith moved to approve Amendment #145 as revised. Neher seconded. Voice vote passed 7:0 – Amendment #145 adopted as modified.**

Hoffmann: Are all of the next ones also ones that were proposed by Commissioner Cibor?

Robinson: Yes.

Hoffmann: Okay, great! We are at #146.

Robinson: It should be #148. #146 was on the Consent Agenda. Amendment #148 is looking at Goal 3.2, reducing the built environmental impacts, impervious surfaces. It proposes adding a new policy to implement maintenance requirements for green infrastructure, such as pervious parking surfaces. Generally, the concern is the ability for the City to enforce maintenance requirements. They come in various shapes and sizes, so I'm throwing caution out there as far as the city's ability to enforce any kind of maintenance requirements. It's much like enforcing covenants and restrictions on homeowners' associations. It's something for the commission to consider.

Hoffmann: So there's a concern about enforceability.

Cibor: There are cases of maximum pervious surface requirements, and a lot of developers will propose certain infrastructure to count, I guess, impervious, to count it as pervious, surface. And I know that over time these facilities degrade and lose their ability to count as pervious surfaces. I've spoken with other staff that deal with this at times. It is a real issue, that they do become impervious over time. I recognize that enforcement can be a challenge. But we can't even try to start enforcing it until we start. It might be similar to the way in which HAND enforces citizen's

requirement to mow their grass. There could be some solutions but I recognize that it would be a challenge to enforce.

No public comment.

****Neher moved to adopt Amendment #148. Maritano seconded.**

Neher said that he recognizes the problem of enforceability, but it was a starting point to send a message about the importance of this issue.

Voice vote passed 7:0 – Amendment #148 passed.

Hoffmann: Amendment #150.

Robinson said that Amendment #150 was proposed to delete language that is in the background section on page 156 about new family housing because it is not background information. Staff believes that this language is important to include and highlight; therefore, staff recommends a no on this amendment.

Hoffmann: There is an amendment on our agenda later that addresses the same issue in more specific terms. I don't know whether these two ought to be considered more or less together. It's possible that this one or the other one should be amended because they don't speak in exactly the same terms about what we should be doing in student-oriented housing projects. My suggestion to the sponsor (Cibor) is that we defer action on this until we get to the other amendment and sort of think about them together.

Cibor agreed.

Hoffmann asked to hold this amendment until the discussion of Amendments #177 and #178. Those address specific policies, whereas this addresses text. But I think we should deal with them together. Let's move on to Amendment #154.

Robinson: Amendment #154 is looking at page 64, again it's under the same idea that there's discussion about background information. It looks at a statement made in there that seems to be more policy-related than background statement about vision zero. The amendment proposes to delete the one sentence about "Bloomington should take a note on what this concept has to offer." Staff believe that the concept is important to talk about in the background and is fine with leaving it in the current draft. This was proposed to be moved because it sounded like more of a policy than background information.

Hoffmann asked the sponsor to speak about the Amendment.

Cibor: The text that leads up to what has been highlighted introduces the concept of Vision Zero and Forward Zero, which desires to reduce the frequency of crashes, specifically fatal and severe crashes that result in serious injuries. I thought that this last sentence seemed more like a policy or a commentary on what that background is. As you go further into our goals and policies of this chapter, it actually has policies that say we should improve the safety and reduce crashes. I thought that it was addressed there as a policy and it was already introduced as a background and I thought that it could be deleted.

No public comment.

****Neher moved to pass amendment #154.**

Piedmont-Smith said that she thought that it was necessary to leave the language as it was because the Vision Zero statement would not be mentioned for several pages. It seems necessary to wind up this long paragraph about Vision Zero because it is mentioned later.

Kinzie said that she agreed; omitting this language would make the statement seem disconnected. It would be strange if it were not connected.

Hoffmann: The plan has many places in the text in which it speaks of “shoulds” and suggestions. They are not strong enough to be policy directives, but are more along the lines of “this is an idea worth thinking about.” I don’t feel like they need to be pulled out of the text necessarily, even though a stronger version might look like a policy.

****Cibor seconded.**

Maritano: Which way are we voting if we want this language in?

Hoffmann said that the motion is to delete the language in blue on the screen.

Neher said that the sentence seems redundant and is unnecessary.

****Roll call vote failed 5:2 (Hoffmann, Kappas, Kinzie, Maritano, and Piedmont-Smith voted no) – Amendment #154 failed.**

Hoffmann: Amendment #158.

****Cibor (sponsor of #158) moved to withdraw Amendment #158. – Amendment #158 withdrawn.**

Hoffmann: Amendment #160.

Robinson: Amendment #160 looks at pages 66-67. Staff generally approves of this amendment. However, it was taken off of the Consent Agenda because there were some additional amendments submitted. There was concern about referencing Travel Demand Management. Therefore, Josh (Desmond) has pulled up some of the language that would be amended as part of what was originally submitted. Staff was okay with this on the Consent agenda. However, since a commissioner suggested a friendly amendment to include a reference to Travel Demand Management, we wanted to bring this to your attention for you all to see.

Hoffmann: I see. The amendment is still generally supported by staff, but we need to discuss it because there’s been a proposal to amend the amendment and add a sentence about travel demand management. I will let the original sponsor and the amender speak before we hear from the public.

Cibor: I am supportive of the friendly amendment added by Piedmont-Smith.

Piedmont-Smith said that she thought that it would be appropriate to cross-reference travel demand management here, which has been mentioned in other places in the document. What Andrew wrote is amenable to a reference to TDM.

Desmond: Just for Staff’s purposes, can we make sure that what I have highlighted here is what you both agreed to?

Hoffmann read the Amendment. The modified version says, “The city does not have the space or resources to significantly expand roads and intersections within the built-out urban environment. Many medium- and large-sized cities with similar challenges are using transportation demand

management to reduce travel demand or to redistribute travel demand in space or time. Cities also demand congestion and improve transportation long-term by investing in multiple transportation modes, such as walking, bicycling and public transportation rather than solely building motor vehicle capacity.” That is the new proposed version of Amendment #160.

Cibor read the amended text including the last sentence: “While investments enacted in public transportation most obviously benefit users of those modes, every person walking, cycling, or in a bus represents one less car on the street.”

Hoffmann: That is the full text of the new version of Amendment #160.

No public comment.

****Neher moved to approve Amendment #160 as modified. Kinzie seconded. Voice vote passed 7:0 – Amendment #160 passed as modified.**

Hoffmann: Amendment #163.

Robinson: Amendment #163 is on page 69. It seeks to add a new policy statement about evaluating, funding and maintaining city transportation infrastructure. The proposed language is included in there. In general, staff is okay with this. We simply wanted to bring this new policy to your attention. There is general concern about adding new policies and goals. That is why it was not on the consent agenda.

Cibor said that a big part of Goal 6.2 was about maintaining the transportation network, but there weren’t any subsequent policy statements that dealt with the day-to-day maintenance of city maintenance program.

No public comment.

Kinzie said that she appreciate the focus on evaluation. If the city is going to maintain this kind of network, it is important to evaluate as part of a policy.

****Kinzie moved to approve Amendment #164. Kappas seconded. Voice vote passed 7:0 – Amendment #163 adopted.**

Hoffmann: Amendment #164. Should consider this one and Amendment #181 in tandem?

Robinson: Yes, if Amendment #181 is passed, that kind of takes care of Amendment #164.

Hoffmann: Okay, so #181 should be considered first because it would preempt #164. Since the agenda is the way it is, let’s wait until we get to #181. In case someone is planning to come in to talk about Amendment #181, we will defer the discussion of both. That brings us to Amendment #168.

Robinson: Amendment #168 was originally on the Consent Agenda. It was pulled out for some friendly amendments. There was particular concern about the language under the first and third bullet point for Motor Vehicles. On the screen are some of the “friendly amendments.” Staff was supportive of what was originally proposed; however, there were amendments to clarify that language on intelligent transportation systems. There was concern about the language used on the pavement condition indexes.

Hoffmann: Right, because we’re not going to develop the indexes; we’re going to develop what level we want. Amendment #168 was on the Consent Agenda for staff, but there has been a

suggestion to modify a bit of the language. I will turn to the sponsor to see if he is okay with those tweaks.

Cibor: I'm okay with the tweaks; I helped develop them. There's a series of additional programs proposed for the transportation chapter. They basically capture things that the City does do and must do to run a transportation network. I thought a lot of them were necessary and worth capturing and highlighting all that the City does.

Hoffmann: Coming from a person in the position that you're in, that seems like an appropriate kind of amendment.

No public comment.

Piedmont-Smith: I e-mailed with Andrew quite a bit today. I found the updated language for the second of the two problematic bullet points was still not clear to me as a lay-person who doesn't deal with traffic engineering. The first one is fine, I think that "evaluate the existing electronic communication and information technology, transportation infrastructure, and prioritize investments to operate and maintain an accessible, safe and efficient network." I think everybody can understand that. The second one says "develop targeted pavement conditions and implement an asset management plan to achieve targeted thresholds." I don't know what that means. Now, I proposed other language to Andrew, but I don't know if that captures the meaning. I proposed "Develop targets to meet desired street pavement conditions and implement an asset management to achieve these targets." Andrew, is that what is meant? I don't want to oversimplify.

Hoffmann: It sounds like the same thing in slightly less jargonistic language.

Neher: I don't know because I'm not sure what the first one said.

Hoffmann: I assume the first one meant, we will decide how good we want our pavement conditions to be and we will manage our assets to make sure that we achieve that.

Cibor: Just to quickly educate: Every few years, the City is constantly evolving our measurements of how our streets perform. We typically rate them on a scale from 0 to 100. If you want every street to be rated at 100, it's perfectly new, super flush, there are no bumps or issues. But it would just be cost prohibitive. If everything's at 50, it's bad. Once you get to 30, you have to reconstruct it. Whereas if it's at 70, it's much cheaper to maintain and you can keep it at that level for a while. So that's what we're trying to do. We developed that threshold, that we want it to be at, and develop a program to achieve that. I guess that Isabel's latest statement captures what we're trying to say.

Hoffmann suggested substituting the word "for" instead of "to meet." Because I take it that the target is a percentage that you're looking at. So if it read "develop targets for" desired street pavement conditions. Is that okay?

Piedmont-Smith: Yes.

Cibor: That works.

Hoffmann: We now have a doubly modified Amendment #168.

No public comment.

****Kinzie moved to approve the changes to Amendment #168. Piedmont-Smith seconded. Voice vote passed 7:0 – Amendment #168 adopted as modified.**

Hoffmann: Amendment #169.

Robinson: This looks at the land-use map. IU appears to be its own land use type. It asks for a note to designate that Indiana University is part of the Institutional/Civic land use category. We could certainly put a note in there. But I think that the trouble that we would run into is that the city cannot regulate Indiana University as we can with other Civic/Institutional uses. We specifically mapped out those areas that are under control within Indiana University and certainly coordinate with them. We're not sure whether that would clarify or muddy the water. We are open to what the Plan Commission thinks. As it's included in the document, Indiana University is shown as a separate color and not necessarily a different category. This amendment asks for a note on that.

Hoffmann: I will ask a technical question. A little while back, we had a very unusual case involving institutional zoning on land that was not actually yet in the control or owned by IU, you may recall. This was a matter of some controversy. Is it now the case that the only land that is institutional land under this zoning designation is IU-owned land?

Robinson: This isn't a zoning map.

Hoffmann: I understand that.

Robinson: It's important to differentiate land use from zoning. We're creating land use categories.

Hoffmann: So what is the point of this land use category?

Robinson: There was concern about pooling this under Institutional in the past, all one color. There was concern about the reality of the city to be able to regulate that one specific landholder.

Hoffmann: So, forgetting the zoning map for the moment, sorry. On this map, is there land that is part of the Institutional and Civic land use category that is not IU land?

Robinson: Yes, there is new land. What's being mapped out doesn't reflect ownership. They're broad, general categories of what's being seen.

Hoffmann: So staff's position is that the IU color actually signifies something special, which is that it is out of our jurisdiction entirely.

Robinson: It's under the control of Indiana University and their master planning efforts. But it's still part of our community. I think that's the balance that we're struggling with.

Neher: Is there a reference in the text that highlights that the Indiana University land was not under city control? If not, that should be added to the text.

Robinson: Yes, I think there is a reference. It's in the text, just not in the image.

Cibor: As part of the amendment, I was not suggesting to not highlight IU as a different color. Rather, it is unclear to me on the map. I'm a visual person that looks straight at the map to see the land uses. It highlights IU as what appears to be a land use based on the map. But when you go into the text to the Institutional/Civic, it specifically says that IU is part of this land use category but the future land use map separates and highlights its general ownership by the Board of Trustees. So I thought that a lot of people are probably going to focus on this map and if it's not its own land use category, a note should be made about it so that people don't think that it is.

Neher asked if a friendly amendment could clarify things: Instead of adding a note, could putting language within the legend itself, putting IU and institutional side by side, so that you would have

Institutional as a category but beneath that would be “Institutional/Indiana University.” It seems that it would be cleaner and accomplish the goal.

Cibor: I would be find with that, as long as we are conveying it in this map.

Kinzie asked staff if all other things in the legend in the Bloomington future land use map are actual categories that were discussed. All of the rest of them are? The only one that is not technically IU?

Robinson: That’s correct.

Kinzie: Given that, it might make sense to do exactly what Darryl (Neher) is suggesting. That Indiana University, either in parentheses or as a slash institution/civic just to clarify that that’s what it is. I appreciate the designation on the map in red in this case because it does clarify that there is this huge mass that is a very different form of land use. But for the purposes of maintaining consistency in the categories, it probably is useful to continue to identify it if it is treated as institution/civic.

Neher: Maybe as a follow-up to Jillian’s’ (Kinzie) comment, we could change that institutional/IU area to blue to represent institutional with red highlight or some other highlight in the legend so that it keeps the consistency with the indication that it is institutional land.

Hoffmann: I understand changing the legend but I’ve lost you here.

Neher: I’m still talking about changing the legend but also the visual representation of the property. I’m thinking about map drawing. If the underlying usage is truly institutional, it should remain blue.

Hoffmann: Except that the staff is correct; there’s something unique about this land.

Neher: My point being that it remains blue because that’s the underlying priority with red demarcation within that somehow. You might see stripes added...

Hoffmann: I am for leaving the colors as is; I think the color speaks for itself. But I agree with changing the legend so that we can make it clear to people.

No public comment.

****Piedmont-Smith moved to approve Amendment #169.**

Hoffmann: Is that amendment as written with the footnote or something? Or is that with putting it in the legend as has been discussed. The original amendment says to drop some kind of a footnote or an asterisk. But it’s been suggested that this could also be accomplished by changing what that red legend states.

****Piedmont-Smith withdrew her motion.**

Kinzie: ****Would Andrew (Cibor) accept a friendly amendment to let the staff determine how to specifically identify, either via a legend or a note?** I mean, this isn’t an official text that we have to approve.

Cibor: That would be absolutely fine with me.

Hoffmann: For logistical purposes, staff may have reasons why one is easier than the other. Is staff okay with that?

Robinson nodded.

Hoffmann: We have a motion to direct the staff to choose a way of identifying that Indiana University legend also is part of the institutional land use category. We have a motion and we have a second. ****Neher seconded. Voice vote approved 7:0 – Amendment #169 approved.**

Hoffmann: That brings us to Amendment #177.

Robinson: Amendment #177 is on page 51 to amend Goal 4.4 by adding a new policy, 4.4.3 which would be to strongly discourage new student-oriented housing developments in areas around the community. This amendment as well as #178 and 150 are the ones that we would be looking at in regards to the student oriented housing.

Hoffmann: I am the proposer of Amendment #177. It seems to me that we have said this in text and I felt that we should say it in a policy.

Robinson: Staff is supportive of this amendment and Amendment #178 with the idea that it is something that has been talked about. We had the language alluding to that in Amendment #150.

Hoffmann: I believe that if we failed to say this in the Master Plan, the public would wonder what was wrong with us. Because this is probably the single most commented upon issue in the past several years.

No public comment.

Piedmont-Smith: Is this discriminatory in some way, to say that we don't want student-oriented housing? We are singling out students and mentioning not having housing for them.

Anahit Beijou said that students are not part of a protected class. Therefore, they would not be discriminated against if there were, for some time, a moratorium on student housing in some locations for some amount of time.

Hoffmann: This is not meant to be a moratorium. It is meant to state a policy to discourage.

****Neher moved to approved Amendment #177. Maritano seconded.**

Neher: I appreciate Commissioner Hoffmann bringing this forward. This is important language that speaks to one of the issues that I was concerned about early in this process. I understand Commissioner Piedmont-Smith's concerns and how it may be difficult to determine what constitutes a student housing project. That provides some hurdles in doing so. But I think that this is an important signal that we as a community understand that this is an important issue that we need to manage our downtown housing mix. Thank you for bringing it forward.

Hoffmann: I will add that without speaking to any of the legal issue that our legal counsel has very much addressed, there are many communities around the country that have developed new zoning categories in the past five years for what many of them are calling private dormitories. But it is essentially the exact category that we are talking about. There is a lot of heavy lifting we're going to have to do when we get to the UDO stage. This will be a new venture for us. But it is not new nationwide.

Kappas said that this has bothered him in the sense that the commission has not had guidance about these types of development projects. Many members of the public have asked why these apartments being developed have been just for students. This is a great step forward and will

definitely be discussed in meetings to come, especially through the CMP (Comprehensive Master Plan) process. Thank you, Commissioner Hoffmann, for bringing this forward.

Kinzie said that there was an important statement in here about a reasonable balance of different housing. I think that will be a very important point to debate and consider as we get into additional developments: what is the reasonable balance of different housing. My only wish is that it could be stated completely proactively about assuring a mix of housing as opposed to taking a position of discouraging a different type of practice. But I will live with this as it is.

Hoffmann: Alright, more heavy lifting. Any other final comments? [Addressing member of the public:] I'm sorry, did you want to say something during the public comment period?

[Member of the public:] You had already asked for public comment.

Hoffmann: I did. This is unusual. So I'm going to have to ask the commissioners if there is agreement to suspend the rules and allow for a public comment outside the public comment period.

****Neher moved to suspend the rules. Kappas seconded. Voice vote passed 7:0 – rules suspended to allow for public comment.**

Nick Carter of Horn Properties, agrees wholeheartedly with this amendment and suggested possibly taking it step further. As achieved in the downtown and Bloomington's local historic districts, since that seems to be what we want to protect. There are already districts that are designated downtown as locally designated districts. It may behoove us to try to add that language in there to further protect those areas to discourage any type of student housing along our local historic districts. There is Garden Hill, which is immediately adjacent to IU; Matlock Heights just north; Elm Heights just south; I mean, we already have these designated to protect them. But with the intent of this amendment, it would be helpful to specify the names of those historic districts to further protect them.

Hoffmann agreed with the principle but said that it was not achievable with the language because of the clause about the reasonable balance of different housing types, which doesn't necessarily fit in certain other districts that you're talking about. So I think that may be something we want to address in a different way in the UDO. And as you said, there is already the historic protection, which means that buildings at least can't be torn down and replace willy-nilly with student apartment complexes. But I don't disagree with the principle. We'll get to it.

****Voice vote passed 7:0 – Amendment #177 adopted.**

Hoffmann: Amendment #178.

Robinson: Amendment #178 is looking at page 59 to amend goal 5.3 by adding a new policy 5.3.5. Again, this looks to redirect student-oriented housing developments away from the downtown area. It furthers the same concept of where to direct student housing in the community. Staff is supportive of what is being proposed. This is open to discussion by the commission.

Hoffmann: Once again, I am the person who drafted this amendment. I want to clarify that I do not the prior amendment to be seen in some way as discouraging student-oriented housing developments in this town. I believe that affordability in Bloomington for housing requires us to continue to allow development of more student housing as well as other forms of housing because that's the only that I can see us shifting the supply-demand curve, which is part of why we have an affordability problem. It's not the only part of the solution but I think it's got to be a part of the solution. So I'm looking for a way to say, if we don't want the student apartments to go

up in the downtown, where do we want them to go. And I want to be as transparent as possible about that as well. So this is kind of the flip-side of the previous amendment.

No public comment.

****Neher moved to accept Amendment #178. Kappas seconded.**

Piedmont-Smith asked what areas were more appropriate that are closely approximate to IU that already contain a high percentage of student-oriented housing. There are very few. Are you thinking Dunnhill?

Hoffmann said that he thought that projects like Dunnhill were the best types of projects that had come along in a long time. In fact, he would interpret this language as encouraging more such redevelopment and increased density in that same general vicinity.

Piedmont-Smith: The Garden Hill neighbors might disagree.

Hoffmann: I know they might. I'm not trying to be specific. I'm trying to lay out conditions. There may be other places. And of course, the words "more appropriate" are meant to convey that there will be some discretion in terms of specific locations, in terms of proximity to existing single-family homes, for example. This is going to require more heavy lifting. This isn't the ordinance. This is just a statement of policy. The problem is that if we say we don't want student apartment complexes in the downtown, we either allow them to go where we allowed them to go some years ago under a zoning ordinance that inappropriately zoned a whole bunch of land on the periphery of town, which meant that we got low-density student apartments two miles away from campus in all directions. That meant that everybody drove to campus. It massively increased the amount of traffic and that was kind of problematic. I am trying to be specific, but at the same time, specific in a way that doesn't single out particularly historic neighborhoods that do not have access to large swaths of IU-provided parking. This is really meant to single out an area near the stadium where there are massive amounts of IU parking. It's about parking, it's about traffic.

Piedmont-Smith: That last one, I guess, would alleviate my fears, the direct access to university-provided parking.

Hoffmann: Not to mention the bus depot, which is right there as well. That's why Dunnhill for me was the beginning of the next era. We've gone through these periods of where student-oriented apartments have been built in Bloomington. There was a while when it was all near the stadium. There was a while when it was way out on the fringe of town. And that didn't turn out so well. And there was a time when it was all downtown. And that was good for a while, but now we are hearing from many people and we ourselves believe that we've gotten enough of that downtown. I think now we're pivoting back to ...maybe it's cyclical...maybe we're getting back to where we were before. But I want to encourage it, but I want to encourage it in a place where the infrastructure for it. And, frankly, where IU takes some of the externalities of parking and transportation rather than burdening the city with that.

Kinzie said that she appreciates the amendment because it provides a balance to what could be perceived as just absolute discouragement. At least it opens up some considerations. I appreciate what it's trying to achieve. I share Commissioner Piedmont-Smith's worries about what this might suggest for certain neighborhoods and could be alarming to some places for fear that they might be the next target. I think this is rightly stated in terms of access to university-provided parking and transit systems, so thank you.

Neher: I think that this is arguably the most important language that we're considering throughout this process. As a community, we have kicked the can for far too many years on the issue of student housing. We are fearful of conversations for alienating any particular neighborhoods. And while this may bring a neighborhood into the conversation, it is a starting point for the

conversation. And how this gets realized in the UDO may look dramatically different than the language here. This initiates a conversation that is long overdue. It fits within our concerns about seeing suburban sprawl with in student housing complexes. It forces us to have a conversation. Because if not this language, what language? It will always implicate somewhere. And this is our chance. We have to have the courage, thank you, Joe (Hoffmann) for having the courage to put your name to this. I do believe this is important legacy language for our future UDO, so thank you.

Hoffmann: Are you seriously going to call this the Hoffmann Amendment, seriously?

Cibor: We tabled Amendment #150 a little bit ago, which I think is extremely related to the language of this amendment. It was a background statement, so my amendment suggested to delete that background statement, thinking that this type of language was more appropriate for a policy statement, like one that is being proposed. I think this language captures a lot of what was in that original language.

****Kinzie moved to approve Amendment #178. Neher seconded. Voice vote passed 7:0 – Amendment #178 adopted.**

Hoffmann: This brings us to the Amendment #150, which is relating to a text provision that is related to the two amendments that we have just adopted as policies. My reason for thinking that Amendment #150 should wait is that we simply have to decide what we want to do now. This is language that is currently in the text, and it's been proposed to remove it from the text. You are the sponsor, Andrew (Cibor)?

Cibor: This is what I interpret to be the background section of the chapter, introducing the issues. I agree with the desire of what the text states but just felt that it feels more like a policy statement about going forward than a background statement about what got us there. I think that there's some language likely before this statement that builds up the issue already.

No public comment.

Hoffmann: Andrew (Cibor), I'd like to suggest something. Part of the reason I put forward those two policies is because I think that we cannot possibly understate the importance of communicating clearly about this issue. So I would actually rather see some statement like this in the text, as well as reflected in the policies. However, the language that is currently in the text no longer lines up with the policy that we just now adopted. My suggestion is that we shorten it, making it more simple, not getting into the details. My suggestion, which I hope is friendly, is that we modify the sentence rather than deleting it. It could read "new multi-family housing projects catering largely to students must be better planned and distributed in more appropriate locations outside downtown" and leave the details to the policy statement. Is that okay?

Cibor: That's fine.

Hoffmann: We have a modified, simpler version of the amendment rather than delete the whole sentence. Just simplifying the sentence.

Maritano asked if we could further simplify by saying "planned and distributed."

Hoffmann: I feel like reiterating the basic point that we're shifting it away from downtown. I'd rather see that in both the text and the policy.

****Piedmont-Smith moved to approve Amendment #150 as revised. Kinzie seconded. Voice vote passed 7:0 – Amendment #150 approved as revised.**

Hoffmann: Amendment #179.

Robinson: Amendment #179 is on Chapter 7, page 80 under the downtown land use category. This proposes new language to dedicate multi-story parking garages as proposed. Generally, staff is okay with this, but we are concerned with the language saying “if necessary.” The current text refers to surface parking lots and multi-story parking garages. The new text says that parking should be minimized by building, if necessary, multi-story parking garages as opposed to surface parking lots.

Hoffmann: So staff’s concern and the reason this isn’t on the Consent Agenda is mostly because of the “if necessary” language.

Piedmont-Smith: We talked about this a couple weeks ago but the language as it is now sort of makes it sound like multi-story parking garages should be constructed if you take out the first clause. So I just want to use this opportunity to emphasize that parking structures should only be constructed if necessary, and should be multi-story structures because these are downtown. And to clarify that these are two ways in which land dedicated to parking can be minimized: (a) through the multi-story structures for parking and (b) by encouraging bicycling and walking.

Hoffmann: Isabel (Piedmont-Smith), I have a friendly amendment that I hope would satisfy staff and also you. What if we modified your proposal by stating it as follows: “Land dedicated to parking should be minimized by preferring multi-story parking garages to surface parking lots and by encouraging active transportation (bicycling and walking).”

Piedmont-Smith: Yeah, that’s fine.

Hoffmann: Does that capture staff’s concern about the tone of “if necessary?” [Hoffmann re-reads suggested revision:] “Land dedicated to parking should be minimized by preferring multi-story parking garages to surface parking lots and by encouraging active transportation (bicycling and walking).”

Robinson: That’s fine.

No public comment.

****Kappas moved to approve Amendment #179 as revised. Kinzie seconded. Voice vote passed 7:0 – Amendment #179 adopted as modified.**

Hoffmann: Amendment #181. And we’ll then also consider #164.

Robinson: Amendment #181 was on the consent agenda, then several friendly amendments were suggested. I think Josh (Desmond) is pulling up some of the language that was being introduced. One of the areas that was being referenced was on page 70 of the Transportation chapter. There was some concern about adding some language about increased resident safe use of transportation options that minimize negative environmental and infrastructure impacts. I think that was just rephrasing what was being proposed. And then there was adding a new policy 6.5.3 about addressing some enforcement concerns. If you go back to #164, that kind of deals with enforcement so adding this new policy 6.5.3 might take care of Amendment #164. We would perhaps withdraw Amendment #164 depending on what happens with this amendment. Again, this was originally on the Consent Agenda. I think Isabel Piedmont-Smith was the original author, and then there were several friendly amendments being introduced.

Hoffmann: I’d like to ask the sponsor where we are at present time on this amendment with whatever discussions you may have had about this.

Piedmont-Smith said that there were two changes. First, the new goal 6.6 has been rephrased. Instead of “educate and encourage residents to use transportation options that minimize blah, blah, blah,” it now reads “increase residents’ safe use of transportation options that minimize negative blah blah blah.” The goal is to increase residents’ safe use of these different transportation options. And how we get to the goal, is to educate and encourage. So I thought it would be better language to change it to “increase residents’ safe use of transportation options that minimize negative environmental and infrastructure impacts.” And the second change is to add something that Andrew (Cibor) was getting at with Amendment #164, which is to policy 6.6.3, “Utilize enforcement programs to support desired motorist and active transportation user behavior.” That language was actually proposed by Andrew.

Hoffmann: And that one focuses on enforcement because 6.6.1 and 6.6.2 already talk about education. Is that correct?

Piedmont-Smith: Correct.

Hoffmann: We have a revised version of Amendment #181, adding a new goal that is rephrased to read “increase residents’ safe use of transportation options that minimize negative environmental and infrastructure impacts” so that’s the new phrasing of goal 6.6. Policy 6.6.1 and 6.6.2 as stated in the original amendment and policy 6.6.3, “utilize enforcement programs to support desired motorist and active transportation user behavior. That’s the new version of #181. Do I understand that takes of #164 if we adopt #181?

Cibor: If we adopt this, I would withdraw #164.

No public comment.

****Neher moved to accept Amendment #181 as revised. Kinzie seconded. Voice vote passed 7:0 – Amendment #181 approved.**

Cibor, sponsor of Amendment #164 withdrew the Amendment #164.

Hoffmann: Amendment #182 is next.

Robinson: Amendment #182 is looking at page 42, policy 3.2.2 about the general concern about green space. The amendment looks to remove the words “the overall” and instead use “public greenspace.” Again, staff is not as supportive of this, since green space is not all public greenspace. A lot of it is in easements and in other areas around the community. So it wouldn’t necessarily be public property. So we try to preserve greenspace in other ways, shapes and forms than generally public greenspace like parks and other spaces. We felt that the existing language embodies that much the broader scope of greenspace, instead of just narrowly looking at public greenspace.

Hoffmann: Just to remind everybody of the discussion last time, the discussion was whether we could, in fact, say that we want to increase the overall amount of greenspace when the community may or may not grow and we have development. So it is more or less a technical question about whether there is a way to deal with that. Alright, Andrew was the sponsor?

Cibor: I brought this up because of our discussion last meeting. Maybe there was a program that we were discussing at the time. Basically, if we wanted to increase overall greenspace and environmentally sensitive areas, that would involve, without any annexation, removing parts of the built infrastructure and converting it to green space. And I think that the discussion two weeks ago was thinking the intention was more geared toward public greenspace. Otherwise, we would basically have to purchase privately-owned things then destroy them to convert them to

greenspace. Then we would never be able to allow additional growth or building or anything within the city.

Neher: I'd like to ask for a quick clarification here.

Hoffmann: You weren't here at the last meeting. We got into a very intricate and confusing discussion about how to add new greenspace assuming no annexation. The only way to do that is to tear out things that are there now and revert them to greenspace. Is that what we're saying we want to do?

Neher: I have a very direct question concerning very specific areas within the community that address this issue. I look out at Gates Drive and other big parking lot areas that are ripe for redevelopment in the future. Increasing the requirement for added green space and better development use of that space actually increases the inventory. I think that that's a policy direction that we've seen communities go, and I would applaud, especially when you think about those areas like College mall and on the West Side, areas that are going to be...I'll point to one right now. The K-Mart property... the sheer number of square footage there that could be redeveloped by building up slightly. Reclaiming some of that property by requiring the addition of green space would actually improve the overall quality and percentage of green space within the community. So I would actually encourage going back to just "increase greenspace."

Hoffmann: If we don't amend it, that's what it says now. I think that's a pretty good point.

No public comment.

Kappas: Going off of what Commissioner Neher said and seeing changes here, instead of saying "public" and not even saying "overall" we could just say "increase greenspace."

Neher: That would be saying "increase green space and the protection for environmentally sensitive areas."

Kappas: I would approve that as revised.

Hoffmann: First of all, we have a sponsor who made the original amendment. It's hard to describe this as a friendly amendment. It's more a question of whether you want to withdraw the amendment and let them propose a different version of the amendment.

Cibor: Anybody can make amendments to this amendment. I'd be willing to entertain those. I like the idea to eliminating "the overall greenspace." Because as it's stated, we would never be able to allow anything to develop.

Hoffmann: There is now a new version of Amendment #182 that modifies policy 3.2.2 and reads "increase greenspace and protection for environmentally sensitive areas." We have a motion. Do we have a second for that?

****Kinzie seconded.**

I assume that staff has no objections to that version which what you were saying originally. Do we have any further comments from the commission?

****Voice vote passed 7:0 – Amendment #182 adopted as revised.**

Hoffmann: Amendment #185.

Robinson: Amendment #185 looks at modifying policies on page 25 in the community services section, proposing to eliminate policy 1.4.5 and combining it with 1.4.4, to say “When reviewing development plans, consider merging community needs as well as the location of existing parks, trails, plazas and other public gathering spaces.” Staff believes that the current policies are necessary because there are slight differences between the two. Not everything is always going to happen when reviewing development plans. We can certainly look at adding parks and other places like that outside of development petitions. The second policy certainly directs to consider that does not necessarily mean that we are reviewing for the incorporation of parks and spaces within those developments but perhaps could be access to our other provisions. There are slight nuances but I think that, as included in the current draft, those two policies address those where combining it seems to narrowly focus when reviewing development plans and just looking at the consideration of those existing facilities.

Piedmont-Smith (sponsor of Amendment #185) said she worked with Jacqui Bauer, the City’s Sustainability Coordinator. We worked on them together. She caught something that I agreed with, which is that when you’re reading goal 1.3 and then 1.4, they seem repetitive. I would be happy to look at revising my amendment. But I think that either the two policy statements need to be more clear as to how they are different, or they need to be combined. I do not want to lose any of the meaning that the staff feels is important in these statements, but the way they are now it seems like it is just about parks, having things near parks, and it seems like the same idea. That is why I support this amendment to combine them. But I’d be happy to consider revisions to this amendment.

Hoffmann: Although I agree that the language that’s there now under both 1.3 and 1.4 and particularly policies 1.4.4-6 is not the most clear or elegant language. But I do think that there’s a difference that I can see in those three policies, in 1.4.4, 1.4.5 and 1.4.6. It may be that 1.4.5 is the one that needs to be rephrased; I could be wrong. But it looks to me like 1.4.4 is addressed to the city to the parks department, to the city council. Let’s think about developing new parks and recreation facilities as they are needed. 1.4.6 is addressed to developers, saying, we’d like to encourage developers to include parks and other types of things and art facilities in their developments. That makes for better developments. And then 1.4.5 should perhaps come after the other two, to say “when reviewing developments proposals, think about how those proposals interact with parks, trails, recreation facilities, and the like, which is something different from the other two. I think that maybe the problem is that both the location and the phrasing of that 2.4.5. Isabel, are you with me on this?”

Piedmont-Smith: Yes, I understand what you’re saying.

Hoffmann: I think all three of them need to be in there. They’re different things and it will be hard to combine them, but I think that maybe changing 1.4.5 by putting it after the other two and rephrasing it might help to emphasize what the differences are. I don’t think that we can solve this tonight. I hate to say it, but it may be one that needs to be kicked upstairs to City Council to fix if they feel it needs to be fixed.

Neher suggested having staff work with Piedmont-Smith and Jacqui Bauer to come up with language.

Hoffmann: I’m afraid that once it leaves us, I don’t think we can be directing anything to the City Council. I’m not happy with trying to combine them, but I understand the reasons why Commissioner Piedmont-Smith wanted to modify them in some way. This one is messy enough that I’m not sure we can make it happen tonight.

Piedmont-Smith said that unless there were other commissioners that felt strongly about it, she was willing to withdraw the amendment to work on it at the City Council Level.

Cibor said that he agreed with Hoffmann's assessment that all three policy statements are distinct. They're maybe not apparently so different but after reading them more closely, their distinction is clear. I like the policy language proposed in the amendment. We could potentially substitute that for 1.4.5 and swap the order. That could be the Plan Commission's recommendation for now as maybe a step in that direction. I'm fine with that or with leaving it as it is.

No public comment.

****Piedmont-Smith withdrew Amendment #185.**

Hoffmann: Amendment #186.

Robinson: #186 looks at pages 25 and 26, in the Community Services section, trying to address policies and programs addressing parks and services. Staff wanted to bring it to the attention of the Commission for discussion because it adds new language in these areas. Commissioner Piedmont-Smith introduced this and she can explain more.

Hoffmann: The proposed Amendment #186 adds two policies under 1.4, correct? And it adds one policy... So the first two would become what? 1.4.7 and 1.4.8 as currently written. Where would the third one go?

Robinson: The third one would be a program under Municipal Services.

Hoffmann: So we have two new policies and a program.

Piedmont: Did we pass Amendment #168? Because it covers the same program point that my program point under Municipal Services would have covered.

Hoffmann: So the program in this amendment is no longer really necessary. So we're now only looking at the two policy amendments to add to 1.4.

Piedmont-Smith: This was suggested by Jacqui Bauer. Goal 1.4 seems to be focused a lot on parks. And there are other city services that we should consider. Because the goal says "plan for a future in which the services we provide to our community continue to thrive and adapt to Bloomington's growth and change." So this is about other kinds of infrastructure.

****Kinzie moved to approve the two policies identified in Amendment #186 as modified. Cibor seconded. Voice vote passed 7:0 – Amendment #186 approved as modified.**

Hoffmann: That brings us to the last proposal on the agenda, Amendment #187. This was originally on the Consent Agenda and has been pulled off.

Robinson: This was originally in the Consent Agenda and caused no concerns. However, there was a friendly amendment suggested. So it was pulled off the agenda tonight. Josh (Desmond) is pulling up the image of the recent friendly amendment now. It looks at page 41 under the Urban Ecology section.

Hoffmann: So the amendment to the amendment would delete the words "urbanization and" and would add the word "local."

Cibor clarified that this friendly amendment would propose to delete the two words "urbanization and." It would add...

Hoffmann: So the proposed possibly friendly amendment would delete “urbanization and” from the beginning of the amendment, would put the word “urban” in later and would also add the word “local” in the last part of the amendment.

Piedmont-Smith: This is a friendly amendment in my view.

Hoffmann: We will not consider the revised version of Amendment #187. Would the sponsor of Amendment #187 like to speak generally to it?

Piedmont-Smith: This was brought forward by that Jacqui Bauer and I thank her for working on this because I think she’s improved the text of both the urban ecology and solid wastes sections to talk about the urban ecology section...there is a whole paragraph that we’re proposing to delete. So I think it’s just getting it, deleting unnecessary text that was a little bit fluffy and didn’t really belong. People have different attitudes on space and it just didn’t seem necessary. She honed that one and definitely the solid waste portion is important because it points out that the City of Bloomington doesn’t have control over its waste infrastructure. So we are vulnerable to what the market does and whether we have one or many options in the market for hauling waste. And it calls out that we could be reducing waste and processing recycling locally if we want to reduce our carbon footprint. So it just improves both sections, I believe.

Hoffmann: Staff included this as a consent agenda item so I assume that they are generally supportive of this.

No public comment.

Kinzie said: This is really forward-looking. I appreciate Jacqui Bauer’s contribution on this one. Thank you.

****Kinzie moved to approve Amendment #187 as modified. Maritano seconded. Voice vote passed 7:0 – Amendment #187 adopted as modified.**

Hoffmann said that next week we will not consider amendments. We will consider the amended version of the Comprehensive Plan. Further amendments will not be considered at that meeting. It will be a consideration of the whole. Unless there is some action by the commission, that is the schedule we are on.

Piedmont-Smith asked if there would be an amended document by the next meeting.

Robinson said that there would be an adoption text by Friday.

Hoffmann: So for anyone watching at home, there will be a final adoption text sometime on Friday. I assume it will be posted to the city’s website and we will receive a packet as we usually do electronically. Will there be any further notice? Will you be talking to the HT? Something so that people can be reminded that this text is available on the city website?

Robinson said that he spoke with a reporter from the HT today.

Hoffmann: We will see the adoption text sometime on Friday. Then we will be here next Monday for discussion and a vote up or down but without any further amendments. This is an adoption meeting.

Neher asked if at the next meeting the staff could present the process that would take place after the Plan Commission’s vote next Monday. For the public’s information, what would be process the Comprehensive Master Plan would undergo?

Hoffmann: Certainly. Staff will certainly tell us what happens next. The plan can still be amended by the City Council. There is a process by which those amendments come back to us for consideration. The staff will go through all of that at our adoption meeting on Monday.

Meeting adjourned.