

CITY OF BLOOMINGTON



**JUNE 10, 2013 @ 4:30 p.m.
CITY HALL - HOOKER
CONFERENCE ROOM #245**

**CITY OF BLOOMINGTON
PLAT COMMITTEE AGENDA**

June 10, 2013 at 4:30 p.m.

***Hooker Conference Room, #245**

ROLL CALL

MINUTES TO BE APPROVED: May 6, 2013

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS:

DP-17-13 **Sura Gail Tala**
409 W. Driscoll Dr.
Preliminary and final plat review for a 2-lot single-family subdivision
(Manager: Patrick Shay)

PUD-25-13 **Trinitas Ventures**
401 S. Patterson Dr.
Preliminary plat approval of a 4-lot subdivision to be known as Patterson Park Phase 3
amending the previous Patterson Park subdivision
(Manager: Patrick Shay)

End of Agenda

Next meeting: July 8, 2013

BLOOMINGTON PLAT COMMITTEE**CASE #: DP-17-13****LOCATION: 409 W. Driscoll Drive and 1300 S. Madison Street****DATE: June 10 2013**

PETITIONER: Sura Gail Tala
8920 E. Southshore Drive, Unionville

REQUEST: The petitioner is requesting preliminary and final plat approval of a two-lot single family subdivision.

REPORT: The property in question is located at the southwest corner of W. Driscoll Street and S. Madison Street. This property is considered lawful non-conforming due to there being two existing residential structures on the single family property. The petitioner is now seeking a subdivision of this property to be divided and placing each of the existing homes on individual lots that could be sold separately allowing for a potential owner occupied situation in each lot.

For the subdivision to be approved, the petitioner received variances (Case #V-19-13) from minimum lot area, side and rear yard setbacks, and maximum impervious surface standards of the Unified Development Ordinance (UDO). No changes to the structures are being proposed. This approval would create a new lot line between the two existing structures.

The existing lot is approximately 8756 square feet. The proposed lots would be approximately 3964 and 4792 square feet respectively. The petitioner is also seeking a waiver from the subdivision requirement that corner lots be a minimum 50% larger than the minimum lot size. Staff is supportive of this request.

PLAT ISSUES:

R.O.W. Dedication: The adjacent streets are core neighborhood streets and do not require any additional right-of-way dedication.

Sidewalks: Sidewalk is currently in place along both Driscoll Dr. and Madison St.

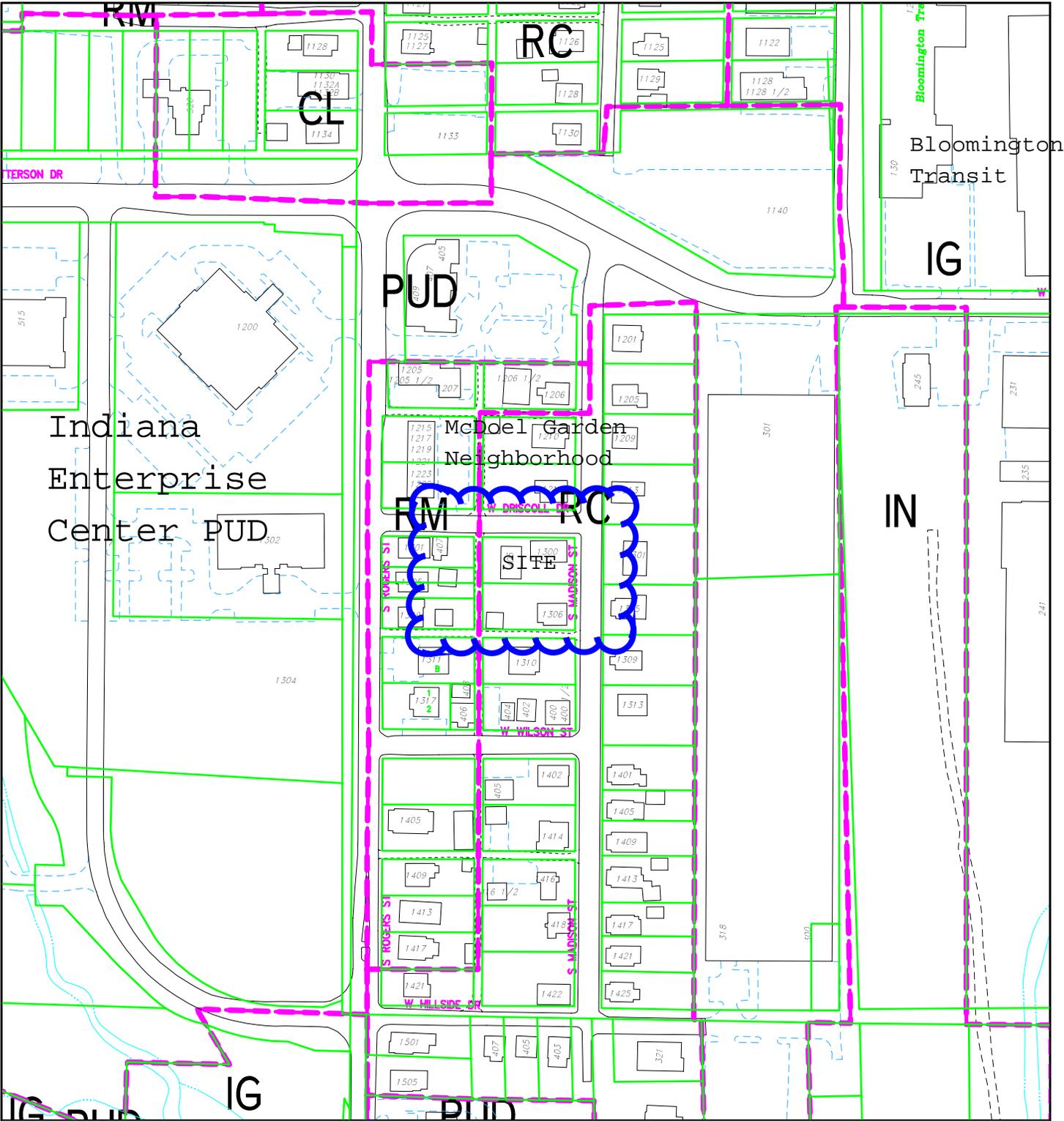
Street Trees: The existing sidewalks are monolithic without a tree plot. There are several existing trees on site. One additional tree may be possible along Driscoll Drive on the eastern lot. It would be very close to the foundation of the house. Staff recommends that the petitioner consult with the City's Urban forester to determine a smaller tree with a less spreading root system.

Utilities: Both residential units are currently fully served by both water and sanitary sewer service. No changes to these services are anticipated. The City Utilities Department requested an easement to be created across the eastern lot to accommodate an existing utility line.

Drainage: There is no construction associated with this subdivision request.

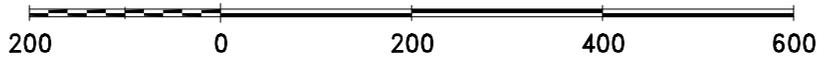
RECOMMENDATION: Based on the written findings above, staff recommends approval of DP-17-13 with the following conditions:

1. One street tree must be placed along W. Driscoll Drive on the east lot. The petitioner must consult with the City's Urban Forester to determine an appropriate street tree species between the home and the sidewalk.
2. Easements must be placed on the plat for all public utility lines prior to plat signature.

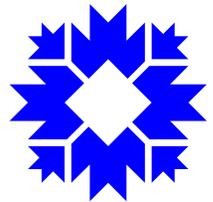


**DP-17-13 Sura Gail Tala
 405 W. Driscoll Dr. & 1300 S. Madison St
 Location/Zoning/Land Use Map**

By: shayp
 26 Apr 13



City of Bloomington
 Planning



Scale: 1" = 200'

409 Driscoll

I am applying for the following variances in order to separate 2 houses on a single lot into 2 lots as advised by the Planning Office:

Lot area west and east

Rear set back west

Maximum impervious surface covering west

Side set back west

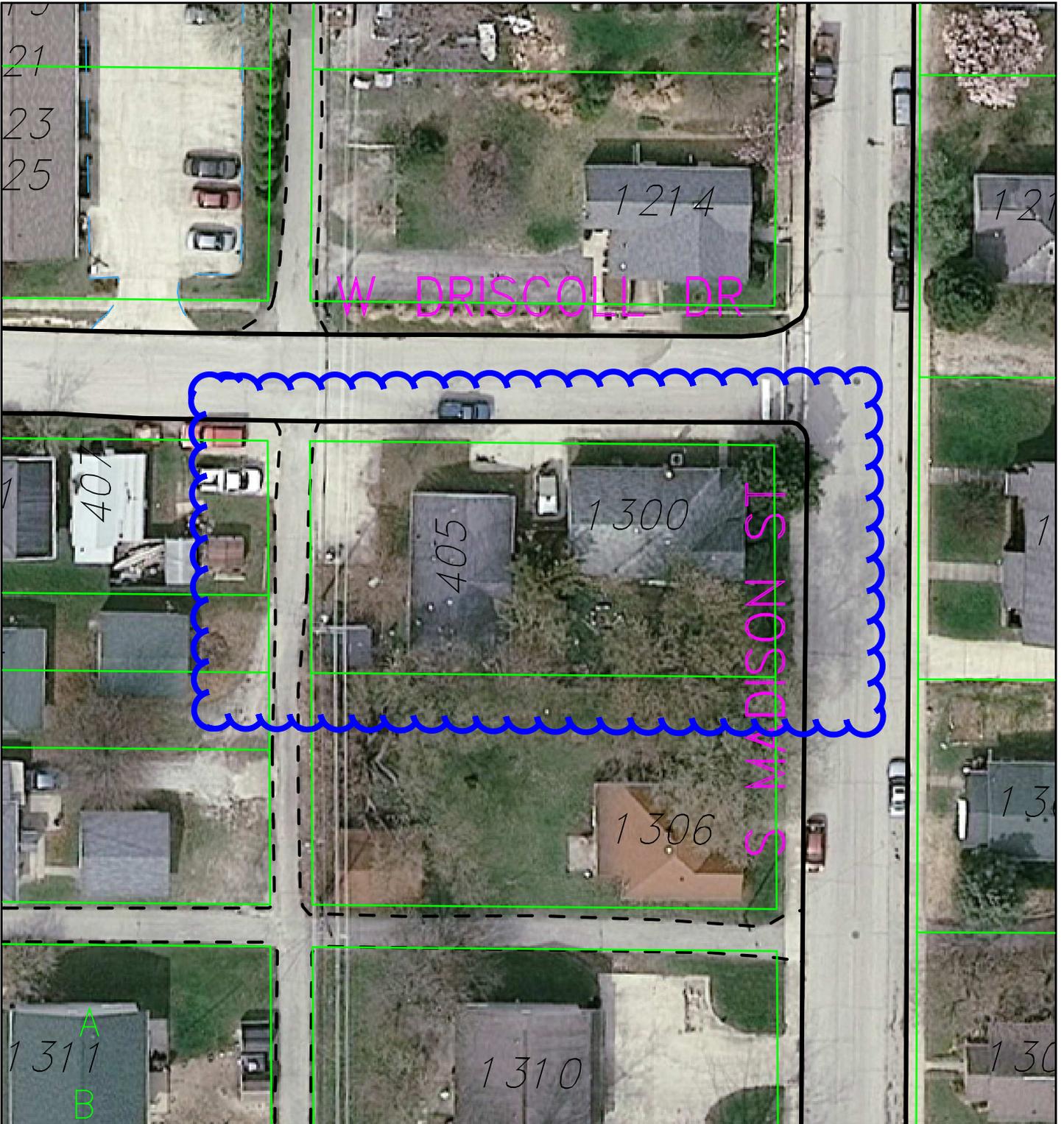
Parking east

Within one year I will remove parking space on west lot into a raised bed area.

409 Driscoll is being removed from 1300 Madison Lot to create its own Lot,

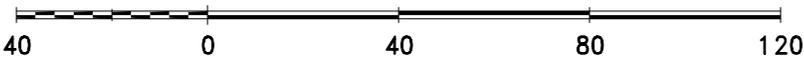
SURA GAIL TALIA
8920 Southshore Drive
Unionville In. 47468
812 336-4050

TOTAL Variance fee \$ = 2000

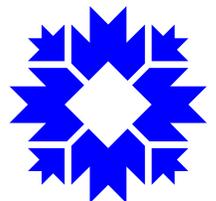


DP-17-13
Aerial Photo

By: shayp
26 Apr 13



City of Bloomington
Planning



Scale: 1" = 40'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAT COMMITTEE
STAFF REPORT
LOCATION: 401 S. Patterson Drive**

**CASE #: PUD-25-13
DATE: June 10, 2013**

PETITIONERS: Trinitas Ventures, LLC
201 Main Street, Suite 1000, Lafayette IN 47901

CONSULTANT: Bynum Fanyo & Associates, Inc.
528 N. Walnut Street

REQUEST: The petitioner is requesting a preliminary plat approval of a four-lot Commercial subdivision.

BACKGROUND:

Area: 8.49 Acres
Current Zoning: PUD (Patterson Park PUD)
GPP Designation: Community Activity Center and Adams Street/Patterson Drive Subarea
Surrounding Uses: North – Commercial
 South – Medical offices
 East – Commercial, Industrial
 West – Patterson Pointe PUD, Parks Department Service Building

BACKGROUND: This site recently received a Planned Unit Development designation (PUD) for a mixed use development, Case #PUD-39-12. As part of that development, a plat is required to be approved and recorded on this site to accommodate the approved development. This property was part of the previous “Patterson Park” subdivision and the 4 proposed lots will amend the previous Lots 2-5.

This plat includes the following lots in the Landmark Business Center subdivision with the changes listed:

This request is only for preliminary plat approval to approve the conceptual layout and design of the 4-lot subdivision. Staff finds the proposed subdivision to generally be consistent with both the Commercial/Industrial subdivision requirements of the Unified Development Ordinance (UDO) and the approved PUD for this property. Final details will be approved with the subsequent final plat request.

PRELIMINARY PLAT REVIEW ISSUES:

Right-of-way: The PUD required additional right-of-way to be dedicated along Patterson drive to accommodate a widened sidewalk area and on-street parking. This dedication has been shown on the preliminary plat. The petitioner has also shown two

future streets (Prospect and Howe) on the plat. Prospect Street is shown at 80 feet and Howe Street varied in right-of-way. These streets are anticipated to be public streets in the future at such a time that they can be connected to the property east of the floodway providing for connectivity. The proposal for these streets is to show them as future right-of-way so that they will remain privately maintained until such a time as the future connections can be made and create a document that requires construction of the remaining portion of the street and the dedication of the entire street at that time. These documents must be finalized prior to final plat approval.

Common Area and Facilities Maintenance Plan: The petitioner has shown the required common area lots (Lots 3 & 4) on the proposed plat. This area includes the riparian buffer areas and the floodway areas outside of the future right-of-way dedication area. The petitioner has submitted a draft facilities plan. The petitioner will continue to work with staff toward final language of this document.

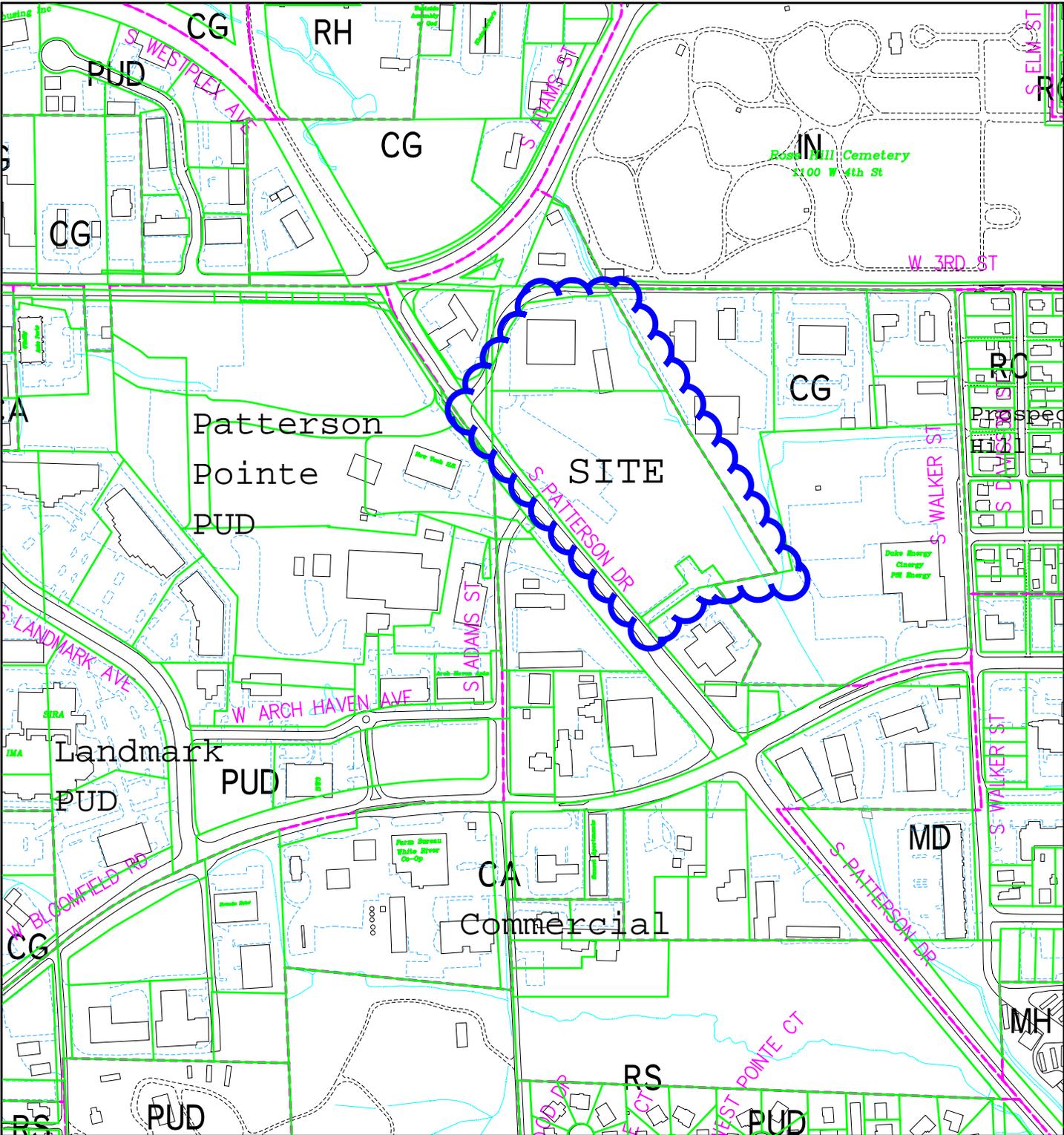
Utilities and stormwater: A stormwater and utility plan has been approved by City of Bloomington Utilities. All existing and new utility easements will be reviewed and approved by CBU prior to final plat approval.

Public Improvements: This plat includes significant upgrades to pedestrian accommodations and includes new on-street parking. The design for Patterson Drive will be finalized with the final plan and final plat for this area. The petitioner is required to construct an 8-foot multi-use trail along the creek to the east. This should be placed within a pedestrian easement on the final plat.

Ingress/Egress: The PUD approved two ingress/egress points along Patterson Drive and one along Old 3rd Street. This is one more than is usually permitted by the subdivision allowances of the UDO.

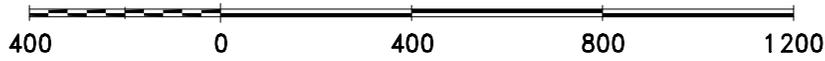
RECOMMENDATION: Staff recommends approval of PUD-25-13 with the following conditions.

1. The proposal for these streets is to show them as future right-of-way so that they will remain privately maintained until such a time as the future connections can be made and create a document that requires construction of the remaining portion of the street and the dedication of the entire street at that time. These documents must be finalized prior to final plat approval.
2. The petitioner shall continue to work with staff to finalize the facilities maintenance plan prior to final plat approval.
3. Approved per terms and conditions of Plan Commission Case #PUD-39-12 and Council Ordinance #13-06.
4. Approved per terms and conditions of Council Ordinance #13-07 that vacated an existing alley on this property.

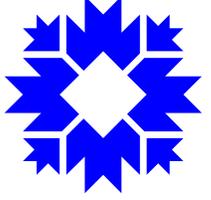


PUD-25-13 Patterson
Park
Location/Zoning Map

By: shayp
3 Aug 12



City of Bloomington
Planning



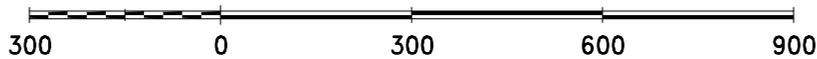
Scale: 1" = 400'

For reference only; map information NOT warranted.

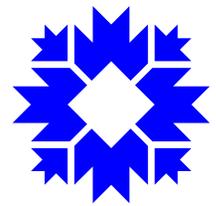


PUD-25-13
Aerial Photo

By: shapp
3 Aug 12

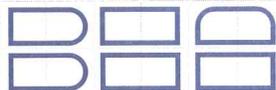


City of Bloomington
Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

May 14, 2013

Patrick Shay
City of Bloomington Planning Department
401 N. Morton Street
Bloomington, Indiana 47404

**Re: Areas A, B and C Patterson Park PUD
Preliminary Plat Approval**

Dear Patrick:

Our client, Trinitas Ventures, LLC respectfully request preliminary plat approval for the referenced project and placed on the next Plat Committee meeting for their approval. The new/amended plat that we wish to execute for this 'Patterson Park Phase III' has 3 existing parcels that will become 4 proposed lots. The 4 proposed lots will contain the Patterson Park PUD approved areas 'A', 'B', and 'C'. Two of these 4 proposed lots will contain the floodway/riparian area subject to conservancy with some stream restoration but are otherwise scheduled to be undeveloped. There will be two new 'future public dedicated Right-of-Way' areas within this plat for the extension of Prospect Street and Howe Street in the future. The plat also shows vacated easements along with proposed utility, pedestrian, ingress/egress, and drainage easements necessary for the new development proposed.

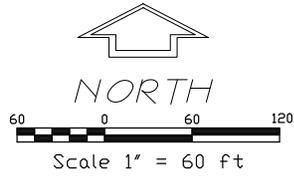
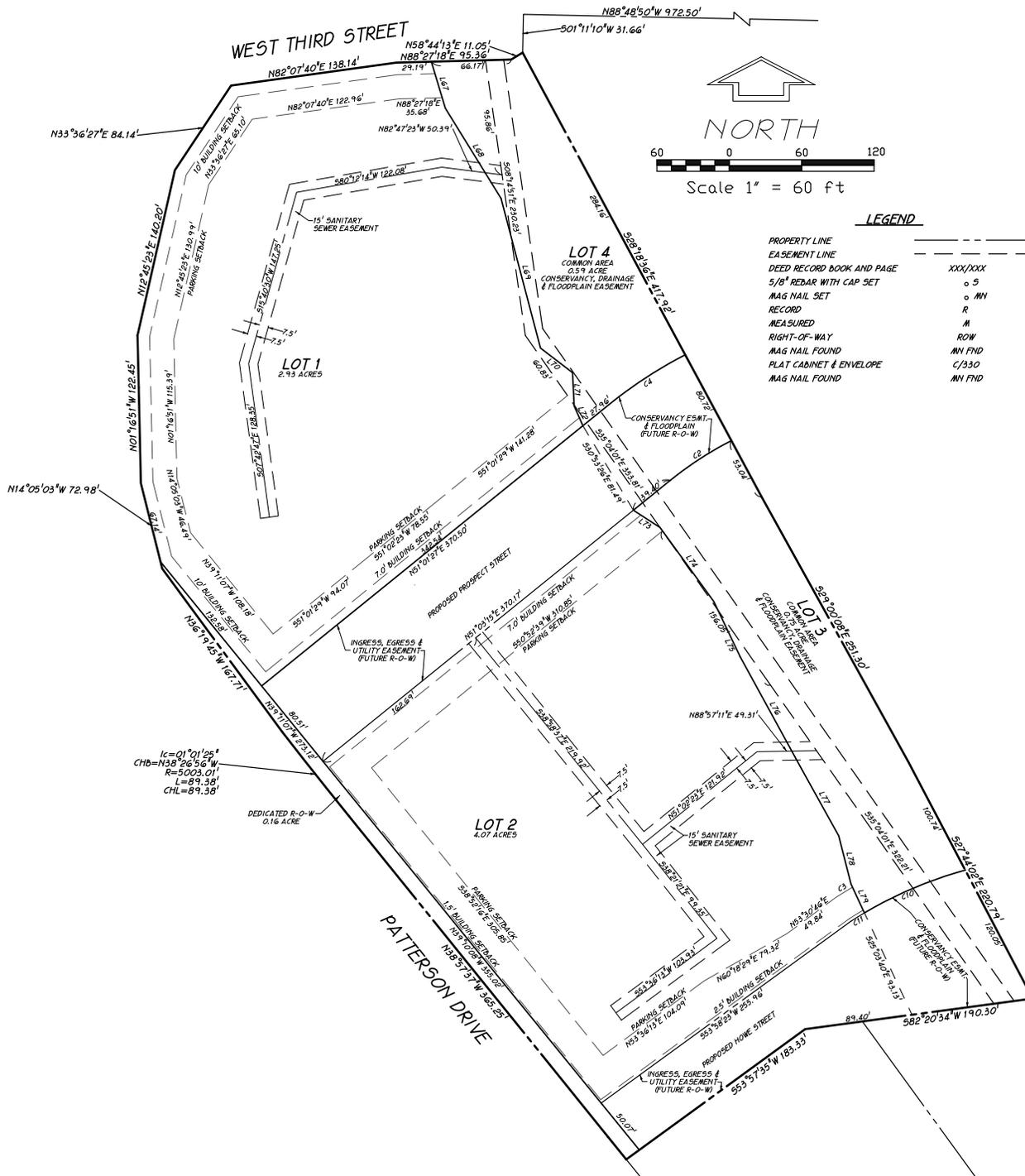
After you have had a chance to review our petition please feel free to contact us at anytime questions regarding our submission.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM
Bynum Fanyo and Associates, Inc.

PUD-25-13
Petitioner's Statement

PATTERSON PARK PHASE THREE PRELIMINARY PLAT



LEGEND

PROPERTY LINE	---
EASEMENT LINE	---
DEED RECORD BOOK AND PAGE	XXX/XXX
5/8" REBAR WITH CAP SET	o 5
MAG NAIL SET	o MN
RECORD	R
MEASURED	M
RIGHT-OF-WAY	ROW
MAG NAIL FOUND	MN FND
PLAT CABINET & ENVELOPE	C/330
MAG NAIL FOUND	MN FND

IC=01°01'25"
CHB=N38°26'56"W
R=5003.01'
L=89.38'
CHL=89.38'

PUD-25-13
Preliminary
Plat

O-W, LOTS AND SANITARY EASEMENT
PATTERSON PARK
PHASE THREE
PRELIMINARY PLAT
DATE: MAY 10, 2013
SHEET 2 OF 4
JOB NO. 401216

Trinitas Development, LLC
Trinitas at Patterson Park
Patterson Park Phase Three Plat
Bloomington, Indiana 47403
Facility Operation & Maintenance Plan
BFA Project Number 401216
May 20, 2013

Prepared by:
Bynum Fanyo & Associates, Inc.
528 N. Walnut Street
Bloomington, Indiana 47404

Introduction:

The property is located just east of the intersection of S. Adams St. and Patterson Dr. in Bloomington, Indiana. This is the SE quarter of Section 5, T8N, R1W, Perry Township. There will be two new public access roads (1 created and 1 maintained). The one that is maintained at the southern end of the property is named Howe Street traveling northeast from the existing intersection with Patterson Drive. The new road will be called Prospect Street also traveling northeast from the existing intersection with Patterson Drive. The property will contain 7 new apartment buildings that will total 219 bedrooms along with access drives, 153 on-site parking stalls, and sidewalks. Also, the property will contain three new stormwater quality/detention ponds with sand filter strips for percolating stormwater through. These will be located on the eastern side of the property. There will also be a swimming pool courtyard with additional drainage structures located in the vicinity.

Purpose:

This facility maintenance plan was developed to specify pre-construction and construction standards as well as post-construction maintenance standards for the property (herein known as 'the property').

Pre-Construction:

Prior to commencement of construction activities a pre-construction meeting will be held with the contractor (operators & laborers), owner, engineer, architect, City Inspectors to go over the construction plans, erosion control plan, any necessary City Planning conditions and the expectations for the project in accordance with **327 IAC 15-5-7 (9)**.

“(9)” The project site owner shall inform all general contractors, construction management firms, grading or excavating contractors, utility contractors, and the contractors that have primary oversight on individual building lots of the terms and conditions of this rule and the conditions and standards of the storm water pollution prevention plan and the schedule for proposed implementation.”

During Construction:

Prior to commencing grading activities the contractor will be required to install all erosion control practices as outlined on the erosion control plan. These practices will then be inspected and approved by the City of Bloomington Drainage Department before grading activities commence.

It is vital that the existing stream on the east end of the property be protected from sediment during construction. Install silt fence along the project side of this stream area

prior to any grading activity. Install the eastern sediment ponds/stormwater quality facilities and then a temporary drainage swale with leading to it if deemed necessary.

During construction the contractor will be required to inspect and perform necessary maintenance of all erosion control structures daily with weekly reports and upon completion of every “major” rainfall event per **327 IAC 15-5-7 (18 A-C)**. Please see the below information taken from the Indiana Code regarding Rule 5 maintenance and responsibilities.” A construction site inspection and maintenance log is required to document all information and inspection dates. Coordinate log with the City of Bloomington Utilities Drainage Department.

- (18)** A self-monitoring program that includes the following must be implemented:
- (A)** A trained individual shall perform a written evaluation of the project site:
 - (i)** by the end of the next business day following each measurable storm event; and
 - (ii)** at a minimum of one (1) time per week.
 - (B)** The evaluation must:
 - (i)** address the maintenance of existing storm water quality measures to ensure they are functioning properly; and
 - (ii)** identify additional measures necessary to remain in compliance with all applicable statutes and rules.
 - (C)** Written evaluation reports must include:
 - (i)** the name of the individual performing the evaluation;
 - (ii)** the date of the evaluation;
 - (iii)** problems identified at the project site; and
 - (iv)** details of corrective actions recommended and completed.
 - (D)** All evaluation reports for the project site must be made available to the inspecting authority within forty-eight (48) hours of a request.”

The contractor shall be responsible for maintaining each erosion control device in accordance with the erosion control plan prepared by Bynum Fanyo & Associates, Inc. and the latest edition of the **Indiana Handbook for Erosion Control in Developing Areas**.

In order to prevent erosion of soil off site temporary seeding will be required in areas that are left inactive for fifteen (15) days or more in accordance with **327 IAC 15-5-7 (16)**. Specific seeding types will be dependant on the weather. During times of the year when soil temperatures are less than 50°F a Dormant and Frost Seeding mix shall be employed as detailed in the construction plans. When soil temperatures are above 50°F a Temporary Seeding Mix shall be employed as also specified in the construction plans.

“(16)” Un-vegetated areas that are scheduled or likely to be left inactive for fifteen (15) days or more must be temporarily or permanently stabilized with measures appropriate for the season to minimize erosion potential. Alternative measures to site stabilization are acceptable if the project site owner or their representative can demonstrate they have implemented erosion and sediment control measures adequate to prevent sediment discharge. Vegetated areas with a density of less than seventy percent (70%) shall be re-stabilized using appropriate methods to minimize the erosion potential.”

Post-Construction (Owner Responsibilities):

Site post-construction activities include inspection of the filter strips, water quality ponds, and creek. Check each of the above as described below. Each of these areas shall be maintained consistent with the approved landscape plan.

All responsibilities for inspection, maintenance, and repair as well as their associated costs shall be borne by the owner or successors in interest to the property.

Landscaping:

Once the site has been established all landscape maintenance will be provided by the Owner. The use of fertilizers and pesticides shall be used sparingly on the site.

The following is a listing of routine landscaping tasks and their maintenance frequency.

<u>Task</u>	<u>Frequency</u>
Mowing & Trimming	As needed depending upon growing season
Tree Pruning	As needed
Turf reseeding	as needed to maintain mature turf

Hard-Scaping:

Hard-scaping includes sidewalks, patios, decks, and parking surfaces. Surfaces shall not be allowed to accumulate significant amounts of debris such as leaves, sand, trash, and grass clippings. Surfaces shall also be cleared of snow in accordance with the City of Bloomington’s ordinance. Weeds shall be manually removed from cracks in sidewalks and other concrete surfaces as needed. Graffiti shall be removed immediately after an occurrence.

Water Quality Detention Ponds located East on-site:

Monthly inspections of the sand filter strips, under drains, plantings, and earthen dams will be completed. If any damage that has caused functionality to cease to these features then repairs or replacement shall be immediate. The underdrains and sand filter strips/filter fabric shall be replaced as detailed in the construction plan set if

functionality has ceased even after cleaning them out. Functionality has ceased if the pooled water in the facilities does not drain within 24 hours of no additional rain events.

Sediment levels within the basin area shall also be monitored to not be allowed to accumulate to a depth above the 12" mark located on the permanent 2" diameter aluminum sediment stake. When sediment accumulates to the 12" mark then said sediment shall be removed and properly disposed to restore the pond to its design capacity.

The ponds were planted with a native grass/forbe seed mix suitable for wet areas which assists in the stormwater quality treatment process. This planting shall be monitored monthly and maintained by the owner or a company experienced with native plants to ensure a healthy establishment. Mowing in the stormwater quality facilities shall be permitted only in March or April or as otherwise directed by the owner. When sediment is removed as discussed above, the pond shall be replanted with the same or a City of Bloomington approved native seed/forbe mix.

Swimming Pool:

The owner or successors in interest to the property shall check the pool area regularly to maintain cleanliness and standards set forth by:

Public and Semi-Public Swimming Pools Rule

410 IAC 6-2.1

**Indiana State Department of Health
Environmental Public Health Division**

**2 N. Meridian St., 5-E
Indianapolis, IN 46204**

Revision Effective: August 26, 2010

Easements:

All easements shall be per the City of Bloomington Unified Development Ordinance Standards as seen on the exhibits 1-3 except for the easements around the site as follows:

Prospect Street Ingress/Egress and future right-of-way (see exhibit 1):

- Prospect Street has been platted to be a future dedicated public Right-of-Way for the City of Bloomington's ongoing maintenance once the City of Bloomington has exercised the right to own as seen on the plat. Until the City of Bloomington

- has made this area 'City of Bloomington' owned, the owner or successors in interest to the property shall be responsible for snow removal, landscape trimming and mowing along with general maintenance to keep landscaping in good health, and hard-scape maintenance as outlined above.
- Grants the general public the right to access the ingress/egress easement for purposes of walking, running, bicycling, skating, and utilizing motorized vehicles within the parking and paved street area.
 - Prohibits the placement of any obstruction within the ingress/egress easement.

Howe Street Ingress/Egress and future right-of-way (see exhibit 1):

- Howe Street has been platted to be a future dedicated public Right-of-Way for the City of Bloomington's ongoing maintenance once the City of Bloomington has exercised the right to own as seen on the plat. Until the City of Bloomington has made this area 'City of Bloomington' owned, the owner or successors in interest to the property shall be responsible for snow removal, landscape trimming and mowing along with general maintenance to keep landscaping in good health, and hard-scape maintenance as outlined above.
- Grants the general public the right to access the ingress/egress easement for purposes of walking, running, bicycling, skating, and utilizing motorized vehicles within the parking and paved street area.
- Prohibits the placement of any obstruction within the ingress/egress easement.

Curvy Street Ingress/Egress and Parking Easement (see exhibit 2):

- Grants the general public the right to access the ingress/egress easement for purposes of walking, running, bicycling, skating, and utilizing motorized vehicles within the parking and paved street area.
- Prohibits the placement of any obstruction within the ingress/egress easement.
- Shall allow parking for the property's tenants, owners, or managers as authorized by the owner or successors in interest to the property in an area on the recorded plat.
- Prohibits the placement of any unauthorized (by the property owner or successors in interest to the property) obstruction within the easement area.

Common Lots Conservation Easement and Floodplain Easement (see exhibit 1):

- All standards set forth in the Bloomington Unified Development Ordinance (UDO) 'Conservation Easement'.
- Prohibits the placement of any grading fill material of any kind within the easement.

- Prohibits the placement of any temporary or permanent obstruction that would impede stormwater drainage flow.

Private Water Main:

Beyond the master meters into the property, the 8" water main is private and shall be the owner's responsibility or successors in interest to the property for ongoing maintenance and kept in good working order. All underground piping, hydrants, control valves, fire department connection and backflow devices will be maintained per NFPA 25. This would include operating and inspection of all control valves and fire hydrants, inspection of fire department connection, and testing of all double check valve assemblies on an annual basis. The reduced pressure backflow devices shall be tested semi-annually.

OWNER SIGNATURE:

I (property owner) hereby agree to the terms of this Facility Operation and Maintenance Plan and agree to abide by the regulations set forth in this plan/recorded plat in perpetuity.

Name _____ Representing: _____ Title: _____

Signature _____ Date: _____