

2019 NOV 25 2-27-91

CINDY MURRAY

ORDINANCE NO. 2019-32

AN ORDINANCE TO AMEND TH ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA, TO CERTAIN REAL ESTATE FROM NB TO R2-U

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 R2-U.

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.

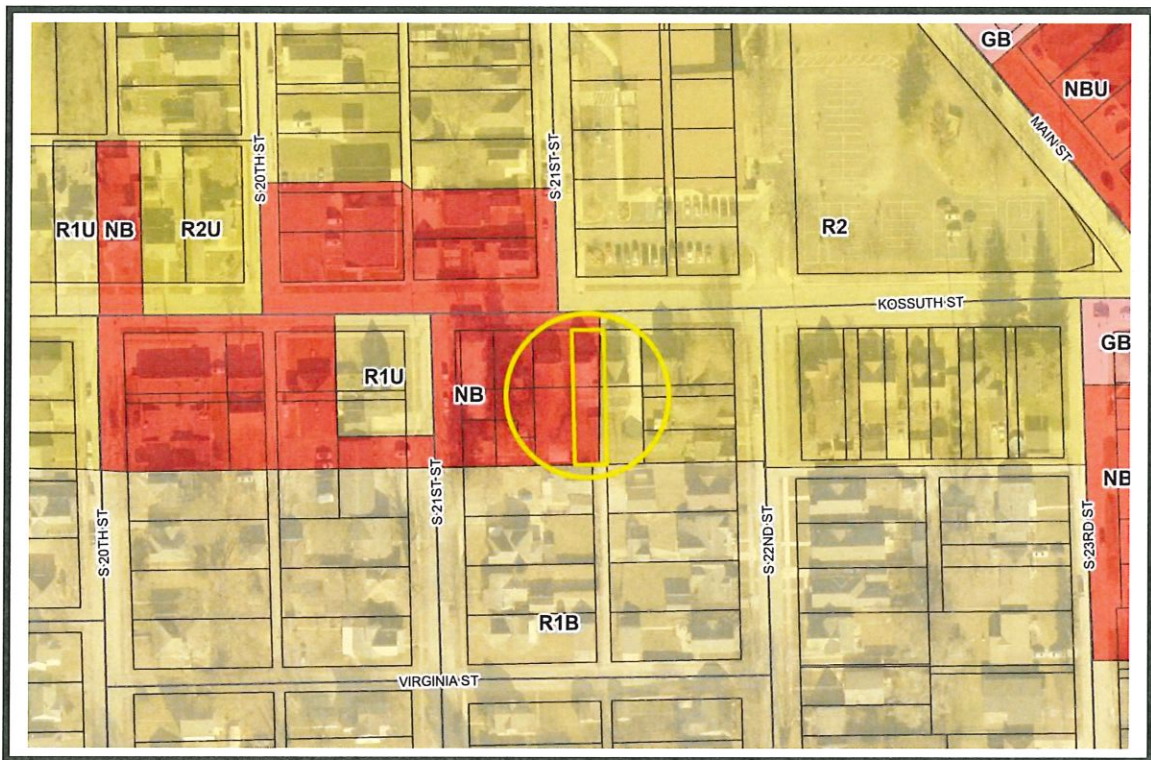
Tony Roswarski, Mayor

Attest:

Cindy Murray, City Clerk

Z-2777
ALEXANDER BOWMAN
(NB to R2U)

STAFF REPORT
November 14, 2019



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Staff Report
November 14, 2019

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is requesting rezoning of a lot located between S. 21st and S. 22nd Streets, on the south side of Kossuth Street, specifically, 2113 Kossuth Street, Lafayette, Fairfield 28 (SE) 23-4. Petitioner has no plans to convert the existing house to a duplex, he simply wants to make the house conforming to get financing for some interior work.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is currently zoned NB, Neighborhood Business as is property adjacent to the west and northwest; land to the north and east is zoned R2, Single and Two-family Residential while lots adjacent to the south are zoned R1B.

This is the fourth request from NB, Neighborhood Business to a residential zone within this two block stretch of Kossuth Street in the last five years:

- Z-2604, NB to R1U at 1918 Kossuth Street, February 2015;
- Z-2624, NB to R2U at 1926-1930 Kossuth Street, August 2019;
- Z-2774, NB to R1U at 2049 Kossuth Street, September 2019; and now
- petitioner's request for R2U zoning at 2113 Kossuth Street.

Prior to these rezones, this Neighborhood Business zoning pattern remained unchanged from as early as the 1968 Lafayette zoning map but zoned LB, Local Business. At that time, under the previous 1965 zoning ordinance, residences were a permitted use in the LB zone. When NUZO was adopted in 1998, LB became Neighborhood Business and residential uses were no longer permitted making any residences located in the NB zone nonconforming.

AREA LAND USE PATTERNS:

There is a house and a detached garage on the site in question. Surrounding land uses are mostly residential; however, there are scattered small businesses within these NB-zoned blocks. Oakland Elementary School is across Kossuth Street to the northeast, with Columbian Park beyond the school property.

TRAFFIC AND TRANSPORTATION:

Kossuth Street is classified as an urban secondary arterial by the adopted *Thoroughfare Plan*. The detached garage onsite is accessed by an alley running perpendicular to Kossuth Street that dead-ends at petitioner's property.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by city sewer and water.

STAFF COMMENTS:

The site in question is on the eastern end of a small commercial node centered on Kossuth Street west of Oakland School. This node encompasses the subject property and stretches west about 1½ blocks and includes many small businesses and several single and two-family homes. Historically, this node was zoned LB (Local Business), which became NB (Neighborhood Business) with the passage of the new zoning ordinance in 1998. The LB zone permitted small businesses as well as single-family homes by right; however, residences are not permitted in the NB zone.

Because the adjacent properties are zoned R2, R2U zoning is appropriate for this site because the urban designation fits the built environment. R2U zoning permits single-family homes by right. Rezoning petitioner's lot to a residential zone is simply adjusting a zoning boundary that was slightly too expansive decades ago.

STAFF RECOMMENDATION:

Approval