

MONROE COUNTY PLAN REVIEW COMMITTEE



**October 11, 2018
6:00 pm**

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

A G E N D A
MONROE COUNTY PLAN REVIEW COMMITTEE

North Showers Building, 501 N. Morton Street, Suite 224, Bloomington, IN

October 11, 2018

6:00 p.m.

OLD BUSINESS: None.

NEW BUSINESS:

1. 1809-PUO-03 Mirwec Outline Plan Amendment Two to add nine (9) PAGE 3
automotive-type uses to the PUD

One (1) parcel on 5.22 +/- acres in Section 1 of Van Buren Township at 701 S Liberty DR in proposed Mirwec Subdivision Final Plat Amendment 2, Lot A-1-A.
Zoned PUD

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, 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

October 11, 2018

PLANNER Tammy Behrman
CASE NUMBER 1809-PUO-03, Mirwec Outline Plan Amendment Two
PETITIONER Autovest LLC **OWNERS:** Mirwec Film Inc & Owen County State Bank c/o
 Bynum Fanyo & Associates
ADDRESS 701 S Liberty DR
 Parcel #: 53-09-01-101-002.000-015
REQUEST Outline Plan Amendment to add nine (9) automotive type uses to the list of permitted
 uses
ZONE PUD
ACRES 5.22 acres +/-
TOWNSHIP Van Buren
SECTION 1
PLAT: Mirwec Plat Subdivision Final Plat Amendment Two Lot A-1-A (to be approved)
COMP PLAN
DESIGNATION MCUA Employment

EXHIBITS

1. Petitioner Outline Plan Statement
2. Mirwec Plat Subdivision Final Plat Amendment Two Lot A-1-A (to be approved)
3. Proposed Uses from 1979

RECOMMENDATION

Staff gives a recommendation of **approval** to the Plan Commission based on the findings of fact and subject to the Monroe County Highway Department & Drainage Engineer reports, and with the following conditions:

- 1) Complete the Recording of the “Mirwec Plat Subdivision Final Plat Amendment Two”

PLAN REVIEW COMMITTEE

TBD

SUMMARY

The proposed petition site is 5.22 +/- acres in the Mirwec Planned Unit Development, referred to as Lot A-1-A in the unrecorded Mirwec Plat Subdivision Final Plat Amendment Two. The site maintains frontage along the east side of South Liberty Drive and is currently vacant.

The petitioner is seeking to amend the Mirwec Planned Unit Development in order add nine (9) automotive type uses to the list of permitted uses for proposed Lot A-1-A, east of South Liberty Drive. The proposed uses and their intensity and definitions are listed in Table 1 below. The 1979 existing list of uses for the PUD are shown in Exhibit 3.

The petitioner is in the final stages of a Final Plat Amendment (Exhibit 2) that will alter the existing east-west line between proposed Tracts A-1-A and B-A, with the final outcome being the 5.22 acre +/- lot size listed in this packet. The existing driveway cut will remain on the resulting 5.22 acre +/- parcel as well as the area near the existing traffic signal on S Liberty Dr.

Table 1. Proposed uses to add to the proposed Lot A-1-A

Use	Intensity	Definition	Special Conditions
Auto & Transport. Services Accessory Use	-	A use which is customarily accessory, and clearly incidental and subordinate, to the principal automotive or transportation service use on the same lot	13
Automobile Repair Services, Minor	H	The replacement of any mechanical part or repair of any mechanical part including the removal of the engine head or pan, engine transmission or differential; and upholstery service, as an accessory to a residential use.	50; 53
Automotive Paint Shop	L	An establishment primarily engaged in automotive painting and refinishing.	-
Automotive Rentals	M	Establishments involved in renting passenger cars, noncommercial trucks, motor homes or recreational vehicles, including incidental parking and servicing of vehicles available for rent.	21
Automotive/Boat Repair Shop	H	An establishment primarily engaged in general or specialized automotive, motorcycle, or watercraft repairs.	6
Automotive Sales	H	Establishments primarily engaged in the retail sale of new and used automobiles, noncommercial trucks, motor homes or recreational vehicles, including incidental storage, maintenance and servicing.	31
Automotive Supply	M	An establishment primarily engaged in the retail sale of automotive parts, tires, and accessories.	7; 21
Automotive Tire Sales/Repair	M	An establishment primarily engaged in the retail sale and repair or retreading of automotive tires.	7; 21
Motorcycle Sales	L	Establishments primarily engaged in the retail sale of new and used motorcycles, motor scooters, and personal watercraft, including incidental storage, maintenance and servicing.	6; 21

HISTORY

The site is located in the Former Fringe area surrounding the city of Bloomington, and in the Mirwec PUD. The site was originally planned while the city of Bloomington had planning jurisdiction over the area. While the original files for the PUD were not found, some documentation was provided by the city of Bloomington Planning Department. The Mirwec PUD appears to have been planned originally as part of a request for phased development of an 82-acre tract owned by Whitehall Associates in 1979. The Mirwec area is described as ‘light industrial’. The list of the requested uses is attached as Exhibit 3. This is the best information that staff has been able to locate regarding approved uses on the site, and this information is what staff has used to determine approved uses on the site. This area was the remainder of the more heavily planned areas in the 82-acre parcel, but continued to be part of the ‘Whitehall Business Park.’ In 1988, a petition was filed to separate a 3.47 acre parcel and a 9.1 acre parcel from the existing parcel owned by Whitehall Associates. Parcel A involved in this petition is a part of that 9.1 acre parcel. The development plan approval for the Mirwec, Inc., operation occurred at this time, as well. Light Industrial uses were again mentioned at this time. The petition was filed as part of the Whitehall Business Park/Mitsubishi Rayon & Mirwec PUD processed by the city of Bloomington in 1988. In 1989, the Mirwec Plat was recorded (Book 8 page 224) with Lot B being platted for the Mirwec, Inc. plant and Lot A being the remainder of the area which was previously described as 9.1 acres and recorded as 8.96 acres.

It appears that around 2000, legal surveys began in order to plat the ‘Welmer Drive Extension’ through Mirwec Lot A. In 2002, an Administrative Type D Subdivision, 0211-SAD-84, was filed with the Monroe County Planning Department in order to plat right-of-way through the Mirwec PUD, which is now known as Liberty Drive.

The petitioner filed a Final Plat Amendment to adjust the east-west lot line between Lot B and the portion of Lot A on the east side of Liberty Drive in September 2013. This raised some questions from staff regarding the legality of the portion of Lot A east of Liberty Drive as a stand-alone parcel. The Planning Director determined that a reference to the previous Type D on the new Final Plat Amendment would suffice in order for the property owner to be able to move forward with recording the Final Plat. The Final Plat is in the final stages of approval.

The request in 2013 was to add the use “financial service” to 1.92 acre Lot A-1 of the Mirwec Plat Subdivision Final Plat Amendment One. The specific condition of approval associated with the approval

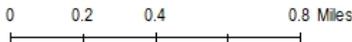
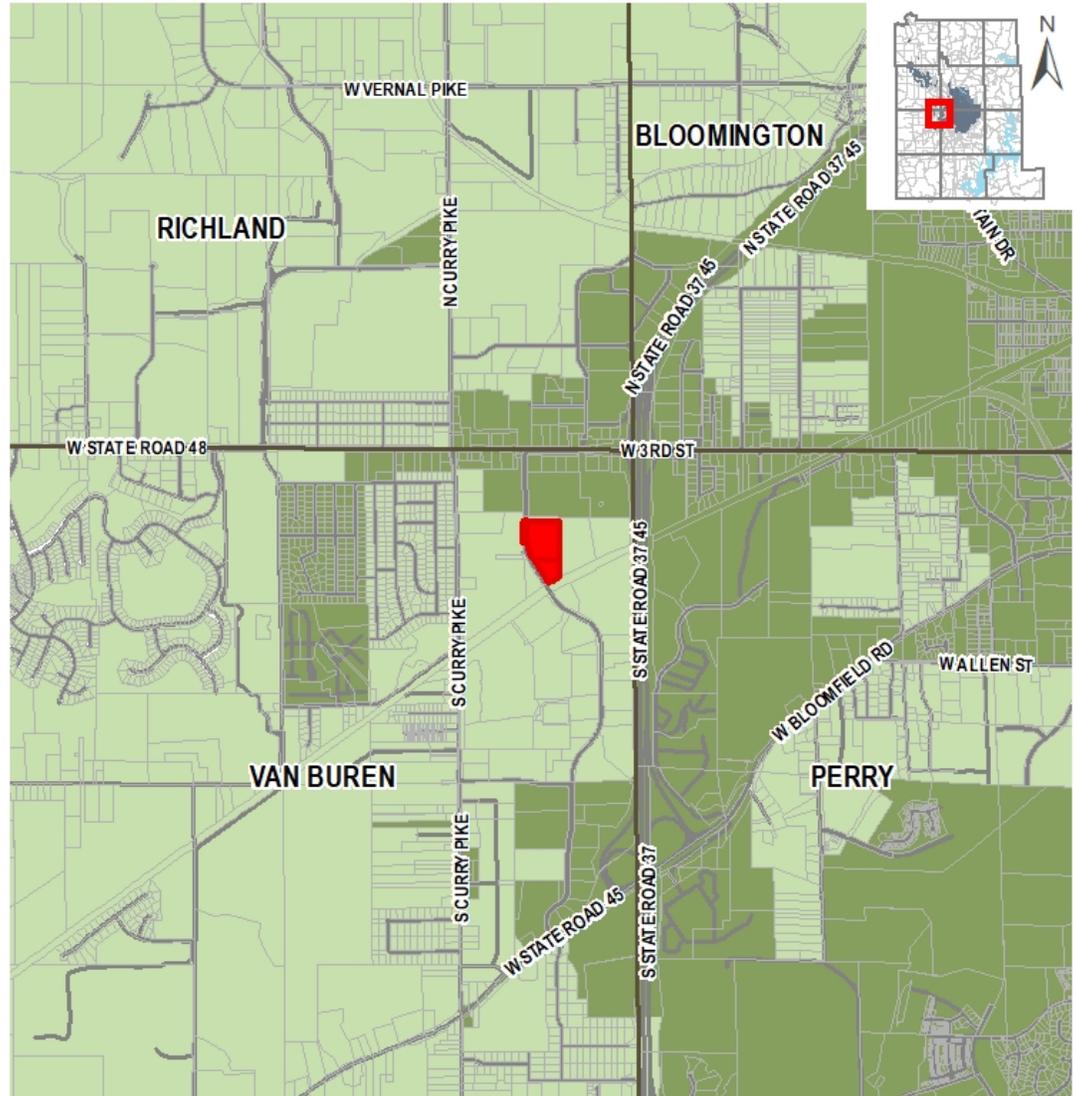
shown on Ordinance 2014-03 only allows “financial service” in on the older platted Lot A-1. Once the current final plat is completed the “financial service” use will not be applicable due to the conditional language.

LOCATION MAP

The petition site is located west of the City of Bloomington, with frontage along South Liberty Drive in Van Buren Township in Section 1 of Van Buren Township.

Location Map

- Petitioner
- Townships
- Roads
- Parcels
- Incorporated Areas**
- Bloomington



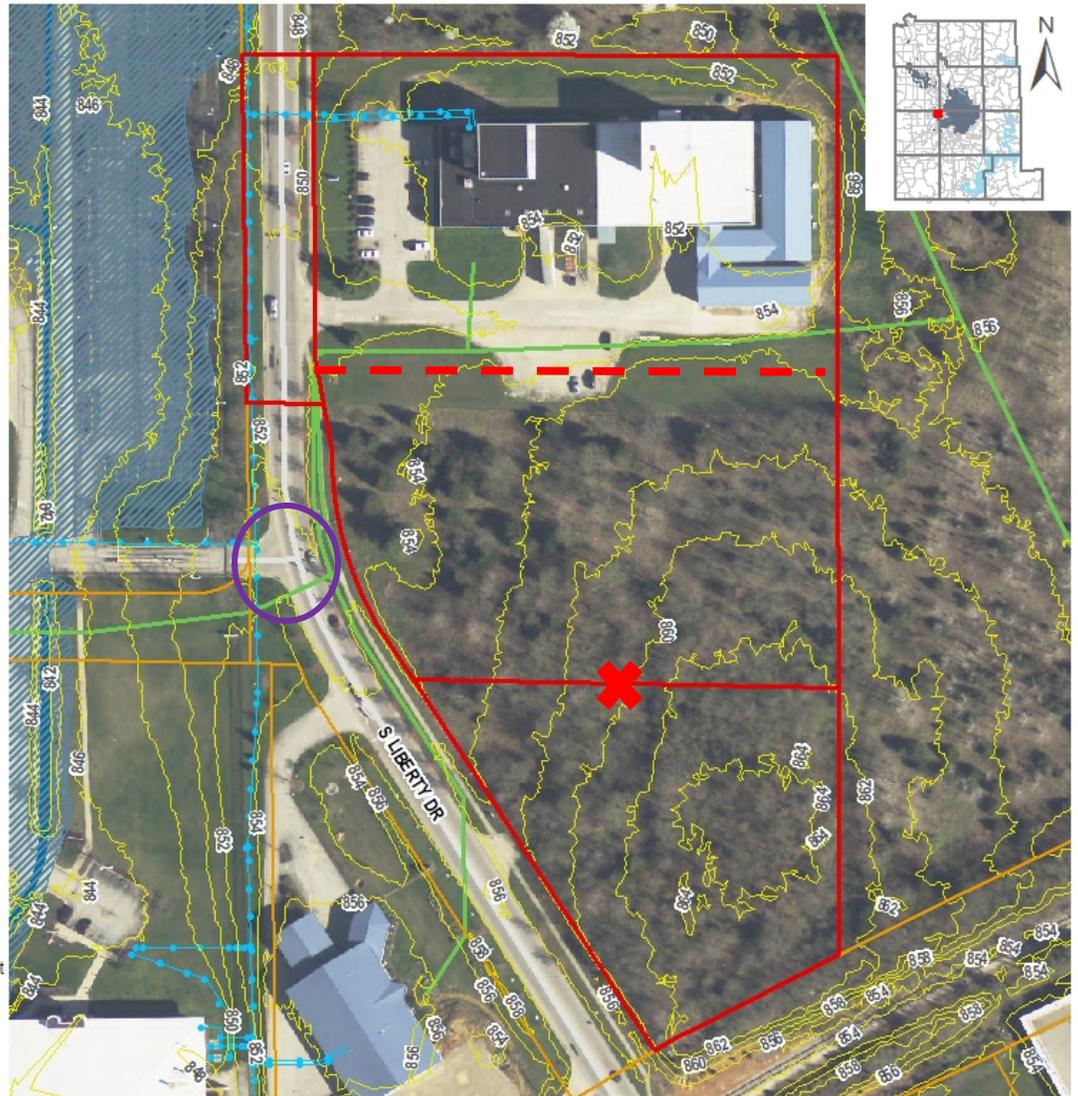

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 10/1/2018

SITE CONDITIONS

The parcel is the high point of the surrounding land. It is currently vacant and heavily wooded. There is an existing curb cut onto South Liberty Drive. The property to the north houses Mirwec Inc., and the parcel is bordered along the south by an old rail bed. The property is within one mile of a school. There are no known karst on the property. The property has access to sewer and water lines. (Red line indicates the approximate location of the shifted lot line.) FEMA Floodplain is located offsite to the west. Red dashed line is proposed new lot line and the 'x' represents the older lot line.

Site Conditions Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads
-  FEMA Floodplain
-  Hydrologic Features
-  Existing traffic light

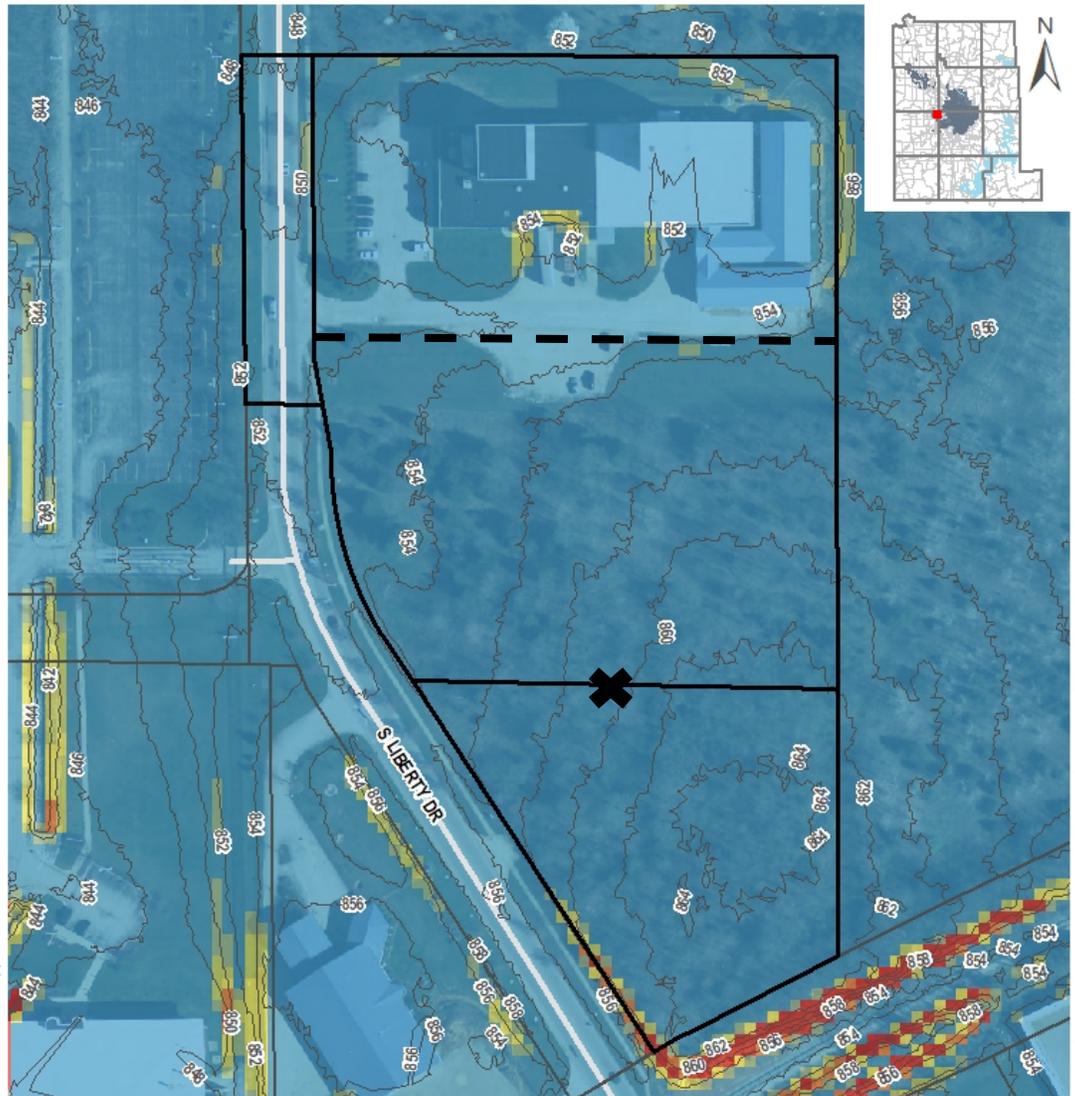


Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads

Percent Slope (2010)

-  0 - 12
-  13 - 15
-  16 - 18
-  19 - 21
-  22 - 24
-  > 25



0 70 140 280 Feet



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 10/1/2018

SITE PICTURES



Figure 1. Facing south; view of frontage along S Liberty Drive. Railroad crossing in background. Existing driveway cut in the foreground.



Figure 2. Facing north; Baxter on the left and Mirwec Lot A-1-A on the right at the southwest corner of the lot.



Figure 3. Facing north: view of utilities and infrastructure for traffic signal.



Figure 4. Facing south; view of utility boxes and traffic signal.



03/27/2017

Figure 5. Facing north; aerial view from 3/27/2017.

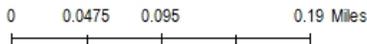
ADJACENT USES / ZONING

The petition site is zoned Planned Unit Development (PUD). It is part of the Mirwec Planned Unit Development. All immediately adjoining parcels are also zoned PUD. There are General Industrial (IG) zoning and Arterial Commercial (CA) zones in the immediate vicinity. The City jurisdiction is located to the north.

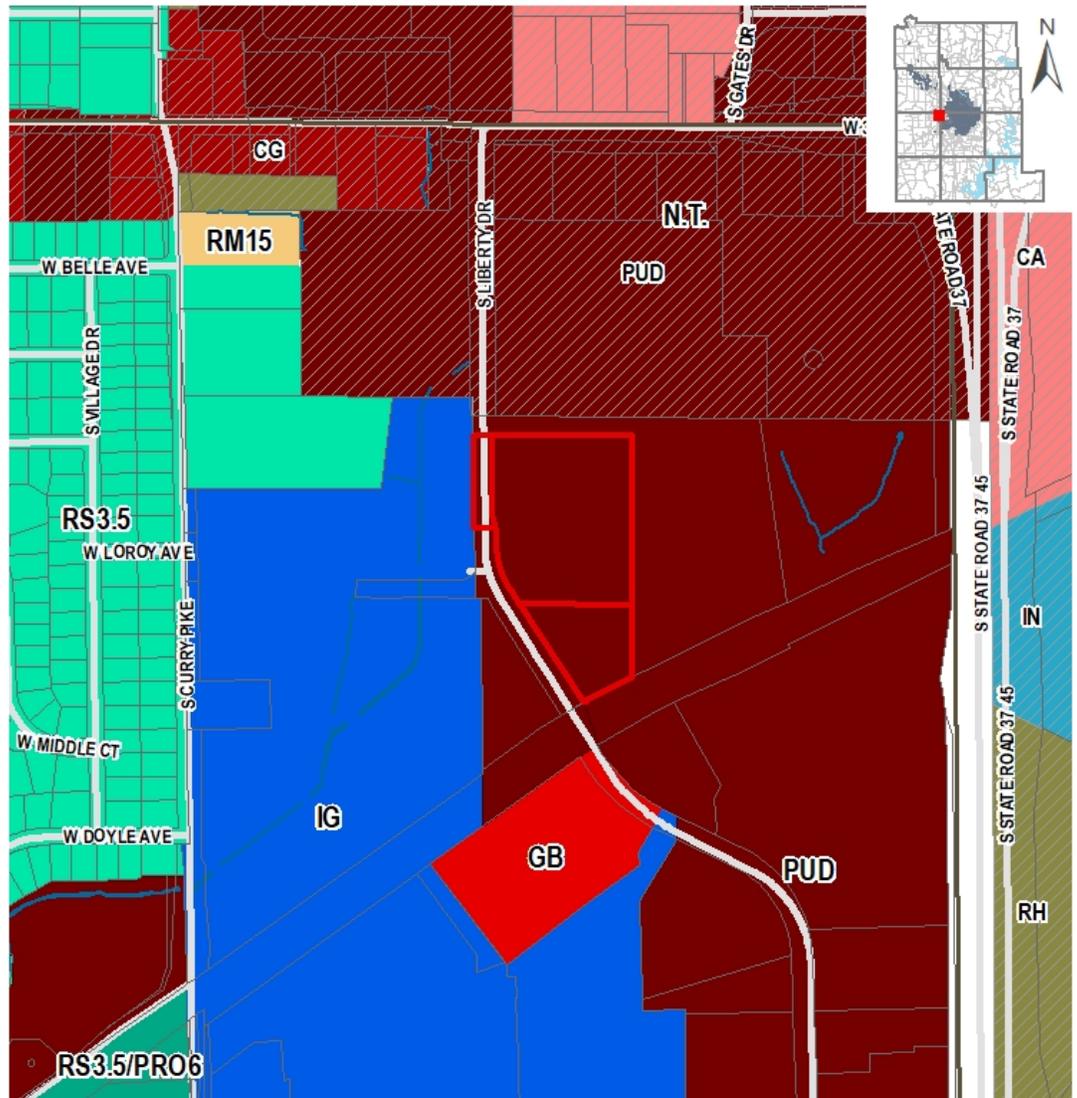
The current uses for the petitioner’s lot are shown in Exhibit 3. It is currently vacant. Much of the uses to the south are retail. Uses to the west are retail and manufacturing.

Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
-  GB - General Business
-  IG - General Industrial
-  N.T. - No Tag (Outside Juris.)
-  PUD - Planned Unit Development
-  RM 15 - Multi Dwelling Res. 15
-  RS3.5 - Single Dwelling Res. 3.5
-  RS3.5/PRO6 - Single Dwell. Res. 3.5/PRO6
- Bloomington Zoning**
-  CA, Commercial Arterial
-  CG, Commercial General
-  IN, Institutional
-  PUD, Planned Unit Development
-  RH, Residential High-Density Multifamily



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 10/1/2018



INFRASTRUCTURE AND ACCESS

The site has access to CBU water and sewer (see excerpt from 2013 staff report below). Sidewalks and street trees are already in place. There is an existing traffic light adjacent to the proposed Lot A-1-A and an additional driveway cut.

Utilities:

Utilities for the Mirwec Plat are within the bounds of the entire property. Water and sanitary sewer are served by City of Bloomington Utilities and no change to the potential hook on to these utilities is changed by the Plat Amendment or this Outline Plan Amendment. Duke and Vectren have confirmed they have capacity and a desire to continue to serve this property. It is not expected that extension of necessary services will be required to serve this petition site.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the **Employment** district in the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan. The immediate surroundings are also Employment or Conservation Residential.

The Comprehensive Plan describes Employment as follows:

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.

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 (± 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

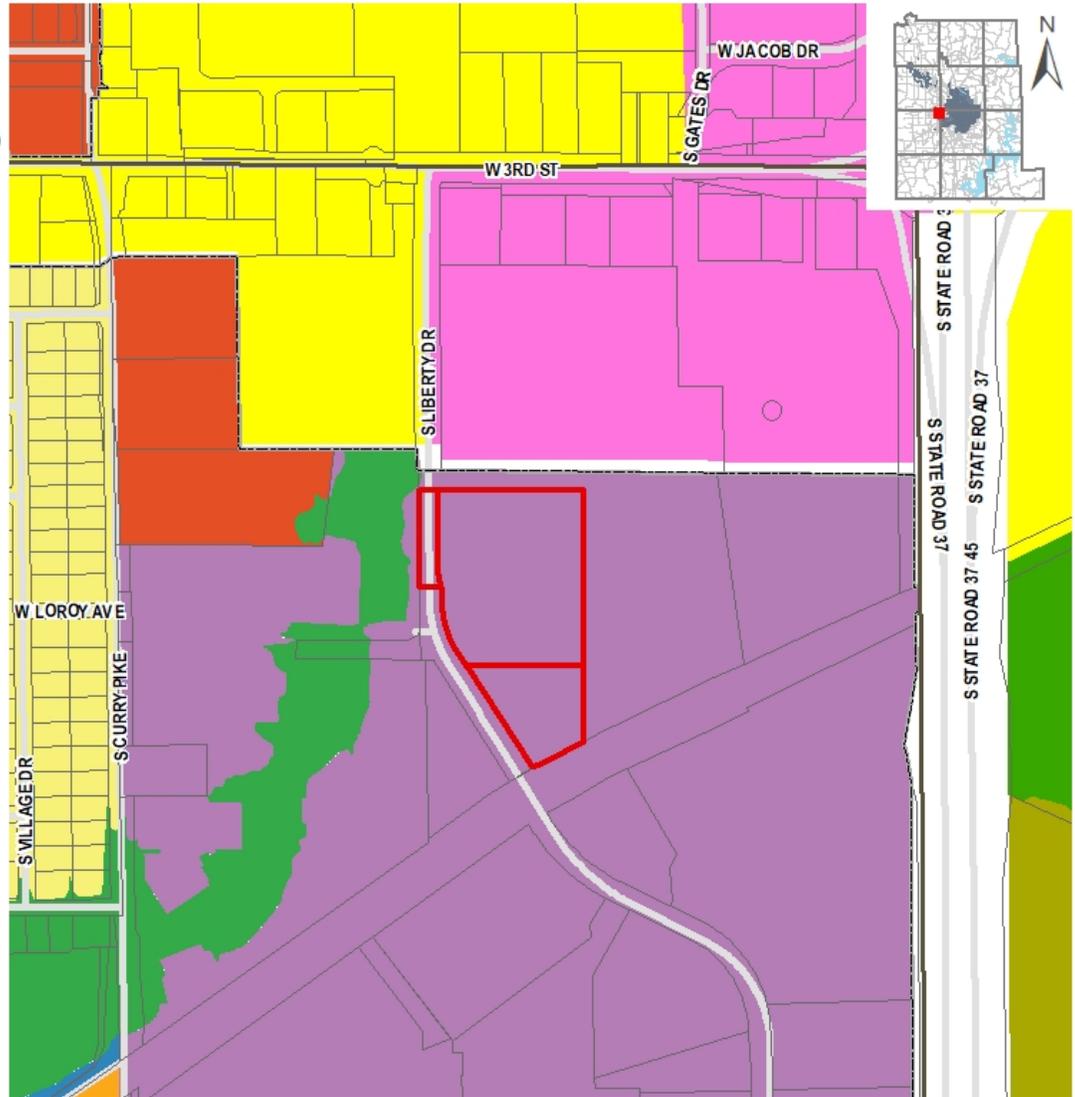
-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads

Comp. Plan Land Use (Updated 2015)

-  MCUA Employment
-  MCUA Institutional
-  MCUA Mixed Residential
-  MCUA Mixed Use
-  MCUA Open Space
-  MCUA Suburban Residential

Bloomington Growth Policies Plan

-  Community Activity Center
-  Parks/Open Space
-  Regional Activity Center
-  Urban Residential



0 0.045 0.09 0.18 Miles



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 10/1/2018

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 Comprehensive Plan designates the property as MUA Employment;
 - The property is currently zoned PUD of the Mirwec PUD;
 - The Mirwec PUD area was originally listed as a ‘light industrial’ part of the Whitehall Business Park PUD request to the city of Bloomington in 1979;
 - The petition parcel has remained vacant since that time;
 - The current approved uses for the petition parcel have been determined to be the ‘light industrial’ uses listed in the petitioner letter from the 1979 city of Bloomington PUD filing;
 - The petitioner requests to add nine (9) automotive and transportation uses to the proposed Lot A-1-A, of the Mirwec Plat Subdivision Final Plat Amendment Two;
- (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:

- See Findings (a);
 - No design standards were found specifically listed in the PUD documentation;
 - The site will meet the design standards of the underlying zone, General Manufacturing (MG);
 - The petitioner has not indicated that any other deviation from the Zoning Ordinance would be sought at this time related to density, dimension, bulk, use, required improvements, and construction and design standards;
 - The dimensions of Lot A-1-A are currently in the process of being amended through a final plat amendment;
 - Site plan improvements including parking, landscaping, and bioretention requirements will be addressed at the development plan stage;
- (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 (a) and (b)
- (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:

- There is an existing approved driveway cut from the petition property onto Liberty Drive;
- The proposed parcel will be adjacent to an existing traffic signal used by Baxter Pharmaceutical employees;

- The parcel shape was determined when a portion of the PUD was dedicated to the County for Liberty Drive;
 - Parking minimum requirements will be reviewed for this 5.22 acre lot once a design is submitted for review;
 - The site will meet the design standards of the underlying zone, General Manufacturing (MG);
 - Site plan requirements including parking, landscaping, and bioretention requirements will be addressed at the development plan stage.
- (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:

- See Findings (a), (b) & (d);
 - The adjoining lot to the north is used for industrial purposes, the Mirwec Inc. Bloomington factory;
 - The petition parcel is bordered to the south by a rail bed;
 - Other immediately surrounding uses include Menards to the southeast, a furniture warehouse and Baxter Pharmaceutical directly west, and vacant land to the east;
 - Much of the surrounding area is zoned Planned Unit Development, General Industrial, and General Business;
 - Site plan requirements including parking, landscaping, and bioretention requirements will be addressed at the development plan stage.
- (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:

- The parcel shape was determined when a portion of the PUD was dedicated to the County for Liberty Drive;
 - There is an existing approved driveway cut from the petition property onto Liberty Drive;
 - The proposed parcel will be adjacent to an existing traffic signal used by Baxter Pharmaceutical employees;
- (h) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.

Findings:

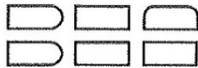
- The lot is currently vacant and heavily forested;
- No karst or floodplain is found on the petition parcel;
- The Mirwec PUD area was originally listed as a 'light industrial' part of the Whitehall Business Park PUD request to the city of Bloomington in 1979.

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

Findings:

- See Findings (a) & (b)

EXHIBIT 1: Petitioner Outline Plan Statement



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

September 5, 2018

Monroe County Planning Department
And Monroe County Plan Commission
501 N. Morton Street, Suite 224
Bloomington, Indiana 47404

SUBJECT: Mirwec PUD Outline Plan Amendment
Mirwec Plat Subdivision Lot #A-1-A

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Autovest, LLC, Bynum Fanyo & Associates, Inc. would like to request approval of an amendment to the 'Mirwec Outline Plan.' This amendment would only affect the new lot created known as lot #A-1-A of the 'Mirwec Plat Subdivision Final Plat Amendment two.' This lot is addressed as 701 South Liberty Drive in Bloomington, Indiana located just to the east of the intersection of South Liberty Drive and the entrance to the Baxter Pharmaceutical property. This lot contains 5.22 acres and is in the NE quarter of section 1, T8N, R2W, Van Buren township.

The amendment to the PUD Plan that is being sought is to incorporate the following uses as permitted uses on the new lot created known as lot #A-1-A of the 'Mirwec Plat Subdivision Final Plat Amendment two':

1. Automotive and Transportation Accessory Use
2. Automobile Repair Services, Minor
3. Automotive Paint Shop
4. Automotive Rentals
5. Automotive/Boat Repair Shop
6. Automotive Sales
7. Automotive Supply
8. Automotive Tire Sales/Repair
9. Motorcycle Sales

RECEIVED

SEP 05 2018

MONROE COUNTY PLANNING

Also, on behalf of Autovest, LLC, Bynum Fanyo & Associates, Inc. would like to request the Plan Commission waive the need for a 2nd hearing and make a determination for a recommendation to the Monroe County Commissioners after the 1st hearing.

Let us know if you have any questions or concerns for these proposed uses on this parcel of land.

Sincerely,
Bynum Fanyo & Associates, Inc.

Daniel Butler, PE, Project Engineer
Copy: BFA File #401839

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

EXHIBIT 3: Proposed Uses from 1979 PUD

Mr. Tim Mueller
December 27, 1979
Page Three

5) Phase 3b will consist of three free-standing pad site developments none of which to be undertaken until commencement of Phase III C. All pad sites will have access off the parking lot constructed in connection with Phase III C and upon their development would carry the proposed sidewalk for Phase I in a complete easterly direction to the point of connection with Phases III A and III B. Phase III A will also have a sidewalk located on its southern boundary line and will be connected with a sidewalk to be constructed through the parking lot on Phase II. No additional improvements to S.R. 48 will be constructed in the 30' of Phase 3b development. Anticipated uses in Phase 3b will include free-standing restaurants, financial institutions, and other small business uses. All buildings constructed on S.R. 48 will be fully improved with four sides of brick or stone and will have curbside contained trash pick-up areas.

6) Phase IV is currently an unplanned phase of the overall development, however, it is the intention of the developer to develop recreational or commercial uses comparable to those contained in Phase III C of the shopping center or entertainment functions consisting of possible bowling alley, handball court, movie theater, or other comparable uses. No additional roadway improvements would be required during this phase due to the fact that Drive "c" will be extended as part of the development of Phase III C. All drainage in Phase IV shall be carried in a generally southerly direction to retention/detention basin to be located on the far southwest corner of the overall 82-acre tract.

7) Phase V, or the balance of the 82 acres, will be developed into a light industrial area consisting of high quality free-standing buildings and will specifically exclude heavy industrial uses, existing or further commercial development. Proposed uses for the light industrial area would include assembly operations for non-manufactured commodities of components or its components. Such uses might also include assembly, repair and/or manufacture of light component parts or products; manufacture of office machinery, electrical and its bottling; manufacture of soft drink beverages and mechanical; manufacture of light, portable household appliances and/or related electrical tools and components; manufacturing of jewelry and leather products, manufacturing of pharmaceutical, biological, medical and cosmetic goods; manufacturing of optical goods, recording instruments,

December 27, 1979
Page Four

photograph records and/or distribution of operations with warehousing facilities. In connection with the development of the light industrial park, the roadway extended as part of Phase III C shall be completed with a connection to Curry Pike. Construction of the Curry Pike connection shall include a passing blister on the west side of Curry Pike. All drainage for the light industrial area shall in large be contained in a storm drainage basin located at the southwest corner of the 82-acre property with approximately 25% of the light industrial area, namely that area located immediately south of Phase III C being drained to the catch basin constructed as part of Phase II and located at the southeast portion of the 82-acre tract.

The attached drawing and site plan is the latest and most complete covering all intended development for the project covered by Mitchell Associates. Should you have any questions concerning this development or the explanations herein contained, kindly contact the undersigned.

Sincerely,


John B. Urbahn
Attorney-at-Law

/csf
Encl.