

MONROE COUNTY ORDINANCE REVIEW COMMITTEE



**October 9, 2023
4:00 pm**

**Hybrid Meeting
In-person**

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

Virtual: <https://monroecounty-in.zoom.us/j/84961227024?pwd=ZUISOUQweHVT0HVLNmVUaHdxVERjUT09>. If calling in, dial 312-626-6799 and enter the Meeting ID: 849 6122 7024 and Password: 346950 when prompted.

A G E N D A
ORDINANCE REVIEW COMMITTEE
of the Monroe County Plan Commission

Monroe County Planning Department
HYBRID

When: October 9, 2023 at 4:00 PM

Where: 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/84961227024?pwd=ZUISOUQweHVTOHVLNmVUaHdxVERjUT09>

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

When prompted, enter the Meeting ID #: 849 6122 7024

Password: 346950

ADMINISTRATIVE BUSINESS: NONE.

OLD BUSINESS: NONE.

NEW BUSINESS:

TOPICS FOR DISCUSSION:

1. CDO Work Session – **PAGE 3**
Review of Draft Zoning Map Changes per the CDO Survey Feedback and Listening Sessions

2. Any other business properly brought before the committee

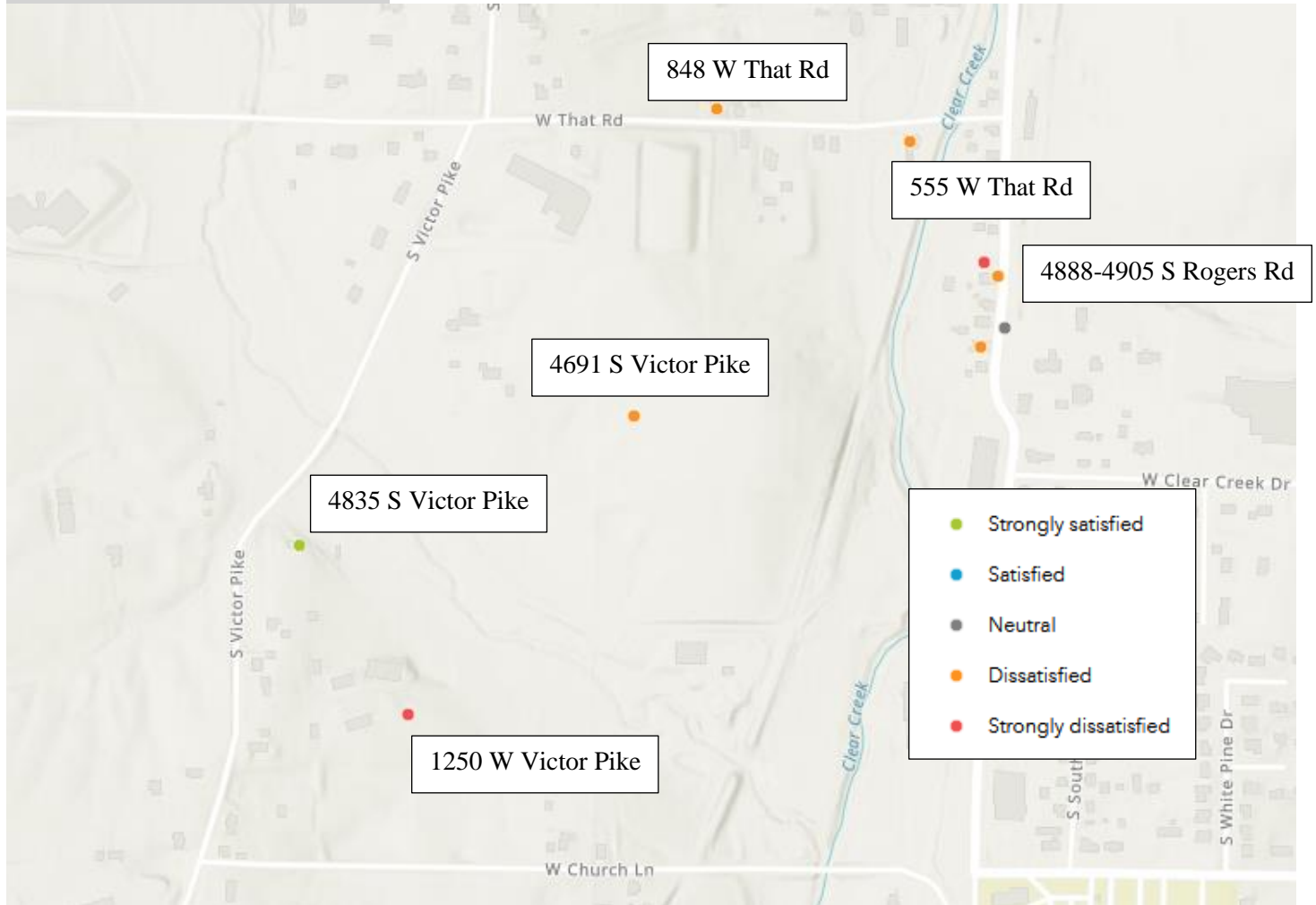
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon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

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

The meeting will be open to the public.

REQUEST	To consider the draft zoning map changes for this area, as compared to the Comprehensive Plan
ADDRESSES	848 W That Rd 555 W That Rd 4691 S Victor Pike 4888 S Rogers St 4878 S Rogers St 4903 S Rogers St 4904 S Rogers St 1250 W Church LN 4835 S Victor Pike

CDO PUBLIC FEEDBACK MAP



RECOMMENDATION TO THE ORDINANCE REVIEW COMMITTEE

Staff recommends that the property be zoned in accordance with the Comprehensive Plan and in line with existing development (see table below for proposed changes).

Guidance sought from ORC:

1. If properties have gone through the rezone process, should we keep them as zoned or re-engage in the conversation?

Answer: If a property has been denied/approved a rezone since the Comprehensive Plan for that specific area has been adopted, leave the zoning as it is today. If that recommendation does not comply with the Comprehensive Plan, staff will need to have an addendum that states the discrepancy.

2. Is this type of report adequate to evaluate this type of request? What other information do you need?

Answer: The report is adequate but there was concern that people cannot speak regarding the rezone request. Planning Staff conducted 4 CDO listening sessions in late August/early September 2023. This provided people with a chance to speak regarding the CDO survey map. The next opportunity for the public to speak will likely be the public hearing for the CDO zoning map, zoning ordinance, and subdivision control.

Planning Staff is asking the ORC to either:

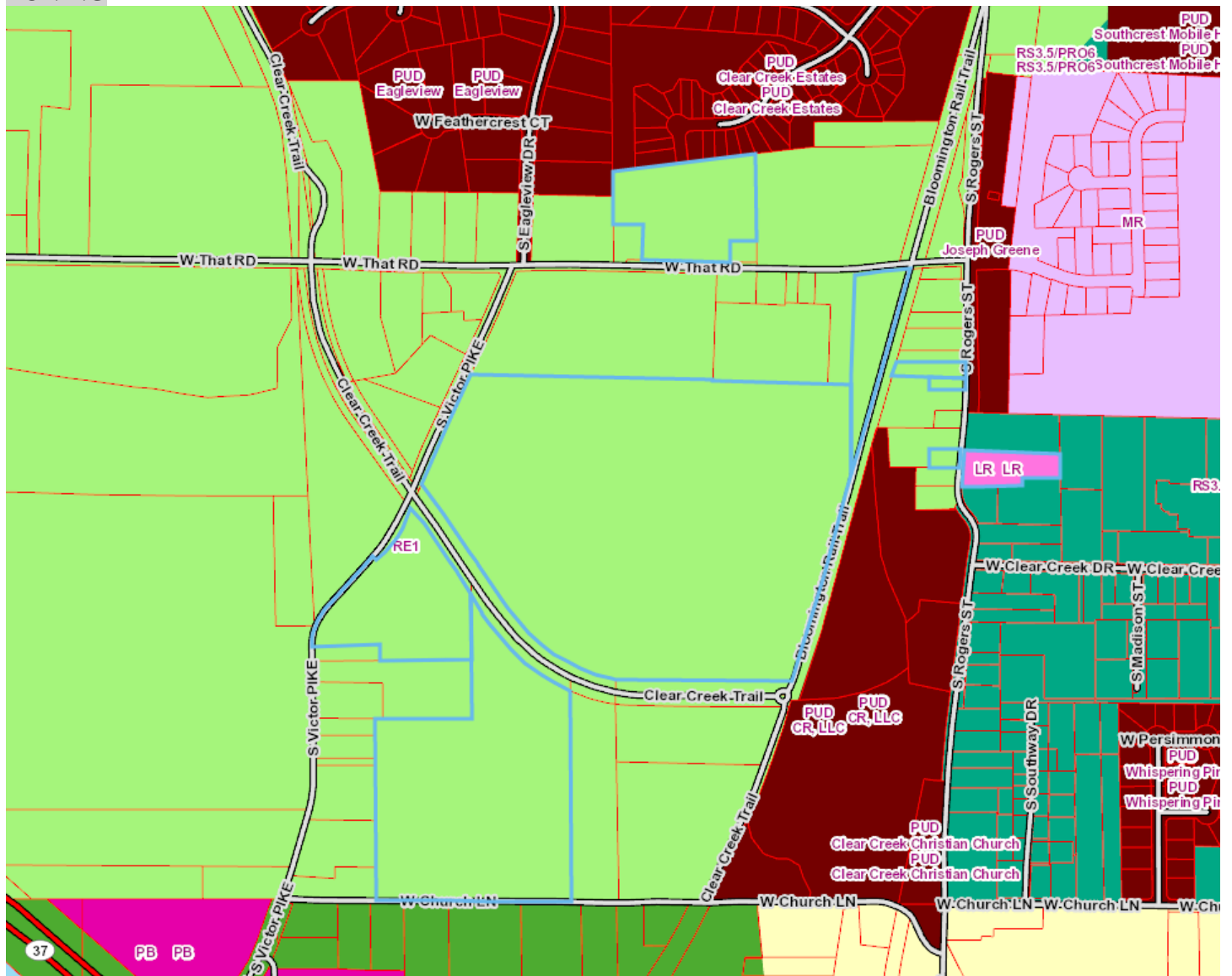
- A. Recommend staff to change the zoning map/not change the zoning map for properties in question,
- OR
- B. Request that a property rezone request go to the Plan Commission for discussion and a recommendation.

SUMMARY

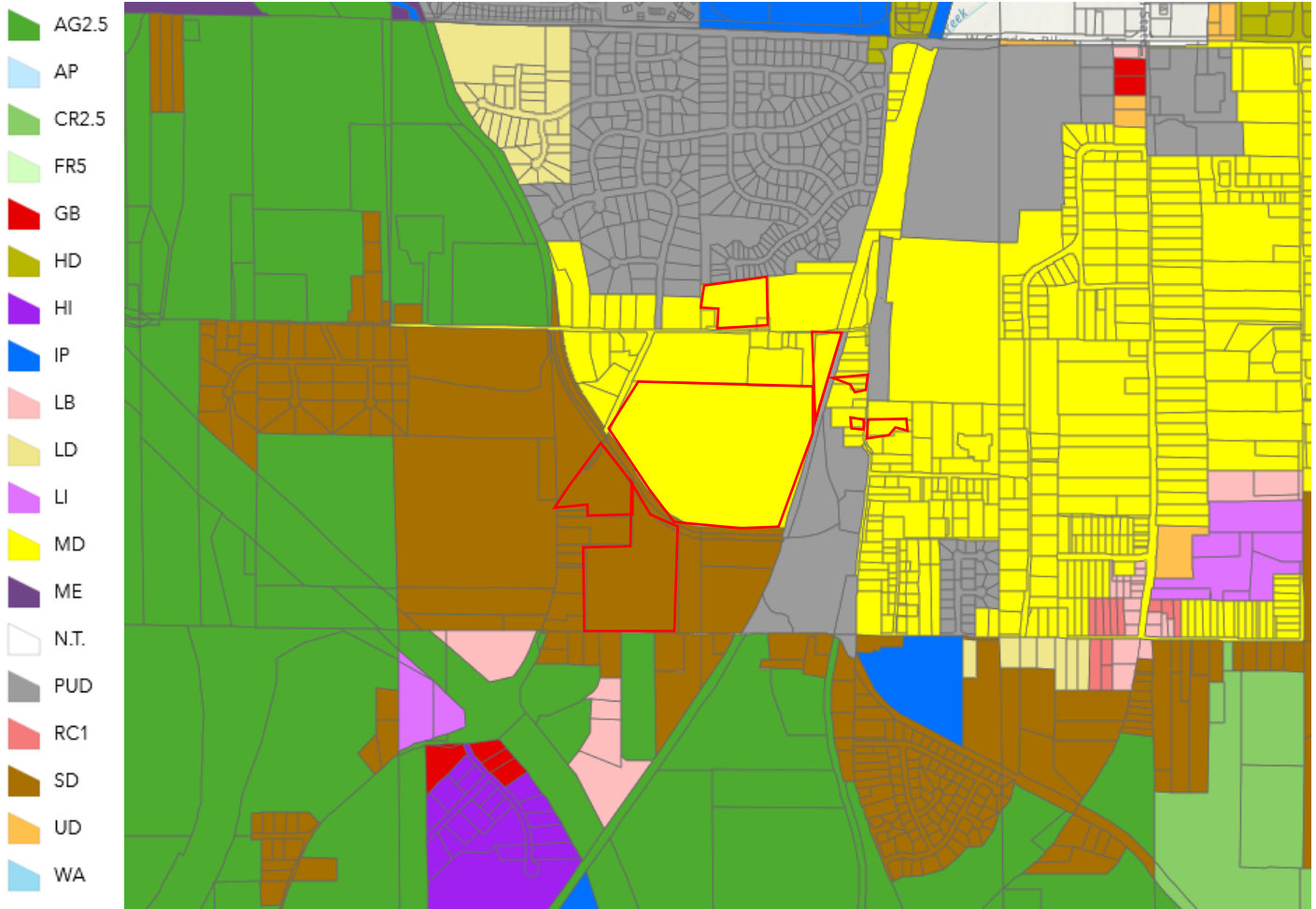
Staff has drafted the CDO map to match the comprehensive plan in this area.

ADDRESS	Proposed Zone / Min Acreage	Existing Zone / Min Acreage	Existing Acreage	Current Use	Comp Plan	Score (0 = strongly dissatisfied, 5= strongly satisfied)	Owner Filling Out Request?
848 W That Rd	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	5.75 ac	Vacant	MCUA Mixed Residential	0	No
555 W That Rd	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	0.22 ac	Mixed use commercial/residential	MCUA Open Space	1	No
4691 S Victor Pike	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	44.07 ac	Residence	MCUA Mixed Residential/Open Space	1, 0	No, No
4888 S Rogers St	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	0.16 ac	Post Office	MCUA Mixed Residential/Open Space	0	No
4878 S Rogers St	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	0.5 ac	Vacant	MCUA Mixed Residential/Open Space	1	Yes
4903 S Rogers St	Medium Density (MD) / likely 0.21 ac	Low Density Residential (LR) / 0.34 ac	1.15 ac	Bed & Breakfast	MCUA Mixed Residential	1	No
4904 S Rogers St	Medium Density (MD) / likely 0.21 ac	Estate Residential 1 (RE1) / 1 ac	0.15 ac	Retail (Stella's Place Furniture)	MCUA Mixed Residential/Open Space	0	No
1250 W Church LN	Suburban Density (SD) / likely 1 ac	Estate Residential 1 (RE1) / 1 ac	16.67 ac	Residence and Stable use	MCUA Employment/Open Space	0	Yes
4835 S Victor Pike	Suburban Density (SD) / likely 1 ac	Estate Residential 1 (RE1) / 1 ac	5.8 ac	Residence	MCUA Employment/Open Space	5	Yes

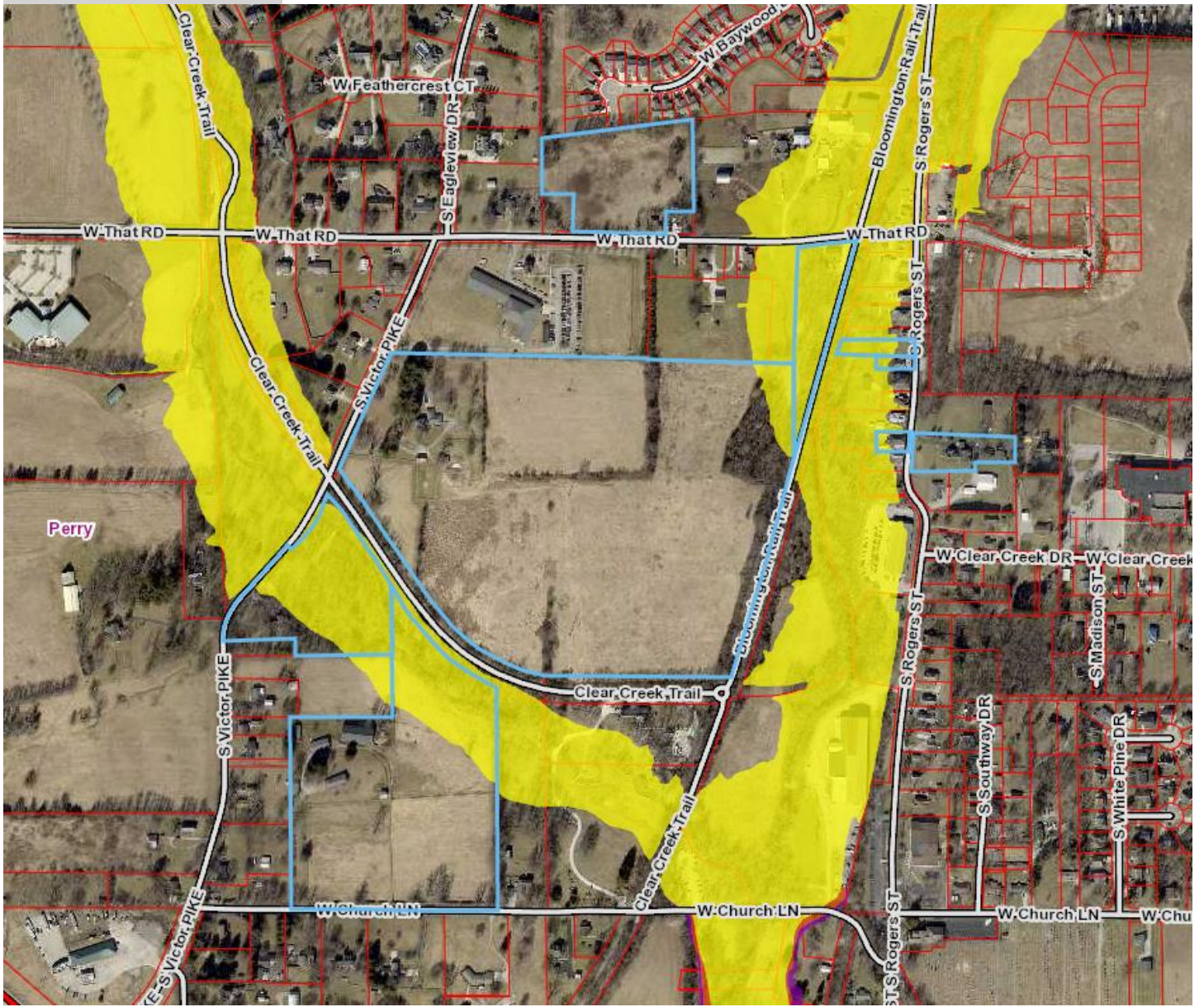
ZONING

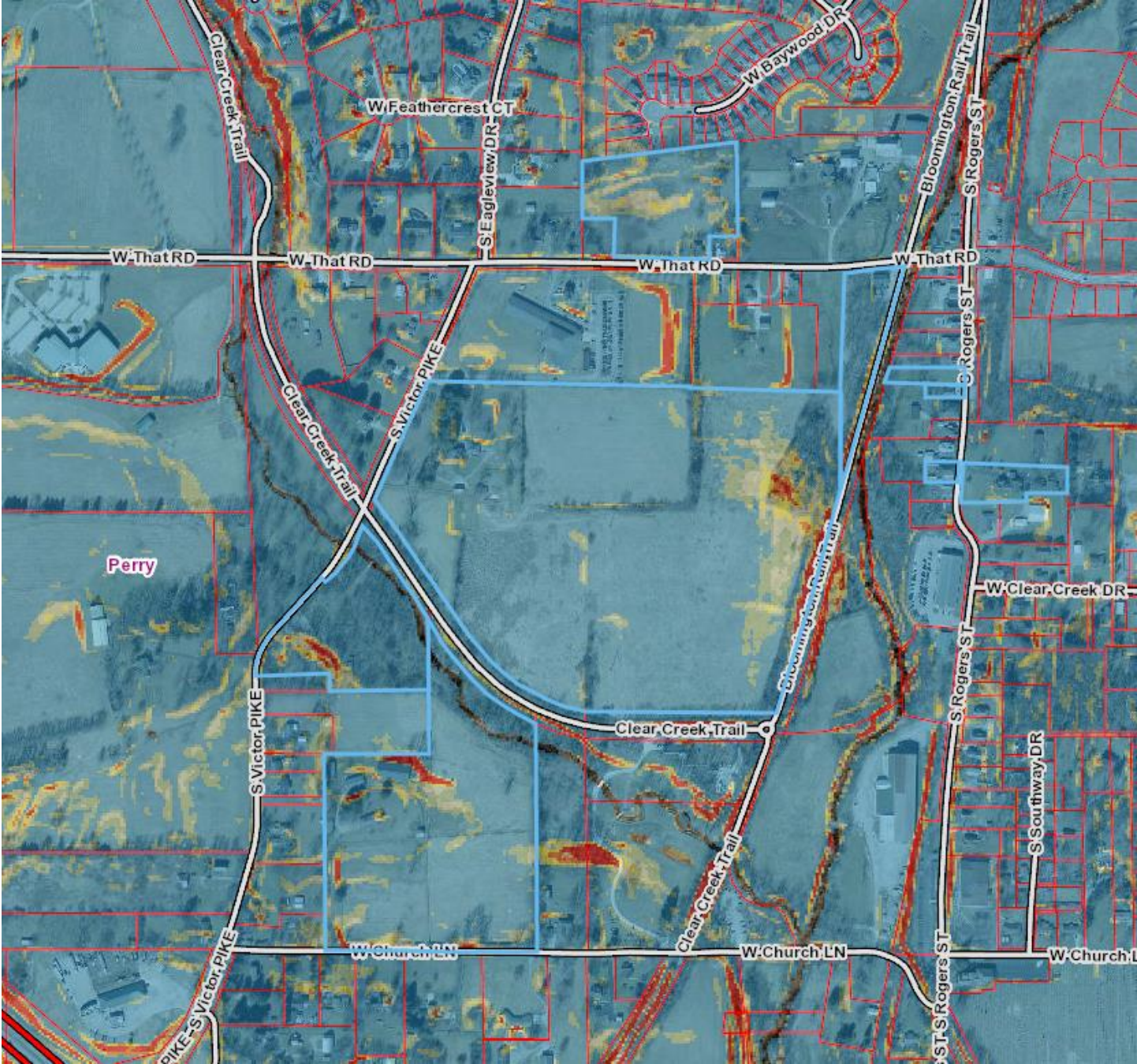


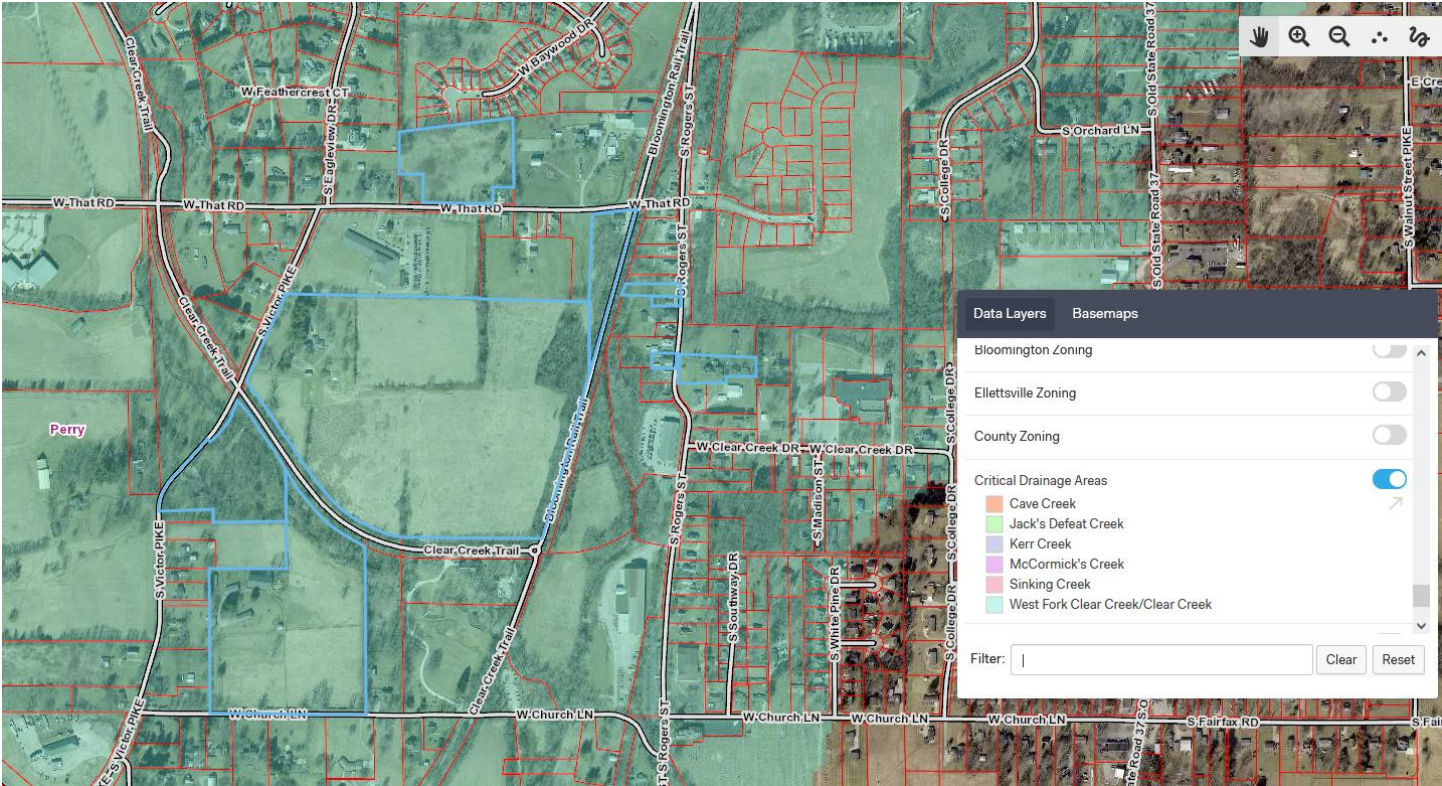
PROPOSED CDO ZONING



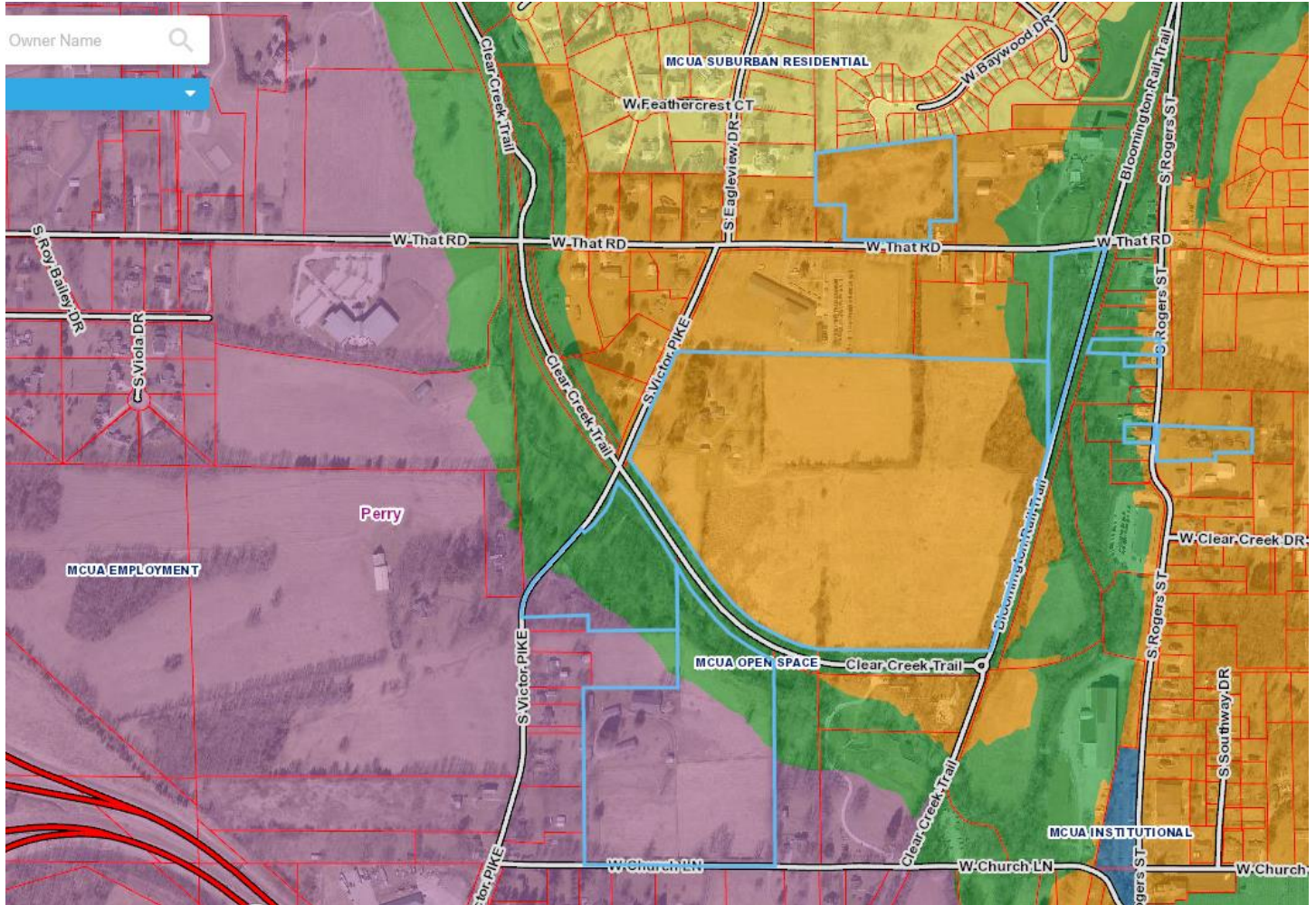
SITE CONDITIONS MAP







COMPREHENSIVE PLAN MAP AND DISCUSSION



MONROE COUNTY URBANIZING AREA PLAN PHASE I: Mixed Residential

The Comprehensive Plan describes Mixed Residential as follows:

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

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

A. Transportation Streets

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

Bike, pedestrian, and Transit modes

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

B. Utilities

Sewer and water

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

Power

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

Communications

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

C. Open space

Park Types

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

Urban Agriculture

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

D. Public Realm Enhancements

Lighting

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

Street/Site furnishings

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

E. Development Guidelines

Open Space

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

Parking Ratios

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

Site design

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

Building form

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

Materials

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

Private Signs

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

5.1.8 PARKS AND OPEN SPACE

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 the 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.

5.1.4 EMPLOYMENT

EMPLOYMENT-ORIENTED USES INCLUDE LIGHT INDUSTRIAL, MANUFACTURING AND ASSEMBLY, RESEARCH AND DEVELOPMENT FACILITIES, FLEX/OFFICE SPACE, CONSTRUCTION TRADES, WAREHOUSING AND OTHER TYPES OF COMMERCIAL USES THAT MAY NOT BE EASILY INTEGRATED INTO A MIXED-USE ENVIRONMENT.

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

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

A. TRANSPORTATION

STREETS

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

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

FREIGHT

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

BIKE, PEDESTRIAN, AND TRANSIT MODES

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

B. UTILITIES

SEWER AND WATER

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

POWER

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

COMMUNICATIONS

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

C. OPEN SPACE

PARK TYPES

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

URBAN AGRICULTURE

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

D. PUBLIC REALM ENHANCEMENTS

WAYFINDING

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

LIGHTING

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

STREET/SITE FURNISHINGS

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

E. DEVELOPMENT GUIDELINES

OPEN SPACE

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

PARKING RATIOS

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

SITE DESIGN

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

BUILDING FORM

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

OFFICE

- + THREE STORY
- + SMALL OFFICES
- + CORRIDOR USE
- + +/-25,000 SF TOTAL
- + +/-70 PARKING SPACES



FIGURE 5.9: EMPLOYMENT ONE ACRE SCENARIOS



INDUSTRIAL/FLEX

- + ONE STORY
- + HIGH BAY CONSTRUCTION
- + FRONT OFFICE COMPONENT
- + +/-12,000 SF TOTAL
- + PARKING AND LOADING VARIES

MATERIALS

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

PRIVATE SIGNS

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

Survey Feedback

CreationDate	Name	Property Address	Please rate your level of satisfaction with the proposed zoning for your property:	Additional comments about the proposed zoning on your property:
9/3/2021 15:58	Dave and Patty Busch	1250 W. Church Lane Bloomington, IN 47403	Strongly_dissatisfied	Prefer AG! Currently keep our horses and donkey. This property has been successful as a boarding & training facility. We would like to keep those options available.
10/1/2021 20:46	Guy R Loftman	4835 S. Victor Pike	Strongly_satisfied	RE-1 and the replacement Suburban Residential both have appropriate lot sizes for this rural area. I am sending an email about the unsatisfactory MR proposal concerning the adjoining parcel at 4691 S. Victor Pike.
10/5/2022 8:08	Tamby Wikle Cassady	4888 S Rogers Street Clear Creek, IN 47426	Strongly_dissatisfied	This is the post office that has been at this location for 150+ years and should be zoned as some level of business
10/5/2022 8:16	Tamby Wikle Cassady	4904 S Rogers Street, Bloomington, IN	Strongly_dissatisfied	This is a business use. Stella's Place sells antiques. It was a general store before that and the odd fellows lodge 100 years ago. So it's use is business related and should be able to continue forward as such, not residential.
10/5/2022 8:20	Tamby Wikle Cassady	4905 S Rogers Street, Bloomington, IN	Dissatisfied	This is the Wampler House bed and breakfast. Zoning needs to more accurately reflect this as a business.
10/5/2022 8:56	Tamby Wikle Cassady	4691 S Victor Pike	Strongly_dissatisfied	Too high of density for the area - rejected by Commissioners already
12/7/2022 0:02	Tamby Wikle-Cassady	4888 S Rogers Street Clear Creek, IN 47426	Strongly_dissatisfied	This location has been the business for the US Post Office since 1870 and should be zoned accordingly. There are other businesses along this street in the area of Old Clear Creek that should also be zoned according to their use.
12/7/2022 0:05	Tamby Wikle-Cassady	4878 S Rogers Street Bloomington, IN 47403	Dissatisfied	This property should be appropriately zoned to allow parking for the businesses in the area such as the US Post Office and Stellas Place antiques.
12/7/2022 0:08	Tamby Wikle-Cassady	4903 S Rogers Street Bloomington, IN 47403	Dissatisfied	This building is currently and has historically been a business and should be zoned accordingly. It is currently Stellas Place antiques. In the earlier days it was an Oddfellows lodge and a diner.
12/7/2022 0:11	Tamby Wikle-Cassady	4905 S Rogers Street Bloomington, IN 47403	Neutral	I would ask that zoning identify whether the current use as a bed and breakfast is a conforming use for proposed use.
12/7/2022 0:20	Tamby Wikle-Cassady	4691 S Victor Pike Bloomington, IN 47403	Dissatisfied	Not sure why zoning supports a Medium Density here when a proposed plan for this level of density was recently rejected. There was strong support for denial for higher density (medium) density.
12/7/2022 0:21	Tamby Wikle-Cassady	848 W That Rd Bloomington, IN 47403	Dissatisfied	Not sure why zoning supports a Medium Density here when a proposed plan for this level of density was recently rejected. There was strong support for denial for higher density (medium) density.
12/7/2022 0:25	Tamby Wikle-Cassady	555 W That Rd Bloomington, IN 47403	Dissatisfied	Currently mixed use. Residential upper level. Lower level long standing business.

Jacqueline Nester Jelen

From: Guy Loftman <guy@loftmanlaw.com>
Sent: Wednesday, October 6, 2021 6:16 AM
To: Larry Wilson; Jacqueline Nester Jelen; Rebecca Payne; Anne Crecelius; Guy Loftman
Subject: CDO zoning for 4691 S. Victor Pike

Hello Mr. Wilson,

I see I omitted a subject, so I am resending this so people can easily understand my email. Please forward this version instead of the prior one.

Thanks,

Guy Loftman

On Tue, Oct 5, 2021 at 5:42 PM Guy Loftman <guy@loftmanlaw.com> wrote:

Hello Mr. Wilson,

Please forward this email to the members of the Board of County Commissioners and the members of the Plan Commission. It is not intended to be part of any pending agenda item packet.

Thanks,

Guy Loftman

Hello Monroe County Officials and Planning Department Staff,

I went to the virtual meeting on the Comprehensive Development Ordinance on September 30. Anne Crecelius hosted my breakout room. She helped me through the resources and was most patient despite my cross examination.

I ended up very concerned about the proposed massive changes from current zoning of 4691 S. Victor Pike and the other parcels along both sides of That Road from Rogers Street to the Clear Creek Trail, and south of That Road to the Clear Creek Trail. They are marked in yellow on the attached screenshot 15 from the CDO site. They are currently zoned ER-1. The proposed zoning would be MR. Our adjoining property, at 4835 S.

Victor Pike, and the other nearby parcels south of the Clear Creek Trail are all RE-1, and proposed as Suburban Residential, with a 1-acre minimum lot size. Thus some of the property in our neighborhood would remain a minimum 1 acre lot size, while the north east portion would become much denser. I understand that a 0.25 acre lot size or smaller is under consideration. This would radically change the nature of this neighborhood, which has been developed with basically all 1-acre lot minimums ever since the County has handled zoning.

Ms. Crecelius gave two reasons why those changes were proposed.

Sewer access. This portion of land has access to the sewer line running under the Clear Creek Trail. But so does all the other land to the south which drains into the West Fork of Clear Creek. In fact, when the sewer line was constructed a stub was put on the west side of Victor Pike south of the creek. While I certainly don't want to invite allowing higher density south of the Trail, sewer access can't explain why these portions are treated differently.

An existing development map. Ms. Crecelius showed a development map which I haven't been able to find which included 4691 in an area for denser development. But land south of the trail was also designated that way. The Recommended Land Use map for the Rapidly Urbanizing Area, at Page 119 in the Comprehensive Plan on the web, shows all this area as ER. (See screenshot 20.)

In its deliberations on the PUD and rezone petitions for 4691 S. Victor Pike many members of the Plan Commission expressed reservations about intense development of this parcel. As I understood the voting, at one time or another 5 members voted against the proposal, but never at the same time.

When the rezone petition was sent to the County Commissioners without Plan Commission recommendation, it was unanimously rejected. Of course, that doesn't constitute rejection of MR in general; the vote only applied to this petition. But if MR zoning is implemented, the rejected development could be constructed "of right". That would be inconsistent with my understanding of the County Commissioners' decision. They expressed grave doubts about allowing lots this small in this environmentally sensitive, rural area served by a narrow, hilly, curvy country road.

There is widespread citizen opposition to intense development of 4691 S. Victor Pike. 125 people filed remonstrances, of whom 60 live within a half mile of the parcel.

I have looked at other areas in the CDO and see very few changing density so dramatically. All of those appear adjacent to higher density real estate. Residential parcels adjoining 4691 S. Victor Pike are all ER-1.

I understand that a purpose of the recent series of public engagement meetings was to allow the public to have input on issues like this before the ordinance proposal is presented to elected officials. I hope the Planning Department will consider my concerns as the CDO evolves. Please revise the CDO proposal to keep the 1-acre minimum lot size in this neighborhood southwest of That Road and Rogers Street.

Thank you for arranging these public engagement meetings. I found the one I attended very helpful.

Respectfully yours,

Guy Loftman

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

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

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Jacqueline Nester Jelen

From: Patricia Busch <donotreply@wordpress.com>
Sent: Sunday, December 27, 2020 11:57 AM
To: CDO
Subject: [Monroe County CDO] Public Input

Name: Patricia Busch

Email: starfish14@bluemarble.net

Comment: I would like assurance that our property remains undisturbed by growth and density from neighboring property development.

Would you like to add your email to the list to receive updates?: Yes

Time: December 27, 2020 at 4:57 pm
IP Address: 173.243.190.121
Contact Form URL: <https://monroecdo.com/public-input/>

Sent by an unverified visitor to your site.

Jacqueline Nester Jelen

From: Starfish14@Bluemarble.net
Sent: Tuesday, October 5, 2021 7:30 PM
To: lwilson@monroe.in.us; Jacqueline Nester Jelen; Rebecca Payne; guy@loftmanlaw.com; Starfish14@Bluemarble.net
Subject: Module 2 - County Development Ordinance (CDO) Public Engagement Sign Up - August 29, 2021

When I originally signed up for the scheduled meeting, the site included “What questions/concerns do you have?” This is what we submitted and discussed with Rebecca at the Karst Park site.

I’m concerned about density from developments in the Clear Creek area. Density includes more impervious surfaces, removal of green space and mature trees, etc.. This critical watershed is experiencing flooding from climate change and previous developments upstream from direct release of stormwater. Adding further urbanization, even with detention basins, will not adequately protect us or properties downstream from rain events that exceed Q100. We know this from February 2019 and June 2021 and reputable data indicates these weather events will continue and possibly worsen.

Does the County intend to elevate its drainage ordinance so existing property owners along Clear Creek are better protected from flooding?

Will the County consider and enact zoning with less density that works with the land, Clear Creek and residents so that we don’t continue to experience heightened stormwater, flooding and damage?

Lastly, Dave and I submitted a form requesting our property zoning change from proposed Suburban Residential to Agricultural (AG). This would allow the continued use as a horse farm and for future use as such by different owners. Do you have this form we submitted?

We do appreciate the opportunity to provide our input and hope it will be considered.

Best,
Patty and Dave Busch

From: [Jacqueline N. Jelen](mailto:Jacqueline.N.Jelen)
To: Starfish14@Bluemarble.net
Cc: CDO
Subject: RE: CDO
Date: Thursday, February 16, 2023 10:28:22 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Patty –

Yes, you likely spoke with Mark Yates at the time. Chapter 833, RE1 zoning, does permit “Crops and Pasturage” with the following condition below. This seems to match what Mark told you at the time.

We are saving correspondences with the public to share with the Plan Commission. Thank you,

**TABLE 33-2
TABLE OF SPECIAL CONDITIONS FOR PERMITTED USES**

- (1) Livestock shall be permitted only in a pasturage context subject to the following:
- (a) Pasture use shall be limited to one unit per acre of land actually used as pasture and accessible to the livestock. Land with slope in excess of fifteen (15) percent shall not be considered in establishing the livestock limit for a pasture. Animal units per animal shall be determined as follows:
 - All larger animals, including cattle, horses, swine (excluding miniature pigs kept as pets), ponies, etc., 1.0 animal unit
 - Goats, sheep, miniature horses, etc., 0.5 animal unit
 - All smaller animals including fowl, 0.2 animal unit
 - All animals less than 4 months of age shall be calculated at ½ the unit value of their respective category above
 - (b) All other agricultural business involving livestock are prohibited, including but not limited to concentration point, confined feeding, feedlot, feeder pig operation, livestock auction, livestock dealer, sale barn, stockyard, or transfer station.
 - (c) Livestock shall not be kept on any parcel of less than five (5) acres in area and 300 feet in width, except that chickens and ducks may be kept within the density limits on parcels of two (2) acres or more.
 - (d) Structures containing livestock or livestock waste shall meet the following minimum setbacks:

Front	75 feet
Side	50 feet
Rear	75 feet

Jackie N. Jelen, AICP
Director
Monroe County Planning Department
501 N. Morton St., Suite 224
Bloomington, IN 47404
jnester@co.monroe.in.us
Phone: (812) 349-2560

From: Starfish14@Bluemarble.net <Starfish14@Bluemarble.net>
Sent: Monday, February 13, 2023 7:42 PM
To: [Jacqueline N. Jelen](mailto:Jacqueline.N.Jelen) <jnester@co.monroe.in.us>
Subject: RE: CDO

Thank you for your response and instructions for map usage, very helpful.

I don't remember seeing a map indicating our zoning as AG/RR. Rather, shortly before purchasing this property, we asked planning if we were permitted to operate a boarding and training facility here. I spoke to “Mark” who seemed well versed in this area. As I recall he said this was AG/RR, that we were allowed to have up to 16 horses (16 units per acre, he said) and we were not allowed to operate as a sales barn or a stock yard. I will investigate our files and see if I can find anything written that indicates AG/RR zoning prior to RE1 if that would be helpful.

I know the two owners prior to us had horses here.

Best,

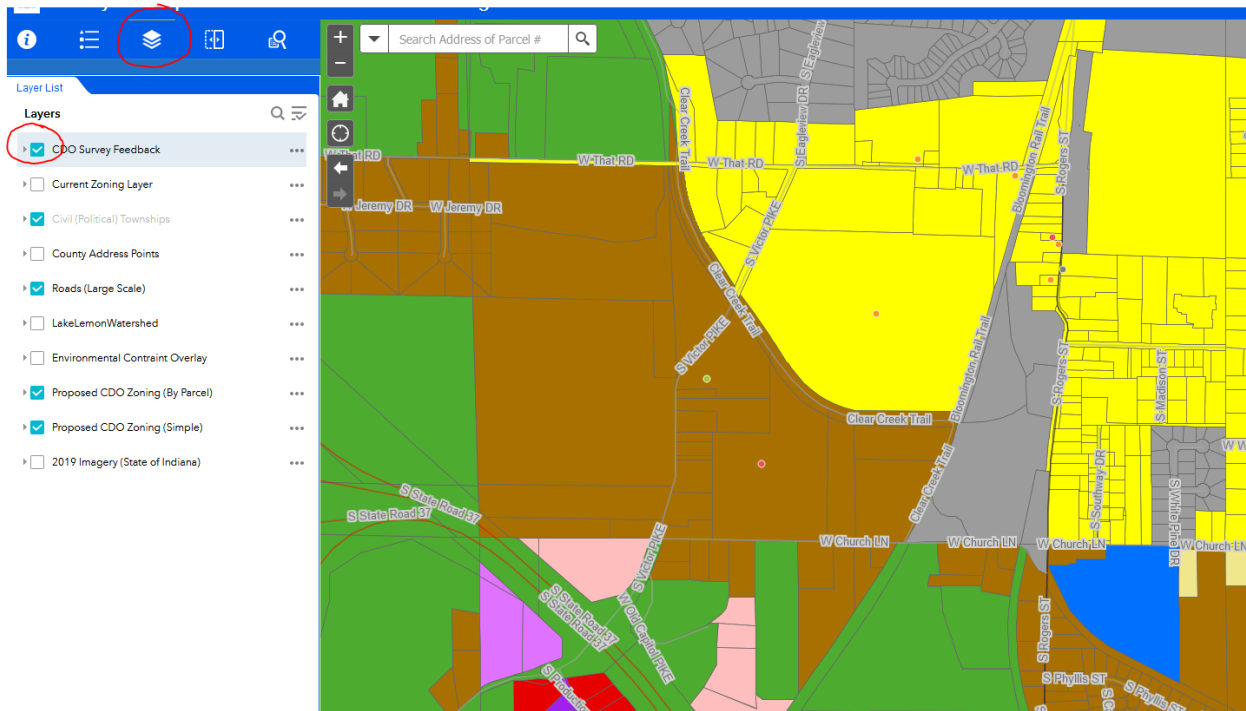
Patty

p.s. I have submitted expanded versions of our CDO survey, the one to you today and one prior to Anne C. Will these be included with our original survey as they aren't included in the current map CDO version?

From: [Jacqueline N. Jelen](mailto:Jacqueline.N.Jelen) <jnester@co.monroe.in.us>
Sent: Monday, February 13, 2023 11:32 AM
To: Starfish14@Bluemarble.net
Cc: CDO <monroecdo@co.monroe.in.us>
Subject: RE: CDO

Hi Patty –

Thanks for your email and we are planning on bringing forward concerns by county residents regarding the CDO zoning map to the Plan Commission, specifically those that have submitted a survey on the CDO website. I do think your request to show side-by-side of proposed vs new zoning would be helpful and we are looking for ways to continue to improve people's understanding of what is changing under the CDO process. I'm hoping you have been able to utilize the online CDO map to toggle the “Current Zoning Layer” and the “Proposed CDO Zoning (By parcel)” layer. Those will give you a snapshot of what is changing. If you need any assistance with accessing the online map, or if you prefer paper maps, our planners in our office would be glad to assist you. In addition, there is a way to see all the surveys that have been submitted by going to the draft zoning map website (<https://arcg.is/1Wra510>) and then turning on the “CDO Survey Feedback” layer. If you press on the color coded dots, you will be able to access other people's survey submission.



I do want to share that your property, in 1997, was zoned as Estate Residential 1 (RE1) – see the map attached. To our knowledge, this has not changed since that time. Can you provide me information on where you found you're your property was once zoned Ag/RR? I believe that under the CDO, there is an opportunity to reconsider the zoning districts and possibly zone this land agricultural as that is how it is being utilized; this is the reason we had you fill out the CDO survey and believe that will be a good starting point to have this conversation with the Plan Commission.

We are planning on discussing the CDO surveys at our Ordinance Review Committee (ORC), which is a subcommittee of the Plan Commission. We are going to start this process next month, March 13. The ORC is a public meeting, which means no public comment is taken. However, if we can resolve the issue at ORC with the Plan Commission, it will allow staff to make necessary CDO draft zoning map changes that may not fall in line with the Comprehensive Plan for a certain area. If the issue is not resolved at the ORC, the survey request will then go onto the Plan Commission. We have not yet done this so the process is still being solidified as these technically are not rezoning requests as much as CDO review changes.

Please let me know if you have further questions.

Thank you,

Jackie N. Jelen, AICP
 Director
 Monroe County Planning Department
 501 N. Morton St., Suite 224
 Bloomington, IN 47404
jjester@co.monroe.in.us
 Phone: (812) 349-2560

From: Starfish14@Bluemarble.net <Starfish14@Bluemarble.net>
Sent: Sunday, February 12, 2023 2:59 PM
To: Jacqueline N. Jelen <jjester@co.monroe.in.us>
Subject: CDO

Dear Jackie,

I am forwarding this email to you for consideration. Since I do not have access to the County Plan Commission members email addresses, would you please forward the following to them?

Thank you in advance.

Dear Plan Commission,

As a resident of Monroe County for over thirty years, I would like to express my concerns about the proposed CDO.

Our property of 16+ acres was zoned as AG/RR in 1999, then changed to RE1, and now is proposed as Suburban Residential. If zoned as such, when our ownership ends, permitted usage of this property as a horse farm/equestrian center also ends. The CDO, as presented in draft form, will replace 16 horses in a pastoral setting to 16 structures (or more?) with all the impervious surfaces that accompany them. Properties to our north will increase to Medium Density.

I'm concerned by the increased density proposed within the new CDO and how it will adversely affect the Clear Creek area. Density includes more impervious surfaces, removal of green space and mature trees, etc. This critical watershed is experiencing flooding from climate change and previous development upstream from direct release of stormwater. Adding further urbanization, even with detention basins, will not adequately protect us or properties downstream from rain events that exceed Q100. We know this from February 2019 and June 2021 flooding (pictures available upon request) and reputable data indicates these weather events will continue and possibly worsen. Does the county intend to elevate its drainage ordinance so existing property owners along Clear Creek are better protected from flooding? Will the county consider and enact zoning that works with the land, creeks and residents so that we don't continue to experience heightened stormwater, flooding and damage?

I would like to request a side-by-side comparison of all proposed changes from the existing CDO to the new CDO. Handouts have been provided by planning staff showing proposed draft map zoning changes. These have been very helpful. It would also be informative to view surveys submitted by other county residents. These suggestions keep the public in the loop and provide transparency of process.

In closing, I find the push for excessive development in the county very disturbing. Within 20 years, our taxes have more than doubled, include stormwater fees, while we experience property damage and loss of land usage due to flooding.

Respectfully,

Patty Busch
 1250 W. Church Ln.