CITY OF BLOOMINGTON



December 9, 2019 @ 4:00 p.m. CITY HALL - KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON PLAT COMMITTEE December 9, 2019 at 4:00 p.m.

*Kelly Conference Room #155

ROLL CALL

MINUTES TO BE APPROVED:

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS:

DP-37-19 **IU Health Southern Indiana Physicians**

2605 E. Creeks Edge Dr.

Request: Final plat amendment of Third Replat of Parcels E/F of Canada Farm

Subdivision Phase I to combine Lot 7 & 8.

Case Manager: Eric Greulich

^{**}Next Meeting Date: September 9, 2019 Updated: 12/6/2019

BLOOMINGTON PLAT COMMITTEE

STAFF REPORT DATE: December 9, 2019

CASE #: DP-37-19

LOCATION: 2605 E. Creek's Edge Drive

PETITIONER: IU Health Southern Indiana Physicians

2450 S. Henderson St.

CONSULTANT: Andrew B. Buroker, Faegre Baker Daniels, LLP

600 E. 96th Street, Indianapolis, IN

REQUEST: The petitioner is requesting a final plat amendment of the Third Replat of Parcels E/F of Canada Farm Subdivision Phase 1 to combine lots #7 and #8.

STAFF REPORT: The site is located at 2605 E. Creeks Edge Drive and is zoned Planned Unit Development (PUD). The property has been developed with a medical office building currently being occupied by IU Health. Surrounding land uses include multi-family residences (Oaklawn) to the north, commercial uses to the south, single family residences to the east, and multi-family residences (Steeplechase) to the west.

A site plan was approved for this property under PUD-29-05. The current lot line arrangement was approved with the re-plat for this property and the properties to the south under PUD-13-06. With the previous approvals, there was a lot created for the office building (Lot #7) and a separate lot created for a common area lot that contains a detention pond and spring (Lot #8). The detention pond does provide stormwater detention for the multi-family residences to the west, as well as for this lot, and the UDO requires it to be located on a Common Area lot.

The petitioner is requesting to amend the lot lines of Parcel E to remove the lot line that between Lot #8 and Lot #7 to create just one lot, Lot #8. The petitioner has prepared a facilities maintenance plan for the detention pond and that will be recorded with this deed for this property. The facilities plan places all of the maintenance responsibilities for the detention pond on the owner of the lot. The City of Bloomington Utilities Department has reviewed the plan and approved it.

There will be no changes to the site plan or property as a result of this lot line adjustment. With this petition, the petitioner is requesting a waiver from Section 20.07.150(d) of the UDO that requires detention facilities to be located on a common area.

SUBDIVISION WAIVER REQUEST:

- (A) The Plan Commission may grant a Subdivision Waiver if, after a public hearing, it makes written findings of fact based upon the evidence presented to it in each specific case, that:
 - (i) The granting of the Subdivision Waiver shall not be detrimental to the public safety, health, or general welfare, or injurious to other property; and

PROPOSED FINDING: The granting of the waiver will not be detrimental to the public safety, health, or general welfare because the pond will still be maintained to the required specifications. The recording of the facilities maintenance plan will place the ownership and maintenance responsibilities of the pond entirely on this property owner, which they are in agreement with.

(ii) The conditions upon which the request for a Subdivision Waiver is based are unique to the property for which the Subdivision Waiver is sought and are not applicable generally to other property; and

PROPOSED FINDING: The property is unique in that the detention area is only one of several detention ponds scattered throughout the overall PUD and serves only a portion of the development to the west as well as this lot. The placement of the maintenance responsibilities on just one property owner can actually make it easier for future enforcement if maintenance is required.

(iii) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the subdivision regulations is carried out (Financial hardship shall not constitute grounds for a waiver); and

PROPOSED FINDING: The detention pond in question is very small in nature and is predominantly defined by a natural spring that was already present at this location. As mentioned previously, allowing the detention pond to be on the private lot can make it easier for maintenance because the individual property owner is completely responsible rather than a homeowners association.

(iv) The Subdivision Waiver shall not in any manner vary the provisions of the development standards, Growth Policies Plan, or Thoroughfare Plan.

PROPOSED FINDING: The granting of the waiver does not interfere with the Comprehensive Plan or the Thoroughfare Plan. The spring is still being protected and no disturbance or alteration of the area is allowed.

FINAL PLAT REVIEW: The review considerations for Final Plats are outlined within BMC 20.09.190(g) state that in reviewing Final Plats, the staff, Plan Commission, or Plat Committee shall review:(1) The written statement and supportive material submitted by the petitioner;(2) The Preliminary Plat;(3) The Final Plat;(4) Any commitments or conditions of approval attendant to prior approvals;(5) The testimony of the petitioner;(6) The testimony of the public during the Preliminary Plat public hearing, when applicable;(7) Any applicable development standards in Chapter 20.05: Development Standards;(8) Any applicable subdivision standards in Chapter 20.06: Subdivision Regulations;(9) Any applicable design standards in Chapter 20.07: Design Standards;(10) Any other applicable provisions of the Unified Development Ordinance;(11) Any requirements of the members of the Development Review Committee;(12)

The Planning and Transportation Department report; and(13) Such other additional information as may be required by the Plan Commission to evaluate the petition.

PROPOSED FINDING: The proposed plat meets all of the subdivision regulations, with the exception of the waiver request as outlined above.

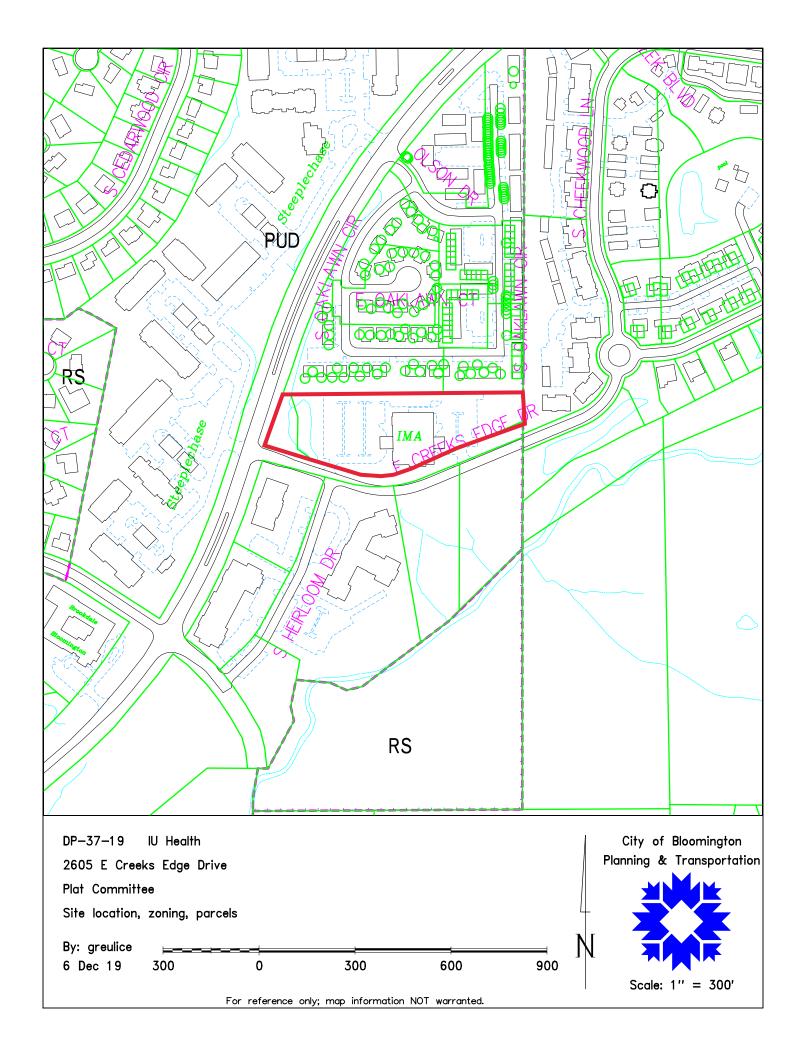
PLAT REVIEW:

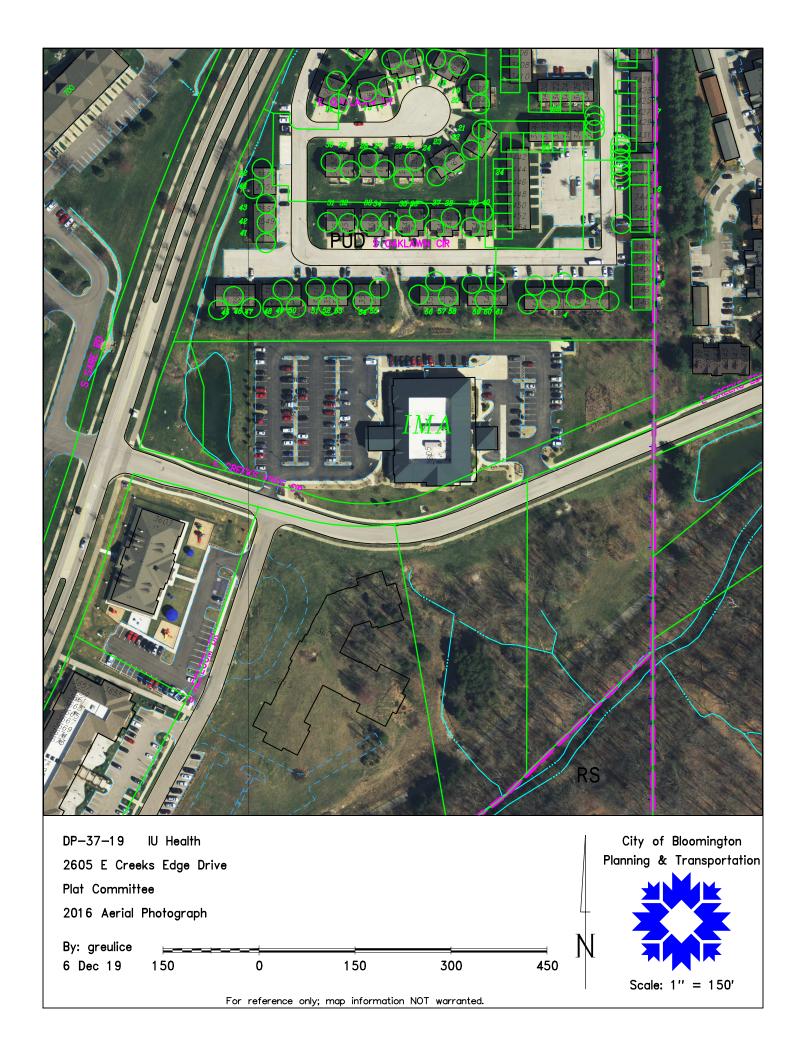
Right-of-Way Dedication: No right-of-way dedication is required with this request. All required right-of-way was dedicated with previous plats.

Utilities: The Utilities Department has reviewed the proposed facilities maintenance plan and has approved the submitted plan.

RECOMMENDATION: Staff recommends adopting the proposed findings for the waiver and approval of this petition with the following conditions of approval:

1) The facilities maintenance plan must be recorded within 30 days a copy of the recorded document submitted to the Planning and Transportation Department.





City of Bloomington Planning and Transportation Department Plat Committee

Proposed Plat Amendment to Lots 7 and 8, Canada Farms Subdivision Phase I

2605 East Creek's Edge Drive, Bloomington, IN 47401

Petitioner's Statement

Indiana University Health Southern Indiana Physicians, Premier Multispecialty Group requests a plat amendment of Canada Farm Subdivision, Phase 1. The amended plat would combine Lot 7 (parcel number 53-08-15-107-071.007-009) with Lot 8 (parcel number 53-08-15-107-071.008-009) of the existing subdivision into a new combined Lot 8.

Rogers Property Management LLP, an Indiana limited liability partnership, currently owns Lot 7, consisting of 0.39 +/- acres with existing site improvements of only a storm water detention basin. This Lot 7 was originally designed as a common area lot in the subdivision, but it is still owned by a private entity. This plat amendment would combine this lot with Lot 8 and guaranty inspection and maintenance of the retention basin by the adoption of a Retention Basin Operations and Maintenance Manual.

DOC-2605 East Creeks Edge Drive MOB, LLC is the owner of Lot 8, consisting of an approximately 4-acre tract with a 1 story medical office building and associated parking lot. The owner of Lot 8 leases the medical office building to petitioner and proposes to purchase Lot 7 to hold title to both Lots 7 and 8, which then combines them into one parcel under one ownership.

This plat amendment is being requested as the initial step needed for the construction of an on-premises double-sided freestanding monument sign on the combined Lot 8 for IU Health Bloomington's Orthopedics Sports Medicine facility, currently located in the medical office building located on Lot 8. The facility currently has a lower than desired level of visibility from the South Sare Road intersection with East Creek's Edge Drive, and the proposed freestanding monument sign will allow for better visibility and way-finding to the medical office building facility for patients and the public.

An Application for Permanent Sign Permit for the proposed freestanding monument sign is being filed concurrently with the plat amendment petition.

Thank you for your consideration.

Retention Basin Operations And Maintenance Manual

For the Property Owner:

Doc-2605 East Creeks Edge Drive Mob, Llc

309 N. Water Street, Suite 500 Milwaukee, WI 53202

For property at:

2605 E. Creek's Edge Drive Bloomington, Monroe County, Indiana

Property Occupant:

Indiana University Health Southern Indiana Physicians

Manual Prepared By:
Bynum Fanyo & Associates, Inc.
528 N. Walnut Street
Bloomington, IN 47404
Ph: (812)332-8030
BFA Project No.: 401933

Date: 25 October, 2019

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Narrative

Doc-2605 East Creeks Edge Drive Mob, Llc, is the owner of Lot 8A of Canada Farm Subdivision Phase I in Monroe County, Indiana addressed as 2605 East Creek's Edge Drive, Bloomington, IN 47401. Improvements on Lot 8A include a medical office building (Indiana University Health Southern Indiana Physicians) with accompanying asphalt parking lots and a stormwater retention basin. Said retention basin is more specifically located in the western portion of the lot at latitude/longitude N39.128373° / W86.502804° and is the subject of this Operations and Maintenance Manual. The retention pond is in the form of a wet detention basin consisting of an excavated impoundment area with a principal outlet control structure and a surface overflow spillway.

Definitions

Retention Basin:

A retention basin is an excavated stormwater impoundment consisting of the impoundment area, an earthen dam, a concrete outlet control structure (inlet and casting) and a surface overflow spillway. Retention basins maintain a normal pool level of stormwater year round and usually include additional dry storage volume above normal pool for the temporary detention of rainfall runoff. The purpose of a retention basin is to slow down rainfall runoff and improve water quality. To function as intended the retention basin and its individual components require routine maintenance. The location of the retention basin is shown in Exhibit A.

Rainfall Runoff:

Rainfall runoff in urban areas contain many types and forms of pollutants. When compared to rainfall runoff from pre-developed conditions, high concentrations and some contaminants that are not naturally present in runoff from undeveloped lands are found. Runoff from undeveloped watersheds contain metals, nutrients, sediment particles, oxygen-demanding compounds, and other constituents. Once a watershed is developed, constituent loads increase because rainfall runoff volumes increase and the sources of many of these pollutants also increase. Supplemental applications of compounds, such as fertilizers, tend to increase the availability of some pollutants to stormwater runoff. Retention basins are implemented into project designs to offset the effects of these pollutants.

Retention Basin Owner:

Retention basin owners are typically the property owner. The owner may also be the lessee of the property in the case of long-term leases of commercial and industrial zoned properties. The owner of this retention basin is Doc-2605 East Creeks Edge Drive Mob, Llc.

Inspections

Routine inspections and maintenance are the responsibility of the retention basin owner. The retention basin owner shall be financially responsible for any maintenance or repairs required by the City of Bloomington Utilities (CBU) or its representatives during their inspections. The approved maintenance plan and inspection forms provided with this manual should be used as guidance for performing maintenance activities. Completed inspection forms must be maintained by the retention basin owner and produced upon request by the CBU. The CBU must be notified of any changes in retention basin ownership, major repairs or retention basin failure in writing within 30 days. The letter should be addressed to:

City of Bloomington Utilities Engineering Dept. 600 E. Miller Dr. Bloomington, IN 46401 Ph: (812)349-3930

The CBU and/or its authorized representative have the right to enter the property to inspect the retention basin. In the event the CBU finds the retention basin in need of maintenance or repair, the CBU will notify the retention basin owner of the necessary maintenance or repairs and give the owner a timeframe for completing the maintenance or repairs. If the maintenance or repairs are not completed within the designated timeframe, the CBU may perform the maintenance or repairs and bill the retention basin owner for the cost of the work.

Inspection & Maintenance Activities

Refer to the checklist provided with this manual for inspection, maintenance, and repair of the retention basin. The checklist is to be used by the retention basin owner in performing routine inspections and may also be used by the CBU to perform its own annual inspections.

Retention basin owners must routinely inspect retention basins to verify that all components are functioning as designed and are not in danger of failing. Retention basins require maintenance to function properly as a water quality and quantity facility. Maintenance can range from soil erosion repairs to eradication of invasive plant species.

The retention basin owner agrees to the maintenance and inspection programs included with this manual. Inspections must be performed on an annual basis between May 1 and September 1 and documented on the inspection forms included with this manual.

Retention Basin Owner Acknowledgment

This Operation and Maintenance Manual is submitted to the City of Bloomington Utilities (CBU) with the intent to insure the longevity and adequate functioning of the retention basin owned by Doc-2605 East Creeks Edge Drive Mob, Llc. By submitting this Operation and Maintenance Manual to the CBU with plans to maintain said retention basin, the retention basin owner agrees to follow and abide by the inspection schedule and maintenance activities listed in this manual. The retention basin owner is responsible for any additional maintenance and/or repair activities to maintain the function and longevity of the retention basin. All responsibilities for inspection and maintenance of the retention basin as well as any other responsibilities and obligations which shall be borne by the owner, Doc-2605 East Creeks Edge Drive Mob, Llc, shall also be borne by any successors in interest to the property.

Retention Basin Owner Signature:	Date	
Printed Owner & Title		

Owner: Doc-2605 East Creeks Edge Drive Mob, Llc Retention Basin Inspection Checklist IU Health Southern Indiana Physicians

Location: Retention pond at west edge of property at 2605 E. Creek's Edge Dr., Bloomington, IN 47401

Date: Time: Title: Signature: Title: Tit

Refer to Exhibits A - C Y = Yes N = No

Maintenance Item	YorN	Comments	Recommended Maintenance Procedure
Adjacent banks w/ at least 95% ground cover		n	Use only seed mix from Exhibit 2. Mow to 6" height in mid June only.
Erosion at pipes discharging to the basin		S. S.	Repair eroded areas by adding natural rock or stones 6" and larger in the washed area to a level flush with the surrounding ground surface.
Invasive plant species present		3	Erradicate any and all plant species listed in the Landscape Standards of the City of Bloomington Ordinance Chapter 20.05.058 Exhibit LA-B that are within or on the adjacent banks.
Animal burrows present		3	Contact the City of Bloomington Animal Control or a licensed animal trapper for removal services.
Steel grated casting blocked or damaged		8	Remove trash and debris from the casting. Remove all plants within 2 feet of the casting.
Concrete outlet control structure in good condition		0	Check for cracking or serious spawling of concrete. If present then contact a contractor to repair.
Surface overflow spillway clear of obstructions		- W	Remove trash, debris and woody plants between the pond and the sidewalk ramp at the property driveway entrance.

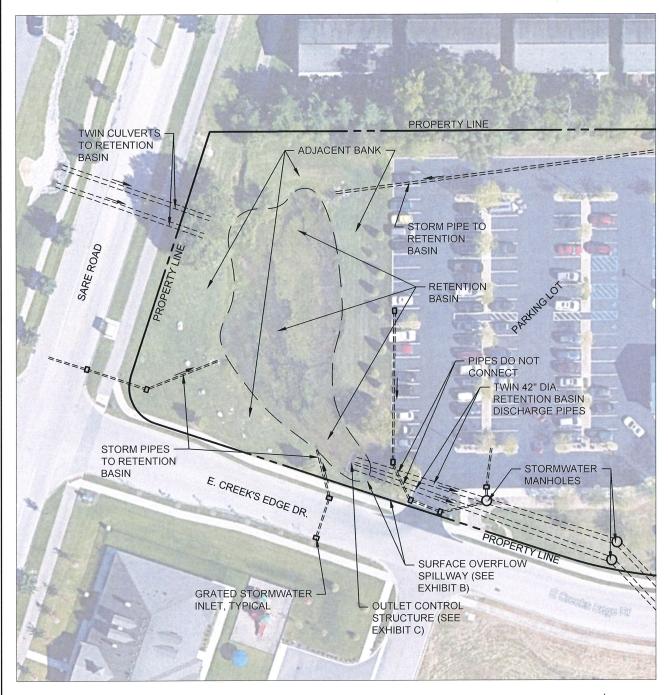
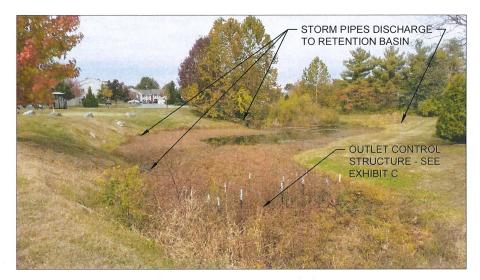


EXHIBIT A LOCATION MAP





RETENTION BASIN (SE LOOKING NW)

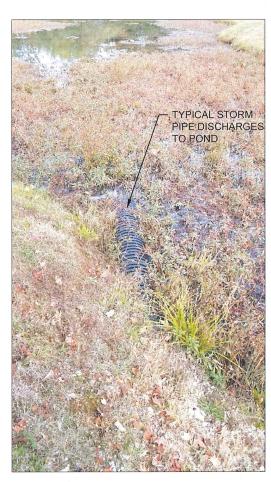


SURFACE OVERFLOW SPILLWAY

EXHIBIT BBASIN COMPONENT PHOTOGRAPHS



OUTLET CONTROL STRUCTURE



TYPICAL STORM PIPE TO POND

EXHIBIT CBASIN COMPONENT PHOTOGRAPHS

