

# **MONROE COUNTY PLAT COMMITTEE**



**August 15, 2019  
4:00 pm**

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

**A G E N D A**  
**MONROE COUNTY PLAT COMMITTEE**  
North Showers Building, 501 N. Morton Street, Room 224, Bloomington, IN  
August 15, 2019  
**4:00 pm**

**REGULAR MEETING**

**OLD BUSINESS:**

- 1. 1905-SMN-03      Flowers Minor Subdivision Preliminary Plat.      PAGE 4**  
**Utility Waiver requested.**  
**Plat Committee Decision.**  
Two (2) parcels on 130.7 acres +/- in Benton North Township, Section 32 at 7095 N Shilo RD.  
**Zoned AG/RR.**
- 2. 1906-SSS-10      The Ridge Sliding Scale Subdivision Preliminary Plat.      PAGE 17**  
**Plat Committee Decision.**  
Two (2) parcels on 60.82 acres +/- in Salt Creek Township, Section 17 at 3445 S Knightridge RD.  
**Zoned FR.**

**NEW BUSINESS:**

- 1. 1906-SMN-05      Gallagher Minor Subdivision Preliminary Plat.      PAGE 37**  
**Plat Committee Decision.**  
Four (4) parcels on 54.93 acres +/- in Bean Blossom Township, Section 36 at 53-03-36-100-012.000-001.  
**Zoned AG/RR.**
- 2. 1906-SPP-01      Southern Meadows Major Subdivision Preliminary Plat.      PAGE 54**  
**Plat Vacation Requested.**  
**Plat Committee Recommendation.**  
One hundred (100) parcels on 39.1 +/- acres in Sections 20 & 21 of Perry Township at S Rogers ST and S College DR (Parcel #s: 53-08-20-100-055.002-008 & 53-08-21-200-108.002-008).  
**Zoned RS3.5/PRO6, RE1, & PUD.**
- 3. 1907-SPP-02      ABB Major Subdivision Preliminary Plat.      PAGE 101**  
**Street Tree Waiver Requested.**  
**Plat Committee Recommendation.**  
Sixteen (16) parcels on 69.1 acres +/- in Richland Township, Section 36 at 300 N Curry Pike.  
**Zoned IG.**

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

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

**MONROE COUNTY PLAT COMMITTEE****July 18, 2019**

**PLANNER** Tammy Behrman  
**CASE NUMBER** 1905-SMN-03 Flowers Minor Subdivision Preliminary Plat  
o Utility Waiver  
**PETITIONER** Roxanne E Flowers Revocable Trust c/o Deckard Land Survey  
**ADDRESS** 7095 N Shilo RD  
**REQUEST** Preliminary Plat to Subdivide (1) Parcels into (2) Lots  
**ZONE** Forest Reserve (FR)  
**ACRES** 130.7 acres +/-  
**TOWNSHIP** Benton North  
**SECTION** 32  
**PLAT** n/a  
**COMP PLAN**  
**DESIGNATION** Farm and Forest

**EXHIBITS**

1. Preliminary Plat

**RECOMMENDATION**

**Approve** the Minor Subdivision Preliminary Plat and utility waiver, based on the findings of fact, subject to the Monroe County Public Works Department Reports with one condition:

1. Submit capacity letters for electric and water for the proposed Lot 2;

**BACKGROUND/DISCUSSION**

The petition site totals 130.7 +/- acres. The petitioner is proposing to create one 25.78 acre (Lot 1) for the existing residence and the remaining 106.10 acres (Lot 2) to be used for single family residential purposes. There are no waivers being requested for this petition. Each proposed lot meets all design standards within the Monroe County Zoning Ordinance for the Forest Reserve (FR) Zoning District.

**LOCATION MAP**

The site is located at 7095 N Shilo RD in Section 32 of Benton North Township.

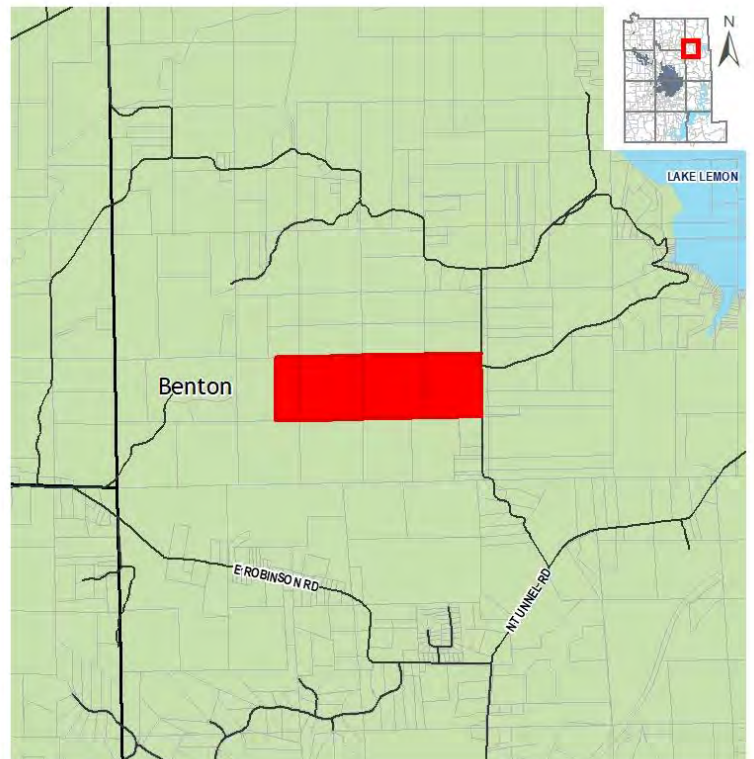
**Location Map**

- Petitioner
- Roads
- Civil (Political) Townships
- Lakes
- Parcels

0 0.2 0.4 0.8 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 6/24/2019



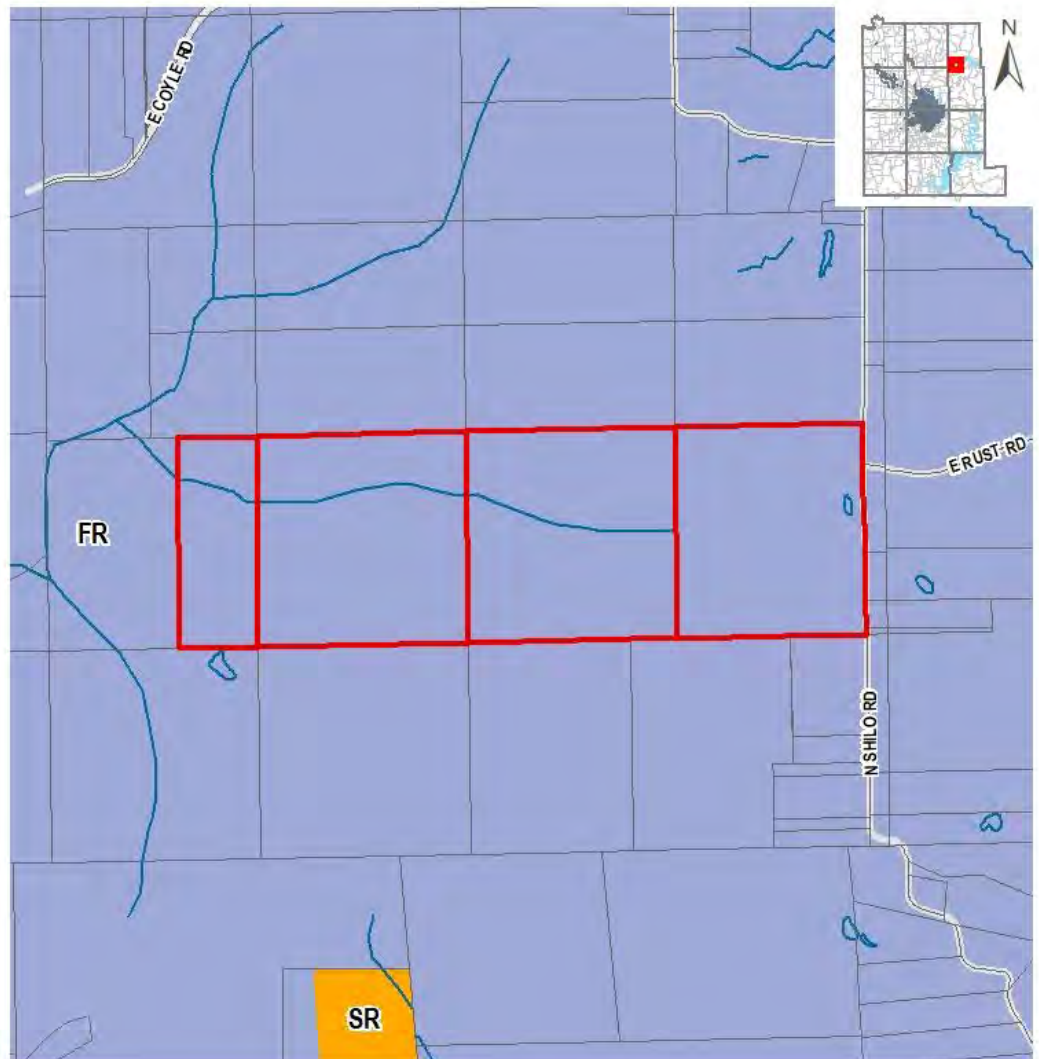
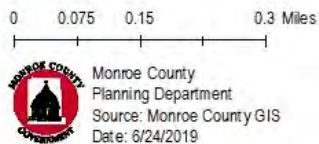


## ADJACENT USES / ZONING

The property is zoned Forest Reserve (FR). Adjoining properties are zoned Forest Reserve (FR). Nearby uses are primarily residential and agricultural/forest.

### Current Zoning Map

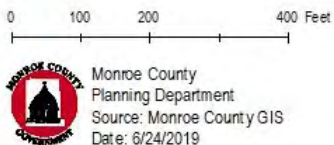
-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
-  FR - Forest Reserve
-  SR - Suburban Residential



## SITE CONDITIONS




The site has one primary residence (1980), pole barn and small shed. The majority of the site is forested land. The property has areas of slopes less than 15 percent classifying it as Buildable Area (see Exhibit 1). There are no visible karst features on the property. There is no FEMA floodplain on the petition site. The site drains to the west into Bean Blossom Creek.

### Site Conditions Map





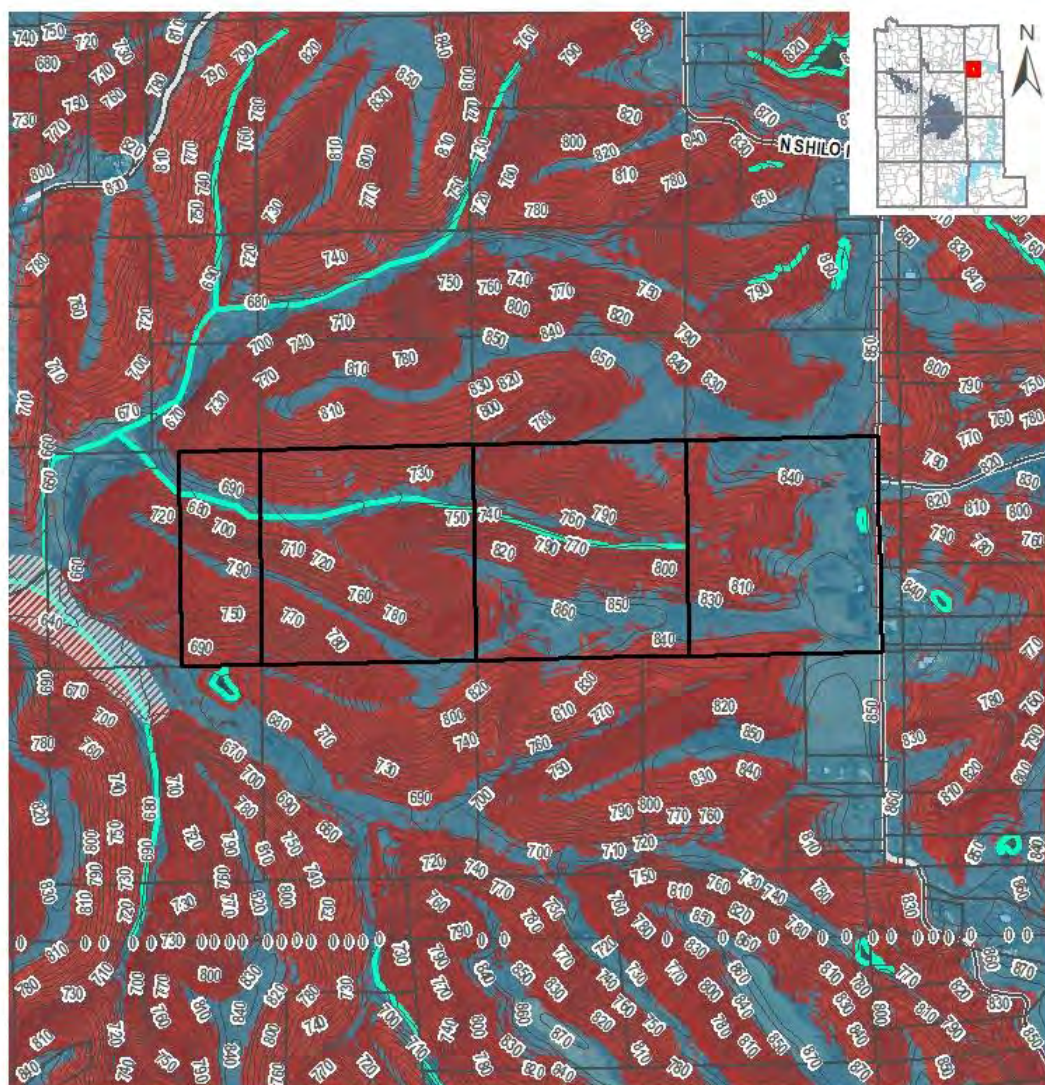
## Slope Map

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

0 212.5 425 850 1,275 1,700 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 6/24/2019



## INFRASTRUCTURE

Lot 1 has an existing septic permit on file that was recently inspected #6742. Lot 2 has a septic permit #21954 on file. Driveway permits have been submitted and are pending approval per the Highway Department.

Sidewalks were not required. There is a note on the plat to bury all utilities as required under 856-41. There is a tree preservation area on the north-central-most portion of the petition site for the street tree requirement.

The right of way dedication will be 25' due to the Local Road status provided by the Monroe County Thoroughfare Plan.

## SITE PHOTOS



Figure 1. Facing south: view of the existing driveway for Lot 1. The driveway for Lot 2 is at the crest of the hill in the background.



Figure 2. Facing north: view of the residence on Lot 1 and utility lines that are required to be buried.



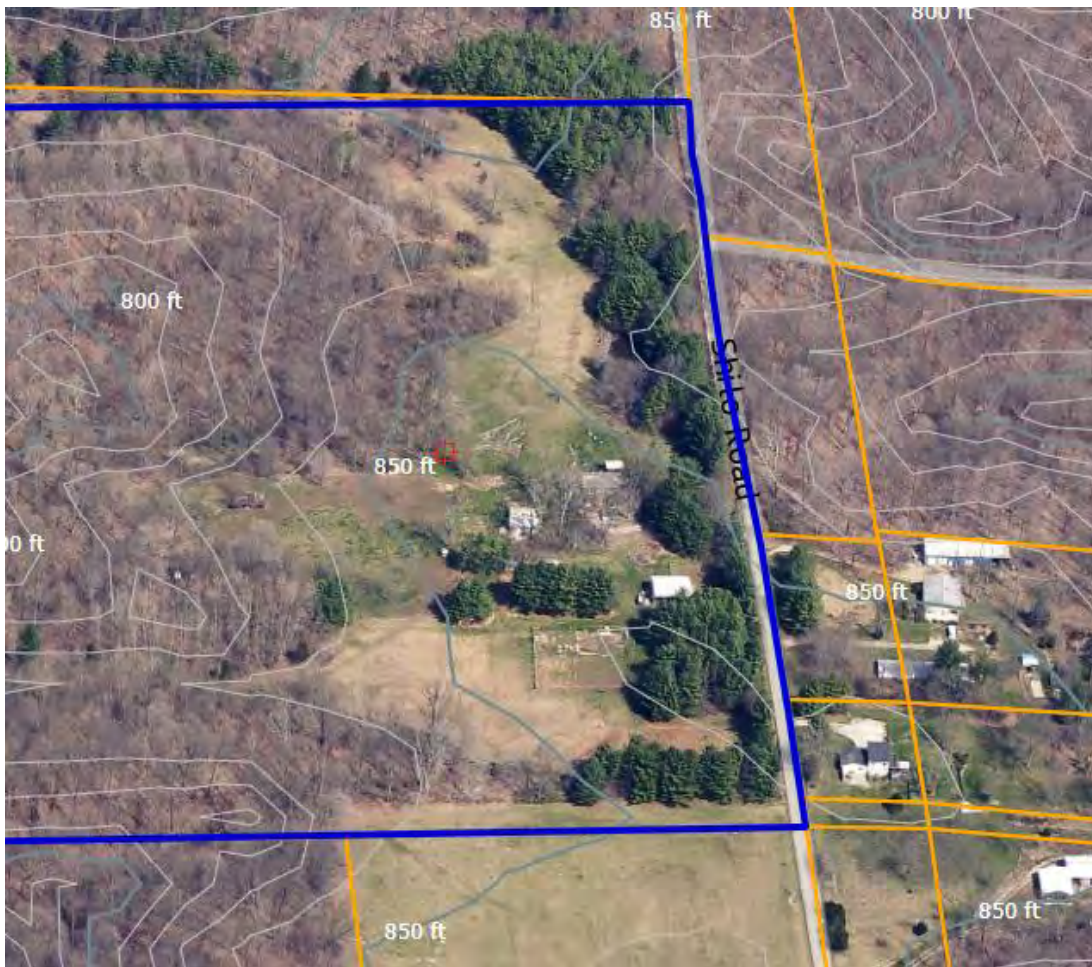


Figure 3. Facing north: Pictometry view of the existing home and accessory structures. April 2017



Figure 4. Pictometry view facing north; April 2017.

## COMPREHENSIVE PLAN DISCUSSION

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

### Farm and Forest Residential

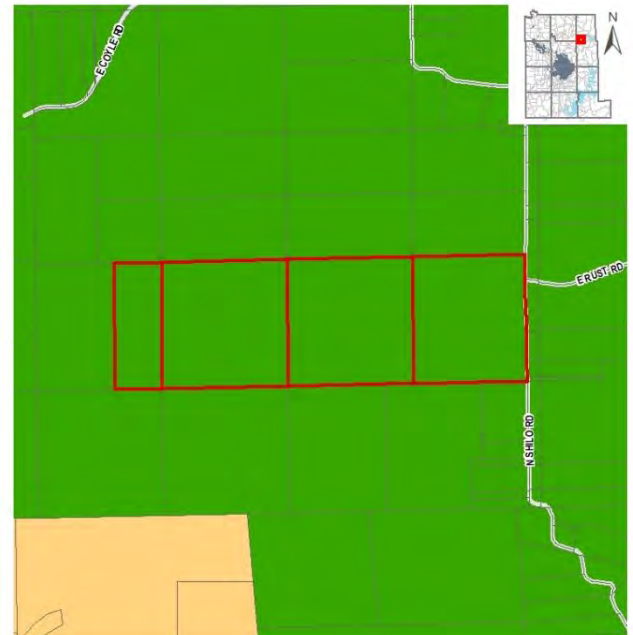
Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed 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.

**Comprehensive Plan**

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

0 0.075 0.15 0.3 Miles

Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 6/24/2019



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 requirements.

## **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 one additional residential lot;
- Approval of the subdivision would result in Lot 1 = 25.78 acres and Lot 2 = 106.10 acres;
- The proposed use in the subdivision is single family residential;
- Lot 1 has an existing septic and Lot 2 has a septic permit on file #21954;
- There is an existing driveway for Lot 1 and a new driveway proposed for Lot 2. The Highway Department has reviewed both and they are pending approval with the approval of the final plat;

- (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 lot sizes proposed meet the Comprehensive Plan principle for Farm and Forest;

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

#### **Findings**

- See findings under Section (A);
- The surrounding uses are primarily agricultural and residential in nature;
- The property has a tree preservation are on the plat to meet the street tree requirements;
- Drainage easements have been placed on the plat and buildable area has been delineated for each lot;
- 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) and (B);
- The two lots exceed the minimum lot size requirement and other design standards for the Forest Reserve (FR) Zoning Designation;

- (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);
- Buildable area has been delineated on the plat;

- (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;

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

**FINDINGS OF FACT – OVERHEAD UTILITY WAIVER**

The petitioner is requesting a waiver from the *Improvement, Reservation and Design Standards* outlined in 856-41 (Utilities), which reads:

All utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.

Existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision.

Existing utility lines servicing residential and residential accessory structures shall be removed and placed underground unless waived.

Waivers from these provisions for existing utility lines may be granted subject to the waiver modifications in Chapter 850-12, Sections A through D, excluding sections 5, 8, and 9. Waivers may be granted via the following process:

1. for Subdivisions of more than 4 Lots by the Plan Commission



## 2. for Subdivisions of 4 Lots or Less by the Plat Committee

All utility lines and other facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the Subdivider's expense. At the discretion of the Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots that are to be retained in single ownership and that are to be developed for the same primary use.

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

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

#### **Findings:**

- The petitioner has requested an overhead utility waiver for the existing overhead utility line that requires undergrounding, an approximately 45' run of electric line on proposed Lot 1;
- Lot 2 is vacant;
- Findings for the utility waiver request were not submitted by the petitioner;
- The above ground electric line requires undergrounding, as per 856-41;
- The cost of burying the utilities may exceed the value of the structures it will serve.

### 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 Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions, except on public roads and rights-of-way or in easements serving other property;
- It is unclear if the petitioner would want the utility waiver to extend to Lot 2;
- The Subdivision Control Ordinance provides the following definitions related to easements and right of way:

#### **852-2. Definitions**

##### **Easement.**

A right of use over designated portions of the property of another for a clearly specified purpose.

##### **Right-of-way.**

A strip of land (other than an easement) occupied or intended to be occupied by a street, pedestrian-way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, special landscaping, drainage swale or for another special use. The usage of the term "right-of-way" for land platting and zoning purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, screening or special landscaping, or any other use involving maintenance by a public agency shall be dedicated to public use by the Subdivider on whose plat such right-of-way is established.

### 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;
- Occupants of the petition site served by the overhead utility will continue to be serviced regardless of the location of the lines above or below ground;
- Advantages and disadvantages exist in undergrounding electric lines both of which involve safety hazards;

- 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;
- Waiver approval would permit existing conditions to persist;
- Approval of the waiver would not substantially alter the essential character of the neighborhood;

- 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:**

- Not Applicable per 856-41;

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

**Findings:**

- See findings under Sections 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 Sections 1 and 3;
- The improvement is required due to the proposed subdivision of the property;
- The Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions – existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision;
- Existing utility lines servicing residential structures shall be removed and placed underground unless waived for existing and future structures;
- Occupants of the petition site served by the overhead utility lines will continue to be serviced regardless of the location of the lines above- or below ground;

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

**Findings:**

- Not Applicable per 856-41;

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

- Not Applicable per 856-41;

**EXHIBIT 1: Preliminary Plat (page 1 of 2)**





# Preliminary Plat (page 2 of 2)

## SURVEYOR'S REPORT

In accordance with Title 36, IAC, 1-12 sections 1-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

- (Verances) in the reference monuments
- (Discrepancies) in the record description and plan
- (Inconsistencies) in lines of occupation and
- (Relative Positional Accuracy) "RPA"

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban class survey of 1/3 plus 100 PPM as defined I.A.C. Title 36's "relative positional accuracy" means the value expressed in feet of random error that represents the uncertainty due to random errors in measurement in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.)

### SUBJECT PROPERTY:

A Minor subdivision was performed on the property now or formerly owned by Roxanne E. Flowers, Trustee of the Roxanne E. Flowers Revocable Trust (Instrument Number 2010013456) as found in the Office of the Monroe County Recorder. The purpose of this survey is to retrace the boundary lines of the subject property and to separate into two lots as located in Section 32, Township 10 North, Range 1 East, Monroe County, Indiana.

### REFERENCE SURVEYS:

- Reference is made to a survey performed by Eric L. Deckard for Janette Lores dated December 27th, 2010, in Section 32, Township 10 North, Range 1 East, Monroe County, Indiana.
- Reference is made to a survey performed by Steven W. Archer for Roxanne Flowers dated March 30th, 2001 and April 5th, 2001 in Section 32, Township 10 North, Range 1 East, Monroe County, Indiana.
- Reference is made to a survey performed by Ben Blachowicz for Richard Palmer dated November 20th, 2010, in Section 32, Township 10 North, Range 1 East, Monroe County, Indiana.
- Reference is made to a survey performed by Steven W. Archer for Flower's Grumboldt dated March 14th, 2003 as found in Instrument Number 201000886 in the Office of the Recorder of Monroe County, Indiana.
- Reference is made to a survey performed by Douglas R. Curry for Eric and Wilma Holt dated July 26th, 2004 as found in Survey Cabinet 1, Envelope 225 in the Office of the Recorder of Monroe County, Indiana.
- Reference is made to a survey performed by M. B. Blachowicz dated March 19th-21st, 1877 in Section 5, Township 9 North, Range 1 East, Monroe County, Indiana as found in Survey Book 2 pages 263-264 in the records of the Monroe County Surveyor.
- Reference is made to a survey performed by James W. Spencer dated March 3rd, 1859 in Section 32, Township 10 North, Range 1 East, Monroe County, Indiana as found in Survey Book 2 pages 2-3 in the records of the Monroe County Surveyor.
- Reference is made to Terry Subdivision as found in Plat Cabinet "D", Envelope 126 in the Office of the Monroe County Recorder.
- Reference is made to a survey performed by John M. McCoy as found in Legal Survey Book 2, page 139 in the Office of the Monroe County Surveyor.
- Reference is made to a survey performed by Robert C. Sipes dated July 26th, 1980.

### REFERENCE MONUMENTS:

- A 1/2 inch iron pipe was found 1 foot above grade marking the Northwest corner of the Northeast quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This pipe was referenced to surveys # (1, 2, 3 & 10) and was found to agree with other monuments in the area and was accepted and held as said corner.
- A 4" x 8" stone with "N" was found 3 inches above grade marking the Northeast corner of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This stone was found to be referenced in survey #9. This monument was also found to be of record in the office of the Monroe County Surveyor as Corner I.D. Ben's "O-23" and was accepted and held as said corner.
- No monument was found marking the Northwest corner of the Southwest quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This point was calculated per an equal distance split between the monuments described in lines "B" and "D" and was accepted and held as said corner.
- No monument was found marking the Southwest corner of Section 32, Township 10 North, Range 1 East. This point was calculated per a single proportionate measure between the monuments described in lines "E" and "F" and was accepted and held as said corner.
- A 5" x 5" stone with "N" was found 1/2 inch above grade marking the Northeast corner of Section 5, Township 9 North, Range 1 East. This monument was found to be of record in the office of the Monroe County Surveyor as Corner I.D. Ben's "O-1" and was calculated per survey #8 and was accepted and held as said corner.
- A 4" x 9" stone with "N" was found 5 inches above grade marking the Northeast corner of the Northwest quarter of Section 5, Township 9 North, Range 1 East. This monument was found to be of record in the office of the Monroe County Surveyor as Corner I.D. Ben's "O-4" and was calculated per survey #8 and was accepted and held as said corner.
- No monument was found marking the Southwest corner of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This point was calculated per an equal distance split between the monuments described in lines "D" and "J" along with the projection of the quarter line South to the line between the monuments described in lines "P" and "R". This calculated position was accepted and held as said corner.
- A 4" x 8" stone with "N" was found 4 inches above grade marking the Northwest corner of Section 5, Township 9 North, Range 1 East. This monument was found to be of record in the office of the Monroe County Surveyor as Corner I.D. Ben's "O-21" and was accepted and held as said corner.
- No monument was found marking the Southwest corner of the Southwest quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This point was calculated per a single proportionate measure between the monuments described in lines "Q" and "J" along with a projection of the quarter quarter line south to the line between "P" and "R" and was accepted and held as said corner. An "Archer" rebar was found 32.89 feet North and 22.89 feet west of said corner.

## FLOWERS MINOR SUBDIVISION - PRELIMINARY PLAT A PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32 TOWNSHIP 10 NORTH, RANGE 1 EAST MONROE COUNTY, INDIANA

AREA FOR COUNTY  
RECORDER

J). A 5/8 inch rebar with cap stamped "Bynum Fanno" was found 2 inches above grade marking the Southwest corner of Section 32, Township 10 North, Range 1 East. This rebar is believed to have been set in survey # (5) and was found to be the best evidence available and was accepted and held as said corner.

K). A 5/8 inch rebar with cap stamped "Bynum Fanno" was found 3 inches above grade marking the Southwest corner of the Northwest quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This rebar is believed to have been set in survey # (5) and was accepted and held as said corner. An "Archer" rebar was found 34.44' north and 9.84' west of said corner and was not accepted or held.

L). No monument was found marking the Northwest corner of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This point was calculated per survey # (1) and was accepted and held as said corner.

M). A 6" x 6" sandstone with "N" was found 6 inches above grade marking the Northwest corner of the Northeast quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This stone is believed to have been set in a survey performed by James W. Spencer (Monroe County Surveyor) dated March 3rd, 1859 found in Survey Book 2, Page 2 (Referenced survey #7) and was accepted and held as said corner.

N). A 5/8 inch rebar with cap stamped "Deckard" was found 3 inches above grade marking the Northwest corner of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This rebar was set in survey # (1) and was accepted and held as said corner.

O). No monument was found marking the Southwest corner of the Northeast quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This point was calculated per the intersection of the monuments described in lines "P" and "K" with the monument described in lines "M" and "T". This point was accepted and held as said corner. A rebar with cap stamped "Archer" was found 32.89 feet north and 12.25 feet west of this location and was not accepted or held.

P). A 5/8 inch rebar with cap stamped "Deckard" was set marking the Southwest corner of the Northwest quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. This rebar was set using a single proportionate measure between the monuments described in lines "N" and "O" and was accepted and held as said corner.

### LINE OF OCCUPATION:

The lines of occupation, which affect this survey, are detailed as follows:

- The as-built section of N. Shilo Road was called for in the record description and was accepted and held as the east line of the subject property.
- A barbed-wire fence was found interestingly running east and west along the south line of the subject property (Lot 3). This fence measures from +/- 6 feet north of the line at the east end to +/- 12.5 feet north of the line at the west end of the fence.
- A barbed-wire fence was found running east and west along the north line of the subject property (Lots 2 & 3). This fence measures from +/- 10 feet north of line at the west end to +/- 0.8 feet south of line at the east end.
- No lines of occupation were found along the west line of the subject property.

### RECORD DESCRIPTIONS:

1). The subject description (Betr. 2010013436) was found to specifically describe a 15 acre parcel in the Northwest quarter of the Southwest quarter of Section 32, Township 10 North, Range 1 East. It describes this parcel as being 40 rods at the north end and 21 rods at the south end. The adjoining description to the west now or formerly owned by Flowers (Betr. 2005006747) describes 25 acres off the west end of said quarter quarter. This creates a +/- 156.6 feet dead gap at the south end of the west line of the subject property and a +/- 158.3 feet dead overlap at the north end of the west line of the subject property.

### SURVEY DESCRIPTION

A part of the North half of the Southwest quarter and a part of the North half of the Southwest quarter of Section 32, Township 10 North, Range 1 East, Monroe County, Indiana, being more particularly described as follows:

Beginning at a pipe found marking the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 32; thence North 88 degrees 28 minutes 13 seconds East for a distance of 1154.14 feet to the centerline of N. Shilo Road passing through a rebar stamped "Deckard" at 1127.50 feet; thence along said centerline the following three (3) courses:

- 1). South 00 degrees 05 minutes 05 seconds East for a distance of 302.34 feet;
- 2). South 01 degrees 23 minutes 23 seconds East for a distance of 560.04 feet;
- 3). South 00 degrees 32 minutes 43 seconds East for a distance of 463.95 feet to a point on the South line of the North half of the Southwest quarter of said Section 32;

thence along said South line South 88 degrees 18 minutes 53 seconds West for a distance of 2482.33 feet to a rebar stamped "Deckard" marking the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 32, passing through a rebar stamped "Deckard" at 25.00 feet; thence South 88 degrees 10 minutes 05 seconds West along the South line of the North half of the Southwest quarter of said Section 32 for a distance of 1676.89 feet to a rebar stamped "Deckard"; thence leaving said South line North 14 degrees 16 minutes 16 seconds West for a distance of 1372.32 feet to a rebar stamped "Deckard" on the North line of the Northwest quarter of the Southwest quarter of said Section 32; thence along said North line North 87 degrees 13 minutes 43 seconds East for a distance of 657.07 feet to a stone marking the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 32; thence North 88 degrees 41 minutes 22 seconds East along the north line of the Northwest quarter of the Southwest quarter of said Section 32 for a distance of 1352.24 feet to a rebar stamped "Deckard" marking the Northeast corner thereof; thence along the north line of the Northwest quarter of the Southwest quarter of said Section 32 North 88 degrees 41 minutes 22 seconds East for a distance of 1332.45 feet to the Point of Beginning, commencing in 1157.57 acres, more or less.

Subject to the right-of-way of N. Shilo Road and all legal easements of record. Acreage less the 25 foot dedicated Right-of-way is 131.79 acres, more or less.

### DEDICATION OF PUBLIC RIGHTS-OF-WAY:

Roxanne E. Flowers (Trustee), owner of the real estate shown and described herein do hereby certify, by off and plat Lots numbered One (1) and Two (2) to be known as Flowers Minor Subdivision. Rights-of-way not heretofore dedicated are hereby dedicated in Monroe County, Indiana. In accordance with this plat and certification, this plat shall be known as Flowers Minor Subdivision.

The right-of-way to be dedicated for N. Shilo Road shall measure 25 feet perpendicular to and parallel with the existing centerline of N. Shilo Road. Any interest that said parties have within said right-of-way is hereby dedicated to Monroe County, Indiana.

There are building setbacks on this plat upon which no structures may be erected or maintained.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Roxanne E. Flowers (Trustee)  
P.O. Box 3166  
Bloomington, Indiana 47402  
(812)325-6008

STATE OF INDIANA )  
COUNTY OF MONROE )

Before me, the undersigned Notary Public, in an for said County and State, personally appeared Roxanne E. Flowers (Trustee), Owner, each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public: \_\_\_\_\_

County of Residence: \_\_\_\_\_ (Seal)

My Commission Expires: \_\_\_\_\_

### STORM & SURFACE DRAINAGE:

This is to certify that the subject property is located in zone "C", an area of minimal flood hazard, according to FEMA, Panel Number: 1810SC00750 dated December 17th, 2010.

### COMMISSION CERTIFICATE:

Under the authority of Chapter 174, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Minor Subdivision procedure and approved by the Monroe County Plan Commission on \_\_\_\_\_.

Monroe County Plan Commission:

\_\_\_\_\_ State Johnson President: \_\_\_\_\_

\_\_\_\_\_ Larry Wilson Secretary: \_\_\_\_\_

### CERTIFICATION

The within survey was performed without the benefit of source of 90% and is subject to any statement of facts revealed by the same.

Monuments have been located in the field and prepared with this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, the survey work shown herein was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in IAC 1-12-1 through 19.

Certified this 25th day of June, 2019.

Andrew P. Wilton  
Registered Surveyor LS 21800617  
State of Indiana



DECKARD  
LAND SURVEYING  
1000 N. SHILO ROAD  
BLOOMINGTON, IN 47402  
PHONE: 812-325-6008  
FAX: 812-325-6009



FLOWERS  
MINOR SUBDIVISION  
A PART OF SECTION 32, T10N, R1E

DATE	BY	REMARKS
18-190	2	
2		
06/24/19		
BNDY.SHT		

**MONROE COUNTY PLAT COMMITTEE MEETING****July 18, 2019**

<b>PLANNER</b>	Drew A. Myers
<b>CASE NUMBER</b>	1906-SSS-10, The Ridge Sliding Scale Subdivision Preliminary Plat
<b>PETITIONER</b>	Denean Gillenwater, C/o Eric Deckard, Deckard Land Surveying
<b>ADDRESS</b>	3445 S Knightridge RD (53-07-17-200-005.000-014 & 53-07-17-200-002.000-014)
<b>REQUEST</b>	Sliding Scale Subdivision Preliminary Plat to subdivide 1 parcel into 4 parcels.
<b>ZONE</b>	FR / ECO3
<b>ACRES</b>	60.82 acres +/-
<b>TOWNSHIP</b>	Salt Creek
<b>SECTION</b>	17
<b>COMP. PLAN</b>	
<b>DESIGNATION</b>	Rural Residential

**EXHIBITS**

1. The Ridge Sliding Scale Subdivision Preliminary Plat
2. The Ridge Type "E" Administrative Subdivision

**RECOMMENDATION**

Staff gives a recommendation of **approval** of the Sliding Scale Subdivision Preliminary Plat based on findings of fact and subject to the Monroe County Highway Department reports and the following conditions:

**PLAT COMMITTEE**

TBD

**BACKGROUND**

The petition site is composed of two parcels that total 60.82 +/- acres located in Salt Creek Township. The petition site maintains frontage along S Knightridge RD, which is classified as a local road according to the Monroe County Thoroughfare Plan. The entire property is within Area 3 of the Environmental Constraint Overlay. The property is currently in the process of a Type "E" Administrative Subdivision (1906-SAD-07) that was initiated to clean up property lines with the adjacent property owners. This petition site is proposed to then vacate the Type "E" Subdivision and undergo the Sliding Scale subdivision process as indicated in this report.

The Forest Reserve (FR) zone has a minimum lot size of 5 acres and a minimum lot width of 200' at building line. The petitioner is proposing to create one lot of record via the Type "E" administrative subdivision, vacate from that plat, and then subdivide the new single parcel into four parcels that meet the minimum requirements and the lot development standards of Chapter 862 for Sliding Scale Subdivisions:

- Lot 1:** 41.37 acres total (parent parcel), including 2.30 acres of buildable area; this lot is currently vacant.
- Lot 2:** 5.99 acres total, including 2.29 acres of buildable area; this lot contains the wireless communication facility and is prohibited from any residential development due to the 480' radius fall zone.
- Lot 3:** 10.25 acres total, including 2.75 acres of buildable area; this lot contains a storage structure, and two mobile homes.
- Lot 4:** 3.21 acres total, including 1.06 acres of buildable area; this lot contains a single family residence and a storage barn.

Lot 1 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 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 Chapter 856-41.

The outdoor boat storage use is a pre-existing use of the property. The property owner has stated that they are going to clean up the property moving forward in order to be able to sell the lots.

## LOCATION MAP

The site is located at 3445 S Knightridge RD in Section 17 of Salt Creek Township (Parcel #s: 53-07-17-200-005.000-014 & 53-07-17-200-002.000-014).

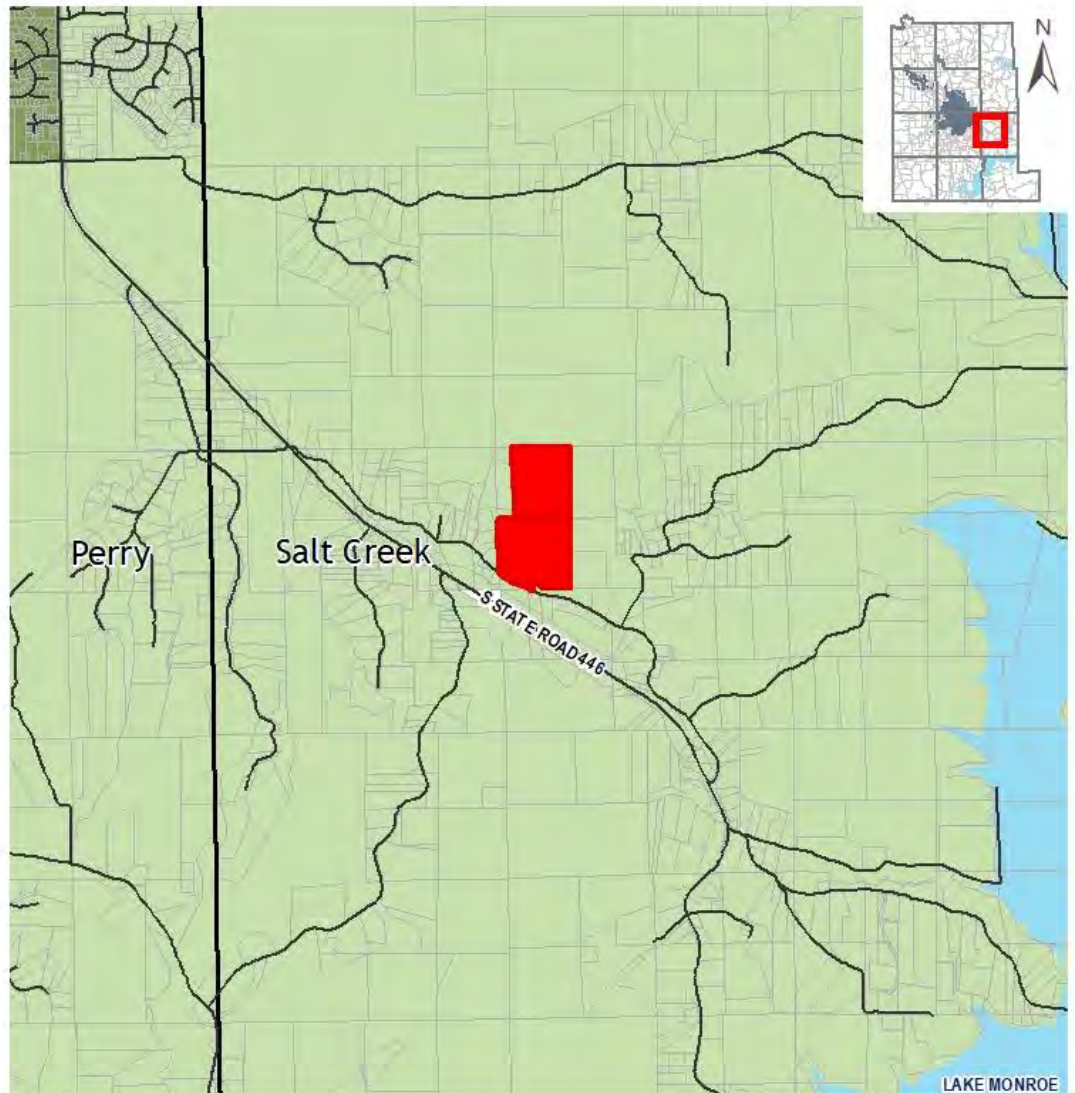
### Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Lakes
- Incorporated Areas**
- Bloomington
- Parcels

0 0.25 0.5 1 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/4/2019



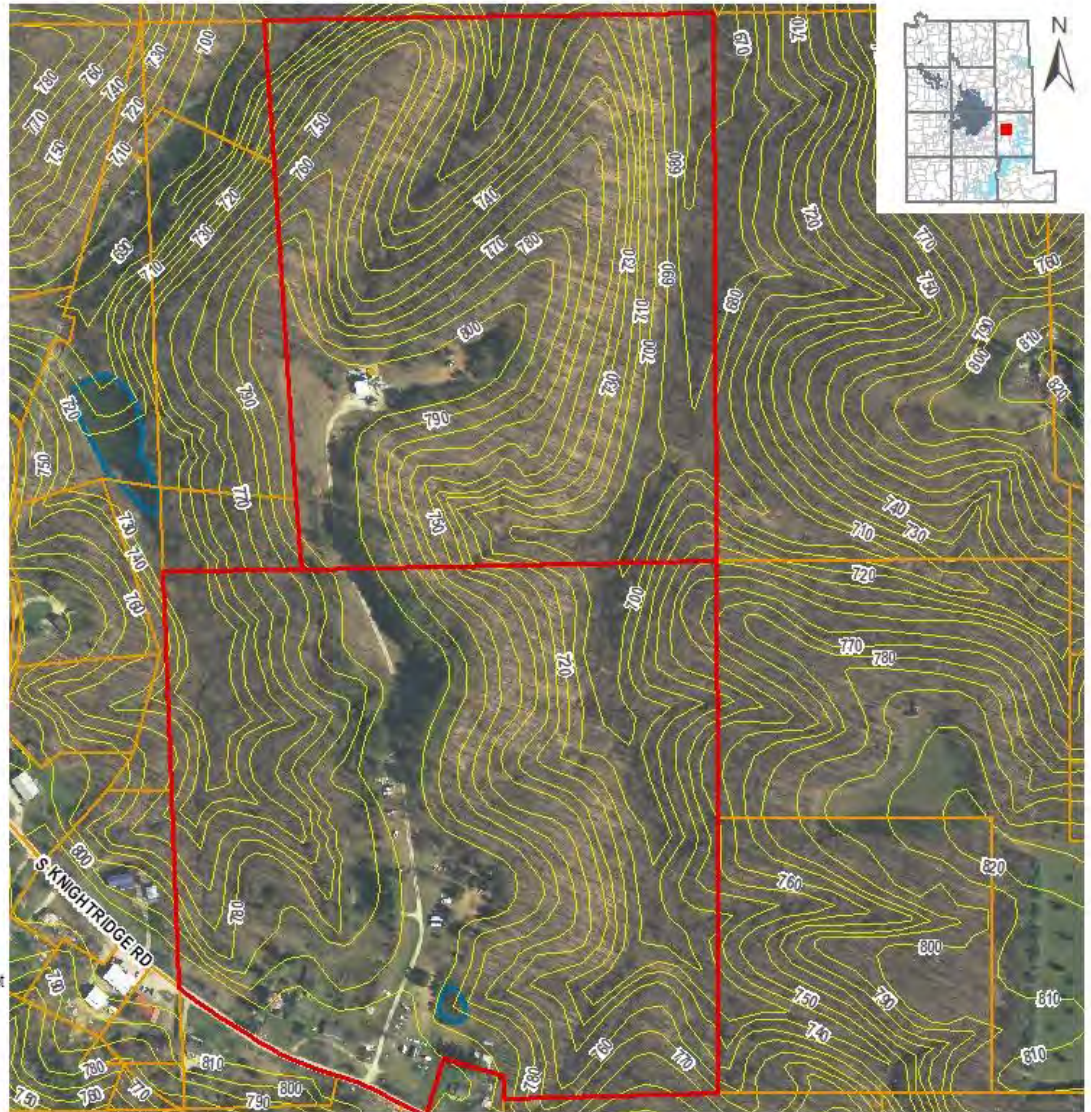


## SITE CONDITIONS


The southern parcel contains one single family residence, two mobile homes, a storage structure, a storage barn, as well as outdoor boat and vehicular storage. The northern property contains a wireless communication facility. There are no known karst features on site. There is no FEMA floodplain on the property. Both parcels are within Area 3 of the Environmental Constraint Overlay. All four proposed new lots meet the 15% buildable area requirements for each newly created lot per Chapter 862. Proposed Lot 2 is prohibited to contain any residential development due to the 480' radius fall zone of the wireless communication facility. Steep slopes are prevalent across both parcels and 100' drainage easements were included on the plat for each draw per the request of the drainage engineer.

### Site Conditions Map

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



0 190 380 760 Feet







 Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/4/2019



# Slope Map

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

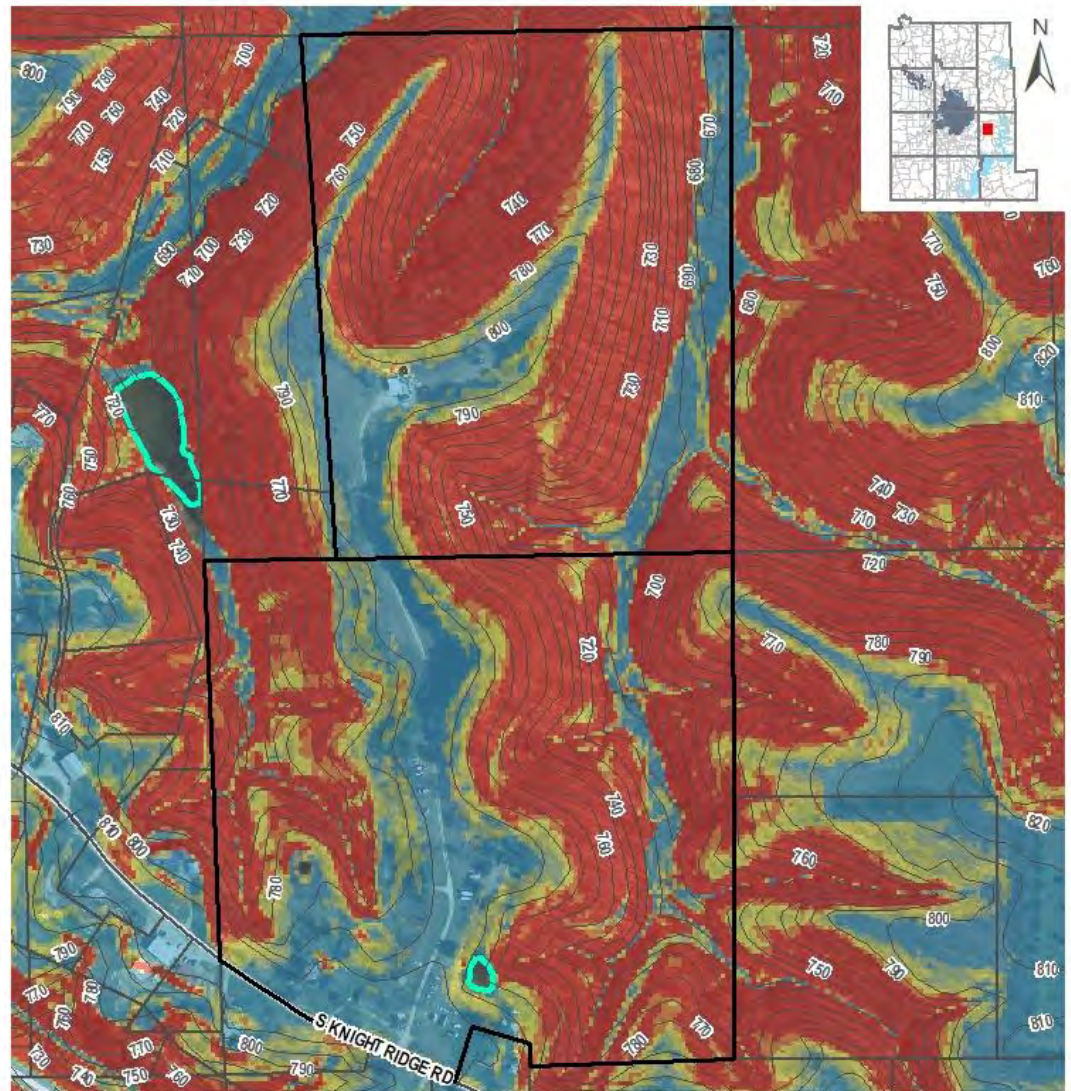
## Percent Slope (2010)

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

0 87.5 175 350 525 700 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/4/2019



## SITE PICTURES

### The Ridge SSS - southern parcel



**Photo 1.** Pictometry overhead view





**Photo 2.** Looking East – view of southern property boundary from driveway



**Photo 3.** Looking West – view of southern property boundary from driveway





**Photo 4.** Looking North – existing house on proposed Lot 4



**Photo 5.** Looking North – existing storage building on proposed Lot 4





**Photo 6.** Looking Northeast – existing storage building on proposed Lot 3



**Photo 7** Looking North – some existing boat storage on property; driving up the gravel drive/easement





**Photo 8.** Looking North – continuing on the gravel drive/easement



**Photo 9.** Looking North – continuing on the gravel drive/easement





**Photo 10.** Facing Northeast – wireless communication facility at the end of the gravel drive/easement

### **The Ridge SSS - northern parcel**



**Photo 11.** Pictometry overhead view





**Photo 12.** Facing South – driving back down the gravel drive/easement



**Photo 13.** Facing Southwest – view of some boat storage on the property, as well as the back of the storage structure on proposed Lot 3

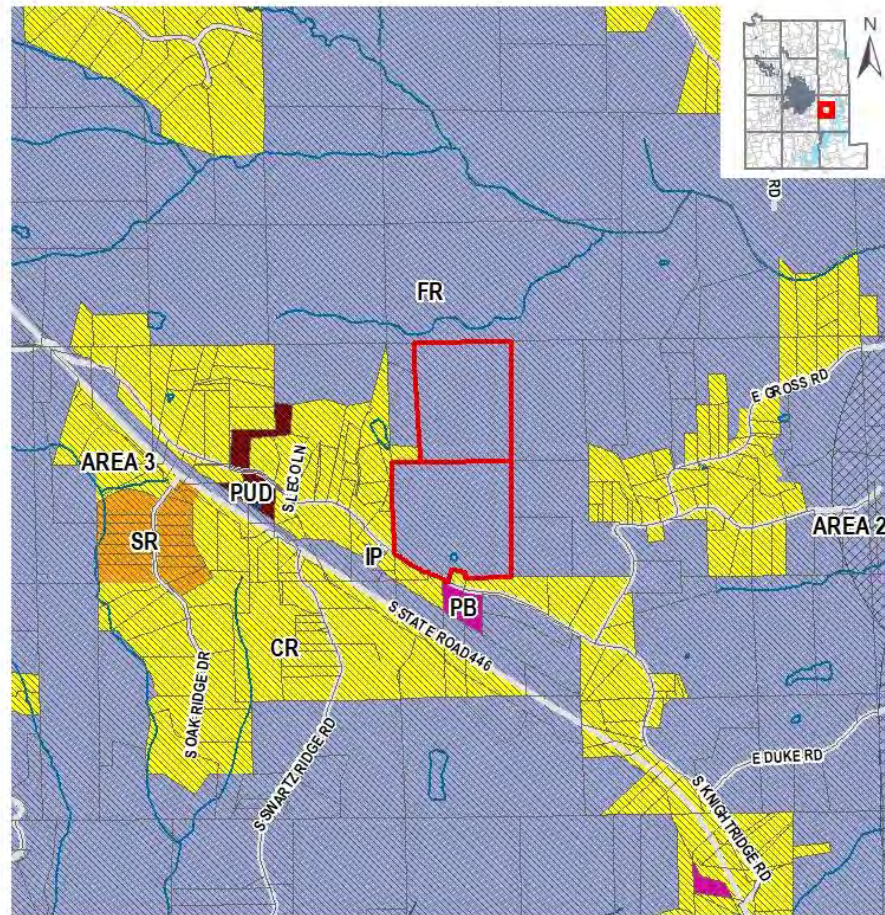
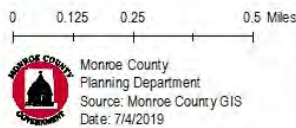


## ADJACENT USES / ZONING

The parcel is zoned Forest Reserve (FR) and is in the Environmental Constraints Overlay Area 3. The neighboring properties are zoned FR, Conservation Residential (CR), and Pre-Existing Business (PB). The proposed use on lots 1, 3 & 4 is Residential. Lot 2 is not buildable due to the fall zone measurement for the pre-existing cell tower.

### Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- ECO Areas**
-  Area 2
-  Area 3
- Monroe County Zoning**
-  CR - Conservation Residential
-  FR - Forest Reserve
-  IP - Institutional/Public
-  PB - Pre-Existing Business
-  PUD - Planned Unit Development
-  SR - Suburban Residential



## **INFRASTRUCTURE AND ACCESS**

The parcel maintains frontage along S Knightridge RD, which is classified as a Local Road with 25' of right-of-way. Right-of-way dedication has been shown on the proposed preliminary plat. Lots 1, 2, and 3 will share driveway access while Lot 4 has pre-existing driveway access. The shared driveway is in a 50 foot ingress/egress and utility easement on the plat.

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 require 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**

The petition site is located within the Rural Residential Comprehensive Plan designation, which states:

### **Rural Residential**




The Rural Residential use category includes rural property, environmentally sensitive areas, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of the Farm and Forest category is no longer applicable. Generally, these areas are characterized by active or potential mineral extraction operations nearby, steep slopes, and the remaining forest and/or agricultural land where roadways and other public services are minimal or not available.

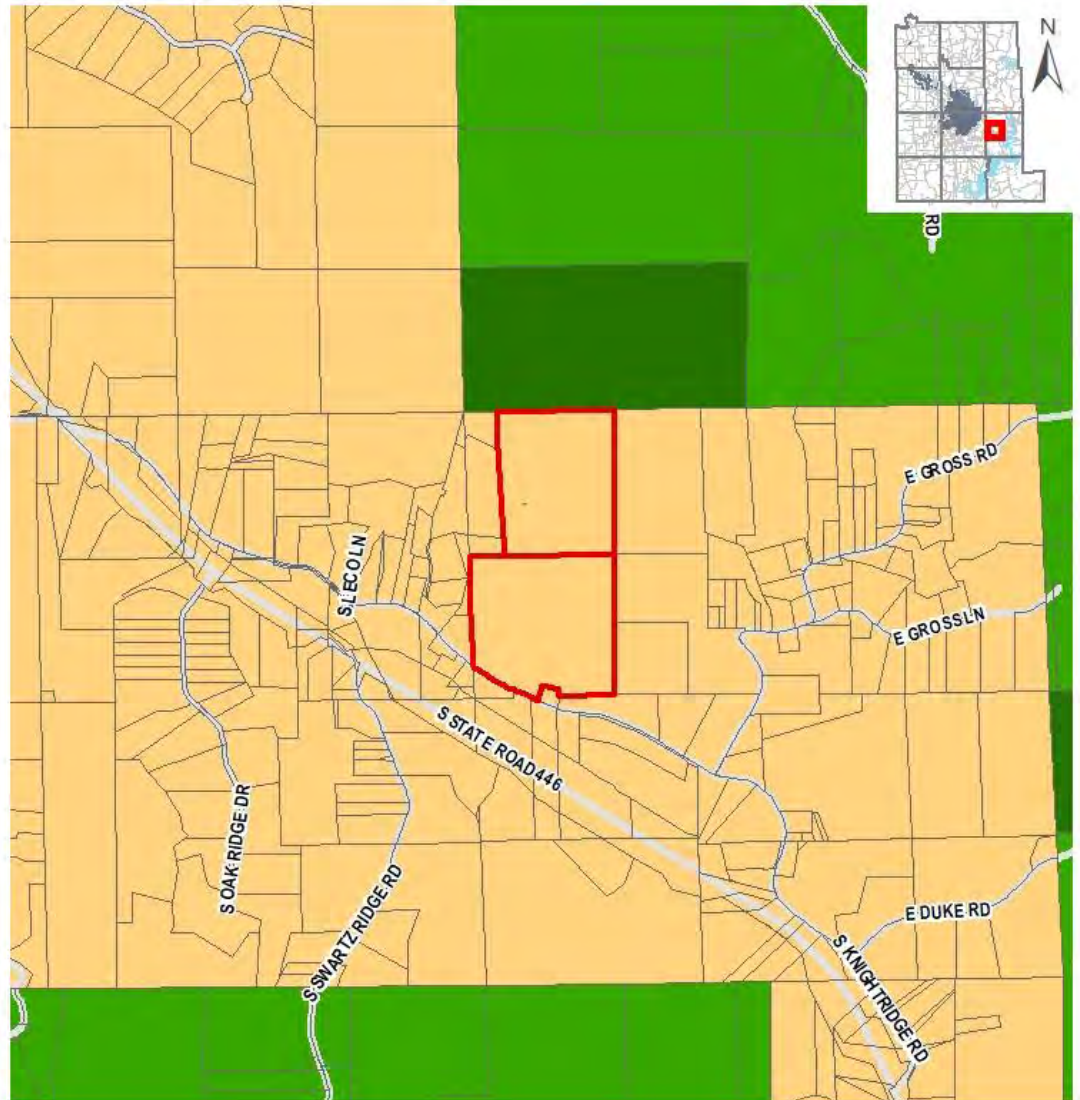
The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren, Bloomington, Richland, Bean Blossom, Washington, and Benton Townships are designated Rural Residential. Most often this category adjoins or is very close to the Farm and Forest Residential areas. Current Rural Residential densities are usually greater than 64 homes per section and some portions of the Rural Residential area have already been subdivided or developed at urban densities. 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



0 0.125 0.25 0.5 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/4/2019



## **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 Forest Reserve (FR);
- Approval of the subdivision would create four (4) lots that meet the design standards for the zoning designation Forest Reserve;
- The petitioner currently has one lot of record and would like to add three additional lots of record;
- Approval of the subdivision would result in the following:
  - Lot 1: 41.37 acres total (parent parcel), including 2.30 acres of buildable area; this lot is currently vacant.
  - Lot 2: 5.99 acres total, including 2.29 acres of buildable area; this lot contains the wireless communication facility and is prohibited from any residential development due to the 480' radius fall zone.
  - Lot 3: 10.25 acres total, including 2.75 acres of buildable area; this lot contains a storage structure, and two mobile homes.
  - Lot 4: 3.21 acres total, including 1.06 acres of buildable area; this lot contains a single family residence and a storage barn.
- The proposed use category for the lots is residential. Lot 2 is not buildable as the fall zone for the pre-existing cell tower covers the entire lot;
- The property is located in the Environmental Constraints Overlay Area 3;

- (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 Residential 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 surrounding uses are residential 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 Forest Reserve (FR);
- Adjacent properties are zoned Forest Reserve (FR) and Conservation Residential (CR);
- The petitioner is also going through a Type E Subdivision that will help clean up the lot lines between adjoining property owners. The Type E will be recorded first and then vacated before the sliding scale is vacated;
- The property does not require street trees or sidewalks;
- Approval of the subdivision would create four (4) lots that meet the design standards for the zoning designation FR. Lot 2 is non-buildable;
- 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.

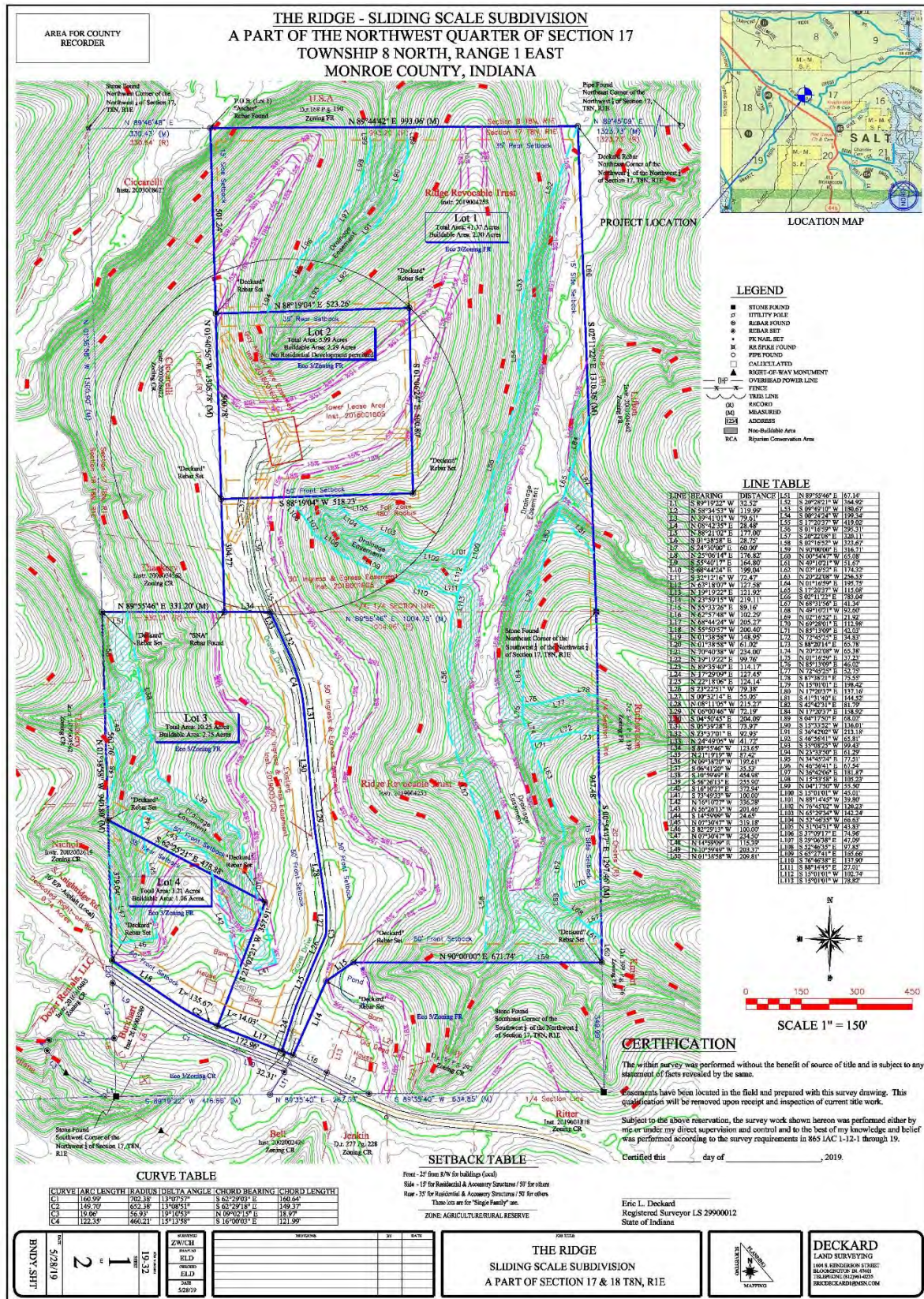
- (3) to provide public access to land boundary records.

**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.

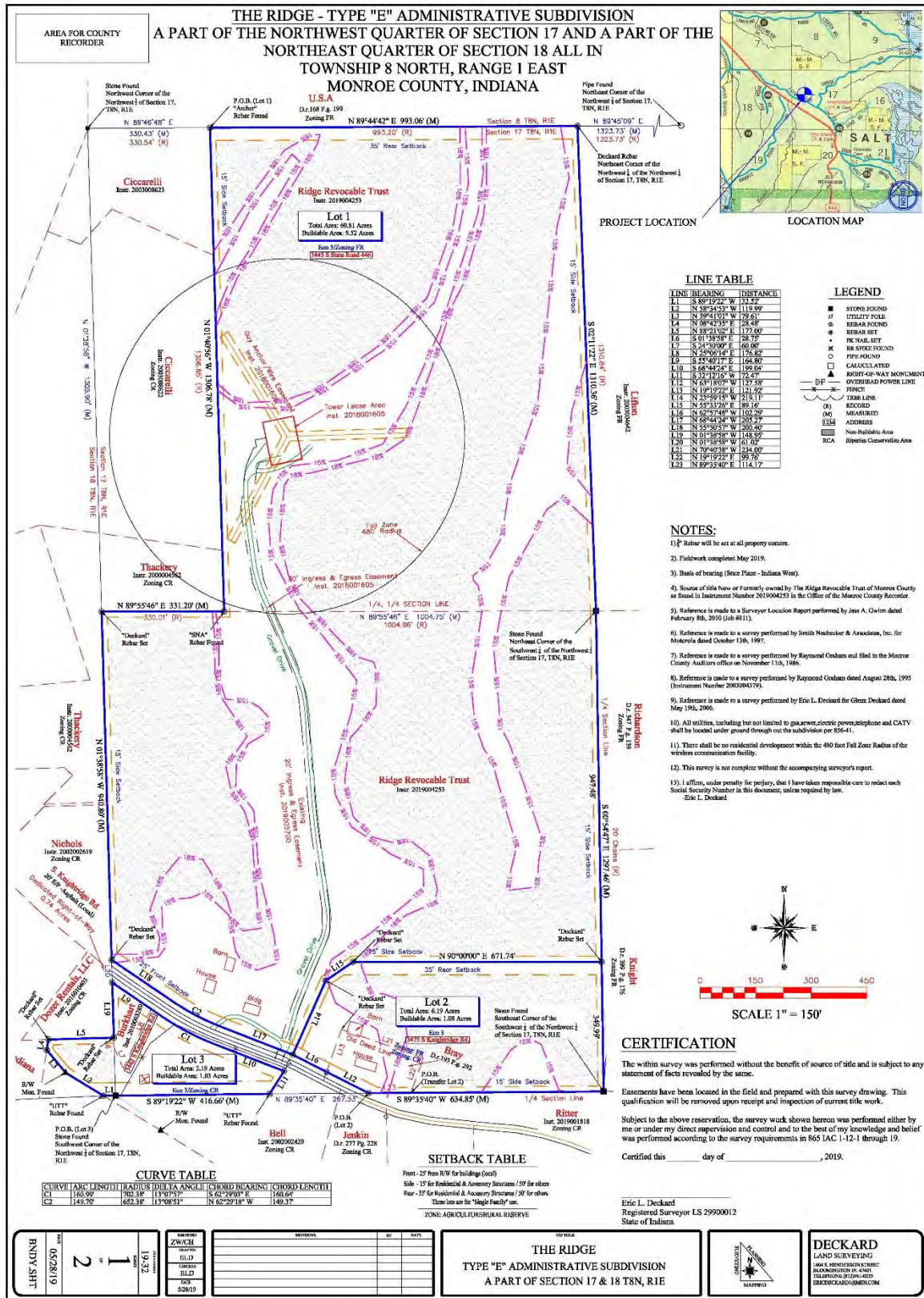


# EXHIBIT 1: The Ridge Sliding Scale Subdivision Preliminary Plat





# EXHIBIT 2: The Ridge Type "E" Administrative Subdivision Preliminary Plat





**MONROE COUNTY PLAT COMMITTEE****August 15, 2019**

**PLANNER** Anne Crecelius  
**CASE NUMBER** 1906-SMN-06 Gallagher Minor Subdivision Preliminary Plat  
**PETITIONER** Tom Gallagher, c/o Andy Wilken, Deckard Land Surveying  
**ADDRESS** 53-03-36-100-012.000-001  
**REQUEST** Preliminary Plat to subdivide one (1) lot into four (4) lots  
**ACRES** 54.93 +/- acres  
**ZONE** AG/RR  
**TOWNSHIP** Bean Blossom Township  
**SECTION** 36  
**PLATS** -  
**COMP PLAN**  
**DESIGNATION:** Rural Residential

**EXHIBITS**

1. Preliminary Plat Site Plan
2. BBP Water Corp. Capacity Letter
3. SCI REMC Service Availability Letter

**RECOMMENDATION**

Staff recommends **approval** based on the Findings of Fact.

**PLAT DECISION**

No waivers, approval by Plat Committee

**SUMMARY**

The petition site is one (1) parcel totaling 54.93 +/- acres and is currently used as agricultural land. The petitioners have proposed subdividing into four (4) lots with no waiver requests.

The proposed lot dimensions are as follows (see Exhibit 1):

<b>Proposed Lot Acreages</b>		
	<b>Total Acreage</b>	<b>Buildable Area</b>
<b>Lot 1</b>	10.01	6.76
<b>Lot 2</b>	10	8.7
<b>Lot 3</b>	10.21	7.22
<b>Lot 4</b>	22.32	8.27

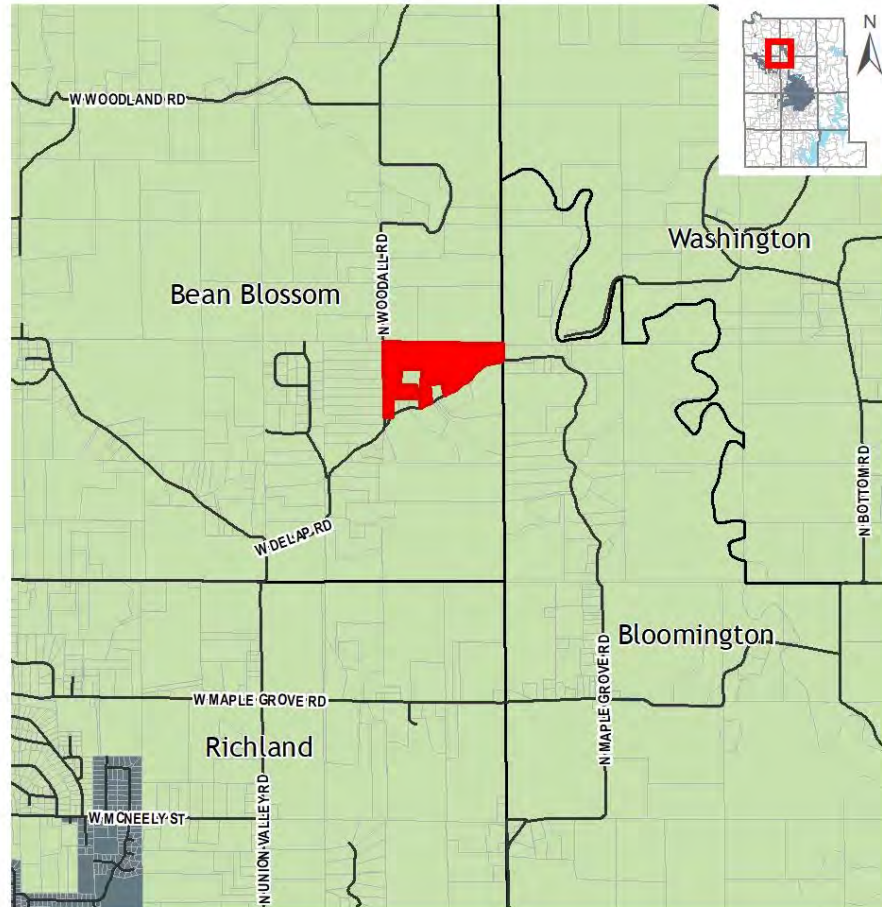
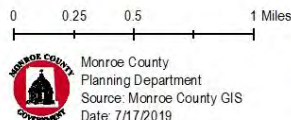
The preliminary plat meets all of the subdivision control standards. The petition site is currently is vacant and used for agriculture. All utilities are shown on the preliminary plat. Septic permits have been approved for each proposed lot. Proposed lot 2 had applied for a driveway permit, Access will be shared for proposed lots 1 and 4, and 3, through existing permitted driveways.

## LOCATION MAP

The parcel (53-03-36-100-012.000-001) is located on W Delap Road and N Woodall Road in Section 36 of Bean Blossom Township.

### Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Incorporated Areas
- Parcels



## INFRASTRUCTURE and ACCESS





All lots have approved septic permits, will-serve confirmation letters from SCI REMC and BBP Water Corporation. Driveway permits for the proposed shared driveways and driveway permit applications for the proposed single driveways are on file:

- Proposed lot 1 and 4 will be accessible through an existing driveway off of W Delap Rd.
- Proposed lot 2 will be accessed through a driveway off of N Woodall Rd.
- Proposed lot 3 will be accessible through an existing an existing driveway off W Delap Rd (owner: Gallagher).

## ZONING

The zoning for the petition site is Agricultural Rural Reserve (AG/RR). The adjacent zoning is also AG/RR. The petitioner site use is currently agricultural and adjacent uses are Single Family Residential or agricultural.

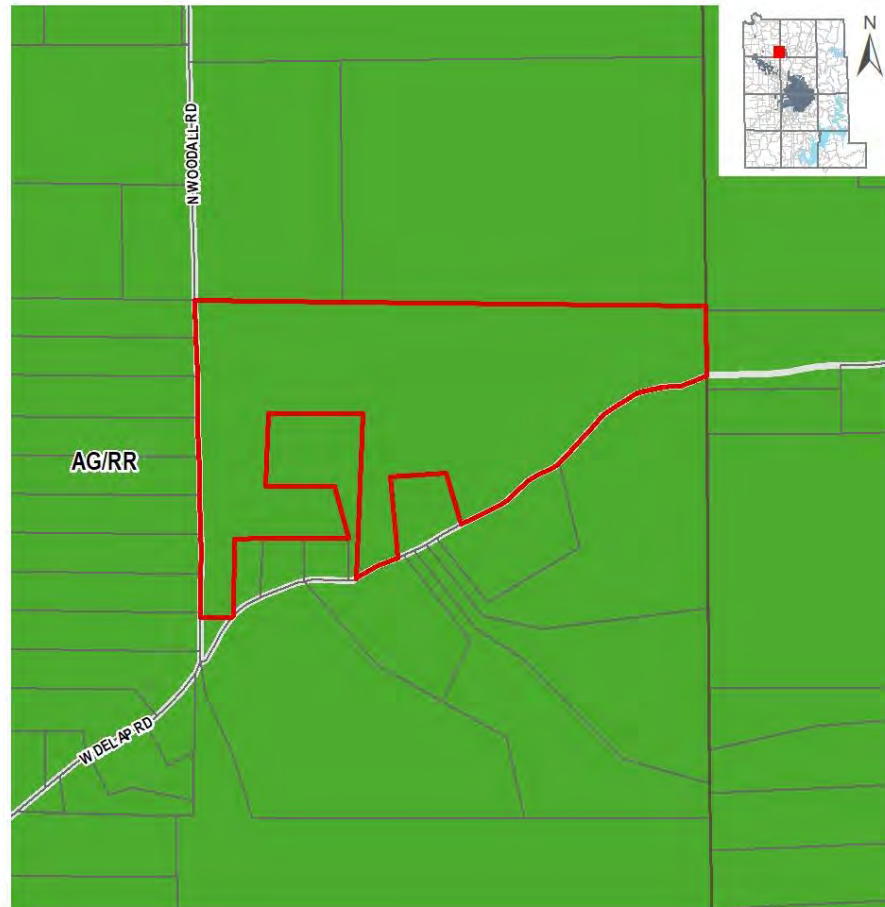
### Current Zoning Map

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

0 0.05 0.1 0.2 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/17/2019



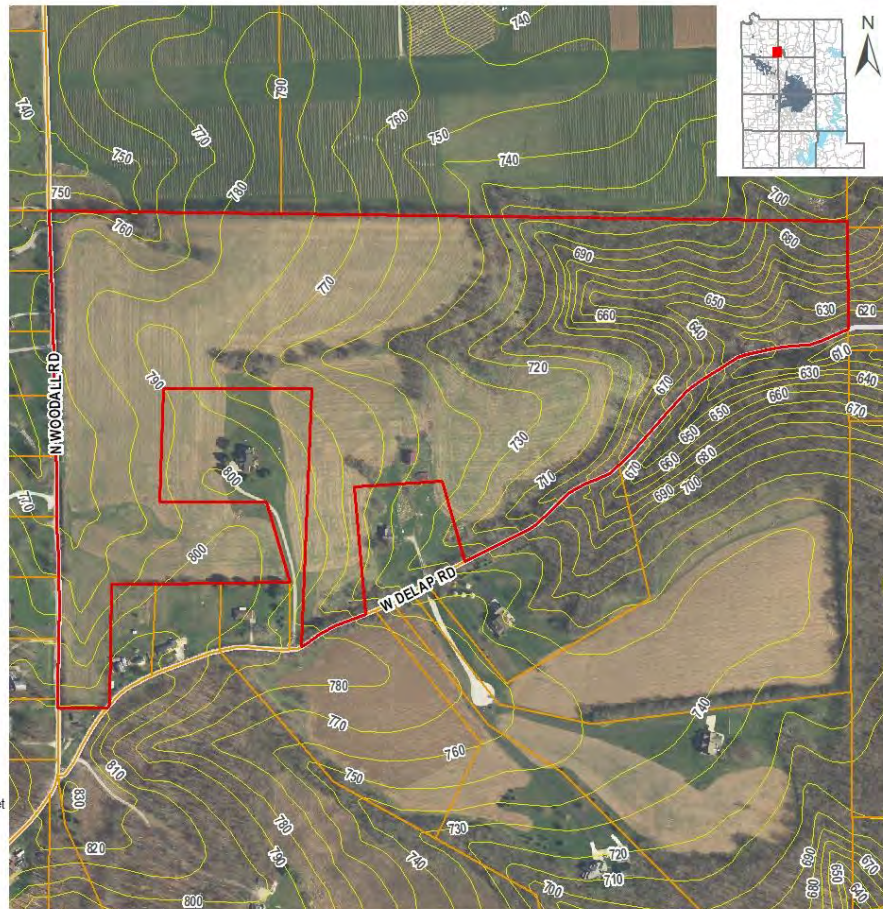
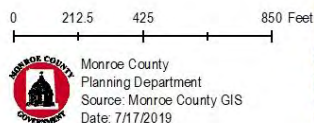


## SITE CONDITIONS







The parcel is currently vacant and has access to water (see Exhibit 2). There is an overhead powerline running along the south side of the property parallel to W Delap Road. The petition site meets the Buildable Area requirements as stated in the Subdivision Control Ordinance for Chapter 856-7. Buildable area is delineated on the preliminary plat (Exhibit 1). Proposed lot 4 contains steep slopes greater than 15% at its W Delap Rd frontage and in the northeast portion of the lot.

### Site Conditions Map

- Petitioner
- Parcels
- 10-Foot Contours
- Roads



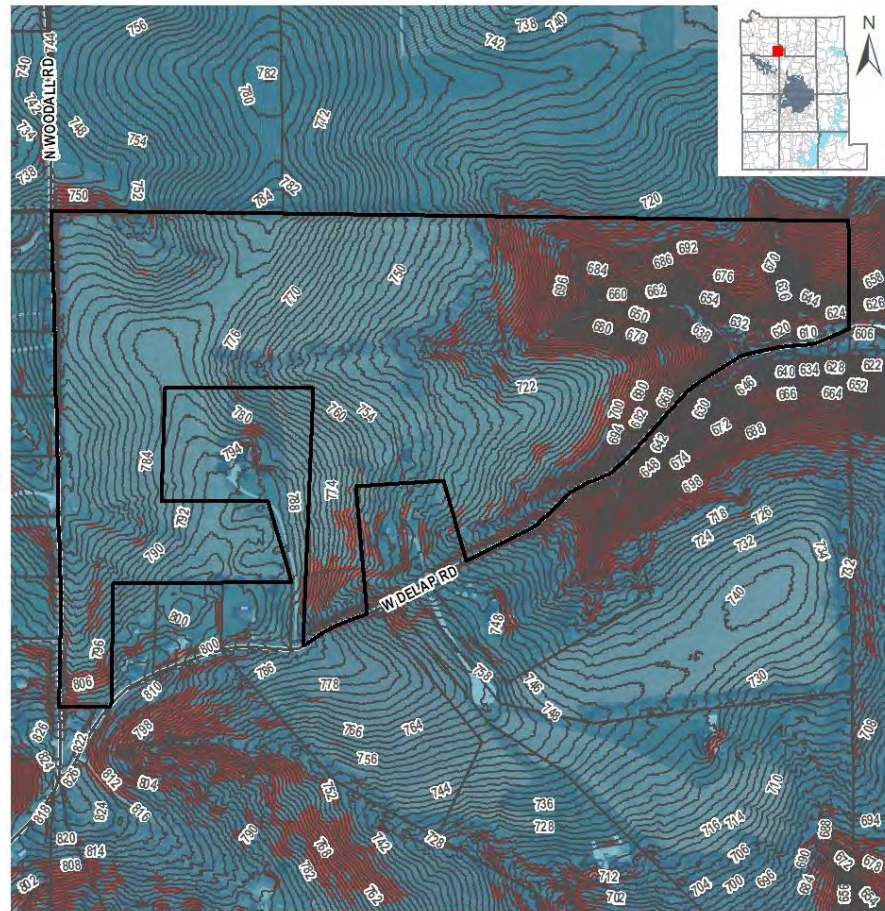
## Slope Map

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

0 95 190 380 570 760 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/17/2019





## SITE PICTURES



Photo 1. Aerial of proposed lots created by staff.

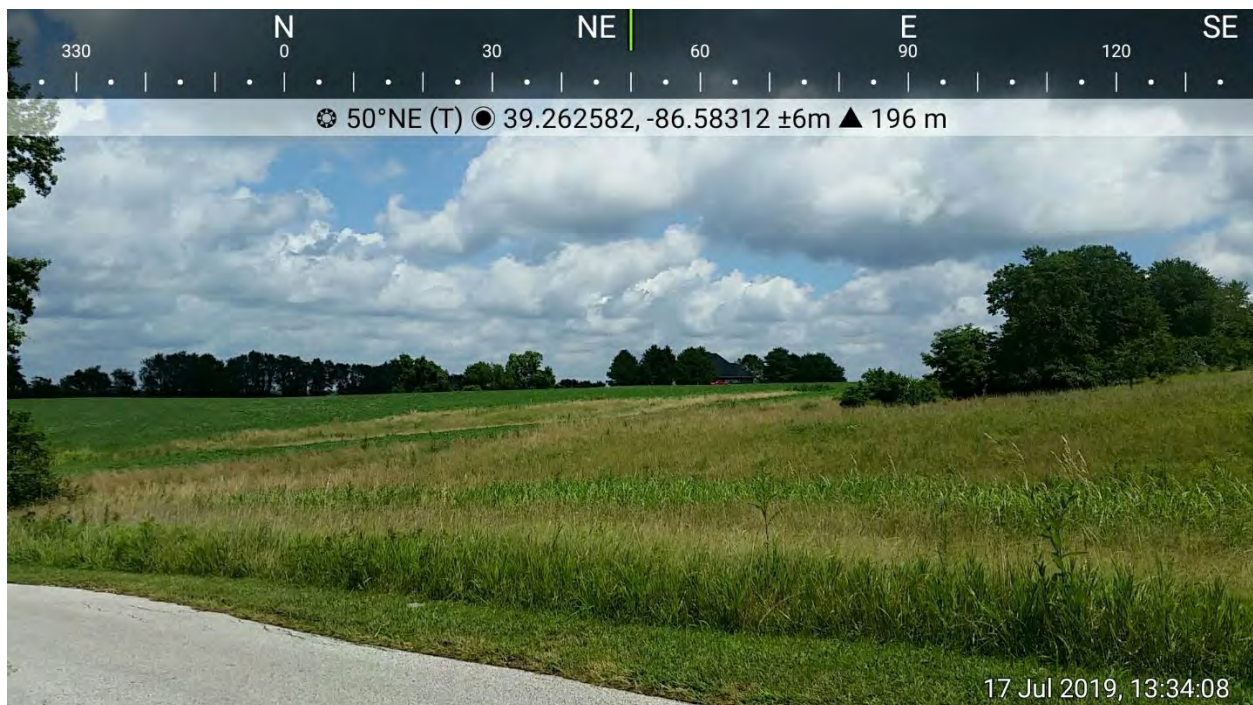


Photo 2. Facing northeast from N Woodall Rd looking across proposed lot 1.





Photo 3. Facing west looking at existing driveway to be shared with proposed lots 1 and 4.



Photo 4. Facing north looking across proposed lot 4 (southern pole) at Gallagher residence and existing structure located on proposed lot 3.





Photo 5. Facing east at the existing driveway to be shared with proposed lot 3.



Photo 6. Facing east looking at existing structures on proposed lot 3.





Photo 7. Facing northeast looking at slopes over 15% of proposed lot 4 along W Delap Rd.

## **COMPREHENSIVE PLAN DISCUSSION**

The petition site is located within the **Rural Residential** designation of the 2015 Comprehensive Plan. The Comprehensive Plan states the following for this designation:

### **Rural Residential**

The Rural Residential use category includes rural property, environmentally sensitive areas, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of the Farm and Forest category is no longer applicable. Generally, these areas are characterized by active or potential mineral extraction operations nearby, steep slopes, and the remaining forest and/or agricultural land where roadways and other public services are minimal or not available. The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren, Bloomington, Richland, Bean Blossom, Washington, and Benton Townships are designated Rural Residential. Most often this category adjoins or is very close to the Farm and Forest Residential areas. Current Rural Residential densities are usually greater than 64 homes per section and some portions of the Rural Residential area have already been subdivided or developed at urban densities.

To maintain Rural Residential 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. Where appropriate infrastructure is available, home clustering with open space dedications may be an option in this residential category. Open space can serve a variety of uses including recreational opportunities for local residents, limited accessory agricultural uses, or buffering of an adjoining use. Contiguous Resilient Land shall be available for each dwelling adequate to support either two independent conventional septic fields or one replaceable mound system. Sufficient space for buildings traditionally associated for this type of use must also be provided. In addition, public roadways shall not experience less than the Monroe County Level of Service standard existing at the time this Plan is adopted. New subdivision road traffic lanes that access County roadways shall not exceed the capacity of traffic lanes for adjoining public roadways. State highways, major collectors, or arterial roads are exempt from this requirement.

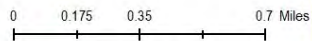


## Comprehensive Plan

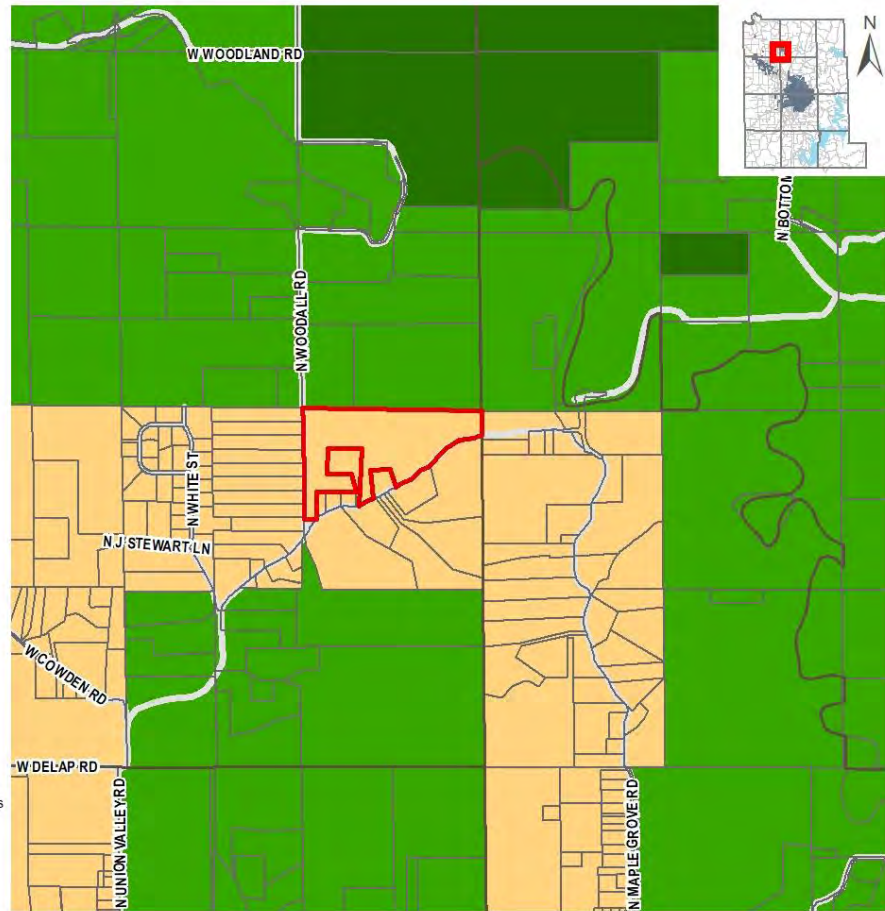
- Petitioner
- Townships
- Parcels
- Roads

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

- Farm and Forest
- Managed Lands
- Rural Residential



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/17/2019



## **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**

- Approval of the subdivision would subdivide one lot into four (4) lots and all lots would meet design standards;
- All lots have approved septic permits, will-serve confirmation letters from SCI REMC and BBP Water Corporation;
- Proposed lots 1 and 4 will have shared access through an existing permitted driveway off of W Delap Rd (driveway owner: Gallagher), proposed lot 2 will have access off of N Woodall road and has submitted a driveway permit application, proposed lot 3 will have shared access through an existing driveway off of W Delap Rd (driveway owner: Gallagher);
- Proposed Lot 1 will have singular access off of N Woodall Rd;
- Each proposed lot meets buildable area design standard requirements;
- Right-of-way will be dedicated along N Woodall Rd (proposed lots 1 and 2) and W Delap Rd (proposed lots 3, and 4);

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

#### **Findings**

- The Comprehensive Plan designates the site as Rural Residential, which includes low-density single-family subdivisions;
- The site has access to water, and electric, as well as having access to local county roads;
- See findings under Section A;

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

#### **Findings**

- See findings under (A);
- The proposed use is residential;
- Structures may not cover more than 65 percent of the lot;
- The surrounding uses are residential or agricultural;

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

#### **Findings**

- The property is currently zoned Agricultural Rural Reserve (AG/RR) and is used for agriculture;



- Adjacent properties are zoned Agricultural Rural Reserve (AG/RR) and are used for Single Family Residential or agriculture;
- 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**

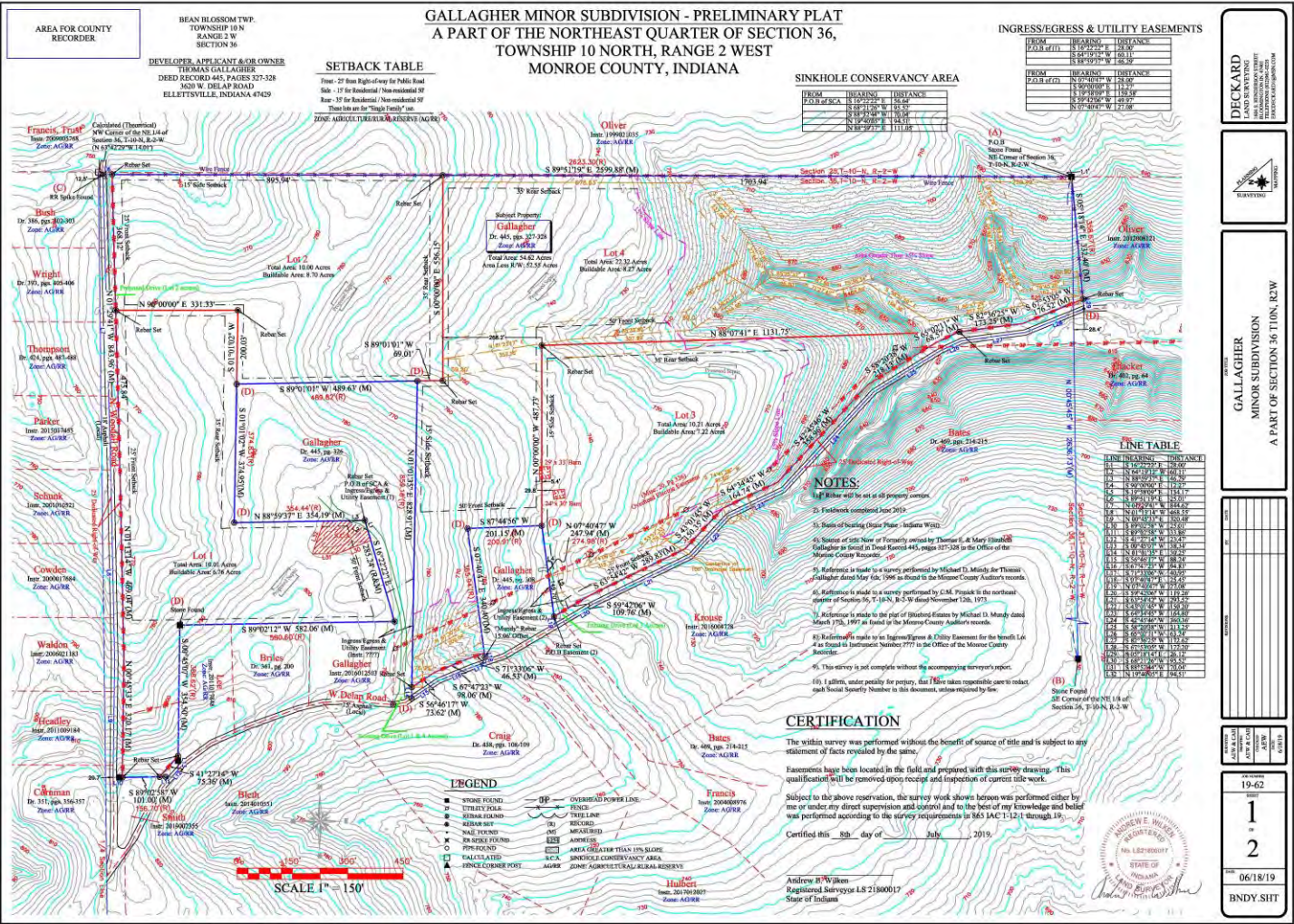
- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded.

**Gallagher - Proposed Lot Information**

	<b>Lot 1</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>
<b>Total Acreage</b>	10.01 acres	10.00 acres	10.21 acres	22.32 acres
<b>Buildable Area</b>	6.76 acres of buildable area	8.70 acres of buildable area	7.22 acres of buildable area	8.27 acres of buildable area
<b>Septic</b>	Plat shows permitted septic location	Plat shows permitted septic location	Plat shows permitted septic location	Plat shows permitted septic location
<b>Utility</b>	Water main running parallel with N Woodall Rd	Water main running parallel with N Woodall Rd	Overhead utility easement present running parallel with W Delap Rd.	Overhead utility easement present running parallel with W Delap Rd.
<b>Access Single/Shared</b>	Access off of W Delap Rd using existing driveway shared with existing Gallagher parcel and proposed Lot 4	Plat shows proposed drive off of N Woodall Rd	Access using existing drive off of W Delap Rd	Access off of W Delap Rd using existing driveway shared with existing Gallagher parcel and proposed Lot 1
<b>ROW Dedication</b>	25' of ROW dedicated off of N Woodall Rd	25' of ROW dedicated off of N Woodall Rd	25' of ROW dedicated off of W Delap Rd	25' of ROW dedicated for W Delap Rd
<b>Environmental</b>	Designated Sinkhole Conservancy Area (SCA)			Drainage Easement delineated per Terry Quillman; Contains large area of slopes greater than 15%
<b>Structures</b>			Has two (2) existing barns of 957 sf and 720 sf.	



EXHIBIT 1: Petitioner Preliminary Plat



## EXHIBIT 2: BBP Water Corp. Capacity Letter



### BBP Water Corporation

256 West Clay Street • P.O. Box 186 • Spencer, Indiana 47460  
Phone 812-829-2283 • Fax 812-829-1050  
[www.bbewatercorp.com](http://www.bbewatercorp.com)

June 25, 2019

To Whom It May Concern,

This letter is to verify that there is sufficient water capacity and availability for BBP Water Corp. to service additional homes on a parcel of property owned by the Gallagher's located at 3620 West Delap Rd. in Ellettsville, IN.

If you need any additional information, please contact our office at the number listed above.

Sincerely,

*Cathy Dunning*  
Cathy Dunning

Office Manager, BBP Water  
Corp.



### EXHIBIT 3: SCI REMC Service Availability Letter



June 26, 2019

Joe Gallagher  
3620 W Delap Rd  
Ellettsville, IN 47429

To Whom It May Concern:

South Central Indiana REMC has power available to serve a residence located on West Delap Road in Monroe County, Bean Blossom Township.

If you have any questions please feel free to call. I am generally in the office 7:30-8:30a or 3:00-4:00p, Monday-Friday.

Sincerely,

*Vance Derringer*

Vance Derringer  
Senior Staking Technician

VD/hd

enclosure

**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](http://sciremc.com)

**MONROE COUNTY PLAT COMMITTEE****August 15, 2019**

**PLANNER** Jackie Nester, AICP  
**CASE NUMBER** 1906-SPP-01, Southern Meadows - Major Preliminary Plat and Plat Vacation  
**PETITIONER** Abington Emerson Investments, Llc in care of Smith Brehob & Associates  
**ADDRESS** 4600 block of S College DR (Parcel #s: 53-08-21-200-108.002-008 & 53-08-20-100-055.002-008)  
**REQUEST** Major Subdivision Preliminary Plat to subdivide 1 parcel into 100 parcels and Partial Plat Vacation of Tract 2 of the Southcrest Mobile Home Park Type A Administrative Subdivision  
**ZONE** RS3.5/PRO6; RE1 & PUD  
**ACRES** 39.1 acres +/-  
**TOWNSHIP** Perry  
**SECTION** 20 & 21  
**COMP. PLAN**  
**DESIGNATION** MCUA Mixed Residential & Open Space, MCUA Phase II – Neighborhood Development (N2)

**EXHIBITS**

1. Southern Meadows Preliminary Plat – [Part I](#) and [Part II](#) (link to high resolution plans)
2. Southcrest Mobile Home Park Type A Administrative Subdivision
3. CBU – Capacity Letter
4. Patton Heights Subdivision
5. Smithville Telephone Easement
6. Neighborhood Meeting – Discussion Notes
7. 1995 Proposal to expand petition site as part of Southcrest Mobile Home Park
8. Highway Department Road Improvement Requests
9. Survey Comments – 7/18/2019
10. Drainage Board Minutes – To be added after Sept 4, 2019
11. Email correspondence from City of Bloomington Utilities 8/5/2019
12. Transportation Alternatives Plan

**RECOMMENDATION**

Staff is **withholding a recommendation** on the Major Subdivision Preliminary Plat, due to a lack of second form of ingress/egress, lack of buildable area for several proposed lots under the proposed grading plan, and due to the fact that the sewer is proposed mainly outside of the main right-of-way.

**PLAT COMMITTEE**

TBD

**BACKGROUND**

The petition site is one 39.1 +/- acre parcel located in Perry Township and gains access to S College Drive, which is classified as a local road. The proposal includes one form of ingress/egress for the subdivision to S College Drive. Currently S College Drive only connects to S Old State Road 37 through Orchard LN. S College Drive dead ends south of this proposed driveway connection. The site currently is classified as vacant; notably, there is a Smithville telephone company building shown on the aerial. The Smithville telephone building is located within a 30' x 44' easement by deed (See Exhibit 5). The easement would remain untouched and would be put into proposed common area 54. The preliminary plat proposes the subdivision of the site into 100 lots, comprising 92 single-family residential use lots and 8 common area lots for drainage, utilities, or non-uses.

The property is zoned Single Dwelling Residential 3.5/PRO6 (RS3.5/PRO6) and Estate Residential 1 (RE1) under Chapter 833 of the Monroe County Zoning Ordinance, as well as approximately 0.48 acres Planned Unit Development (PUD). The proposed lots intended for single family use are located solely within the



RS3.5/PRO6 district and meet the area and density provisions for the RS3.5/PRO6 district. The minimum lot size is 0.22 acres, and the minimum lot width at building line is 70' in this district. The remaining area that is zoned RE1 and PUD would contain the 8 common areas.

The petition site includes approximately 0.48 acres of Planned Unit Development, which was created after the Type A Administrative Subdivision in 2010. This PUD overlap is being included in common area 39 (1.134 Acres) and 53 (5.055 Acres). The site also includes 2.75 acres of Estate Residential 1 (RE1), which covers the floodplain located on this site. The RE1 and floodplain area will be located within common area 53.

The City of Bloomington Utilities will provide sewer and water per the capacity letter submitted. Sewer Corporation has provided a sewer capacity letter. The City of Bloomington Utilities does require that the sewer be placed within the main right-of-way, per their letter to County staff (Exhibit 11).

The petitioner has provided the required sidewalks and street trees on the preliminary plat. They are requesting that the Plan Commission approve an alternate circulation plan to allow for a 10' paved asphalt trail within the railroad bed in lieu of a paved sidewalk along S Rogers ST, which is in the floodway. This request is amenable to County staff and has been communicated to County legal. There is a preference that the trail be placed in a fee simple lot in the event the County would like to purchase the trail.

Drainage for this project is reviewed by the Monroe County Stormwater Services MS4 Coordinator, and also will be reviewed by the Monroe County Drainage Board on September 4, 2019. The final grade and layout of stormwater utilities are required to meet Storm Water Management code requirements, in addition to Subdivision Control requirements pertaining to drainage. There is FEMA floodplain present on the site to the west. The FEMA floodplain will be located within common area 53 and is not intended for development.

## DISCUSSION

The petitioner is currently seeking a rezone of this property from RS3.5/PRO6; RE1 & PUD to Medium Density Residential (MR). The rezone filing and preliminary plat filing is happening concurrently. If the preliminary plat is approved ahead of the rezone, the petitioner would have to amend the plat to change to the amended setbacks. The design standards for RS3.5/PRO6 and MR are listed below.

 = Less Restrictive

RS 3.5/PRO6		MR	
Lot Size	0.22	Lot Size	0.21
Lot Width	70'	Lot Width	60'
Front Setback	25'	Front Setback	25'
Side Setback	8'	Side Setback	5'
Rear Setback	25'	Rear Setback	10'
Max Building Coverage	35%	Max Building Coverage	60%
Max Height	40'	Max Height	35'

Since MR is less restrictive in terms of design standards as compared to RS3.5/PRO6, the preliminary plat proposal meets the requirements for both zones.

The petitioner is working with the owner of 4831 and 4833 S Rogers ST in order to provide a second form of ingress/egress for this subdivision by connecting to W That Road. The lot is zoned Planned Unit Development and has not submitted a development plan to date. The construction of That Road would require IDNR permits as it would be located in the floodway. The frontage of the petition site along S Rogers Street contains a guard rail and floodway; the only location that could potentially serve as a second

form of ingress/egress on this site is utilized by the Smithville Telephone Company and has been put into an easement until 2027.

The Highway Department has asked for an additional turn lane to be completed to access Orchard Lane from S Old State Road 37. Orchard Lane turns into College Drive after approximately 0.25 miles. The petitioner has submitted preliminary plans for building out a passing blister that meets the Highway Department's requirements.

## **HISTORY**

The petition site was previously owned by the same owners of the Southcrest Mobile Home Park. The current owners, Abington Investments, purchased the property in 2016. This property was previously under the City of Bloomington jurisdiction. Though requested to be rezoned to a PUD for an expansion of the mobile home park in 1995, it was never heard by the City Council due to the lack of favorability by the City of Bloomington Plan Commission at that time. The discussions by the City of Bloomington Plan Commission are still relevant to this discussion and are mentioned below.

The Southern Meadows preliminary plat includes a proposal to remove pine trees that buffer lots 29-35 of Patton Heights Subdivision (Exhibit 4) from proposed lots 3-10 of Southern Meadows. Though these pine trees are located on the petition site, they were intended to provide a buffer when Patton Heights subdivision went into place in 1999. According to the second page of the Patton Heights plat, "It's the developers intent to provide a raised earthen mound buffer, landscaping with pine and deciduous trees thus separating this subdivision from the proposed expansion of the leased manufactured housing community."

The issue of tree preservation was discussed by the City of Bloomington Plan Commission in 1995. The proposal at that time was to request the following tree preservation areas:

1. Northwest part of the site within the Clear Creek Floodway
2. Southern border along the Clear Creek School
3. Between the Patton Heights subdivision and the petition site

There is also justification for adding tree preservation between this lot and the existing Southcrest mobile home park to the north.

In addition, the City of Bloomington's Environmental Commission did do a report for the 1995 Southcrest Mobile Home Park expansion request that was in regards to the karst areas on this lot. At that time, they reported that the sinkholes had been filled with debris and needed to be cleaned out and incorporated as a preservation feature of the development. There was a recommendation for a "sinkhole survey" in the proposal from 1995 as well.



## **ROAD NAMES**

There are 6 new named roads in the proposed subdivision:

- 1) **E Pardue CT** – New road to be accessed off of S College Drive. This road is proposed to serve 7 lots total.
- 2) **E Knoke Drive** – There would be 12 lots and 2 common areas potentially accessing off of this road.
- 3) **S Borgman Drive** – There would be 20 lots and 2 common areas potentially accessing off of this road.
- 4) **E Brehob Drive** – There would be 18 lots and 1 common area potentially accessing off of this road.
- 5) **S Stein Drive** – There would be 23 lots and 1 common area potentially accessing off of this road.
- 6) **E Southcrest Court** – There would be 8 lots and 1 common area accessing off of this road.

All proposed road names are phonetically unique from other road names in the County. Alternatively, new road names can be pulled using the list of historic names from Monroe County, Indiana.

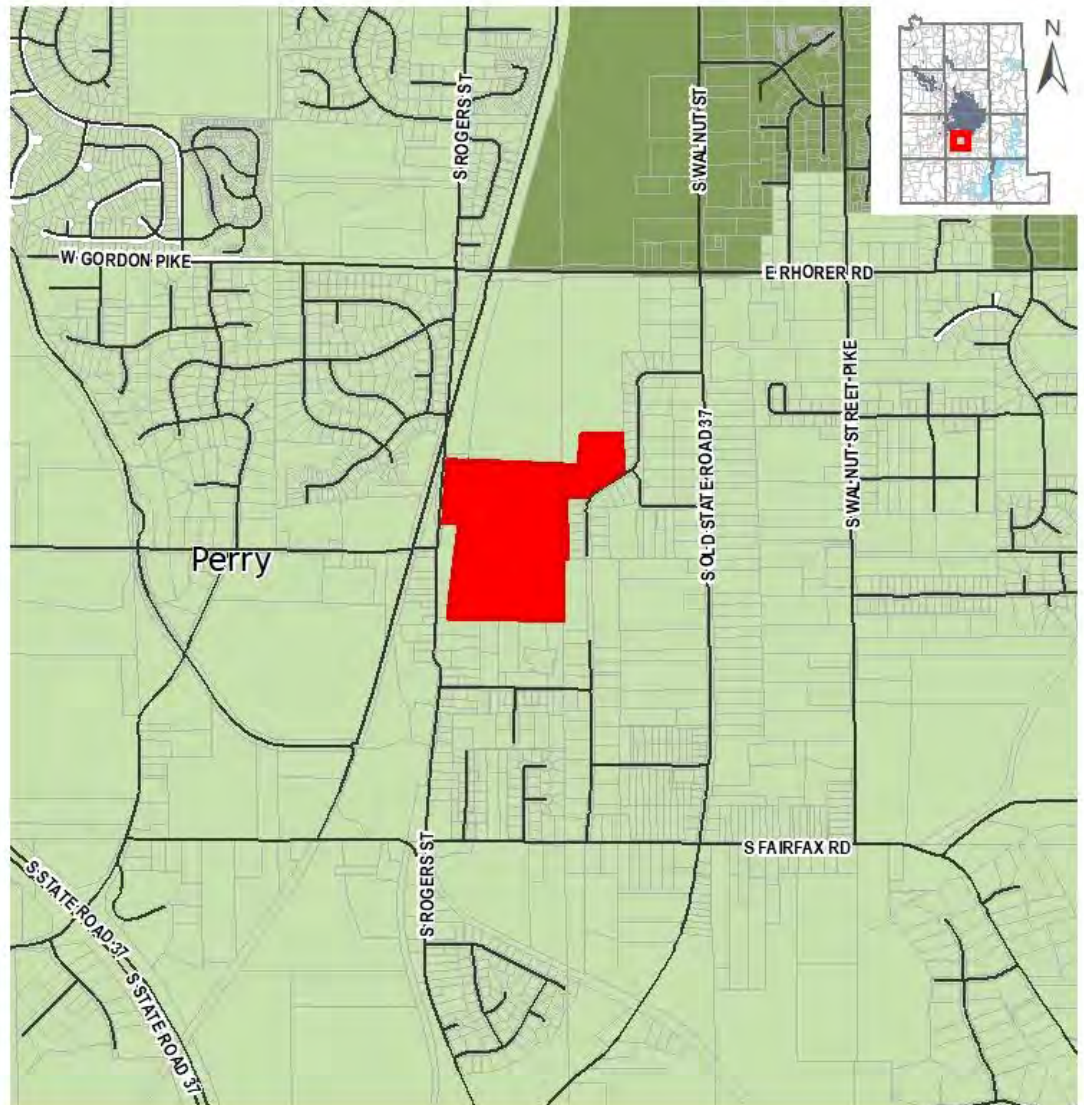
There is a proposal to stub to the western property boundary a road that would be called W That Road. The approval of this road name would be contingent upon the ability to connect to the existing W That Road connection. There is also an upcoming proposal to connect S College Drive, which could offer access down to W Clear Creek Drive from this petition site if approved.

## LOCATION MAP

The site is located in Sections 20 & 21 of Perry Township, Parcel #: 53-08-21-200-108.002-008 & 53-08-20-100-055.002-008.

### Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Incorporated Areas**
- Bloomington
- Parcels



0 0.125 0.25 0.5 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019

## SITE CONDITIONS

The site is currently vacant. There is FEMA Floodplain on the site, which will be put into a common area (Common Area 53). There are also 10 known karst areas present on the property (illustrated by the yellow circles, not to scale and may include multiple in one circle). The slope map is shown below.

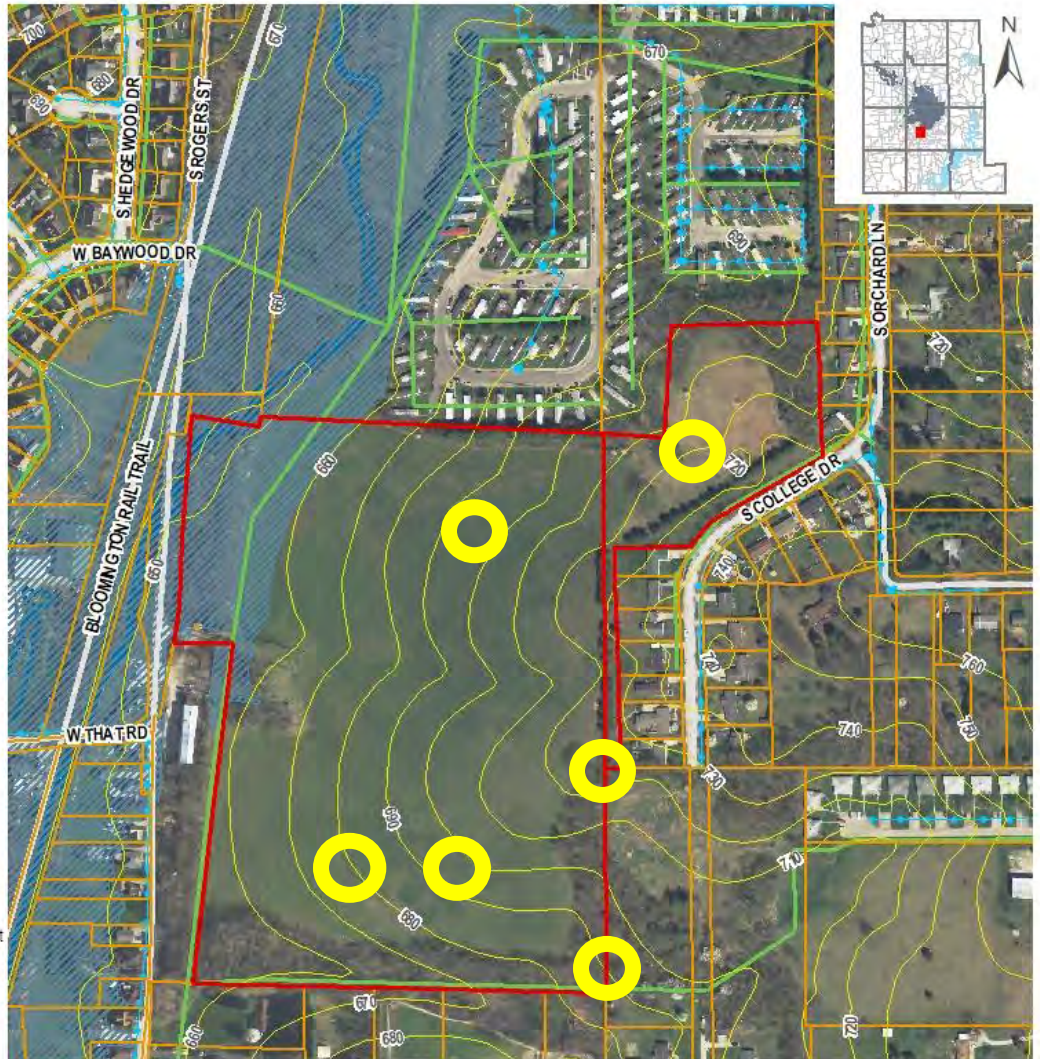
### Site Conditions Map

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

0 190 380 760 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019





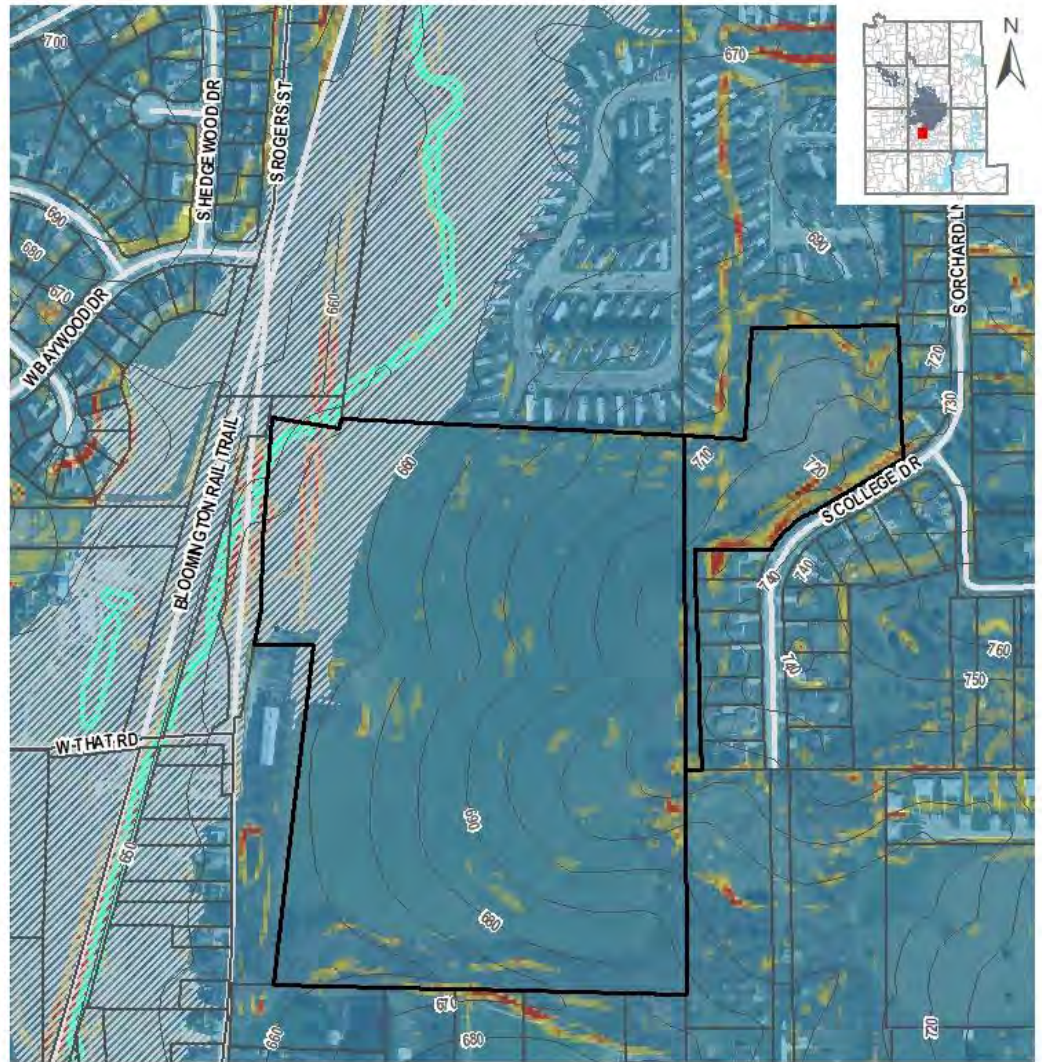
## Slope Map

-  Petitioner
  -  Parcels
  -  10-Foot Contours
  -  Roads
  -  FEMA Floodplain
  -  Hydrologic Features
- Percent Slope (2010)**
-  0 - 12
  -  13 - 15
  -  16 - 18
  -  19 - 21
  -  22 - 24
  -  > 25

0 87.5 175 350 525 700 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019





## **SITE PICTURES**



**Figure 1. Facing north; approximate location of E Knoke Drive**



**Figure 2. Facing south; S College Drive currently dead ends on this street**





**Figure 3. View of existing sidewalk to remain along S College Drive**



**Figure 4. Facing north; view along the western property line.**





**Figure 5. Facing east; view of the parcel**



**Figure 6. View facing west; View of where the That Road stub would be located.**





**Figure 7. View facing south from Southcrest mobile home park. View of where future sidewalk would connect to proposed subdivision**



**Figure 8. View facing north from Southcrest mobile home park. View of where future sidewalk would connect to proposed subdivision. Existing road stub not proposed to be extended.**





**Figure 9. View facing south near proposed lots 3-10. Existing wooded buffer proposed to be removed.**



**Figure 10. View of the sinkhole area that is on proposed Lot 91**





**Figure 10. Birds eye view of the property.**



## ADJACENT USES / ZONING

The property is zoned Single Dwelling Residential 3.5/PRO6 (RS3.5/PRO6) and Estate Residential 1 (RE1) under Chapter 833 of the Monroe County Zoning Ordinance, as well as Planned Unit Development (PUD). The proposed use of the subdivision is single-family residential. Neighboring properties are also single-family residential and mobile home park, with a commercial uses fronting S Rogers Street.

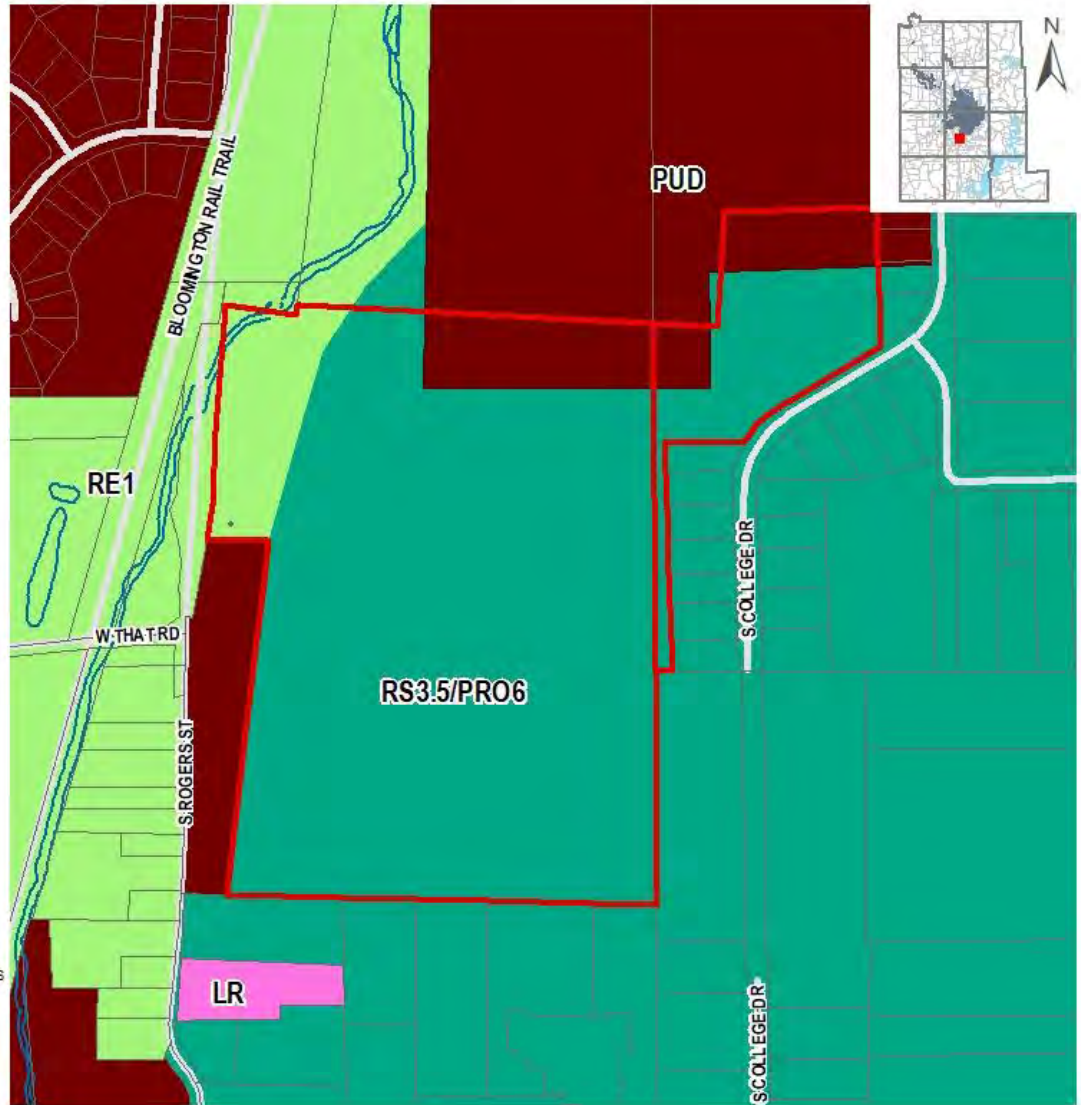
### Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
-  LR - Low Density Residential
-  PUD - Planned Unit Development
-  RE1 - Estate Residential 1
-  RS3.5/PRO6 - Single Dwell. Res. 3.5/PRO6

0 0.035 0.07 0.14 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019



## **INFRASTRUCTURE AND ACCESS**

Access to the property is via S College Drive, which is connected to S Orchard Lane and leads to S Old State Road 37. S College Drive and Orchard Lane are both local roads, which lead out to S Old State Road 37 (Minor Arterial). The Highway Department is recommending road improvements along S Old State Road 37, including a passing blister (See Exhibit 8).

There is a proposed road connection to the west of this subdivision, which includes an extension of That Road. There is also a potential that S College Drive could be connected if another owner proposes a major subdivision to the east; this petition is scheduled for submission to the Planning office for the August 7<sup>th</sup> deadline.

The petitioner has provided the required sidewalks and street trees on the preliminary plat. They have also proposed two off-site improvements, including sidewalks connecting to Southcrest Mobile Home Park and to Clear Creek Elementary. The petitioner does request that the Plan Commission approve an alternate circulation plan along S Rogers Street to allow for a 10' asphalt trail located in the abandoned railroad bed in lieu of placing sidewalk in the right-of-way along S Rogers Street, which is in the floodway. Staff prefers that this trail be placed on a fee simple lot.

All new utilities are required to be located underground throughout the subdivision. Utility easements are provided in front yards at 20' width as required by ordinance. They are being coupled with drainage easements along the front and sides of all lots. Where there is a common area, the petitioner has offered easements to be able to access those areas for future maintenance.

The sewer location is not in the right-of-way, although Chapter 856-39(E) states that sanitary sewers "shall be located within street or alley rights-of-way unless topography dictates otherwise." The sewer will be required to be located in the right-of-way per the subdivision control ordinance and CBU requirements.

Drainage for this project is reviewed by the Monroe County Stormwater Services MS4 Coordinator, and also by the Monroe County Drainage Board at their meeting on September 4, 2019. The final grade and layout of stormwater utilities are required to meet Storm Water Management code requirements, in addition to Subdivision Control requirements pertaining to drainage. There is no FEMA floodplain present on the site.

## **COMMON AREAS**

There are 8 lots proposed as common areas for drainage and utilities. The lot configurations are as follows:

Lot 1: 0.301 Acres. Noted as a Drainage and Utility Easement. Zoned RS3.5

Lot 11: 0.513 Acres. Noted as a Drainage and Utility Easement. Zoned RS3.5

Lot 23: 0.241 Acres – No use noted. Contains a large sinkhole. Zoned RS3.5

Lot 39: 1.134 Acres – Noted as a Drainage and Utility Easement. Zoned PUD & RS3.5.

Lot 53: 5.055 Acres – Noted as a Drainage and Utility Easement. Partially zoned PUD and RE1 and contains floodway.

Lot 54: 0.440 Acres – No use noted – covers the Smithville Easement. Zoned RE1 and contains floodway.

Lot 95: 1.481 Acres. No use noted. Zoned RS3.5.

Lot 96: 0.550 Acres. Noted as a Drainage and Utility Easement. Zoned RS3.5

Common Areas that are currently zoned PUD are not able to be designated as single family use due to the use restriction of the PUD being for a mobile home park. The petitioner does plan on filing a preliminary plat amendment in the future to merge and create lots from common areas 39 and 96 once the zoning is Medium Density Residential (MR). The petitioner plans to utilize common area 95 and 96 for future development by the owner of the property to the west, Blind Squirrels LLC. Note that these changes will require a preliminary plat amendment and therefore approval by the Monroe County Plan Commission.



## COMPREHENSIVE PLAN DISCUSSION

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

### 5.1.1 Mixed Residential

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

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

#### A. Transportation

##### Streets

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

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

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

#### B. Utilities

##### Sewer and water

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

##### Power

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

##### Communications

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

## C. Open space

### Park Types

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

### Urban Agriculture

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

## D. Public Realm Enhancements

### Lighting

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

### Street/Site furnishings

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

## E. Development Guidelines

### Open Space

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

### Parking Ratios

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

### Site design

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

### Building form

Neighborhoods should be designed with architectural diversity in terms of building scale, form, and style. Particular architectural themes or vernaculars may be appropriate, but themes should not be overly emphasized to the point of creating monotonous or contrived streetscapes. Well-designed neighborhoods should feel as though they have evolved organically over time.

### Materials

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



## Private Signs

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

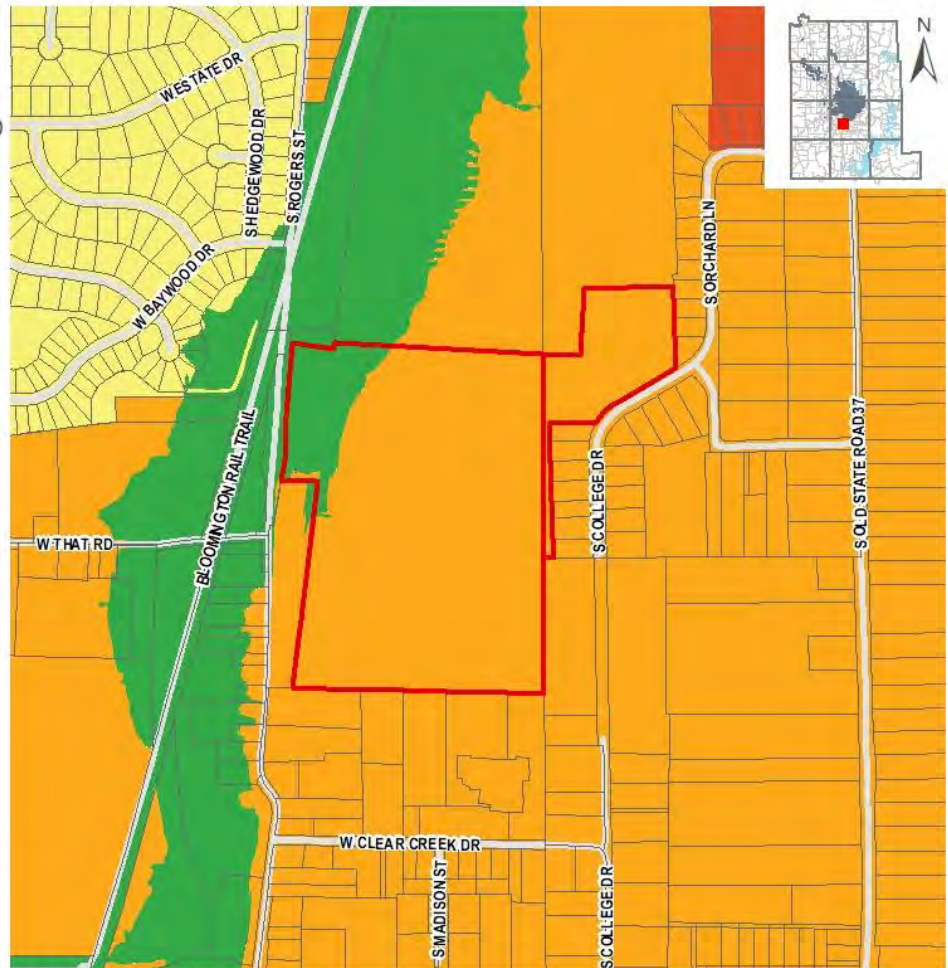
### Comprehensive Plan

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

0 0.05 0.1 0.2 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019



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

**Neighborhood Districts** are intended to accommodate a wide variety of primarily residential uses, housing types, densities and neighborhood development contexts.

### Neighborhood Development (N2)

This district includes several existing residential subdivisions with primarily single-family lots, and is intended to provide a greater opportunity for diverse housing types and densities. Mixed use nodes may be appropriate at key locations within this larger district, consistent with the recommendations of the Mixed Residential land use type designated in the Urbanizing Area Plan.

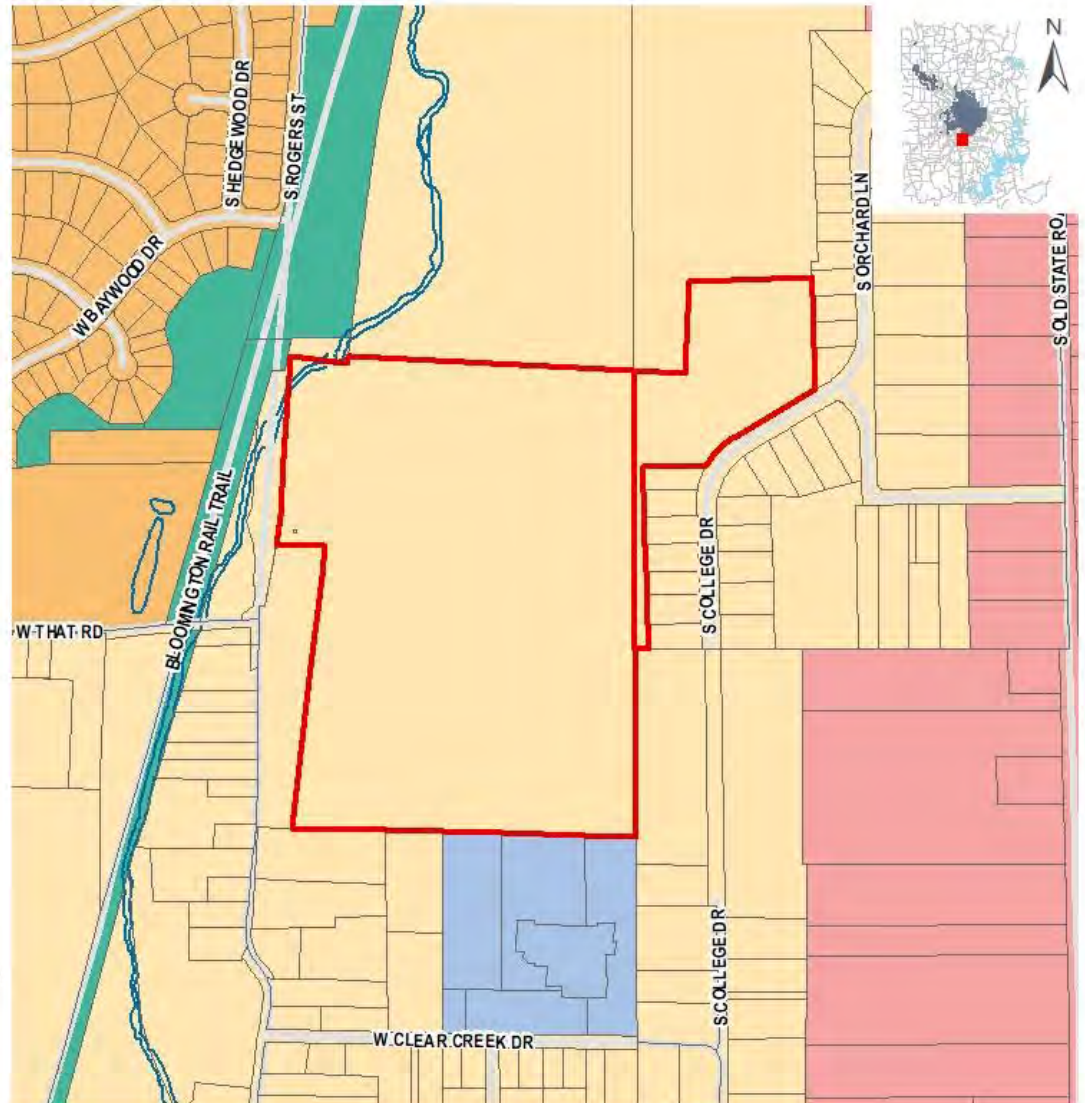
### Proposed Zoning Map (2016)

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Proposed Zoning**
-  G2 - Gateway South
-  N1 - Urban Infill Neighborhood
-  N2 - Neighborhood Development
-  OS - Open Space
-  CV - Civic

0 0.0425 0.085 0.17 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/25/2019





## **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 zoned Single Dwelling Residential 3.5/PRO6 (RS3.5/PRO6) and Estate Residential 1 (RE1) under Chapter 833 of the Monroe County Zoning Ordinance, as well as Planned Unit Development (PUD). The petitioner is seeking a rezone to Medium Density Residential (MR);
- The site is currently vacant and contains floodplain and known karst areas;
- Approval of the subdivision of the site would create one hundred (100) lots;
- Eight (8) lots would be dedicated common area that are not for building sites;
- The 92 lots proposed for single family residential use **do not** all meet the design standards required by the Monroe County Zoning Ordinance. They do not meet the buildable area requirements, the requirement for sewer to be located in the right-of-way, and they are not providing a second form of ingress/egress
- As the grading plan is proposed, they will create grades greater than 15% slope and therefore some lots would be required to apply for a buildable area variance if the subdivision is approved;
- The petitioner has provided drainage easements along the frontage of all of the lots;
- The subdivision is not proposed to be conducted in phases, which means the petitioner will have 2 years from preliminary plat approval to complete the subdivision;
- The proposal shows the sewer located outside of the right-of-way through a majority of the subdivision, which is a requirement under Chapter 856-39 of the Subdivision Control requirements. The petitioner will be required to locate the sewer in the right-of-way to the extent possible by CBU;
- The petition is not proposing a second form of ingress/egress, which is strongly recommended for all major subdivisions under Chapter 856-11 of the Subdivision Control requirements;
- Roads will meet all required street standards in Chapter 856 of the Monroe County Subdivision Control Ordinance as well as the Indiana Department of Highways Road Design Manual;
- The County Highway Engineer has reviewed the plans and requested off-site improvements along S Old State Road 37. If the future plans to connect to W That Road come to fruition, there would also be a requirement for off-site improvements to W That Road;
- Sidewalks that are 4' wide are proposed throughout the subdivision, on both sides of the newly constructed streets, as required;
- The petitioner is requesting approval of an alternate circulation plan to allow for a 10' paved asphalt trail within the railroad bed in lieu of a paved sidewalk along S Rogers ST, which is in the floodway;
- The petitioner has proposed a pedestrian easement that would be intended for future connection to Clear Creek School;
- The petitioner also plans to construct a sidewalk connecting N Stein Drive to the Southcrest Mobile Home Park;
- Street trees total 245 in number and are proposed throughout the subdivision, and located within 5' of the right-of-way, as required;
- 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 September 4, 2019;
- There is FEMA Floodplain present on the site but is located in a common area and not for development;
- City of Bloomington Utilities has provided sewer and water capacity letter;
- Utilities will be underground throughout for electric, sewer, water and telephone;

- The Perry Township Fire Department was sent the plans. The petitioner has not submitted those comments to date;

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

**Findings**

- The Comprehensive Plan designates the site as a Mixed Residential district in the Monroe County Urbanizing Area Plan;
- The Plan states that “Residential buildings should be compatible in height and overall scale, but with varied architectural character. These neighborhoods are often located immediately adjacent to mixed-Use districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance”;
- Monroe County Urbanizing Area Plan Phase II proposed zoning for the site as Neighborhood Development (N2);
- The N2 district includes several existing residential subdivisions with primarily single-family lots, and is intended to provide a greater opportunity for diverse housing types and densities;
- The proposed sidewalks are consistent with the Monroe County Alternative Transportation and Greenways System Plan;
- The alternate circulation plan to build out a portion of the abandoned railroad bed with a 10’ path is supported by county staff but was not explicitly noted in the Transportation Alternatives Plan adopted in 2018 (Exhibit 12);
- The petitioner could place the 10’ asphalt trail in fee simple ownership for the County to potentially purchase in the future;
- See findings under Section A;

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

**Findings**

- Eight (8) of the proposed lots are common area lots for conservation and drainage;
- The total acreage in common areas is 9.715 acres or about 25% of the overall site;
- The proposed common areas are for conservation and drainage/bioretenention;
- There is no defined usable park space on the plans;
- The proposed use of the subdivision is single-family residential;
- Surrounding uses area also single-family residential;
- The site will be graded for walkout basements, which may exceed the 15% or less buildable area upon approval of the grading plan;
- See findings under Section A;

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

**Findings**

- Surrounding properties are zoned Estate Residential 1 (RE1), Planned Unit Development (PUD) – mobile home park (north) and business use (west), and Single Dwelling Residential 3.5/PRO6 (RS3.5/PRO6);
- Approval of the subdivision would create one hundred (100) lots that meet the design standards for the zoning designation RS3.5 and MR;
- The average lot size within a quarter square mile is 1.28 acres, with a median lot size of 0.395 acres. There are only 4 lots in this radius greater than 10 acres including the petition site. The majority of lots (68%) are less than one acre;
- The proposed subdivision is within proximity and has access to shopping, schools, roads,



- utilities and fire protection;
- See findings under Sections A & C;

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

**Findings**

- There is a road connection under construction to connect W Gordon Pike to W Fullerton Pike, which will impact the connectivity of this petition site to major roadways once complete;
- The petition site is composed of 9.715 acres of common area, or about 25% of the total petition area, as proposed;
- The floodplain and karst areas are protected in either common areas or sinkhole conservancy areas;
- Proposed lots 90 & 91 have more than one sinkhole conservancy area and therefore will be difficult to develop;
- The petitioner is not proposing tree preservation areas at this time;
- The petitioner's grading plan will create slopes greater than 15% for the purposes of constructing walk out basement homes;
- Bioretention areas are designed into common areas;
- See findings under Sections A & C;

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

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

**Findings:**

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

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

**Findings:**

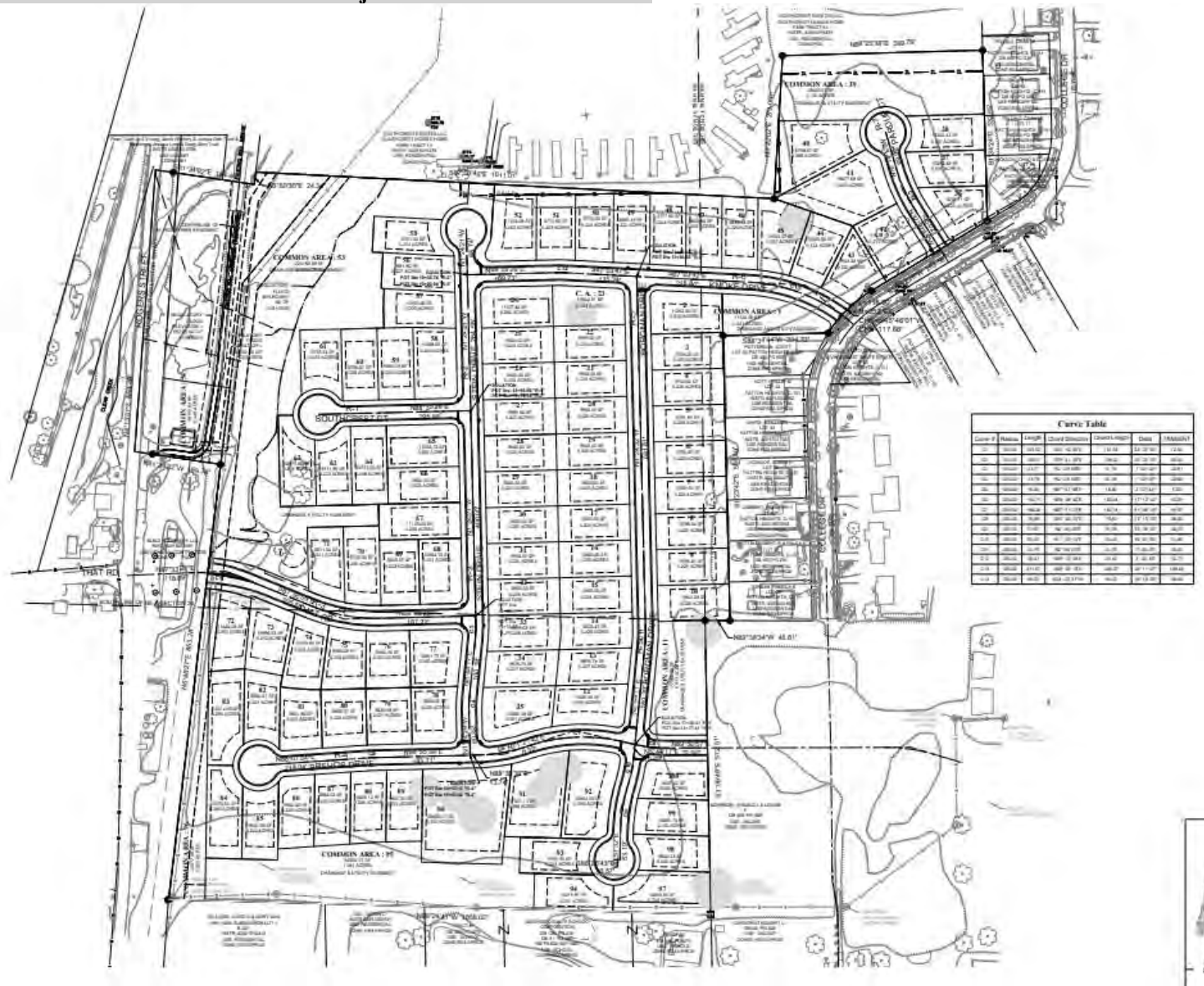
- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy.

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

**Findings**

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

**EXHIBIT 1: Southern Meadows Major Subdivision Prelim. Plat**





[illegible]

[illegible]







**EXHIBIT 3: City of Bloomington Utilities – Sewer Capacity Letter**



**CITY OF BLOOMINGTON UTILITIES**  
Engineering Department

June 4, 2019

Smith Brehob & Assoc. Inc.  
Katie Stein P.E.  
453 S. Clarizz Blvd.  
Bloomington, IN 47401

Re: Leonard Valley Subdivision  
S. Rogers St. to S. College Ave.  
Bloomington, IN 47403

Dear Ms. Stein:

In response to your request concerning the availability of Water and Sanitary Sewer Service to the above referenced location. Please be advised that we will be able to provide service to you under our approved terms and conditions of service.

Should you need further information, feel free to contact me at (812)349-3632.

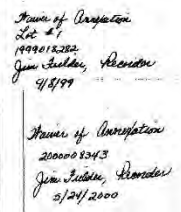
Sincerely,

A handwritten signature in black ink that reads "Troy Powell". The signature is written in a cursive, flowing style.

Troy Powell  
Senior Project Coordinator  
City of Bloomington, Utilities Engineering

3/28

CABC Env 19!

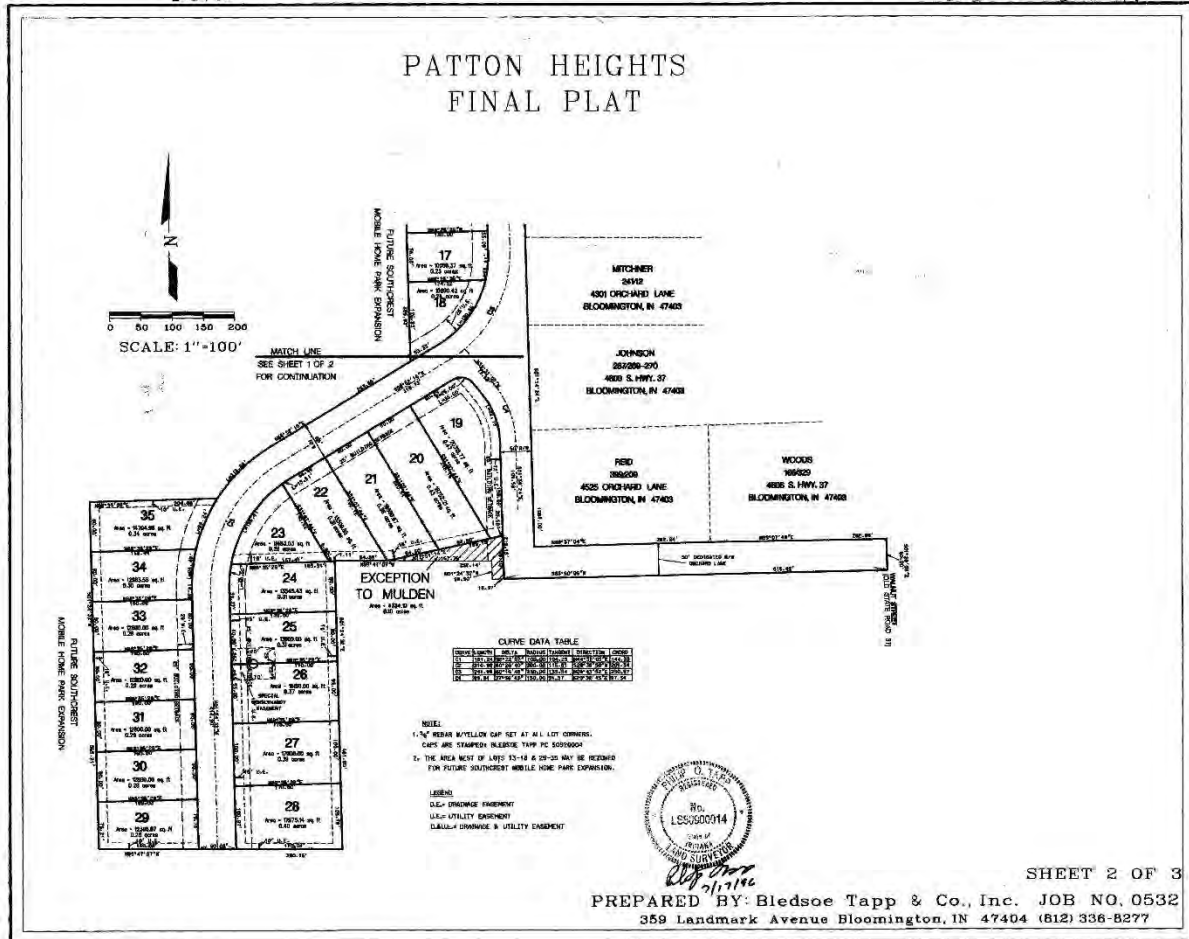




# EXHIBIT 4: Patton Heights Subdivision

#615973

CAD C ENV 191



CAB C ENV 191

PREPARED BY: Bledsoe Tapp & Co., Inc. JOB NO. 0532  
369 Landmark Avenue Bloomington, IN 47404 (812) 336-8277

# EXHIBIT FIVE: Smithville Telephone Easement

W.O.# W97-019-S11

Deed Ref.: Book 276, Page 450

## -EASEMENT-

716001

463, 345

KNOW ALL MEN BY THESE PRESENTS, THAT I/WE THE UNDERSIGNED

Southcrest Mobile Home Manor, Inc.

FOR GOOD AND VALUABLE CONSIDERATION OF \$ 5,866.08 THE RECEIPT OF WHICH IS ACKNOWLEDGED, DO HEREBY GRANT UNTO THE SMITHVILLE TELEPHONE COMPANY, INC. (HEREINAFTER CALLED THE "COMPANY"), WHOSE COMPANY ADDRESS IS ELLETTSVILLE, INDIANA, THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN AN ELECTRONIC EQUIPMENT BUILDING AND TELEPHONE CABLE PLANT UPON MY/OUR PROPERTY SITUATED IN SECTION 20, TOWNSHIP 8 North, RANGE 1 West, COUNTY OF Monroe, STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### Right-of-Way Easement:

Permission to place an electronic telephone equipment building within a thirty (30) foot long by forty-four (44) foot wide area located within a part of the East Half of the Northeast Quarter of Section 20, Township 8 North, Range 1 West, Monroe County, Indiana. The east line of said 30' x 44' area shall be twenty-five (25) feet west of the centerline of an abandoned railroad right-of-way (Monon Railroad), and the south line of said area shall be located twenty-five (25) feet north of the south property line, and north of an existing field entrance drive. (See attached Exhibit A.)

Said Easement shall remain in effect for a term of thirty (30) years from the date of execution of this document by the Property Owner.

The above-described thirty (30) foot by forty-four (44) foot area shall be fenced by and maintained by Smithville Telephone Company.

Any excavated rock or debris shall be removed in a timely manner.

A copy of the properly recorded Easement shall be sent to the Property Owner.

THE UNDERSIGNED AGREE THAT ALL STUB POLES, PEDESTALS, WIRES AND OTHER FACILITIES, INCLUDING ALL TELEPHONE EQUIPMENT INSTALLED ON THE ABOVE-DESCRIBED PREMISES AT THE COMPANY'S EXPENSE SHALL REMAIN THE PROPERTY OF THE COMPANY, REMOVABLE AT THE OPTION OF THE COMPANY.

THE TELEPHONE COMPANY SHALL NOT ENTER UPON THE PROPERTY OR DISTURB THE SURFACE OF THE LANDS WITHOUT REPAIRING IN FULL ALL DAMAGE CAUSED.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE SET THEIR HANDS AND SEALS THIS 17TH DAY OF September, 1997.

SIGNED IN THE PRESENCE OF:

Jack E. Hillenberg

Southcrest Mobile Home Manor, Inc.

by: Kevin C. Burk

title: General Mgr. / Asst. Sec. - T.M.A.

RECORDED  
A.M. P.M. 39

SEP 23 1997

Fed. ID # 35-1185933

STATE OF INDIANA

RECORDER MONROE CO., IN

SS:

COUNTY OF Monroe

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS 17TH DAY OF September, 1997, PERSONALLY APPEARED THE WITHIN NAMED Southcrest Mobile Home Manor, Inc. by: Kevin C. Burk AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT TO BE (HIS) (HER) (THEIR) VOLUNTARY ACT AND DEED.

WITNESS, MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES  
Jack E. Hillenberg  
Notary Public, State of Indiana  
Monroe County  
My Commission Expires 07/10/98

Jack E. Hillenberg  
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY JOE F. WATSON, WATSON AND HOBBS, ATTORNEY AT LAW, 125 NORTH MAIN STREET, TIPTON, INDIANA.



**EXHIBIT SIX: Neighborhood Meeting Notes and Illustration**





## **EXHIBIT SIX: Neighborhood Meeting Notes and Illustration**

### **Southern Meadows/Schermer/Clear Creek Urban Neighborhood Meeting Notes**

**Compiled by:** Smith Brehob & Associates, Inc.

**Meeting Date:** July 29, 2019

**Time:** 7:00pm

**Location:** Clear Creek Elementary Cafeteria

**Marketing:** Neighbors were invited via letters mailed to all property owners listed on the adjacent property owners list given by the county for the Southern Meadows rezone. Signs announcing the meeting were also posted on the properties. (See attached for copy of letter.)

**Handouts:** See attached for a copy of the agenda and conceptual site plan that was made available to all attendees.

**Attendees:**

Kyle Stoner, Abington Emerson Investments, LLC – Southern Meadows

Johnny Camarena, Abington Emerson Investments, LLC – Southern Meadows

Kevin Burk – Southern Meadows

George & Betty Schermer, members of their family, and their employees – Schermer Subdivision

Tamby Wikle-Cassady & Randy Cassady – Clear Creek Urban

Michael Flory – Clear Creek Urban

Kendall Knoke, Smith Brehob & Associates, Inc.

Don Kocarek, Smith Brehob & Associates, Inc.

Katie Stein, Smith Brehob & Associates, Inc.

Sidra St. Rain, Smith Brehob & Associates, Inc.

(See the attached neighbor list for all neighbors who attended and signed in.)

**Note:** As this meeting was a dialogue between neighbors and developers, these notes are intended to provide a general list of topics discussed. It is not meant to specifically quote individuals or by any means be a comprehensive list of everything said at the meeting. Smith Brehob and Associates has made every effort to provide an accurate and comprehensive summary of general topics discussed but takes no responsibility for anything misrepresented by, added to, or omitted from this list.

**Meeting Notes:**

- Drainage

## EXHIBIT SIX: Neighborhood Meeting Notes and Illustration

- Flooding at intersection of That Road & Rogers Rd
  - Questions about when the county is going to raise the road out of the floodway
- Concern for the Clear Creek Urban project being flooded
- Concern that Clear Creek is at capacity
  - Requested that drainage from subdivisions not be directed into Clear Creek
- Concern that proposed detention facilities may be a hazard to children
- Questions about who will maintain the detention facilities
  - This will be handled by each subdivision's HOA
- Traffic/Roadways
  - Concern for traffic in Patton Heights subdivision
    - Requested speed bumps along S College Dr
  - S College Dr
    - Concern that S College Dr south of the Adamson property and north of Clear Creek Dr is a private drive and therefore cannot be connected to by a public road
  - Concern with street connection from Southern Meadows subdivision to That/Rogers and the additional traffic that will bring to Rogers/That
  - Requested a traffic study be performed
- Homes
  - Concern that houses will cost too much
  - Concern that new lots could bring down neighboring property values
  - Schermer subdivision will be manufactured homes
    - It was requested that a minimum home type or standard for the Schermer subdivision be maintained
  - George Schermer thinks his homes may cost \$200k, but it depends on required infrastructure costs
  - Southern Meadows homes will be built on site
    - It is unknown at this time what they will look like exactly
  - Abington Emerson Investments, LLC did not know how much the homes would cost at this time
  - Will there be garages?
    - Garages are planned in all subdivisions
- Trees
  - Request that buffer trees remain along Patton Heights subdivision
  - George Schermer will try to keep as many trees as possible
- Utilities
  - Concern that a nearby sanitary sewer lift station may be impacted by the proposed subdivision construction
  - CBU will be taking over an existing private sanitary sewer as part of these projects
    - Neighbors asked if they could hook into the new public sewer – answer is yes
  - Concern that neighbors would be forced to hook onto new sewer and pay city fees
    - They will not be required to connect until they try to pull a new septic permit-at that time they will be required to connect
- Pedestrian connectivity
  - Requested that pedestrian connections be made to Clear Creek Elementary -
    - Pedestrian paths to Clear Creek Elementary are shown from both subdivisions
    - Requested that path be lined up with existing walking bridge on the property
      - This will be explored



## EXHIBIT SIX: Neighborhood Meeting Notes and Illustration

- Requested that walking paths to the elementary be lit
- Confusion about sidewalk waiver
  - This is no longer being requested
- General
  - Concern for the construction timeline
  - Concern for the number of people that will be living in the new homes
  - Post office parking lot-questions about whether it will stay where it is or be relocated
    - Clear Creek Urban project will come up with a plan for this
  - Concern about the school district's ability to handle additional students
  - Confusion about why the existing home on the Adamson property was not able to subdivide the property in the past
  - Many neighbors expressed that they wished a representative from the county was present

## EXHIBIT SIX: Neighborhood Meeting Notes and Illustration

*~Neighbors who signed in~*

Name	Address
Glenda Chestnut	4994 S. College Dr
Larry Chestnut	4994 S. College Dr
Nate May	5005 S. College Dr
Danna Barnett	4607 S. College Dr
Jacques Gleyze	4999 S. College Dr
Janice Chestnut	4900 S. College Dr
Bob Chestnut	4900 S. College Dr
Jack Skiles	4902 S. Rogers St
Jill Skiles	4902 S. Rogers St
Eric Ford	585 W. Church Ln
Emma Ford	585 W. Church Ln
Dale Walt	532 Green Rd
Marie Walt	532 Green Rd
Dave Williams	4901 S. Rogers St
Vicky Hillenburg	220 W. Wayside Dr
Robert Hillenburg	220 W. Wayside Dr
Scott Abrams	4224 S. Orchard Ln
Julie Abrams	4224 S. Orchard Ln
Andrew Haldeman	4995 S. College Dr
Jessica Haldeman	4995 S. College Dr
Carolyn Livesay	4227 S. Orchard Ln
Ronald Livesay	4227 S. Orchard Ln
Mark Riggins	4998 S. College Dr
Diane Riggins	4998 S. College Dr
Josh Mitchell	487 S. Clarizz Blvd
Gloria Suffridge	4885 S. College Dr
Steven Dougherty	313 W. Clear Creek Dr
Stephen Figert	5101 S. College Dr
Rebecca Figert	5101 S. College Dr
David Schunk	824 W. Estate Dr
Nancy Otten	4510 S. Orchard Ln
Charlotte Colvin	4701 S. College Dr
Eric Oldvins	5245 S. College Dr
Kim Key	5245 S. College Dr
Roberta Bechtel	5015 S. College Dr
F. Joe Bechtel	5015 S. College Dr
Dan Fultz	5015 S. Madison
Denna Fultz	5015 S. Madison
Rhonda Welch	4229 S. Orchard Lane
Robert Logsdon	4910 S. Rogers St & 4904 S. Rogers St
Scott Patterson	4600 S. College Dr
Pam Jordan	4712 S. College Dr
Zachary Malham	4905 S. Rogers St / Wampler House Bed & Breakfast
Donna Malham	4905 S. Rogers St / Wampler House Bed & Breakfast
Michelle Abbott	305 W. Clear Creek Dr
Troy Brewer	424 W. Clear Creek Dr
Gary Kieffaber	725 W. That Rd
Annis Buchanan	301 W. Clear Creek Rd
Bob Patton	4206 S. College Dr
Paula Patton	4206 S. College Dr
Linda Lysher	5002 S. College Dr

## EXHIBIT SIX: Neighborhood Meeting Notes and Illustration

Smith Brehob & Associates, Inc.



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

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

~ Invitation Mailed to Southern Meadows Rezone  
Adjacent property owner's List ~

453 S. Clarizz Boulevard  
Bloomington, IN 47401

July 10, 2019

Dear Neighbor,

We wanted to take this opportunity to inform you of two development projects that are being proposed near your neighborhood. Both projects are single family residential subdivisions on approximately ¼ acre lots. The first project is being referred to as the "Southern Meadows Subdivision" and contains approximately 96 single family residential lots. The second project is being referred to as the "Schermer Subdivision" and contains approximately 19 single family residential lots. The attached graphic shows the locations and conceptual plans for both subdivisions.

You will be receiving multiple public notices regarding these projects in the mail and you will very likely see property markers on the properties. These projects will be going to several public hearings as part of the approval process. As a courtesy to our neighbors, we would like to invite you to a neighborhood meeting on **Monday, July 29<sup>th</sup>, 2019 at 7pm at Clear Creek Elementary** to provide information to you regarding our projects and to receive any feedback you may have. If you are unable to attend, please email your feedback to [kknoke@smithbrehob.com](mailto:kknoke@smithbrehob.com) or call 812-336-6536 ext. 13. We consider your input to be very valuable and it will help shape these projects moving forward.

Our goal is that these projects be an enrichment to the community and welcome additions to the Clear Creek area. Thank you for helping us and we will see you at the meeting!

Regards,

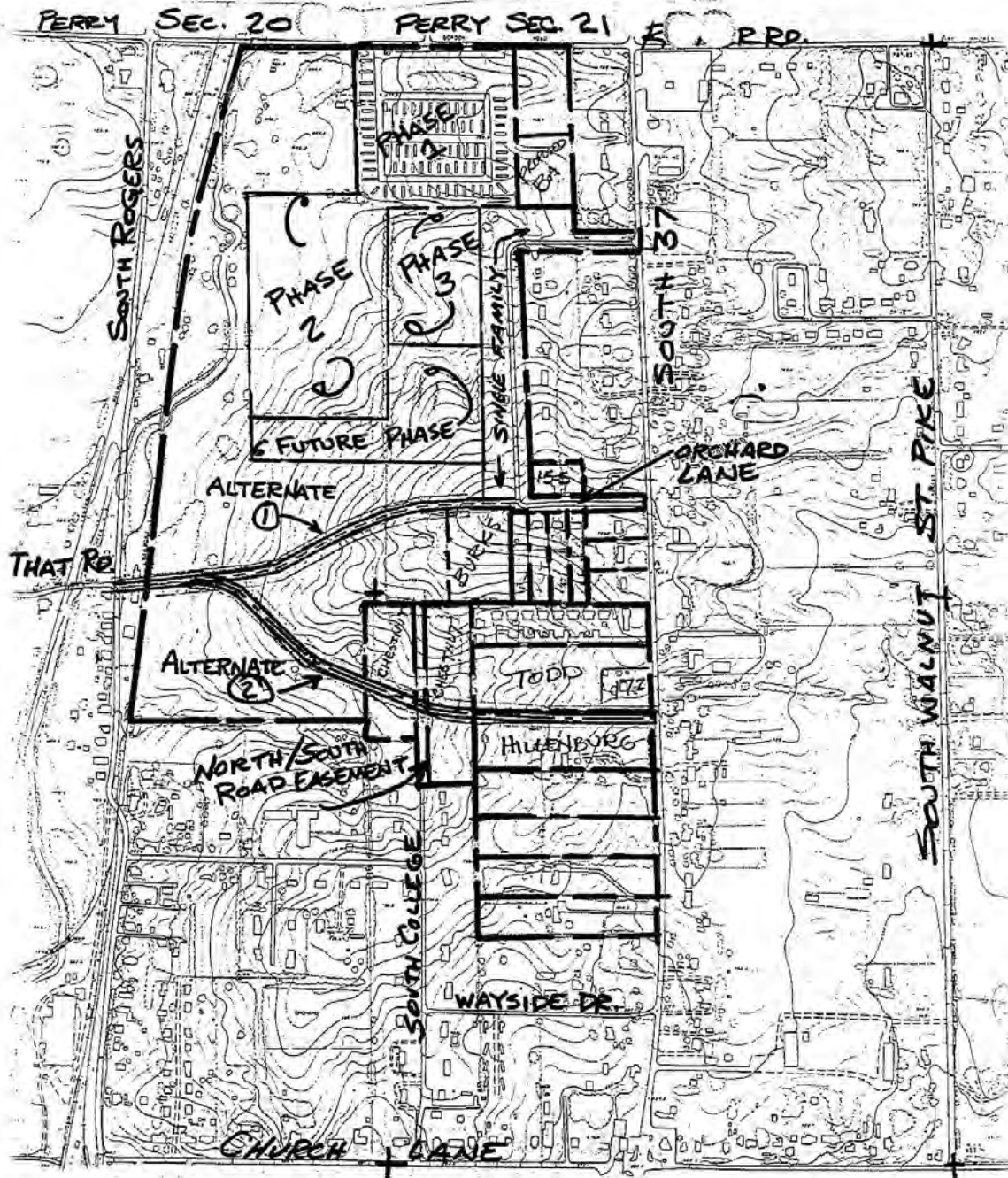
Kendall Knoke  
Smith Brehob &  
Associates, Inc.

Kyle Stoner  
Southern Meadows  
Subdivision

George & Betty  
Schermer  
Schermer Subdivision

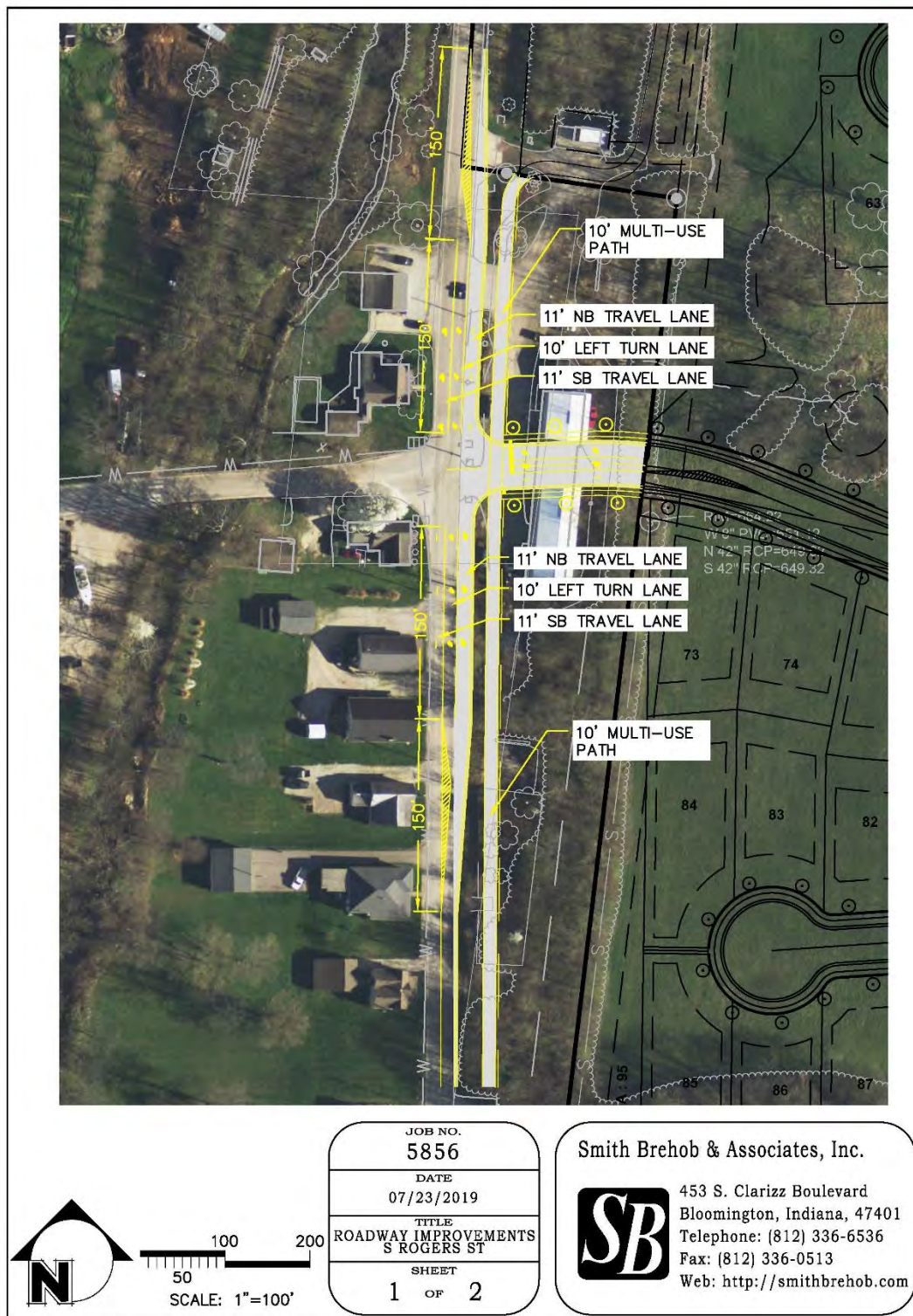


EXHIBIT SEVEN: 1995 Proposal to expand petition site as part of Southcrest Mobile Home Park



ALTERNATIVE  
EAST/WEST ROADWAY  
ALIGNMENT

## **EXHIBIT EIGHT: Highway Department Road Improvement Requests**





## EXHIBIT EIGHT: Highway Department Road Improvement Requests





## EXHIBIT EIGHT: Highway Department Road Improvement Requests

### Jacqueline Nester

---

**From:** Paul Satterly  
**Sent:** Tuesday, July 23, 2019 3:22 PM  
**To:** 'Kendall Knoke'  
**Cc:** Jacqueline Nester; Steve Brehob  
**Subject:** RE: Southern Meadows

Kendall,

Looks good for now. We will need to work on the That Road intersection in terms of turn lane alignment.

Paul

**Paul B. Satterly, P.E.**  
**Highway Engineer**  
**Monroe County Highway Department**

501 N. Morton Street, Suite 216  
Bloomington, Indiana 47404  
[psatterly@co.monroe.in.us](mailto:psatterly@co.monroe.in.us)  
Office (812) 349-2554  
Cell (812) 361-7918

---

**From:** Kendall Knoke [mailto:[kknoke@snainc.com](mailto:kknoke@snainc.com)]  
**Sent:** Tuesday, July 23, 2019 2:41 PM  
**To:** Paul Satterly <[psatterly@co.monroe.in.us](mailto:psatterly@co.monroe.in.us)>  
**Cc:** Jacqueline Nester <[jnester@co.monroe.in.us](mailto:jnester@co.monroe.in.us)>; Steve Brehob <[sabrehob@snainc.com](mailto:sabrehob@snainc.com)>  
**Subject:** RE: Southern Meadows

Paul, I believe I have addressed all of your comments. I kept the lanes 12' on Old SR 37 as I think at this time they are closer to 12' than 11'. Once we survey I will know for sure and we can adjust accordingly.

Jackie, can you please add this to the submission documents. These are the off-site roadway improvements we are committing to constructing as part of the Southern Meadows project.

Thanks,  
Kendall

**Kendall Knoke**  
Smith Brehob & Associates, Inc.  
Office: 812-336-6536 EXT. 13

---

**From:** Paul Satterly <[psatterly@co.monroe.in.us](mailto:psatterly@co.monroe.in.us)>  
**Sent:** Tuesday, July 23, 2019 8:57 AM  
**To:** Kendall Knoke <[kknoke@snainc.com](mailto:kknoke@snainc.com)>  
**Cc:** Jacqueline Nester <[jnester@co.monroe.in.us](mailto:jnester@co.monroe.in.us)>  
**Subject:** RE: Southern Meadows

Kendall,

## EXHIBIT EIGHT: Highway Department Road Improvement Requests

For the improvements on Rogers Street:

1. Eliminate the northbound bike lane.
2. Line up the westbound through/left lane opposite the through lane on the other side of the intersection.
3. On Rogers Street, place left turn lane tapers within the limits of the pavement shift tapers (overlap).

For Old SR 37:

1. Full width of blister extend 100 ft. south from north edge of Orchard. 150 ft. taper would be acceptable.
2. If through lane is 11 ft. wide, passing blister could be 11 ft. as well.

Please call me if you have any questions.

Thanks,

Paul

**Paul B. Satterly, P.E.**  
**Highway Engineer**  
**Monroe County Highway Department**

501 N. Morton Street, Suite 216  
Bloomington, Indiana 47404  
[psatterly@co.monroe.in.us](mailto:psatterly@co.monroe.in.us)  
Office (812) 349-2554  
Cell (812) 361-7918

---

**From:** Kendall Knoke [<mailto:kknoke@snainc.com>]  
**Sent:** Monday, July 22, 2019 4:49 PM  
**To:** Paul Satterly <[psatterly@co.monroe.in.us](mailto:psatterly@co.monroe.in.us)>  
**Cc:** Ben Ayers <[bayers@co.monroe.in.us](mailto:bayers@co.monroe.in.us)>; Jacqueline Nester <[jnester@co.monroe.in.us](mailto:jnester@co.monroe.in.us)>  
**Subject:** RE: Southern Meadows

Paul, please see the attached exhibit. I believe this conveys generally what you want us to commit to doing as part of the Southern Meadows project. Please let me know if you have any additional comments at this time. Once/if the project is approved, we can move into detailed design and take care of the traffic counts, surveying, permitting, and fine details then.

Thanks,  
Kendall

**Kendall Knoke**  
**Smith Brehob & Associates, Inc.**  
Office: 812-336-6536 EXT. 13

## EXHIBIT NINE: Surveyor Comments – 7/18/2019

### Jacqueline Nester

---

**From:** Rachel Oser  
**Sent:** Thursday, July 18, 2019 4:22 PM  
**To:** Jacqueline Nester; Trohn Enright-Randolph  
**Subject:** RE: Southern Meadows - First Round of Comments  
**Attachments:** MCSO\_Checklist\_SouthernMeadows\_20190718.pdf

Hi Jackie,

There are not section corners shown on this plat, so we don't have any comments.

I would like to see the symbology for the found monuments at the existing corners added to the legend, along with a symbol for all of the new monuments that they are going to set.

Thanks,

**Rachel Savich Oser**  
*Professional Surveyor*  
Monroe County Surveyor's Office  
119 W 7<sup>th</sup> Street  
Bloomington, IN 47404  
812-349-2570 (desk)  
812-325-6203 (cell)

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**From:** Jacqueline Nester  
**Sent:** Thursday, July 18, 2019 9:13 AM  
**To:** Trohn Enright-Randolph <tenright@co.monroe.in.us>; Rachel Oser <roser@co.monroe.in.us>  
**Subject:** FW: Southern Meadows - First Round of Comments

Hi Rachel and Trohn –

Below is the link to the submission for the Southern Meadows Major Subdivision Preliminary Plat for 102 lots. The case file number is 1906-SPP-01. Can you let me know if you have comments? My first round of comments are below.

Thank you!

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



**EXHIBIT TEN: Drainage Board Minutes – 9/4/2019**

**EXHIBIT ELEVEN: Email correspondence from the City of Bloomington Utilities – 8/5/2019**

**Jacqueline Nester**

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**From:** Nancy Axsom <axsomn@bloomington.in.gov>  
**Sent:** Monday, August 5, 2019 10:16 AM  
**To:** Jacqueline Nester  
**Subject:** Re: Southern Meadows - Sewer Question

Jackie,

We have had some communications w/Kendall regarding the location of the sewer. As I understand it, Kendall had indicated some of the lots' elevations are such they could have a walk-out basement, and they wanted to be able to serve those lots from behind. We told them the only way we would allow this would be for there to be some sort of public alley/roadway over the sewer, but our preference is in the main ROW. Just having an easement over infrastructure behind houses is not sufficient because people tend to ignore or aren't fully aware of things like this, especially when in back yards. We fight these types of things all the time. Having an alley behind the houses would add ROW for the County to maintain. I'm guessing you aren't interested in adding to your inventory more than is necessary.

Houses w/walk-out basements can still have facilities in the basements and be served w/sewer. The basement facilities would just need to have private pumps.

Let me know if you have any other questions.

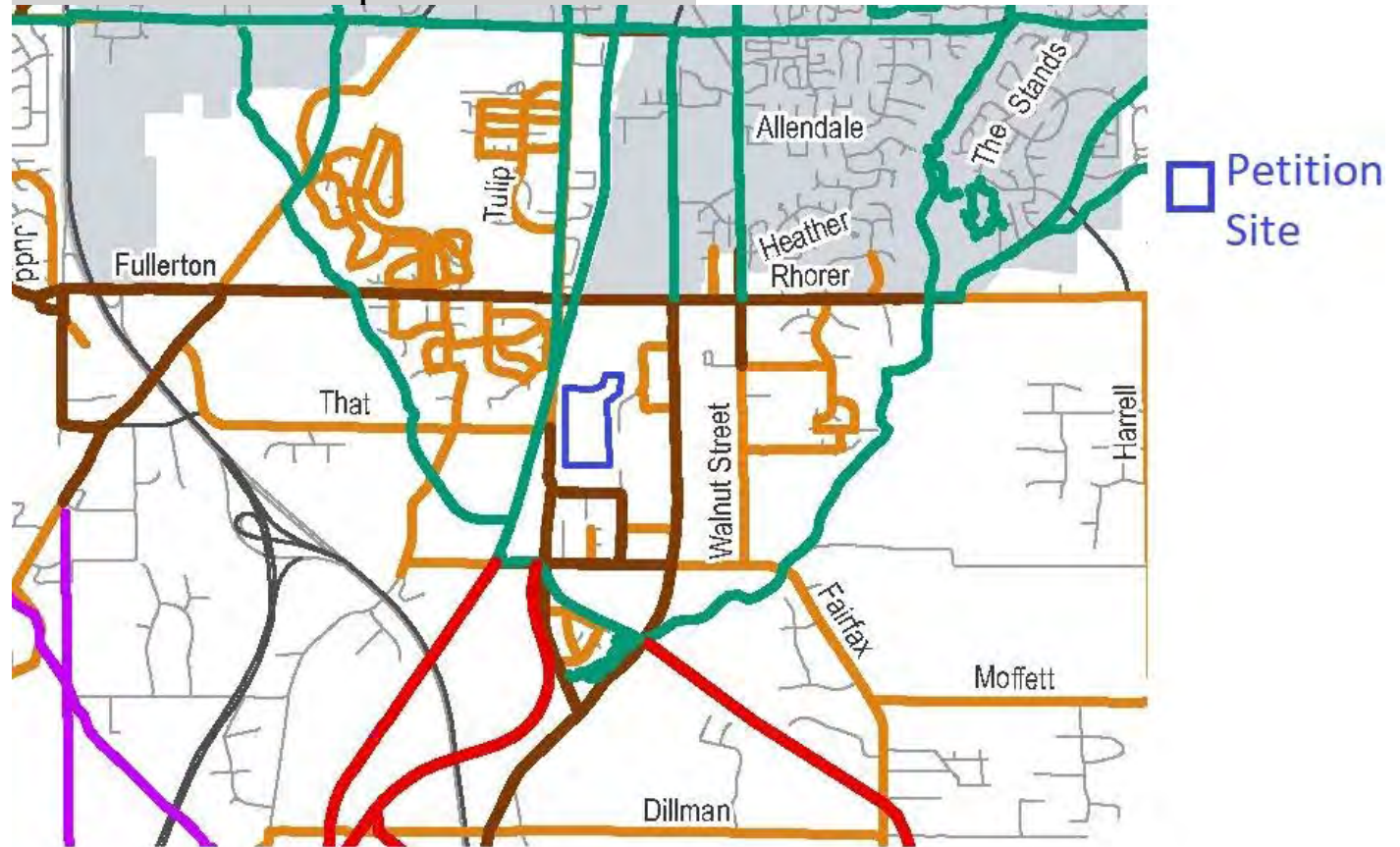
**Nancy Axsom**  
*City of Bloomington Utilities*  
Proj. Coord. - New Services  
600 E Miller Dr, Bloomington, IN 47401  
812-349-3689

On Fri, Aug 2, 2019 at 5:07 PM Jacqueline Nester <[jnester@co.monroe.in.us](mailto:jnester@co.monroe.in.us)> wrote:

Great, thank you!

Jackie Nester, AICP  
Assistant Director  
Monroe County Planning Department  
501 N. Morton St., Suite 224

**EXHIBIT TWELVE: Transportation Alternatives Plan**





**MONROE COUNTY PLAT COMMITTEE****August 15, 2019**

**PLANNER** Jackie Nester, AICP  
**CASE NUMBER** 1907-SPP-02, ABB Major Subdivision Preliminary Plat  
**PETITIONER** ABB, in care of Smith Brehob & Associates  
**ADDRESS** 300 N Curry Pike  
**REQUEST** Major Subdivision Preliminary Plat to subdivide 1 parcel into 16 parcels  
Street Tree Waiver Request  
Waiver of Final Hearing Requested  
**ZONE** General Industrial (IG)  
**ACRES** 69.1 acres +/-  
**TOWNSHIP** Richland  
**SECTION** 36  
**COMP. PLAN**  
**DESIGNATION** MCUA Mixed Use

**EXHIBITS**

1. ABB Major Subdivision Preliminary Plat – [High Resolution Plans](#)
2. Petitioner Letter
3. Covenants and Restrictions
4. MCUA Conceptual Plan for the ABB Site
5. Petitioner Findings of Fact – Street Tree Waiver Request
6. Petitioner Request to have driveways off of N Curry Pike

**RECOMMENDATION**

Staff gives a recommendation of **approval** of the Major Subdivision Preliminary Plat based on the findings of fact and subject to the Monroe County Highway Department & Drainage Engineer reports, subject to the following conditions:

1. The Highway Department requires all driveways off of N Curry Pike to be closed, with the exception of the Vectren driveway (Proposed Lot 1).
  - a. The petitioner must propose an access road off of W Profile Parkway for the purposes of accessing proposed lots 2, 3, 8, 9, and 10.
2. The closest driveway off of Profile Parkway must be at least 300 ft. from the intersection of Curry Pike.
3. Driveways relocated along W Profile Parkway must maintain alignment across the street in order to avoid left turning vehicles from conflicting with each other.
4. The parcels may be final platted before the road is built, however they cannot begin developing those lots before the road is substantially complete and driveway permits are issued.
5. Individual lots will be required to go to the drainage board prior to staff approval.
6. A Homeowners Association document be submitted to County Legal and recorded with the final plat recording.

Staff gives a recommendation of **denial** for the Street Tree waiver request based on findings of fact.

**PLAT COMMITTEE**

TBD

**BACKGROUND**

The petition site is a 69.1 +/- acre parcel located in Richland Township and maintains frontage along N Curry Pike and W Jonathan Drive. The property is proposed to have a road connection from W Profile Parkway to N Gates Drive. The road project is being taken on by the Monroe County Highway Department and funded through the Monroe County Redevelopment Commission. Once the road connection is

complete, all of the lots could gain access off of the new road.

The property currently has four pre-existing driveways off of Curry Pike, which is a Minor Arterial. The petitioner is requesting three driveways (two pre-existing, one new driveway) off of Curry Pike for the purposes of accessing proposed lots 1, 2, 9 & 10. They will close off two existing driveways, one of which will become the access for W Profile Parkway. The remaining lots would gain access off of the new W Profile Parkway or Gates Drive. The Highway Department will be constructing driveway cuts for all of the lots off of Profile Parkway. Should a future owner of one of the newly created lots choose to relocate the driveway, they would have to do so at their own expense and within the limits of a driveway permit issued by the Highway Department.

Since the petitioner proposes access off of N Curry Pike, they are subject to limitations per Chapter 856-16:

*Where a subdivision borders on or contains an existing or proposed arterial street, the Commission may require that access to it be limited by one of the following means:*

*(A) with respect to reverse frontage lots; no access shall be provided from the arterial street and buffer landscaping shall be provided within a landscape easement along the arterial street;*

*(B) a series of cul-de-sacs entered from, and designed generally to be at right angles to a local street that is at some distance from and parallel to the arterial street, with no access onto the arterial street;*

**(C) a marginal access or service road separated from the arterial street by buffer landscaping;**  
*and,*

*(D) all access drives and all improvements related to such drives shall be designed and constructed in accordance with the Monroe County Driveway Ordinance (see Monroe County Code Chapter 752). Additionally, all shared driveways shall conform to the design standards illustrated in Appendix 856-2 to these regulations.*

*(E) Proposed subdivisions that would derive direct access from State Road 37 shall not be approved. This requirement shall not be waived.*

Should the Plan Commission require an access road, the petitioner would be required to add an access road for the purposes of accessing proposed lots 2, 3, 8, 9, and 10. This is the favorable design by Highway and Planning staff.

If the major subdivision is approved, the petitioner would dedicate new right-of-way adequate for constructing W Profile Parkway and N Gates Drive, which are both proposed to be Minor Collectors with 90' R/W. The parcel is currently vacant and does contain restrictions for construction/grading. The purpose of the subdivision request is to create sixteen industrial lots and to dedicate right-of-way for the road project. Of the sixteen (16) lots proposed, two will be common areas. The lots that are to be common areas – proposed lots 15 and 16 – serve as existing drainage detention for the Curry Industrial Park Subdivision to the south. The petitioner's representative has shown that the detention areas are adequate to cover the assumed impervious cover from this major subdivision proposal. Each individual lot would still be required to meet commercial site plan approval prior to development.

The parcel is located in the Westside TIF district. The property is zoned IG and is not currently in a platted subdivision. The Redevelopment Commission is instigating the road improvement project to connect W Profile Parkway to Gates Drive. There is approved funding to complete the road for over \$6 million dollars. The petitioner would not be liable to build out major roads per this proposal as the County would be building most all of the infrastructure, including roads, sewer, and side paths. The petitioner is requesting a waiver from the street tree requirement, which would be the only improvement requiring a bond by the petitioner prior to final platting.

The General Industrial zoning design standard requirements are being met with this proposed subdivision. The design standards are as follows:

<b>IG</b>	
<b>Lot Size</b>	0.459 acres (20,000 sq ft)
<b>Lot Width</b>	100'
<b>Max Building Coverage</b>	70%
<b>Max Height</b>	60'
<b>Floor Area Ratio</b>	2

Lot setbacks are based on Chapter 833 IG zoning requirements. Lots that are adjacent to the rail siding are permitted to have 0 foot setbacks. Proposed Lot 1 has pre-existing access for the purposes of Vectren Utility. This area is in an easement for Vectren to continue use of this area. The Highway Department is permitting the use of this pre-existing driveway. All other driveway access points must be off of W Profile Parkway.

The lot sizes range from 0.46 acres to 9.07 acres. The lot sizes are as follows:

<b>Lot Size</b>	<b>Buildable Acreage</b>
Lot 1: 1.56 acres	0 acres of buildable area (The entire area is covered by an easement for Vectren and therefore does not have buildable area)
Lot 2: 3.7 acres	3.21 acres of buildable area
Lot 3: 1.26 acres	0.91 acres of buildable area
Lot 4: 6.16 acres	4.73 acres of buildable area
Lot 5: 9.07 acres	6.36 acres of buildable area
Lot 6: 6.89 acres	5.42 acres of buildable area
Lot 7: 5.79 acres	3.84 acres of buildable area
Lot 8: 1.91 acres	1.52 acres of buildable area
Lot 9: 1.91 acres	1.56 acres of buildable area
Lot 10: 3.22 acres	2.79 acres of buildable area
Lot 11: 4.39 acres	3.66 acres of buildable area
Lot 12: 3.2 acres	2.55 acres of buildable area
Lot 13: 4.0 acres	2.83 acres of buildable area
Lot 14: 0.46 acres	0.20 acres of buildable area
Lot 15: 5.22 acres	Common Area
Lot 16: 2.78 acres	Common Area

The petition site will be going to Drainage Board on September 4, 2019. The petitioner has completed drainage calculations and is providing drainage easements along lots 2-5, 11, 12, and 19. The petitioner has submitted a capacity letter from the City of Bloomington Utilities for sanitary sewer and water.

## **HISTORY**

This site was once occupied by Westinghouse, a facility where there was a production of capacitors and as a result, PCBs. The site has since been undergoing remediation. The first attempt to clean up the site occurred in the mid-1990s where over 22,500 cubic yards were removed from the soils around the plat and disposed of at a licensed facility in Utah. The facility later closed in 2006 and began demolition of the site. In 2009, the site performed another round of clean up by excavating 3,916 tons of contaminated concrete and 40,500 tons of contaminated soil. The site also implemented a 5-year ground and surface water-monitoring program in 2008 (See report: [https://bloomington.in.gov/sites/default/files/2017-05/toxics\\_report.pdf](https://bloomington.in.gov/sites/default/files/2017-05/toxics_report.pdf)).

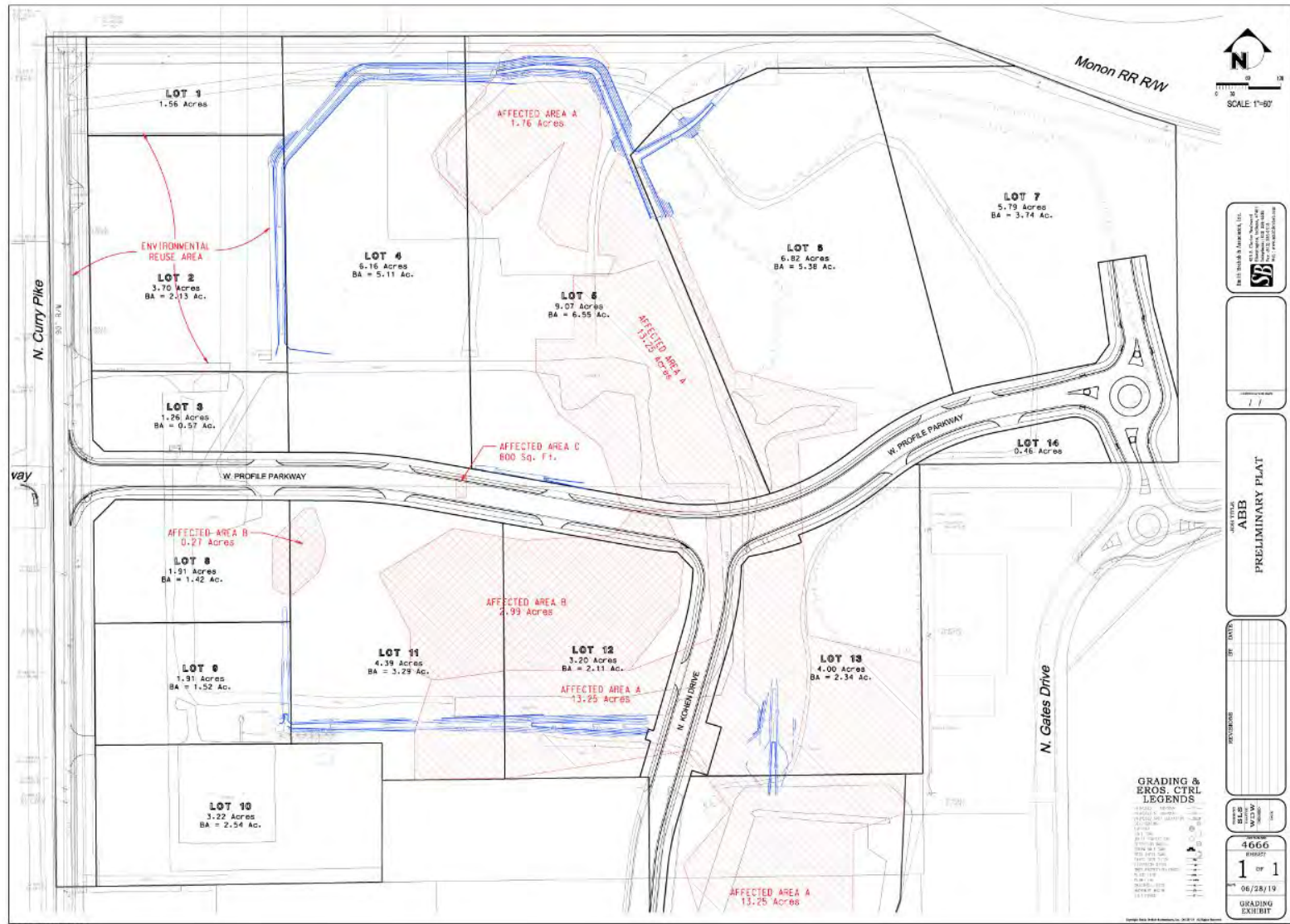


The lot is subject to covenants and restrictions recorded with the deed. These restrictions are listed in Exhibit 3 and illustrated below. According to the covenants and restrictions, the petitioner will be subject to enforcement by the EPA and IDEM. The road proposal does meet the covenant and restrictions for this lot as proposed. The restrictions on use of this parcel are summarized as follows:

1. "Shall not use or allow the use of the property for residential purposes, including, but not limited to, daily child care facilities or educational facilities for children." **This is addressed under the permitted uses in the IG zoning district, which do not include those prohibited uses.**
2. "Shall not use or allow the use or extraction of groundwater at the Property for any purpose, including, but not limited to: human or animal consumption, gardening, industrial processes, or agriculture, except that groundwater may be extracted in conjunction with environmental investigation and/or remediation activities." **Any future lot owner would be subject to these conditions by deed covenant.**
3. "Shall restore soil originating from the Affected Areas depicted in the attached Exhibit B that are disturbed as a result of excavation and construction activities in such a manner that the remaining contaminant concentrations do not present a threat to human health and the environment. Contaminated soils that are excavated must be managed in accordance with all applicable federal and state laws, and disposal of such soils must also be done in accordance with all applicable state and federal laws. In addition to and in support of the above requirements, the owner shall prepare and implement a Soils Management Plan prior to any excavation, regrading, or similar soil disturbance to these soils. The Soils Management Plan must identify the quantity and survey coordinates of the soil to be disturbed, the location where the material will be placed (if remaining on site) and the measures that will be taken to minimize storm water impact. In addition, the plan must address the following:
  - i. All soils originating from the Affected Areas excavated from depths shallower than 7 feet below grade may be returned to any depth below grade, but must be covered by at least one (1) foot of clean fill to prevent potential storm water impacts;
  - ii. All soils from Affected Area B originating from depths greater than 7 feet below grade must be returned to a depth of at least 7 feet below grade;
  - iii. The owner shall maintain a written record, including quantities and survey coordinates, of the location of placement of this material;
  - iv. The owner, upon IDEM's request, shall provide IDEM evidence showing the excavated and restored areas do not represent a threat to human health or the environment."

Once these lots are final platted, the deeds will have a reference to these covenants and restrictions. The affected areas are noted on the preliminary plat and will be enforceable by IDEM and EPA. Staff recommends additional oversight by the Monroe County Drainage Board to consider the hydrologic impacts by future development.

## AFFECTED AREAS



## LOCATION MAP

The site is located at 300 N Curry Pike in Section 36 of Richland Township, Parcel #: 53-04-36-100-054.000-011.

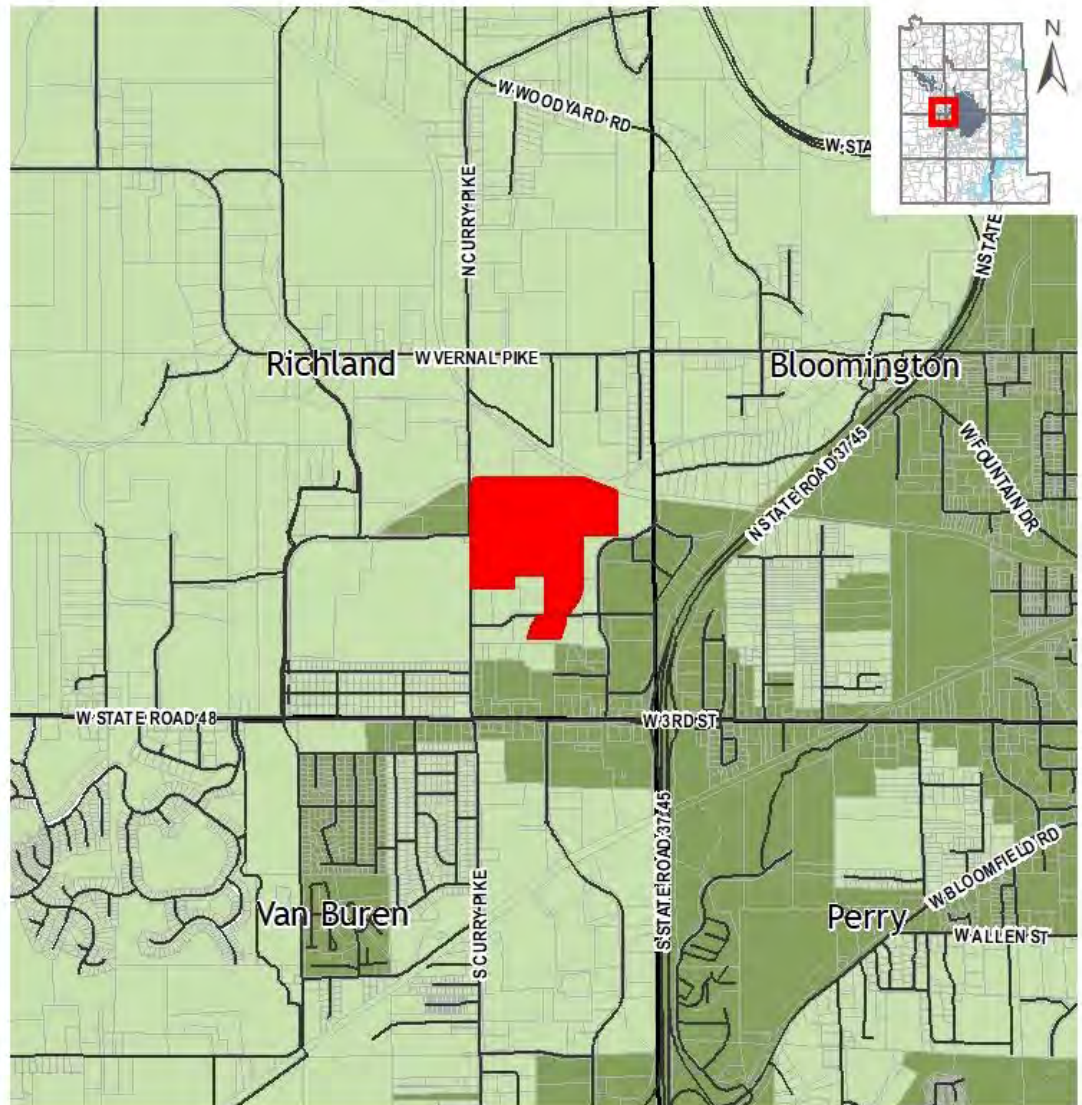
### Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Incorporated Areas**
- Bloomington
- Parcels

0 0.2 0.4 0.8 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/27/2019





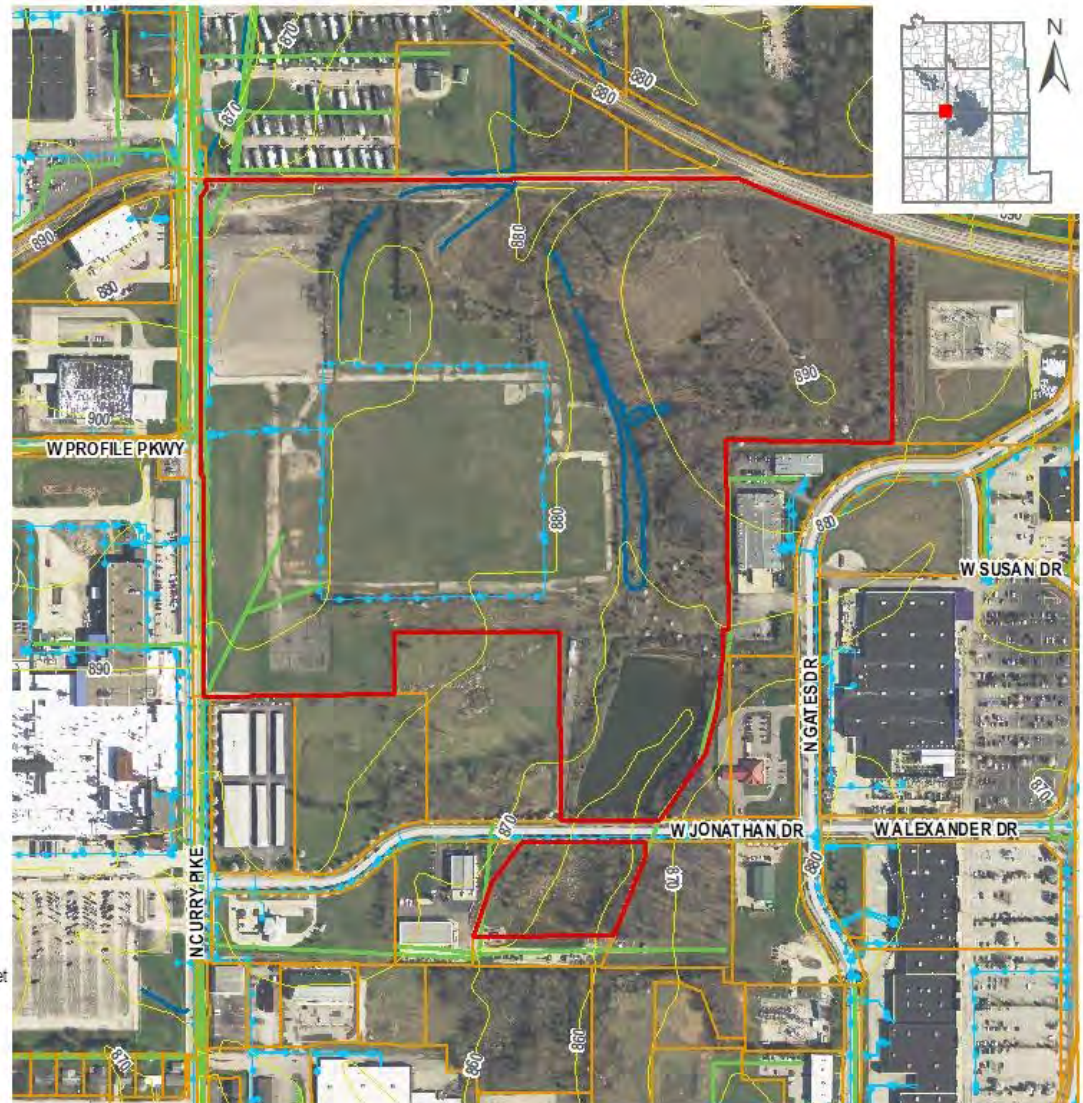
## SITE CONDITIONS

The site is a superfund site. It has recorded restrictions that are noted on the plat and referenced on the preliminary plat. All of the lots are fairly flat. Access off of Curry Pike and will be from the newly constructed Profile Parkway and Gates Drive. Discussion is ongoing as to whether any of the lots could obtain access from N Curry Pike, which is a Minor Arterial.


The site is near a railroad bed and is providing access for three of the 16 lots to be able to utilize the railroad.

### Site Conditions Map

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



0 237.5 475 950 Feet

 Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/27/2019


**\*Map with Aerial Image (no contours shown)**



# Slope Map

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

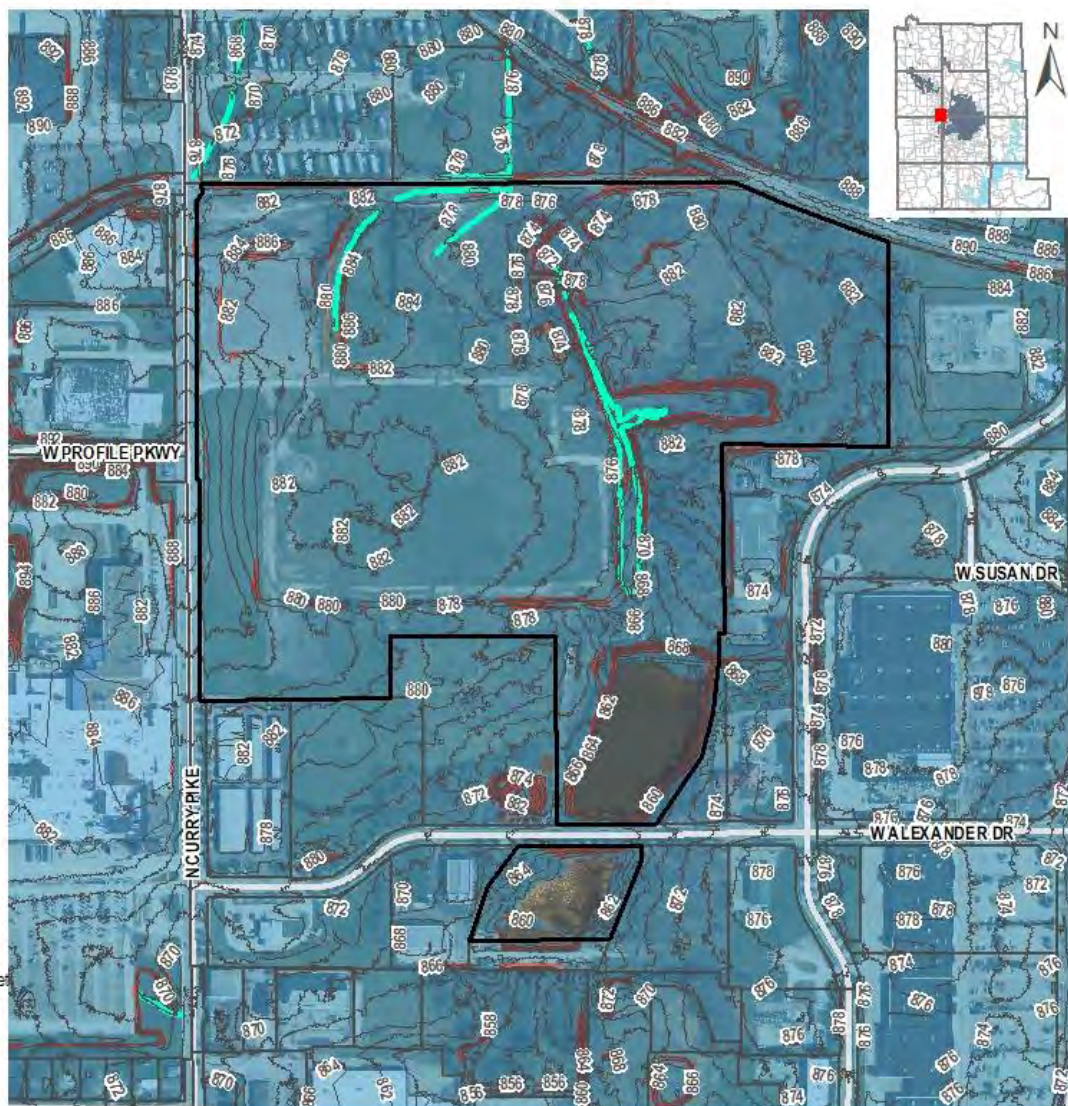
## Percent Slope (2010)

-  0 - 15
-  > 15

0 125 250 500 750 1,000 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/27/2019



## **SITE PICTURES**



**Figure 1. Facing east; View of existing gravel drive no longer in use on proposed lot 10 to be removed.**



**Figure 2. Facing north; View along N Curry Pike from Lot 10. Near proposed driveways proposed on lots 9 & 10**





**Figure 3. Facing north; view of future extension of W Profile Parkway**



**Figure 4. Facing north with proposed lots 1-3 to the east. Driveway to be removed on proposed lots 2 & 3.**



**Figure 5. Facing northeast, existing driveway proposed to remain on lot 2**



**Figure 6. Facing east, view of existing driveway requested to be maintained on proposed lot 1 for use by Vectren**





**Figure 7. Facing east, view of proposed lot 1 including driveway used by Vectren.**



**Figure 8. View of existing rail line running along the north side of the property**





**Figure 9. View of proposed Lot 4**



**Figure 10. Facing south, view of common area 16**

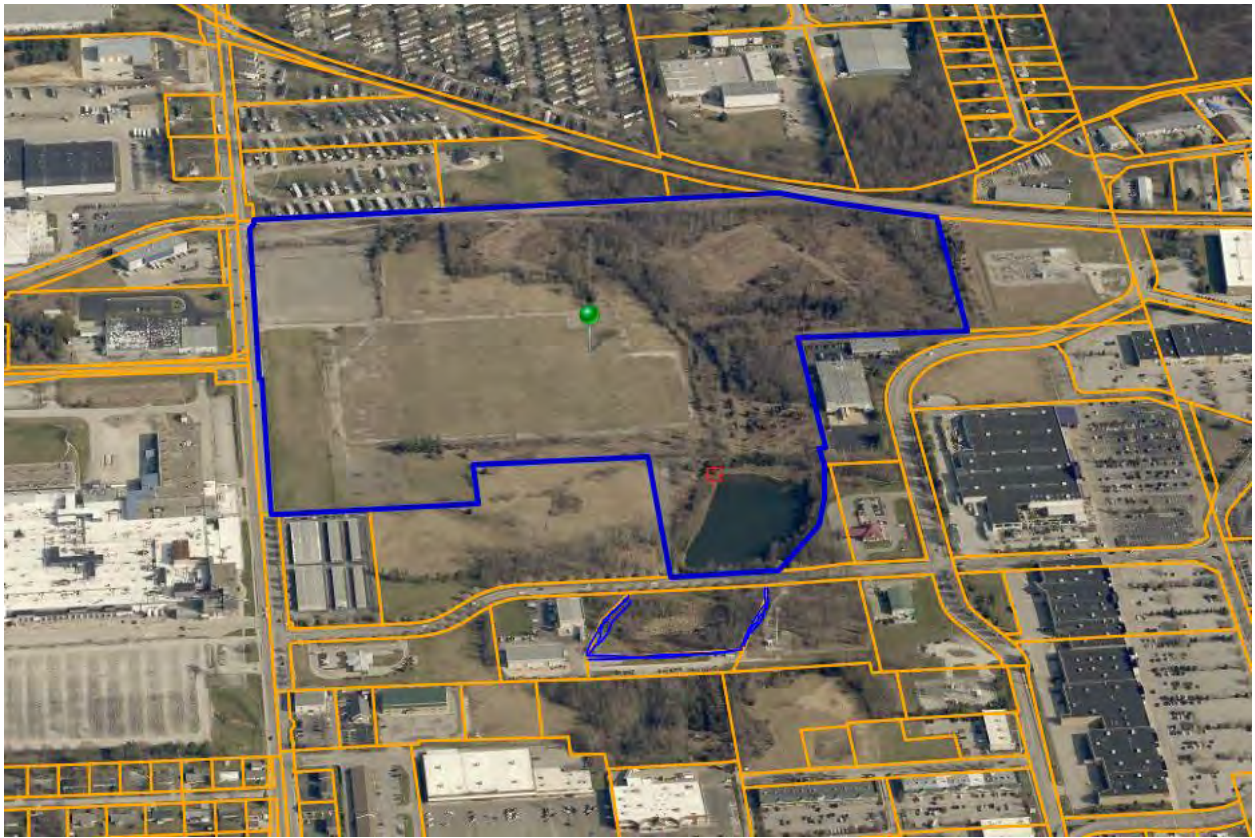




**Figure 11. Facing north, view of common area 15**



**Figure 12. View of existing Gates Drive facing north**



**Figure 13. Bird's eye view of the property as of 3/22/2017**



## ADJACENT USES / ZONING

The site is zoned General Industrial (IG) and is currently unplatted. All development standards are set forth in the IG zoning district in Chapter 833. The neighboring properties are zoned General Industrial (IG), Planned Unit Development (PUD), and Multi-Dwelling Residential 15 (RM 15). The permitted uses in this area are listed below under IG.

### Current Zoning Map

Petitioner

Parcels

Roads

Hydrologic Features

#### Monroe County Zoning

CG - General Commercial

IG - General Industrial

IL - Limited Industrial

N.T. - No Tag (Outside Juris.)

PUD - Planned Unit Development

RM15 - Multi Dwelling Res. 15

RS3.5 - Single Dwelling Res. 3.5

#### Bloomington Zoning

CA, Commercial Arterial

CG, Commercial General

IG, Industrial General

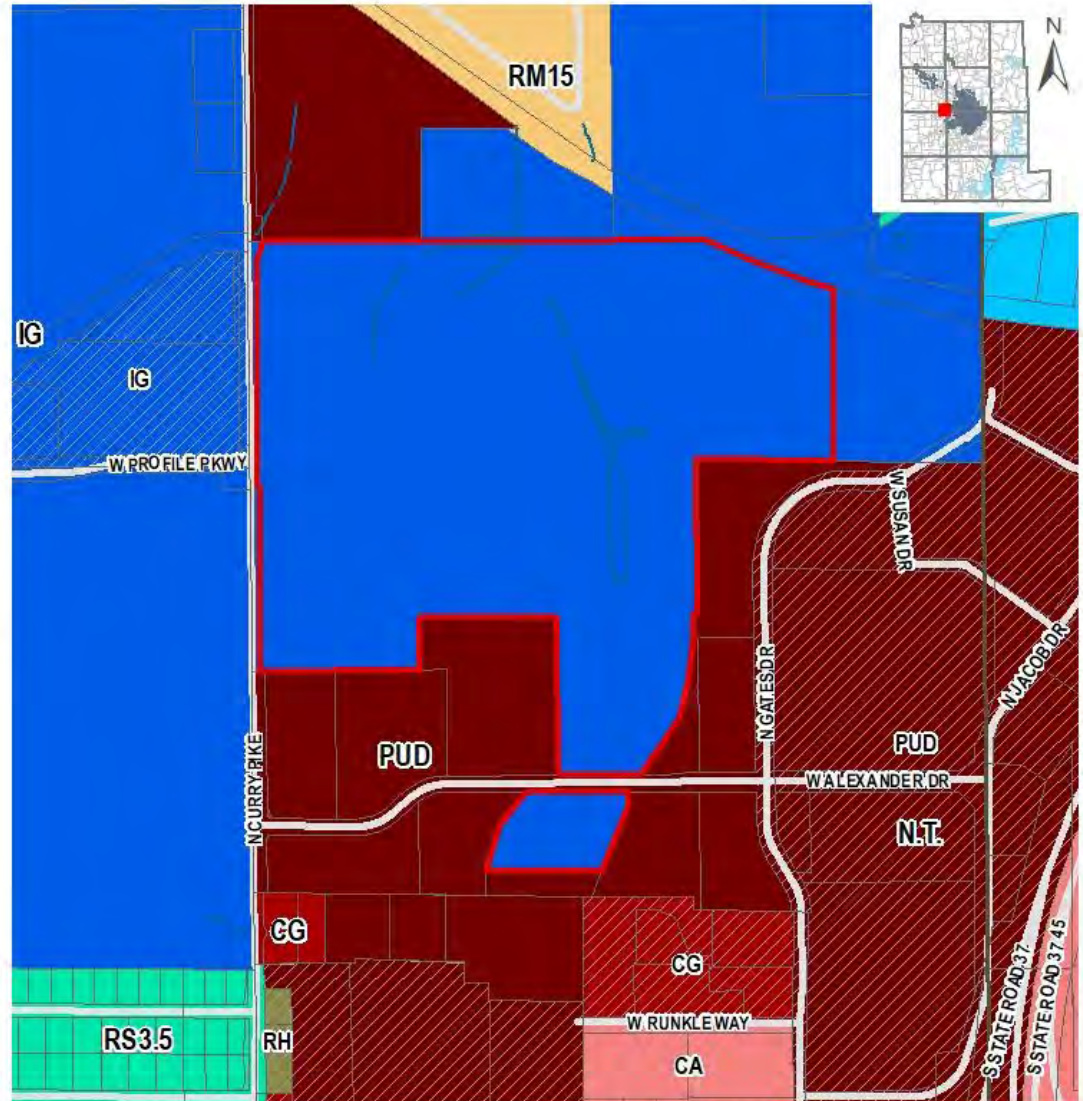
PUD, Planned Unit Development

RH, Residential High-Density Multifamily

0 0.05 0.1 0.2 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/27/2019



**Table 1. Permitted uses under Curry Industrial Park Covenants and Restrictions (Proposed use in green)**

<b>List of Permitted (in bold) and Conditional Uses in IG Zoning District</b>	
<b>Adult Oriented Business</b>	<b>P</b>
Automobile storage yards	C
Automotive repair	C
<b>Beverage bottling</b>	<b>P</b>
<b>Building trade shops</b>	<b>P</b>
<b>Business or Industrial Center</b>	<b>P</b>
<b>Business service</b>	<b>P</b>
<b>Commercial/Industrial Adaptive Reuse</b>	<b>P</b>
Correctional facilities	C
<b>Fire Stations</b>	<b>P</b>
<b>Heavy manufacturing</b>	<b>P</b>
Historic adaptive reuse	C
Industrial uses with potentially adverse effects	C
<b>Light manufacturing</b>	<b>P</b>
<b>Machinery and equipment repair</b>	<b>P</b>
Off-site parking	C
<b>Offices</b>	<b>P</b>
<b>Police stations</b>	<b>P</b>
<b>Print shops</b>	<b>P</b>
Relocation of off-premise signs	C
<b>Research laboratories</b>	<b>P</b>
Shared parking	C
<b>Solid waste/recycling centers</b>	<b>P</b>
<b>Utility substations and transmission facilities</b>	<b>P</b>
<b>Warehousing and storage</b>	<b>P</b>

## **INFRASTRUCTURE AND ACCESS**

The parcel gains access and maintains frontage along S Curry Pike (Minor Arterial) and future W Profile Parkway and N Gates Drive, which are both proposed to be Minor Collectors with 90' R/W. Additional right-of-way is being dedicated south of Profile Parkway for future connection to W Jonathan Drive. In addition, temporary right-of-way is shown on the plat for the purposes of construction of the road.

All new utilities are required to be located underground throughout the subdivision. Sidewalk will be built in connection with the road improvements. The funds for this project are provided by the Redevelopment Commission.

The timeline for the W Profile Parkway extension completion is by the end of 2020.



## COMPREHENSIVE PLAN DISCUSSION

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

### 5.1.0 Mixed-Use

*Mixed-use districts are the densest, most pedestrian-oriented development types in the urbanizing area.*

This land use type will vary in terms of form, scale, character, and the specific mix of uses, depending on location, access considerations and existing development context.

Uses may be integrated vertically within buildings, such as residential or office over ground-floor retail, or horizontally among single-use buildings that are closely coordinated with one another. Mixed-use areas may take the form of linear corridors along major roadways, large districts that serve as regional destinations for commerce, dining and entertainment, or small nodes at crossroads that serve nearby residential neighborhoods or employment areas. Mixed-use areas offer the greatest flexibility in terms of land use. Individual parcels of land within a larger mixed-use area may be developed with a single use, so long as the site is designed in a way to integrate with surrounding sites to create a whole that is greater than the sum of parts.

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

### A. Transportation

#### Streets

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

#### Bike, Pedestrian, and Transit Modes

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

## B. Utilities

### Sewer and Water

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

### Power

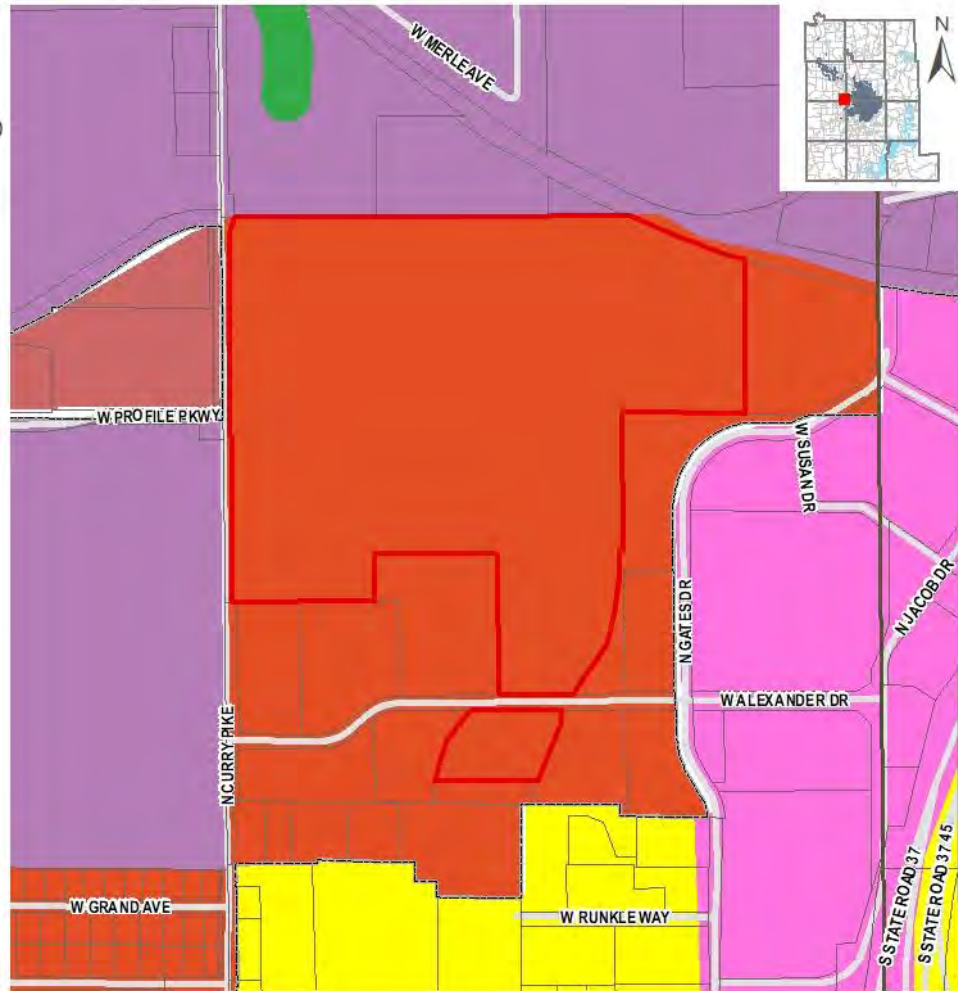
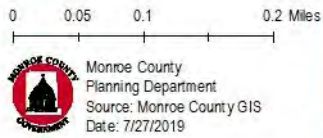
Overhead utility lines should be buried in mixed-use areas to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

### Communications

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

# Comprehensive Plan

- Petitioner
- Townships
- Monroe Co. Urbanizing Area (MCUA)
- Parcels
- Roads
- Comp. Plan Land Use (Updated 2015)**
- MCUA Employment
- MCUA Mixed Use
- MCUA Open Space
- Bloomington Growth Policies Plan**
- Community Activity Center
- Employment Center
- Regional Activity Center





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

### West Side Employment (E1)

#### **E1 WEST SIDE EMPLOYMENT**


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

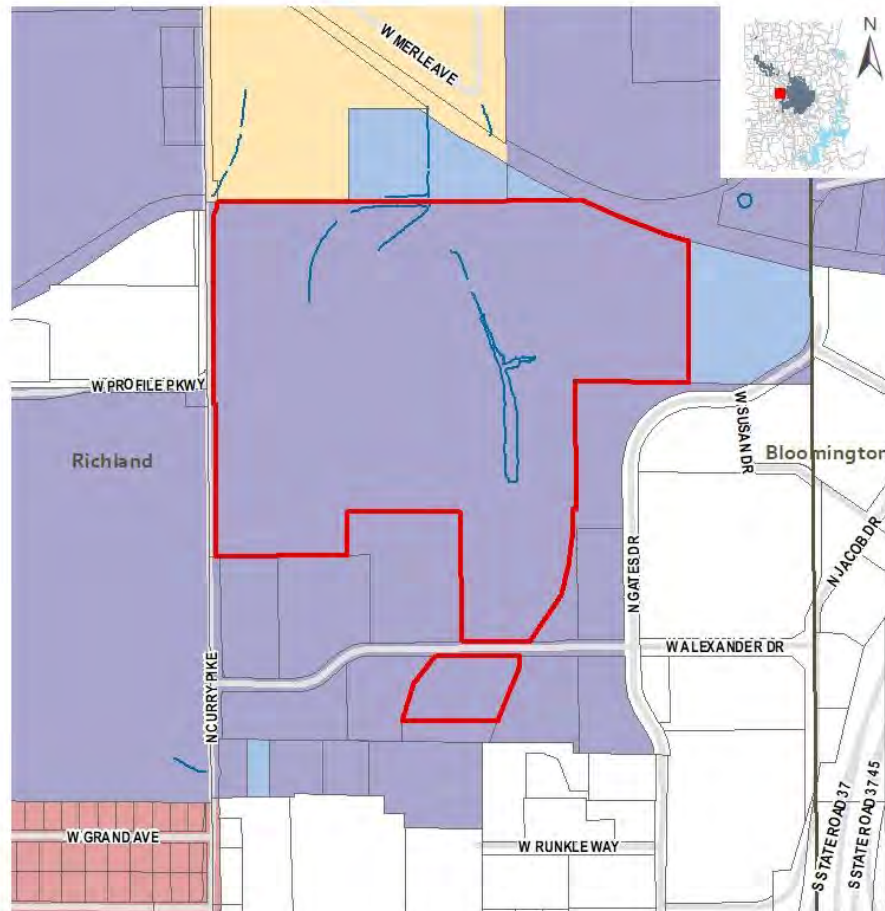
This district also includes existing industrial and office development, and highway-oriented commercial uses, south of Third Street between Curry Pike and I-69. Additional employment-oriented development should be compatible and consistent with surrounding patterns.

#### **Proposed Zoning Map (2016)**

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Proposed Zoning**
-  E1 - West Side Employment
-  G1 - Gateway West
-  N2 - Neighborhood Development
-  CV - Civic

0 0.05 0.1 0.2 Miles

 Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 7/27/2019



## Building Type Locations

	GATEWAY DISTRICTS			EMPLOYMENT DISTRICTS			NEIGHBORHOOD DISTRICTS				SPECIAL DISTRICTS		
	GATEWAY WEST	GATEWAY SOUTH	GATEWAY NORTH	WEST SIDE EMPLOYMENT	SOUTH SIDE EMPLOYMENT	AIRPORT	URBAN INFILL NEIGHBORHOOD	NEIGHBORHOOD DEVELOPMENT	CONSERVATION DEVELOPMENT	RURAL TRANSITION	QUARRY LANDSCAPE	OPEN SPACE	CIVIC
	G1	G2	G3	E1	E2	E3	N1	N2	N3	N4	Q1	OS	C1
Single Family - Small Lot (Rear-Loaded)		+					+	+	+				
Single Family - Small Lot (Front-Loaded)		+					+	+	+				
Single Family - Contemporary							+	+					
Single Family - Mid-Century							+	+					
Single Family - Rural Residential									+	+			
<del>Attached Townhome</del>	+	+		+			+	+					
<del>Attached Courtyard</del>		+		+				+					
Two-Family Home (Duplex)		+					+	+	+	+			
<del>Multi-Family</del>	+	+		+			+	+					
Commercial	+	+	+	+	+		+	+					
Commercial Outlot	+	+	+	+	+								
Neighborhood Mixed-Use	+	+					+	+					
Mixed-Use	+	+		+			+	+					
Office Building	+	+	+	+	+		+	+					
Civic/Institutional Building	+	+	+				+	+					+
Flex Building - Option A	+	+	+	+	+	+							
Flex Building - Option B				+	+	+							
Large-Format Flex Industrial				+	+	+							
Re-Use/Retrofit	+	+	+	+	+	+	+	+	+	+	+	+	+

## **FINDINGS OF FACT - Subdivisions**

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

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

#### **Findings**

- The site is currently zoned General Industrial (IG) and currently allows for industrial type uses;
- Approval of the subdivision would create sixteen (16) lots that would meet the requirements for IG zoning district;
- Of the 16 lots created, two would be designated as common areas;
- Approval of the subdivision would result in 14 buildable lots ranging in size from range from 0.46 acres to 9.07 acres;
- The purpose of the subdivision request is to dedicate right-of-way to the county for the purposes of constructing W Profile Parkway and to create individual building lots;
- Each lot would be required to submit a commercial site plan meeting all requirements along with commercial building permits before development could occur. In addition, all lots are subject to the existing environmental covenants and restrictions and will be noted on the preliminary plat;
- Drainage swales have been proposed by the petitioner and do meet the minimum requirements by the Stormwater ordinance;
- All drainage swales will be placed in drainage easements for maintenance and access should the homeowners association fail to maintain those areas;
- The property does have a capacity letter from the City of Bloomington Utilities for water and sanitary sewer;
- The Highway Department is requesting that access for lots 2-16 not be along N Curry Pike as the road is a Minor Arterial and has the highest crash ratings of any other county road;
- The Plan Commission can condition a service road be installed at the petitioners expense to access proposed lots 2, 3, 8, 9, and 10;

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

#### **Findings**

- The Comprehensive Plan designates the property as Mixed Use (Phase I) and West Side Employment (Phase II) district in the Monroe County Urbanizing Area Plan;
- The Phase II Plan states: This district is intended to accommodate additional infill and redevelopment of uses, and benefit from the Tax Increment Finance district opportunities;
- This parcel is part of the Westside TIF district;
- The Redevelopment Commission is funding a \$6 million dollar road project, which is allowing for this subdivision to occur without expense to the owner for major infrastructure;
- The proposed subdivision does not appear to be in conflict with the Comprehensive Plan for this area;
- The Monroe County Urbanizing Area Plan Phase I did include a conceptual framework for future development of this lot (Exhibit 4);
- See findings under Section A;

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

#### **Findings**

- The property is currently vacant;



- The parcel is a prior superfund site that has undergone cleanup and is subject to use and excavation restrictions;
- The surrounding properties are zoned PUD (Curry Industrial Park) and General Industrial (IG);
- If conditioned, the petitioner will provide a service road to access lots 2-14 from W Profile Parkway;
- See findings under Section A;

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

**Findings**

- Approval of the subdivision would create sixteen (16) lots that meet the design standards required by Chapter 833 for the IG zoning district;
- See findings under Sections A & C;

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

**Findings**

- The Redevelopment Commission funding will provide for a major road connection, side path construction, sewer and drainage facilities;
- The petitioner is requesting a waiver from street trees and instead will provide a commitment that individual lot owners will install a streetscape, which is a requirement of all commercial site plans;
- The entire site is subject to IDEM and EPA review and compliance with the noted environmental restrictions on this lot;
- The petitioner received a will serve letter from the City of Bloomington Utilities for sanitary sewer and water;
- Any future utility lines must be placed underground;
- There are no known karst features on the property;
- Drainage will be reviewed by the MS4 Coordinator once the site plan is filed;
- The design standards for this parcel requires 30% open space;
- See findings under Sections A & C;

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

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

**Findings:**

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

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

**Findings:**

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the

petition site. County Surveyor has also reviewed the plat for survey accuracy.

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

**Findings**

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

**FINDINGS OF FACT – WAIVER OF STREET TREE REQUIREMENT**

The petitioner has requested a waiver from the Preservation of Natural Features and Amenities requirement, outlined in 856-43 (B) 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.

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:

**(Also see EXHIBIT 5 – Petitioner Findings of Fact)**

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

**Findings:**

- The petitioner is requesting to not plant required street trees along the newly created lots within 5 feet of the right-of-way;
- The petitioner would be required to plant a total of 129 street trees;
- The petitioner's statement refers to a commitment that individual lot owners would be responsible to plant a streetscape along the lots. The landscaping requirements, including streetscape, are a requirement of commercial site plan approval. Street tree installation is a requirement in the Subdivision Control Ordinance;
- The petitioner could place a bond for the street trees so they could be installed after final platting;
- Conclusion: There are no practical difficulties in planting the required street trees.

**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:**

- Street trees are a requirement of the Subdivision Control Ordinance;
- The MCUA documents do illustrate street trees planted along all roadway frontage, which is required;

**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:**

- Planting street trees in common areas could prevent conflicts with underground utilities in the subdivision;

**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 future road constructed by Monroe County will have all other infrastructure, but will not include landscaping;
- The lots will be for industrial use, but street trees will be located within the 10' required front setback and therefore would not take away buildable area of the lot;
- There are street trees on the adjacent southern lot and along W Jonathan Drive;

**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:**

- The purpose of the Preservation of Natural Features and Amenities requirements is to plant and/or preserve trees on subdivisions for the natural benefits of landscaping;
- The petitioner is asking a waiver from the requirement with only a commitment to follow commercial site plan landscaping requirements;

**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;**

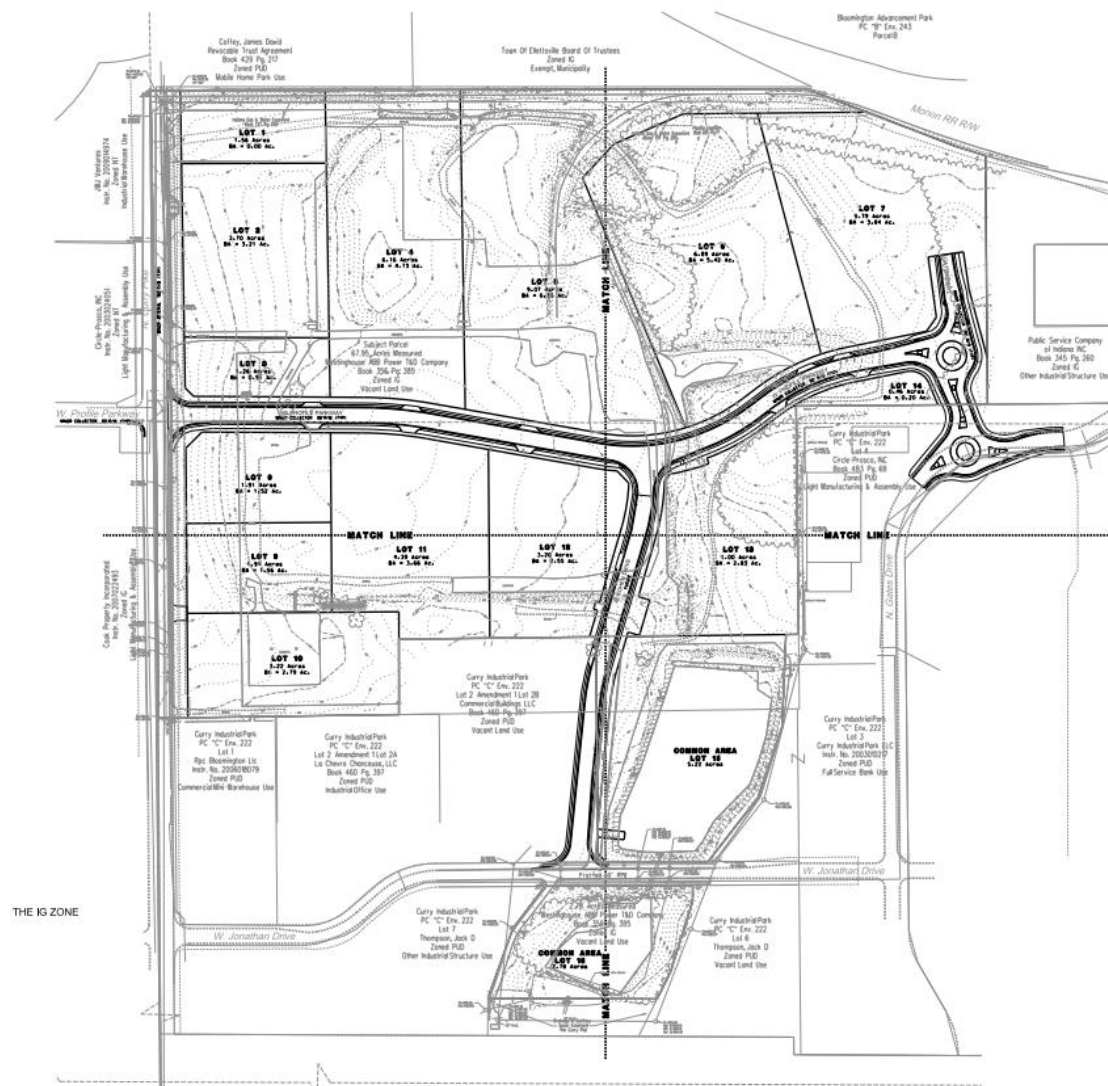
**Findings:**

- See findings under Section 1;

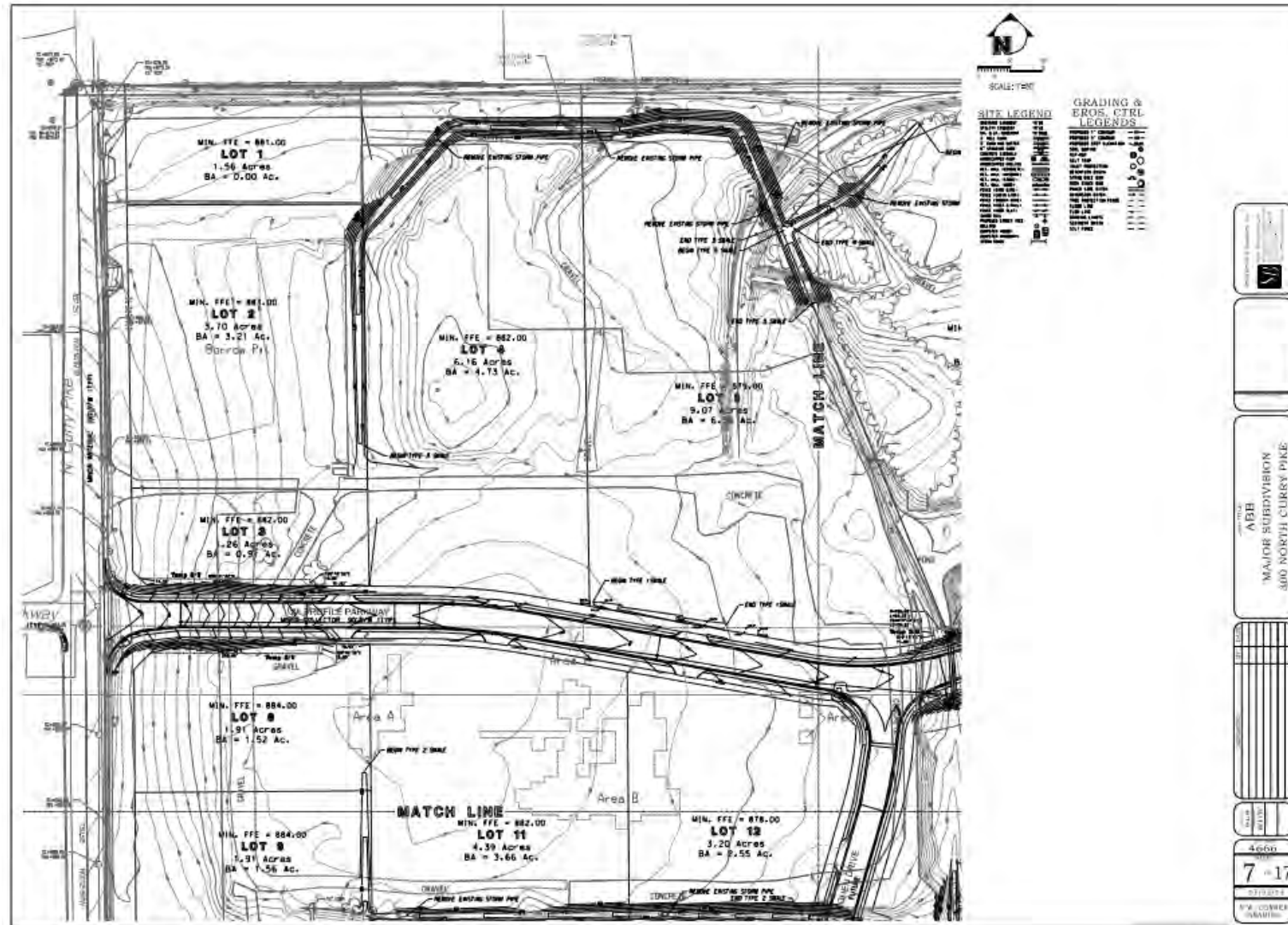
In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.



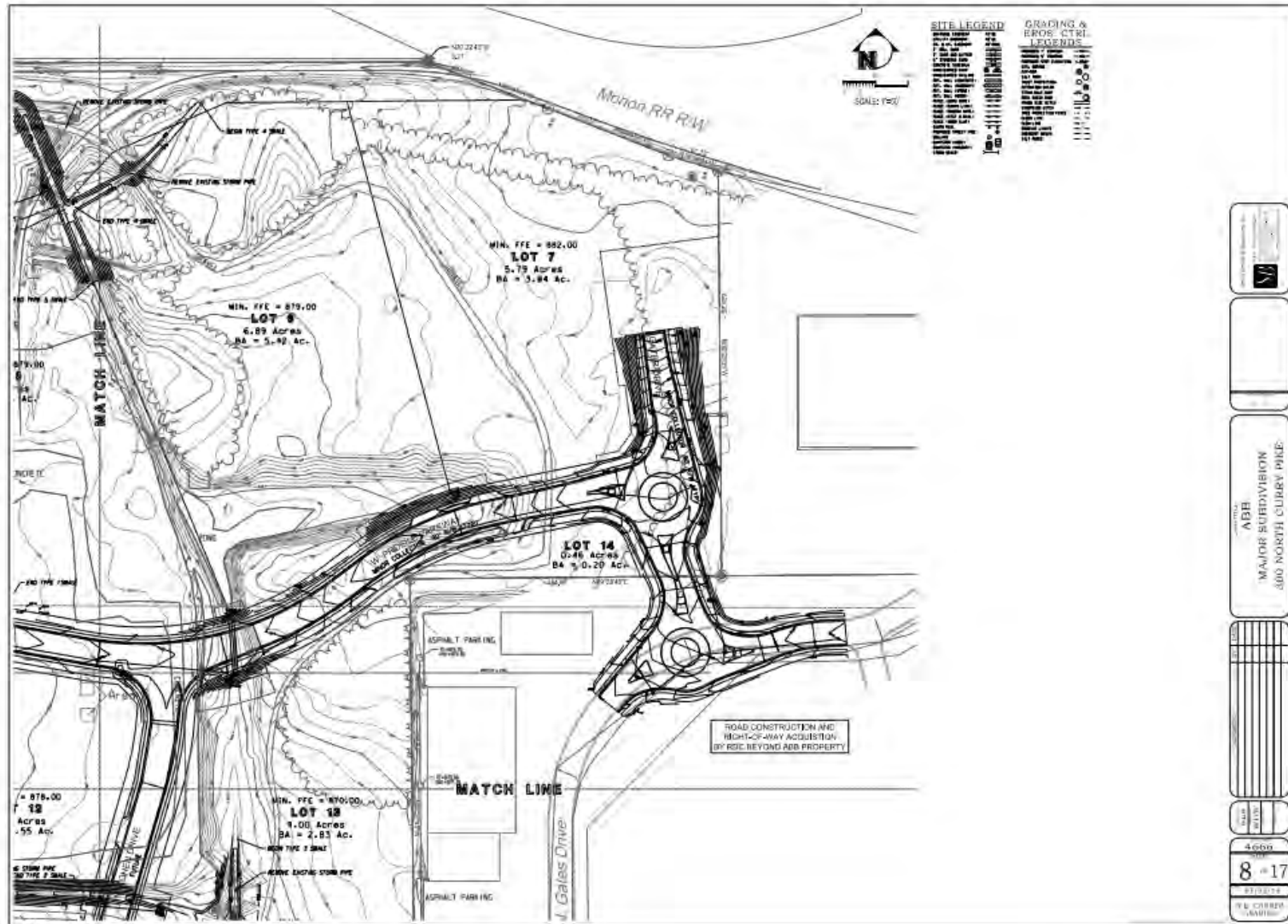
**EXHIBIT 1: ABB Major Subdivision Preliminary Plat**



# EXHIBIT 1: ABB Major Subdivision Preliminary Plat

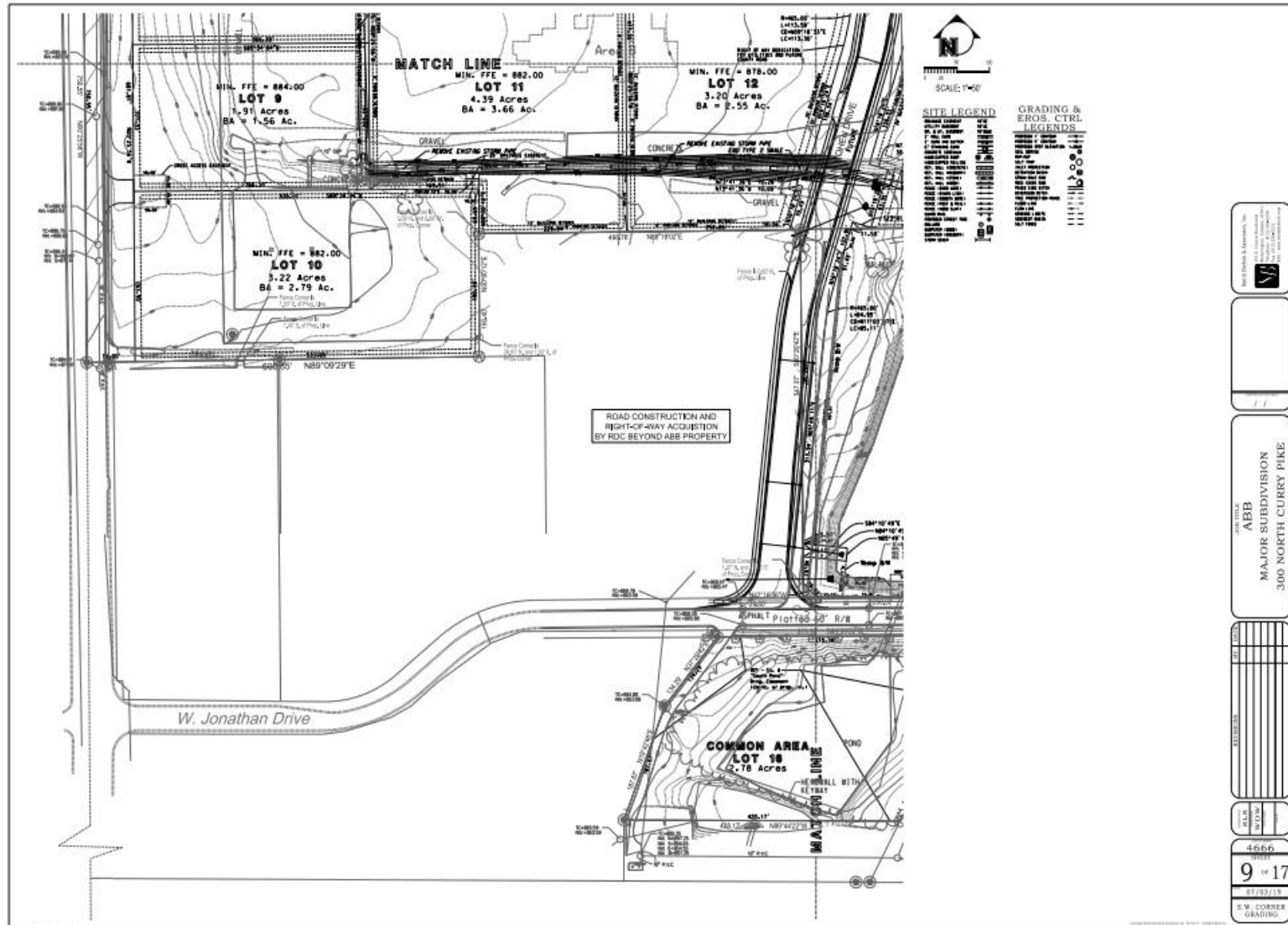


# EXHIBIT 1: ABB Major Subdivision Preliminary Plat





# EXHIBIT 1: ABB Major Subdivision Preliminary Plat



## EXHIBIT 3: Petitioner Letter

### Smith Brehob & Associates, Inc.



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

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

July 3, 2019

Monroe County Plan Commission  
c/o Jackie Nester, Planner  
Monroe County Planning Department  
Showers Building  
Bloomington, Indiana

Re: ABB Subdivision

Dear Jackie and Commissioners,

This application is for Preliminary Plat for the approximate 71 acre ABB property on North Curry Pike. The subdivision and associated infrastructure development is a joint effort between ABB, the land owner and the Monroe County Redevelopment Commission (RDC) to open up the property for employment uses and make critical road connections. ABB is platting the property to create lots, right of way, temporary right of way and easements. The RDC through Monroe County Public works and their consultant DLZ is designing public infrastructure improvements and plans to let a contract late this year or early next year for the infrastructure improvements along Profile Parkway and at a future date along Kohen Drive. The application materials for the subdivision have been prepared by DLZ and Smith Brehob and Associates.

The subdivision and associated infrastructure includes the extension of Profile Parkway from Curry Pike across the property to Gates Drive and the Commercial development in that area. Right of way is being platted for utility use and for a future road to connect to Jonathan Drive. A road stub is provided for the future extension to Sunrise Court.

The RDC improvements extend beyond the ABB property near Jonathan Drive and near Gates Drive. The RDC will be working directly with the affected property owners through the normal right of way acquisition process.

Curry Pike Access. There are four existing driveways to Curry Pike that are each proposed to be reused in accordance with our agreement with the County Public Works Department;

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

J:\4666\_ABB Shovel Ready Site\approval\_processing\Prel Plat app letter 5-1-19.docx

### EXHIBIT 3: Petitioner Letter

#### Smith Brehob & Associates, Inc.



1. One drive will become the extension of Profile Parkway through the development.
2. Vectron has easement and occupies what will become lot 1 of the subdivision. That easement and future lot will continue to be served by the existing driveway.
3. Lot #2 is proposed to be served by the existing driveway.
4. The existing driveway located near the north line of lot #3 is proposed to be relocated to become a common drive for lots #9 and #10.

The lot layout and infrastructure planning and design have been developed to work with this access plan. All other access to lots is via drives to the new internal roadways. These driveways are shown on the infrastructure plans and are to be constructed with the roadways. Future users of the lots may petition County Highway to move, adjust, delete or add to these drives to fit their site development.

Street Trees. The RDC and Public Works prefer to not plant street trees at this time as a part of the roadway and utility infrastructure. We respectfully request that the street tree requirement be deferred to the development of individual lots and be done as a part of the "streetscape" and site landscaping.

Restrictive Covenants. There are areas on this parcel that are restricted by an "Environmental Protection Easement and Declaration of Restrictive Covenants" as agreed to by ABB and the Indiana Department of Environmental Management; recorded as instrument #2012001014. A copy of this document is being submitted with this application. The affected areas will be shown on the final plat along with appropriate reference to the restrictive covenants. All current and future owners in the subdivision are bound by these covenants.

The DLZ and ABB plans are being done in accordance with the requirements of the covenants.

Owners Association. An Owners Association will be established with the Final Plat. The primary responsibility of the Association will be to own and maintain the common area lots that have the storm water detention facilities; following the operation manual.

Final Plat. The final subdivision plat will be submitted to the Planning Department shortly after the approval of the Preliminary Plat. The final plat will need to be recorded to provide for dedication and transfer of right of way and temporary right of way to the County for infrastructure construction. We expect that the RDC will enter into a memorandum of understanding with the Plan Commission (or some other form of agreement) to substitute for the typical developer letter of credit and subdivision improvement agreement.



### EXHIBIT 3: Petitioner Letter

#### Smith Brehob & Associates, Inc.



Lot Development. Site and building permits could be obtained at this time for the existing ABB parcel and existing road access and utilities. This project opens up the site to smaller more useable lots with new road and utilities. We respectfully request that the opportunity to convey lots and begin building and site development on lots that can be accessed from existing infrastructure or new infrastructure as it is completed be allowed (after the Final Plat is recorded).

For example; lot #1 area is already being used by Vectron, we assume that can continue; lot #2 has existing access to Curry Pike and may also be able to get utilities from Curry Pike; Lots #9 and #10 will have direct access to Curry Pike and may also be utilized before the entirety of the infrastructure is completed and approved by the County.

This is very important in that it presents the opportunity to get site development started 12 to 18 months earlier than if it need be delayed until all infrastructure is complete; remembering that one of the primary reasons the RDC is involved is to open up this land for employment opportunities.

Storm Water. Storm water computations and design have been prepared by SBA and DLZ staff for their respective portions of the project; and submitted to County Public Works Department. There are storm water channels and culverts that carry storm water to the detention basins. These basins were developed when the Curry Industrial Park was developed and platted in 1997. The outlet to the north basin is being reconstructed to meet current standards. The basins were built and are capable of serving the Curry Industrial Park and all of the ABB subdivision property. An Operation and Maintenance Manual will be prepared for the basins. The Owners Association will own and maintain the basins.

Rule 5 application for the ABB portion of the work is being submitted

Right of Way and Easements. The plat has been prepared to provide a minimum of 90' of right of way per County Highway request with increased width where necessary to accommodate the infrastructure improvements. Temporary right of way is also being granted to accommodate the improvements. Drainage, access and utility easements are shown on the plat where they are needed. The right of way that is being provided is adequate to accommodate all utilities and the additional 20' that is sometimes provided is not needed and not shown on the preliminary plat.

Storm sewer, sanitary sewer and water mains are generally within the road pavement area. That leaves about 25' of additional right of way on each side of the road for the other utilities; gas, electric and digital lines. The additional 20' of easement is not needed along these roads.

### EXHIBIT 3: Petitioner Letter

#### Smith Brehob & Associates, Inc.



The following items are being submitted with this application (also pdf format);

1. Latest deed of record and property description from Title Policy
2. Letter of consent from ABB
3. Preliminary Plat and supporting construction and rule 5 drawings.
4. Auditors Plat Map
5. Environmental Protection Easement and Declaration of Restrictive Covenants
6. Application fee \$750 + \$25 x 16 lots = \$1150 plus signs

The DLZ infrastructure and erosion control plans are already in County possession. The ABB storm water report and drawings were previously submitted to Terry Quillman.

Thank you for your time and consideration to our petition for Subdivision of the ABB properties. We look forward to working with you to take this joint RDC/ABB project through the platting process.

Very truly yours,

Stephen L. Smith  
Smith Brehob and Associates, Inc.

Encl; see above

Cc; ABB group  
Dave Harstad  
Lisa Ridge  
Jeff Cockerill  
Barry Lessow, RDC

### EXHIBIT 3: Covenants and Restrictions

2012002014 COV RES \$55.00  
02/09/2012 12:06:15P 23 PG  
Jim Fielder  
Monroe County Recorder IN  
Recorded as Presented

#### ENVIRONMENTAL PROTECTION EASEMENT AND DECLARATION OF RESTRICTIVE COVENANTS

This Environmental Protection Easement and Declaration of Restrictive Covenants is made this 2 day of February, 2012, by ABB Inc., having an address of 12040 Regency Parkway, Cary, North Carolina (together with its successors and assignees, collectively the "Grantor"), and ABB Inc., having an address of 12040 Regency Parkway, Cary, North Carolina (together with its successors and assignees, collectively the "Grantee").

#### WITNESSETH:

WHEREAS, Grantor is the owner of a parcel of land located in the County of Monroe, State of Indiana, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property");

WHEREAS, the Property is part of the cleanup site ("Site") subject to Administrative Settlement Agreement and Order on Consent EPA-V-W-08-C-890 ("AOC") issued by the United States Environmental Protection Agency ("EPA");

WHEREAS, in the AOC, EPA selected a "removal action" for the Site. The State of Indiana, through the Indiana Department of Environmental Management ("IDEM"), concurred with the removal action selected in the AOC. The removal action has been implemented at the Site;

WHEREAS, the areas of the Property where hazardous substances remain above levels allowing for unrestricted use and unlimited exposure are depicted in Exhibit B and described in Exhibit C, attached thereto;

WHEREAS, the removal action for the Site was conducted pursuant to the AOC;

WHEREAS, the Grantor hereto has agreed to grant a permanent right of access over the Property to the Grantee for purposes of monitoring the Affected Areas depicted in Exhibit B and described in Exhibit C;

WHEREAS, the parties hereto have agreed to impose on the Property use restrictions as covenants that will run with the land for the purpose of protecting human health and the environment;

WHEREAS, Grantor wishes to cooperate fully with the Grantee in the implementation of all response actions at the Site;

WHEREAS, the Grantor and Grantee intend that the provisions of this Environmental Protection Easement and Declaration of Restrictive Covenants also be for the



benefit of the United States and the Indiana Department of Environmental Management ("IDEM") as third party beneficiaries ("Third Party Beneficiaries"); and

WHEREAS, the Commissioner of IDEM has approved of this instrument and Grantor and Grantee intend this instrument to be a restrictive covenant pursuant to Indiana Code (IC) 13-11-2-193.5 that IDEM may enforce in a court action pursuant to IC 13-14-2-6(5).

NOW, THEREFORE:

1. Grant: Grantor, on behalf of itself, its successors and assigns, in consideration of the removal action performed pursuant to the AOC, does hereby covenant and declare that the Property shall be subject to the restrictions on use set forth below, and does give, grant and convey to the Grantee, and its assigns, with general warranties of title, 1) the perpetual right to enforce said use restrictions, and 2) an environmental protection easement of the nature and character, and for the purposes hereinafter set forth, with respect to the Property.
2. Purpose: It is the purpose of this instrument to convey to the Grantee real property rights, which will run with the land, to facilitate remediation of past environmental contamination and to protect human health and the environment by reducing the risk of exposure to contaminants. It is also the purpose of this instrument that the EPA and IDEM and each of their successors and assigns as Third Party Beneficiaries shall have the right to enforce the terms of this instrument and that IDEM shall also have the authority to enforce this instrument pursuant to IC 13-14-2-6(5).
3. EPA and IDEM as Third Party Beneficiaries: Grantor on behalf of itself and its successors, transferees, and assigns and the Grantee on behalf of itself and its successors, transferees and assigns hereby agree that the EPA and IDEM and their successors and assigns shall be Third Party Beneficiaries under this instrument.
4. Restrictions on use: The following covenants, conditions, and restrictions apply to the use of the Property, run with the land for the benefit of the Grantee and are binding upon the Grantor including its successors, transferees, assigns or other persons acquiring an interest in the Property and their authorized agents, employees, or persons acting under their direction and control.
  - (a) Shall not use or allow the use of the Property for residential purposes, including, but not limited to, daily child care facilities or educational facilities for children (e.g., daycare centers or K-12 schools).
  - (b) Shall not use or allow the use or extraction of groundwater at the Property for any purpose, including, but not limited to: human or animal consumption, gardening, industrial processes, or agriculture, except that groundwater may be extracted in conjunction with environmental investigation and/or remediation activities.
  - (c) Shall restore soil originating from the Affected Areas depicted in the attached Exhibit B that are disturbed as a result of excavation and construction activities in

such a manner that the remaining contaminant concentrations do not present a threat to human health and the environment. Contaminated soils that are excavated must be managed in accordance with all applicable federal and state laws, and disposal of such soils must also be done in accordance with all applicable state and federal laws. In addition to and in support of the above requirements, the owner shall prepare and implement a Soils Management Plan prior to any excavation, regrading, or similar soil disturbance of these soils. The Soils Management Plan must identify the quantity and survey coordinates of the soil to be disturbed, the location where the material will be placed (if remaining on site) and the measures that will be taken to minimize storm water impact. In addition, the plan must and address the following:

- i. All soils originating from the Affected Areas excavated from depths shallower than 7 feet below grade may be returned to any depth below grade, but must be covered by at least 1 foot of clean fill to prevent potential storm water impacts;
- ii. All soils from Affected Area B originating from depths greater than 7 feet below grade must be returned to a depth of at least 7 feet below grade;
- iii. The owner shall maintain a written record, including quantities and survey coordinates, of the location of placement of this material;
- iv. The Owner, upon IDEM's request, shall provide IDEM evidence showing the excavated and restored areas do not represent a threat to human health or the environment.

5. Modification or Rescission of restrictions: Any request for modification or rescission of this instrument or of provisions of this instrument shall be made to the Grantee, IDEM and EPA at the addresses given below. This instrument may be modified or rescinded only with the prior written approval of EPA, IDEM and the Grantee. Grantor on behalf of its successors, transferees, assigns or other persons acquiring an interest in the Property agrees to file any modification to or rescission of this Environmental Protection Easement and Declaration of Restrictive Covenants approved by EPA, IDEM and the Grantee with the appropriate Registrar of Deeds and a certified copy shall be returned to the EPA, IDEM and the Grantee at the addresses listed below.

6. Environmental Protection Easement: Grantor hereby grants to the Grantee for its use an irrevocable, permanent and continuing right of access unless rescinded pursuant to paragraph 5 at all reasonable times to the Property for purposes of:

- a) Implementing, operating and maintaining the response actions in the ROD, including but not limited to those actions generally described herein;
- b) Verifying any data or information submitted to EPA or IDEM;

- c) Verifying that no action is being taken on the Property in violation of the terms of this instrument or of any federal or state environmental laws or regulations;
- d) Conducting investigations relating to contamination on or near the Site, including, without limitation, sampling of air, water, sediments, soils, and specifically, without limitation, obtaining split or duplicate samples;
- e) Conducting periodic reviews of the affected areas, including but not limited to, reviews required by applicable statutes and/or regulations; and
- f) Implementing additional or new response actions that the EPA or IDEM determine are necessary to protect public health or the environment because: i) either the original removal action has proven to be ineffective, or ii) that new technology has been developed which will accomplish the purposes of the removal action in a significantly more efficient or cost effective manner; and will not impose any significantly greater burden on the Property or unduly interfere with the then existing uses of the Property.

7. Reserved rights of Grantor: Grantor hereby reserves unto itself, its successors, and assigns, all rights and privileges in and to the use of the Property which are not incompatible with the restrictions, rights and easements granted herein.

8. EPA and IDEM Entry, Access, and Response Authority: Nothing in this document shall limit or otherwise affect EPA and IDEM's rights of entry and access or EPA's and IDEM's authority to take response actions under CERCLA, the National Contingency Plan ("NCP"), or other federal and state law. The Grantor and Grantee consent to officers, employees, contractors, and authorized representatives of the EPA and IDEM entering and having continued access to this property for the purposes described in paragraph 6.

9. No Public Access and Use: No right of access or use by the general public to any portion of the Property is conveyed by this instrument.

10. Notice requirement: Grantor agrees to include in any future instrument conveying any interest in any portion of the Property, including but not limited to deeds, leases and mortgages, a notice which is in substantially the following form:

**NOTICE: THE INTEREST CONVEYED HEREBY IS  
SUBJECT TO AN ENVIRONMENTAL PROTECTION  
EASEMENT AND DECLARATION OF RESTRICTIVE  
COVENANTS, DATED FEB 2, 2012, RECORDED IN  
THE PUBLIC LAND RECORDS ON FEB 9, 2012, IN  
BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, IN FAVOR OF, AND #2012002014  
ENFORCEABLE BY ABB INC. AS GRANTEE, AND  
IN FAVOR OF AND ENFORCEABLE BY THE UNITED  
STATES OF AMERICA AND THE INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
AS THIRD PARTY BENEFICIARIES.**



Within thirty (30) days of the date any such instrument of conveyance is executed, Grantor must provide Grantee with a certified true copy of said instrument and, if it has been recorded in the public land records, its recording reference.

11. Enforcement: The Grantee, and the EPA and IDEM as Third Party Beneficiaries shall be entitled to enforce, individually or jointly, the terms of this instrument by resort to specific performance or legal process. IDEM shall be entitled to enforce this document pursuant to IC 13-14-2-6(5). All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA. Enforcement of the terms of this instrument shall be at the discretion of the Grantee, the EPA and IDEM and any forbearance, delay or omission to exercise its rights under this instrument in the event of a breach of any term of this instrument shall not be deemed to be a waiver by the Grantee, EPA or IDEM of such term or of any subsequent breach of the same or any other term, or of any of the rights of the Grantee, the EPA or IDEM.

12. Waiver of certain defenses: Grantor hereby waives any defense of laches, estoppel, or prescription.

13. Covenants: Grantor hereby covenants to and with the Grantee and its assigns, that the Grantor is lawfully seized in fee simple of the Property, that the Grantor has a good and lawful right and power to sell and convey it or any interest therein, that the Property is free and clear of encumbrances, except those noted on Exhibit E attached hereto, and that the Grantor will forever warrant and defend the title thereto and the quiet possession thereof.

14. Recordation: Unless this Instrument is rescinded under Paragraph 5, the Grantor, its successors or assigns shall re-record this Instrument including any subsequent modifications and amendments forty-nine (49) years from the date of first recording, or any subsequent recordings, to insure its continued applicability under the Marketable Title for Real Property Act found in IC 32-20.

15. Notices: Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor:  
ABB Inc.  
12040 Regency Parkway  
Cary, NC 27518  
Attention: General Counsel

To Grantee:  
ABB Inc.  
12040 Regency Parkway  
Cary, NC 27518  
Attention: General Counsel

To Third Party Beneficiary:  
Indiana Department of Environmental Management  
Office of Land Quality  
100 N. Senate Avenue  
Mail Code 66-31  
Indianapolis, IN 46204-2251

16. General provisions:

a) Controlling law: The interpretation and performance of this instrument shall be governed by the laws of the United States or, if there are no applicable federal laws, by the law of the State of Indiana.

b) Liberal construction: Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed in favor of the grant to effect the purpose of this instrument and the policy and purpose of CERCLA. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

c) Severability: If any provision of this instrument, or the application of it to any person or circumstance, is found to be invalid, the remainder of the provisions of this instrument, or the application of such provisions to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

d) Entire Agreement: This instrument sets forth the entire agreement of the parties with respect to rights and restrictions created hereby, and supersedes all prior discussions, negotiations, understandings, or agreements relating thereto, all of which are merged herein.

e) No Forfeiture: Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

f) Joint Obligation: If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

g) Successors: The covenants, terms, conditions, and restrictions of this instrument shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property. The term "Grantor", wherever used herein, and any pronouns used in place thereof, shall include the persons and/or entities named at the beginning of this document, identified as "Grantor" and their personal representatives, heirs, successors, and assigns. The term "Grantee", wherever used herein, and any pronouns used in place thereof, shall include the persons and/or entities named at the beginning of this document, identified as "Grantee" and their personal representatives, heirs, successors, and assigns. The rights of the Grantee and Grantor under this instrument are assignable, subject to the notice provisions hereof.

h) Termination of Rights and Obligations: A party's rights and obligations under this instrument terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

i) Captions: The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

j) Counterparts: The parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.



TO HAVE AND TO HOLD unto the Grantee and its assigns forever.

IN WITNESS WHEREOF, Grantor has caused this Environmental Protection Easement and Declaration of Restrictive Covenant to be signed in its name.

Executed this 2 day of February, 2012.

NAME OF GRANTOR

By: [Signature]

ABB Inc.

STATE OF Connecticut

COUNTY OF Hartford ) ss

On this 2<sup>nd</sup> day of February, 2012, before me, the undersigned, a Notary Public in and for the State of Connecticut, duly commissioned and sworn, personally appeared Elaine Hammick, known to be the Director of Environmental Engineering, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year written above.

Eleanor A. Perlak

Notary Public in and for the  
State of Connecticut

My Commission Expires: 3/31/2012

This Environmental Protection Easement and Declaration of Restrictive Covenant is accepted this 2 day of February, 2012.

NAME OF GRANTEE

By: [Signature]

ABB Inc.

9

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**EXHIBIT A**  
**Legal Description of Property**

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## EXHIBIT A

### LEGAL DESCRIPTION OF REAL ESTATE

A part of the east half of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, being more particularly described as follows: COMMENCING at the southwest corner of said east half of Section 36, thence NORTH 00 degrees 33 minutes 40 seconds EAST along the west line of the Southeast quarter of said Section 36, a distance of 1100.00 feet to the point of beginning; thence SOUTH 88 degrees 40 minutes 52 seconds; EAST 1598.54 feet thence SOUTH 00 degrees 56 minutes 24 seconds EAST 43.86 feet; thence SOUTH 88 degrees 42 minutes 49 seconds EAST 528.00 feet; thence SOUTH 01 degrees 30 minutes 52 seconds EAST 49.51 feet thence SOUTH 88 degrees 32 minutes 14 seconds EAST 528.00 feet to the east line of said east half thence along said east line NORTH 00 degrees 28 minutes 00 seconds East 1707.69 feet; thence NORTH 89 degrees 32 minutes 00 seconds WEST 550.00 feet; thence NORTH 00 degrees 28 minutes 00 seconds EAST 628.07 feet to the south right-of-way of the Monon Railroad; thence over and along the said south right-of-way the following, four (04 ) courses and distances; (1) NORTH 71 degrees 25 minutes 52 seconds WEST 81.68 feet; (2) NORTH 67 degrees 47 minutes 36 seconds WEST 200.00 feet; (3) NORTH 68 degrees 07 minutes 00 seconds WEST 200.00 feet; (4) NORTH 65 degrees 04 minutes 00 seconds WEST 3.00 feet; thence leaving said South right-of-way NORTH 89 degrees 08 minutes 48 seconds WEST 1658.15 feet to the west line of the northeast quarter of said Section 36; thence SOUTH 00 degrees 03 minutes 29 seconds WEST along said west line 837.76 feet to the southwest corner of the northeast quarter of Said Section 36; thence SOUTH 00 degrees 33 minutes 40 seconds WEST along the west line of the southeast quarter of said Section 36 a distance of 1549.12 feet to the point of beginning, Containing 136.909 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE AS SHOWN IN CORPORATE WARRANTY DEED RECORD 402 PAGE 238 RECORDED JULY 21, 1992.

A part of the Southeast Quarter and the Northeast Quarter of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, and being a part of the land of ABB Power T & D Company, Inc., (Deed Record 371, pages 251-253, Office of the Recorder), more particularly described as follows: Commencing at the Southwest Corner of the said Southeast Quarter; thence North 00 degrees 22 minutes 15 seconds East on and along the West line of the said Southeast Quarter a distance of 1,099.89 feet to the point of beginning, being the Southwest corner of the owner's land; thence continuing North 00 degrees 22 minutes 15 seconds East on and along the West line of the said Southeast Quarter, being the West line of the owner's land a distance of 1,545.11 feet to the Northwest Corner of the said Southeast Quarter; thence North 00 degrees 07 minutes 22 seconds West on and along the West line of the said Northeast Quarter, being the West line of the owner's land a distance of 841.77 feet to the Northwest corner of the owner's land; thence North 89 degrees 52 minutes 25 seconds East on and along the North line of the owner's land a distance of 40.00 feet; thence South 00 degrees 05 minutes 52 seconds East a distance of 887.12 feet; thence North 89 degrees 37 minutes 45 seconds West a distance of 5.00 feet; thence South 00 degrees 22 minutes 15 seconds West a distance of 1,500.11 feet to the South line of the owner's land; thence North 89 degrees 37 minutes 45 seconds West on and along the South line of the owner's land a distance of 35.00 feet to the point of beginning and containing 2.016 acres, more or less, of which 1.370 acres, more or less, is presently being used as public right-of-way.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE IN SPECIAL CORPORATE WARRANTY DEED 453 PAGE 153 RECORDED DECEMBER 23, 1996.

A part of the East Half of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section; thence South 00 degrees 25 minutes 16 seconds East along the West line of said Quarter Section 750.55 feet; thence leaving said West line North 89 degrees 10 minutes 04 seconds East 35.00 feet to the point of beginning; thence continuing North 89 degrees 10 minutes 04 seconds East 573.97 feet; thence North 00 degrees 01 minute 09 seconds West 190.42 feet; thence North 89 degrees 16 minutes 50 seconds East 498.89 feet; thence South 00 degrees 25 minutes 16 seconds East 570.32 feet; thence North 89 degrees 39 minutes 26 seconds East 278.91 feet; thence North 37 degrees 54 minutes 00 seconds East 206.27 feet; thence North 18 degrees 55 minutes 13 seconds East 187.38 feet; thence North 02 degrees 23 minutes 42 seconds East 234.85 feet; thence North 89 degrees 16 minutes 50 seconds East 32.00 feet; thence North 00 degrees 36 minutes 56 seconds West 577.06 feet; thence

North 89 degrees 26 minutes 53 seconds East 1038.87 feet to the East line of said Half Section; thence South 00 degrees 33 minutes 07 seconds East along said East line 1705.22 feet; thence North 89 degrees 45 minutes 56 seconds West 539.58 feet; thence North 00 degrees 49 minutes 45 seconds West 49.48 feet; thence North 89 degrees 38 minutes 34 seconds West 520.61 feet; thence North 00 degrees 38 minutes 36 seconds West 44.19 feet; thence North 89 degrees 43 minutes 37 seconds West 1566.86 feet to the East right-of-way line of Curry Pike, as described in Deed Record Book 402, page 238, in the office of the Recorder of Monroe County, Indiana; thence North 00 degrees 25 minutes 16 seconds West along said right-of-way line 800.16 feet to the point of beginning, containing 68.47 acres, more or less; EXCEPTING THEREFROM the following two tracts:

FIRST EXCEPTED TRACT: Commencing at the Southwesterlymost corner of the above described tract; thence South 89 degrees 43 minutes 37 seconds East 792.64 feet; thence North 00 degrees 16 minutes 23 seconds East 94.57 feet to the point of beginning; thence North 19 degrees 42 minutes 46 seconds East 187.66 feet; thence North 37 degrees 24 minutes 37 seconds East 134.21 feet; thence North 89 degrees 39 minutes 26 seconds East 372.85 feet; thence South 00 degrees 20 minutes 34 seconds East 39.67 feet; thence South 17 degrees 21 minutes 44 seconds West 188.75 feet; thence South 26 degrees 19 minutes 16 seconds West 75.56 feet; thence North 89 degrees 43 minutes 37 seconds West 428.09 feet to the point of beginning, containing in said exception 2.78 acres, more or less, in said exception.

SECOND EXCEPTED TRACT: A part of the East half of the Northeast quarter and part of the East half of the Southeast quarter Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows: Commencing at the Northwest corner of the Southeast quarter of said section; thence South 00 degrees 25 minutes 16 seconds East along the West line of said quarter section 750.55 feet; thence leaving the West line of said quarter section North 89 degrees 10 minutes 04 seconds East 1617.30 feet to the point of beginning; thence continuing North 89 degrees 10 minutes 04 seconds East 4.96 feet; thence North 00 degrees 36 minutes 56 seconds West 765.40 feet; thence North 89 degrees 26 minutes 53 seconds East 1038.87 feet passing through the Southwest corner of a tract of land described in Deed Record Book 345, page 260 of the Monroe County Recorder's Office and to the Southeast corner of said tract, said point being a Northeast corner of a tract of land described in Deed Record Book 356, pages 385 and 386 of said Recorder's office and being on the East line of said section; thence along the East line and Southerly lines of said tract the following four (4) bearings and distances, 1) South 00 degrees 33 minutes 07 seconds East 1705.22 feet; 2) North 89 degrees 45 minutes 56 seconds West 539.58 feet; 3) North 00 degrees 49 minutes 45 seconds West 49.48 feet; 4) North 89 degrees 38 minutes 34 seconds West 503.28 feet; thence leaving said tract North 00 degrees 33 minutes 07 seconds West 874.92 feet and to the point of beginning, containing in all 40.00 acres, more or less, in said exception. Containing after said exceptions, 25.69 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE AS SHOWN ON SPECIAL CORPORATE WARRANTY DEED 453 PAGE 142 RECORDED DECEMBER 23, 1996.

A part of the East half of the Northeast quarter and part of the East half of the Southeast quarter Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows: Commencing at the Northwest corner of the Southeast quarter of said section; thence South 00 degrees 25 minutes 16 seconds East along the West line of said quarter section 750.55 feet; thence leaving the West line of said quarter section North 89 degrees 10 minutes 04 seconds East 1617.30 feet to the point of beginning; thence continuing North 89 degrees 10 minutes 04 seconds East 4.96 feet; thence North 00 degrees 36 minutes 56 seconds West 765.40 feet; thence North 89 degrees 26 minutes 53 seconds East 1038.87 feet passing through the Southwest corner of a tract of land described in Deed Record Book 345, page 260 of the Monroe County Recorder's office and to the Southeast corner of said tract, said point being a Northeast corner of a tract of land described in Deed Record Book 356, pages 385 and 386 of said Recorder's office and being on the East line of said section; thence along the East line and Southerly lines of said tract the following four (4) bearings and distances, 1) South 00 degrees 33 minutes 07 seconds East 1705.22 feet; 2) North 89 degrees 45 minutes 56 seconds West 539.58 feet; 3) North 00 degrees 49 minutes 45 seconds West 49.48 feet; 4) North 89 degrees 38 minutes 34 seconds West 503.28 feet; thence leaving said tract North 00 degrees 33 minutes 07 seconds West 874.92 feet and to the point of beginning, containing in all 40.00 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE AS SHOWN IN CORPORATE WARRANTY DEED RECORDED AS INSTRUMENT 2001014003 AND RECORDED JULY 11, 2001.

A part of the Northeast Quarter of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, and being a part of the land of or formerly owned by ABB Power T & D Company, Inc., (Deed Record 356, pages 385-387, Office of the Recorder) more particularly described as follows: Commencing at the southwest corner of said quarter section, thence North 0 degrees 09 minutes 53 seconds West (assumed bearing) 778.97 feet along the west line of said quarter section being the west line of the owner's land, to the point of beginning; thence continuing North 0 degrees 09 minutes 53 seconds West 56.55 feet along said west line to the northwest corner of the owner's land; thence South 89 degrees 28 minutes 26 seconds East 55.00 feet along the north line of the owner's land; thence South 0 degrees 09 minutes 53 seconds East 25.89 feet; thence South 26 degrees 24 minutes 01 second West 33.54 feet; thence South 89 degrees 50 minutes 07 seconds West 40.00 feet to the point of beginning and containing 0.066 acres, more or less. The portion of the above-described real estate which is not already embraced within public rights of way contains 0.014 acres, more or less.

ALSO, A part of the Southeast Quarter of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, and being a part of the land of or formerly owned by ABB Power T & D Company, Inc., (Deed Record 356, pages 385-387, Office of the Recorder) more particularly described as follows: Commencing at the southwest corner of said quarter section, thence North 0 degrees 14 minutes 02 seconds East (assumed bearing) 1900.77 feet along the west line of said quarter section to the prolonged north line of Curry Industrial Park Subdivision per Plat Book 356, Pages 385-386, Office of the Recorder; thence North 89 degrees 49 minutes 22 seconds East 35.00 feet along said prolonged line to the east boundary of Curry Pike per Deed Record 402, Pages 238-239, Office of the Recorder, and being the point of beginning of this description; thence North 0 degrees 13 minutes 36 seconds East 699.21 feet along said east boundary of Curry Pike to a corner of said boundary; thence South 89 degrees 40 minutes 03 seconds East 5.00 feet along said boundary to a corner of said boundary; thence South 0 degrees 19 minutes 57 seconds West 699.17 feet to the north line of said Curry Industrial Park Subdivision; thence South 89 degrees 49 minutes 22 seconds West 3.71 feet along said north line to the point of beginning and containing 0.070 acres, more or less.

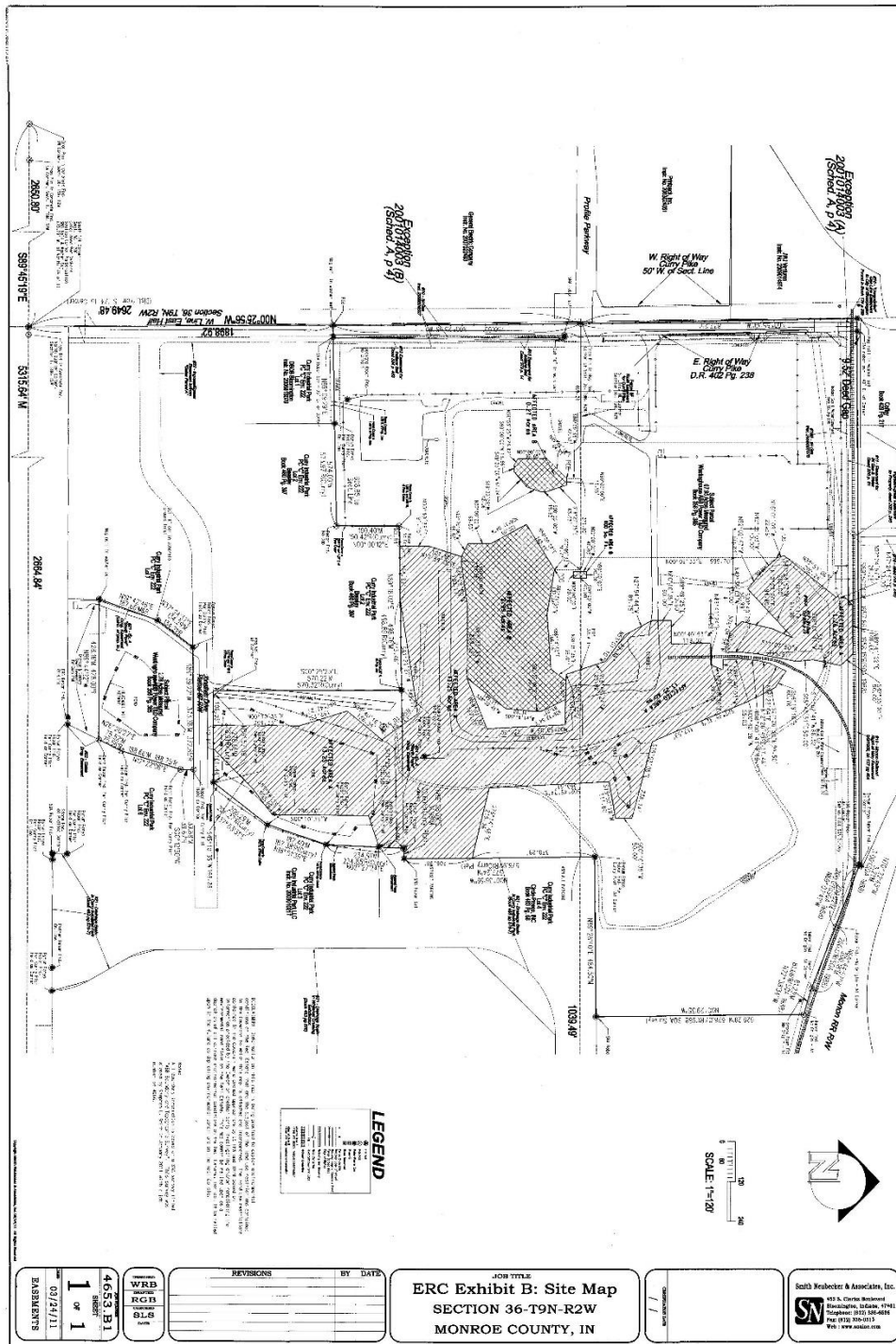
COMPRISING IN TOTAL AFTER ALL EXCEPTIONS 69.06 ACRES ACCORDING TO THE RECORDS OF THE MONROE COUNTY AUDITOR.



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**EXHIBIT B**  
**Property Map**

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**EXHIBIT C**

**Legal Descriptions of Affected Areas**

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Easement Area A (13.25-Acre)

A part of the East half of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, being more particularly described as follows;

Commencing at an Iron Pin in a Highway Box being the center of Section 36; thence along the South line of the Northeast Quarter of said Section 36, South 89 degrees 50 minutes 27 seconds East 1049.96 feet to the POINT OF BEGINNING of this description; thence leaving said South line, North 18 degrees 45 minutes 24 seconds West 80.54 feet; thence, North 53 degrees 01 minutes 10 seconds West 99.38 feet; thence North 27 degrees 54 minutes 44 seconds West 89.75 feet; thence North 00 degrees 10 minutes 35 seconds East 60.00 feet; thence South 89 degrees 49 minutes 25 seconds East 70.60 feet; thence North 00 degrees 40 minutes 53 seconds West 119.02 feet; thence North 89 degrees 41 minutes 24 seconds East 64.99 feet; thence North 23 degrees 18 minutes 36 seconds East 39.75 feet; thence North 86 degrees 40 minutes 03 seconds West 33.41 feet; thence North 00 degrees 40 minutes 28 seconds West 55.03 feet; thence North 06 degrees 00 minutes 41 seconds East 49.47 feet; thence North 12 degrees 28 minutes 49 seconds East 37.46 feet; thence North 26 degrees 22 minutes 04 seconds East 55.31 feet; thence South 56 degrees 19 minutes 16 seconds East 60.76 feet; thence South 27 degrees 26 minutes 38 seconds East 94.50 feet; thence South 22 degrees 48 minutes 42 seconds East 312.53 feet; thence South 75 degrees 03 minutes 05 seconds East 238.74 feet; thence South 00 degrees 10 minutes 35 seconds West 50.00 feet; thence South 79 degrees 52 minutes 18 seconds West 111.80 feet; thence South 02 degrees 49 minutes 34 seconds East 363.41 feet; thence South 76 degrees 14 minutes 48 seconds East 219.36 feet to the East line of Westinghouse ABB Power T&D Company, Book 356, Page 385, thence the following three (3) courses along said East line,

- 1.) South 00 degrees 36 minutes 56 seconds East 206.96 feet; thence
- 2.) South 89 degrees 08 minutes 59 seconds East 31.98 feet; thence
- 3.) South 02 degrees 27 minutes 24 seconds East 74.48 feet; thence leaving said east line, South 71 degrees 25 minutes 37 seconds West 100.58 feet; thence South 00 degrees 10 minutes 35 seconds West 290.00 feet; thence South 53 degrees 18 minutes 23 seconds West 100.00 feet; thence South 45 degrees 10 minutes 35 seconds West 168.38 feet to the North right-of-way of Jonathan Drive; thence along said right-of-way South 89 degrees 57 minutes 39 seconds West 70.94 feet; thence leaving said right-of-way, North 00 degrees 10 minutes 35 seconds East 259.33 feet; thence North 17 degrees 42 minutes 27 seconds West 152.13 feet; thence North 39 degrees 40 minutes 16 seconds East 136.35 feet; thence North 36 degrees 10 minutes 59 seconds West 134.94 feet; thence South 81 degrees 21 minutes 22 seconds West 349.77 feet to the South line of Westinghouse ABB Power T&D Company, Book 356, Page 385; thence along said South line, South 89 degrees 18 minutes 02 seconds West 164.39 feet; thence leaving said South line, North 00 degrees 10 minutes 35 seconds East 91.15 feet; thence North 17 degrees 59 minutes 20 seconds East 101.65 feet; thence South 90 degrees 00 minutes 00 seconds East 19.96

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feet; thence North 82 degrees 19 minutes 50 seconds East 130.17 feet; thence South 89 degrees 33 minutes 33 seconds East 219.59 feet; thence North 68 degrees 41 minutes 20 seconds East 167.02 feet; thence North 02 degrees 50 minutes 05 seconds West 236.30 feet; thence North 88 degrees 21 minutes 45 seconds West 155.04 feet; thence North 18 degrees 45 minutes 24 seconds West 80.54 feet to the POINT OF BEGINNING, containing 13.25 acres more or less.

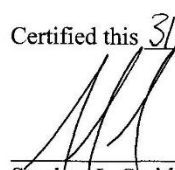
AND ALSO

Easement Area A (1.76-Acre)

Commencing at an Iron Pin in a Highway Box being the center of Section 36; thence along the South line of the Northeast Quarter of said Section 36, South 89 degrees 50 minutes 27 seconds East 711.07 feet; thence leaving said South line, North 00 degrees 09 minutes 33 seconds East 595.70 feet to the POINT OF BEGINNING, thence North 16 degrees 01 minutes 09 seconds West 22.36 feet; thence North 38 degrees 53 minutes 06 seconds East 202.24 feet; thence North 02 degrees 24 minutes 57 seconds East 28.28 feet; thence North 47 degrees 24 minutes 57 seconds East 30.00 feet; thence North 89 degrees 41 minutes 22 seconds East 148.66 feet; thence South 42 degrees 35 minutes 03 seconds East 50.00 feet; thence South 11 degrees 52 minutes 41 seconds West 86.02 feet; thence South 05 degrees 42 minutes 51 seconds East 50.00 feet; thence South 11 degrees 07 minutes 50 seconds West 115.97 feet; thence South 06 degrees 00 minutes 41 seconds West 51.77 feet; thence South 00 degrees 40 minutes 28 seconds East 50.99 feet; thence North 76 degrees 04 minutes 54 seconds West 60.94 feet; thence North 42 degrees 35 minutes 03 seconds West 50.00 feet; thence North 13 degrees 23 minutes 20 seconds East 94.80 feet; thence North 23 degrees 43 minutes 41 seconds East 67.08 feet; thence South 47 degrees 24 minutes 57 seconds West 200.00 feet; thence North 52 degrees 02 minutes 47 seconds West 60.83 feet; thence North 42 degrees 35 minutes 03 seconds West 70.00 feet; thence North 16 degrees 01 minutes 09 seconds West 22.36 feet to the POINT OF BEGINNING, containing 1.76 acres more or less.

I hereby certify that the survey work performed on the project shown hereon was performed either 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.

Certified this 31<sup>st</sup> day of July 2011.

  
Stephen L. Smith  
Registered Land Surveyor No. S0427  
State of Indiana



Smith Neubecker & Associates, Inc.



PSARA Technologies  
Easement Area Description

Easement Area B

A part of the East half of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, being more particularly described as follows;

Affected Area B (0.27-Acre)

Commencing at an Iron Pin in a Highway Box being the center of Section 36; thence along the South line of the Northeast Quarter of said Section 36, South 89 degrees 50 minutes 27 seconds East 469.29 feet; thence leaving said South line, South 00 degrees 09 minutes 33 seconds West 42.52 feet to the POINT OF BEGINNING; thence North 90 degrees 00 minutes 00 seconds East 19.95 feet; thence South 18 degrees 27 minutes 39 seconds East 63.03 feet; thence South 00 degrees 00 minutes 00 seconds West 19.93 feet; thence South 18 degrees 33 minutes 05 seconds West 42.06 feet; thence South 49 degrees 23 minutes 26 seconds West 61.24 feet; thence South 90 degrees 00 minutes 00 seconds West 19.96 feet; thence North 56 degrees 53 minutes 25 seconds West 23.82 feet; thence North 00 degrees 00 minutes 00 seconds West 86.65 feet; thence North 45 degrees 03 minutes 18 seconds East 84.61 feet to the POINT OF BEGINNING of this description, containing in all 0.27 Acres, more or less.

AND ALSO

Affected Area B (800 Sq. Ft.)

Commencing at an Iron Pin in a Highway Box being the center of Section 36; thence along the South line of the Northeast Quarter of said Section 36, South 89 degrees 50 minutes 27 seconds East 752.62 feet to the POINT OF BEGINNING; thence North 00 degrees 00 minutes 00 seconds West 20.00 feet; thence North 90 degrees 00 minutes 00 seconds East 20.00 feet; thence South 00 degrees 00 minutes 00 seconds West 40.00 feet; thence North 90 degrees 00 minutes 00 seconds East 20.00 feet; thence North 00 degrees 00 minutes 00 seconds West 20.00 feet to the POINT OF BEGINNING, containing 800 square feet more or less.

AND ALSO

Affected Area B (2.99-Acre)

Commencing at an Iron Pin in a Highway Box being the center of Section 36; thence along the South line of the Northeast Quarter of said Section 36, South 89 degrees 50 minutes 27 seconds East 747.09 feet; thence leaving said South line, South 00 degrees 09 minutes 33 seconds West 78.72 feet to the POINT OF BEGINNING; thence South 80 degrees 31 minutes 50 seconds East 137.34 feet; thence North 86 degrees 13 minutes 42




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seconds East 166.15 feet; thence North 38 degrees 39 minutes 35 seconds East 59.01 feet; thence South 88 degrees 21 minutes 45 seconds East 55.92 feet; thence South 26 degrees 33 minutes 54 seconds East 83.27 feet; thence South 00 degrees 00 minutes 00 seconds East 20.00 feet; thence South 06 degrees 18 minutes 14 seconds West 88.34 feet; thence South 38 degrees 30 minutes 45 seconds West 149.11 feet; thence North 89 degrees 33 minutes 33 seconds West 219.59 feet; thence South 82 degrees 19 minutes 50 seconds West 130.17 feet; thence North 90 degrees 00 minutes 00 seconds West 19.96 feet; thence North 63 degrees 26 minutes 06 seconds West 44.62 feet; thence North 00 degrees 00 minutes 22 seconds West 69.53 feet; thence North 28 degrees 31 minutes 04 seconds West 122.05 feet; thence North 58 degrees 20 minutes 28 seconds East 162.15 feet to the POINT OF BEGINNING, containing 2.99 acres more or less.

I hereby certify that the survey work performed on the project shown hereon was performed either 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.

Certified this 31<sup>st</sup> day of July 2011.

  
\_\_\_\_\_  
Stephen L. Smith  
Registered Land Surveyor No. S0427  
State of Indiana



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**EXHIBIT D**

**List of Recorded Encumbrances**

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Interests in the Land Summary and Subordination Waiver Request Application  
ABB Inc. Bloomington, Indiana

Item	Land Records	Interest in the Land	Within the "residual contamination" area?	Does it impact the environmental restriction?	Subordination Obtained
1-9		N	N	N	N
10	Deed Record 127, Page 464	Y	N	N	N
11	Deed Record 137 page 285 and Deed Record 205, page 81	Y	Y	Y	Y
12	Deed Record 334 page 483	Y	N	N	N
13	Deed Record 379, page 14	Y	N	N	N
14	Instrument number 2002014426	Y	N	N	N
15	Deed Record 356, page 385	Y	N	N	N
16	Deed Record 205, page 245	Y	Y	N	N
17	Deed Record 205, page 72	Y	Y	Y	Y
18	Deed Record 205, page 77	Y	N	N	N
19	Instrument number 2006007076	Y	Y	N	N
20	Instrument number 2008008507	Y	N	N	N
21	Deed Record 463, page 571	Y	Y	Y	Y
22	Deed Record 453, page 142	Y	N	N	N
23	Deed Record 484, page 497	Y	N	N	N
24	Instrument 2006016539	N	N	N	N
25	Misc Record 145, page 69	N	N	N	N
26-27	Taxes for 2009 and 2010	N	N	N	N



Interests in the Land Summary and Subordination Waiver Request Application  
ABB Inc. Bloomington, Indiana

Item	Description of Item	Rationale
1-9	Standard exceptions	These are standard exception in a title search. These items are not an interest in the land, and no subordination is required.
10	Easement in favor of Monon Railroad for right of way and incidental purposes.	As shown on the A-2 survey, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
11	Easement in favor of Indiana Gas & Water Company	This gas line easement grants the right to install gas mains for the transportation and distribution of gas in, upon, along and over land. This item is an interest in land is within the "residual contamination" area and a subordination will be obtained.
12	Easement in favor of Indiana Bell Telephone Company	As shown on the A-2 survey, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
13	Easement in favor of Indiana Bell Telephone Company	As shown on the A-2 survey, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
14	Easement in favor of PSI Energy Inc.	As shown on the map recorded with the interest, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
15	Unrecorded Gas Line Easement	As shown on the A-2 survey, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
16	Easement for access and drainage	This interest is within the "residual contamination" areas but the easement only provides for ingress and egress, and a right to drain. None of the grants will have a negative impact on the environmental restriction.
17	Gas Line easement in favor of Indiana Gas Company	This gas line easement is within the "residual contamination" areas and a subordination will be obtained.
18	Gas Line easement in favor of Indiana Gas Company	As shown on the A-2 survey, the entire easement area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
19	Gas Line easement in favor of Indiana Gas Company	This interest is within the "residual contamination" areas but is for ingress and egress and maintenance of above ground structures. While the interest involves fencing, this interest would not negatively affect the environmental restriction.
20	Gas Line easement in favor of Indiana Gas Company	As shown on the A-2 survey, the entire easement area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
21	Drainage easement	Part of this drainage easement is within the "residual contamination" areas and a subordination will be obtained.
22	Easement for ingress and egress	As shown on the A-2 survey, the entire interest area is outside of the "residual contamination" areas and would not negatively affect the environmental restriction.
23	Easement for drainage	This interest is for drainage only and would not negatively affect the environmental restriction.
24	Affidavit of ownership	This is not an interest in land, but merely clarifies an error on the land records. No subordination is required.
25	Order from the Environmental Management Board of Indiana	This order is not an interest in land. No subordination is required.
26	Taxes for 2009 and 2010	Taxes are paid or not yet due or payable. No subordination is

## EXHIBIT 4: MCUA Conceptual Plans

### 6.2.2 PROPOSED PLAN

#### A. PROPOSED LAND USE ZONES

##### ORGANIZATIONAL CONCEPTS

The Third Street Corridor between I-69 and the western edge of the study area 'feels' more like a part of the Urbanizing Area despite significant portions being within the City of Bloomington. The overall goal is to create a consistent and attractive experience for all users of the corridor regardless of this change in municipal boundaries. This creates the need for several physical development strategies in this area. First, the majority of any new or first priority development in the Third Street Corridor should occur within one block of Third Street and be oriented to the street. Second, the City of Bloomington and Monroe County should work together to create a set of guidelines to direct new development toward a consistent vision. Third, new development should be accompanied by improvements to Third Street itself, which could be funded privately or publicly. Last, the major corridors of Curry Pike and Profile Parkway should be tied into this corridor as much as possible. The former ABB site, for example, is a significant development opportunity near Third Street and any new development on the site should 'feel' directly connected to the corridor to the extent possible.

##### MIXED-USE

The Third Street corridor should be framed by horizontally and vertically mixed-use structures which have publicly accessible front facades. Any vertically mixed-use buildings should have retail, restaurant, or service-oriented office uses on the ground floor and office or residential uses on the upper floors.

##### OFFICE

The Third Street corridor presents tremendous opportunities to potential office users who desire to be along a highly-trafficked corridor. The land immediately along these corridors should be utilized for office buildings or mixed-use buildings with an office use.

One key driver of an office use is the opportunity to create a walkable work environment. The existing retail, restaurant and residential uses nearby, provide the office user with opportunities to visit a coffee shop on a break, complete errands at lunch, or even live in the adjacent neighborhood and walk to work.



FIGURE 6.8: THIRD STREET CORRIDOR CONCEPT

##### RESIDENTIAL

Much of the corridor is composed of various types of residential development. Residential development should have multiple floors, parking located behind buildings or on public streets, and should be comfortable and inviting. Residential buildings should also be architecturally compatible, but improve upon the style of other structures in the corridor.

##### INDUSTRIAL

Industrial and related land uses are currently present in the Third Street Corridor. These are predominantly north of Third Street along Curry Pike. With the potential demand for additional industrial space in the Urbanizing Area, there may be an opportunity to construct this land use where appropriate.

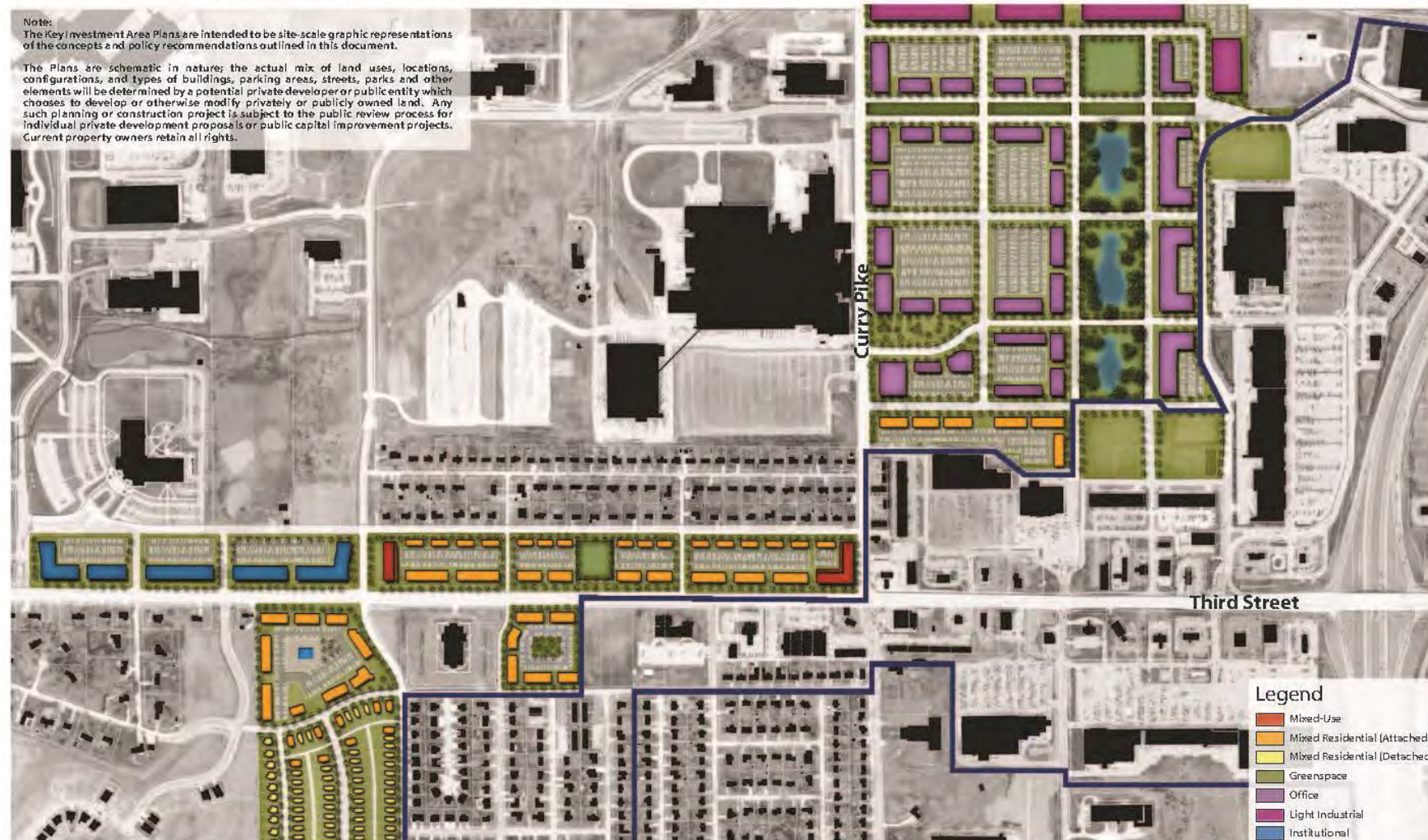
The former ABB industrial site on Curry Pike, for example, is a site that could be developed with an industrial use. This site is a remediated brownfield and does not currently support redevelopment with residential uses. Therefore, the site could be developed with employment focused mixed-use and/or integrated industrial. If the site is developed with industrial land uses, new development should be carefully integrated into the character of the corridor given its high visibility and adjacency to other residential and commercial land uses.

##### GREEN SPACE & RECREATION

There are no significant natural features within the corridor that should be preserved in future development. However, there are significant drainage



**FIGURE 6.10: THIRD STREET CORRIDOR DEVELOPMENT PLAN**





## EXHIBIT 5: Findings of Fact - Street Tree Waiver

### Smith Brehob & Associates, Inc.



ABB Major Subdivision Preliminary Plat  
Modification to requirement for street trees at the time of Preliminary Plat  
July 25, 2019

Subdivision Code section 850-12 requires a description of the request and section (A) requires "Findings" on nine items

#### Description

ABB has filed a major subdivision preliminary plat for land located at 300 North Curry Pike. The Monroe County Redevelopment Commission (RDC) is developing the infrastructure for the subdivision including streets and utilities. ABB will dedicate r/w, temporary r/w and easements for the RDC project via the preliminary and final plat process. The RDC and County Highway have decided that they do not want street trees in the right of way and are not including street trees in their construction project. By code this means that street trees are to be placed on the lots and within 5' of the right of way.

The area where street trees now need to be placed is a part of the lot that will be developed in the future. It is an area that will be graded and may have drives and utilities based on a future site plan. The area will also have "streetscape landscaping" per the County Zoning Code. We are seeking approval to have the street trees placed at the time the other work in this area will be done; with the development of the site.

Section 850-12(B) provides that the Commission may impose conditions. We respectfully request that the Commission waive the requirement for street trees at the time of the final plat on the condition that they be placed as a part of individual lot developments.

#### Section 850-12 (A) Findings

- 1) *Practical difficulties have been demonstrated.* Many of the street trees placed at this time will need to be removed and replanted when individual sites develop since the trees will be on the developing lot.
- 2) *The requested modification would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the official map of the County.* This is only a delay to tree planting and will have no effect on these standards.

## Smith Brehob & Associates, Inc.



- 3) *Granting the modification would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services.* This is only a delay to tree planting and will have no effect on these standards.
- 4) *Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties.* This is only a delay to tree planting and will have no effect on these standards.
- 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.* This is the only IG subdivision currently underway and one of very few such subdivisions in the past decade. The policy of street trees on the lot and not in the public right of way is recent. These facts make this case unique though similar properties may have the same problem in the future.
- 6) *Granting the requested modifications would not contravene the policies and purposes of these regulations.* This is only a delay to tree planting and will have no effect on these standards.
- 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.* Street trees are proposed to be planted per code requirements, just delayed until individual sites develop. This is a minor and reasonable solution to the timing issue of site development and avoids removing and replanting trees.
- 8) *The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant.* The situation is created by the RDC developing the street system and County Highway electing to have street trees outside the right of way and on the to be developed sites.
- 9) *The practical difficulties cannot be overcome through reasonable design alternatives.* This is only a delay to tree planting and is a reasonable solution to the County's wish to have the street trees on the private lots in the subdivision.

# EXHIBIT 6: Petitioner Request to have Driveways off of N Curry Pike



## Monroe County Highway Department Driveway Permit Application Planning Review

Application# \_\_\_\_\_  
Permit# \_\_\_\_\_  
Date \_\_\_\_\_

Please fill form out completely

Date: July 17, 2019

Phone: 812-336-6536

Owner's Name: ABB Inc.

Owner's Present Address: c/o S. Smith, Smith Brehob and Associates, 453 South Clarizz Blvd Bloomington 47401

Address, Road Name, Lot # and Subdivision Name of proposed driveway to be inspected.  
(If no address yet attach directions. See **NOTE** below):

300 North Curry Pike; two existing drives and one new drive as shown on attached aerial and site plan;

Parcel Number: 53-04-36-100-054.000-011

Contractor: no contractor yet

Driveway Classification - Check all boxes that apply to your drive.

☒ New Driveway

☒ Commercial Driveway

☒ Public Hearing Required?

☒ Pre-Existing Driveway

☐ Residential Driveway

☒ Subdividing Property

What are you building? Subdivision of ABB land zoned IG

If commercial, what is the intended use? any uses allowed in the IG zone

**NOTE:** We must have address and parcel number before permit can be issued. If you do not have an address yet attach directions and/or map to this application on how to get to your proposed driveway. You **must** stake with red flagging tape we will give you so that our inspector can find the driveway location. **We will not check your drive unless it is staked and/or flagged unless this step is waived by the Monroe County Highway Department.**

Signature: \_\_\_\_\_

### STAFF USE ONLY:

Date Inspected \_\_\_\_\_

By \_\_\_\_\_

Road Classification \_\_\_\_\_

Speed Limit \_\_\_\_\_

Sight Distance \_\_\_\_\_

Coordinates \_\_\_\_\_

Existing Drainage \_\_\_\_\_

C&G / Pipe / Swale \_\_\_\_\_

If pipe is required, diameter & length \_\_\_\_\_

Notes \_\_\_\_\_



