

# **MONROE COUNTY PLAN REVIEW COMMITTEE**



**June 10, 2021  
5:30 pm**

**Monroe County Government Center  
Planning Department**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 819 4721 8756

Password: 977192

**A G E N D A**  
**MONROE COUNTY PLAN REVIEW COMMITTEE**

Teleconference Link: <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

June 10, 2021

5:30 p.m.

**ADMINISTRATIVE:**

- 1. Resolution – House Bill 1437 to be presented by Legal**

**OLD BUSINESS:**       None.

**NEW BUSINESS:**

- |                    |  |               |
|--------------------|--|---------------|
| <b>1. PUO-21-1</b> | <b>P &amp; G Planned Unit Outline Plan</b>   | <b>PAGE 3</b> |
|                    | One (1) 4.93 +/- parcel located in Section 29, Perry Township at<br>5100 W Victor Pike. Parcel number: 53-08-29-200-023.000-008. |               |
|                    | <b>Zoned PB.</b> Contact: <a href="mailto:acrecelius@co.monroe.in.us">acrecelius@co.monroe.in.us</a>                             |               |

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, [apurdie@co.monroe.in.us](mailto:apurdie@co.monroe.in.us), as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

**MONROE COUNTY PLAN REVIEW COMMITTEE****June 10, 2021**

<b>CASE NUMBER</b>	PUO-21-1
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	P & G Associates LLC c/o Michael Carmin, Carmin Parker PC
<b>REQUEST</b>	P & G Planned Unit Outline Plan Waiver of Final Hearing Requested
<b>ADDRESS</b>	5100 S Victor Pike Parcel #: 53-08-29-200-023.000-008
<b>ACRES</b>	4.9 +/-
<b>ZONE</b>	PB
<b>TOWNSHIP</b>	Perry
<b>SECTION</b>	29
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	MCUA Phase I: Employment MCUA Phase 2:

**EXHIBITS**

1. Petitioner Outline Plan Statement
2. Site Plan

**RECOMMENDATION**

Staff recommendation is pending.

**PLAN REVIEW COMMITTEE - June 10, 2021****HISTORIC PRESERVATION BOARD - June 21, 2021****PLAN COMMISSION Regular – July 20, 2021 (Preliminary Hearing)**

Waiver of Final Hearing Requested.

**PLAN COMMISSION Regular – August 17, 2021 (Final Hearing)****SUMMARY**

The petition site is located at 5100 S Victor Pike, zoned Pre-Existing Business, in Perry Township, section 29. It's 4.9 +/- acres and is developed and operating as a Sunoco Gas Station. The petition site is accessed from S Victor Pike and is approximately 500' from the intersection of S Victor Pike and S State Road 37. The petitioner is requesting a Planned Unit Development Outline Plan to create the "P & G PUD" which would permit the use of a petitioner-defined use of "Truck Stop – Small". There are no zones within the ordinance that would allow for the combination off all of the proposed uses. The uses proposed within the outline plan are existing, have been in operation for some time, but do not meet the requirement to be considered pre-existing non-conforming under Chapter 803.

**BACKGROUND**

The petitioner's representative, Michael Carmin, states in Exhibit 1:

"Petitioner seeks to rezone the property to Planned Unit Development to continue the existing uses of the property - gasoline station/convenience mart, but also seeks to add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart. The proposed Planned Unit Development zone creates a Truck Stop - Small use.

Truck Stop - Small is consistent with Comprehensive Land Use Plan - Urbanizing Area. The plan identifies the parcel for employment uses. The Truck Stop - Small leverages use of existing infrastructure and primarily the principal road network system providing essential services and opportunities for highway travelers. The limited uses in Truck Stop

- Small are a major step down in intensity of use otherwise allowed in the Truck Stop/Travel Plaza.

The Truck Stop/Travel Plaza use, a conditional use under the zoning code, is more intense in uses and development than petitioner seeks. Petitioner crafted the term Truck Stop – Small because it represents the travel, vehicle uses adjacent to a principal arterial road, but less intense than the scope of uses permitted in Truck Stop/Travel Plaza. No existing zone allows the mix of uses and guaranteed limited scale of such uses as proposed in this PUD. No existing zone allows for the combination of uses as have developed and petitioner seeks to continue to use on the lot.”

### LOCATION MAP

The petition site is located in Perry Township, section 29, addressed as 5100 S Victor Pike. The parcel number is 53-08-29-200-023.000-008. The petition site has frontage on S Victor Pike and S State Road 37.

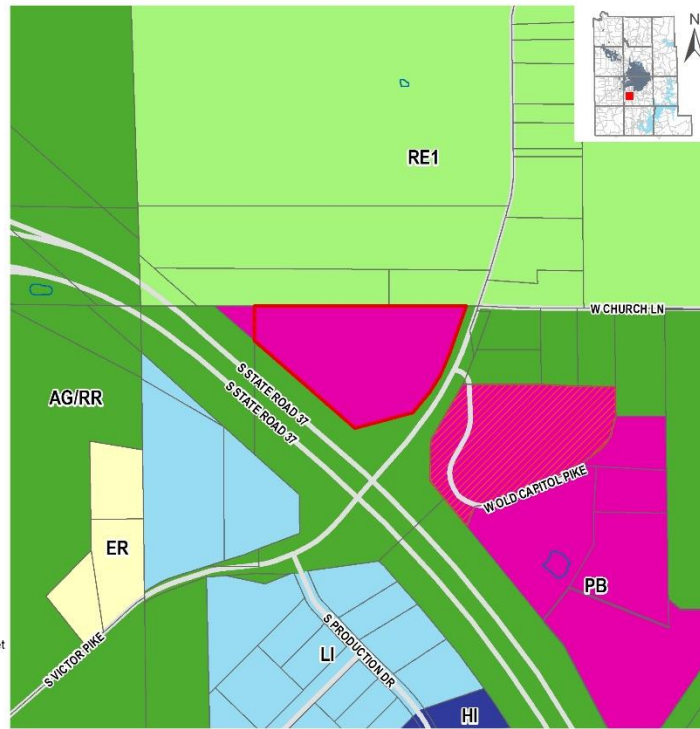
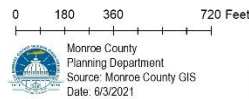


### ZONING AND ADJACENT USES

The petition site is zoned Pre-Existing Business (PB). Surrounding Right-of-Way are zoned Agricultural/Rural Reserve (AG/RR). Property to the north is zoned Estate Residential 1 (RE1), property to the southwest is zoned Light Industrial (LI), and property to the southeast are zoned Pre-Existing Business (PB), and PB and Historic Designated Overlay.

### Current Zoning Map

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Historic Preservation Overlay
- Monroe County Zoning**
  - AG/RR - Agriculture/Rural Reserve
  - ER - Estate Residential
  - HI - Heavy Industrial
  - LI - Light Industrial
  - PB - Pre-Existing Business
  - RE1 - Estate Residential 1



### SITE CONDITIONS

The petition site is developed and contains one main building and two fuel stations. Access is derived from S Victor Pike. The site has a pre-existing commercial septic. The property is located within a “critical watershed”, called “West Fork Clear Creek/Clear Creek”. The site contains buildable area with steep slopes only present near existing drainage ditches. South Victor Pike is classified as a “Local Road” and S State Road 37 as “Production” per the 2016 Thoroughfare Plan.

### Summary of Improvements

Buildings	Grade	Condition	Construction Year	Effective Year	Area
Service Station, Detached Canopy C C 01		A	1990	1990	1,600
Service Station, Detached Canopy C C 01		A	2000	2000	2,367
Paving C 01	C	A	1990	1990	37,000
Paving C 01	C	A	1990	1990	3,500
C/i Building C 01	C	A	1990	2000	8,640



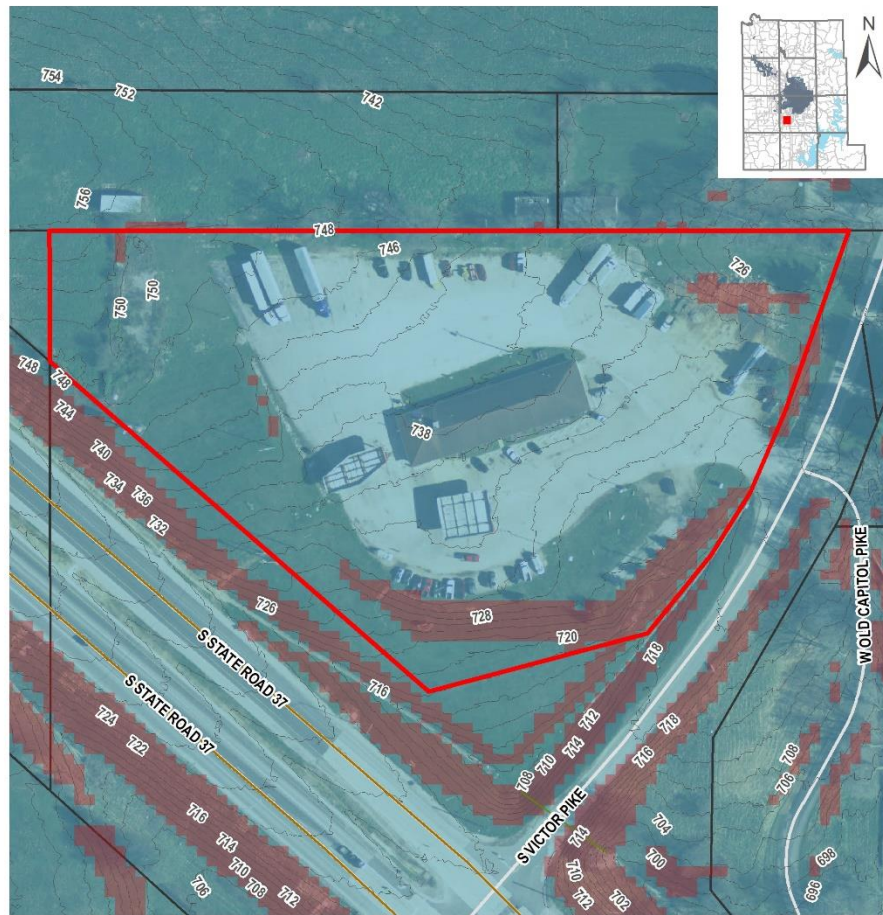
## Site Conditions Map

- Freeway
- Petitioner
- Storm Water
- 2-Foot Contours
- Local Roads [50']
- 15% Slope Restriction
  - 0 - 15
  - > 15
- Parcels
- Critical Watersheds
  - West Fork Clear Creek/Clear Creek

0 37.5 75 150 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 6/3/2021



## SITE PICTURES



Figure 1. Pictometry photo from April 2020, looking north.

Figure 2. North property line along W SR 48, looking west.

**Figure 3. Looking north along S Fieldstone Blvd at 1 of 2 driveway cuts shown.**

**Figure 4. Looking south along S Fieldstone Blvd at 2 of 2 driveway cuts.**

**Figure 5. Looking west at the petition site.**

### **COMPREHENSIVE PLAN DISCUSSION – PHASE I**








The petition site is located in the **Employment** districts on the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan. Points that align with the proposed PUD outline plan are highlighted in **green**. Points that differ from the MCUA districts are highlighted in **grey**.

Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other types of commercial uses that may not be easily integrated into a mixed-use environment.

These uses may require large, isolated sites for large-format facilities, or multiple facilities may be organized into coordinated campus-style or industrial park settings. This land use category is intended to **accommodate the expansion and changing operations** of a wide variety of companies and to foster a well-rounded and diverse economy as part of the Greater Bloomington area.

**Special attention should be paid to vehicular access management**, buffering and landscape aesthetics, building and parking orientation, and basic architectural design standards. Business support services are encouraged to be integrated into larger employment areas.

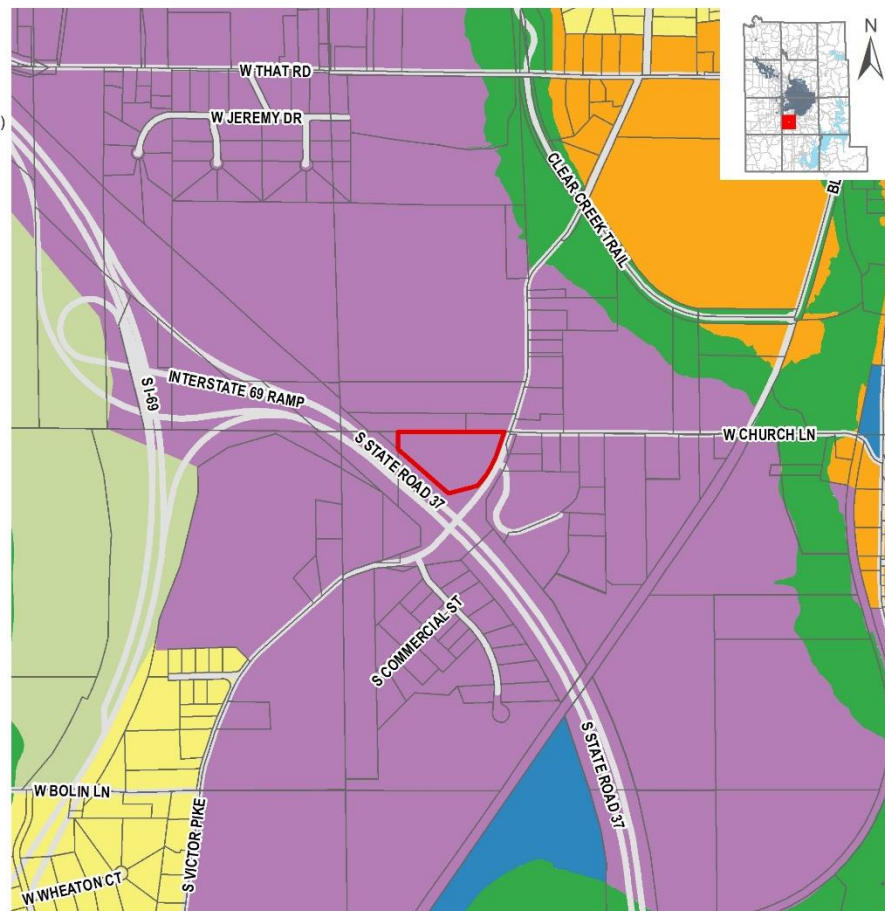
### **Comprehensive Plan**

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
  -  MCUA Employment
  -  MCUA Institutional
  -  MCUA Mixed Residential
  -  MCUA Open Space
  -  MCUA Rural Transition
  -  MCUA Suburban Residential
- Bloomington Growth Policies Plan**
  -  Urban Residential

0 0.075 0.15 0.3 Miles



Monroe County  
Planning Department  
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## **A. Transportation**

*Streets:* Employment areas require special considerations in roadway design. These areas are typically accessed through arterial connections from the freeway and require accommodations for heavy truck traffic. Arterial connections may include **mixed-use corridors**, and special attention must be paid to balance the needs of all travel modes while also facilitating industrial deliveries and commuter traffic flow. Arterial streets, such as Third Street, should not exceed five lanes in width (four travel lanes with center turn lane). local and collector streets will typically be two or three-lanes (two travel lanes with center turn lane). Street connections are encouraged to help distribute traffic, but should be balanced with access management plans to maximize safety. Center medians for select arterial roadways should be considered to improve access management and corridor aesthetics.

*Freight:* Appropriate routes for truck traffic to and from i-69 should be designated with thoroughfares designed accordingly. Major highway access points to employment areas west of i-69 will include Sr-46, Third Street/Sr-48, 2nd Street/Sr-45 and Tapp road. Fullerton Pike will provide access to potential employment areas to the east of i-69. A new roadway connection between That road and South Walnut Street (old Sr-37) should be considered to open land between the highway and clear creek for employment uses.

*Bike, Pedestrian, and Transit modes:* Commuting by automobile will likely remain the primary form of transportation to work in the larger employment centers within the Urbanizing Area. However, opportunities to expand transportation options should be provided wherever possible. Streets within employment areas **should include sidewalks and/or shared-use sidepaths** and encourage connections to karst farm Greenway and clear creek Trail. Opportunities to expand City of Bloomington and rural Transit service to employment areas should also be explored.

## **B. Utilities**

*Sewer and water:* Employment-generating uses provide a fiscal benefit to the community that may warrant additional investments in and possible geographic expansion of sewer systems. Some areas designated for employment uses in the land Use Plan are located outside of current sewer service areas, most notably the area between Clear Creek and Sr 37. Additional studies should be undertaken to determine the potential for sewer expansion and necessary capital improvements to serve these areas. Additional studies and surveys may be required to determine the geographic restrictions within developable areas.

*Power:* Where possible, **overhead utility lines should be buried** to minimize disruption during major weather events. Care should be taken to locate underground utilities in a manner that does not interfere with site development or business expansion. Opportunities to create redundant power systems with new electrical substations should be explored.

*Communications:* State of the art communications systems should be prioritized in employment areas. Street infrastructure improvements should reserve space for burial of fiber-optic systems and/or other forms of high-speed internet and communications networks.

## **C. Open space**

*Park Types:* Employment areas should provide open spaces primarily through the preservation of sensitive lands and creation of landscape buffers. Where opportunities exist, shared use path connections to the broader greenway network should be incorporated, providing a recreational amenity and alternative transportation option for employees, as well as linkages to the broader Bloomington/Monroe county system.

*Urban Agriculture:* Community gardens and urban agricultural systems should be encouraged in near employment areas as a recreational and wellness opportunity for employees. However, soil suitability in existing industrial areas should be verified.

## **D. Public Realm Enhancements**

*Wayfinding:* Regularly-located route signage for truck traffic to and from I-69 should be



provided. business and industrial parks may incorporate multi-business panel signs at gateway locations to improve wayfinding, and should use high- quality materials, be aesthetically coordinated with surrounding architecture, and include attractive landscape features.

*Lighting:* Roadways should be lighted for safety and will typically require taller poles ( $\pm 30$  feet).

*Street/Site furnishings:* Street furnishings will be limited in employment districts, but may include bus stops/shelters and benches.

### **E. Development guidelines**

*Open Space:* Open space in employment areas should be provided on-site (with the exception of significant environmental preservation areas) and determined through maximum lot coverage requirements, with 15 to 20% of a site reserved for landscaping, buffering, stormwater management and outdoor amenities for employees.

*Parking ratios:* Parking needs will vary by business. In campus and business park settings, shared parking arrangements should be encouraged, although most businesses will require some amount of dedicated parking. Large industrial facilities, warehouses, and flex/r&d space will often have relatively low parking needs (e.g. 1 space per 2,000 square feet). Parking requirements should be based on the needs of individual businesses as opposed to mandatory minimum requirements.

*Site Design:* Buildings should be oriented toward the front of the lot to create a street presence, but will typically be set back from the front property line by 30 to 50 feet. Parking in front of the building should be avoided, and limited to small visitor-oriented parking lots with close access to the main entrance. Employee parking should be located to the rear or side of the building. Sufficient maneuvering aisles and loading spaces will be necessary for freight delivery. Loading docks and bays should be oriented away from public streets or screened with landscaping or architecturally integrated walls extending from the building.

*Building form:* Industrial, flex and warehouse buildings should balance economic construction with basic aesthetics. Office components and main visitor entrances should be located on the front facade, be designed as distinct elements from the rest of the building, and incorporate high amounts of window transparency. Facilities may require light-controlled environments, but where possible, high windows above eye level should be incorporated, particularly along street-facing facades. Buildings will have simple forms and flat roofs. Parapets should be used to screen rooftop mechanical units.

*Materials:* Acceptable primary building materials include brick, stone (natural or cultured), pre-cast concrete panels, concrete masonry units, architectural metal panels, fiber-cement siding and EIFS (exterior insulated finishing Systems). Smooth-faced and textured-faced metal panels are preferred, but corrugated or ribbed panels are also acceptable. Split-faced block may be acceptable if combined with other primary materials. Careful attention should be paid to how materials are installed, joined, and detailed, particularly at edges, corners and material transitions. Shadow lines, expression lines and variations in color and texture are encouraged to break up monolithic facades. Trees, shrubs and other vertical landscape elements should be incorporated along large, blank facades.

*Private Signs:* Sign designs should be coordinated with the character of the building, and may be building-mounted or ground-mounted monument signs. Pole signs should be prohibited. Monument signs should be located in landscape beds and may include exterior ground lighting. Digital and changeable copy signs are not appropriate. Sites will typically require directional signage for visitors, employees and freight delivery.

## **COMPREHENSIVE PLAN DISCUSSION – PHASE II**

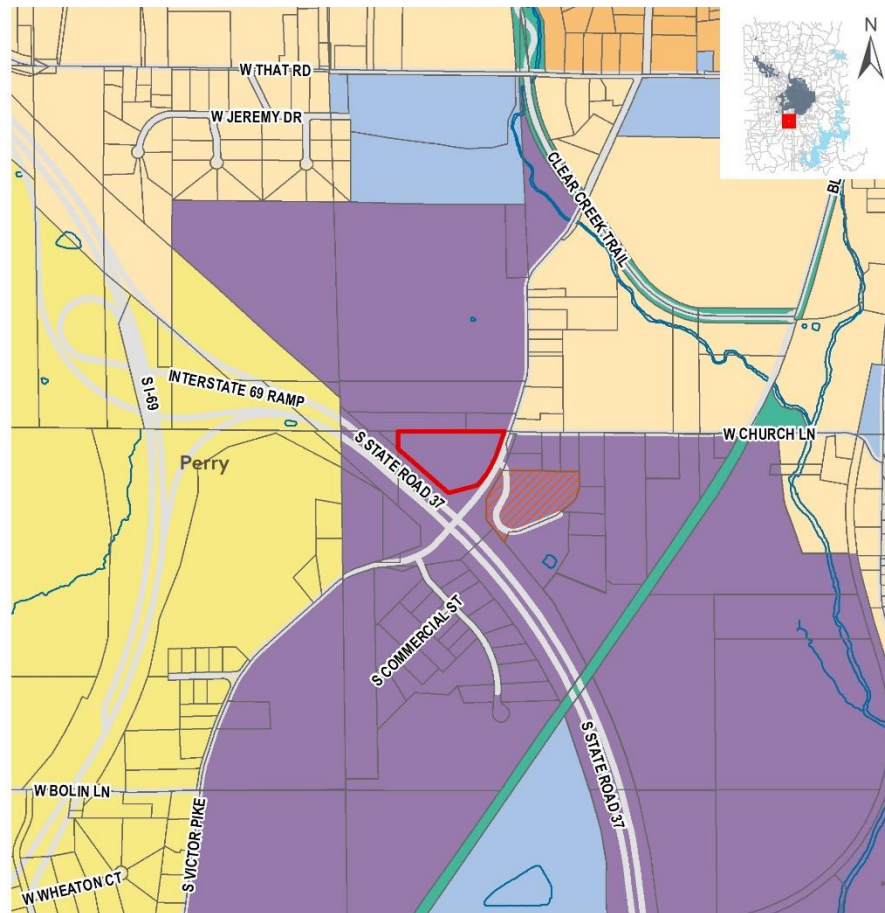
### **South Side Employment**

This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as

the Employment land use type in the Urbanizing Area Plan. Currently, this area is largely undeveloped, with some existing office and industrial development and rural residential uses. Additional employment-oriented development should preserve landscape character and be sensitively buffered from nearby residential districts, and benefit from Tax Increment Finance district opportunities.

### Proposed Zoning Map (2016)

- Petitioner
- Parcels
- Roads
- Historic Preservation Overlay
- Hydrologic Features
- Proposed Zoning**
- E2 - South Side Employment
- N1 - Urban Infill Neighborhood
- N2 - Neighborhood Development
- N3 - Conservation Development
- OS - Open Space
- CV - Civic

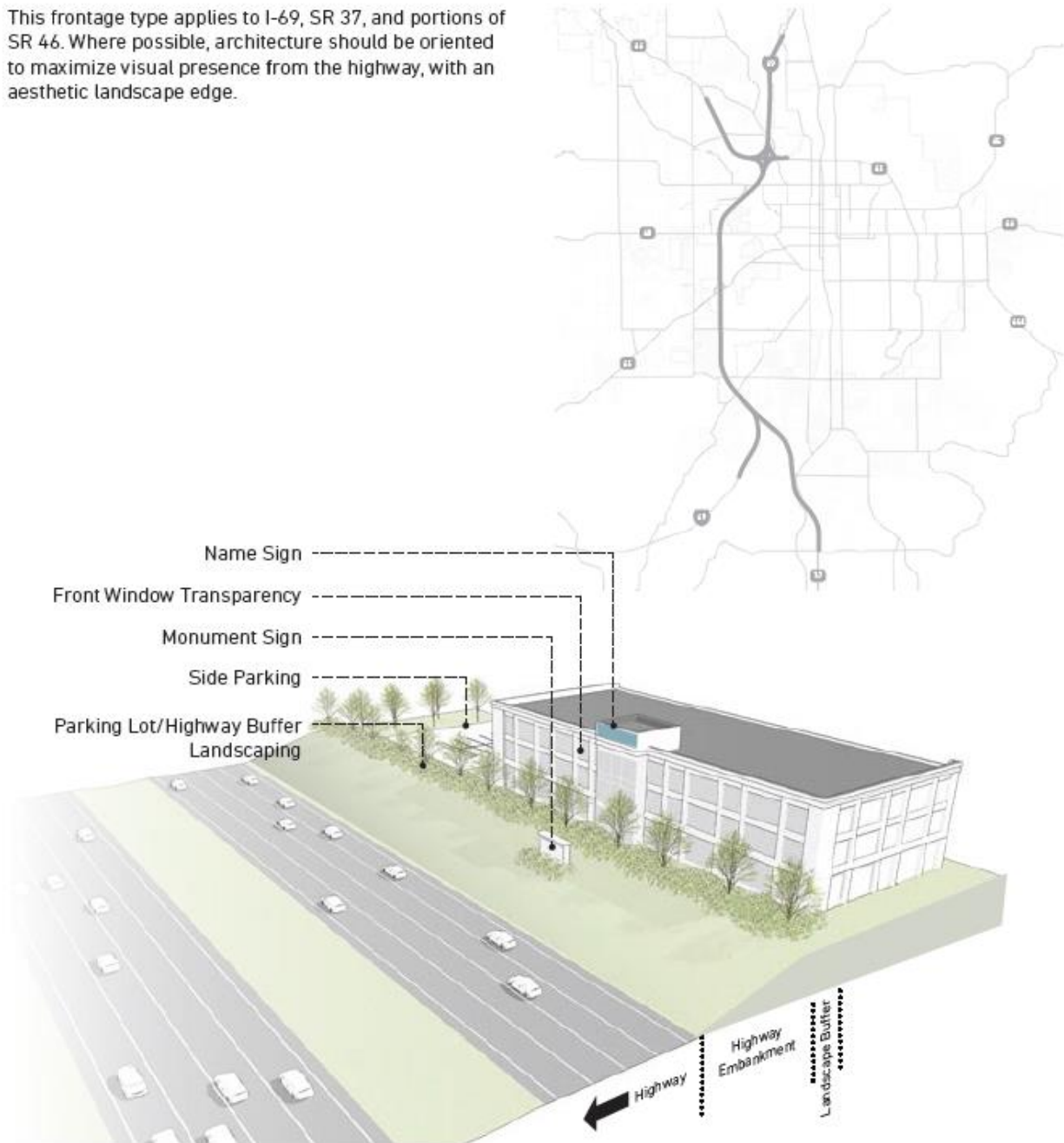


### Existing Planned Unit Developments

In general, it is the intent of this zoning framework to eliminate the need to establish new Planned Unit Developments by creating an expedited, consistent and predictable set of zoning requirements and approval procedures. However, existing planned developments represent a significant investment by property owners in establishing specific development plans and standards for their properties in conformance with pre-existing development approval procedures. All planned developments in effect prior to the creation of new zoning districts and standards should continue to be considered in effect, similar to an overlay zone. Opportunities to eliminate the planned unit development overlay will also be accommodated and should be encouraged. PUDs with expired outline plans or without development plans may be reviewed and rezoned entirely, subject to recommendations of this zoning framework.

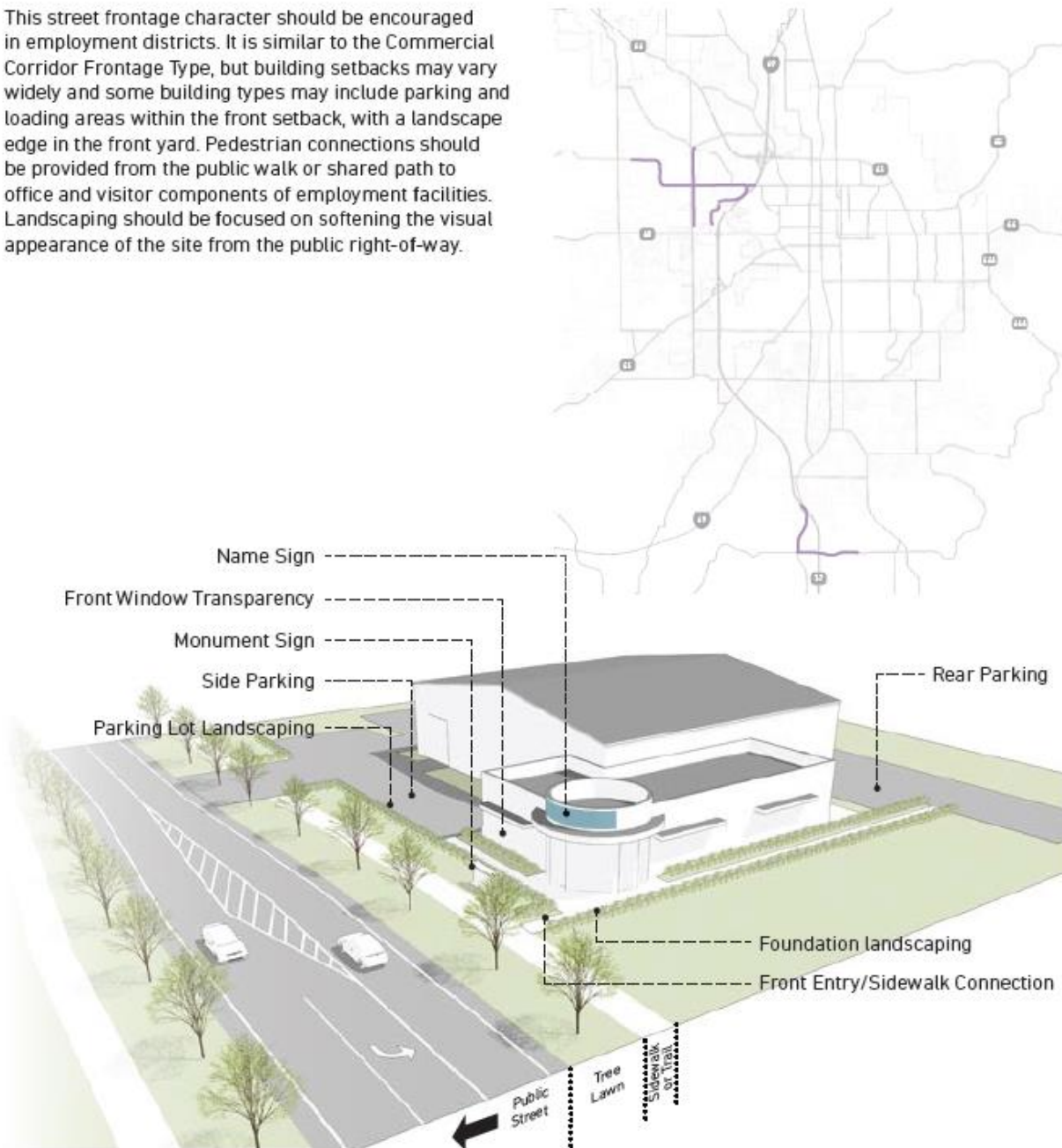
# Highway Frontage

This frontage type applies to I-69, SR 37, and portions of SR 46. Where possible, architecture should be oriented to maximize visual presence from the highway, with an aesthetic landscape edge.



## Employment Frontage

This street frontage character should be encouraged in employment districts. It is similar to the Commercial Corridor Frontage Type, but building setbacks may vary widely and some building types may include parking and loading areas within the front setback, with a landscape edge in the front yard. Pedestrian connections should be provided from the public walk or shared path to office and visitor components of employment facilities. Landscaping should be focused on softening the visual appearance of the site from the public right-of-way.



### PUD REVIEW CONSIDERATIONS

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

- (a) The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.

### Findings:

- The MCUA Phase I plan designates the petition site as “Employment”;
- Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other



- types of commercial uses that may not be easily integrated into a mixed-use environment;
  - The MCUA Phase II plan designates that site as “South Side Employment;
  - This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as the Employment land use type;
  - The current zoning is Pre-Existing Business;
  - The Pre-Existing Business zones was created in 1996 to for uses that existed but were not compatible with the 1996 zoning. This zone allows the business to continue operation but limits further “intensification” of the use;
  - The current use and potential expansion of the site would support Employment uses;
- (b) The extent to which the proposal departs from zoning and subdivision regulations such as density, dimension, bulk, use, required improvements, and construction and design standards.

**Findings:**

- The proposed plan is lacking some design standards. For example, setbacks need to be provided for future development.
  - There are no zones within the ordinance that would allow for the combination off all of the proposed uses;
  - The uses proposed within the outline plan are existing, have been in operation for some time, but do not meet the requirement to be considered pre-existing non-conforming under Chapter 803.
  - See Findings under section A, regarding use;
- (c) The extent to which the PUD meets the purposes of this Zoning Ordinance, the Comprehensive Plan, and other planning objectives. Specific benefits shall be enumerated.

**Findings:**

- See Findings under section A;
  - One of the purposes of the PUD, under Chapter 811, is to encourage a harmonious and appropriate mixture of uses;
- (d) The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.

**Findings:**

- The petition site has access to water and electric, and currently uses a commercial grade septic system;
  - Future internal changes to the existing structure would require an approved Real Estate inspection permit or an upgraded commercial septic;
- (e) The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.

**Findings:**

- The petitioner requests to “add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart”;
  - Adjacent properties are either residential or commercial in use;
- (f) The desirability of the proposal to the County’s physical development, tax base, and economic

well-being.

**Findings:**

- See Findings under Section E;

(g) The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.

**Findings:**

- Access is derived from S Victor Pike which is designated as a Local Road in the Thoroughfare Plan;
- S State Road 37, designated as “Production” under the Thoroughfare Plan, is adjacent to the site is within approximately 500’ from the site’s existing driveway cut to the intersection of S Victor Pike & S State Road 37;
- No Traffic Study was submitted with this petition;
- All utilities are available to the petition site;

(h) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.

**Findings:**

- Chapter 811 requires that a proposed PUD dedicate open space per the requirements of 811-3 (E);
- Open space and the conveyance has not been specified by the petitioner’s representative;
- There is no known karst on the property;
- The drainage patterns are not expected to change as no new structures are currently proposed;
- The site is 4.93 +/- acres in size;
- A locally designated historic site is adjacent of the property to the south of S Victor Pike;

(i) The proposed development is an effective and unified treatment of the development possibilities on the site.

**Findings:**

- No new structures are proposed with the consideration of this petition;
- The existing and proposed development appears to be consistent with the Comprehensive Plan per the Employment zone;

## **EXHIBIT 1: Petitioner Outline Plan Statement**



116 West 6<sup>th</sup> Street, Suite 200  
P.O. Box 2639  
Bloomington, Indiana 47402-2639  
TEL: 812.332.6556  
FAX: 812.331.4511  
michael@carminparker.com

May 4, 2021

Monroe County Plan Commission  
501 N. Morton Street, Suite 224  
Bloomington, IN 47404

RE: PUD Petition - Amended

P & G Associates petitions for a rezoning of its property located at 5100 S. Victor Pike, Bloomington, Indiana consisting of 4.93 acres. The property is zoned Preexisting Business. The property has long been the site of a gasoline station/convenience mart.

The property is located at the intersection of Victor Pike and State Road 37 which is a signalized intersection.

Petitioner seeks to rezone the property to Planned Unit Development to continue the existing uses of the property – gasoline station/convenience mart, but also seeks to add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart. The proposed Planned Unit Development zone creates a Truck Stop – Small use.

Truck Stop – Small is consistent with Comprehensive Land Use Plan – Urbanizing Area. The plan identifies the parcel for employment uses. The Truck Stop – Small leverages use of existing infrastructure and primarily the principal road network system providing essential services and opportunities for highway travelers. The limited uses in Truck Stop – Small are a major step down in intensity of use otherwise allowed in the Truck Stop/Travel Plaza.

The Truck Stop/Travel Plaza use, a conditional use under the zoning code, is more intense in uses and development than petitioner seeks. Petitioner crafted the term Truck Stop – Small because it represents the travel, vehicle uses adjacent to a principal arterial road, but less intense than the scope of uses permitted in Truck Stop/Travel Plaza. No existing zone allows the mix of uses and guaranteed limited scale of such uses as proposed in this PUD. No existing zone allows for the combination of uses as have developed and petitioner seeks to continue to use on the lot.

Development. The property is fully developed. No additional structures are anticipated. The property is a single parcel of 4.93 acres. Approximately 30% of the lot surface is paved concrete; 25% of the lot surface is stone or gravel; 30% is green space; and about 22,000 square feet of structures (9,000 square foot existing convenience mart/gasoline station office building and covered canopies over fueling stations – 1,500 and 2,000 square feet).

Parking: Overnight transient truck parking will comprise 5% to 10% of the lot area located along the north property line on the west half of the property. The ride share parking will



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May 4, 2021

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use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area.

The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.

The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage. The restaurant use would be located at the east end of the existing building. A drive-thru window would be placed in the north wall at the east end or in the east wall of the building. There is no time line decided for any remodeling to add a restaurant or the accessory residential use.

Ownership. The single parcel is under single ownership. No subdivision of the lot is planned and the project will remain under single ownership. All open spaces on the lot will remain as part of the single parcel under single ownership.

Existing building. The existing single story structure is approximately 9,000 square feet block wall development with a pitched roof. The maximum height of the building is estimated at 22 feet. The gasoline fueling service consists of three diesel fuel pumping islands under a covered canopy approximately 1,500 square feet. The gasoline fueling service is by four gasoline station pump islands under a 2,000 square foot covered canopy.

Signage. An existing pole sign is located along the southwest property line and is estimated at 40 feet. An existing ground sign is located in the southern part of the property in the south edge of the improved portion of the lot with sign visibility from State Road 37. The monument sign is less than six feet in height. The existing pole sign and monument sign will be retained.

Facilities. The property operates with an existing septic permit. The addition of a restaurant use or accessory residential use will require new septic permits.

The property is served with public water and electricity.

There are no sidewalks existing along Victor Pike and sidewalks will not be installed.

Storm water drainage. The property is entirely surface drainage. The west and south two-thirds of the lot drains toward State Road 37 right-of-way. The grade fall from the northwest corner to the corner at the junction of Victor Pike and State Road 37 rights-of-way is 30 feet. The fall from the northwest corner to the southwest corner and along the southwest property line is eight feet. The State Road 37 right-of-way between the paved surface of the road and the property line is 75 feet in width and is an existing major drainage swale. The northeast one third of the lot drains through the green space to a small detention area in the northeast



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corner of the property. No new impervious surfaces will be added to the lot and the property will maintain the existing, historic storm water drainage.

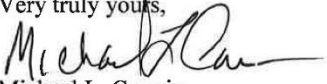
Design standards and conditions for a Truck Stop – Small:

1. Permitted Uses. Gasoline/fuel sales; electric vehicle charging station; convenience mart; transient overnight truck parking; ride-share parking; restaurant (small). Accessory uses: A single residential dwelling use and seasonal sales.
2. Lot size. The minimal parcel area and road frontage should be not less than 4 acres and not larger than 10 acres with not less than 200 feet of direct road frontage on a principal arterial road. The adjacent collector road intersection shall require a dedicated left turn and/or right turn lane(s). Alternative access may include a secondary collector road at an improved principal arterial road intersection. A signalized intersection with dedicated turn lanes constitutes an improved intersection.
3. Location. The Truck Stop – Small parcel must be located within 200 feet of the centerline of a principal arterial road or adjacent to a secondary collector road connecting to a principal arterial intersection. Driveway entrance on an adjacent secondary collector road shall be located not further than 500 feet from the principal arterial road intersection. The Truck Stop – Small shall be a minimum distance of 3,000 feet from a Truck Stop/Travel Plaza or other Truck Stop – Small use, measured property line to property line.
4. Fueling stations. Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.
5. Vehicle charging stations. Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts for truck parking, rideshare parking, and fueling stations. Charging stations do not require a canopy.
6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.
7. Overnight parking. Transient overnight truck parking shall not exceed a 24 hour period. Transient overnight truck parking may include driver rest periods in vehicles with truck/tractor cabins designed for rest periods. Designated parking for transient overnight truck parking shall not exceed 20 parking spaces.
8. Ride-share. Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours.



9. Convenience mart/food service. Dine-in facilities for the restaurant shall not exceed 1,000 square feet.
10. Lot surfaces. Driveway and associated lot areas for fueling stations, charging stations, restaurant parking and convenience mart parking shall be paved. Ride-share parking, transient overnight truck parking, and associated driveway areas may be stone or gravel surfaced.
11. Landscaping. At least 25% of the lot shall be dedicated to permanent green space. A minimum of eight (8) trees shall be required in the areas in close proximity to road frontages.
12. Signage. Existing pole signs may be retained. New pole signs shall be permitted not to exceed one pole sign per parcel. Signage may include canopies, building exterior and monument signs. Signage in addition to a pole sign shall not exceed an aggregate of 600 square feet. The area of both sides of a monument sign shall be included in the aggregate permitted signage.
13. Lighting standards. On-site lighting shall be sized and directed to provide minimal light spillage onto adjacent properties. All outdoor lighting shall be shielded so that light emitted by the fixtures project below the horizontal plane of the lowest point of the fixture. Low pressure sodium lamps or other dark sky friendly lighting alternatives shall be utilized wherever feasible for any light not fully shielded. Pole signs and monument signs may be backlit. Lighting shall not exceed one candle power at a property line.
14. Alcohol sales. Alcohol sales for onsite consumption are not permitted.
15. Accessory Uses.
  - a. Seasonal sales shall be permitted on the open lot. Examples of seasonal sales include farm produce sales, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.
  - b. Residential. One 2-bedroom dwelling unit for employee/manager occupancy.

Very truly yours,

  
Michael L. Carmin

MLC/srh  
427557



Committed to Client. Committed to Community.

## EXHIBIT 2: Site Plan

