



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: November 10, 2016

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #39-16**

CERTIFICATION DATE: November 9, 2016

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. 39-16. This Ordinance is a rezoning of the property located at 1300 S.R. 46. The Petitioner, Harvest Holdings/Jason Martin, petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to C-2, Community Commerce District, for a Tattoo Parlor. 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. 39-16 at a public meeting and hearing held Wednesday, November 9, 2016. Remonstrators were 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. 39-16 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 39-16 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.39-16 was, at the Petitioner's request, **TABLED** until the January, 2017APC meeting.

Handwritten signature of Fred L. Wilson in black ink.

Fred L. Wilson, President

Handwritten signature of Jared Bayler in black ink.

Jared Bayler, Interim Director

Received this 10th day of November, 2016

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16
Date: November, 2016

Doc: # 79
Page 1 of 4

APPLICATION INFORMATION

Petitioner: Harvest Holdings

Property Owner: Same-As-Above

Representative: Jason Martin

Proposed Use: Tattoo Parlor

Proposed Zoning: C-2, Limited Community Commerce District

Current Zoning: O-1, Agricultural District

Location: The Property is located on S. St. Rd. 46 approximately .16 miles north of the intersection of Hulman Dr. and SR 46. It is on the east side of the highway.

Common Address: 1300 St. Rd. 46 Terre Haute, Indiana 47805

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute/Lost Creek

Guiding Policies: **Regional Commercial**

Regional commercial areas are major retail centers providing the widest variety of retail goods and services (comparative shopping goods such as jewelry, apparel, household goods, and general merchandise) to a market area larger than the community, with no single type of retail activity dominating the district. The vitality of the areas is based upon the diversity of retail activities being located in a relatively concentrated area. With respect to these major regional shopping areas, future planning should consider the district or area as a whole, thereby assuring the vitality and viability of these regional commercial areas.

Additional policies to guide future development decisions include:

- Utilize spatial containment of commercial activities to existing commercially zoned sites to:
 - Maintain and reinforce the drawing power of major retail centers including anchor department and discount stores.
 - Reduce future traffic congestion and more closely tie existing retail centers with transit operations; expand the opportunities for pedestrian linkages between and among major existing activity centers.
 - Increase the identity of the district as a whole, with improved coordination in urban design elements including directional signage,

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16

Doc: # 79

Date: November, 2016

Page 2 of 4

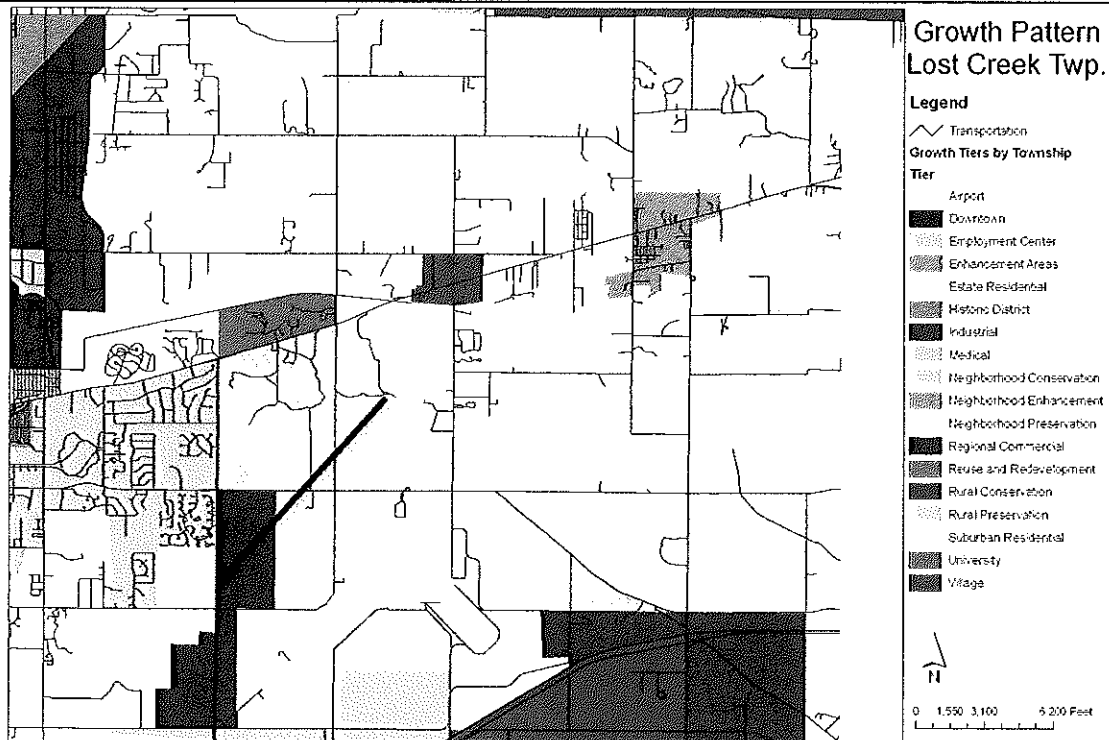
common landscape elements such as lighting or street furniture; develop a common approach to business signage.

- Encourage reinvestment in and continual upgrading of existing retail space; encourage the intensification of activities for retail comparative shopping purposes.
- Ancillary activities such as fast-food restaurants or quick stop establishments do not add to the regional character of activity centers. Emphasis should increasingly be upon multiple-trip purpose activities with regional significance.
- Ensure that future retail commercial development in the area does not detract from the viability of existing activity centers and does not detract from the livability of residential Neighborhoods in the vicinity.

Available Services: Area is well served by utilities.

Street Access: Highway 46

Dev. Priority: This area has a medium priority for capital investment



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16
Date: November, 2016

Doc: # 79
Page 3 of 4

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – O-1, Agricultural District
East – O-1, Agricultural District
South – O-1, Agricultural District
West – O-1, Agricultural District

ZONING REGULATIONS

C-2 Purpose: The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

C-2 Uses: Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostatting establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, Restaurants. Liquor may be served if incidental to the serving of food as the principal activity. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)

C-2 Standards: Minimum Lot Size: 3,300 Sq. Ft.

FINDINGS and RECOMMENDATION

Staff Findings: The Thrive 2025 Comprehensive Plan has identified this area within the City of Terre Haute as a Regional Commercial Area. The development priority for commercial development within this area could be low to high intensity based on the local thoroughfare network and previous in place developments. High intensity commercial development and uses need to have direct access without traffic intrusion onto residential neighborhoods and needs the appropriate buffering.

A Zoning change for the proposed property is recommended and will not create any additional traffic. The Property use is compatible with surrounding uses.

Recommendation: Staff has a Favorable Recommendation on the C-2 Community Commercial District at this location with the following conditions.

1. Approval of an onsite parking plan.
2. Removal of trash and debris from a previous tenant that is creating a nuisance and potential health hazard.