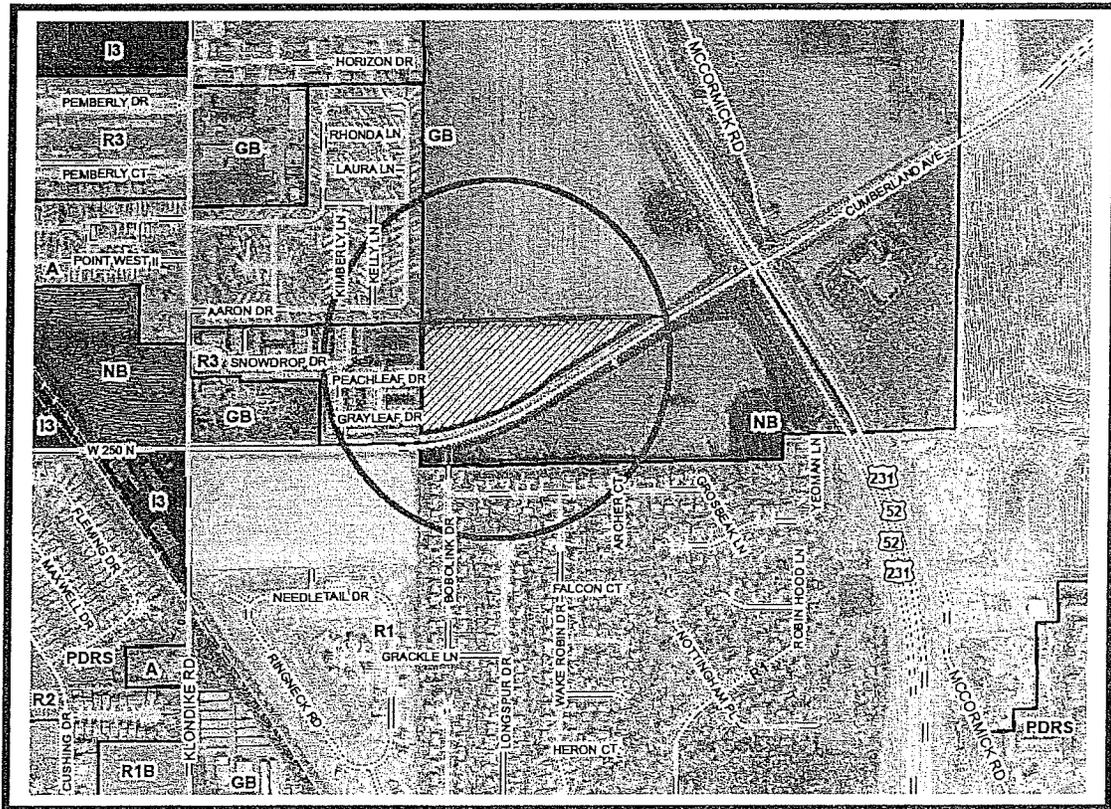

Z-2621
CITATION HOMES, INC
(R3 to GB with Commitment)

STAFF REPORT
July 9, 2015



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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the property owner, represented by attorney Daniel Teder, is requesting rezoning of 10.7 acres located on the north side of Cumberland Avenue, just west of US 231, in West Lafayette, Wabash 11 (NW) 23-5. With Commitment.

ZONING HISTORY AND AREA ZONING PATTERNS:

The earliest zoning maps indicate this property had always been zoned R1. There were two failed attempts to rezone this land (or portions of it) to R3, but in February 2012, an R3 rezone of this wedge-shaped property was successful. (Z-2479)

The land adjacent to the north was rezoned R3 in 1971 for a proposed expansion of an existing mobile home park, but the proposed expansion never happened (Z-440). Then in 2013 and in January of this year, two GB rezones (Z-2557 and Z-2592) were approved (the first by the County Commissioners, the second by West Lafayette Common Council following annexation) to create roughly 58 acres of GB zoning within the northwest quadrant of the US 231/Cumberland intersection. A commitment was filed with Z-2557 limiting the commercial uses that could locate there. A similar commitment has been filed with this GB request.

Land to the west of the site in question was rezoned from A to R3 in 2001 (Z-2037); land to the south across Cumberland Avenue was rezoned from R1 to NB, amended at the meeting from the proposed GB, in 2012 (Z-2480). (This acreage is also the site of a rezone petition, Z-2620, NB to R3W, on this same agenda.) The other two corners of the intersection are zoned GB.

AREA LAND USE PATTERNS:

The site in question is currently unimproved as is land to the north and east. To the northwest are mobile homes within Pointe West. Adjacent to the west are Copper Beech Townhome student apartments with a private drive that stubs into this rezone site. Wake Robin and Sherwood Forest are single-family subdivisions located to the south beyond the Cumberland Avenue extension. A church occupies the southeast corner.

TRAFFIC AND TRANSPORTATION:

The site has 1600' of frontage along Cumberland Avenue, a recently completed urban secondary arterial. Access to the GB-zoned property to the north is questionable along

the limited access frontage of US 231; if rezoned, this property will likely serve as access via Cumberland for a future commercial development for not only these ten acres, but for the larger acreage to the north.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

American Suburban Utilities and Indiana American Water serve the surrounding area. If this rezone is approved, a Type C bufferyard 20' in width will be required where it abuts R3 zoning 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 the infrastructure is in place, four successful commercial rezones clustered around the US 231/Cumberland intersection have been approved setting the development pattern for the area.

The R3 rezone of this site approved three years ago, received a mild recommendation of approval from staff, because of its small size and because it is adjacent to existing multi-family to the west with two stub streets leading to this site. Now there is a proposal for GB zoning. If approved, it would eliminate this narrow wedge of R3 zoning that could have led to potential student apartments sandwiched between a secondary arterial and a potentially huge commercial development.

The commitment filed with this request (see attached) is identical to the commitment recorded with the GB rezone request to the north. It would exclude some of the uses that are normally permitted in GB in an effort to eliminate any potential incompatibilities between this commercial development and adjacent residences to the west. Some of the excluded uses are livestock production, boarding kennels, warehousing, automobile dealers and adult entertainment venues. Some types of uses, such as manufacturing and equipment rental are limited to a maximum first floor area of 5,000 square feet with no outdoor operation or storage of materials by footnote 10 in the Permitted Use Table (UZO 3-2). Wholesale trade operations would be subject to footnote 12 which states "permitted in...GB zones only on lots up to 2 acres in area."

Hopefully, all future development in this gateway area will 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. As stated in previous rezone reports for this commercial node, staff believes that commercial zoning is appropriate for this area and with the submitted commitment restricting incompatible land uses, staff can support this request.

STAFF RECOMMENDATION:

Approval