

**CITY OF BLOOMINGTON
PLAT COMMITTEE
August 13, 2018 at 4:00 p.m.**

***Kelly Conference Room #155**

ROLL CALL – Aten, Carter, Cibor

Others present include: Amelia Lewis, Don Kocarek, and Kendall Knot

MINUTES TO BE APPROVED: May 2017, June 2017, July 2017, September 2017, October 2017, November 2017

Carter noted there was one meeting he was not in attendance, but did discuss the minutes with his replacement that day, who had no questions as far as the minutes go.

Aten said there was also one meeting he did not attend that Rick Alexander attended, but he did not see an issue with the minutes.

Aten moved to approve May 2017, June 2017, July 2017, September 2017, October 2017, November 2017 meeting minutes. Carter seconded. Motion passed by voice vote.

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

Cibor said this will be his last Plat Committee meeting, as he will be leaving in two weeks. He is also the Plan Commission representative and Brad is the backup for that. This is something to be looked into going forward.

PETITION:

DP-07-18 **Whitehall Associates**
3477 W 3rd St.
Final plat approval for a 3 lot subdivision of an existing Planned Unit
Development
Case Manager: Amelia Lewis

Amelia Lewis presented the Staff report for this petition. The request is for a final plat approval for a three lot subdivision of an existing planned unit development. The property is located at 3477 W 3rd St. and is located in a planned unit development that was approved in the 1970s under case 4674. The property is located within a commercial shopping area and the surrounding land uses are also commercial. The property is located on the south side of west 3rd St. south of an existing Hardee's. This petition site was previously developed with a multi-tenant center at the south property line and two small bank buildings at the northeast corner of the property. The petitioner is requesting to create two additional lots in the existing 12.4 acre PUD.

**Next Meeting Date: September 10, 2018

Updated: 9/20/2018

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The two existing structures at the northeast corner of the site would each be on a new lot and structures would later be demolished. The two new proposed lots would essentially be carved out of Lot 1, resulting in a C-shaped Lot 1. The proposed Lot 2 is approximately .45 acres with a proposed 3182 sq. ft. restaurant building. The proposed Lot 3 is approximately .37 acres and no development is proposed on Lot 3 at this time. The existing Lot 1 would then become 11.2 acres with an existing multi-tenant center in the access drive north of the proposed Lot 2 and Lot 3, remaining on Lot 1. A new north south five ft. sidewalk is proposed along the east portion of Lot 2 as well as the northwestern portion of Lot 2. The final plan and preliminary plat were approved by the Plan Commission last month at its hearing on July 9th. The final plat meets the requirements set out by the UDO subdivision control final plat. The property has frontage to the west along Liberty Dr. and the right-of-way has already been dedicated along this street frontage. The site itself is accessed via a private drive. The area is serviced by utilities. These easements are outlined on the plat. Vehicular access to the site is gained from private drive. Pedestrian easements are shown for the proposed sidewalks. The portion of Lot 1 effected by the flood plain is shown in a drainage easement. This area of west 3rd St. is designated as a regional activity center in the 2018 Comprehensive Plan and the intent of the district is to provide high intensity retail activity. This petition is consistent with the Comprehensive Plan. Based on the findings in the Staff report, the Department recommends approval of this petition with three conditions: 1. All terms and conditions of DP-06-18, the final plan, and preliminary plat are binding on this petition. 2. Following the required signatures on the plat, the petitioner shall then file the final plat for recording in the County Recorder's Office, as required by law. 3. Within 30 days of filing the final plat, the petitioner shall provide the Planning & Transportation Department a copy of this.

Cibor noted that Dan Backler is also in attendance. He asked for comments from petitioner representatives.

Kocarek said the intent was to limit the disturbance on the whole property since it is a large parking lot. That's the reason for the subdivision, so they can keep the work on into those properties.

Cibor thanked the petitioner and asked the Plat Committee members for their questions or comments.

Carter asked about the boundaries of the property and if the petitioner had a chance to look at it.

Kocarek said that their surveyor put the survey together.

Carter said they should have him look at the symbology on the monuments for consistency.

Aten asked how Lot 3 and Lot 2 will both be serviced by ADA connections and the bus route and if there is a path traveled to get there.

Kocarek said they are adding one sidewalk and that the idea is that this would eventually connect down. If Hardee's ever does anything, then they would then put a walk up to 3rd St. This lot they're developing now will meet all ADA requirements.

Lewis said right now, there are no sidewalks connecting to the site. There are no sidewalks along the private drives or throughout the site. There are some on one side of the site.

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Kocarek said there is one from Liberty that runs all the way down.

Aten said at Plan Commission, it was said there will be a connection for sidewalk connections. He clarified his question, asking if it's a requirement for them to be connected to ADA services, like the bus stop. There's currently no route to get from the stop to Lot 2. To get across Lot 2, there is a segment of pedestrian easement. Aten asked where this goes and asked if someone would need to walk in the street for part of the way.

Lewis said that someone using the site would have internal sidewalks as well as some surrounding sidewalks. Ideally, the internal sidewalks would eventually connect to Lot 3.

Aten asked what the route is to Lot 3.

Lewis said you would need to walk through the site or go into the street.

Aten asked that if you come out, you would have to walk into the street until you get into the easement. Aten asked if that was the petitioner's intention.

Kocarek said the other option was people crossing through and asked if a sidewalk was in an easement or in private property.

Carter responded that the whole site under a pedestrian and utility easement.

Aten asked why there is a segment of a pedestrian easement in there when the rest of it has no easement to connect to it.

Cibor asked if the easement is necessary if there's a bigger blanket access easement.

Aten asked if there is a plan to have the power transformer relocated.

Kocarek said yes, it will be located.

Carter said he thinks the pedestrian easement was added to make sure there is pedestrian access across.

Aten said someone can't really walk through if its private property. He asked if Lot 2 was included in the blanket easement.

Carter said yes, its included in the blanket easement.

Carter said it refers back to a previous plat and says perpetual non-exclusive, unobstructed roadway and utility easement. It refers to May 20th, 1979 plat.

Aten asked if Lot 2 and Lot 3 are covered under pedestrian and utility easements, so there's not much point to put new easements on.

Cibor said its just across 60 ft. in width.

Lewis asked if this was just the 60 feet.

Carter said the 60 ft. easement is on the other side of Liberty Dr.

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Aten asked if it reaches Lot 3.

Carter said there is a blanket that includes everything from Lots 1-3.

Cibor suggested the motion can assure there is a blanket access easement.

Aten said he wants to be able to ensure accessibility and that someone can get to the bus stop without issue. Aten asked if the sidewalk being built for Lot 2 & Lot 3 would make it to a sidewalk out to accessible surfaces elsewhere. If that's all covered in a blanket easement, then perhaps there isn't a purpose of putting an easement on an easement. Aten does not want to add a layer of confusion.

Cibor said if there is that blanket easement, it would be potentially eliminating the pedestrian easement. Cibor noted that this has three conditions of approval. As a committee, two of these have been talked about. One was focused on petitioner following up with Staff for formally approving the final plat. Another condition is about ensuring the blanket easements regarding a pedestrians' abilities to access the site is referenced in previous plats and if so, the pedestrian easement on Lot 2 can be eliminated.

Lewis said the consultant can make a few changes and everyone can sign off on that.

Aten reiterated that when the site is developed that a sidewalk is actually constructed to connect to the sidewalk. An ADA route, specifically.

****Cibor motioned to approve DP-07-18 with the three conditions of approval identified in the Staff report in addition to the petitioner working with Staff and committee members to make sure the symbology is accurately identified on the final plat and that the petitioner will also assure the blanket easements still exist on the entire site, Lots 1-3. Aten seconded. Motion passed by a 3:0 voice vote.****

Meeting adjourned.

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