

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Tuesday, September 12, 2017 at 6:31pm with Council President Susan Sandberg presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
Tuesday, September 12, 2017

Clerk's Note: On August 29, 2017, the Common Council called to order a Special Session, which began the Council's consideration of Resolution 17-28 to be completed over a series of meetings. Please refer to the minutes from that meeting for a description of the procedure for consideration of the resolution and amendments thereto.

Resolution 17-28 – To Adopt the City's Comprehensive Plan

Roll Call: Sturbaum (left at 9:51pm), Ruff, Chopra, Granger, Sandberg, Volan (arrived at 6:37pm), Piedmont-Smith, Sims, Rollo

ROLL CALL

Members Absent: None

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION

Council Attorney Dan Sherman explained the procedure for and purpose of approving items through a consent agenda.

CONSENT AGENDA:  
AMENDMENTS TO CHAPTER 4  
(DOWNTOWN)

Councilmember Isabel Piedmont-Smith summarized Amendment 09, Amendment 10, and Amendment 13.

Amendment 09  
Amendment 10  
Amendment 13  
Amendment 14

Councilmember Steve Volan summarized Amendment 14.

Councilmember Allison Chopra moved and it was seconded to adopt amendments (09, 10, 13, and 14) listed under the consent agenda.

The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Rollo out of room).

Vote on Consent Agenda Items  
[6:39pm]

Piedmont-Smith said she was withdrawing Amendment 11.

Amendment 11

Councilmember Chris Sturbaum described the amendment. He said the passage he proposed to amend was inaccurate and too radical because it could be interpreted as calling for a change to form-based code. He thought the city's form-based design guidelines might need to be revised or clarified but not eliminated or replaced.

Amendment 01

Volan asked for more information about the difference between form-based codes and form-based design guidelines.

Council Questions:

Sturbaum said that form-based codes might allow commercial uses in residential areas or vice versa. He said the city already had mixed-use code where the city specified where such mixed-uses were preferable.

Volan asked when the city changed to a mixed-use code.

Sturbaum said he did not know how many years ago the city began emphasizing mixed-use buildings but said the code had changed to allow for such buildings.

Volan wondered if the existing Unified Development Ordinance (UDO) already made possible or even encouraged mixed-use developments.

Sturbaum said yes and said the city did not need to change what it was doing because it was working.

Volan said he thought Sturbaum was an advocate for form-based code and asked when Sturbaum's opinion had changed.

Sturbaum said he advocated more for form-based design guidelines rather than code.

Amendment 01 (cont'd)

Volan asked whether Sturbaum's opinion had changed.

Sturbaum said no. He said form-based code did not really exist when he had joined the Council. He said the Council had adopted a hybrid system when it last updated the Growth Policies Plan (GPP).

Volan asked if Sturbaum thought the UDO needed to have form-based code added to it.

Sturbaum said he did not want the Comprehensive Plan to imply that the city would do away with its zoning in favor of form-based code. He thought the city already had many design guidelines in place, even if those guidelines needed refining.

Sandberg and Volan asked for input from staff.

Terri Porter, Director of Planning and Transportation, said she and her staff had not worked with form-based codes. She said she had concerns about the proposed amendment. She preferred to leave open the option to explore form-based codes in the future.

Volan asked Piedmont-Smith if language in an amendment she had drafted dealt with the same passage.

Piedmont-Smith explained she would not introduce Amendment 11 because she was comfortable with Sturbaum's proposed Amendment 01. She thought Amendment 01 would not preclude the city from exploring form-based codes.

Porter said she would prefer the language contained in Amendment 11, as she did not want to lose any opportunities to explore options in the future.

Volan asked Sturbaum's opinion of leaving in the language supported by staff.

Sturbaum said he was concerned about language calling for high-density residential in the edges of residential districts. He did not want to blur edges or have higher density in single-family areas. He said that even though staff said they did not want to go to form-based code, he wanted to make sure the Plan was clear.

Volan asked who wrote the draft Comprehensive Plan.

Porter said that it was written by a number of people, mostly staff, but with many amendments already incorporated into it.

Councilmember Andy Ruff asked if Piedmont-Smith felt that Amendment 01 captured what she was saying with Amendment 11 and if she thought the two amendments were not substantially different.

Piedmont-Smith said she did not see a big difference between the two amendments. She thought Amendment 01 still left open the possibility of having form-based guidelines, which would focus on the form of buildings rather than the use of buildings.

Marc Cornett spoke about the need for guidelines related to the interaction between buildings and the street or sidewalk.

Public Comment:

Volan said he did not have a preference between Amendments 01 or 11 and suggested that the Council would have an opportunity later in the process for additional amendments if more time was needed to think about the issues raised by the amendment.

Council Comment:

Councilmember Dave Rollo supported Amendment 01 and said there were positive attributes to focusing on form as opposed to strict use. He thought a hybrid system might be valuable.

Sturbaum wanted to be clear about what the Council wanted. He did not want to imply there would be zoning changes that the city did not expect or ask for. He said the amendment was an attempt to be more accurate.

Amendment 01 (cont'd)

Sandberg said she appreciated the language proposed by the amendment and thought it incorporated many of the things the public was concerned with.

Volan thought the concern about how buildings interacted with the street was important and reminded everyone that further amendments could be introduced at the end of the process.

The motion to adopt Amendment 01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 01  
[7:09pm]

Sturbaum moved and it was seconded to adopt Amendment 02.

Amendment 02

Sturbaum explained the amendment added the word "compatible" to Policy 4.1.2.

Rollo asked if Sturbaum meant compatible in height, mass, and architecture.

Council Questions:

Sturbaum said he intended compatible in terms of all of those things. He emphasized that he wanted to see high-quality developments that did not use cheap materials that would not last.

Marc Cornett urged the Council to not lose focus of the underlying planning system the city had in place.

Public Comment:

Chopra thanked Sturbaum for not striking some of the language in the policy, as Chopra would not have supported such a change.

Council Comment:

Sandberg appreciated the amendment and thought that new developments could be innovative while also being compatible with existing structures.

Rollo said he co-sponsored Amendment 15, which dealt with the same policy. He hoped the Council would consider that amendment because his main concern was durability of buildings, which was not addressed by Amendment 02.

The motion to adopt Amendment 02 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 02  
[7:18pm]

Volan moved and it was seconded to adopt Amendment 15.

Amendment 15

Volan described the amendment and explained how all amendments were organized by council staff.

Rollo added that he and Volan had proposed adding the term "compact urban form" as a way to maintain continuity with an idea that was emphasized by the GPP.

Robinson said Policy 4.1.1 was aimed more toward public investments in infrastructure rather than private investments. He wanted to ensure that public projects followed the same direction but otherwise had no concerns with the amendment.

Sherman and the Council had a brief discussion of how to combine and reconcile amendments.

Amendment 15 (cont'd)

Chopra said she did not like the term durable, as something could be durable but tacky.

Council Comment:

Volan said that the word was inspired by Sturbaum's long-standing opposition to EIFS as a building material.

Sturbaum reminded the Council that it would have an opportunity to make further revisions at the end of the process.

Rollo said the intent of using the word durable was to indicate that materials should not degrade easily and should have longevity.

Chopra asked whether the Council would have an opportunity to see the Comprehensive Plan with amendments incorporated into it before having another opportunity to propose final amendments.

Sandberg said yes.

Piedmont-Smith clarified the process that the Council would follow for final amendments. She said she might want to separate the amended Policy 4.1.1 into two ideas.

The motion to adopt Amendment 15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 15  
[7:30pm]

Volan moved and it was seconded to adopt Amendment 17.

Amendment 17

Volan introduced the amendment.

Robinson said the goals and policies were numbered merely for reference, not to indicate importance or priorities. He also said that the city did coordinate and collaborate with Indiana University on a number of projects and listed a few examples.

Volan said renumbering the goals or policies did not create a problem. He acknowledged that IU might be cooperative on some issues or projects, but said that when it came to big decisions, IU did not consult or even make reference to the city's planning documents.

Piedmont-Smith asked if amendment sponsors Volan and Rollo would consider adding the IU Foundation as an entity that the city should collaborate with.

Council Questions:

Both Rollo and Volan said they would support that change.

Rollo asked Robinson for other examples of when the city and IU worked together.

Robinson said the two entities had worked together on public works projects and some capital improvements. He said city staff sat on some of IU's advisory groups and IU had invited the city to participate in its master plan process.

Ruff asked whether phrasing the policy as "better collaborate" would meet the concerns of both Volan and Robinson.

Volan said there were different types of collaboration. He said that IU might collaborate with the city on some things but pointed to the relocation of the FIJI fraternity house as an example of when IU did not collaborate well with the city. He said he was agnostic about how to phrase his concern.

Rollo said he was open to Ruff's suggestion.

Sandberg said she liked the direction of Ruff's suggestion.

Piedmont-Smith suggested a rephrasing of the policy.

Council Comment:

Rollo moved and it was seconded to adopt Amendment 01 to Amendment 17.

Amendment 01 to Amendment 17

The motion to adopt Amendment 01 to Amendment 17 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 01 to Amendment 17 [7:48pm]

Councilmember Dorothy Granger said Amendment 17 seemed unnecessary and only supported amending the amendment because she preferred the language proposed by Piedmont-Smith. She thought the Council did not need to revise the order of things in the Plan.

Additional Council Comment:

Chopra said she would vote for Amendment 17 only because it had been amended.

Piedmont-Smith thanked Volan and Rollo for introducing subject headings for the goals.

Volan said the amendment was not merely formatting but also changed some of the substance.

The motion to adopt Amendment 17 as amended received a roll call vote of Ayes: 8, Nays: 1 (Granger), Abstain: 0.

Vote on Amendment 17 as amended [7:50pm]

Volan moved and it was seconded to adopt Amendment 16.

Amendment 16

Volan introduced the amendment.

Rollo predicted that calling for a limit of .5 parking spaces per bedroom in residential projects would generate the most debate and said he was interested in his colleagues' opinions.

Volan said such a limit was a goal the Planning Department had for years.

Piedmont-Smith asked if the proposed Policy 4.3.3 was in the UDO.

Council Questions:

Amelia Lewis, Zoning and Long Range Planner, said staff would like the amendment reworded to be less of a directive, as the Comprehensive Plan would not be consulted while reviewing a development proposal for the parking requirements.

Piedmont-Smith clarified that the parking requirements for developments were located in the UDO, not the GPP.

Lewis said that was correct.

Volan acknowledged the language was too specific for the Plan and suggested rewording it.

Granger asked if the policy would still call for a maximum of .5 spaces per bedroom.

Volan said no.

Piedmont-Smith said she was opposed to the amendment. She thought it was important to specify that there should be parking for motorized two-wheeled vehicles. She thought the Plan was an inappropriate place to talk about parking maximums.

Council Comment:

Volan thought that the newly-worded policy was appropriate for the Plan and thought there was no harm in striking the word motorized.

Rollo asked if there was a call for dedicated bicycle parking somewhere else in the document.

Amendment 16 (cont'd)

Robinson said the policy could support either public investment in infrastructure or could provide direction to private developments to provide such facilities.

Rollo suggested there should be language that directed the city to provide such infrastructure when able.

Piedmont-Smith agreed but suggested a different location for such language. She also thought that specifying motorized and non-motorized vehicles would improve the policy.

Sandberg could not support the amendment with the insistence on maximum parking.

Volan moved and it was seconded to adopt Amendment 01 to Amendment 16.

Amendment 01 to Amendment 16

Rollo said staff supported establishing a parking maximum and thought doing so would help with affordable housing efforts.

Piedmont-Smith said she would support the amendment given the revisions.

The motion to adopt Amendment 01 to Amendment 16 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Granger out of room).

Vote on Amendment 01 to Amendment 16 [8:13pm]

Marc Cornett said he supported the changes to the amendments and spoke about parking.

Public Comment:

Volan spoke about parking and suggested parking in some areas was overpriced.

Additional Council Comment:

The motion to adopt Amendment 16 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 16 as amended [8:19pm]

Volan moved and it was seconded to adopt Amendment 18.

Amendment 18

Volan introduced the amendment.

Sturbaum asked which single-family neighborhoods Volan was referring to.

Council Questions:

Volan said he was not including only single-family neighborhoods and listed the areas.

Marc Cornett spoke about downtown housing types.

Public Comment:

Chopra said she was concerned with referring to nearby areas when the downtown was a defined area. She also said students were adults, there were many kinds of students, and being a student was not a bad thing.

Council Comment:

Sturbaum wondered whether Volan would support adding the phrase "where appropriate" to the amendment.

Volan said he would support the change.

Chopra said she had classmates concerned with affordable housing.

Piedmont-Smith said she did not support the amendment as it seemed out of place in the downtown chapter. She also thought calling for diverse housing types in certain areas without taking context into account was inappropriate.

Amendment 18 (cont'd)

Volan thought Piedmont-Smith was misguided with her opposition to the amendment. He said the goal as originally written called for diverse housing types.

Piedmont-Smith clarified that she supported diverse housing types downtown, as originally stated in the goal. She did not support diverse housing types in nearby areas.

Rollo thought providing affordable housing downtown posed a challenge and he thought the amendment offered an opportunity to help address that need.

Piedmont-Smith pointed to other parts of the Plan that called for diverse housing types for a variety of income levels.

Volan said he failed to see the harm in what he saw as a modest change and reiterated his arguments for the amendment.

Granger echoed Piedmont-Smith's comments.

Sturbaum worried that up-zoning around the edges of downtown might cause unintended consequences to nearby properties.

Volan reread the reworded amendment and again argued it was a modest change.

Volan moved and it was seconded to adopt Amendment 01 to Amendment 18.

Amendment 01 to Amendment 18

The motion to adopt amendment 01 to Amendment 18 received a roll call vote of Ayes: 6, Nays: 3 (Chopra, Granger, Sandberg), Abstain: 0.

Vote on Amendment 01 to Amendment 18 [8:38pm]

The motion to adopt Amendment 18 as amended received a roll call vote of Ayes: 5, Nays: 4 (Chopra, Granger, Sandberg, Piedmont-Smith), Abstain: 0.

Vote on Amendment 18 as amended [8:38pm]

Sturbaum moved and it was seconded to adopt Amendment 03.

Amendment 03

Sturbaum introduced the amendment.

Phillip Stafford spoke in favor of the amendment.

Public Comment:

Rollo suggested that Sturbaum could use stronger language.

Council Comment:

Sturbaum said he wanted to keep some flexibility but generally agreed with Rollo.

Robinson reiterated that the Plan was a first step in a process and preferred the language as originally proposed in the amendment.

Rollo said he wanted to see stronger language but was happy with the language for the moment.

The motion to adopt Amendment 03 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 03 [8:46pm]

Volan moved and it was seconded to adopt Amendment 19.

Amendment 19

Volan and Rollo introduced and explained the amendment.

Granger said she did not support the amendment as she did not view sustainability as including inclusivity and safety.

Council Comment

Piedmont-Smith helped co-author the goal and policies in question. She thought the average reader would not understand sustainability as including inclusivity and safety, so she preferred the unamended goal. She supported the other changes in the amendment.

Volan provided a definition of sustainability, which included environmental, economic, and social considerations. He said inclusivity and safety fell under social sustainability.

Rollo agreed with Volan's definition of sustainability.

Piedmont-Smith thought the difference in phrasing was minor and said she would be fine with the text either way.

The motion to adopt Amendment 19 received a roll call vote of Ayes: 7, Nays: 1 (Granger), Abstain: 1 (Chopra).

Vote on Amendment 19  
[8:55pm]

Sturbaum moved and it was seconded to adopt Amendment 04.

Amendment 04

Sturbaum introduced the amendment.

Piedmont-Smith asked who would pay for the bathrooms.

Council Questions:

Sturbaum said that was not part of the amendment.

Piedmont-Smith said she was concerned with unfunded mandates.

Sturbaum said there was no timeline included in the amendment and there were many ways to get restrooms downtown.

Robinson preferred to not have a strong directive when things like location and cost still needed to be considered.

The Council discussed reconciling language in Amendment 04 and Amendment 20.

The motion to adopt Amendment 04 received a roll call vote of Ayes: 4 (Sturbaum, Chopra, Granger, Sims), Nays: 5, Abstain: 0. FAILED.

Vote on Amendment 04  
[9:02pm]

Sturbaum moved and it was seconded to adopt Amendment 05.

Amendment 05

Sturbaum introduced the amendment.

Robinson said there were some locations in the downtown that had larger footprints, such as City Hall and the Tech Park.

Marc Cornett spoke about building scale.

Public Comment:

Piedmont-Smith thanked Sturbaum for the amendment and said smaller-footprint buildings helped make Bloomington special.

Council Comment:

Rollo noted some downsides of large, monolithic, non-diverse buildings and thanked Sturbaum for the amendment.

The motion to adopt Amendment 05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 05  
[9:13pm]



Volan moved and it was seconded to adopt Amendment 20.

Amendment 20

Volan introduced the amendment.

Chopra thought calling for first-floor retail space in any new convention facility was inappropriate for the Plan and wondered if anyone else agreed.

Council Questions:

Volan said the convention center was unlike other buildings downtown and would be a large project.

Chopra clarified that her question was whether anyone else agreed that the Plan should not include such a stipulation.

Piedmont-Smith said she agreed.

Rollo said he supported retail space in the convention center but was not wedded to the amendment. He wanted to know the thoughts of other councilmembers on the amendment.

Granger asked staff whether developments had been experiencing trouble filling retail space and whether that could be a problem for the convention center.

Robinson said some developments had submitted requests to convert retail space to residential space. He suggested there should not be a blanket requirement for retail space in the first floor of buildings, but rather a targeted consideration of where such space would be appropriate.

Rollo asked if increased rents discouraged first-floor retail space.

Robinson said it was complicated and noted that larger trends outside the city also affected retailers. He said some developments were struggling to fill retail space.

Chopra moved and it was seconded to adopt Amendment 01 to Amendment 20.

Amendment 01 to Amendment 20

Volan spoke about the need for good retail space downtown. He said he was afraid of the convention center becoming a monolith that went unused after normal business hours.

Piedmont-Smith agreed with Volan's goal of avoiding an unused monolith but said the Plan was not an appropriate place to address that concern.

Councilmember Jim Sims asked if a new convention center would be a new construction or whether there would simply be an expansion of the old building. He also wondered whether there was any evidence of retail space reducing rental rates for buildings.

Robinson said rates were simply a function of supply and demand.

Sims wondered what type of retail would be appropriate for the convention center space.

Volan said retail was a broad term and could include restaurants. He said retail space was more about generating pedestrian interest, not to help pay for the facility.

Chopra agreed with Piedmont-Smith that the Plan was an inappropriate place to address the convention center. She also thought it was too early in the planning process to consider such details for the convention center.

Rollo said Cornett had made persuasive arguments about what optimizes downtown economic activity. He pointed out that the Council might not have an opportunity to address what it wanted out of the convention center other than in the Plan.

Amendment 01 to Amendment 20  
(cont'd)

Ruff understood the argument against including such a stipulation in the Plan but thought it was important that the Council address it.

The motion to adopt Amendment 01 to Amendment 20 received a roll call vote of Ayes: 5, Nays: 4 (Sturbaum, Ruff, Volan, Rollo), Abstain: 0.

Vote on Amendment 01 to Amendment 20 [9:35pm]

Granger moved and it was seconded to adopt Amendment 02 to Amendment 20.

Amendment 02 to Amendment 20

The motion to adopt Amendment 02 to Amendment 20 was approved by voice vote.

Vote on Amendment 02 to Amendment 20 [9:37pm]

Granger said she did not support adding the term "nearby areas" to the chapter as called for by the amendment.

Council Comment:

Piedmont-Smith agreed with Granger and also disagreed with striking a bullet point as called for by the amendment.

Volan reminded the Council that there would be additional opportunities for revision and urged passage of the amendment.

The motion to adopt Amendment 20 as amended received a roll call vote of Ayes: 4 (Sturbaum, Ruff, Volan, Rollo), Nays: 5, Abstain: 0. FAILED.

Vote on Amendment 20 as amended [9:40pm]

The Council discussed the upcoming schedule of meetings.

Robinson said all the chapters followed the same format and reminded the Council how the chapter was organized. He explained that the GPP had a Master Thoroughfare Plan in it, but the Comprehensive Plan did not have such a plan. He said the city would be working on creating an updated Thoroughfare Plan. He described each goal contained in the chapter. He pointed out there were 27 policies and many programs in the chapter. He mentioned topics to be considered in updating the Master Thoroughfare Plan. He reminded the Council of some of the outcomes and indicators used in the chapter to measure performance.

Presentation, Discussion, and Public Comment on Chapter 6: Transportation

Granger clarified the number of goals in the chapter.

Council Questions:

Volan asked if staff thought the chapter was stronger or weaker than the language in the GPP.

Robinson said stronger because the GPP had a checklist approach whereas the Plan included outcomes and indicators to measure performance.

Volan asked whether the outcomes and indicators were a kind of checklist.

Robinson explained that the outcomes and indicators were designed to help measure how well something was done, rather than simply whether it was or was not completed.

Volan asked what the Comprehensive Plan was beyond a land use document.

Robinson said it was a more comprehensive plan that involved departments beyond just the Planning and Transportation department and issues beyond just land use.

Rollo asked whether being recognized as a platinum bicycle friendly community should be a goal or policy directive.

Robinson said that goal was embodied in other parts of the document and was also addressed in other plans.

Presentation, Discussion, and Public Comment on Chapter 6: Transportation (cont'd)

Phillip Stafford spoke about mobility and access for older residents.

Public Comment:

Rollo thought achieving platinum bicycle status should be listed as an explicit goal. He also suggested attaching to the Plan a walk score document that had been previously prepared by the Peak Oil Task Force.

Council Comment:

Chopra agreed there should be a specific goal of achieving platinum bicycle status.

Granger said that while the Plan Commission had already reviewed the Plan carefully, it was also the Council's job to give its final approval, which was a job councilmembers took seriously.

Robinson explained the structure of the chapter and how it was meant to be used. He noted that the Plan introduced development themes, which included maintain, enhance, and transform. He said the themes would be applied to the different land use categories. He briefly described the different categories.

Presentation, Discussion, and Public Comment on Chapter 7: Land Use

Volan asked where the west fork of Clear Creek was located.

Council Questions:

Robinson displayed its location.

Volan asked why the Miller Showers Park was listed under the enhance development theme.

Robinson said it was being used as an example for what was meant by the enhance theme.

Volan asked whether the walking distance in neighborhood nodes was a 20-minute radius or 20-minute diameter.

Robinson said radius.

Sims asked whether a particular location could be categorized under multiple themes and whether those themes might change over time.

Robinson explained how the development themes would be used for development proposals and how they could change over time.

Rollo asked whether there would be any additional detail regarding how the city wanted focus areas to develop.

Robinson said there would likely be more detailed plans created for those focus areas.

Sandberg said in future discussions she would appreciate a clearer explanation of form-based code versus form-based design guidelines.

Volan asked whether staff had considered adding a glossary to define terms in the Plan.

Robinson said the Plan Commission debated the idea. He said one concern was identifying the terms that needed to be defined. He explained how the Plan was meant to be a living document.

Darryl Neher spoke about the need for a definition of "affordable".

Public Comment:

Phillip Stafford spoke about lifetime community districts.

Sandberg briefly spoke about the upcoming schedule.

COUNCIL SCHEDULE

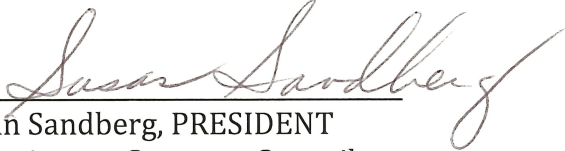
The meeting went into recess at 10:47pm.

RECESS

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 5<sup>th</sup> day of December, 2017.

APPROVE:

ATTEST:



Susan Sandberg, PRESIDENT  
Bloomington Common Council



Nicole Bolden, CLERK  
City of Bloomington