

FILED
NOV 01 2012

SPECIAL ORDINANCE NO. 47-2012

CITY CLERK

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-12 1, thereof, District Maps, is hereby amended to read as follows:

LOT 21 AND 22 OF SECTION 16-12-9 IN THE CITY OF TERRE HAUTE EXCEPT FOR THE FOLLOWING:

A PART OF LOT 22 IN THE PLAT OF LOTS 21 AND 22 SUB OF SEC 16 OF CITY OF TERRE HAUTE, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5A, PAGE 83, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE RIGHT-OF-WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF EIGHTH AVENUE WITH THE WEST BOUNDARY OF FOURTH STREET; THENCE SOUTH 0 DEGREES 12 MINUTES 40 SECONDS EAST 15.00 FEET ALONG THE BOUNDARY OF SAID FOURTH STREET TO POINT "305" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST 15.02 FEET TO POINT "304" DESIGNATED ON SAID PARCEL PLAT; THENCE NORTH 56 DEGREES 28 MINUTES 24 SECONDS WEST 18.03 FEET TO POINT "303" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST 235.00 FEET TO POINT "302" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 46 DEGREES 20 MINUTES 14 SECONDS WEST 13.77 FEET TO POINT "301" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 0 DEGREES 11 MINUTES 07 SECONDS EAST 323.28 FEET TO A POINT ON THE NORTH BOUNDARY OF SEVENTH AVENUE DESIGNATED AS POINT "300" ON SAID PLAT; THENCE NORTH 89 DEGREES 56 MINUTES 47 SECONDS WEST 10.00 FEET ALONG THE BOUNDARY OF SAID SEVENTH AVENUE TO THE EAST BOUNDARY OF THIRD STREET (ALSO KNOWN AS U.S. 41); THENCE NORTH 0 DEGREES 11 MINUTES 07 SECONDS WEST 337.72 FEET ALONG THE BOUNDARY OF SAID THIRD STREET TO THE SOUTH BOUNDARY OF SAID EIGHTH AVENUE; THENCE NORTH 89 DEGREES 50 MINUTES 12 SECONDS EAST 285.00 FEET ALONG THE BOUNDARY OF SAID EIGHTH AVENUE TO THE POINT OF BEGINNING AND CONTAINING 0.115 ACRES, MORE OR LESS.

EXCEPT THE FOLLOWING:

LOT NUMBER ONE (1) IN THE CITY OF TERRE HAUTE'S SUBDIVISION OF LOT NUMBER TWENTY ONE (21) AND A PART OF LOT NUMBER TWENTY TWO (22) IN SCHOOL SECTION SIXTEEN (16) OF TOWNSHIP 12 (12) NORTH OF RANGE NINE (9) WEST IN THE CITY OF TERRE HAUTE, VIGO COUNTY INDIANA.

ALSO EXCEPTING:

TWENTY (20) FEET OF EVEN WIDTH OFF THE NORTH SIDE OF LOT 2, IN THE CITY OF TERRE HAUTE'S SUBDIVISION OF LOT NUMBER 21 AND A PART OF LOT NUMBER 22 IN THE SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH OF RANGE NINE (9) WEST, IN TERRE HAUTE, VIGO COUNTY, INDIANA.

Commonly known as 1501 N 3rd Street Terre Haute, IN 47807

be and the same is, hereby established as a R-3 Multifamily Residential, together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all

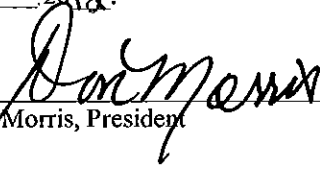
limitations and restrictions imposed thereon by deed or otherwise.

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of the City of Terre Haute, and its approval by the Mayor and publications as by law provided.


Presented by Council Member,


Todd Nation, Council Member

Passed in open Council this 13th day of December, 2012.


Don Morris, President


ATTEST:


Charles P. Hanley, City Clerk

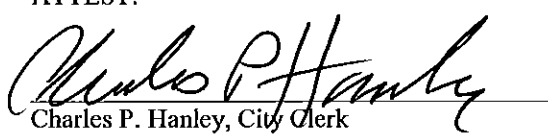
Presented by me to the Mayor of the City of Terre Haute, this 14th day of December, 2012.


Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 14th day of DECEMBER, 2012.


Duke A. Bennett, Mayor

ATTEST:


Charles P. Hanley, City Clerk

This instrument prepared by:

Julie M. Elliott, Associate General Counsel, Mainstreet Property Group, LLC, 109 W. Jackson Street, PO Box 767, Cicero, Indiana 46034.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Julie M. Elliott

PETITION TO REZONE REAL PROPERTY #47-2012

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA:

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, MS Terre Haute, LLC, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

LOT 21 AND 22 OF SECTION 16-12-9 IN THE CITY OF TERRE HAUTE EXCEPT FOR THE FOLLOWING:

A PART OF LOT 22 IN THE PLAT OF LOTS 21 AND 22 SUB OF SEC 16 OF CITY OF TERRE HAUTE, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5A, PAGE 83, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE RIGHT-OF-WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF EIGHTH AVENUE WITH THE WEST BOUNDARY OF FOURTH STREET; THENCE SOUTH 0 DEGREES 12 MINUTES 40 SECONDS EAST 15.00 FEET ALONG THE BOUNDARY OF SAID FOURTH STREET TO POINT "305" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST 15.02 FEET TO POINT "304" DESIGNATED ON SAID PARCEL PLAT; THENCE NORTH 56 DEGREES 28 MINUTES 24 SECONDS WEST 18.03 FEET TO POINT "303" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST 235.00 FEET TO POINT "302" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 46 DEGREES 20 MINUTES 14 SECONDS WEST 13.77 FEET TO POINT "301" DESIGNATED ON SAID PARCEL PLAT; THENCE SOUTH 0 DEGREES 11 MINUTES 07 SECONDS EAST 323.28 FEET TO A POINT ON THE NORTH BOUNDARY OF SEVENTH AVENUE DESIGNATED AS POINT "300" ON SAID PLAT; THENCE NORTH 89 DEGREES 56 MINUTES 47 SECONDS WEST 10.00 FEET ALONG THE BOUNDARY OF SAID SEVENTH AVENUE TO THE EAST BOUNDARY OF THIRD STREET (ALSO KNOWN AS U.S. 41); THENCE NORTH 0 DEGREES 11 MINUTES 07 SECONDS WEST 337.72 FEET ALONG THE BOUNDARY OF SAID THIRD STREET TO THE SOUTH BOUNDARY OF SAID EIGHTH AVENUE; THENCE NORTH 89 DEGREES 50 MINUTES 12 SECONDS EAST 285.00 FEET ALONG THE BOUNDARY OF SAID EIGHTH AVENUE TO THE POINT OF BEGINNING AND CONTAINING 0.115 ACRES, MORE OR LESS.

EXCEPT THE FOLLOWING:

LOT NUMBER ONE (1) IN THE CITY OF TERRE HAUTE'S SUBDIVISION OF LOT NUMBER TWENTY ONE (21) AND A PART OF LOT NUMBER TWENTY TWO (22) IN SCHOOL SECTION SIXTEEN (16) OF TOWNSHIP 12 (12) NORTH OF RANGE NINE (9) WEST IN THE CITY OF TERRE HAUTE, VIGO COUNTY INDIANA.

ALSO EXCEPTING:

TWENTY (20) FEET OF EVEN WIDTH OFF THE NORTH SIDE OF LOT 2, IN THE CITY OF TERRE HAUTE'S SUBDIVISION OF LOT NUMBER 21 AND A PART OF LOT NUMBER 22 IN THE SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH OF RANGE NINE (9) WEST, IN TERRE HAUTE, VIGO COUNTY, INDIANA.

Commonly known as: 1501 N 3rd Street Terre Haute, IN 47807.

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as R-2 Two-Family Residential.

Your petitioner would respectfully state that the real estate is now R-2 Two-Family Residential. Your petitioner intends to use the real estate as a skilled nursing facility.

Your petitioner would request that the real estate described herein shall be zoned as R-3 Multifamily Residential. Your petitioner would allege that such use would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

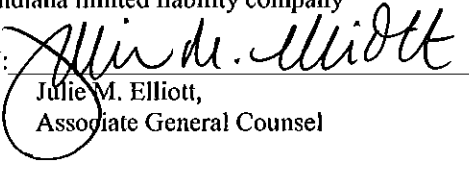
WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the R-3 Multifamily Residential of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this 29th day of October, 2012.

PETITIONER:

MS TERRE HAUTE, LLC,
an Indiana limited liability company

BY:


Julie M. Elliott,
Associate General Counsel

See attached Owner Consent & Affidavit

PETITIONER: MS Terre Haute, LLC, 109 W. Jackson Street, PO Box 767, Cicero, Indiana 46034

This instrument was prepared by:

Julie M. Elliott, Associate General Counsel, Mainstreet Property Group, LLC, 109 W. Jackson Street, PO Box 767, Cicero, Indiana 46034.



AMERICAN
STRUCTUREPOINT

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

TERRE HAUTE, INDIANA

EXHIBIT PLAN

SCALE: 1" = 120'-0"
DATE: 10/30/12
DRAWN: TS/BMH
CHECKED: RSB
JOB NO. 2012.01577

SD101

AFFIDAVIT OF CONSENT OF PROPERTY OWNER
(To be presented with Petition to Rezone Real Property)

As a duly authorized representative of the City of Terre Haute, by and through the Board of Public Works ("Owner"), which is listed as the owner of the property located at 1501 N. Third Street, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. The Owner of the property described in the attached petition which has been filed before the Common Council of the City of Terre Haute, Indiana, hereby authorizes MS Terre Haute, LLC, an Indiana limited liability company, or its assigns, as Petitioner to file said attached petition with the Common Council of the City of Terre Haute.


Robert J. Murray
Owner

10-30-12
Date

Subscribed and sworn to before me this 30 day of October, 2012.

Robert A. Drummy
Notary Public
My Commission Expires:
6-2-2016

COMES NOW affiant, President of the Board of Public Works, City of Terre Haute, Indiana and affirms under penalty of law that affiant is the owner of record of the property located at 1501 N 3rd Street for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.


President, Board of Public Works, City of Terre Haute, Indiana

Personally appeared before me, a Notary Public in and for said County and State, Robert Murray,
President of the Board of Public Works, City of Terre Haute, Indiana, who acknowledged the execution
of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

Notary Public: *Robi*
Printed: *Robi*

Notary Public:

Printed Name: Robin A. Dunning

My Commission Expires: 6-2-2016

My County Of Residence: Y160

Central Christian Church by

J Irving Riddle (Seal)

Wm. H Wiley (Seal)

J T H Miller (Seal)

State of Indiana)

Vigo County)SS:-

Before me, John A Dailey a Notary Public, in and for said County this 27 day of April 1906 personally appeared the within named J Irving Riddle Wm H Wiley and J T H Miller, Trustees of the Central Christian Church and acknowledged the execution of the annexed deed.

Witness my hand and Notarial seal John A Dailey Notary Public.

(Notary Seal) My Commission expires Oct 5 1908.

Received for Record May 5 1906 at 5 P.M. Micajah T Goodman Recorder.

16- 102:- 3865- This Indenture Witnesseth that Charles L Snoddy (single) of Tippecanoe County, in the State of Indiana, Convey and Warrant to Eunice A Ring, of Vigo County in the State of Indiana, for and in consideration of Two Hundred and Thirteen Dollars, the following described Real Estate in Vigo County, State of Indiana, to-wit:--

Lot number Five hundred and Thirty three (533) in S C Stinsons Addition to West Terre Haute, being a Subdivision of the South west quarter of the North East quarter of Section Thirty (30) in Township Twelve (12) North of Range Nine (9) West,

Grantee assumes the payment of the taxes for the year 1906.

This conveyance is made subject to the conditions imposed in a deed from West Terre Haute

Improvement Company to Grantor dated November 25 1905.

West Terre Haute Improvement Company here by consents to the within transfer in
In Witness Whereof the said Charles L Snoddy has hereunto set his hand and seal this 9 day of May 1906.

Charles L. Snoddy (Seal)

State of Indiana)

Vigo County)SS:- Before me, the undersigned a Notary Public in and for said County, this 9 day of May 1906 personally appeared Charles L Snoddy and acknowledged the execution of the annexed deed. Witness my hand and official seal. Geo D Dix Notary Public.

(Notary Seal) My Commission expires Dec 7 1907.

Received for Record May 9 1906 at 1 P.M. Micajah T Goodman Recorder.

16- 102- 3866- This Indenture Witnesseth that Charles L Snoddy (single) of Tippecanoe County in the State of Indiana, Convey and Warrant to Eunice A Trueblood, of Vigo County in the State of Indiana, for and in consideration of Two Hundred and twelve dollars, the following described Real Estate in Vigo County, State of Indiana, to-wit:--

Lot number Five hundred and thirty four (534) in S C Stinsons Addition to West Terre Haute, being a Subdivision of the South west quarter of the North east quarter of Section thirty (30) in Township Twelve (12) North of Range Nine (9) West. Grantee assumes the payment of the taxes for the year 1906.

This conveyance is made subject to the conditions imposed in a deed from West Terre Haute Improvement Company to Grantor dated November 25 1905.

In Witness Whereof the said Charles L Snoddy has hereunto set his hand and seal this 9 day of May 1906.

Charles L Snoddy

State of Indiana,)

Vigo County)SS:- Before me, the undersigned a Notary Public, in and for said County this 9 day of May 1906, personally appeared Charles L Snoddy and acknowledged the execution of the annexed deed.

West Terre Haute Improvement Company here by consents to the within transfer by J. C. Stinson atty.

May 5 1906,

CHARLES S. ACTON (Seal)

State of Indiana)

Melissa O Acton (Seal)

Vigo County)SS:- Before me, the undersigned a Notary Public in and for said County this 5 day of May 1906 Charles S Acton and Melissa O his wife acknowledged the execution of the annexed deed. Witness my hand and Official seal. John Foulkes Notary Public.

(Notary Seal) My Commission expires August 8 1908.

Received for Record May 5 1906 at 12 M Micajah T Goodman Recorder.

16- 101- 3809- This Indenture Witnesseth that Eunice A Trueblood (formerly Eunice A Kester) and Thomas L Trueblood her husband, and Eunice F Ring (formerly Eunice F Kester) and James N Ring her husband each being more than 21 years of age, of Vigo County in the State of Indiana Convey and Warrant to Be Benjamin F Williams of Vigo County in the State of Indiana, for and in consideration of Sixteen Hundred (\$1600.00) Dollars, the following described Real Estate in Vigo County State of Indiana to-wit:--

The South one third being Twenty four feet Ten and one third inches off the South side of In- lot number One hundred fifteen (115) of the Original Town (now City) of Terre Haute Indiana, The Grantors herein Eunice A Trueblood and Eunice F Ring are respectively the widow and daughter and are the only heirs at law of William F Kester who died on the 13 day of March 1893

In Witness Whereof the said Eunice A Trueblood and Thomas L Trueblood her husband and Eunice F Ring and James N Ring her husband, have hereunto set their hands and seals this 5 day of May 1906.

Thomas L Trueblood

Eunice A Trueblood (Seal)

Eunice F Ring (Seal)
James N Ring (Seal)

State of Indiana)

Vigo County)SS:- Before me, the undersigned a Notary Public in and for said County this 5 day of May 1906 personally appeared Eunice A Trueblood and Thomas L Trueblood her husband and Eunice F Ring and James N Ring her husband and acknowledged the execution of the annexed deed. Witness my hand and official seal. W P Ring Notary Public.

(Notary Seal) My Commission expires Nov 15 1908.

Received for Record May 5 1906 at 3 P.M. Micajah T Goodman Recorder.

16- 101- 3810- This Indenture Witnesseth that Central Christian Church by its Trustees J Irving Riddle, Wm H Wiley and J T H Miller of Terre Haute Vigo County in the State of Indiana, Convey and Warrant to Thomas H Godsey, Joseph L Wilson and James F Ashley and their successors in office as Trustees of the Second Christian Church, of Terre Haute Vigo County in the State of Indiana, for the sum of One (\$1.00) Dollar the following Real Estate in Vigo County in the State of Indiana to-wit:--

Lot number One (1) in the City of Terre Haute's Subdivision of Lot number Twenty one (21) and a part of Lot number Twenty two (22) in School Section Sixteen (16) of Township Twelve (12) North of Range Nine (9) West in the City of Terre Haute, Vigo County Indiana. The Grantees agree to assume and pay a certain mortgage given upon same to secure the payment of principal and interest when the same becomes due of Five promissory notes made by the Trustees of the Central Christian Church of Terre Haute Indiana, to the Board of Extensions of American Christian Missionary Society and recorded in mortgage records

✓

The Society of Friends

Particulars for the use of the Society of Friends

[illegible]

U. S. Marshals
J. 2079

at their hand and was this! Death day of December 1870

Mrs. R. H. Hester
 Mrs. L. A. Hester

The State of Indiana, Vice County, Cal:
John D. R. F. Narraus " Notary Public,
and his wife, Death day of December 1, 1876.

Game Milburn R. J. and his wife, Callie Hunter

Others. My hand and Adversary

acknowledged the creation of the American Indian.

(Mammals) R. F. Hance Library Publ.
St. Louis, Missouri, December 25, 1870. as per spec. A.

I certify that the Record of which the above small paper appears is a true paper duly stamped as per original by act of Congress and approved of Record Commission

John B. Mason, Clerk.

Attest " 20 Decr 1876 J. H.

Wm. B. Meyer & Co. 1890



TERRE HAUTE
A LITTLE ABOVE

Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: December 6, 2012

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #47-12**

CERTIFICATION DATE: December 5, 2012

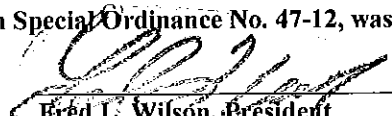
TO: The Honorable Common Council of the City of Terre Haute

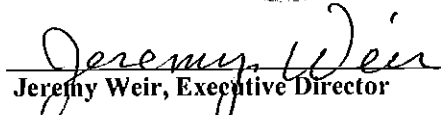
Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 47-12. This Ordinance is a rezoning of the property located at 1501 North 3rd. The Petitioner, MS Terre Haute, LLC/City of Terre Haute Board of Public Works, Petitions the Plan Commission to rezone said real estate from zoning classification R-2 to R-3, General Residence District, for a skilled nursing facility. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 47-12 at a public meeting and hearing held Wednesday, December 5, 2012. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 47-12 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 47-12 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 47-12, was FAVORABLE.


Fred L. Wilson, President


Jeremy Weir, Executive Director

Received this 6th day of December, 2012

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #47-12

Doc: # 64

Date: December 5th 2012

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APPLICATION INFORMATION

Petitioner: MS Terre Haute, LLC

Owner: City of Terre Haute, by and through its Board of Public Works

Representative: Julie M. Elliott (Attorney)

Proposed Use: Skilled Nursing Facility

Proposed Zoning: R-3, General Residence District

Current Zoning: R-1, Single Family Residence District

Location: The property is located on the southeast corner of North 3rd Street and 8th Avenue.

Common Address: 1501 North 3rd Street, Terre Haute Indiana 47807

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Reuse and Redevelopment/Collett Park Vicinity Plan

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Incompatible and inconsistent uses with residential context of these neighborhoods should be eliminated.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.

Available Services: Area is well served by utilities.

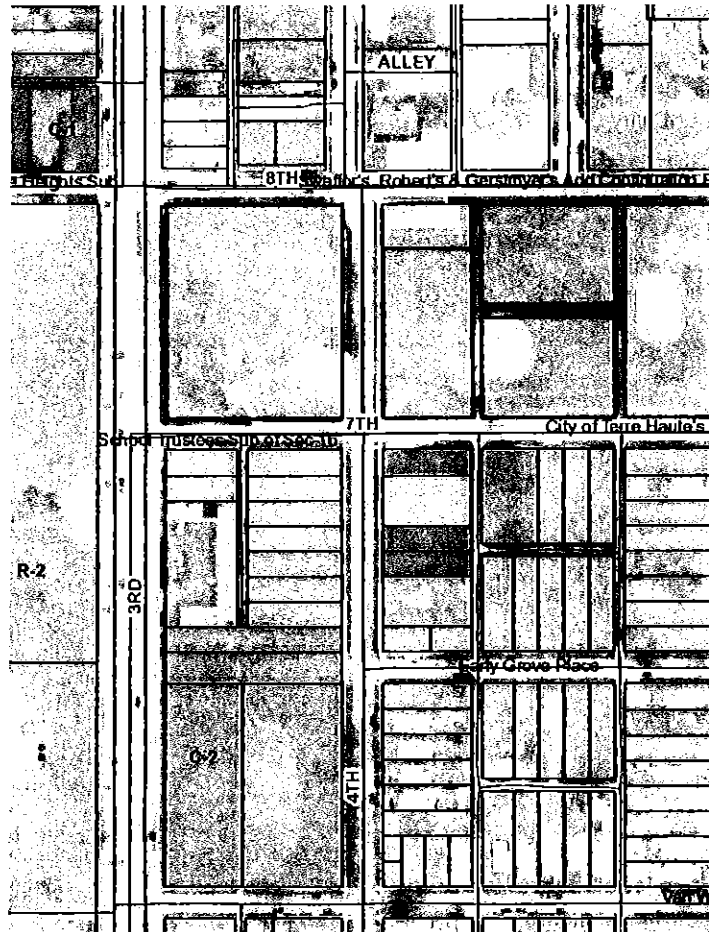
Soil Limitations: Not studied.

Street Access: Access to the site will be off 8th Avenue and 7th Avenue. 8th Avenue is classified as a Primary Collector roadway and 7th Avenue is classified as a local roadway.

Dev. Priority: Reinvestment and infill developments as outlined by the Union Hospital Health Care Campus Subarea Plan are a high priority.

Doc: # 64
Page 2 of 4

Sur. Zones and Uses: **North** – C-2, C-6, R-2, and R-3
East – C-2, C-3, and R-2
South – R-2, R-3, C-1, C-3, and C-6
West – R-2 and C-1



Contig. Uses & Zones: The area is contiguous to R-2, Two-Family Residence District and R-3 General Residence District with uses that consist of residential dwellings, and vacant lots. C-2, Community Commerce District, C-6, Strip Business District, C-3 Regional Commerce District, with uses that consist of Commercial Office, Medical Office, off Street Parking facilities, and undeveloped commercial lots.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #47-12

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Date: December 5th 2012

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ZONING REGULATIONS

R-3 Purpose: The General Residence District

R-3 Uses: Any use permitted in the R-1 and R-2 Districts, Apartment Hotels, Colleges and universities, but not business colleges or trade schools, Fraternal, philanthropic and charitable use or institutions, provided that not more than twenty-five percent (25%) of the gross floor area or four thousand (4,000) square feet shall be used as office space. Hospitals, sanitariums, and convalescent homes, Institutions for the aged and for children, Lodging Houses and Tourist Homes, Nursery Schools, Boarding, Private Clubs or Lodges - not operated for profit, provided that not more than twenty percent (20%) of the gross floor area or two thousand (2,000) square feet, whichever is greater, shall be used as office space, Apartment House.

R-3 Standards: Minimum Lot Size: N/A;
FAR 0.50 % or 384 Square Feet per bed
Street Setback: 55 feet from centerline;
Rear setback 11';
Interior setback of 5' from the interior lot line;
A parking plan must be approved by the Engineering and Planning Departments.

FINDINGS and RECOMMENDATION

Staff Findings: The proposed rezoning is in harmony with the Comprehensive Plan, and the Collett Park Vicinity Plan. The petitioned property is located within the Union Hospital Health Care Campus Subarea Plan, which has envisioned an Assisted Living Community within this area. 8th Avenue serves as the primary means of access to the Union Hospital area from both 3rd Street and Lafayette Avenue. Gateway elements can enhance the aesthetics of the area and minimize the likelihood that hospital patrons use residential streets. The plan recommends the following gateway improvements:

- Decorative gateway signage and landscaping on 8th Avenue at 3rd Street and Lafayette Avenue
-

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #47-12

Doc: # 64

Date: December 5th 2012

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- Roundabout and sculptural feature at Lafayette Avenue and 8th Avenue
- Landscaped greenway on 8th Avenue from 3rd Street to Lafayette Avenue
- Streetscape enhancements on 7th Street from Indiana State University to 8th Avenue

Recommendation: Staff offers a Favorable Recommendation.