

FILED
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2020 MAR 16 P 3:27

ORDINANCE NO. 2020-10

CINDY MURRAY

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM R2 TO NBU

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

Section I: The Unified Zoning Ordinance of 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:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned from R2 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 _____, 2020.

Nancy Nargi, Presiding Officer

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the _____ day
of _____, 2020.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on the _____ day of _____, 2020.

Tony Roswarski, Mayor

Attest:

Cindy Murray, City Clerk

Legal Description, 106 S 16th St, Lafayette IN 47905:

Lots numbered 51 and 52 in Oakland as laid out by John Taylor on a part of the East half of the Northwest Quarter of Section 28, Township 23 North, Range 4 West. Located in Fairfield Township, Tippecanoe County, Indiana.

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

February 20, 2020
Ref. No.: 2020-69

Lafayette Common Council
20 N 6th Street
Lafayette, IN 47901

CERTIFICATION

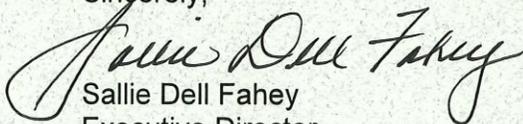
RE: Z-2785 ELLIOT ROSE, LLC d/b/a FUEL COFFEE SHOP (R2 to NBU):
Petitioner is requesting rezoning of two lots located a block south of the Five Points intersection, on the southwest corner of Alabama and S. 16th Streets, specifically 106 S. 16th Street, Lafayette, Fairfield 28 (NW) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on February 19, 2020, the Area Plan Commission of Tippecanoe County voted 9 yes - 0 no on the motion to rezone the subject real estate from R2 to NBU. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common 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 Common Council at their March 2, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Colleen Mathews, Elliot Rose, LLC
Stewart Kline, STUZIEQ, LLC

Z-2508
ELLIOT ROSE, LLC D/B/A FUEL COFFEE SHOP
R2 TO NBU

STAFF REPORT
February 13, 2020

Z-2508
Elliot Rose, LLC d/b/a Fuel Coffee Shop
R2 TO NBU

Staff Report
February 13, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent from the owner, is requesting a rezoning from R2 to NBU of lots 51 and 52 in Oakland Addition Subdivision. The site is located at the southwest corner of Alabama and S. 16th Streets, more specifically 106 S. 16th Street, Lafayette, Fairfield 28 (NW) 23-4.

If the request is approved, petitioner plans to repurpose the existing historically significant building as a new location for Fuel Coffee Shop as well as residential apartments (one behind the coffee shop and the second above the commercial ground floor) at this location.

ZONING HISTORY AND AREA ZONING PATTERNS:

The earliest zoning maps for the Valley Center neighborhood shows residential zoning. The land in this request, along with the adjoining properties to the west and south are zoned R2. Properties to the north across Alabama Street are zoned General Business whereas, land to the east across S. 16th is zoned R2.

The subject property is in the *5Points* revitalization plan identified by the City as the convergence of several historic neighborhoods with high redevelopment potential. In 2018, the City released the final study with recommended growth opportunities in the area.

AREA LAND USE PATTERNS:

The site housed an engineering consultants' business (H. Stewart Kline & Associates Inc.) for decades. The Sanborn map from 1956 shows an office building at this location. Commercial uses are prominent north of Alabama, along South, 18th and Main Streets. Tyrie Mower Repair is to the south across the alley. Bar Barry Liquors is at the northeast corner of Alabama and S. 16th Street. A retail strip center (the former location of Kathie's Homemade Kandies) north of Alabama Street has Nana's Workshop, J&S Sports Cards, and 7 Sins Lafayette. Evergreen Wesleyan Church is farther to the south at Grove Street. Single and two-family homes are still dominant uses in the Valley Center neighborhood.

According to the Assessor's records, a 2,610-sq. ft. one-story addition was added to the original two-story residential structure in 1970. The residential portion of the structure was constructed in 1910 and is considered historically significant per the *5Points* document.

TRAFFIC AND TRANSPORTATION:

Both Alabama and 16th Streets are classified as urban local roads. A graveled parking lot on site has access from the alley. If approved, petitioner must comply with all the applicable requirements of the ordinance before acquiring a change of use permit from the city.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City sewer and water serve the site. No bufferyard is required between NBU and R2 zoning.

STAFF COMMENTS:

Petitioner plans to relocate Fuel Coffee Shop from its current location on Main Street to the site in this request. The previous business was considered legally nonconforming until it closed a few years ago. Currently, a purchase agreement contingent on rezoning of the property is in place.

Non-residential use of any property with residential zoning is severely limited. Additionally, no structural work could be done to this building if it is damaged. The *5Points* study has identified the building on site as a historically significant structure. Allowing the adaptive reuse of historic buildings aid in the preservation of local architecture valued by the community. Petitioner has confirmed that they are working with the City Engineer’s office to identify and address building compliance requirements.

While a coffee shop may generate more traffic (both pedestrian and vehicular) unlike the previous office use, popular public interaction spaces, close to residential neighborhoods are known to improve the quality of life in the neighborhood. Despite gradual commercialization of Main, South and 18th Streets, there are limited prepared food options nearby to serve the residential population. Approving this rezone for Fuel Coffee Shop may address the “food desert” concerns in the area. Staff can support this request because both historical data (Sanborn Map) and future projection (*5Points*) for the subject property indicates a commercial use for the site.

STAFF RECOMMENDATION:

Approval