

MONROE COUNTY PLAN REVIEW COMMITTEE



**March 12, 2020
5:30 pm**

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

A G E N D A
MONROE COUNTY PLAN REVIEW COMMITTEE
North Showers Building, 501 N. Morton Street, Suite 224, Bloomington, IN
March 12, 2020
5:30 p.m.

OLD BUSINESS:

NEW BUSINESS:

- 1. 2001-REZ-01 Joe Kemp Rezone from Agriculture/Rural Reserve PAGE 3**
(AG/RR) to Medium Density Residential (MR).
One (1) 1.00 +/- acre parcel in Section 24 of Richland Township at
4123 W Carmola DR.
Zoned Agriculture/Rural Reserve (AG/RR).
- 2. 2002-PUO-01 North Park Outline Plan Amendment 4 PAGE 22**
Preliminary Hearing. Waiver of Second Hearing Requested.
One (1) 10.05 +/- acre parcel in Section 24 of Richland Township and
Section 19 & 30 of Bloomington Township at 3050+/-block of N Lintel DR.
Zoned PUD.
- 3. 2002-REZ-02 Fable Farms Rezone from Suburban Residential (SR) PAGE 51**
to Agriculture/Rural Reserve (AG/RR).
Two (2) parcels on 6.27 +/- acres in Section 24 of Bloomington Township
at 5285 E State Road 45.
Zoned Limited Industrial (IL).

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

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

The meeting will be open to the public.

CASE NUMBER: 2001-REZ-01**PLANNER:** Drew Myers**PETITIONER(S):** Joe Kemp Construction, LLC; C/o Phillip Sutton**REQUEST:** Rezone from Agriculture/Rural Reserve (AG/RR) to Medium Density Residential (MR).

Waiver of final hearing requested.

ADDRESS: 4123 W Carmola Drive**ZONING:** AG/RR**ACRES:** 1.0 +/- acres**TOWNSHIP:** Richland**SECTION(S):** 24**PLAT(S):** N/A**COMP. PLAN****DESIGNATION:** Designated Communities
MCUA Phase II: Neighborhood Development (N2)**EXHIBITS**

1. Petitioner Cover Letter & Letter of Consent
2. Petitioner Boundary Survey
3. Chapter 804 Design Standards Comparison

PRELIMINARY RECOMMENDATION

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

PLAN REVIEW COMMITTEE

TBD

SUMMARY

The petitioner requests to rezone approximately 1.0 acres from Agriculture/Rural Reserve (AG/RR) to Medium Density Residential (MR). Should the rezone be approved, the landowner intends to petition for a minor subdivision to divide the land into two separate lots.

Chapter 802 defines Medium Density Residential as the following:

Medium Density Residential (MR) District. *The character of the Medium Density Residential (MR) District is defined as that which is primarily intended for residential development in areas in urban service areas, where public sewer service is available. Its purposes are: to encourage the development of moderately-sized residential lots in areas where public services exist to service them efficiently; to discourage the development of nonresidential uses; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the MR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.*

LOCATION MAP

The petition site is located at 4123 W Carmola DR in Richland Township, Section 24 (parcel #: 53-04-24-200-026.000-011).

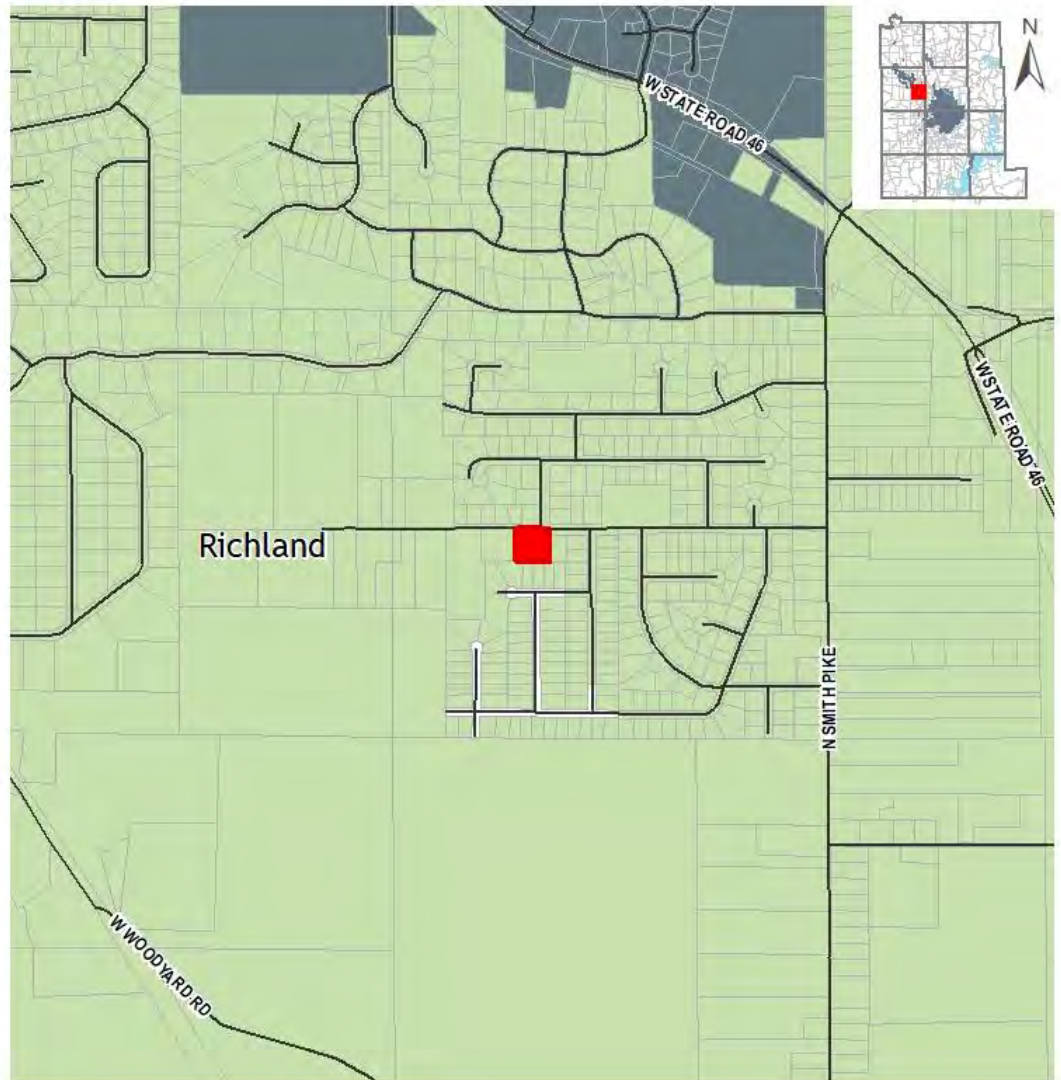
Location Map

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

0 0.075 0.15 0.3 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020

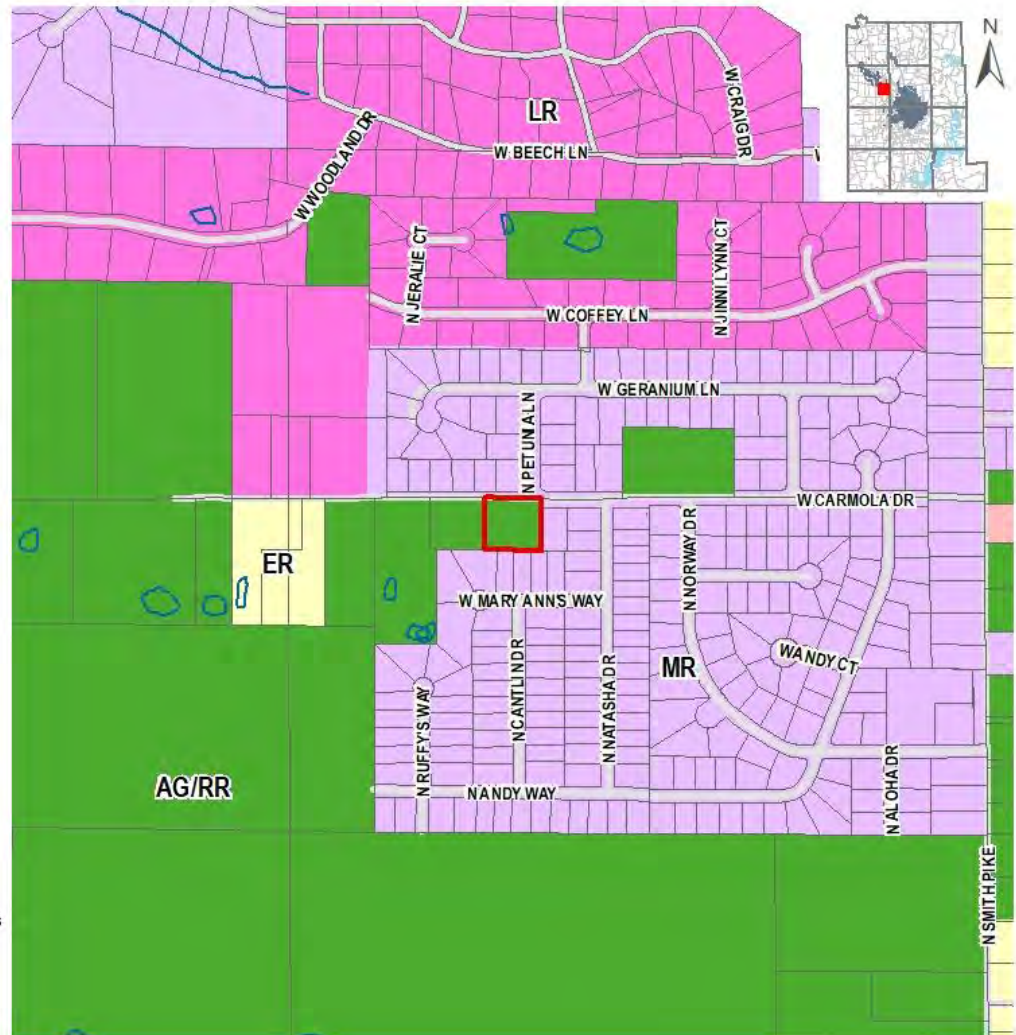


ZONING/ADJACENT USES

The property is zoned Agriculture/Rural Reserve (AG/RR). The immediately adjoining properties are zoned Agriculture/Rural Reserve and Medium Density Residential (MR). Other nearby zones include Low Density Residential (LR), and Estate Residential (ER). Uses nearby are predominately residential.

Current Zoning Map

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning**
- AG/RR - Agriculture/Rural Reserve
- ER - Estate Residential
- LB - Limited Business
- LR - Low Density Residential
- MR - Medium Density Residential
- N.T. - No Tag (Outside Juris.)
- PUD - Planned Unit Development
- Town of Ellettsville






0 0.05 0.1 0.2 Miles

Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020

SITE CONDITIONS

The property exhibits access off of W Carmola DR, a designated Local Road according to the Thoroughfare Plan. The petition site currently contains a 1,560 sq. ft. two family residence (ca. 1962; converted to a duplex in 2013). The petition site is predominantly flat. There are no known karst features on site. There is no FEMA floodplain on the property. The site drains primarily to the south. The petitioner's representative has provided a sewer capacity letter from Eastern Richland Sewer.

Site Conditions Map

-  Petitioner
-  2-Foot Contours
-  Local Roads [50']

0 12.5 25 50 75 100 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020



Slope Map

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

PARCEL #:
53-04-24-200-026.000-011

NOTE:
Areas > 15% slope are classified as
nonbuildable area per Chapter 804.

0 12.5 25 50 75 100 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020



SITE PICTURES



Photo 1. Facing West



Photo 2. Facing East



Photo 3. Facing South



Photo 4. Facing East



Photo 5. Facing Southeast



Photo 6. Facing North



Photo 7. Facing East



Photo 8. Facing West



Photo 9. Facing North



Photo 10. Facing West



Photo 11. Facing South



Photo 12. Facing West



Photo 13. Aerial Pictometry from South



Photo 14. Aerial Pictometry from North

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the *Designated Communities* designation in the Monroe County Comprehensive Plan, which states:

Designated Community Plans:

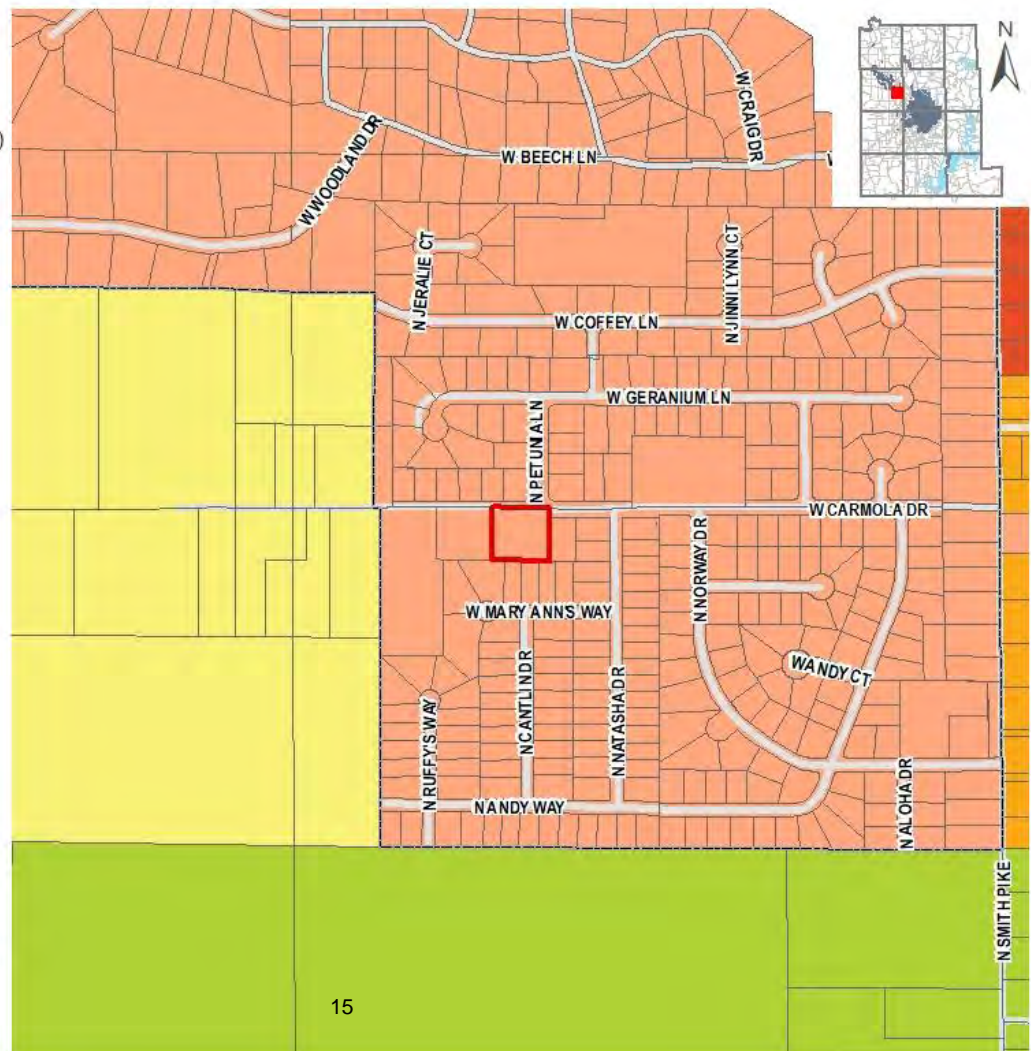
The Board of County Commissioners adopted the previous Monroe County Comprehensive Land Use Plan on February 2, 1996, establishing a blueprint for the future growth and development of the unincorporated portions of Monroe County. A central element of this plan was the development of a number of focused rural community plans. Each of the plans takes the vision, goals, and preferred development patterns in the prior 1996 comprehensive plan and applies them in a more detailed manner within each of the county's existing rural communities.

As stated in the 1996 Comprehensive Plan, "Growth will primarily occur within the City of Bloomington, guided by the city's Growth Policies Plan; in appropriate areas in the Bloomington fringe, guided by the County's Comprehensive Plan; within the Town of Ellettsville, guided by the town's Comprehensive Plan and within the existing small rural communities located throughout the county, each guided by its own rural community plan. The remaining portions of the county will remain rural with very low residential densities, active agricultural lands, mineral extraction operations, and logging activities, as well as substantial areas of open space. The comprehensive plan proposes this development pattern for a number of reasons, including wise management of limited fiscal resources, protection of the natural and manmade environment, and capitalizing on existing public and private investments."

These rural plans are now incorporated as part of the updated 2010 Monroe County Comprehensive Plan.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
 -  Designated Communities
 -  MCUA Conservation Residential
 -  MCUA Mixed Residential
 -  MCUA Mixed Use
 -  MCUA Suburban Residential
 -  Town of Ellettsville



0 0.05 0.1 0.2 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020

MCUA PHASE II: Neighborhood Development

N2 NEIGHBORHOOD DEVELOPMENT

The Urbanizing Area Plan – Phase II Implementation Report and Zoning Framework has the petition site designated **Neighborhood Development (N2)**, which is described as follows:

“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**
 -  G1 - Gateway West
 -  N2 - Neighborhood Development
 -  OS - Open Space



0 0.05 0.1 0.2 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/5/2020

FINDINGS OF FACT - REZONE

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

(A) The Comprehensive Plan;

Findings:

- The Comprehensive Plan designates the site and much of the surrounding area as Designated Communities;
- The site currently contains a 1,560 sq. ft. two family residence (ca. 1962; converted to a duplex in 2013).
- MCUA Phase II proposed zoning designates this site as Neighborhood Development (N2), which says, “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.”

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

Findings:

- The site is currently zoned Agriculture/Rural Reserve (AG/RR);
- The site currently contains a 1,560 sq. ft. two family residence (ca. 1962; converted to a duplex in 2013);
- The immediately adjoining uses are all residential;
- The site drains to the south;
- There is no FEMA floodplain present on the petition site;
- There are no known karst features present on the petition site;
- The site is accessed off W Carmola DR (Local);
- The site is not in a platted subdivision;

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

Findings:

- The petition site exhibits a primary use of residential;
- There are no sensitive lands present on or near the petition site;

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

Findings:

- Values may vary significantly dependent upon future planning and zoning in the area;
- See Findings under (A);

(E) Responsible development and growth.

Findings:

- If the rezone were to be approved, the landowner intends to petition for a minor subdivision to divide the property into two separate lots;
- The petitioner will be required to follow all minor subdivision procedures and regulations;
- All structures on the petition site will meet all other design standards as outlined in Chapter 804 for the Medium Density Residential Zoning District;
- The site is accessed via W Carmola DR (Local);
- See Findings under (A) through (D);

EXHIBIT 1: Petitioner Letter & Letter of Consent

January 27, 2020

Joe Kemp Construction LLC
5458 N 1200 E
Loogootee, IN 47563

RE: Letter to Plan Commission

To Whom it may concern,

I Joseph Kemp Managing Member of Joe Kemp Construction LLC, am seeking a Rezoing/
Subdividing the following parcel in Monroe County Indiana:

Tax Parcel No.: 53-04-24-200-026.000-011
Auditor's Parcel No.: 007-19420-00
Mailing address: 4123 W Carmola Dr

The purpose of this request of subdividing the existing lot, is to better reflect the land use of
neighboring parcels.

If there is any need to contact me, I can be reached at: 812-486-8558

Sincerely



Joseph Kemp
Joe Kemp Construction LLC
Member

January 27, 2020

Joe Kemp Construction LLC
5458 N 1200 E
Loogootee, IN 47563

RE: Letter of Consent

To Whom it may concern,

I Joseph Kemp Managing Member of Joe Kemp Construction LLC, give consent for Philip Sutton to represent me in matters rewarding the Rezoning/Subdividing the following parcel in Monroe County Indiana:

Tax Parcel No.: 53-04-24-200-026.000-011
Auditor's Parcel No.: 007-19420-00
Mailing address: 4123 W Carmola Dr

If there is any need to contact me, I can be reached at: 812-486-8558

Sincerely

A handwritten signature in black ink, appearing to read "Joseph Kemp", written over a horizontal line.

Joseph Kemp
Joe Kemp Construction LLC
Member

EXHIBIT 2: Boundary Survey

BOUNDARY SURVEY
PART OF THE S.E. ¼, S.E. 1/4
SECTION 24, T.9N., R.2W.
MONROE COUNTY, IN

RECEIVED LEGAL DESCRIPTION

A part of the South Half of the Northwest Quarter of Section Twenty-four(24), Township Nine(N) North, Range Two(W) West, In Monroe County, Indiana, hereinaud described as follows, to-wit:

Beginning at a point due [to] 163 feet south and 2 2/32 feet west of the Northeast Corner of the South Half of the Northwest Quarter of Section Twenty-four(24), One township N; due S 89° 22' 24" East for 222 feet, then running Southerly, thence roughly South for 207 1/2 feet; thence running East for 215 feet; thence running Northerly 209 feet to the point of beginning. Containing One(1) acre, more or less.

REPORT OF SURVEY

In accordance with Title 805, 1-12-11, Chapter 2-12.19 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various organizations in the locations of the three and seven establishments on this survey as a result of:

- Variances in the reference measurement;
- Discrepancies in recent dosimetry and plate;
- Inhomogeneities in tests of isosensitivity and;
- Random Error in Measurement (Theoretical Uncertainty).

The Relative National Assembly (660 is standard unless in parentheses) of the country of the subject that conducted this survey is within the specifications for an United Survey as defined in IAC 843.

This survey was performed at the request of Kerry Blackwell as survey a parcel in the name of Joe Kemp Construction, LLC, tract 2017032209 in the office of the recorder, Monroe County, IN.

MONTMONTS FOUNDER

1. 1" iron pipe in subject S.W. corner, 8' tall
2. Station and pipe on lot is Riverbank Phase 1 and 3, C.T. Corp.

ESTABLISHMENT OF LINES AND CORNERS

1. Read the information about the gold. Design for the ore at the N.W. corner of lot 27. It contains 67% of gold of its second location and did not contain any of the other values in the subdivision.
2. Give the subject land its second division using the Kinyu World lines for direction.

As a result of the above observations, it is my opinion that the uncertainty in the location of the true and correct model in this study can be solved.

Das te-variables is subject to movement: 0.2' says in all directions.

This is Geography in the record describing Name. Did not fit into the system corner. Jan applied the record deed adjacent to the River Road Subdivision from which it where was extracted.

Due to transcription error do find off newspaper. Since

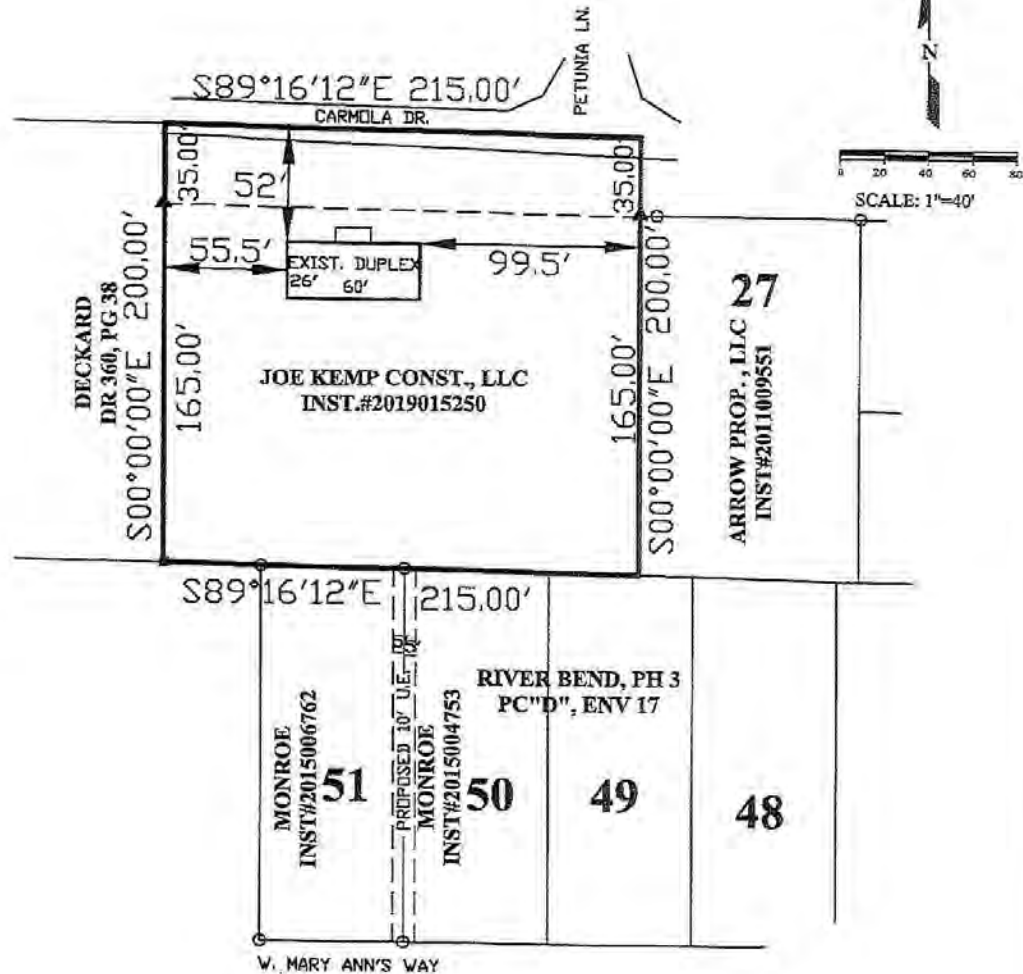
This survey was conducted according to survey requirements contained in Sections 1 through 19 of 28CFR 1.1-1.2.

This certification does not take into consideration additional facts that are apparent and correct this search and its examination in light of the evidence of awareness have been limited in the field and it does not show an ill survey drawing. Subject, to the above-mentioned, I hereby certify that the survey work performed on the project shown herein was performed directly 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.

Corrected for	Dry wt	.3211
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Philip G. Tapp
Registered Land Surveyor No. 1,339W00214
State of Indiana

I affirm under penalties of perjury, that I have taken reasonable care to select each word exactly as used in this document, and as required by law. Philip C. Tapp



LEGEND

- 5/8" REBAR/CAP SET, FLUSH TALL ▲
REB/CAP FU, 0.8" DEEP ○

NOTE:

1. ALL REBAR/YELLOW CAP SET ARE STAMPED
TAPP 80900014.
2. BASIS OF BEARINGS IS PER RIVER BEND PLATE.
3. FIELD WORK COMPLETED 01-17-2020.

Philip O. Lapp & Company, Inc.
4325 W. Angela Way
Beverly Hills, California 90210

JOB NO. 6498

EXHIBIT 3: Chapter 804 Design Standards Comparison

Table 4-1																	
Height, Bulk, Area, and Density Requirements for Zoning Districts																	
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	—	—	—	—	—	—	—	—
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	—	—	—	—	—	—	—	—
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	—	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	—	45
Maximum Floor Area Ratio	—	—	—	—	—	—	—	—	—	0.25	0.30	0.25	0.4	0.4	0.4	—	0.30

Chapter 804, Page 6 Revised 11/23/2016

Table 4-1																	
	Height, Bulk, Area, and Density Requirements for Zoning Districts																
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	—	—	—	—	—	—	—	—
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	—	—	—	—	—	—	—	—
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	—	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	—	45
Maximum Floor Area Ratio	—	—	—	—	—	—	—	—	—	0.25	0.30	0.25	0.4	0.4	0.4	—	0.30

Chapter 804, Page 6 Revised 11/23/2016

MONROE COUNTY PLAN REVIEW COMMITTEE**March 12, 2020**

PLANNER Tammy Behrman
CASE NUMBER 2002-PUO-01, North Park Outline Plan Amendment Four
PETITIONER Logan Land Development LLC c/o Bynum Fanyo & Associates, Inc.
ADDRESS N Lintel DR
Parcel #: 53-05-19-300-006.002-004; 53-05-30-200-014.002-004;
53-04-24-400-022.092-011
REQUEST Outline Plan Amendment to add the use ‘Hospital Wellness Center’ and design standards criteria ‘Industrial Curry Pike’ to Development Tract B-2, Parcel 2A of North Park PUD
ZONE PUD
ACRES 10.02 acres +/-
TOWNSHIP Bloomington and Richland
SECTION 19, 30 and 24
PLAT: ‘North Park – Office State Road 46 Subdivision (Tract B-2, Parcel 1) Lot 4 Amendment One’; Development Tract B-2, Parcel 2A
COMP PLAN
DESIGNATION MCUA Employment

EXHIBITS

1. Petitioner Outline Plan Statement
2. Petitioners Written Statement of Character
3. Petitioner’s Draft Development Plan
4. Site Renderings for Draft Development Plan
5. Current Permitted Uses for Tract B-2
6. Design Standard Comparison Table for O46 and ICPD Districts
7. Design Standard Table Appendix C from North Park Ordinance

RECOMMENDATION

Staff recommendation is **Approval** to the Plan Commission based on the findings of fact and subject to the Monroe County Highway Department & Drainage Engineer reports, and with the following condition:

1. Utilize the design standards for Office SR46 District (O46) with the exception of standard 12iii which may substitute the design standard from Industrial Curry Pike District (ICPD).

SUMMARY

The petitioner would like to add the use ‘Hospital Wellness Center’ as defined in North Park PUD Ordinance 2011-28 to Development Tract B-2, Parcel 2A. In addition, the petitioner is seeking a change in the Design Standards associated with Parcel 2A. The request for different design standards would allow for parking to be located on all sides of the proposed building, and for the building height to be 100 feet maximum. Currently the designed standards to be used are either ‘Public / Civic’ or ‘Office SR46’. The proposed design standards to add to the petition site are ‘Industrial Curry Pike’. All of these design standards are described in the North Park Ordinance 2011-28. Approval of this outline plan amendment will allow approval of a proposed development plan.

The petitioner has filed for a major subdivision preliminary plat and respective development plans that will be reviewed by the Plan Commission in May. If this outline plan is approved, the proposed two lots will use the use and design standards proposed in this petition. The petitioner has also requested a mass grading permit, which will be issued by staff in accordance with the North Park Ordinance in advance of the development plan approval.

PLAN REVIEW COMMITTEE

TBD

HISTORY of Tract B-2 Development

In 2011, four tracts received development plan approval for 19.04 acres (Development tracts 1-4, plus the right-of-way acreage) within the B-2 parcel, which was granted at the [9/20/2011 Plan Commission meeting](#). Only 2 out of the 4 parcels were developed and therefore the other two parcels are required to submit new development plans for approval as they have since expired.

According to the B-2 map in the North Park ordinance and the related plat for this area, the total acreage in this area is 53.7 acres. The North Park PUD ordinance requires road improvements at the 50% development threshold and the 75% development threshold. The next phase of this request includes 2 development plans that will be triggering the 50% improvements, which include building out the approved infrastructure plan to expand Lintel Drive to the north to the Shaw PUD.

There is also another trigger of 75% mentioned in the infrastructure plan for additional roadway construction to the west. See below for the recorded infrastructure plan from 2012. The petitioner is not requesting any changes to the infrastructure plan that was previously approved.

USE DISCUSSION

The proposed use for the petition site is defined below:

Hospital/Wellness Facility: A facility providing medical, psychiatric or surgical services for the sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research and administration, and services to patients, employees and visitors. (Ancillary facilities include but are not limited to; helipads for air-ambulance, air-ambulance storage, ambulance storage, wellness facilities, trails, sports fields, etc...)(Rev. by Ord. 2006-39)

Staff determined during a Use Determination process in the fall of 2019 that the proposed use the petitioner as presented in their Written Statement of Character (Exhibit 2) most closely matches the above North Park definition. Unfortunately, this use is only permitted in the Industrial Curry Pike District (ICPD) and the Apple Office / Industrial. These districts are located just south of the petition site on the south side of N Curry Pike and are owned by Indiana University Health Bloomington, Inc. During the Use determination process the use 'Hospital' was also explored by the petitioner as an option that is located at the southeast corner of W State Road 46 and N Curry Pike. This is permitted in Districts AIO, ICPD, OCC and RCC, has a different use definition and design standards associated with District. Staff will not make comparisons of this Use in this report.

Exhibit 5 has a summary of all of the existing permitted uses in the Public Civic District and the Office SR46 District also named as 'O46'. The Industrial Curry Pike District (ICPD) table is also included showing the Hospital / Wellness Facility use. The petitioner is not requesting to add all of the uses from ICPD but just the single use to the existing O46 table of permitted uses and just for the specific 10.02 acres described above.

DESIGN STANDARDS COMPARISON

Staff reviewed both existing design standards associated with the petition site and the proposed design standard.

Public Civic (PC) Design Standards are design standards associated with this site. Staff did not find these relevant to review as the proposed use is not within the PC permitted use table and there is a specific design standard that requires that in order to use the standards it must be a Public or Civic (PC) use (Exhibit 6).

Exhibit 6 compares the proposed Industrial Curry Pike District (ICPD) and the allowed Office SR46 District (O46). Of the thirty-nine design standards under sixteen categories there were only four differences. A summary of the design standard differences is below. Exact language is in Exhibit 6.

Reference	CURRENT STANDARD	PROPOSED STANDARD
12iii	Parking only behind or on the side of the building	Parking anywhere but includes specific landscaped buffering from Curry and SR 46
13iii	Bufferyard requirement slight differences	Bufferyard requirement slight differences
14i	Wall mounted signs limited to 40 sf and does not allow marquee signs	Wall mounted signs up to 550 sq ft and allows marquee signs
16	Design should conform with topography...	Requires a 'campus like' design and conforms to topography...

Staff Analysis

- Design standard **12iii** clearly makes sense to adopt as a part of the Outline Plan Amendment petition due to the petition site having frontage along three roads including W State Road 46 and N Curry Pike. To use the O46 standard would limit the location of parking in such a way as it may cause hardship in developing the petition site
- Design Standard **13iii** is so similar in wording there is not much relevance in adopting the ICPD standard.
- Design Standard **14i** may not be a good fit for this petition site. The intent when written for the future location of the main hospital. Allowing for a large sign could be confusing with the other location.
- Design Standard **16** may not be a good fit as this development is not designed in a “campus” form.

With regards to the design standards table in the North Park Ordinance Appendix C (Exhibit 7) the biggest difference is the height standard. The O46 District is 70' and the ICPD District allows for 100' with the Hospital / Wellness use. The petitioner has stated in their Statement of Written Character “The building height is 18 feet with 24 feet heights at the main entry and therapy gym.” Exhibit 3. There is no conflict with to using the O46 design standards for this development.

Staff recommends adopting only Design Standard **12iii** of the ICPD as written on Page 60

All off-street parking areas shall be located behind or on the side of the buildings they serve except for the Hospital/Wellness use where off-street parking areas may be located in front of, behind, or on the side of the buildings they serve; provided that where adjoining open space area or any publicly-maintained road, the parking areas are located behind a landscaped masonry wall meeting the requirements of Chapter 830, Figure 30-4 or a landscaped berm meeting the requirements of Chapter 830, Figure 30-2 or Figure 30-3.

LOCATION MAP

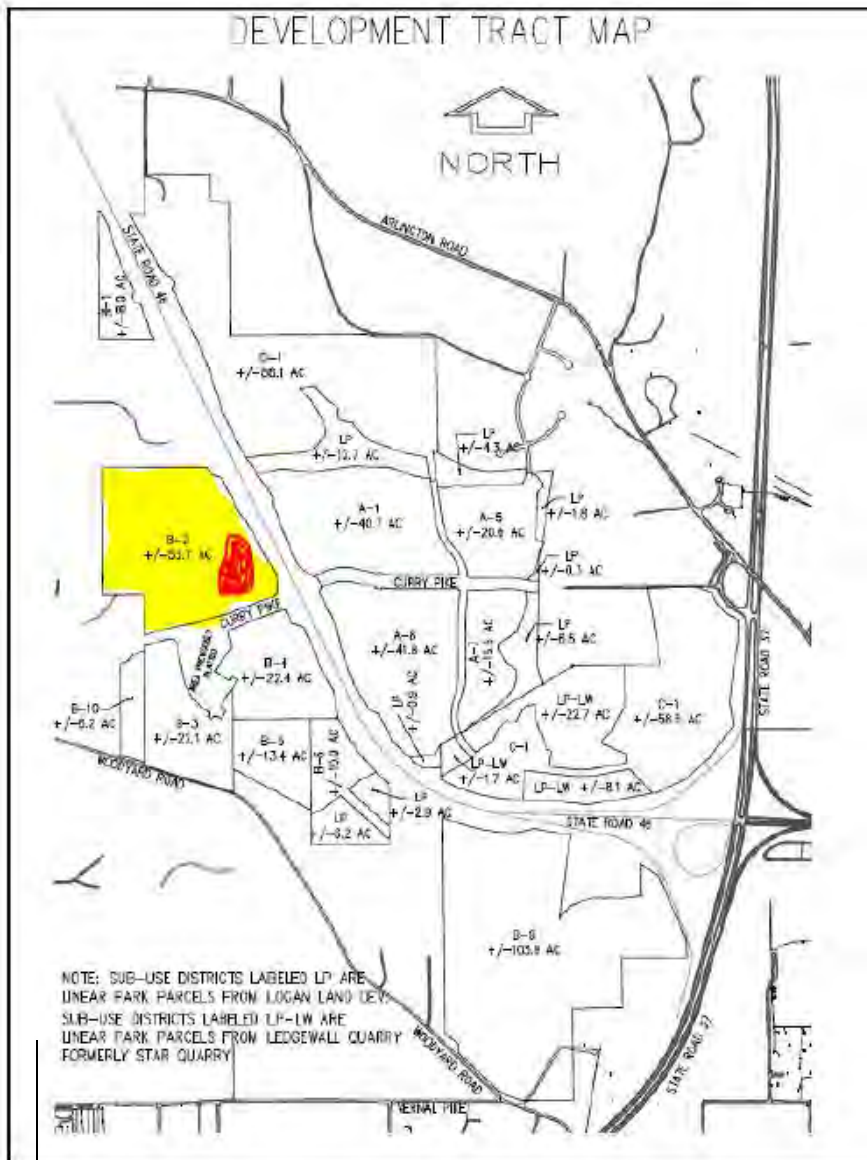
The petition site is located northwest of the City of Bloomington, with frontage along W State Road 46, N Curry Pike and N Lintel DR. It is in both Richland Township in Section 24 and Bloomington Township Sections 19 & 30. The petition site consists of three parcels that make up one lot of record. It is within Development Tract B-2 of the North Park PUD.

Location Map

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



APPENDIX B-1 DEVELOPMENT TRACT MAP



ADJACENT USES / ZONING

The petition site is zoned Planned Unit Development (PUD). It is part of the North Park Planned Unit Development. All immediately adjoining parcels are also zoned PUD.

The petition site is vacant. Surrounding uses include vacant, nursing home and offices.

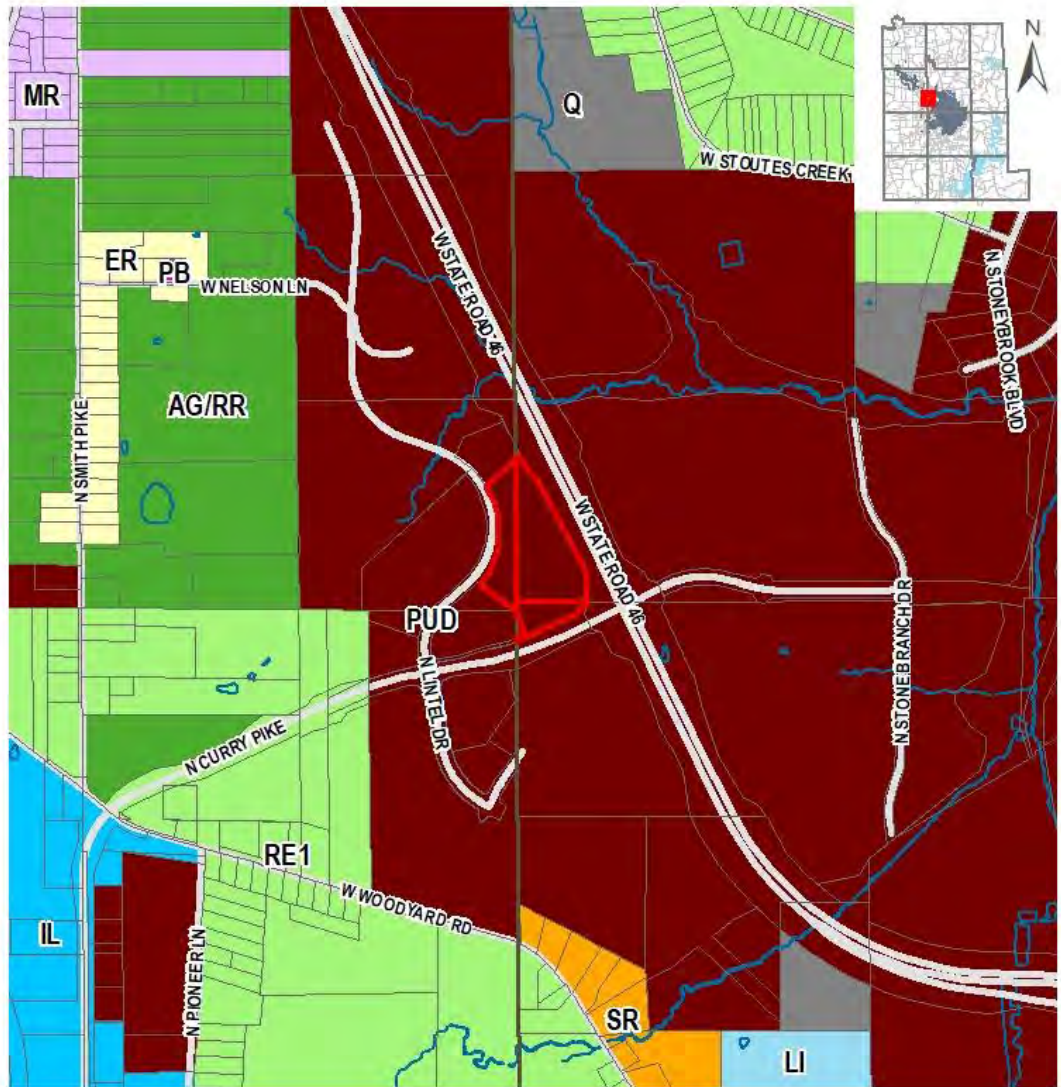
Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- Monroe County Zoning**
 -  AG/RR - Agriculture/Rural Reserve
 -  ER - Estate Residential
 -  IL - Limited Industrial
 -  LI - Light Industrial
 -  MR - Medium Density Residential
 -  PB - Pre-Existing Business
 -  PUD - Planned Unit Development
 -  Q - Quarries
 -  RE1 - Estate Residential 1
 -  SR - Suburban Residential

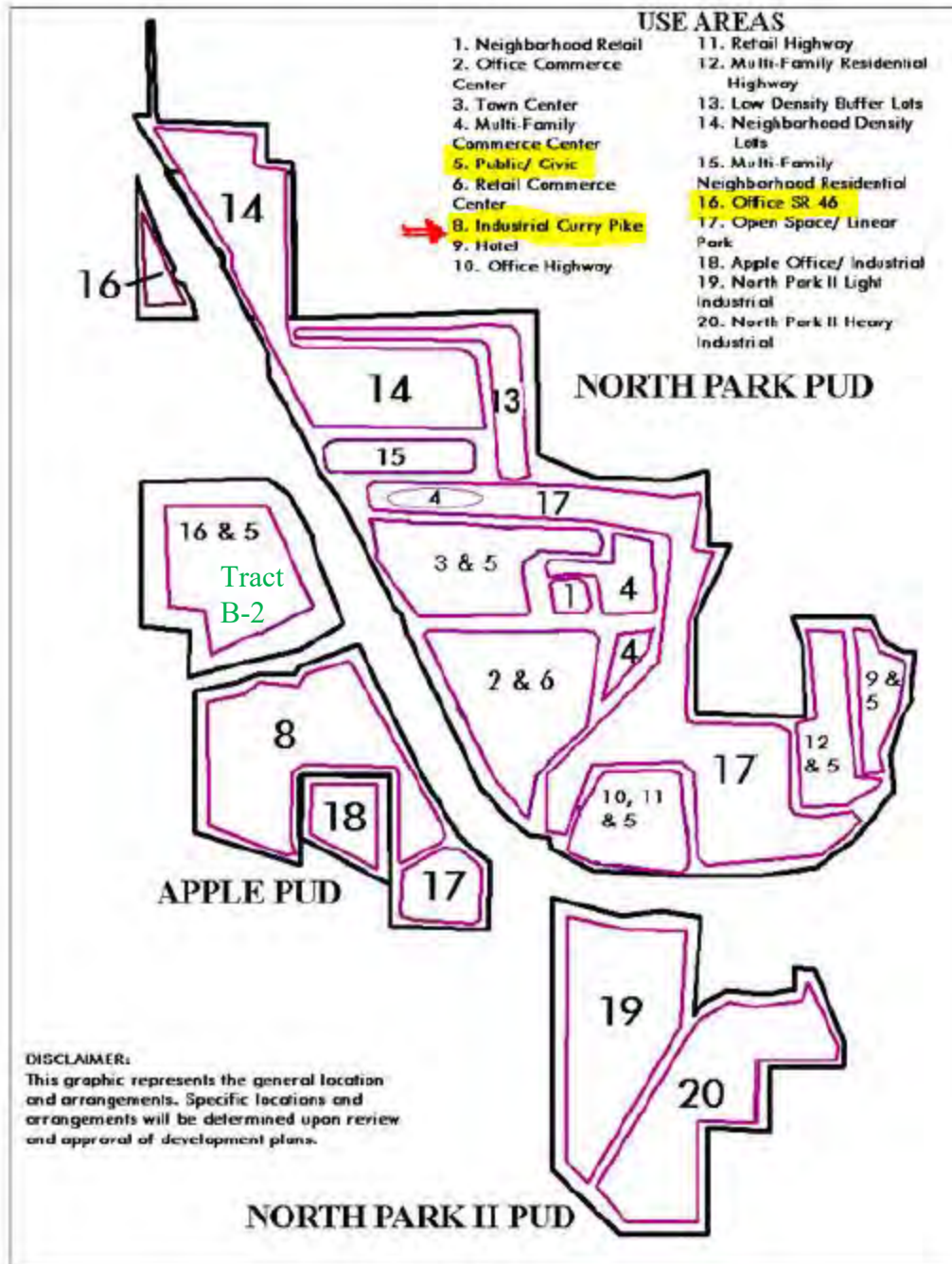
0 0.075 0.15 0.3 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 2/26/2020



Appendix C Use Area Exhibit



Above is Appendix C of the North Park PUD (2011-24). For Tract B-2 the Use Areas currently allowed are #5 Public / Civic and #16 Office SR 46 (highlighted yellow). The proposed Hospital/Wellness Center use is only permitted in #8 Industrial Curry Pike (highlighted yellow with red arrow). Use Area #8 is located south of the petition site and is owned by Indiana University Health Bloomington, Inc. This was the former proposed location for the hospital that is now under construction off of the Hwy 45/46 Bypass northeast of the IU Campus. Exhibit 4 has a list of all the permitted uses in these three Use Areas for comparison.




SITE CONDITIONS

The parcel is vacant but has been used as a fill site. A grading permit application has been re-submitted. There is a detention basin as required for stormwater runoff on the southeast corner of the petition site. This site has three frontages: W State Road 46 is a Major Arterial, N Curry Pike is Minor Arterial, and N Lintel Drive is classified as a Minor Arterial in the North Park PUD but a Local Road in the Monroe County Thoroughfare Plan. A driveway cut is shown on N Lintel Drive. There are no known karst on the property. The property has connections to sewer and water lines. FEMA Floodplain is located offsite to the west. In the last few years a large power line has been relocated off the petition site.

Slope Map

-  Sanitary Pipe
-  Water Pipe
-  Major Collector [90']
-  Minor Arterial [150']
-  Major Arterial [150']
-  Local Roads [50']
-  Petitioner
-  Parcels
-  2-Foot Contours

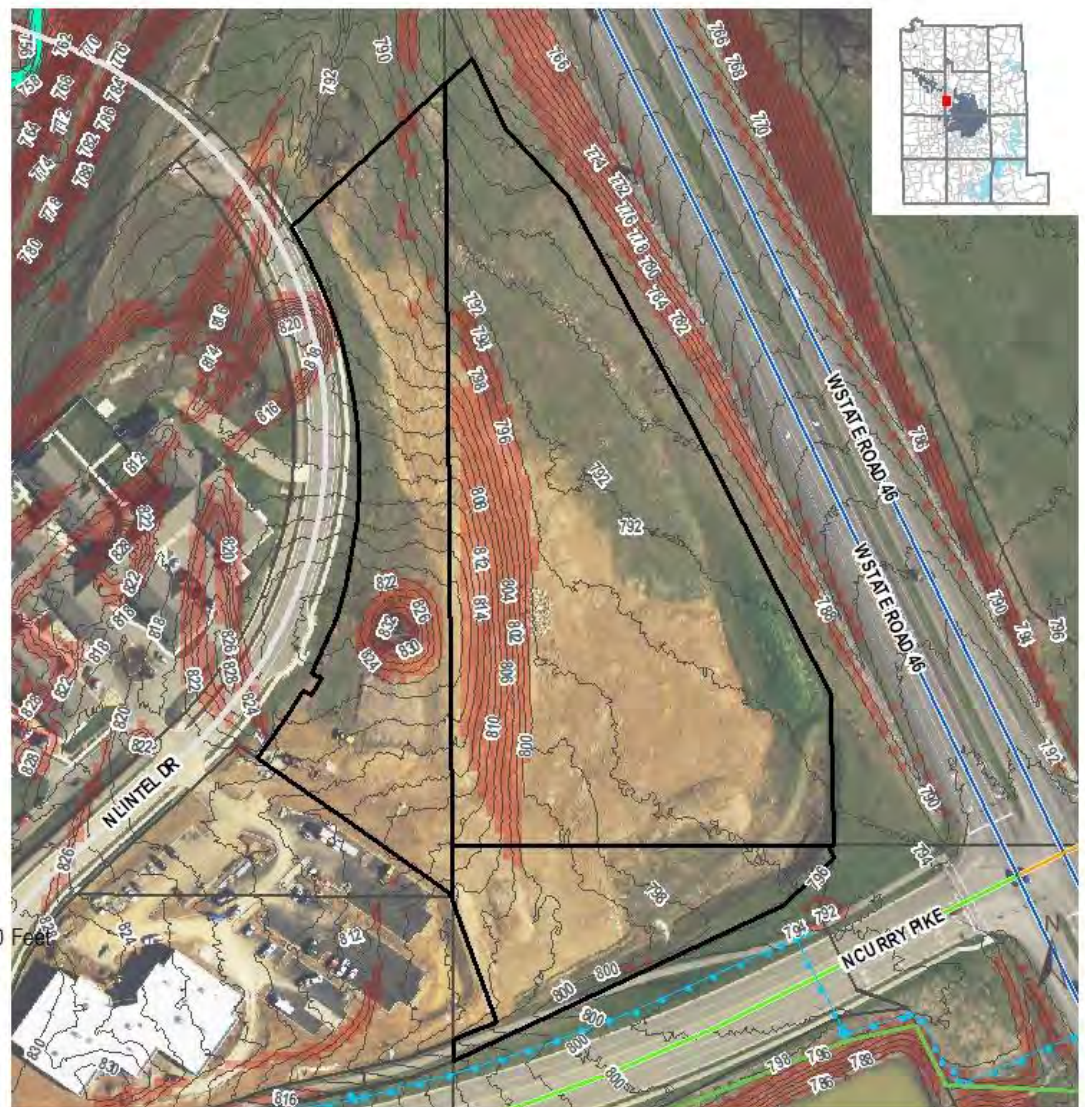
15_Percent Slope (2010)

-  0 - 15
-  > 15
-  Hydrologic Features

0 50 100 200 300 400 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 2/26/2020



SITE PICTURES



Figure 1. Facing north; aerial view from 3/27/2017.



Figure 2. Facing north; aerial view from 3/27/2017.



Figure 3. On Curry Pike facing the petition site. State Road 46 is to the right.



Figure 4. At the intersection of N Curry Pike and W State Road 46 facing the petition site.



Figure 5. Facing north on N Lintel Drive. Notice the access point, sidewalks and street trees.



Figure 6. Petitioner site as seen from N Lintel Drive. Transit pick up in place.

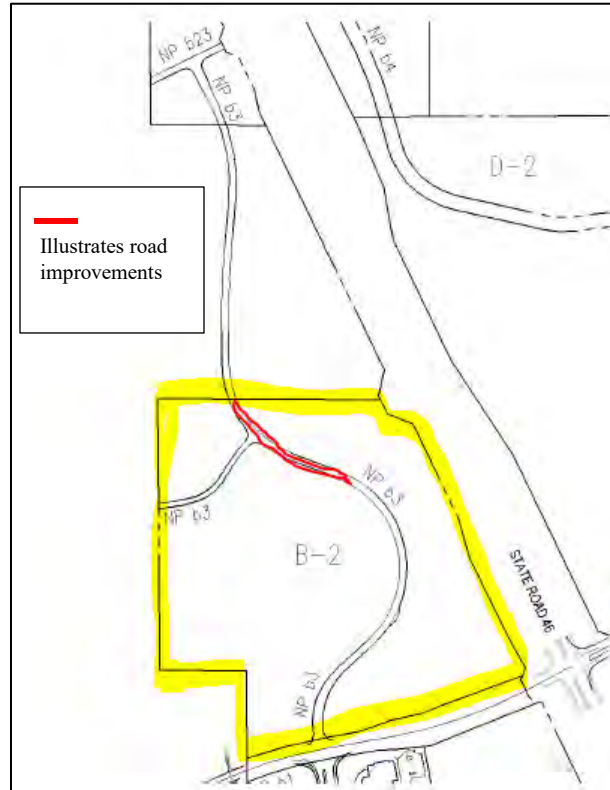
INFRASTRUCTURE AND ACCESS

The petitioner has provided capacity letters from South Central Regional Sewer District for sewer flow and treatment and the City of Bloomington Utilities for water service. Sidewalks run along the S Lintel Drive and street trees are already in place. Driveway location will be reviewed at the Development Plan review phase but will access N Lintel Drive, a minor collector.

Road construction of N Lintel Drive to the northern property line will be triggered once the development plans for this petition site are filed. An infrastructure plan was approved in 2011. Under North Park Ordinance 2011-28 Section 8-3(b) it states that once fifty percent (50%) of Tract B-2 acreage (yellow) has filed development plans the remainder of the north-south access road (red) must be completed. Staff will administer the implementation of this road per the requirements of the North Park Ordinance.

An in-depth traffic review will be conducted at the Development Plan stage to determine if a traffic light would be required at the intersection of N Lintel Drive and N Curry Pike.

The road spur to the west is not triggered until 75% development and a pedestrian connection to the east of W State Road 46 will not be triggered with this development.



COMPREHENSIVE PLAN DISCUSSION

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

The Comprehensive Plan describes Employment as follows:

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

These uses may require large, isolated sites for large-format facilities, or multiple facilities may be organized into coordinated campus-style or industrial park settings. This land use category is intended to accommodate the expansion and changing operations of a wide variety of companies and to foster a well-rounded and diverse economy as part of the Greater Bloomington area.

Special attention should be paid to vehicular access management, buffering and landscape aesthetics, building and parking orientation, and basic architectural design standards. Business support services are encouraged to be integrated into larger employment areas.

A. Transportation

Streets

Employment areas require special considerations in roadway design. These areas are typically accessed through arterial connections from the freeway and require accommodations for heavy truck traffic. Arterial connections may

Include mixed-use corridors, and special attention must be paid to balance the needs of all travel modes while also facilitating industrial deliveries and commuter traffic flow. Arterial streets, such as Third Street, should not exceed five lanes in width (four travel lanes with center turn lane). Local and collector streets will typically be two or three-lanes (two travel lanes with center turn lane). Street connections are encouraged to help distribute traffic, but should be balanced with access management plans to maximize safety. Center medians for select arterial roadways should be considered to improve access management and corridor aesthetics.

Freight

Appropriate routes for truck traffic to and from I-69 should be designated with thoroughfares designed accordingly. Major highway access points to employment areas west of I-69 will include Sr-46, Third Street/Sr-48, 2nd Street/Sr-45 and Tapp road. Fullerton Pike will provide access to potential employment areas to the east of I-69. A new roadway connection between that road and South Walnut Street (old Sr-37) should be considered to open land between the highway and Clear Creek for employment uses.

Bike, Pedestrian, and Transit modes

Commuting by automobile will likely remain the primary form of transportation to work in the larger employment centers within the Urbanizing Area. However, opportunities to expand transportation options should be provided wherever possible. Streets within employment areas should include sidewalks and/or shared-use sidepaths and encourage connections to Karst Farm Greenway and Clear Creek Trail. Opportunities to expand City of Bloomington and rural Transit service to employment areas should also be explored.

B. Utilities

Sewer and water

Employment-generating uses provide a fiscal benefit to the community that may warrant additional investments in and possible geographic expansion of sewer systems. Some areas designated for employment uses in the Land Use Plan are located outside of current sewer service areas, most notably the

area between Clear Creek and State Road 37. Additional studies should be undertaken to determine the potential for sewer expansion and necessary capital improvements to serve these areas. Additional studies and surveys may be required to determine the geographic restrictions within developable areas.

Power

Where possible, overhead utility lines should be buried to minimize disruption during major weather events. Care should be taken to locate underground utilities in a manner that does not interfere with site development or business expansion. Opportunities to create redundant power systems with new electrical substations should be explored.

Communications

State of the art communications systems should be prioritized in employment areas. Street infrastructure improvements should reserve space for burial of fiber-optic systems and/or other forms of high-speed internet and communications networks.

C. Open space

Park Types

Employment areas should provide open spaces primarily through the preservation of sensitive lands and creation of landscape buffers. Where opportunities exist, shared use path connections to the broader greenway network should be incorporated, providing a recreational amenity and alternative transportation option for employees, as well as linkages to the broader Bloomington/Monroe county system.

Urban Agriculture

Community gardens and urban agricultural systems should be encouraged in near employment areas as a recreational and wellness opportunity for employees. However, soil suitability in existing industrial areas should be verified.

D. Public Realm Enhancements

Wayfinding

regularly-located route signage for truck traffic to and from i-69 should be provided. business and industrial parks may incorporate multi-business panel signs at gateway locations to improve wayfinding, and should use high- quality materials, be aesthetically coordinated with surrounding architecture, and include attractive landscape features.

Lighting

Roadways should be lighted for safety and will typically require taller poles (± 30 feet).

Street/Site furnishings

Street furnishings will be limited in employment districts, but may include bus stops/shelters and benches.

E. Development guidelines

Open Space

Open space in employment areas should be provided on-site (with the exception of significant environmental preservation areas) and determined through maximum lot coverage requirements, with 15 to 20% of a site reserved for landscaping, buffering, stormwater management and outdoor amenities for employees.

Parking ratios

Parking needs will vary by business. In campus and business park settings, shared parking arrangements should be encouraged, although most businesses will require some amount of dedicated parking. Large industrial facilities, warehouses, and flex/r&d space will often have relatively low parking needs (e.g. 1 space per 2,000 square feet). Parking requirements should be based on the needs of individual businesses as opposed to mandatory minimum requirements.

Site Design

Buildings should be oriented toward the front of the lot to create a street presence, but will typically be set back from the front property line by 30 to 50 feet. Parking in front of the building should be avoided, and limited to small visitor-oriented parking lots with close access to the main entrance. Employee parking should be located to the rear or side of the building. Sufficient maneuvering aisles and loading spaces will be necessary for freight delivery. Loading docks and bays should be oriented away from public streets or screened with landscaping or architecturally integrated walls extending from the building.

Building form

Industrial, flex and warehouse buildings should balance economic construction with basic aesthetics. Office components and main visitor entrances should be located on the front facade, be designed as distinct elements from the rest of the building, and incorporate high amounts of window transparency. Facilities may require light-controlled environments, but where possible, high windows above eye level should be incorporated, particularly along street-facing facades. Buildings will have simple forms and flat roofs. Parapets should be used to screen rooftop mechanical units.

Materials

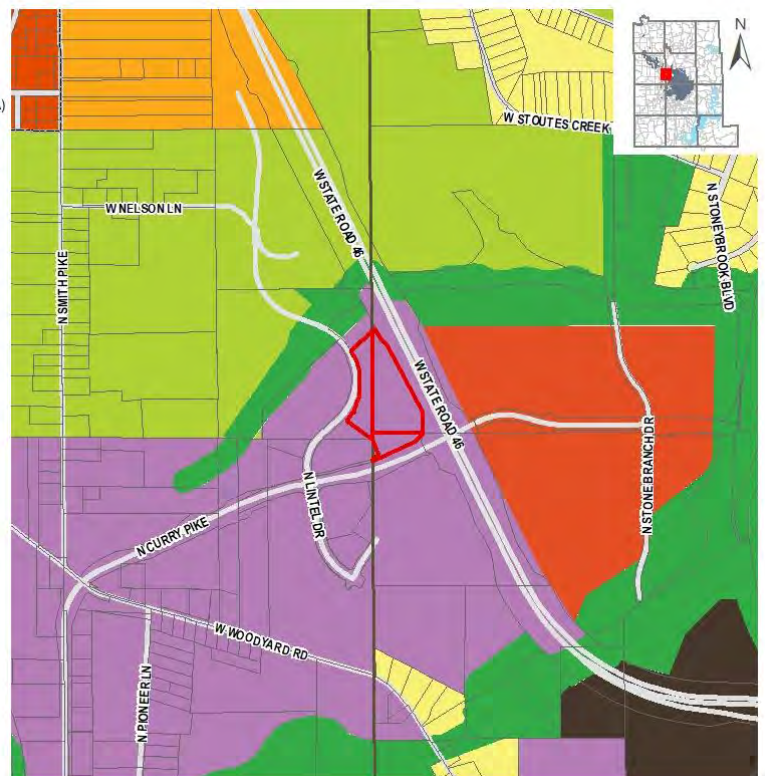
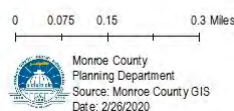
Acceptable primary building materials include brick, stone (natural or cultured), pre-cast concrete panels, concrete masonry units, architectural metal panels, fiber-cement siding and eifS (exterior insulated finishing Systems). Smooth-faced and textured-faced metal panels are preferred, but corrugated or ribbed panels are also acceptable. Split-faced block may be acceptable if combined with other primary materials. Careful attention should be paid to how materials are installed, joined, and detailed, particularly at edges, corners and material transitions. Shadow lines, expression lines and variations in color and texture are encouraged to break up monolithic facades. Trees, shrubs and other vertical landscape elements should be incorporated along large, blank facades.

Private Signs

Sign designs should be coordinated with the character of the building, and may be building-mounted or ground-mounted monument signs. Pole signs should be prohibited. Monument signs should be located in landscape beds and may include exterior ground lighting. Digital and changeable copy signs are not appropriate. Sites will typically require directional signage for visitors, employees and freight delivery.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  Designated Communities
-  MCUA Conservation Residential
-  MCUA Employment
-  MCUA Mixed Residential
-  MCUA Mixed Use
-  MCUA Open Space
-  MCUA Quarry Landscape
-  MCUA Suburban Residential



PUD REVIEW CONSIDERATIONS

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

- (a) The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.

Findings:

- The Comprehensive Plan designates the property as MCUA Employment;
 - The property is currently zoned PUD of the North Park PUD;
 - The petition parcel was first developed in 2011;
 - The current approved uses for the petition parcel are Public / Civic District and Office SR46 District as written in the North Park Ordinance 2011-28 (see Exhibit 6 for summary);
 - The surrounding area is comprised as PUD;
- (b) The extent to which the proposal departs from zoning and subdivision regulations such as density, dimension, bulk, use, required improvements, and construction and design standards.

Findings:

- See Findings (a);
- There are two sets of design standards approved for the petition site known as Public/Civic (PC) and Office SR46 (O46);
- Public Civic (PC) Design Standards are design standards associated with this site. Staff did not find these relevant to review as the proposed use is not within the PC permitted use table and there is a specific design standard that requires that in order to use the standards it must be a Public or Civic (PC) use (Exhibit 6).
- Exhibit 6 compares the proposed Industrial Curry Pike District (ICPD) and the allowed Office SR46 District (O46). Of the thirty-nine design standards under sixteen categories there were only four differences. A summary of the design standard differences is below. Exact language is in Exhibit 6.
- **Design Standard 12iii.** Refers to parking location and standards for buffering from State Road 46 and Curry Pike
 - O46 requires parking located only behind or side of building
 - ICPD allows parking for parking with the Hospital /Wellness use to be located anywhere but includes specific buffering from Curry Pike and State Road 46
- **Design Standard 13iii** Refers to buffer yards which are worded differently but still quite similar for the 2 districts
- **Design Standard 14i** Refers to Wall-Mounted signs and specifically allows for 550sf for the Hospital/Wellness use in the ICPD district also under 14i Marquee signs are permitted in the ICPD but not in O46 which is limited to 40 sf;
- **Design Standard 16** Refers to the ICPD as having a “campus” design.
- **Design standard 12iii** clearly makes sense to adopt as a part of the Outline Plan Amendment petition due to the petition site having frontage along three roads including W State Road 46 and N Curry Pike. To use the O46 standard would limit the location of parking in such a way as it may cause hardship in developing the petition site
- **Design Standard 13iii** is so similar in wording there is not much relevance in adopting the ICPD standard.
- **Design Standard 14i** may not be a good fit for this petition site. The intent when written for the future location of the main hospital. Allowing for a large sign could be confusing with the other location.
- **Design Standard 16** may not be a good fit as this development is not designed in a “campus” form.

- With regards to the design standards table in the North Park Ordinance Appendix C (Exhibit 7) the biggest difference is the height standard. The O46 District is 70' and the ICPD District allows for 100' with the Hospital / Wellness use. The petitioner has stated in their Statement of Written Character "The building height is 18 feet with 24 feet heights at the main entry and therapy gym." Exhibit 3. There is no conflict with to using the O46 design standards for this development.

- (c) The extent to which the PUD meets the purposes of this Zoning Ordinance, the Comprehensive Plan, and other planning objectives. Specific benefits shall be enumerate.

Findings:

- See Findings (a) and (b)
- Adjacent Districts within the North Park PUD allow for the Hospital / Wellness use;

- (d) The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.

Findings:

- Adding the Hospital /Wellness use will not impact already approved common open space,
- If the ICPD design standards are adopted the side yard setbacks would increase from 5' to 15';
- The Highway Department will review the traffic impacts during the Development Plan phase;

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

Findings:

- See Findings (a), (b) & (d);
- The approval of this use and development will bring N Lintel Drive up to the Shaw PUD which will allow for it to develop;
- Other immediate surrounding uses include office and nursing home;
- Much of the surrounding area is zoned Planned Unit Development;

- (f) The desirability of the proposal to the County's physical development, tax base, and economic well-being.

Findings:

- See Findings under Section (e);
- In the Written Statement of Character the petitioner claims this proposed use and development will employ approximately 110 employees by Year 3 operations. The mean salary is \$64,627 and benefits are 19% of salary.

- (g) The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.

Findings:

- See Findings under Section (d) & (e);
- A review of traffic considerations will be reviewed at the Development Plan phase of the project by the Highway Department;

- (h) The proposal preserves significant ecological, natural, historical and architectural

resources to the extent possible.

Findings:

- The PUD has open space requirements that will be platted in the recently filed major subdivision petition;
 - No karst or floodplain is found on the petition parcel;
 - There are drainage areas that will require special state permitted before the associated Infrastructure Plan can be implemented as required if the petition is approved;
- (i) The proposed development is an effective and unified treatment of the development possibilities on the site.

Findings:

- See Findings (a) & (b)

EXHIBIT 1: Petitioner Letter



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

February 5, 2020

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

SUBJECT: 'North Park' PUD Outline Plan Amendment
North Park-Office State Road 46 (Tract B-2) Plat Subdivision Lots #5 and #6

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Logan Land Development, LLC, Bynum Fanyo & Associates, Inc. would like to request approval of an amendment to the 'North Park Outline Plan.' This amendment would only affect the area known as Tract B-2, parcel #2A. This lot will be addressed off of North Lintel Drive in Bloomington, Indiana located at the northwest corner of the intersection of West State Road 46 and Curry Pike. Currently, Parcel #2A contains 10.02 acres (to be subdivided into 2 lots) and is in section 19, 24, and 30, T9N, R2W, Richland and Bloomington townships (Richland Section 24 and Bloomington section 19 and 30).

The amendment to the North Park PUD Outline Plan (Area 'O46') that is being sought is to incorporate the following uses as permitted uses on the area known as Tract B-2:

1. Hospital/Wellness Center

Also, we are requesting only parcel #2A (to be subdivided into two lots) of tract B-2 to use 'f. Industrial Curry Pike District' design standards of the 'North Park' PUD Outline Plan rather than the 'Office State Road 46' design standards.

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

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

Sincerely,
Bynum Fanyo & Associates, Inc.

Daniel Butler, PE, Project Engineer

Copy: BFA File #402004

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

EXHIBIT 2: Petitioner Statement of Character

Written statement of character of the PUD

Proposed use:

Ernest Health, Inc (EHI) is a Mechanicsburg, PA-based healthcare provider specializing in the development and operation of inpatient rehabilitation hospitals dedicated to the recovery of individuals who have functional deficits as a result of injury or illness.

Ernest Health owns and operates 26 post-acute hospitals with over 900 licensed beds. The inpatient rehabilitation hospitals are consistently named in the top 10% of the nation by UDSMR which included 868 rehabilitation hospitals in the last award.

In this project, Ernest Health will build and operate a 40-bed free-standing inpatient rehabilitation hospital to be named Bloomington Regional Rehabilitation Hospital (BRRH). BRRH will provide superior quality, cost-effective, comprehensive physical medicine and inpatient rehabilitation services to patients with functional deficits resulting from highly-acute, medically complex cases, including traumatic brain injuries, spinal cord injuries, stroke, orthopedic, and neurological injuries and diseases.

IU Health selected Ernest Health via an RFP process to become the preferred provider of inpatient rehabilitation services for the community and their current rehab unit will close upon our opening.

Having access to this level of care in Bloomington means that residents will not need to leave the community. The nearest inpatient rehabilitation hospital is in Indianapolis over 50 miles away. Traveling out of the county for medical care is not only a hardship on the family, but commerce dollars also leave the county.

The hospital will employ approximately 110 employees by Year 3 operations. The mean salary is \$64,627 and benefits are 19% of salary.

Ownership:

Bloomington Regional Rehabilitation Hospital, LLC, a Delaware limited liability company whose sole member is Ernest Health Holdings, LLC.

Development schedule:

Initiate construction: June 2020

Complete construction: June 2021

Facilities plan:

The new healthcare-use facility will be licensed as an inpatient rehabilitation hospital. The building will be approximately 46,000 square feet on one level with forty (40) private patient rooms, a cafeteria/kitchen, large PT/OT gym, nurse's station, patient day rooms for visiting with family, activities of daily living (ADL) suite and various offices and conference rooms.

The building height is 18 feet with 24 feet heights at the main entry and therapy gym.

The attached renderings indicate the overall character and massing of the building. Exterior finish materials will be selected to meet the requirements of the local zoning code as well as covenants, requirements and restrictions of the overall development.

EXHIBIT 3: Petitioner's draft development plan

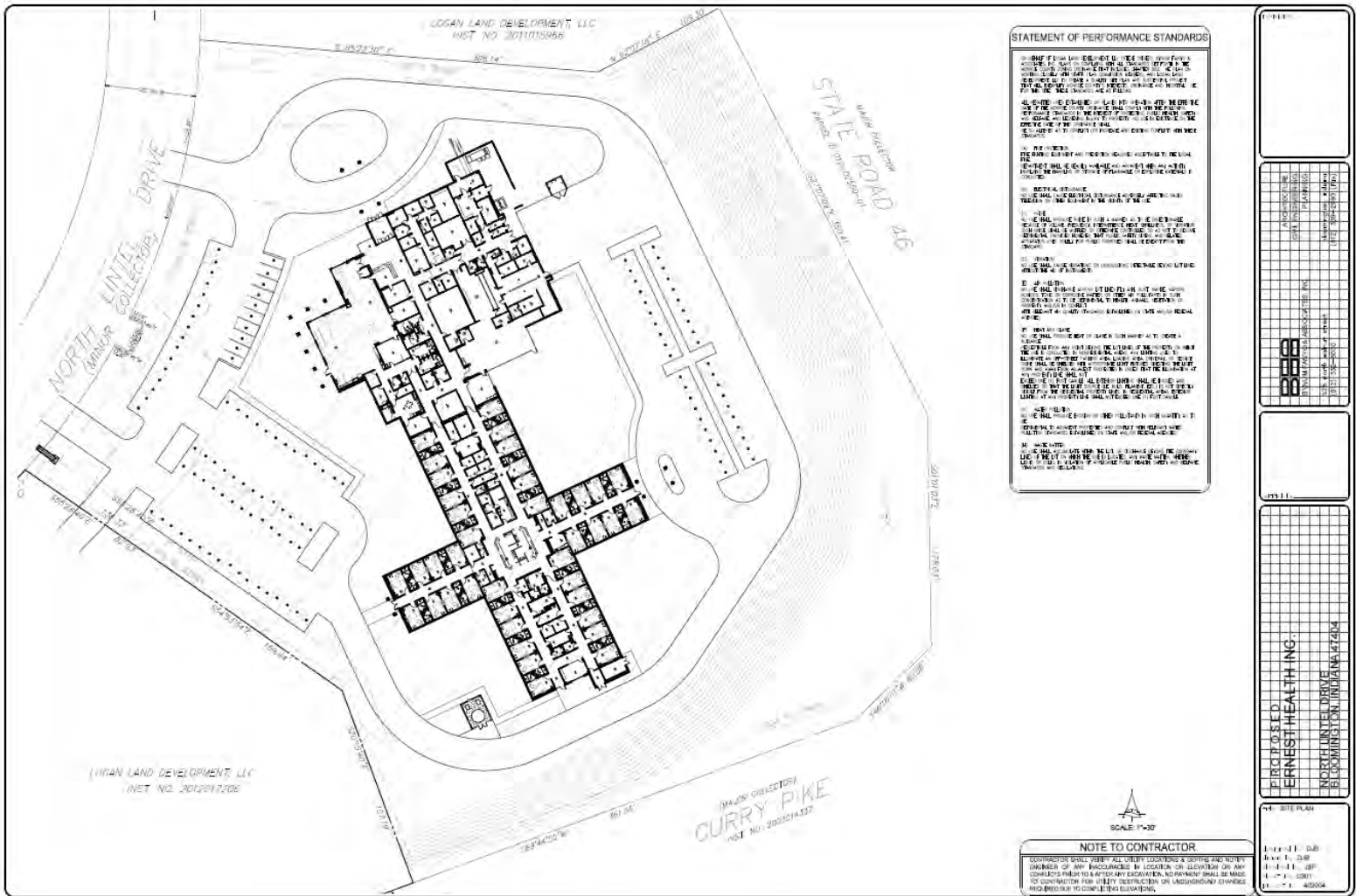


EXHIBIT 4. Site renderings for draft site plan (Four total)



EXHIBIT 4. Site Renderings continued



**EXHIBIT 5: Permitted Uses in Tract B-2 for Public/Civic (PC) and Office SR 46 (O46)
The Industrial Curry Pike District (ICPD) Use Table is included for comparison.**

Use in Public / Civic Use Area (#5)	Permitted
Public and Semi-Public	
Public Civic Uses	P
Charitable, Fraternal, or Social Organization	P
Community Center	P
Cultural Facility	P
Government Facility	P
Group Home Class I	P
Group Home Class II	P
Post Secondary Education Institution	P
Religious Facilities	P
Retirement Center	P
School (K-12)	P
Amusement & Recreational Services	
Amphitheater	P
Park and Recreational Services	P
Private Recreational Facility	P
Transient Amusement Enterprises	P

Table 5. Permitted Use Table. District B

Use	Use Area	
	ICPD	O46
Business and Personal Services		
Convenience Store		
Employment Agency	P(2006-39)	P
Estate Service	P(2006-39)	P
Financial Service	P(2006-39)	P
Industrial Equipment Repair	P(2006-39)	
Insurance Agency	P(2006-39)	P
Interior Decorating	P	P
Office	P	P
Office Equipment Repair	P	P
Parking Facility	P	P
Real Estate Agency		P
Travel Agency		P
Public and Semi-Public		
Charitable, Fraternal, or Social Organization		P
Community Center		P
Cultural Facility		P
Day Care Facility		P
Governmental Facility		P
Group Home Class I		P
Group Home Class II		P
Hospital/Wellness Center(2006-39)	P	
Medical Clinic		P
Nursing Home		P
Postsecondary Educational Institution		P

Hospital / Wellness Center was added as a use to the ICPD use district in 2006.

Use	Use Area	
	ICPD	O46
Religious Facilities		P
Retirement Center		P
School (k-12)		P
Temporary Care Facility		P
Wastewater Treatment Facilities	P	P
Retail and Wholesale Trade		
Bakery (Wholesale)	P(2006-39)	
Industrial Supplies	P(2006-39)	
Office Showroom	P(2006-39)	
Automotive and Transportation Services		
Cold Storage Plant	P(2006-39)	
Transfer or Storage Terminal	P(2006-39)	
Amusement and Recreational Services		
Park and Recreational Services	P(2006-39)	P
Private Recreational Facility	P	P
Transient Amusement Enterprises	P(2006-39)	P
Manufacturing, Mining, Construction, and Industrial		
Abrasive Products	P(2006-39)	
Apparel	P(2006-39)	
Appliance Assembly	P(2006-39)	
Appliance Repair	P(2006-39)	
Beverage Products	P(2006-39)	
Bottling Machinery	P(2006-39)	
Caterers	P	P
Cement Products	P(2006-39)	
Commercial Printing	P(2006-39)	
Construction Trailer	P(2006-39)	
Dairy Products	P(2006-39)	
Electronic Devices and Instruments	P	P
Engineering and Scientific Instruments	P	P
Food Products	P(2006-39)	
Furniture	P(2006-39)	
General Contractor	P(2006-39)	
Glass and Glassware	P(2006-39)	
Hard Surface Floor Coverings	P(2006-39)	
Jewelry Products	P(2006-39)	
Laboratories	P	P
Leather Goods	P(2006-39)	
Machine Assembly	P(2006-39)	
Machine Shop	P(2006-39)	
Metal Fabrication	P(2006-39)	
Metalworking Machinery	P(2006-39)	
Musical Instruments	P(2006-39)	
Office and Computer Equipment	P	P
Optical Instruments and Lenses	P	P
Paper Products	P(2006-39)	
Perfumes, Cosmetics. And Toiletries Manufacture	P	P
Pharmaceuticals	P	P

Note that many uses were eliminated from the ICPD in 2006 and are shown by P(2006-39)

Use	Use Area	
	ICPD	O46
Plastic Products Assembly	P(2006-39)	
Pottery Products	P(2006-39)	
Sign and Advertising Displays	P(2006-39)	
Structural Clay Products	P(2006-39)	
Terra Cotta	P(2006-39)	
Textiles	P(2006-39)	
Textile Machinery	P(2006-39)	
Tile	P(2006-39)	
Warehousing and Distribution Activities	P(2006-39)	
Watches and Clocks	P(2006-39)	
Welding	P(2006-39)	
Wood Products	P(2006-39)	

EXHIBIT 6: Design Standard Comparison Table between ICPD / Office SR46. Public Civic is not included due to the disqualification statement regarding the Public and Civic Use requirement.

PAGE 1/2

Design Standard Criteria	Public and Civic Area	
	Industrial Curry Pike District	Office SR46 District (Within District B)
	Criteria 7.6(a)(3) Design Standard states: The land within this area shall be primarily for the purpose of accommodating public land use activities, including but not limited to a fire station, a school, a branch library, etc.	
1	see table	see table
2	same	same
3i	same	same
3ii	same	same
3iii	same	same
3vi	same	same
4	same	same
5	same	same
6	same	same
7	same	same
8	same	same
9	same	same
10	same	same
11	same	same
12i	same	same
12ii	same	same
12iii	All off-street parking areas shall be located behind or on the side of the buildings they serve except for the Hospital/Wellness use where off-street parking areas may be located in front of, behind, or on the side of the buildings they serve; provided that where adjoining open space areas or any publicly maintained road, the parking areas are located behind a landscaped masonry wall meeting the requirements of Chapter 830, Figure 30-4 or a landscaped berm meeting the requirements of Chapter 830, Figure 30-2 or Figure 30-3.	All off-street parking areas shall be located behind or on the side of the buildings they serve.
12vi	same	same
12v	same	same
12vi	same	same
12vii	same	same
12viii	same	same
12ix	same	same
12x	same	same
12xi	same	same
13i	same	same
13ii	same	same

EXHIBIT 6: Design Standard Comparison Table continued

PAGE 2/2

13iii	Buffer yards shall be in accordance with the provisions of 830-7 of the Monroe County Zoning Ordinance, except that where adjoining open space areas and Curry Pike or SR46 a Type D buffer yard meeting the provisions of Table 30-2 of the Monroe County Zoning Ordinance shall be provided and where adjoining SR46 no less than seventy-five percent (75%) of the existing trees and vegetation shall be left undisturbed for a minimum depth of fifty (50) feet from the right of way line (See Appendix A).	Buffer yards shall be in accordance with the provisions of 830-7 of the Monroe County Zoning Ordinance, except: a. Type D buffer yards shall be provided where adjoining Curry Pike b. Type D buffer yard extended to a width of 50 feet from the right of way line shall be provided adjoining State Road 46, See Appendix A. c. Buffer yards between uses and open spaces in Development Tract B-2 shall follow the bufferyard standard set forth in Appendix G.
13iv	same	same
13v	same	same
14i	WALL- MOUNTED design stanadards similar other than = Total permitted wall-mounted signs shall not exceed forty (40) square feet, except for the Hospital/Wellness use, where the total permitted wall-mounted signs shall not exceed five hundred and fifty (550) square feet with the sign area per façade not to exceed two (2) square feet for each one (1) linear foot of building façade provided that no greater than three hundred and fifty (350) square feet of wall-mounted sign area per façade is allowed.	Design standard similar other than one item
	Marquee signs permitted - A maximum of one (1) marquee sign -Signage on a marquee sign shall not be counted in the calculation of the total allowable sign area -Sign shall not exceed forty (40) square feet in area per side, with a maximum of two sides per sign -The bottom of the sign shall be a minimum of eight (8) feet above the adjoining street or sidewalk level - The sign shall not project more than four (4) feet from the face of the facade.	Marquee signs not permitted
14ii	same	same
14iii	same	same
14iv	same	same
15i	same	same
15ii	same	same
15iii	same	same
15iv	same	same
16	The design of this use area shall result in a "campus" type environment where buildings, roads, etc conform to the existing topography and landscape as much as practical. Extensive use of open space and preservation of existing features is expected. Connections to adjoining park space and civic space shall occur and a high degree of architectural design shall be incorporated throughout this area.	The design of this use area shall result in an environment where buildings, roads, etc conform to the existing topography and landscape as much as practical. Extensive use of open space and preservation of existing features is expected. Connections to adjoining park space and civic space shall occur and a high degree of architectural design shall be incorporated throughout this area.

EXHIBIT 7: Design Standard Table Appendix C from North Park Ordinance

Green is current allowed standards and **red** is the proposed. Though the setbacks are more restrictive in the proposed area, the height would increase from 70' max to 100' max.

Use Area	Minimum Lot Area	Minimum Lot Width ²	Setbacks ²			Build-to Line	Maximum Height	Maximum Floor to Area Ratio
			Front	Rear	Side			
Neighborhood Retail	NA	NA	NA	0'	0'	Within five (5) feet of ROW	40'	2.00
Office Commerce Center	NA	50'	15'	15'	5'		40'	3.00
Town Center	NA	NA	NA	0'	0'	Within five (5) feet of ROW	70	3.00
Multi-family Commerce Center	40,000 sq. ft.	50'	15'	15'	5'		50	.75
Public/Civic	NA	NA	15'	15'	5'		50	.50
Retail Commerce Center	NA	50'	15'	15'	5'		40	.50
Industrial Curry Pike District	NA	100'	15'	35'	15'		100' ***	3.0***
Convenience Store	NA	50'	15'	15'	5'		50	.50
Hotel	NA	50'	15'	15'	5'		70	.50
Office Highway District	NA	50'	15'	15'	5'		70	3.00
Retail Highway District	NA	50'	15'	15'	5'		40	.50
Multi-family Highway District	40,000 sq. ft.	50'	15'	15'	5'		50	.75
Low Density Residential	20,000 sq. ft.	50'	25'	35' **	15' **		35	.25
Neighborhood Residential	6,000 sq. ft. ¹	25'	15'	10'	0'		35	.50
Multi-family Neighborhood	20,000 sq. ft.	60'	15'	15'	5'		35	1.00
Office SR46 District	NA	100'	15'	15'	5'		70	3.00
Open Space	NA	NA	NA	NA	NA		NA	NA
Apple Industrial/Office	NA	100'	15'	35'	15'	NA	100' ***	3.0***

Specific Conditions

* As measured at the street frontage

** An additional 15' of rear yard setback and 5' of side yard setback shall be provided for each additional story

*** 100 foot height and 3.00 FAR permitted for Hospital/Wellness use only. All other uses shall be subject to maximum height of 70 feet and 0.5 FAR. (rev. by Ord. 2006-39)

1. Maximum lot size shall be 20,000 square feet
2. No building shall be less than 35' from the ROW of SR37 or SR46

Other General Conditions Applicable to all Use Areas:

- All accessory structures shall adhere to the setback standards identified in the Exhibit and shall be included in the FAR calculation
- Chimneys, spires, flagpoles, etc. are exempt from the height limitations established in the Exhibit
- Architectural features, awnings, canopies, bay windows, chimneys, fire escapes, porches, steps, patios, decks, etc. are allowed to encroach into any required setback areas up to 6 feet

CASE NUMBER: 2002-REZ-02**PLANNER:** Drew Myers**PETITIONER(S):** Fable Farms (Andrea Koenigsberger & Ryan Conway)**REQUEST:** Rezone from Suburban Residential (SR) to Agriculture/Rural Reserve (AG/RR).

Waiver of final hearing requested.

ADDRESS: 5285 E State Road 45**ZONING:** SR; ECO 3**ACRES:** 6.27 +/- acres**TOWNSHIP:** Bloomington**SECTION(S):** 24**PLAT(S):** N/A**COMP. PLAN****DESIGNATION:** Farm and Forest**EXHIBITS**

1. Petitioner Letter
2. Petitioner Site Plan
3. Chapter 804 Design Standards Comparison
4. Chapter 802 Permitted Use Comparison

PRELIMINARY RECOMMENDATION

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

PLAN REVIEW COMMITTEE

TBD

SUMMARY

The petitioner requests to rezone approximately 6.27 +/- acres from Suburban Residential (SR) to Agriculture/Rural Reserve (AG/RR). Should the rezone be approved, the petitioners intend to continue their existing composting operation and initiate a food production operation on the property.

Chapter 802 defines Agriculture/Rural Reserve as the following:

Agriculture/Rural Reserve (AG/RR) District. *The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses associated with agriculture uses and limited, very low density, rural non-farm related single family uses and not in (major) subdivisions. Its purposes are to encourage the continuation of agriculture uses, along with the associated single family residential uses, to discourage the development of residential subdivisions and non-farm-related nonresidential uses, to protect the environmentally sensitive areas, such as floodplain and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the AG/RR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure*

their compatibility with the agriculture-related uses. The development of new non-farm residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

Chapter 802 defines Composting Operation as the following:

Composting Operation. An establishment engaged in the controlled process of degrading organic matter for retail of processed material.

The composting operation on the petition site began in 2018 when the petitioners elected to pursue “compost facility” registration through the Indiana Department of Environmental Management (IDEM). The petitioners have filed all necessary paperwork and acquired the appropriate authorizations from IDEM to operate as a “compost facility”.

In December 2019, the petitioners applied for a building permit application for a 1,200 sq. ft. pole barn structure. The Zoning Inspector inquired about the intended use for the structure and it became known that the composting operation was being conducted on the property. Soon after, the petitioners met with Planning Staff and decided to pursue a rezone to allow the continued use of the composting operation and the future accessory agriculture structures.

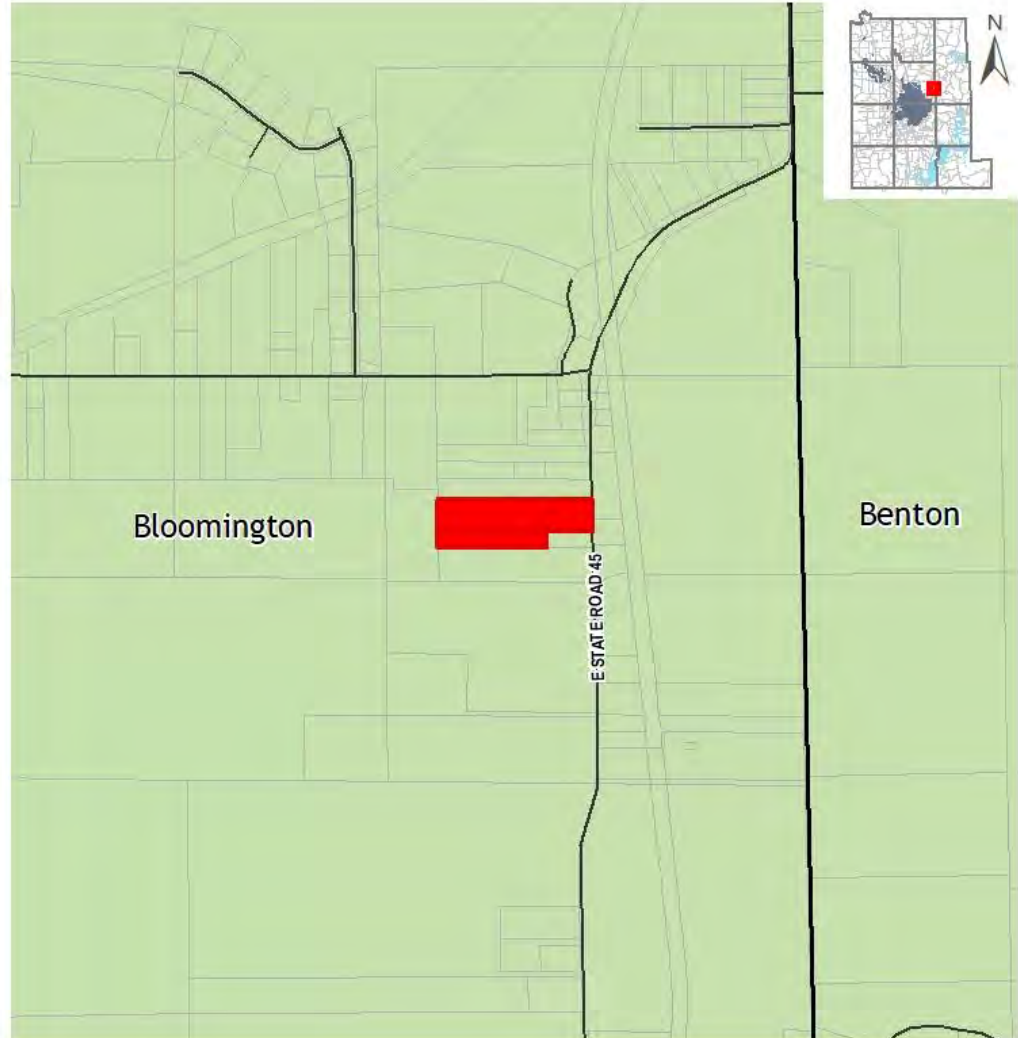
If the rezone is approved, the petitioners will be required to submit a commercial site plan in order for Planning Staff to release the Improvement Location Permit (ILP) for the proposed 1,200 sq. ft. pole barn.

LOCATION MAP

The petition site is located at 5285 E State Road 45 in Bloomington Township, Section 24 (parcel #s: 53-05-24-400-038.000-004 & 53-05-24-400-014.000-004).

Location Map

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



0 0.075 0.15 0.3 Miles



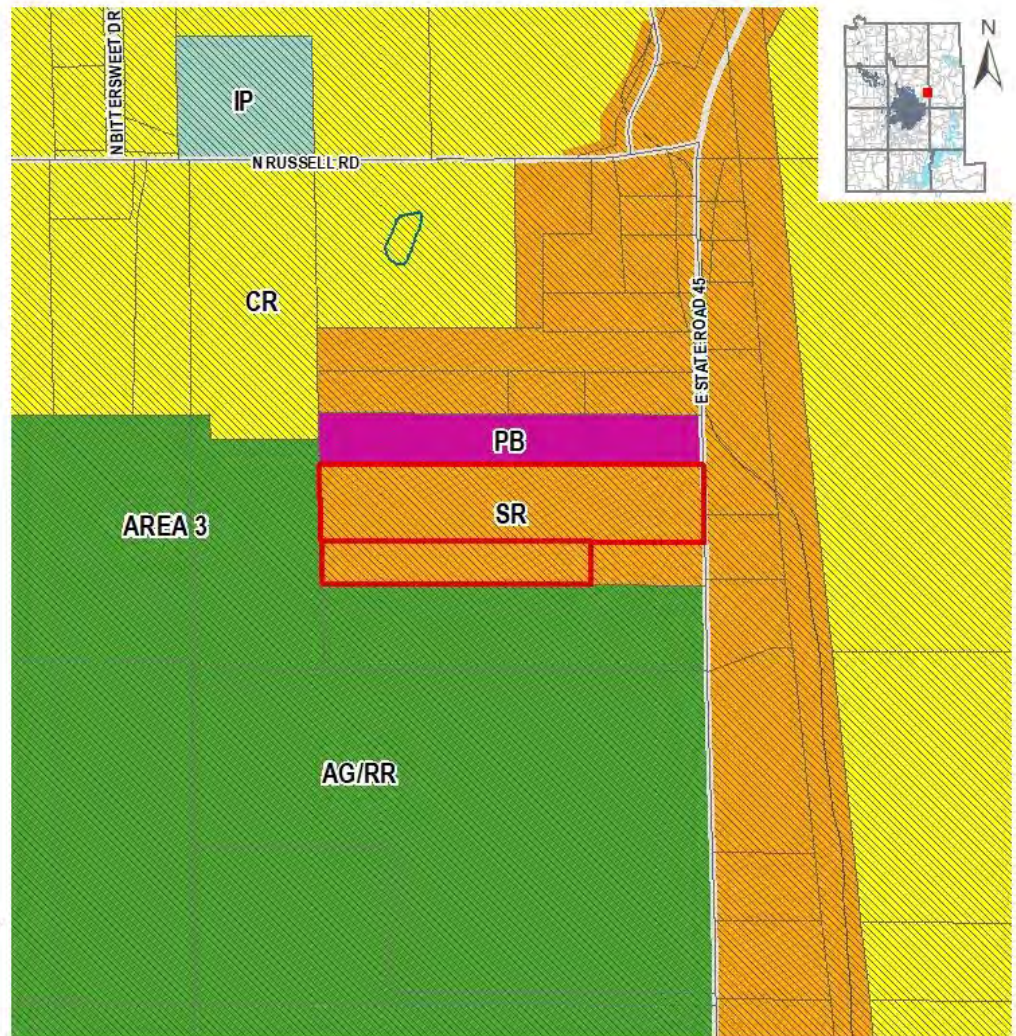
Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/6/2020

ZONING/ADJACENT USES

The property is zoned Suburban Residential (SR). The immediately adjoining properties are zoned Suburban Residential (SR), Agriculture/Rural Reserve (AG/RR), and Pre-existing Business (PB). Other nearby zones include Conservation Residential (CR) and Institutional/Public (IP). Uses nearby are predominately residential and agricultural.

Current Zoning Map

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



0 0.0325 0.065 0.13 Miles

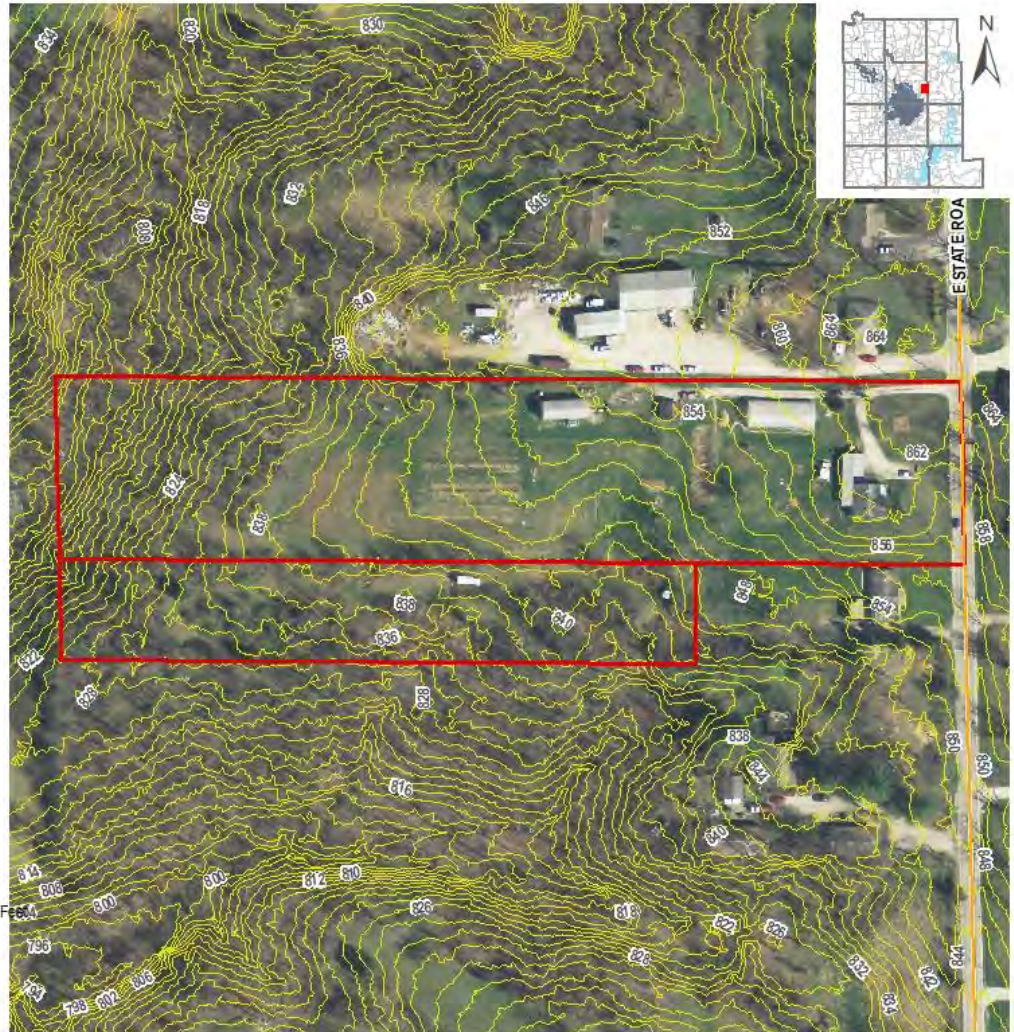
Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/6/2020

SITE CONDITIONS

The property exhibits access off of E State Road 45, a designated Major Collector according to the Thoroughfare Plan. The petition site currently contains a 2,260 sq. ft. single family residence (ca. 1956), approx. 2,300 sq. ft. hoop greenhouse, 800 sq. ft. pole barn, 360 sq. ft. pole barn, a 120 sq. ft. utility shed, and a 458 sq. ft. carport canopy. The petition site contains an enclosure for accessory livestock. The petition site is predominantly flat, but exhibits steeper slopes on the far western edge of the property. There are no known karst features on site. There is no FEMA floodplain on the property. The site drains primarily to the south and to the west. The petition site is serviced by a sanitary sewer system.

Site Conditions Map

- Major Collector [70']
- Petitioner
- 2-Foot Contours
- Local Roads [50']



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/6/2020

Slope Map

- Petitioner
- Major Collector [70']
- Roads
- Parcels
- 2-Foot Contours
- All Slope - Percent (2010)**
- 0 - 12
- 13 - 15
- 16 - 18
- 19 - 21
- 22 - 24
- > 25

PARCEL #:
53-05-24-400-038.000-004 &
53-05-24-400-014.000-004

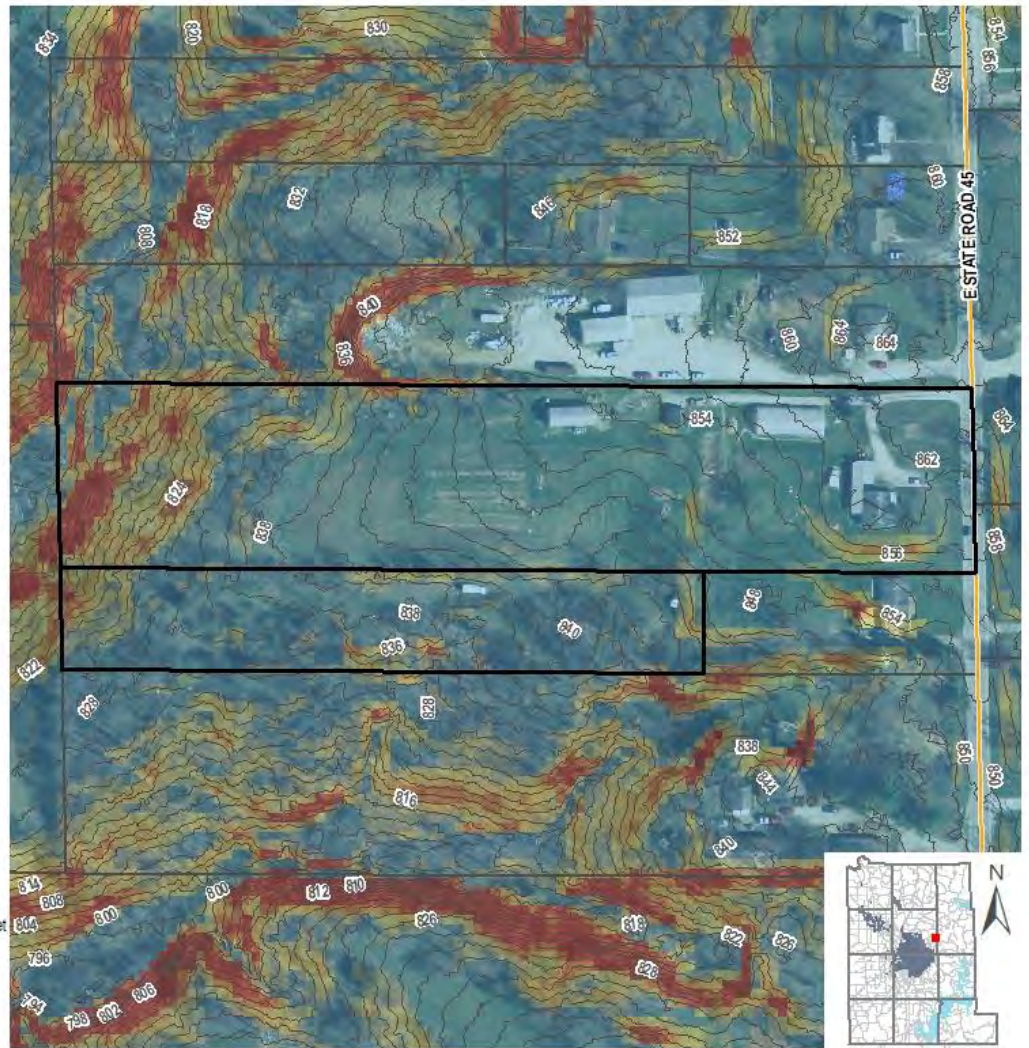
NOTE:
Areas > 15% slope are classified as
nonbuildable area per Chapter 804.

ECO AREA 3:
Areas > 18% slope have special
regulations regarding land disturbance
per Chapter 825.

0 37.5 75 150 225 300 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/6/2020



SITE PICTURES



Photo 1. Facing South – driveway cut and petition sign



Photo 2. Facing North – driveway cut



Photo 3. Facing West - driveway



Photo 4. Facing Southwest – single family residence



Photo 5. Facing West – existing hoop house and driveway



Photo 6. Facing East – existing hoop house and driveway



Photo 7. Facing West – existing pole barn



Photo 8. Facing East – existing pole barn and hoop house



Photo 9. Facing East – accessory livestock fence and utility shed



Photo 10. Facing South – accessory livestock fence



Photo 11. Facing West – compost bins



Photo 12. Facing West – soil storage



Photo 13. Facing East – compost bins and existing pole barn



Photo 14. Facing Southeast – compost bins



Photo 15. Facing East – compost bins and pole barn



Photo 16. Facing East – soil storage



Photo 17. Facing East – single family residence and neighbor residence

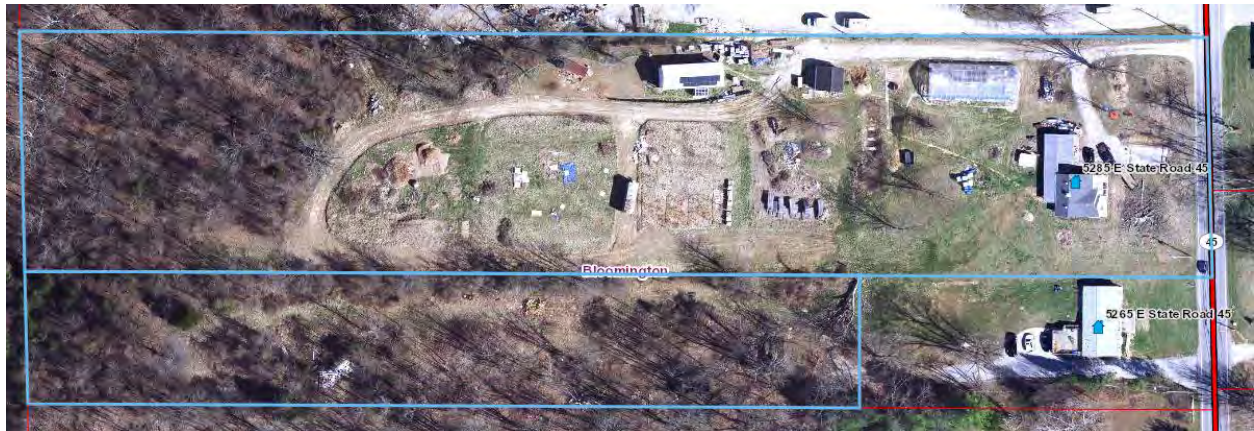


Photo 13. 2019 Aerial Photography

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the *Farm and Forest* designation in the Monroe County Comprehensive Plan, which states:

Farm and Forest:

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

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

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

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

- a) 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.*
- b) New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.*
- c) 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.*
- d) To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for*

buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

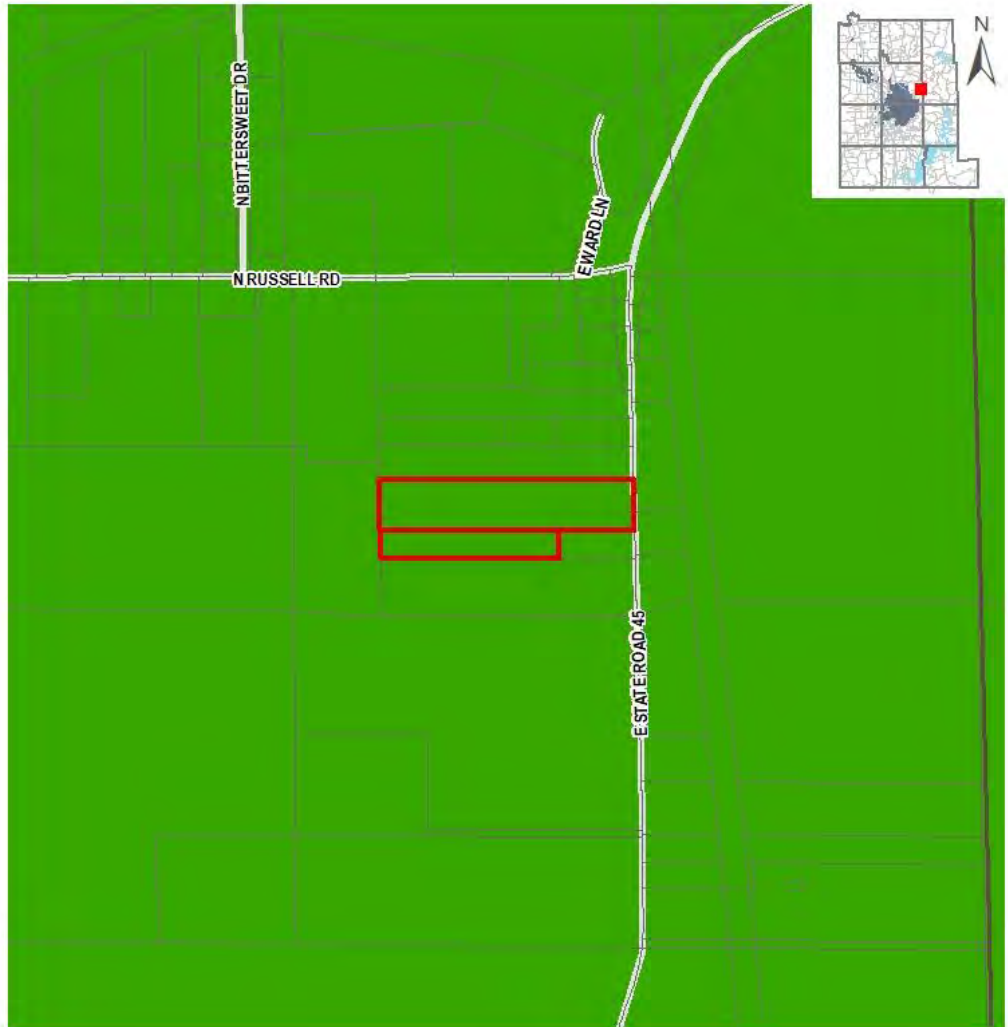
Comprehensive Plan

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

0 0.05 0.1 0.2 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/6/2020



FINDINGS OF FACT - REZONE

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

(A) The Comprehensive Plan;

Findings:

- The Comprehensive Plan designates the site and the majority of the surrounding area as Farm and Forest;
- The site currently contains a 2,260 sq. ft. single family residence (ca. 1956), approx. 2,300 sq. ft. hoop greenhouse, 800 sq. ft. pole barn, 360 sq. ft. pole barn, a 120 sq. ft. utility shed, and a 458 sq. ft. carport canopy.

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

Findings:

- The site is currently zoned Suburban Residential (SR);
- The site currently contains a 2,260 sq. ft. single family residence (ca. 1956), approx. 2,300 sq. ft. hoop greenhouse, 800 sq. ft. pole barn, 360 sq. ft. pole barn, a 120 sq. ft. utility shed, and a 458 sq. ft. carport canopy;
- The immediately adjoining uses are residential or agricultural;
- The site exhibits an enclosure area for accessory livestock;
- The site drains to the south and to the west;
- There is no FEMA floodplain present on the petition site;
- There are no known karst features present on the petition site;
- The site is accessed off E State Road 45 (Major Collector);
- The site is not in a platted subdivision;

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

Findings:

- The petition site exhibits a primary use of agriculture (i.e. composting operation);
- The site operated as a small organic farm (Sunny Branch Farm) for many years before the current ownership;
- There are no sensitive lands present on or near the petition site;

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

Findings:

- Values may vary significantly dependent upon future planning and zoning in the area;
- See Findings under (A);

(E) Responsible development and growth.

Findings:

- If the rezone were to be approved, the petitioners intend to continue their existing composting operation and initiate a food production operation on the property;
- If the rezone were to be approved, the petitioners are required to submit a commercial site plan before receiving an Improvement Location Permit for the proposed pole barn structure;
- All structures on the petition site will meet all other design standards as outlined in Chapter 804 for the Agriculture/Rural Reserve (AG/RR) Zoning District, or be classified as nonconforming;
- The site is accessed via E State Road 45 (Major Collector);
- See Findings under (A) through (D);

EXHIBIT 1: Petitioner Letter

To the Monroe County Plan Commission,

Thank you for your time and consideration of our request to have our property at 5285 E State Road 45, Bloomington IN (47408) rezoned from "Suburban Residential" to "Agricultural." We write to request this rezone on the basis of the property's context, the uses we've been piloting, and our dreams for what it can become, both for our family and our community. As such, we desire to be in compliance with our County's regulations, so that we can more fully engage our mission to serve all the eaters and feeders of our county community.

When we bought the property in April of 2017, the prior owner had already been using it for small organic agriculture, which made sense with the large fields and the working barn in the back. The prior owner even helped make Monroe County history when she was awarded an NRCS grant to purchase and install one of the first high-tunnel greenhouses in the county, at the property, which she called *Sunny Branch Farm* (complete with a registered USDA Farm Service Agency Farm Tract Number: *Farm 1905 Tract 1934*).

Now known as *Fable Farms Indiana*, we've taken the property's historical roots and have begun to sprout from them a new and innovative agriculture project with potential to benefit our whole county community: experimental food production through tower-garden arrays (through a partnership with *The Garden Tower Project*) and the high-tunnel greenhouse, coupled with a community-scale food-waste composting pilot.

When we moved here in 2017, the greenhouse had gone buttoned-up and unused for about a year or so, so the ground became mineralized and hard; when we asked local experts what we should do, the answer was unanimous: "you need lots of compost!" We couldn't afford to ship it in from Michigan or Wisconsin, where they all had been buying, so while we put the compost problem on the back-burner, we decided to partner with the *Garden Tower Project*, to run experiments on the by-weight food-productivity of their innovative tower-garden infrastructure (some of this can still be found online). Things went very well and we believe that continuing to demonstrate the productivity of this infrastructure could greatly enhance food security in the county, especially for folks without much space to grow food or for folks with physical limitations.

By 2018 we were ready to try to crack the tough-nut of affordable yet high-quality compost for that high-tunnel greenhouse: if we couldn't afford to buy it, we could still afford to learn and make it ourselves! Knowing we'd need a good amount of material to achieve sustainable thermal mass, we opted to pursue a rigorous "compost facility" registration through the Indiana Department of Environmental Management, which is a legal requirement for anyone experimenting with over 300sqft of composting (~10' x 30' windrow). Even though our first "windrow" was barely the size of a doghouse, we knew we'd need more to get the biology & chemistry right, so we filed the extensive paperwork, got signed authorizations from all the neighbors, and welcomed the IDEM inspector, to see our grand vision in its tiny seed form...and we've maintained compliance ever since!

Soon after getting registered -- and after much personal reading, YouTubing, and general research -- we decided to invest in an expensive but immersive week-long intensive *Compost Operators Certification Training Course* developed and instructed by the *US Composting Council*, hosted by Michigan State University. It was a challenging but rewarding experience and we came home transformed into some of the most knowledgeable composting experts in the state!

Our timing couldn't have been better: Monroe County had recently hired *Kessler Consulting* to analyze the county's waste stream and to determine how the county might best proceed in managing its organic waste. We had become excited about and trained to be part of the solution before we had even realized the extent of the problem! With approximately 40% of the county's waste stream being compostable materials, we knew we could become an asset for the community's waste-management needs and sustainability goals.

2019 was the year that we needed to prove to ourselves whether we were truly up to the task and whether we could actually develop right-sized, low-input infrastructure capable of converting food waste into the rich and nutritious soil from which we -- and others -- could grow new and abundant foods, for us and for all. And 2019 was *hard*! But with the chance opportunity to buy-out the county's first organic waste hauling business -- the "curbside composting" gurus of *Green Camino, Inc.* -- we achieved a vertical integration in the organic waste market and harnessed a revenue-engine from which we could bootstrap the infrastructure we would need to grow both the compost windrows *and* the food-production infrastructure, wherein we test & use that compost.

So...we made it? Well, kind of.

We made it *possible*...through hard training, muddy boots, long days, and Kubota's tiniest 33hp tractor.

...And we'd be remiss if we didn't include the dozens and dozens of chickens in our flock, who keep us laughing and help us screen out contaminants while scratching-up and turning the compost.

We've piloted the minimum functioning components and infrastructures of an innovative produce and compost farm and we'd need a bit more to get the most out of our operations...but we leave the thread here and we dare go no further: we have proven our dedication and capability to ourselves and to our family (who we just moved up from Dallas, Texas...right next door at 5265!) but now we present ourselves and our experiments to you. We ask for your blessing to proceed, in the form of granting our request to be rezoned as "Agricultural," after which our pilot-project training-wheels can come off and we can begin to become the "real farm" we've had in our dreams for years: a farm that feeds, heals, and helps us all :)

Kindly,

Andrea Avena Koenigsberger & Ryan Timothy Conway
AKA "The EarthKeepers"



To the Monroe County Plan Commission,

My apologies for any confusion this may generate but, under the advice of staff in the Planning Department, I am requesting a rezone for two of my properties, which are adjacent to one another. What my husband and I consider to be the "main" property is 5285 E State Road 45; you will find the letter pertaining to our request to rezone that property as an extensive "footnote"*** below.

However, *this* letter is to request that my non-frontage property at 5265 E State Road 45, Bloomington IN (47408) be rezoned from "Suburban Residential" to "Agricultural." In the "footnote" below you'll hear the story of my husband's and my farm dreams and the ways that our "main" property has been used for food growth, long before we bought it. The property under rezone request in *this* letter is my 1.7 acres that supplement our 4.6 acre "main" lot. I want my land to be an asset to my county community and to be in compliance with county regulations; so, given that I intend to use these 1.7 acres for food production purposes and given that the lots directly adjacent to this, to the South and to the West, are zoned Agricultural, I respectfully request that this, my non-frontage 1.7 acre lot at 5265 E State Road 45, be rezoned to "Agricultural" as well.

Thank you for your time and consideration!

Cordially,

Andrea Avena Koenigsberger

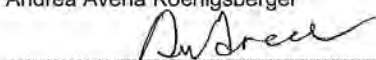


EXHIBIT 2: Petitioner Site Plan

Site Plan Map

- Major Collector [70']
- Petitioner
- Local Roads [50']

ADDRESS:
5285 E State Road 45

PARCEL #:
53-05-24-400-038.000-004

0 40 80 160 240 320 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 12/11/2019



EXHIBIT 3: Chapter 804 Design Standards Comparison

Table 4-1																	
Height, Bulk, Area, and Density Requirements for Zoning Districts																	
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	—	—	—	—	—	—	—	—
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	—	—	—	—	—	—	—	—
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	—	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	—	45
Maximum Floor Area Ratio	—	—	—	—	—	—	—	—	—	0.25	0.30	0.25	0.4	0.4	0.4	—	0.30

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Table 4-1																	
Height, Bulk, Area, and Density Requirements for Zoning Districts																	
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	—	—	—	—	—	—	—	—
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	—	—	—	—	—	—	—	—
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	—	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	—	45
Maximum Floor Area Ratio	—	—	—	—	—	—	—	—	—	0.25	0.30	0.25	0.4	0.4	0.4	—	0.30

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EXHIBIT 4: Chapter 802 Permitted Use Comparison

USES	INTENSITY	AG/RR	SR	Condition
Agricultural Uses				
Accessory Structures for Agricultural Use	L	P		
Agriculture	H	P		53
Agricultural Event Center, Small	H	C		
Agricultural Event Center, Medium	H	C		
Agricultural Event Center, High	H	C		
Agricultural-Related Industry	H	P		53
Agricultural Uses-Land Animal	H	P		22; 53
Agricultural Uses-Non Animal	H	P		22; 53
Agritourism / Agritainment (i.e. corn mazes, petting zoos, hay tunnels)	H	P		53
Aquaculture	M	P		22; 53
Christmas Tree Farm	H	P		53
Commercial facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies	H	C		53
Commercial Non-Farm Animals	M	P		53
Confined Feeding Operations	H	C		24;44
Equestrian Center	H	C		53
Equine Services	L	P		
Feed Lot	H	P		24
Feed Mill	L	P		6;25
Historic Adaptive Reuse		C	C	15; 44
Horse Farm	L	P		53
Nursery/greenhouse	H	P		53
Orchard	H	P		53
Pick-your-own operation	H	P		53
Roadside farm stand, Permanent	M	P		52
Roadside farm stand, Temporary	L	P		51
Stockyard	H	P		24
Winery	H	P		53
Residential Uses				
Accessory Apartments	L	P	P	26
Accessory Dwelling Units	L	P		53; 55
Accessory Livestock	L	P	P	43
Accessory Use		P	P	5
Guest House	L	P		
Historic Adaptive Reuse		C	C	15; 44
Home Based Business	L	P		16
Home Occupation	L	P	P	16
Residential Storage Structure	L	P	P	15
Single Family Dwelling	n/a	P	P	1
Temporary Dwelling	L	P	P	3; 53
Two Family Dwelling	n/a	P	P	2
Public & Semipublic				
Accessory Use		P	P	13
Cemetery	H	P		

Governmental Facility	H	P		7;40
Group Home Class I	L		P	
Historic Adaptive Reuse		C	C	15; 44
Religious Facilities	H	P		22
Remote Garbage/Rubbish Removal	H	C		34
Solar Farm	L	C		
Telephone and Telegraph Services	L	P		32
Utility Service Facility	M	P		31
Wastewater Treatment Facility	H	C		15
Water Treatment Facility	H	C		
Wired Communication Services	M	P		32
Wireless Communications Facilities		C	C	32
Business & Personal Services				
Artisan Crafts	M	C	C	15, 22, 44
Bed and Breakfast	L	P		8
Composting Operation	H	P		31; 53
Greenfill	M	P		7;15;22;47
Historic Adaptive Reuse		C	C	15; 44
Kennel, including commercial animal breeding operations	H	C		10;15; 53
Real Estate Sales office Or Model	L	P	P	9
Taxidermist	L	P		6
Temporary Seasonal Activity	M	P		46; 54
Tourist Home or Cabin	L	P		48
Veterinary Service (Indoor)	H	C		15
Veterinary Service (Outdoor)	M	C		10; 15
Retail & Wholesale Trade				
Agricultural Sale Barn	H	P		35
Fruit Market	L	P		
Garden Center	H	C		53
Historic Adaptive Reuse		C	C	15; 44
Automotive & Transportation				
Automobile Repair Services, Minor	H	C		50; 53
Historic Adaptive Reuse		C	C	15; 44
Amusement and Recreation				
Accessory Use		P		13
Camping Facility	H	P		27; 53
Historic Adaptive Reuse		C	C	15; 44
Park and Recreational Services	H	C		14;20
Private Recreational Facility	H	C		20
Recreational Vehicle (RV) Park	H	C		53
Manufacturing, Mining, Construction, & Industrial				
Accessory Use		P		13
Construction Trailer	L		P	17
Historic Adaptive Reuse		P	P	15; 44
Sawmill	H	C		15;22
Wood Products	M	C		7;15