



# Monroe County Board of Commissioners Agenda Request Form

Date to be heard  Formal  Work session  Department

Title to appear on Agenda:  Vendor #

**Executive Summary:**

The request is to rezone one (1) 4.9 +/- total acre parcel in Section 29 of Perry Township at 5100 S Victor Pike (Parcel #s: 53-08-29-200-023.000-008) from Pre-Existing Business (PB) to P & G Planned Unit Development (PUD).

Fund Name(s):	Fund Number(s):	Amount(s)
<input type="text"/>	<input type="text"/>	<input type="text"/>

Presenter:

**Speaker(s) for Zoom purposes:**

Name(s)	Phone Number(s)
<input type="text" value="Anne Crecelius&lt;br/&gt;Michael Carmin"/>	<input type="text"/>

*(the speaker phone numbers will be removed from the document prior to posting)*

Attorney who reviewed:

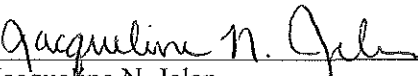
**OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

CERTIFICATION

I, Jacqueline N. Jelen, hereby certify that during its meeting on August 16<sup>th</sup>, 2022 the Monroe County Plan Commission considered Petition No. PUO-21-1 for a Planned Unit Outline (Ordinance No. 2022-32) to the Monroe County Zoning Ordinance and made a motion to forward no recommendation, based on the findings, conditions, and Highway Department reports, with a vote of 6-1.

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

  
\_\_\_\_\_  
Jacqueline N. Jelen  
Planning Director

8/19/2022  
\_\_\_\_\_  
Date

## **ORDINANCE # 2022-32**

### **P & G Planned Unit Development, Outline Plan**

The purpose of this ordinance is to adopt the P & G Planned Unit Development, Outline Plan.

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

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

Whereas, certain amendments ("Amendments") to the Zoning Ordinance have been proposed to establish and regulate the P & G Planned Unit Development;

Whereas, the Plan Commission advertised for and conducted a public hearing on the proposed Amendments;

Whereas, following the public hearing, the Plan Commission voted to forward the Amendments to the Board of Commissioners with no recommendation;

Whereas, on August 16, 2022 the Plan Commission certified the Amendments and its recommendation thereon to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

Whereas, in accordance with Indiana 5-14-1.5-5, the Board of Commissioners provided public notice of its intention to consider the Amendments for P & G Planned Unit Development in ordinance form and accepted public comment on the proposed Amendments during its October \_\_\_\_, 2022 meeting;

Whereas the Board of Commissioners finds that the Amendments, if adopted in ordinance form, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes, which include, among other purposes, the promotions of the health, safety, morals, convenience, order, and general welfare of the citizens of Monroe County, Indiana and that the amendments should be adopted;

Whereas the Board of Commissioners finds and confirms that the preparation and/or consideration of the Amendments, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and the responsible development and growth;

Whereas petitioner submitted a PUD Outline Plan and made representations to the Plan Commission pertaining to the use and development of the real estate, which Outline Plan is made a part of the Plan Commission packet, Exhibit A;

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

Section I:

The P & G Planned Unit Development, Outline Plan will rezone the parcel located at 5100 S Victor Pike to a Planned Unit Development (PUD). The P & G PUD allows limited commercial use which uses are enumerated in the Outline Plan, which is attached here as Exhibit 1. The PUD must comply with all required improvement, construction standards, design standards, procedures and all other engineering standards contained within the Monroe County Code and other pertinent regulations except where specifically varied through the provisions of the ordinance. The PUD must comply with and implement the standards, covenants and representations in the PUD Outline Plan in Exhibit 1. The parcel number is 53-08-29-200-023.000-008 and is located in Perry Township Section 29.

Section II.

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

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this \_\_\_\_ day of October, 2022.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

“Yes” Votes

“No” Votes

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Lee Jones, Commissioner

\_\_\_\_\_  
Penny Githens, Vice President

\_\_\_\_\_  
Penny Githens, Vice President

**MONROE COUNTY BOARD OF COMMISSIONERS** **October 26, 2022**

<b>CASE NUMBER</b>	PUO-21-1
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	P & G Associates LLC c/o Michael Carmin, Carmin Parker PC
<b>REQUEST</b>	P & G Planned Unit Development Outline Plan
<b>ADDRESS</b>	5100 S Victor Pike Parcel #: 53-08-29-200-023.000-008
<b>ACRES</b>	4.9 +/-
<b>ZONE</b>	PB
<b>TOWNSHIP</b>	Perry
<b>SECTION</b>	29
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	MCUA Phase 1: Employment MCUA Phase 2: Southside Employment

**EXHIBITS**

1. Petitioner Outline Plan Statement (updated 08/08/22)
2. Site Plan
3. Illustration of Overnight Parking in Monroe County
4. Planning Use Determination
5. Letters of Remonstrance
6. Letters of Support
7. Support Petition (received 7/21/21)
8. Query into properties zoned HI
9. Query into properties within 2000' of interstate
10. Rules for Overnight Truck Parking
11. ATRI Compendium of Idling Regulations
12. I-69 Corridor Study, pages 45-48
13. Septic Permit
14. Staff Comparison between Proposed PUD Use and Conditional Use
15. 2022 Letters of Remonstrance/Support
16. 1991 Ordinance Violation, Settlement and Court Order
17. Support Petition (received 9/23/22)

**RECOMMENDATION**

Staff recommends **Negative Recommendation** to the County Commissioners based on the findings of fact and subject to the Monroe County Highway Department & MS4 Coordinator reports.

Staff has met with the petitioners and their representative as recently as June of this year to discuss the outline plan and the standards of Approval for a PUD. Staff has identified that 3 points below would need to be adopted or addressed in order to gain staff support. Should the Plan Commission give a positive recommendation, staff recommends the following conditions:

1. Prohibit overnight truck parking from idling;
2. Petitioner to propose a landscaping plan that includes screening the viewshed of the adjacent historic property;
3. Entirety of parking lot to be paved per Ch. 806 standards and parking plan submission to be reviewed by the County Highway Engineer.

**PUBLIC HEARING TIMELINE****PLAN REVIEW COMMITTEE - June 10, 2021**

- Discussion included concerns regarding safety of drivers through Monroe County with limited resources for overnight parking, and concerns with nuisance fumes from truck idling. The illustration on Exhibit 3 illustrates nearby truck overnight parking locations. The petition site is

currently the only location with overnight parking in Monroe County. There were further discussions around the lack of rest stops along I-69 when construction took place and that it is causing a lack of space for truck drivers to stop and rest overnight.

#### **HISTORIC PRESERVATION BOARD - June 21, 2021**

- Discussion included neighbor concerns (see concerns from PRC), and potential impact to the viewshed of the Stipp-Bender Farm. Stipp-Bender Farm has an application pending at the state for National Historic Register Nomination

#### **PLAN COMMISSION Regular – July 20, 2021 (Preliminary Hearing)**

- Information requested regarding areas within the county that would meet the requirements of a Conditional Use Truck Stop/Travel Plaza.
- Spatial analysis into the potential locations show that there are limited existing locations suitable for a Truck Stop as defined under Chapter 813. See Exhibit 8

#### **PLAN COMMISSION Regular – (Final Hearing)**

- August 17, 2021 - *Continued by Petitioner*
- September 21, 2021 - *Continued by Petitioner*
  - Planning requested a copy of the septic permit from the petitioner’s representative – *Received*
- December 21, 2021 – *Continued by Petitioner*
  - Last continuance allowed by the Petitioner per the Plan Commission Rules of Procedure
- January 18, 2022 – Petitioner requested the Plan Commission to continue the petition – motioned and approved by a vote of 6-0
  - June 7, 2022 Administrative meeting - Staff brought the item as an administrative item after six months. Plan Commission voted to hold the final hearing at the July 19, 2022 regular meeting
- July 19, 2022 – Regular meeting canceled due to lack of quorum – petition scheduled for next regular session meeting on August 16, 2022 (some items scheduled for special meeting)
- August 15, 2022 – Plan Commission voted 6-1 to send "no recommendation" to the County Commissioners.

#### **SUMMARY**

The petition site is located at 5100 S Victor Pike, zoned Pre-Existing Business, in Perry Township, section 29. It’s 4.9 +/- acres and is developed and operating as a Sunoco Gas Station. The petition site is accessed from S Victor Pike and is approximately 500’ from the intersection of S Victor Pike and S State Road 37. The petitioner is requesting a Planned Unit Development Outline Plan to create the “P & G PUD” which would permit the use of a petitioner-defined use of “Truck Stop – Small”. There are no zones within the ordinance that would allow for the combination off all of the proposed uses. The use of a convenience store and daytime truck parking is a legal use and is permitted to continue no matter the outcome of this PUD request. The current use of overnight truck parking is not a permitted use.

The PUD Outline Plan, as detailed within Exhibit 1, is largely similar to the current legal uses with few new uses proposed. The design standards proposed include self-limiting future intensification of the site uses by restricting areas for uses or structures.

If approved by the County Commissioners the outline plan will be adopted as a legal ordinance. Any design or use that is defined within the ordinance or states will follow Monroe County Zoning will be permitted under a development plan approval. Any change to the design or use within the document would require an amendment to the ordinance using this same process, with ultimate approval by County Commissioners.

If this petition is withdrawn by the Petitioner or is denied by the County Commissioners, the site will be required to remove the non-conforming use of overnight truck parking and conform to the legal, pre-existing non-conforming use of convenience store.

## **BACKGROUND**

The earliest aerial imagery available is from 1998 showing the use of a convenience store and (daytime) truck parking (Figure 1). The county property report card lists 1990 as the construction date of the building and fuel canopy.



*Figure 1 - 1998 Aerial Imagery*

Imagery from 2003/2005 (Figure 2) shows the site in its current state that has generally remained the same for the last 20 years.



*Figure 2 - 2005 Aerial Imagery*

The petition site received a complaint regarding the exterior lighting in 2019, trucks idling and parking overnight, removal of trees near the property boundary, as well as an expansion of the existing parking on the site. The review of the site's aerial imagery showed that the gravel parking surrounding the property had expanded significantly with overnight truck parking (Figure 3). A Use Determination was issued by the Planning Director stating that the combination of uses could either be "Truck Stop/Travel Plaza" or "Trucking Terminal" under chapter 802, both of which are not permitted in the Pre-Existing Business (PB) zoning district. The petitioner was unable to meet the conditions of either use, and therefore applied for a Planned Unit Development (PUD) to permit the uses on the property.



Figure 3 - 2022 Aerial Imagery

The petitioner's representative, Michael Carmin, states in Exhibit 1:

"Petitioner seeks to rezone the property to Planned Unit Development to continue the existing uses of the property - gasoline station/convenience mart, but also seeks to add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart. The proposed Planned Unit Development zone creates a Truck Stop - Small use.

Truck Stop - Small is consistent with Comprehensive Land Use Plan - Urbanizing Area. The plan identifies the parcel for employment uses. The Truck Stop - Small leverages use of existing infrastructure and primarily the principal road network system providing essential services and opportunities for highway travelers. The limited uses in Truck Stop - Small are a major step down in intensity of use otherwise allowed in the Truck Stop/Travel Plaza.

The Truck Stop/Travel Plaza use, a conditional use under the zoning code, is more intense in uses and development than petitioner seeks. Petitioner crafted the term Truck Stop - Small because it represents the travel, vehicle uses adjacent to a principal arterial road, but less intense than the scope of uses permitted in Truck Stop/Travel Plaza. No existing zone allows the mix of uses and guaranteed limited scale of such uses as proposed in this PUD. No existing zone allows for the combination of uses as have developed and petitioner seeks to continue to use on the lot."

### **PROPOSED PLANNED UNIT OUTLINE DETAILS**

The following information is *directly taken from the Petitioner's statements in Exhibit 1.*

#### **Existing Conditions:**

- The property is a single parcel of 4.93 acres. Approximately 30% of the lot surface is paved concrete; 25% of the lot surface is stone or gravel; 30% is green space; and about 22,000 square feet of structures (9,000 square foot existing convenience mart/gasoline station office building and covered canopies over fueling stations - 1,500 and 2,000 square feet).

#### **Future Development**

- The property is fully developed. No additional principal structures are anticipated. Small accessory structures may be added.
- For example, petitioner anticipates adding electric vehicle charging stations. It is uncertain whether these charging stations may require a covering, such as a small canopy, over the charging stations for use during inclement weather.
- Petitioner anticipates adding an outdoor seating area for patrons purchasing food in the convenience mart. The seating facility is best described as an open shelter house, roof covering



only, with open sides on a part of the parking surface to allow placement of picnic tables or similar seating. The shelter would be located on already paved or stone surfaces and would not require the loss of green space.

- A bicycle rack would be installed in close proximity to the shelter. The bicycle rack could be used by patrons for the convenience mart but also as a rest area for bicyclists utilizing the nearby trail system.
- Signage.
  - An existing pole sign is located along the southwest property line and is estimated at 35 feet. An existing ground sign is located in the southern part of the property with sign visibility from State Road 37. The monument sign is less than seven feet in height. The existing pole sign and monument sign will be retained.

### **Proposed Uses**

“Truck Stop – Small” - travel and vehicle uses adjacent to a principal arterial road which will include the following:

- Convenience mart/food service.
  - Dine-in facilities for the restaurant shall not exceed 1,000 square feet.
- Fuel Sales
  - The gasoline fueling service consists of three diesel fuel pumping islands under a covered canopy approximately 1,500 square feet. The gasoline fueling service uses four gasoline station pump islands under a 2,000 square foot covered canopy.
  - Electric Vehicle Charging Stations
    - Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts for truck parking, rideshare parking, and fueling stations. Charging stations do not require a canopy.
- Restaurant (small).
  - The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage. The restaurant use would be located at the east end of the existing building. A drive-thru window would be placed in the north wall at the east end or in the east wall of the building. There is no time line decided for any remodeling to add a restaurant or the accessory residential use.
  - The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage.
- Parking
  - Overnight/Transient Truck Parking
    - Will comprise 5% to 10% of the lot area located along the north property line on the west half of the property.
  - Seasonal Work Crew Parking
    - Limited seasonal work crew parking will be permitted in a designated area limited to ten parking spaces. The seasonal work crew recognizes the long established business practice for the utility companies to contract for utility easement maintenance to clear utility lines and trees and brush on a periodic basis. The crews are almost never from the local area and when under contract to provide the easement maintenance on local utility easements, the crews look for suitable areas to park vehicles and equipment overnight. This is static parking and not a sleeping or rest arrangement. There would be no occupancy of the trucks or equipment parked overnight.
  - Ride-Share Parking
    - Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours. The ride share parking will use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area.
- Accessory Uses

- Residential
  - One 2-bedroom dwelling unit for employee/manager occupancy. The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.
  - The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.
- Seasonal Sales
  - Seasonal sales shall be permitted on the open lot. Examples of seasonal sales include farm produce sales, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.

### **Infrastructure**

- The property operates with an existing septic permit.
- The property is served with public water and electricity.
- There are no sidewalks existing along Victor Pike and sidewalks will not be installed.
- Storm water drainage.
  - The property is entirely surface drainage. The west and south two-thirds of the lot drains toward State Road 37 right-of-way. The grade fall from the northwest corner to the corner at the junction of Victor Pike and State Road 37 rights-of-way is 30 feet. The fall from the northwest corner to the southwest corner and along the southwest property line is eight feet. The State Road 37 right-of-way between the paved surface of the road and the property line is 75 feet in width and is an existing major drainage swale. The northeast one third of the lot drains through the green space to a small detention area in the northeast corner of the property. No new impervious surfaces will be added to the lot and the property will maintain the existing, historic storm water drainage.

### **Proposed Site Changes**

- Truck and equipment parking: To be in improved locations adequately marked by striping or signage designating permitted parking areas. Appropriate signage to prohibit parking. Signage prohibiting engine idling during extended rest periods.
- Paving: paving on the lot will be expanded to ensure that all driveways, aisles, pump stations, customers, carpooling, employee parking areas are paved. Limited areas designated for equipment and truck parking may remain permitted for a stone surface (per 1991 Settlement Agreement).
- Greenspace: Not less than 25% of the lot will remain permanent landscaped or natural open space. Existing trees shall be maintained and removed only in accordance with best practices management for dead and diseased trees. Any tree removed will be replaced with a tree from the approved species list maintained in the Monroe County Zoning Ordinance. The vegetative/tree buffer zone along the east property line and portions of the south property line will be maintained. The permanent open space shall be conveyed by a grant of conservation easement to Monroe County Plan Commission or its designee. The conservation easement shall require the property owner to maintain the permanent open space vegetation, trees and shrubs in good order and in accordance with best practices management to sustain and/or replant trees. Owner may maintain a ground sign and existing pole in the permanent open space. The permanent open space shall not be paved nor have stone added. The permanent open space shall not be used for parking, seasonal sales, or as traffic aisles.

### **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:

- (1) **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 existing and proposed development appears to be consistent with the Comprehensive Plan per the Employment zone;
- The current use and potential expansion of the site would support Employment uses;
  - The MCUA Phase I plan designates the petition site as “Employment”;
    - Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other types of commercial uses that may not be easily integrated into a mixed-use environment;
  - The MCUA Phase II plan designates that site as “South Side Employment”;
    - This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as the Employment land use type;
- The current zoning is Pre-Existing Business; the PB zone was created in 1996 to for uses that existed but were not compatible with the 1996 zoning. This zone allows the business to continue operation but limits further “intensification” of the use;
- The proposed use is not consistent with the “Truck Stop/Travel Plaza” Conditional Use under Ch. 813 and therefore is a deviation from the Zoning Ordinance provisions thus requiring an alternative route to compliance;
- Spatial analysis into the potential locations of truck stops has shown that there are limited existing locations suitable for a Conditional Use Truck Stop as defined under Chapter 813;

**(2) The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.**

*Findings:*

- There are no zones within the ordinance that would allow for the combination off all of the proposed uses;
- The petitioner had proposed an alternative solution to meeting the Open Space 811-3 (E) requirement outlined within Exhibit 1;
- The uses proposed use of a convenience mart is considered a legal use under the PB zoning. The use to allow overnight parking of trucks is illegal and began after 1998 but before 2003;
- See Findings under section A, regarding use;

**(3) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.**

*Findings:*

- See Findings under section A;
- One of the purposes of the PUD, under Chapter 811, is to encourage a harmonious and appropriate mixture of uses;
- There is not one zoning designation that covers the mix of uses requested by the petitioner;

**(4) The proposal will not be injurious to the public health, safety, and general welfare.**

*Findings:*

- See Findings (1), (2) and (8);

**(5) 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:*

- The petition site has access to water and electric, and currently uses a commercial grade septic

system;

- Future internal changes to the existing structure would require an approved Real Estate inspection permit or an upgraded commercial septic;
- The use may require a permanent right/left turn lane for access, which this site does not currently provide – the petitioner has not proposed any road improvements nor has the Highway Dept. requested a traffic study;

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

*Findings:*

- The petitioner requests to “add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart”;
- Adjacent properties are either residential or commercial in use;
- The use as a convenience store with gasoline sales pre-dates 1997,;

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

*Findings:*

- See Findings under Section 1;

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

*Findings:*

- Access is derived from S Victor Pike which is designated as a Local Road in the Thoroughfare Plan;
- S State Road 37, designated as a Freeway under the Thoroughfare Plan, is adjacent to the site is within approximately 500’ from the site’s existing driveway cut to the intersection of S Victor Pike & S State Road 37;
- The Monroe County Highway Engineer is not requiring a traffic study for the petition site;
- All utilities are available to the petition site;
- See findings under (d);

**(9) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.**

*Findings:*

- Chapter 811 requires that a proposed PUD dedicate open space per the requirements of 811-3 (E);
- Open space and the conveyance has not been specified by the petitioner’s representative;
- There is no known karst on the property;
- The drainage patterns are not expected to change as no new structures are currently proposed;
- The site is 4.93 +/- acres in size;
- A locally designated historic site is adjacent of the property to the south of S Victor Pike;

**LOCATION MAP**

The petition site is located in Perry Township, section 29, addressed as 5100 S Victor Pike. The parcel number is 53-08-29-200-023.000-008. The petition site has frontage on S Victor Pike and S State Road 37.



**ZONING AND ADJACENT USES**

The petition site is zoned Pre-Existing Business (PB). Surrounding Right-of-Way are zoned Agricultural/Rural Reserve (AG/RR). Property to the north is zoned Estate Residential 1 (RE1), property to the southwest is zoned Light Industrial (LI), and property to the southeast are zoned Pre-Existing Business (PB), and PB and Historic Designated Overlay.



The site is approximately 0.1 mile from the convergence of State Road 37 and Interstate 69. The site is located approx 0.3 miles north of the Dillman Road Wastewater Treatment Plant.



**SITE CONDITIONS**

The petition site is developed and contains one main building and two fuel stations. Access is derived from S Victor Pike. The site has a pre-existing commercial septic. The site contains buildable area with steep slopes only present near existing drainage ditches. South Victor Pike is classified as a “Local Road” and S State Road 37 as “Production” per the 2016 Thoroughfare Plan. The Monroe County Highway Engineer has stated that a traffic study isn’t required for the petition site.

The property is located within a “critical watershed”, called “West Fork Clear Creek/Clear Creek”. The Monroe County MS4 Coordinator has no comments on the petition..

Summary of Improvements					
Buildings	Grade	Condition	Construction Year	Effective Year	Area
Service Station Detached Canopy C/C 01		A	1990	1990	1,600
Service Station Detached Canopy C/C 01		A	2000	2000	2,367
Paving C 01	C	A	1990	1990	37,000
Paving C 01	C	A	1990	1990	1,500
C/A Building C 01	C	A	1990	2000	8,540

### Site Conditions Map

-  Freeway
-  Portion
-  Storm Water
-  2-Foot Contours
-  Local Roads (50')
- 15% Slope Restriction**
  -  0 - 15
  -  > 15
-  Parcels
- Critical Watersheds**
  -  West Fork/Clear Creek/Clear Creek



### SITE PICTURES



Figure 1. Pictometry photo from April 2020, looking north.



**Figure 2. Looking west along S Victor Pike.**



**Figure 3. Looking north west.**





**Figure 4: Looking southwest at the back of the convenience store.**



**Figure 5: Looking west at the current truck parking area.**



**Figure 6. Looking south at one of two canopies.**



**Figure 7. Entrance of convenience store and two of two canopies.**

**COMPREHENSIVE PLAN DISCUSSION – PHASE I**

The petition site is located in the **Employment** districts on the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan. Points that align with the proposed PUD outline plan are highlighted in **green**. Points that differ from the MCUA districts are highlighted in **grey**.

Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other types of commercial uses that may not be easily integrated into a mixed-use environment. These uses may require large, isolated sites for large-format facilities, or multiple facilities may be organized into coordinated campus-style or industrial park settings. This land use category is intended to accommodate the expansion and changing operations of a wide variety of companies and to foster a well-rounded and diverse economy as part of the Greater Bloomington area.

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

**A. Transportation**

*Streets:* Employment areas require special considerations in roadway design. These areas are typically accessed through arterial connections from the freeway and require accommodations for heavy truck traffic. Arterial connections may include mixed-use corridors, and special attention must be paid to balance the needs of all travel modes while also facilitating industrial deliveries and commuter traffic flow. Arterial streets, such as Third Street, should not exceed five lanes in width (four travel lanes with center turn lane). Local and collector streets will typically be two or three-lanes (two travel lanes with center turn lane). Street connections are encouraged to help distribute traffic, but should be balanced with access management plans to maximize safety. Center medians for select arterial roadways should be considered to improve access management and corridor aesthetics.

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

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



**B. Utilities**

*Sewer and water:* Employment-generating uses provide a fiscal benefit to the community that may warrant additional investments in and possible geographic expansion of sewer systems. Some areas designated for employment uses in the land Use Plan are located outside of current sewer service areas, most notably the area between Clear Creek and SR 37. Additional studies should be undertaken to determine the potential for sewer expansion and necessary capital improvements to serve these areas. Additional studies and surveys may be required to determine the geographic restrictions within developable areas.

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

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

### **C. Open space**

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

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

### **D. Public Realm Enhancements**

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

*Lighting:* Roadways should be lighted for safety and will typically require taller poles ( $\pm 30$  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 DISCUSSION – PHASE II

### South Side Employment

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



### Existing Planned Unit Developments

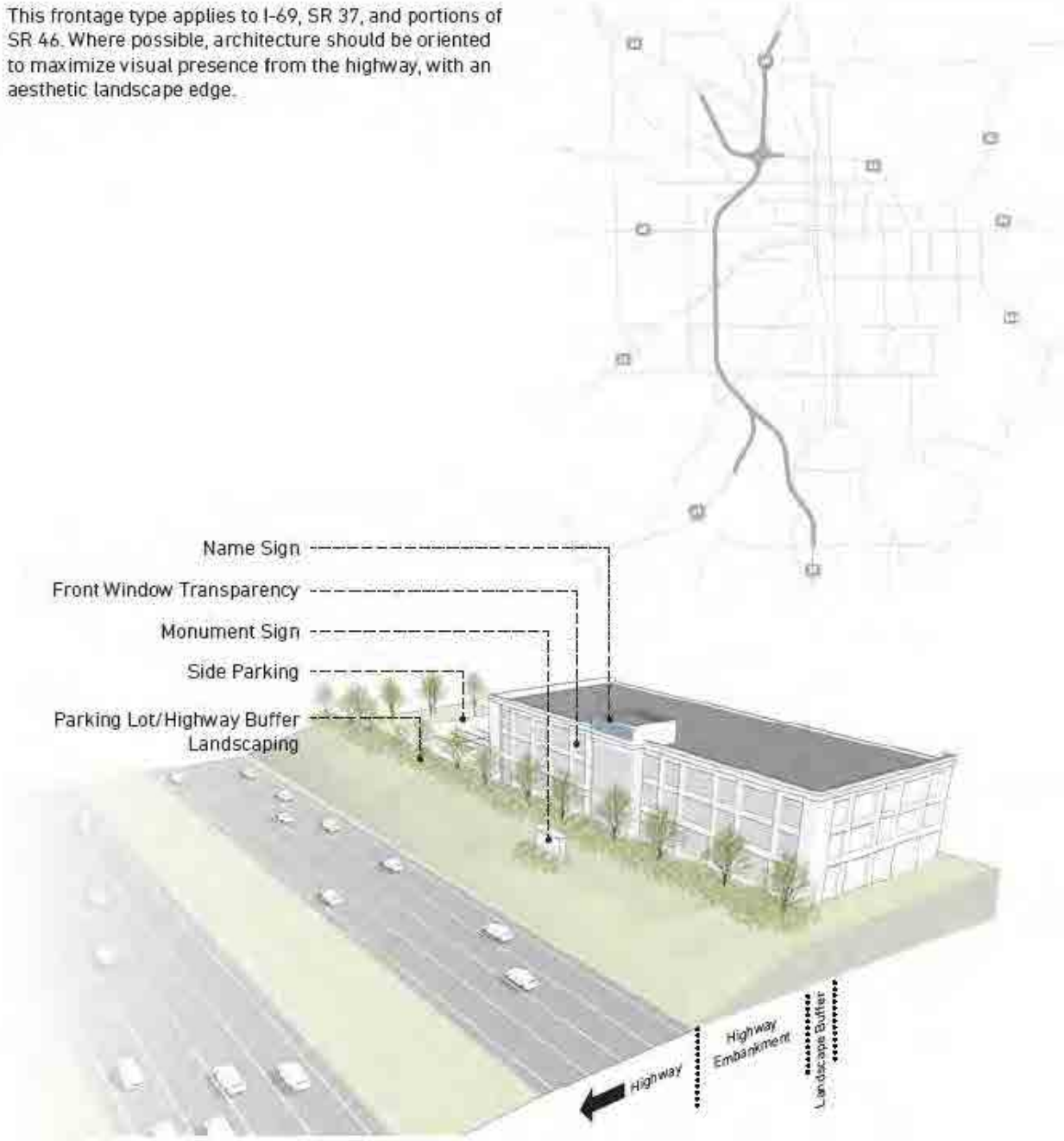
In general, it is the intent of this zoning framework to eliminate the need to establish new Planned Unit Developments by creating an expedited, consistent and predictable set of zoning requirements and approval procedures. However, existing planned developments represent a significant investment by property owners in establishing specific development plans and standards for their properties in conformance with pre-existing development approval procedures. All planned developments in effect prior to the creation of new zoning districts and standards should continue to be considered in effect,

similar to an overlay zone. Opportunities to eliminate the planned unit development overlay will also be accommodated and should be encouraged. PUDs with expired outline plans or without development plans may be reviewed and rezoned entirely, subject to recommendations of this zoning framework.

## Highway Frontage

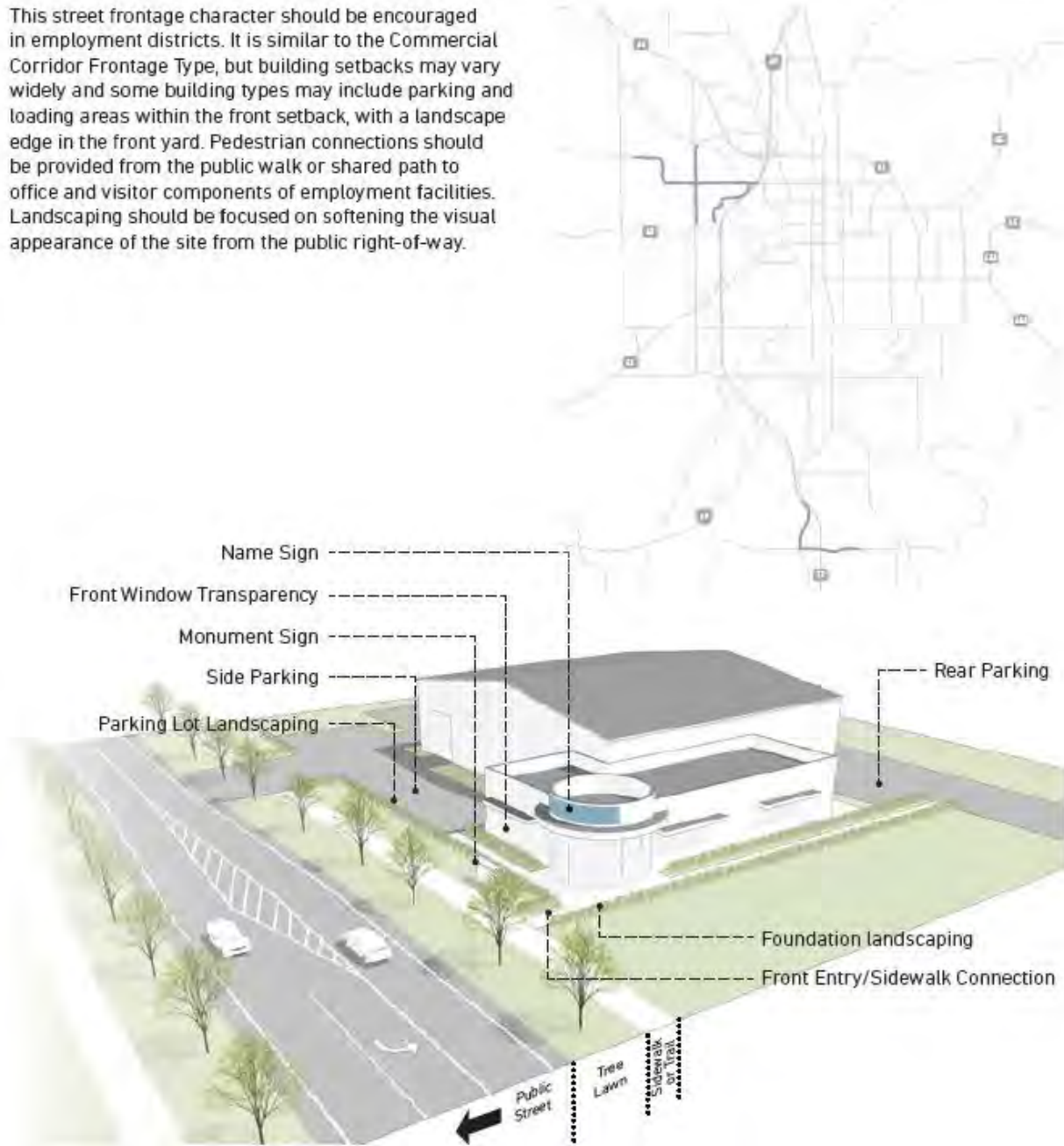
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This frontage type applies to I-69, SR 37, and portions of SR 46. Where possible, architecture should be oriented to maximize visual presence from the highway, with an aesthetic landscape edge.



## Employment Frontage

This street frontage character should be encouraged in employment districts. It is similar to the Commercial Corridor Frontage Type, but building setbacks may vary widely and some building types may include parking and loading areas within the front setback, with a landscape edge in the front yard. Pedestrian connections should be provided from the public walk or shared path to office and visitor components of employment facilities. Landscaping should be focused on softening the visual appearance of the site from the public right-of-way.



## **SUMMARY OF CITIZEN SUPPORT AND REMONSTRANCE**

- Supporters
  - 16 individuals who signed written letters
  - Collected in 2021 – two hundred four (204) signature petition to “allow current operations [restaurant with seating, convenience store, gas station, overnight parking] to continue at the current level due to unmatched accessibility and offerings anywhere in our county”
  - Collected in 2022 – two-hundred sixty-four (264) “yes” signature votes with the question “Should overnight truck parking be permitted on this property?”
- Remonstrators
  - 8 individuals who signed written letters

Letters of **support** can be categorized into the following points:

- Only stop for 100+ miles
- Safety for all users of highways for Drivers to access a rest stop
- Increase truck traffic within city/urban areas
- Safe parking for traveling utility workers
- Family-run, safe establishment
- Trucks newer than 2010 have little to no fumes
- Save Drivers time & money

Letters of **remonstrance** can be categorized into the following points:

- Hazardous cargo of trucks
- Adding new use of overnight parking
- Diesel exhaust
- Additional traffic on Victor Pike
- Noise of trucks/vibration





**EXHIBIT 1: Petitioner Outline Plan Statement (updated 08-08-22)**

**P & G Associates, Inc. Planned Unit Development**

**AMENDED PUD STATEMENT AND OUTLINE PLAN**

P & G Associates, Inc. requests rezoning of its property at 5100 S. Victor Pike, Bloomington, Indiana from Pre-existing Business (PB) to a PUD

**PROPERTY**

Petitioner's property contains 4.93 acres and is located at the northeast corner of the intersection of State Road 37 and South Victor Pike.

**HISTORY**

The real estate was acquired by Alan Terry in 1986. Mr. Terry acquired the property for the specific purpose of establishing a truck stop. He believed a truck stop was needed on the westside of Bloomington. Mr. Terry developed the property as a fuel station for gasoline and diesel fuel, and a convenience store. The convenience store initially sold workwear (boots, jeans, and other work clothing), a few snacks and sundry items and had a small kitchen where food was prepared and served. There was limited table seating. The convenience store also regularly served coffee. Over time the kitchen/coffee service became a draw for local residents to spend some time at the convenience store conversing over coffee. Mr. Terry specifically courted truck drivers to park on the property for rest periods. Generally rest periods were overnight. The truck drivers were a source of revenue. Allowing the truck parking and rest period parking encouraged fuel sales and purchases from the convenience mart or kitchen.

The business was developed and continued when Mr. Terry sold the property and business to Thomas G. Bucci in April, 1998. Mr. Bucci and his partner, Bill Thomas, organized Sunmart Investments, LLC to own and operate the business. Sunmart continued business operations, making some site improvements and better organizing the truck parking.

Sunmart, as the business came to be known, was sold to P & G Associates in September, 2005. Cherian Pilo and Rosie Pilo, husband and wife, who have continued the Sunmart truck stop business. The convenience store operations were expanded with a broader inventory of items for purchase and food items for purchase. The truck parking, during the time Sunmart Investments owned the property, had been broadened to include equipment parking, not involving driver rest periods. Equipment parking was for the same purpose. For example, seasonal work crews, such as contractors retained by Duke Energy for tree trimming and clearing easements, are a temporary seasonal business. No local contractors are available. Companies contract to work in the Monroe County area. The companies have no local headquarters or operations and no equipment parking area. The contractors request an opportunity to park the equipment on the real estate overnight. The parked equipment does not have a driver or occupant overnight nor is it used for rest periods. There is no engine idling for the parked equipment. Drivers do not sleep or rest in the equipment. The equipment parking is an additional source of revenue, also promoting fuel sales and purchases in the convenience mart.

P & G Associates changed fuel brands from Sunoco to Shell and the Sunmart name was discontinued. With the exception of the Shell fuel brand, the basic operations of the business on the site were continued.

### **SITE**

The truck stop developed by Alan Terry consisted of a one story rectangular building to house the kitchen, the convenience mart, along with office area, storage room and teller counter. Various seasonal sales were permitted on the open lot (produce sales, outdoor storage building sales and other short-term sales). The site was developed with a gasoline fueling station covered canopy, separate diesel fuel pump stations and a kerosene dispenser. The drive and limited areas around the fueling stations were paved. The remainder of the driveway for trucks utilizing the diesel fuel island and parking were stone covered and not paved. One pole sign was installed. At a later time (date unknown) a ground sign was installed.

As a result of an ordinance violation complaint and eventually a lawsuit to enforce the ordinance, Alan Terry increased the paved portion of the drive and lot. A stone surface (not paved) was permitted on designated portions of the lot.

### **MONROE COUNTY ZONING ORDINANCE**

The real estate was zoned limited business under the 1986 Monroe County Zoning Ordinance. The zoning classification was assigned prior to Alan Terry purchasing the property and developing the truck stop. While Mr. Terry operated the truck stop, the Monroe County Plan Commission received complaints regarding the parking lot. The complaints led to a Monroe County Zoning Inspector inspecting the site who eventually issued a zoning complaint needing further action letter under case 41-90. Based on inspections in November, 1990, letters of non-compliance were issued to Mr. Terry. A status report was issued by the Zoning Inspector, which stated:

We continued to receive complaints regarding this parking lot. According to the zoning ordinance, all areas devoted to off-street parking shall be of a paved surface unless the area is lightly or irregularly used. This paving area is heavily used by both trucks and automobiles. Also, in looking at setback requirements the ordinance states that all setback areas shall be landscaped and wheel stops shall be provided. Both the property owner and his attorney have been contacted on numerous occasions in an effort to resolve this situation and bring the business into compliance with the zoning ordinance in a manner which would minimize financial hardship.

The Zoning Inspector forwarded the case to the County Attorney. On March 19, 1991, Monroe County Plan Commission received the Zoning Inspector's report for case number 41-90. The Plan Commission unanimously approved forwarding the case to the County Attorney. On July 16, 1991, the Monroe County Plan Commission received a report from the County Attorney that a lawsuit had been filed against the truck stop at Victor Pike and State Road 37. The County

Attorney negotiated a Settlement Agreement with Alan Terry. The Settlement Agreement was approved by the Monroe County Plan Commission and Monroe County Commissioners. The Settlement Agreement was signed by Beverly Sample as President of the Monroe County Plan Commission and Tim Tilton as President of the Monroe County Commissioners. Based on the Settlement Agreement, the County Attorney dismissed the ordinance violation lawsuit. The Court order dismissing the lawsuit based on the Settlement Agreement is dated June 19, 1991. Supporting documents arising from the 1991 litigation are filed separately. Truck parking was not cited as an ordinance violation, was not prohibited or restricted under the Settlement Agreement or otherwise identified in the litigation as a prohibited use or activity on the real estate. The litigation did identify the ongoing use as a truck stop; however un the Planning Director’s opinion, a truck stop specifically denotes truck parking as an ongoing use in a truck stop.

**TRUCK STOP**

The Monroe County Zoning Ordinance was amended to adopt an ordinance specific to truck stop/travel plaza sometime before 2018. The term truck stop, as used by Alan Terry and by anybody in the subsequent years, did not have in mind a truck stop as now defined in the Monroe County Zoning Ordinance. A comparison of the uses on the truck stop property at Victor Pike and truck stop as now defined by the Monroe County zoning ordinance shows the significant contrast in scope and intensity of uses.

Ordinance Definition	Sunmart Truck Stop Uses
Fuel sales to truckers	x
Support facilities for truck drivers	
Scales	
Truck Wash	
Tire repair and sales	
Barbershop	
Restaurant	x-limited
Shower Facility	
Convenience Store	x
Trucker’s lounge (e.g. TV, internet)	
Motel/Hotel	
Laundry	
Propane gas bottle dispensing	
Temporary, daily or overnight parking	x

P & G PUD restaurant: limited indoor seating to 1,000 square feet.

**MONROE COUNTY ZONING ORDINANCE**

The Planning Director, Larry Wilson, did a use determination on the truck stop. He identified the business operating on this property as a truck stop solely on the fact that truck parking (the driver rest parking) and equipment parking were allowed by the owner. If the truck parking alone constitutes a truck stop, then Monroe County Plan Commission, Board of Commissioners,

County Attorney and Zoning Inspector were all aware that the truck parking in a truck stop was operating on the property in 1991 prior to and as a result of the litigation which the County settled. Neither the Zoning Inspector's report to the Plan Commission nor the Settlement Agreement that the Plan Commission and County Commissioners approved identified truck parking as a zoning violation. The zoning violations arose from truck parking on the property which required enforcement of site conditions such as setbacks, wheel blocks at the truck parking, landscaping upgrades and paving of the stone lot and driveways. The Settlement Agreement did not restrict truck parking.

In 1996, Monroe County adopted the pre-existing business zone. The then existing business operations on the property were continued under the pre-existing business zoning designation. Truck parking for driver rest periods and equipment parking generated business, basically as customer parking, was part of the ongoing business operations under the pre-existing business zone classification.

### **TRUCKING INDUSTRY**

Over the more than three decades of truck parking on the real estate, the trucking industry has gone through changes. Idling engines and resulting motor noise and diesel fuel exhaust odors were a part of the truck parking. That existed from the time that Alan Terry started the truck parking as part of his business model in about 1988. The engine idling and the impacts have largely changed. Few long haul trucks now idle engines. The cost of diesel fuel is too expensive to run the engines. In 2010, the Environmental Protection Agency mandated the use of selective catalytic reduction ("SCR") in diesel engines. A fuel additive was developed known as diesel exhaust fluid ("DEF"). The combination of the use of DEF and SCR system greatly reduced diesel exhaust fumes. The result is a sharp reduction in diesel exhaust, including the odor from diesel exhaust. Today, diesel engines yield very little and hardly detectible diesel fuel odors. At the same time, the industry developed a power pack unit to add to the newer truck cabs. The power pack operates the HVAC, heat and/or air conditioning, for inside the cab during the rest breaks and sleep periods. It is no longer necessary to idle the engines. Use of diesel fuel to idle an engine costs approximately one gallon of fuel per hour of engine idling. The power packs are rated at one-tenth of a gallon per hour, although anecdotally, truck drivers report their experience as closer to a quarter of a gallon per hour, not one-tenth of a gallon per hour.

Petitioner has patrolled the truck parking from time to time. It is rare to find an engine idling. The power pack units are in operation and can be heard. But, walking approximately 100 feet away from the power pack operating on a truck parked on the property and no noise from the power pack was heard. That was over an open lot with no trees or any other sound buffer or barrier.

Neighbors at a recent neighborhood meeting all consistently reported not hearing any engine idling noise or smelling diesel fuel odors from their properties.

The neighbors consistently reported hearing the highway traffic background noise on State Road 37 from their residence, but not hearing truck engine noise emanating from this real estate.

Because of the use of the power packs on newer trucks, newer trucks are not equipped to use an electronic parking station to plug in during a rest period.

### **REQUESTED PERMITTED USES**

Fuel sales (gasoline, diesel, kerosene and electronic vehicle charging stations)

Convenience mart (food, snacks and sundry sales, small merchandise sales)

Fast food service located within the convenience mart (drive-thru window option)

Customer truck parking (rest periods, including overnight; equipment parking, excluding parking by operators or contractors with a local office and place of operations)<sup>1</sup>

Carpool / rideshare parking

Seasonal sales (exterior on the lot), not to exceed 60 days for a vendor (e.g. local farm produce, firewood)

Accessory use: one bedroom apartment (restricted to occupancy by owner or employee)

### **SITE PLAN CHANGES**

Truck and equipment parking: To be in improved locations adequately marked by striping or signage designating permitted parking areas. Appropriate signage to prohibit parking. Signage prohibiting engine idling during extended rest periods.

Paving: paving on the lot will be expanded to ensure that all driveways, aisles, pump stations, customers, carpooling, employee parking areas are paved. Limited areas designated for equipment and truck parking may remain permitted for a stone surface (per 1991 Settlement Agreement).

Greenspace: Not less than 25% of the lot will remain permanent landscaped or natural open space. Existing trees shall be maintained and removed only in accordance with best practices management for dead and diseased trees. Any tree removed will be replaced with a tree from the approved species list maintained in the Monroe County Zoning Ordinance. The vegetative/tree buffer zone along the east property line and portions of the south property line will be maintained. The permanent open space shall be conveyed by a grant of conservation easement to Monroe County Plan Commission or its designee. The conservation easement shall require the property owner to maintain the permanent open space vegetation, trees and shrubs in good order and in accordance with best practices management to sustain and/or replant trees. Owner may

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<sup>1</sup> The truck parking and equipment parking is not intended to be leased parking to local contractors and operators. It is temporary parking for contractors and operators that otherwise do not have a local site for operations, including parking.

maintain a ground sign and existing pole in the permanent open space. The permanent open space shall not be paved nor have stone added. The permanent open space shall not be used for parking, seasonal sales, or as traffic aisles.

**PUD OUTLINE DETAILS**

<p>Uses</p>	<p>Fuel sales;                  Restaurant (small);                  Convenience store;                  Temporary, daily or overnight trucking equipment parking                  One two-bedroom apartment</p>	<p>Restaurant seating not to exceed 1,000 square feet</p>
<p>Setbacks</p>	<p>Front: (State Rd 37) 100 feet                  Rear: (eastside) 50 feet                  Side: (Victor Pike) 50 feet</p>	
<p>Parking</p>	<p>Truck parking                   Equipment                   Carpool/rideshare and employee</p>	<p>Rear yard area – 15 foot setback                  30 designated spaces                   Rear yard area – 15 foot setback                  10 designated spaces                   West side                  25 designated spaces</p>
<p>Paving</p>	<p>Existing paving and additional paving to be added (phased)                            Phased paving</p>	<p>All portions of the lot on the south and west sides of the existing building used for motor vehicle traffic or parking                   Access drive from the entrance (Victor Pike), east and north of the building to the diesel fuel islands, 40 feet width)                   North and northwest side; all areas in proximity to the diesel fuel island, and associated driveway areas                   Any paving deficiency to be completed within 12 months                   Partial paving to designate</p>



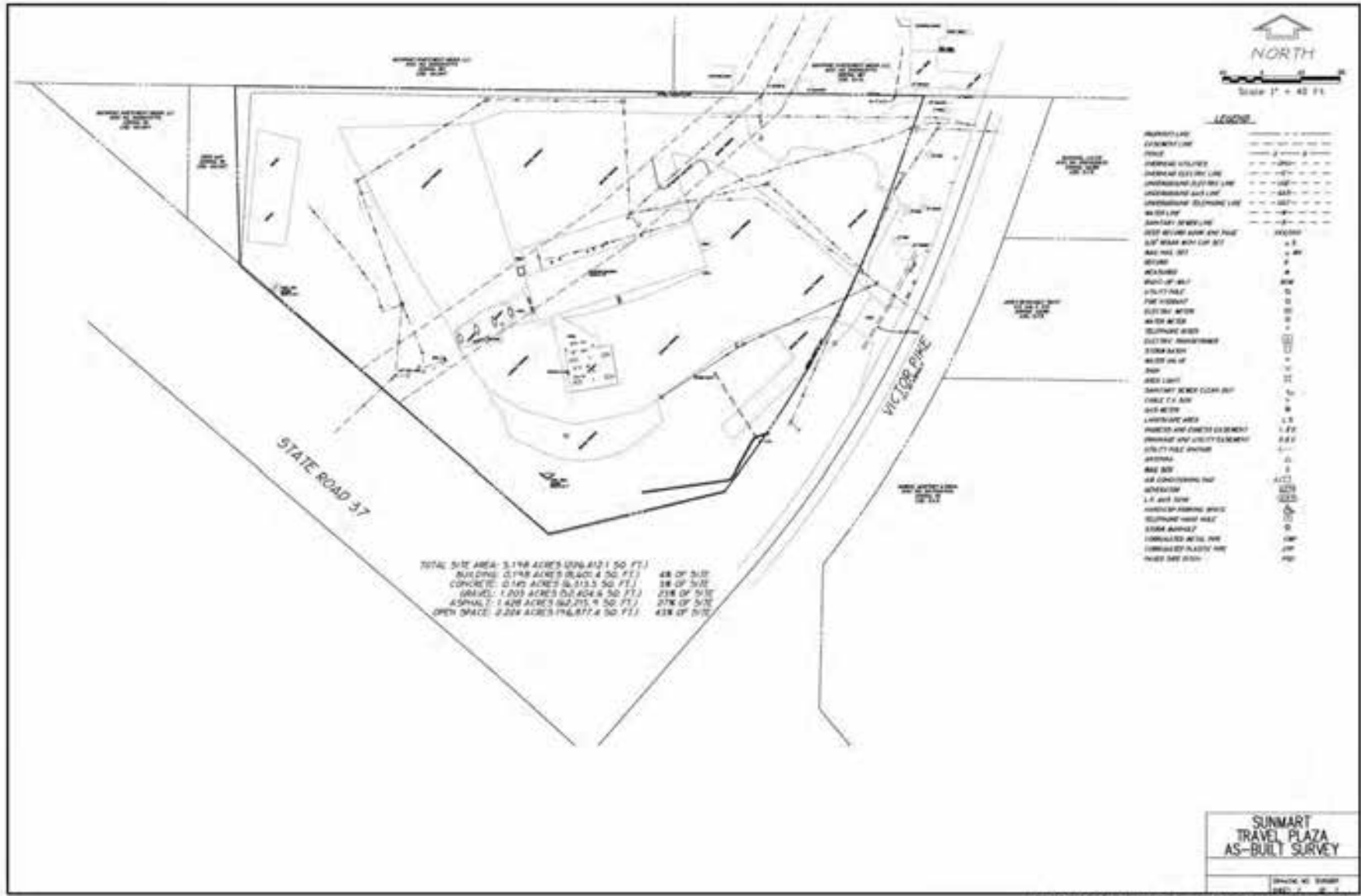
	Lighting	On site lighting shall be shielded and directed to minimize light spillage onto adjacent properties or interference with dark sky. Lighting shall not exceed one candle power at a property line. Pole sign and monument sign may be backlit.
Improvements	Existing convenience mart building  Canopies  Shelter house	Approximately 9,000 square feet (block wall development with pitched roof)  maximum height 22 feet subject to second story development for the accessory apartment  Fuel islands and pumping stations will be covered by canopy. The fuel pumps canopy is approximately 1,500 square feet; gasoline station island is approximately 2,000 square feet  Electronic vehicle charging stations will have industry standard canopy or cover  Exterior seating area consisting of a small shelter house on a poured concrete pad with adequate room for six to eight seating (typical picnic table)
Signage	Pole sign  Ground sign  Informational and directional signage	One pole sign not to exceed 35 feet in height  Two sided ground sign (illuminated) not to exceed 42 feet per side  Control signage, parking signage and directional signage as needed



	Informational and advertising signage	Not to exceed 20 square feet per sign and aggregate signage not to exceed 2,000 square feet
Lot size	Not to exceed five acres	

437450 / 24933-1

**EXHIBIT 2: Site Plan**



### EXHIBIT 3: Illustration of Overnight Parking in Monroe County

The image displays the 'Trucker Path: Truck GPS Truck Stops Weigh Stations' app interface on the left and a map of Monroe County, Indiana, on the right. The app interface includes a 4.2-star rating, 3M+ downloads, and an 'Install' button. It lists features like 'TRUCK STOPS', 'PARKING AVAILABILITY', and 'WEIGH STATIONS'. The map shows a network of roads with various icons for truck stops (T), weigh stations (W), parking (P), and fuel (F). A 'Petition Site' is marked with a red circle and a 'T' icon. Three callout boxes provide details for specific locations:

- Pilot Travel Center #318**  
I-465 & IN 37
- Sami's Pancake House**  
1411 IN-45, Solsberry, IN
- White River Co-Op**  
45 Sand Rd, Bloomfield, IN

The map also shows distances from the Petition Site to other locations: 21 m to a weigh station, 20 m to a truck stop, and 61 m to another weigh station. A search bar at the bottom of the map interface allows for searching for places and addresses. The bottom navigation bar of the app includes icons for Home, Events, Truck Path, Services, and Profile.

**EXHIBIT 4: Planning Use Determination**

RECEIVED

FEB 26 2020



**MONROE COUNTY PLANNING DEPARTMENT**  
 Monroe County Government Center, 501 N. Morton St., Suite  
 224 Bloomington, IN 47404  
 Telephone: (812) 349-2560 / Fax: (812) 349-2967

MONROE COUNTY PLANNING DEPARTMENT

**Use Determination Form**

RD-1C-

*In the case where a land use is not clearly listed in Chapter 802 or Chapter 833 of the Monroe County Zoning Ordinance, the Monroe County Planning Department may issue a formal determination based on the information provided herein. This determination allows the applicant to know if a land use is permitted use or conditional use, or not permitted.*

**PROPERTY OWNER CONTACT INFORMATION**

**REPRESENTATIVE CONTACT INFORMATION - if applicable**

Name: <u>CHERIAN PILO</u>	Name: _____
Address: <u>5100 S. VICTOR PIKE RD</u>	Address: _____
City, ZIP: <u>BLOOMINGTON, IN 47403</u>	City, ZIP: _____
Phone: <u>812-824-3706</u>	Phone: _____
Email: <u>PCSUNMART@GMAIL.COM</u>	Email: _____

Review of a Use Determination will begin only after this form is submitted to the Planning Department by the applicant.

Upon receipt of all required information, the Planning Department will review the materials and notify the applicant of the outcome by email or mail, as indicated below.

**Required property information:**

Date: 2/26/2020

Address for Land Use: \_\_\_\_\_

Parcel Number or Tax ID: \_\_\_\_\_

Total acreage: \_\_\_\_\_ Township & Section #: \_\_\_\_\_

**Notification Preference:**

Email  Mail

**Required land use information:**

Business title or Owner name: CHERIAN PILO

Size of operation in total square feet or acres: \_\_\_\_\_

Number of Employees (On-site, both full-time & part-time): 13

Number of Vehicles (used in operation of industry): 0

Hours of Operation: 24 hours

Use, manufacture, or generation of any hazardous materials and/or waste:  
Convenience store, gas & diesel sales

(Continued on other side)

Required: Detailed description of the land use(s):

Note: The more complete this information, the more accurate the determination. It may also be necessary to request additional information.

Neighborhood may park overnight without charge but not ~~usually~~ continuously. Usually parked overnight and gone in the morning. Prairie Farms may keep one or two trucks on the property but are never used.

Useful Code References:

Monroe County Zoning Ordinance: Chapters 802 & 833

Office Use Only

Date issued:	Additional Documents Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning of Property:	Staff name: ANNE [initials]
Current use:	Is this a Change of Use, as defined in Chapter 801? <input type="checkbox"/> Yes <input type="checkbox"/> No
Use Determination for Land Use:	Chapter for Zoning and Use Table: <input type="checkbox"/> 802 <input type="checkbox"/> 833 <input type="checkbox"/> Bloomington UDO (2014)
Notes:	

2019-USE-11

**USE DETERMINATION**

5100 S Victor Pike, Bloomington, In 47403-9748

**Zone: Pre-Existing Business (PB)      Use Determination: Convenience Store**

**Use Definition from Chapter 802, Monroe County Zoning Ordinance**

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

Convenience Store is a permitted use in the Limited Business (LB) and General Business (GB) zones; as a permitted business use, it is also permitted in the Pre-Existing Business (PB) zone.

The building has been assessed as a **Convenience Market** since it was constructed. The building exceeds the maximum size for a convenience store as per the definition, but the building, which was constructed in 1990, predates the ordinance and is "grandfathered".

**Truck Parking Not Permitted**

The parking of trucks as described could be considered one of the following uses:

*Truck Stop/Travel Plaza. A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a "truck driver" who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.*

*Trucking Terminal. A terminal facility used by highway-type, property-carrying vehicles, which may include truck maintenance facilities.*

A **Truck Stop/Travel Plaza** is a conditional use in the Heavy Industrial District (HI).

A **Trucking Terminal** is a conditional use in the Light Industrial District (LI) and a permitted use in the Heavy Industrial District (HI).

Overnight parking of trucks or trailers at 5100 S Victor Pike, Bloomington, In 47403-9748 is not allowed.

~~March 31, 2020~~

s/ Larry J. Wilson, Planning Director

**EXHIBIT 5: Letters of Remonstrance**

June 24, 2021

To: Monroe County Plan Commission

From: Patty & Dave Busch  
1250 W. Church Lane,  
Bloomington, IN, 47403

RE: **PUO-21-1** P&G Planned Unit Outline Plan

As residents of the neighborhood for over 22 years, we often enjoy the shopping convenience of the gas station/convenience store/deli located at 5100 S. Victor Pike. Having heard that this property is up for a potential change in business focus, we want to make the following comments:

**We are in Opposition to PUO-21-1 (Truck Stop-Small)** for the following reasons:

- We DO NOT support adding a new use for extended time parking or overnight parking of over the road tractor-trailer rigs.
  - The tractors usually keep their diesel engines running to power the heater or air conditioner while the driver is sleeping/resting in the cab. This diesel exhaust is a noxious emission and is a proven carcinogen. This is a potential health and safety issue to the neighborhood.
    - The US Environmental Protection Agency (EPA) classifies diesel exhaust as “likely to be carcinogenic to humans”.<sup>i</sup>
    - The National Institute for Occupational Safety and Health (NIOSH) has determined that diesel exhaust is a “potential occupational carcinogen”.<sup>ii</sup>
    - The International Agency for Research on Cancer (IARC), a part of the World Health Organization classifies diesel engine exhaust as “carcinogenic to humans”.<sup>iii</sup>
    - The National Toxicology Program (NTP) has classified exposure to diesel exhaust particulates as “reasonably anticipated to be a human carcinogen”.<sup>iv</sup>
    - “Scientists find evidence of link between diesel engine exhaust, risk of Parkinson’s.”<sup>v</sup>
  - The trailers often contain temperature sensitive cargo; necessitating an additional heating/cooling unit (Auxiliary Power Unit, or APU) to be running via diesel power, contributing to additional diesel exhaust.
  - Tractor-trailer rigs often haul hazardous cargo. A leak from a parked truck carrying hazardous liquid could create an environmental and public safety hazard to the neighborhood. Concentrating 20 rigs in close proximity increases this threat hazard.
  - Enforcement of a “no idling policy” will be very difficult due to the limited on-site staff at the business and the reluctance of drivers to shut off their rigs during rest periods. Signage alone would be an ineffective deterrent.

We do support the (as currently permitted) use of the business as a “Gas Station/Convenience Store/Deli and for the continued use of the parking lot for commuters to park cars and pickup trucks.

Respectfully Submitted,

Patty & Dave Busch

<sup>i</sup> Environmental Protection Agency. Integrated Risk Information System: Diesel engine exhaust (CASRN N.A.) 2012. Accessed at [https://cfpub.epa.gov/ncea/iris/iris\\_documents/documents/subst/0642\\_summary.pdf](https://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0642_summary.pdf)

<sup>ii</sup> National Institute for Occupational Safety and Health (NIOSH). *Current intelligence Bulletin 50: Carcinogenic Effects of Exposure to Diesel Exhaust*. 1988. Accessed at [www.cdc.gov/niosh/docs/88-116](http://www.cdc.gov/niosh/docs/88-116)

<sup>iii</sup> International Agency for Research on Cancer. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans. Vol 105: Diesel and Gasoline Engine Exhausts and Some Nitroaranes. 2013. Accessed at <https://pubmed.ncbi.nlm.nih.gov/22946126/>

<sup>iv</sup> National Toxicology Program. *Report on Carcinogens, Thirteenth Edition*. 2014. Research Triangle Park, NC: U.S. Department of Health and Human Services, Public Health Service. Accessed at [https://ntp.niehs.nih.gov/ntp/newhomeroc/other\\_background/dieselexhaust\\_508.pdf](https://ntp.niehs.nih.gov/ntp/newhomeroc/other_background/dieselexhaust_508.pdf)

<sup>v</sup> "Scientists find evidence of link between diesel exhaust, risk of Parkinson's." Caroline Seydel/May 19, 2020. newsroom.ucla.edu <https://newsroom.ucla.edu/releases/scientists-link-diesel-exhaust-parkinsons-disease>



**Anne Crecelius**

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**From:** Guy Loftman <guy@loftmanlaw.com>  
**Sent:** Monday, June 28, 2021 5:05 PM  
**To:** Anne Crecelius; Larry Wilson; Dave Busch; Erika Morris; Guy Loftman  
**Subject:** Deny PUO-21-1, 5100 S. Victor Pike truck stop

Dear Plan Commissioners,

Pre-existing commercial uses are designed to accommodate in-place businesses that are inconsistent with new zoning requirements. They make sense. Our family has lived at 4835 S. Victor Pike since 1974. We're downhill from the gas station and convenience store at 5100 S. Victor Pike. We've used it for the 30 years it's been there. It is an asset to our neighborhood. We support its continuation "as is".

However, we oppose the proposed expansion of the permitted use to a truck stop, as sought in PUO-21-1. We don't need more traffic on Victor Pike. We don't need more diesel exhaust from idling trucks near the little town of Clear Creek. (Our home is on the same large country block as the Clear Creek Post Office.) We don't need more toilet flushes discharged through a septic system so near to the West Fork of Clear Creek. (Health Department records show that this septic system was permitted in 1990.)

At the June 22 virtual neighborhood meeting organized by attorney Mike Carmin he stated that Petitioner does not charge any fee for overnight or driver-break parking. It is just a courtesy to truckers. It doesn't create an income flow. There is no reason shown to believe that enforcement of the current overnight parking prohibition would meaningfully affect the station's viability.

A good governmental policy is that violations of privileges should not be rewarded by increasing those privileges. Petitioner's disregard of existing restrictions is no justification for abandoning them.

It is unfortunate that state and federal authorities provided no rest stops in the hundred miles of I-69 between Evansville and Bloomington. But Petersburg, Washington and Crane are more appropriate stopping places than Victor Pike. I assume that Walmart, Sam's Club and Rural King provide ample near-by parking opportunities for truckers. Overnight truck parking on Victor Pike would be a bad solution to a problem better addressed at other locations.

Please vote "no" on PUO-21-1.

Thank you for your service on the Plan Commission.

Guy Loftman  
Connie Loftman  
Sam Cusack  
Eve Loftman Cusack  
4835 S. Victor Pike  
Bloomington, IN 47403

--

Guy Loftman  
4835 S. Victor Pike  
Bloomington, IN 47403  
(812) 679-8445

Guy Loftman is a retired attorney, and is no longer practicing law

June 28, 2021

Monroe County Plan Commission,

We are writing to express concerns related to the proposed PUD (PUO-21-1) for the Shell gas station located at 5100 S. Victor Pike. We live across the street from the gas station, and are one of several residential properties directly impacted by noise from diesel engines idling overnight in the parking lot.

Before we bought our property in 2017, we made numerous trips to our future property in the late evening hours. One of our initial concerns was how loud the gas station might be in the overnight hours. In our trips, we never noticed any substantial noise issues. At that time, there were trucks parking overnight, but they were either unattended or parked around behind the station, far enough away they could not be heard. Prior to purchasing our home, we also looked into surrounding zoning to determine what could happen in the future with the completion of Interstate 69. We were not aware at this time overnight parking/idling was not permitted at the gas station. Only during another rezone request did we learn overnight parking/idling was not allowed.

It is also important for us to share we rarely hear any highway noise from State Road 37 in our home. The idling of the trucks is the right frequency that it vibrates the house and can be readily heard inside.

To further worsen the impact of the parking and idling, during the summer of 2019, a large amount of fill was brought in and leveled out at the northeast corner of the property. This area of the property is across the street from several homes (including us) and adjacent to one. From this point on, neighbors have been subjected to idling trucks throughout the overnight hours.

Once enforcement was opened in the spring of 2020 (as a result of a complaint filed through the Monroe County Planning Department) lighting and tree removal concerns were addressed. The mature evergreen trees that had been removed were replaced with small trees that lose their leaves every winter, which meet county zoning requirements but does little to provide a buffer between gas pump canopy lights and the surrounding properties. Additionally, as a result of the enforcement, a sign was installed stating "no overnight parking without a permit" despite no overnight parking being permitted. In an attempt to remedy the overnight parking at the northeast corner of the property, traffic cones and railroad timbers were placed in this area to block access. This area (which was formerly green space) is now being utilized for commuter parking during the day. These restrictions do not stop the trucks from parking and idling in the northeast parking area.

At the beginning of the enforcement, this area remained free of idling trucks and the nighttime hours were once again quiet. However, in recent months, it has become increasingly common for the cones to be moved at some point throughout the night to allow trucks to once again park adjacent to homes. Signs and cones give the appearance of compliance, but do nothing to help with a sleepless night when neighbors are listening to the sound of diesel engine or refrigerated truck idling. Since enforcement was started the overnight truck parking has never stopped and overnight parking is commonly in excess of 20 trucks. From county planning we were initially told the enforcement issue was closed but it is now being communicated that enforcement is still open. We are struggling to understand how enforcement opened in the spring of 2020 can still be open over a year later, with it also taking a year to file a PUD.

The petitioner has several requests in the proposal, but the allowance of overnight parking is our major area of concern, along with the ability to enforce the related zoning ordinances. Every public meeting

we have attended has had a common theme, and that is enforcement of the regulations surrounding the overnight parking proposal will be challenging, if not impossible. If the current zoning for no overnight parking is unable to be enforced by the county or the business, how will it be possible to enforce the proposed limited number of parking spots, reduction in hours for no overnight parking/idling and ensure greater distance between residential properties and parking? Currently, trucks are parking in any available flat space on the property they can find, even if that means moving cones or backing into grassy areas. It has been stated the business owners are unable to enforce the no overnight parking due to lack of staffing. Allowing this overnight parking and creating the PUD will only further perpetuate enforcement issues that surrounding property owners are forced to endure.

In reviewing the Monroe County Truck Stop/Truck Plaza Ordinance, this proposal seems to be missing many of the carefully thought out requirements (e.g. proper buffering and landscaping) that the ordinance included to help protect surrounding neighborhoods. The petitioner's representative shared that a landscaping buffer would be placed along Victor Pike where the 2019 parking lot expansion took place. We fail to see how this will be enough to alleviate the problem given the parking lot is at a higher elevation than Victor Pike and overhead power lines are present. Any trees planted to act as a buffer will simply be cut by the utility company given a utility easement runs through that portion of the property.

In closure, we support the currently permitted uses of the gas station. However, with the proximity to a residential area combined with ongoing enforcement issues, this simply is not the place to allow for overnight parking.

Geoff & Erika Morris

5075 S. Victor Pike  
Bloomington, IN 47403

**EXHIBIT 6: Letters of Support**

**Steve's Roofing & Sheet Metal**  
**5108 South Commercial Street**  
**Bloomington, IN 47403**  
**812-824-3006**

7/14/2021

To: Monroe County Planning

Re: P&G Associates, LLC request for PUD

We would like to extend our support to P&G Associates for their request of a PUD at the 5100 S Victor Pike location. We have been business neighbors with them for over 20 years and have never had any issues with the way they run their business. We own a business on the west side of highway 37 and we own rental homes at 4998, 4976, 4995 and 4990 S Victor Pike. We have never received any complaints from our tenants regarding the gas station.

We attended the public meeting to learn what they were asking for in the PUD. All their requests seem reasonable. I also feel that allowing trucks to overnight in their back parking lot is essential for our local trucking industry.

Thank you for taking our support of their PUD into consideration. We appreciate the work you do for Monroe County!

Best regards-

George & Betty Schermer

Owners Steve's Roofing & Sheet Metal



Brian Hendrickson <BHendrickson@TownsendTree.com>

**Parking**

To: Anne Crecelius

This is Brian Hendrickson, Supervisor, for Townsend Tree Service. We park our trucks at Rosie's gas station off of Victor pike, it's convenient and a safe place to park. We are in the Bloomington district doing vegetation control for local utility, It's convenient for getting fuel and it allows the guys to get their lunch before leaving the pullout for the day. We park trucks in the evening and secure all trucks (not running) until the following day.

Sent from my iPhone



Mon 7/19/2021 2:48 PM

Robert J. Hupp <rhupp@TownsendTree.com>

**Townsend tree service**

To: Anne Crecelius

Hi this Robert Hupp I am the general Forman for the Bloomington area I wanted to reach out to you just letting you know this has been a great parking area for us for over 10 years we contract with duke energy to keep electricity on for Bloomington.

We start work at 7:30am to 5:30 pm these trucks are parked in the evening the guys go home we do not stay in trucks overnight and trucks do not idle overnight .

We get all the fuel here and food and water for the employees

Sent from my iPhone



Tue 7/20/2021 3:41 PM

Rick Smallwood <rickroadking214@gmail.com>

**Truck stop**

To: Anne Crecelius

I want overnight parking at the truck stop like it has been for years and should continue to be .

Thank you

Rick Smallwood

Sent from my iPhone

**From:** Hunter Henderson <hdh19942013@gmail.com>  
**Sent:** Tuesday, July 20, 2021 9:39 AM  
**To:** Anne Crecelius  
**Subject:** Shell Fuel Station

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

My name is Hunter Henderson. I've worked at Sternbergs International on Dillman Road for short of 5 years now. Rosie and Pilo have always been kind to me and all patrons of their establishment. This has been a frequent place of my business over the last several years and has always been a sanitary and clean environment.

Even during the difficult time of COVID they implemented and did their part in enforcing and complying with Monroe county, state, and federal requirements and guidelines.

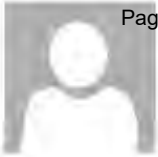
Closing their station because of the complaints of those who willingly, and knowingly purchased residential property near multiple commercial properties is beyond adult, or rational thinking or behavior. This will only set a precedent that those who are unhappy of neighboring businesses need only cause a big enough of a concern and our local authority and government will simply revoke their privileges of operating a business where they have for years.

This station has been operating more years than I have been alive. To close it now after all this time would be a great financial mistake for this area and create hazardous traffic in town. Closing a truck stop outside of the city limits of Bloomington as I-69 continues to increase our traffic daily would be foolish. It would drastically increase heavy truck traffic in town and at fuel stations not adequately sized for the traffic this station sees.

I greatly implore for the Monroe Co board NOT to close or implement any further restrictions upon the Shell Fuel station. I ask that this ruling be based on fact based, rational thought and decision making qualities, and not emotional pleas from adults who made a decision and now regret it and are attempting to force their will upon others.

I would love to answer or give any statements in person if need be.

Thank you,  
Hunter D. Henderson



David Dahms <davedhmswijs@gmail.com>

Over night parking

To Anne Crecelius

The location in question is a vital part in the transportation industry. Would be very detrimental of losing such a location like this for parking, it save drivers time and money by allowing them to get closer to their pickups or deliveries.

Dave Dahms  
Driver

**From:** Trohn Enright-Randolph  
**Sent:** Friday, August 6, 2021 8:51 AM  
**To:** Anne Crecelius  
**Subject:** FW: 5100 S Victor Pike

FYI –

[Trohn Enright-Randolph](#)

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**From:** [Tina Rogers](mailto:tinaclooney@yahoo.com) [mailto:tinaclooney@yahoo.com]  
**Sent:** Tuesday, July 20, 2021 3:55 PM  
**To:** Trohn Enright-Randolph <tenright@co.monroe.in.us>  
**Subject:** 5100 S Victor Pike

Good Afternoon,

I am reaching out to you today as one of your supporters. I would like to discuss the on going discussion of this property, i would first like to speak to the family that owns and operates this business. This amazing family has become just that, family. They have watched my children grow up and genuinely care for their customers and know many by first name. They even know what customers are friends with other customers. It really is just a unique situation. They make an effort and that is COMPLETELY lost in customer service today. It also makes this store unique. Unique because there is a certain amount of safety that comes with knowing your customers. Many of us would feel compelled to help the other if there ever was a problem. That being said, I, a 48 year old woman frequently run to their store for many reasons, at every hour of the day. I have sent my 19 year old daughter to their store at all different hours. I leave my car on and unlocked, for my dog who always loves to ride along, I go in and do not worry about it. It is more than safe. I attribute part of that to the fact that there are trucks parked out back and that alone deters crime. This is the store so many of us run to when we ran out of the milk we need for that recipe, someone needs stomach medicine and it's 3 am, for coffee when you forgot it (that alone should be a reason for their business, that has saved some lives.), for the kids breakfast on the way to school. Healthy options and their amazing chicken fingers, for the day you just need chicken fingers. They provide a service to many that is more than needed. I hear the issues lie within the vehicles being parked on their land, you really need to look at the fact that they house Townsend and Aspplund at times. These are often emergency management for our county and surrounding county. This keeps them close, this keeps us moving and our community running. They allow them to park there and to purchase fuel on credit if emergency services are required and fuel is needed. They do not have to do that but they do that to serve our community. Please lets not let a woman who purchased a home where an establish business has been for years, make the rules. I see this as being held hostage by someone who wants to make her own rules. I fear the city sewer treatment facility will be next. Then the race track, she may even be unhappy with Rails to Trails. It seems an easy adjustment or two and let this business continue to be a place everyone feels safe and welcomed.

I am attaching a petition to give you an idea how supported this business is by your constituents. I truly hope you hear us all when we tell you what we want. This was only 6 whole days of signatures supporting the business being allowed to operate in all the currently provided capacities.

I appreciate your time and look forward to hearing from you. I will be present this evening.

[Sent from Yahoo Mail for iPhone](#)



**EXHIBIT 7: Support Petition (received 7/21/21)**

**PETITION**

To the honorable members of the Commission of Monroe County of Indiana






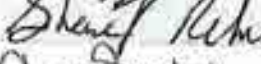



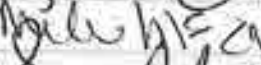







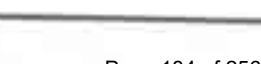
The petition of the undersigned residents of Monroe County

**Argument:**

We believe the Shell Station located 51005 Victor Pike, Bloomington, Indiana, 47403 should remain operating and serving our community at its current capacities as a restaurant with seating, a convenient store, a gas station and overnight parking as they deem fit for their land.

**Request:**

We believe the Commission should allow current operations to continue at current level due to the unmatched accessibility and offerings anywhere in our county.

Name	Signatures	Address
Tina Rogers		4582 S Patricia Ln Blount
Tyler Dees		7366 S Coffee Dr.
Dakota Delakos		954 N. Woodbridge Dr
Gracie Roberts		305 W Gordon Pike
Ron Brewer		Bedford
Mason Gray		2004 W Stanton Ct
Shane Rehmel		7100 S McCann Ln
Amy Smith		5295 S. Post Rd
Josh Prince		2247 W Purcell Rd
Tyler Potter		2232
DENNIS C LAMM		KETCHUM W
M. REAGAN		8755 Rockport Rd
Gary Smelser		117 Indiana Ave
Isaiah Fletcher		7730 S. Zipes Rd
William DeKard		7688 Old St
Phil STAPLETON		3707 Woodman Way
Ed Cole		6946 E. Main St
Benjamin		9457 E Washburn Rd

NAME




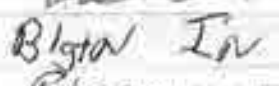
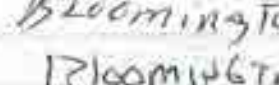
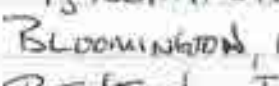
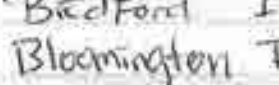

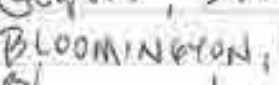
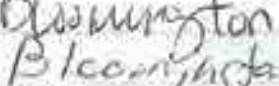













Signature




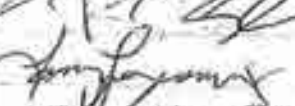


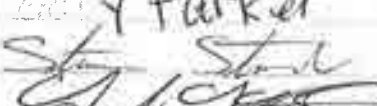






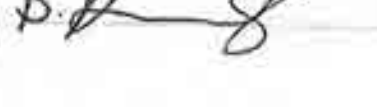
Address

Eric Whitney		3400 S Sore Rd
Tan Snodgrass		616 S Park
Brady Troth		7610 S. Harmony Rd
Nick Johnson		2327 H. Street
Joe Breeden		7085 Cory Lane #86
John Dechard		2894 E Hunters Glen
Kevin Dobson		7744 S. ...
Mullis		5716 Kooner Rd
Kinzie Miller		3855 S Owensburg Rd
	CLINT CONRAD	8090 WEST VERNAL
Clint Conrad		8550 WEST VERNAL
George Hillis		154 Huron W. Mitchell MI
Daniel Dayhoff		7644 ... Rd
Devon Rodriguez		1700 N Walkway St
Lincoln Ellington		680 West That Rd
T. Shea		2811 N. ... Rd
Kevin W. Jackson		6135 S. ...
Lecian Am... ..		900 Mcnamy Pike
Austin Hays		7045 S Harmony Rd
Natalie Kuntz		2650 E Buttinghouse Rd
Scott Blass		1250 Old Capital
John Batten		4996 E Moore's Creek Rd
Recher Plemens		97 Wild Rose Dr
Jodie Inay		625 W. Ladd Ave
Dynce may		5959 Fiscus
Jett may		1479 Cogview drive
Amy Wright		3201 Thrasher Rd
		1251 W. ...
Kate Bixler		1998 W. That Rd
Tim Bailey		4480 S. Rockport Rd
DALE DECKARD		596 Cassidy Ln. Mitchell
Wife Bell		

Justice Deckard Justin Deckard 113 E. Vine Street Mitchell

NAME	APR 1990	ADDRESS
Josh Campbell	JC	4420 Heatherwood Ln
Ty Beckford	TB	6710 Stagskill Rd
Bryan Meyer	BM	534 E Lick
Brod Wilkerson	BW	4789 Stansifer Lane
Pat Holman	PH	2115 I Street Hefman
Kerth Vince	KV	8650 Fairfax Rd
Deanna Sokol	DS	7217 S Old St ROST
Cody Vincent	CV	4341 E Mineral-hollwood
Donald Smith	DS	1004 Zinc Mill Rd
John Cook	JC	813 I St Bedford
Brad Johnson	BJ	2778 75th road
Thomas Blais	TB	1250 W Old Capital PK
Lucas Bryant	LB	5260 S. Victor Pike
Toby Wade	TW	1721 Greendale Springville
Chris Ealy	CE	8050 Victor Pike RD
Brod Robinson	BR	3484 Nicholas CT
Sefrey Patten	SP	305 Indiana Ave
Trey Carter	TC	2534w Roman Rd Spencer
Jim Smith	JS	4628 N. Dunwo Ln
Douglas Phillips	DP	3200 Longview Ave.
Clay Bicker	CB	350 W Turner St Pleasant
Kevin Lu	KL	
Hegyan Smith	HS	1595 - (Cudhupluff)
Cara Danneez	CD	317 847502
Chris JACKSON	CJ	812-340-4037
Alynn Rogers	AR	45825 Patricia Ln
Anna Hinkle	AH	4307 falcon dr.
Debrae Cray	DC	5908 ANNE CT
Chris Skinner	CS	1770 S Weimer Rd
Jim Hill	JH	3549 W Cockburn
Harold Stinson	HS	125 Dogwood Lane
W. O'Connell	WO	

Name	Signature	Address
Bon Self		556 S Crimmon CT 280 S Oak St
Warrior Lane		
Adam Lane		
Kelly Porter		812-327-2814
Rob Smith		
Robert L. Stagg		47403 21st
RONALD Wright		Bloomington IN
JEFF MITCHELL		Bloomington IN 812 272 0824
DUSTIN COYLE		Bloomington, IN <del>2060 Green St</del>
Scott Cole		Bedford IN 1428 G Street
Dakota Heath		Bloomington IN 47403
Bill Stewart		Bloomington IN
Julie Smith		Gospport, IN
BRUCE SIMPKINS		Bloomington, IN
Sarah Ritter		Bloomington, IN
James Featherston		Bloomington, IN 315 W Garden Pike
Bob Gardner		Bloomington, IN
Anbar Hobson		8456 S Old St Rd 37 Bloomington IN 47467
Mike Jones		3595 Ptkin Rd 46131
Jim Prince		2239 S Dunesburg Rd 47463
Megan McBlain		1700
Toby Shaw		47403
James Padgett		6147 St
Jero Harris		611 N. Redges
Montell Caldwell		601 S. Walthof
Matt Webster		1503 20th Street
Gary Porter		904 W Brook St
Zachary Schofield		993 Woodsterry Rd
Cecilia Ransley		
Mike Sackman		1335 White Oak Ln








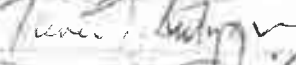










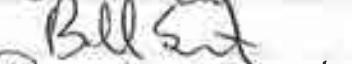


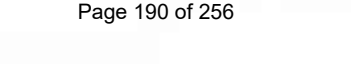

Name	Signature	Address
Devin New		1319 4th Bedford, I.O
Scott Bradley		6180 S Isen RD 97103
Nelson Pinner Richard Shultz		6573 S Old S.R 37 2513 W 3rd
Economy Post Control Tony Lagomasino		2625 W Belin Ln 2349 S Walnut Rd
Charles E. Doyle Jonathan Richardson		9172 S S Hornadsburg 150 Helman Dr
Stephen Sprick Stephen Sprick		
Lobby Parker Steven Stuart		1742 Jeremy Dr 13458 E Hickory Ln
TABIN BRADLOVE MIKE GLASSCOCK		56XX S Rock 4451 W Tramway Rd
Ryan Cbe Tony Fox		4113 S Clear View Dr 6931 S Old St. Rd 37
William Tierney Todd Hollow		5440 S Farmers Dr Bluffton This price is needed
Thomas Smith Scott Murphy		1990 E Lukes Ct 9701 King Rd
Dylan Charis James Nugent		6023 S Victor Pk. 7378 S Zikes Rd
DAVID COMBS Kyle Simpson		3924 S Bullmill Dr.
Dustin Hollingsworth Brandon Hammerling		

**NAME**

**Signature**

**Address**

NAME	Signature	Address
Joshua Salinas		
Dorothy Richardson		5580 S Victor Ave Apt 111
Patty Adams		Victor Ave, Bldg
Kelly Evans		W. 1st Ave, Apt 111
Damon McAdams		1245 S Clear View Dr.
Eli Butler		5514 S Southview Dr.
Richard Hammett		531 Avoca Street
Bruce Berg		3036 S Maxa Dr
JEB DREW		852 S "
Grey Carpenter		1011 "
Erick Rhea		6846 S Glenview Dr.
Liam Cain		
Anthony Stephens		415701 "
Elyse Burt Burtis		4352 "
Bunny Snapp		7905 S Ives Rd
Chris Evans		9363 Eastview Rd
Maebel Boyer		82 Smith Ave
Shyl Moran		807 Smith Ave
JUNIOR		3164 W Maple Leaf Ct
J.P. Boyer		7138 N. ... in the Indianapolis
KUBIN McLANNO		4808 N. ... 200 EAST Petersburg
THOMAS ZOELLER		5919 S Phyllis St
George Gregory		1841 E Watersedge Dr #96
Brandon Matlock		2875 E. Carowinds Ct
Jami Matlock		7402 S. Old 37
James Tolson		" "
Raymond VanPelt		4858 S Rogers St
Jeremy Dine		2089 W Fullerton Pkwy
Alex Papp		" "
Lagan megrin		-
Scott Carpenter		6099 S. ...

Name	Signature	Address
Deoch B. Clark		7620 S Fort Ave
Allison Lentz		3605 E Summit
Scott Stephens		7144 S Coloma Rd
MARK R. RILEY		675 E. Hobbsville Rd.
Virginia Schenker		7325 S. Park Ave
Andie Beemer-Garnett		9400 S. Cooper Rd.
Ter Garrett		Rockport Rd
Courtney Cliff		1735 E 500 S Penn IN
Erica Thompson		
Barry Moore		4498 S. Park
Justin Davis		1720 Utah Rd
STEVEN L. SEITZINGER		4505 S. PATRICIA LN
DAVID M. SUTHER		817 Wilkinson St
J. P. HARRIS		6458 W. Greene Canyon
Jan Porter		1055 E Rader Ln
Jami Freeman		2514 S. 11th E 7403
Ann Layhill		860 S 11th St 7403
John Freeman, III		6305 Forest View Dr. Indian
CAMI HOSS		1314 MARK GOLD PK BLOOMING
TRICK MESSERBERGER		" " " "
DREW HOLLERS		1276 Ord Capital PK
Tenny Johnson		818 S. Ketchum 122 Blount
ROB SMITH		4805 S STANSFORD LN
Jason Harmon		10485 Richards St. Coal City
John Hash		10198 E. Debs on Rd Blount
Thomas Angus		6221 S Shields Ridge Rd
Bruce Terley		
Charles T. Davies		7901 S Zikes Rd.
Bill Smith		4337 W. Angels way
Bonnie Eisele		6833 S. Harmony Rd.

### EXHIBIT 8: Query into properties zoned HI

Staff reviewed areas that would meet the conditions of the "Truck Stop/Travel Plaza" requirements. The three requirements used were: 1) zoned HI, 2) greater than 10 acres, and 3) within 2,000 feet of a Major Collector. Staff also included whether a property was developed or not.

A review of the rezone petitions that requested the HI zoning from 1997 to current are as follows:

- 9 total requests: 4 denied, 2 withdrawn, 3 approved.

Use	Acreage	# of Parcels
Developed	29.74	10
Mine or Quarry	55.53	2
N/A	3.67	2
ROW	46.06	4
Vacant	112.94	11
<b>Grand Total</b>	<b>245.95</b>	<b>34</b>



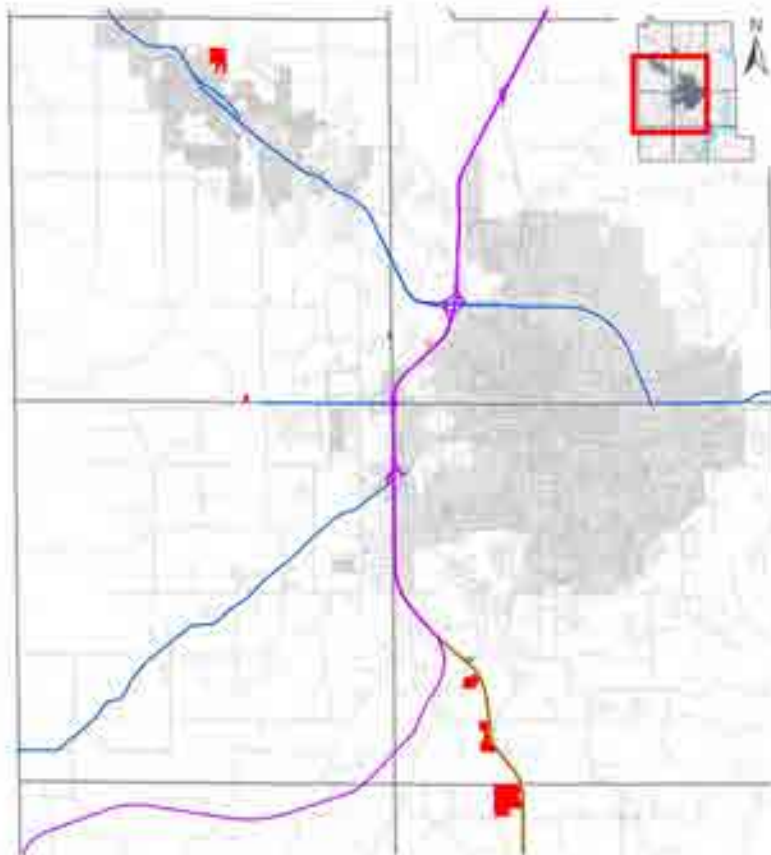
Use	Acreage	# of Parcels
Developed	29.74	10
Mine or Quarry	55.53	2
Vacant	112.94	11
<b>Grand Total</b>	<b>198.22</b>	<b>23</b>



USE	ACREAGE	OWNER	DISTANCE
Mine or Quarry	15.02	Irving Materials, Inc.	
Vacant	15.16	BROWN, BILL REV TRUST	
Developed "Comm. Truck Terminal"	15.97	BENCKART REAL ESTATE LLC	
Vacant	18.43	BROWN, BILL REV TRUST	
Developed "Other Comm. Structures"	18.63	Strain, Douglas G	
Mine or Quarry	40.52	BYBEE STONE CO INC	> 2000ft
Vacant	40.79	BROWN, BILL REV TRUST	

#### Heavy Industrial Zoning Map

- Petitioner
- HI - Heavy Industrial
- Major Arterial
- Freeway
- Interstate
- Roads
- Bloomington Zoning**
- Bloomington Zoning
- Town of Ellettsville





**Exhibit 9: Query into properties within 2000' of interstate**

Spatial query into parcels that meet the following criteria, with no filtering by zoning:

813-10 (C) 11 Truck Stop/Travel Plaza (c): The parcel on which the truck stop/travel plaza is located must be within 2,000 feet of the centerline of the nearest interstate highway exit/entry ramp.

There are 1585 tax parcels located within 2,000' of the 8 exit/entry I-69 ramps within Monroe County. A broad categorization of development shows that:

<b>MCZO Tax Parcels w/in 2,000' of I-69 Ramps</b>	
Agricultural	18
Developed Commercial	108
Mine/Quarry	3
Residential	760
STATE or RDWY	314
Vacant	186
Grand Total	1389

Of the parcels listed as VACANT (and excluding STATE or RDWY), the acreages are shown as follows:

<b>Class = VACANT</b>		
Acreage	Count	Percent
Under 1	74	40%
1 to 3	42	23%
3 to 5	10	5%
5 to 10	26	14%
10+	11	6%
20+	23	12%
Grand Total	186	100%

Visual review of the vacant parcels that exceed 10 acres in size show that the class of “vacant” may be in error, as they appear to be agricultural farm land.

## **SUNMART**

### **Rules for Overnight Truck Parking**

- All drivers must check in at the cashier's station immediately upon parking
- Truck parking in designated spaces only
- Overnight parking not to exceed 10 hours
- No engine idling while parked
- No grills or other fire sources are allowed to be used on the Sunmart property
- No littering; trash bins are provided for disposal of all trash
- No persons authorized to be in the truck cab or to sleep in the truck cab except authorized truck drivers and authorized passengers

Overnight truck parking shall be in conformance with these Rules for Overnight Truck Parking.

A copy of the rules is furnished to each driver at check-in. Violations of these Rules may result in suspension of parking privileges, vehicle towing or other sanctions.

Drivers acknowledge that strict adherence to the Rules is an essential condition for authorized parking. The Rules are intended to minimize external impacts of truck parking use and unreasonable disturbance of neighboring properties.

430079

# SUNMART

## Truck Registration

Date \_\_\_\_\_

Driver Name \_\_\_\_\_

Driver Signature \_\_\_\_\_

Vehicle license number \_\_\_\_\_

Vehicle description (for example; color of cab, business name printed on cab or truck, truck manufacturer – sufficient description to identify a parked truck) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Acknowledge Receipt of Rules for Overnight Truck Parking**

\_\_\_\_\_  
(driver signature)

430080



### Compendium of Idling Regulations

The information in this table is for reference purposes only and should not be relied upon for regulatory compliance. This information may contain errors and omissions and is subject to change. Actual state, county, or city codes should be referenced for specific requirements. Links to the various regulations can be found on the website edition of this compendium.

TruckingResearch.org

Updated: March 2020

State, County or City Idling Limit and Fines	Exemptions
<b>Arizona, Maricopa County</b>  5 minutes w/ fines of \$100 - \$300	<ul style="list-style-type: none"> <li>- Traffic or adverse weather conditions</li> <li>- Emergency or law enforcement purposes</li> <li>- Power takeoff involving cargo or work function</li> <li>- Conform to manufacturer's specifications</li> <li>- Maintenance or diagnostics</li> <li>- Hours-of-Service compliance</li> </ul>
<b>California</b>  5 minutes w/ fines of \$300 - \$10,000	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Queuing beyond 100' of residential</li> <li>- Adverse weather conditions or mechanical difficulties</li> <li>- Vehicle inspections</li> <li>- Service or repair</li> <li>- Power takeoff involving cargo or work function</li> <li>- Prevent safety or health emergency</li> <li>- Emergency vehicles</li> <li>- Certified Clean Idle labels</li> </ul>
<b>Colorado, Aspen</b>  5 minutes within any 60-minute period w/ fines up to \$1,000	<ul style="list-style-type: none"> <li>- Safety reasons</li> <li>- To achieve an engine temperature of 120°F and an air pressure of 100 lbs/in<sup>2</sup></li> </ul>
<b>Colorado, Denver</b>  5 minutes in any 60-minute period w/ fines up to \$1,000 (No limit if <20°F for previous 24-hour period or less than 10°F)	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Traffic conditions</li> <li>- Being serviced</li> <li>- Auxiliary equipment</li> </ul>
<b>Colorado, Vail</b>  20 minutes w/ fines up to \$1,000 (No idling if left unattended when in Lionshead or commercial core except for refrigeration vehicles)	- None

State, County or City Idling Limit and Fines	Exemptions
<b>Connecticut</b>  3 minutes w/ fines up to \$5,000 (No limit if <20°F)	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Ensure safety or health of driver/passengers</li> <li>- Auxiliary equipment</li> <li>- Conform to manufacturer's specifications</li> <li>- Maintenance</li> <li>- Queuing to access military installations</li> </ul>
<b>Delaware</b>  3 minutes w/ fines of \$50- \$500 (15 min. if 32°F to -10°F; No limit if <-10°F)	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Conform to manufacturer's specifications</li> <li>- Repair</li> <li>- Emergency vehicles</li> <li>- Using auxiliary equipment/power takeoff</li> <li>- Power during sleep or resting beyond 25 miles of truck stop with available electrified equipment</li> <li>- Vehicle safety inspections</li> </ul>
<b>District of Columbia</b>  3 minutes w/ fines of \$500 minimum (5 min. if <32°F)	- Power takeoff
<b>Georgia, Atlanta</b>  15 minutes w/ fines of \$500 (25 min. if <32°F)	<ul style="list-style-type: none"> <li>- To perform needed work</li> <li>- Traffic conditions</li> <li>- Natural gas or electric vehicles</li> </ul>
<b>Idaho, Ketchum</b>  3 minutes in any 60-minute period w/ fines of \$25	<ul style="list-style-type: none"> <li>- Traffic control/conditions</li> <li>- Vehicle inspections</li> <li>- Service or repair</li> <li>- To perform work functions</li> <li>- Prevent safety or health emergency</li> <li>- Recharge hybrid batteries</li> <li>- Operate equipment which runs intermittently</li> <li>- Emergency vehicles</li> </ul>
<b>Illinois:</b> <b>Cities: Aux Sable, Goose Lake, Oswego</b> <b>Counties: Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Claire, Monroe</b>  10 minutes within any 60-minute period w/ fines of \$90 - \$500 (30 min. if waiting to weigh, load or unload freight; No limit if <32°F or >80°F)	<ul style="list-style-type: none"> <li>- Less than 8,000 lbs. GVWR</li> <li>- Traffic conditions/controls</li> <li>- Prevent a safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Service or repair</li> <li>- Government inspection</li> <li>- Power takeoffs involving cargo or work functions</li> <li>- Resting in a sleeper berth</li> <li>- Mechanical difficulties</li> <li>- Queuing</li> <li>- Idle reduction technologies</li> </ul>

<p><b>Illinois, Chicago</b></p> <p><b>3 minutes in any 60-minute period w/ fines of \$250 (No limit if &lt;32°F or &gt;80°F)</b></p>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Power auxiliary equipment</li> <li>- Service or repair or government inspection</li> <li>- Traffic conditions</li> <li>- Idle reduction technologies</li> <li>- Mechanical difficulties</li> <li>- Exhaust filter regeneration</li> </ul>
<p><b>Illinois, Evanston</b></p> <p><b>5 minutes in any 60-minute period w/ fines of \$150</b></p>	<ul style="list-style-type: none"> <li>- Traffic control/conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency vehicles</li> <li>- Mechanical difficulties</li> <li>- To perform work functions</li> <li>- Government inspections</li> <li>- Service or repair</li> </ul>
<p><b>Kansas, Johnson and Wyandotte Counties</b></p> <p><b>5 minutes in any 60-minute period w/ fines up to \$10,000 (30 min. while waiting to load or unload)</b></p>	<ul style="list-style-type: none"> <li>- Traffic control / conditions</li> <li>- Safety or health reasons</li> <li>- State or federal inspections</li> <li>- Mechanical difficulties</li> <li>- Emergency vehicles</li> <li>- Heat or A/C sleeper berth during rest periods</li> <li>- Service or repair</li> <li>- To perform work functions</li> <li>- Auxiliary power units</li> </ul>
<p><b>Maine</b></p> <p><b>5 minutes in any 60-minute period w/ fines of \$25 - \$500 (15 min. if 0° - 32°F; No limit if &lt; 0°F)</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Maintenance or repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- Sleeper berth A/C or heat during rest or sleep periods</li> <li>- A/C or heat while waiting to load/unload</li> <li>- Mechanical difficulties if receipt of repair is submitted w/in 30 days</li> </ul>
<p><b>Maryland</b></p> <p><b>5 minutes w/ fines up to \$500</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Heating, cooling, or auxiliary equipment</li> <li>- Conform to manufacturer's specifications</li> <li>- Accomplish intended use</li> </ul>
<p><b>Massachusetts</b></p> <p><b>5 minutes w/ fines of up to \$500</b></p>	<ul style="list-style-type: none"> <li>- Being serviced</li> <li>- Delivery for which power is needed &amp; alternatives unavailable</li> <li>- Associate power needed with no alternatives</li> </ul>

<p><b>Michigan, Ann Arbor</b></p> <p><b>5 consecutive minutes in any 60-minute period or when unoccupied w/ minimum fines of \$100 (No limit if &lt;32°F or &gt;85°F &amp; no temperature-controlled area accessible)</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety or health emergency</li> <li>- Cab comfort while waiting for assistance</li> <li>- Emergency purposes</li> <li>- Power auxiliary work equipment</li> <li>- A/C or heat during rest or sleep periods beyond 25 miles of truck stop electrification/shore power</li> <li>- Maintenance, servicing, repairing, or diagnostic</li> <li>- Conform to manufacturers specifications</li> </ul>
<p><b>Michigan, Detroit</b></p> <p><b>5 consecutive minutes in any 60-minute period w/ fines of warning to \$500</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Power auxiliary equipment</li> <li>- Emergency vehicles</li> <li>- Motionless for &gt;2 hours &amp; &lt;25°F</li> <li>- State inspections</li> <li>- Hybrid vehicle recharging</li> <li>- Electric, hydrogen or natural gas powered vehicles</li> </ul>
<p><b>Minnesota, Minneapolis</b></p> <p><b>5 minutes in any 60-minute period w/ fines up to \$700</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- To prevent a safety or health emergency</li> <li>- Emergency purposes</li> <li>- Maintenance or diagnostics</li> <li>- Vehicle inspection</li> <li>- Power auxiliary equipment</li> <li>- Occupied armored vehicles</li> <li>- A/C or heat during sleep or rest period or waiting to load/unload</li> <li>- Mechanical difficulties</li> </ul>
<p><b>Minnesota, Owatonna</b></p> <p><b>15 minutes each 5 hours in residential areas w/ fines up to \$1,000</b></p>	<ul style="list-style-type: none"> <li>- None</li> </ul>
<p><b>Missouri, St. Louis</b></p> <p><b>5 minutes in any 60-minute period w/ fines up to \$100 (10 min. if &lt;32°F)</b></p>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Power for auxiliary purposes</li> <li>- Traffic or adverse weather conditions</li> <li>- Repair or diagnostics</li> <li>- Engaged in the delivery of goods</li> </ul>
<p><b>Missouri, Clay, Franklin, Jackson, Jefferson, Platte, St. Charles, St. Louis Counties</b></p> <p><b>5 minutes in any 60-minute period w/ fines TBD (30 min. when waiting to load/unload)</b></p>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety/health emergency</li> <li>- Emergency purposes</li> <li>- Maintenance/repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- During government-mandated rest periods</li> <li>- Mechanical difficulties</li> <li>- Auxiliary power units</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Nevada</b>  <b>15 minutes w/ fines up to \$2,000</b>	<ul style="list-style-type: none"> <li>- Variance has been issued</li> <li>- Emergency vehicles</li> <li>- Repair or maintain other vehicles</li> <li>- Traffic congestion</li> <li>- Maintenance at repair facility</li> <li>- Emission contained &amp; treated per commission</li> <li>- To perform specific task</li> </ul>
<b>New Hampshire</b>  <b>5 minutes w/ fines TBD (15 min. if 32° to -10°F; No limit if &lt;-10°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Emergency vehicles</li> <li>- Power takeoff or heat/cool passengers</li> <li>- Maintenance or diagnostics</li> <li>- Defrost windshield</li> </ul>
<b>New Jersey</b>  <b>3 minutes w/ fines of \$250 to \$1,000 (15 min. if stopped for 3 hrs. &amp; &lt;25°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Mechanical operations</li> <li>- Waiting or being inspected</li> <li>- Performing emergency services</li> <li>- Being repaired or serviced</li> <li>- Auxiliary power unit, bunk heaters, etc.</li> <li>- Sleeper berth with 2007 or newer engine or diesel particulate filter</li> </ul>
<b>New York</b>  <b>5 minutes w/ fines of \$375 minimum (No limit if stopped for ≥2 hrs. &amp; &lt;25°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Auxiliary power or maintenance</li> <li>- Emergency vehicles</li> <li>- Within mines or quarries</li> <li>- State Inspections</li> <li>- Recharging hybrid electric vehicles</li> <li>- Farm vehicles</li> <li>- Electric vehicles</li> </ul>
<b>New York: Cities of New York, Larchmont Village, Mamaroneck Village</b>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Operate loading, unloading, or processing device</li> </ul>
<b>Counties of Rockland &amp; Westchester</b>  <b>3 minutes w/ fines up to \$1,000 (1-minute if adjacent to a public school)</b>	
<b>Ohio, Cleveland &amp; Maple Heights</b>  <b>5 minutes in any 60-minute period w/ fines of \$150 (10 min. at loading docks/areas or if &lt;32°F or &gt;85°F)</b>	<ul style="list-style-type: none"> <li>- Prevent safety or health emergency</li> <li>- Traffic conditions/controls</li> <li>- Emergency vehicles</li> <li>- Service or repair</li> <li>- Vehicle safety inspection</li> <li>- Power auxiliary equipment</li> <li>- Sleeping or resting in a sleeper berth</li> <li>- Mechanical difficulties</li> <li>- Idle reduction technologies</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Ohio, South Euclid</b>  <b>0 minutes w/ fines of \$50 - \$150 (20 min./hr if loading/unloading; No limit if &lt;32°F or &gt;85°F)</b>	(Same exemptions as Cleveland & Maple Heights, plus) - Queuing
<b>Oregon</b>  <b>5 minutes in any 60-minute period w/ fines up to \$180 (30 minutes while waiting to or during load/unload)</b>	<ul style="list-style-type: none"> <li>- Idle reduction technology</li> <li>- Cargo temperature control</li> <li>- Traffic conditions/controls</li> <li>- Mechanical difficulties</li> <li>- Manufacturers specifications</li> <li>- Safety regulations</li> <li>- Emergency purposes</li> <li>- Maintenance/repairs</li> <li>- Exhaust filter regeneration</li> <li>- State or federal inspections</li> <li>- Power work-related functions</li> <li>- For A/C or heat during rest/sleep periods or loading/unloading if &lt;50° F or &gt;75°F</li> </ul>
<b>Pennsylvania</b>  <b>5 minutes in any 60-minute period w/ fines of \$150 - \$300 (15 min. if weighing, loading or unloading)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergencies</li> <li>- Comply with manufacturer's specifications</li> <li>- Emergency or law enforcement purposes</li> <li>- Maintenance or repair</li> <li>- Government or security inspections</li> <li>- Power work-related operations</li> <li>- Mechanical difficulties</li> <li>- Certified Clean Idle label</li> </ul>
<b>Pennsylvania, Philadelphia</b>  <b>2 minutes or 0 minutes for layovers w/ fines of \$300 (5 min. if &lt;32°F; 20 min. if &lt;20°F)</b>	-None
<b>Pennsylvania, Alleghany County</b>  <b>5 minutes w/ fines of a warning to \$500 (20 min. if &lt;40°F or &gt;75°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Queuing</li> <li>- Cool down/warm up per manufacturer's recommendations</li> <li>- Sleeping/resting in truck</li> <li>- Safety inspections</li> <li>- Ensure safe operations</li> <li>- Emergency vehicles</li> <li>- Power accessory or service equipment</li> <li>- Repair or diagnostics</li> </ul>

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<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Rhode Island</b>  <b>5 minutes in any 60-minute period w/ fines up to \$500 (15 min. if 0° - 32°F; No limit if &lt;0°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Ensure health or safety of driver/passengers</li> <li>- Power work-related operations</li> <li>- Service or repair</li> <li>- State or federal inspections</li> <li>- Emergency or law enforcement purposes</li> <li>- Auxiliary power unit/generator set</li> </ul>
<b>South Carolina</b>  <b>10 minutes in any 60-minute period w/ fines of \$75</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Service or repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- Sleeper berth a/c or heat during (a) rest or sleep periods; (b) &lt;40° F or &gt;80 °F; or (c) at rest areas, terminals, truck stops, or legal parking locations &gt;500' from homes or schools</li> <li>- While waiting to load/unload</li> </ul>
<b>Texas:</b> <b>Cities of Arlington, Austin, Bastrop, Benbrook, Cedar Hill, Celina, Colleyville, Dallas, Duncanville, Elgin, Euless, Fort Worth, Georgetown, Granbury, Houston, Hurst, Hutto, Keene, Lake Worth, Lancaster, Little Elm, Lockhart, Luling, Mabank, McKinney, Mesquite, &lt;NEW&gt; Nixon, North Richland Hills, Pecan Hill, Richardson, Round Rock, Rowlett, San Antonio, San Marcos, University Park, Venus, Westlake</b>  <b>Counties of Bastrop, Bexar, Caldwell, Collin, Dallas, Hays, Kaufman, Tarrant, Travis, Williamson</b>  <b>5 minutes w/ fines vary by jurisdiction</b>	<ul style="list-style-type: none"> <li>- 14,000 lbs GVW or less</li> <li>- Certified Clean Idle label</li> <li>- Traffic conditions</li> <li>- Emergency or law enforcement</li> <li>- To perform needed work</li> <li>- Maintenance or diagnostics</li> <li>- Defrost windshield</li> <li>- Owners of rented/leased vehicles</li> <li>- Hours-of-Service compliance beyond 2 miles of an available external heat or a/c connection</li> </ul>
<b>Utah, Park City, Sandy City, Summit County</b>  <b>1 minute w/ 3 warnings and fines thereafter</b>	<ul style="list-style-type: none"> <li>- Traffic controls</li> <li>- Power auxiliary equipment including refrigeration units</li> <li>- Manufacturers' specifications</li> <li>- For health or safety reasons</li> <li>- Clear windshields</li> <li>- Maintenance, diagnostics or inspection</li> <li>- Emergency vehicles</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Utah, Logan, Salt Lake City &amp; Salt Lake County</b>  <b>2 minutes w/ 3 warnings and fines thereafter</b>	(Varies by jurisdiction)
<b>Vermont</b>  <b>5 minutes in any 60-minute period w/ fines of \$10 - \$100</b>	<ul style="list-style-type: none"> <li>- Public safety or emergency purposes</li> <li>- Traffic conditions or control</li> <li>- Health or safety of occupant</li> <li>- Operate safety equipment</li> <li>- Power work-related operations</li> <li>- Air-conditioning or heating a sleeper berth in model year 2017 or older vehicle</li> <li>- Maintenance or diagnostics</li> <li>- State or federal inspections</li> <li>- Idle reduction technologies</li> </ul>
<b>Vermont, Burlington</b>  <b>3 minutes w/ fines up to \$10,000</b>	<ul style="list-style-type: none"> <li>- Refrigeration units</li> <li>- Repairs</li> <li>- To perform work functions</li> <li>- Health or safety of driver or passengers</li> </ul>
<b>Virginia</b>  <b>10 minutes for diesel vehicles in commercial or residential urban areas w/ fines up to \$25,000</b>	<ul style="list-style-type: none"> <li>- Auxiliary power</li> </ul>
<b>West Virginia</b>  <b>15 minutes in any 60-minute period w/ fines of \$150 - \$300</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety or health emergency or in accordance w/ safety regulations</li> <li>- Emergency vehicles</li> <li>- Maintenance, service or repair</li> <li>- Federal or state inspections</li> <li>- Power auxiliary equipment</li> <li>- Security inspections</li> <li>- Mechanical difficulties</li> <li>- Sleeping or resting in a sleeper berth if &lt;40° or &gt;75° F &amp; legally parked</li> <li>- Sampling, weighing, loading or unloading</li> <li>- Waiting for a police escort for a permitted load</li> <li>- Certified Clean Idle label</li> <li>- Powered by clean diesel or biodiesel fuels</li> </ul>
<b>Wisconsin, Madison</b>  <b>5 consecutive minutes w/ fines of \$25 - \$200 (No limit if &lt;20° F or &gt;90° F)</b>	<ul style="list-style-type: none"> <li>- Prevent safety or health emergency</li> <li>- Testing, service, repair or diagnostic</li> <li>- Power auxiliary equipment including refrigeration units</li> <li>- Traffic conditions/controls</li> </ul>

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## **Bloomington Area: Fullerton Pike to Victor Pike**

### **Area Includes:**

Tapp Road to SR 37 Interchange

### **Impacted Roads:**

Fullerton Pike, That Road, East Lane, Rockport Road, Big Sky Lane.

### **Development Intent**

Development of the east side of SR 37 in this portion of the corridor is encouraged by current land use policies. West of SR 37, development of the medical park with Monroe County Hospital will continue to be encouraged within established infrastructure boundaries while further residential development is to be low density where there are no sanitary sewers – but may be at a higher density in areas where sanitary sewers are installed. Should I-69 develop, it is recommended that missing segments of roadways be completed in the area, and that at least Fullerton Pike and Vernal Pike maintain access to SR 37/I-69.

### **Existing Conditions and Development Patterns**

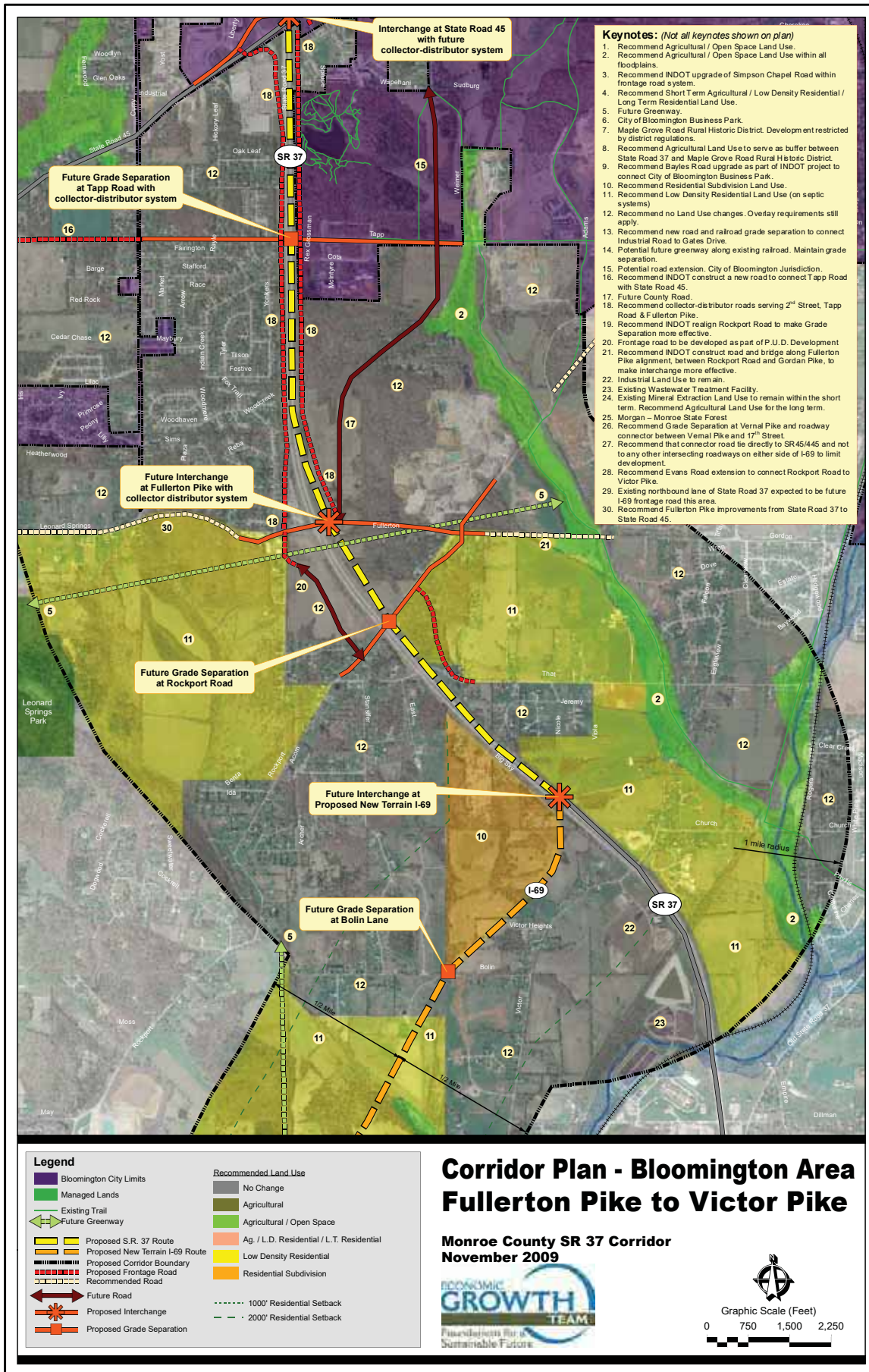
The corporate limits of Bloomington meander along SR 37 in this area, resulting in portions of the corridor being in Morgan County's jurisdiction with others being within the City of Bloomington. Development varies in intensity throughout the area (See: *Fullerton Pike to Victor Pike Map on page 46*). East of SR 37 and west of Clear Creek, there are former quarry areas and other land available for more intense use. South of this area also east of SR 37 is a mix of residential areas. There is also significant existing residential development east of Clear Creek largely out of the corridor.

West of SR 37 between Rockport Road and Fullerton Pike is the Monroe County Hospital. It is anticipated that development of the hospital will not extend further west or south than That Road. West of the hospital, there is significant undeveloped acreage. This area includes Leonard Springs Park.

Further south, areas bounded by SR 37 to the south, Rockport Road to the west and Victor Pike to the east are currently experiencing medium density residential development. The City of Bloomington is planning to extend sewers into this area.

A significant portion of this area of the corridor is currently regulated by the County's Business Industrial Overlay (BIO). The BIO was intended to guide development of employment sites within this region, but has seen little success.





### I-69 Impact Summary

I-69 is proposed to follow the existing route of SR 37 until a point just north of Victor Pike. At this point, an interchange is proposed and I-69 is planned to route to the southwest following a new terrain route. It is proposed that the interstate be three lanes in each direction north of this SR 37 interchange and two lanes in each direction south of this point.

If I-69 is developed, Fullerton Pike and SR 37 are proposed to be developed as interchanges, while Rockport Road is proposed as a grade separation. That Road would be interrupted by the interstate due to its proximity to Rockport Road with a cul-de-sac on the west and frontage road to Rockport Road on the east. This disruption is of great concern because of the number of county residents in this area needing access to this corridor.

Should I-69 be developed with an interchange at Fullerton Pike, the interchange will need to connect to the residential areas east of Clear Creek for the interchange to be effective. Currently, Fullerton Pike stops at Rockport Road and does not cross Clear Creek. It is recommended that INDOT improve Fullerton Pike to the east by connecting the interchange to Gordon Road. Without this roadway extension, Fullerton Pike will only serve a limited residential area in the northwest quadrant of the proposed interchange and rural homes in the area. West of SR 37, both the county and Bloomington MPO have recommended an upgrade of Fullerton Pike/ Leonard Springs Road from SR 37 to SR 45. The combination of improvements to Fullerton Pike east and west of SR 37 will allow the corridor to become more effective at accommodating east-west traffic on the south side of Bloomington.

The construction of I-69 would cause similar connectivity issues at Rockport Road. This route is proposed to have an interchange if I-69 is built. For a Rockport Road grade separation to provide sufficient connectivity, it will need to be tied to residential areas northeast of the area closer to the Bloomington corporate limits. However, there is a segment of Rockport Road that needs to be constructed north of Clear Creek in order for this connection to be made. It is recommended that INDOT construct this segment as part of the I-69 system.

INDOT is also considering a SR 45/Tapp Road/Fullerton Pike split interchange design as well (reference May 2007 Preliminary Alternatives Analysis and Screening for Tier 2, Section 5 ). That design would utilize a collector distributor road system to allow traffic to flow to and from any of the three roadways. Monroe County prefers the split interchange configuration for this area since it maintains connectivity to SR 45, Tapp road and Fullerton Pike.

An interchange is also proposed at SR 37 that will connect SR 37 and I-69. The most important issue to the county is that Victor Pike remains open with full signalized access to SR 37. There are several options for the interchange currently under consideration by INDOT, many of which would be acceptable to the county if I-69 is constructed – as long as they include access to Victor Pike.

East of SR 37 In the vicinity of Rockport Road and Fullerton Pike, development is anticipated between SR 37 and Clear Creek - and shall proceed according to current land use policies.

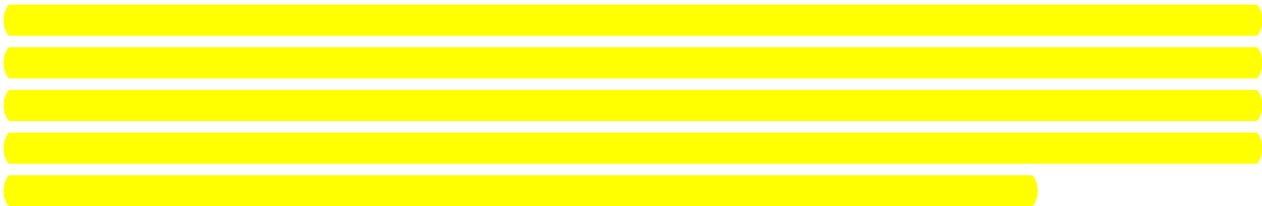
West of SR 37 in this area, business development shall proceed per current land use policies. West of That Road there is no plan to extend sanitary sewers to the area. Therefore, this area is recommended only for low density residential development.

The area west of SR 37 between Rockport Road and Victor Pike is currently experiencing residential development. However, since the new terrain I-69 route is within this space, development shall not occur within the interstate setbacks recommended by this plan (1,000 feet where there is a wooded buffer or 2,000 feet where there is not a wooded buffer).

Several portions of this area between SR 37 and Rockport Road are currently planned for employment uses, and are part of the Business and Industrial Overlay. However, little business/industrial development has occurred in this area with the exception of one limited area at Victor Pike. The predominant land use currently existing is residential. It is recommended that the County re-evaluate the Business and Industrial Overlay and encourage only residential in this area.

Business and industrial areas already developed along the portion of the corridor will be encouraged to remain and expand within properties previously built upon. Except in developments already approved as business/industrial, no new business/industrial uses shall be approved in this area. Existing commercial/industrial businesses will be encouraged to remain. Businesses will be allowed to expand within previously developed parcels as needed to remain viable. However, the intensity of the use will not be allowed to increase beyond current condition and the businesses will not be permitted to expand onto adjacent properties.

A key development concern in areas west of SR 37 is that all roads in this area ultimately access either Rockport Road or Victor Pike. Accordingly, development in this area will result in significant increase in traffic on those two roadways. Therefore, development in this area should be monitored and limited until such time as the streets are upgraded to accommodate the development. And for that same reason, it is vital to keep Victor Pike open to the interstate corridor.



Throughout this corridor, there are a number of historic limestone walls along roads and within properties. For this reason, rural portions of this area may be appropriate as a historic district. While not an immediate goal, any development within this area must include consideration of its impacts on this area as a possible historic district.

Throughout the SR 37 corridor, there are numerous limestone quarries – both active and inactive. The architectural grade Salem Limestone of the Bloomington area is a unique and world renowned resource. This plan supports the current policy of protecting all known deposits for mining use, regardless of whether they are actively mined, previously mined, or have the potential to be mined.



NEW SEPTIC APPLICATION

*RLW*

OWS

JOE COUNTY HEALTH DEPARTMENT  
119 WEST SEVENTH STREET  
BLOOMINGTON, INDIANA 47404  
TELEPHONE: 812-333-3543

PAID: 50<sup>00</sup> RECEIPT #: \_\_\_\_\_  
DATE: 4-9-90 APPLICATION #: 103480  
DATE PERMIT ISSUED: 4-9-90

HEALTH DEPARTMENT USE ONLY

APPROVED:  DISAPPROVED: \_\_\_\_\_ SIGNED: [Signature]  
PERMIT TERMS: # BEDROOMS: \_\_\_\_\_ WASHING MACHINE \_\_\_\_\_ DISHWASHER \_\_\_\_\_  
TANK SIZE: Dual 1000 GALLONS NO. TRENCHES: 7 x 3' x 93' WIDTH 9 x 3' LENGTH 70'

SPECIAL CONDITIONS plans approved by ISBH - must be installed according to approved plans

DESIGNED REVISIONS AGREED TO BY: [Signature]  
(Owner or Agent of Owner)

A. Owner's Name: Allen Perry  
Applicant's Name: \_\_\_\_\_ Applicant's Phone (day) 876-2525  
(evening) \_\_\_\_\_  
Applicant's Mailing Address: \_\_\_\_\_

SITE INFORMATION

B. Site Address 5100 S. Victor Pike Lot # \_\_\_\_\_  
(if there is not an address #, PLEASE GIVE THE ROAD NAME)  
C. Township # BN Range # 1W Section # 30 (ATTACH COPY OF LEGAL DESC.)  
D. Directions to Site: (THIS SECTION MUST BE COMPLETED FOR PROCESSING OF THIS APPLICATION)  
Nearest Major Road Intersection (Crossroad) Victor Pike 37 (distance) 250'  
Nearest Mailbox Number \_\_\_\_\_ Distance \_\_\_\_\_  
Features Clearly Observable From Road (i.e. Buildings, Ponds, Etc.) \_\_\_\_\_

\*\*\*\*\* PLEASE DRAW A COMPLETE AND ACCURATE MAP TO THE SITE ON THE REVERSE SIDE \*\*\*\*\*  
\*\* PLACE THE ATTACHED TAPE TO A TREE TO IDENTIFY ENTRANCE TO THE PROPERTY \*\*

E. Lot Size: Frontage: 400' Depth: 358' Total Sq. Ft. \_\_\_\_\_ Acres: 4.5  
F. Water Supply (check one): Municipal/City  Well \_\_\_\_\_ Cistern \_\_\_\_\_ Other \_\_\_\_\_

G. Type of Proposed Building: (Note that applicant must obtain their own soil scientist/survey, those results must be submitted to the Health Department for approval from the Indiana State Board of Health prior to issuance of permit.)

RESIDENTIAL:

COMMERCIAL:

No. of Bedrooms \_\_\_\_\_  
Washing Machine: yes \_\_\_\_\_ no \_\_\_\_\_  
Dishwasher: yes \_\_\_\_\_ no \_\_\_\_\_

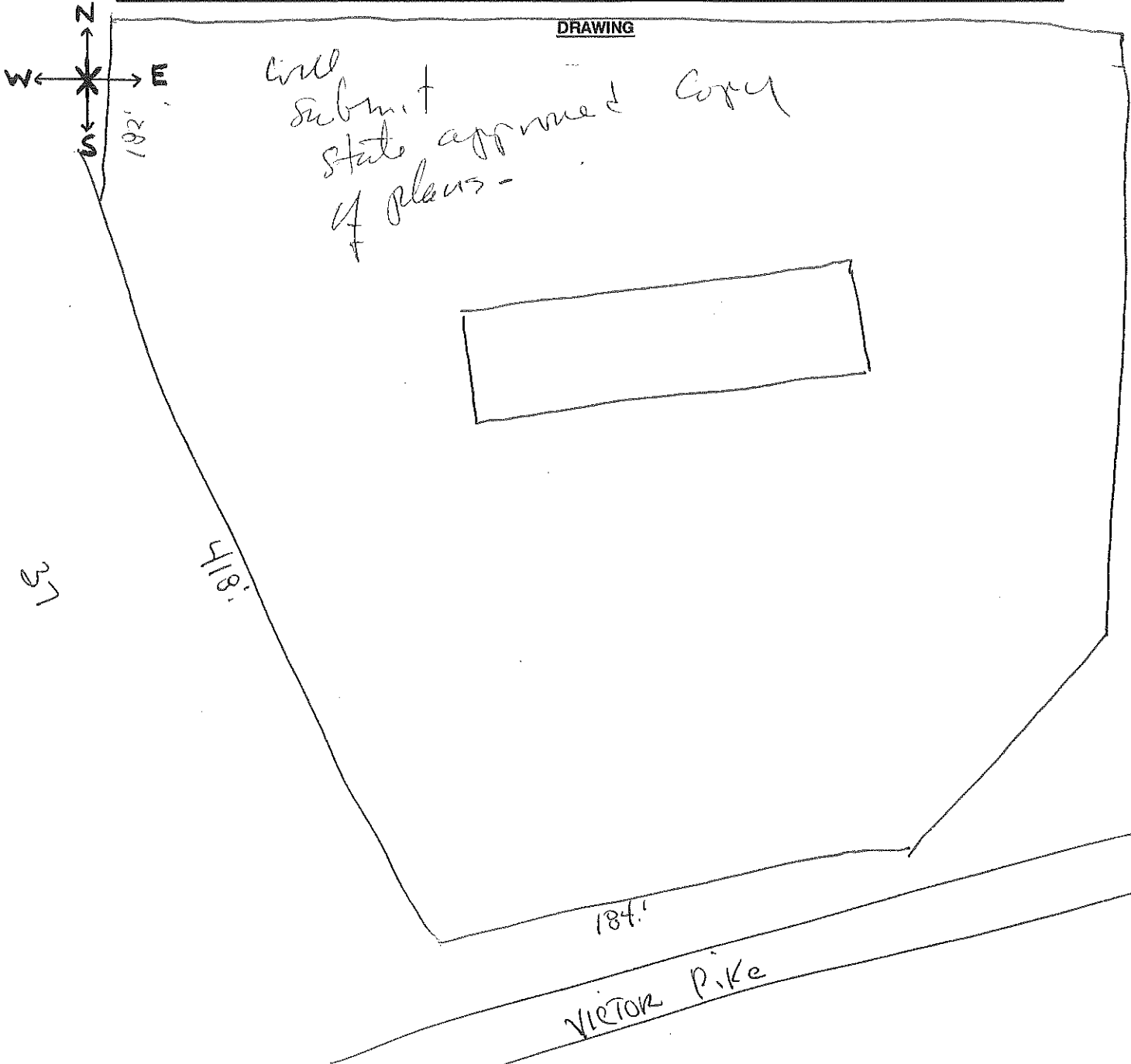
Type of Business Sales + Fuel  
Maximum work force: \_\_\_\_\_  
(number of 8 hour shifts/day) \_\_\_\_\_  
Construction: new \_\_\_\_\_ remodel \_\_\_\_\_

*36,020 ASSUMED*  
*22,600 GAY MONTH*  
*sum group*  
*etc*

ALL APPLICATIONS MUST BE ACCOMPANIED BY AN ACCURATE DRAWING THAT SHOWS THE FOLLOWING:

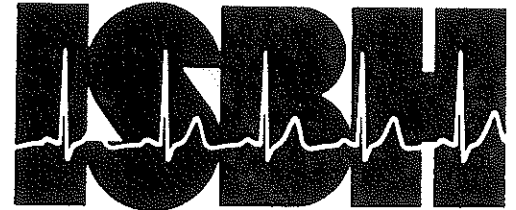
- |  |   |
|--|---|
| A. Property Lines                      | E. Septic Tank (existing or proposed)       |
| B. Water Lines                         | F. Absorbion Field (existing &/or proposed) |
| C. Well or Cistern (if applicable)     | G. Distance Between Lakes                   |
| D. Existing/Proposed House or Building | H. All Creeks, Ditches, Lakes, Etc.         |

**\*\* PLEASE LOCATE ITEMS IN RELATION TO OBVIOUS LANDMARKS WHERE POSSIBLE \*\***



**\*\*\*APPROVAL OF THIS APPLICATION GIVES ONLY A PERMISSION TO CONSTRUCT AT THE LOCATION INDICATED ON THE SOIL REPORT. THE PERMIT IS NOT VALID UNTIL IT IS SIGNED AFTER AN INSPECTION ON THE JOB SITE AT THE TIME OF ACTUAL CONSTRUCTION!**  
**\*\*\*IF YOU WISH A DIFFERENT LOCATION TO BE CONSIDERED THAN SHOWN ON THE SOIL REPORT YOU MAY HAVE A REINSPECTION DONE FOR \$25.00.**

INDIANA STATE BOARD OF HEALTH  
1330 WEST MICHIGAN STREET  
P.O. BOX 1964  
INDIANAPOLIS, IN 46206-1964



INDIANA STATE BOARD OF HEALTH

AN EQUAL OPPORTUNITY EMPLOYER

April 4, 1990

Mr. Allen Terry  
8401 North Low Gap Road  
Unionville, IN 47468

Dear Mr. Terry:

Re: Plans and Specifications for  
Sanitary Features  
Terry Convenience Store  
Intersection of S.R. 37 and  
Victor Pike Road  
Section 29, T8N, R1W  
Monroe County

The plans and specifications for sanitary features of the proposed project have been reviewed and are hereby approved on this date.

This project includes the construction of an on-site flood dosing absorption field system which includes approximately 115 feet of 4-inch PVC sanitary sewer, dual 1,000-gallon septic tanks, a dosing tank with dual 30 GPM effluent pumps, dual force mains approximately 78 and 30 feet each in length, and 3,354 square feet of absorption field trenches for a wastewater flow of 1,200 GPD.

This project also includes the construction of approximately 300 feet of 1-inch water line connecting to a 6-inch water main along Victor Pike Road which is served by the Southern Monroe Water Corporation.

This approval letter shall act as your construction permit.

This project is approved subject to the following conditions:

1. That if pollution, health hazards, or nuisance conditions develop or are created, immediate corrective action be taken by the owner.
2. That all necessary local permits and approvals be obtained before construction is begun on this project.

Mr. Allen Terry

-2-

April 4, 1990

3. That no change in occupancy or use of the facility served be effected if it would result in wastewater flow on the peak day in excess of 1,200 Gallons Per Day, or if it would result in wastewater being generated of a type incompatible with absorption field disposal. Any such change in occupancy or use may be made only after the board has issued a construction permit for modifications to the subject wastewater disposal facility that will allow it to accommodate increased wastewater flows.
4. That all necessary local permits and approvals be obtained before construction is begun on this project. You are hereby notified that most county and local health departments, and several conservancy districts as well, require that a sewage disposal permit be obtained before construction may begin. The sanitary features of this project must also comply with any additional local health department requirements.
5. That disinfection of the water line follow procedures outlined by applicable American Water Works Association Standards and produce bacteriologically satisfactory water in 2 successive sets of samples collected at 24-hour intervals before the facilities are released for use.
6. That plans and specifications for any changes, alterations or additions to this project as herewith approved be submitted and approved prior to such construction.
7. That sanitary features comply with any additional requirements of the Monroe County Health Department.
8. That Michael A. Hoover, Chief, General Sanitation Section, AC 317/633-0175, Division of Sanitary Engineering, State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana, be notified at the time construction is undertaken so that all necessary inspections may be made.

These plans and specifications were prepared and certified by Larry W. Donovan, R.A., Vincennes, Indiana, and submitted on November 3, 1989, February 1, March 1, 19 and 30, 1990.

This Approval shall be void if construction is not begun before May 1, 1991.

If you wish to request review of this Approval, you must petition for review in writing, demonstrating that:

1. You are a person to whom the Approval is specifically directed;

April 4, 1990

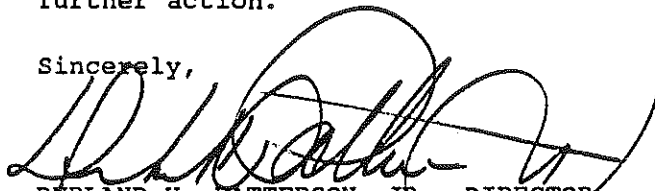
- 2. You are aggrieved or adversely affected by the Approval;  
or,
- 3. You are entitled to review under any law.

Your request for review must be filed in writing with the Director, Division of Sanitary Engineering, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206, on or before April 22, 1990.

If a petition for review is granted pursuant to IC 4-21.5-3-7, and you are not a party thereto, notices of any prehearing conferences, preliminary hearings, hearings, stays and other Orders disposing of the proceedings may be obtained by sending a request for notice to the Director, Division of Sanitary Engineering, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206.

If you do not object to this Approval, you do not need to take any further action.

Sincerely,



DURLAND H. PATERSON, JR., DIRECTOR  
DIVISION OF SANITARY ENGINEERING

BRHippensteel  
Approval No. GS-5156  
cc: Mr. Charles Hardesty ✓  
Mr. Larry W. Donovan, R.A.  
Mr. Tom Spencer  
Monroe County Health Department  
Monroe County Plan Commission  
General Sanitation Section



## **EXHIBIT 14: STAFF COMPARISON BETWEEN PROPOSED PUD USE AND CONDITIONAL USE**

Chapter 813 Conditions for a Truck Stop/Travel Plaza and staff comments and the proposed PUD standards in red text. The proposed use should only be held to the standards of a PUD outlined under Chapter 811. The below information is a comparison to the difference in uses.

The requirements of the Conditional Use are shown in BLACK text.

### (11) Truck Stop/Travel Plaza

#### (a) Applicability

The standards of this section apply to all truck stops and travel plazas.

#### (b) Minimum Parcel Area and Road Frontage

The minimum parcel area for establishment of a new truck stop or travel plaza is ten acres with at least two hundred (200) feet of direct road frontage on a major collector. Dedicated left-turn and/or right-turn lanes must either exist or be constructed by the Developer. All access drives shall be oriented toward the major collector.

Does not meet: Petition site is 4.9 acres

Meets: contains ~1,160 ft of frontage along a local road and a freeway.

Does not meet: It does not contain a dedicated left-turn or right-turn lane

#### (c) Location

1. The parcel on which the truck stop/travel plaza is located must be within 2,000 feet of the centerline of the nearest interstate highway exit/entry ramp.
2. The major collector serving the truck stop/travel plaza shall handle any expected traffic and load increase with no more than minor traffic disruptions to adjoining or nearby (within one (1) mile) properties and no significant additional wear and tear on the roadway.
3. No more than one truck stop shall have primary access from any interstate highway interchange.
4. The minimum distance between truck stops shall be 7,000 feet measured from property line to property line.

Meets: #1 – located approximately 500' from S State Road 37 centerline.

Meets: #2.

Meets: #3 and #4 – no other truck stop nearby.

Proposed PUD standard:

Location. The Truck Stop - Small parcel must be located within 200 feet of the centerline of a principal arterial road or adjacent to a secondary collector road connecting to a principal arterial intersection. Driveway entrance on an adjacent secondary collector road shall be located not further than 500 feet from the principal arterial road intersection. The Truck Stop - Small shall be a minimum distance of 3,000 feet from a Truck Stop/Travel Plaza or other Truck Stop - Small use, measured property line to property line.

#### (d) Parking and Fueling Stations

Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.

Meets the standard.

Proposed PUD standard:

4. Fueling stations. Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.

(e) Indoor Operation

All vehicle service and/or repair activities must be conducted within a completely enclosed building. Parts, equipment, lubricants, fuels, tires or other materials must be screened from abutting streets and property. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

1. The dispensing of petroleum products, water and air from pump islands.
2. The provision of emergency service of a minor nature.

In addition, no vehicle shall be parked on the premises for the purposes of offering the vehicle for sale and no used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area.

Would meet the standards. Has recently not met the standard by having detached semi-trailers stored on the site, but proposed PUD would be required to remove any disabled vehicles.

Proposed PUD standard:

6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.

(f) Noise

If the parcel on which the truck stop/travel plaza is located is within 1,320 feet of an R zoning district, the applicant must provide a noise impact study prepared by a qualified acoustical consultant and must propose necessary mitigation measures to ensure that noise levels at the boundary of the nearest R zoning districts will not exceed 60 dB (A) between the hours of 10 p.m. and 7 a.m. The applicant must also propose idling time restrictions and means of ensuring compliance with such restrictions. The purpose of such restrictions is to reduce noise and air quality-related impacts. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

Does not meet: No PUD standard proposed.

(g) Overnight Parking

Overnight parking is not allowed unless Electrified parking spaces (EPS), also known as truck stop electrification, is installed for each overnight space to allow truck drivers to provide power to necessary systems, such as heating, air conditioning, or appliances, without idling the engine.

Does not meet: No PUD standard proposed for EPS.

Over-night truck parking is currently not a permitted use under the PB zoning. Chapter 802 would permit overnight truck parking under either the “Truck Stop/Travel Plaza” or “Trucking Terminal”, high-intensity uses. Trucking Terminals are permitted in the High Industrial (HI) zone or conditional (BZA approval required under chapter 813) in the Light Industrial (LI) zone.

	(i)	LB	GB	LI	HI	(C)
Truck Stop/Travel Plaza	H				C	
Trucking Terminal	H			C	P	31

Proposed PUD standard:

Overnight transient truck parking will comprise 5% to 10% of the lot area located along

the north property line on the west half of the property. The ride share parking will use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area.

7. Overnight parking. Transient overnight truck parking shall not exceed a 24 hour period. Transient overnight truck parking may include driver rest periods in vehicles with truck/tractor cabins designed for rest periods. Designated parking for transient overnight truck parking shall not exceed 20 parking spaces.

(h) Fuel Spill Containment/Hazardous Substances

A plan must be submitted showing how the truck stop/travel plaza is designed to prevent any spill from the facility or from vehicles utilizing the facility from contaminating soil or migrating off-site.

The facility shall fully comply with all Federal and State regulations regarding the reporting and containment of spills and releases of petroleum and hazardous substances. The following spills must be reported to the Planning Department within 12 hours of occurrence:

- Greater than 100 lbs. or the CERCLA Reportable Quantity (RQ) of a hazardous material;
- Petroleum spills of greater than 55-gallons; or
- Spills of “objectionable substances” – defined as, substances of a quantity and type that are present in sufficient duration and location to damage the waters of the state.

Meets requirements: Gasoline and fuel sales are permitted under chapter 802 as either “Gasoline Services Station” or “Convenience Store”. The site currently has fuel sales under the use of convenience store. The state requires the above standards for operational gas stations.

(i) Karst

Development of a truck stop or travel plaza in areas that encompass or affect sinkholes or other karst features (i.e., in “sinkhole areas”) is prohibited unless it is demonstrated that the development would have no significant detrimental impact on storm water management or ground water quality.

Meets: No signs of karst features on the petition property.

(j) Parking

All parking areas must be paved and fully comply with current Monroe County landscaping and storm water management requirements. A parking lot separated from the truck fueling/parking area must be provided for employees and passenger vehicles utilizing the facility.

Does not meet: Petition site is only partially paved.

Meets: Separate parking areas are proposed per conceptual site plan.

Proposed PUD standard:

10. Lot surfaces. Driveway and associated lot areas for fueling stations, charging stations, restaurant parking and convenience mart parking shall be paved. Ride-share parking, transient overnight truck parking, and associated driveway areas may be stone or gravel surfaced.

(k) Landscaping

1. At least 25% of the lot area shall be devoted to green area.
2. All screening shall include a fence and a dense planting of trees and shrubs, for the full length of the lot line.

Meets: #1 percentage of greenspace.

Does not meet: #2 – see below. Would require 92 trees just along the north property line to buffer between the residence and business. Likely require ~300+ plantings (bufferyard, streetscape, interior plantings, bioretention plantings, etc.) if it were to meet the full requirements.

Proposed PUD standard:

11. Landscaping. At least 25% of the lot shall be dedicated to permanent green space. A minimum of eight (8) trees shall be required in the areas in close proximity to road frontages.

#### (l) Signs and Lighting Standards

Any signs or lighting permitted in conjunction with the use shall be appropriate to the location and in harmony with the general character of the properties in the area. All on-site lighting at a truck stop or travel plaza shall be sized and directed to provide for minimal light spillage onto adjacent properties. Lighting standards shall be as follows:

1. All outdoor lighting shall be fully shielded. Fully shielded requires a lighting fixture to be constructed so that all the light emitted by the fixture is projected below the horizontal plan of the lowest plane of the lowest point of the fixture.
2. Lighting fixtures used to illuminate a sign shall be mounted on the top of the sign structure, lighting the sign downward.
3. Low-pressure Sodium (LPS) lamps or other dark sky friendly lighting alternatives are required throughout the site.
4. Search lights, laser source lights, or any similar high-intensity light shall not be permitted.

Meets: Permitted signage under chapter 807 would allow a total square footage of 600' of signage which includes a monument or pole sign, no greater than 60 sq. ft. per road frontage.

Proposed PUD standard:

Signage. An existing pole sign is located along the southwest property line and is estimated at 40 feet. An existing ground sign is located in the southern part of the property in the south edge of the improved portion of the lot with sign visibility from State Road 37. The monument sign is less than six feet in height. The existing pole sign and monument sign will be retained.

Meets: Lighting standards have been upgraded to meet the current requirement of a commercial site.

Proposed PUD standard:

13. Lighting standards. On-site lighting shall be sized and directed to provide minimal light spillage onto adjacent properties. All outdoor lighting shall be shielded so that light emitted by the fixtures project below the horizontal plane of the lowest point of the fixture. Low pressure sodium lamps or other dark sky friendly lighting alternatives shall be utilized wherever feasible for any light not fully shielded. Pole signs and monument signs may be backlit. Lighting shall not exceed one candle power at a property line.

#### (m) Adult Oriented Business

No Adult Oriented Business activities as defined by the Monroe County Zoning Ordinance.

Not addressed within the outline plan. Other uses that were specified as prohibited are listed as:

6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.

(n) Security

The truck stop/travel plaza must be designed with adequate lighting, fencing, security cameras, access control, signs, etc. to mitigate the potential for crime.

Likely meets: petitioner states there are cameras in and around the property already existing.

(o) Additional Requirements

All performance standards of the Monroe County Zoning Ordinance must be met. The Board of Appeals may require design changes or additional landscaping, screening, and berms as necessary to minimize the visual and noise impact of the truck stop or travel plaza on adjacent properties.

**The petitioner has proposed some uses that are not defined under the Truck Stop/Travel Plaza use. The information below that is blocked is directly from the proposed outline plan with staff review below in purple.**

Electric vehicle charging station;  
 5. Vehicle charging stations. Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts for truck parking, rideshare parking, and fueling stations. Charging stations do not require a canopy.

Chapter 802 doesn't contain a definition for electric vehicle charging states.

Convenience mart;  
 9. Convenience mart/food service. Dine-in facilities for the restaurant shall not exceed 1,000 square feet.

The site currently used as convenience store as a legal use under the PB zone.

	(i)	LB	GB	LI	HI	(C)
Convenience Store	H	P	P			

Ride-share parking;  
 8. Ride-share. Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours.

Chapter 802 doesn't define ride-share parking and would only be able to be permitted under a Planned Unit Development outline plan.

Restaurant (small);  
 The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage. The restaurant use would be located at the east end of the existing building. A drive-thru window would be placed in the north wall at the east end or in the east wall of the building. There is no time line decided for any remodeling to add a restaurant or the accessory residential use.

Chapter 802 permits the use of a restaurant in the LB, GB zones. It doesn't restrict the size of the restaurant.

Accessory uses: A single residential dwelling use and seasonal sales.  
 15. Accessory Uses.

a. Seasonal sales shall be permitted on the open lot. Examples of seasonal sales include farm produce sales, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.

Chapter 802 does include definitions for uses that are similar to the proposed “seasonal sales” accessory use. Those are included below.

**Temporary / Seasonal Activity.** (Permitted in AG/RR, FR, CR, LB, GB with conditions 46; 54). Any sale made by a person, firm or corporation engaging in the temporary business of selling seasonal products or engaging in events either retail or outdoor in nature, on property owned or leased by the person, firm, or corporation. The following list identifies the kinds of temporary / seasonal activity:

- Outdoor art or craft show or exhibit;
- Christmas tree sales;
- Fireworks sales;
- Car Tent sales;
- Food Trucks;
- Outdoor public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising event, or similar use that typically attracts a mass audience;
  - For temporary uses that are not listed above, the Director shall determine whether an unlisted temporary seasonal activity use should be classified as a temporary seasonal activity. This determination shall be based upon the similarities and differences with the above listed uses and an assessment of the proposed temporary seasonal activity’s compatibility with the zoning district and surrounding land uses.

**Roadside Stand, Temporary:** (Permitted in AG/RR, FR, CR, with condition 52). A non-permanent structure (tent or table), operated on a seasonal basis which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

b. Residential. One 2-bedroom dwelling unit for employee/manager occupancy. The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.

The ordinance does not permit residential uses in commercial zones:

Residential Uses	(i)	AG	FR	CR	ER	LR	SR	MR	HR	UR	(C)
Accessory Apartments	L	P	P	P	P	P	P	P	P		26
Accessory Dwelling Units	L	P	P	P							53; 55
Single Family Dwelling	n/a	P	P	P	P	P	P	P	P	P	1
Temporary Dwelling	L	P	P	P	P	P	P	P	P	P	3; 53

**EXHIBIT 15: 2022 Letters of Remonstrance/Support**

To the Monroe County Plan Commission.

I oppose Petition PUO-22-1. I live nearby.

Petitioner proposes paved or gravel parking over the existing septic drainage field. A septic drainage field should not be used for parking. The proposal would negatively affect the existing septic system.

The maximum waste water flow permitted by the State in it's April 4, 1990 letter is 1,200 gallons per day. If petitioner has not established compliance with this standard it's petition should be denied. Monthly pre-Covid water use records for 2017-19 would show any months with over 37,200 gallons (1,200 gallons × 31 days), which would violate that standard. The petition should be denied if waste water compliance has not been proved, particularly in light of the proposed parking on the existing septic field.

Thank you,

Guy Loftman

4835 S. Victor Pike  
Bloomington, IN 47403

--

Guy Loftman  
4835 S. Victor Pike  
Bloomington, IN 47403  
(812) 679-8445

Guy Loftman is a retired attorney, and is no longer practicing law



Wed 7/27/2022 7:15 PM

Starfish14@Bluemarble.net

Busch 2-27-22 Remonstrance to PUO-21-1

To Anne Crecellius

To the Monroe County Plan Commission:

I live near the petitioner's site. I oppose PUO-21-1 because of the proposed extended time parking and overnight parking of tractor-trailer rigs.

The diesel exhaust from idling trucks is noxious. Idling of motor vehicles contributes to global warming and is linked to asthma, decreased lung function, cardiac disease, cancer, and other serious health problems.

A study by the Alternative Fuel Data Center found an idling semi-truck would burn approximately 6.5 gallons of diesel fuel during an 8-hour period.

A gallon of burned fuel emits about 22lbs. of carbon dioxide. One minute of idling puts more carbon monoxide into the air than smoking 3 packs of cigarettes. The tonnage of carbon dioxide, nitrogen oxides and particulate matter emitted into the environment by heavy-duty truck idling during rest periods is staggering.

The petitioners propose "no idling" signage on their site. This will be exceedingly difficult to enforce for the following reasons:

- Limited on-site staff to enforce this policy
- Extreme hot and cold weather conditions requiring idling to heat or cool the cab
- Idling keeps engines warm, prevents diesel fuel from thickening as temps get cold
- Idling ensures the alternator keeps the battery charged
- Idling overnight costs nothing to non-owner operators

We have been led to believe that tractor-trailer drivers have no other option near Bloomington and I-69 to stop and rest, however that's not true. August 16<sup>th</sup>, 2021, I spoke to Shelby at Walmart Headquarters about Walmart Store #1991 on West State Rd. 45. They allow semi-tractor trailers to park on their lot. And Sam's Club, also on West State Rd. 45, "allows limited time parking with permission" according to an employee there.

P&G Associates convenience store and gas station provide a valuable service to the community. However, I am opposed to overnight truck parking because engine idling has impacts that negatively affect air quality and health of this neighborhood.

Thank you, Commissioners.

Patty and Dave Busch

**TODD** SEPTIC

July 15, 2022

To Whom It May Concern,

As a local business owner and longstanding member of the Bloomington community, I would like to speak on the importance of the Sunmart facility at 5100 S. Victor Pike. Many skilled labor companies are located in this area and visit Sunmart on a daily basis. Septic technicians, asphalt pavers, mechanics, and even City of Bloomington Utilities workers at the nearby Dillman Wastewater Treatment Plant are frequent customers. Although these jobs are often overlooked and underappreciated, they are essential components of a functioning city and would be greatly affected by the loss of Sunmart.

Along with these businesses and community members, Sunmart also maintains a large customer base of truck drivers passing through a main thoroughfare into the city. Large trucks are difficult to maneuver and cannot utilize most typical gas stations or restaurants. Sunmart's spacious lot and driveway allow truck drivers easy access to fuel, food, and a safe place to stop along the way. In fact, it is the only option for truckers on the 37 Highway and 69 Interstate traveling through Bloomington.

I take pride in knowing that I live in a community that is accepting of many cultures, ethnicities, and orientations. One that helps businesses grow and succeed. A community that finds ways to work together to reach a common goal. I'm hopeful that a similar resolution can be found that will allow Sunmart to continue operating at its full capacity moving forward.

Sincerely,



Jeffery D. Todd  
Owner





## Michael Carmin

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**From:** Darrell D Schneider <darrelldschneider@gmail.com>  
**Sent:** Monday, July 18, 2022 2:59 PM  
**To:** Michael Carmin

I'm writing to you about the truck parking at the Shell station in Bloomington off i-69. I would just like to give an example. I live in Dallas, Texas. I'm an over the road truck driver and I'm on my way up into Indiana. I ran out of time on my log book. I couldn't get to Indianapolis. This is the only fuel stop I found which I'm going to have to spend the night here. There is no other place you can't park on the ramps you can't park on the interstate. I just wanted to let the city council know there are people out here that need truck parking at night. I was able to park here. The nice people were telling me about the problem and I agreed to let them know how the trucking industry works and we need places to park. I see no problem here. Trucks are parked way in the back of the building. I don't know what the problem is. My own opinion. They need truck parking here. We need truck parking here and why the city council does not want it. I do not know. Evidently they don't get out. Much to know what's going on in the world. Thank you very much. Darrell D. Schneider and I live by Dallas, Texas in gun Barrel City, Texas.

## Michael Carmin

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**From:** Darrell D Schneider <darrellschneider@gmail.com>  
**Sent:** Tuesday, July 19, 2022 8:54 AM  
**To:** Michael Carmin

This is Daryl Snyder over the road truck driver. In reference to the Shell station in Bloomington, Indiana. It's essential to have truck parking as in the mornings we get up. Get our coffee. Get our snacks so we can hit the road. Do our job. Also the newer trucks I believe from 2010 on have no fumes. They have all the essentials on there to take care of that so you don't have that diesel smell. Also the idle at the lowest speed, anything higher making more noise idling it up will cause the filters to plug and your truck won't run. So the idle very smoothly and quiet. But from that Shell station to Indianapolis there is no truck stops. That place is essential to stop. Spend the night. Get our things in the morning and get our trucks underway.

Thank you.

August 4, 2022

Lawrence W McCammon  
5919 S Phyllis St  
Bloomington, IN 47403  
[lmac300131@gmail.com](mailto:lmac300131@gmail.com)  
812-345-6787

Members, Monroe County, IN, County Planning Commissioners  
Bloomington, IN 47401  
[PlanningOffice@co.monroe.in.us](mailto:PlanningOffice@co.monroe.in.us)  
812-349-2560

Michael Carmin  
Carmin Parker P.C.  
116 W 6<sup>th</sup> St, Suite 200  
Bloomington, IN 47404  
[michael@carminparker.com](mailto:michael@carminparker.com)  
812-332-6556/812-331-4511

Dear Members,

I am writing this in connection with a case involving the Truck Stop located at the northeast corner of State Road 37 and Victor Pike. I currently have not read the case, as I cannot locate it. It is my understanding that a person, or persons, residing close to the Truck Stop have petitioned to close it and/or stop overnight parking and/or services. I protest any, and all, plaintiffs in this case.

I am a "Born in Bloomington" resident. I have lived in the Clear Creek area since September 1996. The owners of the Truck Stop are upstanding people who would "come to the aid" of anyone or in any situation. To my knowledge, there is no crime nor suspicious activity that goes on at the property. The facility is well maintained and kept up with. Regarding services for trucks at night or truck parking, it is a "Truck Stop". It is in an ideal location for this, since it is at Interstate 69 and State Highway 37. It is a "24-hour" business, which is necessary for semi-tractor trailers and other trucks who require the facility's services in order to carry out their supply chain duties. Trucks allowed to park at the facility at night provide services at this property. I want to point out that trucks parked at night cause no noise. As a property owner, how would any of you on the Commission like it if you were told what you are and are not allowed to do on your own property? That is not Freedom nor Liberty. Take a scenario into account: Would you rather have a truck driver rest or sleep at the truck stop, OR be forced back on the road at the risk of an accident, which may cause injury and/or death(s). I rest my case.

Again, I support Pilo and Rosie, and the Truck Stop. I protest any, and all, plaintiffs and proceedings involving these matters.

Respectfully,  
Lawrence (Larry) W McCammon

## Michael Carmin

---

**From:** Chuck Trotter <chuck\_trotter@hotmail.com>  
**Sent:** Sunday, August 7, 2022 12:38 PM  
**To:** Michael Carmin  
**Subject:** Victor Pike Shell Truck Stop

To Whom It May Concern,

I'm writing this letter in support of Pilo and Rosie Cherian and their place of business the Shell Truck Stop located at Highway 37 and Victor Pike.

I have been a resident of the neighborhood since 1998 at 975 W. Church Lane approximately ¼ mile from the truck stop.

I have never had an issue with noise or anything else associated with this business. In fact, I love having it there as a matter of convenience for fuel or a quick stop for a bite to eat on the run.

The Cherian's are great neighbors and always greet us with a smile.

I have a hard time understanding why someone would purchase a house near a long standing business, a busy highway and race track all close by and then complain about it, there are plenty of places they could have purchased a house and avoided any of this.

Sincerely,

Charles and Jean Trotter

Sent from [Mail](#) for Windows

## Michael Carmin

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**From:** brandy porter <hoosiermommy79@yahoo.com>  
**Sent:** Thursday, August 4, 2022 6:14 PM  
**To:** Sunmart22@gmail.com  
**Subject:** Keep Sunmart OPEN

Sun Mart should stay open because it's the only place for truckers to park their semi over night. We need all of the support for the truckers can get. They are the people that help our supplies to travel across the USA. They won't be able to haul supplies if they don't have a place to park over night.

Sent from [Mail](#) for Windows

## Michael Carmin

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**From:** Michael Porter <hoosiermichael75@yahoo.com>  
**Sent:** Friday, August 5, 2022 7:52 AM  
**To:** sunmart22@gmail.com  
**Subject:** Bad Neighbors, Great Truckstop

Sunmart is a great service to Bloomington and the truck drivers who pass through. The thought of forcing it to shut down or stop offering big rig parking is deplorable. And flabbergasting.

Bloomington loves to have its goods delivered by us drivers but offers nowhere else to stay while we do our hour resets or just rest up and get some chow and fuel. Being able to park my rig there nightly saves my company thousands per year in fuel costs, and as a result creates less emissions and pollution.

Bloomington is continually growing; limiting trucks that need to park overnight or for several hours is not feasible.

Trucks with no place to stop while they take required down-time are forced to chance getting a ticket by parking on off-ramps or business lots that prohibit parking. It's not a choice they want to make, but sometimes they must.

Most truck drivers are hard-working and respectful, kind people. The kind of people that are the backbone of our nation.

Those against this truck stop are entitled, selfish human beings, period.

Truckers keep this country going; show them a little consideration and respect, please. Show these business owners a little respect.

Sincerely,  
Michal S. Porter  
B&R Trucking

Sent from [Yahoo Mail](#) on Android

## Michael Carmin

---

**From:** Octavia Porter <octavianichol@yahoo.com>  
**Sent:** Monday, August 8, 2022 12:23 PM  
**To:** Sunmart22@gmail.com  
**Subject:** Keep sunmart OPEN

Greetings,

Sun Mart should stay open because it's the only place for truckers to park their semi over night. We need all of the support for the truckers can get. They are the people that help our supplies to travel across the USA. They won't be able to haul supplies if they don't have a place to park over night.

Sincerely,  
Octavia

**From:** Tammie Deckard <tdeckard49@yahoo.com>  
**Sent:** Tuesday, August 16, 2022 1:35 PM  
**To:** Michael Carmin  
**Subject:** Sunmart/Sunoco gas station

To whom it may concern.

Being a resident of Victor Pike for some seventeen years plus being very close to the sunmart station, I haven't in any way been affected by any kind of noise or smells from the station. The sunmart is convenient for our truckers bringing products to our local stores to stop and rest and not be parked along our highway which is dangerous. There is plenty of room for these trucks to park. The sunmart is convenient also for those coming off 69. Sunmart is the only place between Mitchell and Indianapolis to park or even run in to get something to eat and fuel up late at night. We have a lot of big companies that depend on these trucks. Sunmart is a very nice, well run establishment.

Thank you  
Tammie Deckard  
4969 S. Victor Pike  
Sent from my iPad

**From:** Emma Clookey <emmaclookey@gmail.com>  
**Sent:** Monday, August 15, 2022 2:44 PM  
**To:** Michael Carmin  
**Subject:** Sunoco Gas Station on Victor Pike in Bloomington

To whom it may concern,

Regarding the Sunoco Gas Station on Victor Pike in Bloomington, IN. As neighbors across the street to the gas station and gas station customers we do not agree that the gas station ("truck stop") causes us any annoyance, harm, or inconvenience. We regularly visit the gas station and have never experienced any issues. Additionally, we have not experienced excess noise or smell that was noticeable or cause for concern. Please inform us if there's anything we can do to ensure the gas station isn't negatively impacted.

Best,  
The Nahal Household  
Owners and Residents at 1250 W Old Capital Pike

**From:** Brian Hendrickson <BHendrickson@TownsendTree.com>  
**Sent:** Monday, August 15, 2022 5:07 PM  
**To:** Michael Carmin; Robert J. Hupp  
**Subject:** Shell 5100 victor pike

Rosie and Philo gas station

my name is Brian Hendrickson I am Supervisor for Townsend and we occupy the back lot behind the station and we have for the last 14 years and we do the local vegetation for duke in the area. This is a central location for my employees I have them coming from Bedford, Green county and Owen and Morgan county, the parking is convenient and very secure they have cameras as well as we do. The men by there breakfast and lunch as well as getting fuel for our trucks there is no other station in Bloomington area who can provide the space along with fueling trucks!!

Sent from my iPhone

**EXHIBIT 16: 1991 Ordinance Violation, Settlement and Court Order**

P & G Associates PUD

**ORDINANCE VIOLATION, SETTLEMENT  
AND COURT ORDER (1991)**

437490 / 24933-1



**ZONING COMPLAINT NEEDING FURTHER ACTION**

**Case Number:** 41-90

**Name:** Mr. Alan Terry  
**Address:** 8401 N. Low Gap Rd.  
Unionville, Indiana 47468

**Location:** 5100 Victor Pike  
(Truck stop at the intersection of Victor Pike and Highway 37)

**Date Inspected:** November, 1990  
**1st Letter Sent:** November 21, 1990  
**2nd Letter Sent:** January 11, 1991  
**Telephoned:** Numerous telephone conversations

**Complaint:** Non-compliance with Chapter 810 of the Monroe County Zoning Ordinance, "Off Street Parking Requirements".

**Current Status:** We continue to receive complaints regarding this parking lot. According to the Zoning Ordinance, all areas devoted to off-street parking shall be of a paved surface unless the area is lightly or irregularly used. This parking area is heavily used, by both trucks and automobiles. Also, in looking at setback requirements, the Ordinance states that all setback areas shall be landscaped and wheel stops shall be provided. Both the property owner and his attorney have been contacted on numerous occasions in an effort to resolve the situation and bring the business into compliance with the Zoning Ordinance in a manner which would minimize financial hardship.

**Recommendation:** This case needs to be resolved. The situation continues to exist with no progress being made towards compliance. I recommend that this case be forwarded to the County Attorney.

  
Sherri Friley  
Zoning Inspector

**MINUTES OF THE MONROE COUNTY PLAN COMMISSION  
MONROE COUNTY COURTHOUSE ROOM 315  
MARCH 19, 1991**

**MEMBERS PRESENT:** Beverly Sample, Robert Ingram, Roger Weddle, Tim Tilton, Gary Hafner, Charles Felkner, Warren Henegar, Ed Farkas.

**MEMBERS ABSENT:** Carol Wise.

**STAFF PRESENT:** Susan Fernandes, Director; Brenda Strauss, Zoning Administrator; Sherri Friley, Zoning Inspector; Beverly Campbell, Office Manager; Bill Williams, Highway Engineer.

The meeting was called to order at 7:30 PM by President Tim Tilton. The Minutes of the February 19, 1991, meeting were approved as mailed.

**AMENDMENTS TO RULES OF PROCEDURE**

Strauss presented Amendments to the Plan Commission Rules of Procedure (attached hereto and made a part of these minutes). Fernandes addressed the issue of vote disqualification. The verbal vote was unanimous to approve the Amendments as proposed.

**COMMITTEE APPOINTMENT**

Roger Weddle, Warren Henegar, and Beverly Sample were appointed to the Pointe Ad Hoc Committee to work with Smith Quillman in negotiating criteria for the Outline Plan for the Pointe.

**STAFF REPORT**

Fernandes thanked the Plan Commission for their support in obtaining the 1991 salary increase for the Zoning Inspector position. She said she would give a more detailed Staff report at the combined Special Session of the Plan Commission and a Comprehensive Plan Meeting scheduled for Tuesday, March 26, 1991, at 4:30 PM.

**ZONING INSPECTOR'S REPORT**

Friley read the Inspectors Report (attached hereto and made a part of these minutes). She said she would like to turn Allen Terry, Case #41-90, over to the County Attorney. The vote was unanimous to forward the Terry violation to the County Attorney.

**COMPREHENSIVE PLAN UPDATE**

Fernandes said the Clear Creek Township Meeting scheduled for March 20, 1991, would be the last public meeting to discuss proposed policies. After this meeting, policies would be formalized to present to the Plan Commission.



**MINUTES OF THE MONROE COUNTY PLAN COMMISSION  
MONROE COUNTY COURTHOUSE ROOM 315  
JULY 16, 1991**

**MEMBERS PRESENT:** Charles Felkner, Carol Wise, Beverly Sample, Robert Ingram, Warren Henegar, Roger Weddle, Edmund Farkas, Bill Riggert (City Representative).

**MEMBERS ABSENT:** Tim Tilton, Gary Hafner.

**STAFF PRESENT:** Susan Fernandes, Director; Brenda Strauss, Zoning Administrator; Beverly Campbell, Office Manager; David Schilling, County Attorney; Bill Williams, County Highway Engineer.

The meeting was called to order at 7:33 PM, Beverly Sample presiding. The Minutes of the June 18, 1991, and the June 25, 1991, Plan Commission meetings were approved as mailed.

**PLANNING STAFF REPORT**

Fernandes said she had two staff vacancies. She said Sherri Friley left the Zoning Inspector job for shorter hours and higher pay and Veronica Oliva left the Planner I job to return to California.

**ZONING INSPECTOR REPORT**

Fernandes said there was no inspector report. She said she would like to see the zoning inspector job develop into a site review inspector.

**COMPREHENSIVE PLAN UPDATE**

Fernandes said she received the contract proposal (handed out at this meeting) from Camiros today, and would like the Contract Committee to meet to revise or accept this contract. She said there would be a new land use plan by March, but the number of meetings needed to obtain approval is an open question.

Fernandes said she scheduled an Open House for August 14, 1991, in the Courthouse Meeting Room from noon till 3:00 PM and 5:00 till 7:00 PM, to display the maps from Camiros. She said there would also be a meeting with the Indiana Department of Transportation, (between 3:00 and 5:00 PM, same day - same place) to discuss the Ellettsville corridor and the proposed highway to Evansville.

Fernandes cancelled the Comprehensive Plan Meeting scheduled for July 23, 1991, because of conflicting schedules and personnel turnover.

**LAKES TASK FORCE**

Wise said the Lakes Task Force met July 11, 1991. She said the LTF continued to work on the proposed Monroe County Soil Preserve. Also, she said Jeff Stake, from I.U. Law School, and David Schilling, County Attorney, addressed the issue of "a taking".

**COUNTY ATTORNEY REPORT**

Schilling reported that a lawsuit has been filed against the Truck Stop at Victor Pike and State Road 37.



EXHIBIT A

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and among Alan L. Terry, ("Terry"), Monroe County, Indiana, (the "County"), and Monroe County Plan Commission (the "Plan Commission"), this 12<sup>th</sup> day of November, 1991.

WHEREAS, a dispute has arisen among the parties concerning Terry's compliance with certain zoning regulations at his place of business located at 5100 Victor Pike, Perry Township, Monroe County, Indiana (the "Real Estate"); and

WHEREAS, the County and the Plan commission have filed a Complaint against Terry in the Monroe Circuit Court under cause number 53CO29106CP00513, (the "Lawsuit"); and

WHEREAS, Terry, the County and the Plan Commission wish to provide for a full, final and complete resolution of their dispute and lawsuit.

NOW, THEREFORE, for and in consideration of the mutual covenants, terms and conditions herein contained, the parties agree as follows:

1. Initial Application of Penetrating Oil. Promptly following execution of this Settlement Agreement, subject only to contractor availability and weather, Terry shall cause penetrating oil to be applied to all crushed stone surface area at the Real Estate. Prior to applying such penetrating oil, Terry shall be permitted to "dress up" the lot at the Real Estate by grading and adding additional stone where needed to achieve a smooth surface. All permits required by the County or any of its political subdivisions or departments in connection with the

lot "dress up" or oil application shall either be waived by the County or deemed granted to Terry and all contractors he may employ. The parties acknowledge that the lot "dress up" work will likely result in the unavoidable creation of airborne dust. To minimize the effect of such dust on neighborhood residences, Terry shall instruct his contractor to complete the lot "dress up" as quickly as possible. Terry has been informed that the "dress up" may be completed in one or two days, weather permitting. The penetrating oil to be used at the Real Estate shall meet all federal, state and local safety and environmental standards.

2. Subsequent Applications of Penetrating Oil. So long as any part of the Real Estate remains surfaced with crushed stone, Terry shall make subsequent applications of penetrating oil to such areas as often as reasonably necessary to prevent migrating dust from becoming a nuisance to residences contiguous to the Real Estate. Terry shall also cause such additional penetrating oil to be applied to such unpaved areas within one week of request by the County, subject to contractor availability and weather. A request for additional penetrating oil applications shall be made by the County only if a County Planning inspector, Highway inspector or Building Department inspector visits the Real Estate and determines that additional dust control is reasonably necessary to eliminate a nuisance or hazard to the public health. Terry's obligation to apply penetrating oil to areas of the Real Estate shall cease when such areas are paved.

3. Paving of Driveway and Parking Areas.

a. Phase 1. On or before June 30, 1992, Terry shall cause all portions of the lot on the south and east sides of the existing building used for motorized vehicle traffic or parking to be paved. The area on the south side of the building shall begin at the east edge of the existing pump island and shall extend to the east end of the building. This paved area shall be approximately 73 feet wide at the pump island and shall taper, following the contour of the landscaping, to approximately 40 feet wide at the east end of the building. A paved access drive at least 25 feet wide shall extend from the east end of the paved area described above to the concrete driveway apron leading to Victor Pike. The area to be paved on the east side of the building shall be approximately 30 feet wide and shall extend the width of the building.

b. Phase 2. On or before June 30, 1993, Terry shall cause all portions of the lot on the north side of the building used for motorized vehicle traffic or parking to be paved. This paved area shall be approximately 30 feet wide and shall extend the length of the building.

c. Phase 3. On or before November 30, 1993, Terry shall cause all remaining unpaved areas of the lot at the Real Estate used for motorized vehicle traffic or parking to be paved. This area shall consist generally of the lot on the northwest, west and southwest sides of the building.

4. Paving Specifications. All paving done at the Real Estate shall conform to general industry standards for Monroe County, Indiana, and shall consist generally of an average of three-inch hot mix asphalt with #5D base rolled for compaction.

5. Trash Containment. To reduce the amount of paper trash that may migrate off the Real Estate, Terry shall, within 45 days of the date of this Settlement Agreement, take the following steps:

a. Dumpster Location. Terry shall move the trash dumpster to the west end of the building so that it will be better lighted and more secure from improper trash dumping by third parties.

b. Retaining Fence. Terry shall construct around the trash dumpster a wood fence to reduce the amount of migrating trash.

c. Trash Pick Up. Terry shall cause his employees to patrol the Real Estate on a regular basis and to remove any trash or debris they may find. This obligation shall include trash or debris that may have blown onto contiguous parcels of real estate, provided the owners of such real estate consent in advance to Terry's employees coming onto their property.

6. Visual Screen. To provide a visual screen, Terry shall within 45 days of the date of this Settlement Agreement cause evergreen trees to be planted at the Real Estate. Such trees shall be approximately three feet to four feet tall, shall

be planted approximately 12 feet on center and shall be placed on the north and east sides of the Real Estate so as to be located opposite existing houses.

7. Dismissal of Complaint. Promptly after completion of the obligations imposed on Terry in Paragraph 2 (Initial Application of Penetrating Oil), Paragraph 5 (Trash Containment) and Paragraph 6 (Visual Screen), the County and the Plan Commission shall cause the pending Lawsuit to be dismissed, without prejudice. If Terry should thereafter default on this Settlement Agreement by failing to perform according to its terms, the County and the Plan Commission may file a Complaint for Specific Performance of this Agreement and other proper relief, and Terry agrees that he will not oppose such a Complaint.

8. Review of Existing Procedures. In an effort to avoid similar disputes in the future and to better serve the public, the County agrees to promote increased communication between its political subdivisions and departments with regard to construction permits, plan approvals and zoning requirements. Additionally, the County agrees to take steps to inform the public that "approval" of construction plans by one or more of its political subdivisions or departments does not ensure compliance with zoning regulations.

9. Savings Clause; Governing Law. Should applicable law confer any rights or impose any duties inconsistent with, or in addition to, any of the provisions of this Settlement Agreement, the affected provisions of this Settlement Agreement shall be



considered amended to conform to such law, but all other provisions hereof shall remain in full force and effect without modifications. This Settlement Agreement shall be governed by, and construed in accordance with, the laws of the State of Indiana.

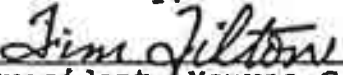
10. Integration Clause. This Agreement constitutes the complete understanding of Terry, the County and the Plan Commission and any former agreements of any kind, type or nature are hereby merged and incorporated herein.


11. Captions. The captions for the paragraphs of this Settlement Agreement are inserted for convenience only and do not constitute a part of this Agreement.

12. Successors. All of the covenants, terms, conditions and agreements herein contained shall be binding upon the heirs, personal representatives, successors and permitted assigns of the parties hereto.

IN WITNESS WHEREOF, Terry, the county and the Plan Commission have executed this Settlement Agreement this 12<sup>th</sup> day of November, 1991, in duplicate counterparts, each of which shall be deemed an original.

  
\_\_\_\_\_  
Alan L. Terry

Monroe County, Indiana  
By:   
\_\_\_\_\_  
President, Monroe County  
Commissioners

Monroe County Plan Commission  
By:   
\_\_\_\_\_  
President

STATE OF INDIANA  
IN THE MONROE CIRCUIT COURT II  
CAUSE NUMBER: 53C02-9106-CP513

MONROE COUNTY, INDIANA, and  
MONROE COUNTY PLAN COMMISSION,

Plaintiffs,

-vs-

ALAN TERRY,

Defendant.

MOTION TO DISMISS

Come now the Plaintiffs, by counsel David B. Schilling, and move the Court to dismiss this cause without prejudice pursuant to paragraph 7 of the November 12, 1991 settlement agreement (hereinafter "Settlement Agreement") made by and among Alan Terry, Monroe County, Indiana and the Monroe County Plan Commission. A copy of the Settlement Agreement is attached hereto as "Exhibit A".

Respectfully submitted,

MONROE COUNTY ATTORNEY'S  
OFFICE



BY: DAVID B. SCHILLING  
Attorney for Plaintiffs

(1)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion to Dismiss has been mailed or delivered to: Lloyd T. Wilson, Jr., NAJAM & WILSON, Attorneys at Law, 645 North Walnut Street, Bloomington, Indiana 47404 and Special Judge Chris D. Monroe, Bartholomew Superior Court, Columbus, Indiana 47201, this 5<sup>th</sup> day of June, 1992.



---

**DAVID B. SCHILLING**  
Attorney for Plaintiffs

**DAVID B. SCHILLING**  
**MONROE COUNTY ATTORNEY**  
**COURTHOUSE, ROOM 220**  
**BLOOMINGTON, INDIANA 47404**  
**(812) 333-3525**

(2)

STATE OF INDIANA

IN THE MONROE CIRCUIT COURT II

CAUSE NUMBER: 53C02-9106-CP00513

MONROE COUNTY, INDIANA, and  
MONROE COUNTY PLAN COMMISSION,

Plaintiffs,

-vs-

ALAN TERRY,

Defendant.

ORDER

This cause came to be heard on the Plaintiffs' Motion to Dismiss. A copy of said Motion to Dismiss is attached hereto as Exhibit I. And the Court, being duly advised, hereby grants said Motion and hereby orders that this cause be dismissed without prejudice in accordance with paragraph 7 of the Settlement Agreement.

SO ORDERED THIS 19 DAY OF June, 1991.

  
CHRIS D. MONROE  
Special Judge

**COPIES:**

Lloyd T. Wilson, Jr.  
NAJAM & WILSON  
645 North Walnut Street  
Bloomington, Indiana 47404  
(812) 332-4577

David B. Schilling  
Monroe County Attorney  
Courthouse, Room 220  
Bloomington, Indiana 47404  
(812) 333-3525

# TRUCK PARKING

sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Mariah Self 8550 E Miller Dr Dinghy 4701		✓		We need truck drivers!
DENNIS CLARK 7473 KEITHWAY				TRUCK DRIVER
Courtney Robertson 2604 Sterling Dr		✓		
Ellie West 408 E. Semings Lee Johnson		✓		truck drivers are important
3612 W Woodhaven Dr Leticia Powell		✓		Truck drivers
3612 W Woodhaven Dr Ruby Powell		✓		Wife of truck driver
909 S. Sheridan Dr Kenneth Powell		✓		Mother of truck driver
909 S. Sheridan Dr Kenneth Powell		✓		
ABDELAZIZ salib Jalwet, IL				TRUCK owner driver
Colby Freener Archer Ln		✓		Sleepy truck drivers are bad, let them sleep!
Tony Fox 		✓		
Jessica Jennings 7000 S. rd 488		✓		They keep our country moving

# TRUCK PARKING

Sep 2022

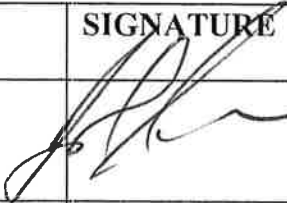


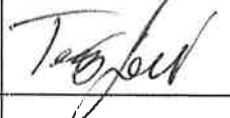
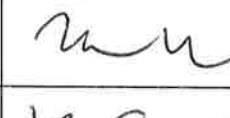

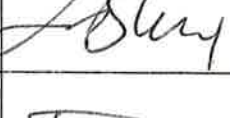
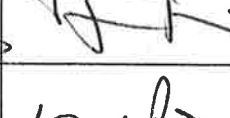
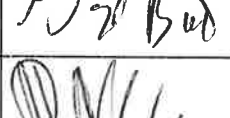
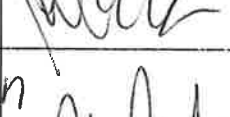
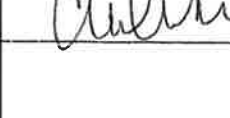
Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Bobby Heare		✓		can't move without
Tyie Hayden 4120 S. Falcon		✓		Unfair to truckers!
Jordan Newton 6711 State RD 40		✓		unfair to TRUCKERS!!!
Chance Hardin 812-225-0099		✓		
David Hayden 490 S. Victor Pike		✓		Parked trucks make NO NOISE!!!
Brandon & Jami Mathick 7492 Old 37		✓		They need a place to rest
Matthew Rush 4899 S. Victor Pk		✓		
Chris Hanners 2630 W. Shaw Rd.		✓		
Errol Hylton 2030 Luke Edwards Rd Dacula GA		✓		Nowhere to rest if we're delivering in town Please Allow Parking
Bob Richardson 4972 E State Rd 54 Bloomfield In		✓		Haul out into Ohio River never go not running overnight
Sam Martin 5930 W Koontz Rd Bloomington IN 47403		✓		Truckers have to rest and its there partitions home
Megan Strunk 5930 W Koontz rd Bloomington IN 47403		✓		They need a place to rest!!!

# TRUCK PARKING

sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Solu Egan		✓		
April MacConnell		✓		TRUCKS NEED A PLACE TO REST
Michael W. Sweeney		✓		TRUCK STOP BEHIND HERE FOR 30yrs
Terry Jewell		✓		
Matthew		✓		
Brew		✓		
Jay Strosniser		✓		
Trevor Robbins		✓		
GARY BAILEY Day/Bud		✓		
RICK BROOKS SOLSBERRY		✓		
Amanda Dishman		✓		
Joey Terrell		✓		

# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
DAVE POWDEN Bloomington, IN	<i>Dave Powden</i>	✓		Truckers need There sleep
Steve Lee Muncie, IN	<i>Steve Lee</i>	✓		Truckers need places to sleep
DAVID HUNCKER Bloomington, IN	<i>David Huncker</i>	✓		
Tony Legreant Bloomington, IN	<i>Tony Legreant</i>	✓		Leave small businesses alone
Doug Bigley Doug Bigley	<i>Doug Bigley</i>	✓		Truckers are citizens also. citizens want their goods but don't want us seen!
Ashley Wilson	<i>Ashley Wilson</i>	✓		Safe place to park/rest!!
Austin Turpin	<i>Austin Turpin</i>	✓		
Edie Turpin	<i>Edie Turpin</i>	✓		✓
DANIEL WELCH 3444 S. S. Line Bloomington, IN	<i>Daniel Welch</i>	✓		With out Trucks 30+ years Truck you have no goods. <i>PG. VEG</i>
ERIC RATLIFF Eric Ratliff	<i>Eric Ratliff</i>	✓		
JOFF MITCHELL OLD MEYERS RD Bloomington	<i>Jooff Mitchell</i>	✓		ONLY PLACE IN Bloomington to sleep AND fuel up
LISA PRINCE 7990 S. Rockport Rd Bloomington 47403	<i>Lisa Prince</i>	✓		



# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Matt Webster 1503 70 <sup>th</sup> St. Bloomington		✓		
Tim Bailey 4480 S Rockport Stevens Odd 208 Main Rd NW Deerport IN 47715		✓		
STEPHEN RANTAM 9201 GREEN RIDGE LN BLOOMINGTON		✓		
CHARLES HINKLE 4307 S FALCON DR BLOOMINGTON IN 47403		✓		
Tiffany Smith (Padawan) 7360 W GIFFORD RD Bloomington, IN			↓	
Joshua Padawan 7360 W Gifford Rd Bloomington, IN		✓		
Rita Robinson 9559 S Harrodsburg Rd Bloomington 47403		✓		
Chris Reed 7411 S. Old State Rd 37 Bloomington IN 47404		✓		
Tim Moore 3745 Bolding lease SP. 47405		✓		
B. COMBS BLOOMINGTON, IN		✓		
Amy Wright 3211 W. Thrasher Bloomington, IN		✓		

# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Mura Roberts 812-797-9170	Mura Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tom Roberts 812-325-2287	Tom Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Travis Conder 812-327-9629	Travis Conder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Henny Ray	Henny Ray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jordan Abner 812-826-4555	Jordan Abner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Barry Moore	Barry Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
AD Ferguson 7100 S. OLDS RD 37	AD Ferguson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Matt Vanpelt	Matt Vanpelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Matt Zwick	Matt Zwick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gabe Mosqueda	Gabe Mosqueda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tina Rogers	Tina Rogers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4582 S Patricia Ln Bryn, IN 47403
Tamie Arnelson	Tamie Arnelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4

Sep 2022

# TRUCK PARKING

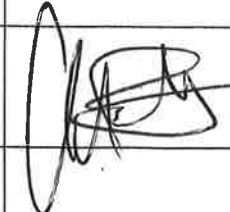


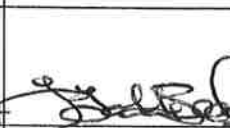

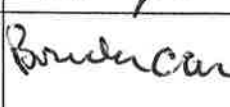

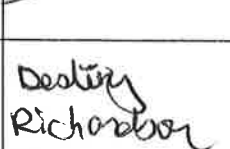
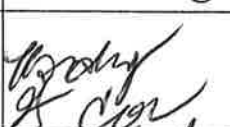



Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
JEFF Todd Todd Septic		X		
Ray Brouil 5104 S. Commercial Bloomington, IL 47403		X		
Jacob Brown 6711 S. SPRING Bloomfield		X		
Kerina Zick		X		
Chris Dantel 1600 S. Williams Dr 47403		X		Perfect location given geographics
Levi Mitchell 7235 South lobby RD		X		Helps our County to receive goods
Levi Wesemann				
Brooke Thompson 2611 S Southern ridge				a good breakfast Food
Keth Gentry 708 S Cory Ln				
John Holtzman 4969 S. Vator				Corrupt county BOARD MEMBERS
Tammie Deckard 4969 S. Victor		X		
Chris Ely 8050 S. Rockport RD		X		

# TRUCK PARKING

Sep 2022

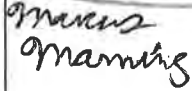


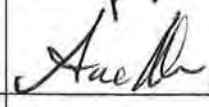



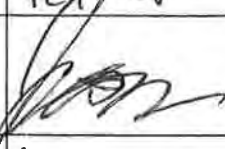
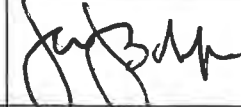

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Chad Bowling Bloomington, IN		✓		
Julie Bowling R 22 L		✓		
Rich Laker Bloomington IN		✓		
<del>TODD BEARD</del> Bloomington 47114	<del></del>	✓		
Kelly Allen Bloomington, IN		✓		
Brenda Carr		✓		Needs there sleep
Josh Burks		✓		
Destiny Richardson		✓		They provide us with all of our goods/essentials and deserve a place to rest.
Brandy Gerlein Combs		✓		
Craig Hargraves		✓		
James Collins		✓		
Brian Wenderickson		✓		

# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Marcus Mannins 111 Gum St Jonesboro, VA		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking 10hr break
Randy Robertson 810 S. 3rd Ave W. Virginia MN.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking for 10 hour Break
Ginger Taylor 490 W. Chumley Rd Bigh IN 47403		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>We Need Truck Drivers!</u>
Andrew Henke 8076 Hill rd Swartz, Creek, MD		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking FOR 10HR DOT BREAK
Annabelle French 2050 W. Flock Mill Rd Bloomington 47425		<input checked="" type="checkbox"/>	<input type="checkbox"/>	WE NEED the truck drivers!!
Jake Hillenburg 639 St Rd 158		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brooklyn Chum 9264 N. Redwood Rd Bloomington, IN		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Lori Chandler		<input type="checkbox"/>	<input type="checkbox"/>	coffee GAS
Jerry W. Feltner	Jerry Feltner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	gas
Tom Schaffer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only place to go between Mitchell / Indy
Chris Skinner 1770 S Weimer Rd		<input checked="" type="checkbox"/>	<input type="checkbox"/>	We Need truck drivers and a place to stop

# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Jeremy Pennington 432 E. Oilmann Rd		✓		Long Live the Sunnart
BETH LAKE		✓		
LINDA DILLON		✓		
Travis Grisher 201 1/2 Ave		✓		
<del>XXXXXXXXXX</del> 1822 S Rockport Cl. Synthesis Christiana		✓		
Dylon Kimbrell 2409 Pevenaker Blount		✓		
MAX HAYS 5108 S. Commercial		✓		
Walter Johnson 5966 S SHIVERS RD		✓		
Joe Carlyle 220 Centennial		✓		
Andy Walker 167 Green Street		✓		
ANDREW GRIFFIN 106 CENTRAL AVE CENTRAL AVE		✓		
WAKE HENDERSON 7411 S. Ketchikan Road		✓		
Rodney Crum 201 Centra		✓		

# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Meredith Eato	<i>Meredith Eato</i>	✓		
mike Jackson	<i>[Signature]</i>	✓		
Erik Richardson	<i>[Signature]</i>	✓		
<i>[Signature]</i>	Barrett Long	✓		
<i>[Signature]</i>	Douglas	✓		
<i>[Signature]</i>	DANNIE E. SOWEN	✓		
<i>[Signature]</i>	DENN'S CLANC	✓		
Patty Adams	PATTY Adams	✓		IT'S a TRUCK STOP???
Aaron Morrison	<i>[Signature]</i>	✓		Keep for liberal BS at home
Brian Barcikowski	<i>[Signature]</i>	✓		
KAYE TERRY BERRY	<i>[Signature]</i>	✓		
<i>[Signature]</i>	<i>[Signature]</i>	✓		

Sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
DUSTIN COYLE 2060 GREEN ST BLOOMINGTON, IN 47401	<i>Dustin Coyle</i>	✓		
Brennicka Walker 12622 E Chandler Rd	<i>Brennicka Walker</i>	✓		
Kaleb Plummer 425 Spake	<i>Kaleb Plummer</i>	✓		
<i>My [Signature]</i>	<i>M.S.</i>	✓		
<i>Dave Lubb</i>		✓		
Randy Sexton	<i>Randy Sexton</i>	✓		
Boice Vandivort	<i>Boice Vandivort</i>	✓		
George Miller	<i>George Miller</i>	✓		
Marshall Cox	<i>Marshall Cox</i>	✓		
Josh Smith	<i>Josh Smith</i>	✓		
Justice DeCard	<i>Justice DeCard</i>	✓		
Jesse Pein	<i>Jesse Pein</i>	✓		



Sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
El. Stout	<i>El. Stout</i>	✓		
Feather Roberts 812-606-0039	<i>Feather Roberts</i>	✓		
Lexie McGlothlin 812 327 0454	<i>Lexie McGlothlin</i>	✓		Be nice to our truckers!!
Michael Vance. 11211 Westwood Loop SAN ANTONIO TX	<i>M Vance</i>	☺ X		Stay Safe.
Susan Pate	<i>Susan Pate</i>	✓		
Rob Smith	<i>Rob Smith</i>	✓		
Devin Swamy	<i>Devin Swamy</i>	✓		
Charles Davis	<i>Charles Davis</i>	✓		
JASON Sipe	<i>Jason Sipe</i>	✓		
Steph Cummings 5151 S Rockport Rd	<i>Stephen Cummings</i>	✓		Leave the truck stop alone
Kacy Turpin	<i>Kacy Turpin</i>	✓		
Cory Reisman	<i>Cory Reisman</i>	✓		

Sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Todd O JT Elwood, IN		✓		Nice place to park
Sarah Green		✓		
Mike, Clemens		✓		Truckers need some where to park
SAMUEL HAWKINS		✓		THERES NO PROBLEM WITH LETTING TRUCKS PARK
Brady Sturatt		✓		Its been this way for 40 years!
Jeremy Morris		✓		Owner is A Pain
Sharrataylor Ellettsville, IN		✓		safety - regulations
Roger walls		✓		
Vann, Sturt Blain, IN		✓		
Michael J Keen Keen, IN		✓		
John Sw. ft adon		✓		
Terrence Wilson WLT		✓		

sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
DAVE TERRELL 1210 N. PARKER INDIANAPOLIS, IN 46201	<i>Dave Terrell</i>	✓		Support the truckers they bring everything to you!
Robert Cleman	<i>Robert Cleman</i>	✓		10 hr sleep.
885 S College Mall Rd # 163 Bloomington, IN 47401	<i>HO</i>	✓		Important for truck Safety to have rest stop in area
MIKE GRASSCOCK 4451 W. TRAMWAY Bloomington IN	<i>Mike Grasscock</i>	✓		
Grant Brown Conbr 1599 N. Cedar Bluff Rd Bloomington, IN	<i>Grant Brown</i>	✓		
JANIE MOSSBUCHER 1630 E SMITHVILLE RD	<i>Janie Mossbacher</i>	✓		
Zach Vanphrey Hosington	<i>Zach Vanphrey</i>	✓		
Joy Stover 232 CRAIG MO	<i>Joy Stover</i>	✓		
Thomas Blais 1850 Old Capitol Rd	<i>Thomas Blais</i>	✓		SUPPORT OUR TRUCKERS
Jeff Velosquez 3212 Center, Middlesboro	<i>Jeff Velosquez</i>	✓		Support truckers
Bob Linn	<i>Robert Linn</i>	✓		Support Truckers
Nicole Woodard 13242 421st Ave Mabel, MN 55954	<i>Nicole Woodard</i>	✓		places to sleep are necessary for truckers

Joe Smith  
417807 / 349321  
3549 W. Cockrell Rd  
Blythe, TN 47403

*for us* ✓

Ridiculous!

Sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Andy Beyfson 7116 S Lodge Road	<i>[Signature]</i>	✓		The truck stop has been here way longer than they have
Caramée Bryan	<i>[Signature]</i>	✓		the neighborhood can all leave, as long as the truck stop STAYS.
DESTA PRINCE	<i>[Signature]</i>	✓		TO KEEP TRUCKS MOVING.
Erinette Tremblay	<i>[Signature]</i>	✓		Best place around for truckers. Been here forever
Gill Tremblay	<i>[Signature]</i>	✓		
Jamie Holguin	<i>[Signature]</i>	✓		
Pamela Holguin	<i>[Signature]</i>	✓		
Karl	<i>[Signature]</i>	✓		
Jeff Ewer 481 E Empire mill Rd	<i>[Signature]</i>	✓		
Dee Lefe (Terree) 70 Box 15 Stanford	<i>[Signature]</i>	✓		Because of the I69 that Monroe County just had to have - truck stop is needed
Amy Smith 3528 E. Cleve Bickler Bloomington, TN 37114	<i>[Signature]</i>			
Dee DeClard	<i>[Signature]</i>	✓		IT Really Hurts no one But the truckers

Anita Franklin *[Signature]*

437807 / 24933-1

✓ *[Signature]* Distract this business

sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Charles Bohall 3000 W Popcorn rd		X		IT'S A TRUCK STOP... LET THEM STOP AND REST
Amber Bohall 3000 W. Popcorn		X		It turns into a safety issue because there isn't a stop for quite awhile.
Kw. Dobson Rockport RD 213		X		
Valerie MIRELS Rockport Rd. Bloomington		X		IF wreck happens because of them not getting rest and someone dies then its MOORE county's fault!!
Adrian Nunez Columbus, IN		X		Drivers need rest <span style="float: right;">shame on you?</span>
Robert DUNN Bloomington, IN		X		Let them rest
Elizabeth Aldred Bloomfield, IN		X		<u>need truckers</u>
James Colw Vernal Pike		X		
Alfredo ROGER		X		we need Truck Drivers
Bobbie Littleton Bloomg		X		TRUCKERS NEED THEMERS ✓
William Blew		X		
		X		

Sep 2022

# TRUCK PARKING

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
JUSTIN CONRAD		✓		SUPPORT LOCAL BUSINESS
<del>MAC</del> <del>MAGUIRE</del> MAC MAGUIRE		✓		Great Place
Bobby Blockett		✓		clean and Great and safe
Jacob Zilke 6023 Victor Pike		✓		
NICK Smallwood 4725 S Rockport Rd		✓		
KEVIN SMITH		✓		SEVERELY NEEDED
Mario Parker		✓		clean also
Greg Beasley 220 W Church LN		✓		
Bill Smith 198 Green Acres Rd Mitchell 47446		✓		
Mike Morrison 55900 Wood Rd Alb		✓		Seriously end this Bullshit
Amber Meyer 345 Seminole St				Best Place to stop
Devin Hall 1201 Allen St		✓		

# TRUCK PARKING

6 sep 2022


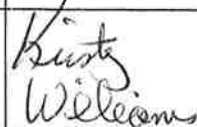
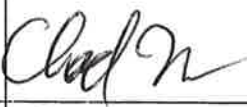

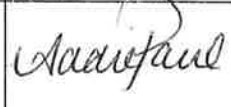

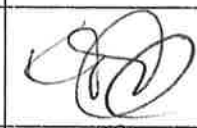




Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Serena Lang Farmers Field	[Signature]	✓		
John Hoss 10198 E Dabson rd	[Signature]	✓		
Brad Austin 1835 S Pecan Ln	[Signature]	✓		
Roger Reed 597 Agave St Grand Junction, CO	[Signature]	✓		There is no little parking in this area for us as it is please don't make it harder
LOLO Fortwayne IN	[Signature]	✓		There is no way to park & this is the only place between here & somewhere.
BRE Brianda	[Signature]	✓		
Corissa Rose Halcone	[Signature]	✓		
Noomi Ridda Noomi Ridda	[Signature]	✓		
Bryan Morrison 13522 McMullen Cumberland	[Signature]	✓		
Kenneth Torelli	[Signature]	✓		Do you want deliveries?
Chuck Campbell	[Signature]	✓		
DEAN LUST	[Signature]	✓		We need more parking

# TRUCK PARKING

sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Rick Webb 7073 S. Marnie Coads Bloomington IN 47403		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Quit screwing up our county with stupid new rules just leave the truck stop alone!!!
Kristy Williams 750 E. Dillman Rd. Blgtn IN 47401		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Love this place!
Chad Newby 8406 Lismore E Dr. Apt A Indianapolis, IN 46227		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Leave us drivers alone we need places to sleep!
Steve Stewart 4043 McCannick St Bloomington IN		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Adrian Paul 1251 W Church Ln Bloomington IN		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Kathleen Beeles 7080 S. Victor Pike Bloomington		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Please understand this is a family business and treat everyone as such.
King LARRY L		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Definitely
Randy Brewer 2227 N Mt. Carmel Rd 47403		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tyson Hall		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jay Breeden		<input checked="" type="checkbox"/>	<input type="checkbox"/>	jay.breeden@hotmail.com
Tom Snodgrass		<input checked="" type="checkbox"/>	<input type="checkbox"/>	



# TRUCK PARKING

Sep 2022

Zoning question: Should overnight truck parking be permitted on this property?

PRINTED NAME AND ADDRESS	SIGNATURE	YES	NO	COMMENTS (optional)
Jim Smith	<i>[Signature]</i>	✓		
<sup>Bromley</sup> Nathaniel S	<i>[Signature]</i>	✓		
<sup>Indianapolis</sup> Darin Waters	<i>[Signature]</i>	✓		
Bob Jeslun	<i>[Signature]</i>	✓		
Nash Bauer	<i>[Signature]</i>	✓		support the trucks
Emily Salinas	<i>[Signature]</i>	✓		
Gregory Pardo 1241 W. Church	<i>[Signature]</i>	✓		
Jeremy Long	<i>[Signature]</i>	✓		
Serena	<i>[Signature]</i>	✓		
David Spechtel	<i>[Signature]</i>	✓		
Almond's Boon	<i>[Signature]</i>	✓		
<sup>Memphis</sup> Cathy Barnes	<i>[Signature]</i>	✓		Help trucker Rest at night.
MIA ELKINS	<i>[Signature]</i>	✓		Keeps roads safer!

Devin New

437807 Debra Lambert ✓

Jessica Lomica ✓

Jamie Smith ✓

Joel Dancer ✓

DYNACORE INC Dane Park ✓

Jim Gillaspay yes