

ORDINANCE NO. 2019-11

CINDY MURRAY

AN ORDINANCE TO AMEND TH ZONING ORDINANCE OF TIPPECANOE COUNTY,
INDIANA, TO CERTAIN REAL ESTATE FROM **NB** TO **R1U**

**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 **NB** to **R1U**.

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

**PASSE AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA, THIS DAY OF _____, 2019.**

Ron Campbell, Presiding Officer

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the _____ day of _____, 2019.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on the _____ day of _____, 2019.

Tony Roswarski, Mayor

Attest:

Cindy Murray, City Clerk

EXHIBIT A-

Lots numbered Two (2), Three (3) and fractional Lot numbered Four (4) in John L. Reynolds Addition to Oakland, now a part of the City of Lafayette, Tippecanoe County, Indiana, platted upon part of Lots numbered Seven (7) and Eight (8) in Runnion and Phares Addition to Out Lots to the Town, now City of Lafayette, Indiana, as platted upon part of the West Half of the Northeast quarter of Section Twenty-eight (28) in Township Twenty-three (23) North, Range Four (4) West.

EXCEPT a part of Lots numbered Two (2) and Three (3) and fractional Lot Four (4) in John L. Reynolds Addition to Oakland, now a part of the City of Lafayette, described as follows:

Beginning on the southerly side of Main Street at a point fifty-eight (58) feet southeasterly from the northeast corner of Lot Three (3) in said Reynolds Addition; thence southeasterly along the southerly side of Main Street to the southeast corner of fractional Lot Four (4) in said Addition a distance of one hundred twelve and one-half ($112\frac{1}{2}$) feet; thence west along the south line of lots four (4), Three (3) and two (2) in said Addition a distance of one hundred seventy seven and $\frac{5}{10}$ (177.5) feet, which point is nineteen and five tenths (19.5) feet west of the southeast corner of aforesaid Lot Two (2); thence northeasterly one hundred thirty seven and $\frac{25}{100}$ (137.25) feet to the place of beginning.

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

March 21, 2019
Ref. No.: 2019-069

Lafayette Common Council
20 North Sixth Street
Lafayette, Indiana 47901

CERTIFICATION

RE: Z-2757 LISA BECKER (NB to R1U):

Petitioner is requesting rezoning of a lot with a nonconforming residence located on the southwest side of Main Street between Shortridge Drive and S. 18th Street, specifically 1825 Main Street, in Lafayette, Fairfield 28 (NE) 23-4.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 20, 2019 the Area Plan Commission of Tippecanoe County voted 15 yes - 0 no on the motion to rezone the subject real estate from NB to R1U. 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 its April 1, 2019 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

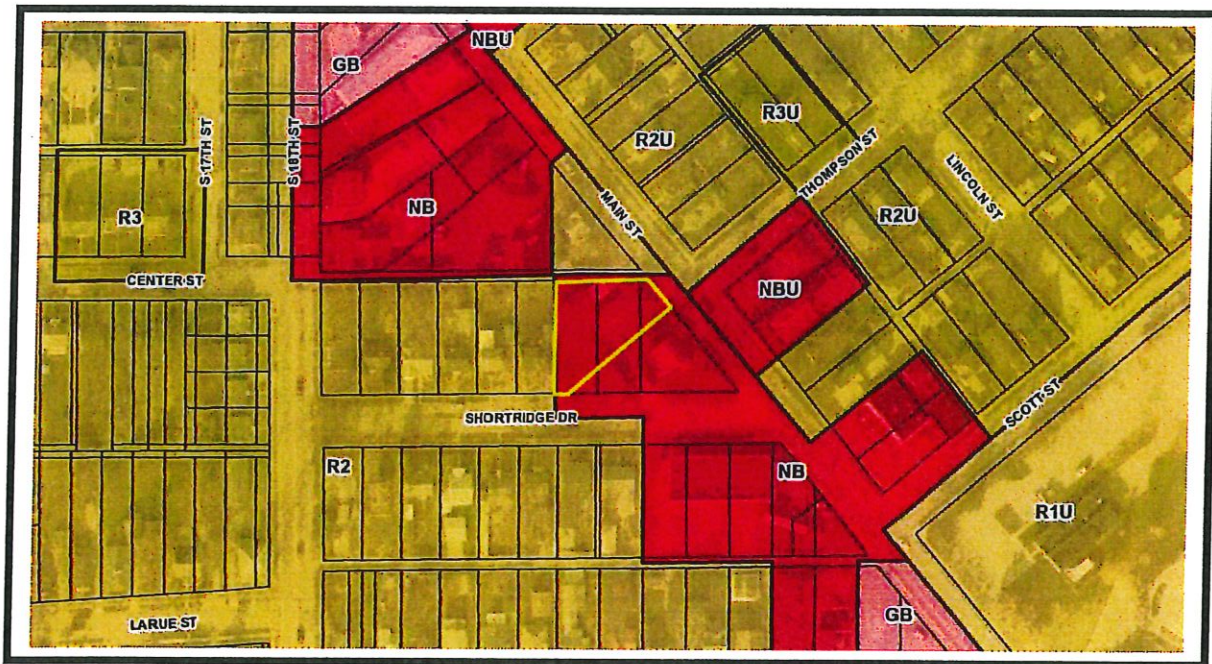
SDF/kl

Enclosures: Staff Report & Ordinances

cc: Lisa Becker, petitioner
Mikel & Kathleen Hudson, owners
Jeromy Grenard, Lafayette City Engineer

Z-2757
LISA BECKER
(NB to R1U)

STAFF REPORT
March 14, 2019



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent from the owner, is requesting rezoning of a lot with a nonconforming residence located on the southwest side of Main Street between Shortridge Drive and S. 18th Street, specifically 1825 Main Street, in Lafayette, Fairfield 28 (NE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property is currently zoned NB, Neighborhood Business. The oldest zoning maps show this property as being zoned R2. In 2002 the house was rezoned to NB to allow its conversion into a therapist's office (Z-2104). At that time staff recommended approval of the request because it was consistent with adjacent zoning on the southwest side of Main Street.

Except for a neighboring lot, all properties on the southwest side of Main Street are zoned NB or GB from 18th Street to the Congress Street intersection. These lots have never been included in a neighborhood rezone which would have likely added the Urban (U) zone designation. Properties to the rear and northwest of the site are zoned R2. Land on the northeast side of Main is zoned R2U or NBU from 18th Street to Scott Street at the edge of Columbian Park. The properties on the northeast side of Main Street were part of the Columbian Park neighborhood plan.

AREA LAND USE PATTERNS:

This house was built as a single-family residence in 1930 and expanded in 1953. Properties on both sides are used residentially. Main Street has a mix of commercial uses that front the corridor. Most of the small commercial uses found in converted houses are locally owned businesses. A few of the uses along Main are a rent-to-own appliance dealer, a cell phone store and a convenience store.

This site was part of the study area of the *5 Points Plan*, completed in 2018 by the City of Lafayette. The plan identifies this site for preservation of existing structures and uses. The home adjacent to the southeast is identified as being a *Notable Residential Structure*. These two homes are classified as *Neighborhood Character-Defining Area*, which is a classification based on the physical characteristics of the buildings.

TRAFFIC AND TRANSPORTATION:

This site fronts on Main Street, an urban primary arterial. This home currently has a driveway on the alley that runs along the northern property line. The setback along Main

Street in the NB zone is 60', if this rezone is approved it would be reduced to 15' with the option of averaging to 10' to mirror existing setbacks within the blockface.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by city utilities. A bufferyard is not required.

STAFF COMMENTS:

Petitioner has been living in this home while buying it on contract. She would like to purchase this site and occupy it as a single-family home for herself. Her bank is requiring that the house be a conforming use prior to obtaining a mortgage. NB zoning does not permit single-family homes. The structure was built as a residence over 80 years ago. The style of the home is still attractive today and is an example of a type of home that the *5 Points Plan* believes provides character to the area. City staff supports this request because it is consistent with the long-range land use and development recommendations from the *5 Points Plan*.

Based on the maps in the city's plan, this site is in the Neighborhood Stabilization Zone. "This zone is characterized primarily by residential single-family housing and small pockets of multi-family housing. As of the publishing of the *5 Points Plan* in February of 2018, the occupancy of the structures is as follows, 63% renter-occupied, 28% owner-occupied and 9% vacant. The housing stock is in relatively good condition with moderately few derelict houses and empty lots." Staff believes this request helps achieve some of the goals of the city's plan which are to attract additional residences to a revitalized Five Points area by improving public infrastructure, continuing to develop high-quality public schools, providing proximity to downtown and employment centers and having an affordable housing stock.

Even though the *5 Points Plan* is not part of the adopted *Comprehensive Plan*, it recommends using existing and low-density residential zoning to help stabilize the area. Area Plan and city staff support this request because it is consistent with long-range land use and development recommendations and it makes the single-family home on site a conforming use once again.

STAFF RECOMMENDATION:

Approval