

# MONROE COUNTY PLAN REVIEW COMMITTEE



**Thursday, November 9, 2023  
5:30 pm**

## **Hybrid Meeting**

### **In-person**

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

### **Virtual**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNlQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 819 4721 8756

Password: 977192

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

November 9, 2023

5:30 p.m.

**HYBRID MEETING INFO**

**IN-PERSON:** Monroe Government Center 501 N Morton ST Suite 100 B Bloomington IN 47404

**VIRTUAL LINK:** <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNlQT09>

**ADMINISTRATIVE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

- 1. PUO-23-5**                      **Rangeview Circle -Highland Parcel E Outline Plan Amendment**      **PAGE 3**  
Two (2) parcels totaling 13 +/- acres in Perry Township, Section 17 at W Rangeview CIR, parcel #53-08-17-100-102.099-008.  
Owner: Range View and Wickens LLC  
**Zoned: Highlands PUD.** Contact: [shawnsmith@co.monroe.in.us](mailto:shawnsmith@co.monroe.in.us)
- 2. REZ-23-3**                      **Worms Way Rezone from AG/RR to PB**                                      **PAGE 16**  
Two (2) parcels totaling 12.86 +/- acres in Washington Township, Section 28 at 7850 N Wayport Road, Parcel #s 53-02-28-100-006.000-017, 53-02-28-100-002.000-017.  
Owner: Ah & Sh LLC  
**Zoned AG/RR.** Contact: [dmyers@co.monroe.in.us](mailto:dmyers@co.monroe.in.us)
- 3. PUO-23-6**                      **North Park II PUD Outline Plan Amendment 1**                                      **PAGE 62**  
One (1) 98.6 +/- parcel in Bloomington Township, Section 30 at N Packing House RD, parcel #53-05-30-400-014.000-004.  
Owner: Packing House Road LLC  
**Zoned PUD.** Contact: [acrecelius@co.monroe.in.us](mailto:acrecelius@co.monroe.in.us)

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

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

The meeting will be open to the public.

<b>CASE NUMBER</b>	PUO-23-5
<b>PLANNER</b>	Shawn Smith
<b>PETITIONER</b>	Winger Construction c/o Daniel Butler w/ Bynum Fanyo & Associates
<b>REQUEST</b>	Planned Unit Development Outline Plan Waiver of Final Hearing Requested
<b>ADDRESS</b>	W Rangeview CIR 53-08-17-100-102.099-008
<b>ACRES</b>	13 +/- acres
<b>ZONE</b>	Highlands PUD
<b>TOWNSHIP</b>	Perry
<b>SECTION</b>	17
<b>PLATS</b>	Highlands Subdivision Parcel "E" (Links Edge)
<b>COMP PLAN DESIGNATION</b>	MCUA Suburban Residential

**EXHIBITS**

1. Petitioner Outline Plan Statement
2. Subdivision Final Plat – Petitioner’s site plan

**RECOMMENDATION**

Recommendation to the Plan Review Committee:

- Staff recommends “approval” of the proposed planned unit development amendment due to its compatibility with the Monroe County Comprehensive Plan.

**PETITION TIMELINE**

**Plan Review Committee – November 9, 2023**

**Plan Commission Administrative – December 5, 2023**

**Plan Commission Regular (Preliminary) – December 11, 2023**

Waiver of Final Hearing requested.

**Plan Commission Administrative – January 1, 2023** (if not waived)

**Plan Commission Regular (Final) – January 16, 2023** (if not waived)

**Board of Commissioners – TBD**

**SUMMARY**

The petitioner is seeking an Outline Plan Amendment to the Highlands PUD to revise the inner road loop classification within the Highlands Parcel “E” (Links Edge), known as W Rangeview CIR, from a public road classification to a private road classification.

If the Outline Plan is approved by the County Commissioners, the road classification will be revised to no longer be considered a public road and will instead be the responsibility of a private entity to maintain. The development has been completed and the roadways were found to not meet public road standards. According to the Highway Engineer, the existing buildings in place were constructed at a higher elevation than the plans called for, making it impossible for the developer to meet the cross-slope requirements for the constructed sidewalks in the right-of-way. Currently, the developer is unable to request for a release of Financial Guaranty due to the issue of the as-built nature of the roadway and it not meeting County standards.

**BACKGROUND**

This subdivision is part of the “Highlands PUD”, which was originally approved under the City of Bloomington Planning jurisdiction. In 2018, the developer received approval for the subdivision and development plan. During the course of the meetings, W Rangeview Circle was requested by the Plan Commission to remain as a public road instead of becoming private, which

was the developer's original intent. The concern was that if the roadway was private, it would put more cost on an HOA.

To date, the entirety of the development is owned by the developer and is available for rent.

The development has been reviewed. The Stormwater division has inspected the site and finds it to be in compliance. The developer is still finishing final landscaping and sidewalks.

TIMELINE:

- 1807-PUO-02: Highlands Subdivision Planned Unit Development (PUD) Outline Plan Amendment for Parcel "E"
  - Plan Commission gave positive recommendation (7-1) on October 18, 2018
  - **Approved** by County Commissioners 3-0 on October 27, 2021
  - [Link to October 18, 2018 Plan Commission Packet](#)

**HIGHWAY DEPARTMENT COMMENTS**

Comments from the Highway Department are forthcoming.

Stormwater has signed off on the Land Use Certificate for this site and has no further comments.

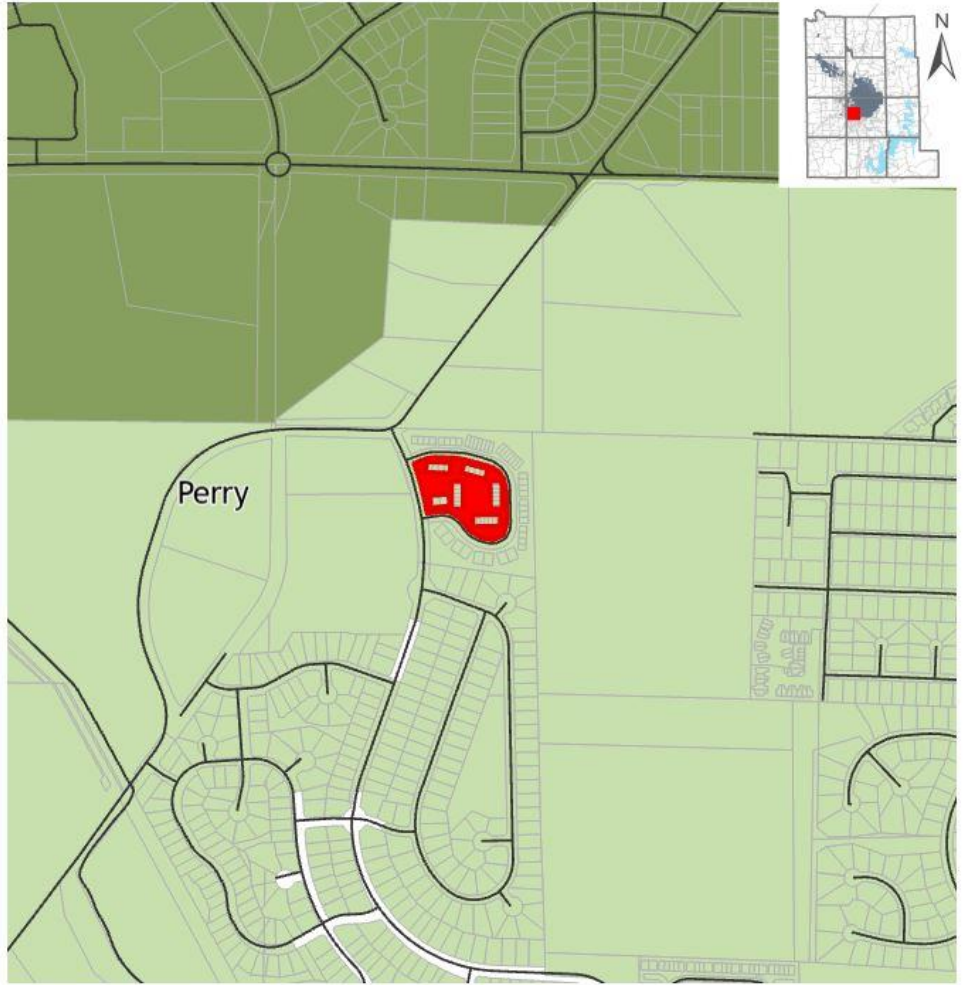


**LOCATION MAP**

The petition site is located at W Rangeview CIR, parcel #53-08-17-100-102.099-008. This would include the entire loop. The petition site consists of 13 +/- acres.

**Location Map**

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



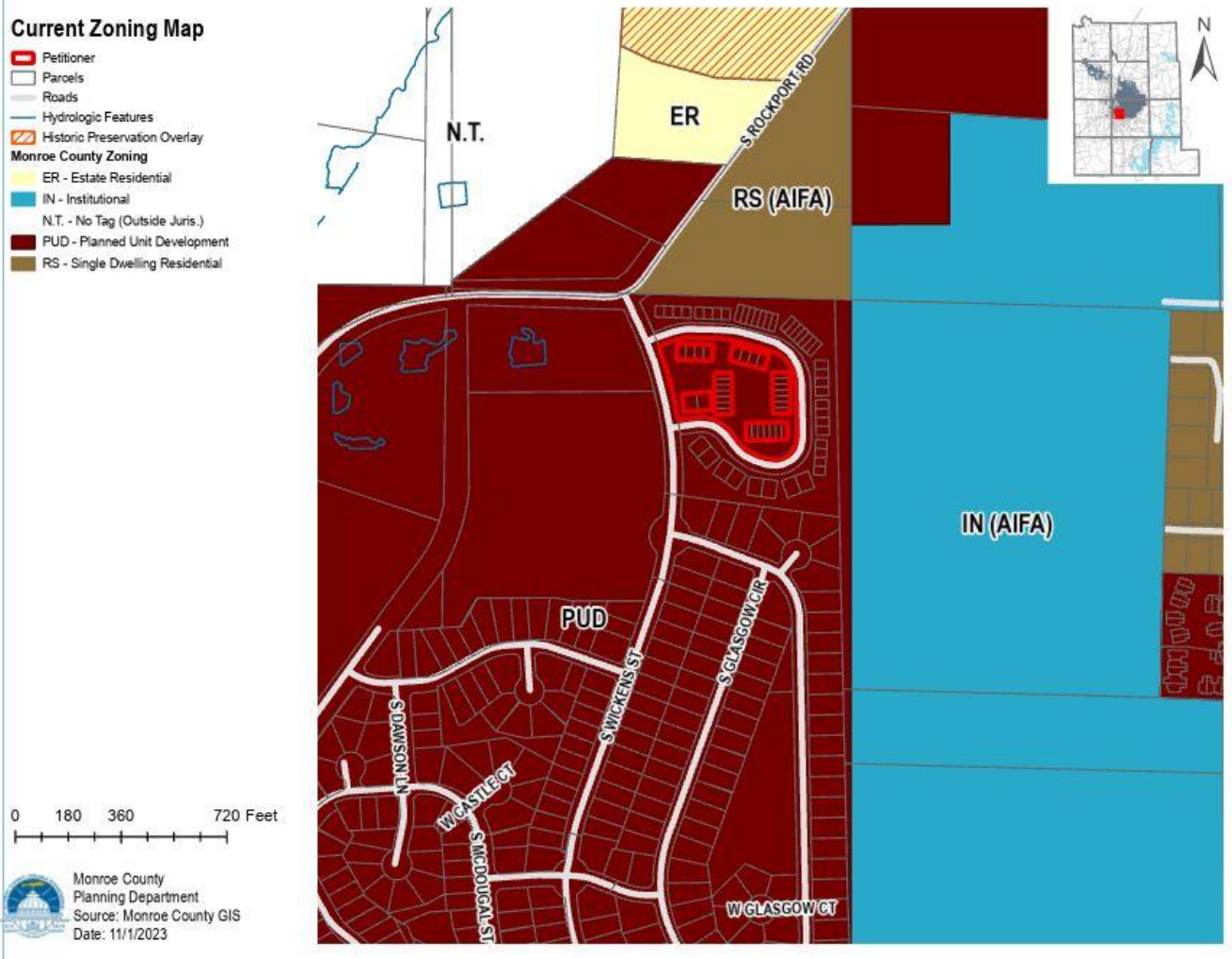
0 0.05 0.1 0.2 Miles



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 11/1/2023

## ZONING AND ADJACENT USES

The petition site is located within the Highlands PUD. Adjacent properties are otherwise located within the Highlands PUD, with RS3.5/PRO6 further north and Institutional/Public further east.




## SITE CONDITIONS

The petition site exhibits sidewalks or streetscape. According to the petitioner, the site is serviced by Duke Energy and CBU water and sewer. The petition site exhibits some areas greater than 15% slope, which are classified as non-buildable area according to Chapter 804. The property does not exhibit any area designated as DNR floodplain and is not located in the Environmental Constraints Overlay.

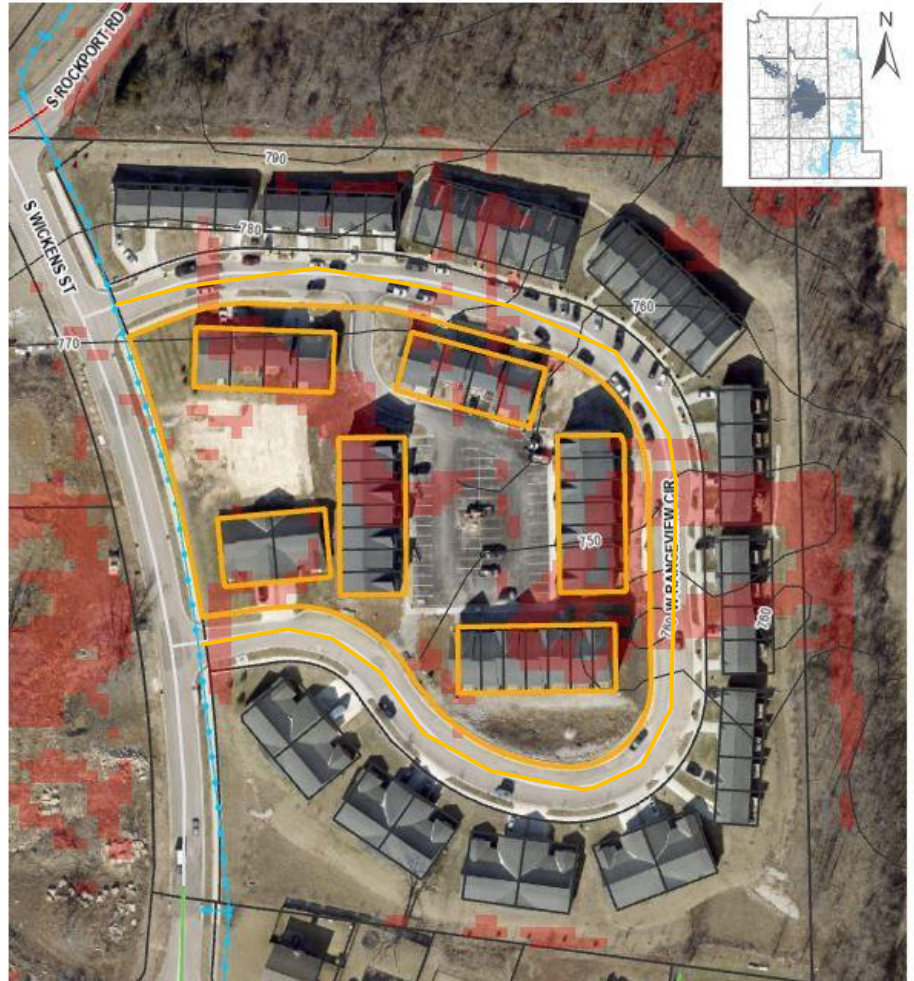
### Site Conditions Map

-  Minor Collector [60']
-  Petitioner
-  Sanitary Pipe
-  Water Pipe
-  10-Foot Contours
- 15% Slope (County/ECO2)**
  -  0 - 15
  -  > 15
-  Local Roads [50']
-  Parcels
- Critical Watersheds**
  -  West Fork Clear Creek/Clear Creek

0 25 50 100 150 200 250 Feet



 Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 11/1/2023

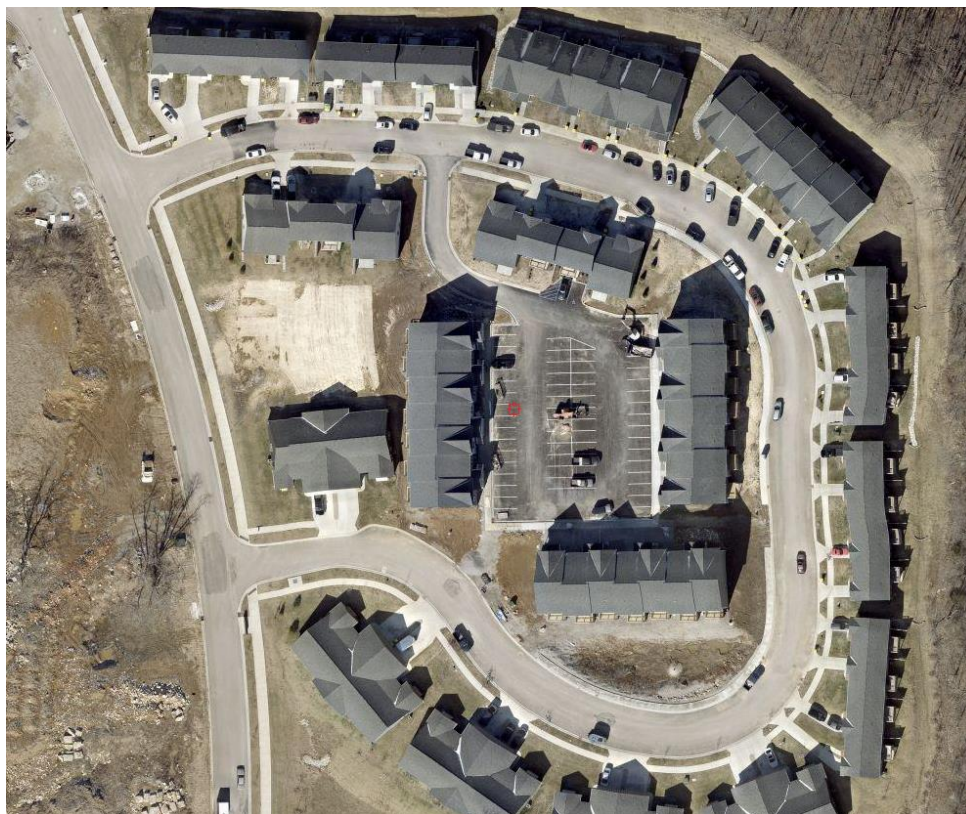




**SITE PICTURES**



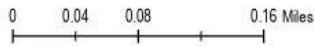
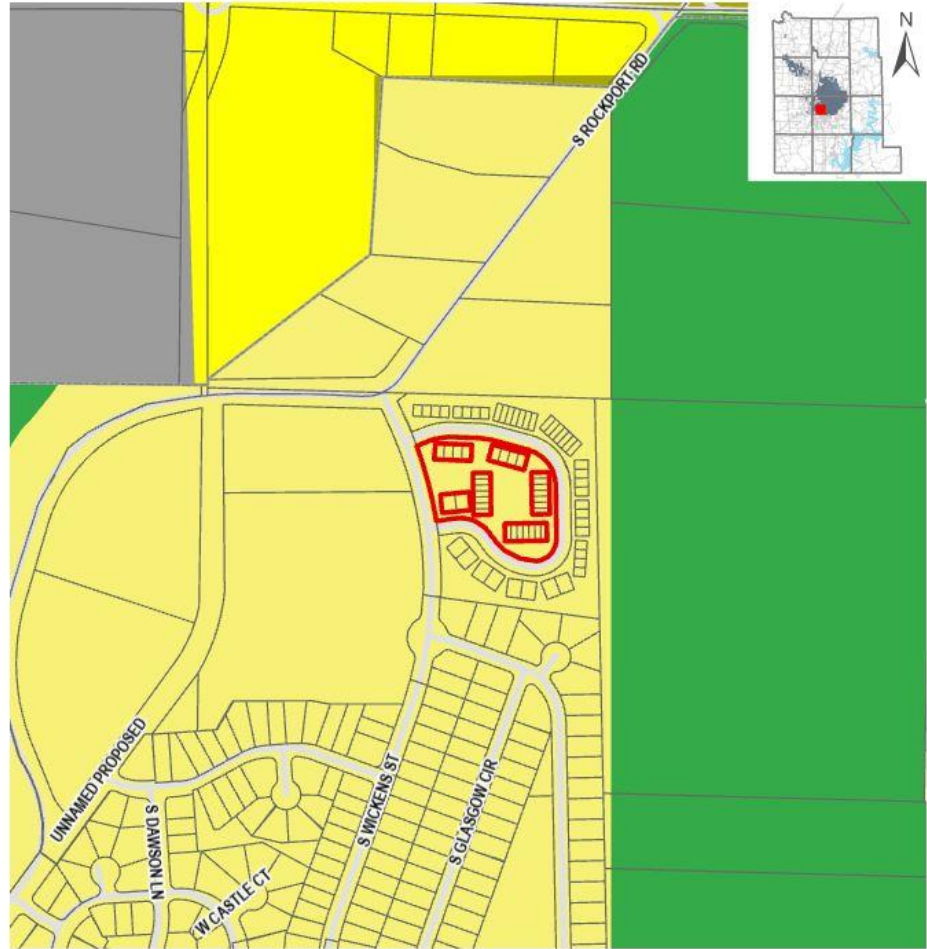
**Figure 1. Pictometry**



**Figure 2. Pictometry**

# Comprehensive Plan

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




 Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 11/1/2023

## 5.1.2 Suburban Residential

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

In some locations, it may be appropriate to extend this development pattern if it is directly adjacent to existing Suburban residential subdivisions as an appropriate way to coordinate with those neighborhoods.

However, the conservation community land use category offers a more appropriate alternative to the conventional suburban subdivision that balances the desire for non-urban living while also preserving rural character. The following guidelines should be considered if new suburban-style developments are approved; they also provide considerations for potential retrofitting of public infrastructure within existing neighborhoods.

### A. Transportation

#### Streets

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

#### Bike, pedestrian, and Transit modes

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

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

### B. Utilities

#### Sewer

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

#### Power

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

#### Communications

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

### C. Open space



## **Park Types**

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

## **Urban Agriculture**

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

## **D. Public Realm Enhancements**

### **Lighting**

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

### **Street/Site furnishings**

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

## **E. Development Guidelines**

### **Open Space**

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

### **Parking Ratios**

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

### **Site Design**

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

### **Building form**

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

### **Materials**

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

### **Private Signs**

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

## **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 site is designated “Suburban Residential” by the Monroe County Comprehensive Plan adopted in 2012;
- The planned unit development appears to be consistent with the Comprehensive Plan per the Suburban Residential designation;
- The property has been fully built out since 2022;

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

*Findings:*

- This development plan met the requirements for the PUD at the time. However, the as-built construction of the roadway did not meet the proposed County standards;
- See all Findings;

- (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:*

- The development was originally approved by the City of Bloomington Planning jurisdiction. The subdivision and development meet the PUD standards, with the exception of Rangeview Circle being built not in accordance with the approved plans in terms of elevations;
- See all Findings;

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

*Findings:*

- The developer is still required to meet ADA standards for all sidewalks within the subdivision, regardless of whether the roadway is public;
- Current sidewalk segments do not meet ADA requirements for cross-slope limitations;
- See all Findings;

- (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:*

- All other standards under the development plan have been met, or altered as needed. The development plan that is approved meets the PUD requirements.

- (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:*

- Classifying W Rangeview Circle as a private roadway does not impact neighboring properties. However, the development itself would be impacted since roadway maintenance will have to occur



- privately;
  - S Wickens St has been accepted into the County inventory;
- (7) **The desirability of the proposal to the County’s physical development, tax base, and economic well-being.**
- Findings:*
- See other Findings;
  - Per the developer, most all of the units on the property are leased;
- (8) **The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.**
- Findings:*
- The roadway connectivity was built as proposed. Most congestion is served by the connection from S Wickens to S Rockport Rd;
- (9) **The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.**
- Findings:*
- The stormwater infrastructure has been reviewed and approved;

**EXHIBIT 1: Petitioner Outline Plan Statement**



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

September 25, 2023

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

SUBJECT: Highlands Subdivision Parcel 'E'  
PUD Amendment Approval

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Winger Construction, Inc., Bynum Fanyo & Associates, Inc. would like to request approval of an amendment to the Outline Plan (PUD) zoning. The amendment is as follows:

- Revise the inner loop road classification within the area known as Highlands Parcel 'E' from public to private. This road is currently called W. Rangeview Cir. The change would revise the owner of lots 1 and 2 of 'Links Edge' subdivision to own and maintain W. Rangeview Cir.

This subdivision is located at the northeast corner of South Wickens Street and South Glasgow Circle in Monroe County, Indiana. The original approval request was to allow 88 multi-family units in 90 proposed lots of the proposed subdivision. This was originally approved by the City of Bloomington in July of 2010 as a preliminary plat and site plan. There were no major alterations to the plans approved in 2010 and are the same plans as proposed to Monroe County now. This property currently contains 12.67 acres and is proposed to subdivide into 75 lots after dedicated ROW (for only S Wickens St. now) for roads and utilities. This is the NW quarter of section 17, T8N, R1W, Perry township.

There are currently no requested waivers or variances and the plan is believed to follow the Monroe County Zoning Ordinance and the Highlands approved PUD.

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

Sincerely,

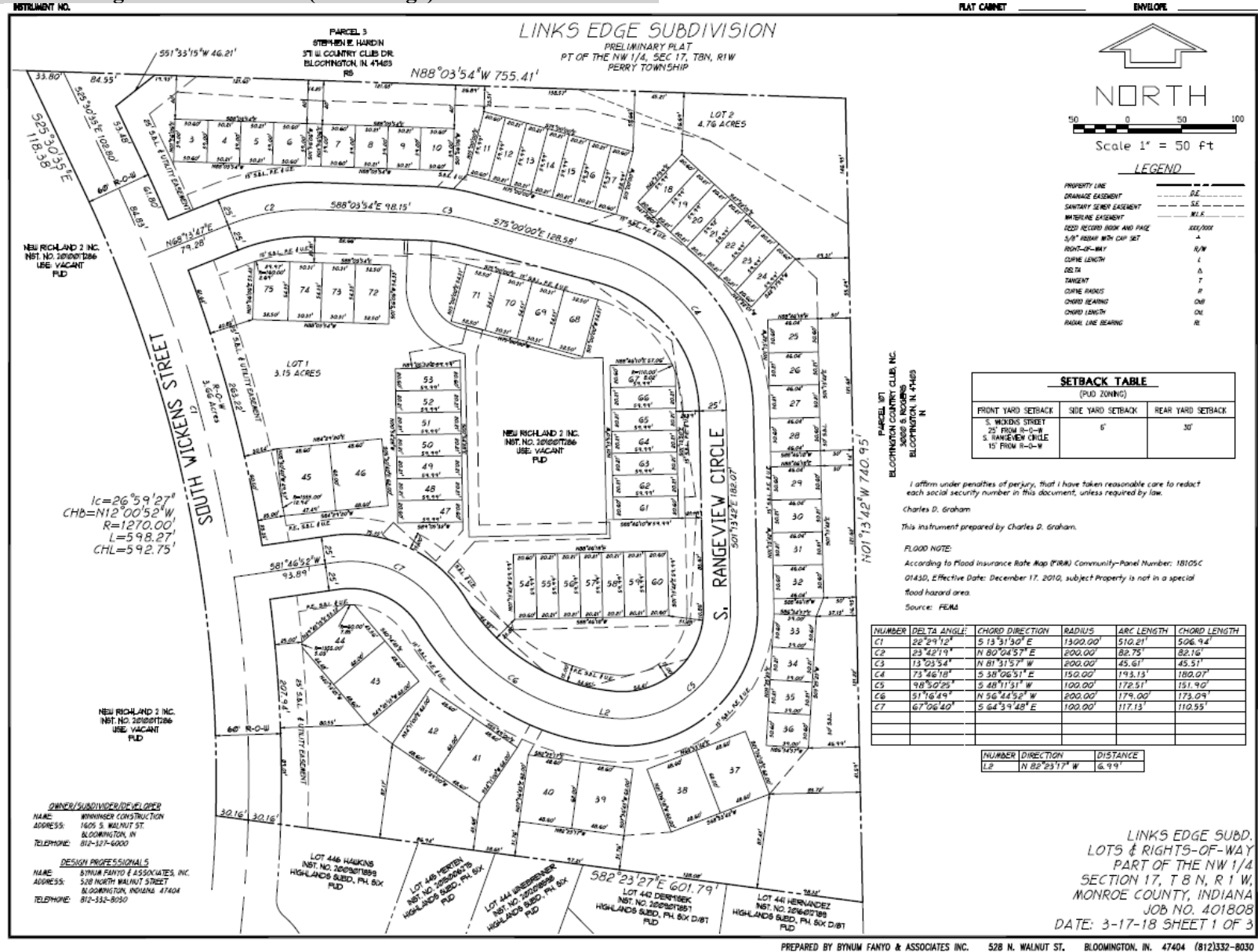
Bynum Fanyo & Associates, Inc.  
Daniel Butler, PE, Project Engineer

Copy: BFA File #401808

528 NORTH WALNUT STREET  
812-332-8030

BLOOMINGTON, INDIANA 47404  
FAX 812-339-2990

**EXHIBIT 2: Highlands Parcel "E" (Links Edge) Subdivision Final Plat**



**MONROE COUNTY PLAN REVIEW COMMITTEE****November 9, 2023**

<b>CASE NUMBER</b>	REZ-23-3
<b>PLANNER</b>	Drew Myers
<b>PETITIONER</b>	Ah & Sh LLC (Martin Heydt, owner)
<b>REQUEST</b>	Zoning Map Amendment from AG/RR to PB Waiver of Final Hearing Requested
<b>ADDRESS</b>	7850 N Wayport RD 53-02-28-100-002.000-017 & 53-02-28-100-006.000-017
<b>ACRES</b>	Lot B, 53-02-28-100-002.000-017 – 6.21 acres Lot A, 53-02-28-100-006.000-017 – 6.65 acres
<b>ZONE</b>	Agriculture/Rural Reserve (AG/RR)
<b>TOWNSHIP</b>	Washington
<b>SECTION</b>	28
<b>PLATS</b>	Platted; Worms Way Type A
<b>COMP PLAN DESIGNATION</b>	Rural Residential

**EXHIBITS**

1. Petitioner Letter to the Plan Commission
2. Monroe County Assessor's Office Letter
3. Site Plan (Conceptual)
4. Worm's Way Administrative Type "E" Subdivision
5. Agriculture/Rural Reserve (AG/RR) Use Table
6. Limited Business (LB) & General Business (GB) Use Table
7. Letters of Support

**RECOMMENDATION**

Recommendation to the Plan Review Committee:

- Staff recommends forwarding this petition with a negative recommendation to the Plan Commission based on the findings of fact, specifically due to its incompatibility with the Monroe County Comprehensive Plan.

Consideration of this petition site under the CDO Draft Zoning should be considered by the Plan Commission and ultimately the County Commissioners to identify a suitable zoning district and whether an amendment to the Comprehensive Plan is warranted. Planning staff has communicated to the petitioner that the property could be requested to be rezoned to General Business (GB) or Limited Business (LB). The County Development Ordinance (CDO) map and text is currently drafted to phase out all properties zoned Pre-existing Business (PB) and rezone those sites to either General Business (GB) or Limited Business (LB) depending on their current use and intensity. Therefore, a rezone to PB would ultimately contrast with the goals of the CDO to eliminate the PB zoning district. The reason for eliminating the PB zoning district is to avoid any confusion on future permitted uses based on prior intensity.

**PETITION TIMELINE**

**Plan Review Committee – November 9, 2023**

**Plan Commission Administrative – December 5, 2023**

**Plan Commission Regular (Preliminary) – December 11, 2023**

Waiver of Final Hearing requested.

**Plan Commission Administrative – January 2, 2024 (if not waived)**

**Plan Commission Regular (Final) – January 16, 2024 (if not waived)**

**Board of Commissioners – TBD**

## SUMMARY

The petitioner is seeking to rezone the property at 7850 N Wayport Road from Agriculture/Rural Reserve (AG/RR) to Pre-Existing Business (PB). The subject property includes 6.65-acre Lot A and the 6.21-acre Lot B of Worm's Way Type A Plat and was originally developed pursuant to a 1995 Special Exception for 'Agribusiness and Commercial Greenhouse' to allow for the establishment of Worms Way.

## BACKGROUND

In 1995 a 'Special Exception' request was made by Worm's Way to both the Board of Zoning Appeals and Plan Commission for the use 'Agribusiness and Commercial Greenhouse'. On January 17, 1997, the Plan Commission approved the request with several conditions of approval. The Board of Zoning Appeals approved the request on February 15, 1995, citing the same conditions of approval:

1. *The site plan shall include the following:*
  - a. *An existing cemetery,*
  - b. *Existing and proposed buffering, and*
  - c. *Sign placement*
2. *INDOT approval*
3. *All statements in this report are considered to be binding and shall be acknowledged as commitments by the petitioner.*

According to the property report card, the building on Lot A was erected in 1995. The site plan was amended in 2001 to develop the northern parcel to accommodate the expanding business.

## RECENT CASES:

- 1905-VAR-28: Use Variance to add "Metal Fabrication"
  - Planning Staff recommended "Denial"
  - **Approved** by BZA (3-2) on June 5, 2019
  - Commercial site plan filing never submitted by property owner
  - [Link to June 5, 2019 BZA packet](#)
- REZ-21-3: Rezone from AG/RR to LI
  - Planning Staff recommended "Denial"
  - Plan Commission gave positive recommendation (7-0) on October 5, 2021
  - **Denied** by County Commissioners 3-0 on October 27, 2021
  - [Link to October 5, 2021 Plan Commission Packet](#)
- VAR-22-34, VAR-22-36: Use Variance to add "General Contractor"
  - Planning Staff recommended "Denial"
  - **Denied** by BZA (3-0) on August 31, 2022
  - Amended application submitted on February 3, 2023
  - **Denied** by BZA (3-0-1) on March 1, 2023
  - [Link to August 31, 2023 BZA packet](#)
  - [Link to March 1, 2023 BZA packet](#)
- PUO-23-4 Planned Unit Development Outline Plan to setup specific land uses
  - Planning Staff recommended "Denial"
  - **Withdrawn** by the petitioner on September 27, 2023
  - Requested the following uses:
    - Religious Facility (Intensity: high; permitted under AG/RR)
    - Pet Services (Intensity: low; permitted in GB)
    - Furniture Sales (Intensity: low; permitted in GB)
    - Transfer or Storage Terminal (Intensity high; permitted in LI & HI)
    - General Contractor (Intensity: medium; permitted in GB, LI, & HI)

- Metal Fabrication (Permitted under 1905-VAR-28)
- Warehousing and Distribution (Intensity: high; permitted in LI & HI)
- [Link to September 19, 2023 Plan Commission packet](#)

### **Agriculture/Rural Reserve (AG/RR) District**

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

### **Pre-Existing Business (PB) District**

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

The use classification “agribusiness/commercial greenhouse” does not appear in the current Zoning Ordinance use tables. Therefore, Planning Staff determined that the same use would be classified as “**Commercial Facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies**” in the terms of [Chapter 802](#) in the current Zoning Ordinance.

The “**Commercial Facilities...**” use is classified as a *high intensity* use. Therefore, rezoning the property to the Pre-Existing Business (PB) zone would permit any available use that is listed as either *high, medium, or low* intensity in the **General Business (GB)** or **Limited Business (LB)** zone.

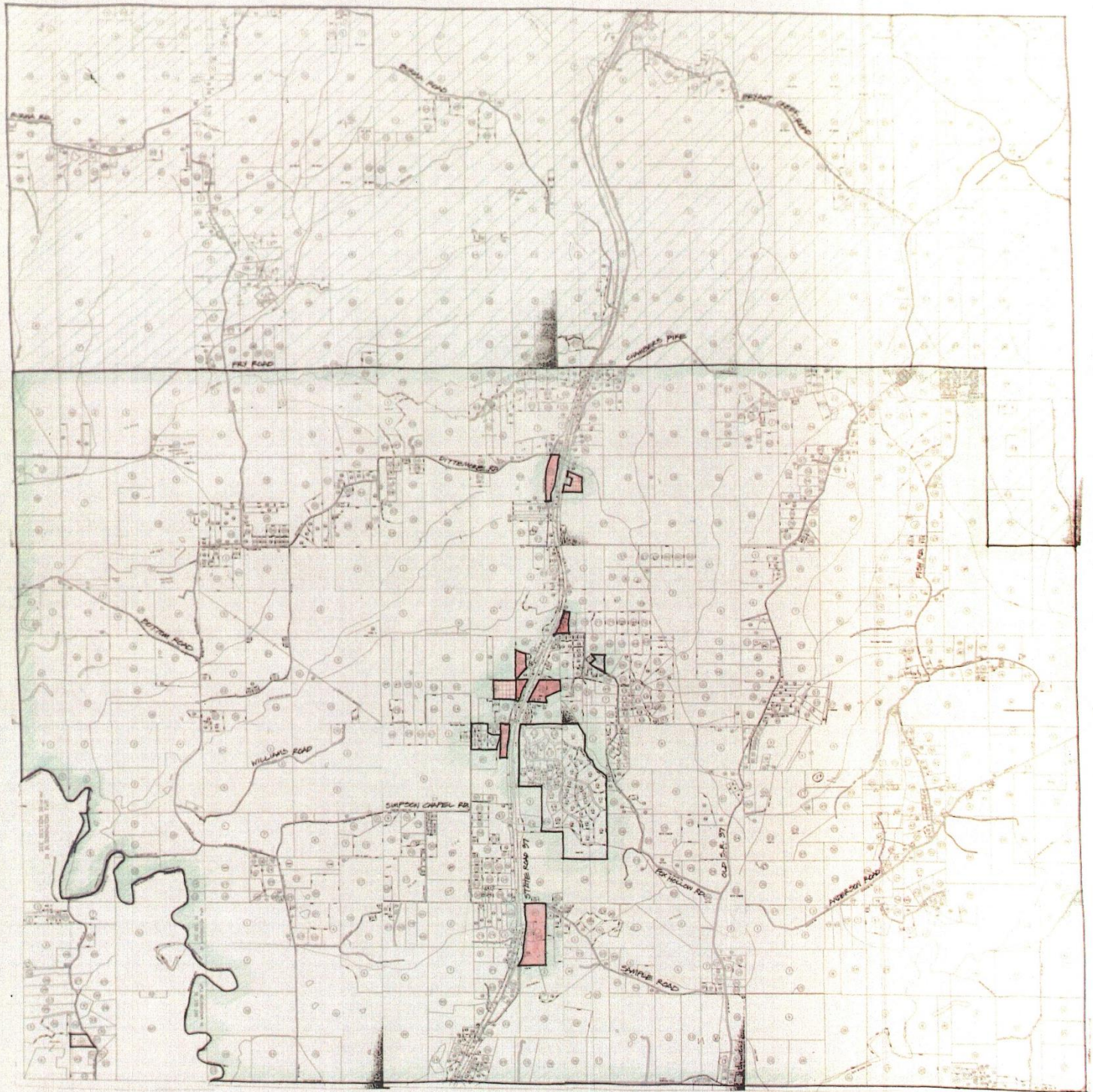
According to [Chapter 802](#),

***Commercial Facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies.***

*Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.*












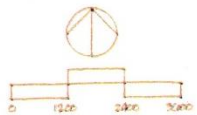
**ORIGINAL PRE-1997 ZONING MAP**



**WASHINGTON TWP.**

**EXISTING ZONING LEGEND**

	A0/RR AGRICULTURE/RURAL RESERVE		LB LIMITED BUSINESS
	FR FOREST RESERVE		I INDUSTRIAL
	R1 RESIDENTIAL WITH SEWER		PUD PLANNED UNIT DEVELOPMENT
	R2 RESIDENTIAL WITH SEPTIC		PCD PLANNED COMMERCIAL DEVELOPMENT
	GB GENERAL BUSINESS		



Existing Zoning Map  
9/10/96



# WASHINGTON TWP.

## EXISTING ZONING LEGEND

 AQ/RR AGRICULTURE/RURAL RESERVE

 FR FOREST RESERVE

 R1 RESIDENTIAL WITH SEWER


 R2 RESIDENTIAL WITH SEPTIC

 GB GENERAL BUSINESS

 LB LIMITED BUSINESS

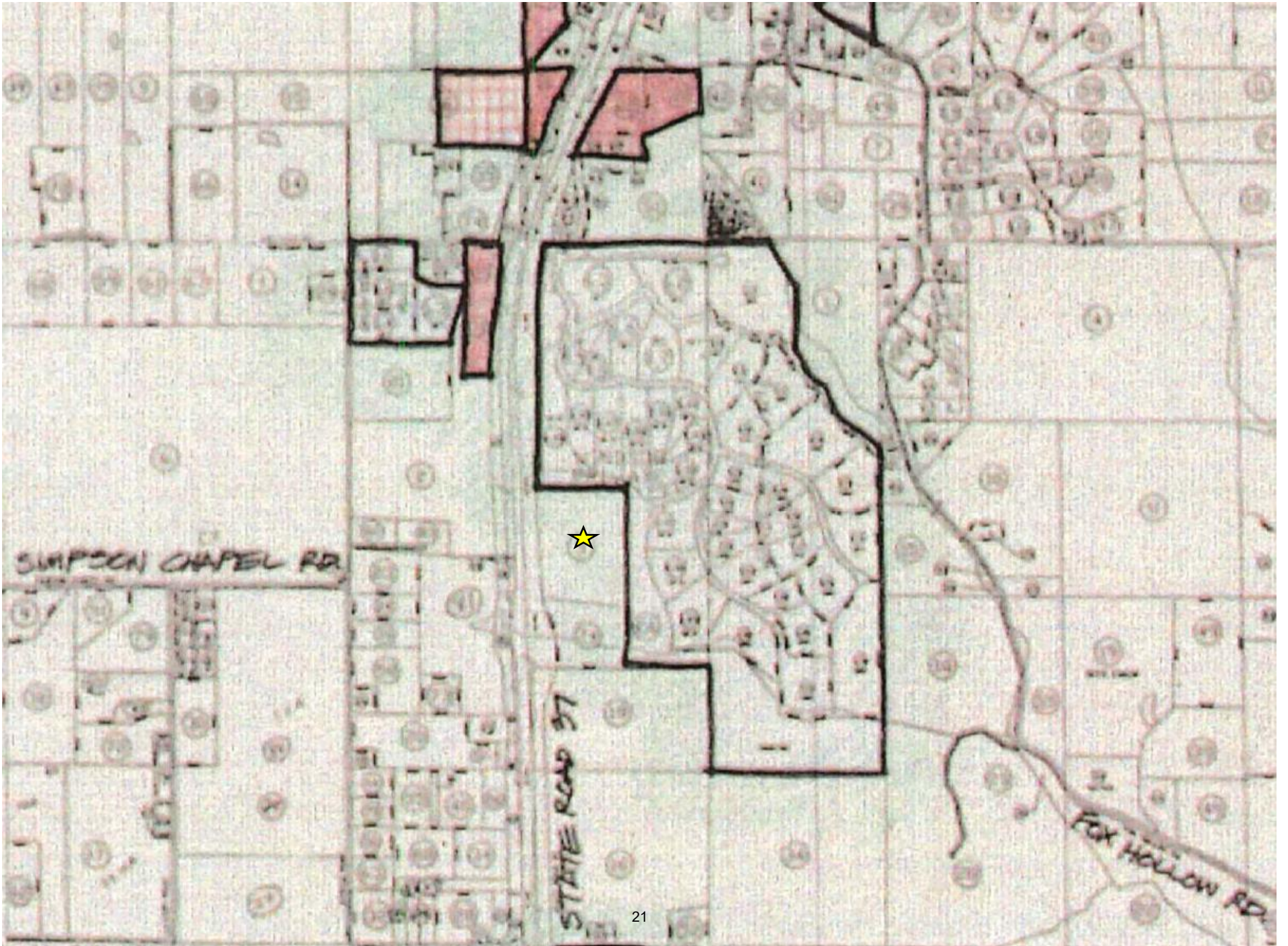
 I INDUSTRIAL

 PUD PLANNED UNIT DEVELOPMENT

 PCD PLANNED COMMERCIAL DEVELOPMENT

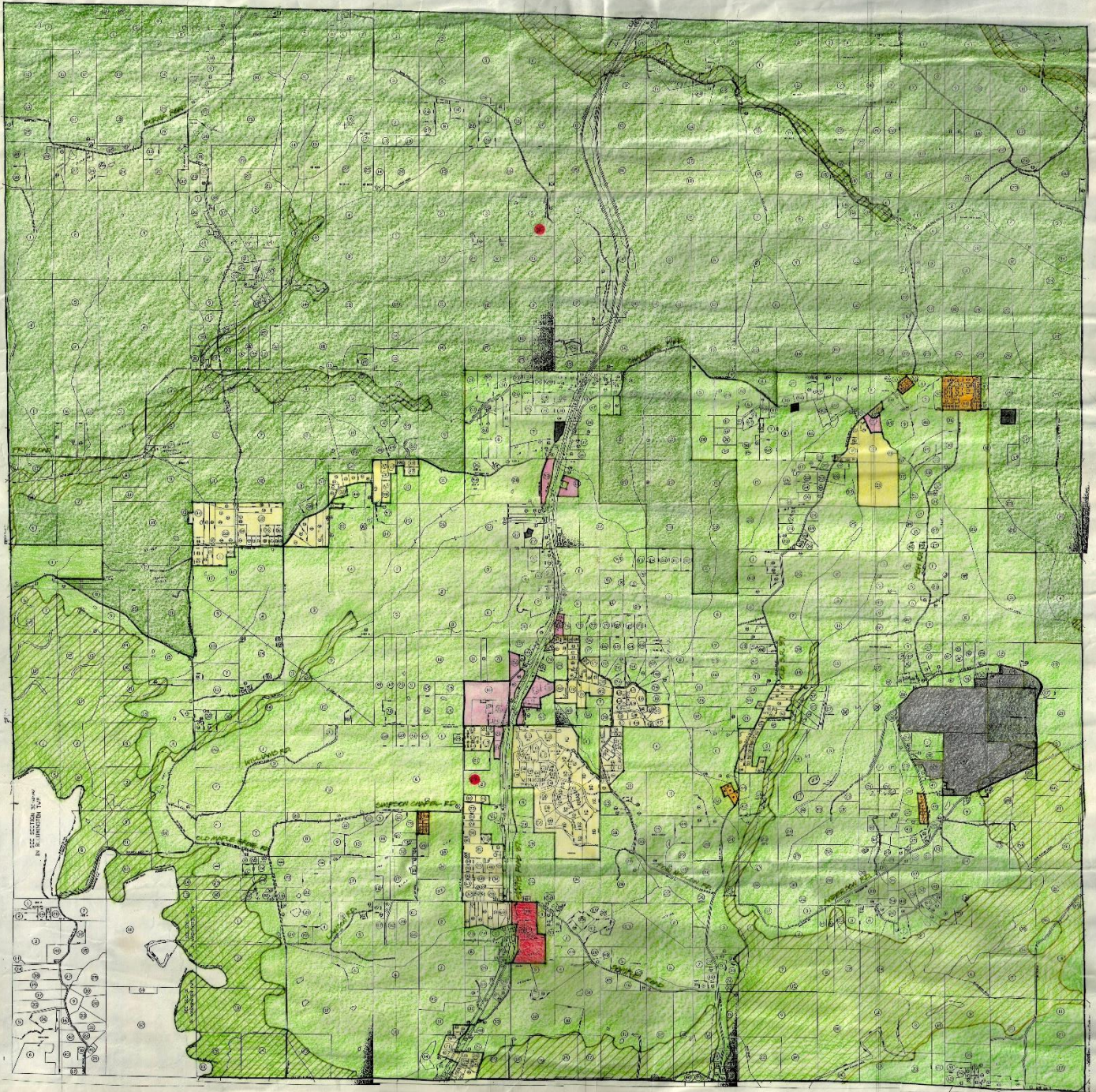
Existing Zoning Map  
9/10/96




























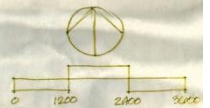
# ORIGINAL 1997 ZONING MAP



## WASHINGTON TWP.









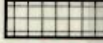
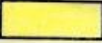











### LEGEND

 AG/RR AGRICULTURE/RURAL RESERVE	 UR URBAN RESIDENTIAL	 PUD PLANNED UNIT DEVELOPMENT OVERLAY
 FR FOREST RESERVE	 LB LIMITED BUSINESS	 FH SPECIAL FLOOD HAZARD AREA OVERLAY
 CR CONSERVATION RESIDENTIAL	 GB GENERAL BUSINESS	 HP HISTORIC PRESERVATION OVERLAY
 ER ESTATE RESIDENTIAL	 PB PRE-EXISTING BUSINESS	 ECO ENVIRONMENTAL CONSTRAINTS OVERLAY
 LR LOW DENSITY RESIDENTIAL	 LI LIGHT INDUSTRIAL	 BI BUSINESS AND INDUSTRIAL OVERLAY
 SR SUBURBAN RESIDENTIAL	 HI HEAVY INDUSTRIAL	
 MR MEDIUM DENSITY RESIDENTIAL	 ME MINERAL EXTRACTION	
 HR HIGH DENSITY RESIDENTIAL	 IP INSTITUTIONAL/PUBLIC	

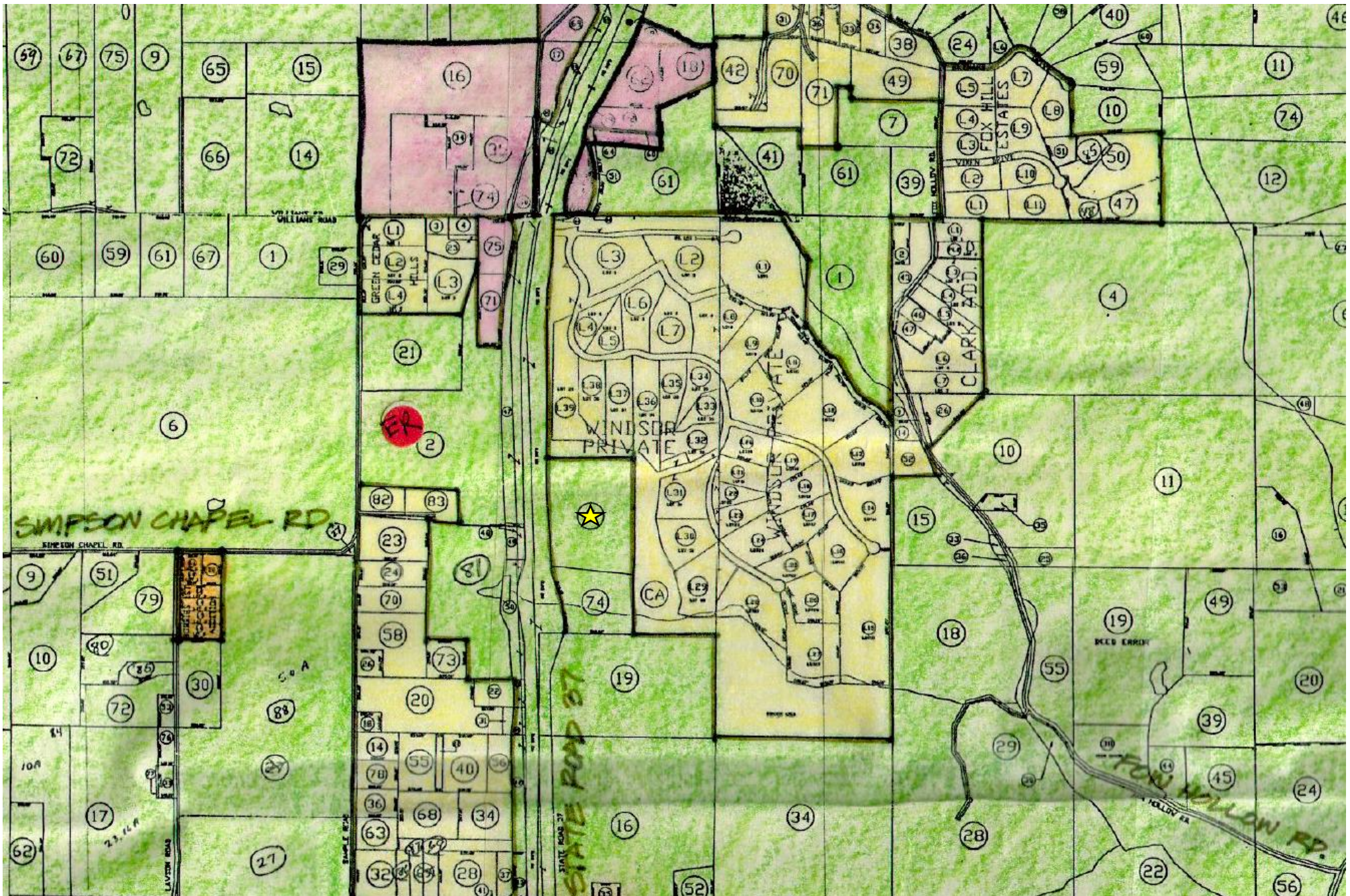




# LEGEND

	AG/RR	AGRICULTURE/RURAL RESERVE		UR	URBAN RESIDENTIAL		PUD	PLANNED UNIT DEVELOPMENT OVERLAY
	FR	FOREST RESERVE		LB	LIMITED BUSINESS		FH	SPECIAL FLOOD HAZARD AREA OVERLAY
	CR	CONSERVATION RESIDENTIAL		GB	GENERAL BUSINESS		HP	HISTORIC PRESERVATION OVERLAY
	ER	ESTATE RESIDENTIAL		PB	PRE-EXISTING BUSINESS		ECO	ENVIRONMENTAL CONSTRAINTS OVERLAY
	LR	LOW DENSITY RESIDENTIAL		LI	LIGHT INDUSTRIAL		BI	BUSINESS AND INDUSTRIAL OVERLAY
	SR	SUBURBAN RESIDENTIAL		HI	HEAVY INDUSTRIAL			
	MR	MEDIUM DENSITY RESIDENTIAL		ME	MINERAL EXTRACTION			
	HR	HIGH DENSITY RESIDENTIAL		IP	INSTITUTIONAL/PUBLIC			

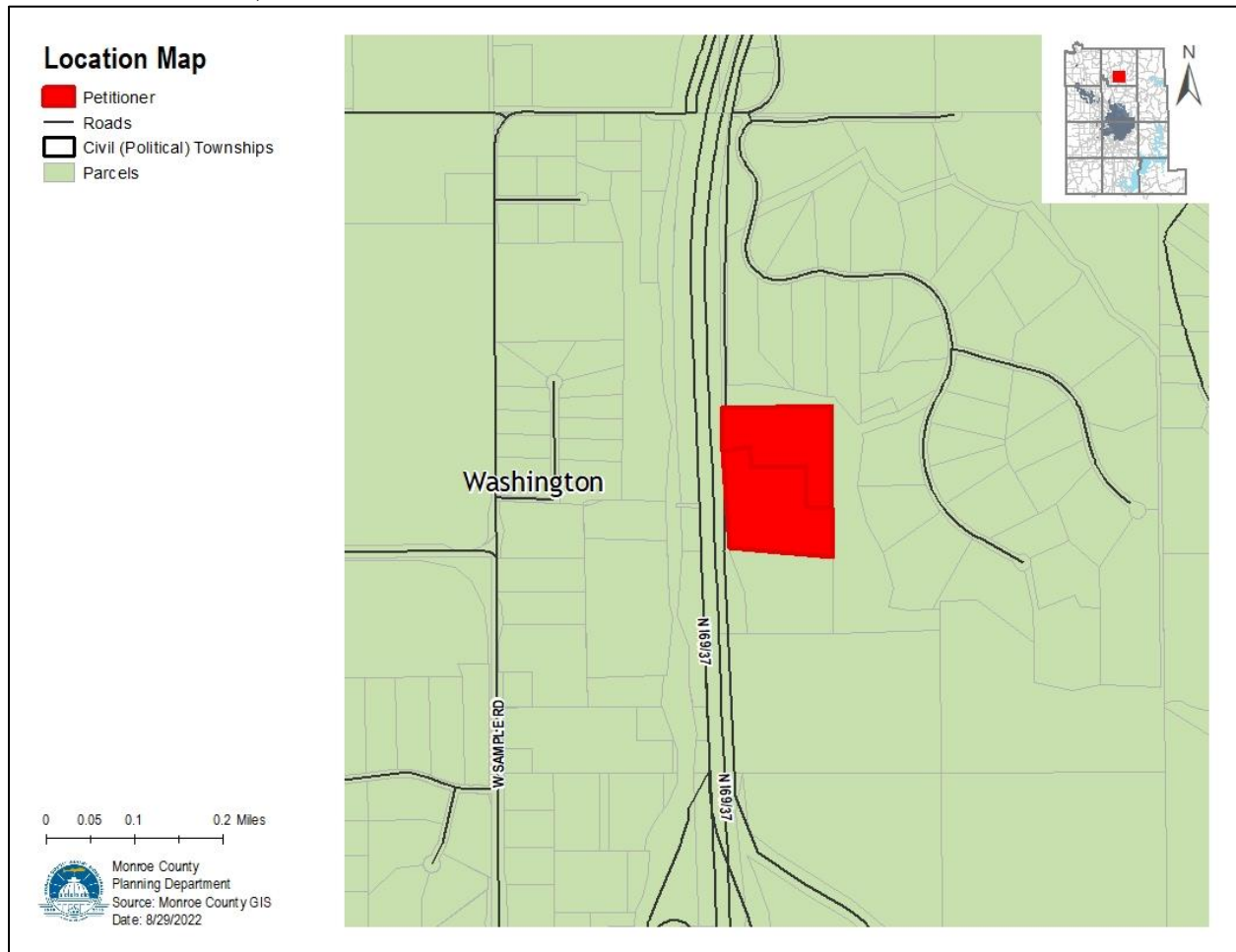






**LOCATION MAP**

The petition site is located at 7850 N Wayport RD, parcel #: 53-02-28-100-002.000-017 & 53-02-28-100-006.000-017. The property has frontage along N Wayport RD and is adjacent to I-69. The petition site consists of two lots: Lot A and Lot B of the Worm’s Way Administrative Type “A” Subdivision. Lot A contains 6.65 acres, while Lot B contains 6.21 acres.





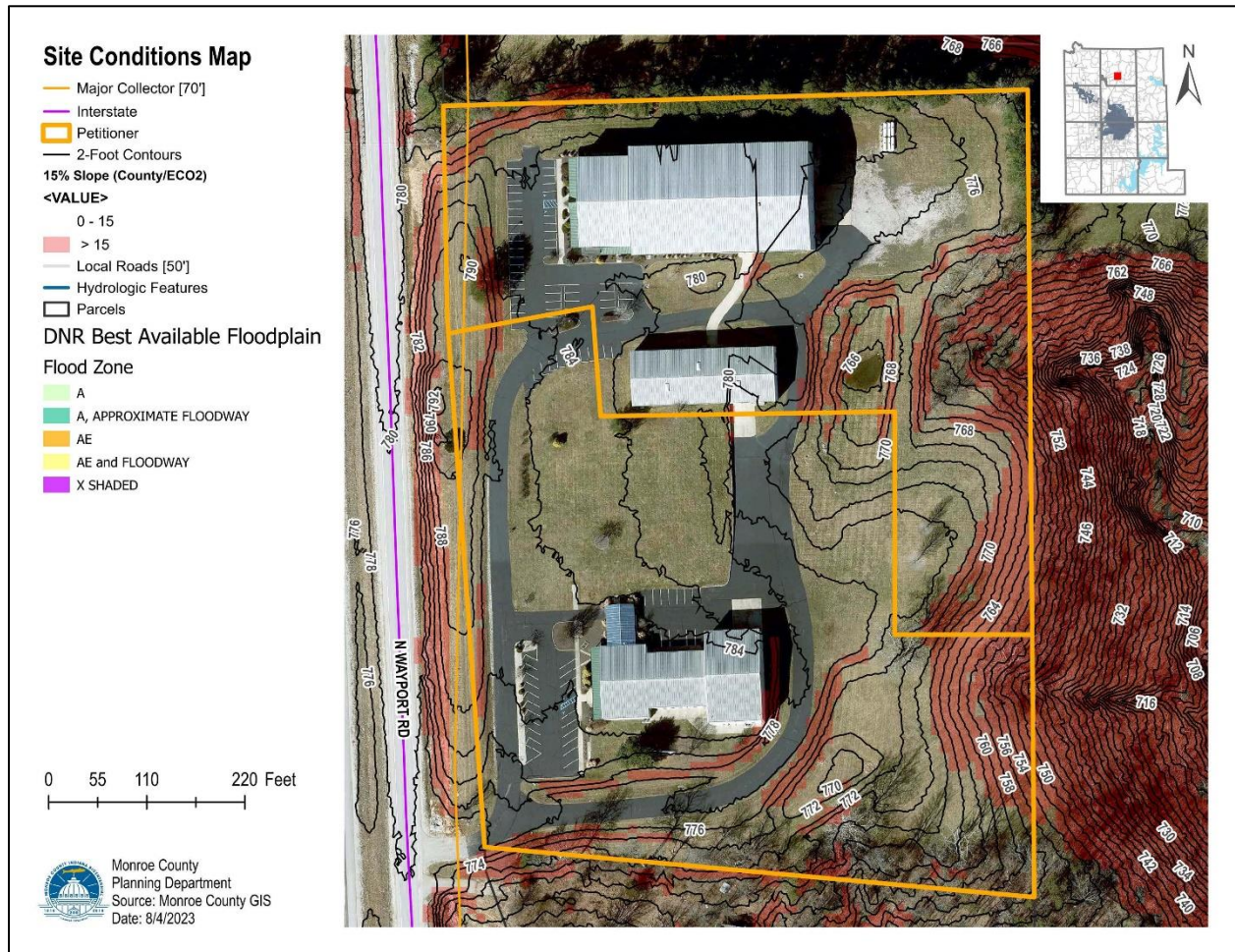






## SITE CONDITIONS

The petition site consists of two individual lots where the agribusiness “Worm’s Way” operated until 2016. The property exhibits frontage to N Wayport RD, which is classified as a Major Collector roadway by the Monroe County Thoroughfare Plan. The site does not exhibit any existing sidewalks or streetscape. According to the petitioner, Washington Township Water (WTWC) and REMC have provided water and electric utilities respectively to the site since 1995. The petition site exhibits some areas greater than 15% slope, which are classified as non-buildable area according to Chapter 804. The property does not exhibit any area designated as DNR floodplain and is not located in the Environmental Constraints Overlay.





**SITE PICTURES**



**Figure 1. Pictometry photo from south**



**Figure 2. Pictometry photo from north**





Photo 1 – facing north



Photo 2 – facing northeast



Photo 3 – facing northeast



Photo 4 – facing northeast



Photo 5 – facing northeast



Photo 6 – facing east





Photo 7 – facing northeast



Photo 8 – facing northeast



Photo 9 – facing east



Photo 10 – facing east





Photo 11 – facing southeast



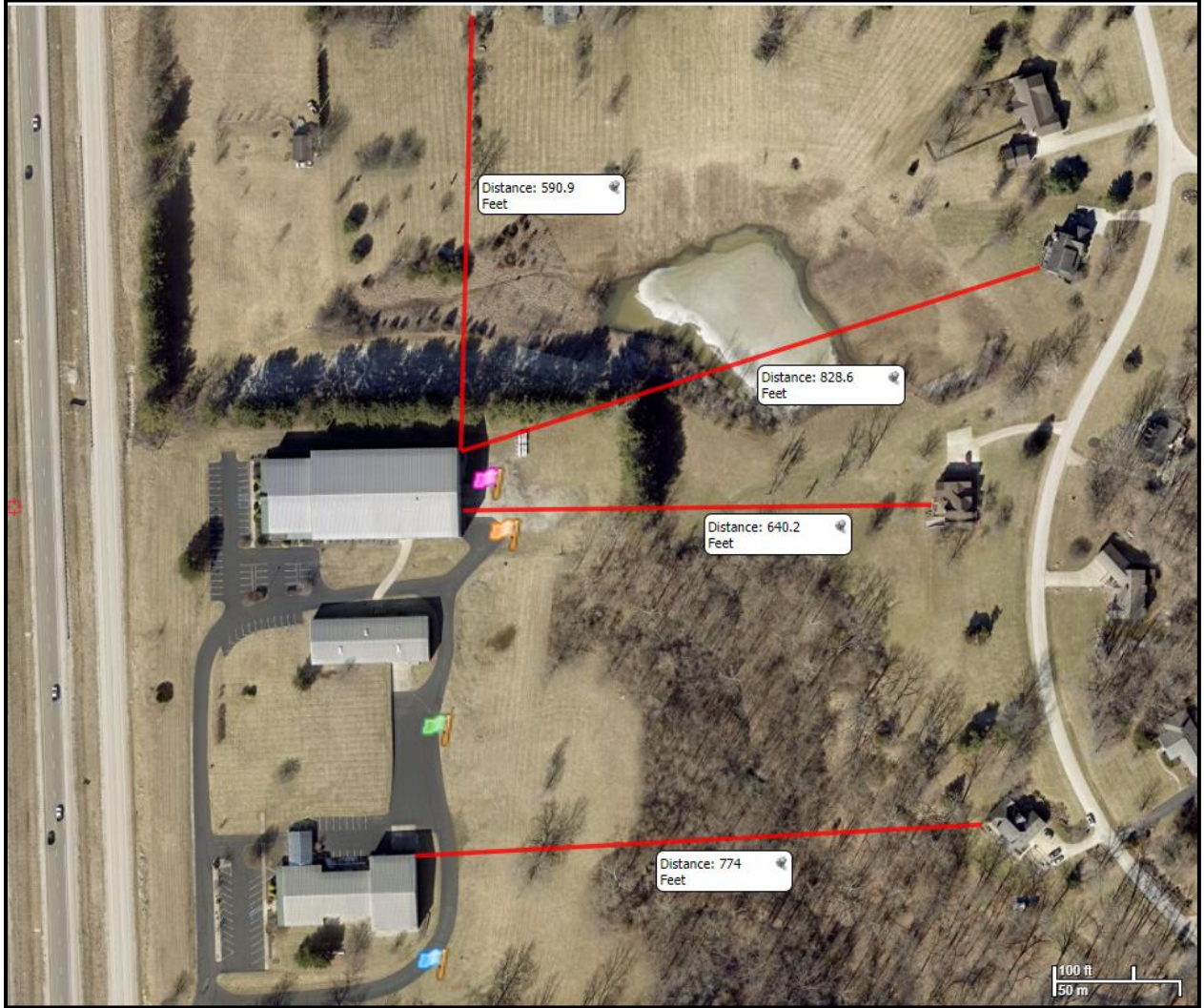
Photo 12 – facing south



Photo 13 – facing southwest



**SITE PICTURES: Property Lines**

























## COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the **Rural Residential** designation of the Comprehensive Plan. Points that align with the proposed rezone are highlighted in **green**. Points that differ from the district are highlighted in **grey**.

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

### **Rural Residential**

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

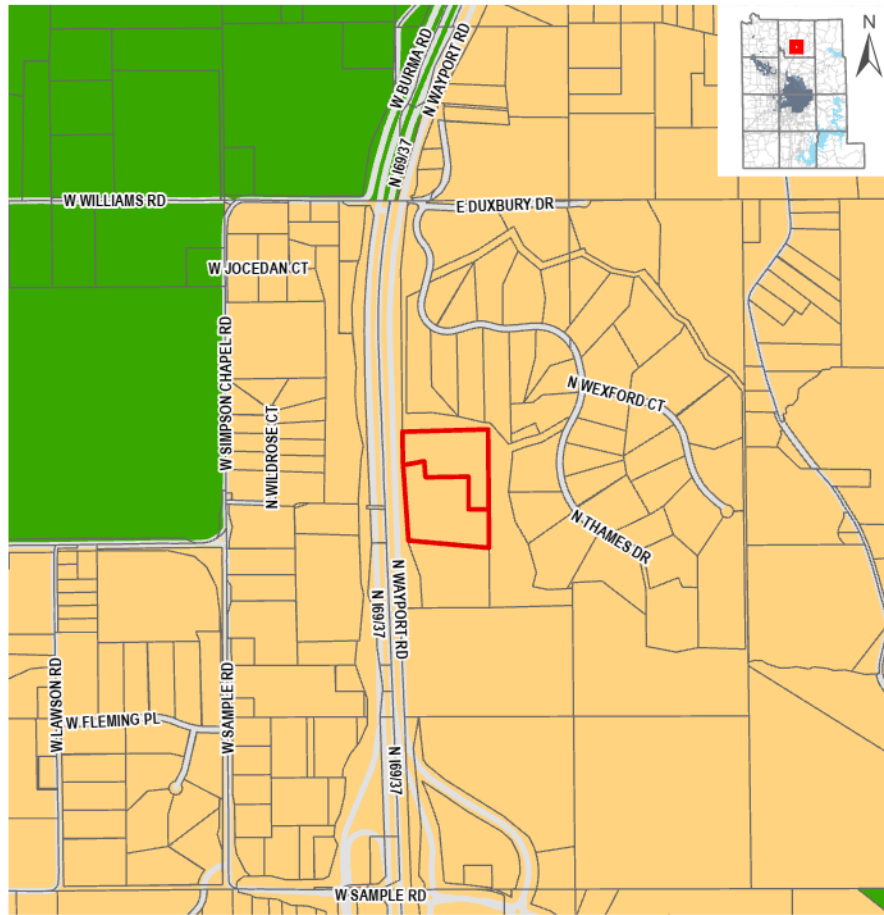
The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren,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

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



# Comprehensive Plan

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

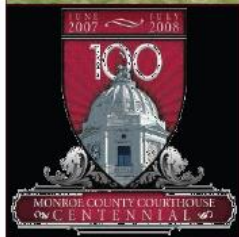


0 0.07 0.15 0.3 Miles


 Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 8/4/2023

## STATE ROAD 37 CORRIDOR PLAN DISCUSSION

The study referenced below points out directly the Worms Way site under the Future Land Use section of the report. *“Existing commercial/industrial businesses should remain and be allowed to expand within previously developed parcels as needed to remain viable. However, the intensity of the uses shall not be allowed to increase beyond current conditions, and such businesses shall not be permitted to expand onto adjacent properties.”*



# MONROE COUNTY

## STATE ROAD 37

## CORRIDOR PLAN

FEBRUARY 2010





## VIII. LAND USE IMPACTS AND RECOMMENDATIONS

This section of the report provides a summary of existing conditions, current development patterns, and recommended land use principles for the corridor. Transportation and environmental impacts are discussed in later sections of this report.

Recommended land use policies for this section of the corridor are presented to address short term development along SR 37 as well as long term development patterns whether or not SR 37 becomes I-69.

For clarity, areas that have similar development considerations have been grouped and presented together.

### *Morgan/Monroe County Line to Sample Road*

#### **Area Includes:**

Morgan/Monroe County Line to one mile south of Sample Road.

#### **Impacted Roads:**

SR 37, CR 800 N / Williams Road, Thames Drive, Duxbury Drive, Simpson Chapel Road, Lee Paul Road, Fox Hollow Road, Chambers Pike, Dittmore Road, Crossover Road, Burma Road, Bryants Creek Road, Norm Anderson Road, Sylvan Lane, Sparks Lane and Wayport Road.

#### **Development Intent**

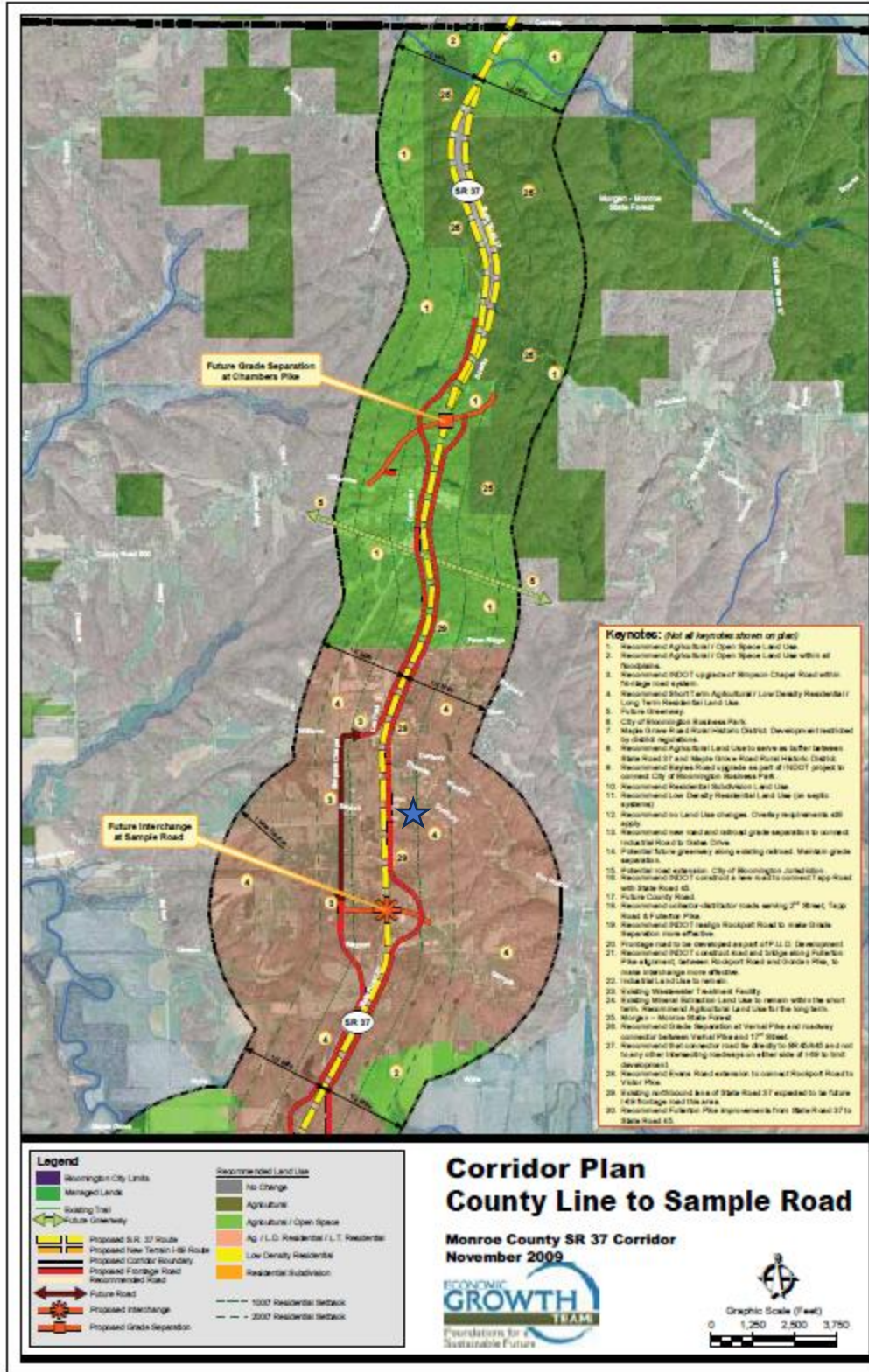
Northern portions of the SR 37 corridor must be protected from both short term and long term development to preserve the natural landscape consistent with rural lifestyles. In areas near the Morgan Monroe State Forest and in the vicinity of Chambers Pike no new development is anticipated. South of Chambers Pike, it is envisioned that the area will be developed to provide additional housing for the community – but such development must be restricted until there is adequate infrastructure to support the development of quality neighborhoods.

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

SR 37 north of Bloomington is a mostly rural area characterized by rolling and wooded topography interspersed with agricultural lands and homes. Near the Morgan County line, the landscape is largely undeveloped in areas in and around the Morgan Monroe State Forest. Development increases in density in areas closer to Bloomington. Larger businesses along this route include Hoosier Energy, a salvage yard, Oliver Winery, a fabricator shop, and Worm's Way Garden Center.

Development pressures in this portion of the corridor are limited in nature and largely surround the businesses in the above paragraph. Residential development has been limited by a lack of sanitary sewer infrastructure in the area.







### I-69 Impact Summary

INDOT is currently proposing development of a grade separation at Chambers Pike and an interchange at Sample Road in this area. Traffic from the north that currently accesses SR 37 will be required to travel south to Sample Road or Old SR 37 to go north toward Morgan County.

As a result, it is appropriate to direct short term development in this portion of the corridor where Sample Road has access to SR 37. Additionally, this plan discourages development at Chambers Pike, and directs development north of Bloomington to the Sample Road corridor, subject to development policies included in this document.

#### Future Land Use

The area from Chambers Pike to the Morgan County line has little current development and it is intended that the area be protected from additional development. Acceptable land uses in the area are limited to agriculture, open space, or similar public uses. Residential, commercial, and industrial uses are not appropriate in this area. Accordingly, infrastructure capacity not be upgraded in the area in a manner that would attract additional development.

Roadways in the Chambers Pike area should serve only the limited residential and agricultural uses and not be improved further. This includes Chambers Pike, Dittmore Road, Crossover Road, Burma Road, Bryants Creek Road and Norm Anderson Road, Sylvan Lane, and Sparks Lane. Where such roads are upgraded by INDOT to serve as frontage roads, the county should adopt policies that limit new drive entrances along frontage roads so as to prevent unintended development in the corridor.

Further south around Sample Road, there is significant acreage available for development within and beyond the corridor boundaries, but infrastructure is currently limited and no area plan is available. The County may consider this area to be an urban community development area in the future. However, the intent is to pursue high quality neighborhood developments keeping with the county's overall goals. In the long term, it is recommended that the area be developed as the result of an urban community plan or a planned unit development in large increments (minimum of approximately 500 acres).

Until infrastructure is available to support the recommended land uses and an urban community plan is approved, it is recommended that development in the area be limited by re-zoning the area to a low-density land use.

To help preserve the rural nature of the area, no new commercial/industrial businesses are to be allowed on SR 37 in this part of the corridor. Existing commercial/industrial businesses should remain and be allowed to expand within previously developed parcels as needed to remain viable. However, the intensity of the uses shall not be allowed to increase beyond current conditions, and such businesses shall not be permitted to expand onto adjacent properties.

It is noted that prior studies of the SR 37 corridor identified a number of potential short and long term employment sites along the corridor. Through the course of this planning effort, concerns with the prior recommendations



were identified. Specifically, it is noted that there is unsuitable infrastructure in this and other undeveloped portions of the corridor to support development of employment centers. Furthermore, the lack of frontage roads included in current INDOT plans combined with budget concerns about I-69 creates significant uncertainty as to whether there will be adequate frontage roads to support additional businesses along the SR 37 corridor. As a result, this plan is encouraging employment sites to be directed to previously developed areas where they are permitted by current planning policies – and that employment sites be directed away from undeveloped portions of the SR 37 corridor.

In this location and throughout the SR 37/I-69 corridor, the County definitively will not permit truck stops/fueling stations to be developed. It is also noted that at least Morgan County is in the process of adopting a similar policy. Truck stops/fueling stations will have to consider sites further to the north in Johnson or Marion Counties, or further south into Greene County as allowed by their local requirements.



## **FINDINGS OF FACT - REZONE**

In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Board of County Commissioners shall pay reasonable regard to:

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

#### **Findings:**

- The rezone request is to change the zone for the petition site from Agriculture / Rural Reserve (AG/RR) to Pre-Existing Business (PB);
- The Comprehensive Plan designates the petition site as Rural Residential;
- According to the Comprehensive Plan, Rural Residential area *“this use category includes rural property, environmentally sensitive areas, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of the Farm and Forest category is no longer applicable. Generally, these includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city.”*
- The current infrastructure on site is designed more commercial in nature and is not residential in nature;
- The current number of permitted uses in the AG/RR zone is 61. If rezoned, the petitioner would have approximately 127 permitted uses to choose from including some limited multi-use;
- The multi-use ‘Business or Industrial Center’ could allow for a combination of uses in the Business and Personal Services, Retail and Wholesale Trade and Manufacturing, Mining, Construction and Industrial use categories that total 61 different uses;
- If denied there could still be uses permitted in the AG/RR zone plus Metal Fabrication as added in 2019 under use variance petition 1905-VAR-28;
- If approved and the owner would be required to submit a commercial site plan amendment for review by County staff;

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

#### **Findings:**

- See Findings under Section A;
- The current use of the petition site is vacant as the previous use has not been in practice in well over 6 months;
- The site was commercially developed under a special exception (1995) to allow for ‘Agribusiness and Commercial Greenhouse’.
- The petition site includes both the 6.65-acre Lot A and the 6.21-acre Lot B of Worm’s Way Type A Plat
- The rezone request is to change the zoning for the entirety of the site to the Pre-Existing Business (PB) District which is described by the County’s Zoning Ordinance, Chapter 802, as follows:

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

- The petition site is currently zoned Agriculture/Rural Reserve;
- There is an existing commercial driveway;
- The majority of the site is less than 15% slope (see Slope Map);
- The petition site is not located in DNR Floodplain;
- There are no known karst areas on the petition site;
- There is a cemetery located on the east side of the property;
- There are vacant, open areas that could allow for more development;

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

**Findings:**

- See Findings under Section A and Section B;
- The surrounding parcels to the north and south are currently zoned AG/RR, and the adjacent parcels to the east are zoned Estate Residential (ER);
- Within a mile of the petition site there is pre-existing business zone to the north (Oliver Wine Company) and Limited Business (LB) to the south (Nature’s Way and vacant former gas station);
- A residential neighborhood (Windsor Private) is located to the east of the petition site and the wooded common area for the subdivision is between the petition site and residential lots;

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

**Findings:**

- Staff fielded calls and emails from neighboring residents in the Windsor Private neighborhood though none have submitted any letters at this time;
- Neighbors of the Windsor Private neighborhood have submitted letters of opposition during the past zoning/use variance petitions;
- Property value tends to be subjective;
- The effect of the approval of the rezone on property values is difficult to determine;
- The Monroe County Assessor reassessed the property values after an appeal was submitted by the property owner;
- The Monroe County Assessor reduced the assessment from \$2,675,600 to \$531,400 for the tax year 2023 pay 2024 (see Exhibit 2);

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

**Findings:**

- See Findings under Section A, Section B, and Section C;
- According to the Monroe County Thoroughfare Plan, N Wayport Road was recently improved as a part of the I-69 Section 5 project and is designated as a Major Collector;
- The Monroe County State Road 37 Corridor Plan adopted in February 2010 calls out Worms Way business specifically and also states that, *“Existing commercial/industrial businesses should remain and be allowed to expand within previously developed parcels as needed to remain viable. However, the intensity of the uses shall not be allowed to increase beyond current conditions, and such businesses shall not be permitted to expand onto adjacent properties.”*
- The petitioner is proposing to use the existing driveway access off of N Wayport Rd and has interstate access 0.65 miles to the south;
- There is no access to sewer on this property for future use;
- There is room for expansion on this site with more infrastructure;



## **EXHIBIT 1: Petitioner Letter to the Plan Commission**

September 29, 2023

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

**Subject:** Zoning Petition  
**Petitioner:** AH & SH, LLC  
**Property:** 7850 and 7854 N. Wayport Road  
**Zoning:** AG/RR to PB

**Petition:**

AH & SH, LLC petitions the Monroe County Board of Commissioners to rezone the property located at 7850 N. Wayport Road, Lot 1, and 7854 N. Wayport Road, Lot 2, from Agricultural/Rural Reserve (AG/RR) to Preexisting Business (PB). The property consists of two lots: 6.65 acres and 6.21 acres.

**History:** AH & SH, LLC is an Indiana limited liability company. Martin Heydt, Managing Member of AH & SH, LLC, first acquired the real estate in 1995. In 2001, he organized AH & SH, LLC and in November, 2002 transferred the real estate to the LLC. The property has been developed with substantial quality commercial buildings. Mr. Heydt developed the Worm's Way business and operated as a special exception agri-business. Worm's Way was a manufacturer of hydroponic equipment. Worm's Way added sales of hydroponic equipment. It was the first retailer to offer a national catalog of hydroponic equipment. The business grew to include primarily mail order sales of hydroponic equipment. The business was sold in 2016 and closed the retail sales. The company, after the sale, continued the mail order sales from the property for a time before complete business closure. The property was vacated in 2017.

**Improvements:** The property is improved with commercial buildings constructed in 1995 with some modifications and additional onsite paving occurring at different times over the following years. The footprint of the commercial building on Lot 1 is 14,240 square feet. The footprint of the large commercial building on Lot 2 is 30,000 square feet. A smaller accessory building has a footprint of 9,600 square feet. The property fronts on the east side of North Wayport Road less than 2,000 feet south of the Oliver Winery property. The property was occupied and used for the Worm's Way business from 1995 through the sale of the business, reduction of operations and finally closure of the business in 2017.

**Area Zoning:** The comprehensive zoning map amendment in 1997 placed a placeholder zoning designation AG/RR over the majority of Monroe County properties within the County's planning jurisdiction. AH & SH, LLC's property and most of the surrounding area was placed in the AG/RR zone. Selected properties were zoned PB.

AH & SH, LLC's property was not placed in the PB zone. No explanation was offered. Research demonstrates selective use of PB zoning. The 14 rezones to PB on properties located within two miles of Petitioner's property were the result of Plan Commission or Planning Staff initiatives. None of the 14 PB rezones required the landowner to request the PB zoning. AH & SH, LLC, the owner of the property, was unaware of the opportunity to petition for a specific zone as part of the comprehensive map amendment.

At the time of the 1997 comprehensive map amendment, AH & SH, LLC's property was in open and ongoing business use for the Worm's Way business operation. The commercial buildings were fully constructed and in use. The majority of the parking lot that presently exists had been paved. Notwithstanding the known and existing commercial and manufacturing use of the property, the property was not zoned PB consistent with 14 other parcels in close proximity that were placed in the PB zone. AH & SH, LLC believes this to be a mistake.

Some explanations have been offered as to why Staff did not recommend and carry through with rezoning AH & SH, LLC's property to PB. However, well-intentioned the decision may have been, the result was that AH & SH, LLC's property was singled out and treated differently from similar properties without a proper basis, AH & SH, LLC's property was treated differently than similarly situated properties along what is now the I-69 corridor. AH & SH, LLC's property should have been rezoned PB consistent with the PB zoning applied to the other 14 properties in close proximity to AH & SH, LLC's property. AH & SH, LLC has previously petitioned for a PUD designation on the property as a means to correct the zoning error. Due to objections to a PUO designation, AH & SH, LLC withdrew the PUD petition and is submitting this Petition for rezoning to PB. It is a simple, direct zoning to PB as the best opportunity and the simplest means to correct the 1997 error in the zoning map amendment. The property should have been rezoned at that time to PB and AH & SH, LLC now requests that that be corrected.

**Property within the Neighborhood:** The property fronts on North Wayport Road, the frontage road created within the I-69 corridor. No traffic going to the property passes through any residential or neighboring properties. The access to the property is direct from the parking lot to North Wayport Road, south 2500 feet to Sample Road. Sample Road has been redeveloped twice. As part of construction of I-69, the Sample Road interchange was created and specifically with a roundabout to facilitate traffic flow from I-69 onto Sample Road and from Sample Road to Wayport. Vehicle traffic to AH & SH, LLC's property is simple and direct access on major county roads. Wayport Road is rated as a major collector. Wayport Road and Sample Road are classified as major collectors.

The buildings are set well within the property line. The distance from the commercial buildings on AH & SH, LLC's property to residences on adjacent properties ranges from 600 feet to 800 feet.



There is substantial open space and “green” area on AH & SH, LLC’s property, approximately 75% of the lot. Only approximately 35% of the lot area has been developed as parking lots, driveways or buildings creating limited impervious surface area.

Storm water drainage is controlled with a detention pond. The size of the pond drainage outlet makes the detention pond dry except for brief periods of time during a significant rain event.

There are numerous mature trees existing on AH & SH, LLC’s property. Adjacent to the east is the Windsor Private residential subdivision. The subdivision was created with a substantial swatch of common areas adjacent to AH & SH, LLC’s property. The common area is heavily treed and is maintained as a permanent tree and landscape buffer between AH & SH, LLC’s property and the residential lots in Windsor Private. An additional mature-tree buffer exists along the north property line.

The AG/RR zone allows limited agricultural-based commercial uses or business uses of the property. None of the permitted uses in the AG/RR zone are reasonably suitable for use and development on AH & SH, LLC’s property. The permitted uses would not and could not make reasonable use of the existing commercial buildings causing economic waste for removal of the buildings or leaving the buildings substantially unused in pursuit of any of the permitted uses within the AG/RR zone.

The AG/RR zone and its limited uses and primarily uses inappropriate to AH & SH, LLC’s property has had a severe impact on the assessed value of the property. A letter by the Monroe County Assessor explaining the impact of the zone and the limited uses on the Assessor’s determination of property tax assessment values is included with this Petition. A marketing history by is discussed in the letter of Andy Peterson, a real estate broker.

Of the approximately 60 uses from the Table of Uses in the Monroe County Zoning Ordinance, 90% of them are not financially viable. For example, permitted uses include a feed lot or a pick your own agricultural operation. Uses include a stockyard and a water treatment facility. Review of the entire list of permitted uses makes it self-evident that the uses are not feasible on AH & SH, LLC’s property.

AH & SH, LLC has made significant efforts to market the property. In seven years, there has not been a single inquiry by a prospective buyer interested in the property for redevelopment or use for any of the permitted uses in the AG/RR zone. The only interest in the property was for proposed uses that would require rezoning or possibly a use variance.

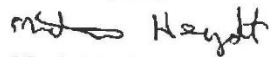
**Regulatory Taking:** AH & SH, LLC has researched the 1997 comprehensive map amendment and the award of PB zoning to selected parcels. The liberal use of the PB zone on similarly situated properties but not for AH & SH, LLC’s property was not previously fully known. That zoning decision in conjunction with the evidence of loss of value to AH & SH, LLC’s property as demonstrated in part by the letter from the Monroe County Assessor demonstrates that the rezoning of AH & SH, LLC’s property to AG/RR and not to PB constitutes a regulatory taking.

AH & SH, LLC has been denied any reasonable economic return on its property as a result of the AG/RR zoning. The rezoning of the property to PB eliminates the regulatory taking.

Requests: AH & SH, LLC requests that AH & SH, LLC's property be rezoned to Preexisting Business (PB).

Respectfully submitted,

AH & SH, LLC



Martin Heydt, Member



**EXHIBIT 2: Monroe County Assessor's Office Letter**



**JUDITH A. SHARP**  
Monroe County Assessor  
LEVEL III CERTIFIED INDIANA ASSESSOR-APPRAISER

June 14, 2023

Dear Planning Commission Members,

I am writing to you to explain what the Property Tax Board of Appeals did with the value of Martin Heydt's property aka Worms Way. Mr. Heydt appealed this property to the board on 5-12-23. He explained that Worms Way was closed, and no business was being done on this property. He has been trying to sell this property. He contacted the Planning Department because of the zoning to get a variance. This was turned down and the one business that wanted to purchase this property cannot use it for the current zoning.

Mr. Heydt explained to the Board that his property is zoned different from the other properties on either side of him. He has a buyer interested in the property, but the rezone was denied by the Commissioners.

Indiana is a Market Value in "Use" State. The In-Use wording is in the Constitution and makes a huge difference in our assessing in Indiana. The Board decide that since it is no longer a business, and he is not able to sell it for any other use than what it is zone for at this time without a rezone they lowered the assessment.

His assessment before the appeal was \$2,675,600, after the appeal it is now \$531,400. We could no longer call it a commercial property, so the land was revalued to the current agricultural rate set by the State of Indiana. We took the buildings down to what Mr. Heydt told us it was going to cost to remove them from the property. We made these changes for the tax year 23 pay 24.

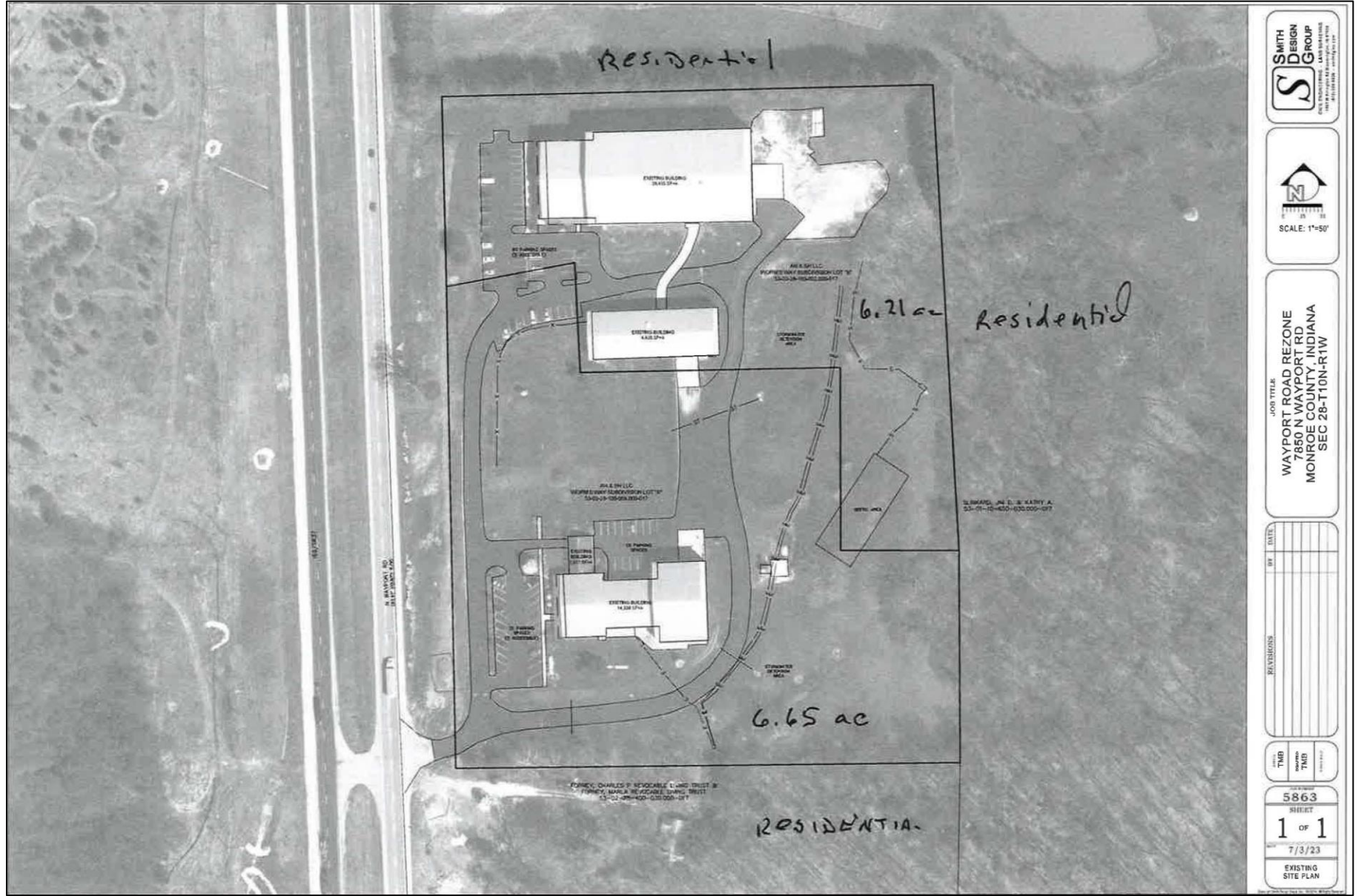
Judith A. Sharp

Monroe County Assessor

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100 W Kirkwood Ave., Room 104 • Bloomington, Indiana 47404  
Phone (812) 349-2502 • Fax (812) 349-2898 • [jsharp@co.monroe.in.us](mailto:jsharp@co.monroe.in.us)

**EXHIBIT 3: Site Plan (Conceptual)**



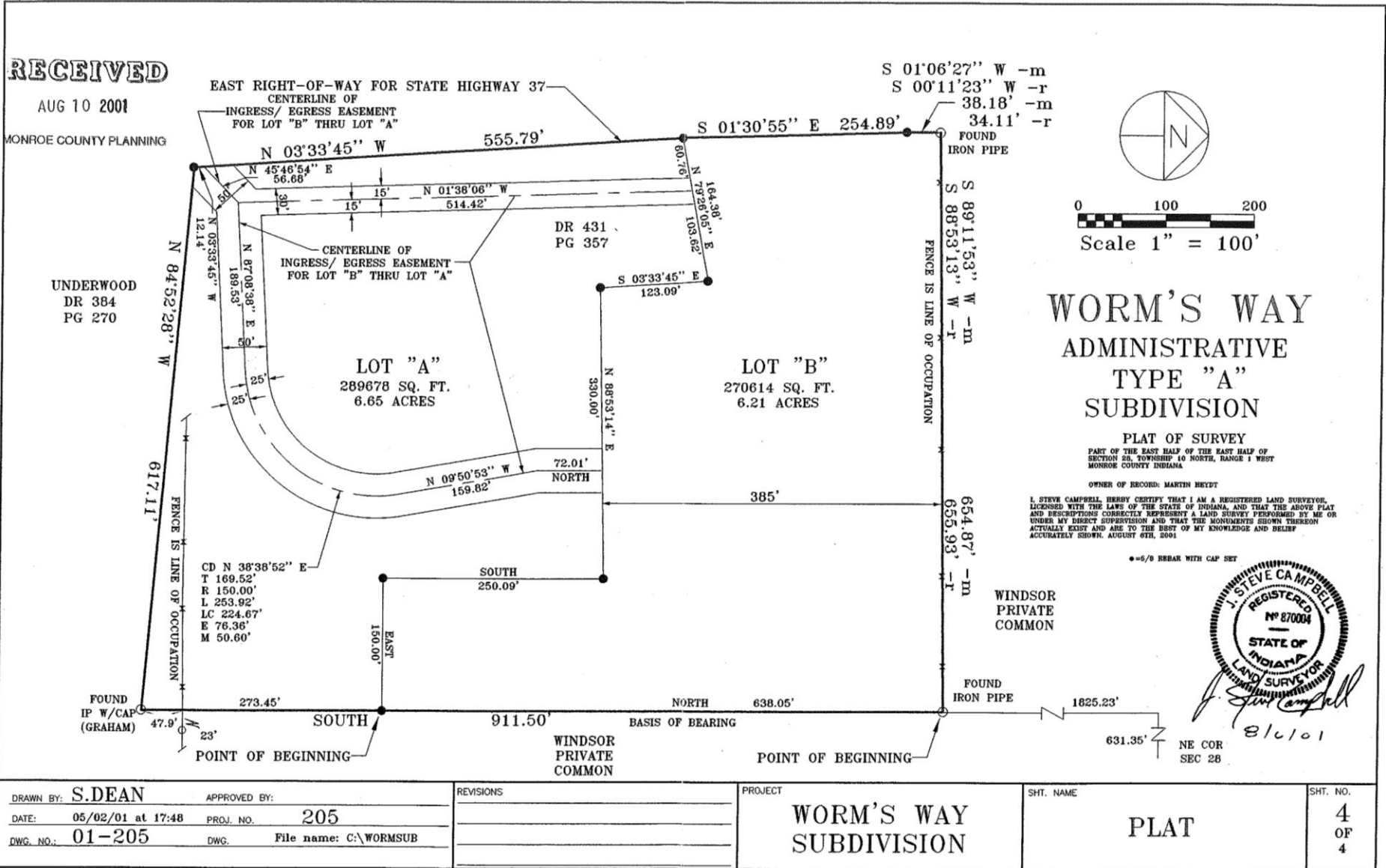
JOB TITLE:  
**WAYPORT ROAD REZONE**  
**7850 N WAYPORT RD**  
**MONROE COUNTY, INDIANA**  
**SEC 28-T10N-R1W**

REVISIONS	BY	DATE

TMD	TMD	TMD
DATE	DATE	DATE
PROJECT NO. <b>5863</b>		
SHEET <b>1</b> OF <b>1</b>		
DATE <b>7/3/23</b>		
EXISTING SITE PLAN		



**EXHIBIT 4: Worm's Way Administrative Type "A" Subdivision**



**EXHIBIT 5: AG/RR Use Table**

<b>Agricultural Uses</b>	<b>( / )</b>	<b>AG</b>	<b>Residential Uses</b>	<b>( / )</b>	<b>AG</b>	<b>Business &amp; Personal Services</b>	<b>( / )</b>	<b>AG</b>
Accessory Use		P	Accessory Apartments	L	P	Accessory Use		P
Accessory Structures for Ag. Use	L	P	Accessory Dwelling Units	L	P	Artisan Crafts	M	C
Agriculture	H	P	Accessory Livestock	L	P	Bed and Breakfast	L	P
Ag. Event Center, Small	H	C	Accessory Use		P	Composting Operation	H	P
Ag. Event Center, Medium	H	C	Guest House	L	P	Greenfill	M	P
Ag. Event Center, High	H	C	Historic Adaptive Reuse		P	Historic Adaptive Reuse		P
Ag.-Related Industry	H	P	Home Based Business	L	P	Kennel, comm. animal breeding ops.	H	C
Ag. Uses-Land Animal	H	P	Home Occupation	L	P	Real Estate Sales office Or Model	L	P
Ag. Uses-Non Animal	H	P	Residential Storage Structure	L	P	Taxidermist	L	P
Agritourism / Agritainment	H	P	Single Family Dwelling	n/a	P	Temporary Seasonal Activity	M	P
Aquaculture	M	P	Temporary Dwelling	L	P	Tourist Home or Cabin	L	P
Christmas Tree Farm	H	P	Two Family Dwelling	n/a	P	Veterinary Service (Indoor)	H	C
Comm. facilities for the sale, repair, and service of Ag. equip., vehicles, feed, or suppl.	H	C	<b>Public &amp; Semipublic</b>	<b>( / )</b>	<b>AG</b>	Veterinary Service (Outdoor)	M	C
Comm. Non-Farm Animals	M	P	Accessory Use		P	<b>Retail &amp; Wholesale Trade</b>	<b>( / )</b>	<b>AG</b>
Confined Feeding Operations	H	C	Cemetery	H	P	Accessory Use		P
Equestrian Center	H	C	Governmental Facility	H	P	Agricultural Sale Barn	H	P
Equine Services	L	P	Historic Adaptive Reuse		P	Fruit Market	L	P
Feed Lot	H	P	Religious Facilities	H	P	Garden Center	H	C
Feed Mill	L	P	Remote Garbage/Rubbish Removal	H	C	Historic Adaptive Reuse		P
Historic Adaptive Reuse		P	Solar Farm	L	C	<b>Automotive &amp; Transportation</b>	<b>( / )</b>	<b>AG</b>
Horse Farm	L	P	Telephone and Telegraph Services	L	P	Automobile Repair Services, Minor	H	C
Nursery/greenhouse	H	P	Utility Service Facility	M	P	Historic Adaptive Reuse		P
Orchard	H	P	Wastewater Treatment Facility	H	C	<b>Amusement and Recreational</b>	<b>( / )</b>	<b>AG</b>
Pick-your-own operation	H	P	Water Treatment Facility	H	C	Accessory Use		P
Roadside farm stand, Permanent	M	P	Wired Communication Services	M	P	Camping Facility	H	P
Roadside farm stand, Temporary	L	P				Historic Adaptive Reuse		P
Stockyard	H	P				Park and Recreational Services	H	C
Winery	H	P				Private Recreational Facility	H	C
						Recreational Vehicle (RV) Park	H	C
						<b>Manufacturing, Mining</b>	<b>( / )</b>	<b>AG</b>
						Accessory Use		P
						General Contractor	M	C
						Historic Adaptive Reuse		P
						Sawmill	H	C
						Wood Products	M	C



**EXHIBIT 6: LB and GB Use Table**

USES	INTENSITY			USES	INTENSITY			USES	INTENSITY		
Agricultural Uses	i	LB	GB	Retail and Wholesale Trade	i	LB	GB	Manufacturing, Mining	i	LB	GB
Historic Adaptive Reuse		P	P	Accessory Use		P	P	Accessory Use		P	P
Boarding House	L	P	P	Agricultural Supply	H		P	Commercial Printing	H		P
Historic Adaptive Reuse		P	P	Apparel Shop	L	P	P	Construction Trailer	L	P	P
<b>Public and Semipublic</b>	<b>i</b>	<b>LB</b>	<b>GB</b>	Appliance Sales	L		P	General Contractor	M		P
Accessory Use		P	P	Auction House	H		P	Historic Adaptive Reuse		P	P
Charitable, Fraternal, or Social	L		P	Bakery (Retail)	L	P	P	Adult Oriented Businesses	L/M	P	P
Community Center	L	P	P	Bookstore	L	P	P	<b>Multi-Use</b>	<b>i</b>	<b>LB</b>	<b>GB</b>
Daycare Facility	M	P	P	Building Materials	H		P	Business or Industrial Center	H		P
Funeral Home	M		P	Cabinet Sales	L		P	Commerical/Industrial Adaptive Reuse			P
Group Home Class I	L	P	P	Camera and Photographic Supply	L	P	P	Shopping Center			P
Group Home Class II	L	P	P	Confectionery	L	P	P				
Historic Adaptive Reuse		P	P	Convenience Store	H	P	P				
Hospital	H		P	Department Store	M		P				
Medical Clinic	L	P	P	Drapery Sales	L		P				
Nursing Home	L		P	Drugstore	M	P	P				
Religious Facilities	H	P	P	Fertilizer Sales (Packaged)	M		P				
Remote Garbage/Rubbish Removal	H	P	P	Florist (Retail)	L	P	P				
Retirement Center	L	P	P	Florist (Wholesale)	N		P				
Telephone and Telegraph Services	L	P	P	Fruit Market	L	P	P				
Temporary Care Facility	L		P	Furniture Sales	L		P				
Utility Service Facility	M	P	P	Garden Center	H		P				
Water Treatment Facility	H	P	P	General Flooring Sales	L		P				
<b>Business and Personal Services</b>	<b>i</b>	<b>LB</b>	<b>GB</b>	Gift Shop	L	P	P				
Accessory Use		P	P	Grocery Store	M		P				
Air Cargo and Package Service	H		P	Gunshop	M	CU	CU				
Air Craft Charter Service	L		P	Handicrafts	L	P	P				
Airport Transportation Service	M		P	Hardware	M	P	P				
Appliance Repair	L	P	P	Historic Adaptive Reuse		P	P				
Barber Service	L	P	P	Home Improvement Center	H		P				
Beauty Service	L	P	P	Jewelry	L		P				
Caterer	L	P	P	Liquor Store	M	P	P				
Coin Operated Cleaning/Laundry	L	P	P	Marine Supply	L		P				
Convenience Storage	M	P	P	Manufactured Housing Sales	M		P				
Copy Service	L	P	P	Meat Market	L	P	P				
Dry Cleaning and Laundry Pickup	L	P	P	Music Store	L		P				
Dry Cleaning and Laundry Service	L		P	Office Showroom	M		P				
Electrical Repair	L	P	P	Office Supplies	M		P				
Employment Agency	M	P	P	Optical Goods	L		P				
Equipment Rental	M	P	P	Pet shop	L		P				
Estate Services	L	P	P	Restaurant	M	P	P				
Exterminating Service	L		P	Restaurant (Drive-in)	H		P				
Financial Service	M	P	P	Sporting Goods	L	P	P				
Gunsmith	L		P	Tavern	L		P				
Historic Adaptive Reuse		P	P	Used Merchandise (Antiques)	L		P				
Hotel	M		P	Used Merchandise (Flea Market)	H		P				
Insurance Agency	L	P	P	Used Merchandise (General)	L		P				
Interior Decorating	L	P	P	<b>Automotive and Transportation</b>	<b>i</b>	<b>LB</b>	<b>GB</b>				
Legal Service	L	P	P	Accessory Use		P	P				
Locksmith	L	P	P	Automotive Rentals	M		P				
Massage Studio	M	P	P	Automotive/Boat Repair Shop	H		P				
Motel	M		P	Automotive Sales	H		P				
Office	L	P	P	Automotive Supply	M		P				

**EXHIBIT 7: Letters of Support**



June 12, 2023

RE: 7850 & 7854 N Wayport Rd Bloomington, IN

To whom it may concern,

My name is Andy Peterson and I am a Realtor in Bloomington, IN. I represent Buyers and Sellers in both commercial and residential real estate transactions. I also own investment and commercial properties personally in four Indiana counties.

I have had the opportunity to showcase the properties located at 7850 & 7854 N Wayport Road in Bloomington, IN to potential buyers. Multiple things stand out immediately upon touring this property and the facilities located on them, the property is easily accessible from a major interstate highway and the care that goes into maintaining these vacant properties is extremely evident. I have had clients that this property stands out as the very obvious solution to their needs. I represent a business that would have office staff of approximately 25 people and literally do no work on site except for maintenance of their own equipment that they utilize on jobs elsewhere. This company is growing and very financially secure. They wanted this facility to be their headquarters but due to current zoning that is unable to occur.

It is my opinion that the use or sale of this phenomenal property under the current zoning deems it unviable. The property is zoned AG. Of the 50 or so conforming uses listed in the AG Zoned, most are not financially viable: ie Christmas Tree Farm or Orchard. The others are not practical: ie Government Facility or Utility Service Facility. The property has been listed for sale for over seven years. This valuable commercial property will not be sold unless it is rezoned.

Sincerely Submitted,

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

Andy Peterson

Peterson Realty, LLC  
PO Box 5758 Bloomington, IN 47407

**MONROE COUNTY PLAN REVIEW COMMITTEE****November 9, 2023**

<b>CASE NUMBER</b>	PUO-23-6
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	Packing House Road LLC c/o Daniel Butler, Bynum Fanyo & Assoc.
<b>REQUEST</b>	North Park II PUD Outline Plan Amendment 1
<b>ADDRESS</b>	N Packing House RD, parcel #53-05-30-400-014.000-004
<b>ACRES</b>	98.6
<b>ZONE</b>	North Park PUD II
<b>TOWNSHIP</b>	Bloomington
<b>SECTION</b>	30
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	MCUA Quarry Landscape, MCUA Open Space

**EXHIBITS**

1. [Link to Karst Study and Location of Features Map](#)
2. [Link to Current North Park II Ordinance 2004-62](#)
3. Petitioner Letter
4. [Link and Pages 2 & 3 of Proposed Development Plan for Later Consideration](#)
5. Permitted Uses from PUD Ordinance
6. Future Road Connections

**RECOMMENDATION**

Staff recommends forwarding a **negative recommendation** for the Planned Unit Outline Plan Amendment request based on lack of information.

Staff requests information on the following:

1. How and when the required future roadway will be incorporated into the current fill design. The current design shown in Exhibit 4 indicated an area of the future roadway show a steep range of elevations over the proposed roadbed.
2. Provide timeline for development (from fill to public commercial use) for the entire site. The petitioner’s representative, Mr. Daniel Butler, stated “3-5 years, depending on workload and waste on projects”. During the pre-design the Mr. Butler indicated that the site may remain undeveloped/be used as a fill site for “thirty (30) years”.
3. Provide the Highway Department Project Manager, Ben Ayers, the following information: “how many trucks a day they anticipate to start with and a timeline”.
4. Provide a specific definition for “mass grading with filling operations”. Include any associated uses like rock crushing.

If considered for approval, staff will recommend that a written commitment is recorded that requires the developer to provide the geotechnical reports during the fill of any portion of the property as stated by the petitioner’s representative in Exhibit 3.

**PUBLIC HEARING TIMELINE**

- November 9, 2023 – Plan Review Committee
- December 5, 2023 – Plan Commission (Admin) Final Hearing
- December 6, 2023 - Drainage Board
- December 11, 2023 – Plan Commission (Regular) Preliminary Hearing
  - o Waiver of Final Hearing Requested



- January 2, 2024 – Plan Commission (Admin) Final Hearing
- January 16, 2024 – Plan Commission (regular) Final Hearing

Based on the timing of the Drainage Board and Plan Commission meetings in the month of December, staff will recommend that the Plan Commission deny the request to waive the final hearing.

### **SUMMARY**

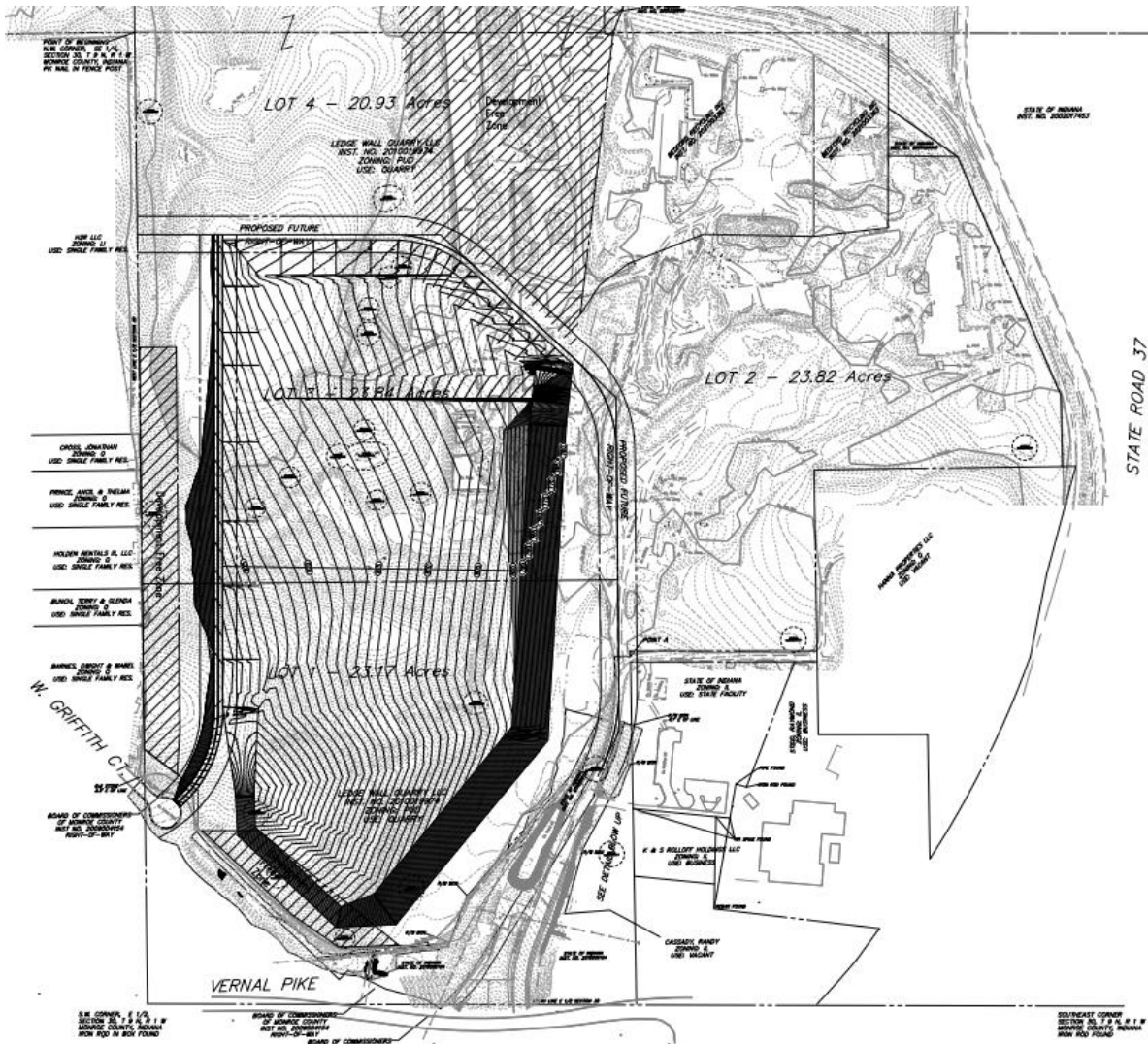
The petition site is located in Bloomington Township, Section 30 and is 98.6 acres zoned “North Park II” Planned Unit Development. The petitioner, Packing House Road LLC, is requesting to amend the North Park II PUD ordinance. The petitioner is represented by Daniel Butler of Bynum Fanyo and Associates. North Park II was created in 2004 as an addition to the general North Park area. The petition site contains two use areas of the North Park II PUD; the Quarry/Heavy Industrial District and the Light Industrial District. The proposed ordinance amendment would add the use of “mass grading with filling operations” to the list of permitted uses to both use areas. No exact definition has been provided for the use. The petitioner’s representative stated in email in response to the request for a definition the following information:

“It is our intention to fill the site with the excess material from our construction projects. The primary clean fill material from the projects would be insitu soils and aggregates from the projects. Asphalt pavements that are removed from projects would be recycled at our asphalt plant and not taken to this site. There is a possibility that a small amount of concrete from removed curbs, sidewalks or drives could be brought to the site but this material would be crushed before it is incorporated into any fill. Once the material is at the site it will be placed in lifts and compacted per Geotechnical Standards for future buildability. On-site crushing of concrete is possible but seldom. All fill material must be clean and no environmental questionable material is allowed unless tested.”

This petition was introduced at the November 1 Drainage Board and will be on the December 6 Drainage Board agenda for review. The petitioner is requesting to fill in areas identified by Hydrogeology Inc as a “spring” and a “sinking stream” with the proposed development plan for fill. Future fill also indicates further fill into identified Sinkhole Conservancy Areas. Filling a sinkhole is subject to Drainage Board and Planning review. Typically, SCAs cannot be filled. However, consideration is being given to this site as it was a former quarry site. Planning will be seeking information from the petitioner’s engineer, as well as the Monroe County Drainage Board.

### **PROPOSED USE AND ACCESS**

The proposed engineered plan included under the filling illustrates the filling of a 30-acre portion of the property, up to 30-50 feet in vertical height. At the north boundary of the fill site the elevation ranges from 765’ to 806’ at the top of the fill area. The highest elevation contour listed is 817’ towards the southern side. The petitioner’s design professional state that this amount of fill is required for future commercial development. During the pre-design meeting they stated that the filling of the 30-acre portion of the property located on the east side would take “3-4 years” and would require “approximately 30,000 tri-axle dump trucks” of fill. The pre-design (PRE-335) also included a draft of the fill on the western portion of the property – see an image clip below. The petitioner’s representative states that the filling would include activities like rock crushing and grinding to create the right material to create a stable fill area.



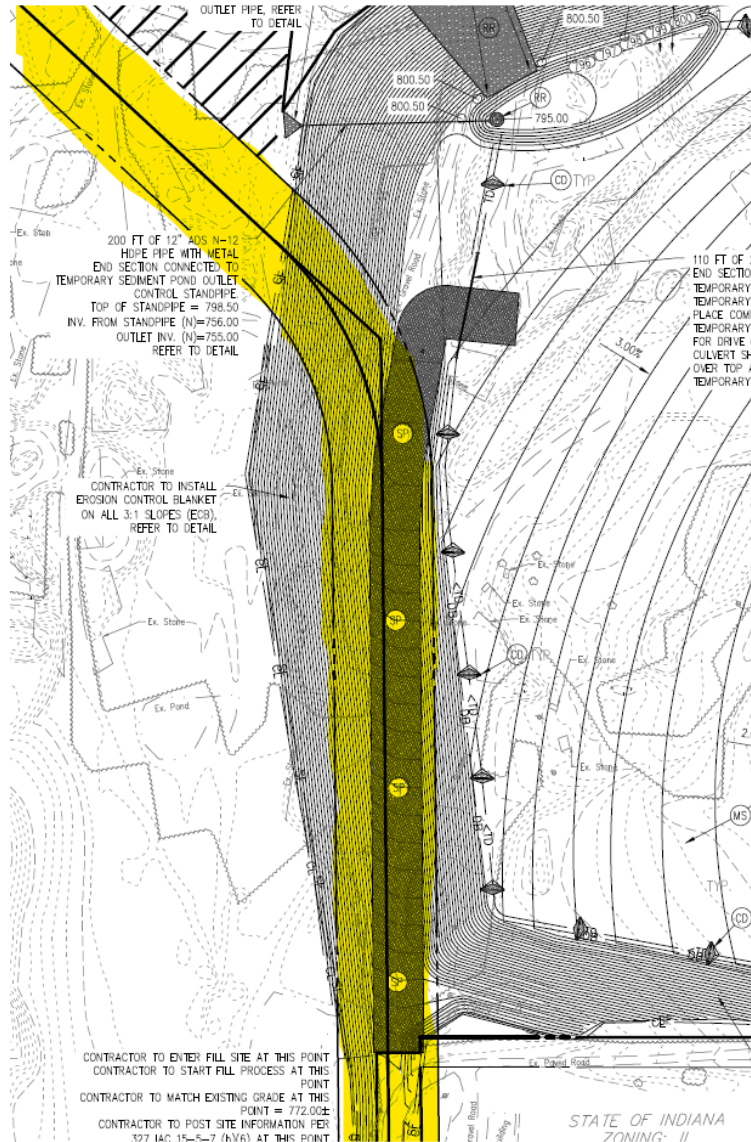
This property is accessed off W Vernal Pike and N Packing House Rd. North Packing House Road is county road which dead ends into the petition site. Staff recommended the petitioner address the potential damage to public roads from the repeated use by heavy equipment during fill. The petitioner’s representative has provided the following statement:

“All material will be brought in in legally loaded trucks and using local truck routes. These roads are assumed constructed to County standards to withstand industrial and commercial traffic in this area. This parcel will need this fill to be able to be brought to elevations for future usefulness.”

The Monroe County Highway Department has received a request for a Right of Way Activity permit (RW-23-251) for a “temporary construction driveway entrance”. Planning staff provided more context and the Highway Dept. may consider a “Haul Route” permit is needed. The Highway Department Project Manager, Ben Ayers, states the Dept. needs the following information: “how many trucks a day they anticipate to start with and a timeline”.

Under the North Park II ordinance, at the time of certificate of occupancy is sought for the site, two new roads must be constructed to county standards. These are roads that are identified under the North Park II and North Park overall connectivity plans – see Exhibit 6. Based on current proposed elevations of the fill for the 30 +/- acre eastern portion of the site, Staff is unsure how the proposed roadway will be incorporated due to the plans steep elevations on the proposed roadway bed – see image below from Exhibit 4. The petitioner’s representative provided the following statement:

“We showed planning dept. an overall grading concept that did incorporate this fill into the road that would curve to northwest. This would be incorporated to that master plan to make whole site viable”



### ZONING AND ADJACENT USES

The property is zoned “North Park II” Planned Unit Development, created in 2004 separately from the adjacent, parent, North Park PUD. Adjacent properties are zoned North Park PUD, Light Industrial (LI), Quarry (QY), Limited Industrial (IL), Single Family Residential 3.5 (RS3.5), and Estate Residential 1 (RE1). There are no zoning overlays on the petition site. Adjacent uses include residential to the west and southwest, vacant former quarry land to the north, and industrial and public uses to the east.



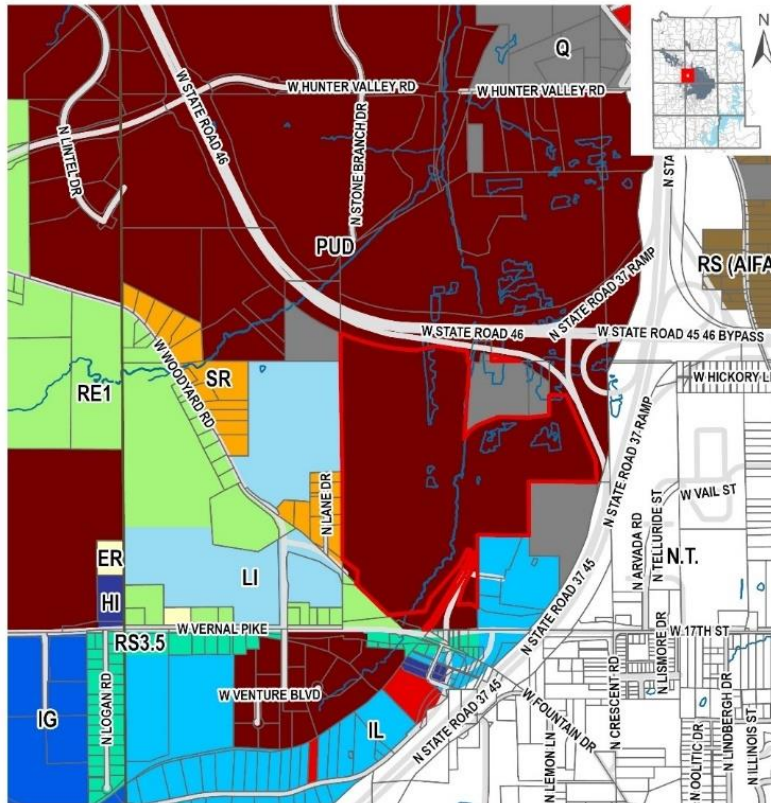
**Current Zoning Map**

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning**
- ER - Estate Residential
- GB - General Business
- HI - Heavy Industrial
- IG - General Industrial
- IL - Limited Industrial
- IN - Institutional
- LI - Light Industrial
- N.T. - No Tag (Outside Juris.)
- PUD - Planned Unit Development
- Q - Quarries
- QY - Quarry
- RE1 - Estate Residential 1
- RS - Single Dwelling Residential
- RS3.5 - Single Dwelling Res. 3.5
- SR - Suburban Residential

0 430 860 1,720 Feet



Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 11/1/2023



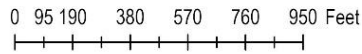


**SITE CONDITIONS**

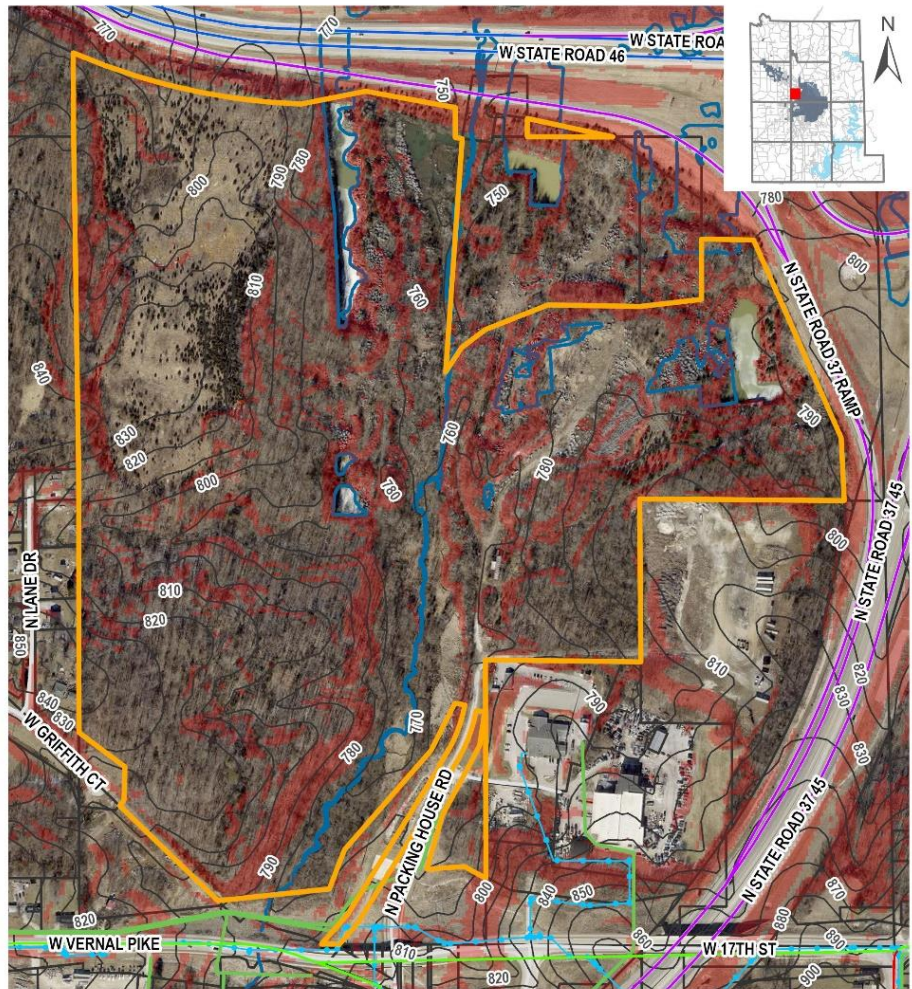
The petition site is 98.6 +/- acres and is currently vacant. The site is vegetated and contains remnants of the past use as limestone quarry. One old steel mill structure is still visible on aerial imagery. A karst study was completed by Hydrogeology, Inc and provided by the petitioner. The full report can be found in link provided as exhibit 1, including the map of the location of the features. The study found that there are seventeen (17) sinkholes, five (5) springs, and one (1) sinking stream located on the site (see Exhibit 1). The study recommends 25' Sinkhole Conservancy Areas to protect erosion of the features. The study states that the survey was "limited to surface inspection with no subsurface investigation. Unknown karst features are possibly present in the subsurface at the Site. Dense vegetation and remnant quarry blocks were present over most of the Site, which prevented close ground inspection in those areas". Cartographically, general maps for the area identifies one stream that splits running through the property. There are multiple open quarry pits on the site.

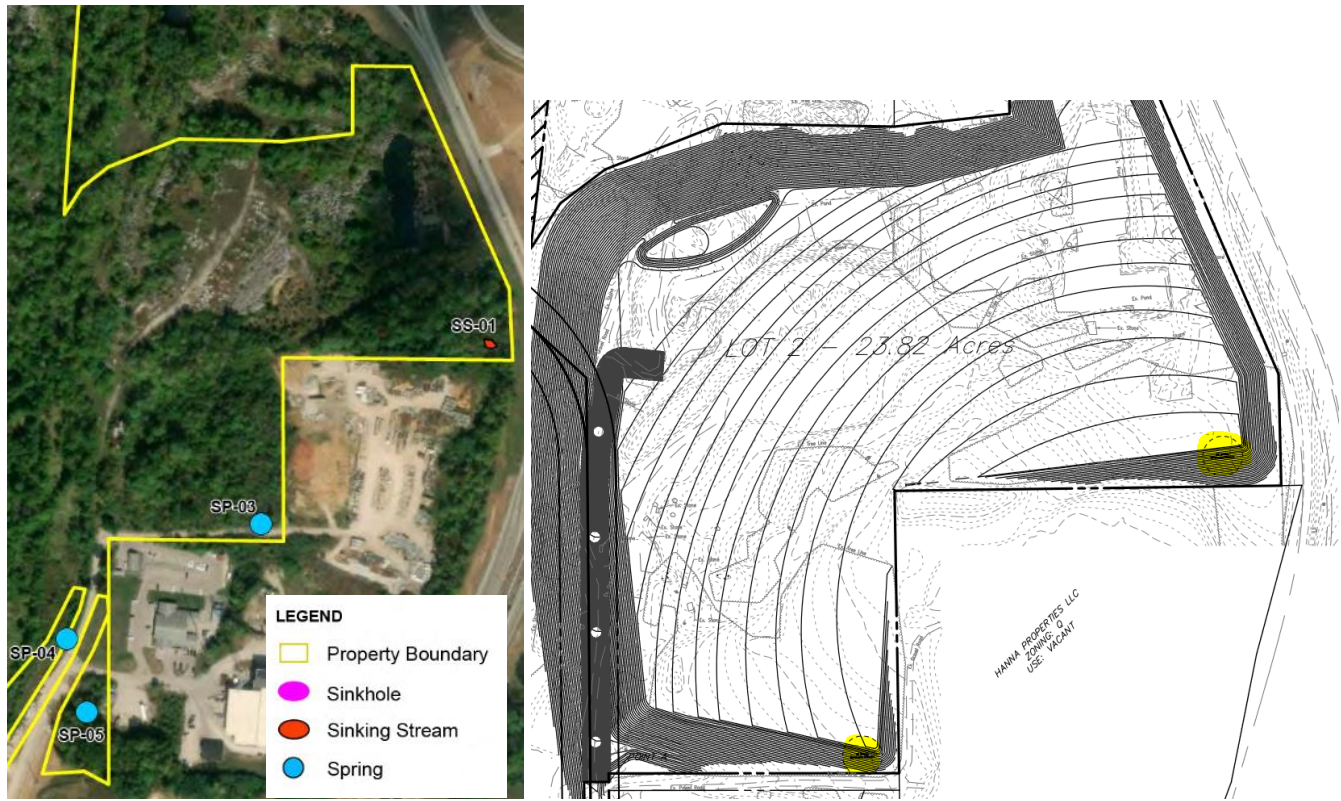
**Site Conditions Map**

- Minor Collector [60']
- Minor Arterial [100']
- Major Arterial [150']
- Interstate
- ▭ Petitioner
- Sanitary Pipe
- Water Pipe
- 10-Foot Contours
- 15% Slope (County/ECO2)
- <VALUE>
- 0 - 15
- > 15
- Local Roads [50']
- Hydrologic Features
- ▭ Parcels



Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 11/1/2023





## COMPREHENSIVE PLAN DISCUSSION

The petition site is located in the **Quarry Landscape**, and **Open Space** districts on the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan.

### 5.1.6 Quarry Landscapes

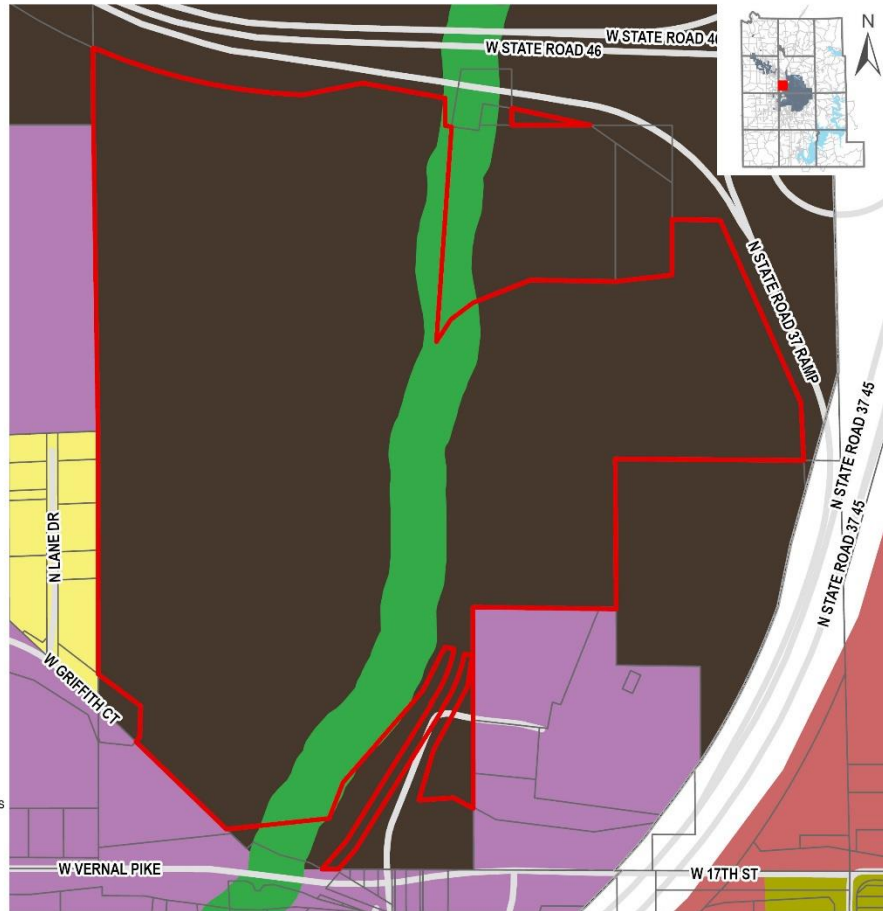
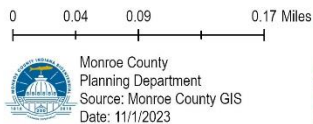
*Quarry landscapes are found throughout the urbanizing area, primarily in the south and west portions of the area. These include both actively mined and abandoned quarries, a number of which are either listed or eligible for inclusion on the national register of historic places landscape district registry.*

This land use type may also include lands owned by quarry operators and reserved as buffers to surrounding uses or potential quarry expansion areas. A number of quarries are also located immediately adjacent to the Urbanizing Area boundary. Quarry lands should be preserved to the extent possible for continued mining operations as part of the local economy. Where active mining is no longer viable, quarry landscapes should be preserved and integrated into a comprehensive open space system. However, other types of development may occur within and adjacent to abandoned quarries if sensitively sited to preserve visual and physical access, and designed to be compatible with other surrounding land uses.



## Comprehensive Plan

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



## A. Transportation

### *Streets*

Access into and surrounding quarries should be designed to sensitively integrate into the landscape and enhance, rather than detract from scenic views.

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

Physical and visual access for pedestrians and bicyclists should be explored for quarries that may be integrated into the broader open space system. Opportunities for boardwalks and overlooks should be explored.

## B. Utilities

### *Sewer*

Quarries may function as a barrier to routing gravity sewer lines. Utility easements should be sensitively located to minimize disruption to scenic landscapes.

### *Power*

Overhead utility lines near quarries should be buried where feasible to minimize visual clutter to the scenic landscape.

## C. Open space

### *Park Types*

Quarry landscapes offer a unique opportunity for Monroe County and the City of Bloomington to celebrate the region's heritage of limestone production by preserving abandoned and unused quarries and integrating them into a broader system of parks and greenways. The north Park development provides an effective example for preserving quarry lands as dedicated open space within a larger private development plan.

## D. Public Realm Enhancements

### *Lighting*

Lighting should be limited to non-intrusive, pedestrian-oriented fixtures (i.e. bollards and integrated railing lights) in high foot-traffic quarry park settings.

#### Street/Site furnishings

Benches, boardwalks, overlooks and railings should be constructed with rustic materials such as wood, weathered steel, and limestone.

### **E. Development guidelines**

#### *Open Space*

The amount of dedicated open space converted from quarry lands will depend on a variety of factors, including whether or not the quarry is part of a larger private development plan, or if it has been acquired in its entirety for preservation. If part of a larger development, preserved areas should remain contiguous, with connection points to existing or planned greenways. Abandoned quarry lakes should be a focus for preservation, with adequate measures to ensure safety for the general public.

#### *Parking ratios*

Active quarries typically provide sufficient parking for workers. Converted quarry parks may require formal visitor parking, which should be determined as needed in individual situations.

#### *Site design*

Where new development is proposed in or near abandoned quarry sites, structures should be sited to maximize views while also preserving scenic vistas.

#### *Building form*

Adjacent development forms will vary depending on use. Buildings integrated with quarry landscapes are encouraged to incorporate high amounts of window transparency both to maximize views for occupants and to minimize the visual impact of building masses on the landscape. Contemporary building designs with flat or shed-style roofs are encouraged to minimize the visual impact of roof profiles.

#### *Materials*

Appropriate building materials include limestone, wood, glass, architectural metal, and weathered steel.

#### *Signs*

Signs will typically be monument-style ground signs, integrated with the overall landscape design. Use of limestone and native planting schemes is strongly encouraged.

## **5.1.8 Parks and Open Spaces**

*Protected open Space includes public parks and privately-owned lands dedicated for active or passive recreation or environmental preservation.*

Examples include karst farm Park, Will Detmer Park, and portions of both residential and non-residential development areas reserved as open space. Protected open spaces include floodplains and riparian corridors where development is either prohibited or strongly discouraged. The future land Use Plan is not intended to illustrate all lands intended for preservation; future open space areas will be determined through the county's parkland acquisition process and the development plan review process.

### **A. Transportation**

#### *Streets*

Most parks and open spaces should have some amount of public street frontage. This is less critical for greenways, but occasional street frontage is still appropriate. Street frontage serves as the "front door" of the open space, provides visual access into the space, and relates the park to the larger public realm of the community. Automobile access to community parks is important, and these larger parks will typically include dedicated parking areas. Neighborhood Parks should provide on-street parking adjacent to the open space, but off-street surface lots should be avoided if possible. Greenway systems should include small trail-head parking areas at strategic locations.

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

Pedestrian and bicycle access to parks and open spaces is critical. All major parks should be linked together into a comprehensive bikeway system, including greenway trails and roadway facilities where appropriate.

Neighborhood parks should be accessible by sidewalk, and located within a 5-minute walk for nearby residents.

Transit access to major park destinations should be provided wherever possible.

## **B. Utilities**

### *Sewer*

Sewer access is desirable to serve restrooms and other park facilities, but is not always necessary.

### *Power*

Overhead utility lines should be buried to minimize visual disruption of scenic views.

## **C. Open Space Types**

### *Park Types*

A variety of park types should be integrated throughout the Urbanizing Area, depending on the surrounding development context:

- + Greenways
- + Community Parks
- + Neighborhood Parks
- + Plazas, Squares, and Greens
- + Pocket Parks and Streetscape Seating Areas

Refer to the other land use types described in this section for appropriate open space types.

### *Agriculture*

Many open space types can incorporate community-oriented agriculture. Refer to the other land use types described in this section for more information about integrated agriculture.

## **D. Public Realm Enhancements**

### *Street and Traffic Signs*

Public parks should be identified as part of a comprehensive wayfinding system, oriented to motorists, bicyclists and pedestrians.

### *Lighting*

Lighting should be of a pedestrian-scale, including lamp posts, bollard lighting, and ground lighting depending on park type and intended periods of use.

### *Street/Site furnishings*

Parks should incorporate numerous seating options, with co-located waste receptacles. Furnishings should be durable yet attractive and designed to complement the surrounding landscape and character of the open space and are ideal opportunities for public art. Furnishings should be coordinated within a park, but may be unique among different parks.

## **E. Development guidelines**

### *Parking ratios*

Parking requirements will vary depending on the scale, function and location of the park.

### *Site design*

Parks in higher density and more urban development areas will typically have a more formalized design. Larger community-scale parks and greenways should be more naturalized and designed to be integrated with the surrounding landscape.

### *Building form*

Park facilities are encouraged to incorporate high amounts of window transparency both to maximize views for occupants and to minimize the visual impact of building masses on the landscape. Contemporary building designs with flat or shed-style roofs are encouraged to minimize the visual impact of roof profiles.

### *Materials*

Appropriate building and site materials include limestone, wood, glass, architectural metal, and weathered steel.

### *Signs*

Signs should be coordinated throughout the public park system to assist with wayfinding and enhance community identity.

## **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 current zoning is North Park II PUD created by the County in 2004;
- The Comprehensive Plan designates the property as MCUA Quarry Landscape, and Open Space;
- The petitioner requests to amend the ordinance in order to a “mass grading and fill operations” to the permitted use tables for the entire petition site;

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

*Findings:*

- See Findings under section A;
- The petitioner’s representative states that the fill is required for future development;
- The petitioner’s representative also states that “it is our intention to fill the site with the excess material from our construction projects”;

**(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;

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

*Findings:*

- See Findings (1), (2) and (8);
- Planning staff will request information on how the petition intends to verify that the fill is “clean”, or free from potential pollutants;

**(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 Monroe County Thoroughfare plan has identified N Packing House RD a Local road, and W Vernal PIKE as a Minor Arterial RD;
- The petitioner’s are proposing to access the petition site from N Packing House RD;
- N Packing House RD is currently a dead end at the property line;
- The Monroe County Highway Department has received a request for a Right of Way Activity permit (RW-23-251) for a “temporary construction driveway entrance”;
- Highway Department Project Manager, Ben Ayers, states the Dept. needs the following information: “how many trucks a day they anticipate to start with and a timeline”;

**(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:*

- See Findings (1), & (9);
- Adjacent properties are zoned North Park PUD, Light Industrial (LI), Quarry (QY), Limited Industrial (IL),

Single Family Residential 3.5 (RS3.5), and Estate Residential 1 (RE1).

- There are no zoning overlays on the petition site.
- Adjacent uses include residential to the west and south west, vacant former quarry land to the north, and industrial and public uses to the east.

**(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:*

- The petition site is access from N Packing House Rd, a local road that dead ends at the petition site. N Packing House Rd is accessed from W Vernal Pike, a Minor Arterial road per the 2016 Thoroughfare Plan;
- See findings under (d);
- 

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

*Findings:*

- There 17 karsts, 5 springs, and 1 sinking stream located on the property;
- Drainage will be reviewed under a PUD Development Plan if this amendment is adopted;
- The area is not located within a critical watershed;

**EXHIBIT 1: Link to Karst Study and Location of Features Map**  
[Link to Karst Study](#)



<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid yellow; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Property Boundary</li> <li><span style="color: magenta; font-size: 1.2em; margin-right: 5px;">●</span> Sinkhole</li> <li><span style="color: red; font-size: 1.2em; margin-right: 5px;">●</span> Sinking Stream</li> <li><span style="color: blue; font-size: 1.2em; margin-right: 5px;">●</span> Spring</li> </ul> <p>Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community</p>	<p>0 125 250 500 Feet</p>	<p><b>KARST SURVEY</b>  <b>OLD LEDGE WALL QUARRY</b>  <b>BLOOMINGTON, IN</b></p>
		<p><b>KARST FEATURES</b></p>
		<p>hydrogeology inc. <span style="margin-left: 100px;">FIGURE</span>  <span style="font-size: 1.5em; font-weight: bold;">6</span></p>

**EXHIBIT 2: Link to North Park II PUD Ordinance 2004-62**  
[Link to Current North Park II Ordinance 2004-62](#)



**EXHIBIT 3: Petitioner Letter**



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

October 4, 2023

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

SUBJECT: North Park Area B-9 (northwest corner of the intersection N Packing House Dr and W Vernal Pike)

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Packing House Road LLC, Bynum Fanyo & Associates, Inc. would like to request approval of a partial site filling plan of the SUBJECT property. The fill material that will be brought in to fill primarily the northeast end of the site will be crushed stone and soils from other construction projects Milestone Contractors is working on. The site is designed to utilize the fill for future development to re-use this parcel effectively in the future. This fill must be free of environmental sensitive pollutants. The filling process will be required to be monitored by a geotechnical engineer to ensure property placement and compaction. The parcel of property was the old Ledge Wall Quarry. This parcel of property is not addressed but at the northwest corner of the intersection N Packing House Dr and W Vernal Pike in Monroe County, Indiana located in the North Park PUD zone. This lot contains 98.9 acres (of which 27.5 acres will get disturbed for this plan) and is in the NE quarter of section 30, T9N, R1W, Bloomington township.

We are not asking for any variances or exceptions to the PUD or Monroe County ordinances.

However, the current PUD does not allow for filling as a use in this PUD area so we'd like to add the use of 'Mass Grading with filling operations' to the parcel.

Also, on behalf of Packing House Road LLC, Bynum Fanyo & Associates, Inc. would like to request the Plan Commission waive the need for a 2<sup>nd</sup> hearing and make a determination after the 1<sup>st</sup> hearing.

Sincerely,  
Bynum Fanyo & Associates, Inc.

Daniel Butler, PE, Project Engineer

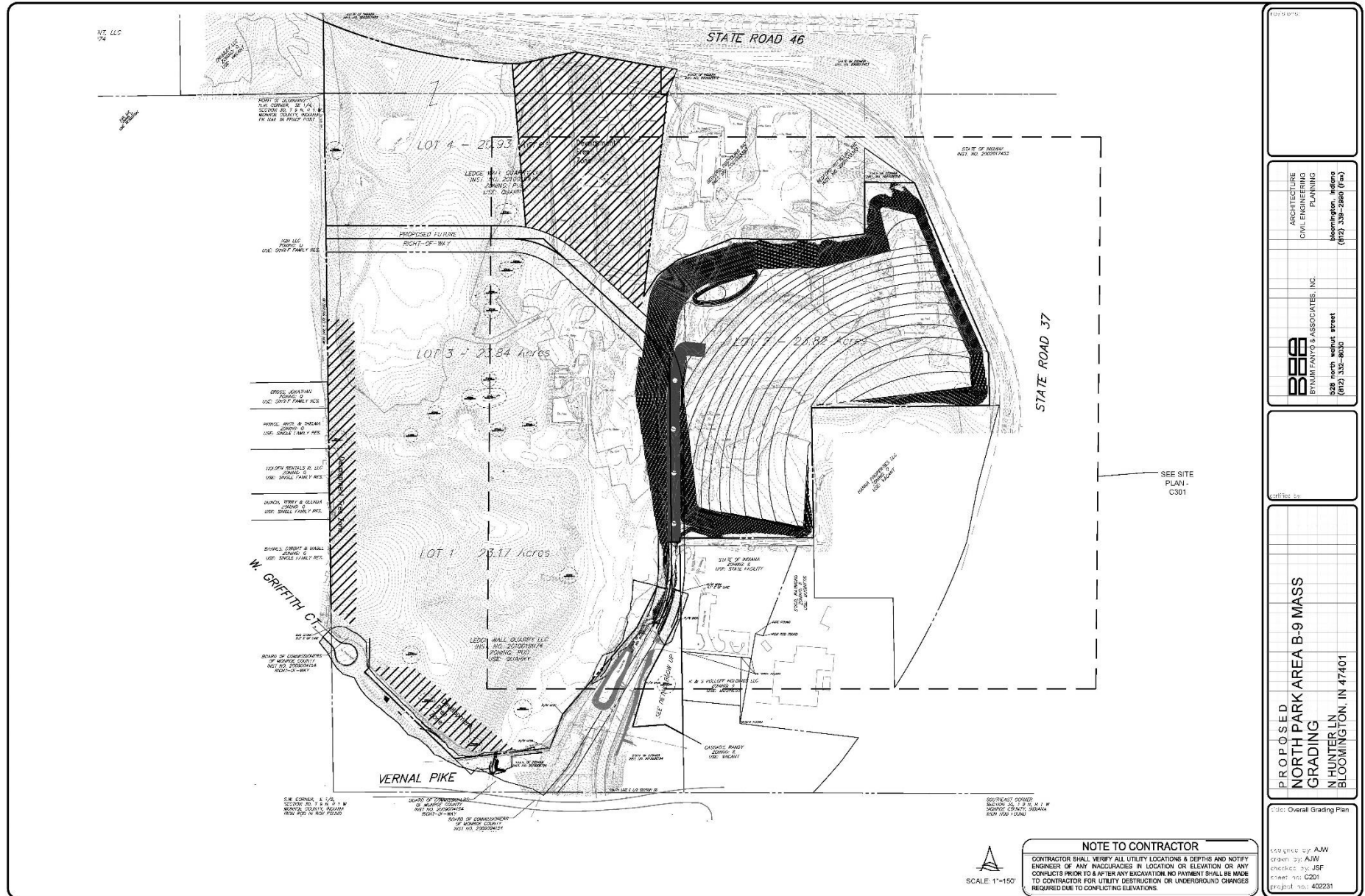
Copy: BFA File #402231

528 NORTH WALNUT STREET  
812-332-8030

BLOOMINGTON, INDIANA 47404  
FAX 812-339-2990

**EXHIBIT 4: Link and Pages 2 & 3 of Proposed Development Plan for Later Consideration**

[Link to Full Proposed Later Development Plan](#)



1/1/2014

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING  
Bloomington, Indiana  
(812) 339-2880 (Fax)

**BE&B**  
BRUNNEN FARRIS & ASSOCIATES, INC.  
528 north walnut street  
(812) 339-8030

1/1/2014

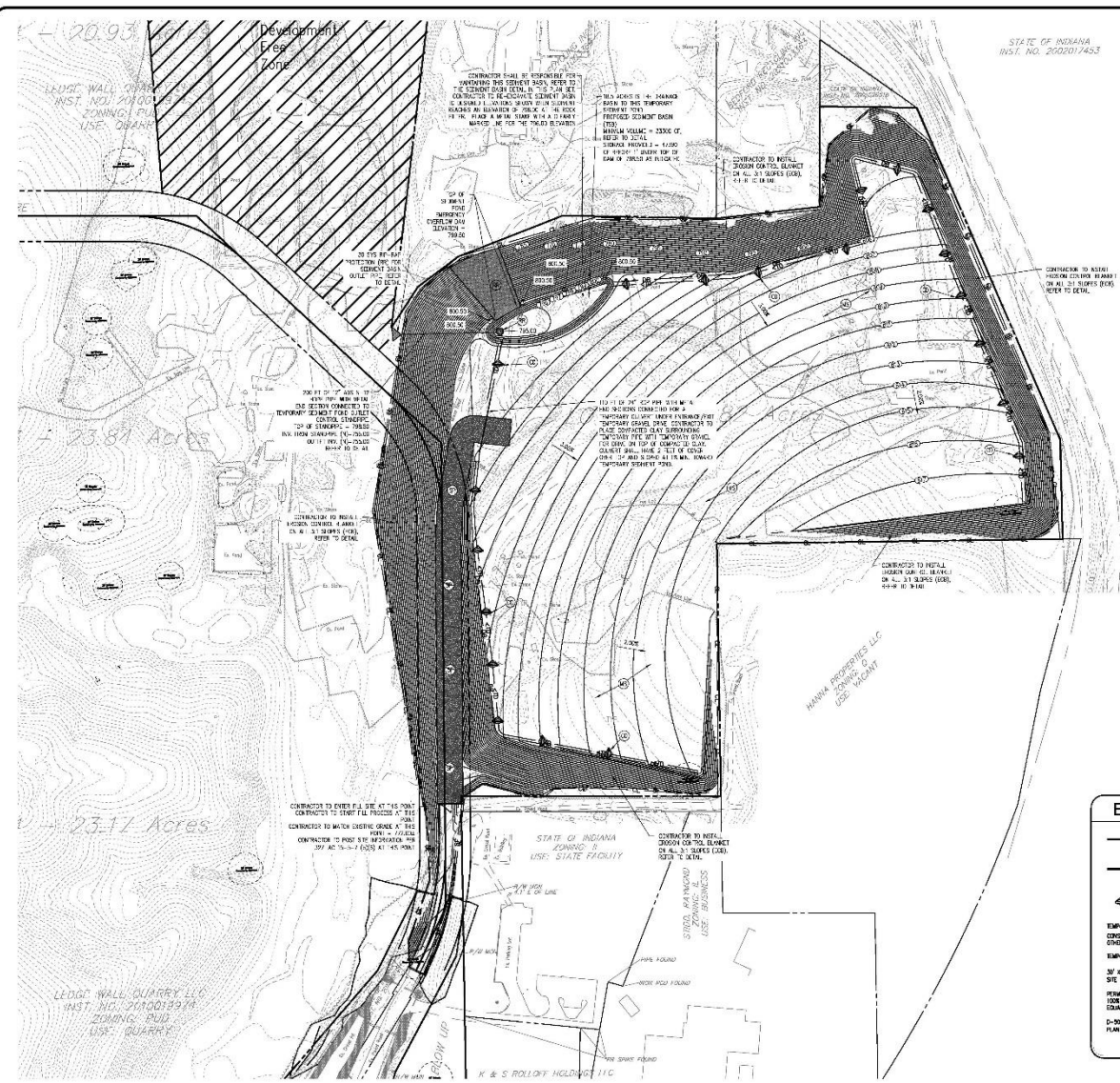
**PROPOSED  
NORTH PARK AREA B-9 MASS  
GRADING  
N HUNTER LN  
BLOOMINGTON, IN 47401**

Title: Overall Grading Plan

created by: AJW  
checked by: AJW  
sheet no: C201  
project no: 402281

**NOTE TO CONTRACTOR**  
CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

SCALE: 1"=150'



STATE OF INDIANA  
 DIST. NO. 202001/452

### GRADING/DRAINAGE LEGEND

EXISTING CONTOUR: - - - - -

PROPOSED CONTOUR: ————

PROPOSED WEIRED FLOWER DIRECTION: ————

**NOTE:** CONTRACTOR TO PERFORM GRADING AND EXCAVATION OF THIS PROJECT BY WORKING IN PHASES. ONCE A SCHEDULED AREA OF GRADING AND EXCAVATION HAS BEEN BROUGHT TO FINAL CONTOURS AS SHOWN ON THE PLAN, THEN THAT AREA SHALL RECEIVE 4" TO 6" OF THE STOCKPILED TOPSOIL AND SEEDING PER DETAILS BEFORE MOVING ON TO ANOTHER AREA. EACH AREA/PHASE SHALL NOT EXCEED 5 ACRES.

**NOTE:** EXISTING ELEVATION CONTOURS DEPICTED ARE FROM AN AERIAL SURVEY. ACTUAL EXISTING CONDITIONS CONTOURS MAY DIFFER WHEN CONSTRUCTION HAS COMMENCED. CONTRACTOR TO NOTIFY ENGINEER OF ANY DISCREPANCIES THAT WOULD INHIBIT GRADING OF THE PROPOSED CONTOURS AS INDICATED.

- ### GRADING & GENERAL NOTES
- PROPOSED CONTOURS SHOWN ARE MAXIMUM TOP OF FILL IN AREAS TO BE FILLED AND SEDED.
  - ALL DISTURBED AREAS SHALL RECEIVE 4" TO 6" OF SOIL/DIRT AFTER FILL OF THE SITE. THIS SOIL IS TO BE PLACED AND LEVELLED BY THE CONTRACTOR. DURING CONSTRUCTION THE 4" TO 6" OF EXISTING SOIL SHALL BE STOCKPILED BY THE CONTRACTOR IN AREA DESIGNATED ON PLAN TO BE RE-RECOVERED THROUGHOUT THE DISTURBED SITE IN ORDER TO ESTABLISH MATURE AND HEALTHY VEGETATION AFTER CONSTRUCTION HAS COMMENCED. ANY AREAS FOUND TO NOT BE COVERED BY SOIL AND NATURAL VEGETATION AFTER CONSTRUCTION SHALL BE RE-COVERED, RE-LEVELLED AND SEED/AMENDED AGAIN.
  - CONTRACTOR SHALL NOTIFY AND COOPERATE WITH ALL UTILITY COMPANIES OR FIRMS SERVING FACILITIES ON OR ADJACENT TO THE SITE BEFORE EXCAVATING, ALTERING, REMOVING, RELOCATING, ADDING, OR CONNECTING TO SAID FACILITIES. CONTRACTOR SHALL PAY ALL COSTS IN CONNECTION WITH ALTERATION OF OR RELOCATION OF THE FACILITY.
  - ALL WORK IS TO BE IN ACCORDANCE WITH ALL STATE AND LOCAL REGULATIONS.
  - ALL PERMITS ARE TO BE OBTAINED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
  - PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION. PLANTING LOCATIONS MAY REQUIRE ADJUSTMENTS IN FIELD TO AVOID OVERHEAD AND UNDERGROUND UTILITIES.
  - UNDESIRABLE EXCAVATED MATERIALS AND ALL WASTE RESULTING FROM CLEARING AND GRUBBING SHALL BE DISPOSED OF OFF SITE BY CONTRACTOR.
  - BEFORE ANY MACHINE WORK IS DONE, CONTRACTOR SHALL STAKE OUT AND MARK THE TIE-INS ESTABLISHED BY THIS GRADING PLAN. CONTROL POINTS SHALL BE PRESERVED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION. THE LACK OF PROPER WORKING POINTS AND GRADE STAKES MAY REQUIRE CESSATION OF OPERATIONS UNTIL SUCH POINTS AND GRADES HAVE BEEN PLACED TO THE OWNER'S SATISFACTION.
  - ANY FILL AREAS SHALL BE FREE OF VEGETABLE MATTER, BUSHES, LARGE ROCK, AND OTHER OBSTACULAR MATERIAL. THE FILL MATERIAL SHOULD BE PLACED IN LAYERS NOT TO EXCEED SIX (6) INCHES IN THICKNESS AND SHOULD BE SPRINKLED WITH WATER AS REQUIRED TO ACHIEVE SPECIFIED COMPACTION. EACH LAYER SHOULD BE UNFORMALLY COMPACTED BY MEANS OF SUITABLE EQUIPMENT AS DICTATED BY THE TYPE OF FILL MATERIAL. UNDER NO CIRCUMSTANCES SHOULD A BUILDUP OR UNUSUALLY TRACKED VEHICLES BE USED AS COMPACTING EQUIPMENT. MATERIAL CONTAINING AN EXCESS OF WATER SHOULD BE SPREAD AND DRIED TO A MOISTURE CONTENT THAT WILL PERMIT PROPER COMPACTION. ALL FILL SHOULD BE COMPACTED TO THE SPECIFIED PERCENTAGE OF THE MAXIMUM DENSITY OBTAINED IN ACCORDANCE WITH ASTM DENSITY TEST D-698 (95 PERCENT OF MAXIMUM DRY DENSITY) IF THE SPECIFIED COMPACTION LIMITS ARE NOT MET. SUCH AREAS SHOULD BE REMOVED AND RETESTED AS REQUIRED UNTIL THE SPECIFIED LIMITS ARE REACHED.
  - ON SITE, CLEARLY MARKED PROGRESS AND VISUAL ACCESS TO ALL ADJACENT PUBLIC ROADS AND PROPERTIES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.

### EROSION CONTROL LEGEND

- 16 — TEMPORARY EARTH DIVERSION BERM - REFER TO DETAIL. BERM SHALL BE A MINIMUM OF 2' HIGH, 2' WIDE FLAT TOP AND A MINIMUM OF 3:1 SEE SLOPES.
- 17 — TEMPORARY EARTH DIVERSION SLOPE - REFER TO DETAIL. BERM SHALL BE A MINIMUM OF 2' HIGH, 2' WIDE FLAT BOTTOM AND A MINIMUM OF 3:1 SEE SLOPES.
- Ⓜ BOOK CHECK DAM (TEMPORARY DURING CONSTRUCTION) - REFER TO DETAIL.
- 18 — TEMPORARY SEDIMENT FENCE - REFER TO DETAIL.
- CONTRACTOR BATHS DELINEATED BY PROPERTY LINE UNLESS OTHERWISE SPECIFIED.
- 19 — TEMPORARY MOUND SEEDING - REFER TO DETAILS.
- 30" x 30" STAKE PAUL, 1' DEEP TO KEEP FROM WALKING AND OFF SITE - REFER TO DETAIL (CONTRACTOR BATHS CONSTRUCTION).
- PERMANENT EROSION CONTROL BLANKET - CHECK NET-FREE BRAND FROM BOB-BALDWIN EROSION CONTROL BLANKET OR APPROVED EQUAL - REFER TO DETAIL.
- 0-30 RFP-RAP STORM OUTLET PROTECTION - REFER TO DETAIL AND PLAN FOR DR. QUALITY (PERMANENT).

### EARTHWORK QUANTITIES

NORTH PARK AREA B-9 TOTAL ACRES	29.6 ACRES
NORTH PARK AREA B-9 CONSTRUCTION LIMITS = 27.5 ACRES	
TOTAL NET SITE VOLUME	-187,000 CU. YD. (±)

### NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO ANY EXCAVATION AND PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.



SCALE: 1"=100'

PROPOSED NORTH PARK AREA B-9 MASS GRADING PLAN

ARCHITECTURE: CIVIL ENGINEERING PLANNING

528 north walnut street  
 BLOOMINGTON, INDIANA 47401  
 (317) 332-2800

BRB ENGINEERING & ASSOCIATES, INC.

DATE: 08/19/20

PROJECT NO: 202001/452

DATE: 08/19/20

DESIGNED BY: AJW  
 CHECKED BY: JSF  
 DRAWN BY: GSD  
 PROJECT NO: 402281



**EXHIBIT 5: Permitted Uses from PUD Ordinance**

Use Area	Default Zoning District
Quarry/Heavy Industrial District	ME/HI
Light Industrial District	LI

**Section 4. Permitted Principal Uses**

4.1 The uses permitted in each of the use areas established by this PUD Ordinance are shown in the following table. Where identified with a “P”, the use is permitted. Where the column is blank, the use is not permitted within the associated use area. All uses shall be subject to the conditions contained in Chapter 802 of the Monroe County Zoning Ordinance and as noted elsewhere in this PUD Ordinance.

For uses not listed, the Administrator shall determine if the proposed use is similar to a permitted use in terms of intensity, anticipated impact upon adjoining and surrounding uses, etc. If the Administrator determines that the use is appropriate, then he/she shall amend the permitted use table to include the same, and shall forward the interpretation to the Plan Commission. All such decisions of the Administrator may be appealed to the Board of Zoning Appeals in accordance with the provisions contained in Chapter 832 of the Monroe County Zoning Ordinance.

**Table 4. Permitted Use Table. District B**

Use	Use Area	
	LID	QHID
<b>Business and Personal Services</b>		
Industrial Equipment Repair	P	P
Office	P	P
Office Equipment Repair	P	P
Parking Facility	P	P
<b>Public and Semi-Public</b>		
<b>Retail and Wholesale Trade</b>		
Bakery (Wholesale)	P	P
Industrial Supplies	P	P
Office Showroom	P	P
Wastewater Treatment Facilities	P	P
<b>Automotive and Transportation Services</b>		
Cold Storage Plant	P	P
Transfer or Storage Terminal	P	P
<b>Amusement and Recreational Services</b>		
Private Recreational Facility	P	P
<b>Manufacturing, Mining, Construction, and Industrial</b>		
Abrasive Products	P	P
Apparel	P	P
Appliance Assembly	P	P
Appliance Repair	P	P
Beverage Products	P	P
Bottling Machinery	P	P
Caterers	P	P
Cement Products	P	P
Commercial Printing	P	P

Use	Use Area	
	LID	QHID
Construction Trailer	P	P
Cut Stone and Stone Products	P	P
Dairy Products	P	P
Electronic Devices and Instruments	P	P
Engineering and Scientific Instruments	P	P
Food Products	P	P
Furniture	P	P
General Contractor		P
Glass and Glassware	P	P
Hard Surface Floor Coverings	P	P
Jewelry Products	P	P
Laboratories	P	P
Leather Goods	P	P
Machine Assembly	P	P
Machine Shop	P	P
Metal Fabrication	P	P
Metalworking Machinery	P	P
Mineral Extraction	P**	P*
Musical Instruments	P	P
Office and Computer Equipment	P	P
Optical Instruments and Lenses	P	P
Paper Products	P	P
Paving Materials, Central Mixing		P
Perfumes, Cosmetics. And Toiletries Manufacture	P	P
Pharmaceuticals	P	P
Plastic Products Assembly	P	P
Pottery Products	P	P
Sign and Advertising Displays	P	P
Structural Clay Products	P	P
Terra Cotta	P	P
Textiles	P	P
Textile Machinery	P	P
Tile	P	P
Warehousing and Distribution Activities	P	P
Watches and Clocks	P	P
Welding	P	P
Wood Products	P	P

\*Rock crushing activities are limited to the area being quarried as of the date of this PUD Ordinance (33 acres).

\*\* Upon occupancy use of 75% of the area within the LID use area for permitted uses other than mineral extraction, all mineral extraction activities shall cease in the entirety of the LID use area.

## Section 5. Permitted Accessory Uses and Structures

- 5.1 Accessory uses and structures shall be permitted in all use areas (unless otherwise stated in this PUD Ordinance) and shall be subject to the provisions of Chapter 802 of the Monroe County Zoning Ordinance and shall be customarily accessory, and clearly incidental and subordinate to the principal use on the same lot (platted or otherwise).

**EXHIBIT 6: Future Road Connections**

**Appendix F  
Street Functional Classification Plan**

