

May 13, 2024 @ 4:00 p.m.

401 N. Morton Street Kelly Conference Room #155 & via Zoom:

https://bloomington.zoom.us/j/86714253039?pwd=SXJ2bmNwRFhLeVZSR W44TVI0T3hZUT09

Meeting ID: 867 1425 3039

Passcode: 064896

401 N. Morton Street, City Hall Kelly Conference Room #155

### **HYBRID MEETING:**

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Meeting ID: 867 1425 3039 Password: 064896

PETITION MAP: https://arcg.is/0j5zDH

#### ROLL CALL

#### MINUTES TO BE APPROVED:

#### **REPORTS, RESOLUTIONS, AND COMMUNICATIONS:**

#### PETITIONS:

DP-19-24 Michael Cordaro

400 W. 7<sup>th</sup> Street Parcel: 53-01-32-379-000.000-005 Request: Primary plat approval of a two-lot subdivision of 1.12 acres in the Mixed-Use Downtown within the Downtown Core Overlay (MD-DC) zoning district. *Case Manager: Eric Greulich* 

DP-20-24 Habitat for Humanity of Monroe Co., Inc. 650 W. Guy Avenue Parcel: 53-08-08-100-115.000-009 Request: Secondary plat approval for Osage Place, Phase 2, for a subdivision of 7.16 acres for 39 residential lots and 4 common area lots in a Planned Unit Development (PUD). <u>Case Manager: Eric Greulich</u>

\*\*Next Meeting Date: June 10, 2024

Updated: 5/10/2024

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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>.

<b>PETITIONER:</b>	Michael Cordaro (Johnson Creamery) 400 W. 7 <sup>th</sup> Street, Bloomington
CONSULTANTS:	Ratio Architects, LLC. 101 S. Pennsylvania St., Indianapolis
	Smith Design Group 1467 W. Arlington Road, Bloomington

**REQUEST:** The petitioner is requesting primary plat approval to allow a two-lot subdivision of 1.241 acres in the Mixed-Use Downtown (MD) within the Downtown Core Overlay (DCO) zoning district. The petitioner is also requesting secondary plat approval to be delegated to staff.

BACKGROUND:		
Area:	1.241 acres	
Current Zoning:	Mixed Use Downtown (MD) – Downtown Core Overlay	
<b>Comp Plan Designation:</b>	Downtown	
Existing Land Use:	Dwelling, Multifamily/Office	
<b>Proposed Land Use:</b>	Dwelling, Multifamily/Office	
Surrounding Uses:	North – Office	
	West – Office	
	East – Showers Building/B-Line Trail	
	South – Office	

**REPORT:** The property is located on the north side of 7th Street and extends north to 8<sup>th</sup> Street and is zoned Mixed-Use Downtown (MD), in the Downtown Core Downtown Character Overlay. Surrounding land uses include offices to the north, west, and east with the Showers office building and B-Line Trail to the east. The northern part of the property is currently under construction and the southern portion contains the Johnson Creamery office building that fronts on 7<sup>th</sup> Street. There is a 12' wide platted alley along the west side of this property that runs north/south and connects 7<sup>th</sup> Street to 8<sup>th</sup> Street. There is an underground culvert and 15' wide easement that runs through the northeast corner of this property that contains a 48" storm water pipe that serves the overall storm water drainage system for the portions of the City upstream of this area.

The petitioner received site plan approval (SP-27-21) to allow for the construction of a new residential building on the north side of the site with 60 dwelling units, 74 bedrooms, and an interior parking area with 17 spaces. The interior parking garage would be accessed from a drive cut on the alley on the west side and by an entrance on the south side of the building. The building will feature a 1,000 square foot fitness area along the ground floor of the 8<sup>th</sup> Street frontage and a large outdoor plaza area, two dwelling units, and lobby along the ground floor facing the B-Line. The site also features the Johnson Creamery office building on the south side of the site with 7 surface parking spaces.

The petitioner is proposing to subdivide the property to place the under construction residential building and surface parking spaces on one lot and the Johnson Creamery building on a second

lot. With the subdivision request, right-of-way is required to be dedicated in accordance with the Transportation Plan. Although the new multifamily building met all of the building setback requirements at the time of site plan approval, since the petitioner must dedicate approximately 5' of additional right-of-way along 8<sup>th</sup> Street, a portion of the northwest corner of the building is located in the proposed right-of-way. A reduction in the amount of right-of-way to be dedicated at that area has been requested to accommodate the location of the new building. There are existing pedestrian facilities, street lights and street trees along both frontages. A new street tree and grate have been requested by the City Urban Forester along 7<sup>th</sup> Street and have been shown in the proposed plat documents. A new pedestrian crosswalk will be included on 7<sup>th</sup> Street to connect to Madison to the south.

**20.06.060(b)(3)(E) PRIMARY PLAT REVIEW:** The Plan Commission or Plat Committee shall review the primary plat 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) (Approval Criteria) and the following standards:

- i. All subdivision proposals shall be consistent with the need to minimize flood damage.
- ii. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- iii. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards
- iv. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of 50 lots or five acres.
- v. All subdivision proposals shall minimize development in the SFHA and/or limit intensity of development permitted in the SFHA
- vi. All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

**PROPOSED FINDING:** Underground stormwater detention is provided on this site and was required with the site plan approval. In addition, there is a large underground stormwater culvert that runs through the northeast corner of the site and accommodates upstream stormwater through this site. Utility connections for the residential building will be through existing facilities along 8<sup>th</sup> Street and utilities for the Johnson Creamery building are located along 7<sup>th</sup> Street. This subdivision does not involve more than 50 lots or 5 acres so base flood elevation data is not required to be shown.

# 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**: With the approval of a reduction in the amount of right-of-way required along a portion of 8<sup>th</sup> Street, the primary plat complies with all of the requirements of the UDO and the Transportation Plan. There are no other known applicable regulations that would apply to this subdivision. A grading permit has been issued for the site and approval from City of Bloomington Utilities has been given. Although a subdivision line was not shown or approved

with the site plan approval, the location of the new lot line between the proposed lots does conform to the UDO requirements in regards to setbacks and all other applicable development standards.

# 20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

- Consistency with Comprehensive Plan and Other Applicable Plans The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.
- ii. Consistent with Intergovernmental Agreements
   The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.
- iii. Minimization or Mitigation of Adverse Impacts
  - 1. The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.
  - 2. The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.
  - 3. The proposed use and development shall not result in significant adverse fiscal impacts on the city.
  - 4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.
- iv. Adequacy of Road Systems
  - 1. Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.
  - 2. The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.
- v. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

vi. Rational Phasing Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements

**PROPOSED FINDING:** The proposed plat and use of the property as a "Dwelling, Multifamily and Office" use is consistent with Comprehensive Plan designation of the property as Downtown. Although there are not any Interlocal Agreements that would pertain to this subdivision, the construction of the new residential building did involve some improvements and encroachments along the B-Line Trail. An Encroachment Agreement with the Parks Board was approved for these encroachments which must be recorded and referenced on the plat. A Condition of approval has been included to that regard. There are no expected adverse impacts as a result of this plat. The proposed plat allows the creation of 2 new lots that are consistent with the requirements of the UDO with access to existing road system, public services, and public facilities, including existing pedestrian facilities. There are no known regulated environmental features that must be addressed with the plat. All adjacent facilities and infrastructure are adequate to support the proposed use. No phasing of the plat is expected or approved.

**PLAT REVIEW:** The proposed subdivision is following the Commercial/Employment Subdivision (Cl) design standards.

### **Subdivision Standards:**

Parent tract size: No minimum parent tract size.

Open space required: Not required.

Lots served by alleys: Not required.

Block length: 1,320 square feet. No new blocks are created by the proposal.

**Cul-de-sac length:** The minimum cul-de-sac length allowed is 200' and the maximum is 600', however no new culs-de-sac are proposed.

**Transportation facilities:** The property has frontage on 8<sup>th</sup> Street which has a Neighborhood Residential typology and 7<sup>th</sup> Street which has a Neighborhood Connector typology. The Neighborhood Residential typology requires a 6' sidewalk and 5' tree plot which were shown and approved with the site plan approval. There is an existing pedestrian zone along the 7<sup>th</sup> Street frontage that accommodates an existing sidewalk, angled parking spaces, and street trees in tree grates. The City Urban Forester has identified a location for an additional street tree and tree grate along 7<sup>th</sup> Street and that has been shown. A new pedestrian crosswalk will be included on 7<sup>th</sup> Street to connect to Madison to the south.

**On-street parking:** There will be two angled parking spaces removed along 7<sup>th</sup> Street to accommodate a new crosswalk to connect to the sidewalk along the west side of Madison Street. There will also be new metered parking spaces installed along the south side of 8<sup>th</sup> Street along this frontage.

**Tree plot width:** The minimum tree plot width required for the Neighborhood Residential typology is 5' and was shown and approved with the site plan and grading permit. As mentioned previously, an additional street tree has been requested along 7<sup>th</sup> Street as well as the replacement of an existing dead street tree. All of the existing tree grates along 7<sup>th</sup> Street will be increased in size to 5'x5' tree wells with grates.

## Lot Establishment Standards:

Lot area and lot width: There are no minimum lot area or lot width requirements within the Mixed-Use Downtown.

Lot shape: All lots meet the UDO requirement for regular lot size and a depth-to-width ratio not to exceed four to one.

Lot access: Although both lots have frontage on public streets, all vehicular access to the lots will come from the north/south alley that is located west of the site.

**Stormwater Standards:** A stormwater management plan was approved with the site plan approval. There is an underground detention area shown under the parking area on Lot #1 that serves that lot. An access, drainage, and utility easement has been shown for that area. There is also an underground storm culvert that runs through the northeast corner of the site that serves the overall stormwater management system for the areas upstream of this site and was previously placed in an easement, which is referenced on the plat. There are no common detention facilities proposed.

## **Right-of-Way Standards:**

ROW width: No new public streets are proposed. The Transportation Plan requires a 60foot-wide right-of-way (30' from centerline) for 8th Street and this has been shown on the proposed plat, with the exception of a portion of the west side of the property where a portion of the newly constructed building is located partially in the proposed right-of-way. The Transportation Plan allows for deviations from the standards contained within it, including the amount of right-of-way required to be dedicated. As mentioned previously, although the new multifamily building met all of the building setback requirements at site plan approval, since the petitioner must dedicate approximately 5' of additional right-ofway along 8<sup>th</sup> Street, a portion of the northwest corner of the building is located in the proposed right-of-way. A reduction in the amount of right-of-way to be dedicated at that area has been requested to not require the full dedication at the northwest corner of the site. The Department has analyzed the request for a reduction in the amount of right-of-way at the northwest corner and found that right-of-way should be dedicated to the maximum extent possible without placing any portions of the building within right-of-way and shall correspond to dedicating right-of-way consistent with the face and finishing material of the building. This has been shown on the proposed plat.

The Transportation Plan requires a 74 foot wide right-of-way (37' from centerline) for 7<sup>th</sup> Street and there is currently 82.5' (45' from centerline), so no additional right-of-way is required along 7<sup>th</sup> Street.

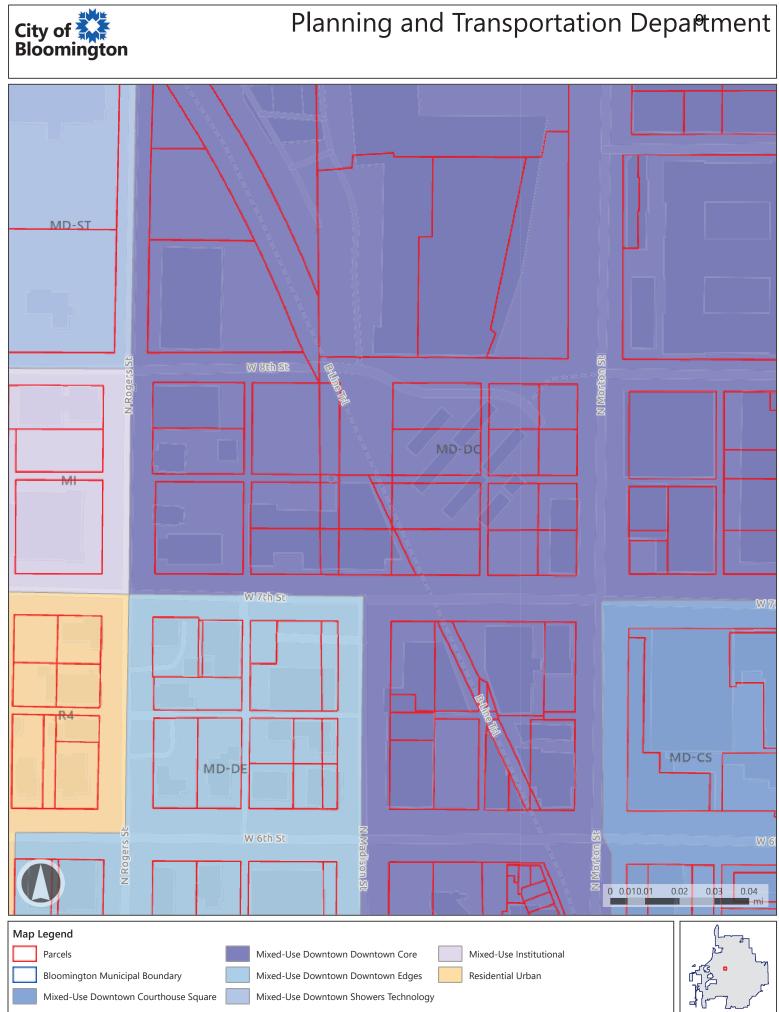
**Environmental Considerations:** There are no known steep slopes, karst features, or wetlands on the site.

**Utilities:** Utility service and facilities are located along 7<sup>th</sup> and 8<sup>th</sup> Street and connections to those facilities was reviewed and approved with previous approvals.

**CONCLUSION:** This proposed subdivision meets all of the requirements of the UDO with no waivers requested.

**RECOMMENDATION**: The Planning and Transportation Department recommends that the Plat Committee adopt the proposed findings and approve the primary plat of DP-19-24 with the following conditions:

- 1. Secondary plat approval is delegated to staff.
- 2. The Encroachment Agreement with the Parks Board must be recorded and referenced on the secondary plat.
- 3. One new street tree in an approved tree well and tree grate is required along 7<sup>th</sup> Street. Replacement of one dead tree on 7<sup>th</sup> Street is required. Existing tree wells and grates will be modified according to the City Urban Forester guidelines.
- 4. The addition of a pedestrian ramp on 7<sup>th</sup> Street is required.
- 5. Addresses for both developable lots must be shown on the secondary plat.



Created: 3/25/2024 Map By:

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



# Planning and Transportation Depaiptment





Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

March 20, 2024

Eric Greulich City Planning and Transportation Department 401 N. Morton Street Bloomington, IN. 47404

**RE: Johnsons Creamery Subdivision request** 

Dear Eric,

On behalf of our client, 400 W. 7<sup>th</sup> LLC, we respectfully request to be placed on the April 2024 agenda for the City of Bloomington Plat Committee for consideration of a Primary Plat for subdivision of a property located at 400 W. 7<sup>th</sup> Street, the Johnson's Creamery Building property.

The purpose of this primary plat is to subdivide the existing lot into two lots. Each new lot would have a single building on it once the construction of the new multifamily building is complete on the north side of the property.

A site plan was approved in 2023 and the new building and site improvements are being installed now.

We would also like to request with the Primary Plat approval that secondary plat approval be delegated to staff. We appreciate your consideration in this matter.

Attached with this application letter is the Primary Plat, application and filing fee.

Sincerely,

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Don Kocarek Smith Design Group, Inc.

1467 W Arlington Road Bloomington, Indiana 47404 812-336-6536 smithdginc.com



Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

## Petitioner's Statement Johnsons Creamery Primary Plat

# **Location**

The site is located at 400 W. 7<sup>th</sup> Street. The property is bounded by 8<sup>th</sup> Street on the north, 7<sup>th</sup> Street on the south, the B line trail on the east, and an existing alley on the west side of the property. On the south side of the property is the existing Johnsons Creamery building. A new multifamily building is currently under construction on the north side of the property along 8<sup>th</sup> Street.

# <u>Size</u>

The existing site is 1.12 acres. The parcel will be subdivided into 2 lots with the north lot being 0.55 acres and the south lot will be 0.57 acres in size.

# Access

Vehicular access to this property is from the alley along the west side of the property. The existing alley connects 7<sup>th</sup> and 8<sup>th</sup> Street. Pedestrian access can come from sidewalks along 7<sup>th</sup> Street, 8<sup>th</sup> Street and the B-line trail.

# Utility, Access, and Parking Easement

A utility, access, and parking easement is located on the surface parking lot between the two buildings and is shown on this plat. This will allow the Johnsons Creamery office building fronting on 7<sup>th</sup> to park and access the building from the surface parking between the two buildings.

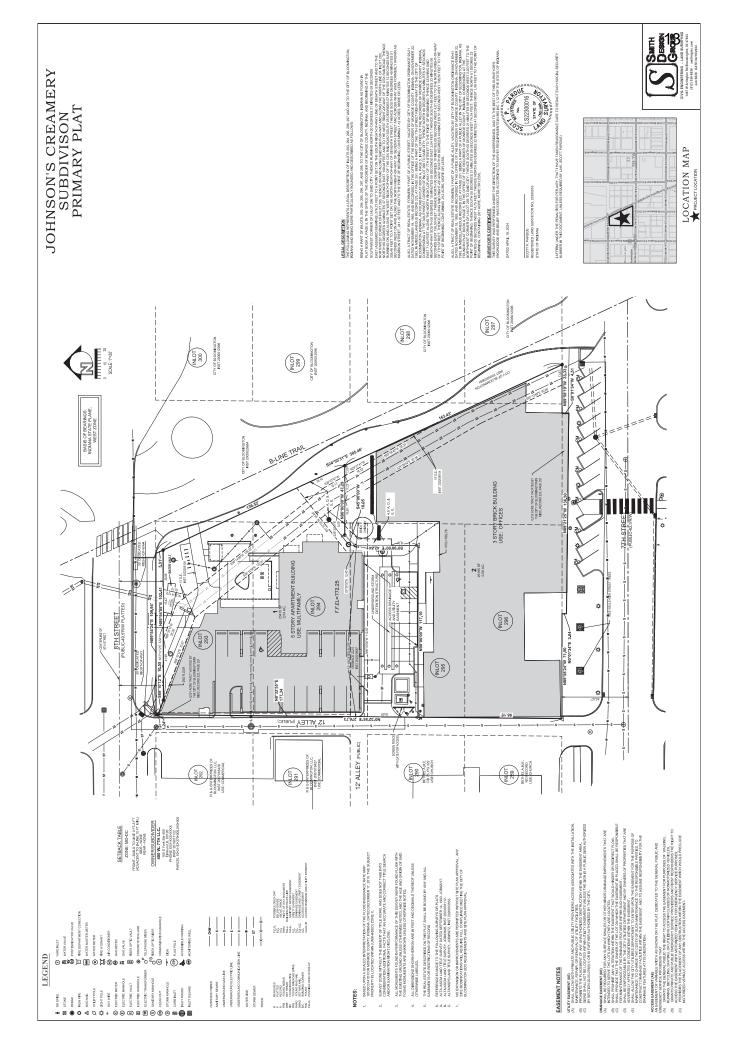
## **Environmental features**

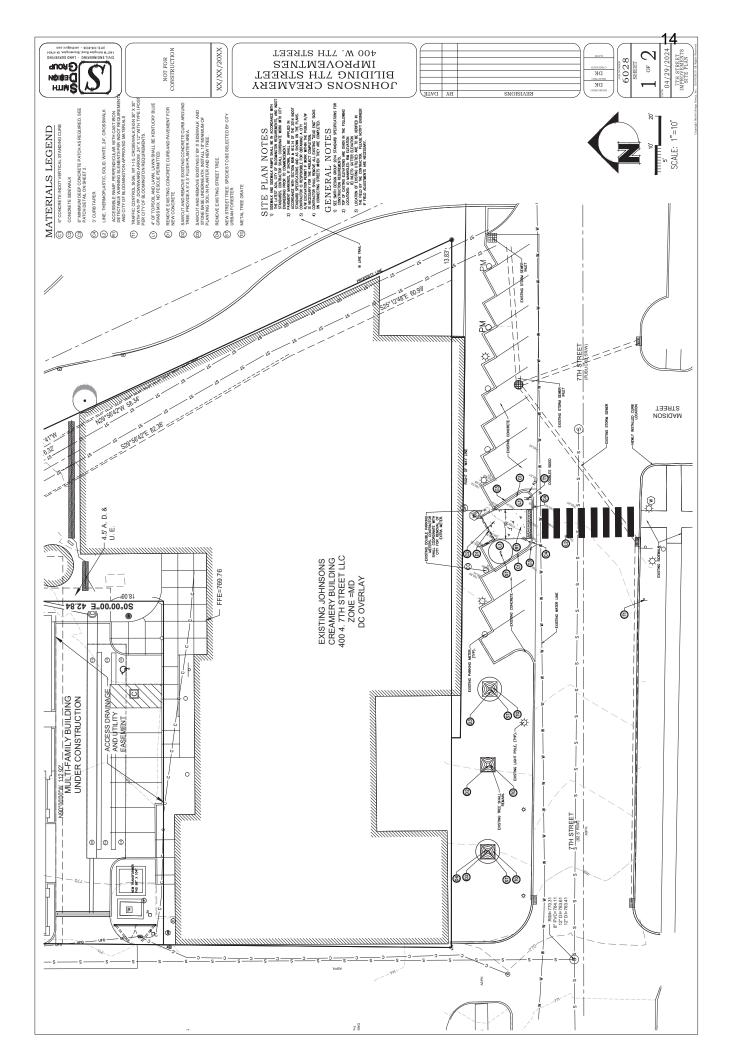
There are no environmental features on the site.

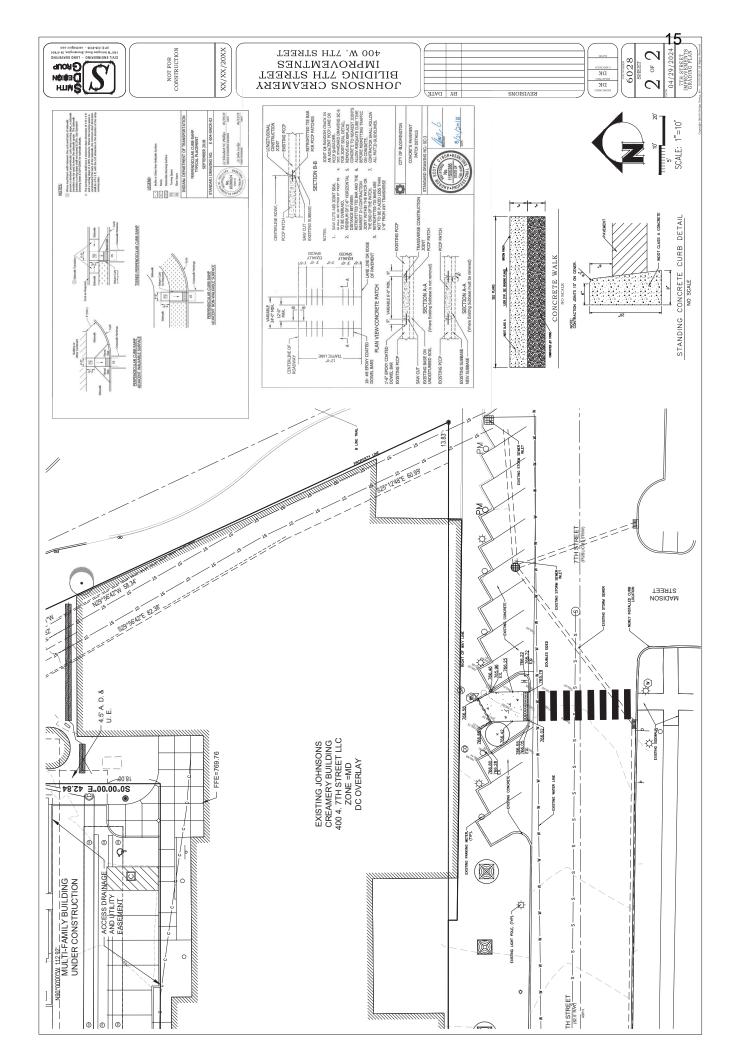
# Drainage Easement

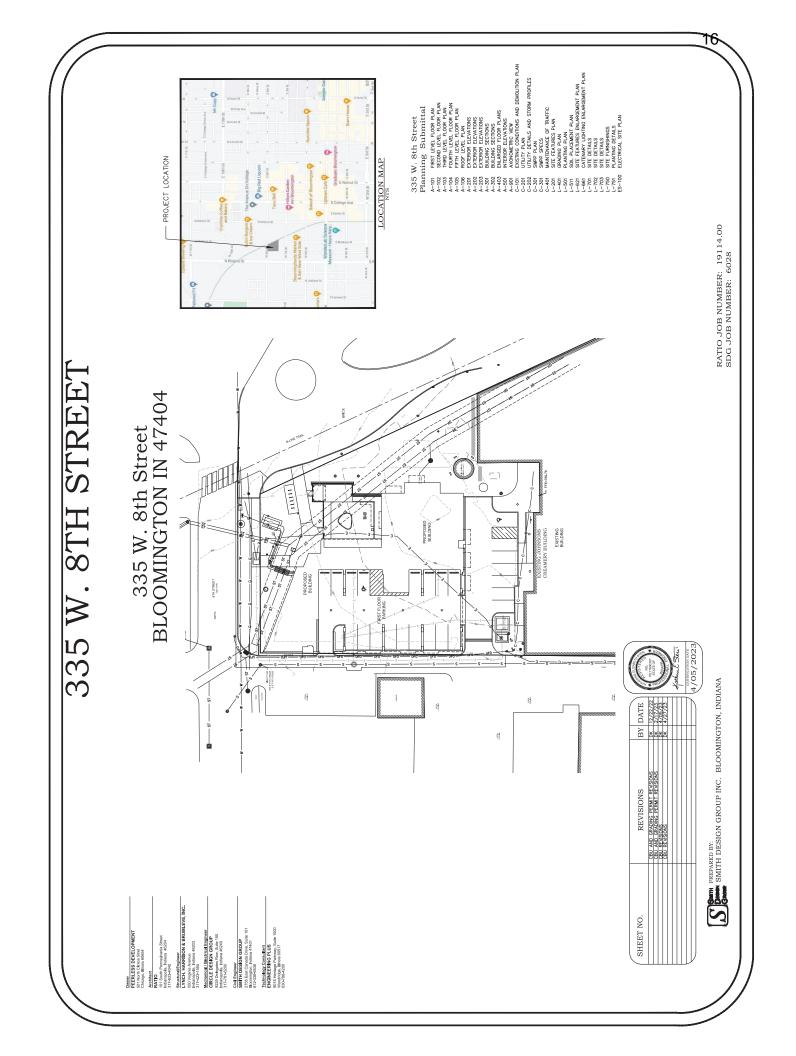
Drainage easements are being located between the 2 buildings for access and maintenance to common drainage facilities. Several roof drains, surface drains and subsurface drainage facilities are located between the two buildings. These drainage facilities drain to the east into an existing underground drainage tunnel.

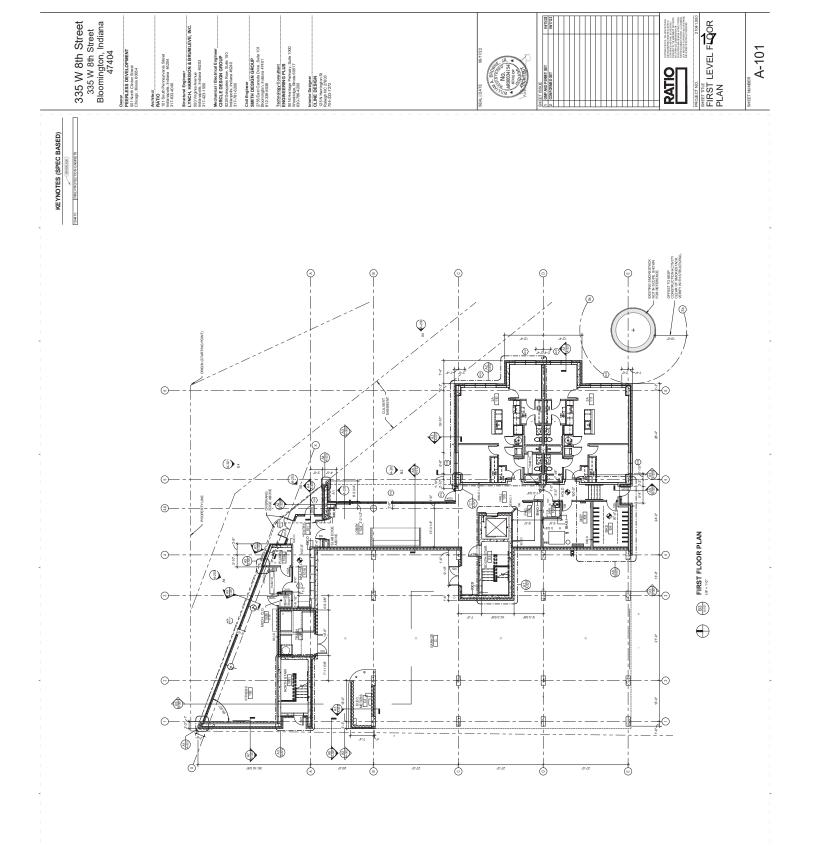
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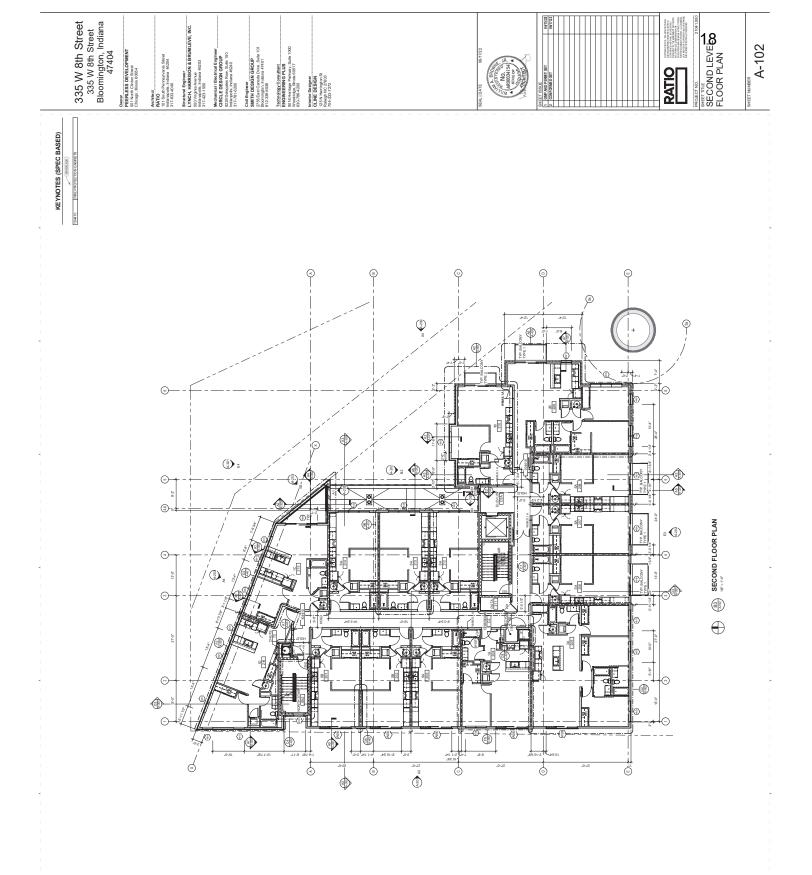


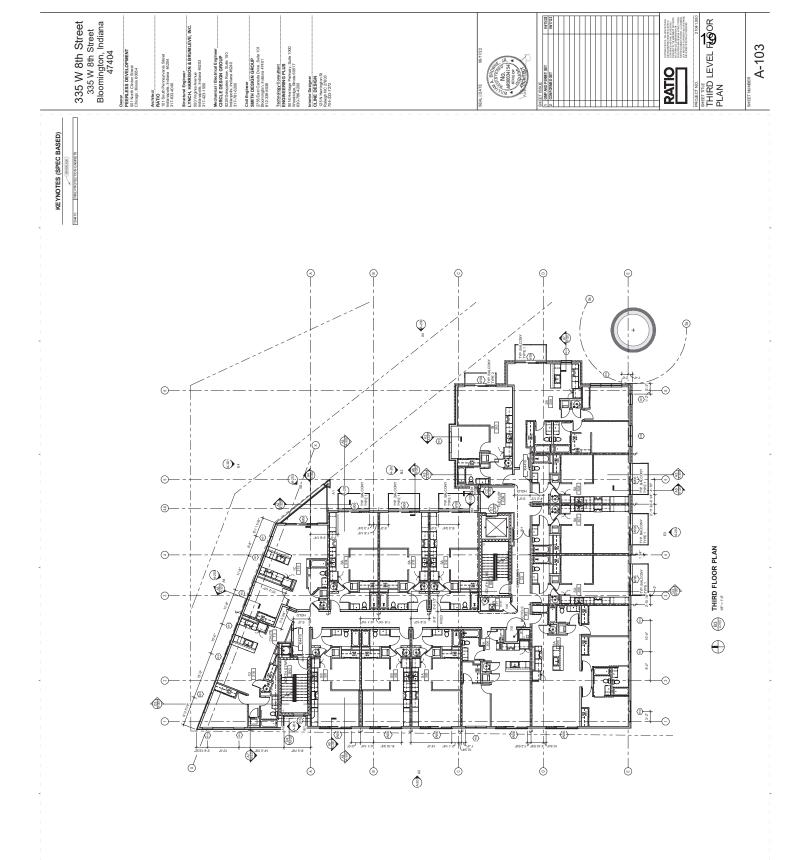


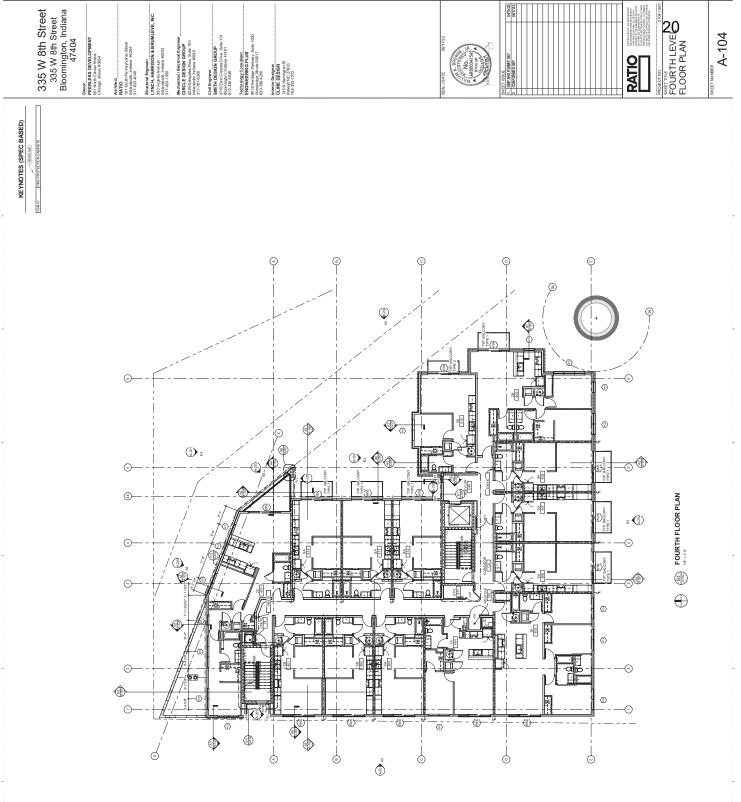


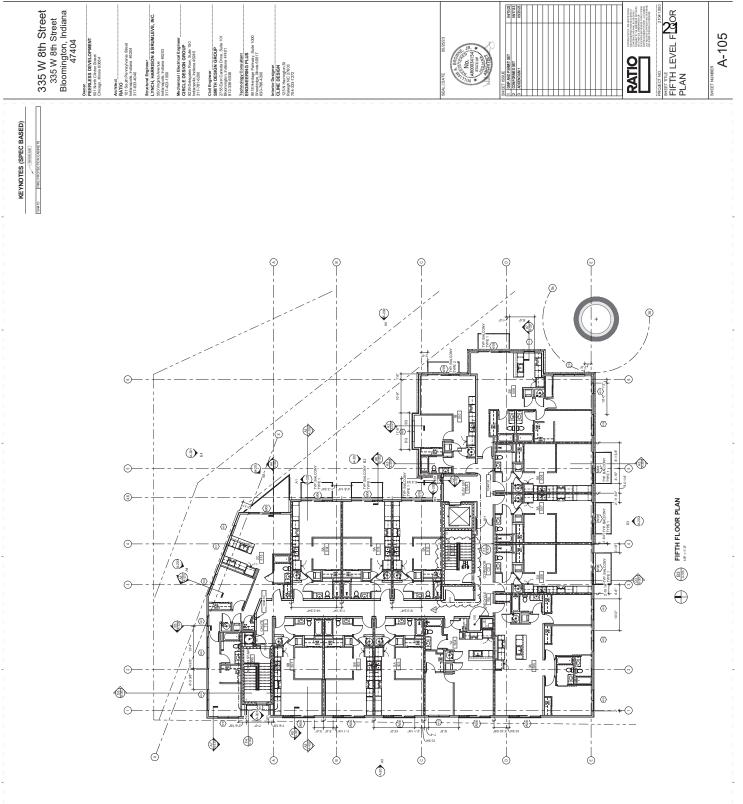


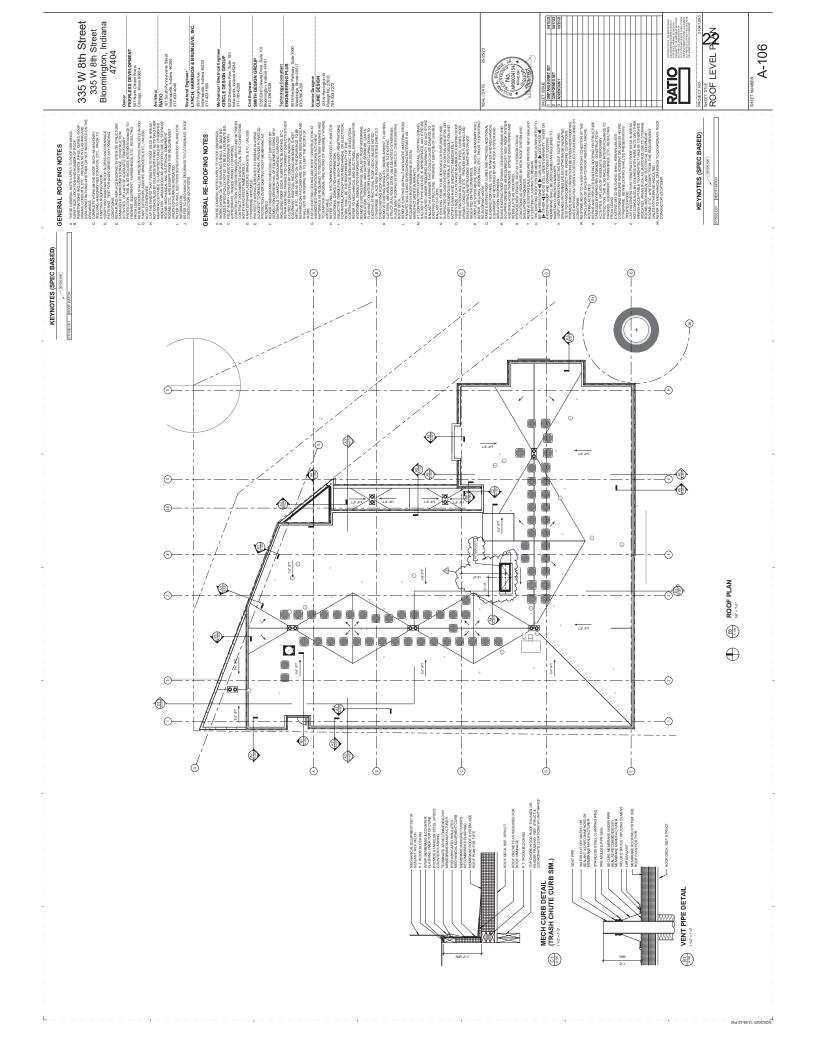
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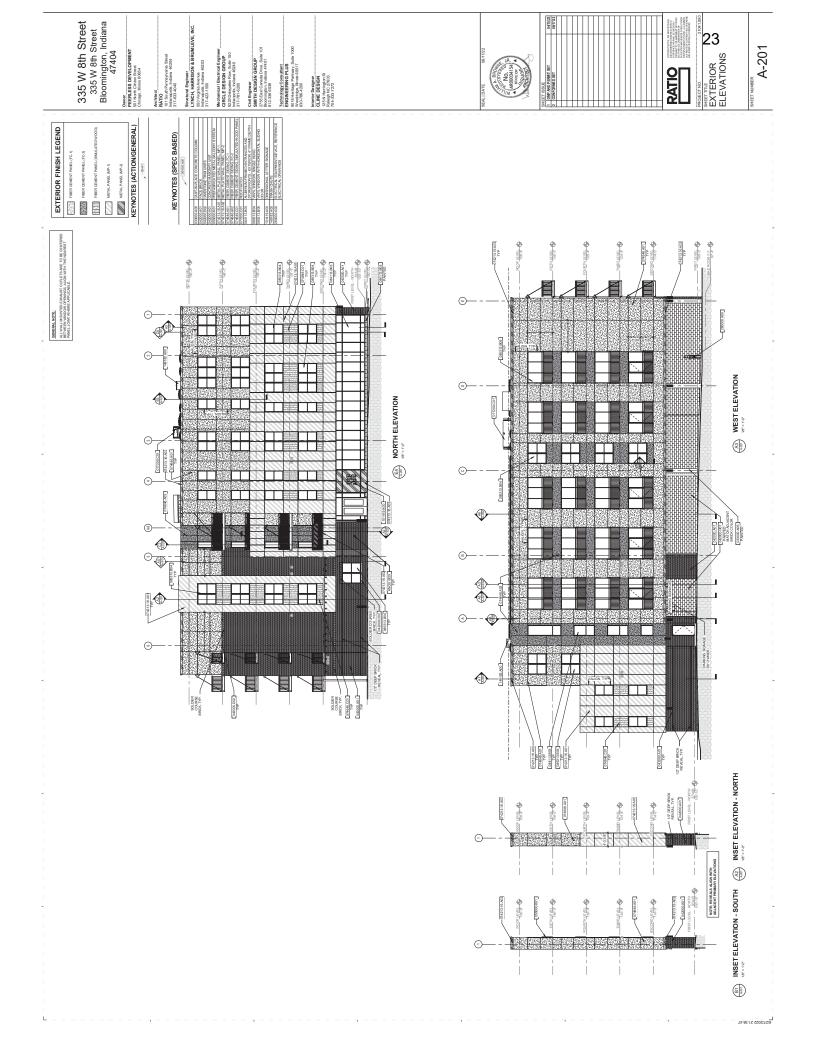


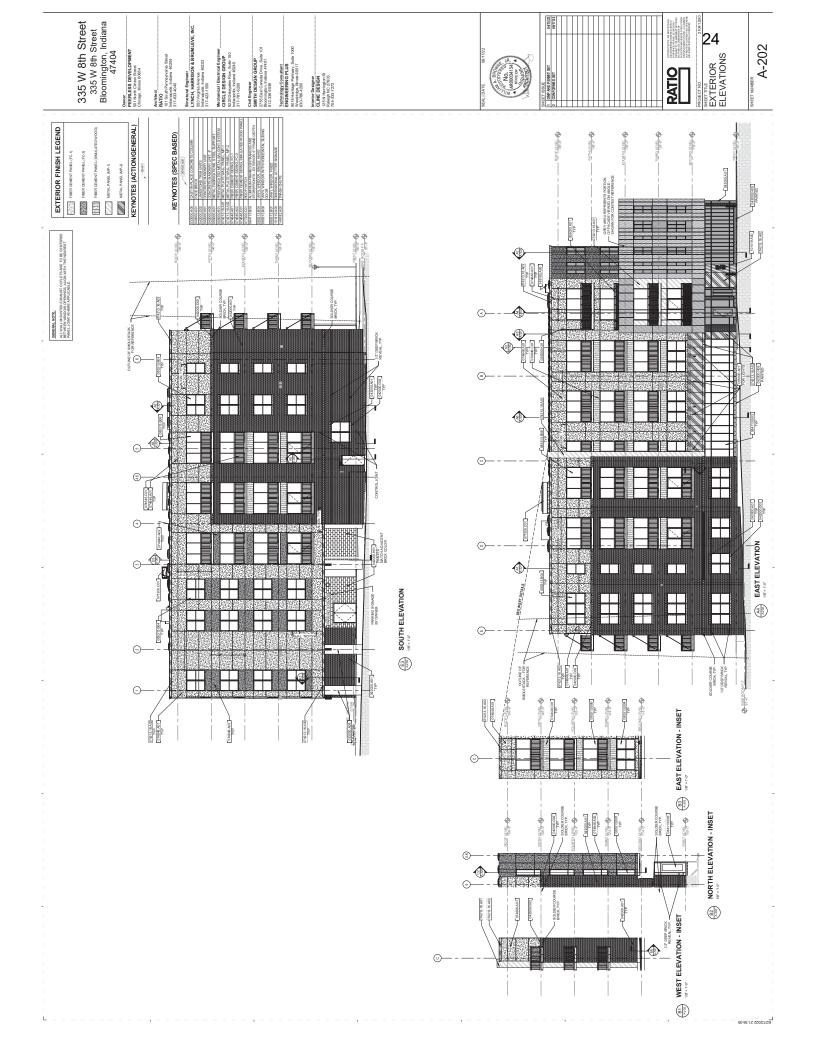


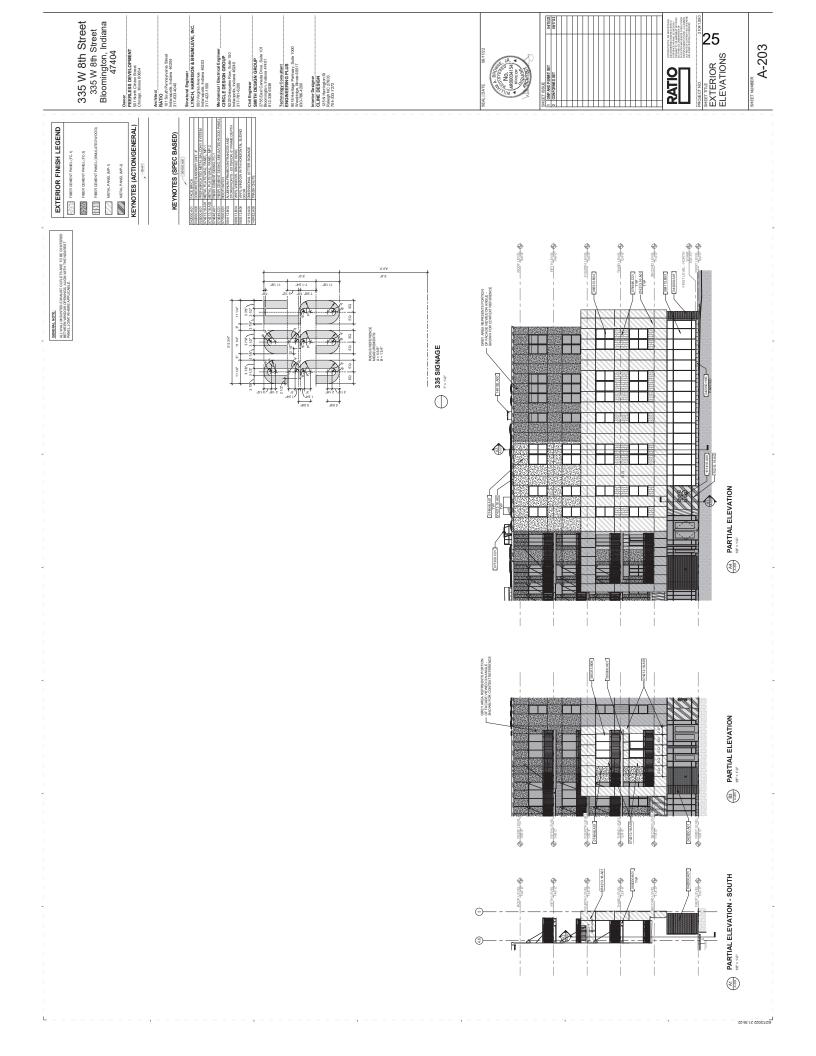


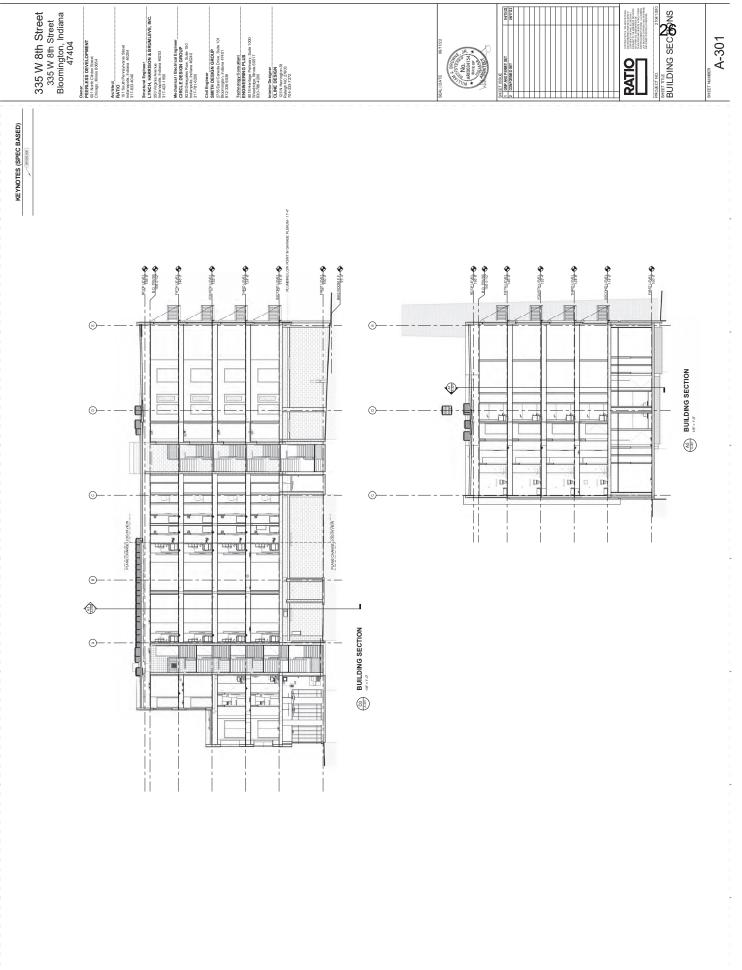


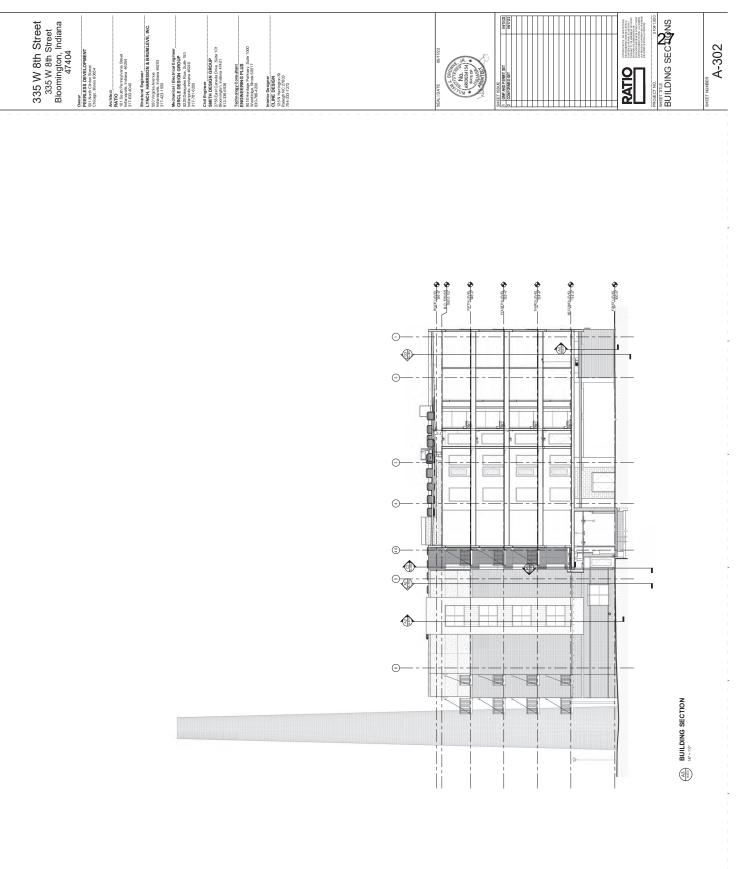


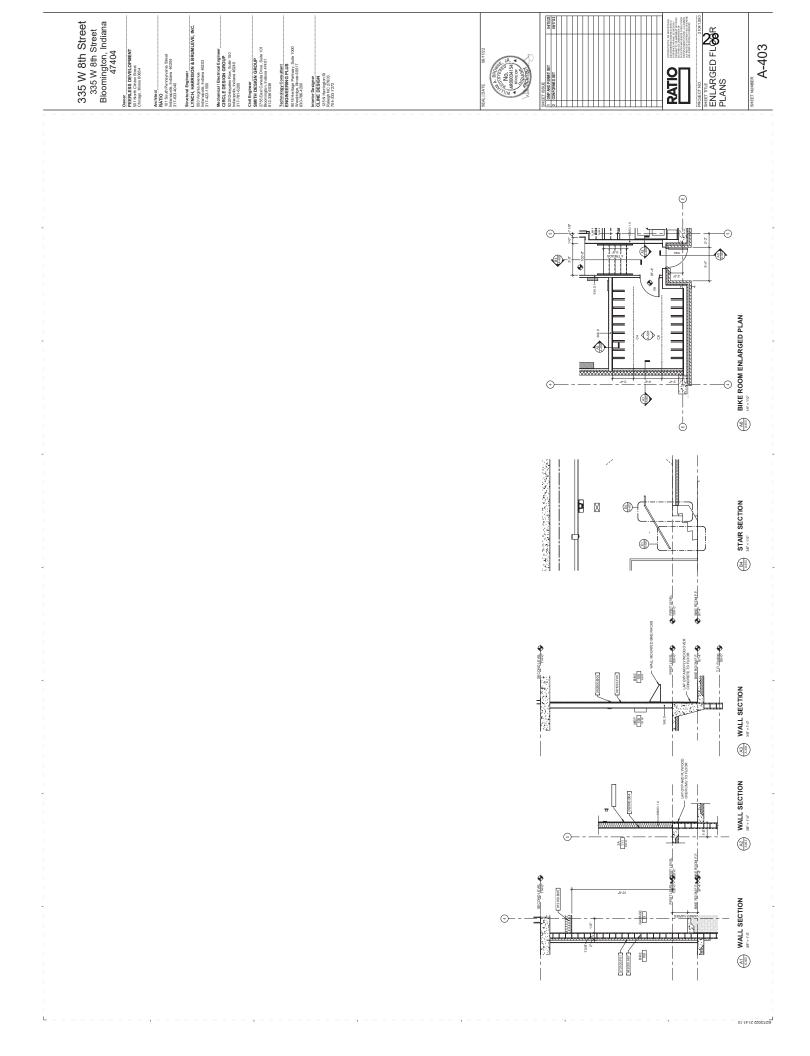


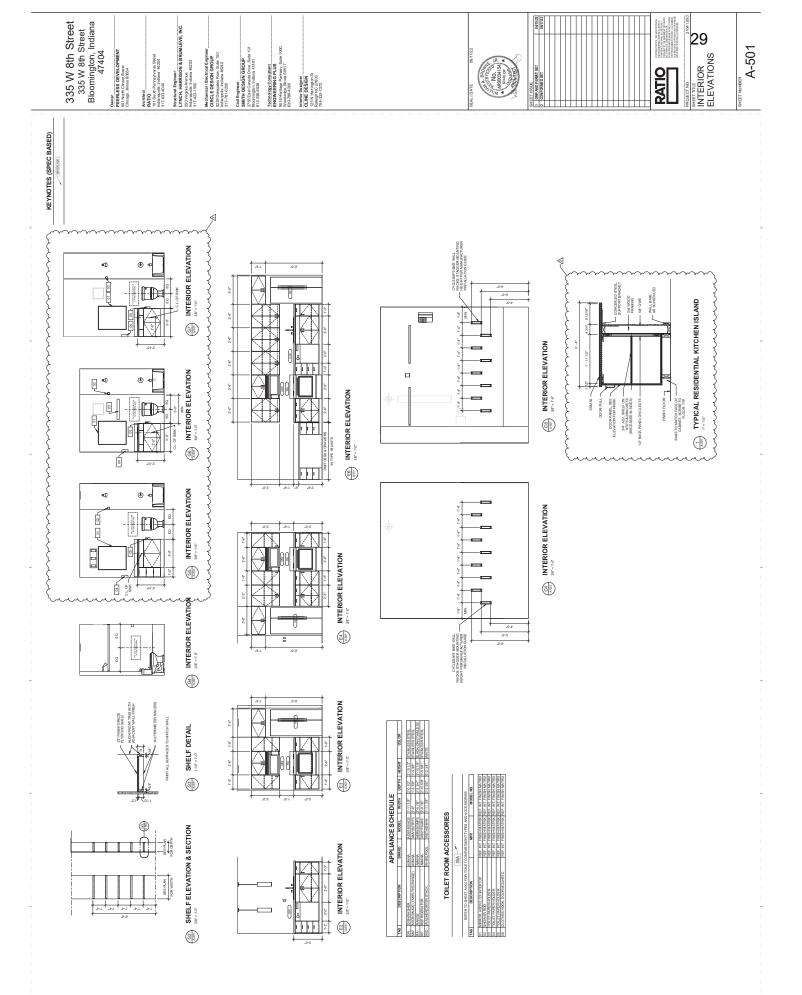


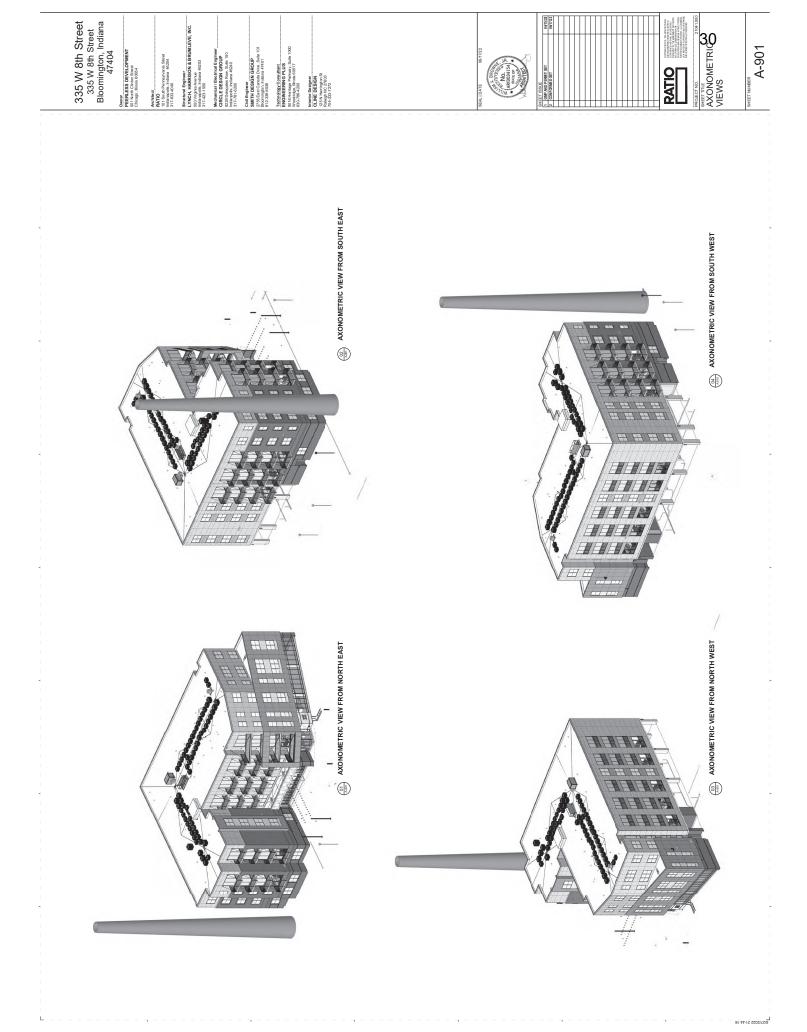


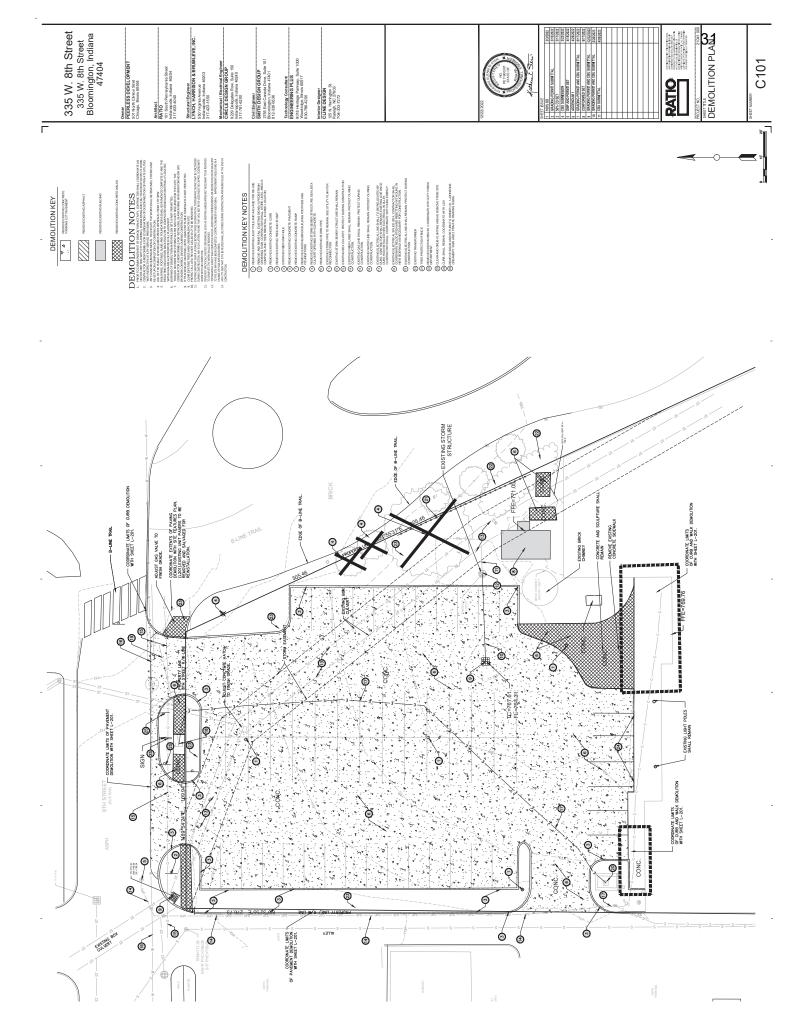




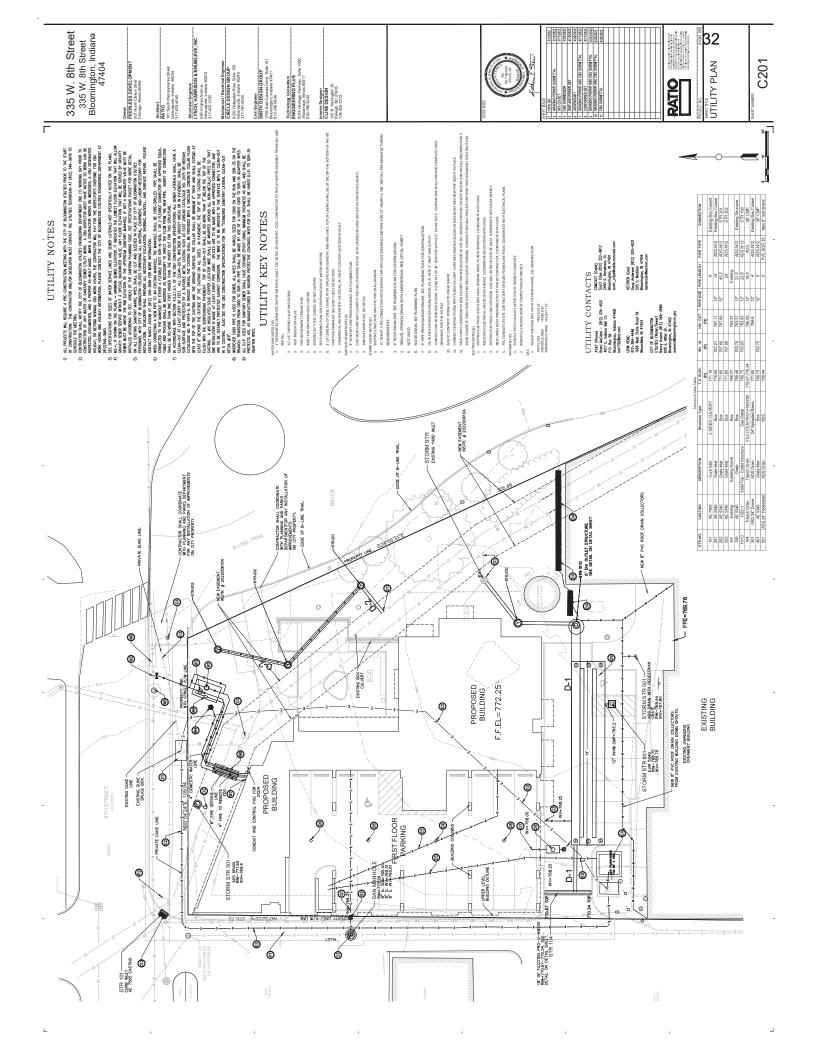


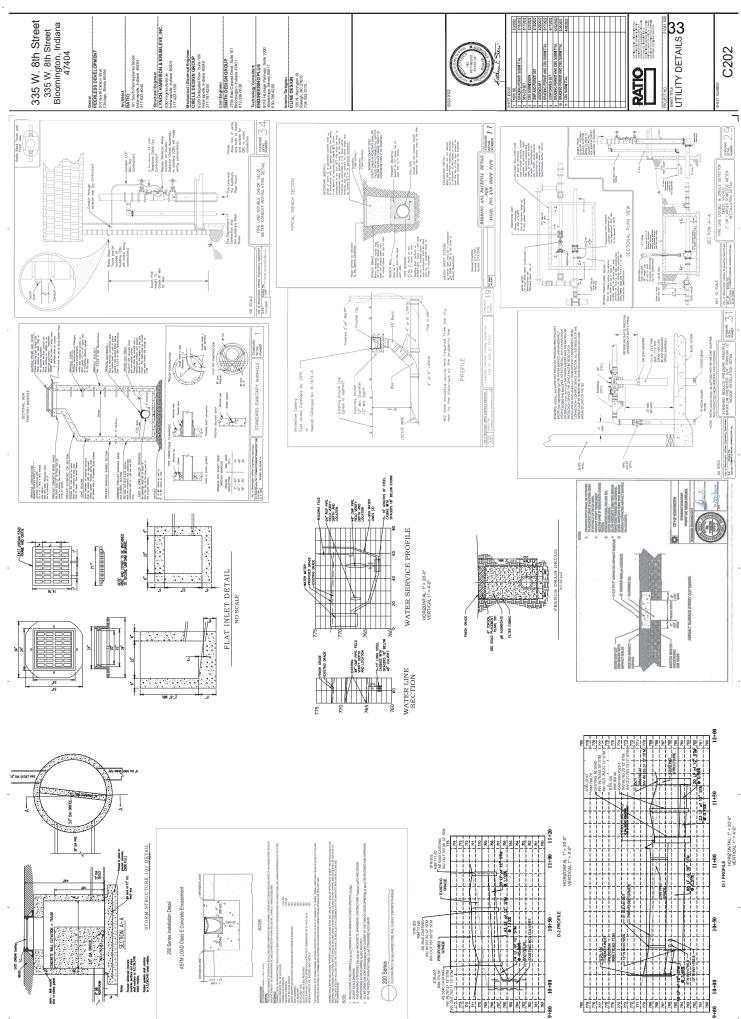




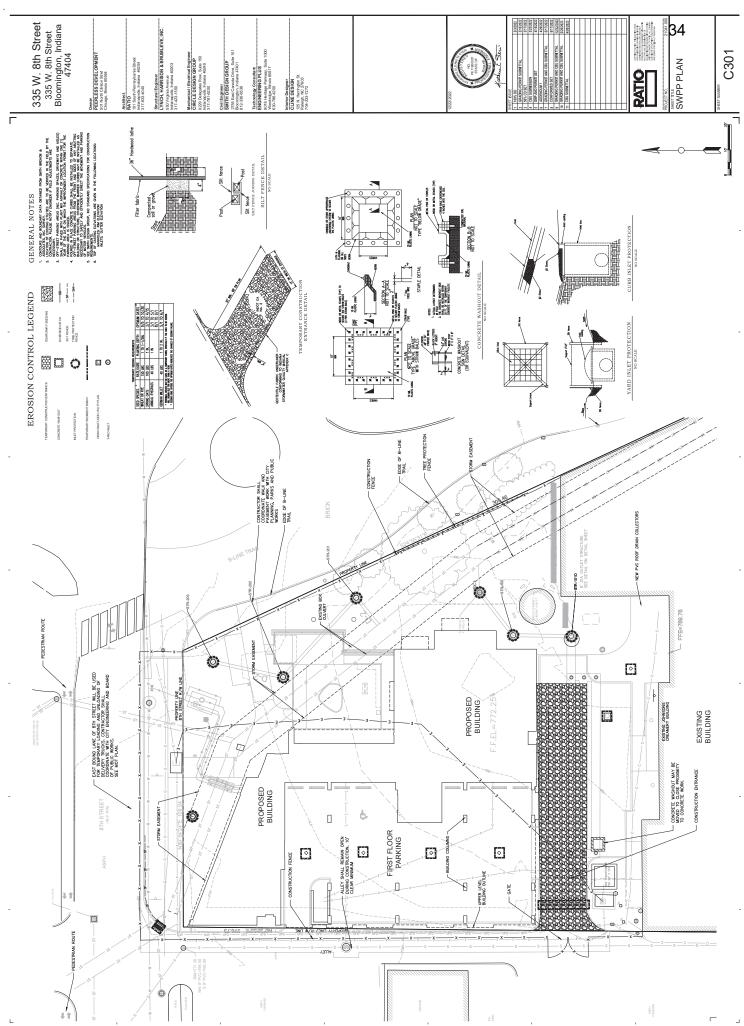


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Architect RATIO

6 East Canada Drive, Suite omington, Indiana 47401 -336-6536

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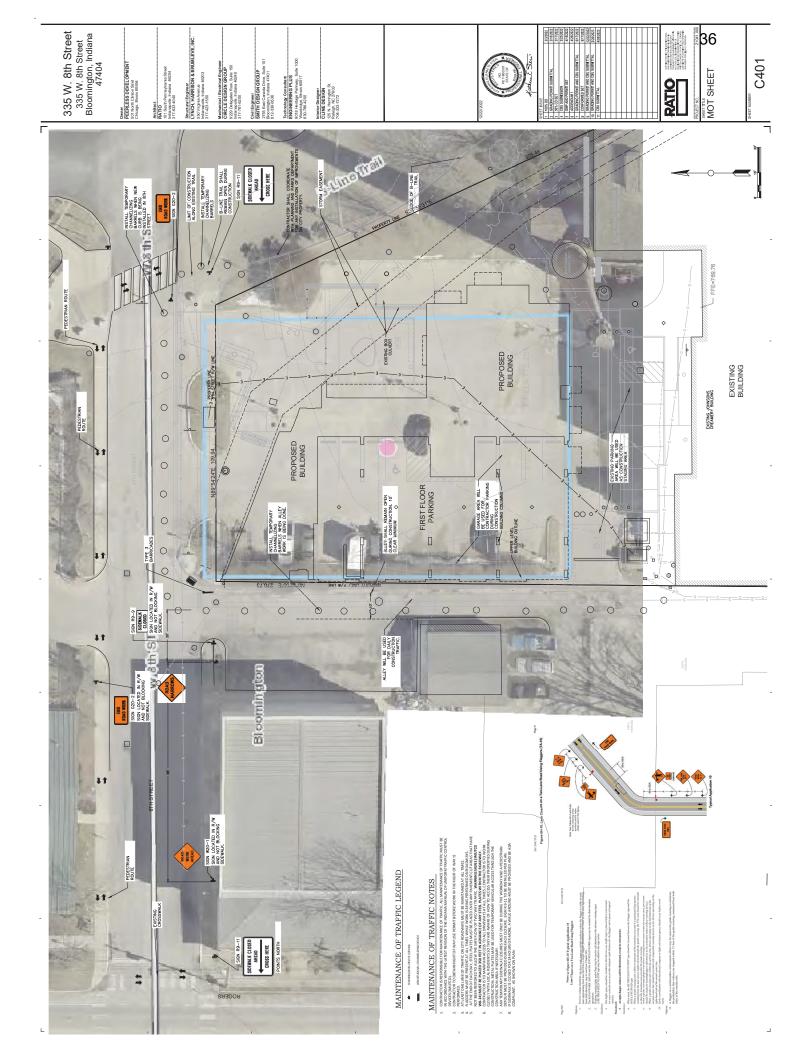
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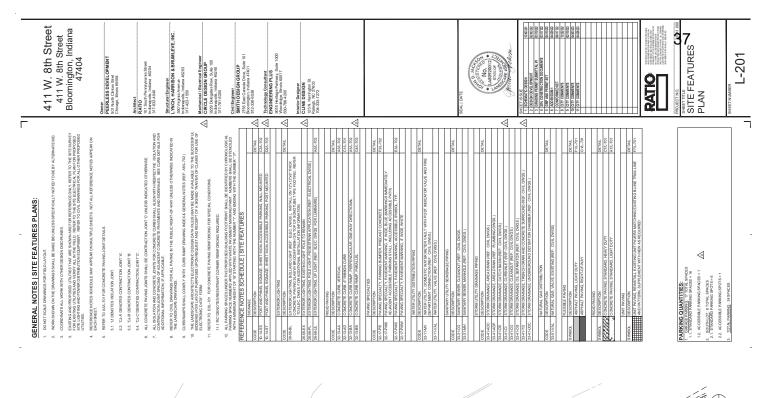
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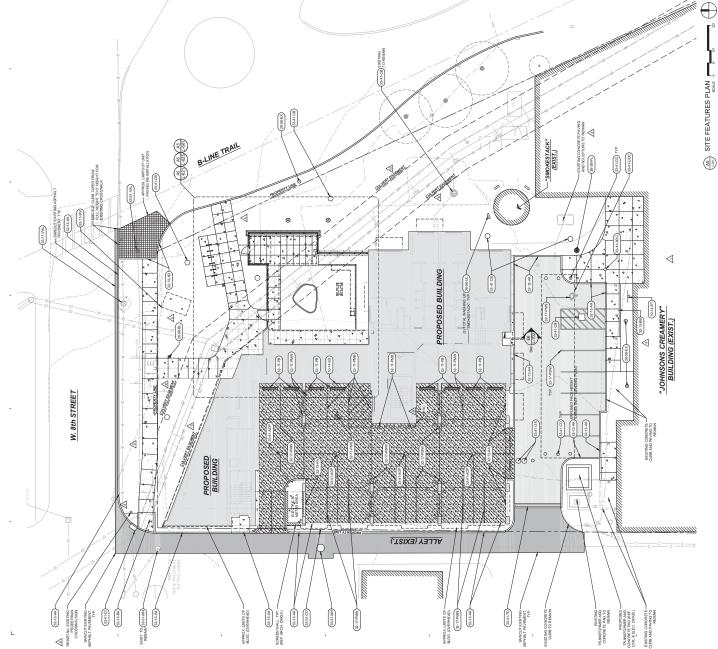
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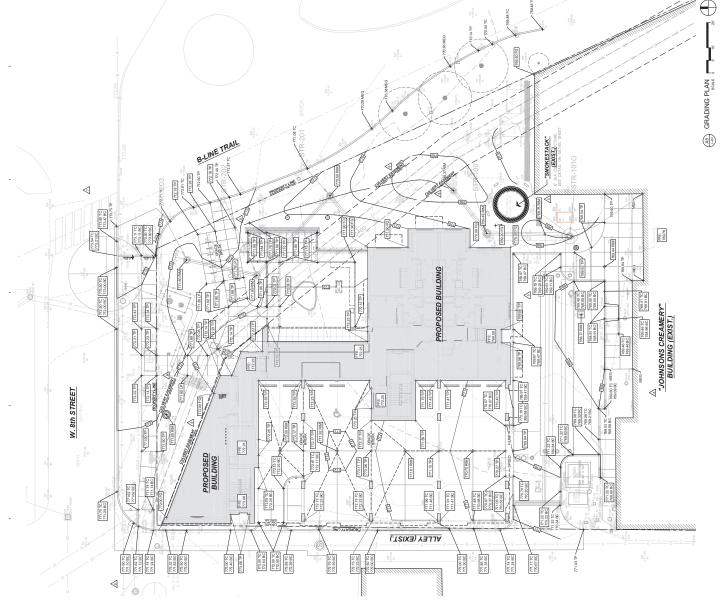
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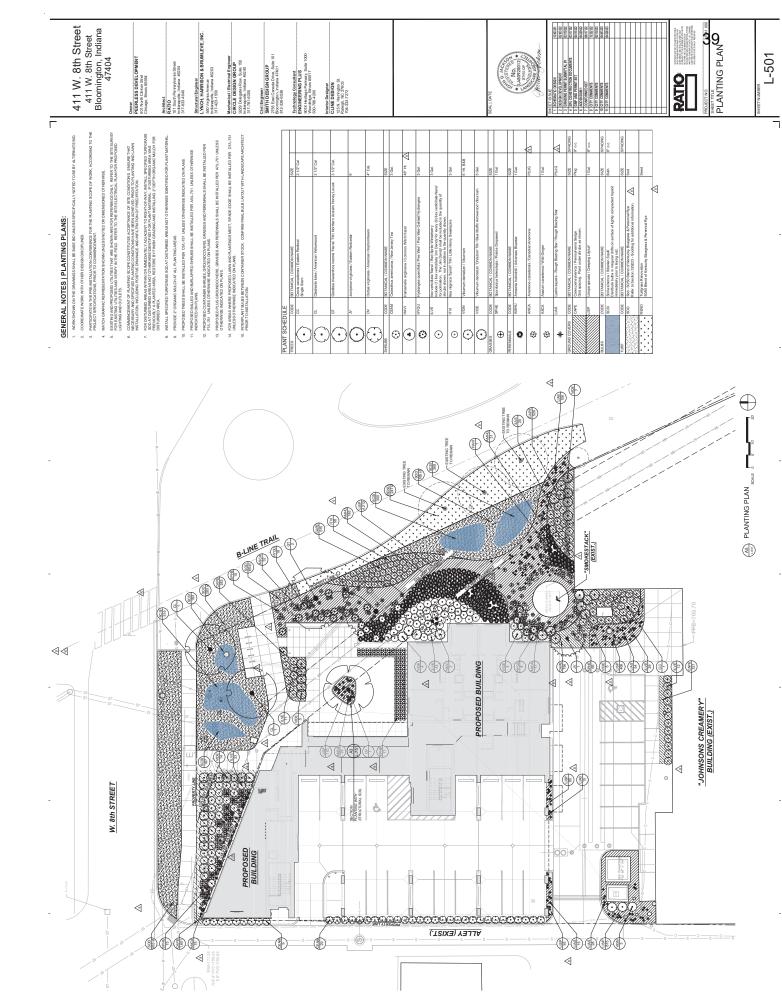


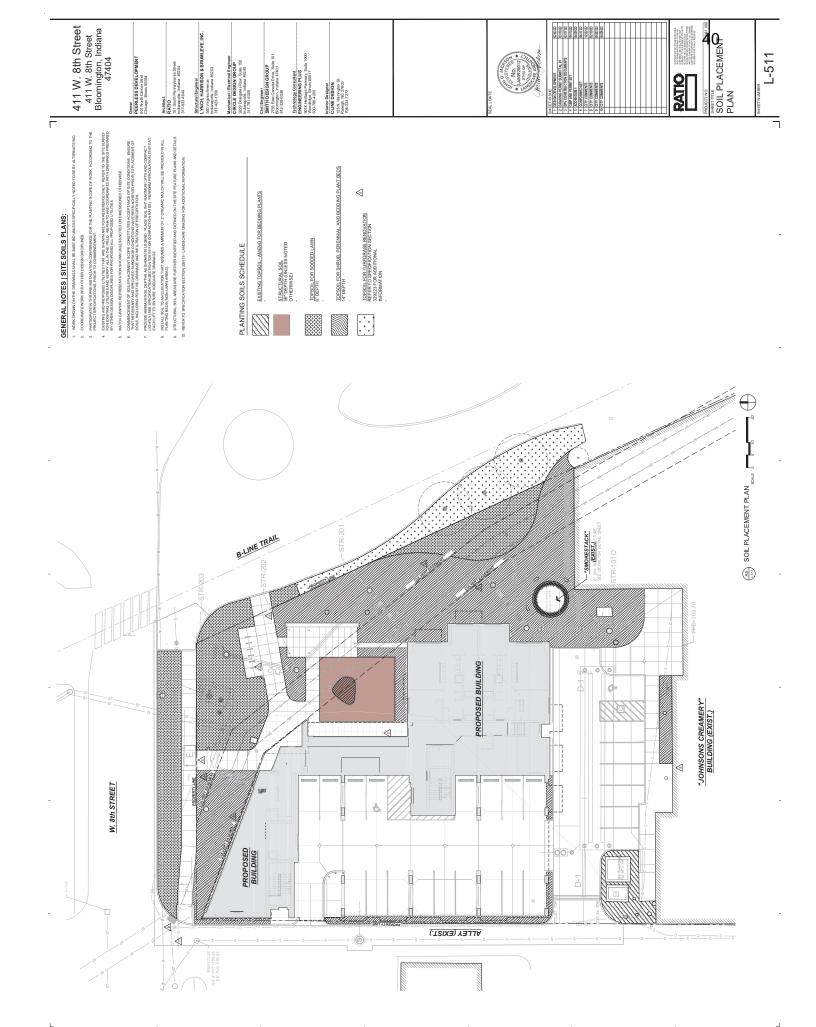


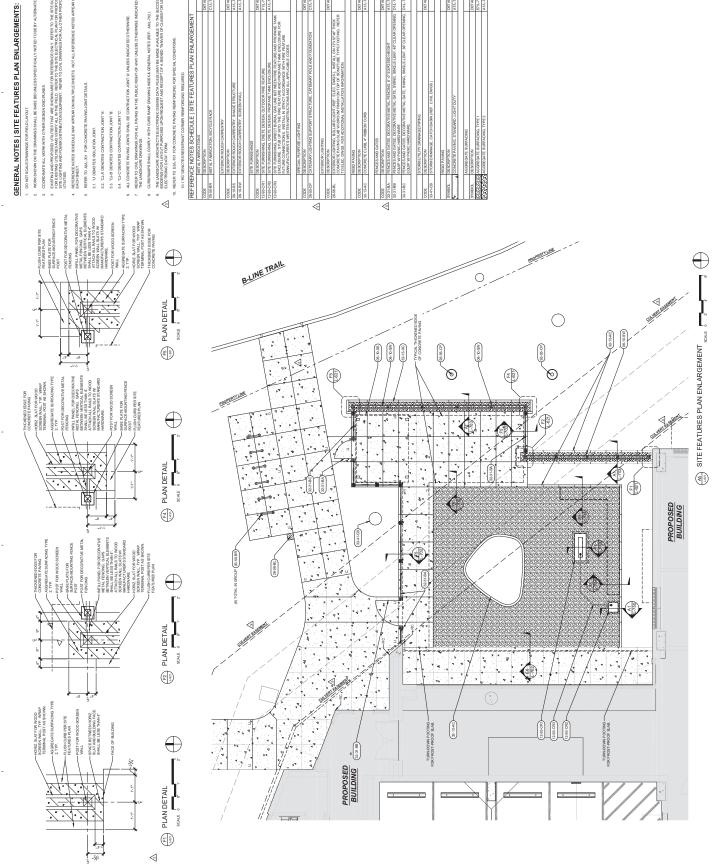


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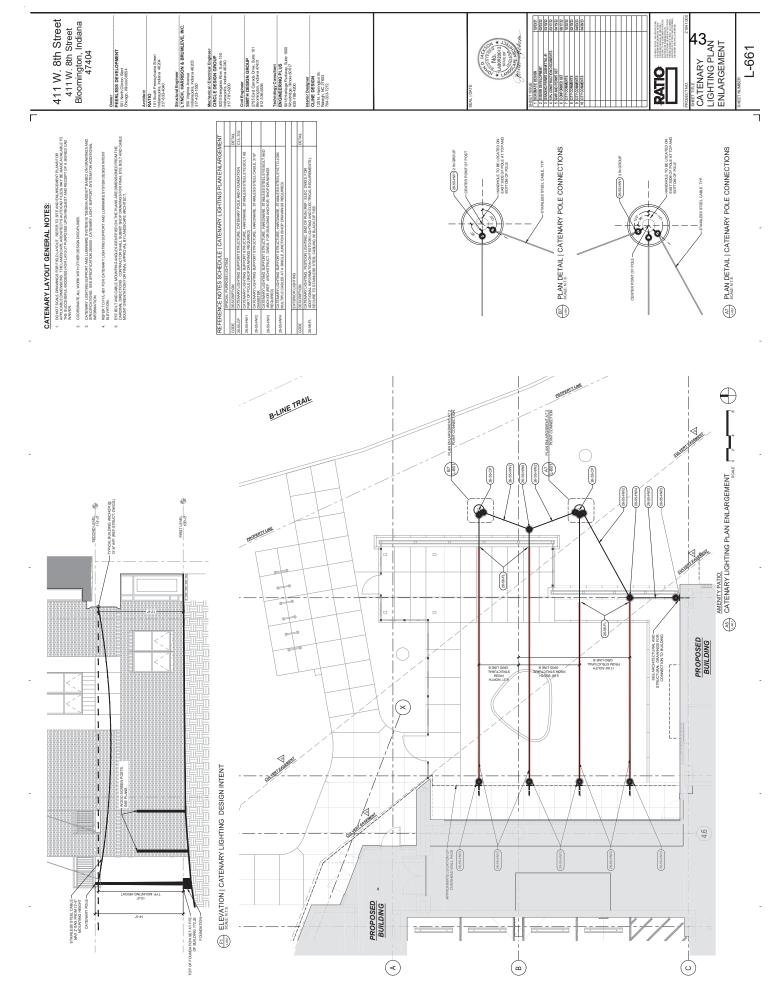
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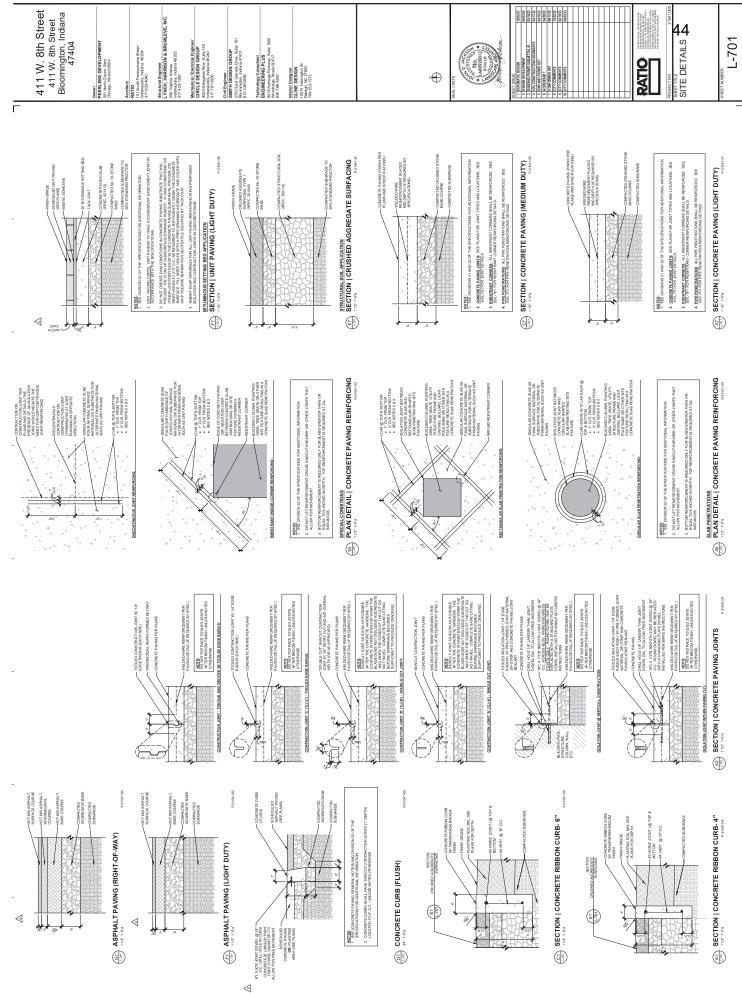
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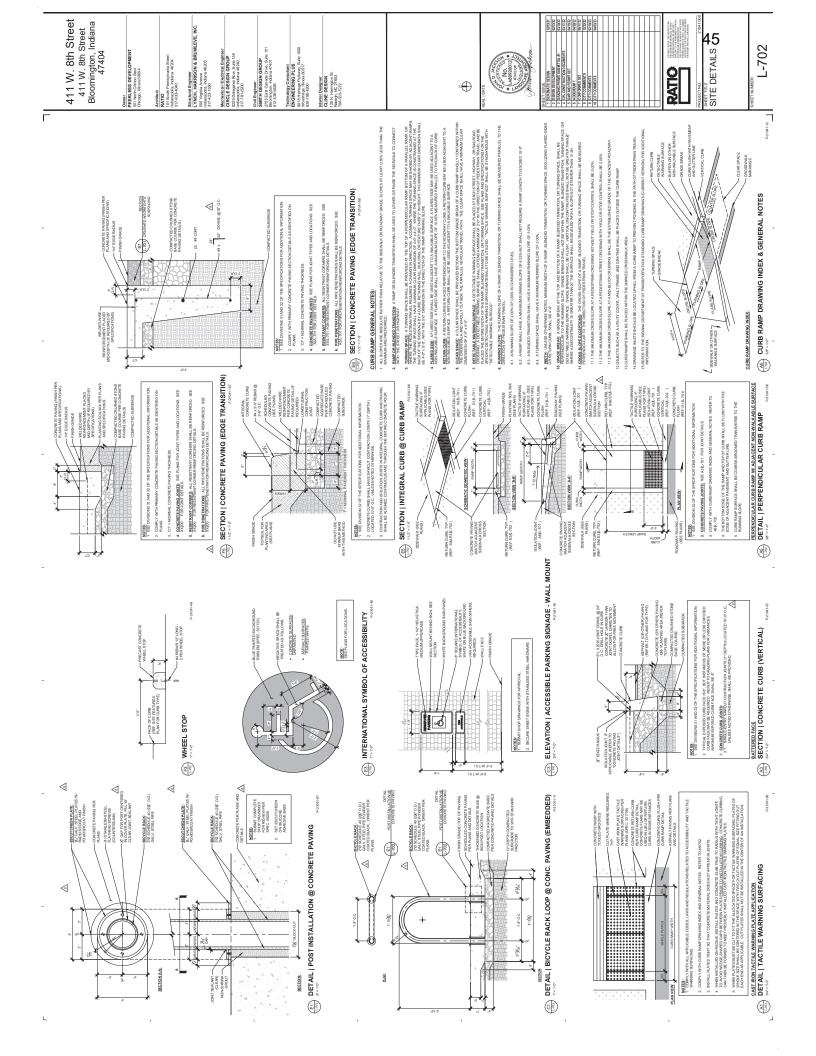
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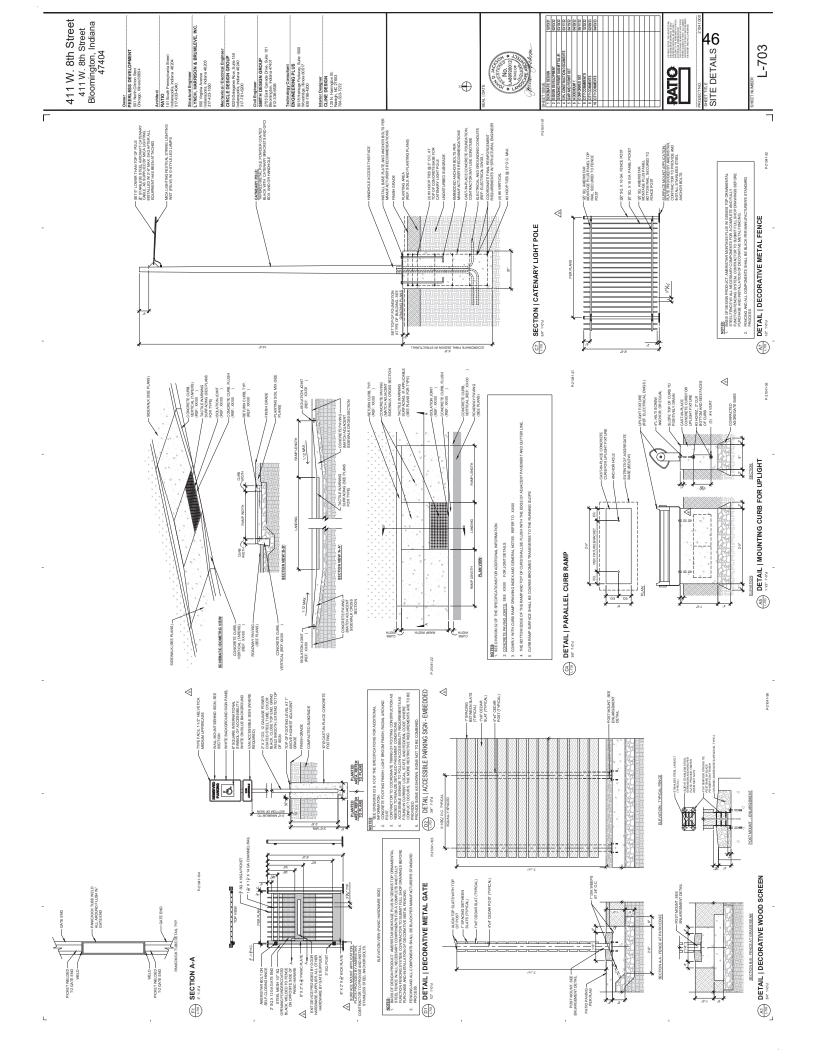


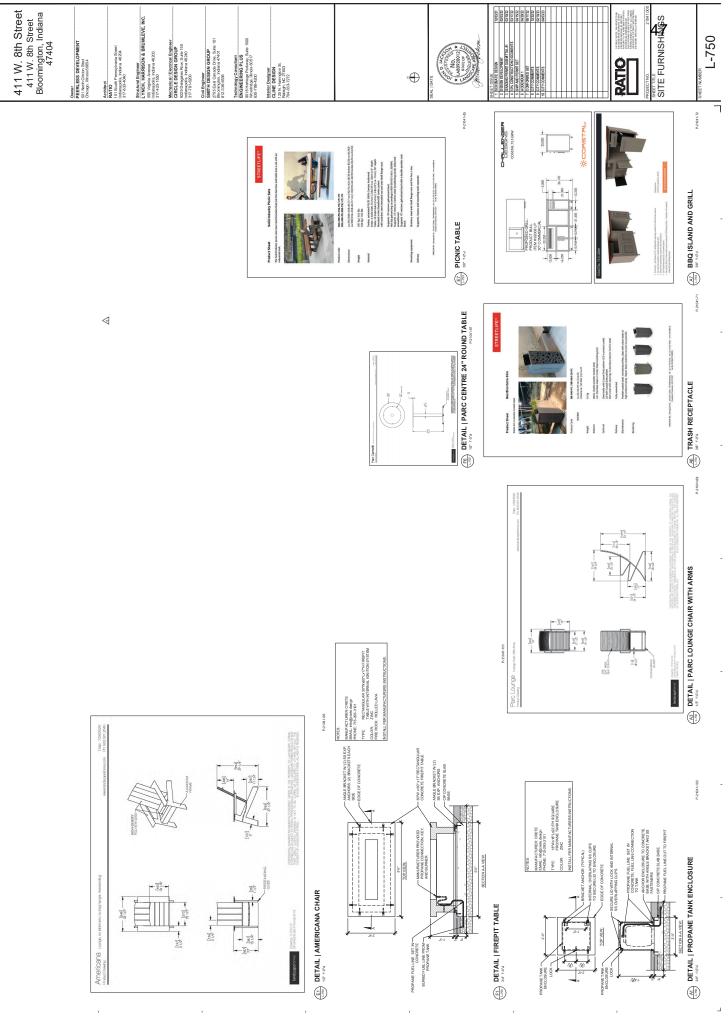
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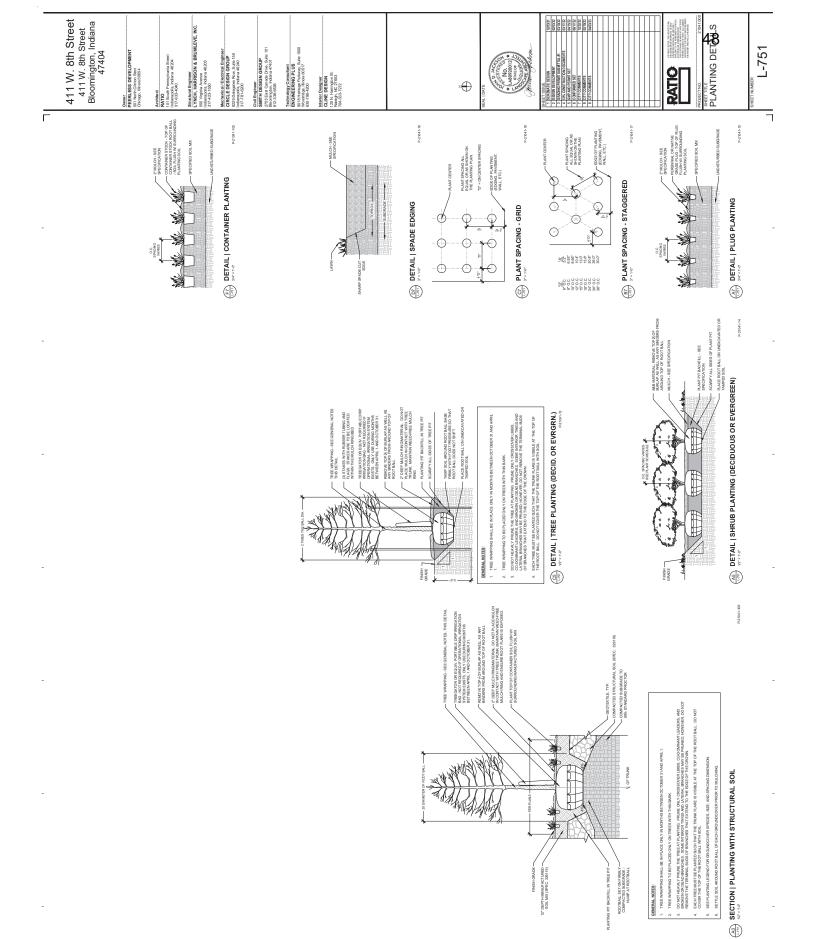






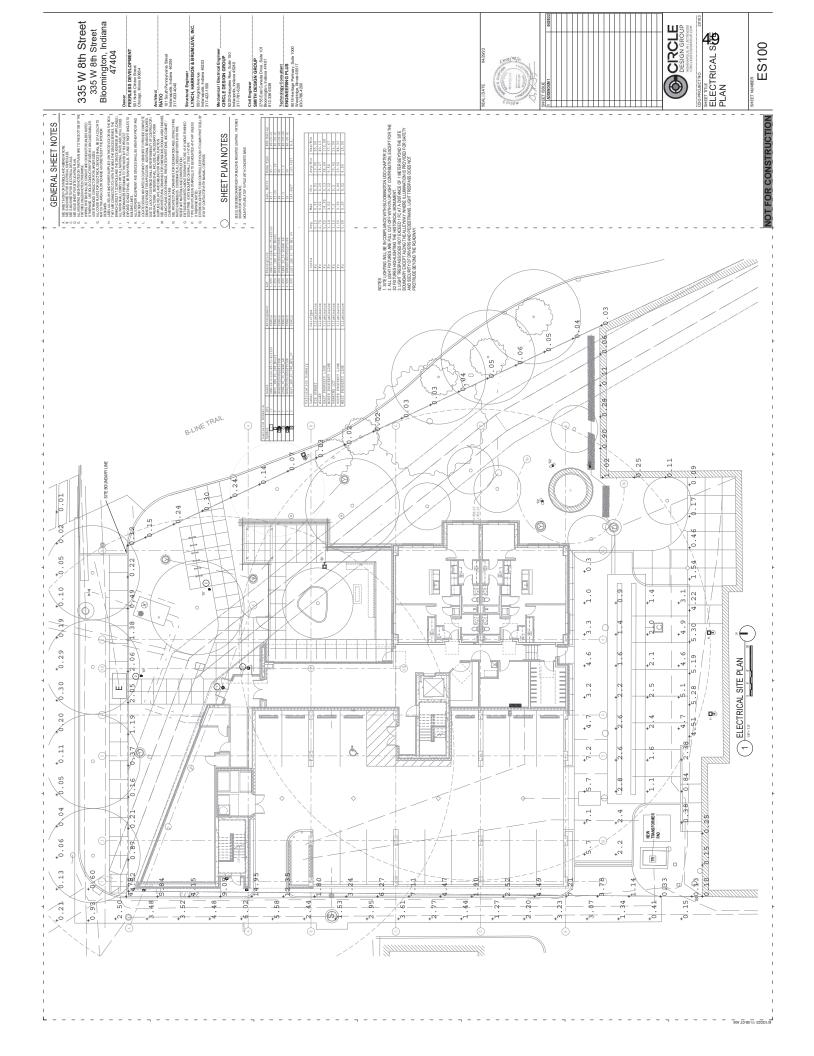


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# CONTRACT COVER MEMORANDUM

Beth Cate, Corporation Counsel	Paula McDevitt, Administrator	6/26/23	Contract with 400 W 7 <sup>th</sup> LLC
TO:	FROM:	DATE:	RE:

Contract Recipient/Vendor Name:	400 W 7 <sup>th</sup> LLC
Department Head Initials of Approval:	PM
Responsible Department Staff: (Return signed copy to responsible staff)	Division Director: Tim Street
<b>Responsible Attorney:</b> <i>(Return signed copy to responsible attorney)</i>	Audrey Brittingham
Record Destruction Date: (Legal to fill in)	NA
Legal Department Internal Tracking #: (Legal to fill in)	23-333
Due Date For Signature:	Friday Before Park Board Meeting: 7/7/23
Expiration Date of Contract:	n/a
Renewal Date for Contract:	n/a
Total Dollar Amount of Contract:	n/a
Funding Source:	n/a
W9/EFT Complete: (Staff Member of Responsible Dept to fill in - Vendor #)	n/a
Affirmative Action Plan Complete (if applicable): (Staff Member of Responsible Dept. to fill in; \$10,000+)	n/a
Procurement Summary Complete: (Staff Member of Responsible Dept. to fill in)	n/a

# AGREEMENT REGARDING ENCROACHMENT ONTO THE B-LINE TRAIL

, 2023, WITNESSETH: This Agreement, dated this The day of Jury

pathway as more specifically depicted in Attachment A, attached hereto and incorporated herein by reference "Property"), which is immediately adjacent to property owned by the City of Bloomington ("City") known as the B-Line Trail ("City Property"), and Developer desires to encroach onto the City Property with a ("Developer") is redeveloping a property with an address of 400 W. 7th St in Bloomington, Indiana WHEREAS, 400 W.  $7^{h}$ , LLC, on its own behalf and on behalf of its successors and assigns (the "Encroachments"); and

NOW THEREFORE, in consideration of the Developer's ability to encroach onto the City Property as described herein, Developer, its officers, directors, agents, employees, members, successors and assigns, do hereby acknowledge, covenant, and agree to the following terms and conditions:

 This Agreement shall apply only to the Developer and cannot be transferred to a different property owner. 2. If the City or another governmental agency with jurisdiction over the City Property determines that the City Property containing one or more of the Encroachment(s) should be improved to better serve the public, or that other public improvements need to be made on the City Property and the Encroachment(s) interfere with the planned public improvements, the City may require Developer to remove the Encroachment(s) and the Encroachment(s) interfere with the planned public improvements, the City may require Developer to remove the Encroachment(s) at the Developer's cost. If the City proposes changes to the City Property that require removal or alteration of the Encroachments, the City agrees to make reasonable efforts to coordinate alternatives to the Encroachments with Developer.

3. Developer accepts responsibility for the maintenance, repair, proper working conditions, and all expenses associated with the Encroachment(s). Specifically, Developer or Developer's designee shall maintain the Encroachment(s) in good repair and take such other measures as are reasonably necessary to maintain the Encroachment(s) in good, clean condition.

 The City's approval of the Encroachment(s) does not relieve Developer from any provisions of any applicable zoning or other ordinance or statute that may apply to the City Property.

The City may alter the terms and conditions of the Encroachment(s) to address unanticipated problems or may even revoke permission to encroach if the City determines the Encroachment(s) are undesirable in terms of the general welfare of the City or City Property. 6. Developer understands and agrees that if the City or a public utility need to work in the area of the Encroachment(s) for any reason, and the Encroachment(s) need to be removed to facilitate the City or the utility, the removal of the Encroachment(s) will be at the expense of Developer and the City will not be responsible for any damage which may occur to the Encroachment(s).

acts, matters or things by this agreement undertaken or for injury or damage caused by alleged negligence of assigns for any and all actions, including attorney's fees, losses or injuries that occur as a result of its use of the City of Bloomington and its officers and agents, from all losses, damages, costs, expenses, judgments or Developer agrees for itself and its successors in interest to release and forever discharge, indemnify the Developer or its agents, employees or subcontractor, the Developer shall indemnify and hold harmless office or agent of it, for the failure, omission or neglect of the Developer to perform any of the covenants, and hold harmless the City of Bloomington, its departments, officers, agents, employees, successors and the City Property. In case any claim or action in court is brought against the City of Bloomington, or an decrees arising out of such action, including attorney's fees. 00

Developer expressly agrees that its obligations under the foregoing Agreement are intended to be as broad as permitted by law and if any portion thereof is not found to be enforceable, it is agreed that the balance shall, notwithstanding, continue in full force and effect. 6

The undersigned person executing this Agreement on behalf of Developer represent and certify that they are duly authorized to execute this Agreement on Developer's behalf. This Agreement shall be recorded in the Office of the Monroe County Recorder and is expressly intended to run with the land and bind Developer and Developer's successors and assigns and inure to the benefit of the City of Bloomington. Developer expressly consents to the provisions of this Agreement on its own behalf and on behalf of its successors and assigns.

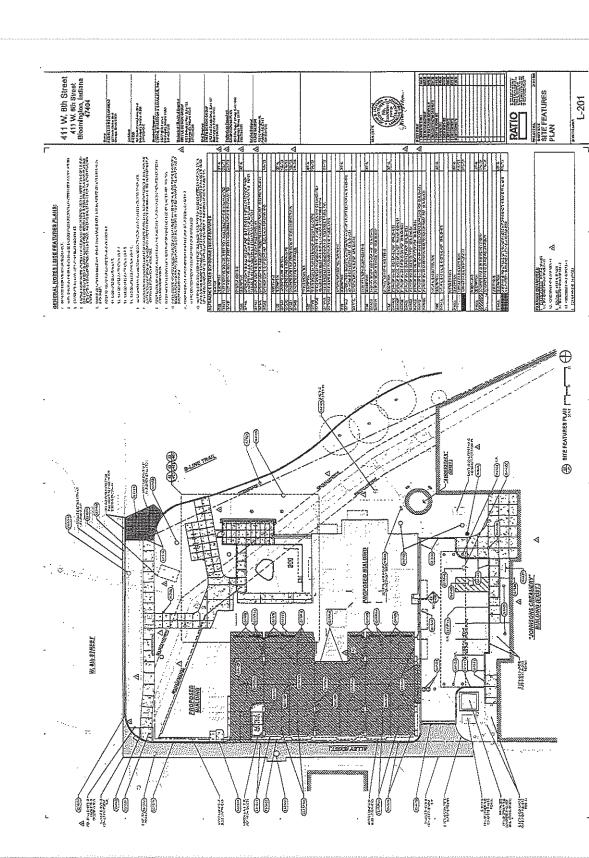
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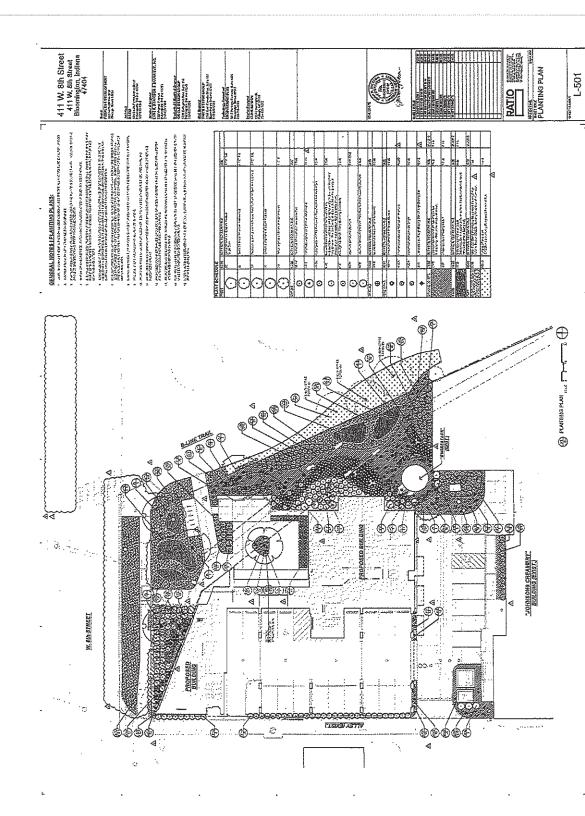
City of Bloomington, Indiana

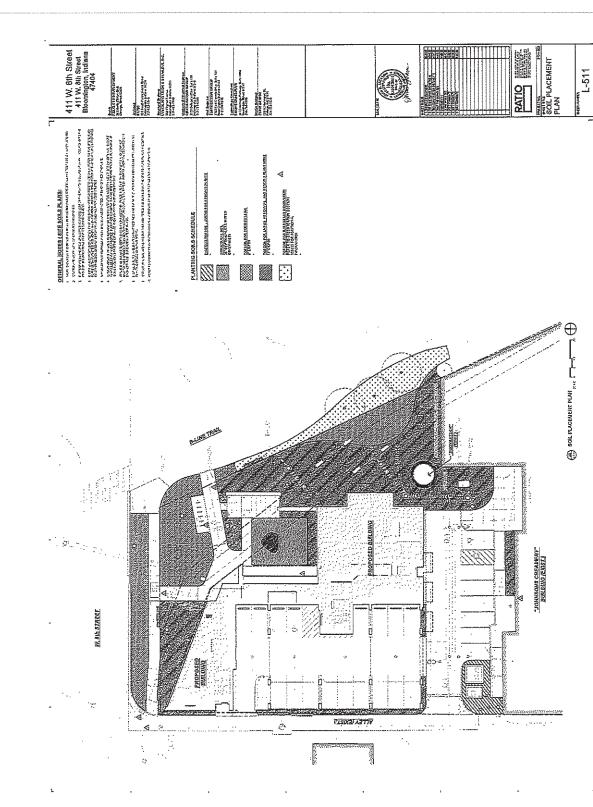
Kathleen Mills, President By:

Board of Park Commissioners

ATTACHMENT A







### **BLOOMINGTON PLAT COMMITTEE STAFF REPORT Location: 650 W. Guy Avenue**

### CASE #: DP-20-24 DATE: May 13, 2024

<b>PETITIONER:</b>	Habitat for Humanity 213 E. Kirkwood Ave., Bloomington, IN
CONSULTANTS:	Smith Design Group, Inc. 2755 E. Canada Drive, Bloomington

**REQUEST:** Secondary plat approval for Osage Place, Phase 2 for a subdivision of 7.16 acres for 39 residential lots and 4 common area lots in a Planned Unit Development (PUD).

BACKGROUND:	
Area:	7.16 acres
Zoning:	Planned Unit Development
<b>Comp Plan Designation:</b>	Neighborhood Residential (Thomson PUD) and Mixed Urban
	Residential
Existing Land Use:	Undeveloped
<b>Proposed Land Use:</b>	Dwelling, Single-family (attached and detached)
Surrounding Uses:	North – Commercial/Industrial (Thomson PUD)
_	West – RCA Community Park
	East – Dwelling, Single-family
	South – Dwelling, Single-family

**REPORT:** The property is located at 650 W. Guy Avenue and is zoned Planned Unit Development (Thomson PUD). The overall 12.5 acre property is located at the west end of the stubs of Cherokee Drive, Chambers Drive, Duncan Drive, and Guy Avenue with Bernard Drive to the south. Surrounding zoning includes the Thomson PUD to the north, Residential Medium Lot (R2) to the east and south, and Parks and Open Space (PO) to the west. The surrounding properties have been developed with a mix of single family residences to the east and south, industrial uses within the Thomson PUD to the north, and the RCA Community Park to the west. This portion of the site is undeveloped and has several trees along the property border and no known sensitive environmental features.

A secondary plat approval for Phase 2 was granted under DP-33-23 on September 11, 2023, however the plat was never recorded and the final plat approval expired after 6 months.

The petitioner is now requesting a new secondary plat approval to plat the remaining portion of the development that was approved as Phase 2, which would include 39 residential lots and 4 common area lots. No changes in the proposed plat are proposed with this re-approval.

**SECONDARY PLAT REVIEW**: The Plan Commission shall review the secondary plat 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 petition meets all of the requirements and standards of the UDO and the approved PUD District Ordinance. No problems have been identified with meeting all stormwater and utility connections, however this aspect is being reviewed with the grading permit. No adverse impacts on adjacent properties have been identified. This phase plats the remaining portions of the development in Phase 2 which as shown with the final plan and primary plat.

### **PLAT REVIEW:**

**Uses/Development Standards:** The Plan Commission approved the Residential Urban (R4) zoning district for the development standards with the PUD and the Traditional Subdivision type for the subdivision request, with some proposed modifications. The approved modifications are as follows-

**Rear Yard Setback**- a 20' rear yard building setback was approved instead of 25'. **Minimum Lot Width-** for the attached single family lots only, a minimum 30' width was approved rather than the 35' requirement.

**Minimum Lot Size-** for the attached single family lots only, a minimum lot size of 3,000 square feet was approved rather than the minimum standard of 4,000 square feet.

**Minimum number of lots served by an alley-** although the Traditional Subdivision type requires a minimum of 67% of the lots within the overall development be served by an alley, this petition was approved to allow 57%, which is shown on the plat.

**Parking, Streetscape, and Access:** The petitioner is showing public streets throughout the project with some of these streets having on-street, parallel spaces along both sides. All internal roads and alleys will be public. The layout of lots and alley-loaded lots are as approved with the PUD. The internal alleys will be 14' wide and in 20' of dedicated right-of-way. The petitioner is proposing to preserve existing trees along several of the property boundaries and was not required to utilize alley loaded garages for all of the lots to increase preservation possibilities and to minimize impacts to surrounding uses.

The overall petition would involve extending all of the existing adjacent stub streets to the east to connect through this development. This phase will include the platting of right-of-way for the extension of Cherokee Drive, Chambers Drive, Duncan Drive, and Guy Avenue (Hope Street). The Plan Commission approved the extensions of Duncan and Chambers to only have 44' of dedicated right-of-way since they are requesting to not have on-street parking on either side and are extensions of substandard right-of-way. Those sections of the street would be required to be signed with No Parking signs. The temporary turn around area required with Phase 1 of the development at the end of Cherokee Drive will be removed with the construction of Phase 2.

**Proposed Lots:** The proposed lots would be approximately 3,000 square feet for the lots with attached residences and 4,000 sq. ft. for the lots with detached residences. This is consistent with the approved final plan and primary plat. There are areas of tree preservation set aside along the north property lines within the Common Area lot. The areas of preservation along the north side

of this plat have been shown in the required conservation easement.

Alternative Transportation: The proposed site plan features several multi-modal transportation facilities. All of the internal streets will have sidewalks along both sides. In addition, there is an 8' wide multi-use path shown running east/west through the site along Chambers Drive and provides a multi-use path to the RCA Park immediately to the west that can be used by residents of the existing neighborhoods. The portions of the 8' wide multi-use path have all been shown within a pedestrian easement on Common Area lots and within right-of-way and will be privately owned and maintained for the portions of the path with Common Area.

As part of the initial rezoning petition, the petitioner was required to make a \$40,000 contribution to a project to construct a multi-use path along an east/west electric line corridor that runs along the north side of this site and will connect Weimer Road to Rogers Street. This contribution has yet to be received and is waiting on final plans moving forward from the Parks Department. While this contribution was previously tied to the issuance of a grading permit, it is more appropriate to delay this contribution to a later stage and a condition of approval has been included to require this prior to acceptance of the streets.

**Environmental Considerations:** The overall petition site is currently undeveloped with almost 60' of grade change from the south end of the site to the north end. While there are several scattered trees on the property, there is not a mature closed canopy that is required to be preserved. The petitioner designed the site plan to preserve the trees along the property boundaries along the west and north sides. These have been shown to be located within conservancy easements. There are no known sensitive environmental features.

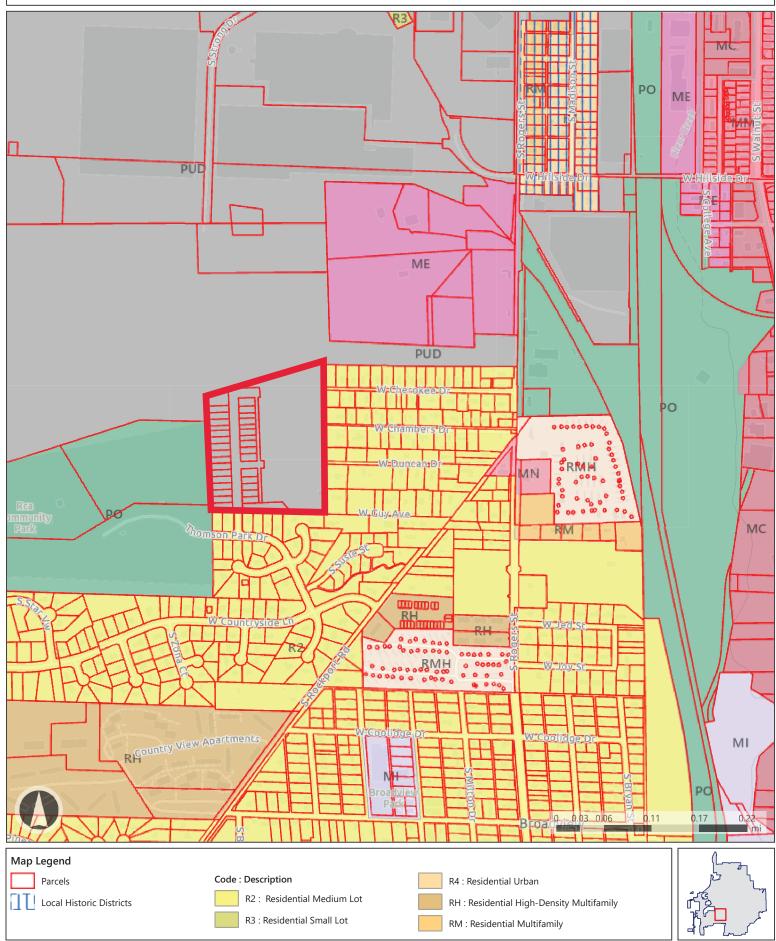
**CONCLUSION:** The development plan associated with this subdivision request offers a highly needed housing type for the community, in an appropriate location. The lack of sensitive environmental features allows for a dense, infill project with a high degree of connectivity, while still allowing for preservation of the few high quality trees on the site. The proposed secondary plat is consistent with the approved primary plat and final plan and meets the UDO requirements.

**RECOMMENDATION**: The Planning and Transportation Department recommends that the Plat Committee approve the secondary plat, DP-20-24, with the following conditions:

- 1. Approved per terms and conditions of Plan Commission case #PUD-10-20, SP/DP-24-20, and DP-34-21.
- 2. The required contribution for the construction of the trail within the electric line easement must be received prior to final acceptance of internal roads.

## Planning and Transportation Depaptment







# Planning and Transportation Department





Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

April 9, 2024

Eric Greulich City of Bloomington Planning Department 401 N. Morton Street Bloomington, IN. 47404

Re: Osage Place Subdivision Phase 2 Secondary Plat

Dear Eric,

On behalf of our client, Habitat for Humanity of Monroe County, we respectfully request to be placed on the Plat Committee agenda for the September meeting for consideration of Secondary Plat approval for Osage Place Subdivision Phase 2 Secondary Plat.

Details of the project are contained in the attached petitioner's statement as well as shown on the plat drawing.

Should you have any questions concerning our application, please contact me.

Sincerely,

Kathur E Sten

Katherine E. Stein, PE Vice President Smith Design Group, Inc. kstein@smithdginc.com



Todd M. Borgman, P.L.S. Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith, Founder

### Petitioner's Statement Osage Subdivision Phase 2

### **Purpose**

The purpose of this secondary plat is to create Phase 2 of Osage Place Subdivision, a Habitat for Humanity development.

### **Location**

The subject property is located at the end of the dead-end streets of S Bernard Drive, W Guy Avenue, W Duncan Drive, W Chambers Drive and W Cherokee Drive.

Address: 650 W Guy Avenue

### **Parcels**

This plat will create 39 lots for single family housing and 4 common areas for pedestrian access and stormwater drainage.

### **R/W Dedication**

Right-of-way dedication is in accordance with the Thoroughfare plan and the Unified Development Ordinance.

### Pedestrian Easements

Pedestrian easements are being created across common area lot 74. These easements will encompass new pathways.

### **Conservancy Easements**

Conservancy easements are being created to restrict any land-disturbing activities within selected areas.

