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2019 MAY 21 P 2:44

ORDINANCE NO. 2019-17

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM R3U TO NBU

CINDY MURRAY

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA:**

Section I: The Unified Zoning Ordinance Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township Tippecanoe County, Indiana, to-wit:

Lot Number Sixty (60) in Henry Ensminger's Addition to the Town, now City, of Lafayette, Indiana, known as Ensminger's "old or Original Plat", as recorded in Deed Record F, page 245, and in the re-platting of said addition as shown in Deed Record, Page 95, said addition being platted on part of the east fractional of the northwest quarter of Section Twenty-nine (29), in Township Twenty-three (23) North, of Range Four (4) west. Located in Tippecanoe County, Indiana.

Commonly known as: 522 Wabash Ave, Lafayette, IN 47905

Section II: The above described real estate should be and the same is hereby rezoned from R3U to NBU.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, THIS DAY OF _____, 20__.

_____, Presiding Officer

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the _____ day of _____, 20__.

Cindy Murray City Clerk

This Ordinance approved and signed by me on the _____ day of _____, 20__.

ATTEST:

Tony Roswarski, Mayor

Cindy Murray, City Clerk

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

May 16, 2019
Ref. No.: 2019-119

Lafayette City Council
20 N. 6th Street
Lafayette IN 47901

CERTIFICATION

RE: Z-2761 JEFFERY A. ISOM for JAI HOLDINGS, LLC (R3U to NBU):
Petitioner is requesting rezoning of one lot located at the corner of Wabash Avenue and Green Street, more specifically, 522 Wabash Avenue, Lafayette, Fairfield 29 (NW) 23-4.

Dear City Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on May 15, 2019 the Area Plan Commission of Tippecanoe County voted 15 yes - 0 no on the motion to rezone the subject real estate from R3U to NBU. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette City Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette City Council at their June 3, 2019 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

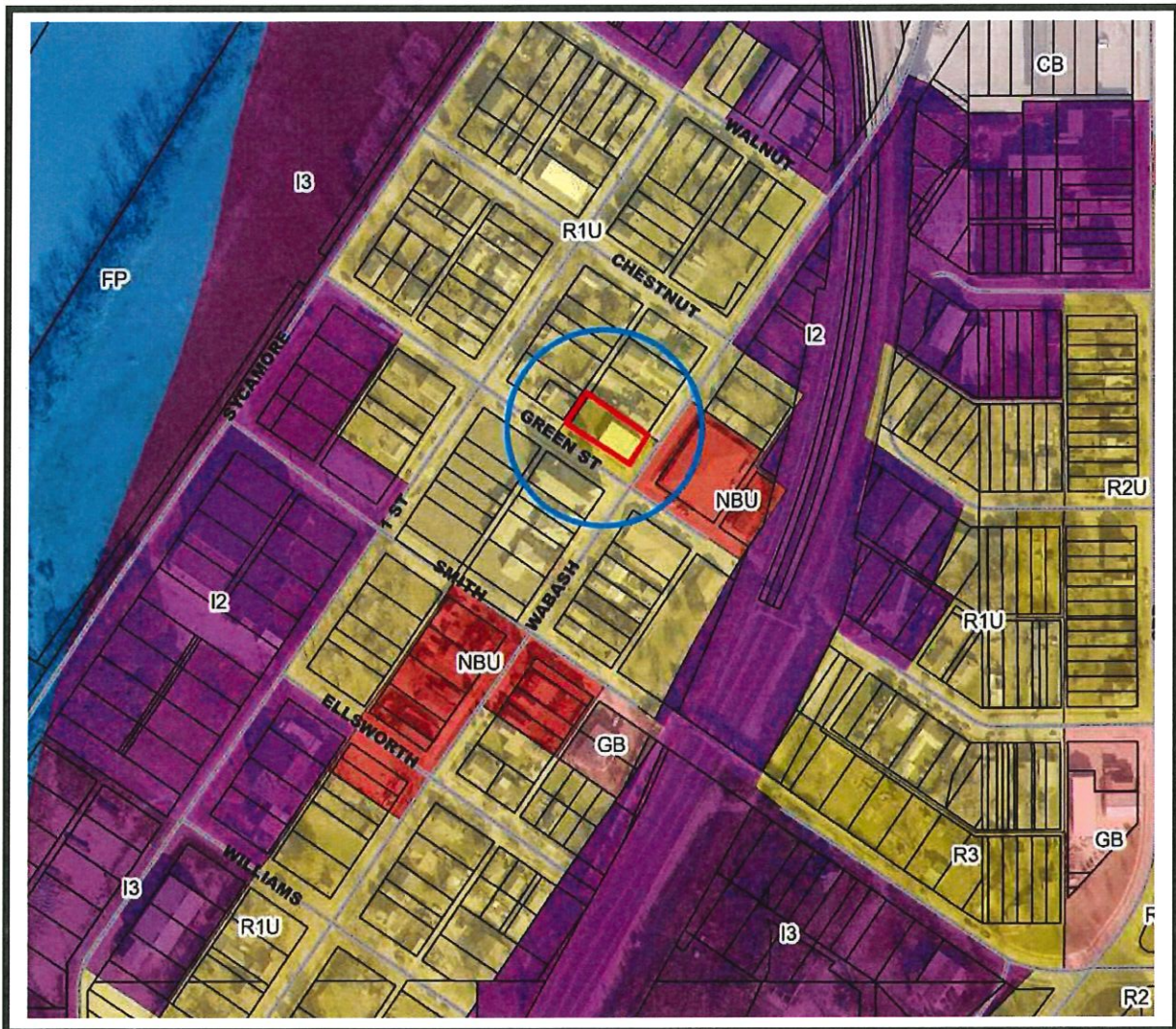
SDF/kl

Enclosures: 12 Staff Reports & 2 Ordinances

cc: Jeffery A. Isom, petitioner
Sarah Wyatt, attorney
Dave Griffiee, Zoning Enforcement Officer

Z-2761
JEFFERY A. ISOM FOR JAI HOLDINGS, LLC
(R3U to NBU)

STAFF REPORT
May 9, 2019



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Sarah Wyatt of Ball Eggleston, is requesting rezoning of one lot located at the corner of Wabash Avenue and Green Street, more specifically 522 Wabash Avenue, Lafayette, Fairfield 29 (NW) 23-4. Petitioner is proposing to use the existing building for personalized baseball instruction (SIC 7999).

ZONING HISTORY AND AREA ZONING PATTERNS:

The site was rezoned from R1U to R3U in 2011 (Z-2468). A petitioner at that time proposed to convert the existing building into multi-family residential units but this was never done. The Wabash Avenue Neighborhood is primarily zoned residentially and industrial, but there are a few places zoned for business within the corridor. Earlier this year the property across Wabash from the site in question was rezoned from I1 and R1U to NBU, (Z-2755). Land to the north, west and south is zoned R1U, Single-family Residential, Urban. A few blocks south on the corner of Wabash and Ellsworth, Harvest Chapel coffee shop successfully rezoned two lots from R1U and GB to NBU in 2010, (Z-2423 and 2424).

AREA LAND USE PATTERNS:

The original brick storefront on site has approximately 2800 square feet of ground floor. A one-story expansion was later added to the north and west sides of the structure. The original building plus this addition covers the entire lot, approximately 7000 square feet. The original building user was Oscar Winski, since then it has been used as a small grocery and warehouse, but the building has been unoccupied for some time.

South across Green Street is St. Ann's Church with its social hall across Wabash Avenue. Directly east across Wabash is a restoration and remodeling business. Single-family homes are adjacent to the site to the north and west.

TRAFFIC AND TRANSPORTATION:

Wabash is classified as an urban secondary arterial and Green is classified as a local urban road in the adopted *Thoroughfare Plan*. Traffic counts taken on Wabash Avenue in 2018 indicate that 1744 vehicles drive the Avenue daily.

The western portion of the building has an overhead garage door that could be used to access indoor parking. Any required parking for the proposed use will be reviewed by the Lafayette Engineer's office at the permit stage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

According to the Lafayette City Engineer's office, sewer and water are available at this site. If rezoned, no buffering is required by the ordinance.

STAFF COMMENTS:

Petitioner is proposing to use the existing unoccupied building for baseball training classes (SIC -7999, indoor). This use has a footnote in the use table limiting the use to a maximum gross floor area of 5000 square feet. The high ceiling in the existing structure will allow petitioner to coach players in an indoor environment throughout the year. Though the existing building was rezoned in 2011 to R3U for a multi-family conversion the proposed development never materialized. Repurposing the vacant commercial building at this location will add additional activity to the area.

The requested NBU zone is a good fit for this building since it was built to commercial urban development standards (0' front and side setbacks and a reduced parking requirement).

Staff supports the continued redevelopment of Wabash Avenue. The City of Lafayette is encouraging infill as it is more efficient to use existing infrastructure already in place versus expanding infrastructure to undeveloped areas of the community. Repurposing commercial buildings within the urbanized area allows various businesses to locate in older historic neighborhoods. Staff continues to support repurposing underutilized commercial structures that encourage neighborhood revitalization.

STAFF RECOMMENDATION:

Approval