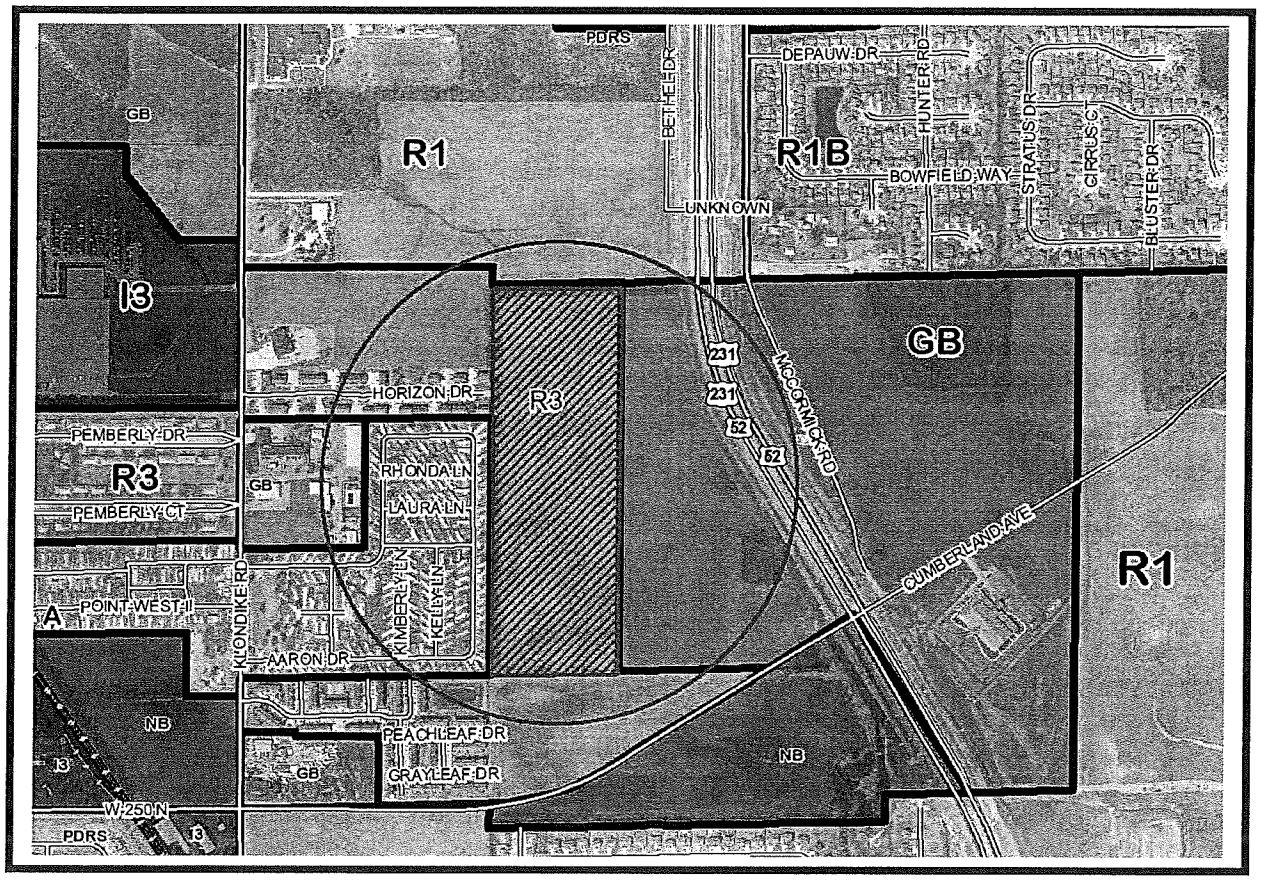
Z-2592
F. LYNN CASON TRUST
(R3 to GB)

STAFF REPORT
November 13, 2014



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F. LYNN CASON, JR., AS TRUSTEE OF THE F. LYNN CASON, JR. MARITAL TRUST
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the Trustee for the land and represented by attorney Daniel Teder, is requesting a rezone of 30 acres from R3 to GB. No proposed use has been given. This site has no frontage on a public road; US 231 is located approximately 500 feet to the east and Pointe West Mobile Home Park is adjacent to the west. This site is located in Wabash 11 (NW) 23-5, West Lafayette.

ZONING HISTORY AND AREA ZONING PATTERNS:

These 30 acres were originally zoned R1 but were rezoned by the County Commissioners to R3 in 1971 for a proposed expansion of the mobile home park to the west. No development ever occurred and the land is still in row crop production.

R3 zoning is also located to the northwest, southwest and south. Agricultural zoning (Pointe West Mobile Home Park) is located to the west; R1 zoning is to the north. NB zoning (amended from GB) at the southwest corner of Cumberland and 231 was rezoned in 2012 from R1 (Z-2480). GB zoning is located to the east (also owned by petitioner) and was rezoned in December 2013 by the County Commissioners (Z-2557).

AREA LAND USE PATTERNS:

The site in question is currently in row crop production as is land to the northwest, north, east and south. The only adjacent properties that have been developed are River Birch Trace to the northwest (a multi-family development on Klondike), Pointe West Mobile Home Park to the west and Copper Beach Townhomes to the southwest.

TRAFFIC AND TRANSPORTATION:

The site is landlocked and has no frontage on a public road. However, petitioner does own adjoining land to the east that fronts on US 231 (but also has no access) as well as Cumberland Avenue which does have access. Access to the subject site will most likely come from Cumberland. River Birch Trace Subdivision joins on the northwest side of the land and Horizon Drive stubs into the subject property. The new Cumberland extension is farther to the south.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
American Suburban Utilities and Indiana American Water serve the surrounding area. If this rezone is approved, Type C bufferyards 20' in width will be required where it abuts R1 and R3 zoning; a Type B bufferyard will be required where Agricultural zoning is adjacent to the west.

STAFF COMMENTS:
For several years prior to the completion of US 231 and the Cumberland Avenue extension, staff has contemplated the future land uses of the area. Now that West Lafayette has annexed the area and infrastructure is developing, three successful commercial rezones clustered around the US 231/Cumberland intersection have been approved setting the development pattern for the area.

Staff's main concern is the intensity of the commercial zones adjacent to residences. For example, the land at the southwest corner of 231 and Cumberland was originally part of a petition for GB zoning. However, because of concerns from both staff and the APC because of the site's proximity to the Wake Robin Subdivision, petitioner amended its request to Neighborhood Business, a zoning district that provides more protection to the nearby homes.

The same concern applies to this request. Staff agrees that these 30 acres, when combined with the adjacent land to the east along 231, have a commercial future. However, the long-standing adjacent residences to the west deserve protection from potentially incompatible land uses. Staff agrees that R3 zoning is no longer appropriate and its potential for adding future apartments is not ideal. The NB zone would still allow many of the same uses as GB, but the uses would be the type more convenient to and compatible with the nearby homes. Also, NB affords more protection by limiting the uses, outdoor storage and square footage of allowable commercial developments. If these 30 acres are rezoned to GB, this area around the intersection will have nearly 120 acres of General Business zoning, more acreage than contemplated for the commercial node planned.

As stated before, this property represents an important development opportunity for this newly expanded area of West Lafayette and commercial zoning *is* appropriate. But staff urges petitioner to contemplate an interesting, mixed and vibrant commercial and institutional future for the area. All future development should give consideration to surrounding uses, recognize potential land use incompatibility, and capitalize on opportunities to serve the nearby neighborhoods, visitors, travelers and the community alike.

STAFF RECOMMENDATION:
Denial