

# CITY OF BLOOMINGTON



## PLAN COMMISSION

May 12, 2025, 5:30 P.M.  
Council Chambers, Room #115  
Hybrid Zoom Link:

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978

Passcode: 622209

**CITY OF BLOOMINGTON****PLAN COMMISSION (Hybrid Meeting)**

❖City Council Chambers, 401 N Morton Street Bloomington – Room #115

May 12, 2025 at 5:30 p.m.

## ❖Virtual Link:

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978      Passcode: 622209

Petition Map: <https://bton.in/G6BiA>**ROLL CALL****MINUTES TO BE APPROVED:** None**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.

Case Manager: Jackie Scanlan**ZO-34-23      City of Bloomington Planning and Transportation**

Text Amendment

Request: Text amendment related to Sign Standards and request for waiver of second hearing. Case Manager: Jackie Scanlan**ZO-01-25/RZONE2025-01-005****City of Bloomington Planning & Transportation**

Text Amendment

Request: Text Amendments to Unified Development Ordinance: Affordable Housing Incentives.

Case Manager: Jackie Scanlan**\*\*Next Meeting June 9, 2025****Last Updated: 5/9/2025*****Auxiliary aids for people with disabilities are available upon request with adequate notice.******Please call [812-349-3429](tel:812-349-3429) or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).***

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Melissa Hirtzel** at [hirtzelm@bloomington.in.gov](mailto:hirtzelm@bloomington.in.gov) and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

**ZO-03-25**

**City of Bloomington Planning & Transportation**

Text Amendment

Request: Text amendment related to Single-Room Occupancy and request for waiver of second hearing.

Case Manager: Jackie Scanlan

**PETITIONS:**

**SP-14-25/SP25-04-0076**

**Overlook on 46 LLC**

355 S Overwatch DR

Parcel: 53-08-01-200-019.000-009

Request: Site plan approval to approve a phasing plan for the construction of a self-storage facility in the Mixed-Use Corridor (MC) Zoning District.

Case Manager: Eric Greulich

***\*\*Next Meeting June 9, 2025***

**Last Updated: 5/9/2025**

***Auxiliary aids for people with disabilities are available upon request with adequate notice.***

***Please call [812-349-3429](tel:812-349-3429) or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).***

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Melissa Hirtzel** at **[hirtzelm@bloomington.in.gov](mailto:hirtzelm@bloomington.in.gov)** and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 355 S. Overwatch Drive**

**CASE #: SP-14-25/  
SP2025-04-0076  
DATE: May 12, 2025**

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**PETITIONER:** Overlook on 46, LLC  
1220 Brookville Way, Indianapolis, IN

**CONSULTANTS:** Smith Design Group, Inc.  
1467 W. Arlington Road, Bloomington, IN

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**REQUEST:** The petitioner is requesting site plan approval of a phasing plan for the construction of a “Storage, self-service” use in the Mixed-Use Corridor (MC) zoning district.

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**BACKGROUND:**

|                               |  |
|-------------------------------|--|
| <b>Area:</b>                  | 10.07 acres                                      |
| <b>Zoning:</b>                | Mixed-Use Corridor (MC)                          |
| <b>Comp Plan Designation:</b> | Urban Corridor                                   |
| <b>Existing Land Use:</b>     | Multifamily dwelling units                       |
| <b>Proposed Land Use:</b>     | Multifamily dwelling units/Storage, self-service |
| <b>Surrounding Uses:</b>      | North – Restaurant                               |
|                               | West – Multifamily dwelling units                |
|                               | East – Hotel                                     |
|                               | South – Multifamily dwelling units               |

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**REPORT:** The petition site is located near the southwest corner of E. 3<sup>rd</sup> Street and 446. The site has frontage on 3<sup>rd</sup> Street to the north and 446 to the east. Surrounding properties to the north and east are zoned Mixed-Use Corridor (MC), to the west is zoned Residential High Density (RH) and to the south are zoned Residential Multifamily (RM).

The petitioner received site plan approval under SP-18-21 to develop the site with a 176-unit multifamily development and an approximately 38,000 square foot building to be used for a self-service storage facility. A variance was approved under case #V-05-22 from tree preservation standards to allow the road connection through the southeast portion of the site and for tree clearing related to a sanitary sewer connection.

At the time of the approval the petitioner expected to construct all of the buildings and uses that were shown at one time, however the construction of the self-storage building was delayed and the petitioner has completed all of the improvements for the multifamily residences and would like final occupancy for those buildings. However, since there was not a phasing plan approved with the initial site plan approval, the petitioner must request a phasing plan to be approved to allow occupancy for the residential buildings before the self-storage facility has not been initiated. There have not been any changes to the overall petition or site plan.

In general the proposed phasing line would separate only the location of the self-storage facility from the rest of the site. Stormwater management facilities were installed on other portions of the site associated with the multifamily buildings. All internal roads have been constructed and this phasing plan would only separate the self-storage building and small parking area from the rest of the improvements. There are two items that were related to the overall development of the site that must be addressed with the phasing plan- the first are improvements to the entrance along State



Road 46 as required by the Indiana Department of Transportation (INDOT); and the second is in regards to areas of tree preservation and remediation associated with an approved variance. The variance required a tree preservation easement and additional trees to be planted around the area of the self-storage building, which the petitioner is requesting to be connected with Phase 2 once the building is constructed. INDOT has extended their permit to cover those required improvements to June 2026. Those two aspects must be completed regardless of the construction of the self-storage facility and a condition of approval has been included to require both of those elements to be completed by June 30, 2026.

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**MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii):** Major site plan approval is required for developments that contain more than 50 dwelling units and/or any development with more than 20,000 square feet of nonresidential space. This overall proposed site plan contained 176 dwelling units and a 38,000 square foot self-storage facility and therefore triggers major site plan review. This specific request does not change those two elements and is simply for a phasing plan.

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**SITE PLAN REVIEW:** The Plan Commission shall review the major site plan 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 proposed site plan for the self-storage facility or the multifamily units has not changed from the original approval and is compliant with all of the standards of the UDO. Final approval from City of Bloomington Utilities was given for the overall development and the proposed phasing plan will not impact any utilities moving through the site that effect the development or surrounding properties.

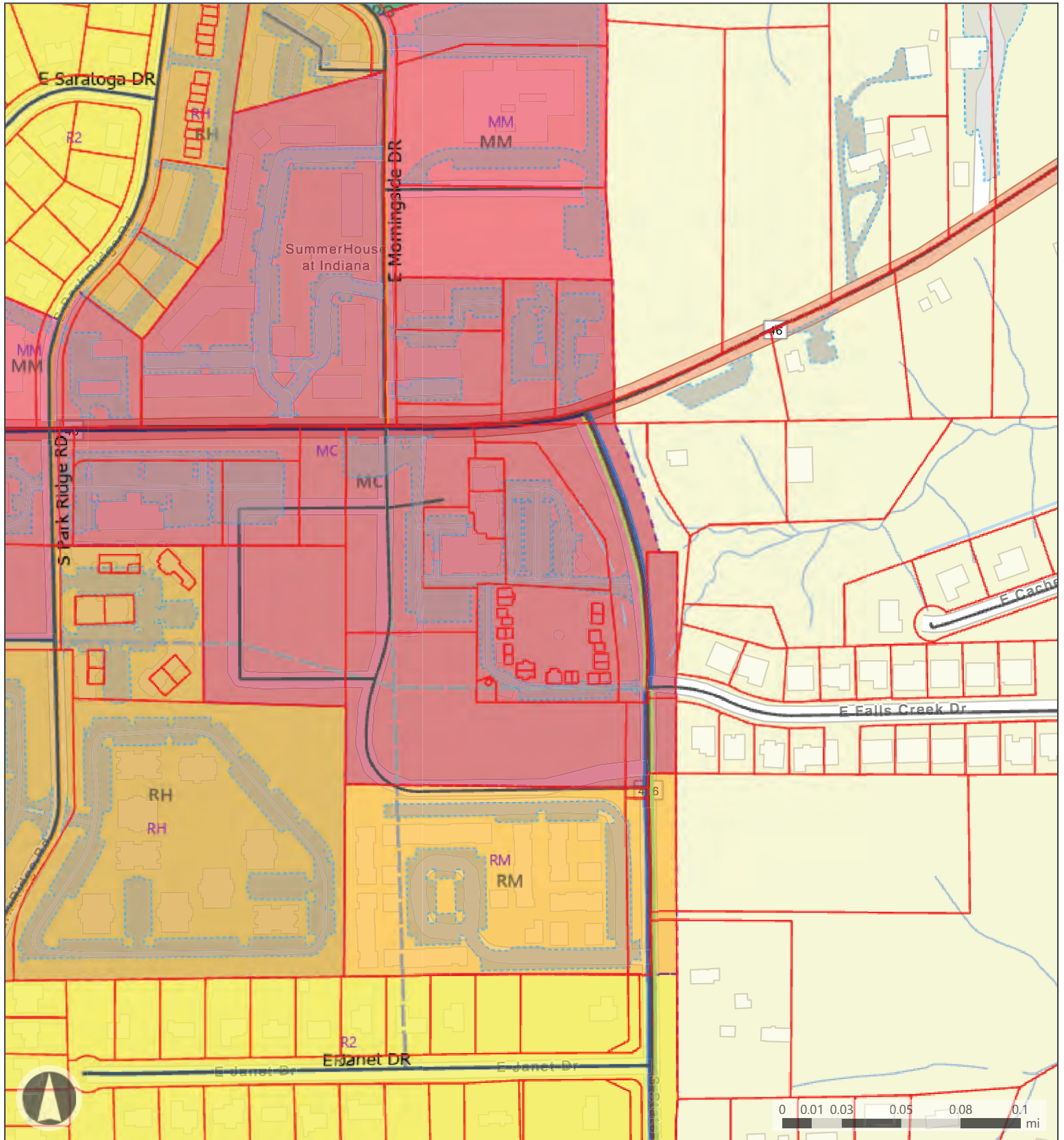
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**CONCLUSION:** The proposed phasing plan to separate the self-storage facility from the rest of the development will not impact any public facilities or the overall site plan with the exception of the improvements to SR46 and tree preservation standards as described. No issues with the proposed phasing line have been identified.

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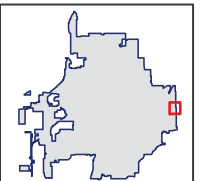
**RECOMMENDATION:** The Planning and Transportation Department recommends that the Plan Commission approve the phasing plan as submitted and adopt the proposed finding and approve SP-14-25 with the following conditions:

1. Approved per terms and conditions of SP-18-21 and Board of Zoning Appeals case #V-05-22.
2. All improvements along State Road 46 must be completed by June 30, 2026 or as required by INDOT.
3. All trees required to be planted as part of V-05-22 and the required tree preservation easement must be completed by June 30, 2026.
4. A Site Development Permit is required for the construction of the self-storage facility.

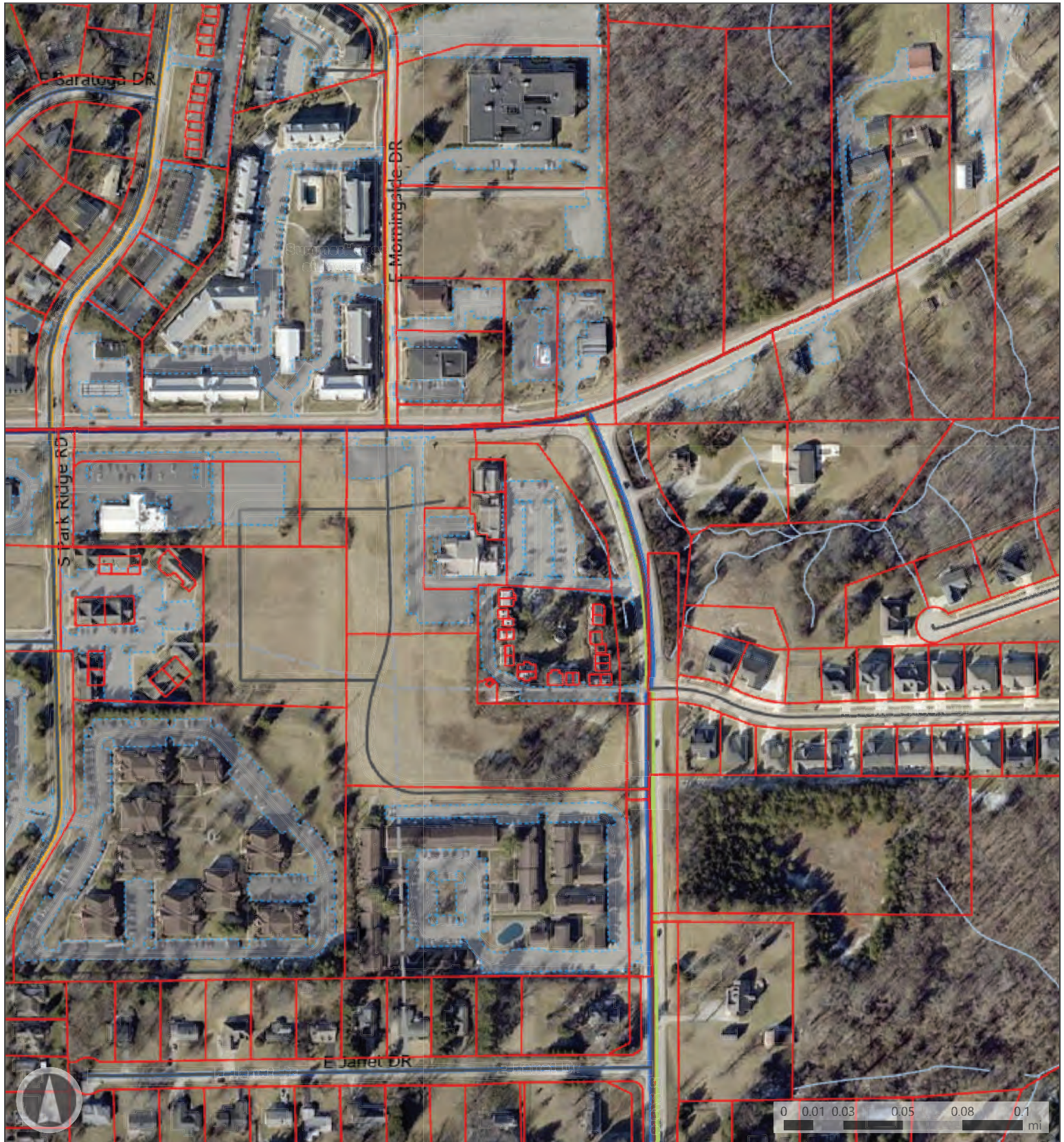


**Map Legend**

|                    |                         |                          |                  |
|--------------------|-------------------------|--------------------------|------------------|
| Parcels            | Current                 | Neighborhood Connector   | Primary Arterial |
| Paved Parking Lot  | City Maintained Streets | Neighborhood Residential | Secondary        |
| Gravel Parking Lot | General Urban           | Suburban Connector       |                  |

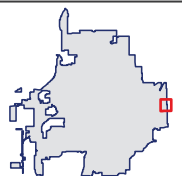






Map Legend

|                    |                         |                          |                     |
|--------------------|-------------------------|--------------------------|---------------------|
| Parcels            | Current                 | Neighborhood Connector   | Primary Arterial    |
| Paved Parking Lot  | City Maintained Streets | Neighborhood Residential | Secondary Collector |
| Gravel Parking Lot | General Urban           | Suburban Connector       |                     |







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

April 7, 2025

City of Bloomington Planning & Transportation Department  
c/o Eric Greulich  
Showers Building Suite 130  
401 N Morton St  
Bloomington, Indiana 47404

Dear Eric and Plan Commission Members,

On behalf of our client, Overlook on 46, LLC, we respectfully request to be placed on the May 12, 2025 Plan Commission agenda for consideration of a Phasing Plan for the Overlook on 46 project.

Overlook on 46 is a mixed-use development consisting of multifamily residential and self-storage commercial use. Major site plan approval was granted by Plan Commission on September 13, 2021.

A request for phasing the project is desired for separating the multifamily area (Phase 1) from the self-storage area (Phase 2) in order to receive final occupancy from both areas independently from each other.

Most of the project has been completed including major components such as:

- **Drive Access**: The drive access for residents, guests, emergency services and Bloomington Transit including a covered shelter and bus pull off area have been installed for full connectivity from west 3<sup>rd</sup> Street to SR 446
- **Pedestrian Connectivity**: Walking paths from west 3<sup>rd</sup> Street to SR 446 along the access drive as well as walkway path connection from the multifamily area to the west have been installed.
- **Utility Services**: Utility mains including stormwater infrastructure and detention that serve the entire project have been installed.



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

The remaining site features within the proposed Phase 2 section would include, but not limited to the self-storage building, vehicular and pedestrian access, retaining walls, drainage infrastructure, landscaping, final improvements along W 3<sup>rd</sup> Street and mitigation trees. The additional trees are required per variance, V-05-22, and are to be located near the storage building. It is imperative for the survivability of the trees to be installed after the construction is complete for the self-storage building and is the reason they have been included with Phase 2.

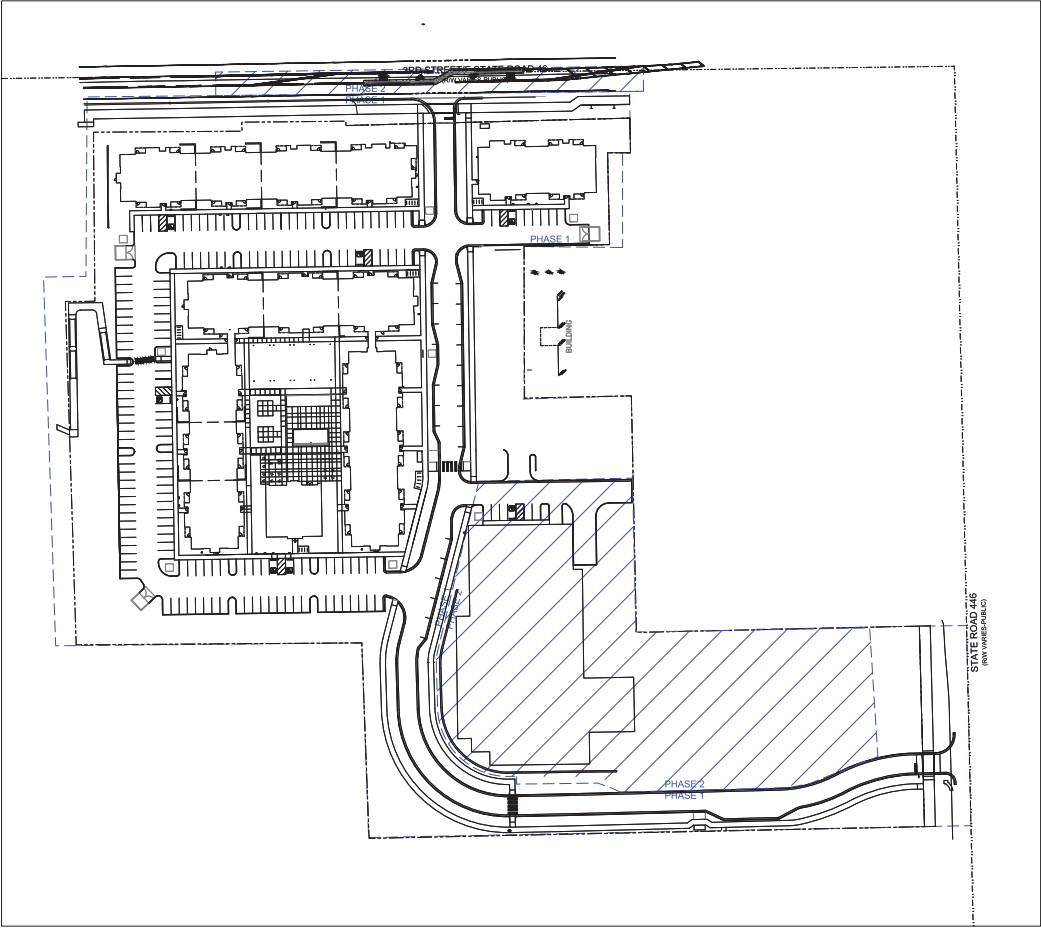
The construction of the storage unit building would be separated appropriately by the contractor for the safety of the residents and general public as is typical practice for construction sites.

We appreciate your consideration for this request. Should you have any questions, please contact me.

Regards,

A handwritten signature in black ink that reads 'Katherine E Stein'.

Katherine E Stein, PE  
Smith Design Group, Inc.




SCALE: 1"=50'

GENERAL NOTES

- 1. THIS SHEET IS FOR PROJECT PHASING PURPOSES ONLY.
- 2. THE PHASE 1 AND PHASE 2 ARE NOT TO BE CONSIDERED FOR THIS PROJECT WERE COMPLETED BY AMERICAN STRUCTUREPOINT AND/OR OTHERS.

- PHASE 1
- PHASE 2



XX/XX/XXXX

THE OVERLOOK  
ON 3RD  
BLOOMINGTON, IN

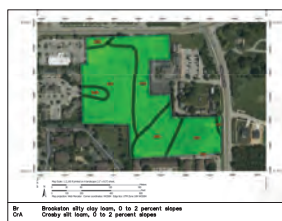
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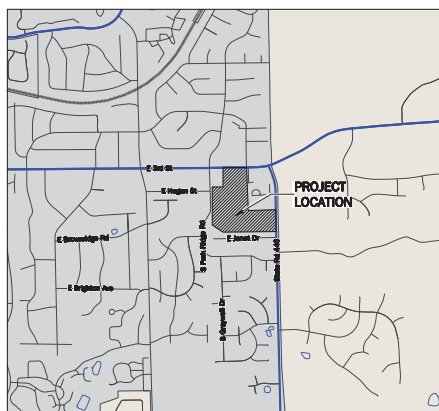
| PROJECT NO. | DATE       |
|-------------|------------|
| 6312        | 04/28/2025 |

1 OF 1

PHASING PLAN

[illegible]

NOT TO SCALE



NOT TO SCALE

| DESCRIPTION                                    | SHEET NO. |
|--|-----------|
| TITLE SHEET                                    | C001      |
| GENERAL NOTES                                  | C002      |
| SPECIFICATIONS                                 | C003      |
| EXISTING TOPOGRAPHY                            | C100      |
| DEMOLITION PLAN & EROSION CONTROL PLAN PHASE 1 | C110      |
| OVERALL SITE PLAN                              | C200      |
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| OVERALL GRADING PLAN                           | C300      |
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| GRADING PLAN                                   | C302      |
| GRADING PLAN                                   | C303      |
| GRADING PLAN                                   | C304      |
| GRADING PLAN                                   | C305      |
| STORM STRUCTURE DATA TABLE                     | C310      |
| OVERALL UTILITY PLAN                           | C400      |
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| UTILITY PLAN                                   | C402      |
| UTILITY PLAN                                   | C403      |
| UTILITY PLAN                                   | C404      |
| UTILITY PLAN                                   | C405      |
| STORM PLAN AND PROFILES                        | C410      |
| STORM PLAN AND PROFILES                        | C411      |
| STORM PLAN AND PROFILES                        | C412      |
| STORM PLAN AND PROFILES                        | C413      |
| STORM PLAN AND PROFILES                        | C414      |
| STORM PLAN AND PROFILES                        | C415      |
| STORM PLAN AND PROFILES                        | C416      |
| SANITARY PLAN AND PROFILES                     | C420      |
| SANITARY PLAN AND PROFILES                     | C421      |
| WATER PLAN AND PROFILES                        | C430      |
| WATER PLAN AND PROFILES                        | C431      |
| WATER PLAN AND PROFILES                        | C432      |
| EROSION CONTROL PLAN PHASE 2                   | C500      |
| STORMWATER POLLUTION PREVENTION PLAN           | C510      |
| EROSION CONTROL DETAILS                        | C520      |
| EROSION CONTROL DETAILS                        | C521      |
| SITE DETAILS                                   | C600      |
| SITE DETAILS                                   | C601      |
| SITE DETAILS                                   | C602      |
| SITE DETAILS                                   | C603      |
| SITE DETAILS                                   | C604      |
| SITE DETAILS                                   | C605      |
| SITE DETAILS                                   | C606      |
| SITE DETAILS                                   | C607      |
| OVERALL LANDSCAPE                              | L100      |
| NE LANDSCAPE                                   | L101      |
| NW LANDSCAPE                                   | L102      |
| SW LANDSCAPE                                   | L103      |
| SE LANDSCAPE                                   | L104      |
| SE LANDSCAPE                                   | L105      |
| LANDSCAPE DETAILS                              | L110      |

| UTILITY CONTACTS |                               |                 |                |
|------------------|-------------------------------|-----------------|----------------|
| UTILITY          | COMPANY                       | CONTACT         | PHONE NO.      |
| CABLE TELEVISION | COMCAST                       | SCOTT TEMPLETON | (317) 516-2356 |
| ELECTRIC         | DUKIE ENERGY                  | PRESELY PAGE    | (812) 375-2020 |
| FIBER OPTIC      | AT&T                          | RUSS OVEN       | (XXX) XXX-XXXX |
| GAS              | NEXTERN                       | JOHANNA EASTMAN | (317) 734-5073 |
| SANITARY SEWER   | CITY OF BLOOMINGTON UTILITIES | TROY POWELL     | (812) 346-3632 |
| STORM SEWER      | CITY OF BLOOMINGTON UTILITIES | PHIL PEDEN      | (812) 346-3634 |
| TELEPHONE        | AT&T                          | RUSS OVEN       | (XXX) XXX-XXXX |
| WATER            | CITY OF BLOOMINGTON UTILITIES | TROY POWELL     | (812) 346-3632 |

1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CONTAINED WITHIN THE PROJECT AREA.

2. CONTRACTOR TO VERIFY LOCATION, DEPTH AND EXISTENCE OF UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT CHARTERED IF NECESSARY.

3. SEE SHEET COVERED GENERAL NOTES FOR MORE INFORMATION.

**II. CAUTION II**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, vaults, sumps, and manhole manholes, etc. located by other) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE. THE EXACT LOCATIONS OF SUCH EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANYT AND ALL CONSTRUCTION.

CALL TOLL FREE  
"811" OR 1-800-362-5544

5025 River Road, Suite 200 | Indianapolis, Indiana 46240  
TEL 317.547.5580 | FAX 317.543.8270

**OVERLOOK ON 3rd**

Bloomington, IN

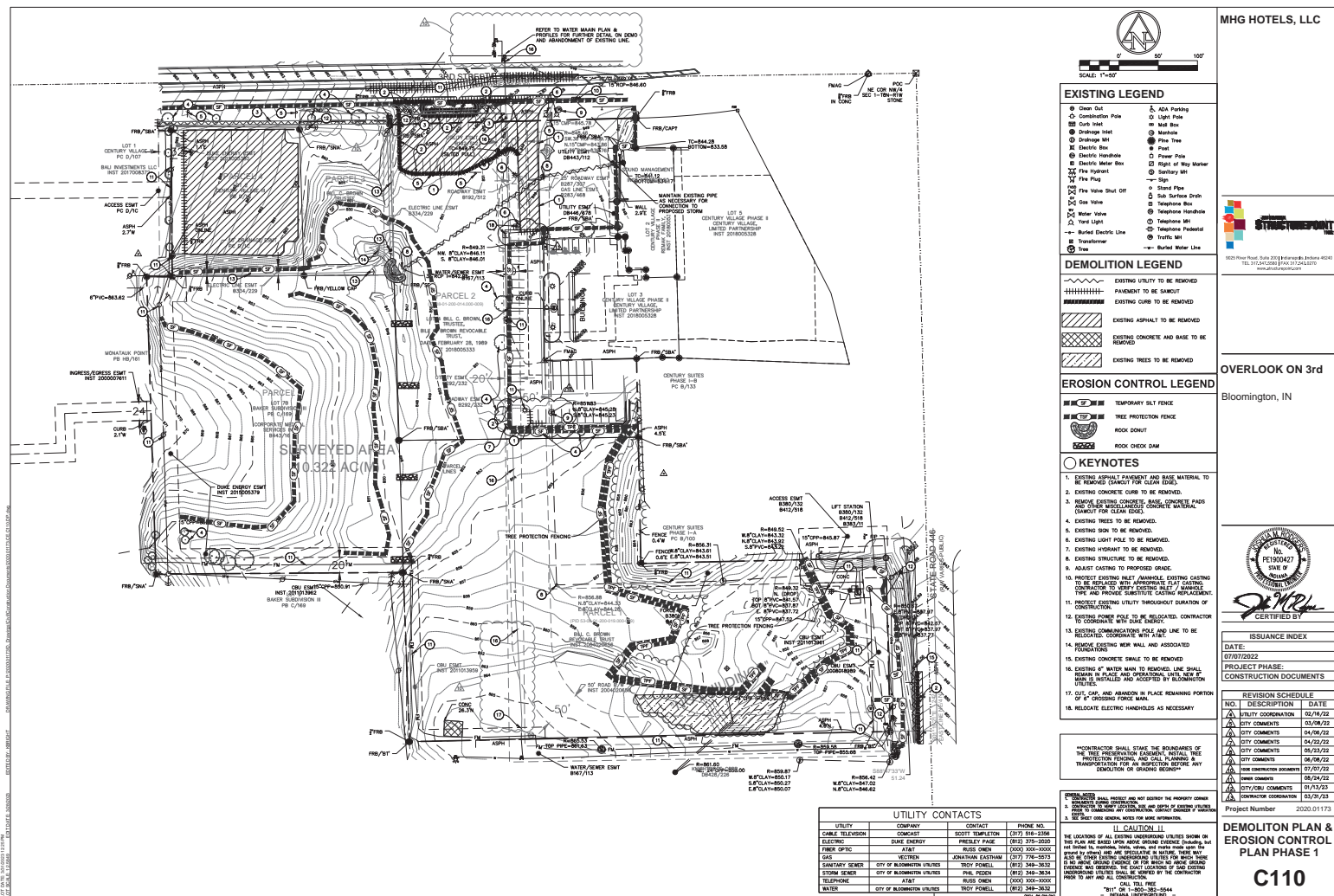


| ISSUANCE INDEX                        |                              |          |
|---------------------------------------|------------------------------|----------|
| DATE: 07/07/2022                      |                              |          |
| PROJECT PHASE: CONSTRUCTION DOCUMENTS |                              |          |
| REVISION SCHEDULE                     |                              |          |
| NO.                                   | DESCRIPTION                  | DATE     |
| ▲                                     | UTILITY COORDINATION         | 02/08/22 |
| ▲                                     | CITY COMMENTS                | 03/08/22 |
| ▲                                     | CITY COMMENTS                | 04/06/22 |
| ▲                                     | CITY COMMENTS                | 04/22/22 |
| ▲                                     | CITY COMMENTS                | 05/23/22 |
| ▲                                     | CITY COMMENTS                | 06/06/22 |
| ▲                                     | ISSUE CONSTRUCTION DOCUMENTS | 07/07/22 |
| ▲                                     | OWNER COMMENTS               | 08/24/22 |
| ▲                                     | CITY/DBU COMMENTS            | 01/13/23 |
| ▲                                     | CONTRACTOR COORDINATION      | 03/31/23 |

Project Number 2020.01173

**TITLE SHEET**

C001



MHG HOTELS, LLC

1000 West Road, Suite 200, Bloomington, Indiana 47404  
TEL: 317.340.3632 FAX: 317.340.3634  
www.mhg-hotels.comOVERLOOK ON 3rd  
Bloomington, IN

ISSUANCE INDEX

DATE: 07/07/2022

PROJECT PHASE: CONSTRUCTION DOCUMENTS

REVISION SCHEDULE

NO. DESCRIPTION DATE

1. UTILITY CORRECTIONS 02/16/22

2. CITY COMMENTS 03/08/22

3. CITY COMMENTS 04/06/22

4. CITY COMMENTS 04/25/22

5. CITY COMMENTS 06/06/22

6. CITY COMMENTS 07/07/22

7. CITY COMMENTS 08/24/22

8. CITY COMMENTS 07/13/23

9. CITY COMMENTS 03/29/23

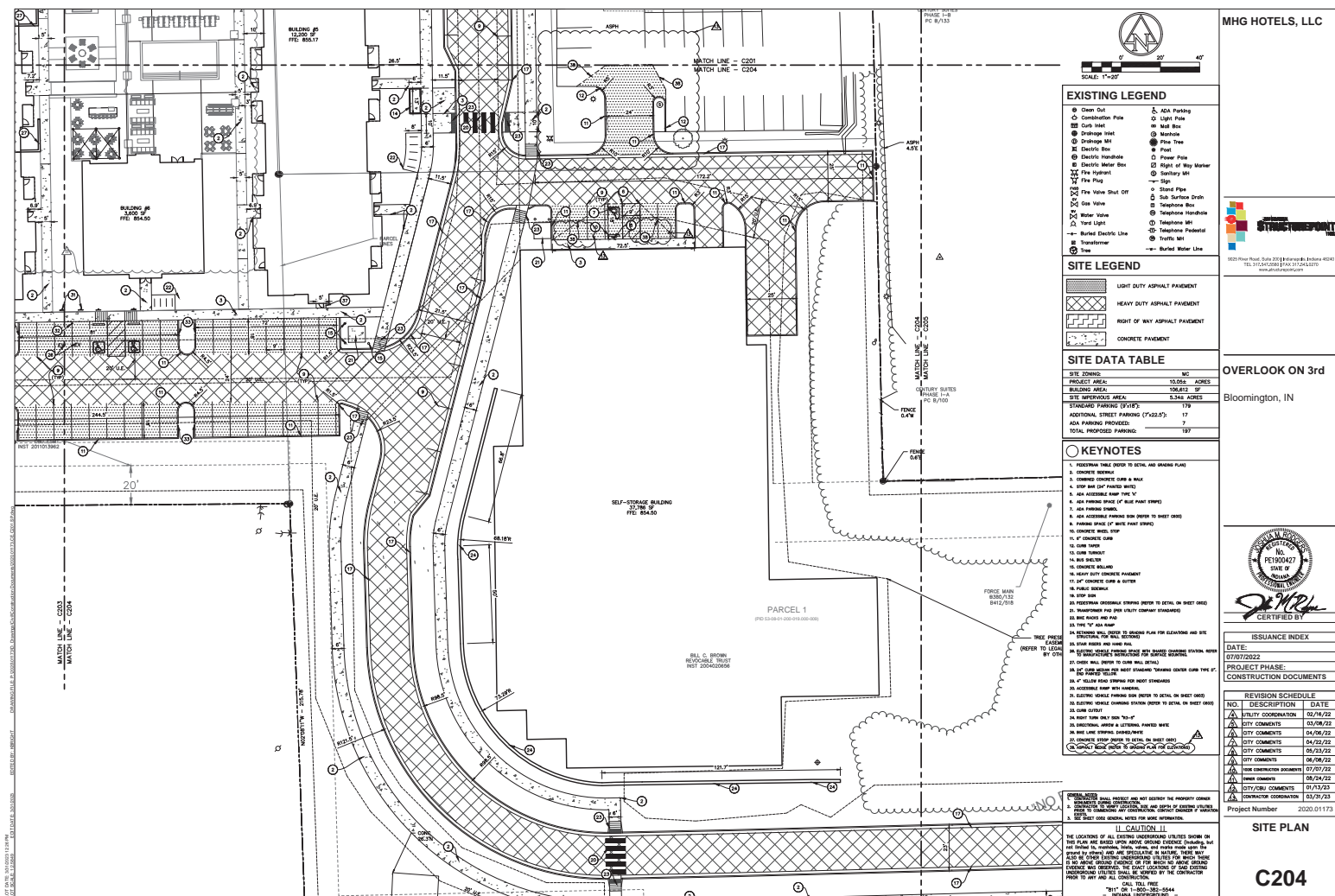
Project Number 2020.01173



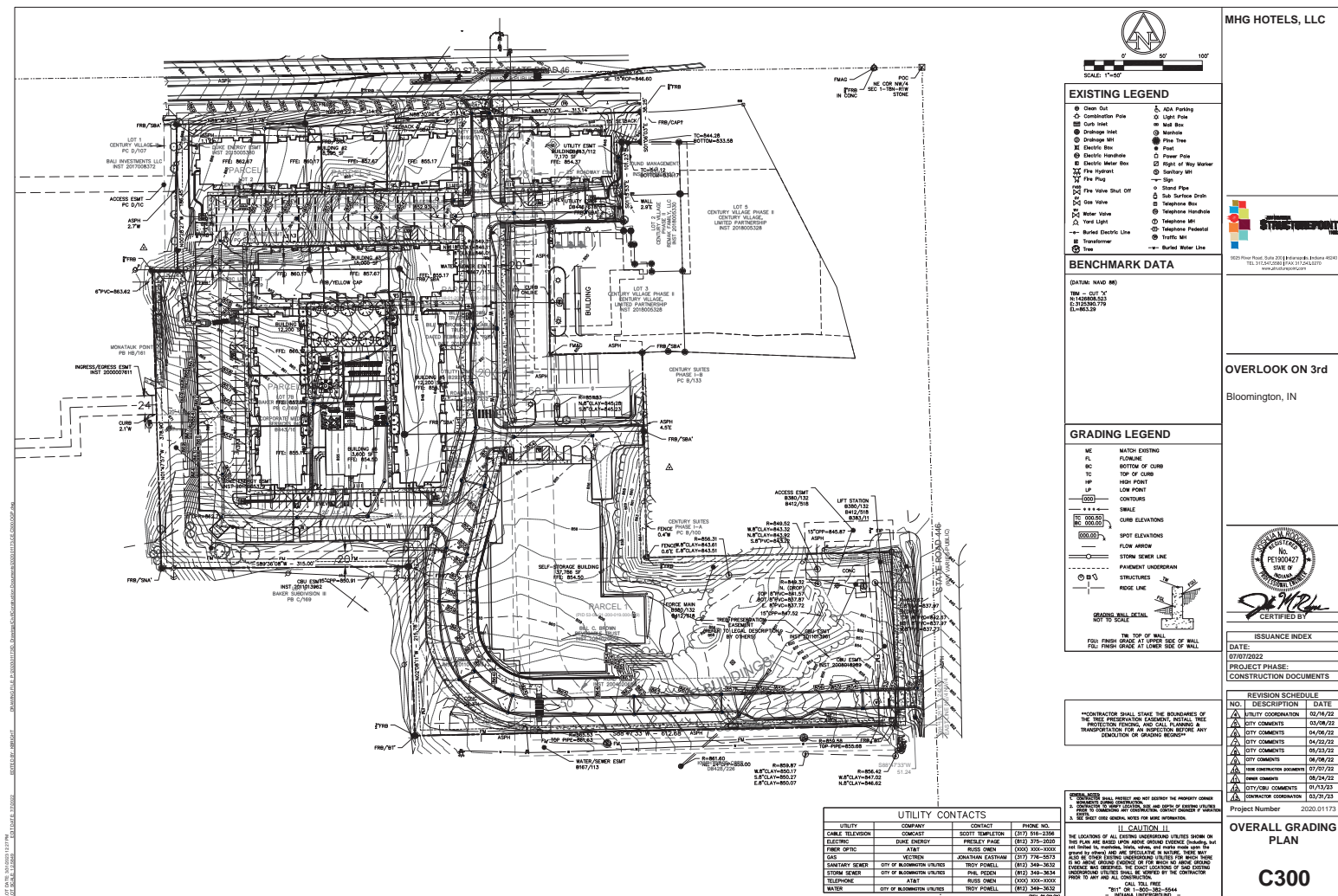




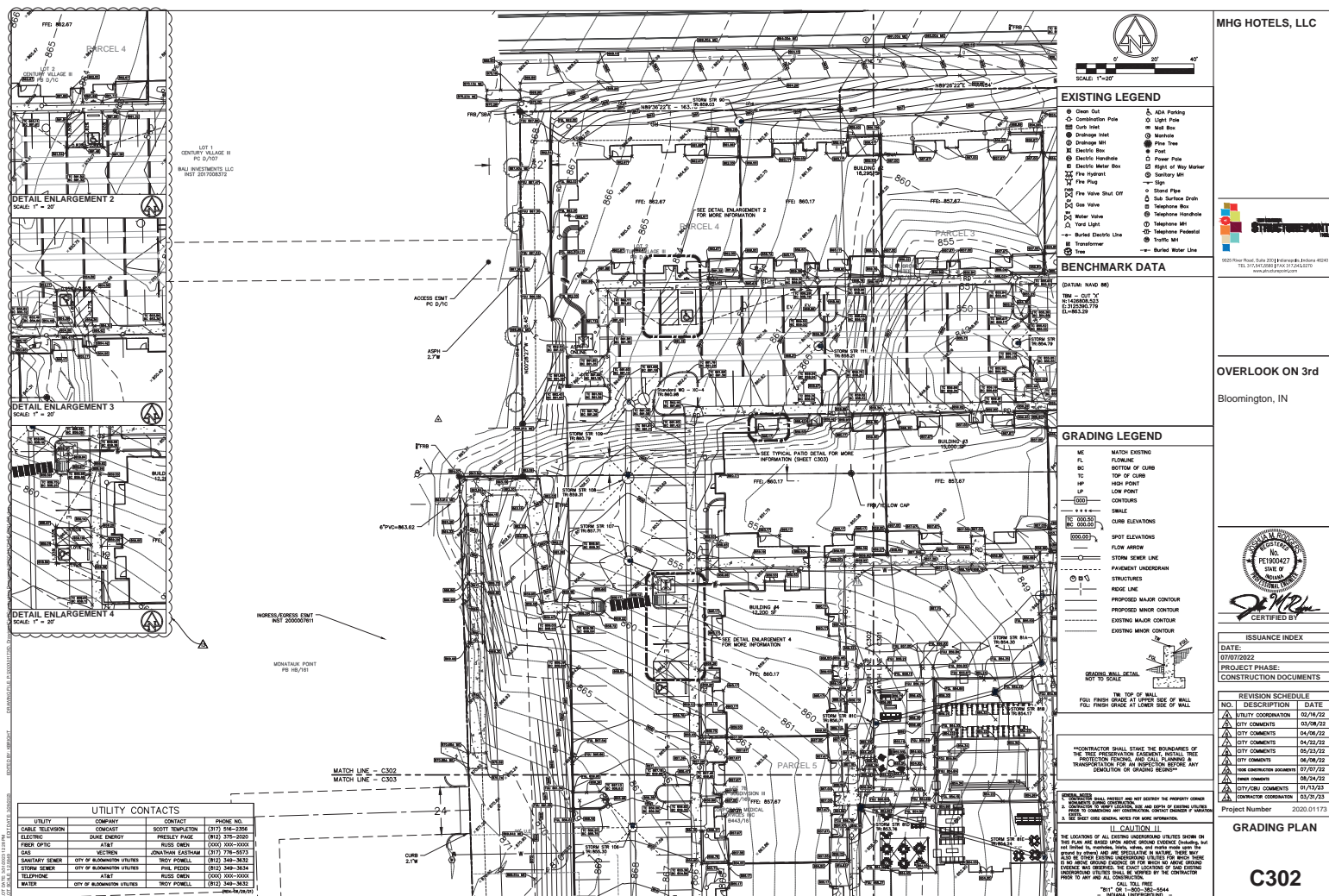








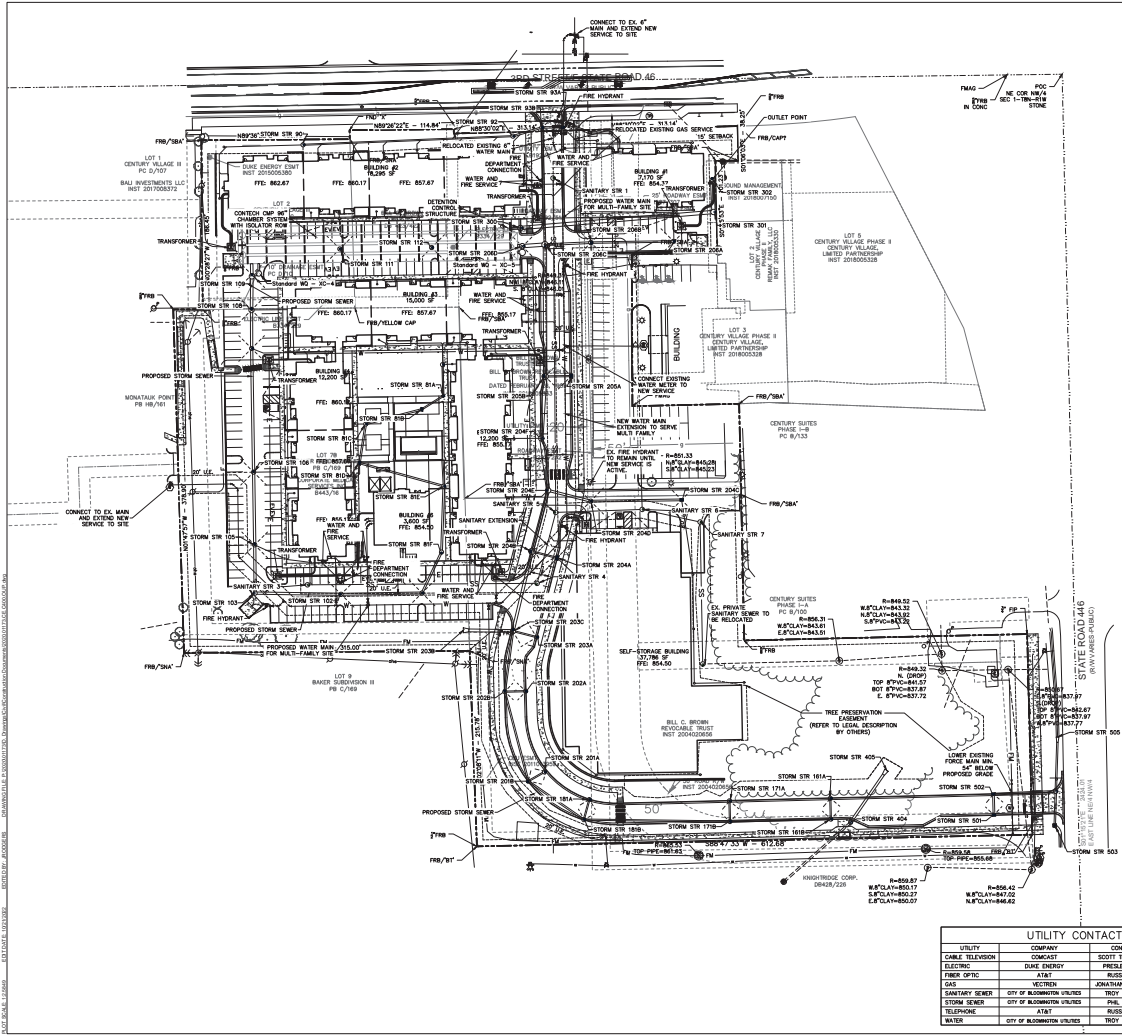












SCALE 1"=50'

**EXISTING LEGEND**

- Center Dot
- Combustion Pole
- Curb Inlet
- Driveway Inlet
- Electric Box
- Electric Handhole
- Electric Meter Box
- Fire Hydrant
- Fire Plug
- Gas Valve
- Gas Meter
- Water Valve
- Storm Drain
- ADA Parking
- Light Pole
- Mail Box
- Manhole
- Pole Tree
- Post
- Power Pole
- Right of Way Marker
- Sanitary Man
- Sign
- Stand Pipe
- Sub Surface Drain
- Telephone Box
- Telephone Handhole
- Telephone Man

**UTILITY LEGEND**

- ETC
- ELECTRIC / TELECOMMUNICATIONS LINE
- FIRE LINE
- FIRE PROTECTION LINE
- ROOF DRAIN LINE
- GAS LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- PAVEMENT UNDERDRAN
- GAS METER
- ELECTRICAL TRANSFORMER
- VALVE
- WATER FITTING
- WATER METER FIT
- FIRE HYDRANT BY ASSEMBLY

**MHG HOTELS, LLC**

**DEVELOPER**

**OVERLOOK ON 3rd**

Bloomington, IN

**ISSUANCE INDEX**

DATE: 07/07/2022

PROJECT PHASE: CONSTRUCTION DOCUMENTS

**REVISION SCHEDULE**

| NO. | DESCRIPTION         | DATE     |
|-----|---------------------|----------|
| 1   | UTILITY CONNECTIONS | 02/06/22 |
| 2   | CITY COMMENTS       | 03/06/22 |
| 3   | CITY COMMENTS       | 04/06/22 |
| 4   | CITY COMMENTS       | 04/22/22 |
| 5   | CITY COMMENTS       | 05/23/22 |
| 6   | CITY COMMENTS       | 06/06/22 |
| 7   | CITY COMMENTS       | 07/07/22 |
| 8   | CITY COMMENTS       | 08/24/22 |
| 9   | CITY COMMENTS       | 07/13/23 |
| 10  | CITY COMMENTS       | 05/29/23 |

Project Number: 2020.01173

**OVERALL UTILITY PLAN**

**C400**

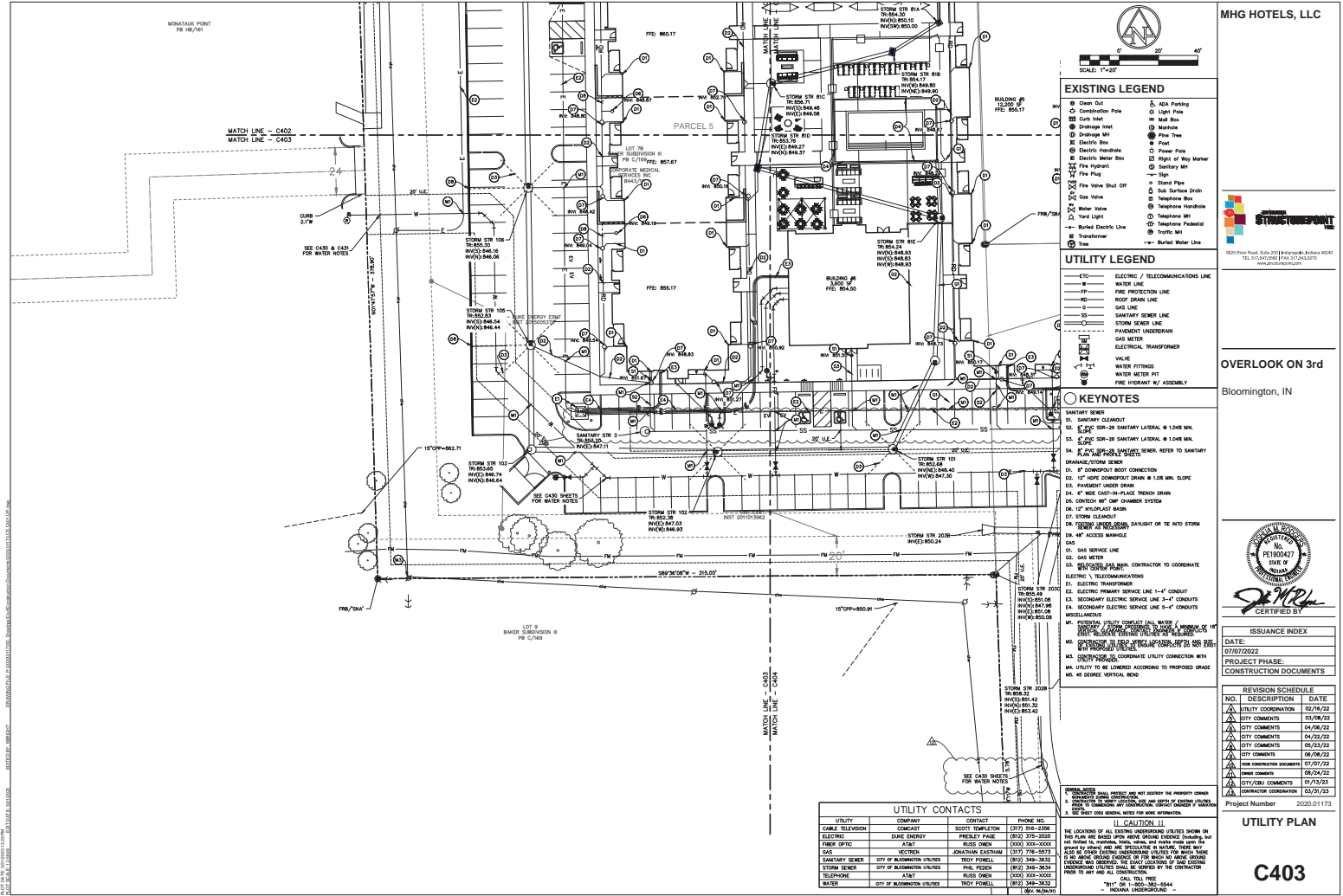
| UTILITY CONTACTS |                               |                  |                |
|------------------|-------------------------------|------------------|----------------|
| UTILITY          | COMPANY                       | CONTACT          | PHONE NO.      |
| CABLE TELEVISION | COMCAST                       | SCOTT TEMPLETON  | (317) 514-2388 |
| ELECTRIC         | ENR ENERGY                    | FRANK PAGE       | (812) 376-2000 |
| FIBER OPTIC      | AT&T                          | BLISS OWEN       | (202) 302-XXXX |
| GAS              | VECTREN                       | JONATHAN EASTMAN | (317) 716-1073 |
| SANITARY SEWER   | CITY OF BLOOMINGTON UTILITIES | TROY POWELL      | (812) 340-3632 |
| STORM SEWER      | CITY OF BLOOMINGTON UTILITIES | PHIL PECKEN      | (812) 340-3634 |
| TELEPHONE        | AT&T                          | BLISS OWEN       | (202) 302-XXXX |
| WATER            | CITY OF BLOOMINGTON UTILITIES | TROY POWELL      | (812) 340-3632 |

**CAUTION !!**

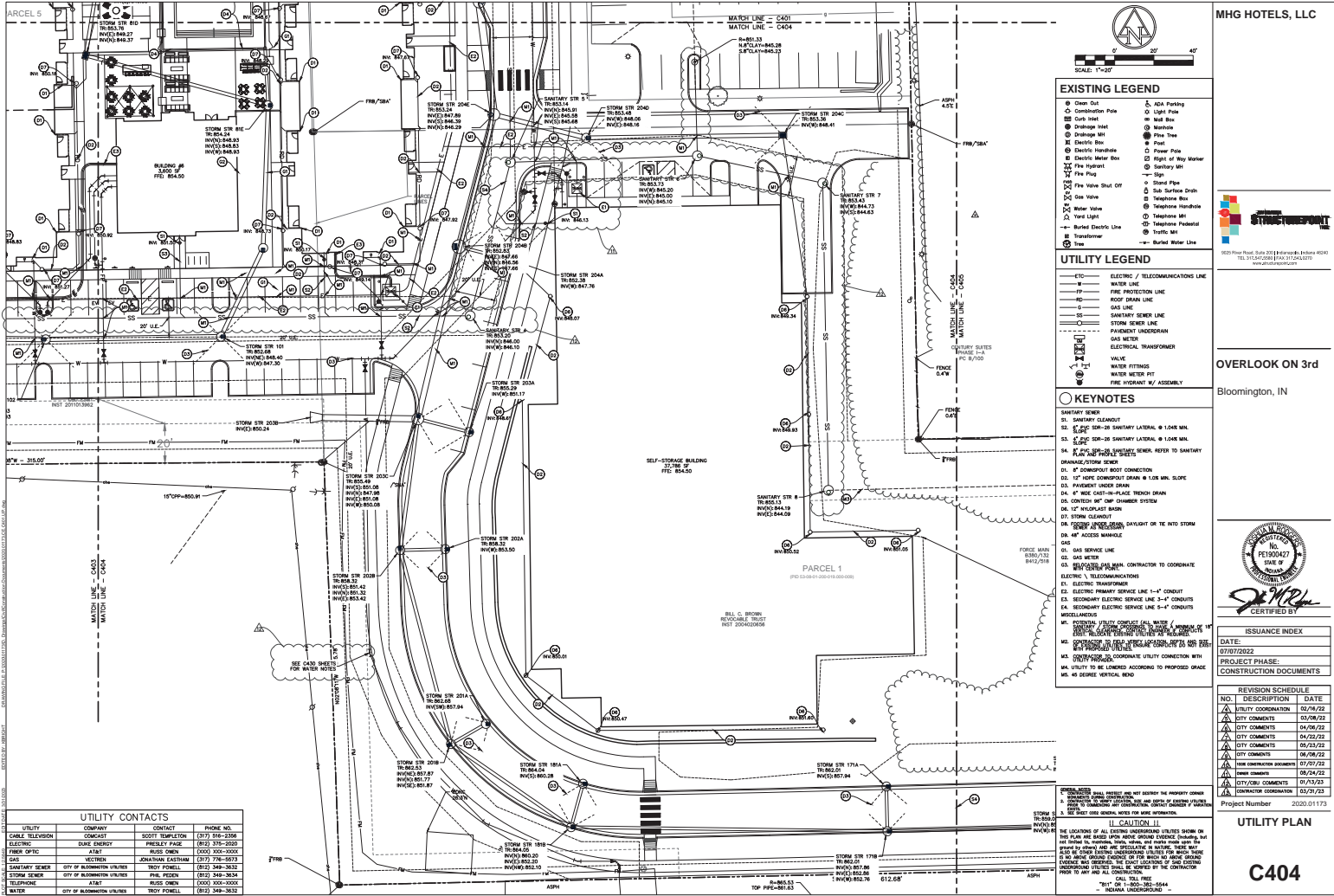
THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON RECORD DRAWINGS, FIELD SURVEYS, AND OTHER AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON PRIOR TO CONSTRUCTION.



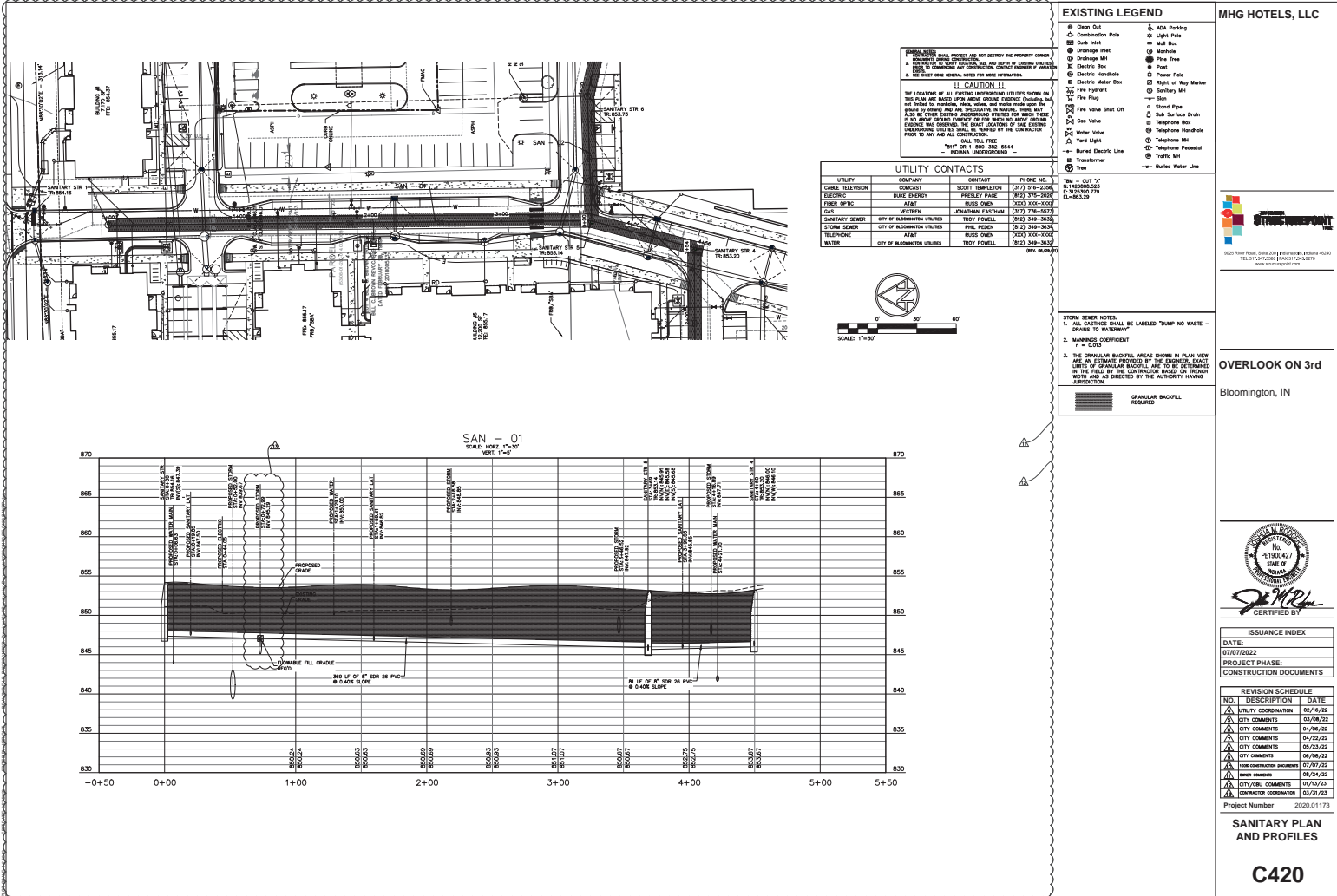








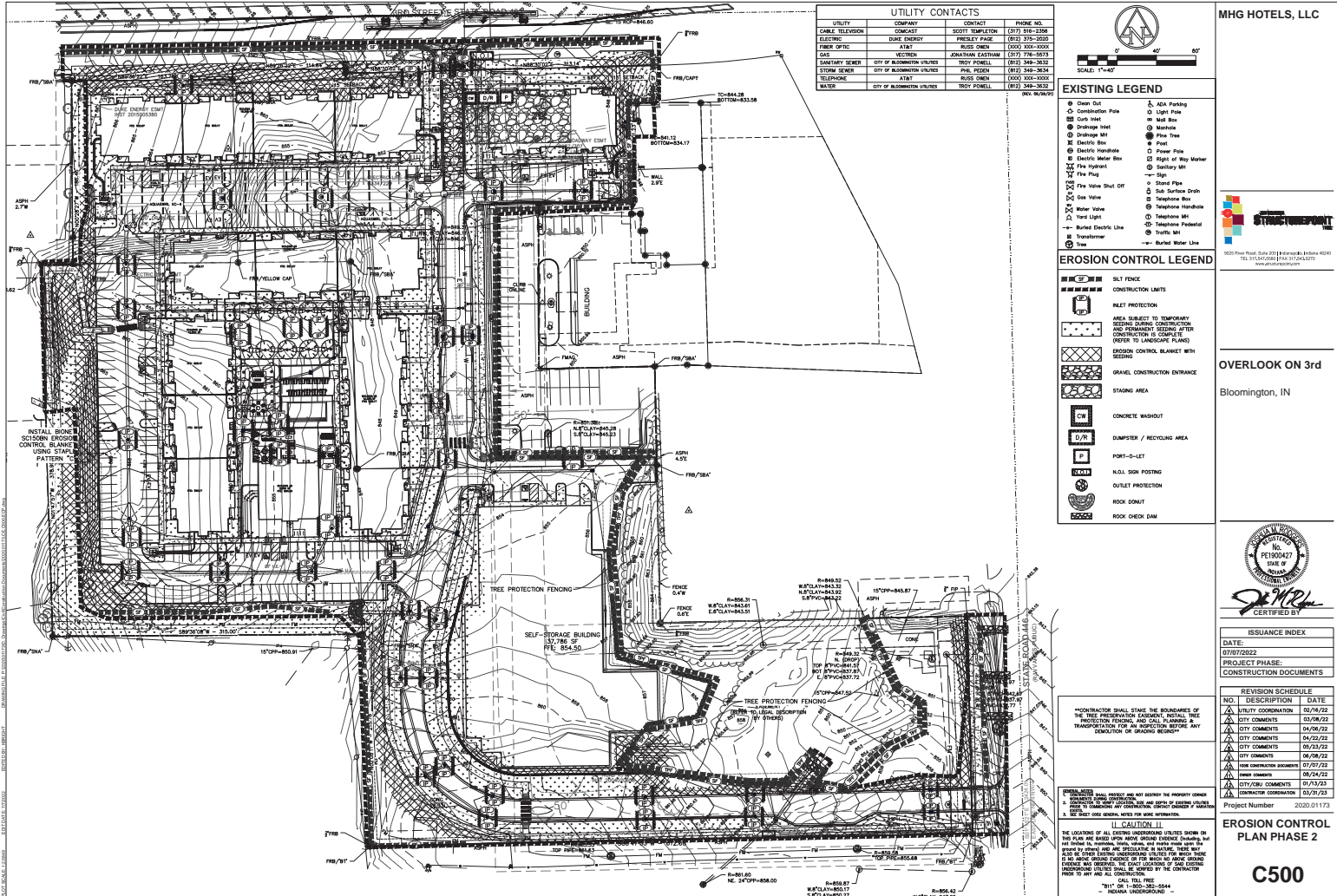


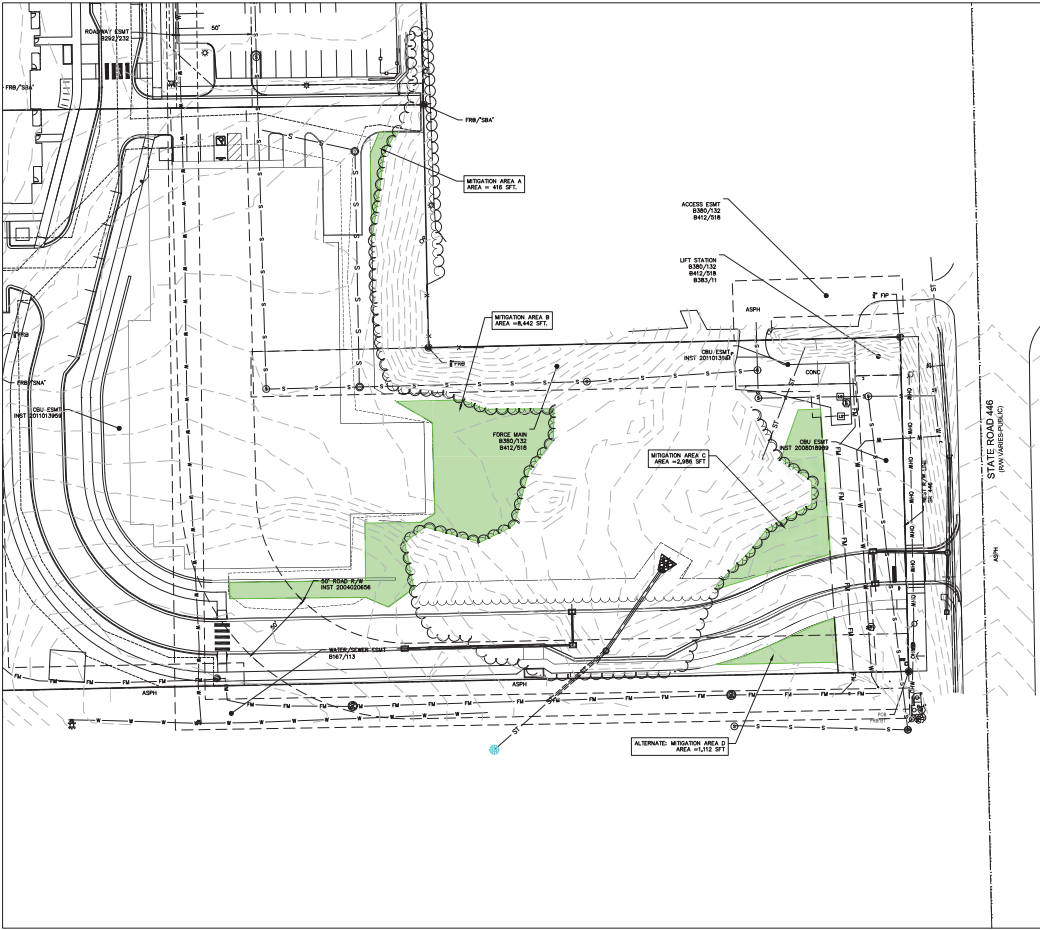













**GENERAL NOTES**

1. THIS SHEET IS FOR PROJECT PURPOSES ONLY.

2. THE DESIGNER'S GENERAL DESIGN AND RESPONSIBILITY FOR THIS PROJECT WERE COMPLETED BY AMERICAN STRUCTUREPOINT AND/OR OTHERS.

|            |         |      |       |
|------------|---------|------|-------|
| DATE       | BY      | CHKD | APP'D |
| 04/18/2025 | JES/SPT |      |       |
| 04/18/2025 | SPT     |      |       |
| 04/18/2025 | TRN     |      |       |



XX/XX/XXXX

THE OVERLOOK  
ON 3RD  
BLOOMINGTON, IN

| REVISIONS | BY | DATE |
|-----------|----|------|
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| DESIGNED | CHECKED | DATE       |
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| JES/SPT  | SPT     | 04/18/2025 |
| TRN      |         |            |

6312  
SHEET  
1 OF 1  
04/18/2025  
TREE MITIGATION  
PLAN



1. THIS SHEET IS FOR PROJECT PHASING PURPOSES ONLY.  
2. ORIGINAL SITE DESIGN, LAYOUT AND APPROVALS FOR THIS PROJECT WERE COMPLETED BY AMERICAN STRUCTUREPOINT AND/OR OTHERS.

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THE OVERLOOK  
ON 3RD  
BLOOMINGTON, IN

[illegible]

6312  
SHEET  
1 OF 1  
DATE: 04/18/2025  
TREE MITIGATION  
PLAN

1. PLANT MATERIAL SUBSTITUTIONS MUST BE APPROVED IN WRITING BY CITY PLANNING PRIOR TO INSTALLATION.
2. ALL LANDSCAPED BEDS AND ISLANDS SHALL RECEIVE A MINIMUM OF 18" OF PLANTING BED, SHRUBS AND TREES SHALL HAVE 12" MINIMUM MULCH BEDS PER DETAIL. ON THIS SHEET, MULCH BEDS ARE NOT PERMITTED UNDER CITY UDD.
3. THE PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING EXISTING AND NEW LANDSCAPING AS SHOWN ON THE APPROVED PLAN.





*Employee Benefits  
Financial Services  
Life Insurance  
Health Insurance  
Disability Insurance  
Long Term Care Insurance*

April 5, 2025

City of Bloomington  
Planning and Transportation Department  
City of Bloomington Planning Commission

My name is Ron Remak and I am the president and owner of Bill C. Brown Associates. Our agency is located at 306 S. State Road 446 and we are an adjacent property owner to 355 S. Overwatch Drive. I would like to share our experience with Overlook on 46 LLC, our neighbor on the west side of our building.

On Monday, May 8, 2023, we entered our building to discover significant flooding in our basement. There had been a rain event during the prior weekend. Our basement floors were covered with water and mud. There was standing water on our kitchen countertops. The desk and computer in one of the offices downstairs were covered in water. The drywall in many of the offices was water soaked. File cabinets in a storage room had water standing on the top of them. The extent of damages to this level of our building necessitated moving everything out and relocating several staff members. We had to engage the services of a local company to extract the water standing on the floor and remove all of the water damaged flooring material and drywall. It took weeks to dry out our building with several industrial fans and air scrubbers running into June, 2023.

Subsequent rains have resulted in additional water intrusion events, the last instance on April 3, 2025. We still do not have full use of our basement as we await resolution and assurance that appropriate steps have been taken to prevent continued water intrusion events. To date, we have spent well over \$ 100,000 in an effort to protect our building from additional damages, while still not having the confidence to restore the basement to its condition prior to May 8, 2023.

Because of the initial and ongoing water intrusion events, we engaged the services of attorneys to seek appropriate and necessary compensation for the damages to our building, including the loss of use of approximately one-third of our building space, all because Overlook on 46 LLC did not consider the impact of its development on its neighbors.



*Celebrating over  
60 YEARS  
of service*

**Ronald F. Remak, President**

e-mail: [rremak@billcbrown.com](mailto:rremak@billcbrown.com)

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[www.billcbrown.com](http://www.billcbrown.com)

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\* MDRT is not an affiliate of OneAmerica Securities and is not a OneAmerica Company.

Admittedly, I am not excited about the prospect of even more self-storage being located near our building given the recently approved self-storage project on the former AT & T building. Yet additional construction by Overlook on 46 LLC that is located uphill from our property would likely cause water to drain more quickly toward our property. It is a significant concern to us as adjacent property owners. I respectfully ask that you consider this information as you evaluate the petition from Overlook on 46 LLC.

A handwritten signature in black ink, appearing to read 'R. Remak', written over a horizontal line.

Ronald F. Remak