

MONROE COUNTY PLAN COMMISSION MEETING



**September 18, 2018
6:00 pm**

**Judge Nat U. Hill III Meeting Room
100 W. Kirkwood Avenue
Bloomington, Indiana**

**MONROE COUNTY PLAN COMMISSION
AGENDA**

The Monroe County Plan Commission will hold a public hearing on Tuesday, September 18, 2018 at 6:00 PM, in the in the Judge Nat U. Hill III Meeting Room, 100 West Kirkwood Avenue, Bloomington, Indiana, to consider the following agenda items and requests regarding the following described properties in Monroe County, Ind.:

CALL TO ORDER

ROLL CALL

INTRODUCTION OF EVIDENCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES –

August 21, 2018

UNFINISHED BUSINESS:

- 1. 1806-REZ-01** **Monroe County Plan Commission Rezone from Agriculture/Rural Reserve (AG/RR) to Pre-Existing Business (PB). Final Hearing.** **PAGE 4**
One (1) 1.81 +/- acre parcel in Richland Township, Section 31 at 9817 W State Road 43. **Zoned AG/RR.**

NEW BUSINESS:

- 1. 1806-SPP-03** **Robinson Industrial Park Major Subdivision Preliminary Plat Amendment and Robinson Industrial Park Type ‘E’ Lot 1 Plat Vacation. Preliminary Hearing. Waiver of Final Hearing Requested.** **PAGE 25**
Two (2) parcels totaling 19.84 +/- acres in Perry Township, Section 29 at 5123 & 5200 S Production Dr. **Zoned HI.**
- 2. 1807-PUO-02** **Highlands Subdivision Parcel ‘E’ PUD Outline Plan Amendment.** **PAGE 46**
- 3. 1803-PUD-02** **Highlands Subdivision Parcel ‘E’ Development Plan.** **PAGE 70**
- 4. 1803-SPP-01** **Highlands Subdivision Parcel ‘E’ Major Preliminary Plat. Road Width Waiver Requested. Preliminary Hearing. Waiver of Final Hearing Requested.**
One (1) 12.67 acre +/- parcel in Perry Township, Section 17 at S Rockport Rd. **Zoned PUD.**
- 5. 1806-SSS-05** **McCammom Duncan Sliding Scale Subdivision Preliminary Plat. Street Tree and Sidewalk Waiver Requested. Preliminary Hearing. Waiver of Final Hearing Requested.** **PAGE 119**
Four (4) parcels totaling 38.31 acres +/- in Van Buren Township, Section 14 at 4520 W Leonard Springs Rd. **Zoned AG/RR.**
- 6. 1807-SMN-03** **Polley Minor Subdivision Preliminary Plat. Sidewalk Waiver Requested. Preliminary Hearing. Waiver of Final Hearing Requested.** **PAGE 145**

One (1) 82.42 acre +/- parcel in Benton South Township, Section 5 at 6126 N Tunnel Rd. **Zoned FR.**

REPORTS:

1. Planning: Larry Wilson
2. County Attorney: David Schilling

Said hearing will be held in accordance with the provisions of: IC 36-7-4-100 et seq.; & the County Code, Zoning Ordinance, and the Rules of the Plan Commission of Monroe County, Ind. All persons affected by said proposals may be heard at this time, and the hearing may be continued as necessary.

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 COMMISSION MEETING

September 18, 2018

PLANNER Jackie Nester
CASE NUMBER 1806-REZ-01, Monroe County Plan Commission PB Rezone
PETITIONER Monroe County Plan Commission
ADDRESS 9817 W State Road 43
REQUEST Rezone from Agriculture/Rural Reserve (AG/RR) to Pre-Existing Business (PB)
ACRES 1.81 acres +/-
ZONE Agriculture/Rural Reserve (AG/RR)
TOWNSHIP Richland
SECTION 31
COMP. PLAN DESIGNATION: Farm and Forest

EXHIBITS

1. Site Plan
2. Letter from INDOT regarding the driveways
3. Neighborhood Meeting Invitation

RECOMMENDATION

Staff recommends **approval** based on the Findings of Fact subject to the County Highway and Drainage Engineer reports and subject to the following conditions:

1. Site plan approval with all required improvements must be made within two years of approval
2. For the purposes of this rezone, the site may only be used as a convenience store.

PLAN COMMISSION MEETING

The Plan Commission heard this petition at its regularly scheduled meeting on August 21, 2018, and recommended to continue this petition by a vote of 6-0.

PLAN REVIEW COMMITTEE

The Plan Review Committee heard this petition at its regularly scheduled meeting on July 12, 2018, and recommended approval.

SUMMARY

The petition site is one parcel totaling 1.81 +/- acres located in Richland Township. The current zoning of the site is Agriculture/Rural Reserve (AG/RR). The rezone request is to change the zone for the petition site to Pre-Existing Business (PB). The petitioner in the request is the Monroe County Plan Commission. The property owners are Shivam Investments LLC, in which Kalpesh Patel is the registered agent.

The petition site contains a grocery store and gas station. The accessory building north of the grocery store will be removed following site plan approval. The current business is known as R&J Grocery Store and Gas Station (Convenience Store) and is a high-intensity use. The property owners, Shivam Investments LLC, recently purchased the property in May 2018 and came to the Planning Department to ask about expansion. The gas station portion of the property is not in operation and has not been in operation for a few months (approximately 6). The proposed expansion includes new gas pumps and a canopy, as well as an expansion to the R&J grocery store to add a bathroom (18' x 50' expansion).

The business has been in existence since before 1996 and could have qualified for Pre-Existing Business (PB) zoning at the time of the Monroe County Zoning Ordinance adoption. The R&J Grocery Store and Gas Station (Convenience Store) use is non-conforming to the AG/RR district. The rezone will permit the current business use of R&J Grocery Store and Gas Station (Convenience Store) to persist as a permitted

use. If approved, the proposed conditions require site plan approval and a requirement that the use remain a convenience store. The definition of a convenience store in Chapter 802 is as follows:

***Convenience Store.** Any retail establishment offering for sale prepackaged food products, household items, gasoline sales, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption. The maximum size for a convenience store is 3,500 square feet.*

BACKGROUND

The petition is the result of the petitioners coming in to the Planning Department to ask about expansion. Prior to coming into the Planning office, the property owners had believed the business was in Owen County. Once it was brought to their attention that the property was in Monroe County, they came in to check with the Monroe County Building and Planning Department. The owners are proposing an expansion to the business and interior remodel. The interior remodel does not require Building or Planning approval, but the expansion requires a rezone and commercial site plan approval. The business R & J Groceries is still operating as a pre-existing non-conforming to the AG/RR district.

The PB district is defined as follows:

***Pre-Existing Business (PB) District.** The Pre-Existing Business (PB) District is defined as that which is primarily intended to accommodate commercial and business service uses that were in operation prior to the adoption of this zoning ordinance. The intent of the PB District is to identify locations of commercial activity that are not supported by the Comprehensive Land Use Plan, but where commercial and service operations continue to exist. This District is identified for the purposes of maintaining commercial activities with business zoning, while at the same time not allowing for the expansion of new business activity proximate to the location of the PB District. Expansion of the business is permitted within the lot of record. The type of business may change to one of equal or lower intensity as identified on Table 2-1 Permitted Land Uses.*

The petitioner is going to be constrained on this site due to environmental features such as FEMA floodplain and the septic location when it comes to the extent of the expansion. No expansion will take place before commercial site plan approval.

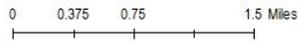
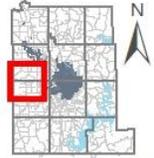
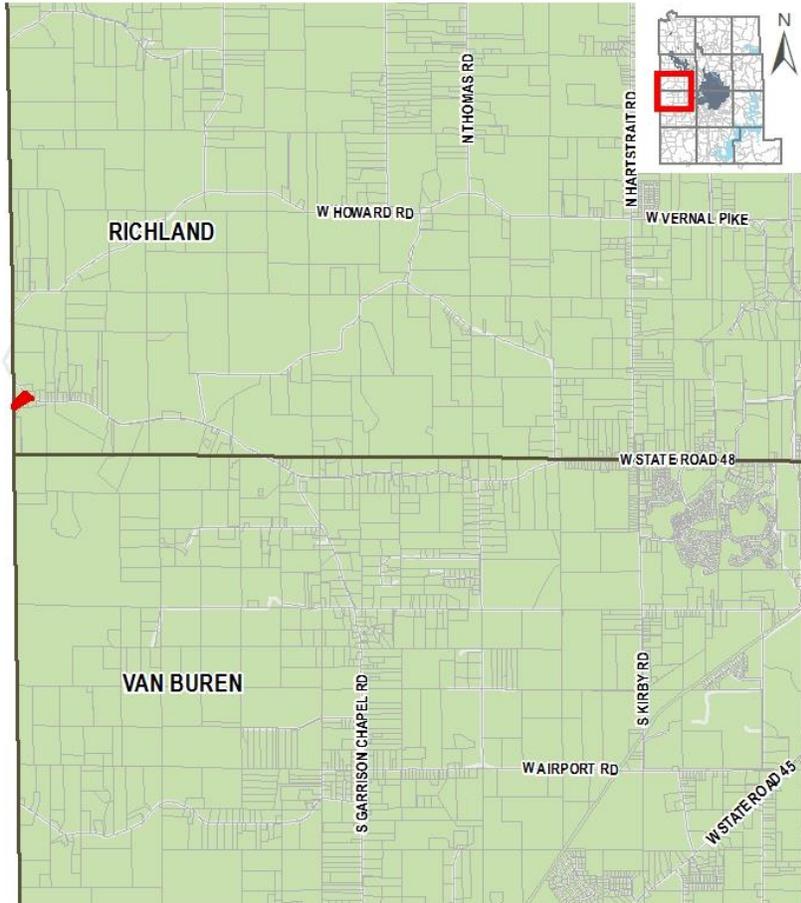
At the Executive Meeting of the Plan Commission on June 19, the committee agreed that a suitable course of action may be for the Plan Commission to pursue a rezone of the petition site to the PB district. The County Commissioners have previously approved seven prior rezones to PB, where the Plan Commission acted as petitioner, with the last one occurring in 2017.

LOCATION MAP

The petition site is located at 9817 W State Road 43 in Section 31 of Richland Township.

Location Map

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



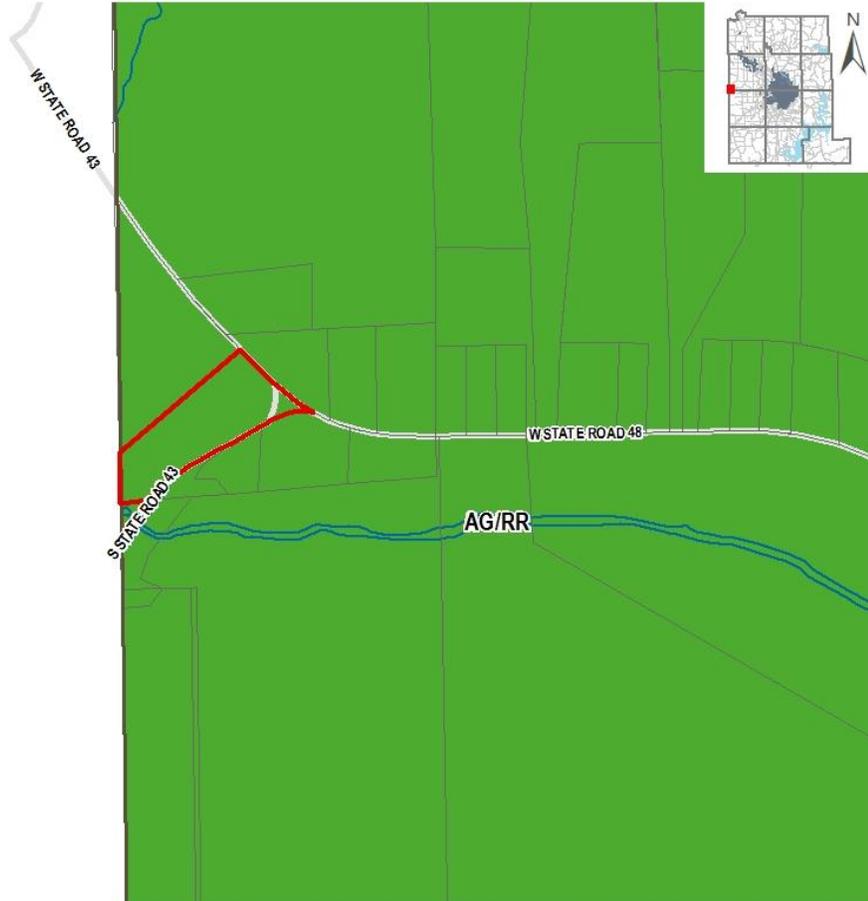
 Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/19/2018

ZONING

The petition site is zoned Agriculture/Rural Reserve (AG/RR). The neighboring zones on all sides are zoned Agriculture/Rural Reserve (AG/RR). The parcel is on the border of Monroe and Owen County. Surrounding uses are primarily agricultural and residential.

Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
-  AG/RR - Agriculture/Rural



0 0.0375 0.075 0.15 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/19/2018

SITE CONDITIONS

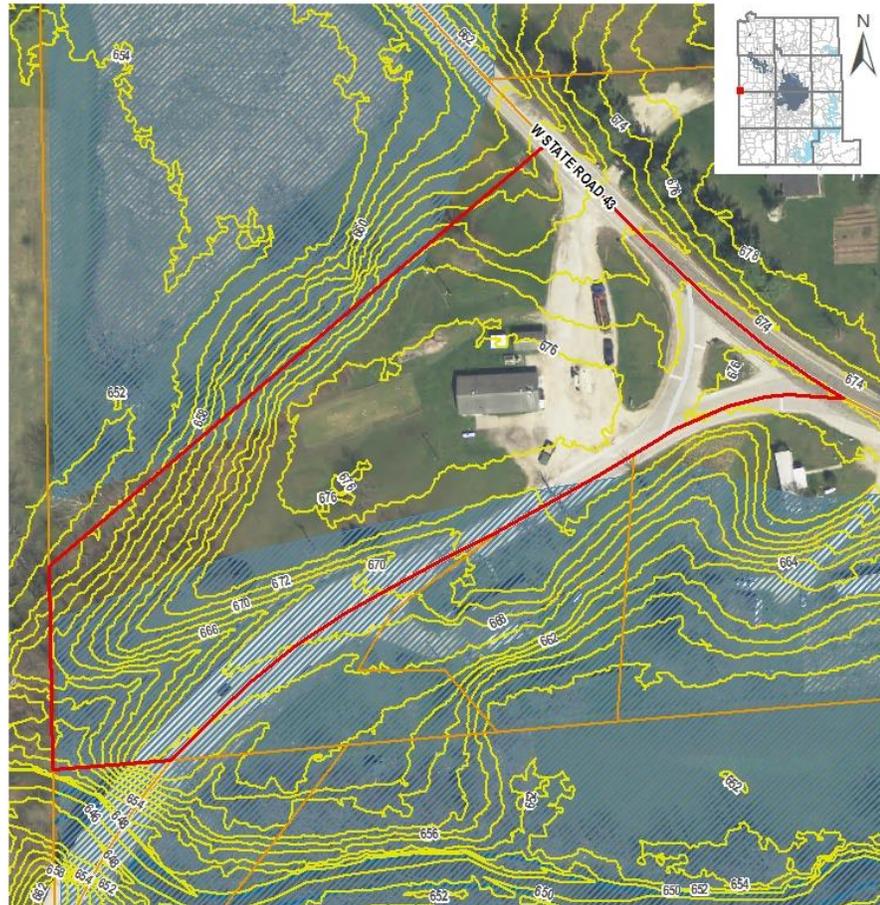
The petition site is a 1.81 +/- acre parcel. It maintains frontage along W State Road 43, which is classified as a Major Collector. Driveway access is directly onto the state road to the north and south. W State Road 48 is also close by. Improvements to the wide driveway area may be required during site plan review with input from INDOT.

The parcel contains three structures: one-story commercial structure (R&J Grocery), an accessory building for storage, and gas pumps. The accessory building would be removed once the site plan is approved. A full commercial site plan will be required.

The site is less than 15% slope (see Slope Map). The parcel is also located in FEMA Floodplain. There are no known Karst areas.

Site Conditions Map

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



0 50 100 200 Feet
Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/19/2018

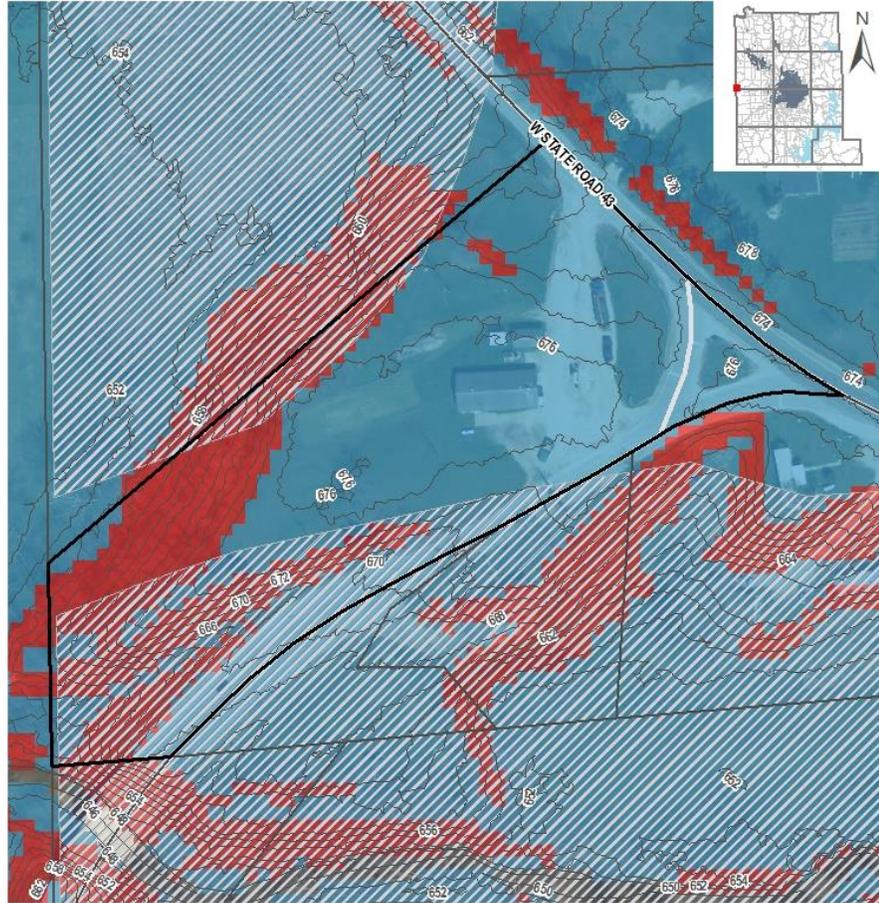
Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads
-  FEMA Floodplain
- Percent Slope (2010)**
-  0 - 15
-  > 15

0 25 50 100 150 200 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/19/2018



SITE PHOTOS



Photo 1. View of the R& J Grocery store to be expanded by 18' x 50'



Photo 2. View of the accessory building to be removed



Photo 3. View of the concrete pad 20.5' x 52' added without a permit showing where expansion would go



Photo 4. View of the pumps and junction of SR 43 and SR 48



Photo 5. View behind the R&J Grocery Store facing south



Photo 6. Facing west showing bufferyard to be preserved and floodplain area



Photo 7. View of the building facing northeast



Photo 8. Image of gas tanks to be replaced and canopy to be added



Photo 9. View of where the future sign would be located, SR 48 and 43 junction



Photo 10. Neighbor to the south



Photo 11. Neighbor to the north



Photo 12. Other neighbor to the east



Photo 13. Birdseye view, facing N.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the Farm and Forest designation area of the Comprehensive Plan:

The Comprehensive Plan states the following for the designation:

Farm and Forest Residential

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

Comprehensive Plan

-  Petitioner
-  Townships
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)
-  Farm and Forest



0 0.035 0.07 0.14 Miles

 Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/19/2018

FINDINGS OF FACT - REZONE

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 petition site as Farm and Forest;
- In the Farm and Forest areas, public services or improvements are not expected within the horizon of the Comprehensive Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist;
- The rezone request is to change the zone for the petition site from Agriculture/Rural Reserve (AG/RR) to Pre-Existing Business (PB);
- The current use of the site is R&J Grocery Store (Convenience Store);
- The current intensity of the use of the site is High;
- The PB district permits the type of business to change to one of equal or lower intensity as identified on Table 2-1 Permitted Land Uses;
- If approved, a condition is recommended so that the property may only be a convenience store. Any other proposed use would require a rezone;
- The adjoining and surrounding uses are primarily residential or agricultural in nature;
- The petition site contains three structures: one-story commercial structure (R & J Groceries), an accessory building (to be removed), and gas pumps;
- The petitioner wants to replace the gas pumps, add a canopy, expand the grocery store structure by 18' x 50' (900 sq ft) to the north and remove the accessory building;

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

Findings:

- See Findings under Section A;
- The petition site is an unplatted 1.81 +/- acre parcel;
- The rezone request is to change the zoning for the entirety of the site to the Pre-Existing Business (PB) District which is described by the County's Zoning Ordinance, Chapter 802, as follows:

The Pre-Existing Business (PB) District is defined as that which is primarily intended to accommodate commercial and business service uses that were in operation prior to the adoption of this zoning ordinance. The intent of the PB District is to identify locations of commercial activity that are not supported by the Comprehensive Land Use Plan, but where commercial and service operations continue to exist. This District is identified for the purposes of maintaining commercial activities with business zoning, while at the same time not allowing for the expansion of new business activity proximate to the location of the PB District. Expansion of the business is permitted within the lot of record. The type of business may change to one of equal or lower intensity as identified on Table 2-1 Permitted Land Uses;
- The petition site is zoned Agriculture/Rural Reserve and has been in operation as a grocery store and gas station since before 1996;
- The gas station portion of the business has not been in operation in a few years;
- The petition site maintains frontage along W State Road 43, which is classified as a Major Collector;

- Improvements to the wide driveway area may be required during site plan review with input from INDOT;
- INDOT has stated that the right-of-way from SR 43 is 20' from the centerline;
- The site is less than 15% slope (see Slope Map);
- The petition site is located in FEMA Floodplain;
- There are no known karst areas;

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

Findings:

- See Findings under Section A and Section B;
- The surrounding parcels on all sides are zoned Agriculture/Rural Reserve (AG/RR);

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

Findings:

- Property value tends to be subjective;
- The PB zoning designation would be consistent with existing activity on the property and does not seem to indicate a negative impact on property values in the area;
- The effect of the approval of the rezone on property values is difficult to determine;

(E) Responsible development and growth.

Findings:

- See Findings under Section A, Section B, and Section C;
- According to the Monroe County Thoroughfare Plan, W State Road 46 is classified as a Major Collector;
- Driveway access is directly onto the state road;
- There is a septic on site that is out of the FEMA floodplain and has been inspected.

EXHIBIT ONE: Site Plan

Slope Map

- Parcels
- 2-Foot Contours
- Roads
- ▨ FEMA Floodplain

■ Proposed building expansion

0 10 20 40 60 80 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 6/29/2018



EXHIBIT TWO: Letter from INDOT

Jacqueline Nester

From: Gray, Sean <sgray@indot.IN.gov>
Sent: Wednesday, June 27, 2018 3:57 PM
To: Jacqueline Nester
Subject: RE: 9817 W SR 43 - ROW Question

Jaqueline,

I talked with Randy from Vincennes, and he asked me to just take care of the driveway permits. If you talk with the owners you can tell them that they're going to need a professional set of plans/drawings using INDOT standards.

Thanks,

Sean Gray

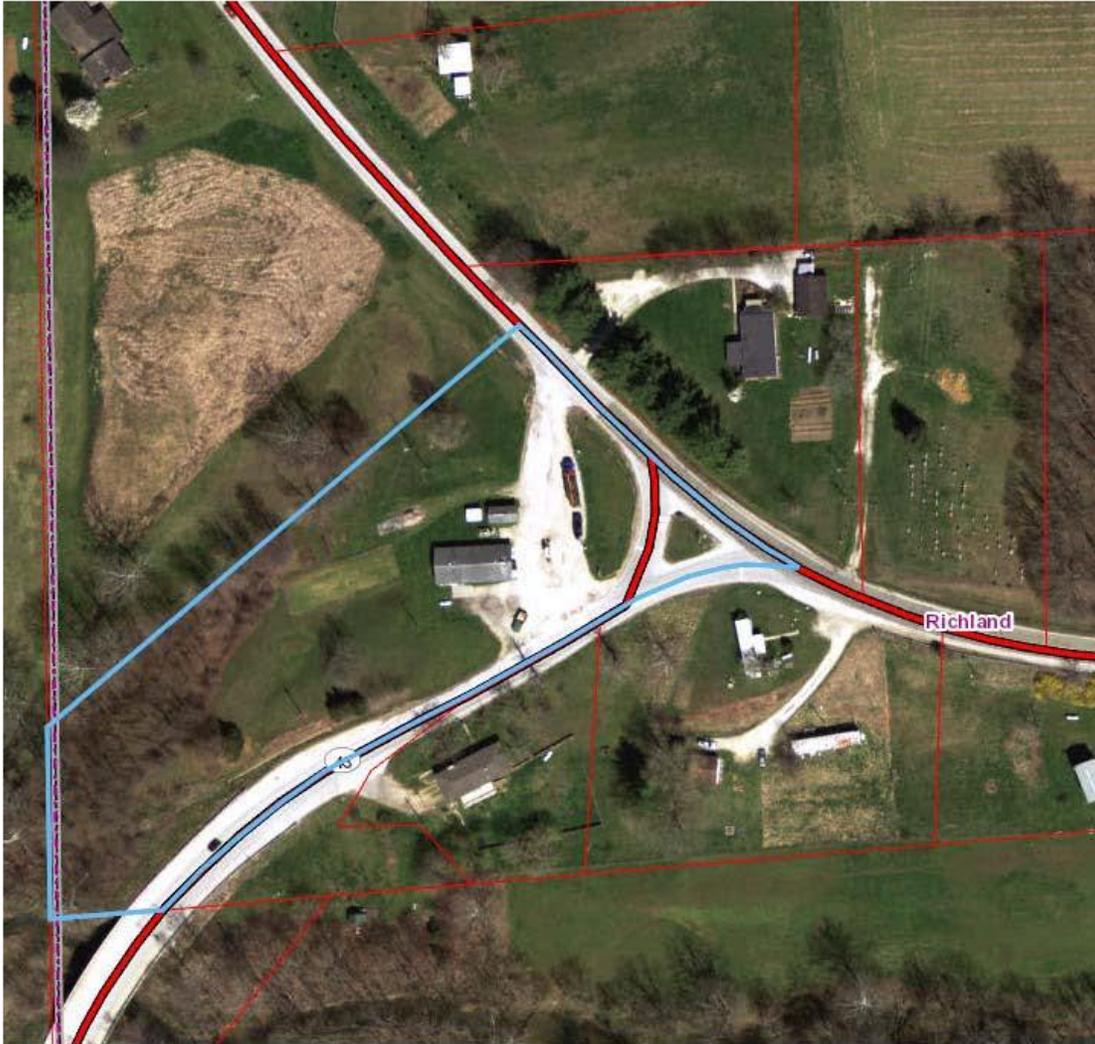
Regulatory Investigator
INDOT Permits
Bloomington Sub-District
PHN: 812-332-1411 ext. 225
FAX: 812-332-3368

From: Jacqueline Nester [mailto:jnester@co.monroe.in.us]
Sent: Wednesday, June 27, 2018 10:04 AM
To: Gray, Sean <sgray@indot.IN.gov>
Subject: 9817 W SR 43 - ROW Question

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Hi Sean –

I have a petitioner that is seeking a rezone in order to expand the business at 9817 W SR 43 (see below). Can you tell me the exact Right-of-way along SR 43 to the South and North?



Thanks!

Jackie Nester
Planner I - Monroe County Planning Department
501 N. Morton St, Suite 224
Bloomington, IN 47404
jnester@co.monroe.in.us
Phone: (812) 349-2560
Fax: (812) 349-2967

EXHIBIT THREE: Neighborhood Meeting Invitation

(This invitation was sent to the same list of neighbors originally notified of the petition)

Smith Brehob & Associates, Inc.



Providing professional land planning, design, surveying and approval processing for a sustainable environment.

Stephen L. Smith P.E., L.S.
Steven A. Brehob B.S., Cn.T.
Todd M. Borgman, P.L.S.
Don J. Kocarek, P.L.A.
Katherine E. Stein, P.E.

September 5, 2018

Dear Neighbor,

You are cordially invited to attend a neighborhood meeting located at Stonecroft on Wednesday September 12, from 5:30-7:00 pm. The purpose of the meeting will be to answer questions and receive comments from adjacent neighbors concerning the R J Grocery Store rezone and proposed improvements for the property located at 9817 W. SR 43, Solsberry Indiana.

Changing the property's zoning designation is necessary to allow the existing convenient store to expand and continue operation as the property was inadvertently given a residential zoning designation.

The format of the meeting will be an open house, where neighbors may come and ask questions and review plans. No formal presentation will be made. Feel free to come at any time.

Improvements planned by the owner once rezoned include new gas pumps, improvements to the parking lot, and a small building addition which will have coolers and new bathrooms.

Time: 5:30-7:00

Date: Sept 12, 2018

Location: Stonecroft Health Campus; Community Room on the left side of the main entrance lobby.
363 S. Fieldstone Blvd
Bloomington, IN 47403

This rezone petition is scheduled for a public hearing on September 18, 2018 at 6:00 PM in Judge Nat U. Hill III Meeting Room, 100 West Kirkwood Avenue, Bloomington.

Sincerely,

Don Kocarek
Smith Brehob & Associates Inc

453 S. Clarizz Blvd.
Bloomington, Indiana 47401
Telephone 812 336-6536
Fax 812 336-0513
www.smithbrehob.com

PLANNER Jordan Yanke
CASE NUMBER 1806-SPP-03 Robinson Industrial Park Major Subdivision
PETITIONER Arrow’s Properties, LLC & G-Jab Properties, LLC c/o Carmin Parker P.C.
ADDRESS 5123 & 5200 S Production DR
REQUEST Major Subdivision Preliminary Plat Amendment to Subdivide (2) Lots into (4) Lots and Plat Vacation of Robinson Administrative Type ‘E’ Subdivision
ZONE Heavy Industrial (HI)
ACRES 19.84 acres +/-
TOWNSHIP Perry
SECTION 29
COMP. PLAN
DESIGNATION MCUA Employment

EXHIBITS:

1. Petitioner Letter
2. Robinson Industrial Park Major Subdivision Preliminary Plat Amendment
3. Robinson Administrative Type ‘E’ Subdivision
4. Proposed Plat Covenant/Restriction

PLAT COMMITTEE

The Plat Committee heard the petition at its regular meeting on August 16, 2018, and gave a positive recommendation by a vote of 3-0 to approve the Major Subdivision Preliminary Plat and Plat Vacation.

RECOMMENDATION

Approve the Major Subdivision Preliminary Plat Amendment, based on the findings of fact and subject to the Monroe County Highway Department and Drainage Engineer reports.

BACKGROUND/DISCUSSION

The petition site is a combined 19.84 +/- acres on two parcels located in Perry Township. The parcels gain access via S Production Drive, which is a County Road classified as a Local Road. The site is situated with nearby access to S State Road 37. There are two structures existing, one on each parcel. There are existing parking areas and the remaining acreage is primarily vacant.

The preliminary plat amendment and plat vacation proposes to subdivide two parcels into four parcels (please see Exhibit 1). Note that this request includes vacating Lot 1 of the Robinson Administrative Type ‘E’ Subdivision (see Exhibit 2).

The property is zoned Heavy Industrial (HI) under Chapter 802 of the Monroe County Zoning Ordinance. The proposed lots meet the area and density provisions for the Heavy Industrial (HI) Zoning District.

City of Bloomington Utilities (CBU) has provided a will serve letter for sanitary sewer to the site. Southern Monroe Water Authority has also provided a will serve letter.

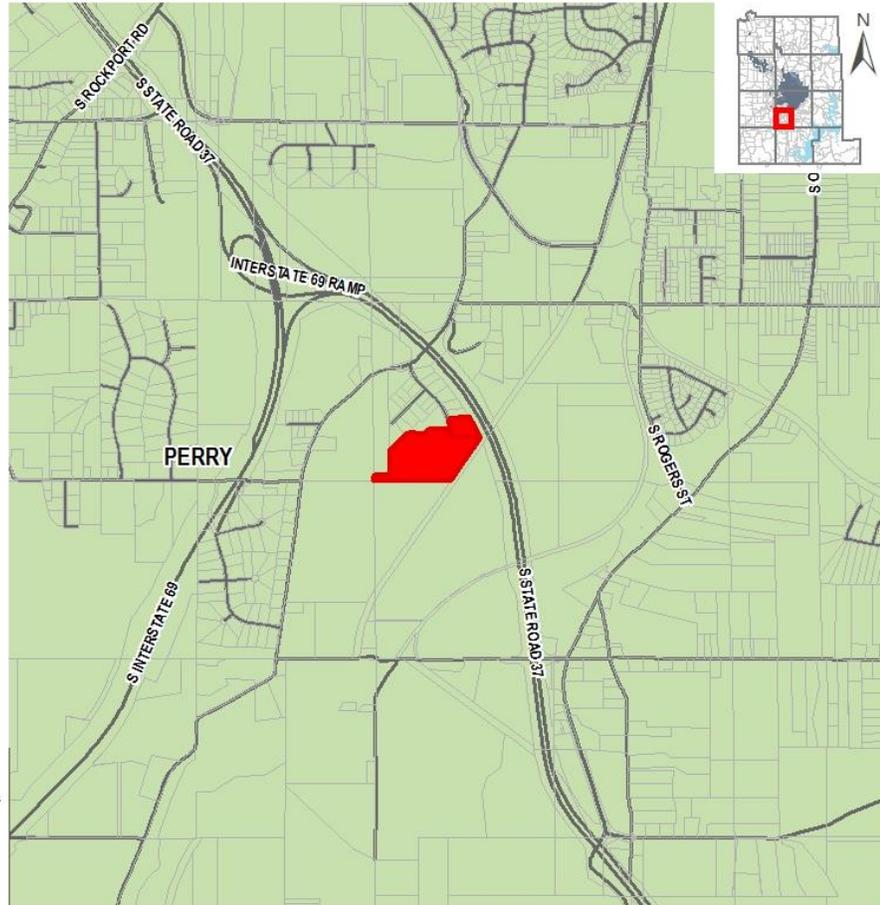
Drainage for this project is reviewed by the Monroe County Stormwater Services MS4 Coordinator in the Public Works Department. Road design, configuration, and traffic impacts are reviewed by the Highway Engineer in the Public Works Department. There is no FEMA floodplain present on the site and the petitioner has proposed a plat covenant/restriction (see Exhibit 3) for proposed Lot 1A as it pertains to future development.

LOCATION MAP

The site is located in Section 29 of Perry Township. The site currently is addressed as 5123 and 5200 S Production Drive.

Location Map

-  Petitioner
-  Townships
-  Roads
-  Parcels



0 0.175 0.35 0.7 Miles

 Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/8/2018

SITE CONDITIONS

The site currently has two commercial structures and associated parking areas. Much of the existing lot addressed as 5200 S Production Drive is vacant. The site contains minimal steep slope areas and does not contain any FEMA Floodplain. To address past concerns regarding fill and shot rock on the site, the petitioner has proposed a plat covenant/restriction pertaining to future development on proposed Lot 1A.

Site Conditions Map

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



0 140 280 560 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/8/2018

SITE PHOTOS



Figure 1: View of S Production Drive as it approaches the petition site. Photo facing north.



Figure 2: View of S Production Drive as it approaches the petition site. Photo facing south.



Figure 3: View of proposed Lot 23 and its existing building. Photo facing west.



Figure 4: View of proposed Lot 7A and its existing structure. Photo facing east.



Figure 5: View of proposed Lot 7B and its existing driveway entrance. Photo facing east.



Figure 6: Aerial image of the petition site, facing north.

ADJACENT USES / ZONING

The site is zoned Heavy Industrial (HI). Neighboring properties are zoned Heavy Industrial (HI), Light Industrial (LI), Agriculture/Rural Reserve (AG/RR), Pre-Existing Business (PB), and Institutional/Public (IP). The proposed use of the subdivision is industrial/commercial. Neighboring properties include industrial/commercial type uses.



INFRASTRUCTURE AND ACCESS

The site has access to S Production Drive, which is a County Road classified as a Local Road. As part of this proposal, the petitioner is subject to extending S Production Drive by providing a temporary turnaround that will meet county standards. The site and its surrounding development can access S State Road 37 at its intersection with S Victor PIKE. The petition site is served by City of Bloomington Utilities (CBU) sanitary sewer and Southern Monroe Water Authority. Finally, all new utilities are required to be located underground throughout the subdivision.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the **Employment** district in Monroe County Urbanizing Area of the Monroe County Comprehensive Plan.

5.1.4 Employment

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

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

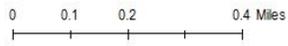
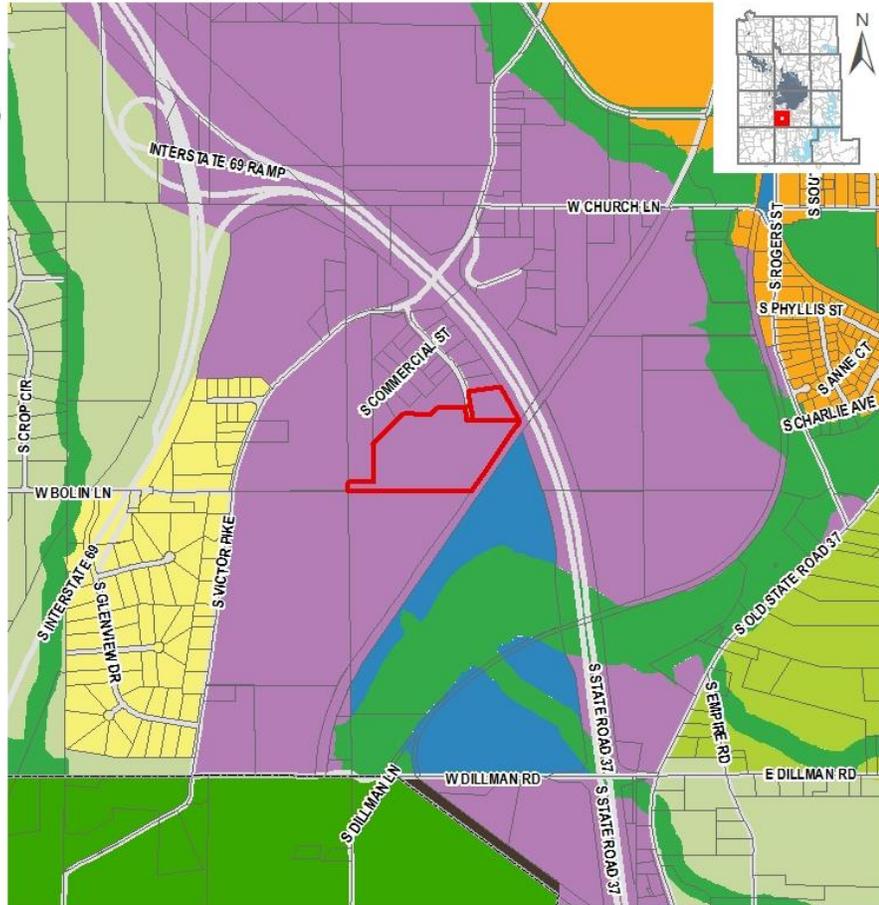
Acceptable primary building materials include brick, stone (natural or cultured), pre-cast concrete panels, concrete masonry units, architectural metal panels, fiber-cement siding and EIFS (exterior insulated finishing Systems). Smooth-faced and textured-faced metal panels are preferred, but corrugated 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)**
-  Farm and Forest
 -  Public / Institutional
 -  MCUA Conservation Residential
 -  MCUA Employment
 -  MCUA Institutional
 -  MCUA Mixed Residential
 -  MCUA Open Space
 -  MCUA Quarry Landscape
 -  MCUA Rural Transition
 -  MCUA Suburban Residential




 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 8/8/2018

Monroe County Urbanizing Area Plan Phase II: Employment Districts

Employment Districts are intended to advance the objectives for continued economic development opportunities as described in the Urbanizing Area Plan.

E2 SOUTH SIDE EMPLOYMENT

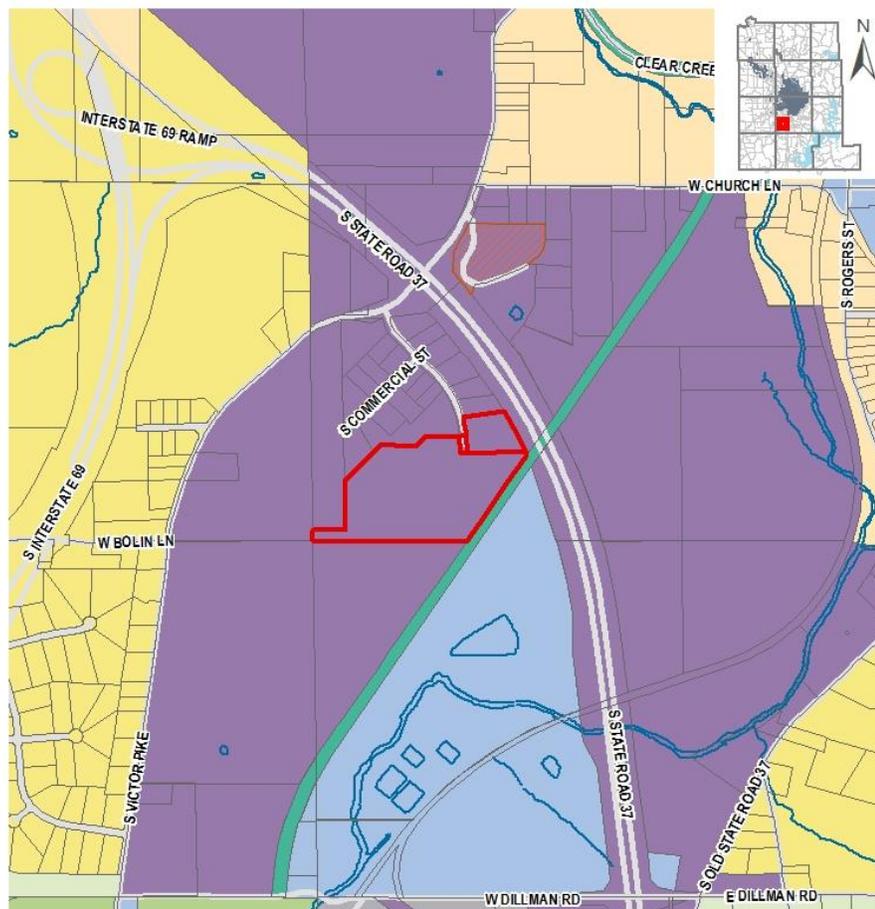
This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as the Employment land use type in the Urbanizing Area Plan. Currently, this area is largely undeveloped, with some existing office and industrial development and rural residential uses. Additional employment-oriented development should preserve landscape character and be sensitively buffered from nearby residential districts, and benefit from Tax Increment Finance district opportunities.

Proposed Zoning Map (2016)

-  Petitioner
-  Parcels
-  Roads
-  Historic Preservation Overlay
-  Hydrologic Features
- Proposed Zoning**
-  E2 - South Side Employment
-  N2 - Neighborhood Development
-  N3 - Conservation Development
-  N4 - Rural Transition
-  N5 - Rural Reserve
-  OS - Open Space
-  QL - Quarry Landscape
-  CV - Civic

0 0.075 0.15 0.3 Miles

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 8/8/2018



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 petition site is Robinson Industrial Park Subdivision, on 19.84 +/- acres;
- The site is zoned Heavy Industrial (HI);
- The preliminary plat amendment proposal does not include a waiver request;
- Approval of the preliminary plat amendment would result in the creation of two (2) additional lots;
- The Subdivision appears to conform to all Major Subdivision ordinance requirements;
- Drainage for this project is reviewed by the Monroe County Stormwater Services MS4 Coordinator;
- Road design, configuration, and traffic impacts for this project are reviewed by the Monroe County Highway Engineer;
- There is no FEMA Floodplain present on the site;
- The petitioner has proposed a plat covenant/restriction (see Exhibit 3) for proposed Lot 1A as it pertains to future development.
- City of Bloomington Utilities (CBU) is able to provide sanitary sewer to the site, while Southern Monroe Water Authority can provide water service;

(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

- See findings under Section (A);
- The Comprehensive Plan designates the site as an Employment district in the Monroe County Urbanizing Area Plan;
- The Monroe County Urbanizing Area Plan Phase II proposed zoning for the site as South Side Employment (E2);

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

Findings

- See findings under Section (A);
- The use of the subdivision is industrial/commercial;
- Surrounding uses in the area are industrial/commercial;

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

Findings

- See findings under Sections (A) and (C);
- Neighboring properties are zoned Heavy Industrial (HI), Light Industrial (LI), Agriculture/Rural Reserve (AG/RR), Pre-Existing Business (PB), and Institutional/Public (IP);
- The proposed subdivision is an extension of an already approved development;
- The proposed use is compatible with the area;

- (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

- See findings under Sections (A) and (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 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 will also review 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, a final plat will be required to be recorded as the result of the proposed preliminary plat;

EXHIBIT 1: Petitioner Letter


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

August 14, 2018

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

RECEIVED

AUG 14 2018

MONROE COUNTY PLANNING

RE: Plat Vacation and Amendment
Our File No.: 21023-1

Arrow's Properties, LLC and G-Jab Properties LLC petition for a Plat vacation of the Type E Subdivision Plat at Robinson Industrial Park and Plat amendment to separate and create Lot 23, Lot 7A and Lot 7B, Robinson Industrial Park Subdivision.

Proposed Lots 7A and 7B previously were platted as separate lots. A previous owner acquired both parcels and elected to combine the parcels, creating Lot 7. As the property subsequently developed there are separate and standalone uses on proposed Lot 7A and 7B. The Plat amendment to recreate Lot 7A and 7B restores or returns to the original lot configuration platting of this portion of Robinson Industrial Park.

The previous owner of the unplatted and undeveloped portion of Robinson Industrial Park will not complete the development. Approximately 10 years ago a portion of the remainder of Robinson Industrial Park was developed with a standalone building that has been in place and in use since that time. The Plat vacation with subsequent Plat amendment is intended to reconfigure Lot 1 as shown on the Type E Administrative Subdivision Plat, Robinson Industrial Park, to create Lot 23 as an already developed standalone lot, leaving the remainder of the undeveloped land identified as Lot 1A. Arrow's Properties, LLC has acquired Lot 1 and anticipates further platting and development of Robinson Industrial Park in the near future. The proposed Plat amendment will allow separation of Lot 23, which is the existing, fully developed portion of Lot 1.

The properties are served by sewer and water. Driveway permits have been issued. A temporary emergency vehicle turnaround area is dedicated at the south end of Production Drive, the existing paved interior road. A portion of the undeveloped property in the Robinson Industrial Park was subject to prior fill activity. The areas of fill activity have been delineated. Arrow's

 Committed to Client. Committed to Community.

August 14, 2018
Page 2

Properties, LLC acquired Lot 1 with full knowledge of the fill activity. The proposed Plat will memorialize the delineation of the fill area as a matter of public record. Delineation of the fill area on the Plat will serve as public notice to any prospective purchaser or developer of that part of the Robinson Industrial Park. The current owner and Petitioner, Arrow's Properties, LLC, does not anticipate conveyance of the area at this time and anticipates its own development proposal on this area in the near future.

Very truly yours,


Michael L. Carmin

MLC/srh
410378

RECEIVED

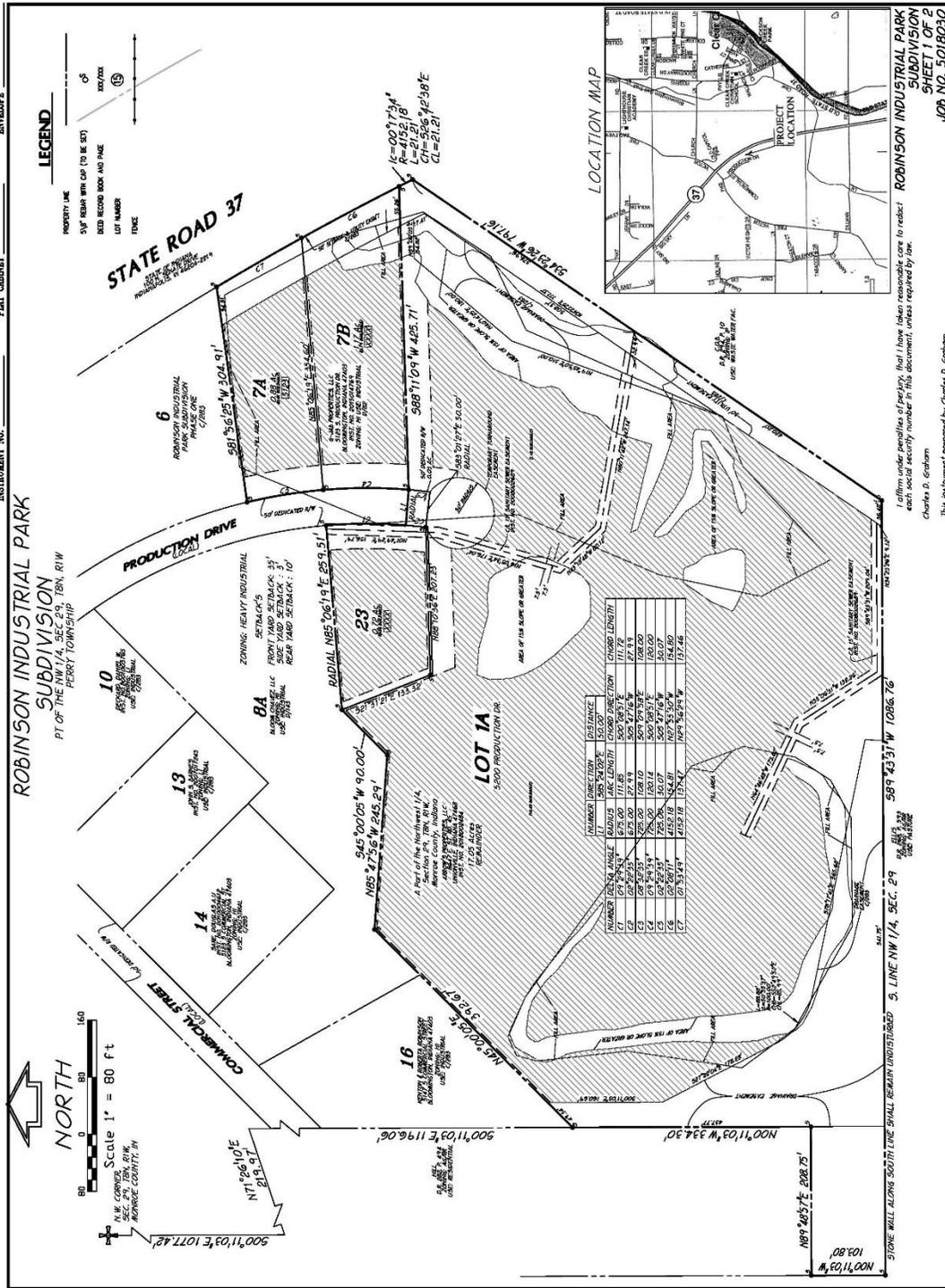
AUG 14 2018

MONROE COUNTY PLANNING



Committed to Client. Committed to Community.

EXHIBIT 2: Robinson Industrial Park Major Subdivision Preliminary Plat Amendment



ROBINSON INDUSTRIAL PARK SUBDIVISION SHEET 1 OF 2 JOB NO. 5018030

PREPARED BY BRUNN FANTO & ASSOCIATES INC. 529 N. WALNUT ST. BLOOMINGTON, IN. 47401

This instrument prepared by Charles D. Graham

Charles D. Graham

I affirm under penalties of perjury that I have taken reasonable care to reduce each social security number in this document, unless required by law.

EXHIBIT 4: Proposed Plat Covenant/Restriction

Proposed Plat Covenant

Issuance of a building permit or improvement location permit for Lot 1A shall require a geotechnical survey or other site condition (sub-surface condition) report as may be required by the Monroe County Building Department or the Monroe County Planning Director.

RECEIVED

JUN 08 2018

MONROE COUNTY PLANNING

PLANNER: Jordan Yanke
CASE NUMBER: 1807-PUO-02
 Highlands Subdivision Parcel ‘E’ PUD Outline Plan Amendment
PETITIONER: New Richland 2, Inc. & Wininger Real Estate, LLC
 C/O Bynum Fanyo & Associates, Inc.
ADDRESS: S Rockport RD (Parcel No. 53-08-17-100-102.099-008)
REQUEST: Planned Unit Development (PUD) Outline Plan Amendment
ZONE: Planned Unit Development (PUD) – Highlands
ACRES: 12.67 Acres +/-
TOWNSHIP: Perry
SECTION: 17
COMP. PLAN DESIGNATION: MCUA Suburban Residential

EXHIBITS

1. Petitioner Outline Plan Statement/Waiver Request of Second Hearing
2. Consent Affidavit
3. Highlands PUD Outline Plan – Proposed Site Plan/Plat
4. Highlands PUD Outline Plan – Original Site Plan
5. Ordinance No. 96-05

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.

PLAN REVIEW COMMITTEE

The Plan Review Committee heard the petition at its regular meeting on August 9, 2018, and did not vote on the case.

BACKGROUND/DISCUSSION

The petition site is Parcel ‘E’ of the Highlands Subdivision. The site is approximately 12.67 +/- acres, located in Section 17 of Perry Township. The site is within the Planned Unit Development (PUD) zoning district for Highlands (Ordinance No. 96-05). The requested PUD Outline Plan Amendment only applies to Parcel ‘E’ of the Highlands PUD.

The impetus for this request is to change the classification of the proposed S Rangeview Circle (see Exhibit 3) to private, instead of the original public classification. The other amendment proposed includes reducing the front setback from 25 feet to 15 feet for the subject site. The originally approved PUD (Ordinance No. 96-05) stated the front setback must be 25 feet. Both of these standards are illustrated on the next page.

Note that the petitioner has filed for approval of a Preliminary Plat and PUD Development Plan in addition to the PUD Outline Plan Amendment. The focus of this request, however, specifically pertains to the reclassification of S Rangeview Circle and the reduced front setback as stated in the previous paragraph.

The Preliminary Plat and PUD Development Plan will be fully reviewed for its proposed landscaping, parking, and drainage/stormwater management plans. Finally, a table of the proposed land use and densities for the petition site is included within Exhibit 3.

The following graphics show the originally approved standards in terms of setbacks for Parcel 'E' and the roadway system for the Highlands Planned Unit Development (PUD). The highlighted aspects below are the two standards the petitioner is requesting to be amended per their filing submittal.

Parcel	Front Yard
A	25'
B (if built single family)	20'
C	30'
D	25'
E	25'
H	30'
I	25'
J	25'
K (zero lot line)	20'
L (attached with lots)	25'

The roadway system consists of standard public roads built to public street standards.

Thru Streets - 60' right-of-way, 31' back to back of curb

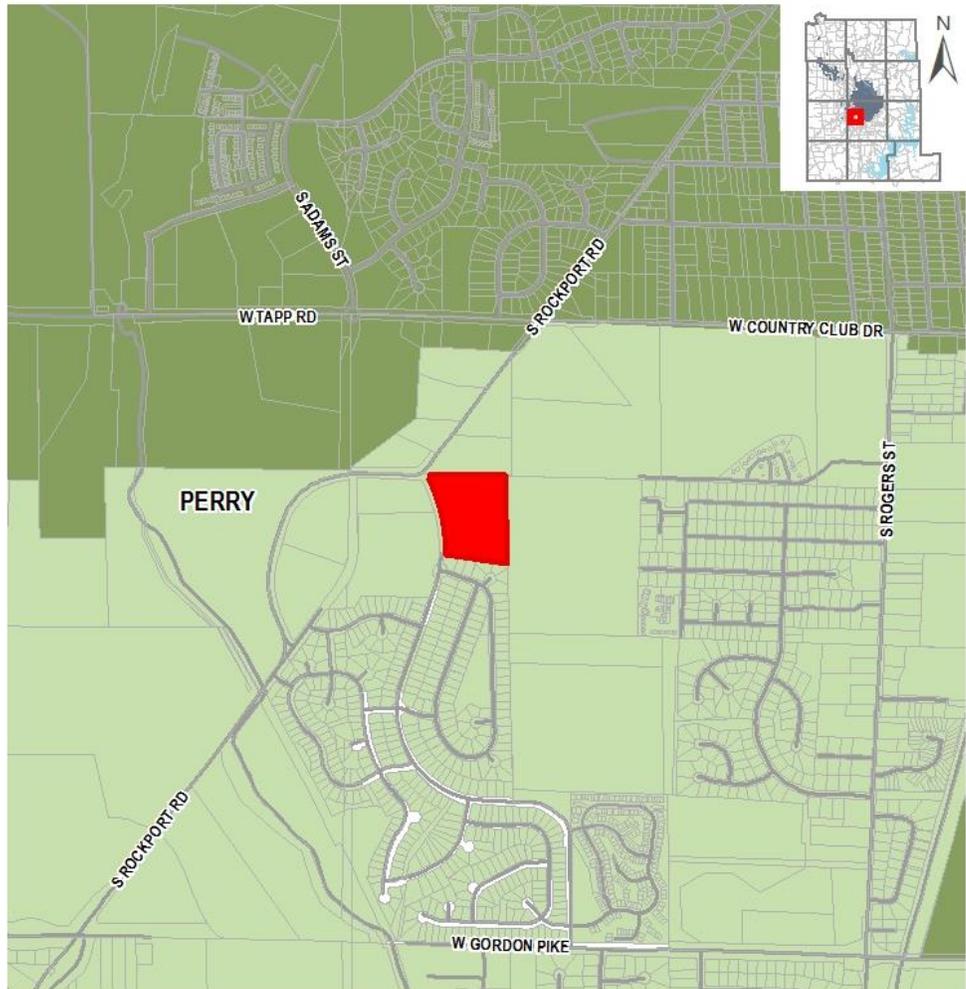
Cul-de-sacs - 50' right-of-way, 28' back to back of curb

LOCATION MAP

The petition site is designated as Parcel 'E' of the Highlands Subdivision Planned Unit Development (PUD), located in Section 17 of Perry Township.

Location Map

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



0 0.1 0.2 0.4 Miles



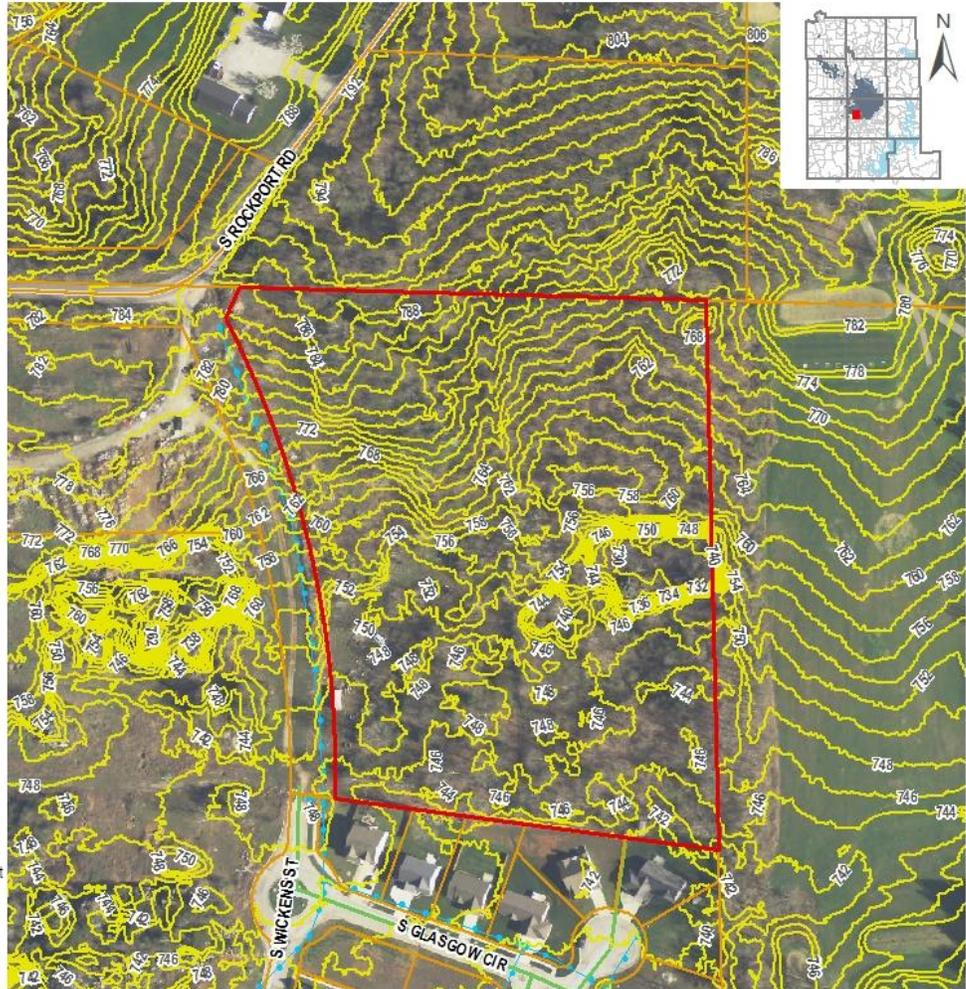
Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

SITE CONDITIONS

The site is relatively flat with a few areas of gradual slopes (see next page). It is heavily wooded. There is no FEMA Floodplain present. As part of the preliminary plat and development plan review process, the parcel will be fully evaluated for its proposed parking, landscaping, and drainage/stormwater plans.

Site Conditions Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads



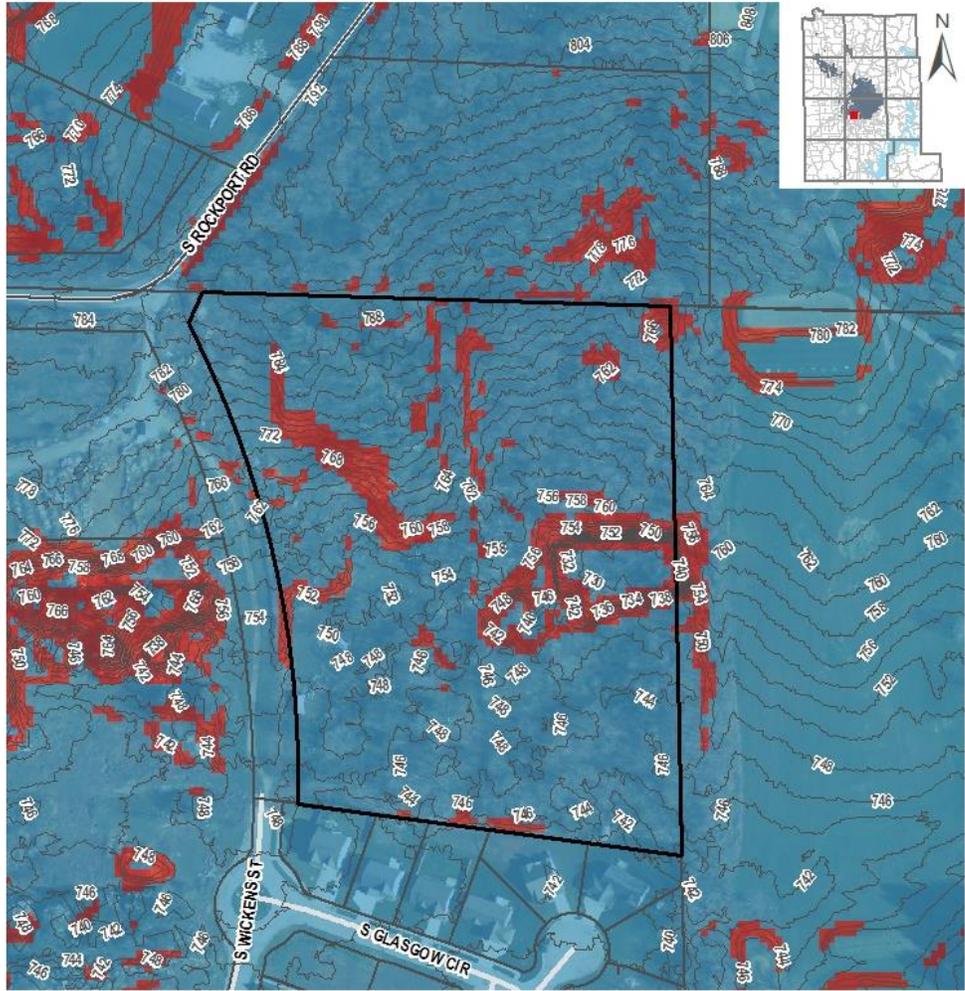
0 95 190 380 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

Slope Map

- Petitioner
- Parcels
- 2-Foot Contours
- Roads
- Percent Slope (2010)**
- 0 - 15
- > 15



0 45 90 180 270 360 Feet

 Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

SITE PHOTOS



Figure 1: View of the pathway proposed to be S Wickens Street from the southern end of the petition site. The petition site is on the right side of the photo. The photo is facing north.



Figure 2: View of the pathway proposed to be S Wickens Street from the northern end of the petition site. The petition site is on the left side of the photo. The photo is facing south.



Figure 3: View at the proposed intersection of S Wickens Street and S Rockport Road at the northern end of the petition site. The photo is facing west.



Figure 4: View at the proposed intersection of S Wickens Street and S Rockport Road at the northern end of the petition site. The photo is facing north.



Figure 5: Aerial view of the petition site, facing north.

ADJACENT USES/ZONING

The site is zoned Planned Unit Development (PUD) (Highlands). Neighboring properties are zoned PUD (Highlands), Single Dwelling Residential (RS – AIFA), and Institutional (IN – AIFA).

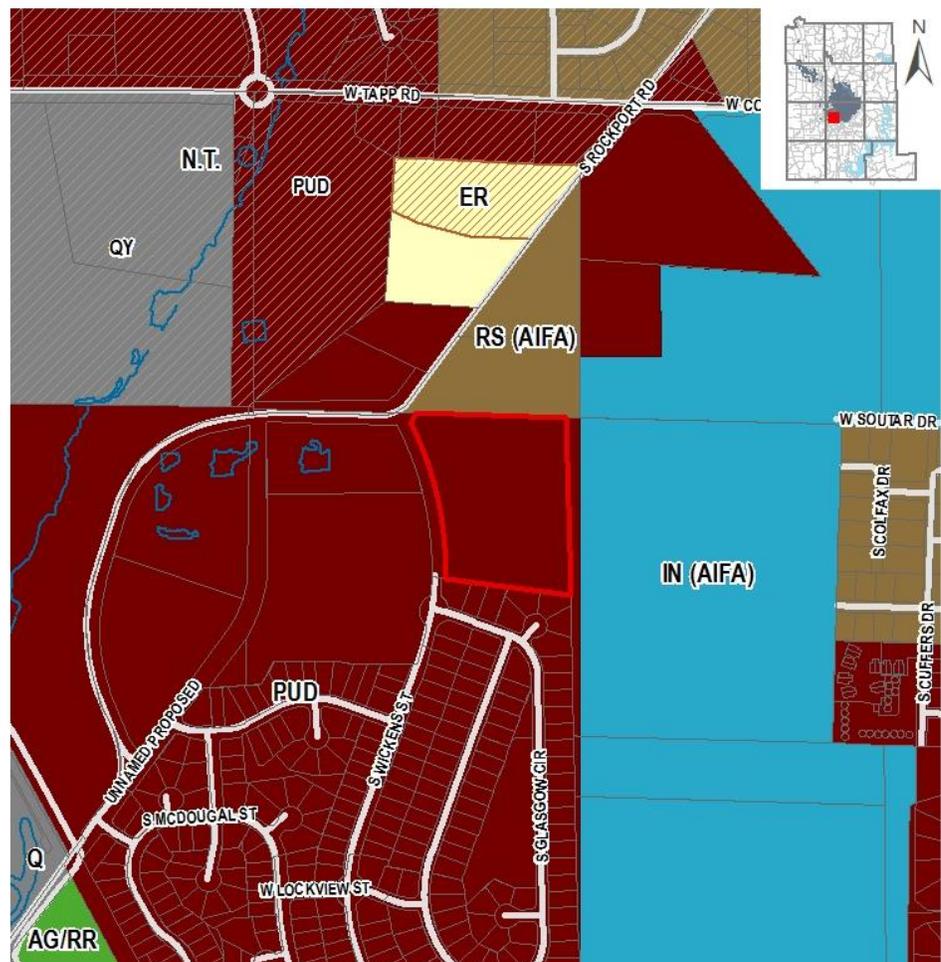
Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
-  Historic Preservation Overlay
- Monroe County Zoning**
-  AG/RR - Agriculture/Rural
-  ER - Estate Residential
-  IN - Institutional
-  N.T. - No Tag (Outside Juris.)
-  PUD - Planned Unit Development
-  Q - Quarries
-  RS - Single Dwelling Residential
- Bloomington Zoning**
-  PUD, Planned Unit Development
-  QY, Quarry
-  RS, Residential Single Family

0 0.05 0.1 0.2 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018



INFRASTRUCTURE AND ACCESS

The petitioner site, upon completion of improvements, will maintain frontage along S Wickens Street, a public road. The development will be served by a private drive proposed as S Rangeview Circle. The petitioner is requesting a waiver to the road width standard of the Monroe County Subdivision Control Ordinance as part of their preliminary plat filing. Additionally, the petitioner site is served by City of Bloomington Utilities (CBU) sanitary sewer and has access to water utilities.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the *Suburban Residential* district in Monroe County Urbanizing Area of the Monroe County Comprehensive Plan.

5.1.2 Suburban Residential

Suburban residential includes existing low- density single-family subdivisions and isolated multi-family apartment complexes. Different housing types are typically segregated, with multiple buildings having a similar or identical appearance. This development type is not recommended for extensive application beyond existing or currently planned developments.

In some locations, it may be appropriate to extend this development pattern if it is directly adjacent to existing Suburban residential subdivisions as an appropriate way to coordinate with those neighborhoods. However, the conservation community land use category offers a more appropriate alternative to the conventional suburban subdivision that balances the desire for non-urban living while also preserving rural character. The following guidelines should be considered if new suburban-style developments are approved; they also provide considerations for potential retrofitting of public infrastructure within existing neighborhoods.

A. Transportation

Streets

Suburban residential subdivisions are auto-oriented by design. To the extent possible, this approach to residential development should be de-emphasized within the Urbanizing Area to prevent continued expansion of isolated “leap- frog” subdivisions and sprawl development patterns that require continued reliance on the automobile. New Suburban residential streets should be designed to encourage interconnectivity to and through the neighborhood and to surrounding subdivisions. Cul-de-sacs should be discouraged unless necessary due to topographic or environmental constraints. Streets are typically designed with curb and gutter, but may also be designed to accommodate surface runoff with open street-side swales or ditches.

Bike, pedestrian, and Transit modes

Sidewalks and/or shared use paths should be provided on all streets, with connections to larger pedestrian and bicycle systems. Sidewalk retrofits in existing subdivisions should be considered after thorough consultation with and support from existing residents.

Given their remote location and low-density development pattern, opportunities to serve Suburban residential neighborhoods with public transportation are limited. Expansion opportunities for rural Transit routes should be explored, with pick-up locations considered near entries to subdivisions.

B. Utilities

Sewer

New development should be served by the public sewer system. Localized package systems for individual residential subdivisions should be discouraged. Retrofit and tie-ins should be encouraged for older neighborhoods on septic.

Power

Overhead utility lines should be buried within subdivisions. Where possible, existing overhead lines along arterial frontages should also be buried.

Communications

Communications needs will vary within the suburban residential developments, but upgrades to infrastructure should be a key consideration for future development sites. Creating a standard for

development of communications corridors should be considered to maintain uniform and adequate communications capacity.

C. Open space

Park Types

Many of the older suburban subdivisions in the Urbanizing Area were developed without dedicated open space. New developments, such as Stone chase, include platted open space reserves; these generally function to preserve natural features such as streams and tree stands, or to provide space for stormwater retention ponds. However, subdivisions are not currently required to provide usable park space, with the exception of voluntary cluster subdivisions. All new residential subdivisions should be designed to include neighborhood parks and/or greenways as a community amenity.

Urban Agriculture

Private residential gardens and local community gardens should be encouraged within commonly maintained open space areas or via conversion of undeveloped lots in established neighborhoods.

D. Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Local streets may be lighted, but lighting may be not be necessary in all low-density subdivisions.

Street/Site furnishings

Suburban residential neighborhoods typically have few street furnishings beyond street lamps.

E. Development Guidelines

Open Space

A minimum of 5% of total site area for new developments should be set aside for publicly accessible and usable open space areas. Open spaces may be designed as formal park settings or informal, naturalized reserve areas. Natural areas should be accessible with trails or paths where appropriate. If not accessible, additional open space area should be provided. Likewise, open space areas may include stormwater management features, but should not be dominated by large retention ponds with no additional recreational space.

Parking Ratios

Parking for single-family homes is typically accommodated on individual lots. On-street parking should also be permitted.

Site Design

Reverse frontage lots should be avoided. Homes should not back onto arterial or collector streets.

Building form

Modern suburban single-family construction has trended in two directions: either overly simplified (e.g. blank, windowless side facades) or overly complex (e.g. complicated building massing and roof forms). Homes should have recognizable forms and detailing appropriate to the architectural style, with an emphasis on “four-sided architecture”. Garages doors should not dominate the front facade; ideally garages should be set back from the front facade and/or side-loaded.

Materials

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl

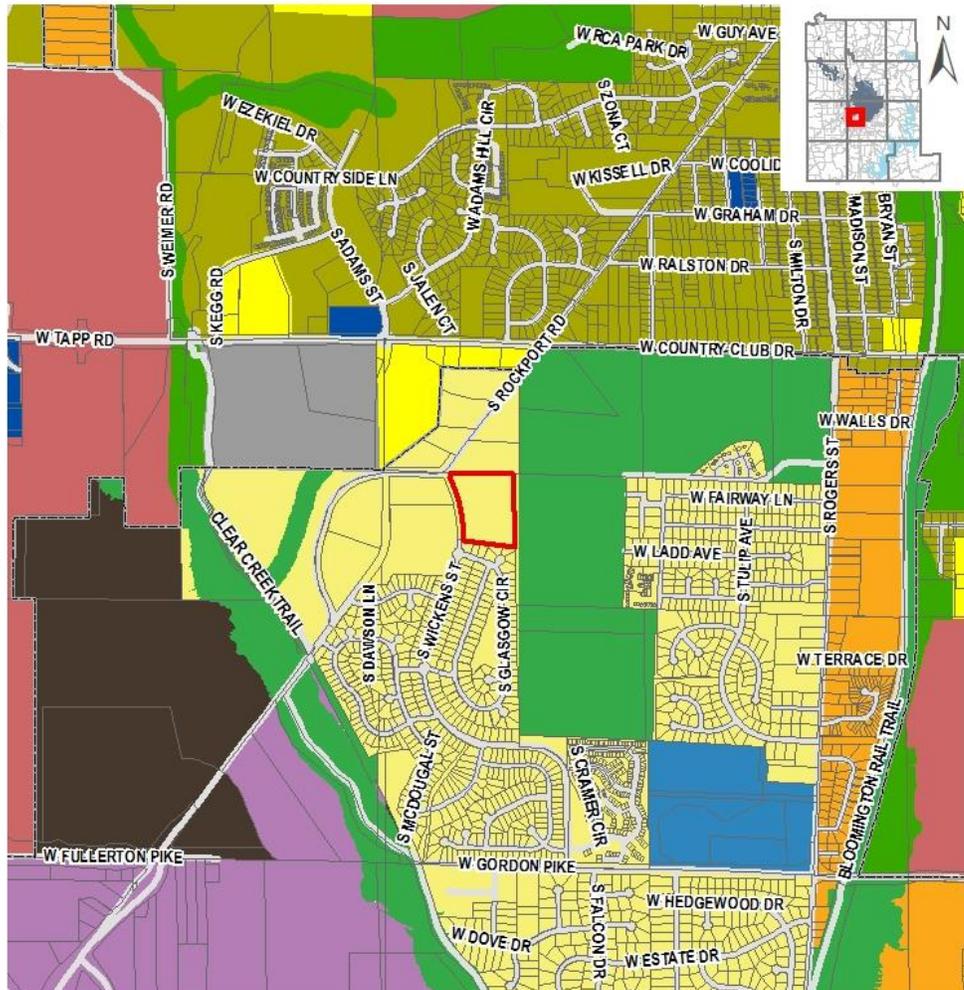
and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

Private Signs

Subdivision entry signs should be integrated into high-quality landscape designs.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  MCUA Employment
-  MCUA Institutional
-  MCUA Mixed Residential
-  MCUA Open Space
-  MCUA Quarry Landscape
-  MCUA Suburban Residential
- Bloomington Growth Policies Plan**
-  Community Activity Center
-  Conservation Residential
-  Employment Center
-  Neighborhood Activity Center
-  Parks/Open Space
-  Public/ Semi-Public/ Institutional
-  Quarry
-  Urban Residential



0 0.125 0.25 0.5 Miles

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 5/8/2018

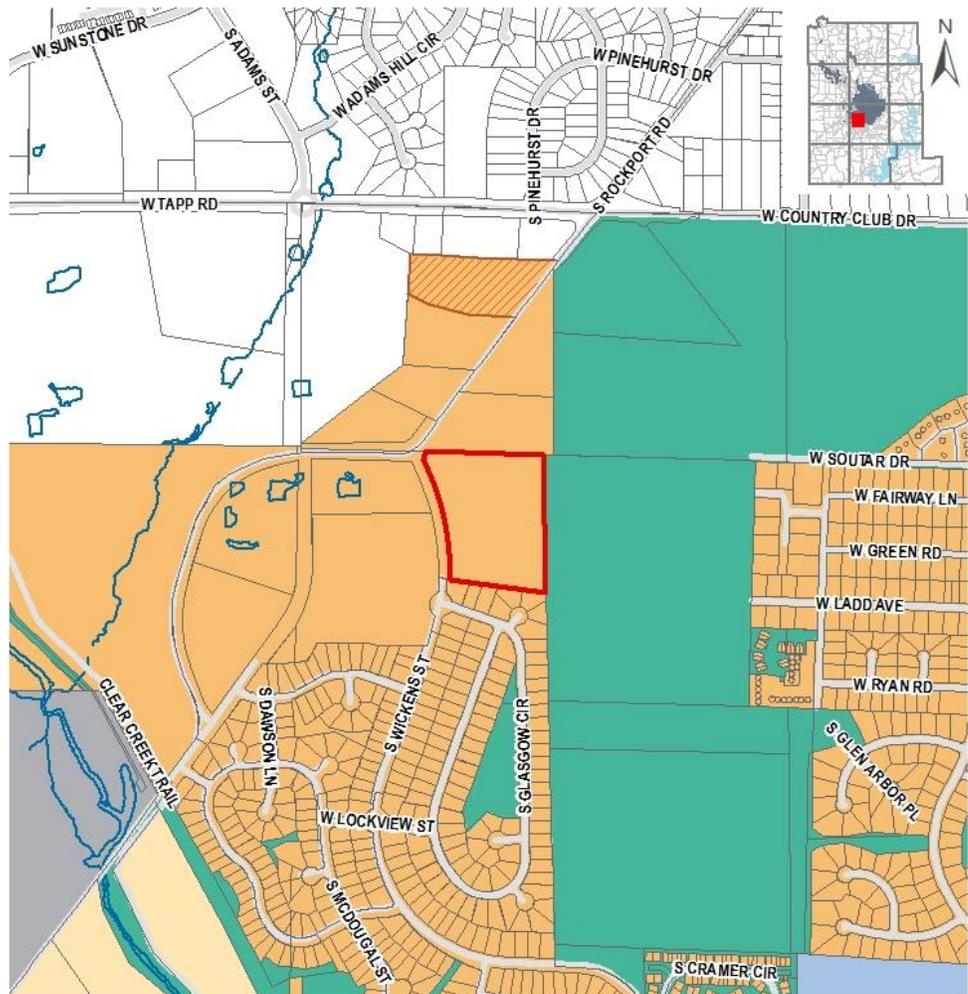
The Urbanizing Area Plan – Phase II Implementation Report and Zoning Framework has the petition site designated **Urban Infill Neighborhood (N1)**, which is described as follows:

N1 URBAN INFILL NEIGHBORHOOD

This district includes the areas known as former Areas Intended for Annexation (AIFA) and former Fringe of the City of Bloomington that are largely developed. This district is intended to promote compact mixed residential infill development, as described in the Mixed Residential land use type designated in the Urbanizing Area Plan. Commercial mixed use development may be appropriate along primary streets at the edges of these neighborhoods. New development should be compatible with surrounding development within the City of Bloomington.

Proposed Zoning Map (2016)

-  Petitioner
-  Parcels
-  Roads
-  Historic Preservation Overlay
-  Hydrologic Features
- Proposed Zoning**
-  N1 - Urban Infill Neighborhood
-  N2 - Neighborhood Development
-  OS - Open Space
-  QL - Quarry Landscape
-  CV - Civic



0 0.05 0.1 0.2 Miles

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 5/8/2018

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 petition site as Suburban Residential in the Monroe County Urbanizing Area Plan;
 - The description of the Suburban Residential designation is described in this report;
 - The current zoning is Planned Unit Development (PUD);
 - The current Planned Unit Development (PUD) permits multi-family residential use;
 - The petitioner requests to reduce the required front setback of the current PUD Outline Plan from 25 feet to 15 feet for the petition site;
 - The petitioner is also requesting the proposed road serving the petition site to be private instead of the required public classification per the current PUD Outline Plan;
- (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 under Section A;
 - The petitioner has filed a Preliminary Plat, PUD Development Plan, and requested a road width waiver for the petition site in addition to the PUD Outline Plan Amendment filing;
 - The petition site will be required to meet all other design standards approved under the original PUD Outline Plan (i.e. landscaping and parking);
 - This amendment request does not include an increase in density as it relates to the originally approved PUD Outline Plan;
- (c) The extent to which the PUD meets the purposes of this Zoning Ordinance, the Comprehensive Plan, and other planning objectives. Specific benefits shall be enumerated.

Findings:

- See Findings under Section A;
 - The Monroe County Urbanizing Area Plan Phase II Zoning Framework classifies the site as Urban Infill Neighborhood (N1);
 - The petition site is approved for multi-family residential use;
 - The proposed development is adjacent to already developed areas with exception to the area west of the site;
- (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:

- See findings under Section B;
- The petitioner must meet landscaping, parking, and drainage/stormwater requirements;
- The required improvements on the site must be maintained after completion of their construction;
- The Monroe County Public Works Department has stated it appears the proposed 15 foot setback would not create horizontal curve sight distance issues;

- (e) The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.

Findings:

- The adjoining properties include residential uses, a golf course, and vacant wooded areas;
 - The proposed use is compatible with the surrounding area considering it is an extension of the existing Highlands Subdivision to the south;
 - The petition site can be served with adequate infrastructure and utilities;
- (f) The desirability of the proposal to the County’s physical development, tax base, and economic well-being.

Findings:

- See Findings under Section D and Section E;
 - The petition site was approved for residential development over two (2) decades ago and can be considered infill development;
- (g) The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.

Findings:

- Access to the development will be derived from the proposed S Wickens Street via a private road named S Rangeview Circle (see Exhibit 3);
 - The petition site is served by City of Bloomington Utilities (CBU) sanitary sewer;
 - The petitioner has provided a traffic study for the proposed development, which is currently under review by the Monroe County Public Works Department;
- (h) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.

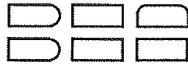
Findings:

- The petition site is adjacent to areas with similar character that have already been developed;
 - The petition site is not within FEMA Floodplain;
 - The development proposal is subject to approval by the Monroe County Public Works Department;
 - The site is not nationally or locally designated “historic”;
 - The entire site is 12.67 +/- acres in size;
- (i) The proposed development is an effective and unified treatment of the development possibilities on the site.

Findings:

- See findings under Section A and Section B;
- The current zoning is Planned Unit Development (PUD);
- The proposed use will not substantially alter the original intent behind the existing PUD;

EXHIBIT 1: Petitioner Outline Plan Statement/Waiver Request of Second Hearing



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

July 5, 2018

RECEIVED
JUL 05 2018
MONROE COUNTY PLANNING

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

SUBJECT: Highlands Subdivision Parcel 'E'
Preliminary Plat & PUD Site Plan Approval with two (2) PUD Amendments

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Wininger Construction, Inc., Bynum Fanyo & Associates, Inc. would like to request approval of the overall Site Plan and Preliminary Plat for parcel 'E' the Highlands Subdivision located at the northeast corner of South Wickens Street and South Glasgow Circle in Monroe County, Indiana. The approval request is to allow 73 multi-family units in 75 proposed lots of the proposed subdivision. This was originally approved by the City of Bloomington in July of 2010 as a preliminary plat and site plan. There were no major alterations to the plans approved in 2010 and are near the same plans as proposed to Monroe County now as possible. This property currently contains 12.67 acres and is proposed to subdivide into 75 lots after dedicated ROW for roads and utilities. This is the NW quarter of section 17, T8N, R1W, Perry township.

However, the Monroe County Planning Department has found two (2) inconsistencies with this plan and plat that was approved in 2010 and the Highlands PUD that require an amendment to the PUD. Here are the two items that require an amendment to the PUD to keep the site plan as close to the nature of the site plan that was approved in 2010:

- 1) South Rangeview Circle and associated parking remain a private street: The PUD states that this circle drive shall become public ROW and owned and maintained by Monroe County. This amendment will allow South Rangeview Circle to remain private and maintained by the owner of the property after the project is complete. This drive shall still be constructed to a 20 mph design speed per AASHTO National standards with a 24' wide drive and 9' wide street parking in some areas. The plat will still dedicate 60' of width of ROW for the proposed Wickens Street extension to Rockport Road. Wickens Street will remain scheduled as being taken over by Monroe County for maintenance and ownership.
- 2) Front yard setbacks from proposed South Rangeview Circle Ingress/Egress Easement: The approved site plan in 2010 had 15' setbacks and the PUD requires 25' front yard setbacks. The PUD shall be revised to 15' front yard setbacks for only Parcel 'E' and for only South Rangeview Circle. The plan will still have 25' setbacks from the Wickens Street proposed ROW

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

Also, on behalf of Winger Construction, Inc., Bynum Fanyo & Associates, Inc. would like to request, if possible, the Plan Commission waive the need for a 2nd hearing and make a determination for this Preliminary Plat and Site Plan after the 1st hearing.

Let us know if you have any questions or concerns for this subdivision and use of this parcel of land.

Sincerely,
Bynum Fanyo & Associates, Inc.



Daniel Butler, PE, Project Engineer

RECEIVED

JUL 05 2018

MONROE COUNTY PLANNING

COPY: BFA FILE #401808

EXHIBIT 2: Consent Affidavit

AFFIDAVIT

I, certify that I, James B. Wray am the owner of the property located at:

Area 'E' of Highlands Subdivision (just northeast of S. Wickers St. and S. Glasgow Cir.)

and do hereby designate authority to act on my behalf for the matter pending before the Monroe County Plan Commission to:

Tom Winger of Winger Construction working along with Bynum Fanye and Associates,

as my authorized agent.

Signed: James B. Wray Prcs

Company: New Richmond 2 Inc

Date: March 7, 2018

Printed Representative of Company Name: James B. Wray

RECEIVED
MAR 22 2018
MONROE COUNTY PLANNING

INSTRUMENT NO. PLAT CABINET ENVELOPE

LINKS EDGE SUBDIVISION

PRELIMINARY PLAT
PT. OF THE NW 1/4, SEC. 17, T8N, R1W
PERRY TOWNSHIP

N88°03'54"W 755.41'

PARCEL 3
STEPHEN E. HARRON
371 W. COUNTRY CLUB DR.
BLOOMINGTON, IN 47403

551°33'15"W 46.21'

525°30'35"E
118.38'

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SETBACK TABLE
(PUD ZONING)

FRONT YARD SETBACK	REAR YARD SETBACK
S. WICKENS STREET	REAR YARD SETBACK
25' FROM R.O.-W	30'
15' FROM R.O.-W	5'

I affirm under penalties of perjury, that I have taken reasonable care to reduce each social security number in this document, unless required by law.
Charles D. Graham
This instrument prepared by Charles D. Graham.
FLOOD NOTE:
According to Flood Insurance Rate Map (FIRM) Community-Identified Number: 18103C 0140. Effective Date: December 17, 2010, subject property is not in a special flood hazard area.
Source: FEMA

NUMBER	DETAILED ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	27°59'19"	N 57°30'07" E	1300.00'	510.27'	821.64'
C2	23°42'19"	N 81°51'57" E	200.00'	45.61'	45.51'
C3	13°03'54"	N 81°51'57" E	200.00'	45.61'	45.51'
C4	73°46'18"	S 38°06'51" E	150.00'	193.13'	180.07'
C5	98°50'25"	S 48°11'51" W	100.00'	122.51'	151.90'
C6	57°18'41"	N 56°44'53" W	200.00'	179.00'	175.09'
C7	67°08'40"	S 64°39'48" E	100.00'	117.15'	110.55'

NUMBER	DIRECTION	DISTANCE
L2	N 82°29'17" W	8.11'

PARCEL 101
BLOOMINGTON COUNTRY CLUB, INC.
3800 S. ROSSER ST.
BLOOMINGTON, IN 47403

LOT 1
3.15 ACRES

LOT 2
4.76 ACRES

LOT 3
3.15 ACRES

LOT 4
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LOT 5
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EXHIBIT 4: Highlands PUD Outline Plan – Original Site Plan

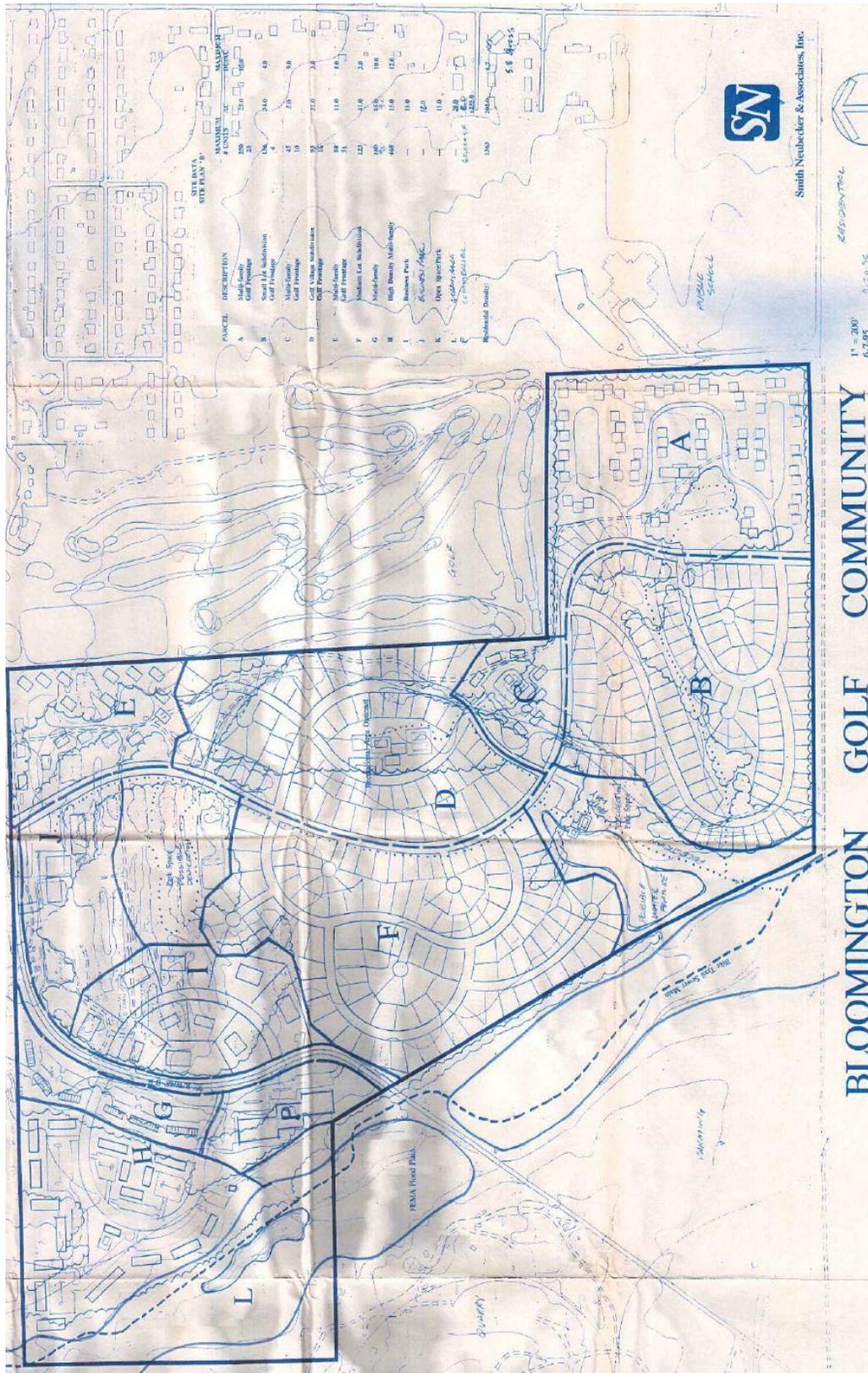


EXHIBIT 5: Ordinance No. 96-05

FEB 21, 1996 continued to
MARCH 20, 1996 (mtg cancelled
due to weather)
Final Vote: March 27, 1996
8-1 (A. Cole)

ORDINANCE 96-05

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM
RS3.5/PRO6 AND Q TO PUD,
AND APPROVE THE PRELIMINARY PLAN
Re: 3200 S. Rockport Rd.
(Raymond Moore, Petitioner)**

WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-52-95, and recommended that the petitioner, Raymond Moore, be granted PUD designation and preliminary plan approval and request that the Common Council consider their petition to amend the Bloomington zoning maps from RS3.5/PRO6 and Q to PUD and approve the preliminary plan;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the preliminary plan be approved and the property be designated a Planned Unit Development. The property is located at 3200 S. Rockport Rd. and is further described as follows:

The east half of the Southwest Quarter of the of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 18 and also the Southwest Quarter of the Northwest Quarter, the east one half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 17, all in Township 8 North, Range 1 West, Monroe County, Indiana, and more particularly described as follows:

BEGINNING at a stone found marking the southwest corner of said Section 17; thence NORTH 01 degree 28 minutes 25 seconds West 2639.32 feet to an iron post found at the southeast corner of the Southeast Quarter of the Northeast Quarter of Section 18; thence NORTH 89 degrees 51 minutes 33 seconds West 1951.13 feet to a rebar found at the southwest corner of the east one half of the Southwest Quarter of the Northeast Quarter of said Section 17; thence NORTH 01 degree 02 minutes 12 seconds West 1307.17 feet to a rebar found at the northwest corner of said east one half, said point also being on the east line of Tapp Road Subdivision (Plat Cabinet B, Envelope 325); thence SOUTH 89 degrees 30 minutes 41 seconds East 3289.06 feet to a 1/2" rebar with cap set at the northeast corner of said Southwest Quarter of the Northwest Quarter of Section 18; thence SOUTH 01 degree 06 minutes 39 seconds East 2635.52 feet to an iron pipe found at the northwest corner of the Southeast Quarter of the Southwest Quarter of said Section 17; thence SOUTH 88 degrees 03 minutes 02 seconds East 1297.36 feet to a stone found at the northeast corner of said Southeast Quarter of the Southwest Quarter; thence SOUTH 00 degrees 55 minutes 42 seconds East 1322.82 feet to an iron pipe with cap found at the southeast corner of said Southeast Quarter of the Southwest Quarter of Section 18; thence NORTH 87 degrees 59 minutes 12 seconds West 2616.91 feet to the POINT OF BEGINNING, containing 217.96 acres, more or less.

AND ALSO:

A part of the Southeast Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence SOUTH 01 degree 24 minutes 01 seconds East 2003.70 feet to the east 25.00 foot right-of-way line

of an abandoned railroad spur; thence NORTH 25 degrees 07 minutes 14 seconds West along said east line 42.42 feet; thence SOUTH 64 degrees 52 minutes 46 seconds West 50.00 feet to the West 25.00 foot right-of-way line of said abandoned railroad spur; thence NORTH 25 degrees 07 minutes 14 seconds West along said west line 430.00 feet to the beginning of a curve to the left with a radius of 2839.79 feet, a central angle of 03 degrees 42 minutes 00 seconds and a chord of 183.35 feet bearing NORTH 26 degrees 58 minutes 13 seconds West; thence northwesterly along said curve and along said west line 183.39 feet; thence NORTH 28 degrees 49 minutes 14 seconds West along said west line 1037.69 feet to the centerline of Rockport Road; thence NORTH 36 degrees 43 minutes 49 seconds East along said centerline 234.15 feet to the beginning of a curve to the left with a radius of 300.00 feet, a central angle of 54 degrees 22 minutes 36 seconds, and a chord of 274.15 feet bearing NORTH 07 degrees 01 minutes 26 seconds East; thence northeasterly and northerly along said curve and along said centerline 284.72 feet; thence NORTH 21 degrees 12 minutes 18 seconds West 76.89 feet to the north line of said Southeast Quarter; thence SOUTH 89 degrees 19 minutes 50 seconds East along said north line 634.55 feet to the POINT OF BEGINNING, containing 21.77 acres, more or less.

AND ALSO:

A part of the Southeast Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

COMMENCING at the northeast corner of the Southeast Quarter; thence NORTH 89 degrees 19 minutes 50 seconds West along the north line of said Southeast Quarter 634.55 feet to the centerline of Rockport Road, being the POINT OF BEGINNING; thence SOUTH 21 degrees 12 minutes 18 seconds East along said centerline 76.89 feet to the beginning of a curve to the right with a radius of 300.00 feet, a central angle of 54 degrees 22 minutes 36 seconds, and a chord of 274.15 feet bearing SOUTH 07 degrees 01 minutes 26 seconds West; thence southerly and southwesterly along said curve and along said centerline 284.72 feet; thence SOUTH 36 degrees 43 minutes 49 seconds West along said centerline 179.22 feet to the East 25.00 foot right-of-way line of an abandoned railroad spur; thence NORTH 28 degrees 49 minutes 14 seconds West along said east line 561.44 feet to the north line of said Southeast Quarter; thence SOUTH 89 degrees 19 minutes 50 seconds East along said north line 383.57 feet to the POINT OF BEGINNING, containing 2.82 acres, more or less.

EXCEPTING THEREFROM:

A part of the Southwest Quarter of Section 17, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

BEGINNING at the southwest corner of said Southwest Quarter; thence NORTH 01 degree 24 minutes 01 seconds West along the west line of said Southwest Quarter 640.46 feet to the East 25.00 foot right-of-way of an abandoned railroad spur; thence SOUTH 25 degrees 07 minutes 14 seconds East along said east line 532.64 feet to the beginning of a curve to the right with a radius of 1457.69 feet, a central angle of 07 degrees 06 minutes 46 seconds, and a chord of 180.84 feet bearing SOUTH 21 degrees 33 minutes 50 seconds East; thence southeasterly along said east line and along said curve 180.96 feet to the south line of said Southwest Quarter; thence NORTH 87 degrees 53 minutes 46 seconds West along said south line 277.12 feet to the POINT OF BEGINNING, containing 2.11 acres, more or less. Containing 240.44 acres, more or less, after said exception.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe

County, Indiana, upon this 27th day of March, 1996.

Jim Sherman
JIM SHERMAN, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1996.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 1 day of April, 1996.

James McNamara
JOHN FERNANDEZ, Mayor
City of Bloomington
James McNamara, Deputy Mayor

SYNOPSIS

This ordinance rezones and establishes a mixed use Planned Unit Development on approximately 240 acres of land located at 3200 S. Rockport Road.

Signed copies.
Planning
Britten

PLANNER: Jordan Yanke
CASE NUMBER: 1803-SPP-01 & 1803-PUD-02
 Highlands Subdivision Parcel 'E' Major Preliminary Plat
 Highlands Subdivision Parcel 'E' Development Plan
PETITIONER: New Richland 2, Inc. & Wininger Real Estate, LLC
 C/O Bynum Fanyo & Associates, Inc.
ADDRESS: S Rockport RD (Parcel No. 53-08-17-100-102.099-008)
REQUEST: Major Subdivision Preliminary Plat and Development Plan to Subdivide a 12.67
 Acre +/- Parcel into 75 Lots
ZONE: Planned Unit Development (PUD) – Highlands
ACRES: 12.67 Acres +/-
TOWNSHIP: Perry
SECTION: 17
COMP. PLAN
DESIGNATION: MCUA Suburban Residential

EXHIBITS:

1. Petitioner Letter/Waiver Request of Second Hearing
2. Consent Affidavit
3. Highlands Subdivision Parcel 'E' – Development Plan
4. Highlands Subdivision Parcel 'E' – Preliminary Plat
5. Building Elevations
6. Highlands Subdivision HOA Meeting – Summary Letter (08/31/2018)
7. Public Works Comments – MS4 Coordinator (07/31/2018)
8. Links to Additional Documents

RECOMMENDATION

Approve the Major Subdivision Preliminary Plat and PUD Development Plan, based on the findings of fact, subject to the Monroe County Public Works Department reports and approval of the requested PUD Outline Plan Amendment (Case No. 1807-PUO-02), with the following condition:

- A commitment be offered by the petitioner to implement actions recommended in the Geotechnical Report prepared by Alt & Witzig Engineering, Inc. dated July 20, 2018.

Approve the Road Width Waiver request, based on the findings of fact and subject to the Monroe County Public Works Department reports.

PLAT COMMITTEE

The Plat Committee heard the petition at its regular meeting on August 16, 2018, and gave a positive recommendation by a vote of 3-0 to approve the Major Subdivision Preliminary Plat/Development Plan.

BACKGROUND/DISCUSSION

The petition site is Parcel 'E' of the Highlands Subdivision. The site is approximately 12.67 +/- acres, located in Section 17 of Perry Township. The site is within the Planned Unit Development (PUD) zoning district for Highlands (Ordinance No. 96-05). The requested approval of the Major Subdivision Preliminary Plat and PUD Development Plan coincides with the petitioner's request to amend the originally approved PUD Outline Plan for the petition site.

Approval of the proposed plat and development plan would subdivide the existing parcel into (75) lots with (73) multi-family residential units. The types of structures range from duplex to four-plex and seven-plex. The adjacent uses are residential in nature and there is an existing golf course east of the site. The site is currently vacant and heavily wooded. The proposed subdivision would create an extension of S Wickens Street, a local road, in order for it to connect with S Rockport Road at the northern end of the petition site. The subdivision would be served by a private road named S Rangeview Circle. The petitioner has filed for a waiver request in conjunction with the preliminary plat and development plan as it pertains to the road

width standard in the Monroe County Subdivision Control Ordinance. The road width requirement and requested modification is stated in the findings of this report.

City of Bloomington Utilities (CBU) is able to provide sanitary sewer and water service to the petition site. Additionally, the preliminary plat and development plan is fully reviewed for its proposed landscaping, parking, and drainage/stormwater management plans. Finally, a table of the proposed land use and densities for the petition site is included on the next page.

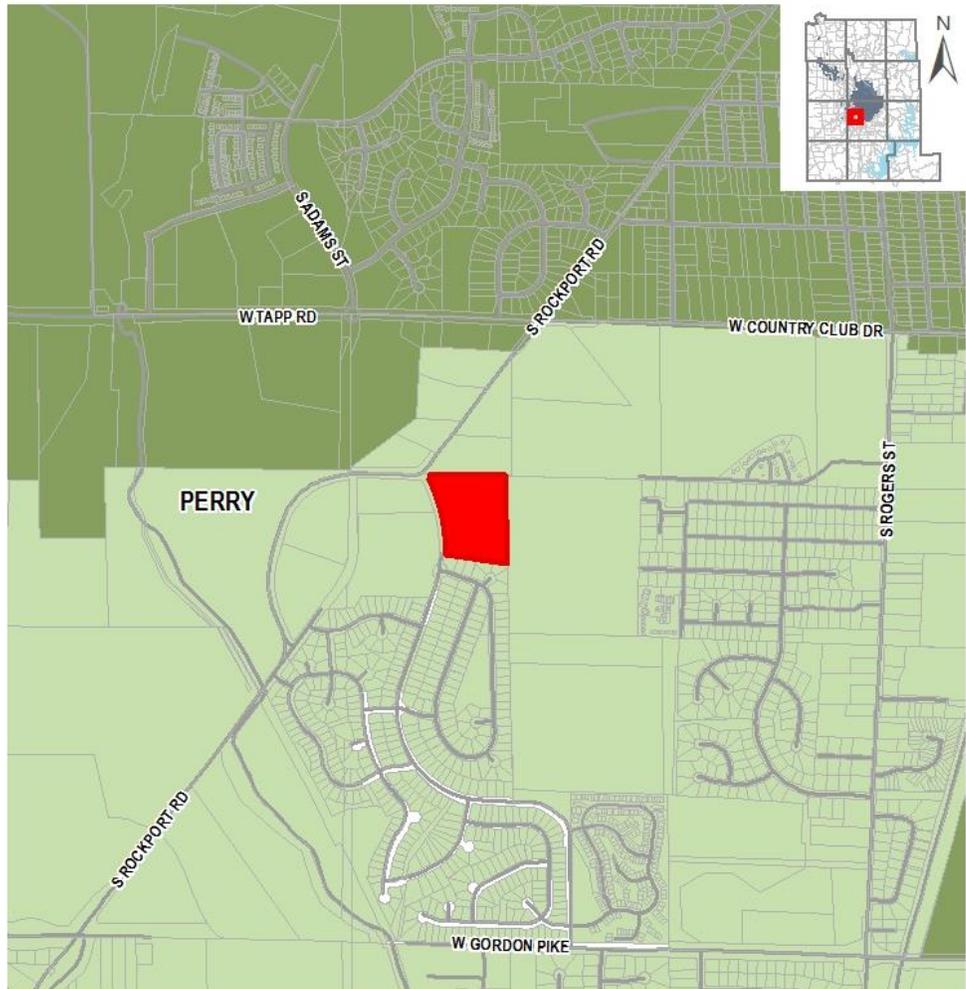
LAND USE AND DENSITIES PARCEL E	
<u>LAND AREA:</u>	10.45 ACRES
<u>NUMBER OF BUILDINGS:</u>	17 BUILDINGS
<u>NUMBER OF UNITS:</u>	73 UNITS
<u>UNIT TYPE:</u>	35 SEVEN-PLEX, 10 DUPLEX, & 28 FOUR-PLEX (ALL 3 BED UNITS)
<u>BEDROOM COUNT:</u>	105 SEVEN-PLEX, 30 DUPLEX, & 84 FOUR-PLEX TOTAL=219 BEDROOMS
<u>PARKING COUNT:</u>	48 GARAGE STALLS, 44 PARKING LOT STALLS, & 51 STREET PARKING STALLS TOTAL=143 PARKING STALLS (PLUS DRIVEWAY PARKING FOR REMAINDER)

LOCATION MAP

The petition site is designated as Parcel 'E' of the Highlands Subdivision Planned Unit Development (PUD), located in Section 17 of Perry Township.

Location Map

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



0 0.1 0.2 0.4 Miles

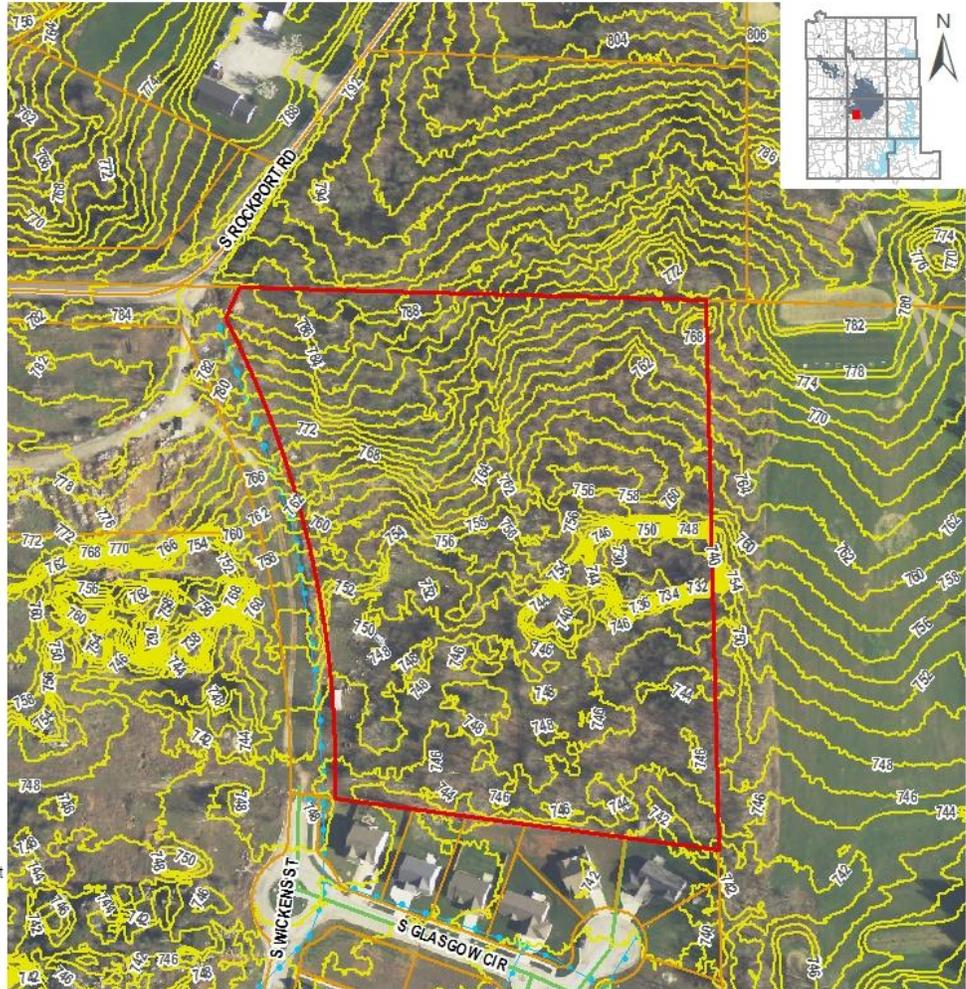
 Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

SITE CONDITIONS

The site is relatively flat with a few areas of gradual slopes (see next page). It is heavily wooded. There is no FEMA Floodplain present. As part of the preliminary plat and development plan review process, the parcel will be fully evaluated for its proposed parking, landscaping, and drainage/stormwater plans.

Site Conditions Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Sanitary Pipe
-  Water Pipe
-  Roads



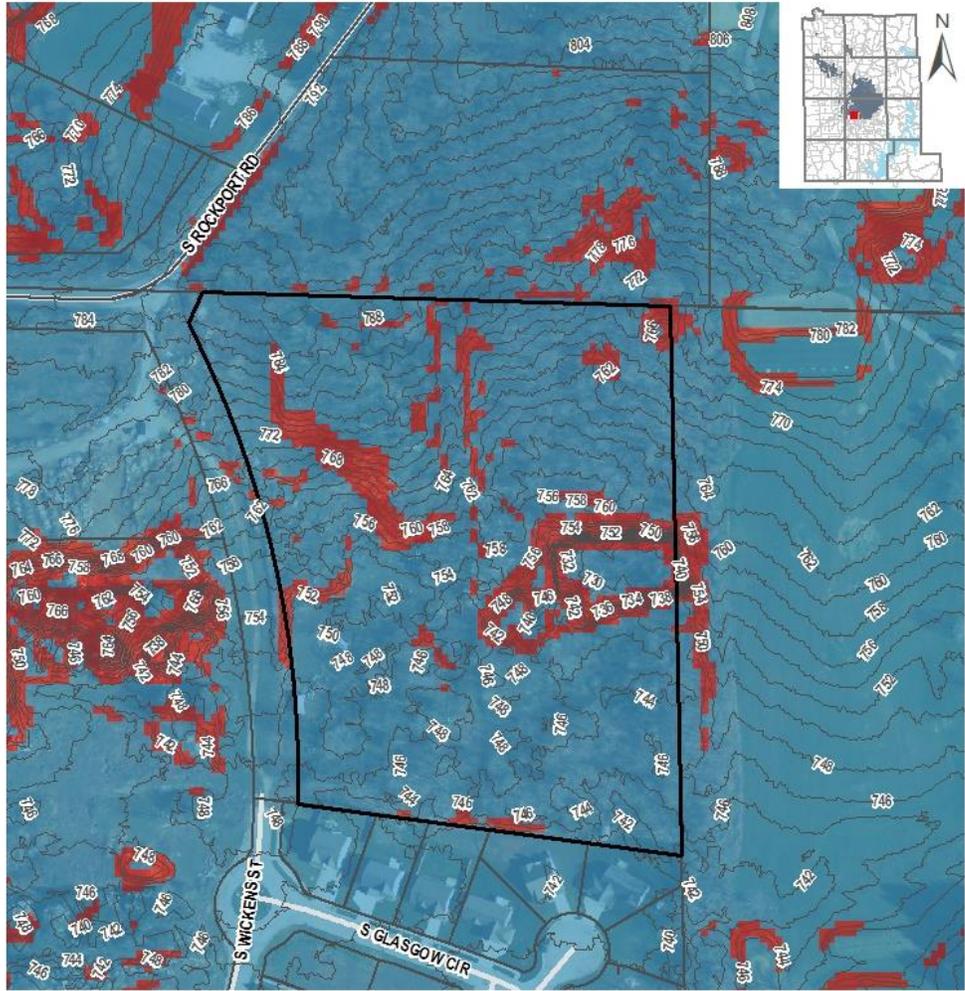
0 95 190 380 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

Slope Map

- Petitioner
- Parcels
- 2-Foot Contours
- Roads
- Percent Slope (2010)**
 - 0 - 15
 - > 15



0 45 90 180 270 360 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2018

SITE PHOTOS



Figure 1: View of the pathway proposed to be S Wickens Street from the southern end of the petition site. The petition site is on the right side of the photo. The photo is facing north.



Figure 2: View of the pathway proposed to be S Wickens Street from the northern end of the petition site. The petition site is on the left side of the photo. The photo is facing south.



Figure 3: View at the proposed intersection of S Wickens Street and S Rockport Road at the northern end of the petition site. The photo is facing west.



Figure 4: View at the proposed intersection of S Wickens Street and S Rockport Road at the northern end of the petition site. The photo is facing north.



Figure 5: Aerial view of the petition site, facing north.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the *Suburban Residential* district in Monroe County Urbanizing Area of the Monroe County Comprehensive Plan.

5.1.2 Suburban Residential

Suburban residential includes existing low- density single-family subdivisions and isolated multi-family apartment complexes. Different housing types are typically segregated, with multiple buildings having a similar or identical appearance. This development type is not recommended for extensive application beyond existing or currently planned developments.

In some locations, it may be appropriate to extend this development pattern if it is directly adjacent to existing Suburban residential subdivisions as an appropriate way to coordinate with those neighborhoods. However, the conservation community land use category offers a more appropriate alternative to the conventional suburban subdivision that balances the desire for non-urban living while also preserving rural character. The following guidelines should be considered if new suburban-style developments are approved; they also provide considerations for potential retrofitting of public infrastructure within existing neighborhoods.

A. Transportation

Streets

Suburban residential subdivisions are auto-oriented by design. To the extent possible, this approach to residential development should be de-emphasized within the Urbanizing Area to prevent continued expansion of isolated “leap- frog” subdivisions and sprawl development patterns that require continued reliance on the automobile. New Suburban residential streets should be designed to encourage interconnectivity to and through the neighborhood and to surrounding subdivisions. Cul-de-sacs should be discouraged unless necessary due to topographic or environmental constraints. Streets are typically designed with curb and gutter, but may also be designed to accommodate surface runoff with open street-side swales or ditches.

Bike, pedestrian, and Transit modes

Sidewalks and/or shared use paths should be provided on all streets, with connections to larger pedestrian and bicycle systems. Sidewalk retrofits in existing subdivisions should be considered after thorough consultation with and support from existing residents.

Given their remote location and low-density development pattern, opportunities to serve Suburban residential neighborhoods with public transportation are limited. Expansion opportunities for rural Transit routes should be explored, with pick-up locations considered near entries to subdivisions.

B. Utilities

Sewer

New development should be served by the public sewer system. Localized package systems for individual residential subdivisions should be discouraged. Retrofit and tie-ins should be encouraged for older neighborhoods on septic.

Power

Overhead utility lines should be buried within subdivisions. Where possible, existing overhead lines along arterial frontages should also be buried.

Communications

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

C. Open space

Park Types

Many of the older suburban subdivisions in the Urbanizing Area were developed without dedicated open space. New developments, such as Stone chase, include platted open space reserves; these generally function to preserve natural features such as streams and tree stands, or to provide space for stormwater retention ponds. However, subdivisions are not currently required to provide usable park space, with the exception of voluntary cluster subdivisions. All new residential subdivisions should be designed to include neighborhood parks and/or greenways as a community amenity.

Urban Agriculture

Private residential gardens and local community gardens should be encouraged within commonly maintained open space areas or via conversion of undeveloped lots in established neighborhoods.

D. Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Local streets may be lighted, but lighting may not be necessary in all low-density subdivisions.

Street/Site furnishings

Suburban residential neighborhoods typically have few street furnishings beyond street lamps.

E. Development Guidelines

Open Space

A minimum of 5% of total site area for new developments should be set aside for publicly accessible and usable open space areas. Open spaces may be designed as formal park settings or informal, naturalized reserve areas. Natural areas should be accessible with trails or paths where appropriate. If not accessible, additional open space area should be provided. Likewise, open space areas may include stormwater management features, but should not be dominated by large retention ponds with no additional recreational space.

Parking Ratios

Parking for single-family homes is typically accommodated on individual lots. On-street parking should also be permitted.

Site Design

Reverse frontage lots should be avoided. Homes should not back onto arterial or collector streets.

Building form

Modern suburban single-family construction has trended in two directions: either overly simplified (e.g. blank, windowless side facades) or overly complex (e.g. complicated building massing and roof forms). Homes should have recognizable forms and detailing appropriate to the architectural style, with an emphasis on “four-sided architecture”. Garages doors should not dominate the front facade; ideally garages should be set back from the front facade and/or side-loaded.

Materials

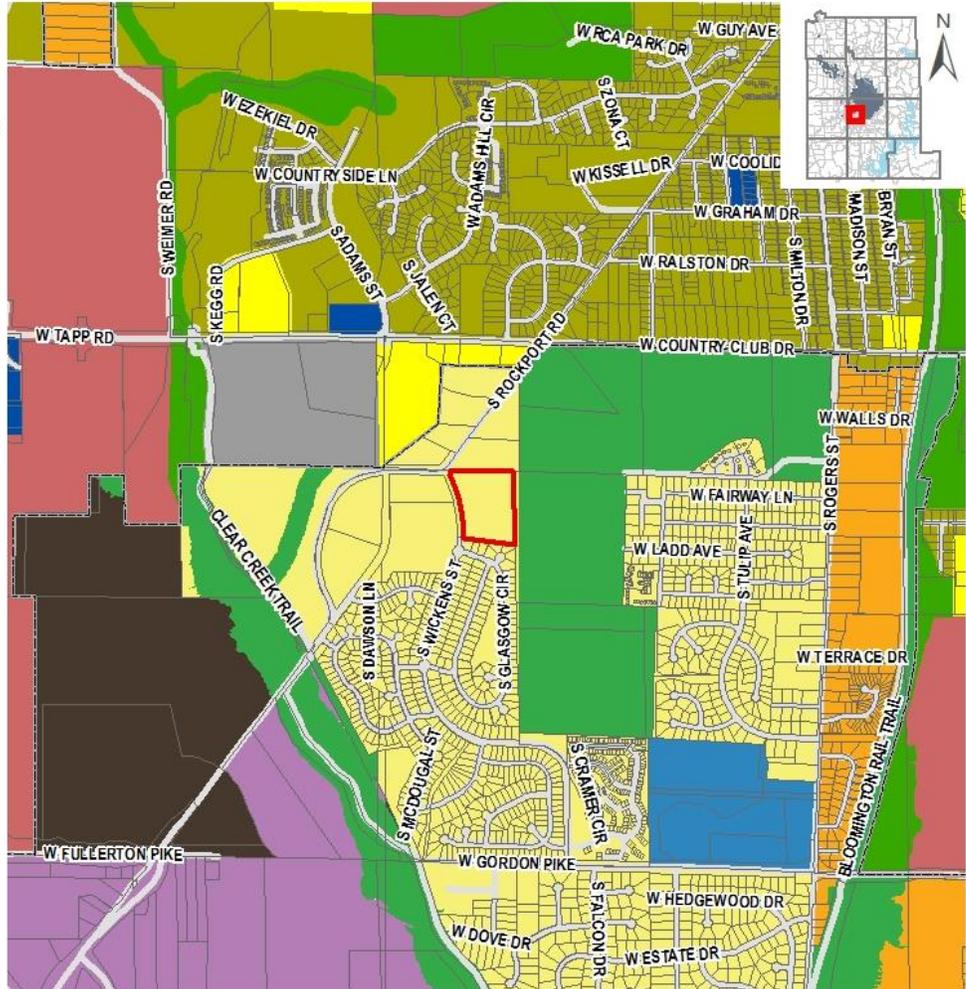
High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and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

Private Signs

Subdivision entry signs should be integrated into high-quality landscape designs.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  MCUA Employment
-  MCUA Institutional
-  MCUA Mixed Residential
-  MCUA Open Space
-  MCUA Quarry Landscape
-  MCUA Suburban Residential
- Bloomington Growth Policies Plan**
-  Community Activity Center
-  Conservation Residential
-  Employment Center
-  Neighborhood Activity Center
-  Parks/Open Space
-  Public/ Semi-Public/ Institutional
-  Quarry
-  Urban Residential



0 0.125 0.25 0.5 Miles



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 5/8/2018

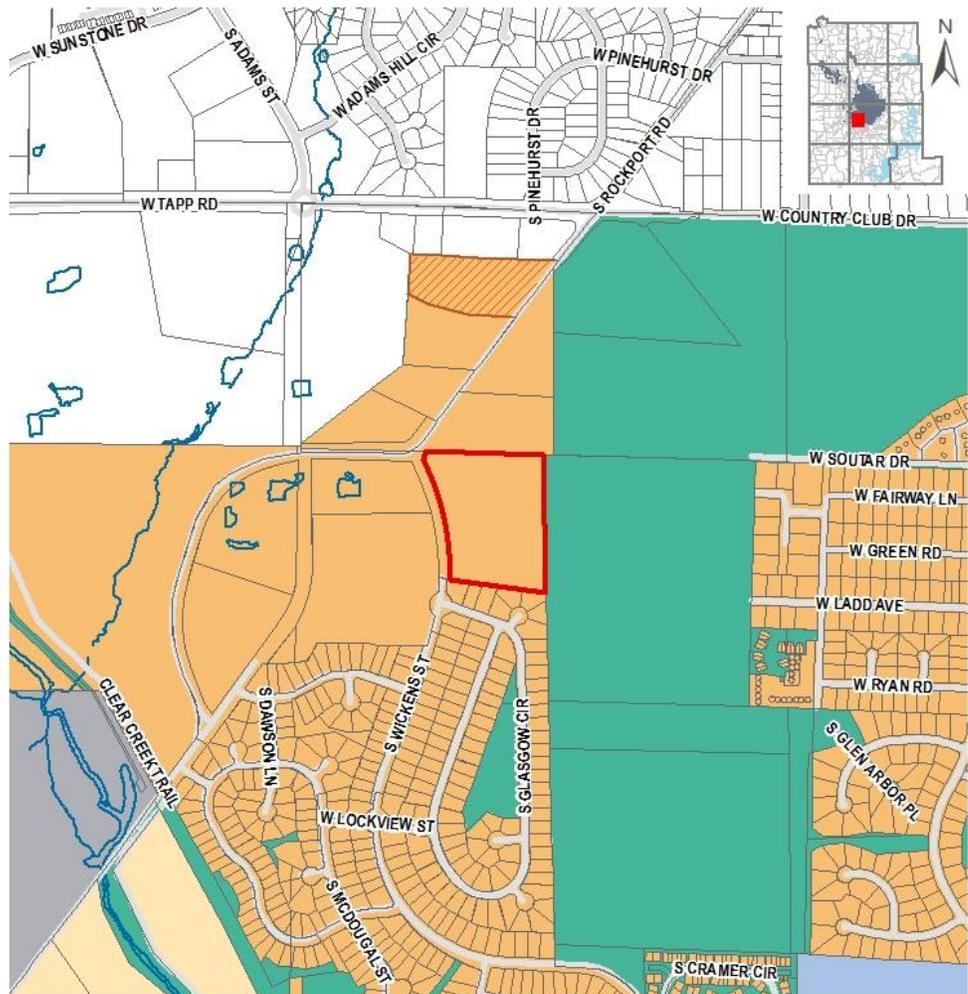
The Urbanizing Area Plan – Phase II Implementation Report and Zoning Framework has the petition site designated **Urban Infill Neighborhood (N1)**, which is described as follows:

N1 URBAN INFILL NEIGHBORHOOD

This district includes the areas known as former Areas Intended for Annexation (AIFA) and former Fringe of the City of Bloomington that are largely developed. This district is intended to promote compact mixed residential infill development, as described in the Mixed Residential land use type designated in the Urbanizing Area Plan. Commercial mixed use development may be appropriate along primary streets at the edges of these neighborhoods. New development should be compatible with surrounding development within the City of Bloomington.

Proposed Zoning Map (2016)

-  Petitioner
-  Parcels
-  Roads
-  Historic Preservation Overlay
-  Hydrologic Features
- Proposed Zoning**
-  N1 - Urban Infill Neighborhood
-  N2 - Neighborhood Development
-  OS - Open Space
-  QL - Quarry Landscape
-  CV - Civic



0 0.05 0.1 0.2 Miles



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 5/8/2018

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 petition site is the Highlands Subdivision Parcel 'E', on 12.67 +/- acres;
- The site is zoned Planned Unit Development (PUD) (Highlands Ordinance No. 96-05);
- The preliminary plat proposal includes a waiver request for road width from Chapter 856-22 of the Monroe County Subdivision Control Ordinance;
- Approval of the preliminary plat and development plan would result in the creation of (75) new lots containing (73) multi-family units;
- The Subdivision appears to conform to all Major Subdivision ordinance requirements, with exception to the road width requirement;
- Transportation alternatives are included with the preliminary plat and development plan proposal in the form of sidewalks;
- Drainage for this project is reviewed by the Monroe County Stormwater Services MS4 Coordinator, and was also heard by the Monroe County Drainage Board at their meeting on August 1, 2018;
- Road design, configuration, and traffic impacts for this project are reviewed by the Monroe County Highway Engineer;
- The proposed parking and landscaping plan must conform to the standards set forth in the originally approved Highlands Subdivision Planned Unit Development (PUD – Ordinance No. 96-05);
- There is no FEMA Floodplain present on the site;
- City of Bloomington Utilities (CBU) is able to provide sanitary sewer and water service to the petition site;
- Staff has added a condition of approval for the petitioner to offer a commitment to implement recommended actions in the Geotechnical Report provided by Alt & Witzig Engineering, Inc. dated July 20, 2018;

(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

- See findings under Section (A);
- The Comprehensive Plan designates the site as a Suburban Residential district in the Monroe County Urbanizing Area Plan;
- The Monroe County Urbanizing Area Plan Phase II proposed zoning for the site as Urban Infill Neighborhood (N1);

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

Findings

- See findings under Section (A);
- The petition site includes common areas as open space and/or conservancy/drainage easements;
- The use of the subdivision is multi-family residential;
- Surrounding uses in the area are residential and there is an existing golf course to the east of the petition site;

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

Findings

- See findings under Sections (A) and (C);
- Surrounding properties are zoned Planned Unit Development (PUD – Highlands), Single Dwelling Residential (RS – AIFA), and Institutional (IN – AIFA);
- The proposed subdivision is an extension of an already approved development and can be considered infill development;
- The proposed use is compatible with the area;

- (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

- See findings under Sections (A) and (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 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 will also review the plat for survey accuracy;

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

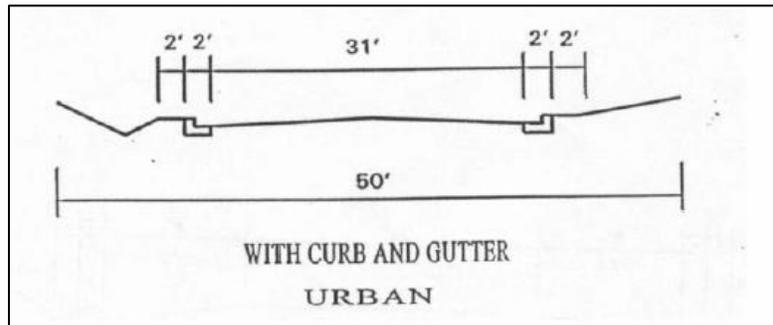
Findings

- The land boundary records are found at the Monroe County Recorder’s Office and, if approved, a final plat will be required to be recorded as the result of the proposed preliminary plat;

FINDINGS OF FACT – WAIVER OF ROAD WIDTH REQUIREMENT

The petitioner has requested a waiver from the *Streets: Design Standards Requirement* outlined in 856-22 (C) which reads:

(C) Approved street cross-section drawings are set forth in Appendix 856-1 to these regulations:



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 subdivision appears to conform to all Major Subdivision ordinance requirements, with exception to the road width requirement;
- Roads will meet all required street standards in Chapter 856 of the Monroe County Subdivision Control Ordinance, with the exception to the required street cross-section, for which a waiver has been requested;
- The proposed modification is subject to review by the Monroe County Highway Engineer;
- The petition site gains access to the proposed extension of S Wickens Street, which is a County Road classified as a Local Road, via a private street called S Rangeview Circle;
- There are two new streets proposed: S Wickens Street and S Rangeview Circle;
- S Rangeview Circle is proposed to have two (2) access points with S Wickens Street in order to satisfy the minimum requirement that two (2) points of ingress and egress are provided for any new development;
- The Subdivision Control Ordinance urban local road guideline requires a 31’ wide road with 2’ curb and 2’ gutter (total 39’ wide), in a 50’ wide right-of-way;
- The petitioner has proposed a lesser standard than the Subdivision Control Ordinance, with a narrower 24’ road width and up to 9’ of area to accommodate on-street parking;
- The proposed S Rangeview Circle is private, or non-dedicated, and is shown in an access easement;
- Non-dedicated streets are required to be built to County Road standards, just as dedicated streets;
- The reduced width deviates from the required design in the Subdivision Control Ordinance with the direction of the Monroe County Public Works Department;

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 Section (1);
- The Monroe County Thoroughfare Plan that helped establish the Monroe County Subdivision Control Ordinance was last revised in 1995 and has not been updated, although there are revisions to this plan that are pending approval;

- Parking, safety, and pedestrian facilities are included in the proposed development plan;
- The proposed connection of S Wickens Street to S Rockport Road increases connectivity and accommodates multi-modal functions, which are supporting by the county's Comprehensive Plan;

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:

- See findings under Sections (1) and (2);
- All utilities are required to be located underground throughout the subdivision;
- All easements associated with the proposed subdivision are shown on the preliminary plat;
- City of Bloomington Utilities (CBU) is able to provide sanitary sewer and water service to the petition site;
- The Highway and Drainage Engineers' recommendations and modifications will result in road and stormwater designs deemed adequate to accommodate the delivery of governmental services that would not compromise public safety, health, or welfare;

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 Section (1);
- The proposed road width appears to be consistent with other streets in the existing Highlands Subdivision;

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 Sections (1) and (2);
- The proposed roadway location must meet recommendations referred to in the staff's condition of approval noted in this report;

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

Findings:

- See findings under Sections (1), (2), and (3);

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 Section (1);

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

Findings:

- See findings under Sections (1) and (2);

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

Findings:

- See findings under Section (1);

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

FINDINGS OF FACT – DEVELOPMENT PLAN

811-4 (E) 4: The Development Plan shall conform to the Outline Plan as approved:

- The property is zoned PUD, and the proposed development plan will be consistent with the approved outline plan;

815-4 Site Plan, General Standards for Review:

A. Compatibility with surrounding land uses;

Findings:

- Compatibility of proposed uses with surrounding land uses was determined in the PUD Outline Plan approval;

B. Availability and coordination of sanitary sewer, water, storm water drainage, and other utilities as deemed appropriate;

Findings:

- The development plan does not modify the plans for sanitary sewer, water, storm water drainage, and other utilities;

C. Management of traffic in a manner which creates conditions favorable to the health, safety, convenience and harmonious development of the community, particularly considering each of the following factors:

- a. The design and location of proposed street and highway access points and sidewalks to minimize safety hazards and congestion;

Findings:

- a. The design and location of proposed street access points and sidewalks is subject to review by the Public Works Department;
- The development is proposed with sidewalks for pedestrian use throughout the parcel;
- The development plan proposal includes an extension of S Wickens Street, a local road at 27' in width, to connect to S Rockport Road, which is also a local road. The extension is through existing right-of-way.
- The proposed residential units will be served by a private road that terminates at S Wickens Street at two (2) locations;
- b. The capacity of adjacent streets and highways to safely and efficiently handle traffic projected to be generated by the proposed development;

Findings:

- a. See findings under Section (C)(a);
- c. The coordination of entrances, streets, sidewalks and internal traffic circulation facilities in the site plan with existing and planned streets and adjacent developments;

Findings:

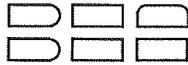
- See findings under Section (C)(a);

D. Compliance with the performance standards set forth in Section 802-4 of this ordinance and any general standards provided in this ordinance.

Findings:

- A licensed engineer in the state of Indiana has certified that this proposal will meet the performance standards set forth in 802-4;

EXHIBIT 1: Petitioner Letter/Waiver Request of Second Hearing



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

July 5, 2018

RECEIVED
JUL 05 2018
MONROE COUNTY PLANNING

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

SUBJECT: Highlands Subdivision Parcel 'E'
Preliminary Plat & PUD Site Plan Approval with two (2) PUD Amendments

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Wininger Construction, Inc., Bynum Fanyo & Associates, Inc. would like to request approval of the overall Site Plan and Preliminary Plat for parcel 'E' the Highlands Subdivision located at the northeast corner of South Wickens Street and South Glasgow Circle in Monroe County, Indiana. The approval request is to allow 73 multi-family units in 75 proposed lots of the proposed subdivision. This was originally approved by the City of Bloomington in July of 2010 as a preliminary plat and site plan. There were no major alterations to the plans approved in 2010 and are near the same plans as proposed to Monroe County now as possible. This property currently contains 12.67 acres and is proposed to subdivide into 75 lots after dedicated ROW for roads and utilities. This is the NW quarter of section 17, T8N, R1W, Perry township.

However, the Monroe County Planning Department has found two (2) inconsistencies with this plan and plat that was approved in 2010 and the Highlands PUD that require an amendment to the PUD. Here are the two items that require an amendment to the PUD to keep the site plan as close to the nature of the site plan that was approved in 2010:

- 1) South Rangeview Circle and associated parking remain a private street: The PUD states that this circle drive shall become public ROW and owned and maintained by Monroe County. This amendment will allow South Rangeview Circle to remain private and maintained by the owner of the property after the project is complete. This drive shall still be constructed to a 20 mph design speed per AASHTO National standards with a 24' wide drive and 9' wide street parking in some areas. The plat will still dedicate 60' of width of ROW for the proposed Wickens Street extension to Rockport Road. Wickens Street will remain scheduled as being taken over by Monroe County for maintenance and ownership.
- 2) Front yard setbacks from proposed South Rangeview Circle Ingress/Egress Easement: The approved site plan in 2010 had 15' setbacks and the PUD requires 25' front yard setbacks. The PUD shall be revised to 15' front yard setbacks for only Parcel 'E' and for only South Rangeview Circle. The plan will still have 25' setbacks from the Wickens Street proposed ROW

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

Also, on behalf of Wininger Construction, Inc., Bynum Fanyo & Associates, Inc. would like to request, if possible, the Plan Commission waive the need for a 2nd hearing and make a determination for this Preliminary Plat and Site Plan after the 1st hearing.

Let us know if you have any questions or concerns for this subdivision and use of this parcel of land.

Sincerely,
Bynum Fanyo & Associates, Inc.



Daniel Butler, PE, Project Engineer

RECEIVED

JUL 05 2018

MONROE COUNTY PLANNING

COPY: BFA FILE #401808

EXHIBIT 2: Consent Affidavit

AFFIDAVIT

I, certify that I, James B. Wray am the owner of the property located at:

Area 'E' of Highlands Subdivision (just northeast of S. Wickers St. and S. Glasgow Cir.)

and do hereby designate authority to act on my behalf for the matter pending before the Monroe County Plan Commission to:

Tom Winger of Winger Construction working along with Bynum Foye and Associates

as my authorized agent.

Signed: James B. Wray Pres

Company: New Richmond 2 Inc

Date: March 17, 2018

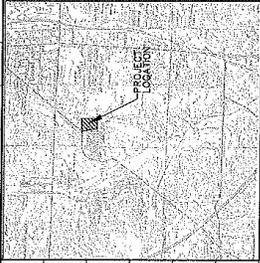
Printed Representative of Company Name: James B. Wray

RECEIVED

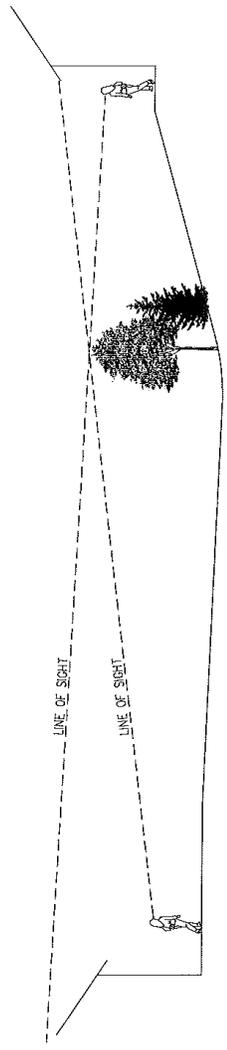
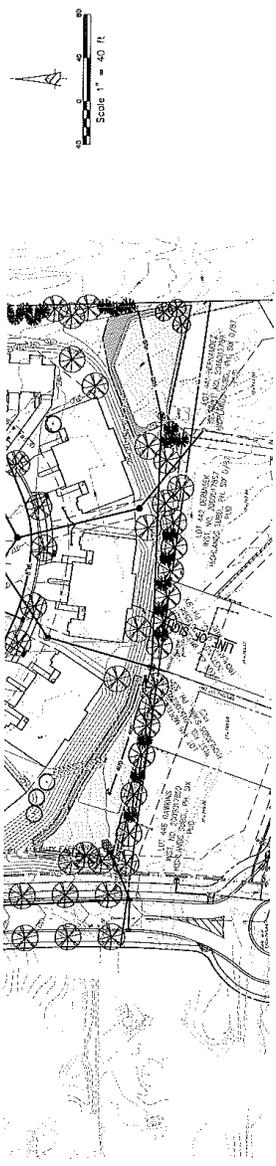
MAR 22 2018

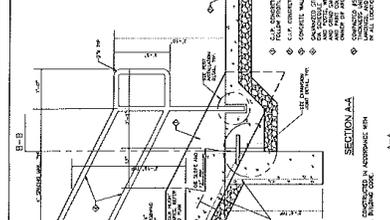
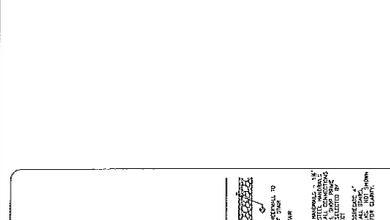
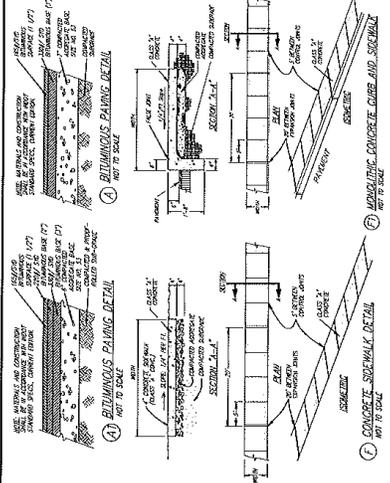
MONROE COUNTY PLANNING

EXHIBIT 3: Highlands Subdivision Parcel 'E' Development Plan

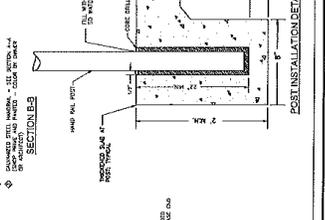
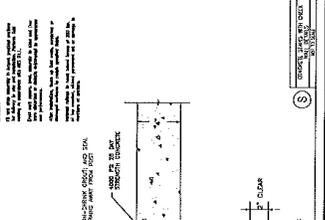
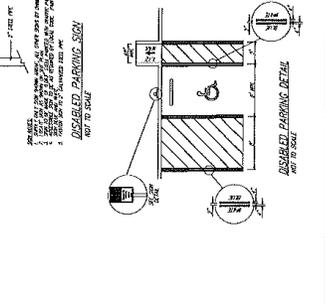
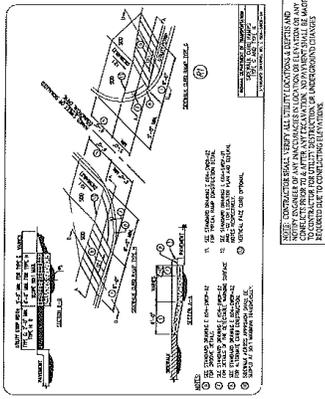
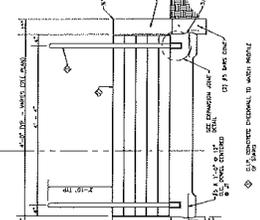
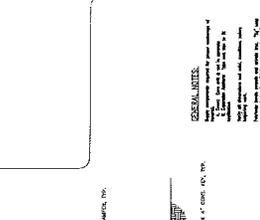
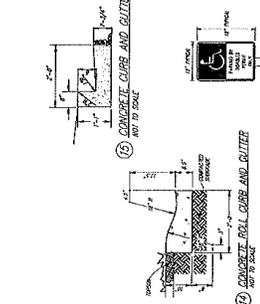
<p>PROPOSED HIGHLANDS SUBDIVISION PARCEL "E"</p>		<p>HIGHLANDS "E" JOB NO. 401853</p>																							
<p>3201 S. WICKENS STREET BLOOMINGTON, INDIANA</p>		 <p>VICINITY/LOCATION MAP SCALE: 1"=2000'</p>																							
<p>BFF</p>		<p>INDEX</p>																							
<p>BYNUM FANYO & ASSOCIATES, INC. 528 North Walnut Street Bloomington, Indiana 47404 (812) 332-8030</p>		<table border="1"> <thead> <tr> <th>SHEET NO.</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>C001</td> <td>GENERAL NOTES & LEGENDS</td> </tr> <tr> <td>C001</td> <td>SITE IMPROVEMENT PLAN</td> </tr> <tr> <td>C001</td> <td>EROSION CONTROL PLAN</td> </tr> <tr> <td>C002-C003</td> <td>LANDSCAPE PLAN</td> </tr> <tr> <td>C001</td> <td>ROAD PLAN & PROFILES</td> </tr> <tr> <td>C001-C003</td> <td>SITE DETAILS</td> </tr> <tr> <td>C001-C003</td> <td>EROSION CONTROL INFO/DETAILS</td> </tr> <tr> <td></td> <td>architecture</td> </tr> <tr> <td></td> <td>civil engineering</td> </tr> <tr> <td></td> <td>planning</td> </tr> </tbody> </table>		SHEET NO.	DESCRIPTION	C001	GENERAL NOTES & LEGENDS	C001	SITE IMPROVEMENT PLAN	C001	EROSION CONTROL PLAN	C002-C003	LANDSCAPE PLAN	C001	ROAD PLAN & PROFILES	C001-C003	SITE DETAILS	C001-C003	EROSION CONTROL INFO/DETAILS		architecture		civil engineering		planning
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<p>OWNER/DEVELOPER: WINNER CONSTRUCTION 1805 S. WALNUT ST. BLOOMINGTON, INDIANA 47401</p>		<p>certified by: _____ REVISIONS</p>																							
<p>FOR THE LAY OF THE PLAN I, _____ REGISTERED PROFESSIONAL ENGINEER NO. _____ STATE OF INDIANA</p>		<p>HIGHLANDS SUBDIVISION PARCEL "E" JOB NO. 401853</p>																							

ARCHITECTURE CIVIL ENGINEERING PLANNING CONSULTING 1000 W. 10th Street Oklahoma City, Oklahoma 73106 (405) 592-2500 www.cjeh.com	CIVIL ENGINEERING PLANNING CONSULTING 1000 W. 10th Street Oklahoma City, Oklahoma 73106 (405) 592-2500 www.cjeh.com	HIGHLANDS SUBDIVISION PARCEL 1 1000 W. 10th Street Oklahoma City, Oklahoma 73106 (405) 592-2500 www.cjeh.com	PROJECT NO. 401808 SHEET NO. 1 DATE: 10/1/08





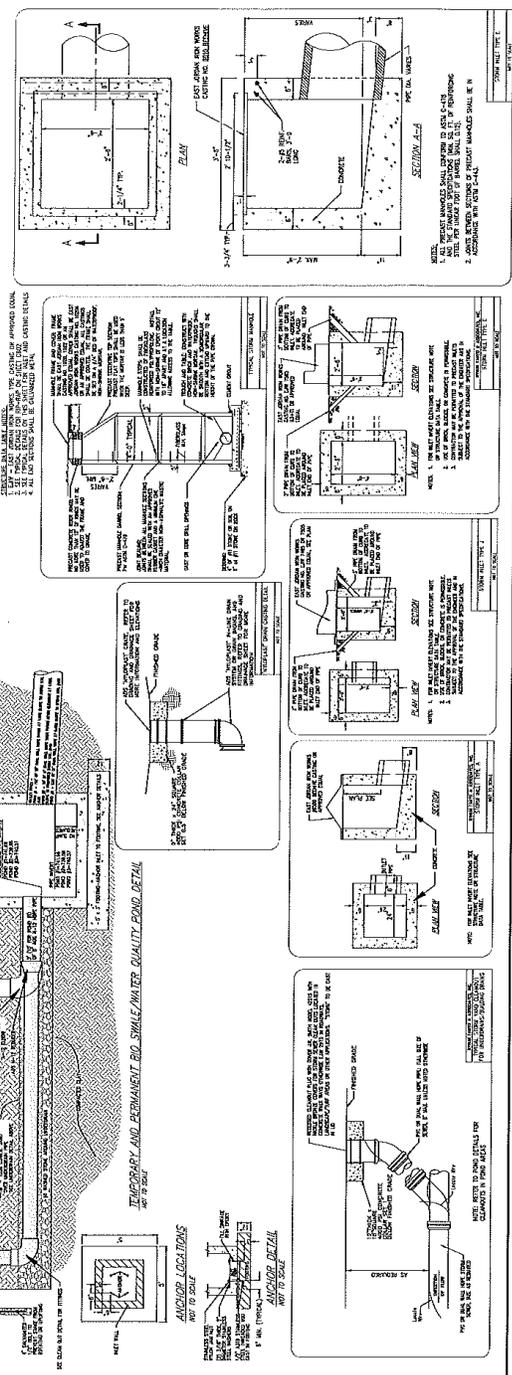
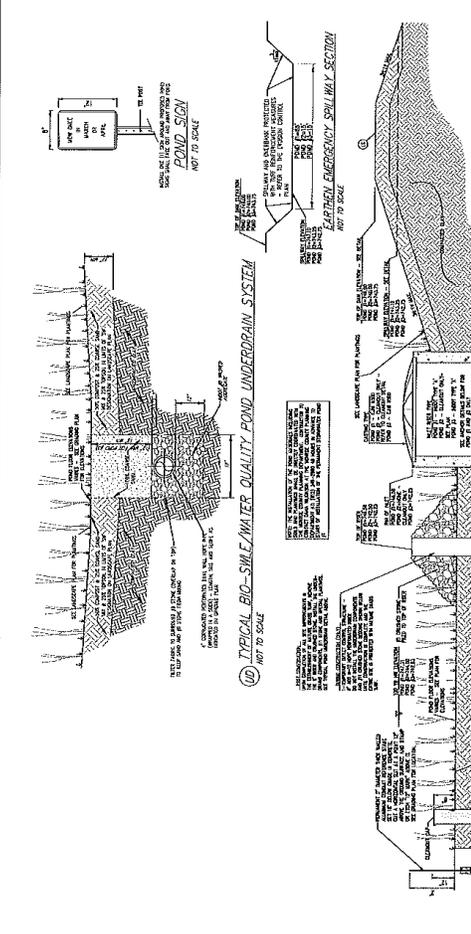
GENERAL NOTES:
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 2. ALL MATERIALS SHALL BE APPROVED BY THE LOCAL AUTHORITY.
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES.
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STRUCTURE DATA TABLE

NO.	DESCRIPTION	SECTION	TYPE	AREA	HEIGHT	REMARKS
1	FOUNDATION	1	CONCRETE	100	10	
2	WALL	2	CONCRETE	200	10	
3	SLAB	3	CONCRETE	100	10	
4	ROOF	4	CONCRETE	100	10	
5	TRUSS	5	STEEL	100	10	
6	BEAM	6	CONCRETE	100	10	
7	COLUMN	7	CONCRETE	100	10	
8	TRUSS	8	STEEL	100	10	
9	BEAM	9	CONCRETE	100	10	
10	COLUMN	10	CONCRETE	100	10	
11	TRUSS	11	STEEL	100	10	
12	BEAM	12	CONCRETE	100	10	
13	COLUMN	13	CONCRETE	100	10	
14	TRUSS	14	STEEL	100	10	
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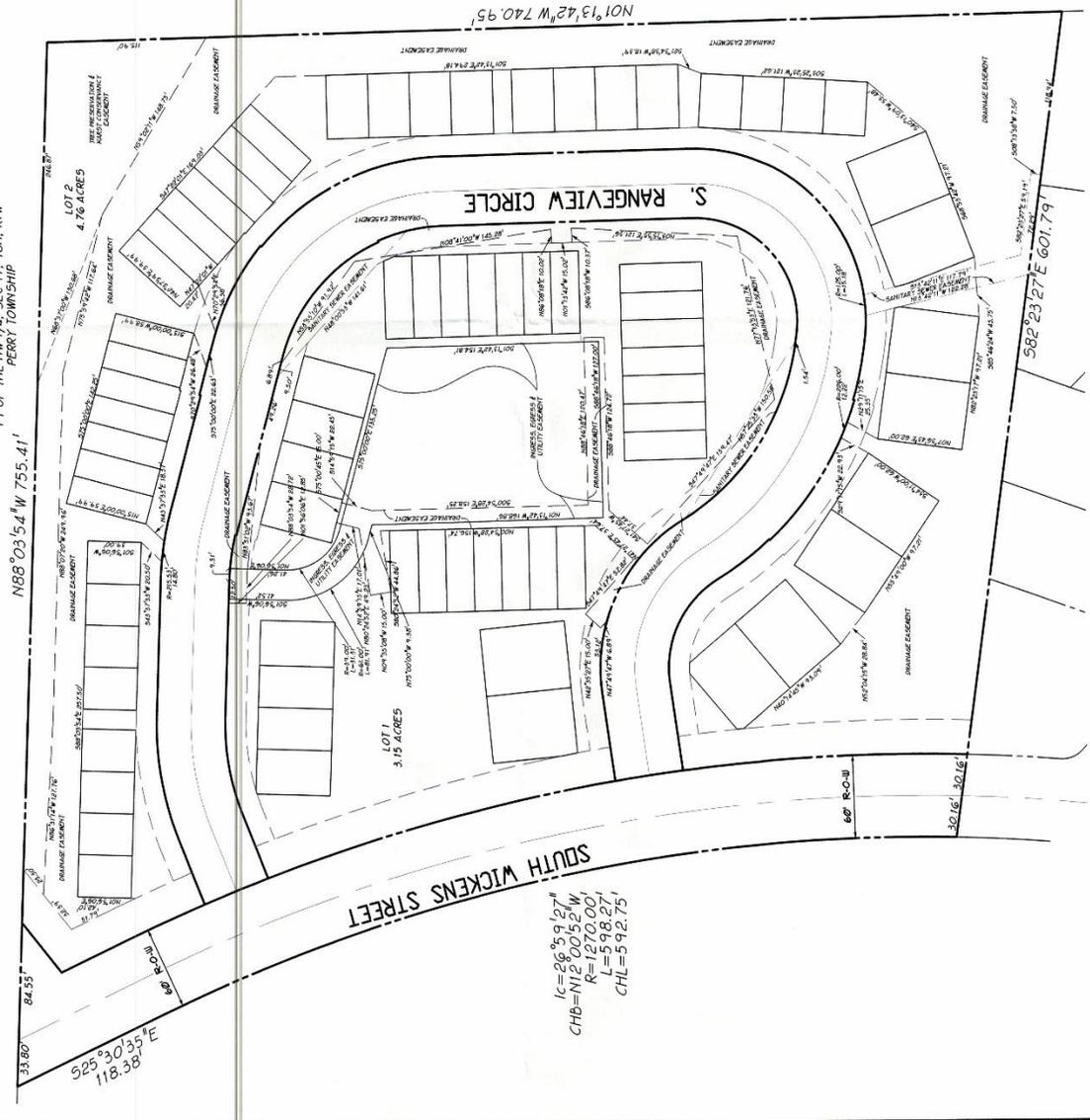
ENVELOPE
PLAT CABBET



LEGEND

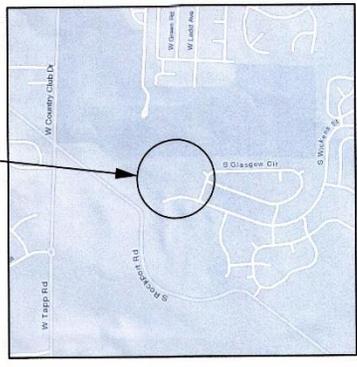
- BOUNDARY LINE
- REAR WITH SHORTY CAP SET
- STREET ADDRESS
- DRAINAGE EASEMENT
- UTILITY EASEMENT
- SMART ZONE EASEMENT
- D.E.
- E.S.E.

LINKS EDGE SUBDIVISION
PRELIMINARY PLAT
PT OF THE NW 1/4, SEC 17, T8N, R1W
PERRY TOWNSHIP



K=26°59'12"
CHB=112°00'55"W
R=1270.00'
L=598.27'
CHL=592.75'

PROJECT LOCATION



LOCATION MAP
LINKS EDGE SUBD.
EASEMENTS
PART OF THE NW 1/4
SECTION 17, T. 8 N, R. 1 W,
MONROE COUNTY, INDIANA
JOB NO. 401808
DATE: 3-17-18 SHEET 2 OF 3

PREPARED BY BYNUM FANTO & ASSOCIATES INC. 528 N. WALNUT ST. BLOOMINGTON, IN. 47404 (812) 332-8030

INSTRUMENT NUMBER

PLAT CABINET ENVELOPE

LINKS EDGE SUBDIVISION

NEW ENVELOPE 2 INC.
11000 WINDY HILL PL
PERRY TOWNSHIP
PT OF THE NW 1/4 SE 1/4 T8N, R1W

LEGAL DESCRIPTION

Owner: New Richmond 2, Inc.
Source: Inst. No. 201007296

A part of Lot 2 in Wickens Subdivision recorded as Instrument Number 855607 in Plat Cabinet C, envelope 257 in the office of the Recorder of Monroe County, Indiana, more particularly described as follows:
Beginning at the northeast corner of Lot 441 in The Highlands Subdivision Phase Six, Section Three, Lots 372, 379, 407, 408, 410 through 442, Lots 423 through 446, 448 & 449 recorded as Instrument Number 200807916 in Plat Cabinet D, Envelope 87 in the office of the Recorder of Monroe County, Indiana and on the East side of Lot 2 in Wickens Subdivision,
thence along the said East line North 01 degree 13 minutes 42 seconds West 740.95 feet to the Northeast corner of said Lot 2, thence along the North line of said Lot 2 North 88 degrees 03 minutes 54 seconds West 758.41 feet to the West line of S Wickens Street, thence leaving said North line and along said West the South 25 degrees 30 minutes 35 seconds East 176.58 feet to a curve concave southwest with radius of 1270.00 feet, thence Southerly along said curve 536.27 feet to the South line of said Remainder Lot 2, thence leaving said West line and along said South line of Remainder Lot 2 South 82 degrees 21 minutes 27 seconds East 601.79 feet to the Point of Beginning, containing in all 10.45 acres, more or less.
Subject to all rights-of-way and easements.

This parcel was created through the _____ Subdivision procedure and approved by the Monroe County Plan Commission on _____

MONROE COUNTY PLAN COMMISSION

PRESIDENT

SECRETARY, LARRY WILSON

We, the undersigned, being the duly qualified and licensed Surveyors, certify that I have subdivided and plotted it according to this plat.

This subdivision is called LINKS EDGE SUBDIVISION, an addition to Monroe County, Indiana, and consists of 2 lots numbered _____, the lots are shown as they are, as they have not already been subdivided, are dedicated to the public.

Front, rear and side yard setback lines are established as shown on the plat. Between adjacent lots, the adjacent streets no existing or other structure shall be erected or maintained.

The lines of record that are shown on the plat and marked "Surveyor's" are used by the owners of the lots that they respectively own, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines and wires, buildings or other structures that are not erected or maintained on these lots.

This subdivision shall be subject to the dedication of easements, conditions, and restrictions as set forth in Instrument Number 1919018297 and Instrument Number 19190201846 in the Office of the Recorder of Monroe County, Indiana.

Signed and Sealed this _____ day of _____, 20____

BY: _____ NY Public

Office _____
STATE OF INDIANA)
COUNTY OF MONROE) 55

Before me, the undersigned Notary Public, in and for the said County and State, personally appeared _____ and acknowledged the execution of the foregoing for the purposes therein expressed _____

Witness my hand and seal this _____ day of _____, 20____

County of Residence _____ Commission Expires _____

Notary Public Signature _____ Notary Public Printed _____

Evidence of easements has not been located in the field and is not shown on the survey drawing. This certification does not take into consideration additional facts an accurate and correct title search and/or examination might disclose.

Subject to the above reservations, I hereby certify that the survey work on the project shown hereon was performed by me or under my direct supervision and control, and that all information shown is true and correct to the best of my knowledge and belief.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on _____ March 17, 2018 and that the monuments shown on it exist, and that their locations, sizes, types, and materials are accurately shown.



Charles D. Graham
Indiana L.S. 2950014
Bynum Fanyo & Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404-3804
812-332-8030

REPORT OF SURVEY

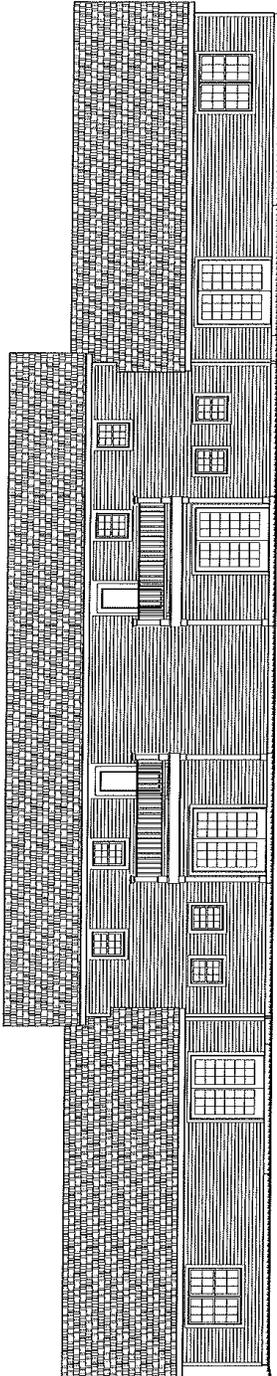
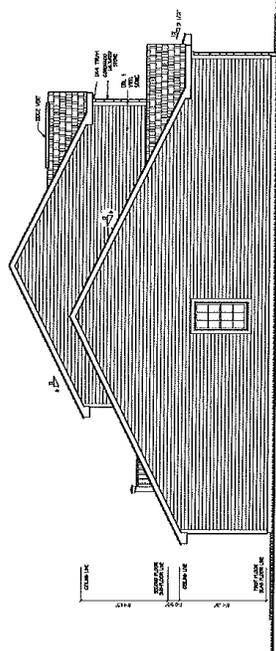
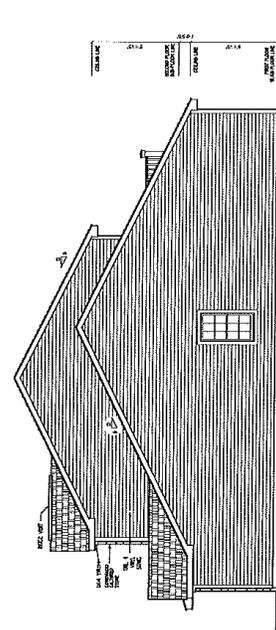
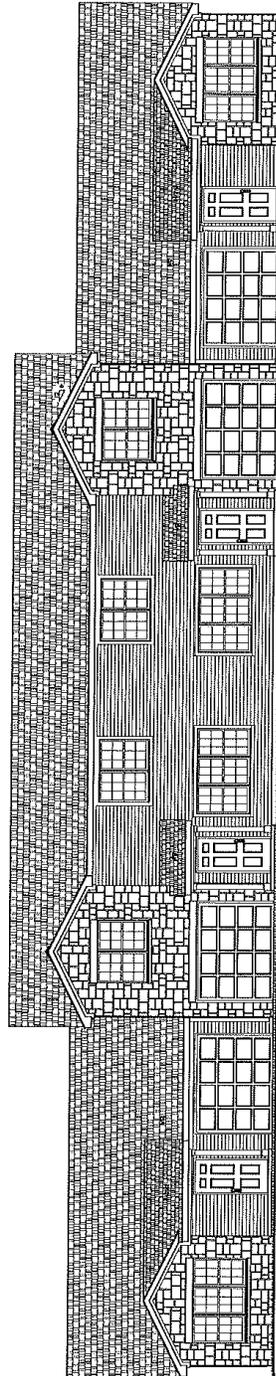
This plat is based upon 2 previous surveys:

1. Wickens Subdivision recorded 12/17/98 in Plat Cabinet C, envelope 257.
2. Remainder - Lot 2 Wickens Subdivision dated November 26, 2008 and recorded as Instrument number 2008019625

LINKS EDGE SUBD.
PART OF THE NW 1/4
SECTION 17, T 8 N, R 1 W,
MONROE COUNTY, INDIANA
JOB NO. 401808
DATE: 3-17-18 SHEET 3 OF 3

PREPARED BY BYNUM FANYO & ASSOCIATES, INC. 528 NORTH WALNUT STREET BLOOMINGTON, INDIANA 47404 (812)332-8030

EXHIBIT 5: Building Elevations

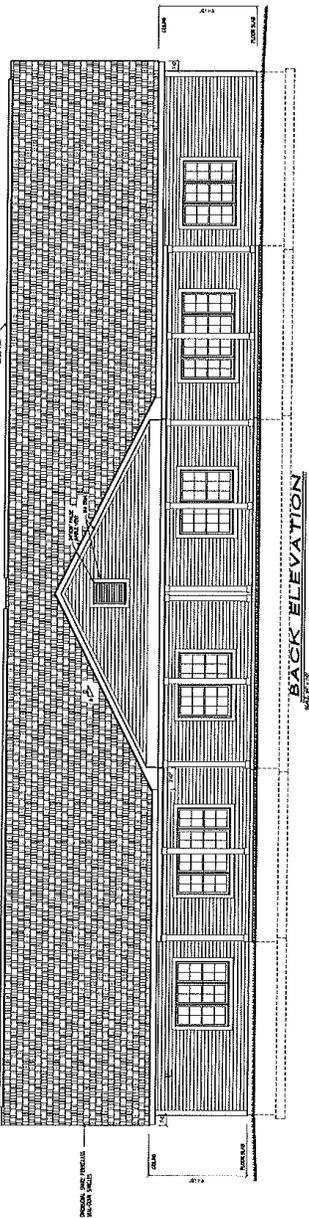
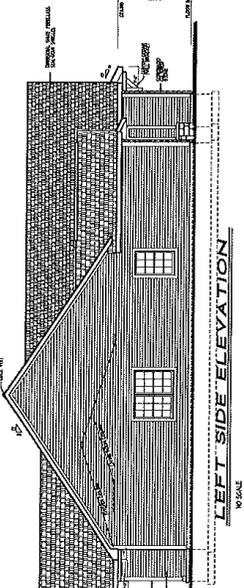
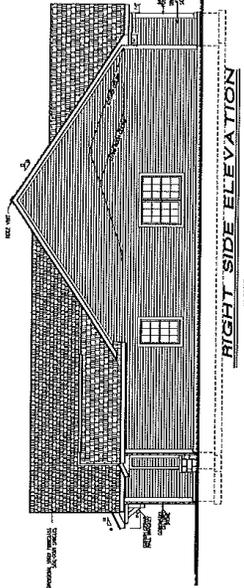
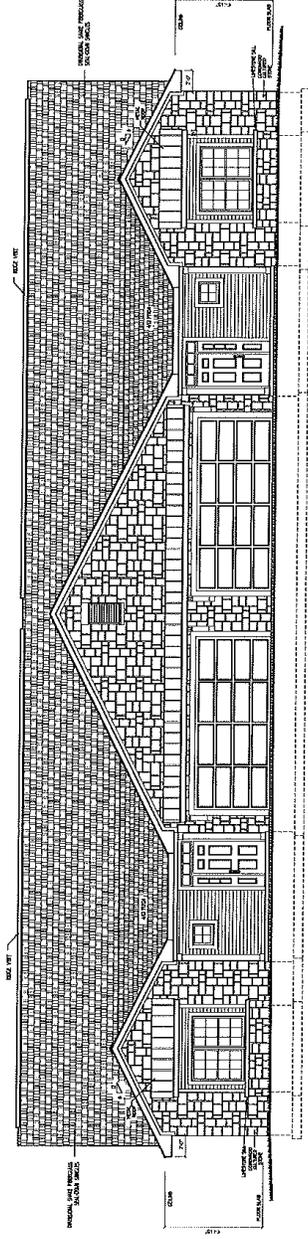
 <p>DIMENSIONAL L.L.C. DRAFTING COMMERCIAL PRINTING SERVICE 812-825-8814</p>	<p>WININGER CONSTRUCTION 812-327-6000 Commercial & Residential</p>	<p>BOOK 0307 ROAD ELEVATIONS 1 PILE FOUNDING PLAN JOB SITE: 528 S. WILSON ST. SCALE: 1/4" = 1'-0" DATE: 12/14/2010 DWG. NO. 030</p>	<h1 style="font-size: 48pt; margin: 0;">A-4</h1>
<p><u>BACK ELEVATION</u></p> 	<p><u>LEFT SIDE ELEVATION</u></p> 	<p><u>RIGHT SIDE ELEVATION</u></p> 	<p><u>FRONT ELEVATION</u></p> 

THIS SET OF ARCHITECTURAL DRAWINGS IS THE PROPERTY OF DIMENSIONAL DRAFTING L.L.C. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR REPRODUCTION OF THESE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF DIMENSIONAL DRAFTING L.L.C. IS STRICTLY PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETENESS OF THESE DRAWINGS.

WININGER CONSTRUCTION
 812-327-6000
 Commercial & Residential

806 RICHARD ROAD
 SUITE 100
 BOONVILLE, MO 64618
 TEL: 812-327-6000
 FAX: 812-327-6001
 WWW.WININGERCONSTRUCTION.COM

A-3



	WININGER Commercial & Residential 812-327-6000 CONSTRUCTION	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;"> PROJECT NO. 1010 DATE: 11/11/11 DRAWN BY: J. W. WININGER CHECKED BY: J. W. WININGER SCALE: 1/8" = 1'-0" JOB SITE: 3025 SOUTH WINDING ST. WINDING, MISSOURI 64485 ELEVATIONS </td> <td style="font-size: 24px; font-weight: bold; vertical-align: middle;">A-4</td> </tr> </table>	PROJECT NO. 1010 DATE: 11/11/11 DRAWN BY: J. W. WININGER CHECKED BY: J. W. WININGER SCALE: 1/8" = 1'-0" JOB SITE: 3025 SOUTH WINDING ST. WINDING, MISSOURI 64485 ELEVATIONS	A-4
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BACK ELEVATION 7 - unit

RIGHT SIDE ELEVATION

LEFT SIDE ELEVATION

FRONT ELEVATION 7 - unit

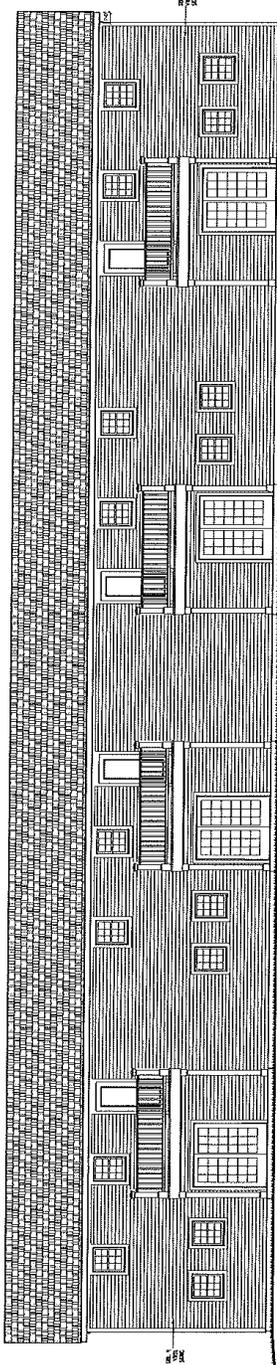
DIMENSIONAL DRAFTING
 L.L.C.
 10000 W. 10th Ave. Suite 100
 Denver, CO 80202
 (303) 751-8884
 COMMERCIAL PRINTING SERVICE 812-883-8884

NOT TO SCALE
 UNLESS OTHERWISE NOTED
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED
 ALL FINISHES ARE TO BE DETERMINED BY THE ARCHITECT
 ALL MATERIALS ARE TO BE APPROVED BY THE ARCHITECT
 ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC)

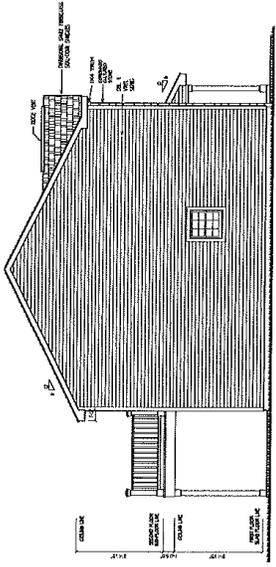
WININGER CONSTRUCTION
 812-327-6000
 Commercial & Residential

BOOK NO. 101	DATE: 08/15/2018
PROJECT NO. 18001	SCALE: 1/4" = 1'-0"
CLIENT: WININGER CONSTRUCTION	DESIGNER: J. WININGER
ARCHITECT: WININGER CONSTRUCTION	DATE: 08/15/2018

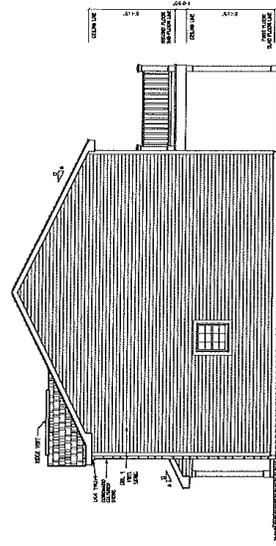
A-4



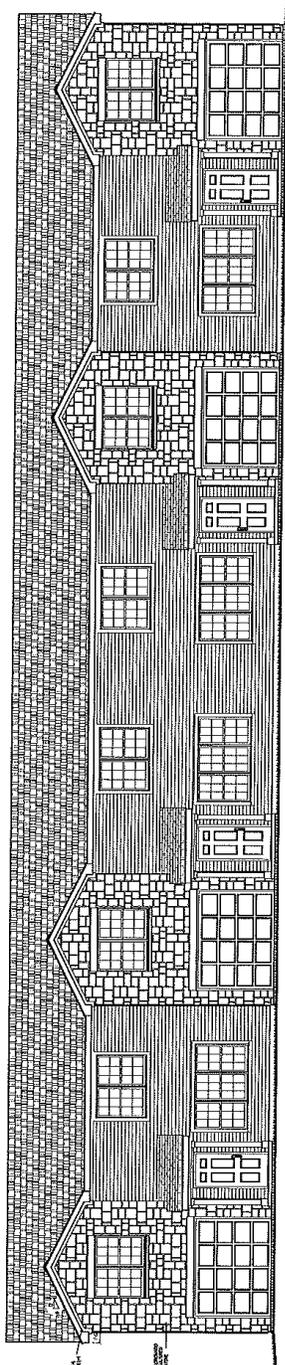
BACK ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



FRONT ELEVATION

Highlands Subdivision Homeowners Association Inc.

P.O. Box 1695
Bloomington, IN 47402
bloomingtonhighlands.com
contact@bloomingtonhighlands.com

August 31, 2018

Re: BFA 401808 – Highlands Neighborhood addition -- HOA Meeting

To Whom It May Concern:

This letter is to confirm that Mr. Daniel Butler, P.E., Bynum Fanyo and Associates, Inc., contacted the Highlands Homeowners Association, Inc. on July 16, 2018 requesting an informational meeting with homeowners regarding the subdividing of “Parcel E” and extension of Wickens St. to Rockport Rd.

The Highlands HOA informed homeowners about this proposed meeting on July 24, 2018 via our official website (bloomingtonhighlands.com), our Facebook Page, and through a MailChimp email blast.

Mr. Butler arranged venue space at the Monroe County Convention Center. The meeting took place on Tuesday, August 28, 2018 at 7pm; present were Mr. Butler, Mr. Tom Winger, owner of Winger Construction, Inc., representatives from the Highlands HOA, and homeowners from the Highlands.

Both Mr. Butler and Mr. Winger spoke about the two proposed projects in great detail and provided attendees with large-scale renderings and visual graphics. The two representatives fielded questions from the Highlands HOA Board of Directors and homeowners throughout the meeting. After the meeting concluded, Mr. Butler and Mr. Winger stayed behind to continue answering questions from homeowners who sought additional information.

This letter was requested by Mr. Butler; if further information is needed, kindly reach out to the Highlands HOA via our email address, contact@bloomingtonhighlands.com.

Sincerely,

Board of Directors
Highlands Subdivision HOA

EXHIBIT 7: Public Works Comments – MS4 Coordinator (07/31/2018)

July 31, 2018

Daniel Butler, PE, Project Engineer
Bynum Fanyo & Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404

RE: Highlands Subdivision Parcel “E” @ SE corner of Rockport Road and Wickens Street

Daniel:

I have reviewed the July 30, 2018 submission of Highlands Subdivision Parcel “E” and have the following additional comments. The comments will be submitted to the DB. My recommendation will be approval subject to your acceptable responses.

1. The outlet control structure stand pipes don't seem to be defined quite right. I don't see anything defining orifice control (50% grate opening areas). The Weir length for Pond #3 seems to be based on 100% efficiency. Please review and explain.
2. It appears Pond #2 has an outlet control stand pipe (structure #140) but the calcs don't reflect it. If the underdrain fails, will Str #140 pick up the discharge?
3. Pond #2 emergency spillway flow line elevation doesn't agree between calcs and plans, 743.25 plans vs 743.50 calcs.
4. It appears the emergency spillway of Pond #3, elevation = 742.75, will route offsite to Lot 441. Please clarify.
5. The emergency overflow for Pond #1 between the proposed buildings creates a drive slope that can't be constructed, elevation 747.50. Please explain.
6. I don't see pipe capacity calcs for the existing storm sewer used as the outfall for the entire project. Please demonstrate it is adequate.
7. Check the Q100 high water elevations on the outlet control structure detail.
8. If the existing 15" outlet pipe between Lots #444 and #445 is clogged, is there a side ditch and easement that will handle the flow without damaging the adjacent structures?
9. Do Structures 128, 101, 116, 133 and 105 have a spill over grades that keeps one foot of freeboard for the buildings in the area? Please review.
10. Are the elements of the geotech report agreeable to the developer?
11. Call for Class 2 Riprap at the outlet of Structure 138 and Class 1 at Structure 125. Velocities are 12fps and 8fps.
12. Please look into a sewer design package for sizing storm sewers. It will provide a backwater method for pipe system analysis and include carry over calcs for inlets. It probably includes pavement encroachment calcs also. I don't see these calculations in the submission. Encroachment calcs need to be provided for the street to be dedicated.

13. Check velocities of the ditch along the northeast corner and east side flowing to Pond #3. Slopes are pretty steep.
14. Explain the Incremental Storage anomaly shown on the Pond Data for Pond #1 at elevation 743.5 (calcs. P. 19).
15. Stormwater quality calcs. don't follow 830-10 (c) (1). Capacity required is 0.5" runoff per sft. of the drainage basin not contributing impervious surface. Please review. Looks like Ponds 1 & 2 provide the required storage. No calcs provided for Pond 3. I think additional storage will be required for it.
16. Not following emergency spillway calcs. Please review.
17. Are the emergency outfall routes between the two buildings in the southeast corner and between lots 444 and 445 adequate and are easements provided to the nearest street?
18. There are references to two ponds in the O&M Manual. Those should be edited to three appropriately. Also include the plan sheets referenced in the Manual.

Sincerely,

Terry Quillman
MS4 Coordinator
Monroe County Public Works Department
501 N. Morton Street, Suite 216
Bloomington, IN 47404
Fax: 812-349-2959
Office: 812-349-2499

EXHIBIT 8: Links to Additional Documents

[GEOTECHNICAL REPORT – ALT & WITZIG ENGINEERING, INC. \(JULY 2018\)](#)

[TRAFFIC IMPACT STUDY – A&F ENGINEERING CO., LLC \(MAY 2018\)](#)

MONROE COUNTY PLAN COMMISSION MEETING

September 18, 2018

PLANNER Jackie Nester
CASE NUMBER 1806-SSS-05, McCammon Duncan Sliding Scale Subdivision Preliminary Plat and Street Tree Waiver and Sidewalk Waiver
PETITIONER Steve McCammon in care of Bynum Fanyo
ADDRESS 4520 W Leonard Springs Road
REQUEST Sliding Scale Subdivision Preliminary Plat to subdivide 1 parcel into 4 parcels
ZONE AG/RR
ACRES 38.31 acres +/-
TOWNSHIP Van Buren
SECTION 14
COMP. PLAN DESIGNATION MCUA Rural Transition

EXHIBITS

1. McCammon Duncan Sliding Scale Subdivision Preliminary Plat
2. Petitioner Findings of Fact

RECOMMENDATION

Staff gives a recommendation of **approval** of the Sliding Scale Subdivision Preliminary Plat, and gives no recommendation for the Sidewalk Waiver and **denial** for the Street Tree Waiver based on the findings of fact and subject to the Monroe County Public Works Department & Drainage Engineer reports.

PLAT COMMITTEE

The Plat Committee heard this petition at the regularly scheduled meeting on August 16, 2018, and recommended approval of the Sliding Scale Subdivision Preliminary Plat, with a recommendation of approval for the sidewalk waiver and street tree waiver based on the findings of fact and subject to the Monroe County Public Works Department & Drainage Engineer reports and subject to the following condition:

1. The petitioner must show on the preliminary plat that they are preserving at least 52 trees that meet the specifications of Chapter 830.

BACKGROUND

The petition site is a 38.31 +/- acre parcel located in Van Buren Township and maintains frontage along W Leonard Springs Road and S Duncan Road. W Leonard Springs Road and S Duncan Road are County roads, classified as major collector road and local road, respectively. The current use of the property is residential and farmland. The parcel contains a single family dwelling, two accessory buildings, and one agricultural structures.

The Agriculture/Rural Reserve (AG/RR) zone has a minimum lot size of 2.5 acres and the minimum lot width is 200'. The petitioner is proposing to subdivide one parcel into four parcels that meet the minimum requirements and the lot development standards of Chapter 862 for Sliding Scale subdivisions:

- Lot 1: 2.5 acres total, including 1.50 acres of buildable area; property is currently vacant.
- Lot 2: 24.48 acres total (parent parcel), including 18.8 acres of buildable area; contains one agricultural structure.
- Lot 3: 7.5 acres total, including 4.12 acres of buildable area; property is currently vacant.
- Lot 4: 2.5 acres total, including 1.22 acres of buildable area; contains a single family dwelling, and two accessory buildings.

Lot 2 is designated as the Parent Parcel Remainder and shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage

disposal system or further subdivision of the property is authorized by ordinance.

The parcel to be subdivided does contain eight karst features, which have been placed in Sinkhole Conservancy Areas (SCAs) as designated in Chapter 829.

The petitioner has requested a waiver from the *Sidewalks Requirement* outlined in in 856-40, which reads:

856-40(A). Sidewalks

(A) Sidewalks shall be included within the dedicated, unpaved portions of the rights-of-way on both sides of all streets when any of the following are applicable:

- (1) the proposed subdivision has road frontage or the streets will connect with an existing or proposed subdivision or business development that has sidewalks, or;
- (2) a proposed major subdivision will be located within an area that is subject to the Business and Industrial Overlay as defined in Chapter 802 of the Zoning Ordinance, or;
- (3) the proposed subdivision is within the Urban Service boundary as shown in the comprehensive plan, or;**
- (4) the proposed subdivision is within a designated growth area in one of the Rural Communities as identified by the Comprehensive Plan, or;
- (5) the proposed subdivision has frontage on a street that provides direct access to destinations such as schools, recreational facilities, etc.

OR

a proposed subdivision is within 1 mile radius of destinations such as schools, recreational facilities, etc., or;

- (6) a proposed subdivision will result in the creation of at least five lots where any of the lots in the proposed subdivision are less than 2.5 acres in size.

The petitioner's property is located in the urbanizing area, which triggers the sidewalk requirement. The property is 0.75 miles from the Karst Farm Park and is 0.2 miles from Leonard Springs Park. According to the Transportation Alternatives Plan, S Duncan and W Leonard Springs Road are rated as Moderate Priority Road Improvement roads. According to the Transportation Alternatives Plan,

"A Road Improvement Opportunity is a transportation alternatives opportunity within the road right-of-way for continuity of the multimodal network. It is important that the improvements within the roadway corridor connect to both the greenway and district components of the network. There are various jurisdictions and agencies involved in the management of the roadway system. It is imperative to form partnerships between these entities to ensure consistent standards and a seamless network. Without complete connectivity, the majority of use of these facilities will be recreational. Once a connected network is in place, the system will become useful for commuters and can replace automobile trips."

If the waiver is not granted, the petitioner would be required to place sidewalk in areas in the right-of-way, excluding the sinkhole conservancy areas and two properties not included in this Sliding Scale Subdivision proposal. The total amount of sidewalk, excluding sinkhole conservancy areas and the two properties not included in the subdivision, would be 1,619 feet, or approximately 0.3 miles. The nearest sidewalk is at Fullerton PIKE, approximately 0.9 miles away from the petitioner site. The site is also within 1 mile of Karst Farm Park and Leonard Springs Park, which also triggers sidewalks.

The petitioner has requested a waiver from the Improvement, Reservation and Design Standards outlined in Ch. 856-43 (B) (Street Trees), which reads:

(1) Street trees shall be planted or preserved within five (5) feet of the right-of-way of the street or streets within and abutting the subdivision, or at the discretion of the Plan Commission and the County Engineer, within the right-of-way of such streets. One tree shall be planted or preserved for every forty (40) feet of frontage along each street. Such trees shall be planted or preserved when any of the following are applicable:

- a. the proposed subdivision will connect with an existing or proposed subdivision or business development that has street trees, or has adjoining road frontage to a street that has street trees, or;
- b. a proposed major subdivision will be located within an area that is subject to the Business and Industrial Overlay as defined in Chapter 802 of the Zoning Ordinance, or;
- c. the proposed subdivision is within the Urban Service boundary as shown in the comprehensive plan, or;**
- d. the proposed subdivision is within a designated growth area in one of the Rural Communities as identified by the Comprehensive Plan, or
- e. a proposed subdivision will result in the creation of at least five lots where any of the lots in the proposed subdivision are less than 2.5 acres in size.

The petitioner is required to plant street trees because they are in the urbanizing area. The petitioner's property fronts W Leonard Springs RD (major collector) and S Duncan Road (local road). Trees can be planted in the sinkhole conservancy areas and help stabilize the soil. If the petitioner is not granted the waiver, they would need to place street trees along the frontage, which is about 2,060 feet. The requirement of Chapter 856-43(B)1 states that trees shall be planted or preserved every 40 feet, which would be 52 trees total.

The petitioner has agreed to remove or bury all overhead utilities located throughout the subdivision, and a note has been added to the plat, as per Ch. 856-41.

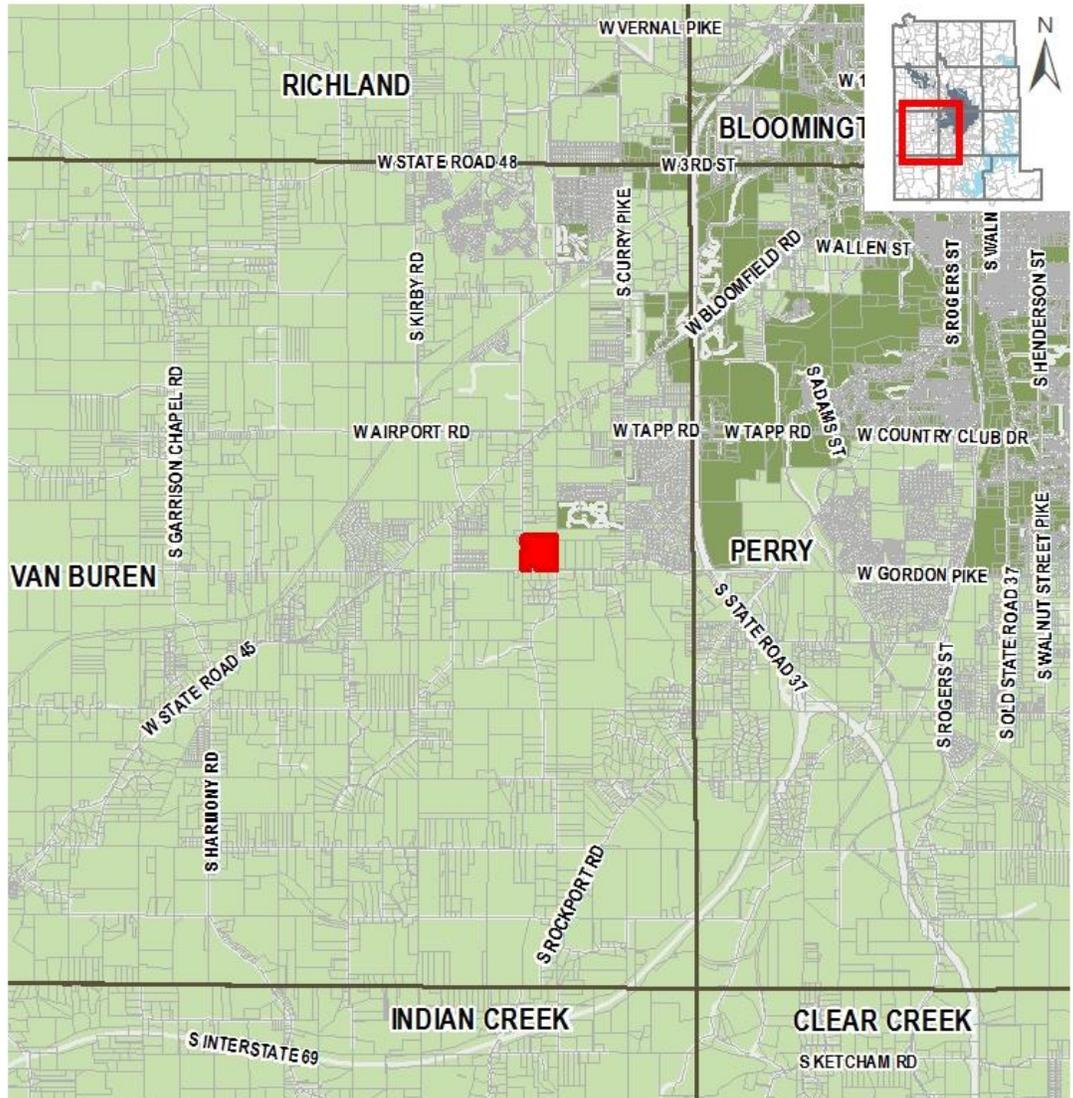
The proposed lots have approved septic permits. The lots do not need to meet the sanitary sewer requirement of Ch. 856-39 because this provision does not apply to a Sliding Scale Option subdivision under Chapter 862.

LOCATION MAP

The site is located at 4520 W Leonard Springs Road in Section 14 of Van Buren Township.

Location Map

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



0 0.5 1 2 Miles



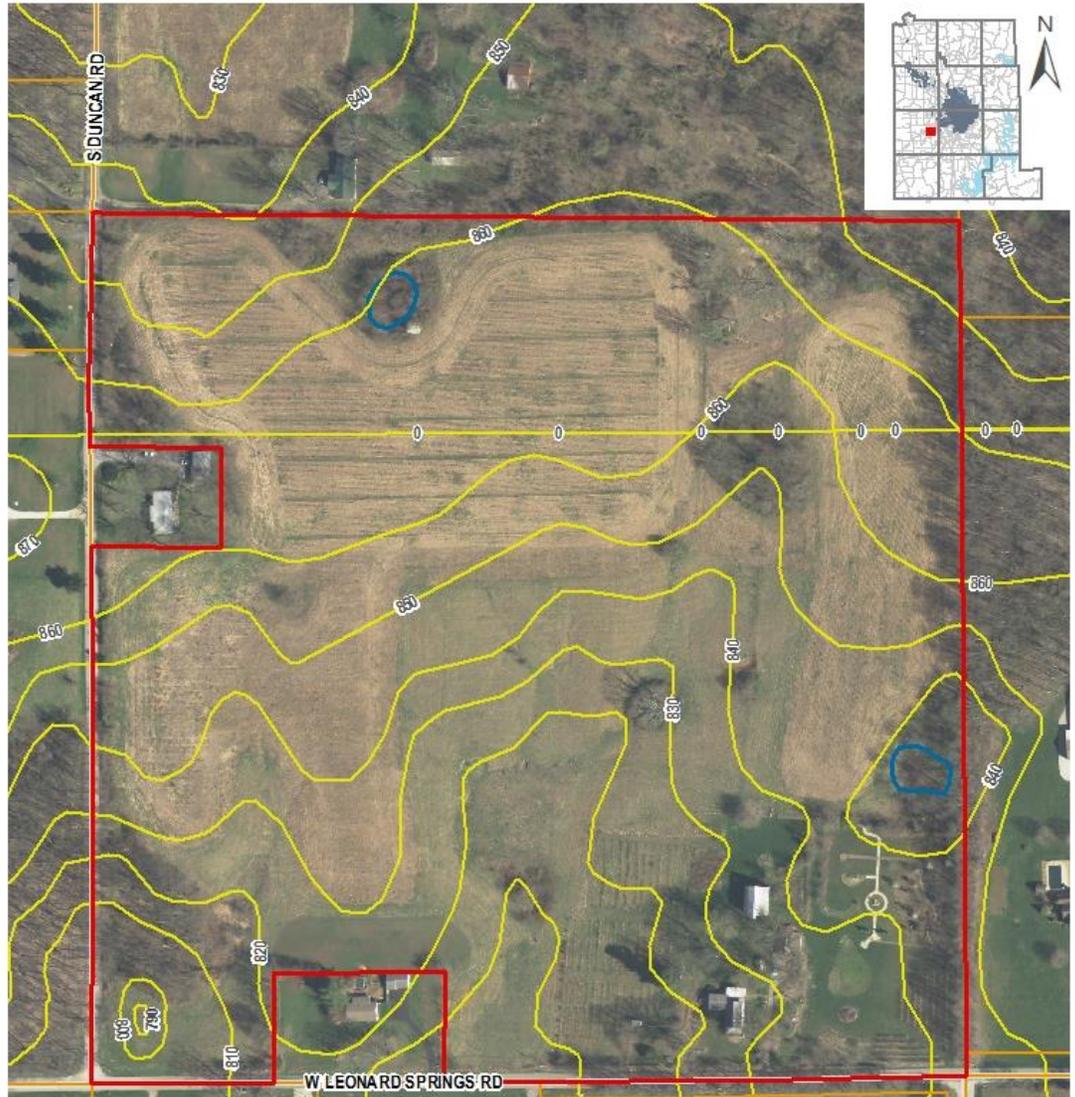
Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

SITE CONDITIONS

The parcel contains single family dwelling, two accessory buildings and one agricultural structure. There are eight known karst features on site. There is no FEMA floodplain on the property. There are wetlands shown on the USGS map, which are being platted as sinkhole conservancy areas (SCAs) for protection. The proposed new lots meet the 15% buildable area requirements from Ch. 804, which specifies > 1 acre of buildable area on new AG/RR lots.

Site Conditions Map

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



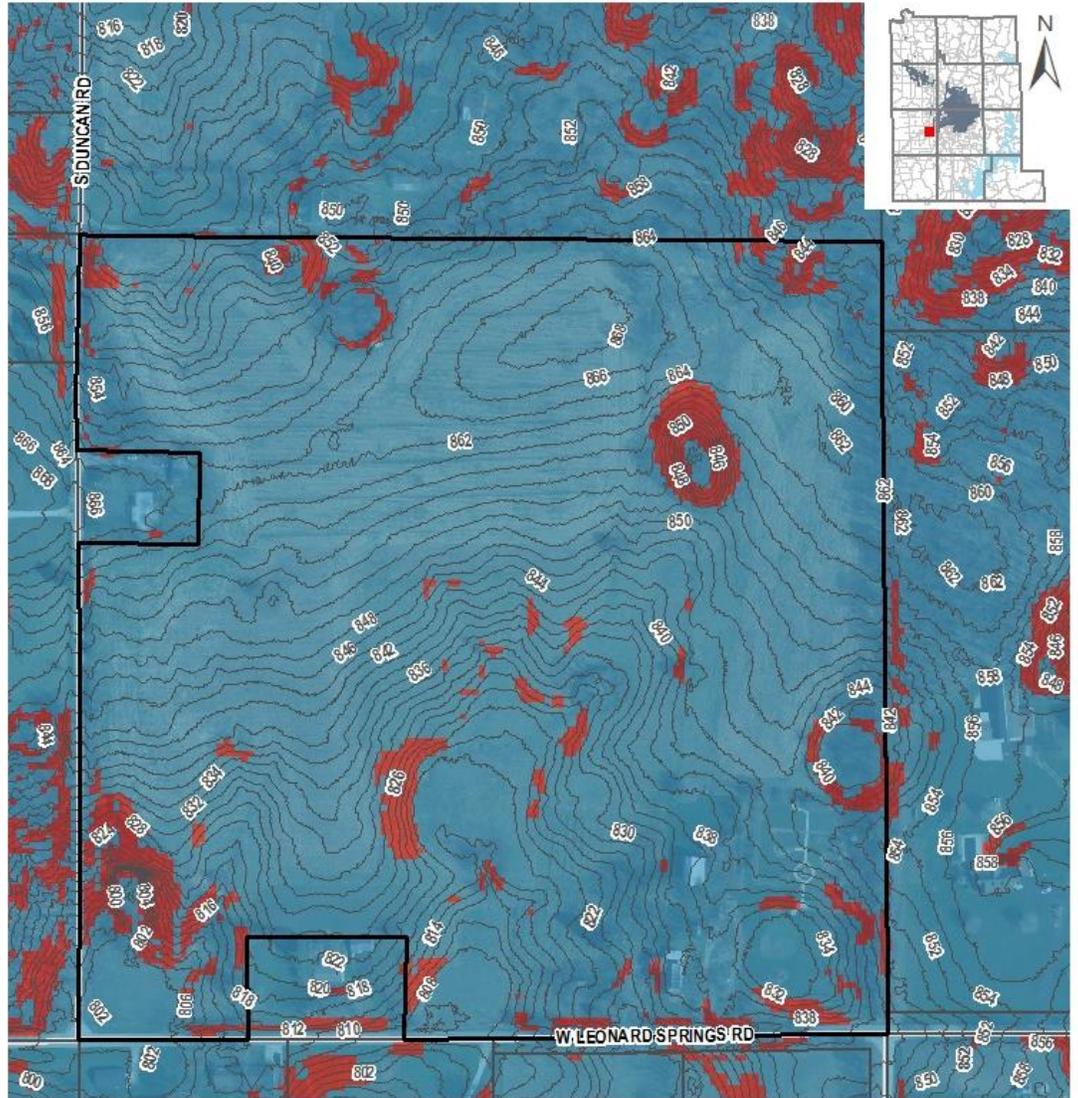
0 115 230 460 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads
- Percent Slope (2010)**
-  0 - 15
-  > 15



0 62.5 125 250 375 500 Feet



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 8/6/2018

SITE PICTURES



Figure 1. Facing north, view of the home on proposed lot 4



Figure 2. Facing northwest; view of proposed lot 2



Figure 3. Facing north; Single Family residence and accessory structure on proposed lot 4.



Figure 4. Facing southeast; view of the intersection of S Duncan and W Leonard Springs Rd.



Figure 5. Facing north; view along S Duncan Road near proposed Lot 1.



Figure 6. Facing southeast; S Duncan Road.



Figure 7. Facing east; one of the home sites not included in the subdivision proposal.



Figure 8. Facing east; agricultural barn on proposed lot 2

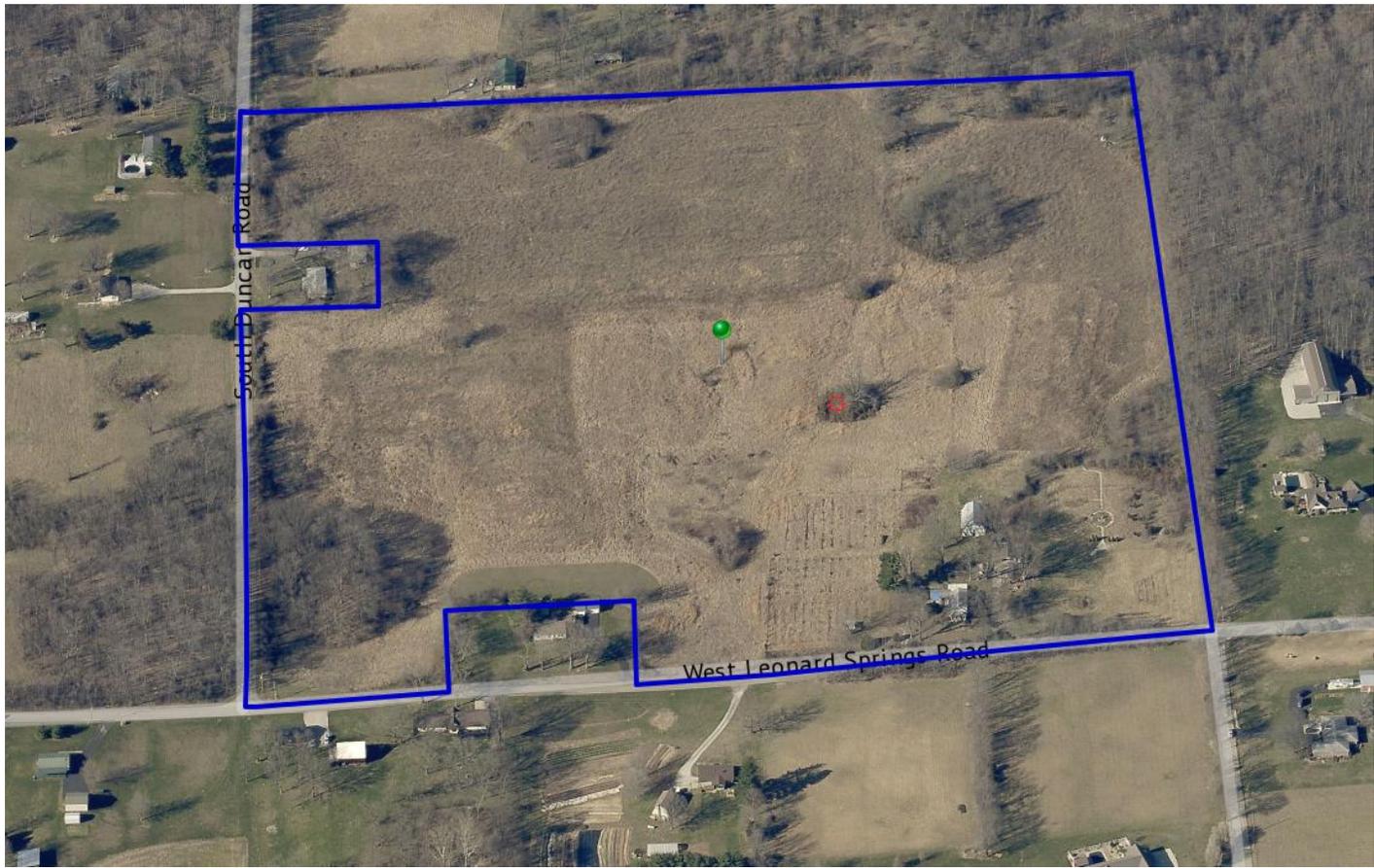


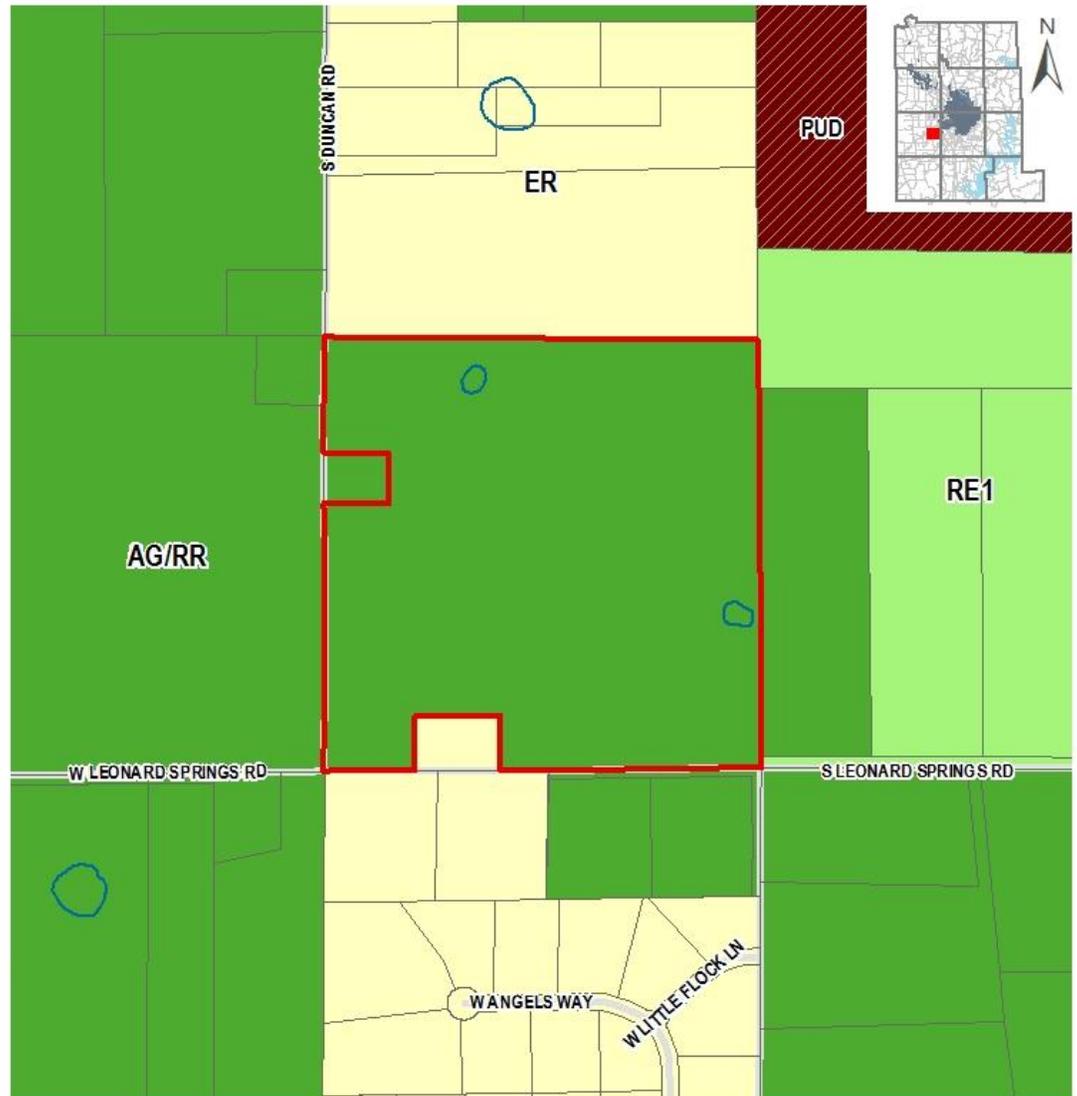
Figure 10. Facing north; Pictometry oblique view

ADJACENT USES / ZONING

The parcel is zoned Agriculture/Rural Reserve (AG/RR). The neighboring properties are zoned AG/RR, Estate Residential (ER), and Estate Residential 1 (RE1). The proposed use on lots 1-4 is Residential/Agricultural. The property is close to the City of Bloomington jurisdiction, and is within the urbanizing area in the comprehensive plan.

Current Zoning

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning**
- AG/RR - Agriculture/Rural
- ER - Estate Residential
- N.T. - No Tag (Outside Juris.)
- RE1 - Estate Residential 1
- Bloomington Zoning**
- MH, Manufactured/Mobile Home Park
- PUD, Planned Unit Development



0 0.0425 0.085 0.17 Miles

Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 8/6/2018

INFRASTRUCTURE AND ACCESS

The parcel maintains frontage along S Duncan Road (Local Road) and W Leonard Springs Road (major collector). Twenty-five feet of right-of-way will be dedicated on the plat along S Duncan Road, and 35' will be dedicated along W Leonard Springs Road. Lot 1 shows a driveway location on the plat where a driveway permit has been applied for and approved. Lot 2 has an existing driveway with a permit. Lot 3 will be sharing a driveway with Lot 4. Lot 4 has two driveways that will be removed and a new driveway that will be shared with Lot 3. The shared driveway is in a 50 foot ingress/egress and utility easement on the plat.

The petitioner is required to construct 4' wide sidewalks within the right-of-way on the north side of the W Leonard Springs Road and the east side of S Duncan Road unless the sidewalk waiver is granted. The total amount of sidewalk required if the waiver were not granted would be approximately 0.3 miles (excluding Sinkhole Conservancy Areas and the two properties outside the subdivision).

The petitioner is required to plant street trees along the frontage of S Duncan and W Leonard Springs Road per Ch. 856-43. If the waiver is not granted, the petitioner would need to plant trees along the frontage, which is about 2,060 feet. The requirement of Chapter 856-43(B)1 states that trees shall be planted or preserved every 40 feet, which would be 52 trees total.

The petitioner has agreed to remove or bury all overhead utilities located throughout the subdivision, and a note has been added to the plat, as per Ch. 856-41.

The proposed lots have approved septic permits. The lots do not need to meet the sanitary sewer requirement of Ch. 856-39 because this provision does not apply to a Sliding Scale Option subdivision under Chapter 862.

COMPREHENSIVE PLAN DISCUSSION

5.1.7 Rural Transition

Portions of The urbanizing area, primarily to the east and South, are not suitable for intensive development due To access, infrastructure and environmental constraints.

These areas offer an opportunity to transition the scale and intensity of development along the urban to rural transect. Residential uses are low in density, primarily single-family, and typically are located along existing rural roadways rather than in subdivisions. Larger scale agricultural uses may occur within this area.

Within the Urbanizing Area, rural Transition lands may serve as a “holding” land use category that may be converted to other uses depending on future market demands and infrastructure expansion opportunities. The most likely uses for conversion include conservation residential, Parks and open Spaces, employment uses, and Quarry expansions that are best suited for low-density, relatively isolated development contexts. The potential for conversion to other uses should be considered as part of future updates to the Urbanizing Area Plan.

A. Transportation

Streets

Development in rural Transition areas is intended to occur along existing rural roadways. These are typically designed with two travel lanes and a berm or shoulder with open drainage. New roadway construction will be minimal and will likely respond to broader safety or connectivity needs within the larger transportation system, rather than demand generated by new development within the rural Transition area.

Automobile travel is necessary in rural areas. Care should be taken to avoid roadway improvements that prioritize speed and capacity at the expense of rural roadway character.

Bike, pedestrian, and Transit modes

Due to the low-density character and distance from destinations, travel by foot will be less common in rural Transition areas. However, bicycle travel should be encouraged. Opportunities to extend shared use/bicycle paths as part of a county-wide greenway system should be explored. Roadside paths may be appropriate in some cases, but care should be taken to preserve the scenic character of rural roadways. This can be accomplished through meandering alignments that provide space for landscape features such as mounding, fencing, limestone walls and naturalized plantings. Expansion opportunities for rural Transit routes should be explored to enhance accessibility of more remote areas.

B. Utilities

Sewer

Sewer service in rural transition areas will be limited. Residential development is expected to continue using on-site sewage disposal (septic systems), provided there is sufficient space, topography and soil conditions to meet minimum State and county installation and maintenance requirements.

Power

Overhead utility lines should be buried wherever feasible in the rural Transition area.

Communications

Communications needs will vary within the rural transition neighborhoods, but upgrades to infrastructure need to be a key consideration for future development sites. Communications features will likely differ from all other areas of development since transportation and infrastructure improvement will be limited. Wireless towers should be located sensitively to minimize disruption to scenic viewsheds.

C. Open space

Park Types

Open spaces within rural Transition areas should emphasize interconnected greenway systems and preservation of environmentally sensitive lands, whether public or private. Where feasible, shared use/bicycle paths should be provided to create continuous recreational and alternative transportation connections as part of the larger Monroe county system. Opportunities for new county parks should be explored, as well as opportunities for land preservation by private non-profit organizations such as the Sycamore land Trust.

Agriculture

The rural Transition area provides an opportunity to support food production within the Urbanizing Area. Particular emphasis should be placed on encouraging small-scale, locally-operated farming operations such as hobby farms, community-Supported Agriculture (CSA), vineyards and orchards. These are vital elements of the local economy, and proximity to the City of Bloomington offers an opportunity to integrate these uses into the local farm-to-Table and farm-to-institution supply chains.

D. Public Realm Enhancements

Lighting

Roadway lighting should be avoided on rural roadways to preserve rural character and minimize light pollution, except where necessary for safety.

Street/Site furnishings

Street and site furnishings will be limited to public parks and greenways.

E. Development guidelines

Open Space

Development in the rural Transition area will typically not provide public open space but will be required to protect environmentally sensitive features as development occurs.

Parking ratios

Parking needs are typically minimal for rural businesses, and requirements should be flexible based on the specific use.

Site design

Subdivision of land along rural roadways should avoid creating “residential strips” that block scenic vistas and change the character of the roadway from rural to suburban. Building setbacks will vary based on topography, but will typically exceed 50 feet and may be much larger.

Building form

Simple building massings typical of rural places are encouraged.

Materials

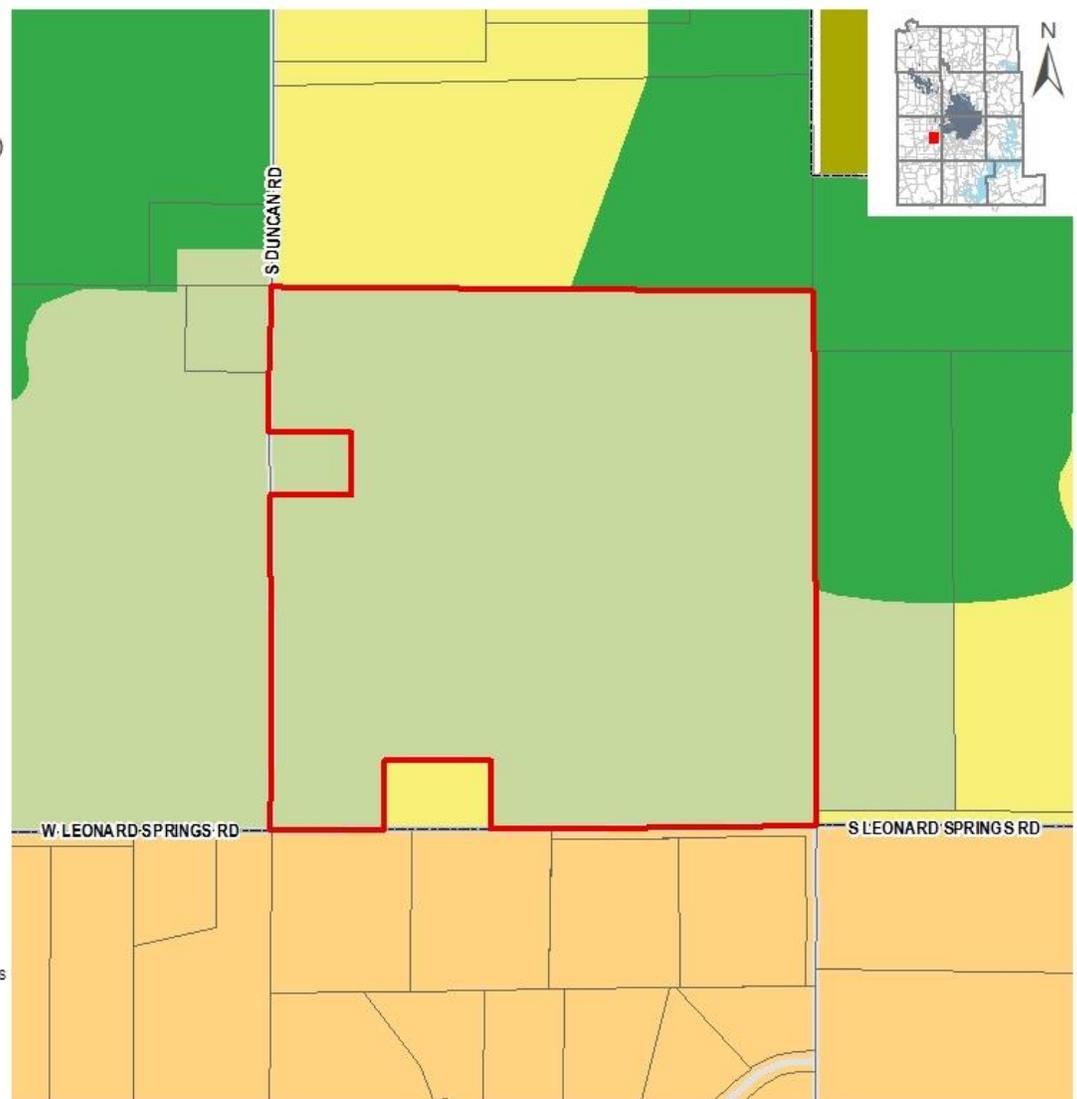
High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Rural development will typically require a lower degree of aesthetic scrutiny than is typical of higher density development areas; however, basic aesthetic standards should be met.

Private signs

residential development will typically not include signs, unless the residence is also operated as a business. Business signs will typically be ground-mounted monument-style or post-style signs and should be limited to no more than six feet in height. Signs should be secured to the ground and should not include changeable copy. Signs may be painted on barns in the manner of historic rural barn signs.

Comprehensive Plan

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



 Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

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 property is currently zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would create four (4) lots that meet the design standards for the zoning designation AG/RR;
- Approval of the subdivision would result in two 2.50 acre parcels, one 7.5 acre parcel, and a 24.48 acre parent parcel remainder lot (exclusive of dedicated right-of-way);
- The proposed use category for lots 1-4 is residential/agricultural;
- The property currently contains single family dwelling, two accessory buildings, and one agricultural structure;
- The Public Works Department has reviewed the driveways for this subdivision. Lot 1 shows a driveway location on the plat where a driveway permit has been proposed. Lot 2 has an existing driveway with a permit. Lot 3 will be sharing a driveway with Lot 4. Lot 4 has two driveways that will be removed and a new driveway will be shared with Lot 3;
- S Duncan Road is a local road with a 25 foot right-of-way dedication. W Leonard Springs Road is a major collector with a 35 foot right-of-way dedication;
- Lot 2, the designated Parent Parcel Remainder, shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is authorized by ordinance;
- The petitioner has agreed to remove or bury all overhead utilities located throughout the subdivision;
- The petitioner has requested a waiver from the requirement of Ch. 856-40, which requires sidewalk to be installed;
- The petitioner has requested a waiver from the requirement of Ch. 856-43, which requires street trees to be planted;
- The proposed lots have approved septic permits;
- The eight sinkholes on the site have been placed in conservancy areas;
- The MS4 Operator does not want sidewalk placed within any of the sinkhole conservancy areas, but is okay with street trees planted in SCAs;
- The petitioners have agreed to get rid of the existing two driveways on Lot 4 in order to put in a new shared drive for Lot 3 and 4 from W Leonard Springs Road;
- The petitioner is required to construct 4' wide sidewalks along the north side of W Leonard Springs Road and the east side of S Duncan Road (total of 0.3 miles excluding SCAs and two properties outside the Sliding Scale Subdivision) unless a sidewalk waiver is granted;

- (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 Urbanizing Area Plan designates the site as Rural Transition which supports low density residential development;
- See findings under Section A;

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

Findings

- The proposed use category for lots 1-4 is residential/agricultural;
- Lots 2 & 3 are currently vacant;
- Lot 4 contains a single family dwelling, and two accessory structures;
- Lot 2 contains one agricultural barn;
- The surrounding uses are residential or agricultural in nature;
- See findings under Section A;

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

Findings

- The property is currently zoned Agriculture/Rural Reserve (AG/RR);
- Adjacent properties are zoned AG/RR, Estate Residential (ER), and Estate Residential 1 (RE1).
- The property is within 0.1 miles to City of Bloomington jurisdiction;
- Sidewalks and street trees are required for this property since it is in the urbanizing area under the Monroe County Urbanizing Area Plan;
- Approval of the subdivision would create four (4) lots that meet the design standards for the zoning designation AG/RR;
- 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

- See findings under Sections A & C & D;

(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 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.

(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 SIDEWALK REQUIREMENT

The petitioner has requested a waiver from the *Improvement, Reservation and Design Standards* outlined in in 856-40 (A) (Sidewalks), which reads:

(A) Sidewalks shall be included within the dedicated, unpaved portions of the rights-of-way on both sides of all streets when any of the following are applicable:

- (1) the proposed subdivision has road frontage or the streets will connect with an existing or proposed subdivision or business development that has sidewalks, or;
- (2) a proposed major subdivision will be located within an area that is subject to the Business and Industrial Overlay as defined in Chapter 802 of the Zoning Ordinance, or;
- (3) the proposed subdivision is within the Urban Service boundary as shown in the comprehensive plan, or;**
- (4) the proposed subdivision is within a designated growth area in one of the Rural Communities as identified by the Comprehensive Plan, or;
- (5) the proposed subdivision has frontage on a street that provides direct access to destinations such as schools, recreational facilities, etc.

OR

a proposed subdivision is within 1 mile radius of destinations such as schools, recreational facilities, etc., or;

- (6) a proposed subdivision will result in the creation of at least five lots where any of the lots in the proposed subdivision are less than 2.5 acres in size.

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 site gains access from S Duncan Road and W Leonard Springs Road, a designated Local Road and Major Collector, respectively;
- The sidewalk improvements are due to the petition site being in the urbanizing area, and being less than 1 mile from Karst Farm Park and Leonard Springs Park;
- Sidewalks are not currently constructed in the right-of-way on W Leonard Springs Road;
- The closest sidewalk is along the Fullerton PIKE overpass, which is about a mile away from the property. The Clear Creek Trail is also nearby with plans for connectivity with the Fullerton PIKE overpass;
- The requirement is for sidewalks to be constructed within the right-of-way on the north frontage along W Leonard Springs Road and the east side of S Duncan Road, unless the waiver is granted;
- There are two sinkholes along the frontage of S Duncan and W Leonard Springs Road, which would be a physical constraint to the construction of sidewalks. There are also two property owners along S Duncan and W Leonard Springs that are outside of the sliding scale proposal;
- One property along S Duncan Road that is not part of the sliding scale proposal has a lot that is 400’ wide. Since they are not in the subdivision, it would cause a break in the sidewalk. There is also one property along W Leonard Springs Road that that is not part of the sliding scale proposal and would result in a 264’ wide break in the sidewalk;
- The total length of required sidewalk for which the waiver is requested is approximately 1584 +/- linear feet (0.3 miles) along the north side of W Leonard Springs Road and east side of S Duncan Road, exclusive of the sinkhole conservancy areas;
- W Leonard Springs Road is a major collector and does not currently provide safe pedestrian/bicyclist access in this area;
- S Duncan Road and W Leonard Springs Road are both designated as moderate priority road

improvement;

- 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:

- The Comprehensive Plan calls for an alternative transportation system throughout the county;
- The sidewalk improvement is required due to the petition site's location in the urbanizing area and the proximity to Karst Farm Park and Leonard Spring Park;
- S Duncan Road and W Leonard Springs Road are both designated as moderate priority road improvement by the Monroe County Transportation Alternatives Plan;
- Sidewalks can alleviate safety concerns for pedestrians and promote alternative modes of transportation that are consistent with the Comprehensive Plan and the Zoning Ordinance;
- The Urbanizing Area Plan states the following related to sidewalks in the Rural Transition areas:
 - Due to the low-density character and distance from destinations, travel by foot will be less common in rural Transition areas. However, bicycle travel should be encouraged. Opportunities to extend shared use/bicycle paths as part of a county-wide greenway system should be explored. Roadside paths may be appropriate in some cases, but care should be taken to preserve the scenic character of rural roadways. This can be accomplished through meandering alignments that provide space for landscape features such as mounding, fencing, limestone walls and naturalized plantings. Expansion opportunities for rural Transit routes should be explored to enhance accessibility of more remote areas.

- 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 presence of sidewalks does not have a relationship to the delivery of governmental services (e.g. water, fire protection, etc.) to facilitate the new building sites;
- Sidewalks can alleviate safety concerns for pedestrians and promote alternative modes of transportation;
- Sidewalks are required along S Duncan Road and W Leonard Springs Road, unless a waiver is granted;

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

Findings:

- The Monroe County Transportation Alternatives Plan has this area as a moderate priority road improvement for connectivity;
- There are two sinkholes and two properties outside of the sliding scale subdivision that would create a break in the sidewalks along the frontage of S Duncan and W Leonard Springs Road;
- The proposed use for Lots 1-4 is residential/agricultural;
- The property is close to the City of Bloomington jurisdiction and is part of the urbanizing area;

- 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 and #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.

FINDINGS OF FACT – WAIVER OF STREET TREE REQUIREMENT

The petitioner has requested a waiver from the *Preservation of Natural Features and Amenities* outlined in Ch. 856-43 (B) (Street Tree Requirement), which reads:

(B) As a requirement of final approval, the applicant shall plant and/or preserve trees on the property or the subdivision in accordance with the following:

(1) Street trees shall be planted or preserved within five (5) feet of the right-of-way of the street or streets within and abutting the subdivision, or at the discretion of the Plan Commission and the County Engineer, within the right-of-way of such streets. One tree shall be planted or preserved for every forty (40) feet of frontage along each street. Such trees shall be planted or preserved when any of the following are applicable:

- a. the proposed subdivision will connect with an existing or proposed subdivision or business development that has street trees, or has adjoining road frontage to a street that has street trees, or;
- b. a proposed major subdivision will be located within an area that is subject to the Business and Industrial Overlay as defined in Chapter 802 of the Zoning Ordinance, or;
- c. the proposed subdivision is within the Urban Service boundary as shown in the comprehensive plan, or;**
- d. the proposed subdivision is within a designated growth area in one of the Rural Communities as identified by the Comprehensive Plan, or
- e. a proposed subdivision will result in the creation of at least five lots where any of the lots in the proposed subdivision are less than 2.5 acres in size.

(2) Trees shall be planted or preserved on each proposed lot of a subdivision outside of the right-of-way in a location selected by the Subdivider. The number of trees planted or preserved shall be equivalent to one (1) tree for every forty (40) feet of frontage for the proposed lot. Such trees shall be planted or preserved for any subdivision not identified in 856-43 B (1) a-e, excluding any parcels created using the Administrative Subdivision procedure.

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 site gains access from S Duncan Road and W Leonard Springs Road, a designated Local Road and Major Collector, respectively;
- S Duncan Road is 18 feet wide and Leonard Springs Road is 21 feet wide;
- Street trees are required along the frontage of S Duncan and W Leonard Springs Road. Per Chapter 856-43(B)1, street trees must be planted or preserved every 40 feet along the 2,060 linear feet of frontage, which would be 52 trees total;
- Street trees can be planted in sinkhole conservancy areas (SCAs) as they help stabilize soil;

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 Section 1;

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:

- See findings under Section 1;

- 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 Section 1;

- 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:

- Since the property is on the corner of S Duncan and W Leonard Springs Road, there may some modification to the types of trees planted at the corner as to not impede site distance. This would be reviewed and approved by the Public Works Department;
- See findings under Section 1;

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

Findings:

- See findings under Section 1;

- 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 Section 1;

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

Findings:

- See findings under Section 1;

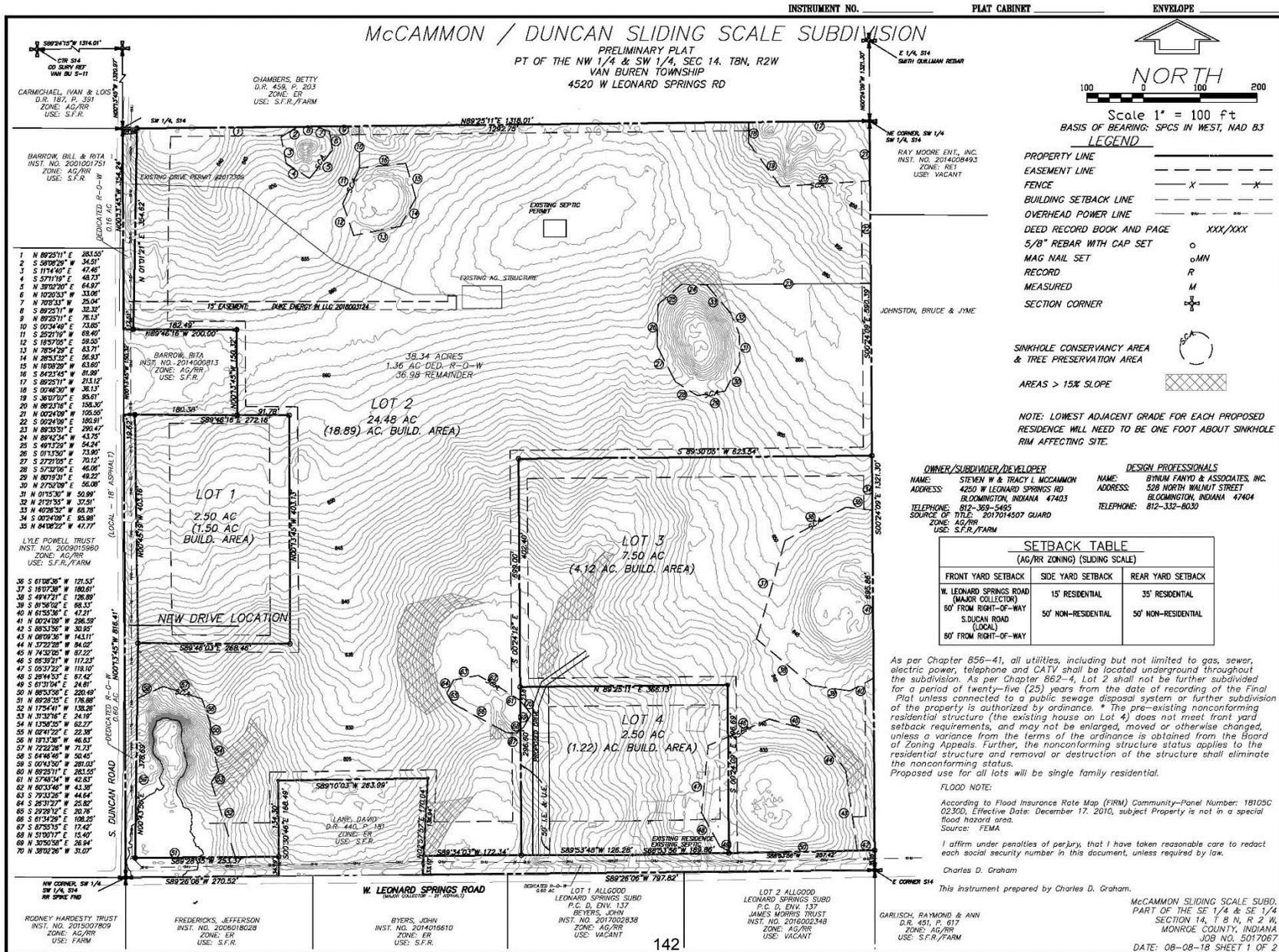
- 9. The practical difficulties cannot be overcome through reasonable design alternatives;**

Findings:

- See findings under Section 1;

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

EXHIBIT 1: McCammon Duncan Sliding Scale Subdivision Preliminary Plat – Pg 1 of 2



McCAMMON / DUNCAN SLIDING SCALE SUBDIVISION
 PRELIMINARY PLAT
 PT OF THE NW 1/4 & SW 1/4, SEC 14, T8N, R2W
 VAN BUREN TOWNSHIP
 4520 W LEONARD SPRINGS RD

INSTRUMENT NO. _____ PLAT CABINET _____ ENVELOPE _____



Scale 1" = 100 ft
 BASIS OF BEARING: SPCS IN WEST, NAD 83

LEGEND

PROPERTY LINE	---
EASEMENT LINE	- - - - -
FENCE	X X X X
BUILDING SETBACK LINE	---
OVERHEAD POWER LINE	---
DEED RECORD BOOK AND PAGE	XXX/XXX
5/8" REBAR WITH CAP SET	○
MAG NAIL SET	○ MN
RECORD	R
MEASURED	M
SECTION CORNER	+

SINKHOLE CONSERVANCY AREA & TREE PRESERVATION AREA
 AREAS > 15% SLOPE

NOTE: LOWEST ADJACENT GRADE FOR EACH PROPOSED RESIDENCE WILL NEED TO BE ONE FOOT ABOUT SINKHOLE RIM AFFECTING SITE.

OWNER/SUBDIVIDER/DEVELOPER
 NAME: STEVEN W & TRACY L MCCAMMON
 ADDRESS: 4250 W LEONARD SPRINGS RD, BLOOMINGTON, INDIANA 47403
 TELEPHONE: 812-369-5465
 SOURCE OF TITLE: 2017014507 GUARD
 ZONE: AG/RR
 USE: S.F.R./FARM

DESIGN PROFESSIONALS
 NAME: BYNUM FANYO & ASSOCIATES, INC.
 ADDRESS: 528 NORTH WALNUT STREET, BLOOMINGTON, INDIANA 47404
 TELEPHONE: 812-332-6030

SETBACK TABLE
 (AG/RR ZONING) (SLIDING SCALE)

FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK
W LEONARD SPRINGS ROAD (MAJOR COLLECTOR)	15' RESIDENTIAL	35' RESIDENTIAL
80' FROM RIGHT-OF-WAY S/DUNCAN ROAD (LOCAL)	50' NON-RESIDENTIAL	50' NON-RESIDENTIAL
80' FROM RIGHT-OF-WAY		

As per Chapter 856-41, all utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision. As per Chapter 862-4, Lot 2 shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is authorized by ordinance. * The pre-existing nonconforming residential structure (the existing house on Lot 4) does not meet front yard setback requirements, and may not be enlarged, moved or otherwise changed, unless a variance from the terms of the ordinance is obtained from the Board of Zoning Appeals. Further, the nonconforming structure status applies to the residential structure and removal or destruction of the structure shall eliminate the nonconforming status. Proposed use for all lots will be single family residential.

FLOOD NOTE:
 According to Flood Insurance Rate Map (FIRM) Community-Panel Number: 1810SC 0235D, Effective Date: December 17, 2010, subject Property is not in a special flood hazard area.
 Source: FEMA

I affirm under penalties of perjury, that I have taken reasonable care to reduce each social security number in this document, unless required by law.
 Charles D. Graham

This instrument prepared by Charles D. Graham.

MCCAMMON, SLIDING SCALE SUBD.
 PART OF THE SE 1/4 & SW 1/4 SECTION 14, T 8 N, R 2 W,
 MONROE COUNTY, INDIANA
 JOB NO. 5017067
 DATE: 08-08-18 SHEET 1 OF 2

EXHIBIT 1: McCammon Duncan Sliding Scale Subdivision Preliminary Plat – Pg 2 of 2

INSTRUMENT NO. _____ PLAT CABINET _____ ENVELOPE _____

MCCAMMON / DUNCAN SLIDING SCALE SUBDIVISION

PRELIMINARY PLAT
PT OF THE NW 1/4 & SW 1/4, SEC 14, T8N, R2W
VAN BUREN TOWNSHIP
4520 W LEONARD SPRINGS RD

We, Steven W and Tracy L McCammon, the owner of the real estate described below, certify that I have subdivided and platted it according to this plat.

This subdivision is called MCCAMMON SLIDING SCALE SUBDIVISION, an addition to Monroe County, Indiana, and consists of 4 lots numbered 1-4. The streets and alleys shown, as far as they have not already been so dedicated, are dedicated to the public.

Front, rear and side yard setback lines are established as shown on the plat. Between them and the property lines of the adjacent streets no building or other structure shall be erected or maintained.

The strips of ground that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines and wires. Buildings or other structures shall not be erected or maintained on these strips.

Signed and Sealed this _____ day of _____, 20____

BY: _____ BY: _____
Signed Printed

Office _____

STATE OF INDIANA }
COUNTY OF MONROE } SS:

Before me, the undersigned Notary Public, in and for the said County and State, personally appeared Steven W McCammon and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and seal this _____ day of _____, 20____

County of Residence _____ Commission Expires _____

Notary Public Signature _____ Notary Public Printed _____

Signed and Sealed this _____ day of _____, 20____

BY: _____ BY: _____
Signed Printed

Office _____

STATE OF INDIANA }
COUNTY OF MONROE } SS:

Before me, the undersigned Notary Public, in and for the said County and State, personally appeared Tracy L McCammon and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and seal this _____ day of _____, 20____

County of Residence _____ Commission Expires _____

Notary Public Signature _____ Notary Public Printed _____

ZONING NOTE:

Subject property and the adjoiners shown on the survey drawing are all zoned as Agricultural / Rural Reserve (AG/RR) or Estate Residential (ER) as noted on plat.

As per Chapter 862-4 A, Lot 2 shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is authorized by ordinance.

According to Indiana Administrative Code (865 IAC 12-12), the following is the theory of location applied in establishing the lines established this survey:

A. Monuments found and referenced at County Surveyor's Office held to be controlling monuments:

- i. Southwest corner Section 14, County Surveyor's reference Van Bu U-13.
- ii. Center of Section 14, County Surveyor's reference Van Bu S-11.

B. PLSS Monuments found and not referenced at County Surveyor's Office held to be controlling monuments:

- i. The Southwest corner of the Southeast 1/4, Southeast 1/4 Section 14, Rail road spike found.
- ii. East 1/4 corner Section 14, Smooth Quillman near found.

The Northeast corner of the Southeast 1/4, Southeast 1/4 was established by proportionate measurement between Southwest corner and East 1/4 corner as cited above.
The South 1/4 Section 27 was established by proportionate measurement between Southwest corner

The Northwest corner of the Southeast 1/4, Southeast 1/4 was established by proportionate measurement between Southwest corner and proportionate measurement between center of Section and East 1/4 as cited above.

The North and South lines of 'Borrow' parcel were projected through existing fence posts at called distances.

The East and West lines of 'Lane' parcel were projected through existing fence posts at called distances.

According to Indiana Administrative Code (865 IAC 12-12), the following is the uncertainty of locations in the lines and corners established this survey:

A. Availability and condition of reference monuments.

1. May spike (toing 3.2' Southeast of Northwest corner of 1/4, 1/4 section as constructed this survey.
2. Uncertainty due to accepting fence posts for position of lines of 'Borrow' and 'Lane' parcels = 1 foot.

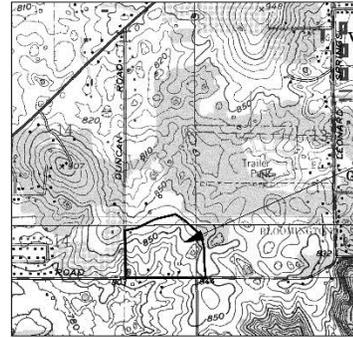
B. Occupation or possession lines

1. No occupation or possession in conflict with lines established this survey.

C. Clarity or ambiguity of record description and adjoiners' record descriptions.

1. No uncertainty due to clarity or ambiguity noted this survey, all outside of 1/4, 1/4 Section.

D. Relative positional accuracy of the measurements is 0.13 feet (40mm) +/- 100 ppm, consistent with a 'Suburban Survey' as defined by Indiana Code.



Under the authority of Chapter 174, Acts of 1947, as amended, General Assembly of the State of Indiana, and Monroe County Subdivision Control Ordinance, this plat was approved by the Monroe County Plan Commission at a meeting held _____, 20____.

This parcel was created through the Sliding Scale Subdivision procedure and approved

MONROE COUNTY PLAN COMMISSION

PRESIDENT - SUSIE JOHNSON

SECRETARY - LARRY WILSON

Evidence of easements has not been located in the field and is not shown on the survey drawing. This certification does not take into consideration additional facts an accurate and correct title search and/or examination might disclose. Subject to the above reservations, I hereby certify that the survey work on the project shown hereon was performed by me or under my direct supervision and control, and that all information shown is true and correct to the best of my knowledge and belief. I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on _____, October 27th, 2018 and that the monuments shown on it exist; and that their locations, sizes, types, and materials are accurately shown.

Certification:

I certify that the survey as shown by plat was performed wholly under the direction of myself, a registered land surveyor in the State of Indiana, and to the best of my belief and knowledge was executed according to 865 IAC 1-12.

Charles D. Graham

Charles D. Graham
Indiana L.S. 29500014
Bynum Fanyo & Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404-3804
812-332-8030



MCCAMMON SLIDING SCALE SUBD.
PART OF THE SE 1/4 & SW 1/4
SECTION 14, T 8 N, R 2 W,
MONROE COUNTY, INDIANA
JOB NO. 5017057
DATE: 08-07-18 SHEET 2 OF 2

PREPARED BY BYNUM FANYO & ASSOCIATES INC. 528 N. WALNUT ST. BLOOMINGTON, IN. 47404

EXHIBIT 2: Petitioner Findings of Fact

Jacqueline Nester

From: Doug Graham <dgraham@bynumfanyo.com>
Sent: Tuesday, August 07, 2018 5:02 PM
To: Jacqueline Nester
Subject: FW: sidewalks

Jackie,

Got this fro Keith Kline's office. Another note RE street trees

- Tree preservation areas lest in Sinkhole Conservancy Areas.

From: Donna Mitchell [mailto:ksdonnamitchell@yahoo.com]
Sent: Tuesday, August 07, 2018 1:18 PM
To: Doug Graham
Subject: sidewalks

Doug:

It is the McCammon family's opinion that putting the sidewalks on the property in sections does not seem reasonable due to the karst areas that would not allow them to have sidewalks that connect, as well as considering the other properties adjacent. They also feel that several mature trees could be damaged through the process. They also feel that it would not be a safe situation to piece work the sidewalks around these karst areas.

Donna Mitchell
for: Keith Kline
K & S Rolloff/K & S Hauling
4810 W St Rd 45
Bloomington, IN 47403
812-825-5000
812-825-4047 FAX

PLANNER Jordan Yanke
CASE NUMBER 1807-SMN-03 Polley Minor Subdivision
PETITIONER Carson Polley c/o Bynum Fanyo & Associates, Inc.
ADDRESS 6126 N Tunnel RD
REQUEST Preliminary Plat to Subdivide (1) Parcel into (4) Parcels and Includes a Waiver Request for Sidewalks
ZONE Forest Reserve (FR)
ACRES 82.42 acres +/-
TOWNSHIP Benton South
SECTION 5
COMP PLAN DESIGNATION Farm and Forest

EXHIBITS

1. Petitioner Letter/Waiver Request
2. Preliminary Plat
3. Proof of Capacity Letters

RECOMMENDATION

Approve the Minor Subdivision Preliminary Plat, based on the findings of fact and subject to the Monroe County Public Works Department reports.

Approve the Sidewalk Waiver request, based on the findings of fact and subject to the Monroe County Public Works Department reports.

PLAT COMMITTEE

The Plat Committee heard the petition at its regular meeting on August 16, 2018, and gave a positive recommendation by a vote of 3-0 to approve the Minor Subdivision and Sidewalk Waiver request.

BACKGROUND/DISCUSSION

The petition site is an 82.42 +/- acre parcel located in Benton South Township and is currently vacant with exception to an uninhabitable structure. The parcel maintains frontage along N Tunnel Road and also gains access by it. The frontage distance is approximately 830 feet.

The site is currently zoned Forest Reserve (FR). The petitioner is proposing to subdivide one (1) parcel into four (4) parcels. Each proposed parcel meets all design standards within the Monroe County Zoning Ordinance for the Forest Reserve (FR) Zoning District. The proposed acreage for the each lot is as follows:

- Lot 1 (10.12 acres)
- Lot 2 (11.86 acres)
- Lot 3 (10.04 acres)
- Lot 4 (49.74 acres)

The proposed lots will be served by private septic systems. The lots will be provided electric service by SCI REMC and water by B&B Water. The lots will be accessed via a private drive within the 50 foot ingress, egress, and utility easement shown on the proposed plat (see Exhibit 2).

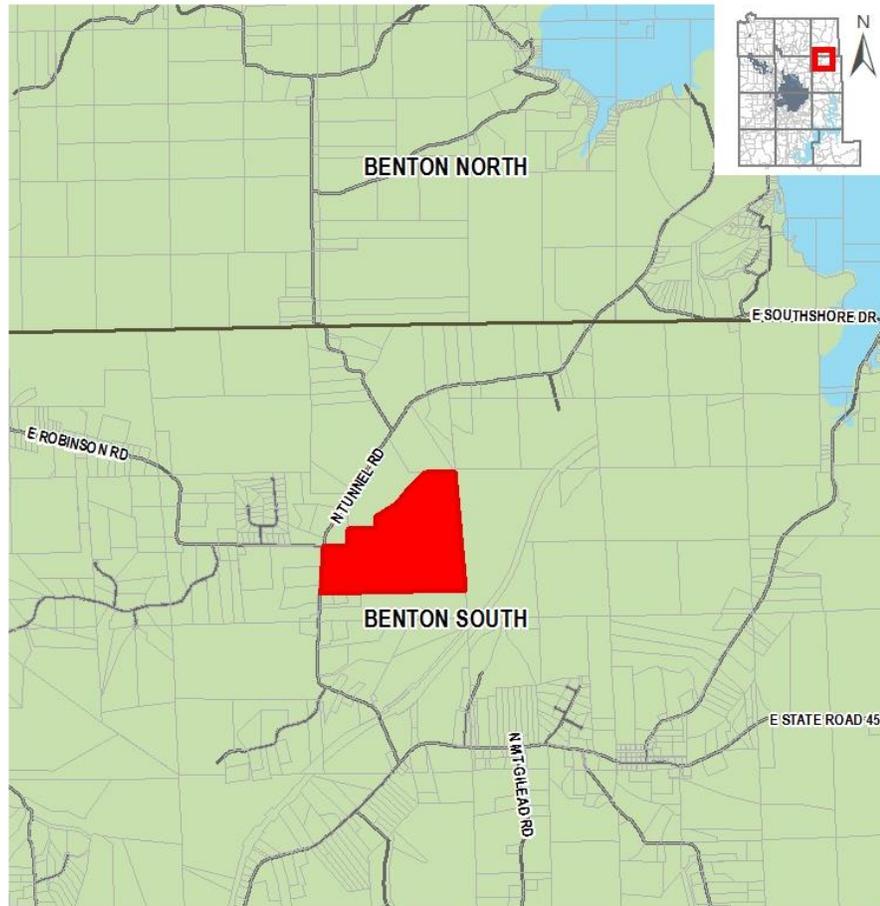
The petitioner's property is located within one (1) mile of a school (Unionville Elementary), thus requiring the petitioner to construct sidewalks within the dedicated right-of-way along N Tunnel Road, unless the requirement is waived. That being said, the petitioner has requested a waiver from the Improvement, Reservation and Design Standards outlined in 856-40 (Sidewalks). There are no properties adjacent to the petition site that currently contain sidewalks.

LOCATION MAP

The parcel is located at 6126 N Tunnel Road in Section 5 of Benton South Township. The property maintains frontage along N Tunnel Road, a public road classified as a Major Collector in the Monroe County Thoroughfare Plan.

Location Map

-  Petitioner
-  Townships
-  Roads
-  Parcels
-  Lakes



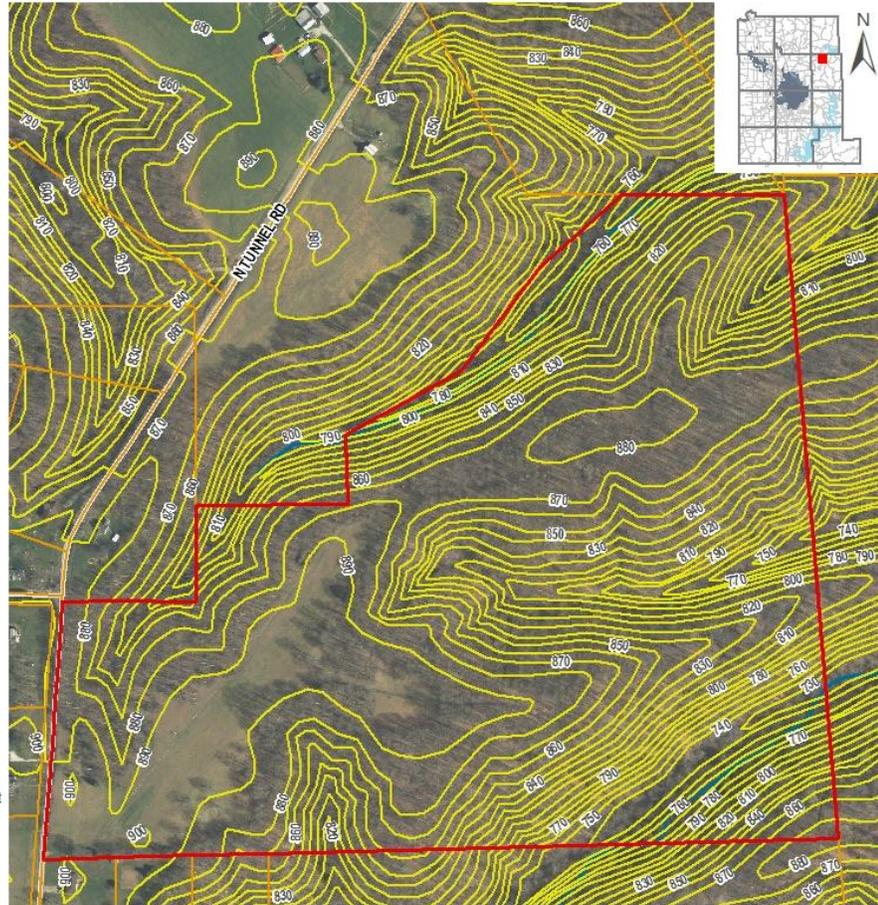
Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

SITE CONDITIONS

The property is currently vacant with exception to an uninhabitable structure. The property has a substantial amount of Buildable Area (see Exhibit 2). There is no floodplain and no known karst features on the petition site.

Site Conditions Map

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



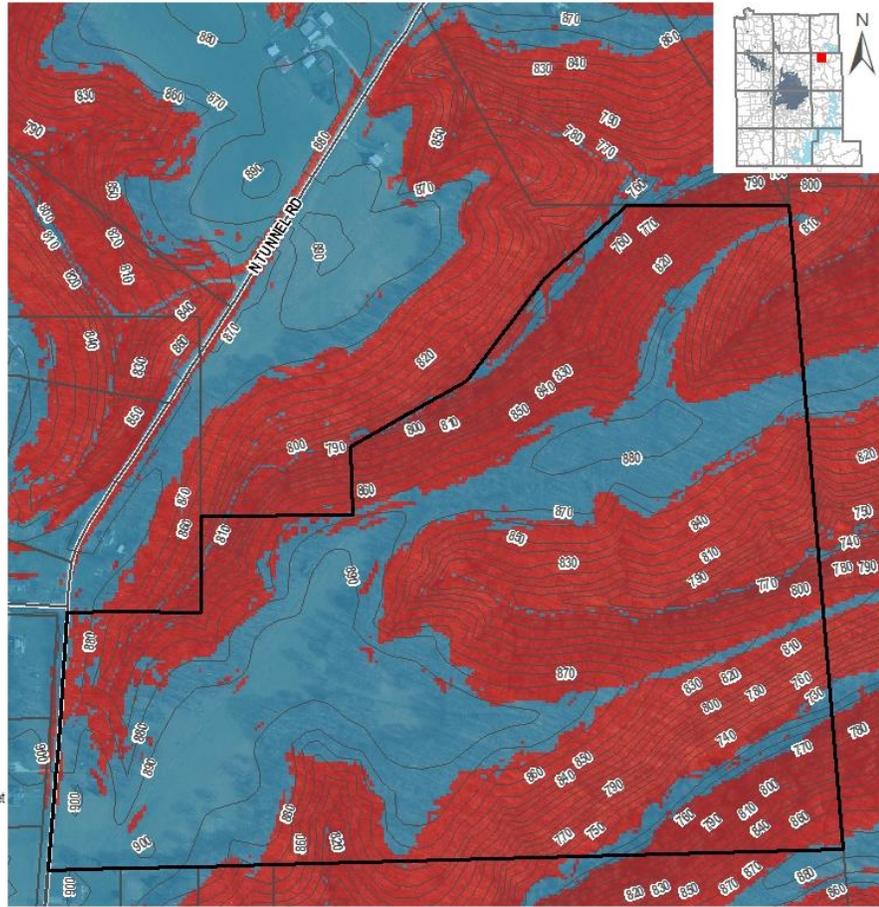
0 205 410 820 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

Slope Map

-  Petitioner
-  Parcels
-  10-Foot Contours
-  Roads
- Percent Slope (2010)**
 -  0 - 15
 -  > 15



0 105 210 420 630 840 Feet

 Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/6/2018

SITE PHOTOS



Figure 1: View of petition site's frontage (on right) along N Tunnel Road. Photo facing north.



Figure 2: View from petition site's southwestern corner near the proposed driveway entrance to the lots. Photo facing south.



Figure 3: View of petition site at the proposed driveway entrance off N Tunnel Road. Photo facing east.



Figure 4: View of petition site's frontage along N Tunnel Road. This photo shows the location (on right) where the sidewalk would need to be constructed if the waiver request is not approved. Photo facing north.



Figure 5: View of petition site's frontage along N Tunnel Road. This photo shows the location (on left) where the sidewalk would need to be constructed if the waiver request is not approved. Photo facing south.



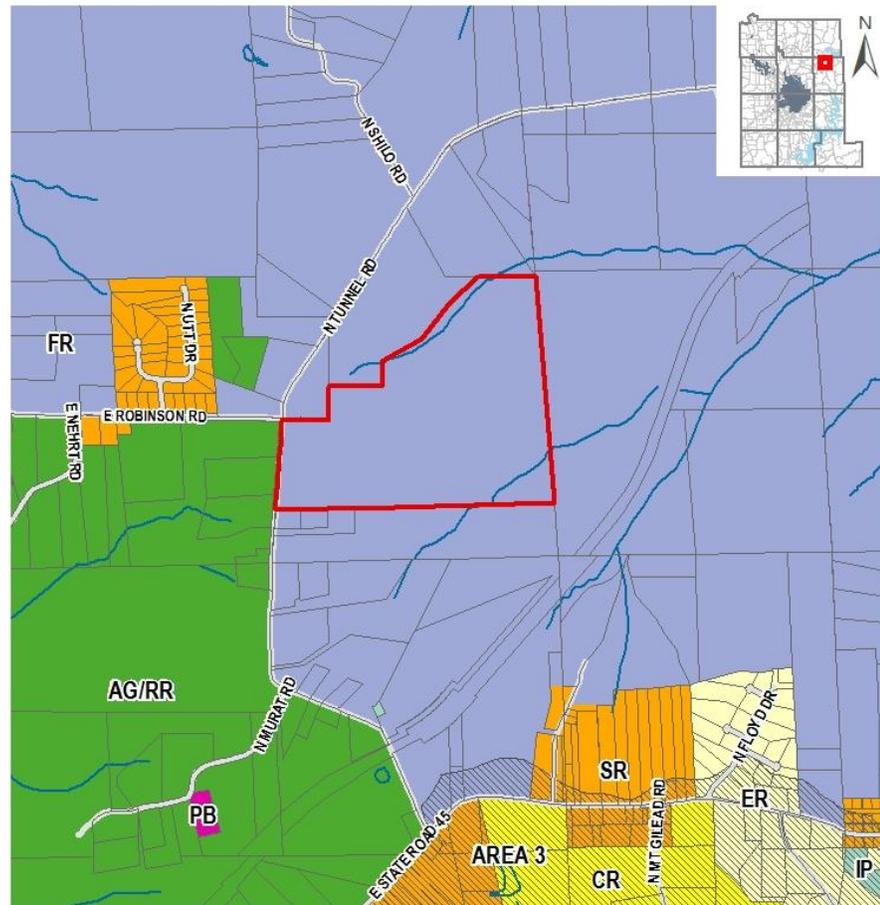
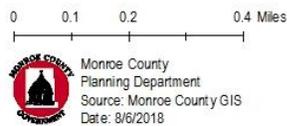
Figure 6: Aerial image of the petition site, facing north.

ADJACENT USES / ZONING

The property is zoned Forest Reserve (FR). Adjoining properties are zoned Forest Reserve (FR) and Agriculture/Rural Reserve (AG/RR). Nearby uses are primarily residential.

Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- ECO Areas**
-  Area 3
- Monroe County Zoning**
-  AG/RR - Agriculture/Rural Reserve
-  CR - Conservation Residential
-  ER - Estate Residential
-  FR - Forest Reserve
-  IP - Institutional/Public
-  PB - Pre-Existing Business
-  SR - Suburban Residential



INFRASTRUCTURE AND ACCESS

The parcel maintains frontage along N Tunnel Road (Major Collector). Right-of-way dedication is required when subdividing, meaning right-of-way will be dedicated along N Tunnel Road.

Each proposed lot in the subdivision will be served by private septic systems and a shared driveway via a 50 foot ingress, egress, and utility easement. The petitioner has submitted proof of capacity letters for the proposed subdivision from SCI REMIC and B&B Water.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the Farm and Forest Comprehensive Plan designation which states:

Farm and Forest Residential

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

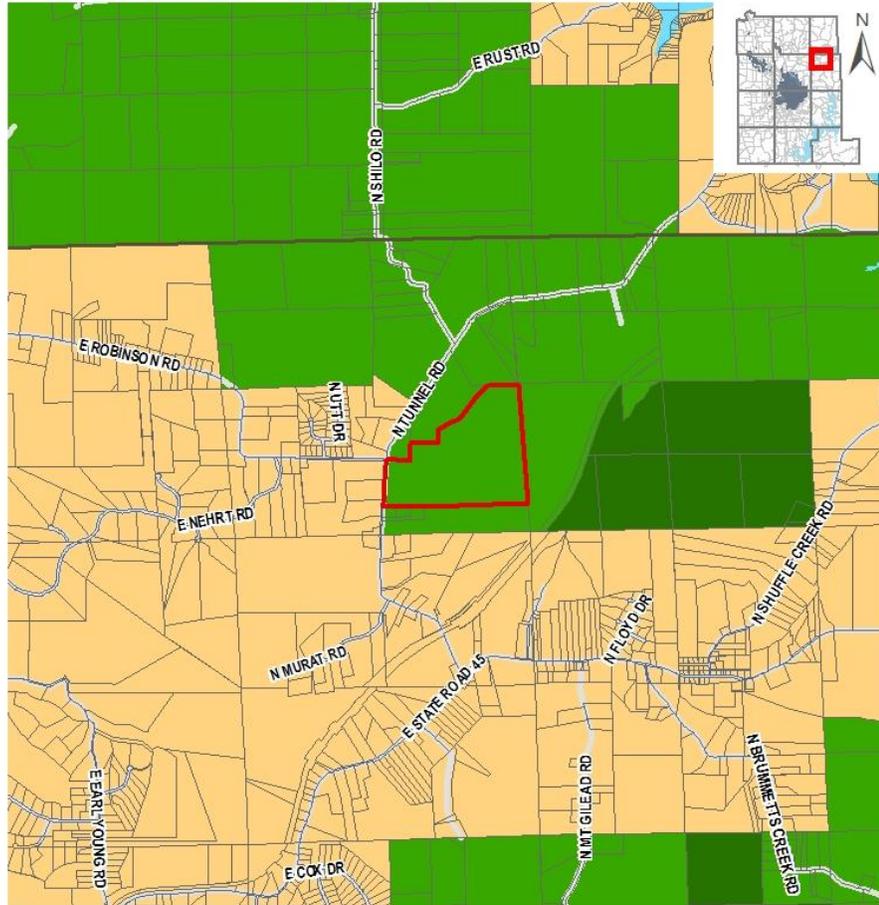
In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

Comprehensive Plan

-  Petitioner
-  Townships
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  Farm and Forest
-  Managed Lands
-  Rural Residential
-  Water



0 0.2 0.4 0.8 Miles



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 8/6/2018

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 Forest Reserve (FR);
- Approval of the subdivision would create four (4) lots that exceed the minimum lot size requirement for the Forest Reserve (FR) Zoning Designation;
- Approval of the subdivision would result in a 10.12 acre parcel, a 11.86 acre parcel, a 10.04 acre parcel, and a 49.74 acre parcel;
- The proposed use in the subdivision is residential;
- Each lot will be served by a private septic system and be accessed via a 50 foot ingress, egress, and utility easement;
- The lots have been issued capacity letters by SCI REMC and B&B Water;
- Sidewalks are required due to the proposed subdivision's location within one (1) mile of a school (Unionville Elementary);

(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

- See findings under Section (A);
- The Comprehensive Plan designates the site as Farm and Forest, which is described in this report;
- The 2018 Monroe County Transportation Alternatives Plan does not list the segment of N Tunnel Road that the petition site fronts as a Road Improvement Opportunity, which is defined as:
 - *A Road Improvement Opportunity is a transportation alternatives opportunity within the road right-of-way for continuity of the multimodal network.*

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

Findings

- See findings under Section (A);
- Lot 1, Lot 2, and Lot 3, as shown on the proposed plat, are currently vacant;
- Lot 4, as shown on the proposed plat, currently contains an uninhabitable structure;
- The surrounding uses are primarily agricultural and residential in nature;
- The property maintains frontage along N Tunnel Road;
- The proposed subdivision is meeting the Monroe County Zoning Ordinance's Buildable Area requirement;

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

Findings

- See findings under Section (A);
- The adjoining properties are zoned Forest Reserve (FR) and Agriculture/Rural Reserve (AG/RR);
N Tunnel Road is classified as a Major Collector per the Monroe County Thoroughfare Plan;

- (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

- See findings under Sections (A), (C), and (D);
- A sidewalk waiver has been requested by the petitioner. The ordinance requires that a sidewalk be constructed within the right-of-way along N Tunnel Road, unless the waiver is granted;
- There are no known karst features on the property;
- There is no floodplain on the property;

- (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 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 the parcel. The petitioner has provided staff with a copy the recorded deed of the petition site;

- (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 SIDEWALK REQUIREMENT

The petitioner is requesting a waiver from the *Improvement, Reservation and Design Standards* outlined in 856-40 (A) (Sidewalks), which reads:

- (A) Sidewalks shall be included within the dedicated, unpaved portions of the rights-of-way when any of the following are applicable:
 - (5) the proposed subdivision has frontage on a street that provides direct access to destinations such as schools, recreational facilities, etc.
- OR
- a proposed subdivision is within 1 mile radius of destinations such as schools, recreational facilities, etc.;

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 sidewalk improvements are required due to the petition site meeting the criteria described in 856-40 (A) (5) above;
- The site gains access from N Tunnel Road, designated a Major Collector in the Monroe County Thoroughfare Plan;
- Sidewalks do not currently exist adjacent to the petition site in either direction;
- The requirement is that sidewalks be constructed within the right-of-way along the petition site’s frontage of N Tunnel Road, unless the waiver is granted;
- There are existing physical constraints, including steep slopes and vegetation, where the sidewalk would be required along N Tunnel Road;
- The total length of required sidewalk for which the waiver is requested is approximately 800 +/- linear feet;
- The petitioner has provided findings, stating:
 - *“The southeast corner of the subject property (82.42 acres) does fall within the 1 mile radius of Unionville School (0.9 mile) in a straight line but is over 1.50 miles along the existing roads. Along the Tunnel Road right-of-way of the subject property’s topography would prohibit construction of a useful and beneficial sidewalk due to the slope restrictions, existing utilities, and existing wooded area. There are no other sidewalks between the subject property and the school.”*;

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 Section (1);
- The Comprehensive Plan calls for transportation alternatives throughout Monroe County;
- The 2018 Monroe County Transportation Alternatives Plan does not list the segment of N Tunnel Road that the petition site fronts as a Road Improvement Opportunity;

- 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:

- See finding under Sections (1) and (2);
- The absence of a sidewalk would not have a detrimental relationship to the delivery of governmental services (e.g. water, fire protection, etc.) to the proposed subdivision lots;

- 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 Sections (1), (2), and (3);
- Approval of the waiver would not substantially alter the essential character of the neighborhood., as there are no sidewalks that exist near the petition site and the proposed subdivision would only create three (3) additional single-family residences;

- 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 Section (1);

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

Findings:

- See findings under Sections (1), (2), and (3);
- Granting the requested modification would not contravene the policies and purposes of these regulations;

- 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 Sections (1), (2), and (3);
- The requested modification is necessary to ensure that substantial justice is done and represent the minimum modification necessary;

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

Findings:

- See findings under Sections (1) and (7);
- The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant;

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

Findings:

- See findings under Section (1);

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

EXHIBIT 1: Petitioner Letter/Waiver Request



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

July 5, 2018
Monroe County Planning Department
403 N. Morton Street
Bloomington, IN 47403

RE: Polley Minor Subdivision – N. Tunnel Road

Dear Planning Department:

Our client, Carson and Lindsay Polley, respectfully request a waiver from the sidewalk requirements.

The southeast corner of the subject property (82.42 acres) does fall within the 1 mile radius of Unionville School (0.9 mile) in a straight line but is over 1.50 miles along the existing roads. Along the Tunnel Road right-of-way of the subject property's topography would prohibit construction of a useful and beneficial sidewalk due to the slope restrictions, existing utilities and existing wooded area. There are no other sidewalks between the subject property and the school.

Sincerely,

Jay Floyd
Survey Manager
Bynum Fanyo & Associates, Inc.

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JUL 05 2018
MONROE COUNTY PLANNING

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

EXHIBIT 3: Proof of Capacity Letters



July 5, 2018

To Whom It May Concern:

South Central Indiana REMC has power available to serve a residence located on 6126 North Tunnel Rd, Bloomington, Indiana, in Monroe County, Benton Township.

If you have any questions please feel free to call. I am in the office 7:30a-4:00p, Monday-Friday.

Sincerely,

Heidi Derringer
Administrative Assistant

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South Central Indiana Rural Electric Membership Corporation: Member-Owned and -Operated since 1939
300 Morton Avenue | Martinsville, IN 46151 | (765) 342-3344 | (800) 264-7362 | sciremc.com

**B&B Water
6023 East State Road 45
Bloomington, Indiana 47408
812-336-7644**

June 21, 2018

To Whom It May Concern:

B&B Water currently has the capacity available to provide three meters for the proposed Polley Minor Subdivision on Tunnel Road. We can guarantee this availability for one year, after which time we will need to reassess our ability to provide it.

Please contact me at 812-334-9960 or dsharp@sharpdesigns.net if you have further questions.

Sincerely,

David Sharp
Secretary, B&B Water Board

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