

# **MONROE COUNTY PLAN REVIEW COMMITTEE**



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

**Monroe County Government Center  
501 N. Morton Street, Suite 100B  
Bloomington, IN 47404**

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

North Showers Building, 501 N. Morton Street, Suite 100B, Bloomington, IN

January 11, 2018

6:00 p.m.

**OLD BUSINESS:**       None.

**NEW BUSINESS:**

<b>1. 1712-REZ-12</b>	<b>Hardwick II Rezone from Light Industrial (LI) with Low and Medium Intensity uses only to Light Industrial (LI) with Low, Medium, and High Intensity uses.</b> One (1) parcel on 5.0 acres +/- in Perry Township Section 21 at 4750 S Walnut Street Pike. <b>Zoned LI.</b>	<b>PAGE 3</b>
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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****January 11, 2018**

**PLANNER** Jackie Nester  
**CASE NUMBER** 1712-REZ-12, Hardwick Rezone  
**PETITIONER** RWP LLC, in care of Smith Brehob & Associates  
**ADDRESS** 4750 S Walnut Street Pike  
**REQUEST** Rezone from Light Industrial (LI) with low and medium intensity uses to Light Industrial (LI) with low, medium, and high intensity uses  
**ACRES** 5.0 acres +/-  
**ZONE** LI  
**TOWNSHIP** Perry  
**SECTION** 21  
**COMP PLAN DESIGNATION:** Mixed Residential  
**COMP PLAN DESIGNATION PH II:** Gateway South

**EXHIBITS**

1. Ordinance #2015-32 Hardwick Rezone
2. Remonstrance from Prior 2015 Rezone
3. Petitioner Letter
4. Site Plan

**RECOMMENDATION**

Staff recommends **approval** based on the Findings of Fact subject to the county highway and drainage engineer reports.

**PLAN REVIEW COMMITTEE**

TBD

**SUMMARY**

The petition site is a 5.0 +/- acre vacant parcel located in Perry Township and maintains frontage along S Walnut Street Pike, which is classified as a major collector.

The property is part of the former 2-mile fringe immediately surrounding the City of Bloomington. The property was rezoned in 2015 under ordinance number 2015-32 (See Exhibit 1). The property is surrounded by a mix of uses, including residential uses, a convenience storage business to the north, and a warehouse business to the south. The petitioner is requesting to rezone the property to Light Industrial (LI) with low, medium and high intensity uses under Chapter 802 of the Monroe County Zoning Ordinance in order to apply for a site plan with the use of Commercial / Industrial Adaptive Reuse. The petitioner would like the site to be used for a variety of general contractors, which would constitute mixed use and would be a high intensity use of the property. The petitioner is committing to following two out of the three conditions of approval in ordinance 2015-32:

1. If a waste-water disposal system is required, any future development shall connect by sanitary sewer into a public sewage disposal system, and not use a septic system
2. As per the County Drainage Engineer, the stream and spring on the east side of the property shall be placed in a 100' wide drainage easement, unless a detailed hydraulic analysis provided by the petitioner leads the County Drainage Engineer to conclude otherwise.

The petitioner wants to remove the third condition of ordinance 2015-32:

- Statements and commitments to the Plan Commission made by the petitioner or petitioner's representative at the Plan Commission Regular Session on September 15, 2015. For example, the petitioner will record a Commitment to exclude from the permitted uses any Light Industrial use that has a use intensity rating of H.

A survey of the vacant property was submitted with the petition. Construction plans have not been submitted at this time.

Here is a table showing the uses allowed in the Light Industrial zoning district with the intensity of Medium and Low:

Feed Mill	Office	Office Showroom	Laboratories
Daycare Facility	Office Equipment Repair	Automotive Paint Shop	Leather Goods
Telephone and Telegraph Services	Small Engine and Motor Repair	Automotive Tire Repair	Machine Assembly
Utility Service Facility	Taxidermist	Cold Storage Plant	Metalworking Machinery
Air Craft Charter Service	Upholstery Service	Wrecker Service	Musical Instruments
Appliance Repair	Veterinary Service (Outdoor)	Bottling Machinery	Optical Instruments and Lenses
Convenience Storage	Bakery (Wholesale)	Construction Trailer	Paper Products
Electrical Repair	Fertilizer Sales (Packaged)	Electronic Devices and Instruments	Plating and Polishing
Exterminating Service	Florist (Wholesale)	Engineering and Scientific Instruments	Sign and Advertising Displays
Gunsmith	Gunshop (CONDITIONAL USE)	Food Products	Watches and Clocks
Industrial Equipment Repair	Heavy Machinery Sales	General Contractor	Welding
Locksmith	Industrial Supplies	Jewelry Products	Wood Products





Here is a table showing the uses allowed in the Light Industrial zoning district with High intensity:

Agricultural Uses-Land Animal	Veterinary Service (Indoor)	Appliance Assembly
Agricultural Uses-Non Animal	Auction House	Beverage Products
Stockyard	Building Materials	Commercial Printing
Remote Garbage/Rubbish Removal	Garden Center	Furniture
Wastewater Treatment Facility	Automotive/Boat Repair Shop	Machine Shop
Water Treatment Facility	Gasoline Services Station	Metal Fabrication
Air Cargo and Package Service	Transfer or Storage Terminal	Office and Computer Equipment
Kennel, including commercial animal breeding operations	Park and Recreational Services	Plastic Products Assembly
Parking Facility	Apparel	Warehousing and Distribution

## LOCATION MAP

The parcel is located at 4750 S Walnut Street Pike in Section 21 of Perry Township.

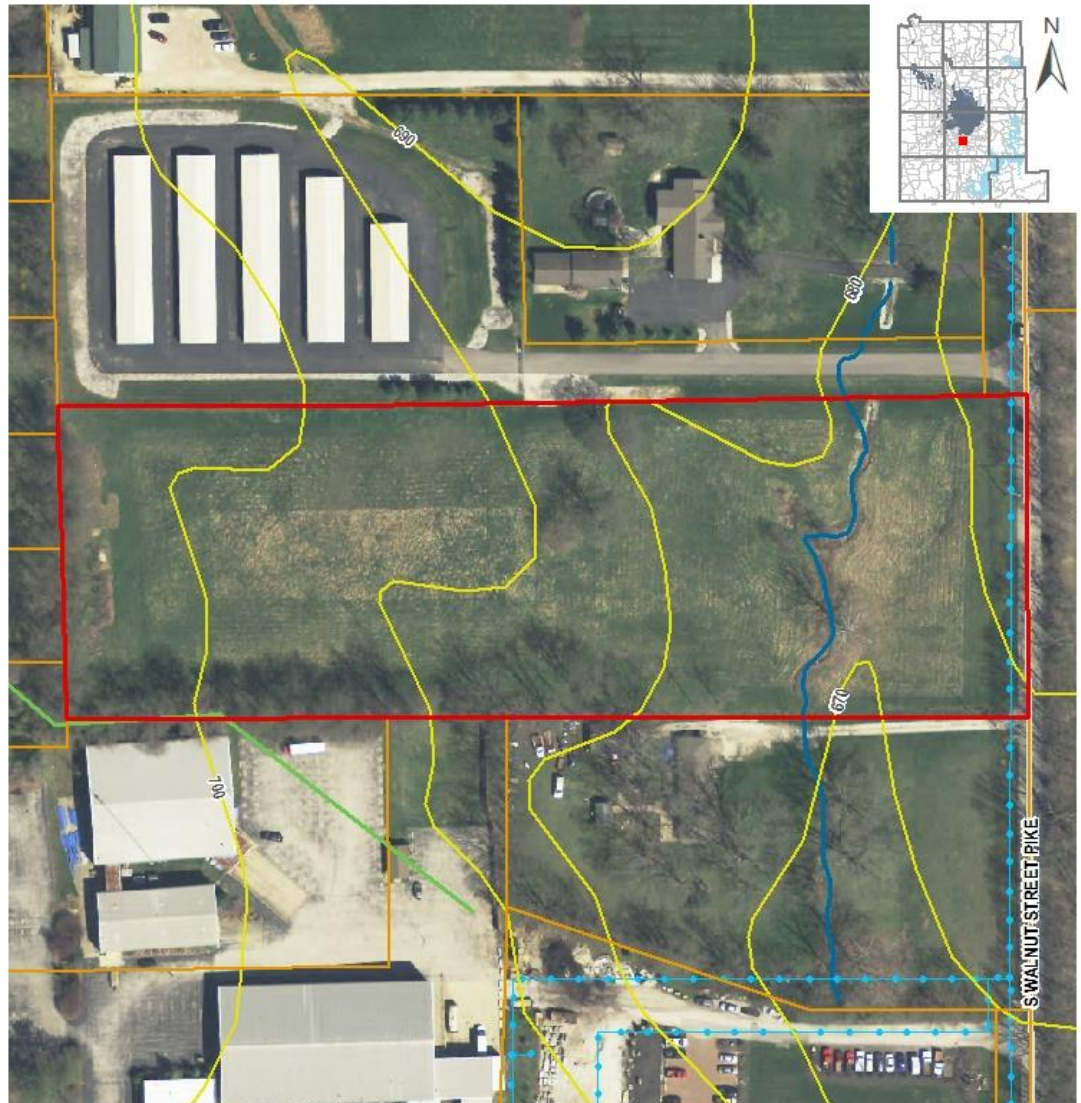
### Site Conditions Map

-  Petitioner
-  Parcels
-  10-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads
-  Hydrologic Features

0 65 130 260 Feet




Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018



## ZONING

The site is zoned Light Industrial (LI) with low and medium intensities. The petitioner would like to keep the same zoning (LI) but include high intensity uses. The neighboring properties are zoned RS3.5/PRO6, Limited Business (LB) (rezoned in 2003 from RS3.5), and property to the South, zoned Light Industrial (LI) and Limited Industrial (IL). The Bloomington Speedway is located across Walnut Street Pike to the East.

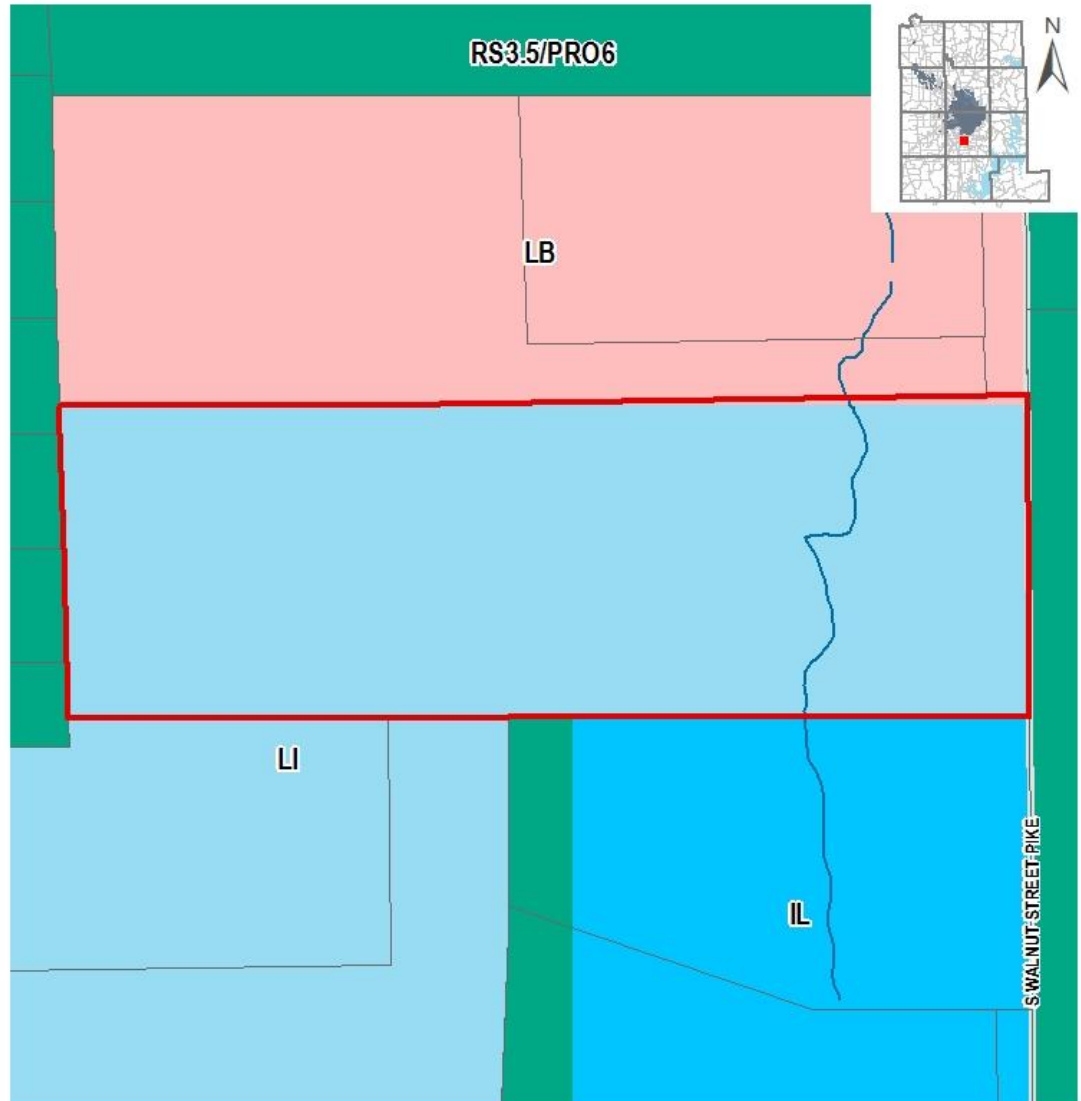
### Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
-  LI - Limited Industrial
-  LB - Limited Business
-  LI - Light Industrial
-  RS3.5/PRO6 - Single Dwell. Res. 3.5/PRO6

0 0.01 0.02 0.04 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018






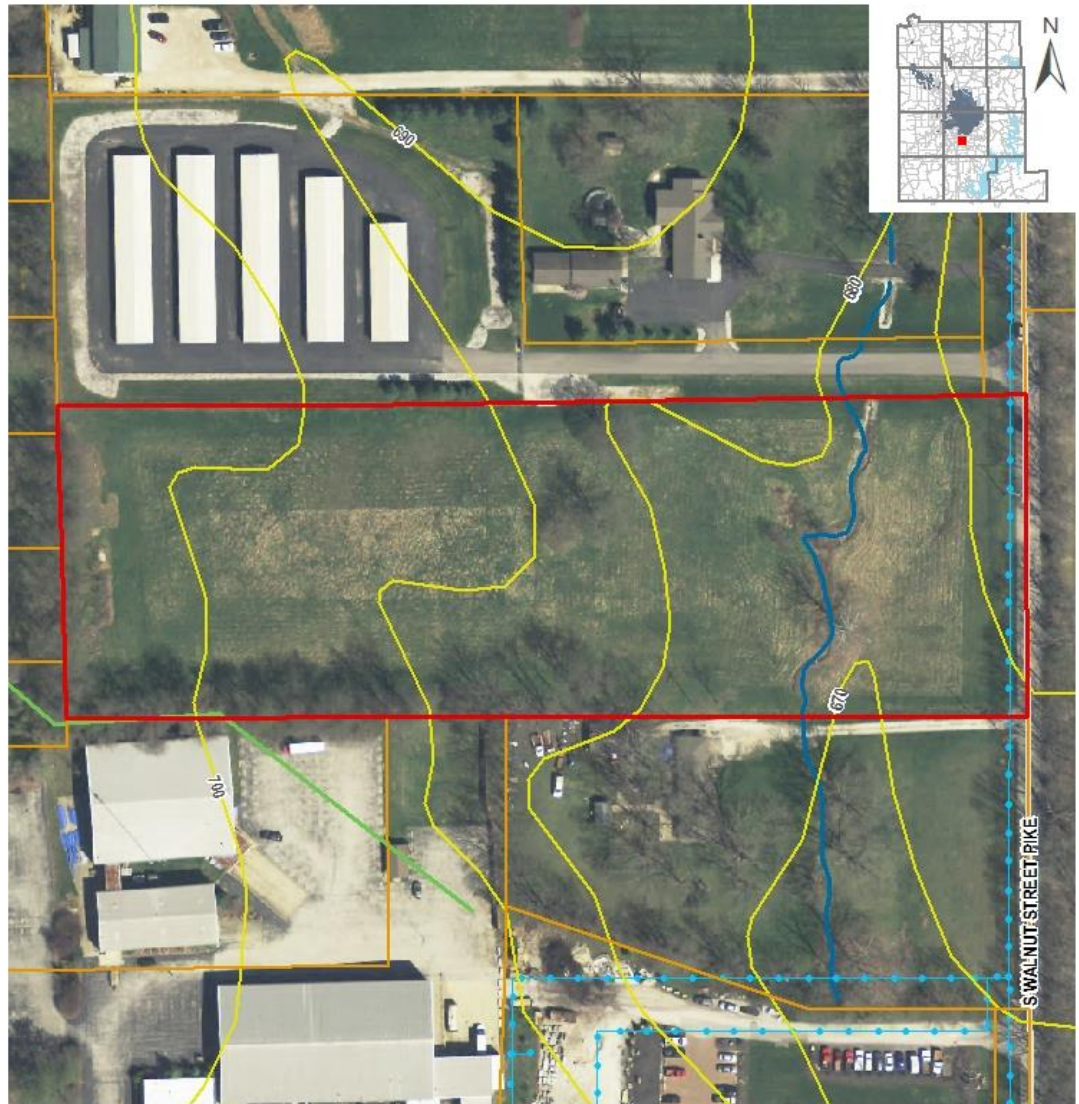


## SITE CONDITIONS

The site is currently vacant. There is a small stream that runs north to south towards the front of the property. The stream has been placed in a 100' drainage easement on the site plan (see Exhibit 3). There are no known karst features on site.

### Site Conditions Map

-  Petitioner
-  Parcels
-  10-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads
-  Hydrologic Features



0 65 130 260 Feet









Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018

# Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads
-  Hydrologic Features

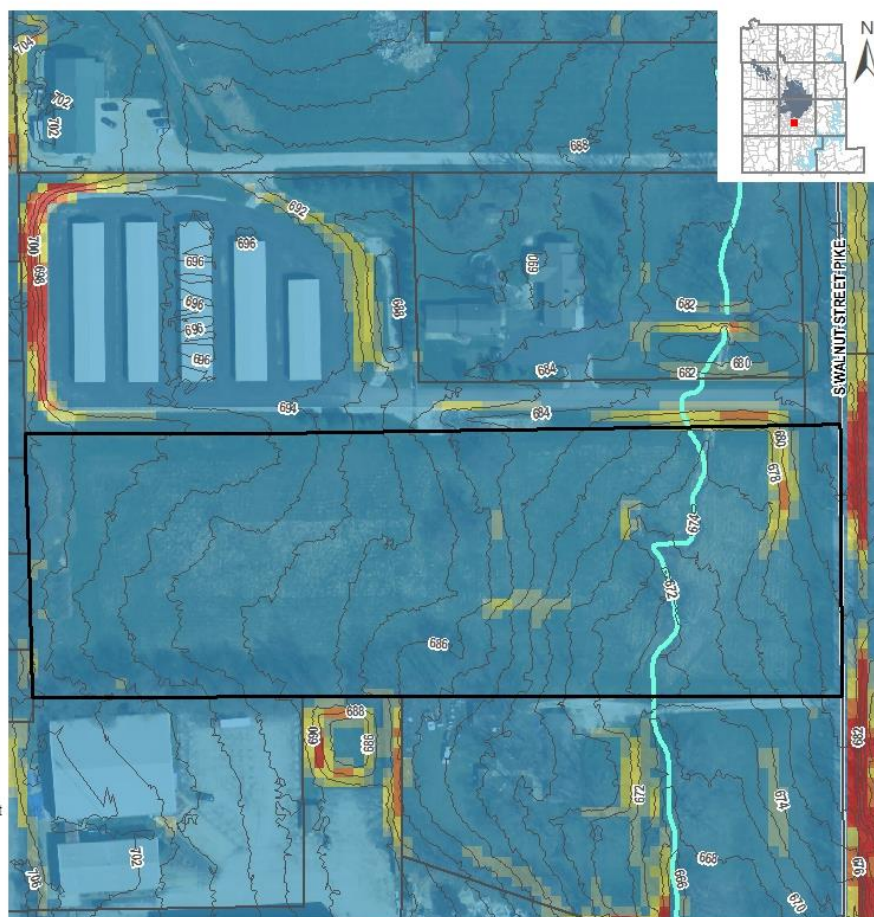
## Percent Slope (2010)

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

0 65 130 260 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018





## **SITE PICTURES**



**Figure 1. Facing north; front/east property line along S Walnut Street Pike.**



**Figure 2. Facing west; south property line.**



**Figure 3. Facing northwest across the property.**



**Figure 4. Facing southwest across the property.**





**Figure 5. Facing south; location of drainage easement.**



**Figure 6. Facing west; neighbor to south (Single-Family Dwelling).**





**Figure 7. Facing north; neighbor to north (Single-Family Dwelling).**



**Figure 8. Facing west; neighbor to north (Southside Storage).**





**Figure 9. Facing south; birds-eye view.**



## COMPREHENSIVE PLAN DISCUSSION

### 5.1.1 Mixed Residential

*Mixed residential neighborhoods accommodate a wide array of both single-family and attached housing types, integrated into a cohesive neighborhood. They may also include neighborhood commercial uses as a local amenity.*

These neighborhoods are intended to serve growing market demand for new housing choices among the full spectrum of demographic groups. Residential buildings should be compatible in height and overall scale, but with varied architectural character. These neighborhoods are often located immediately adjacent to mixed-Use districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

#### A. Transportation

##### Streets

Streets in mixed residential neighborhoods should be designed at a pedestrian scale. Like mixed-Use districts, the street system should be interconnected to form a block pattern, although it is not necessary to be an exact grid. An emphasis on multiple interconnected streets which also includes alley access for services and parking, will minimize the need for collector streets, which are common in more conventional Suburban residential neighborhoods. Cul-de-sacs and dead-ends are not appropriate for this development type. Unlike typical Suburban residential subdivisions, mixed residential development is intended to be designed as walkable neighborhoods. Most residents will likely own cars, but neighborhood design should de-emphasize the automobile.

##### Bike, pedestrian, and Transit modes

Streets should have sidewalks on both sides, with tree lawns of sufficient width to support large shade trees. Arterial streets leading to or through these neighborhoods may be lined with multi-use paths. Neighborhood streets should be designed in a manner that allows for safe and comfortable bicycle travel without the need for separate on-street bicycle facilities such as bike lanes. As with mixed-Use districts, primary streets in mixed residential neighborhoods should be designed to accommodate transit.

#### B. Utilities

##### Sewer and water

The majority of mixed residential areas designated in the land Use Plan are located within existing sewer service areas. Preliminary analysis indicates that most of these areas have sufficient capacity for additional development. Detailed capacity analyses will be necessary with individual development proposals to ensure existing infrastructure can accommodate new residential units and that agreements for extension for residential growth are in place.

##### Power

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

##### Communications

Communications needs will vary within mixed residential neighborhoods, but upgrades to infrastructure should be considered for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate capacity.

## C. Open space

### Park Types

Pocket parks, greens, squares, commons, neighborhood parks and greenways are all appropriate for mixed residential neighborhoods. Parks should be provided within a walkable distance (one-eighth to one-quarter mile) of all residential units, and should serve as an organizing element around which the neighborhood is designed.

### Urban Agriculture

Community gardens should be encouraged within mixed residential neighborhoods. These may be designed as significant focal points and gathering spaces within larger neighborhood parks, or as dedicated plots of land solely used for community food production.

## D. Public Realm Enhancements

### Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Lighting for neighborhood streets should be of a pedestrian scale (16 to 18 feet in height).

### Street/Site furnishings

Public benches and seating areas are most appropriately located within neighborhood parks and open spaces, but may be also be located along sidewalks. Bicycle parking racks may be provided within the tree lawn/ landscape zone at periodic intervals.

## E. Development Guidelines

### Open Space

Approximately 200 square feet of publicly accessible open space per dwelling unit. Emphasis should be placed on creating well-designed and appropriately proportioned open spaces that encourage regular use and activity by area residents.

### Parking Ratios

Single-family lots will typically provide 1 to 2 spaces in a garage and/or driveway. Parking for multi-family buildings should be provided generally at 1 to 1.75 spaces per unit, depending on unit type/number of beds. On-street parking should be permitted to contribute to required parking minimums as a means to reduce surface parking and calm traffic on residential streets.

### Site design

Front setbacks should range from 10 to 20 feet, with porches, lawns or landscape gardens between the sidewalk and building face. Buildings should frame the street, with modest side setbacks (5 to 8 feet), creating a relatively continuous building edge. Garages and parking areas should be located to the rear of buildings, accessed from a rear lane or alley. If garages are front-loaded, they should be set back from the building face. Neighborhoods should be designed with compatible mixtures of buildings and unit types, rather than individual subareas catering to individual market segments.

### Building form

Neighborhoods should be designed with architectural diversity in terms of building scale, form, and style. Particular architectural themes or vernaculars may be appropriate, but themes should not be

overly emphasized to the point of creating monotonous or contrived streetscapes. Well-designed neighborhoods should feel as though they have evolved organically over time.






### Materials

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

### Private Signs

Mixed residential neighborhoods should not feel like a typical tract subdivision. It may be appropriate for neighborhoods to include gateway features and signs, but these should be used sparingly and in strategic locations, rather than for individually platted subareas.

## Comprehensive Plan

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

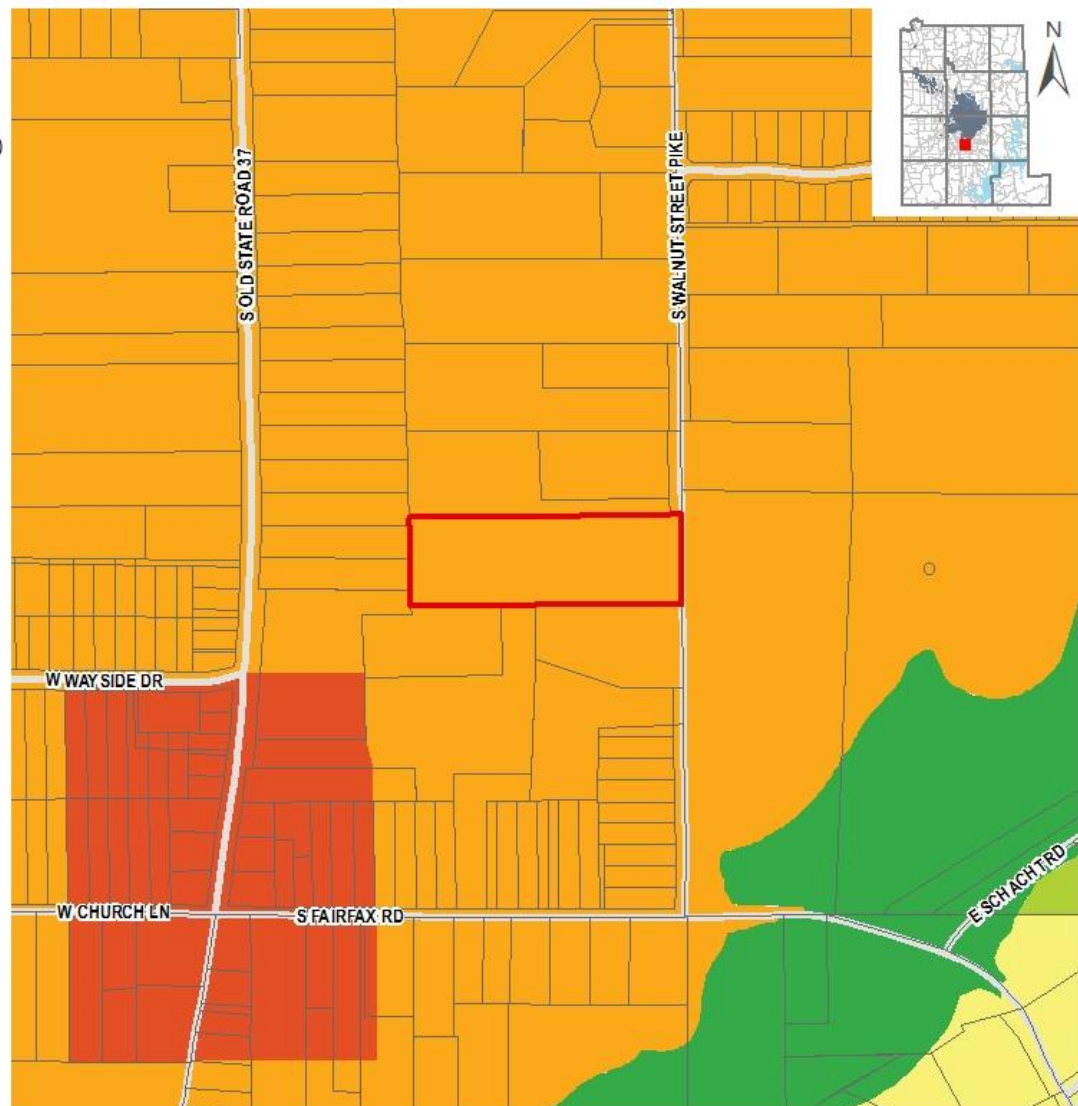
### Comp. Plan Land Use (Updated 2015)

-  MCUA Conservation Residential
-  MCUA Mixed Residential
-  MCUA Mixed Use
-  MCUA Open Space
-  MCUA Suburban Residential

0 0.0425 0.085 0.17 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018



## Monroe County Urbanizing Area Plan Phase II: Gateway Districts

### Gateway South (G2)

G2

### GATEWAY SOUTH

This district includes properties to the south of Bloomington located between Clear Creek and Jackson Creek, including the historic Clear Creek Community. This district is intended to preserve historic assets while accommodating sensitive infill and redevelopment in the southern gateway to Bloomington. This district is intended to implement the vision for the neighborhood-scale infill development in the Clear Creek Gateway focus area of the Urbanizing Area Plan.

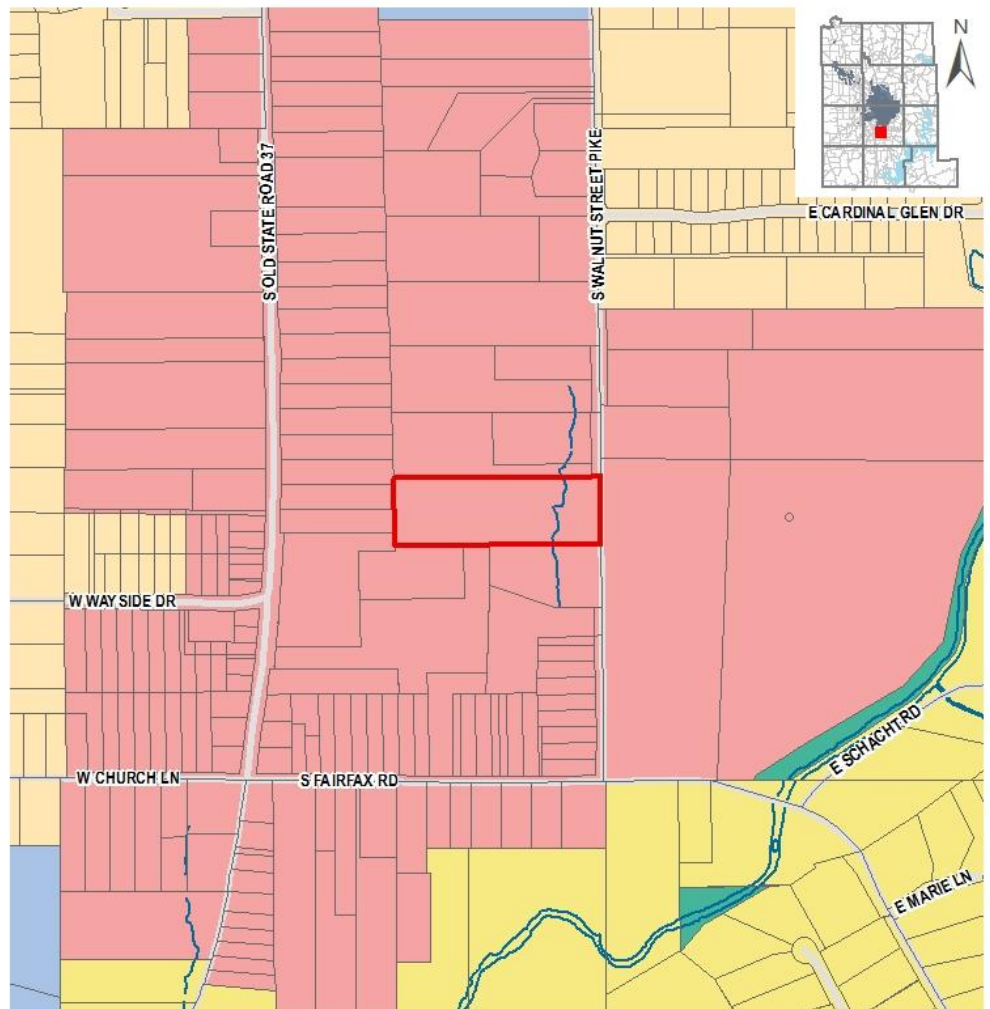
#### Proposed Zoning Map (2016)

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Proposed Zoning**
- G2 - Gateway South
- N2 - Neighborhood Development
- N3 - Conservation Development
- OS - Open Space
- CV - Civic

0 0.05 0.1 0.2 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/3/2018



# GATEWAY DISTRICTS

	GATEWAY WEST G1	GATEWAY SOUTH G2	GATEWAY NORTH G3
Single Family - Small Lot (Rear-Loaded)		+	
Single Family - Small Lot (Front-Loaded)		+	
Single Family - Contemporary			
Single Family - Mid-Century			
Single Family - Rural Residential			
Attached Townhome	+	+	
Attached Courtyard		+	
Two-Family Home (Duplex)		+	
Multi-Family	+	+	
Commercial	+	+	+
Commercial Outlot	+	+	+
Neighborhood Mixed-Use	+	+	
Mixed-Use	+	+	
Office Building	+	+	+
Civic/Institutional Building	+	+	+
Flex Building - Option A	+	+	+
Flex Building - Option B			
Large-Format Flex Industrial			
Re-Use/Retrofit	+	+	+



## **FINDINGS OF FACT - REZONE**

According to Section 831-3. Standards for Amendments of the Zoning Ordinance: In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Board of County Commissioners shall pay reasonable regard to:

### **(A) The Comprehensive Plan;**

#### **Findings:**

- The Comprehensive Plan designates the property as Mixed Residential;
- Phase II of the MCUA plan designates the area as Gateway South (G2), which is intended for neighborhood-scale infill development;
- The current zoning is Light Industrial (LI);
- The property is currently vacant;
- The immediately adjoining uses are residential and commercial/industrial in nature;
- The site is adjacent to the location of CBU water utilities;
- There is a private sewer line serving the commercial property to the south, other properties in the area are not served by sewer;

### **(B) Current conditions and the character of current structures and uses in each district;**

#### **Findings:**

- The property to the north is residential and convenience storage;
- The property to the west is residential;
- The property to the east is vacant, with the Bloomington Speedway just beyond;
- The property to the south is residential and warehouse;
- The petitioner wants to utilize the property for Commercial / Industrial Adaptive Reuse. The property to the south containing the warehouse, 5223 S Old State Road 37, is used as Commercial / Industrial Adaptive Reuse;
- Adjoining properties are zoned RS3.5/PRO6, Limited Business (LB), Light Industrial (LI), and Limited Industrial (LI);
- The property was rezoned in 2015 under ordinance #: 2015-32 from RS3.5/PRO6 to Light Industrial (LI) allowing only low and medium intensity uses;
- The 5.0+/- acre parcel exceeds the minimum lot width standard of 60' for Light Industrial, and there is no minimum lot size standard in this district;
- The vacant parcel would conform to height, bulk, area, and density provisions;
- Access to the site is from S Walnut Street Pike, a designated major collector;
- A 100' drainage easement on the stream on the property is shown on the site plan;

### **(C) The most desirable use for which the land in each district is adapted;**

#### **Findings:**

- Mixed Residential areas are encouraged to have mixed residential, convenience commercial, light industrial and public/semi-public uses;
- The property was rezoned from RS3.5 to LI with ordinance #2015-32;
- The immediately adjoining uses are residential and commercial/industrial in nature;
- The number of uses permitted in the LI district is limited and some uses are conditionally permitted;
- In 2015, the petitioner recorded a commitment to exclude from the permitted uses on the property any Light Industrial (LI) use that has a use intensity rating of H (High). The petitioner would like to now have High (H) intensity uses to have Commercial / Industrial Adaptive Reuse;

- The character of the Light Industrial (LI) District is defined as that which is primarily intended for industrial uses that have minimal exterior movement of vehicles and goods. Its purposes are: to establish areas for the exclusive development of light industries; to discourage residential and commercial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood;

**(D) The conservation of property values throughout the jurisdiction; and**

**Findings:**

- The effect of the approval of the rezone on property values is difficult to determine;
- Values may vary significantly dependent upon future planning and zoning in the area;
- The property is currently vacant;
- The immediately adjoining uses are residential and commercial/industrial in nature;
- The adjoining property to the north was rezoned from RS3.5 to LB with ordinance #2003-11;
- The vacant parcel would conform to height, bulk, area, and density provisions;

**(E) Responsible development and growth.**

**Findings:**

- The Comprehensive Plan Phase II designates the property as Gateway South;
- The property is currently vacant;
- The immediately adjoining uses are residential and commercial/industrial in nature;
- The area is included in the future Monroe County Urbanizing Area plan;
- Access to the site will continue to be derived from S Walnut Street Pike;
- The site is adjacent to the location of public utilities. The closest sewer connections for the property are from S Fairfax or from E Cardinal Glen;

**ORDINANCE # 2015-32**

**Hardwick Rezone**

An ordinance to amend the Monroe County Zoning Maps which were adopted December 1996.

Whereas, the Board of Commissioners of Monroe County, Indiana, passed a zoning ordinance and adopted zoning maps effective January 1997, which ordinance and maps are incorporated herein; and,

Whereas, the Monroe County Plan Commission, in accordance with all applicable laws, has considered the petition to amend said zoning maps;

Now, therefore, be it ordained by the Board of Commissioners of Monroe County, Indiana, as follows:

**SECTION I.**

The Monroe County Zoning Ordinance is amended to rezone a 5.0 acre property: located in the 4700 block of S Walnut Street Pike (Parcel #53-08-21-300-006.000-008) in Perry Township, Section 21, from Single Dwelling Residential 3.5/ Planned Residential Overlay 6 (RS3.5/PRO6) district to Light Industrial (LI) district.

**SECTION II.**

The following conditions of approval shall apply:

- 1) If a waste-water disposal system is required, any future development shall connect by sanitary sewer into a public sewage disposal system, and not use a septic system.
- 2) As per County Drainage Engineer, the stream and spring on the east side of property shall be placed in a 100' wide drainage easement, unless a detailed hydraulic analysis provided by the petitioner leads the County Drainage Engineer to conclude otherwise.
- 3) Statements and commitments to the Plan Commission made by the petitioner or petitioner's representative at the Plan Commission Regular Session on September 15, 2015. For example, the petitioner will record a Commitment to exclude from the permitted uses any Light Industrial use that has a use intensity rating of H.

**SECTION III.**


This ordinance shall be in full force and effect from and after its passage and adoption by the Board of Commissioners of Monroe County, Indiana.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 2<sup>nd</sup> day of October, 2015.

**BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA**

"Yes" Votes

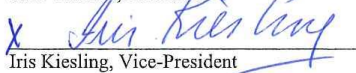
  
Julie Thomas, President

  
Iris Kiesling, Vice-President


  
Patrick Stoffers

"No" Votes

  
Julie Thomas, President

  
Iris Kiesling, Vice-President

  
Patrick Stoffers

  
Attest:  
Steve Saulter, Monroe County Auditor

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OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404

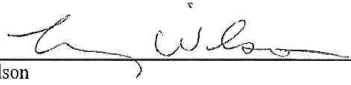
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TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

CERTIFICATION

I, Larry Wilson, hereby certify that during its meeting on September 15<sup>th</sup>, 2015 the Monroe County Plan Commission considered petition #1507-REZ-07 for an amendment (Ordinance # 2015-32) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, highway and drainage engineers' reports, with a vote of 6-3.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).

  
\_\_\_\_\_  
Larry Wilson  
Planning Director

Date

9-16-2015

## EXHIBIT 2: Remonstrance Letters from 2015 Rezone Petition

**Carly Petersen**

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**From:** connie hall <chall8484@gmail.com>  
**Sent:** Monday, September 07, 2015 3:17 PM  
**To:** Carly Petersen  
**Subject:** E.J. and Connie Hall re:1507-REZ-07 (Southside Storage)

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**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
**Categories:** For Follow Up

Thanks again for the copy you sent us.

I guess our main concern would be a blanket approval that they could build anything they wanted without us having a say. We do not want to cause problems but things like a fire station would of course be a concern. If I read your form correct that would be a possibility,

People like to refer the the speedway being a noise concern, it really isn't. They only run about 12-15 weeks a year so that is no problem for us.

I am hoping if the rezone goes through and whomever buys and wants to build on it, the zone commission would again have to ok it. If that is the case we would have another opportunity to voice our concerns at that time. Thanks in advance for presenting this to the commissioners.



**Carly Petersen**

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**From:** Clark, Bradley D <brdclark@indiana.edu>  
**Sent:** Tuesday, September 08, 2015 1:37 PM  
**To:** Carly Petersen  
**Cc:** Clark, Kelly R  
**Subject:** Hardwick rezone

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Carly

I have concerns of a blank zoning I would really like to know what is the intent of the zoning.

Water shed could be a problem as the stream that would be impacted would flood my driveway with more runoff as it does now in a heavy rain.

As far as I know there is no gravity fed sewer to that property just a force main on the old PTS property making them the only ones that could benefit from the rezoning. If so tell us what their intent is.

The properties north and south are residential although zoned different. I didn't look into the landscape business that went in to the south of me and now I look at a mulch, sand, gravel, and trash bin with three foot tall pines spaced fifty feet apart for buffering next to my back yard I just don't want the same thing to happen again.

I would like to at least have the opportunity to make sure my property is not compromised by a business moving in next door.

Thank you for considering my thoughts.

*Brad Clark*

*Maintenance Manager  
Indiana unoversity  
812-855-1903  
812-325-3702*

**Carly Petersen**

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**From:** Clark, Kelly R <kerclark@indiana.edu>  
**Sent:** Tuesday, September 08, 2015 2:32 PM  
**To:** Carly Petersen  
**Cc:** Clark, Bradley D  
**Subject:** RE: Hardwick rezone

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Carly,

I am very opposed to this rezoning, when there are heavy rains the creek does flood all the way down the road.

The traffic increase and noise increase would be very disruptive for us. We were promised when the landscaping business went in next door that trees and fences would be put up and we would not be able to see the business, that has never happened. It is very unpleasant to sit in your backyard and see dumpsters, mulch pit, blocks, machinery. Be woken early hours by banging noises, and lights. The best thing that ever happened was when PTS electronics went out of business. We had to fight with them constantly about trash, noise, lights shining in ours windows, people yelling and screaming all hours in the parking lots. Cars racing up and down the road.

I am very opposed to not having a hearing.

**KELLY CLARK**  
**CAMPUS VIEW APTS**  
**SENIOR OFFICE SERVICES ASSISTANT**  
**KERCLARK@INDIANA.EDU**  
**812-855-3578 OFFICE NUMBER**  
**812-855-7462 FAX NUMBER**

### EXHIBIT 3: Petitioner Letter

Smith Brehob & Associates, Inc.



Stephen L. Smith, P.E., L.S.  
Steven A. Brehob, BS.CNT.  
Todd M. Borgman, PLS  
Don Kocarek, L.A.  
Katherine E. Stein, P.E.

"Providing professional land planning, design, surveying and approval processing for a quality environment"

453 S. Clarizz Boulevard  
Bloomington, IN 47401

December 6, 2017

Monroe County Planning Dept.  
C/o Jacqueline Nester  
Monroe County Planning Department  
501 N. Morton St. Suite 224  
Bloomington, IN 47404

RE: Application for Rezone  
4750 S. Walnut Street Pike

Dear Jackie and Planning Commission,

We are requesting a rezone of property located at 4750 S. Walnut Street Pike in order to add high intensity uses to the site.

A 5.0 acre property (owned by RWP LLC., the petitioner) located at 4750 S. Walnut Street Pike in Perry Township, Section 21 is currently zoned Light Industrial (LI) with the following conditions:

- 1) If a waste-water disposal system is required, any future development shall connect by sanitary sewer into a public sewage disposal system, and not use a septic system.
- 2) As per County Drainage Engineer, the stream and spring on the east side of property shall be placed in a 100' wide drainage easement, unless a detailed hydraulic analysis provided by the petitioner leads the County Drainage Engineer to conclude otherwise.
- 3) Statements and commitments to the Plan Commission made by the petitioner or petitioner's representative at the Plan Commission Regular Session on September 15, 2015. For example, the petitioner will record a Commitment to exclude from the permitted uses and Light Industrial use that has a use intensity rating of H.

The petitioner is requesting to rezone the 5.0 acre property located at 4750 S. Walnut Street Pike to Light Industrial (LI) with the following conditions:

- 1) If a waste-water disposal system is required, any future development shall connect by sanitary sewer into a public sewage disposal system, and not use a septic system.
- 2) As per County Drainage Engineer, the stream and spring on the east side of property shall be placed in a 100' wide drainage easement, unless a detailed hydraulic analysis provided by the petitioner leads the County Drainage Engineer to conclude otherwise.

The petitioner desires to in the future construct facilities for several types of general contractors, a medium intensity use that is permitted in Light Industrial (LI) zoning and permitted for this property under the conditions currently listed. However, the petitioner desires to in the future construct a multi-use industrial center, which would house these various general contractors. A multi-use industrial center is

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### EXHIBIT 3: Petitioner Letter – Pg 2 of 2

Smith Brehob & Associates, Inc.



Stephen L. Smith, P.E., L.S.  
Steven A. Brehob, BS, CNT.  
Todd M. Borgman, PLS  
Don Kocarek, L.A.  
Katherine E. Stein, P.E.

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listed as a high intensity use and is permitted in Light Industrial (LI) zoning but is not permitted for this property under the conditions currently listed. It was therefore recommended by county planning staff that the property be rezoned to remove condition #3. This would allow the multi-use industrial center to be constructed as well as simplifying the approval process for planning staff in the future for this property.

The reasoning for original inclusion of the third condition is unclear. Ordinance #2015-32 (approved on October 2<sup>nd</sup>, 2015) was reviewed as well as the regular meeting minutes from the September 15, 2015 Monroe County Plan Commission meeting and there was no reasoning found for the condition. There were public comments received that were recorded with the Ordinance #2015-32 which may have contributed to the inclusion of the third condition, but this is speculation. The major concerns from those public comments were flooding, traffic, noise, and dissatisfaction with an existing nearby business on a different property. It does not seem like this condition addresses those concerns.

This property is part of the Bloomington Urbanizing Area in the 2012 Monroe County Comprehensive Plan and the future development of this site seems to fit with the proposals listed in the plan.

We also request waiver of second Plan Commission hearing for the rezone of this property.

The following items are being submitted with this letter to Plan Commission:

- Rezone Checklist
- Current Deed
- Names and Addresses of Adjacent Property Owners
- Current Plat Copy from Plat Book
- Site Plan (4 copies and one 8.5x11)
- Filing Fee
- Property Marker Fee

Please let me know if you need any additional items, or if you have any questions.

Sincerely,

Don Kocarek  
Smith Brehob and Associates, Inc.



## EXHIBIT 4: Site Plan

