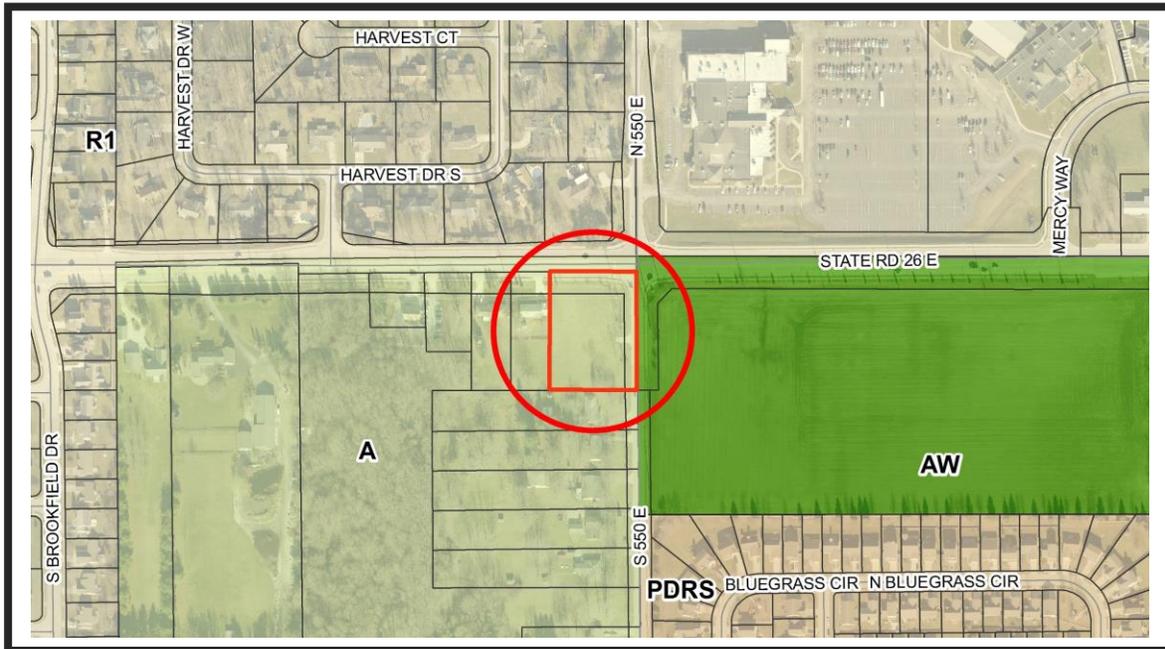

**Z-2775
ALAN WHITE
(A to NB)**

**REVISED STAFF REPORT
October 10, 2019**



Z-2775
ALAN D. WHITE
A to NB with commitment

Revised Staff Report
October 10, 2019

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent from the owner, the Morehouse Family Trust and represented by attorney Daniel Teder, is requesting the rezoning of 1.51 acres located at the southwest corner of SR 26 East and CR 550 East. The application also includes a commitment to exclude certain uses permitted by right in the NB zone. No proposed use has been given if this land is rezoned. The site is located a half mile outside of the city in Perry 30 (NW) 23-3.

This case was continued prior to the September 18th meeting so that additional prohibited uses could be included in the commitment. This staff report has been revised to include the new commitment.

ZONING HISTORY AND AREA ZONING PATTERNS:

This land was part of a similar rezone petition in 2016 (A to NB, Z-2638). That application initially included 16 acres but was reduced to 13.3 acres. Staff recommended denial, APC voted against the proposal, and the case was withdrawn prior to the County Commissioner's public hearing.

The current Agricultural zoning dates to the original zoning map for Perry Township. Land adjacent to the west and south is zoned A with residential zoning beyond. R1 zoning is located on the north side of SR 26 and AW zoning is east across CR 550.

AREA LAND USE PATTERNS:

The 1.51 acres in this request appears to have been farmed for the past several years. Single-family homes adjoin this site to the west and south. An older single-family neighborhood, Heritage Estates, is north across SR 26. A church and school is located northeast across the intersection of SR 26 and CR 550; land east across CR 550 is also farmed.

Veterans Memorial Parkway (CR 500 E) farther to the west has long marked the eastern end of a large commercial corridor of development that extends west toward the interstate and beyond. Residential subdivisions and undeveloped residentially zoned land exist in the vicinity.

TRAFFIC AND TRANSPORTATION:

The site is located at the southwest corner of SR 26 East (primary arterial) and CR 550 East (local road). Traffic counts taken in 2018 indicate that 8,333 vehicles traveled past this site on SR 26. CR 550 East carries 3,093 vehicles daily based on counts taken in 2016.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site in question is currently not served by sanitary sewer or city water. However, correspondence with the Lafayette City Engineer's Office reveals that a gravity sewer is available less than 100 feet to the west and water is available to the site.

If rezoned, a Type B bufferyard 20' in width is required along the west and southern property lines.

STAFF COMMENTS:

The commitment originally filed with this rezone has been amended to exclude additional uses that would be allowed on this land if rezoned to NB. The commitment now excludes the following uses:

- Automobile dealers and Gas Service Stations (SIC 55)
- Automobile repair, services and parking (SIC 75)
- Eating and drinking places (SIC 581)
- Grocery stores, convenience stores retail (SIC 5411)
- Liquor stores (SIC 5921)
- Gift, novelty and souvenir shops (SIC 5947)
- Tobacco stores and stands (SIC 5993)

Veterans Memorial Parkway (CR 500 East) located a half mile to the west of the site in question, serves as a zoning and land use boundary between commercial uses to the west and single-family homes to the east. The area west of Veterans Memorial Parkway (VMP) currently serves as a commercial corridor with appropriate GB and HB zoning that provides commercial services for the traveling public as well as the surrounding residential neighborhoods. A substantial number of undeveloped properties exists in these nearby areas which are appropriately zoned for commercial use. Furthermore, there are areas of NB zoning to the southeast along McCarty Lane less than a mile away from this site. Rezoned in 1999, these NB zoned properties have only partially developed. The creation of a new isolated commercial area comprising of one lot surrounded by residential neighborhoods does not further the interests of the community when existing underutilized commercial areas exist not too far away.

Petitioner has submitted a commitment with this rezoning application that would prohibit certain land uses. Even with these intense commercial uses prohibited, staff is concerned that creating a commercially zoned corner in an area dominated by single-family homes could introduce incompatible land uses not mentioned in the commitment. Additionally, staff experience indicates that a commercial rezone of a corner lot can promote additional

commercial rezone attempts that creep along an arterial. This phenomenon has the effect of changing the character of a residential area.

Commercial zoning dominates the corridor of South Street/SR 26 from 31st Street to Veterans Memorial Parkway, a distance of nearly 2.7 miles. Staff has long held the position that commercial zoning should not extend farther east than Veterans Memorial Parkway along SR 26 East.

STAFF RECOMMENDATION:

Rezone: Denial

Commitment: Denial; however, if the rezone is approved, staff recommends approval of the commitment.