

# MONROE COUNTY PLAN REVIEW COMMITTEE



**Thursday, March 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=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

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**

March 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=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

**ADMINISTRATIVE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**1. REZ-23-1 Lake Lemon Marina Rezone from LB to LB PAGE 3**

One (1) 3.14 +/- acre parcel in Benton North Township, Section 35 at 9554 E North Shore DR, parcel #53-01-35-100-017.000-003.

Owner: Schell Group, LLC

**Zoned LB.** Contact: [dmyers@co.monroe.in.us](mailto:dmyers@co.monroe.in.us)

**1. PUO-23-2 North Park PUD Outline Plan Amd. #5 Change to Section 8 "Street  
2. PUD-23-2 and Alternative Transportation Guidelines" PAGE 27**

Twenty-four parcels (24) parcel totaling a construction area of 5.1 +/- acres in Bloomington Township, Sections 19, 27, & 30 at N Curry Pike and W Hunter Valley RD, parcel #53-05-29-200-008.000-005, 53-05-19-400-021.000-004, 53-05-19-400-050.004-004, 53-05-20-300-008.000-004, 53-05-20-300-025.000-004, 53-05-20-300-029.000-004, 53-01-27-890-100.000-004, 53-05-19-400-001.000-004, 53-05-19-400-022.000-004, 53-05-19-400-022.000-004, 53-05-19-400-044.000-004, 53-05-19-400-044.000-004, 53-05-30-100-003.000-004, 53-05-30-100-006.000-004, 53-05-30-100-011.000-004, 53-05-29-200-004.000-004, 53-05-30-100-001.000-004, 53-05-30-100-002.000-004, 53-05-30-100-007.000-004, 53-05-30-100-009.000-004, 53-04-24-100-017.000-011, 53-05-19-400-050.002-004, 53-05-19-400-050.003-004, 53-05-19-400-050.000-004.

Petitioner: Monroe County Redevelopment Commission/Crider & Crider Inc.

c/o Daniel Butler, Bynum Fanyo & Assoc.

**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.

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

<b>PLANNER</b>	Drew Myers
<b>CASE NUMBER</b>	REZ-23-1, Lake Lemon Marina Rezone
<b>PETITIONER</b>	Werner Group LLC c/o Stephen Werner
<b>ADDRESS</b>	9554 E Northshore DR, parcel no. 53-01-35-100-017.000-003
<b>REQUEST</b>	Rezone Request from LB to LB (w/ the request to remove the prior rezone condition of approval for a shared driveway) Waiver of Final Hearing Requested
<b>ACRES</b>	3.41 +/- acres
<b>ZONE</b>	Limited Business (LB)
<b>TOWNSHIP</b>	Benton North
<b>SECTION</b>	35
<b>PLATS</b>	Platted; Northshore Final Plat Amendment One
<b>COMP PLAN DESIGNATION</b>	<b>Rural Residential</b>

**EXHIBITS**

1. Petitioner Letter
2. As-Built Survey
3. Ordinance 2007-48
4. North Shore Amendment One - Final Plat
5. North Shore Subdivision Improvement Agreement
6. North Shore Amendment Two - Final Plat
7. Letters of Support

**RECOMMENDATION TO THE PLAN REVIEW COMMITTEE**

Recommendation to the Plan Review Committee:

- Staff recommends forwarding a “negative recommendation” to the Plan Commission.

**PLAN REVIEW COMMITTEE**

TBD

**MEETING SCHEDULE**

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

**Plan Commission Admin Meeting** – April 4, 2023

**Plan Commission Regular Meeting** – April 18, 2023 (Preliminary– Waiver of Final Hearing Requested)

**Plan Commission Admin Meeting** – May 1, 2023

**Plan Commission Regular Meeting** – May 16, 2023 (Final Hearing)

**Board of Commissioners Meeting** – TBD

**SUMMARY**

The petition site is one parcel totaling 3.41 +/- acres located in Benton North Township at 9554 E Northshore DR. The petitioner is proposing to amend the Zoning Map from Limited Business (LB) to Limited Business (LB) with the intention to remove a prior condition of approval from Ordinance 2007-48. The petitioner’s intention behind the rezone request is to remove the condition of approval related to requiring a shared driveway with the adjacent properties (see highlighted condition below requested to be removed).

Ordinance 2007-48 (Exhibit 3):

**SECTION II.**

The following conditions of approval shall apply to this petition:

1. Access to proposed lots be provided by an ingress-egress easement at the existing petition site entrance or via an easement from another existing driveway cut. No new driveway cuts shall be allowed onto east Northshore Drive.
2. 30' Right of way dedication along E. Northshore Drive (Minor Collector)
3. The submitted site plan be amended to remove right-of-way dedication acreage from the minimum lot size count and reach compliance with the requirements of the Subdivision Control Ordinance, Chapter 856-28 (B).
4. The existing business use be brought into compliance with applicable site plan development standards (Chapters 806, 807, 815, 830) prior to recording any final plat.
5. The minimum first floor elevation (including basement) for any new building shall be 637.0 ft. NGVD.

The driveway to be shared is circled in blue:



If the rezone request is approved by the County Commissioners, the petitioner intends to petition for a



major subdivision preliminary plat amendment with a sidewalk waiver to remove the requirement of constructing a sidewalk along lots #1-5, and also, remove mention of the shared driveway. It is Staff's understanding that the shared driveway requirement is conditioned in both the rezone and subdivision final guiding documents. The petitioner also intends on submitting a commercial site plan amendment and possible design standards variance requests to adjust the commercial site aspects like paving, parking, landscaping, etc. The site is currently not paved, and the plans call for a paved parking area; the petitioner would like to keep the parking area gravel, which will further require a variance.

If the rezone is denied, the petitioner may continue to operate the property as the Lake Lemon Marina under the Limited Business (LB) zone but must remove a driveway entrance and instead use a shared driveway design. The petitioner may still apply for the major subdivision preliminary plat amendment and subsequent process for a commercial site plan amendment.

### **BACKGROUND**

The Zoning Map amendment would be from LB to LB with the intention of removing a condition of approval from a prior rezone petition.

In May of 2005, a rezone (case #: 0503-REZ-06) was approved for 1.37 acres of a 7.53-acre parcel to Estate Residential (ER), which at the time was the Lake Lemon Marina property, zoned Limited Business (LB). Following this approval, a minor subdivision (case #: 0505-SMN-14) was approved in May of 2005 by the Plat Committee creating two lots, (1.37 acres zoned ER and 6.16 acres to remain zoned LB).

In May of 2006, the Monroe County Plan Commission approved a three-lot major subdivision (case #: 0602-SPP-01) creating two 1-acre lots and a remaining 5.53-acre lot for the marina business use.

In December of 2007, a rezone (case #: 0707-REZ-06, Ordinance 2007-48) was approved for the 5.53-acre lot. Two acres of the 5.53-acre lot were rezoned from LB to ER. The remaining 3.53 acres from the 5.53-acre lot remained the LB zoning to contain the existing marina business zone. Following this approval, in March 2008, the Plan Commission approved a preliminary plat amendment (0801-SVA-01) to create two additional 1-acre lots and a remaining 3.41-acre lot for the marina business use.

Sometime in April or May of 2008, a commercial site plan for the marina business was approved by County Planning Staff (case #0804-SIT-01). At this time, staff is unsure whether a final Land Use Certificate was issued. There is a bond on file for paving the marina site, which is also the impetus for part of these filings; the petitioner would prefer not to pave and instead get a release of the bond funds.

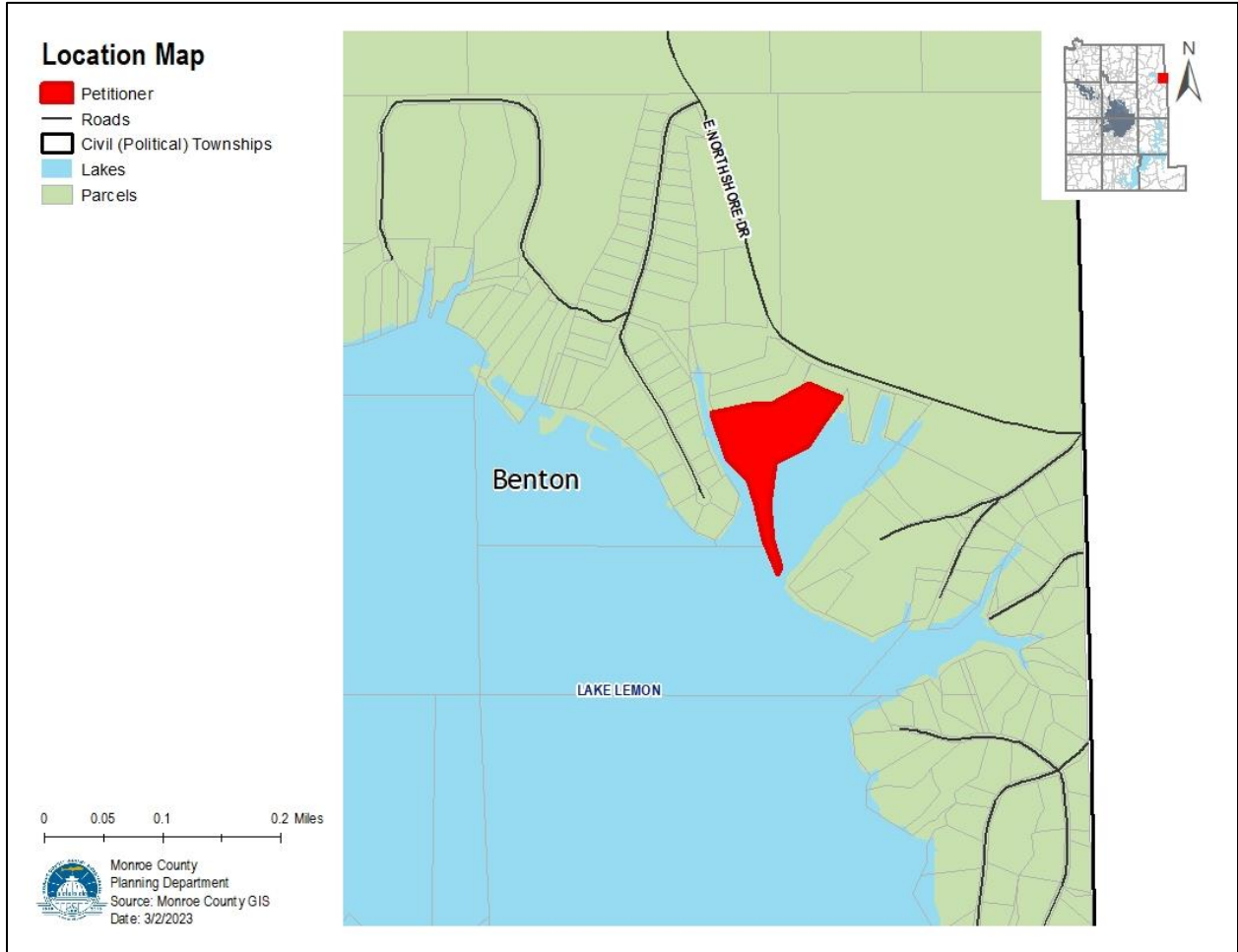
Listed below are the definitions of the LB zone per Chapter 802.

#### ***Limited Business (LB) District.***

*The character of the Limited Business (LB) District is defined as that which is primarily intended to meet the essential business needs and convenience of neighboring residents. Limited business uses should be placed into cohesive groupings rather than on individual properties along the highways and access control should be emphasized. Its purposes are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway traffic; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LB District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.*

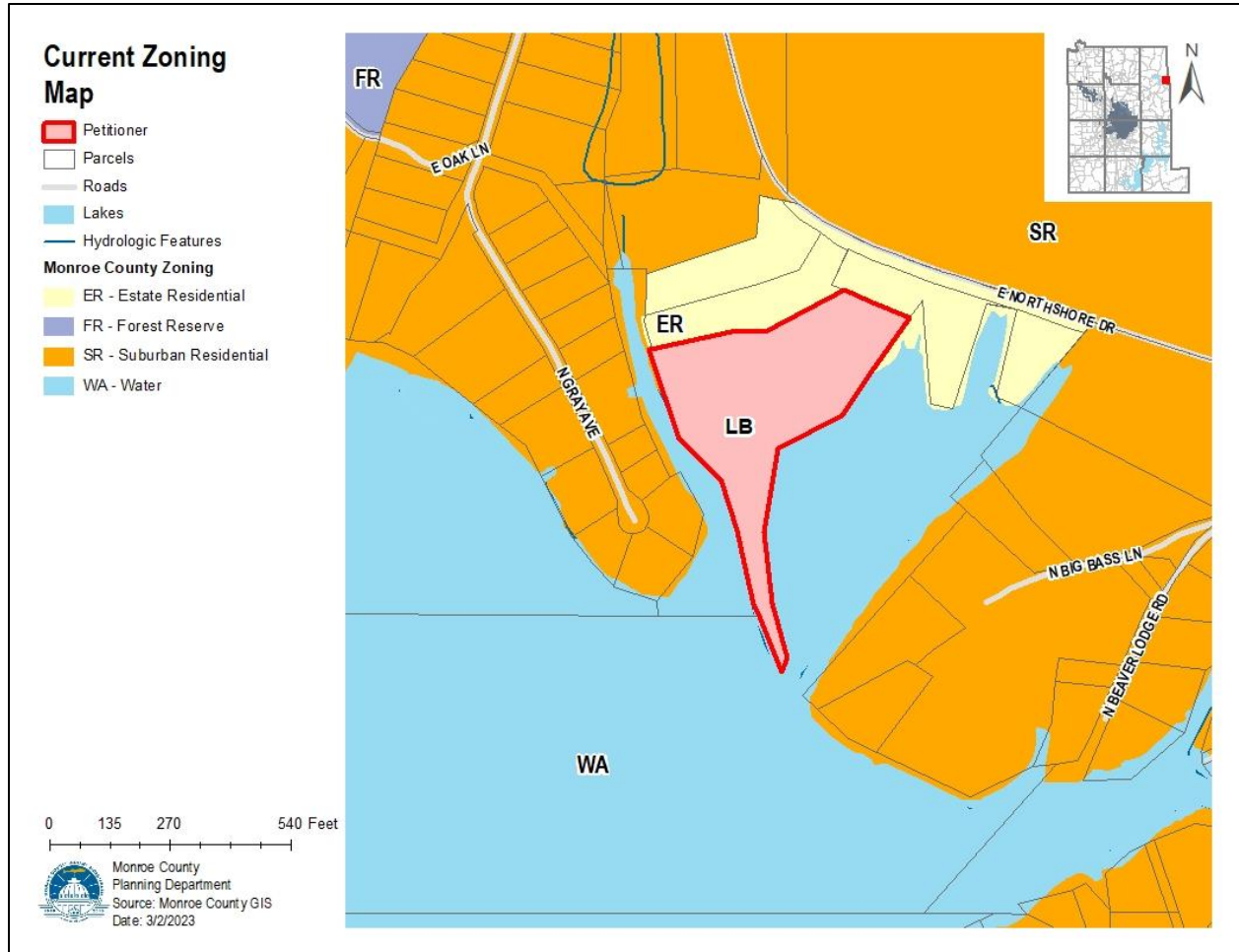
**LOCATION MAP**

The parcel is located at 9554 E Northshore DR, Section 35 in Benton North Township. The Parcel No. is 53-01-35-100-017.000-003.



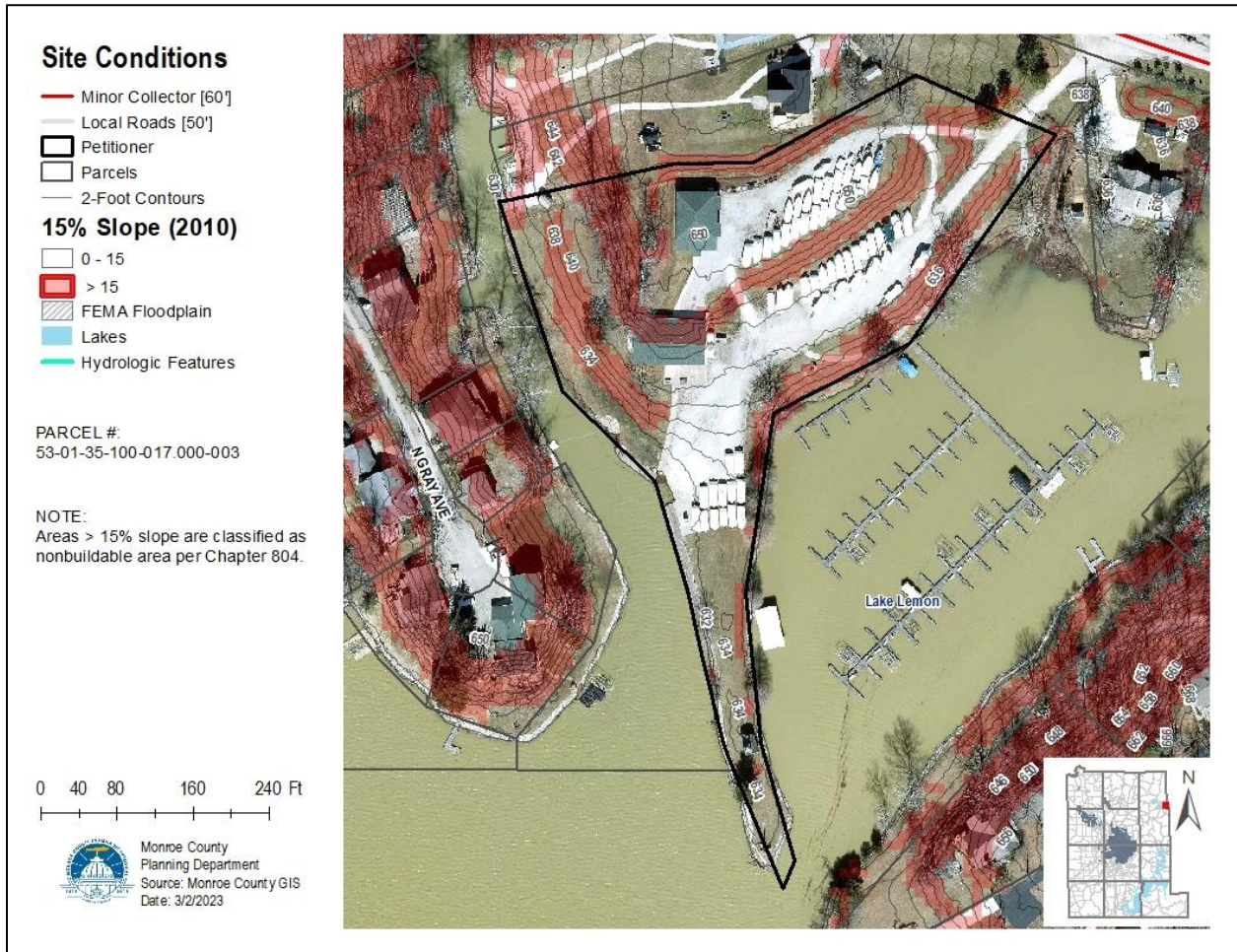
## CURRENT ZONING

The parcel is zoned Limited Business (LB). Adjoining parcels to the north and east are zoned Estate Residential (ER), and adjoining parcels to the west are zoned Suburban Residential (SR). There are no commercial uses directly adjacent to the subject property. The surrounding area consists of predominantly residential uses.



**SITE CONDITIONS & INFRASTRUCTURE**

The petition site is made up of one 3.41 acre +/- parcel. The Lake Lemon Marina currently operates on the petition site. Access from E Northshore DR is through an ingress/egress easement on the property at 9604 E Northshore DR (Hamer, Karen & Colin). Portions of the property are designated "A" according to the DNR Best Available Floodplain Map. There is no evidence of the presence of karst/sinkhole features on and near the petition site according to available contour data.





Lake Lemon Marina  
9554 E Northshore DR

**Legend**

**DNR – Best Available Floodplain Mapping**

- A
- A, APPROXIMATE FLOODWAY
- AE
- AE and FLOODWAY
- X SHADED
- X UNSHADED



DNR Best Available Floodplain Mapping. Map created 3/2/2023.

## Stormwater Comments:



**Kelsey Thetonia**

[Remove Note](#) • Feb 17, 2023 at 2:47 pm

Received a call from Steve Werner 2/17/23 2:30 pm, discussed his drainage concerns for the two driveways. I also talked to Ben afterwards about this. From desktop review, it looks like the marina will need a driveway pipe to alleviate some of their drainage issues. Ditch it to our small structure (66" x 51") under Northshore, just west of the 9608 E Northshore driveway. I did not communicate this with Mr. Werner over the phone. I'm going to perform a site visit next week to look at it before providing formal comments on the drainage in this area.



**Stephen Werner**

[Remove Comment](#) • Feb 23, 2023 at 10:05 am

I spoke with Kelsey and she was going to visit the property to look at the poor runoff situation already causing severe erosion around the lake that any more asphalt would only exacerbate. Spoke to Adam Casey at the Lake Lemon Conservancy District and he also does not want to see more asphalt in this area due to the erosion problems happening in this area and all around the Lake. Please advise on your findings Kelsey after visiting the site and speaking with the LLCD and revise this step.

## Highway Comments:



**Ben Ayers**

[Remove Comment](#) • Feb 14, 2023 at 10:09 am

Northshore Drive is classified as a Minor Collector with an ADT of 534. Due to the hill and curve to the west the required sight distance of 335.0' and the driveway spacing requirement of 150.0' of Monroe County Code Chapter 755; 755-11 cannot be obtained. I recommend that the condition of approval of the Northshore Subdivision to share the existing driveway entrance remain.

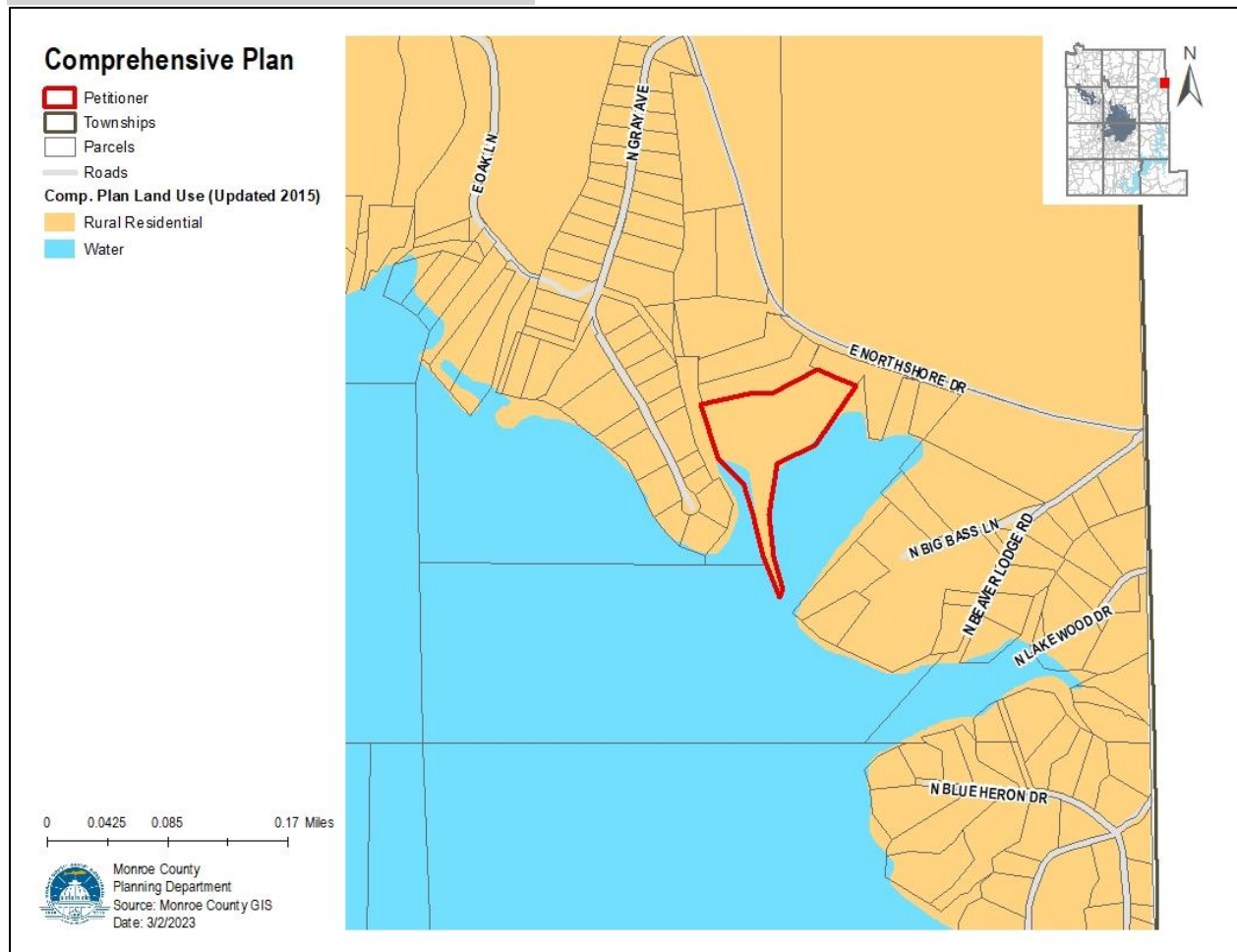


**Stephen Werner**

[Remove Comment](#) • Feb 23, 2023 at 10:35 am

Ben, thanks for chatting with me last week. I believe the ADT number shown above to not be representative of the traffic during the spring and summer at the convergence of these properties. We strongly disagree with a strict reading of the code without taking into account many traffic related factors, including that the existing drive is directly across from another high volume property (Lake Lemon Acres Trailer Park), that traffic heading west on Northshore from east of the existing drive that would try to reach the Western residential parcel would be cat cross-purposes to commercial traffic into the Marina, traffic into the trailer park and traffic to the residence to the east. The proposed shared drive would cause a dangerous confluence of traffic with mixed commercial and residential purpose traveling in different directions on a shared drive. We are not sure why the highway department, notwithstanding the code, would want to turn separate drives with separate purposes into what is essentially a five-way stop. We ask the highway department to visit the site and assess the traffic patterns that are likely to arise when the ADT rises to double or more of the annual average with boaters trying to get into the marina with residents and guests trying to reach the residential plats around the Marina. Right now the existing shared drive is wide enough for the plat to the east to not have to cross Marina traffic. The sight distance and driveway separation measurements are so close to the requirements in this case and that these plats, which are zoned differently (Limited Business for the Marina and ER for the residences) , are being treated as one residential subdivision ignores reality. As you can read from the letters we have attached to our submission, all of our neighbors agree that what you propose would actually increase traffic danger not in any way lessen it.

## COMPREHENSIVE PLAN DISCUSSION



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.

### **FINDINGS OF FACT - REZONE**

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

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

##### **Findings:**

- The Comprehensive Plan designates the petition site as Rural Residential.
- The rezone request is to remove a prior rezone condition of approval that requires ...;
- The current use of the petition site is boat storage;
- If approved the petitioner intends to submit a preliminary plat amendment and request a sidewalk waiver to remove the sidewalk requirement on the petition site, and submit a commercial site plan amendment to come up-to-date with site development standards;

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

##### **Findings:**

- See Findings under Section A;
- The rezone request is not to change the zoning, but rather remove a prior condition of approval from Ordinance 2007-48;
- The petition site is currently zoned Limited Business (LB);
- Ben Ayers of the Highway Dept. provided the following comment:
  - “Northshore Drive is classified as a Minor Collector with an ADT of 534. Due to the hill and curve to the west the required sight distance of 335.0' and the driveway spacing requirement of 150.0' of Monroe County Code Chapter 755; 755-11 cannot be obtained. I recommend that the condition of approval of the Northshore Subdivision to share the existing driveway entrance remain.”
- The petition site does exhibit areas of considerable slope greater than 15% (see Site Conditions Map);
- Portions of the petition site are designated “A” per the DNR Best Available Floodplain Map;
- The petition site is not located in the Environmental Constraints Overlay (i.e., the Lake Monroe Watershed);
- There is no evidence of karst/sinkhole features present on or near the petition site according to available contour data;

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

##### **Findings:**

- See Findings under Section A and Section B;
- The adjacent parcels to the north and east are zoned ER;
- The adjacent parcel to the west is zoned SR;
- Land uses in the surrounding area are predominantly residential;



- There are no known commercial uses directly adjacent to the subject property;

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

**Findings:**

- Property value tends to be subjective;
- The effect of the approval of the rezone on property values is difficult to determine;

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

**Findings:**

- See Findings under Section A, Section B, and Section C;
- The petition site is one parcel with 3.41 +/- acres;
- The purpose of the rezone is to remove a prior rezone condition of approval related to requiring a shared driveway;
- According to the Monroe County Thoroughfare Plan, E Northshore DR is designated as a Minor Collector roadway;

**EXHIBIT 1: Petitioner Letter**



9554 E. Northshore Drive  
Unionville, Indiana 47468

Phone: (812) 988-9400  
E-mail: [info@lemonmarina.com](mailto:info@lemonmarina.com)  
Web: <https://lemonmarina.com>

January 23, 2023

Monroe County Planning Department  
Attention: Planning Committee  
501 N Morton St  
Suite 224  
Bloomington, IN 47404

Dear Planning Committee,

Werner Group, LLC (“**Marina Group**”), formerly known as Schell Group, LLC (an now under new ownership as of December 29, 2021), hereby requests removal of the previous rezone’s conditions of approval to require construction of a shared driveway across an easement owned by another property owner, Colin Hamer, tying together 4 parcels, 3 of which are residential (zoned ER) and one of which (ours) is commercial (Lake Lemon Marina, zoned LB). We are requesting removal of this impractical requirement on behalf of ourselves and the adjacent residential property owners who are in full support of this request.

This shared drive requirement related to the re-zoning of two 1-acre parcels (from LB to ER) that were partitioned off from the Marina and sold for residential development back in 2008. In 2008, the former owners of the Marina Group tacitly agreed to construction of the shared driveway and an agreement was drawn up by the County (but never executed) to provide for a letter of credit securing this requirement and other landscaping, paving, and sidewalk requirements as a condition for such former owners of the Marina Group to partition these parcels into residential plots. Ever since, this letter of credit has been maintained by the Marina Group and the former owners never constructed the shared driveway (or other improvements). The current owners of the Marina Group are hereby requesting removal of this requirement of a shared driveway as such requirement is (i) unduly costly, (ii) impractical as it would require digging up and relocating critical utility lines, (iii) unsightly in requiring removal of greenspace and possibly a tree, and (iv) impractical because it requires 3 residential parcels that have maintained driveways that have functioned well for around 15 years to share a drive with a commercial property that is busy during the spring through fall seasons. This requirement does not make sense for us, the residents around us, or for traffic flow for the surrounding community.

Attached with this letter are the recorded plats from 2008 of the Marina Group land and the residential parcel to the North reflecting the shared drive requirement, the unsigned Subdivision Improvement Agreement, the record of the related Plan Commission Ordinance 2007-48, the relevant pre-design conference document of the Planning Department, current as-builts of the Marina parcel, and letters from the relevant residential landowners in support of removal of this impractical, unsightly, and unduly burdensome shared drive requirement.

Sincerely,

Stephen M. Werner, Esq.  
Manager, Werner Group, LLC

# EXHIBIT 2: As-Built Survey

## AS BUILT SURVEY A PART OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 1 EAST MONROE COUNTY, INDIANA



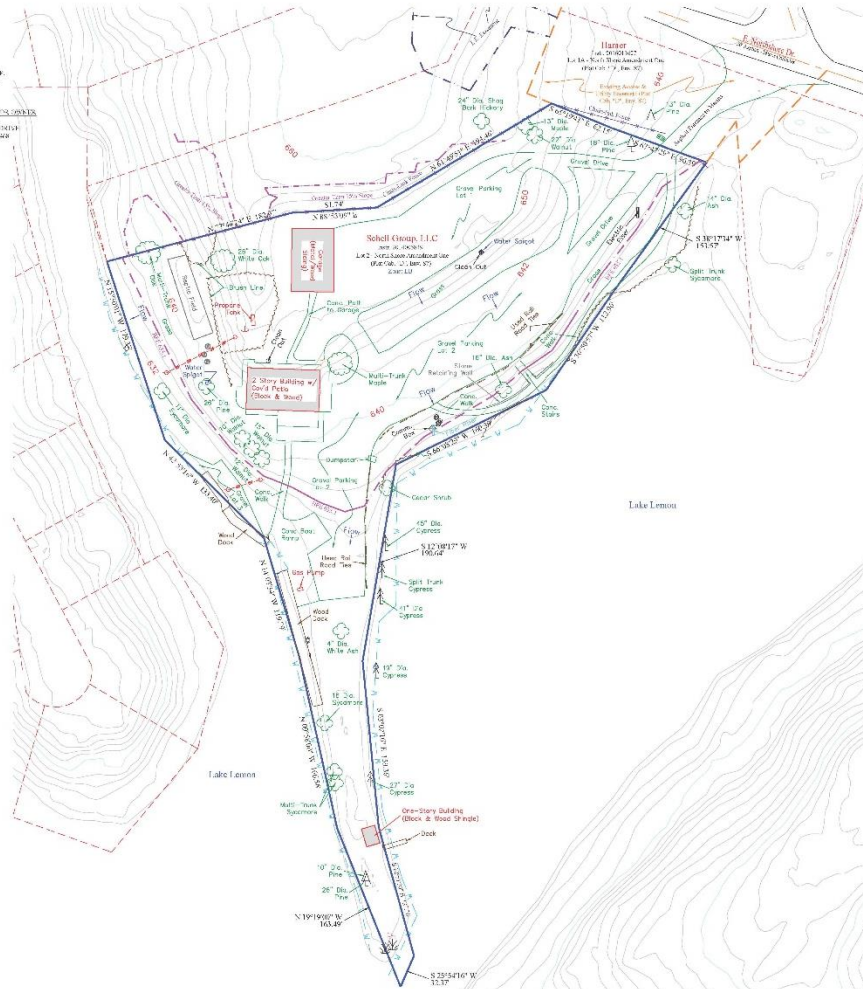
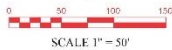
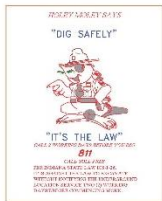
PROJECT LOCATION

WAS PREPARED FOR  
GAINS BROTHERS  
SOUTH L.E.  
SHELTON, IN  
RECORDING OFFICE IN MONROE COUNTY  
DATE: 04/15/2010

FIRM MAP (MAP NUMBER 18105C0075D)

**NOTES:**

- 1) All notes will be on all property corners.
- 2) All notes on corners, wherever they occur.
- 3) All notes on corners, wherever they occur.
- 4) Section of reference is assumed to be correct unless noted otherwise.
- 5) All notes on corners, wherever they occur.
- 6) All notes on corners, wherever they occur.
- 7) All notes on corners, wherever they occur.
- 8) All notes on corners, wherever they occur.
- 9) All notes on corners, wherever they occur.
- 10) All notes on corners, wherever they occur.



PROJECT LOCATION



LOCATION MAP

**SOURCE OF TITLE:**

LOT 14, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**LEGEND**

1	CONCRETE	1	CONCRETE
2	ASPHALT	2	ASPHALT
3	GRAVEL	3	GRAVEL
4	PAVED DRIVE	4	PAVED DRIVE
5	PAVED SIDEWALK	5	PAVED SIDEWALK
6	PAVED WALKWAY	6	PAVED WALKWAY
7	PAVED BIKEWAY	7	PAVED BIKEWAY
8	PAVED PLAYWAY	8	PAVED PLAYWAY
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99	PAVED DRIVEWAY	99	PAVED DRIVEWAY
100	PAVED DRIVEWAY	100	PAVED DRIVEWAY

**CERTIFICATION**

The within survey was performed without the benefit of source of title and is subject to any statements of fact revealed by the same.  
 Instruments have been located in the field and prepared with this survey showing. This verification will be retained upon receipt and completion of this field work.  
 Subject to the above reservation, this survey work shown herein was performed under the best of my knowledge and belief and in accordance with the survey requirements in the IAC 12-2-1 through 12-2-19.  
 Certified this 13th day of January, 2025.

Ben L. Decker  
 Registered Professional Land Surveyor  
 State of Indiana  
 License No. 180900012

**DECKARD**  
 LAND SURVEYING  
 1005 W. 10TH STREET  
 BEECHWOOD HILLS, IN 46106  
 PH: 317.446.1000  
 FAX: 317.446.1001  
 WWW.DECKARDLANDSURVEYING.COM

**NORTH SHORE**  
 AMENDMENT ONE FINAL PLAT-LOT 2  
 AS-BUILT

DATE: 22-159  
 SHEET: 1 OF 1  
 DATE: 1/17/23  
 FILE: BNDY.SIT





**EXHIBIT 3: Ordinance 2007-48**

**PLAN COMMISSION  
ORDINANCE # 2007-48**

**Schell Group, LLC Rezone**

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

Whereas, the Board of Commissioners of Monroe County, Indiana, passed a zoning ordinance and adopted zoning maps effective January 1997, which ordinance and maps are incorporated herein; and,

Whereas, the Monroe County Plan Commission, in accordance with all applicable laws, has considered the petition to amend said zoning maps;

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

SECTION I.

The Monroe County Zoning Ordinance is amended to reclassify:  
A part of the Northeast quarter of Sections 35, Township 10 North, Range 1 East, Benton Township, Monroe County Indiana, being 2 acres.

Request is to rezone from Limited Business (LB) to Estate Residential (ER).

SECTION II.

The following conditions of approval shall apply to this petition:

1. Access to proposed lots be provided by an ingress-egress easement at the existing petition site entrance or via an easement from another existing driveway cut. No new driveway cuts shall be allowed onto east Northshore Drive.
2. 30' Right of way dedication along E. Northshore Drive (Minor Collector)
3. The submitted site plan be amended to remove right-of-way dedication acreage from the minimum lot size count and reach compliance with the requirements of the Subdivision Control Ordinance, Chapter 856-28 (B).
4. The existing business use be brought into compliance with applicable site plan development standards (Chapters 806, 807, 815, 830) prior to recording any final plat.
5. The minimum first floor elevation (including basement) for any new building shall be 637.0 ft. NGVD.

SECTION III.

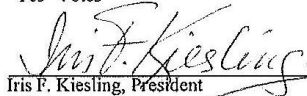
This ordinance shall be in full force and effect from and after its passage and adoption by the Board of Commissioners of Monroe County, Indiana.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana,  
this 7th day of December, 2007.


BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

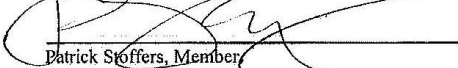
"No" Votes

  
Iris F. Kiesling, President

\_\_\_\_\_  
Iris F. Kiesling, President

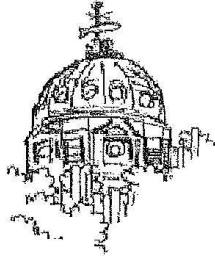
  
Joyce Poling, Vice-President

\_\_\_\_\_  
Joyce Poling, Vice-President

  
Patrick Stoffers, Member

\_\_\_\_\_  
Patrick Stoffers, Member

Attest:  
Sandra Newmann, Monroe County Auditor



**MONROE COUNTY BOARD OF COMMISSIONERS**  
REQUESTED AGENDA INFORMATION FOR THE COMMISSIONER'S MEETINGS

TITLE OF ITEM THAT APPEARS ON THE COMMISSIONER'S AGENDA: Ordinance 2007-48  
Schell Group, LLC Rezone from LB to ER

- **THE COMMISSIONERS WILL NOT ACCEPT THIS ITEM FOR THEIR BOARD OF COMMISSIONERS' MEETING IF THE EXECUTIVE SUMMARY IS NOT WRITTEN.**

The petitioner is seeking to rezone 2+ acres of an existing 5.53 lot within the North Shore Subdivision located at 9554 E. Northshore Drive from LB to ER. In May of 2006, the Monroe County Plan Commission approved a three lot major subdivision creating two 1 acre lots and a remaining 5.53 lot for the marina business use. It is this remaining 5.53 acre lot which is seeking a rezone of 2 acres to ER and retention of 3.53 acres as LB zoning to contain the existing business use. The Plan Review Committee expressed concerns regarding traffic and level of service for Northshore Drive. Recommendations were made that the ability to support septic systems must be demonstrated and the removal of the existing barn structure on site be supported. The Plan Commission unanimously approved this petition at the September 25, 2007 regular meeting with the conditions included in the ordinance.

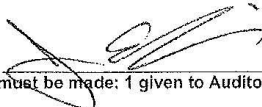
DATE ITEM WILL APPEAR ON THE COMMISSIONER'S AGENDA: December 7, 2007

CONTACT PERSON: Jason Eakin PHONE NUMBER: 2564

PRESENTER AT COMMISSIONER'S MEETING (if other than contact person) \_\_\_\_\_

OFFICE/DEPARTMENT: Planning

HAS THE MONROE COUNTY LEGAL DEPARTMENT REVIEWED ITEM? Yes  No

SIGNED:  DATE: 11/30/07  
(2 copies must be made: 1 given to Auditor's Office, 1 given to the Commissioner's Office)

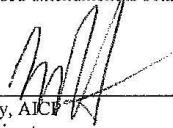
OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
COURTHOUSE - ROOM 306  
BLOOMINGTON, IN 47404

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

CERTIFICATION

I, Gregg Zody, AICP, hereby certify that during its meeting on September 25, 2007, the Monroe County Plan Commission considered petition #0707-REZ-06 for an amendment (Ordinance #2007-48) to the Monroe County Zoning Ordinance and made a recommendation to approve thereon, based on the findings, with a vote of 7-0.

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

  
\_\_\_\_\_  
Gregg Zody, AICP  
Planning Director

11/30/07  
Date





**EXHIBIT 5: North Shore Subdivision Improvement Agreement**

**North Shore Subdivision, Amendment One  
SUBDIVISION IMPROVEMENT AGREEMENT**

This Agreement, made by and between the Monroe County Plan Commission ("Plan Commission") and Schell Group, LLC ("Subdivider").

**Preamble**

WHEREAS, Subdivider applied to the Plan Commission for preliminary plat approval for North Shore Subdivision, Amendment One;

WHEREAS, on March 18, 2008, the Plan Commission granted Subdivider preliminary plat approval for North Shore Subdivision, Amendment One, but conditioned such approval on the installation of certain public improvements throughout the subdivision;

WHEREAS, the Monroe County Subdivision Control Ordinance states and requires that each final plat submitted to the Commission shall be accompanied by a subdivision improvement agreement that is secured by a financial guaranty, if the required public improvements have not been completed;

WHEREAS, Subdivider applied to the Administrator for final plat approval, as authorized by the Plan Commission, for North Shore Subdivision, Amendment One;

WHEREAS, Subdivider has not completed the required public improvements, namely improvements to *asphalt surface, landscaping, sidewalks* and desires to submit a subdivision improvement agreement, secured by letter of credit, in order to qualify for final plat approval.

NOW, THEREFORE, IN CONSIDERATION OF THE PROMISES AND MUTUAL COVENANTS CONTAINED IN THIS AGREEMENT:

**Promises and Mutual Covenants**

1. Subdivider agrees to obtain and submit to the Plan Commission a(n) letter of credit in the amount of \$ **42,000** (*asphalt surface, landscaping, sidewalks*), in favor of Monroe County, to secure the completion of all required public improvements at North Shore Subdivision, Amendment One.
2. Subdivider agrees to complete the North Shore Subdivision, Amendment One public improvements on or before November 1, 2009, in accordance with the construction and design standards set forth or incorporated in the Monroe County Subdivision Control Ordinance and in accordance with the development plans set forth or incorporated in the approved North Shore Subdivision, Amendment One and application materials.

3. The parties acknowledge and agree that the Administrator may withhold improvement location permits for any undeveloped North Shore Subdivision, Amendment One lot unless and until Subdivider has completed the public improvements that serve the lot.

4. The parties acknowledge and agree that time is of the essence and that any failure by Subdivider to strictly adhere to the foregoing schedule (paragraph number 2 above) would constitute a material breach and violation of this Agreement. Upon such violation, or any other violation of this agreement, the Plan Commission may submit a claim under the letter of credit (copy attached) in an amount sufficient to cover the breach.

5. The parties acknowledge and agree that by accepting the letter of credit from Subdivider and that by entering into this Agreement, the County has not and does not waive any of its rights with respect to the enforcement of the Monroe County Subdivision Control Ordinance and/or any approval granted thereunder in relation to North Shore Subdivision, Amendment One, against the Subdivider.

IN WITNESS WHEREOF, the Plan Commission, by its President Jerry Pittsford, and Subdivider execute this Agreement this \_\_\_\_ day of October, 2008.

PLAN COMMISSION

SUBDIVIDER

\_\_\_\_\_  
Jerry Pittsford, President  
Monroe County Plan Commission

\_\_\_\_\_  
John Schell, Schell Group, LLC  
Owner/Developer

ATTEST:

\_\_\_\_\_  
Gregg Zody, AICP, Secretary  
Monroe County Plan Commission

**EXHIBIT 6: North Shore Amendment Two - Final Plat**

20190322 SPL \$25.00  
03/20/2019 08:32:56A 1 PGS  
Eric Schertz  
Monroe County Recorder - IN  
Recorded as Presented

BENTON NORTH TWP.  
TOWNSHIP 10 N  
RANGE 1 E  
SECTION 35

DEVELOPER, APPLICANT & OWNER  
KRAIG & SUNI JOHNSON  
INSTRUMENT NUMBER 2016015547  
3674 E. MILBURN LANE  
MOORESVILLE, INDIANA 46158

**DULY ENTERED FOR TAXATION**  
MAR 20 2019

**NORTH SHORE AMENDMENT TWO SUBDIVISION FINAL PLAT**  
A PART OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 1 EAST  
MONROE COUNTY, INDIANA

**LEGEND**

- SWORN BOUND
- UTILITY POLE
- REBAR FOUND
- REBAR SET
- PK NAIL SET
- IR BRUSH POINT
- PINS FOUND
- CALCULATED
- ▲ FENCE CORNER NAIL
- OVERHEAD POWER LINE
- FENCE
- TREE LINE
- (P) RECORDED
- (M) UNRECORDED
- E221 ADDRESS
- SR ESTATE RESIDENTIAL
- SR METRICAN RESIDENTIAL

**SETBACK TABLE**

Front - 35 Feet Right-of-way for Public Road  
Side - 19 for Residential / Accessory Structures  
Rear - 39 for Residential / Accessory Structures  
These setbacks for "Single-Family" use.  
ZONE: ESTAB-RESIDENTIAL (R)

**STATEMENT OF VACATION AND RIGHT-OF-WAY DEDICATIONS:**

Kraig and Suni Johnson, owners of the real estate shown and described herein do hereby certify, lay off and plat lots numbered 3A and 4A to be known as North Shore Amendment Two Subdivision Final Plat. Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certification, this plat shall be known as North Shore Amendment Two Subdivision Final Plat.

The right-of-way to be dedicated for East North Shore Drive shall measure 30 feet perpendicular to and parallel with the existing centerline of East North Shore Drive. Any interest that said parties have within said right-of-way is hereby dedicated to Monroe County, Indiana.

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

As owner(s) of a lot(s) three (3) and four (4), in North Shore Amendment One Subdivision, Final Plat as found in Plat Cabinet "D", Envelope 87 in the Office of the Monroe County Recorder, Monroe County, Indiana, we by this instrument declare these plat lots vacated.

Witness our hands and seals this 25 day of February, 2019

*Kraig Johnson* (Owner)  
3674 E. Milburn Lane  
Mooreville, Indiana 46158  
(317) 696-9028

*Suni Johnson* (Owner)  
3674 E. Milburn Lane  
Mooreville, Indiana 46158  
(831) 706-9028

STATE OF INDIANA )  
COUNTY OF MONROE ) SS:

Before me, the undersigned Notary Public, in and for said County and State, personally appeared Suni Johnson and Kraig Johnson (Owners), each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, (or the purposes therein expressed.

Witness my hand and notarial seal this 26 day of Feb., 2019

Notary Public: *J.H. Deibel*

County of Residence: Monroe

My Commission Expires: 5-2-28

**STORM & SURFACE DRAINAGE:**

This is to certify that the subject property is located in zone "X", and does not appear to be located in a special flood hazard area, according to FIRM, Panel Number 18105C06075D dated December 17th, 2010.

**COMMISSION CERTIFICATE:**

Under the authority of Chapter 174, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Final Plat Amendment procedure and approved by the Monroe County Plan Commission on March 5, 2019.

Monroe County Plan Commission:

Susie Johnson President: *Susie Johnson*

Larry Wilton Secretary: *Larry Wilton*

**DESCRIPTION**

Lot Number Three (3) and Four (4) in North Shore Amendment One Subdivision, Final Plat, as shown by the plat thereof, recorded October 30, 2008, in Plat Cabinet D, Envelope 87, the office of the Recorder of Monroe County, Indiana.

**CERTIFICATION**

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

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

Subject to the above reservation, the survey work shown hereon was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in 865 IAC 1-1-21 through 19.

Certified this 15th day of January, 2019.

*Andrew E. Wilton*  
Andrew E. Wilton  
Registered Surveyor I S 21800017  
State of Indiana

**NOTES:**

- 1) Rebar will be set at all property corners.
- 2) Fieldwork completed December 2018.
- 3) Best of bearing (State Plane - Indiana West).
- 4) Source of title title formerly owned by Kraig and Suni Johnson as found in Instrument Number 2016015547 in the Office of the Monroe County Recorder.
- 5) Reference is made to North Shore Amendment One Final Plat by Eric L. Decker dated April 24th, 2008 (Plat Cabinet "D", Envelope 87).
- 6) Together with Access and Maintenance agreement set out on the plan of North Shore Major Subdivision, Final Plat, as found in Instrument number 2016015547, in the office of the Recorder of Monroe County, Indiana.
- 7) Together with the right to use for navigation and construction of a boat dock as found in Instrument number 2016015547, in the office of the Recorder of Monroe County, Indiana.
- 8) Subject to Right-of-way Easement to favor of South Central Indiana Rural Fire Membership Corp, dated March 13, 2006, as an Instrument number 200603715, in the office of the Recorder of Monroe County, Indiana.
- 9) Subject to N & E Indiana Non-Exclusive easement dated April 12, 2006, recorded June 13, 2006 as Instrument number 200601487, in the office of the Recorder of Monroe County, Indiana.
- 10) I affirm, under penalty for perjury, that I have taken reasonable care to locate each Social Security Number in this document, unless required by law.

**DECKARD LAND SURVEY**  
BY AND FOR THE SURVEYOR  
ANDREW E. WILTON  
REGISTERED SURVEYOR I  
STATE OF INDIANA  
NO. 1621800017

**NORTH SHORE AMENDMENT TWO FINAL PLAT - LOTS 3 & 4**  
A PART OF SECTION 35, TOWN, RUE

16-132  
1 + 1  
01/15/19  
BNDY.SHT

**EXHIBIT 7: Letters of Support**

January 23, 2023

Monroe County Planning Department  
Attention: Planning Committee  
501 N Morton St  
Suite 224  
Bloomington, IN 47404

Dear Planning Committee,

We, Thomas and Tamera Gravelie, owners of Parcel 53-01-35-100-017.004-003 at 9548 E Northshore Dr., Unionville, In 47468, are writing in support of the request by Werner Group, LLC (“**Marina Group**”), formerly known as Schell Group, LLC, for the removal of the previous rezone’s conditions of approval to require construction of a shared driveway between our parcel, the residential parcel to the South of us, the Lake Lemon Marina, and the residential parcel to the Southeast of the Marina. We are requesting removal of this requirement as we believe construction of such driveway will be impractical by focusing too much traffic to one unsightly entry point between three residential properties and one commercial property that is busy for much of the year.

Already, we share a drive with the residential property to the South owned by the Wisemans, which we have paid the cost to pave (recently) and have maintained since we have owned the property. We do not want our investment in this existing driveway to be wasted and our privacy and separation from the Marina to be diminished by having to share a driveway with them. We believe replacing our existing drive with a new drive that is tied into traffic from the Marina will only make traffic to our properties worse by forcing us and our visitors to cross Marina traffic to get to our parcels during the busy season, especially if we are coming in from the Southeast on Northshore Drive. This does not make sense and is easily avoided with the current configuration. Adding the shared drive across hundreds of feet of greenspace will only prove unsightly as well and dump more drainage to parcels to the Southeast.

So, we fully support removal of the requirement for the Marina Group to construct a shared drive tying in our parcel and the Wiseman’s parcel with the Marina and the Hamer’s parcel, which would only make traffic management worse and become a drainage problem and eyesore. The current configuration of the separate drives, both of which have been recently paved and are well-maintained should remain unchanged.

Sincerely,



Thomas and Tamera Gravelie

January 23, 2023

Monroe County Planning Department  
Attention: Planning Committee  
501 N Morton St  
Suite 224  
Bloomington, IN 47404

Dear Planning Committee,

We, Colin and Karen Hamer, owners of Parcel 53-01-35-100-026.000-003 at 9604 E. North Shore Dr. Unionville, Indiana 47468, are writing in support of the request by Werner Group, LLC (“**Marina Group**”), formerly known as Schell Group, LLC, for the removal of the previous rezone’s conditions of approval to require construction of a shared driveway across an easement on our property. We are requesting removal of this requirement as we believe construction of such driveway will be impractical by focusing too much traffic to one unsightly entry point between three residential properties and one commercial property that is busy for much of the year.

Already, we share our drive with the adjacent Marina, which shared drive is sufficiently wide and has been partitioned to ensure traffic flow is separated between our home and visitors to the Marina. Trying to merge the existing shared drive with the shared driveway of the two parcels to the North would only cause confusion with residential traffic trying to reach those northern parcels crossing commercial traffic trying to get into the Marina or reach our parcel to the Southeast. Construction of a shared driveway for all 4 parcels would cause a very costly and disruptive digging up and relocation of utility services that run through the same easement to our property and other properties down Northshore Drive. Furthermore, constructing such a drive would necessitate removal of greenspace and trees and would affect drainage on our parcel, which would make our parcel less desirable, dump more drainage towards our home, and prove unsightly for the community. Right now, traffic flow across our parcel separated by the two existing driveways ensures there is no traffic clash and has worked very well for nearly 15 years.

So, we (along with our neighbors) fully support the removal of the requirement for the Marina Group to construct a shared drive across our parcel, which would only make traffic management worse and become a drainage problem and eyesore. The current configuration of the separate drives on our parcel, both of which have been recently paved and are well-maintained, should remain unchanged.

Sincerely,

*Colin Hamer*     K L Hamer

Colin & Karen Hamer



January 23, 2023

Monroe County Planning Department  
Attention: Planning Committee  
501 N Morton St  
Suite 224  
Bloomington, IN 47404

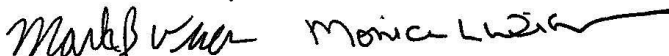
Dear Planning Committee,

We, Mark B. and Monica L. Wiseman, owners of Parcel 53-01-35-100-017.003-003 at 9550 E Northshore Dr., Unionville, In 47468, are writing in support of the request by Werner Group, LLC ("**Marina Group**"), formerly known as Schell Group, LLC, for the removal of the previous rezone's conditions of approval to require construction of a shared driveway between our parcel, the residential parcel to the North of us, the Lake Lemon Marina, and the residential parcel to the Southeast of the Marina. We are requesting removal of this requirement as we believe construction of such driveway will be impractical by focusing too much traffic to one unsightly entry point between three residential properties and one commercial property that is busy for much of the year.

Already, we share a drive with the residential property to the North owned by the Gravelies, which preserves our privacy and separation from the Marina. We believe replacing our existing drive with a new drive that is tied into traffic from the Marina will only make traffic to our properties worse by forcing us and our visitors to cross Marina traffic to get to our parcels during the busy season especially if we are coming in from the Southeast on Northshore Drive. This does not make sense and is easily avoided with the current configuration. Adding the shared drive across hundreds of feet of greenspace will only prove unsightly as well and dump more drainage to parcels to the Southeast.

So, we fully support removal of the requirement for the Marina Group to construct a shared drive tying in our parcel and the Gravelie's parcel with the Marina and the Hamer's parcel, which would only make traffic management worse and become a drainage problem and eyesore. The current configuration of the separate drives, both of which have been recently paved and are well-maintained should remain unchanged.

Sincerely,



Mark B. and Monica L. Wiseman

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

<b>CASE NUMBER</b>	PUO-23-2 and PUD-23-2
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	Monroe County Redevelopment Commission/Crider & Crider Inc. c/o Daniel Butler, Bynum Fanyo & Assoc.
<b>REQUEST</b>	North Park PUD Outline Plan Amd. #5 Change to Section 8 “Street and Alternative Transportation Guidelines Preliminary Hearing Waiver of Final Hearing Requested
<b>ADDRESS</b>	N Curry Pike and W Hunter Valley RD, Parcel #53-05-29-200-008.000-005, 53-05-19-400-021.000-004, 53-05-19-400-050.004-004, 53-05-20-300-008.000-004, 53-05-20-300-025.000-004, 53-05-20-300-029.000-004, 53-01-27-890-100.000-004, 53-05-19-400-001.000-004, 53-05-19-400-022.000-004, 53-05-19-400-022.000-004, 53-05-19-400-044.000-004, 53-05-19-400-044.000-004, 53-05-30-100-003.000-004, 53-05-30-100-006.000-004, 53-05-30-100-011.000-004, 53-05-29-200-004.000-004, 53-05-30-100-001.000-004, 53-05-30-100-002.000-004, 53-05-30-100-007.000-004, 53-05-30-100-009.000-004, 53-04-24-100-017.000-011, 53-05-19-400-050.002-004, 53-05-19-400-050.003-004, 53-05-19-400-050.000-004
<b>ACRES</b>	Construction area approximately 5.1 +/-
<b>ZONE</b>	North Park PUD
<b>TOWNSHIP</b>	Bloomington
<b>SECTION</b>	19, 27, 30
<b>PLATS</b>	Platted
<b>COMP PLAN DESIGNATION</b>	MCUA Mixed Use, MCUA Open Space, MCUA Quarry Landscape

**EXHIBITS**

1. Petitioner Outline Plan Statement (PUO-23-2)
2. Outline Plan with Track Changes (pages 109-114)
3. Overall Construction Plan View
4. North Park Ordinance Road Classification (page 127)
5. [Link to Construction Plans \(PUD-23-2\)](#)
6. [Link to Current North Park Ordinance](#)

**RECOMMENDATION**

Staff recommends forwarding a **positive recommendation** for the Planned Unit Outline Plan Amendment request based on the findings of fact, subject to the Monroe County Highway and Drainage engineer reports, and the following plan edits:

1. The petitioner to propose language to require the construction of a cul-de-sac at the existing south road stub of N Stone Branch DR adjoining the property at 2017 W Hunter Valley Rd.

**PUBLIC HEARING TIMELINE**

- March 7, 2023 – Plan Commission (Admin) Preliminary Hearing
- March 9, 2023 – Plan Review Committee
- March 21, 2023 – Plan Commission (Regular) Preliminary Hearing
  - o Waiver of Final Hearing Requested
- April 4, 2023 – Plan Commission (Admin) Final Hearing
- April 18, 2023 – Plan Commission (regular) Final Hearing

**SUMMARY**

The petitioner, the Monroe County Redevelopment Commission/Crider and Crider, INC, is requesting to

amend the North Park PUD Ordinance, and has submitted a development plan for the construction of "Hunter Valley Road Extension" from N Curry PIKE (from the intersection of SR 46) to Hunter Valley Road (to the intersection of W Arlington RD). The outline plan request is to change the specific street construction guidelines (i.e. Reduction of Right of Way dedication, reclassification of roadway class type, removal of street trees along the proposed extension, reduction of speed limit, and the removal of three (3) connector roads in the general area) and required street connections of the North Park Planned Unit Development Ordinance. The development plan is to construct the "Hunter Valley Road Extension" from N Curry PIKE (from the intersection of SR 46) to Hunter Valley Road (to the intersection of W Arlington RD) with the outline plan changes as being proposed. The construction plans under the development plan include approximately 2,500 feet of roadway, including a new proposed bridge. The Highway Engineer has reviewed these plans and agree with the plans as drafted. Once constructed, the connection will satisfy the following requirements under the North Park Ordinance:

5. A frontage road shall be constructed linking Curry Pike/Hunter Valley Road and Arlington Road. The road shall consist of two travel lanes and left turn lanes and intersections as warranted. **This road shall be completed within each of the Use Areas prior to the issuance of any land use certificates or occupancy permits for land use activities that will derive access from the road.**

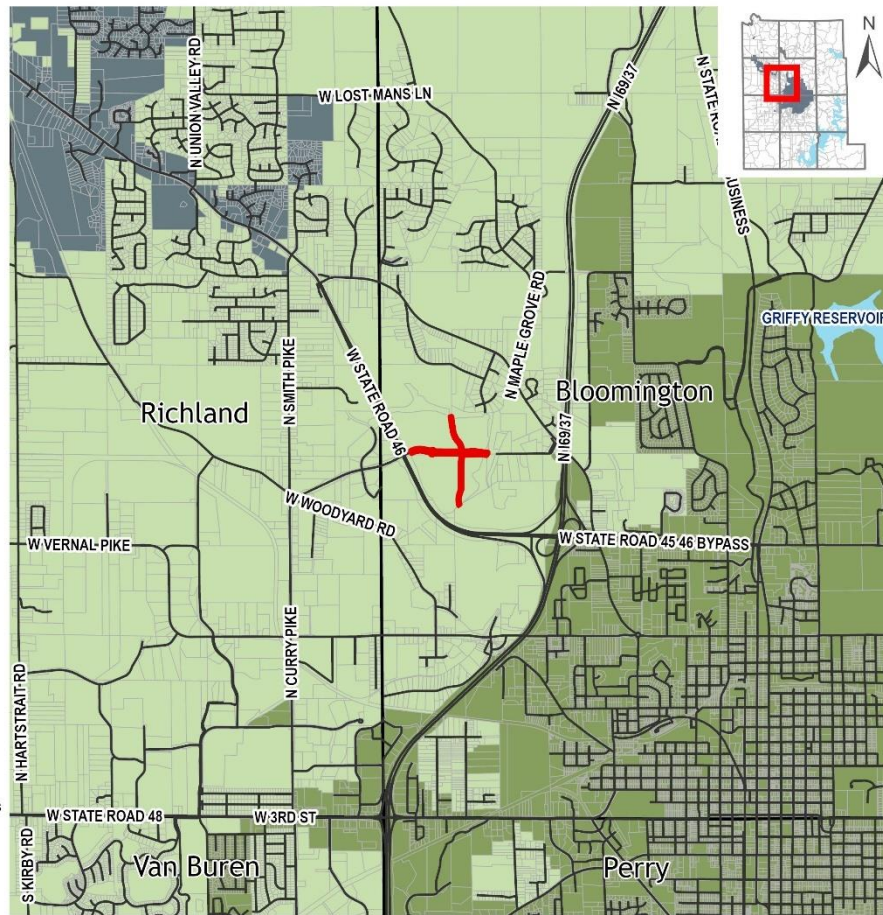
6. (Amended 12/30/10 by Ord. 2010-32) Curry Pike/Hunter Valley Road shall be constructed from its intersection with SR46 to its intersection with Arlington Road. The road shall consist of two through travel lanes, two combined right turn and through travel lanes and left turn lanes and intersections as warranted. This road shall be designed as a boulevard with landscaped median running from SR46 to the proposed linear park first collector road intersection west of Stout's Creek. **This road shall be completed as warranted within each of the Use Areas prior to the issuance of any land use certificates or occupancy permits for land use activities within the related area, except that the entire road shall be complete from SR46 to Arlington Road prior to development plan approval of two-hundred (200) single family dwelling units, or two hundred (200) multi-family dwelling units, or 50% of the acreage of the Town Center, or 50% of the acreage of Use District A, or 50% of the acreage of Use District C, or 75% of the acreage of the Public/Civic Use Area, whichever occurs first.**

#### **BACKGROUND**

The petition site is located in Bloomington Township, Sections 19, 27 and 30. The proposed road extension will connect N Curry PIKE (from the intersection of SR 46) to Hunter Valley Road (to the intersection of W Arlington RD). The road connection is required under the North Park PUD ordinance. The changes to the ordinance include: Reduction of Right of Way dedication, reclassification of roadway class type, removal of street trees along the proposed extension, reduction of speed limit, and the removal of three (3) connector roads in the general area. The changes requested and the current standards are listed below and can be viewed in Exhibit 2.

### Location Map

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



### Reduction of Designated Right of Way

#### Current Standard:

The ordinance currently requires that the entirety of the right of way for the connection is a minimum of 120'. Due to standard land acquisition negotiations some areas will be at minimum 60' of right of way, with the majority of the right of way area being approximately 90' in width.

#### Proposed Standard:

1. Revised total right of way (ROW) shall be a minimum of one-hundred-twenty (120) feet to total right of way (ROW) shall be a minimum of ninety (90) feet.
2. The addition of the statement, One-hundred-twenty (120) feet for the entirety of the bridge spanning Stouts Creek.
3. The addition of the statement, The ROW shall be reduced to sixty (60) feet to preserve existing structures when the structures frontage is less than ninety (90) feet from the existing section line (proposed road centerline).

### Reclassification of Roadway

Current Standard: the ordinance designates this road connection as a "Minor Arterial Boulevard/Secondary Arterial". The Monroe County Highway Dept. has identified that the correct standards for this road extension would be as a "Major Collector". See Exhibit 2 for the change in classification.

### Removal of Street Trees

The ordinance requires that street trees are planted on both sides of the roadway. Note, sidepaths/sidewalks will remain unchanged within the ordinance and are included in the proposed construction plans.



Proposed Standard:

4. Removing the street trees from the statement “Street trees and sidewalks/sidepaths shall be provided on both sides of the street.”

### Reduction of Speed

Current Standard: requires all streets to have a minimum of 40 MPH speed limit. Due to design the petitioner’s design professionals and the Monroe County Highway Dept. have agreed to a 30 MPH speed limit.

Proposed Standard:

5. Revised the design speed of forty (40) miles per hour to thirty (30) miles per hour.

### Removal of Road Connections: Curry Pike/Hunter Valley to Arlington

The ordinance currently requires a frontage road to be constructed that connection SR 46 to Arlington Road. See image below for approximate location (shown in yellow). This road connection would be constrained by the width of the North Park property at the proposed connection to W Arlington RD. The parcel shape is a “flagpole” like shape and doesn’t contain enough of area to construct a road to county standards.

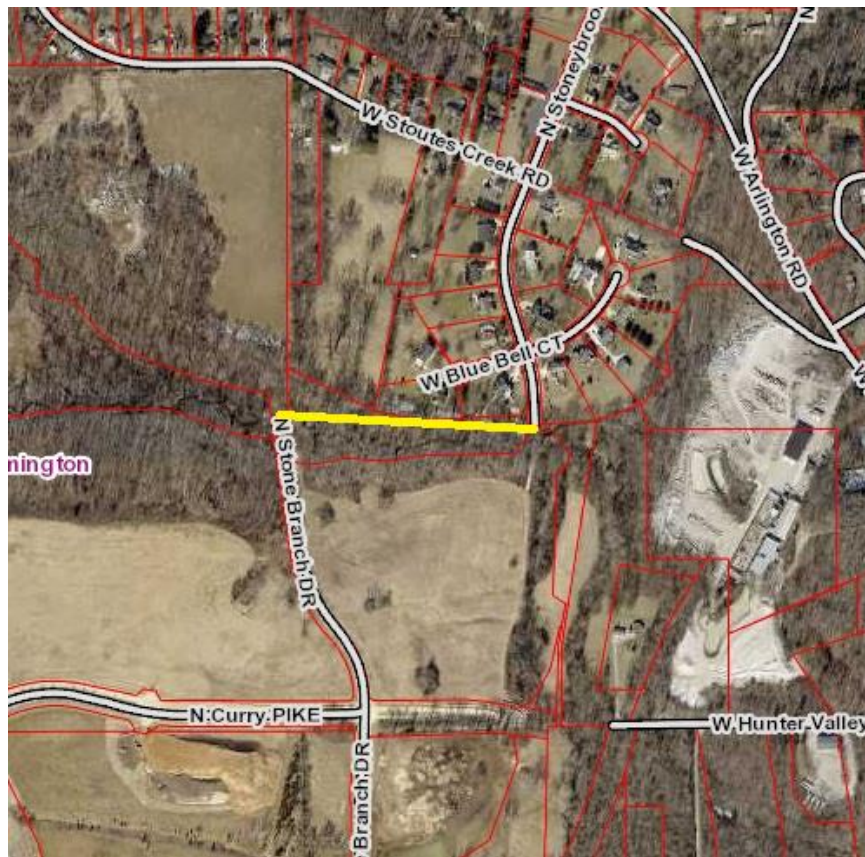


Proposed Standard: All text referencing NP b21 will be removed.

### Removal of Road Connections: N Stone Branch DR to Stoneybrooke Boulevard

The ordinance requires that a local road connection between N Stone Branch DR and Stoneybrooke BLVD. See image below for approximate location (shown in yellow).





Proposed Standard: All text referencing NP b20 will be removed.

**Removal of Road Connections: N Stone Branch DR to Hunter Valley RD**

The ordinance requires a connecting road from N Stone Branch DR to Hunter Valley RD that follows a southern path through an area that was a quarry. The area was quarried and contains multiple open pits which would be required to be filled if road construction was pursued. There have been environmental studies that detailed the road connection would be impractical.



Proposed Standard: The description of NP b5 will be revised to end roadway construction within Use District A and shall not link Curry Pike/Hunter Valley Road and Arlington Road.

With the removal of this road connection to the south N Stone Branch DR would be left as a road stub (existing, see photo below). Planning Staff recommends that the petitioner propose language to be added to the ordinance that would trigger the construction of a cul-de-sac. The North Park PUD ordinance is set-up to require road construction using a “percent of development” trigger. Staff recommends that lots A-8 and A-7, platted under the North Park Type D & E Administrative Subdivision (2011015965), have a developmental trigger to construct a cul-de-sac at the road stub. Alternatively, the construction of the cul-de-sac could be a condition of approval of this amendment.

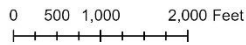


#### **ZONING AND ADJACENT USES**

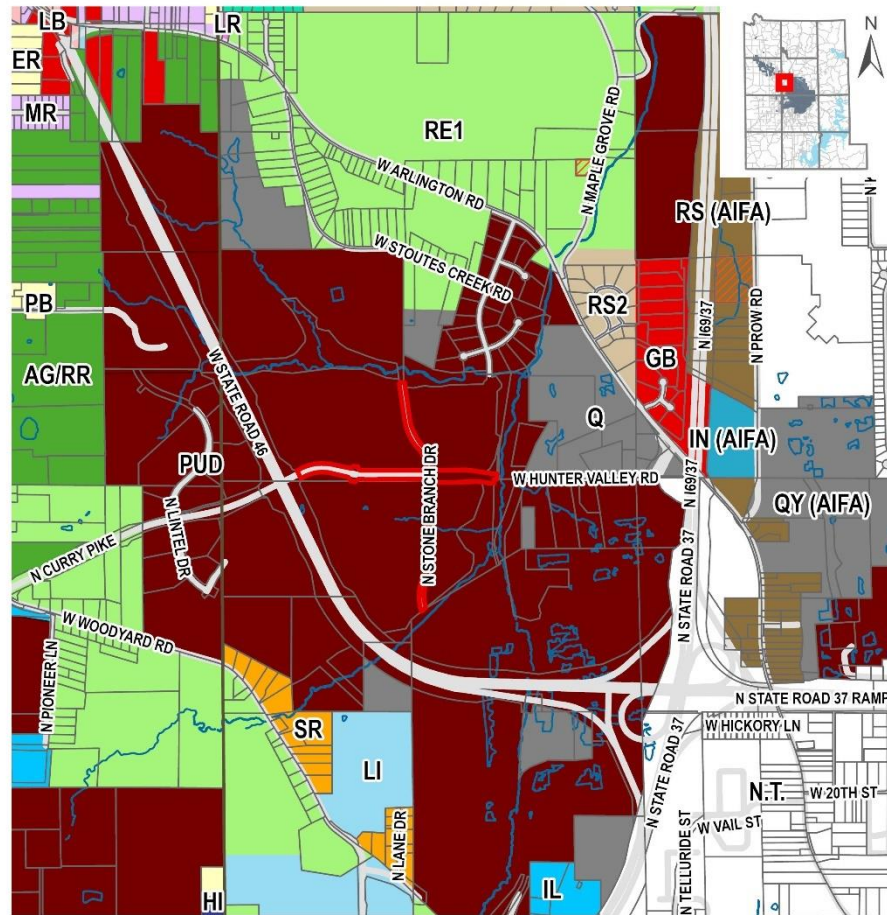


### Current Zoning Map

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Historic Preservation Overlay
- Monroe County Zoning**
- AG/RR - Agriculture/Rural Reserve
- ER - Estate Residential
- GB - General Business
- HI - Heavy Industrial
- IL - Limited Industrial
- IN - Institutional
- LB - Limited Business
- LI - Light Industrial
- LR - Low Density Residential
- MR - Medium Density Residential
- N.T. - No Tag (Outside Juris.)
- PB - Pre-Existing Business
- PUD - Planned Unit Development
- Q - Quarries
- QY - Quarry
- RE1 - Estate Residential 1
- RS - Single Dwelling Residential
- RS2 - Single Dwelling Res. 2
- RS3.5 - Single Dwelling Res. 3.5
- SR - Suburban Residential



Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 2/26/2023



### SITE CONDITIONS

The site contains a bridge crossing a regulated floodplain. The proposed construction will require the approval of a local floodplain development permit. The floodplain area is designated as “Required Open Space/Linear Park” or “Vegetation Conservation Area” (page 120, North Park Ordinance). The N Curry Pike area was platted within the “North Park Type D & E Administrative Subdivision” in 2011. The properties are currently vacant and are designated as a use district A which contains multiple different permitted use areas (page 123, North Park Ordinance).

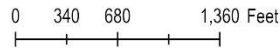


### Site Conditions Map

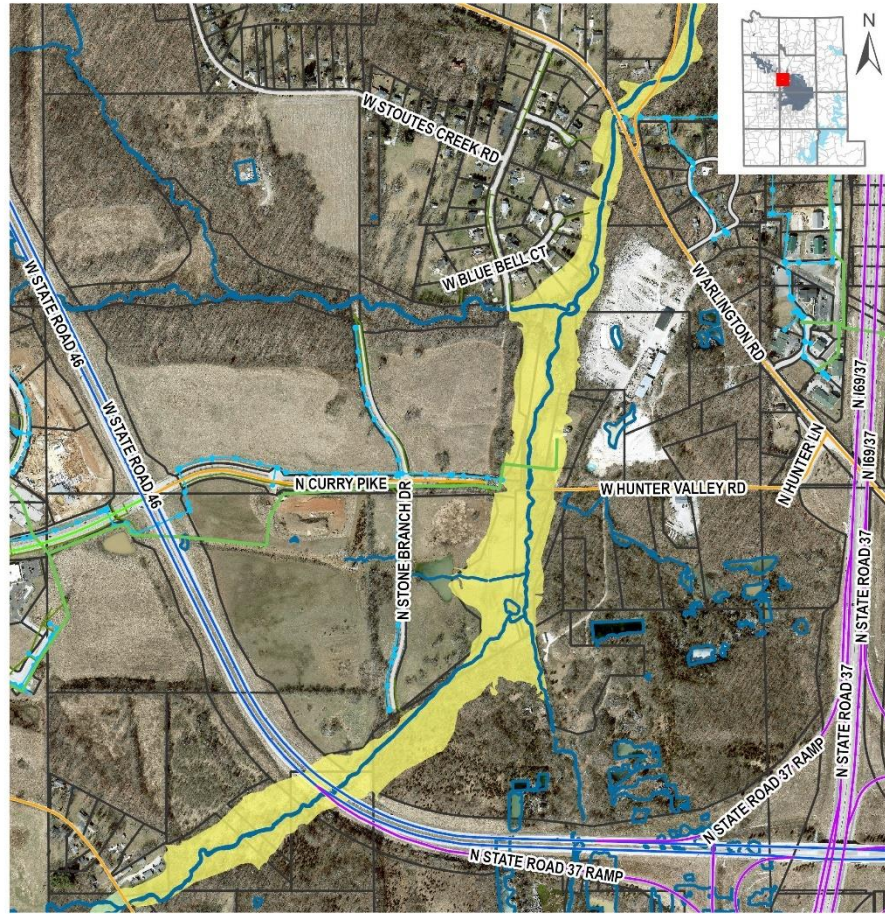
- Major Collector [70']
- Minor Arterial [100']
- Major Arterial [150']
- Interstate
- Sanitary Pipe
- Water Pipe
- Storm Water
- Local Roads [50']
- Hydrologic Features

### DNR Best Available Data

- Flood Zone
- A
  - AE and FLOODWAY
  - Parcels



Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 2/26/2023



### SITE PICTURES



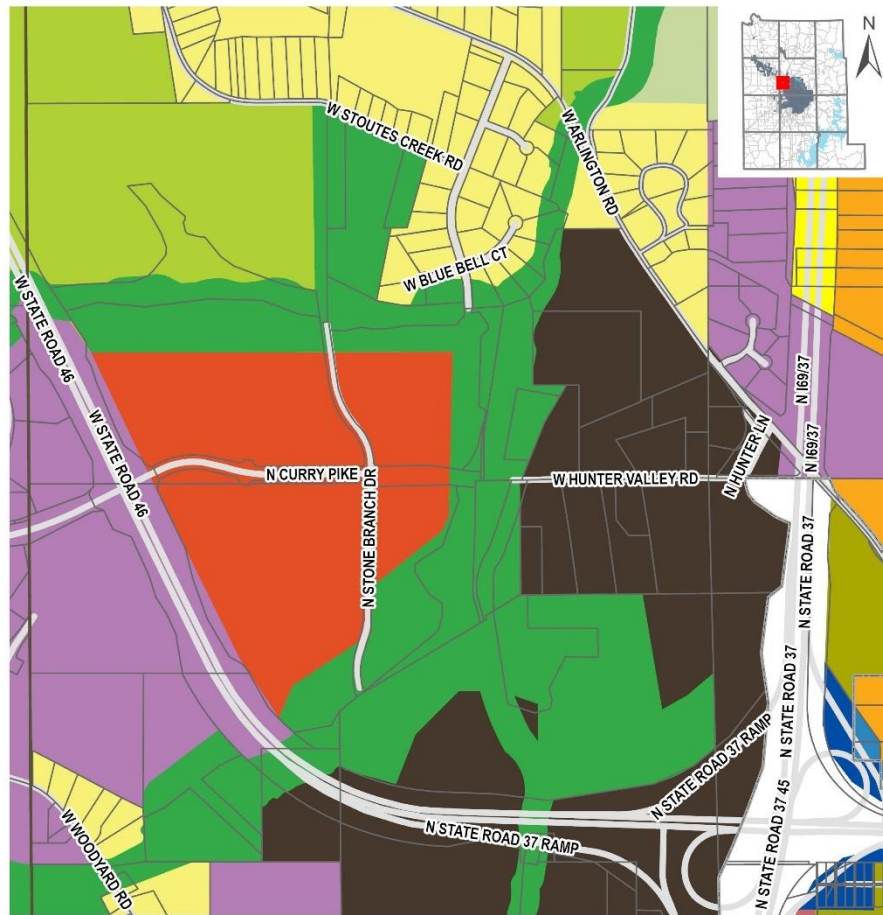
### COMPREHENSIVE PLAN DISCUSSION

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



### Comprehensive Plan

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



0 0.07 0.15 0.3 Miles

Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 2/26/2023

### 5.1.0 Mixed-Use

*Mixed-use districts are the densest, most pedestrian-oriented development types in the urbanizing area. This land use type will vary in terms of form, scale, character, and the specific mix of uses, depending on location, access considerations and existing development context.*

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

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

#### A. Transportation

##### *Streets*

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

##### *Bike, Pedestrian, and Transit Modes*

Mixed-use streets should incorporate the full suite of complete street and “green” street design



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

## **B. Utilities**

### *Sewer and Water*

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

### *Power*

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

### *Communications*

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

## **C. Open Space**

### *Park Types*

Small-scale parks and open spaces should be integrated into new developments and streetscapes. Mixed-use districts may have a variety of park types, from small plazas and pocket parks along public sidewalks, to moderately-sized greens, squares, and neighborhood parks. Greenway connections should be provided wherever possible.

### *Urban Agriculture*

Encourage the creation of community gardens and small scale urban agricultural systems, integrated with parks and open spaces. These may serve and be operated by residents, employees and businesses within a mixed-use neighborhood. Examples include restaurants with on-site gardens, or apartments and office buildings with common garden space. Attention should be paid to location and maintenance to ensure garden spaces remain well-kempt and attractive throughout the year.

## **D. Public Realm Enhancements**

### *Lighting*

Lighting needs will vary by street type and width but safety, visibility and security are important. Two-lane streets should provide lamp posts at a pedestrian scale (16 to 18 feet in height). Wider streets will require taller fixtures (up to 30 feet).

### *Street/Site Furnishings*

Successful mixed-use streets require a vibrant, pedestrian-oriented public realm with an emphasis on amenities and aesthetics. Streets should have planters, benches, information kiosks, and public bicycle parking racks. These elements may occur within the public right-of-way, or on private development sites, if located at the front of the lot between the building and right-of-way, oriented toward the sidewalk, and available for public use.

## **E. Development Guidelines**

### *Open Space*

The amount and type of open space appropriate for mixed-use areas will vary by the location and scale of

individual developments. Large consolidated developments should include prominent open spaces with public street frontage. For residential uses, open space should generally be provided with a target of 200 square feet per dwelling unit. Commercial uses over 25,000 square feet of gross floor area should provide small pocket parks or plazas.

#### *Parking Ratios*

Parking requirements will vary depending on the scale and mixture of uses within individual mixed-use areas. Shared parking arrangements should be encouraged to minimize the size of surface parking lots. On-street parking should be permitted to contribute to required parking maximums as a means to reduce surface parking and enliven mixed-use streets with foot traffic.

#### *Site Design*

Front setbacks should range from zero to 15 feet, with streetscape plazas and landscape treatments between the sidewalk and building face. Buildings should frame the street, with a high amount of building frontage. Parking should be located to the rear or side of buildings, but not between the building and street. Side-oriented parking should be screened with landscaping and/ or a low street wall. Vehicular curb cuts should be used sparingly, and avoided on major thoroughfares. Access should instead be provided from the side or rear of the site. Mixed-use districts should be designed with compatible mixtures of buildings, but with architectural variety as well.

#### *Building form*

The scale, form and character of buildings will vary depending on the specific location and surrounding context of existing development and infrastructure. Mixed-use areas are appropriate locations for more urban-style buildings with flat roof designs, but pitched roofs may also be used. Buildings may range from one to four stories in height, depending on location. Ground floors of mixed-use buildings should have taller floor to ceiling heights (14 to 18 feet) to accommodate retail and dining uses, with high amounts of window transparency (60 to 70 % of the front facade). Building facades should be designed with a clear base, middle, and top. Buildings and tenant spaces should have prominent main entrances on the front facade, accessible from the public sidewalk.

#### *Materials*

Mixed-use buildings should have a durable and lasting character, indicative of their ability to be repurposed for various uses over time. This is best achieved through the use of brick and dimensional or cultured stone. Concrete masonry units may be used, but should have texture and color variation if used as a primary building material. Blank walls should be avoided, particularly for facades facing public streets.

#### *Private Signs*

Signs should be sized and designed to effectively communicate to both pedestrian and vehicular traffic without becoming a visual distraction. Wall-mounted and monument signs are appropriate; pole signs and roof-top billboards should be prohibited.

### **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.

### **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.

#### **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.

## **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 PUD created by the County in 2004;
- The Comprehensive Plan designates the property as MUA Mixed Use, Open Space, and Quarry Landscape;
- The petitioner requests to amend the ordinance in order to: Reduce the amount required dedicated Right of Way, reclassify roadway class type, remove of street trees along the proposed extension, reduce the speed limit, and remove three (3) connector roads in the general area;
- The North Park Ordinance requires the connection of N Curry PIKE to W Hunter Valley RD;
- The connection is currently the high priority of the roads proposed within the North Park PUD;
- A development plan filing is required for the road construction;

**(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;

**(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);
- The petitioner is proposing to remove a road connection that would extend N Stone Branch DR to the south;
- N Stone Branch DR is currently stubbed at the property line;
- Staff recommends the petitioner propose language to include the construction of a cul-de-sac at the existing road stub of Stone Branch DR;
- A cul-de-sac would allow emergency vehicles to turn around in the event of an emergency;



- (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 Curry PIKE and W Hunter Valley RD as a Major Collector;
- The petitioner's are proposing to change the road classification from a "Minor Arterial Boulevard/Secondary Arterial" to a Major Collector;

- (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);
- The surrounding area is zoned Planned Unit Development;
- Surrounding uses include residential to the north, southeast, and east, and undeveloped commercial to the west;

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

*Findings:*

- See Findings under Section 1;
- The Monroe County Redevelopment Commission is proposing a residential TIF district that would include portions of the North Park PUD in this area;

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

*Findings:*

- N Curry PIKE is accessible from SR 46, and W Hunter Valley RD is accessible from W Arlington RD;
- See findings under (d);

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

*Findings:*

- There is no known karst 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;
- Work within the floodplain will be reviewed under a local permit if this amendment is adopted

## EXHIBIT 1: Petitioner Outline Plan Statement



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

February 2nd, 2023 REVISED February 15<sup>th</sup>, 2023

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

SUBJECT: North Park PUD Outline Plan Amendment

Monroe County Plan Commission or To Whom It May Concern:

On behalf of Crider and Crider Inc. & Monroe County Redevelopment Commission, Bynum Fanyo & Associates, Inc. would like to request approval of amendments to the 'North Park PUD Outline Plan.' These amendments would affect the planned road extension of West Hunter Valley Road following the existing section line from the intersection of N. Curry Pike and N. Stone Branch Drive to W. Arlington Road. The amendments would affect three (3) additional planned roadways.

The amendment to the PUD Plan that is being sought is to change the roadway classification of W. Hunter Valley Road (Curry Pike Extension Phase II, Hunter Valley Lane) from Minor Arterial Boulevard/Secondary Arterial to a Major Collector.

Additional amendments are the addition/revision of these statements to the PUD document for the planned road extension are:

1. Revised total right of way (ROW) shall be a minimum of one-hundred-twenty (120) feet to total right of way (ROW) shall be a minimum of ninety (90) feet.
2. The addition of the statement, One-hundred-twenty (120) feet for the entirety of the bridge spanning Stouts Creek.
3. The addition of the statement, The ROW shall be reduced to sixty (60) feet to preserve existing structures when the structures frontage is less than ninety (90) feet from the existing section line (proposed road centerline).
4. Removing the street trees from the statement, Street trees and sidewalks/sidepaths shall be provided on both sides of the street.
5. Revised the design speed of forty (40) miles per hour to thirty (30) miles per hour.

Other amendments are the removal of plans for future construction of roadways NP b5, NP b20, and NP b21. All text referencing NP b20 and NP b21 will be removed. The description of NP b5 will be revised to end roadway construction within Use District A and shall not link Curry Pike/Hunter Valley Road and Arlington Road.

Also, on behalf of Crider and Crider, Inc. & Monroe County Redevelopment Commission, 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 for a recommendation to the Monroe County Commissioners after the 1<sup>st</sup> hearing.

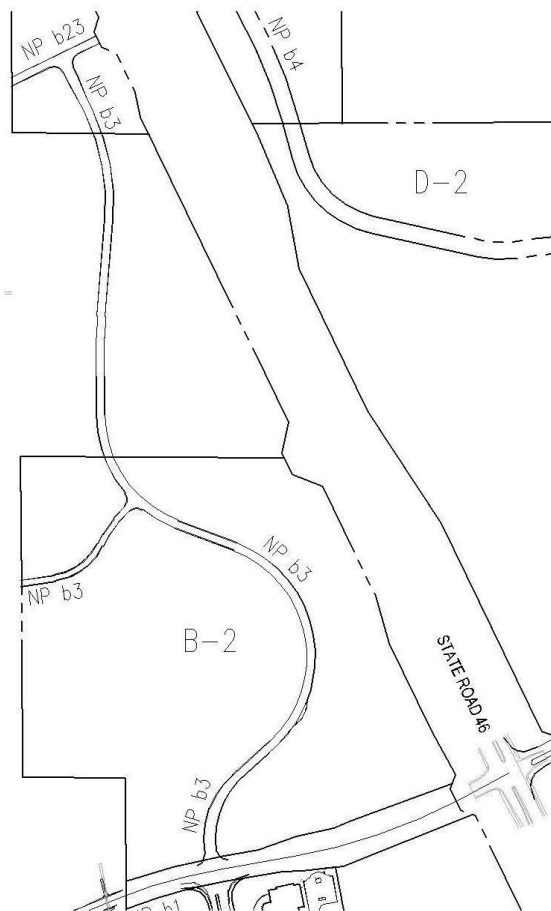
Let us know if you have any questions or concerns for the proposed road classification change.

Sincerely,  
Bynum Fanyo & Associates, Inc.  
Anthony Willis, Project Engineer

528 NORTH WALNUT STREET  
812-332-8030

BLOOMINGTON, INDIANA 47404  
FAX 812-339-2990

**EXHIBIT 2: Outline Plan with Track Changes (pages 109-114)**



4. A frontage road shall be constructed linking SR46 at the northern intersection and Curry Pike/Hunter Valley Road. The road shall consist of two travel lanes and left turn lanes and intersections as warranted. This road shall be completed prior to the approval of fifty percent (50%) or more single family dwelling units and 50% of the multi-family units in Use District A.
5. A frontage road shall be constructed ~~linking-between~~ Curry Pike/Hunter Valley Road and ~~Arlington Road Use District C~~. The road shall only be constructed within Use District A and shall not be continued within Use District C. The road shall consist of two travel lanes and left turn lanes and intersections as warranted. This road shall be completed within each of the Use Areas prior to the issuance of any land use certificates or occupancy permits for land use activities that will derive access from the road.

6. (Amended 12/30/10 by Ord. 2010-32) Curry Pike/Hunter Valley Road shall be constructed from its intersection with SR46 to its intersection with Arlington Road. The road shall consist of two through travel lanes, two combined right turn and through travel lanes and left turn lanes and intersections as warranted. This road shall be designed as a boulevard with landscaped median running from SR46 to the ~~proposed linear park~~ first collector road intersection west of Stout's Creek. This road shall be completed as warranted within each of the Use Areas prior to the issuance of any land use certificates or occupancy permits for land use activities within the related area, except that the entire road shall be complete from SR46 to Arlington Road prior to development plan approval of two-hundred (200) single family dwelling units, or two-hundred (200) multi-family dwelling units, or 50% of the acreage of the Town Center, or 50% of the acreage of Use District A, or 50% of the acreage of Use District C, or 75% of the acreage of the Public/Civic Use Area, whichever occurs first.
7. A right turn lane shall be added on northeast bound Curry Pike to southeast bound SR46 at the time that a traffic study conducted for a development plan indicates an increase in right turn movements of 279 vehicles per hour or more.
8. A second left turn lane shall be added on northwest SR46 to southeast bound Curry Pike at the time that a traffic study conducted for a development plan indicates an increase in left turn movements of 204 vehicles per hour or more.
9. A second left turn lane shall be added on southwest bound Curry Pike/Hunter Valley Road to southeast bound SR46 at the time that a traffic study conducted for a development plan indicates an increase in left turn movements of 262 vehicles per hour or more.
10. A third lane shall be added on southeast bound SR46 at the time a traffic study conducted for a development plan indicates an increase in through movements of 202 vehicles per hour or more.
11. A third right turn lane shall be added on northeast bound Curry Pike to southeast bound SR46 at the time a traffic study conducted for a development plan indicates an increase in right turn movements of 735 vehicles per hour or more.
12. A third lane shall be added on northwest bound SR46 at the time a traffic study conducted for a development plan indicates an increase in through movements of 163 vehicles per hour or more.
13. A third left turn lane shall be added on southwest bound Curry Pike/Hunter Valley Road to the southeast bound SR46 at the time a traffic study conducted for a development plan indicates an increase in left turn movements of 834 vehicles per hour or more.
14. Modifications to the traffic signal heads and supports, controllers and its appurtenances shall be improved as required with the lane modifications mentioned in the afore-mentioned 7-13. This will include, but not limited to, the installation of additional signal heads, pavement loops or cameras, signal support relocation, and other incidental items associated with this type of work.

15. A fully actuated traffic signal shall be installed at the northern SR46 intersection at the time a traffic study conducted for a development plan indicates that an increase in traffic movements at this intersection satisfy any one of the eight warrants in Part 4 of the Manual on Uniform Traffic Control Devices as published by USDOT, FHWA. This includes, but is not limited to, vehicular, pedestrian, and school bus movements, along with crash history occurrences.
16. A fully actuated traffic signal shall be installed at the intersection of Curry Pike and the yet unnamed southern frontage road connecting Use Districts B and D at the time a traffic study conducted for a development plan indicates that an increase in traffic movements at this intersection satisfy any one of the eight warrants in Part 4 of the Manual on Uniform Traffic Control Devices as published by USDOT, FHWA. This includes, but is not limited to, vehicular, pedestrian, and school bus movements, along with crash history occurrences.
17. A fully actuated traffic signal shall be installed at the intersection of Curry Pike/Hunter Valley Road and the yet unnamed northern frontage road connecting Use Districts A and D at the time a traffic study conducted for a development plan indicates that an increase in traffic movements at this intersection satisfy any one of the eight warrants in Part 4 of the Manual on Uniform Traffic Control Devices as published by USDOT, FHWA. This includes, but is not limited to, vehicular, pedestrian, and school bus movements, along with crash history occurrences.
18. A fully actuated traffic signal shall be installed at the intersection of Curry Pike/Hunter Valley Road and Arlington Road at the time a traffic study conducted for a development plan indicates that an increase in traffic movements at this intersection satisfy any one of the eight warrants in Part 4 of the Manual on Uniform Traffic Control Devices as published by USDOT, FHWA. This includes, but is not limited to, vehicular, pedestrian, and school bus movements, along with crash history occurrences.
19. A second through lane shall be added on the southeast bound SR46 from Curry Pike to the SR37 southbound ramp at the time a traffic study conducted for a development plan indicates an increase in through movements of 633 vehicles per hour or more.
20. ~~A local road connection shall be made between the yet un-named frontage road connecting Curry Pike/Hunter Valley Road and the northern SR46 intersection to Stoneybrooke Boulevard. This connection shall be indirect in nature to calm through traffic and shall be completed prior to development plan approval of 75% of the multi-family units in Use District A or D, or of the single-family units in Use District D.~~
21. ~~A local road stub shall be made between the yet un-named frontage road connecting Curry Pike/Hunter Valley Road and the through traffic and shall be completed prior to development plan~~



~~approval of 75% of the acreage located in Use District D.~~

22. A local road connection shall be made between the yet un-named frontage road connecting Curry Pike and Packinghouse Road to Woodyard Road. This connection shall be completed prior to any land use certificates or certificates of occupancy approval of 50% of the acreage in Use District B.
  23. A local road stub shall be provided between the yet un-named frontage road that connects Curry Pike and the northern SR46 intersection and property between the North Park PUD and Smith Road. This stub shall be completed prior to any land use certificates or certificates of occupancy approval of 75% of the acreage in this Use Area.
  24. Connectivity between land uses via interconnected parking areas, cross-access easements, pedestrian ways or shared driveways, etc. shall be provided in all Use Districts and Use Areas, where practicable.
  25. Local roads serving land uses, parking areas, etc. shall be completed as necessary prior to the issuance of any land use certificates or occupancy permits for any land uses within the PUD.
  26. All required sidewalks, bicycle lanes, sidepaths, etc. shall be installed concurrent with the related road construction.
  27. A multi-use trail shall be constructed within the linear park use district prior to construction of 50% or more single family dwelling units, multi-family dwelling units, acreage of the Town Center, and acreage of SR46 Office Use Area, or acreage of the Curry Pike Industrial Use Area. This trail shall be stubbed into each of the Use Areas adjoining the linear park.
  28. A pedestrian overpass/underpass shall be constructed prior to approval of 50% or more single family dwelling units or 50% or more multi family dwelling units and 50% of the acreage of the SR46 Office Use Area or 50% of the acreage of the Curry Pike Industrial Use Area. This facility shall be connected into the multi-use trail.
  29. A multi-use trail or sidepath shall be constructed connecting the Town Center and the linear park multi-use trail with the proposed pedestrian overpass/underpass facility through the residential area in Use District D prior to approval of 50% or more single family dwelling units or 50% or more multi family dwelling units, whichever occurs first. This facility shall be stubbed into each of the use areas that it is be adjacent to.
- c. **Minor Arterial/Secondary Arterial (Curry Pike Extension, Phase I).** These streets are intended to provide a high degree of mobility and serve to connect adjacent land uses to the larger transportation network via collector streets. These streets are intended to accommodate high volumes of traffic. The following standards shall apply to these streets within the

North Park PUD:

1. Total right of way (ROW) shall be a minimum of one-hundred (100) feet
2. Travel lane widths shall be a minimum of twelve (12) feet
3. On-street parking is prohibited
4. Street trees and sidewalks/sidepaths shall be provided on both sides of the street.
5. Gutters and curbs measuring at least two (2) feet in width shall be provided, unless appropriately designed drainage swales are permitted by the Plan Commission or earthen shoulders measuring at least two (2) feet in width shall be provided.
6. All such streets shall have a design speed of forty (40) miles per hour and all design features (curves, radii, etc.) shall be in accordance with the applicable standards contained in the Indiana Department of Transportation Standards and Specifications Manual, The Indiana Department of Transportation Road Design Manual, and the Policy on Geometric Design of Highways and street, published by the American Association of State Highway and Transportation Officials.
7. All such streets shall include signs meeting the standards established in the Manual on Uniform Traffic Control Devices.

- d. **Minor Arterial Boulevard/Secondary Arterial-Major Collector (Curry Pike Extension Phase II, Hunter Valley Lane).** These streets are intended to provide a high degree of mobility and serve to connect adjacent land uses to the larger transportation network via collector streets in a manner that utilizes a landscaped median. These streets are intended to accommodate high volumes of traffic. The following standards shall apply to these streets within the North Park PUD:

1. Total right of way (ROW) shall be a minimum of ~~one hundred-twenty (120)~~ ninety (90) feet, except that the ROW shall be a minimum of one-hundred-forty (140) feet between SR46 and the yet un-named frontage roads and one-hundred-twenty (120) feet for the entirety of the bridge spanning Stouts Creek. The ROW shall be reduced to sixty (60) feet to preserve existing structures when the structures frontage is less than ninety (90) feet from the existing section line (proposed road centerline).
2. Travel lane widths shall be a minimum of twelve (12) feet
3. On-street parking is prohibited
4. ~~Street trees and~~ sidewalks/sidepaths shall be provided on both sides of the street.
5. (Amended 12/30/10 by Ord. 2010-32) A landscaped median shall be provided at its intersection with SR 46. The median shall vary in width as it proceeds east of this intersection accounting for taperint to left turn lanes where required. ~~and shall be at least twenty (20) feet in width. Breaks and constrictions in the median shall only occur at locations where the street intersects with an Arterial or Minor Collector.~~ The landscaped median shall be privately maintained. The specific design

and maintenance responsibilities will be established during the review and approval of the applicable Development Plan.

6. Gutters and curbs measuring at least two (2) feet in width shall be provided, unless appropriately designed drainage swales are permitted by the Plan Commission or earthen shoulders measuring at least two (2) feet in width shall be provided.
7. All such streets shall have a design speed of ~~forty (40)~~ thirty (30) miles per hour and all design features (curves, radii, etc.) shall be in accordance with the applicable standards contained in the Indiana Department of Transportation Standards and Specifications Manual, The Indiana Department of Transportation Road Design Manual, and the Policy on Geometric Design of Highways and street, published by the American Association of State Highway and Transportation Officials.
8. All such streets shall include signs meeting the standards established in the Manual on Uniform Traffic Control Devices.

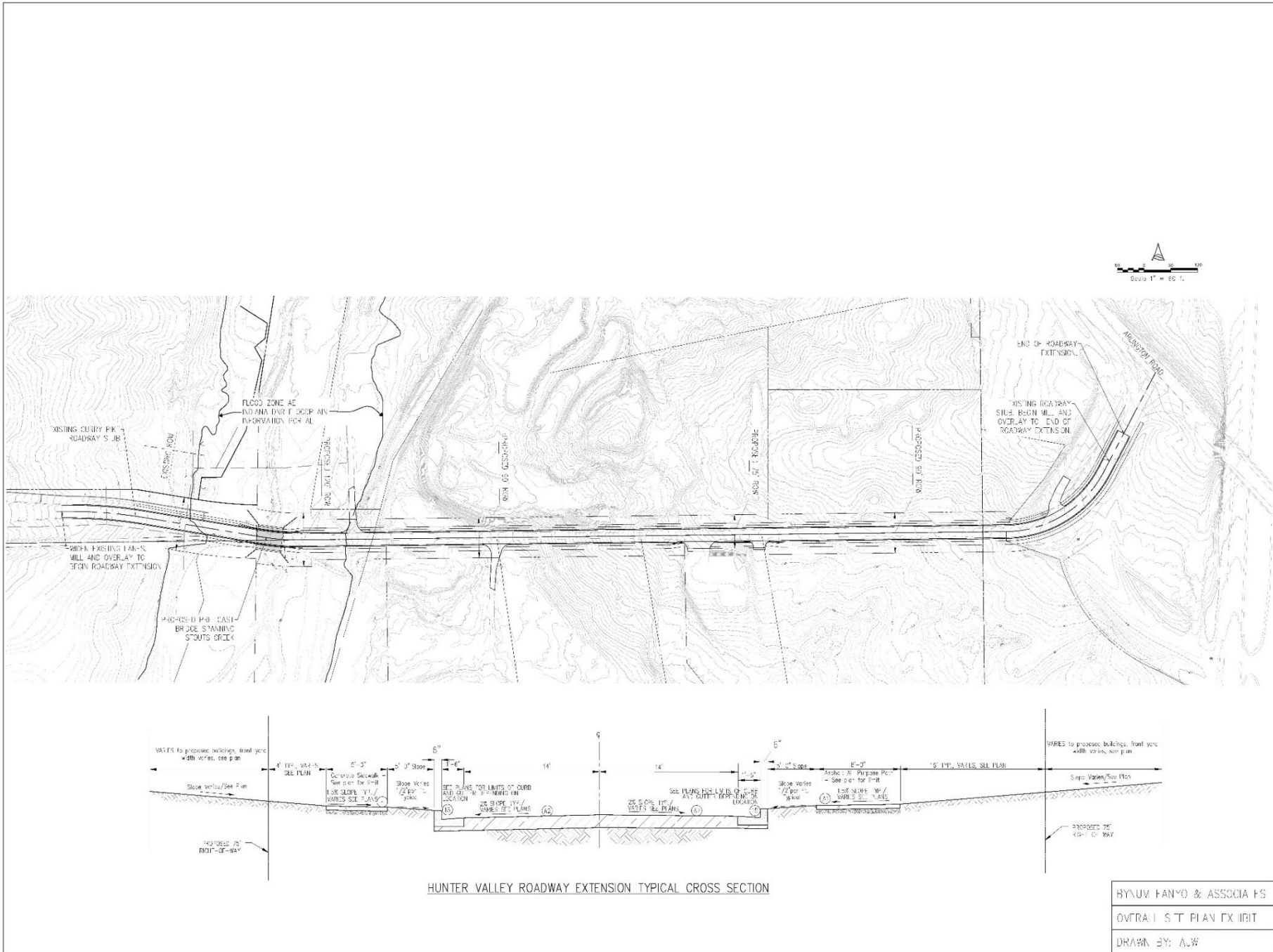
**e. Minor Collector.** These streets are intended to accommodate moderate volumes of traffic and are intended to connect local streets into the transportation network. The following standards shall apply to these streets within the North Park PUD:

1. Total right of way (ROW) shall be a minimum of seventy (70) feet
2. Travel lane widths shall be a minimum of twelve (12) feet
3. On street parking is prohibited
4. Street trees and sidewalks/sidepaths shall be provided on both sides of the street.
5. Gutters and curbs measuring at least two (2) feet in width shall be provided, unless appropriately designed drainage swales are permitted by the Plan Commission or earthen shoulders measuring at least two (2) feet in width shall be provided.
6. All such streets shall have a design speed of forty (40) miles per hour and all design features (curves, radii, etc.) shall be in accordance with the applicable standards contained in the Indiana Department of Transportation Standards and Specifications Manual, The Indiana Department of Transportation Road Design Manual, and the Policy on Geometric Design of Highways and street, published by the American Association of State Highway and Transportation Officials.
7. All such streets shall include signs meeting the standards established in the Manual on Uniform Traffic Control Devices.

**f. Local/Neighborhood Streets.** These streets are intended to accommodate low volumes of traffic and provide direct access to business and multi-family parking areas and to residences. The following standards shall apply to these streets:

1. Total right of way (ROW) shall be fifty (50) feet
2. Travel lane widths shall be a minimum of twelve (12) feet

**EXHIBIT 3: Overview of Construction**





**EXHIBIT 4: North Park Ordinance Road Classification (page 127)**

**Appendix F**  
**Street Functional Classification Plan**  
(See North Park PUD Ordinance Section 8(b)(1-27) for detailed Description of Time, Phasing & Construction)

