CITY OF BLOOMINGTON

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PLAN COMMISSION

November 6, 2023 5:30 p.m. Council Chambers, Room #115 Hybrid Zoom Link:

https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUN GVGdZQTJHNjBBb3M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

Virtual Link:

https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3 M0UT09

Meeting ID: 823 6234 0978 Passcode: 622209

Petition Map: https://arcg.is/fmmG40

ROLL CALL

MINUTES TO BE APPROVED: October 9, 2023

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

PETITIONS TABLED:

SP-24-22 Cutters Kirkwood 123 LLC 115 E Kirkwood Ave Parcel: 53-05-33-310-062.000-005 Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds. <u>Case Manager: Karina Pazos</u>

ZO-34-23 City of Bloomington Planning and Transportation – Continued from October Text Amendment Text Amendment Request: Text amendment related to Sign Standards and request for waiver of second hearing. Case Manager: Jackie Scanlan Continued from October

PETITIONS:

DP-36-23 Paul Pruitt

1100 South Brooks Drive Parcel: 53-08-03-400-023.000-009 Request: Secondary plat approval to allow a two-lot subdivision of 0.71 acres in the Residential Medium Lot (R2) zoning district. <u>Case Manager: Gabriel Holbrow</u>

**Next Meeting November 6, 2023

Last Updated: 11/3/2023

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call <u>812-349-3429</u> or e-mail <u>human.rights@bloomington.in.gov</u>.

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BLOOMINGTON PLAN COMMISSION STAFF REPORT Location: 1100 South Brooks Drive

CASE #: DP-36-23 / PLAT2023-09-0012 DATE: November 16, 2023

PETITIONER:	Paul Pruitt 2241 East Pointe Road Bloomington, IN
OWNER:	Matt Murphy and Lesley Davis 1900 Ruby Lane Bloomington, IN
CONSULTANT:	Bledsoe Riggert Cooper James (BRCJ) 1351 West Tapp Road Bloomington, IN
	Biobinington, ny

REQUEST: The petitioner is requesting secondary plat approval to allow a two-lot subdivision of 0.71 acres in the Residential Medium Lot (R2) zoning district.

BACKGROUND :	
Area:	0.71 acres
Current Zoning:	Residential Medium Lot (R2)
Comprehensive	
Plan Designation:	Neighborhood Residential
Existing Land Use:	Single-family dwelling
Proposed Land Use:	Single-family dwelling / vacant
Surrounding Uses:	North – Single-family dwellings
	West – Single-family dwellings
	East – Single-family dwellings
	South – Single-family dwellings

REPORT: The property is located at 1100 South Brooks Drive, the last lot on the west side of Brooks Drive north of East Covenanter Drive before the dead-end stub of Brooks Drive. The property and all surrounding properties are located in the Residential Medium Lot (R2) zoning district. 1100 South Brooks Drive contains one detached single-family dwelling. The property is not located in a local historic district, but the existing house is listed as "contributing" on the 2018 Survey of Historic Sites and Structures. All surrounding properties also contain detached single-family dwellings.

The petitioner proposes to subdivide the existing property into two lots. Lot 1 contains the existing house, which is intended to remain. Lot 2 will initially be vacant. The petitioner has stated that Lot 2 will be "available for a future residential house". In the future, Lot 2 could be developed with any use allowed under the Unified Development Ordinance (UDO) in the R2 district, or whichever zoning district is applicable at that time.

No new public streets are proposed with the subdivision. The proposed site improvement plan provides a new six-foot-wide sidewalk and five-foot-wide tree plot with street trees, in compliance with the Transportation Plan. Street tree plantings in the required tree plot are located to provide

at least the minimum required separation from utility infrastructure. The new sidewalk includes a one-foot jog to the west around an existing fire hydrant.

The primary plat was approved by the Plat Committee on September 11, 2023. Because a number of neighbors came to the primary plat hearing, the Department felt it was best to send the secondary plat to the Plan Commission.

20.06.060(c)(3)(D) SECONDARY PLAT REVIEW AND DECISION: The Plan Commission or Plat Committee shall review the secondary subdivision petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria).

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

PROPOSED FINDING: The plat complies with all of the requirements of the UDO. The plat is compliant with the Transportation Plan. There are no other known applicable regulations that would apply to this subdivision. The plat and the accompanying site improvement plan and site grading and drainage plan were accepted by City of Bloomington Utilities (CBU) on October 23, 2023 as compliant with CBU utility, service, and improvement standards. The secondary plat complies with the primary plat for this subdivision as approved by the Plat Committee on September 11, 2023.

PLAT REVIEW: The proposed subdivision is following the Infill Subdivision (IS) design standards.

Infill Subdivision Standards:

Parent tract size: No minimum parent tract size. The maximum parent tract size is 3 acres. The parent tract is 0.71 acres, which is less than the maximum.

Open space required: Not required. The proposal does not dedicate any open space.

Lots served by alleys: Not required. The proposal does not include any lots served by alleys.

Block length: Not required. No new blocks are created by the proposal.

Cul-de-sac length: Not permitted. No new culs-de-sac are proposed.

Transportation facilities: Required to meet Transportation Plan guidance. The Transportation Plan calls for a 60-foot-wide right-of-way for Brooks Drive. The proposed plat dedicates an additional 10 feet of new public right-of-way width to bring west side of the street up to the proposed width.

On-street parking: Not required, but where provided shall comply with City standards. On-street parking is not prohibited on Brooks Drive adjacent to the proposed subdivision. No site improvements for on-street parking are proposed.

Tree plot width: Required per Transportation Plan. The proposal provides a five-footwide tree plot along the entire frontage of both lots, as called for in the Transportation Plan.

Sidewalk/multiuse path width: Required per Transportation Plan. The proposal provides a six-foot-wide sidewalk along the entire frontage of both lots, as called for in the Transportation Plan.

Lot Establishment Standards:

Lot area and lot width: In the R2 zoning district, the minimum lot size 7,200 square feet and the minimum lot width is 60 feet. Proposed lot 1 is approximately 19,971 square feet (0.46 acres) in area after new right-of-way dedication, with approximately 129.9 feet of lot width. Proposed lot 2 is approximately 9,013 square feet (0.21 acres) in area after new right-of-way dedication, with 70 feet of lot width. The proposed lots comply with standards for lot area and lot width.

Lot shape: All lots shall be designed with a depth-to-width ratio not to exceed four to one. Proposed lot 1 has a width of approximately 129.9 feet and a maximum depth of 170 feet, for a depth-to-width ratio of approximately 1.31 to 1. Proposed lot 2 is has a width of 70 feet and a maximum depth of 147.52 feet, for a depth-to-width ratio of approximately 1.97 to 1. Both proposed lots comply with the required depth-to-width ratio.

Lot access: All new residential lots shall have frontage on a public street right-of-way. Both proposed lots have frontage on existing public street right-of-way of Brooks Drive.

Setbacks for the existing structure: The existing house is located approximately 19 feet from the proposed front property line of lot 1, more than the required minimum front setback of 15 feet in the R2 zoning district.

Stormwater Standards: All proposed subdivisions shall provide for the collection and management of all surface water drainage, and all subdivision requests shall include the submittal of a drainage plan to the City of Bloomington Utilities (CBU). The petitioner initially submitted plans to CBU on August 15, 2023, and after several rounds of review and revisions, CBU accepted the plans as compliant on October 23, 2023.

Right-of-Way Standards:

ROW width: No new public streets or rights-of-way are proposed. Existing streets are required to meet guidance in the Transportation Plan. Brooks Drive is designated as the Neighborhood Residential street typology in the Transportation Plan, requiring a 60-foot-wide right-of-way (30 feet from centerline). The existing right-of-way of Brooks Drive is 40 feet, as shown on the adjacent Windermere Plat. Dedication of additional right-of-way width is required.

In this case, because the paved roadway is not aligned (not parallel) with the existing rightof-way, and is laid out somewhat arbitrarily within the right-of-way, the Department has determined that the required additional width for this subdivision shall be measured from the center of the existing recorded right-of-way. The proposed plat dedicates an additional 10 feet of right-of-way width along Brooks Drive, bringing the west side of the street up the proposed 30 feet from the center of the right-of-way.

Pedestrian facilities and tree plot: Public improvements in the public right-of-way, including newly dedicated right-of-way, are required to comply with the standards in the Transportation Plan. Brooks Drive is designated as the Neighborhood Residential street typology in the Transportation Plan. The design parameters in table 5 of the Transportation Plan call for a six-foot-wide sidewalk and a five-foot-wide greenscape (tree plot) between the sidewalk and the curb (or edge of pavement) on Neighborhood Residential Streets.

The proposed plat provides the required six-foot-wide sidewalk and five-foot-wide tree plot along the entire frontage of both lots. There is an existing public (CBU-managed) fire hydrant in the existing public right-of-way, near the proposed new lot line between the two proposed lots. In order to preserve this fire hydrant and maintain a six-foot width for the sidewalk, the proposed sidewalk jogs one foot to the west around the location of the existing fire hydrant. All of the proposed sidewalk remains within the proposed newly dedicated public right-of-way. To ensure the required tree plot width, the site improvement plan indicates areas to remove existing roadway pavement.

Street trees: The combined frontage of proposed lots 1 and 2 is approximately 200 feet, which requires at least seven large street trees. Large street trees must be planted at least 10 feet from public utility lines; where this isn't possible, medium or small street trees can be planted instead, in a quantity at least double the requirement for large trees. There is an existing CBU-owned public water line in existing right-of-way within five feet of the proposed tree plot location adjacent to proposed lot 1. The proposed plat provides three large street trees along the frontage of lot 2 where there is more than 10 feet of separation, and eight small street trees along the frontage of lot 1 where there is less than 10 feet of separation from the public water line. The planting locations for the eight small street trees provide at least five feet of separation from the public water line.

Environmental Considerations: There are no known steep slopes, karst features, or wetlands on the site. The existing tract has a significant number of existing trees, including approximately 0.46 acres of closed-canopy wooded area. The baseline canopy cover on the site is therefore approximately 65 percent, or between 60 and 79 percent. For this amount of baseline canopy cover, the tree and forest preservation standards in the UDO require that at least 60 percent of the wooded area be preserved. The proposal includes some tree clearing to make room for a possible house site on lot 2, while retaining existing canopy cover on the south side of lot 1, the north side of lot 2, and the west side of both lots. The proposed area of tree removal is up to 0.16 acres (34.8 percent of the area of canopy cover), which is compliant with tree and preservation standards. Because the area of canopy cover that is required to be preserved is less than one half acre, no conservancy easement or tree preservation easement is required.

Utilities: The existing house on proposed lot 1 is served by existing public water and sewer connections. The proposal includes new public water and sewer connections to serve lot 2, including a new sewer lateral running within a five-foot-wide utility easement across lot 1. No new public utilities are proposed.

CONCLUSION: The proposed subdivision complies with all standards in UDO. The small twolot subdivision is appropriate in-fill development within an already developed neighborhood.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve the secondary plat of DP-36-23 / PLAT2023-09-0012 with the following condition:

1. The petitioner shall provide a financial performance guarantee in compliance with UDO section 20.06.060(c)(3)(E)iii. before the Planning and Transportation Director signs and seals the plat and before petitioner files the secondary plat for recording in the Office of the Monroe County Recorder.

1100 South Brooks Drive Location Map

2319

2320

2303

2310

2211

ickwick Pl-

120

1213

0.04

mi

0.03



City of Bloomington

911

For use as map information only, information is NOT warranted.



1100 South Brooks Drive Context Aerial







REPORT OF SURVEY:

In accordance with Title 865, 1-12-1 through 1-12-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of

(a) Reference monuments of record (b) Title documents of record (c) Evidence of active lines of occupation (d) Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of this survey is within that allowable for a Suburban survey (0.13 feet (40 millimeters) plus 100 parts per million) as defined in IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of but not limited to, terkes, neeges and retaining wais. The uncertainty stee for a line or occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This survey is an Original Survey performed at the request of Paul Pruitt.

The property is currently in the name of Matthew Murphy and Lesley Davis (Instrument No. 2023006524)

The field work was completed on June 20, 2023

SURVEYS & PLATS OF RECORD:

Plat of Woodstock Place in Plat Cab. B, Env. 116 (Original Book 5, Page 45) Plat of Windemere in Plat Cab. B, Env. 33

A survey by Marty James of Lot 2 in Woodstock Place for Topolgus, dated Aug. 21,2014

(Instrument No. 2014010717) An unrecorded survey by Bernard Guerrettaz of Lot 9 in Windemere for Lodge, dated Apr 2,2009 (BRG Job 6599)

A survey by Eric Deckard of Lot 15 in Windemere for Swanson, dated Mar. 12,2019 (Instrument No. 2019003150)

A survey by Douglas Curry for Thomassen, dated Nov. 17,2000 (Instrument No. 2000019217)

MONUMENTS FOUND:

2. A %" pipe, 0.2' below grade, was found at the Northwest corner of Lot 15 in Windemere 3. A 1" pipe, flush with grade was found at the Southeast corner of Lot 10 in Windemere.

4. A 1" pipe, flush with grade was found at the Northeast corner of Lot 10 in Windemere. This

corner was accepted and held as being the Southeast corner of subject parcel

5. A 1" pipe, flush with grade was found at the Southwest corner of Lot 12 in Windemere.

6. A 1" pipe, 0.8' above grade was found at the Northwest corner of Lot 11 in Windemere

A 1-1/4" pipe, 1.2' above grade was found at the Southeast corner of Lot 4 in Woodstock Place

8. A 2"x3" stone, 0.5'above grade and leaning South, was found at the Northwest corner of Windemere Plat. This corner was accepted and held for line as being on the West of Brooks Drive A 1' pipe, bent over to the Northwest and flush with grade was found at the Southwest co of Lot 4 in Woodstock place.

 A ½" rebar, 1.5' above grade was found along the South line of Curry survey near the Northwest corner of the subject parcel. This rebar is shown on Curry survey without dimensions to other monuments.

11. A 5/8" rebar, 0.1' above grade was found near the Southwest corner of the subject parcel. 12. A 1-1/4" pipe was found laving over.0.5' below grade, near the location of a previously found

pipe of unknown condition, shown on Curry survey. 15. A 1" pipe, flush with grade was found at the Northeast corner of Lot 4 in Woodstock Place A 1-1/4" pipe, 0.5' above grade was found on the West line of Lot 4 in Woodstock Place, and

being the Northeast corner of Curry survey.

17. A rebar with BRG cap, flush with grade was found at the Northeast corner of Lot 2 in Woodstock Place

18. A 5/8" rebar, flush with grade was found at the Northwest corner of Lot 2 in Woodstock

19. A rebar with Bynum Fanyo cap, flush with grade, was found along the North line of Curry

20. A rebar with Bynum Fanyo cap, 0.1' below grade was found along the South line of Curry survey.

DEED ANALYSIS:

The subject deed begins at a point that is 660 feet South and 507.5 feet East of the Northwest corner of the Southeast quarter of Section 3, T8N, R1W. This location was found to be on the line dividing the Plats of Woodstock Place and Windemere, and being at the Northwest corner of the Right-of-Way of Brooks Drive

ESTABLISHMENT OF LINES AND CORNERS:

The pipe found at the Northeast corner of Lot 10 in Windemere was accepted and held as the Southeast corner of Subject. The stone found along the West line of Brooks drive was held for line and intersected with the South line of Curry survey to establish Northeast corner of Subject. The Northwest corner was established at record distance along the South line of Curry survey The Southwest corner was established at record distance along a line from the pipe found at the Northeast corner of Lot 10 Windemere, parallel to the North line

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: up to 0.62 feet.

Due to Occupation or possession lines: A wood fence was found to be from 0.4' South to 0.4' North of the South line of subject An old wire fence was found to be 0.5' North of the North line of subject.

Due to Clarity or ambiauity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines No discrepancy was found between the adjoiners' descriptions in relation to the subject

OPHER L POR

REGISTER

No. LS21200022

STATE OF

WDIANP.

NO SURVE

PLAT DATED: OCTOBER 20, 2023 JOB # 11373

2023

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section Three (3), Township Eight (8) North, Range One (1) West, bounded and described as follows

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Beginning at a point that is 660 feet South and 507.5 feet East of the Northwest corner of the said Southeast Quarter of said Section Three (3), Township Eight (8) North, Range One (1) West; thence running South for a distance of 200 feet to a point; thence running West for a distance of 130 feet to a point; thence running North for a distance of 200 feet to a point, due West of the point of beginning; thence running East for a distance of 130 feet and to the real point of

ALSO CONVEYING

A part of the Southeast Quarter of Section 3, Townshin 8 North, Range 1 West, bounded and A part of the Southeast Quarter of Section 7, township for the two the south and Sor. Secte East of the Northwest corner of the Southeast quarter; and thence West 130 feet and to the true point of beginning: thence running South 200 feet: thence running West 50 feet: thence running Northeasterly and to the point of beginning

OWNER CERTIFICATION

Matthew R. Murphy and Lesley E. Davis, Owners of the real estate shown and described herein, do hereby certify, layoff, and plat (2) lots, numbered 1 and 2.

Rights-of-way not heretofore dedicated are hereby dedicated to the public. In accordance with this plat and certificate, this plat shall be known as SOUTH BROOKS DRIVE PRIMARY PLAT.

IN WITNESS WHEREOF, the undersigned Owners set their hand and seal this day of

, 2023

Matthew R. Murphy

Losley F Davis

STATE OF INDIANA COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, personally appeared Matthew R. Murphy and Lesley E. Davis, owners, who acknowledged the execution of the above referenced plat, to be theriv voluntary act for the uses and purposes therein set forth.

Under the authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Common Council of the City of Bloomington,

This survey was executed according to survey requirements contained in Section 1 through 19 of

This certification does not take into consideration additional facts that an accurate and correct

Subject to the above reservation. I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and c all information shown is true and correct to the best of my knowledge and belief.

Evidence of easements have not been located in the field and are not shown on this survey

. 2023.

WITNESS my hand and Notarial Seal this _____day of _ 2023

PLAN COMMISSION AND BOARD OF PUBLIC WORKS

APPROVED BY THE PLAT COMMITTEE AT A MEETING HELD:

SURVEYOR'S CERTIFICATION

Director of Planning & Transportation Department

title search and/or examination might disclose.

Indiana, this plat was given approval by the City of Bloomington as follows:

Notary Public (Signature)

My Commission Expires:

My County of Residence:

865 JAC 1-12

drawing

Certified this day of

Christopher L. Porter

State of Indiana

Christophen L. Porten

Professional Surveyor No. LS21200022







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C401