

# MONROE COUNTY PLAT COMMITTEE



**June 16, 2022  
4:00 pm**

## **Hybrid Meeting**

### **In-person**

Monroe County Government Center  
Planning Department  
501 N. Morton Street, Suite 224  
Bloomington, IN 47404

### **Virtual**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

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

Meeting ID #: 823 0548 5858

Password: 278851

**A G E N D A**  
**MONROE COUNTY PLAT COMMITTEE**  
**of the Monroe County Plan Commission**

Monroe County Planning Department  
HYBRID

**When:** June 16, 2022 at 4:00 PM

**Where:** 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799.  
When prompted, enter the Meeting ID #: 823 0548 5858  
Password: 278851

**ADMINISTRATIVE: None.**

**OLD BUSINESS: None.**

**NEW BUSINESS:**

**2. SPP-22-7      Pinnacle Business Park Major Subdivision Preliminary Plat Amendment 1 to  
Lots 1-3, 5-7, 10-12, 14-16, and dedicated Right-of-Way.      PAGE 3  
Right of Way Dedication Waiver. Waiver of Final Hearing.  
Plat Committee Recommendation.**

Eleven (11) parcels on 46.30 +/- acres in Section 36 of Richland Township at 3794, 3718, 3232, 3300, 3274, 3797, 3625, and 3379 W Profile PKWY, 310 N Curry PIKE, and parcel number # 53-04-36-100-054.014-011 at W Jonathon DR.  
Owner: BB Profile LLC, ABB Inc  
**Zoned IG.** Contact: [acrecelius@co.monroe.in.us](mailto:acrecelius@co.monroe.in.us)

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.

<b>CASE NUMBER</b>	SPP-22-7 Pinnacle Business Park Subdivision Preliminary Plat Amendment 1 Right-of-way Dedication Waiver Waiver of Final Hearing Requested
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	BB Profile LLC c/o Katie Stein, Smith Design Group
<b>REQUEST</b>	Preliminary Plat Amendment
<b>ADDRESS</b>	3794, 3718, 3232, 3300, 3274, 3797, 3625, and 3379 W Profile PKWY, 310 N Curry PIKE, and parcel number # 53-04-36-100-054.014-011 at W Jonathon DR
<b>ACRES</b>	46.30 +/-
<b>ZONE</b>	IG
<b>TOWNSHIP</b>	Richland
<b>SECTION</b>	36

**EXHIBITS**

1. Pinnacle Business Park Major Subdivision Final Plat, Recorded 2021
2. Proposed Preliminary Plat Amendment 1
3. Staff Highlight of Plat Differences
4. Petitioner Letter
5. [Preliminary Plat Approval by Plan Commission, November 19, 2019 Meeting Minutes](#)

**PLAT COMMITTEE – June 16, 2022**

Recommendation to Plan Commission.

**RECOMMENDATION**

Approval based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance and subject to the Monroe County Highway and MS4 Coordinator reports with the following plat edits:

- Petitioner to update lot 16 easement to be 50’ in width.
- Add affected areas onto plat amendment

**SUMMARY**

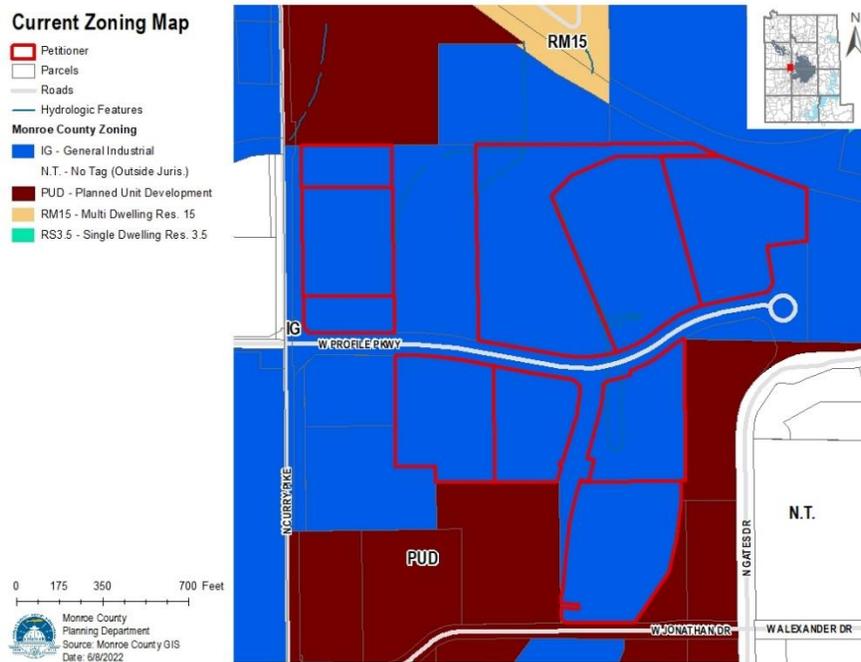
The petitioner is requesting to amend the preliminary plat of the Pinnacle Business Park Major Subdivision, recorded in 2021. The Preliminary Plat was approved November 2019; the meeting minutes can be found at the hyperlink listed as Exhibit 5. The subdivision is currently fifteen (15) lots and zoned General Industrial (IG). The petition site contains PCB contamination which is subject to recorded Restrictive Covenants. These areas are identified as “affected areas” on the recorded subdivision plat; The Monroe County Highway Department has requested the petitioner remove the right-of-way along N Curry Pike due to the legal implications of an “affected area” located within the right-of-way.

The petitioner is proposing to adjust the right-of-way along N Curry Pike, Gates Drive, and Kohen Drive as listed below:

1. Removal of right-of-way along N Curry Pike (north of the N Curry Pike & W Profile Parkway Drive intersection) (requested by the Monroe County Highway Dept.)



## Planned Unit Development (PUD), and Multi-Dwelling Residential 15 (RM 15).



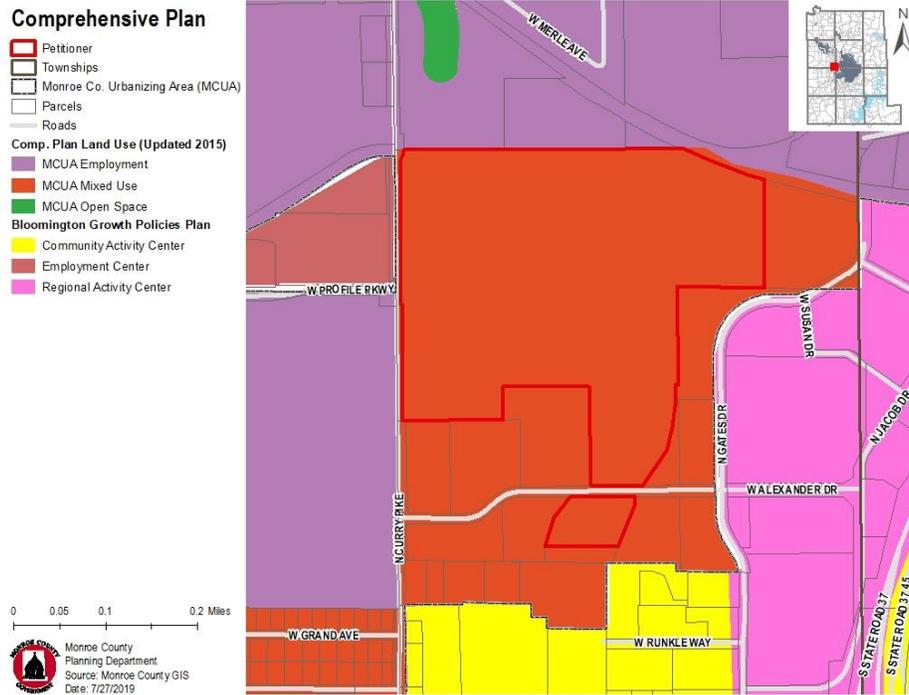
### INFRASTRUCTURE AND ACCESS

Access will remain the same shown in the final plat. The County is no longer pursuing constructing Kohen Drive, shown on the final plat. The newly created lot 16 under this petition would be accessed from an easement from Jonathon Drive that runs partially on lot 14. This easement is required to be at minimum 50' wide per the subdivision control ordinance.



### COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the **Mixed Use** district in Monroe County Urbanizing Area of the Monroe County Comprehensive Plan. The immediate surroundings are also Mixed Use.



*Mixed-use districts are the densest, most pedestrian-oriented development types in the urbanizing area.* This land use type will vary in terms of form, scale, character, and the specific mix of uses, depending on location, access considerations and existing development context. Uses may be integrated vertically within buildings, such as residential or office over ground-floor retail, or horizontally among single-use buildings that are closely coordinated with one another. Mixed-use areas may take the form of linear corridors along major roadways, large districts that serve as regional destinations for commerce, dining and entertainment, or small nodes at crossroads that serve nearby residential neighborhoods or employment areas. Mixed-use areas offer the greatest flexibility in terms of land use. Individual parcels of land within a larger mixed-use area may be developed with a single use, so long as the site is designed in a way to integrate with surrounding sites to create a whole that is greater than the sum of parts.

Most areas designated as mixed-Use on the land Use map are in locations with existing suburban-style development. These locations offer opportunities for reinvestment, infill, redevelopment, and transformation into more walkable centers of activity within the Urbanizing Area. Examples include the Third Street corridor, the Tapp Road/Sr-45/Curry Pike Area, and key intersections along the South Walnut Street corridor.

#### A. Transportation

##### Streets

Developments should be designed to create a system of interconnected streets and blocks. Ideally, new streets should be platted as public rights-of-way through the subdivision process; however, private streets may also be acceptable, provided that they are designed and maintained to public street standards and are made publicly accessible through dedicated easements.

##### Bike, Pedestrian, and Transit Modes

Mixed-use streets should incorporate the full suite of complete street and “green” street design techniques. Streets should safely accommodate pedestrian and bicycle travel, as appropriate to the larger context of the transportation system and the surrounding scale and character of development. Wider sidewalks or an enhanced buffer along the street will provide a safer environment for pedestrians while allowing greater access to businesses in mixed-use areas. Streets should not be designed with a “one-size fits all” approach. Local streets may accommodate cyclists through an overall design that discourages high travel speeds by motorists, such as the use of narrower travel lanes (10 to 11 feet), on-street parking, and smaller curb radii at intersections (15 to 25 feet). These streets may simply require pavement markings or signage indicating that cyclists may use the travel lane. On the other hand, multi-lane roads

should provide enhanced bicycle infrastructure, such as on-street bicycle lanes, cycletrack facilities, or off-street shared use paths, with special attention to transitions between different facility types. As the most likely to support transit service in the future, mixed-use streets should be designed to accommodate potential transit expansion.

## B. Utilities

### Sewer and Water

Most areas designated for mixed-use development in the land Use Plan are already served by sewer and water infrastructure. All new developments should conduct water and sewer capacity analyses and contribute to system upgrades if necessary. Major sewer line extensions or upgrades, should be coordinated with other roadway or streetscape improvements where possible to minimize traffic disruption and improve cost efficiency of capital improvements. A major advantage to mixed-use development is that it reduces the peak usage in the area due to the diversity of building uses.

### Power

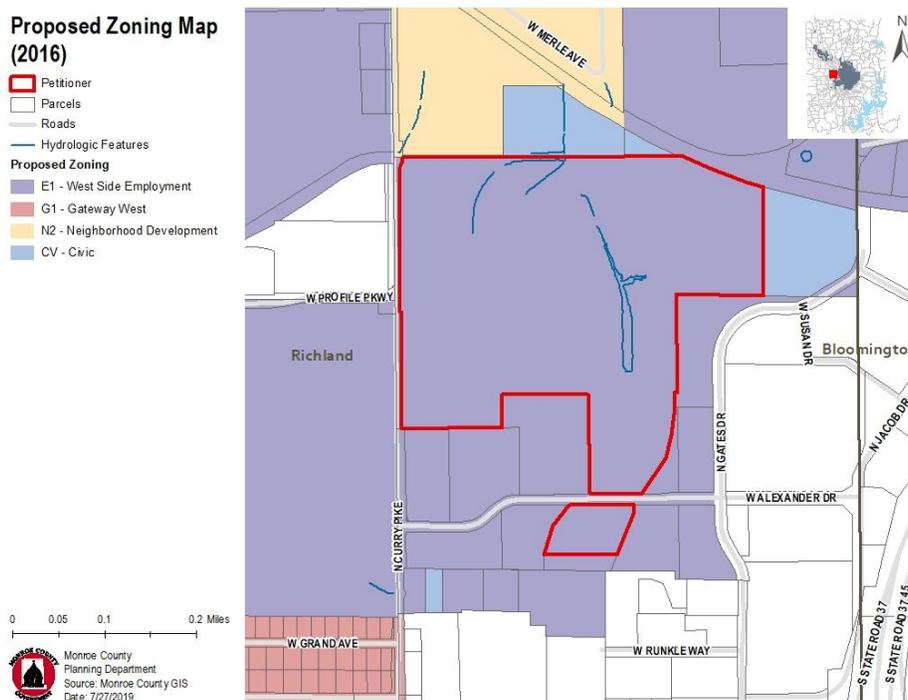
Overhead utility lines should be buried in mixed-use areas to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

### Communications

Communications needs will vary within mixed-use developments, but upgrades to infrastructure should be a key consideration for future development sites. The county should create a standard for development of communications corridors to supplement and complement University research and development and the existing information technology sector.

## Monroe County Urbanizing Area Plan Phase II: Employment Districts, West Side Employment (E1).

This district includes properties to the north of the Third Street Gateway, extending generally to SR 46 and generally designated as the Employment land use type in the Urbanizing Area Plan. It includes existing office and industrial flex buildings and is intended to accommodate additional infill and redevelopment of these uses, and benefit from Tax Increment Finance district opportunities.



This district also includes existing industrial and office development, and highway-oriented commercial uses, south of Third Street between Curry Pike and I-69. Additional employment-oriented development should be compatible and consistent with surrounding patterns.

## **FINDINGS OF FACT – SUBDIVISIONS**

### **850-3 PURPOSE OF REGULATIONS**

(A) To protect and provide for the public health, safety, and general welfare of the County.

#### **Findings**

- The site is currently zoned General Industrial (IG) and currently allows for industrial type uses;
- Approval of the preliminary plat amendment would create one (1) lot and adjust the boundary lines of ten (10) existing lots create fifteen (15) lots that would meet the requirements for IG zoning district;

(B) To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.

#### **Findings**

- The Comprehensive Plan designates the property as Mixed Use (Phase I) and West Side Employment (Phase II) district in the Monroe County Urbanizing Area Plan;
- The Phase II Plan states: This district is intended to accommodate additional infill and redevelopment of uses, and benefit from the Tax Increment Finance district opportunities;
- This parcel is part of the Westside TIF district;
- The proposed subdivision does not appear to be in conflict with the Comprehensive Plan for this area;
- See findings under Section A;

(C) To provide for the safety, comfort, and soundness of the built environment and related open spaces.

#### **Findings**

- N Curry Pike is a Minor Arterial street;
- The surrounding properties are zoned PUD (Curry Industrial Park) and General Industrial (IG);

(D) To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.

#### **Findings**

- Approval of the subdivision would create one (1) lot and adjust the boundary lines of ten (10) existing lots. All lots would meet the design standards required by Chapter 833 for the IG zoning district;
- See findings under Sections A & C;

(E) To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas subject to environmental constraints, both during and after development).

#### **Findings**

- There are platted environmental restrictions which will not be changed with the proposed amendment;
- The site has access to the City of Bloomington Utilities for sanitary sewer and water;
- Any future utility lines must be placed underground;
- There are no known karst features on the property;
- Drainage will be reviewed by the MS4 Coordinator for each site plan submission, and if conditioned, by the Drainage Board;
- The original major subdivision requirements for open are 30%, the proposed changes do not

- change the amount of platted common area.
- See findings under Sections A & C;

(F) To provide proper land boundary records, i.e.:

(1) to provide for the survey, documentation, and permanent monumentation of land boundaries and property;

**Findings:**

- The petitioner has submitted a preliminary plat amendment drawn by a registered surveyor.

(2) to provide for the identification of property; and,

**Findings:**

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy.

(3) to provide public access to land boundary records.

**Findings**

- The land boundary records are found at the Monroe County Recorder’s Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded.

**FINDINGS OF FACT – WAIVER OF ROAD RIGHT-OF-WAY REQUIREMENT**

The petitioner has requested a waiver from the *856-28. Streets: Dedications and Reservations* requirement per Chapter 856-28(B), which reads:

*Where a subdivision borders an existing narrow street or when the Comprehensive Plan, Official Map, Thoroughfare Plan, or zoning setback regulations indicate plans for realignment or widening of a street that would require use of some of the land in the subdivision, the Applicant shall be required to improve and dedicate such streets at his own expense. Such frontage streets and other streets on which subdivision lots front shall be improved and dedicated by the Applicant at his own expense to the full width required by these subdivision regulations. Land reserved and/or used for any street purposes may not be used to satisfy the minimum yard setback or lot area requirements of the Zoning Ordinance.*

Section 850-12 of the Monroe County Subdivision Control Ordinance states: “The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

**1. Practical difficulties have been demonstrated:**

**Findings:**

- The petitioner has filed an Preliminary Plat amendment to accomplish multiple goals, one of which is to remove the dedicated 75’ of right-of-way on the eastern border of N Curry Pike, north of the intersection of N Curry Pike and W Profile Parkway Drive;
- The 75’ of dedicated right-of-way that is located to the south of the above intersection will remain in place as shown on the recorded final plat;
- The site maintains frontage along N Curry Pike, designated as a Minor Arterial road;
- The subdivision control ordinance requires compliance with the standards of right-of-way dedication under Chapter 856-28;
- The petition site contains PCB contamination which is subject to recorded Restrictive Covenants. These areas are identified as “affected areas” on the recorded subdivision plat;

- The Monroe County Highway Department has requested the petition remove the right-of-way along N Curry Pike due to the legal implications of an “affected area” located within the right-of-way;
- If the waiver is denied the right-of-way dedicated and recorded under the Pinnacle Business Park Major Subdivision Final Plat will remain in place;

**2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;**

**Findings:**

- See Findings under # 1;
- The 2018 Monroe County Thoroughfare Plan shows N Curry Pike as a Minor Arterial requiring 75’ of right-of-way dedication;

**3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):**

**Findings:**

- The lots within the administrative subdivision meet all other design standards required of the subdivision ordinance;

**4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;**

**Findings:**

- See Findings under #1, #2, #3;

**5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;**

**Findings:**

- See findings under #1 above;

**6. Granting the requested modifications would not contravene the policies and purposes of these regulations;**

**Findings:**

- See findings under #1, #2 and #3 above;

**7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;**

**Findings:**

- See findings under #1, #2 and #3 above;

**8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,**

**Findings:**

- See findings under #1 through #7 above;

**9. The practical difficulties cannot be overcome through reasonable design alternatives;**

**Findings:**

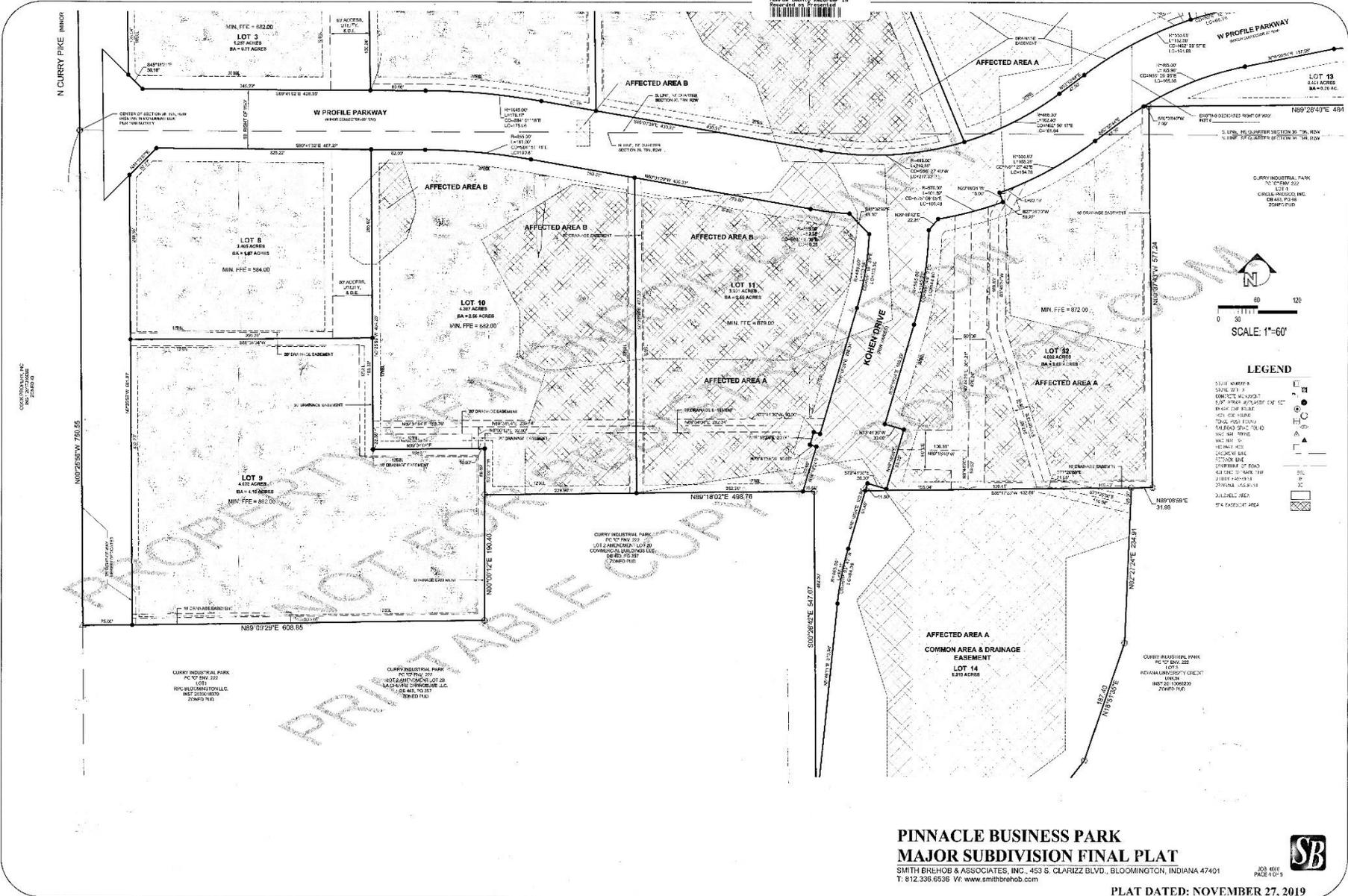
- See findings under #1 and #4 above;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.





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 07/24/2013 10:47:55 AM  
 Eric Schmitz  
 Perry Co. County Recorder IN

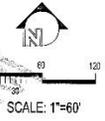


**PINNACLE BUSINESS PARK**  
**MAJOR SUBDIVISION FINAL PLAT**  
 SMITH BREHOB & ASSOCIATES, INC., 453 S. CLARITZ BLVD., BLOOMINGTON, INDIANA 47401  
 T: 812.336.6536 W: www.smithbrehob.com



PLAT DATED: NOVEMBER 27, 2019

27/11/2023 09:14:00  
 03/24/2023 08:47:48 9 PGS  
 03/24/2023  
 Review: County Recorder IN  
 Recorder as Proposed



**LEGEND**

THICK BOUNDARY	LI
THIN BOUNDARY	LI
CONCRETE WALL	LI
5/8\"/>	

**PINNACLE BUSINESS PARK  
 MAJOR SUBDIVISION FINAL PLAT**

SMITH BREHOB & ASSOCIATES, INC. 453 S. CLARIZZ BLVD., BLOOMINGTON, INDIANA 47401  
 T: 812.336.6536 W: www.smithbrehob.com



PLAT DATED: NOVEMBER 27, 2019



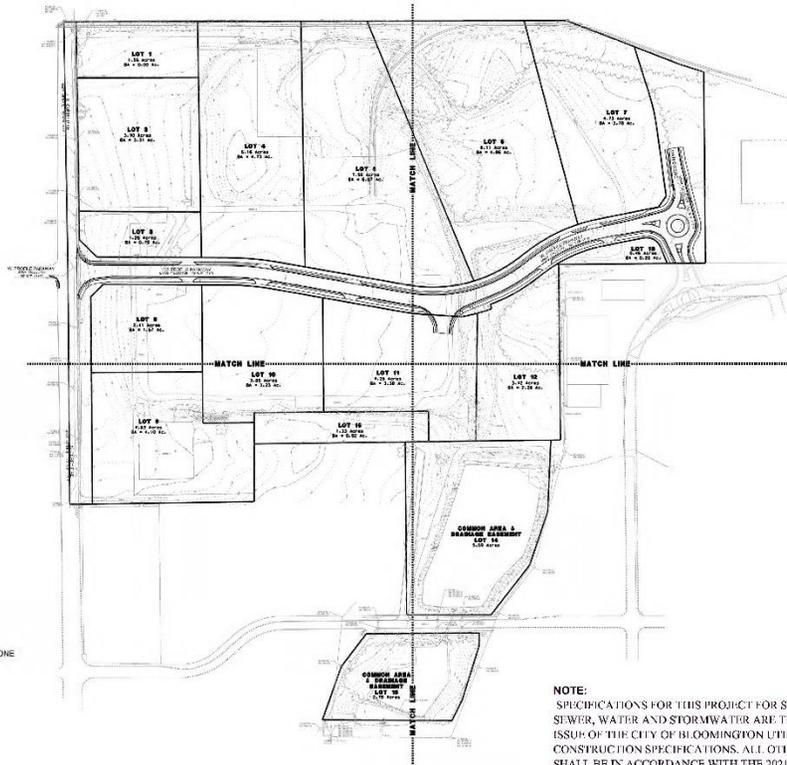
# PINNACLE BUSINESS PARK

MAJOR SUBDIVISION  
PRELIMINARY PLAT AMENDMENT  
300 NORTH CURRY PIKE

PROJECT LOCATION



LOCATION MAP  
NTS



LAND USES PERMITTED IN ACCORDANCE WITH THE I3 ZONE  
AND AS ZONING ALLOWS IN THE FUTURE

**SETBACK TABLE**

	EXISTING SETBACK	BUILDING SETBACK
CURRY PIKE	10' from R/W	10' from R/W
FRIPLE PARKWAY	60' from Center Line or 10' from R/W whichever is greater	50' from Center Line or 10' from R/W whichever is greater
SIDE YARD	5'	10' (10' along RAILROAD ASSEMBLY)
REAR YARD	10'	20' (2' along Railroad Treatment)

**NOTE:**  
SPECIFICATIONS FOR THIS PROJECT FOR SANITARY SEWER, WATER AND STORMWATER ARE THE LATEST ISSUE OF THE CITY OF BLOOMINGTON UTILITIES CONSTRUCTION SPECIFICATIONS. ALL OTHER SITE WORK SHALL BE IN ACCORDANCE WITH THE 2021 SMITH DESIGN GROUP, INC. STANDARD SPECIFICATIONS AND THE LATEST ISSUANCE OF THE INDOT 2020 STANDARD SPECIFICATIONS.

BASIS OF BEARING  
Based on 2010 ALTA by S. Smith  
"Assumed Bearings"

SHEET #	REVISIONS	BY	DATE



**SMITH DESIGN GROUP**  
CIVIL ENGINEERING • LAND SURVEYING  
2785 E Canada Dr Suite 101 Bloomington, IN 47401  
(317) 338-6558 • smithdsg.com



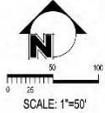
SHEET INDEX	
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	KEY MAP
3-6	PRELIMINARY PLAT

JOB NUMBER: 4666

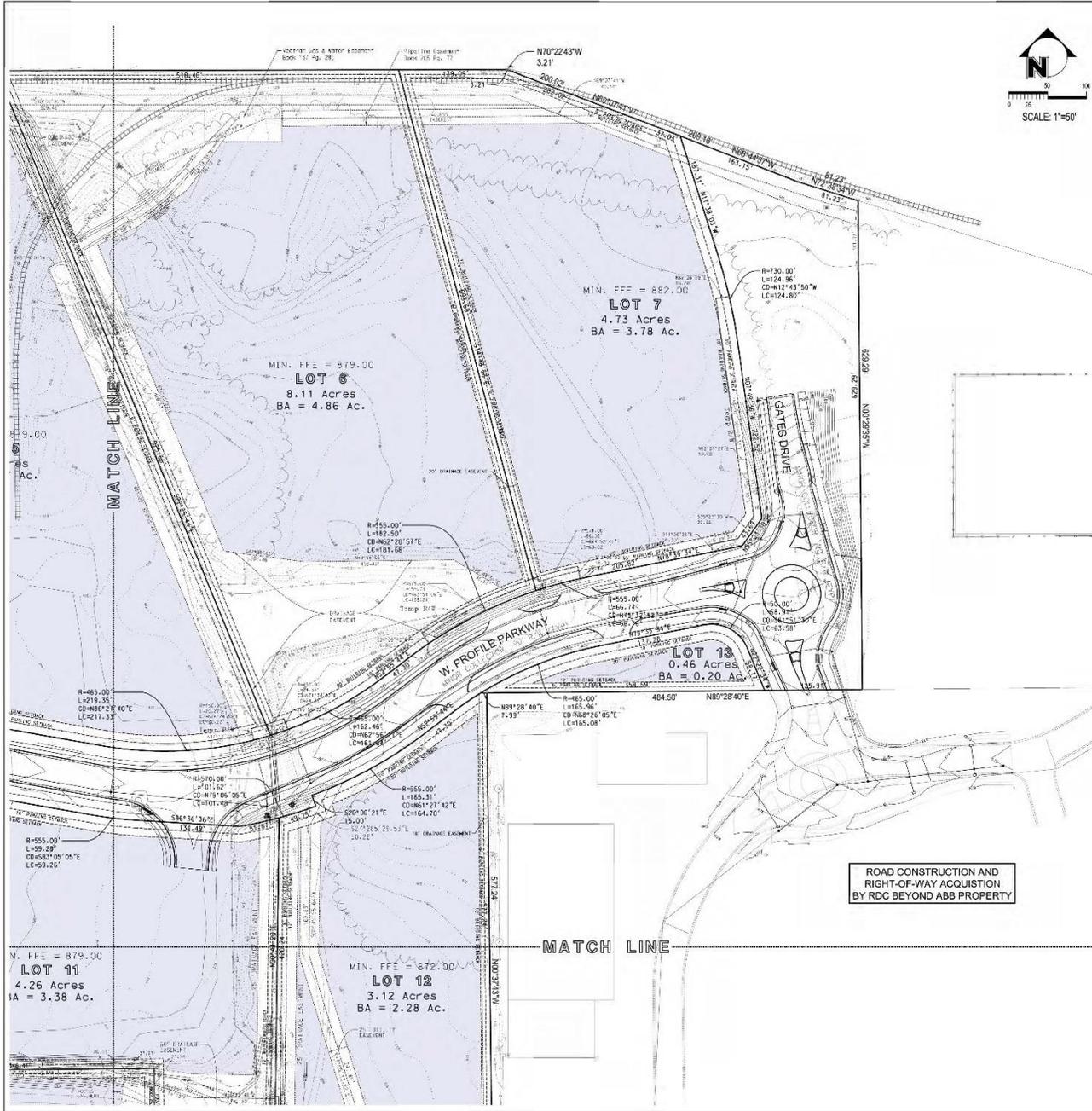




SITE LEGEND



- ROADWAY RIGHT-OF-WAY
- ROADWAY CENTERLINE
- ROADWAY EDGE OF PAVEMENT
- ROADWAY SHOULDER
- ROADWAY SIDEWALK
- ROADWAY BIKEWAY
- ROADWAY UTILITY
- ROADWAY LIGHT
- ROADWAY SIGN
- ROADWAY FENCE
- ROADWAY TREE
- ROADWAY LANDSCAPE
- ROADWAY LIGHT FIXTURE
- ROADWAY SIGN
- ROADWAY FENCE
- ROADWAY TREE
- ROADWAY LANDSCAPE



DATE: 02/09/22

**PINNACLE BUSINESS PARK  
MAJOR SUBDIVISION  
300 NORTH CURRY PIKE**

NO.	DATE	REVISIONS

SLS  
WDAW  
DATE: 05/18/22

4666  
SHEET  
**4** OF **6**  
N.E. CORNER  
PRELIMINARY  
PLAT







**EXHIBIT FOUR: PETITIONER LETTER**



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

May 18, 2022

Monroe County Plan Commission  
c/o Ms. Anne Crecelius  
Monroe County Planning Department  
Showers Building  
Bloomington, Indiana

Dear Anne and Members of the Plan Commission,

On behalf of our client, BB Profile LLC, we respectfully request to be placed on the July 2022 Plan Commission agenda for consideration of approval for a Major Subdivision Preliminary Plat Amendment for Pinnacle Business Park. This amendment is intended to meet all requirements of the Monroe County Zoning and Subdivision Ordinances with a request of waiver of the second hearing.

The purpose of this plat amendment is to swap existing ROW with Monroe County that was intended for the construction of Kohen Drive from Profile Parkway to Jonathan Drive for new ROW for the extension of Sunrise Greetings Court to the north currently within Lot 7. In addition this preliminary plat amendment would add an additional lot on the south side of the subdivision as Lot 16. Lastly, the common lot line between Lot 5 and Lot 7 would be adjusted on the owner's request.

Details of the project are contained in the attached Preliminary Plat Amendment plans.

We look forward to working with the planning department on this petition.

Regards,

Katherine E Stein, P.E.  
Smith Design Group, Inc.