



# Request for Council Action

Originator Engineering	Item <b>Agreement as to Conditional Approval for Encroachment into Public Easements. Located at 3350 East 80-1/2 Street (Lot 1, Block 1, BLOOMINGTON CENTRAL STATION 4TH ADDITION.</b>
Agenda Section CONSENT	Date 02/02/2015

Description

LMC Bloomington Holdings, LLC, requests that the City Council of the City of Bloomington approve an encroachment agreement. This encroachment agreement is for the placement and construction of privately owned concrete pedestrian walkways, steps, patios, retaining wall, lighting bollards, ornamental metal fencing, railings, and other various patio appurtenances within an area of public drainage, utility, sidewalk, and bikeway easements located at 3350 East 80-1/2 Street and shown on the attached map.

New encroachment agreements typically use the same format that the City Council gave as an overall general approval on May 21, 2007 (Item 3.9) for all encroachments, therefore, not needing special Council action for obtaining City signatures. However, this encroachment agreement differs from the standard format the City Council approved by having two additional conditions of approval (conditions 7 & 8) making it necessary for Council action to obtain City signatures.

The two additional conditions of approval are:

1. If any damage to the Encroachment is caused by the City by reason of construction or maintenance of public sidewalks, the Applicant shall be responsible for the cost of repairs.
2. If any damage to public sidewalks occurs by reason of construction, installation, or maintenance of the Encroachment, the Applicant shall be responsible for the cost of repairs.

Requested Action

Conditional approval for encroachment into public easements located at 3350 East 80-1/2 Street (Lot 1, Block 1, BLOOMINGTON CENTRAL STATION 4TH ADDITION) is recommended by acknowledging the attached Agreement for Conditional Approval for Encroachment into Public Easements.

Attachments:

Encroachment Agreement  
Area Map  
Copy of Plat