

Defeated

SPECIAL ORDINANCE NO. 44, 2015

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

=====
Common Address of lots to be rezoned:

2814 Hulman Street, Terre Haute, IN 47803
=====

Rezone From: R-1 Single-Family Residential District

Rezone To: R-2 Two-Family Residential District

Proposed Use: Duplexes

Name of Owner: M&P Properties Group, LLC

Address of Owner: 2610 Harrison Woods Road
Terre Haute, IN 47805

Phone Number of Owner: Michael Pick, (812) 235-4826

Attorney Representing Owner: Richard J. Shagley

Address of Attorney: Wright, Shagley & Lowery, P.C.
PO Box 9849, Terre Haute, IN 47808

For Information Contact: Owner Attorney

Council Sponsor: Amy Auler

=====
COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED

NOV 24 2015

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 44, 2015**

CITY CLERK

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION 1. BE IT ORDANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

"That the following described real estate situated in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

The East half (1/2) of the following described parcel of land, to-wit:
Commencing at a point on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest corner of said quarter section, running thence North forty (40) rods, thence East forty (40) rods, thence South forty (40) rods to the South line of said quarter section, thence West forty (40) rods along said line to the place of beginning.

Commonly known as: 2814 Hulman Street, Terre Haute, Indiana 47803

Be and the same is hereby established as a R-2 Two—Family Residential District, together with all rights and privileges that may insure 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 Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member,



Amy Auler

Passed in Open Council this _____ day of _____, 2016.

Todd Nation, President

ATTEST: _____
Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute this ____ day of _____, 2015.

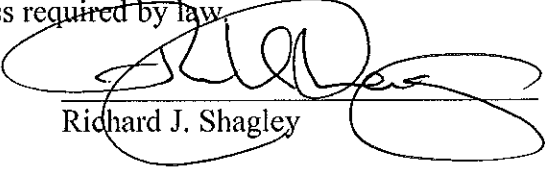
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this ____ day of _____, 2015.

Duke Bennett, Mayor

ATTEST: _____
Charles P. Hanley, City Clerk

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.


Richard J. Shagley

This instrument prepared by Richard J. Shagley, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, Terre Haute, Indiana 47807.

PETITION TO REZONE REAL PROPERTY

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, M&P Properties Group, LLC respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

The East half (1/2) of the following described parcel of land, to-wit: Commencing at a point on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest corner of said quarter section, running thence North forty (40) rods, thence East forty (40) rods, thence South forty (40) rods to the South line of said quarter section, thence West forty (40) rods along said line to the place of beginning.

Commonly known as: 2814 Hulman Street, Terre Haute, Indiana 47803

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-1 Single-Family Residential District

Your petitioner would respectfully state that the real estate is now vacant lot. Your petitioner, who owns and develops real estate, intends to use the real estate to build duplexes on the real estate.

Your petitioner would request that the real estate described herein shall be zoned as an R-2 Two-Family Residential District. Your petitioner would allege that the R-2 Two-Family Residential District 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

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-2 Two-Family Residential District 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 WITNES WHEREOF, This petition has been duly executed this 20th day of Nov, 2015.

M&P Properties Group, LLC

BY: 

Michael Pick, Member

WRIGHT, SHAGLEY & LOWERY, P.C.

500 Ohio Street

PO Box 9849

Terre Haute, IN 47808

Phone: (812) 232-3388

BY: 

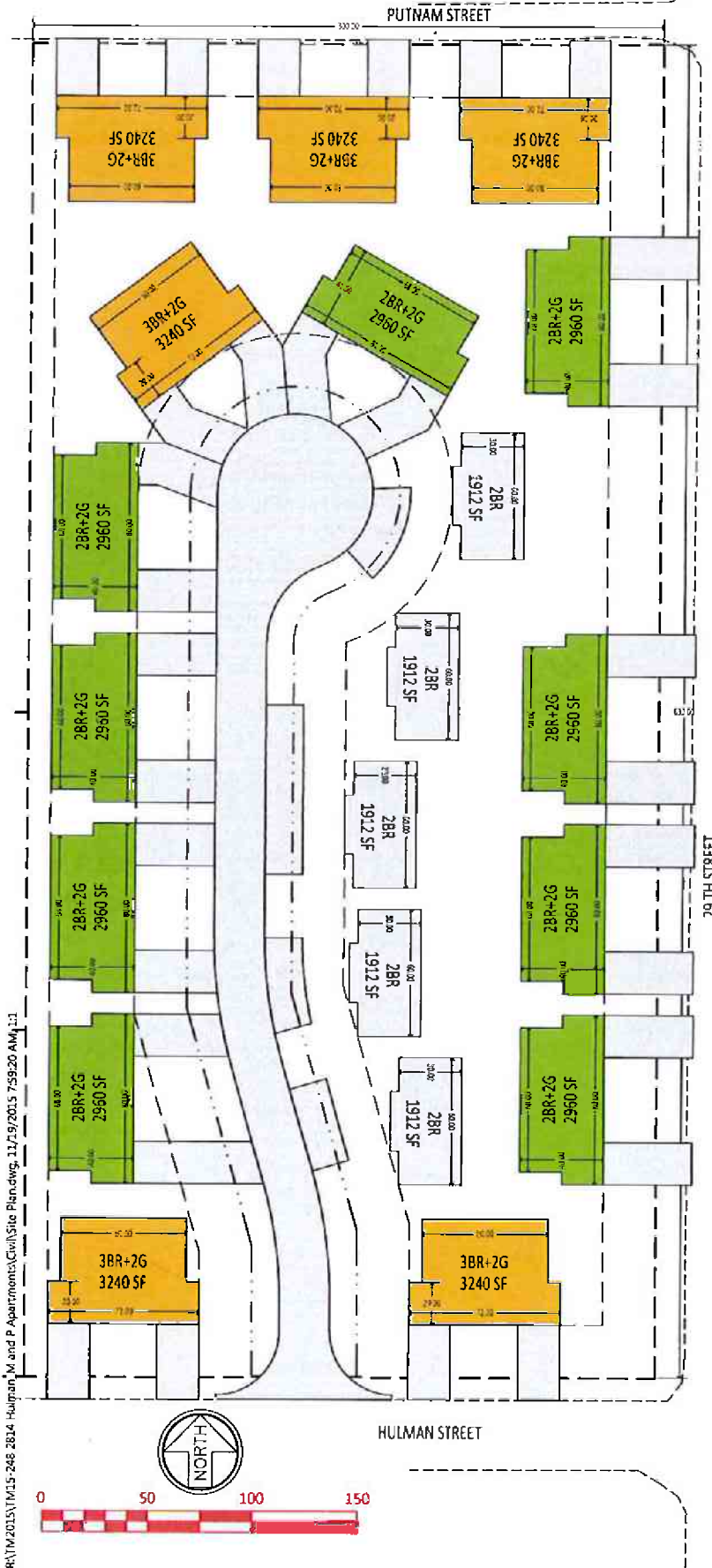
Richard J. Shagley, #257-84

Attorneys for Petitioner

The owner and mailing address: M&P Properties Group, LLC, Attn: Michael Pick, 2610 Harrison Woods Road, Terre Haute, Indiana

This instrument prepared by Richard J. Shagley, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

SITE PLAN



2814 Hulman Street
TERRE HAUTE IN 47803

HULMAN STREET ACCESS

BULK DENSITY STATISTICS

20 BLDGS TOTAL / 40 DWELLINGS (UNITS)

- (6) 3BR+3G, 3240 SF (19,440 SF)
- (5) 2BR, 1912 SF (9,560 SF)
- (9) 2BR+2G, 2960 SF (26,640 SF)

F.A.R. (FLOOR AREA RATIO)

TOTAL DWELLINGS = 55,640 SF / 101,958 = 0.55
MAX ALLOWED IS 0.7 OR 71,469 SF

AREAS:

RIGHT-OF-WAY = 27,089 SF
IN SETBACK = 59,953 SF
NET BUILDABLE = 101,958 SF
TOTAL = 189,000 SF (4.34 ACRES)

STREET PAVEMENT = 14,795 SF (1,644 SY)
DRIVES AND PARKING = 26,824 SF (2,980 SY)

SETBACK DIMENSIONS (MINIMUM)

25 FT. FRONT (FROM STREET R.O.W.)
5 FT. SIDES
11 FT. REAR

STREET RIGHT-OF-WAY

50 FT. TOTAL WIDTH
CUL-DE-SAC = 50 FT. RADIUS

STREET WIDTHS

24 FT., TWO-WAY TRAFFIC
CUL-DE-SAC = 37 FT. RADIUS

PARKING

DRIVEWAYS - 20 FT. WIDTH, LENGTH VARIES
PARKING = 10 FT. X 18 FT. MINIMUM, 2 SPA. PER UNIT
2 CAR GARAGES ARE SHOWN TYPICAL

R-1 to R-2

S.O., 44, 2015

MYERS ENGINEERING INC.

Terre Haute, IN

Project No. TM15-248

Scale: 1" = 50'

Site Plan Schematic

FOR REVIEW ONLY

11/19/15

WARRANTY DEED



THIS INDENTURE WITNESSETH, MELINDA D. MYERS and RANDALL ROY MYERS, competent adults, ("Grantors") of Brazoria County, Texas, and Norfolk City County, Virginia, respectively, CONVEY AND WARRANT to M & P PROPERTIES GROUP LLC, ("Grantee") for the sum of One and no/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, an undivided one-half (1/2) interest in and to the following described real estate in Vigo County, in the State of Indiana:

The East half (1/2) of the following described parcel of land, to-wit: Commencing at a point on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest corner of said quarter section, running thence North forty (40) rods, thence East forty (40) rods, thence South forty (40) rods to the South line of said quarter section, thence West forty (40) rods along said line to the place of beginning.
(common address - 2814 Hulman Street, Terre Haute, IN 47803)

Subject to easements, leases, rights of way, and other matters of record.

SUBJECT to real estate taxes prorated to date of deed.

IN WITNESS WHEREOF, the Grantors have executed this deed this 8 day of July, 2011.

Melinda D. Myers
Melinda D. Myers

Randall Roy Myers
Randall Roy Myers

VIGO COUNTY AUDITOR
Tara L. Hobbs

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
AUG 03 2011

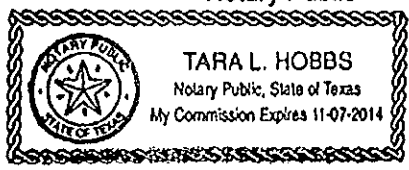
STATE OF TEXAS)
COUNTY OF Brazoria) SS:

Before me, a Notary Public in and for said County and State, personally appeared Melinda D. Myers, a competent adult, who acknowledged the execution of the foregoing Warranty Deed, and who having been duly sworn stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 8th day of July, 2011.

My Commission Expires
November 7, 2014
Resident of Brazoria County, TX

Tara L. Hobbs
Notary Public



STATE OF Virginia)

COUNTY OF Norfolk City) SS:

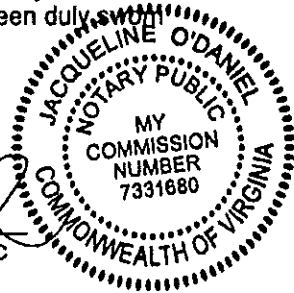
Before me, a Notary Public in and for said County and State, personally appeared Randall Roy Myers, a competent adult, who acknowledged the execution of the foregoing Warranty Deed, and who having been duly sworn stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 14th day of July, 2011.

My Commission Expires

January 31, 2015
Resident of Virginia Beach County, Virginia

Jacqueline O'Daniel
Notary Public



This instrument was prepared by Patrick L. Duffy, BAUER & DUFFY, 605 Ohio Street, Suite 301, Terre Haute, Indiana, 47807

Send Tax Statements to: 3396 Golfview Ct., Terre Haute, IN 47802
Grantees address: same

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.

[Signature]

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now, M&P Properties Group, LLC, by Michael Pick, Member, being duly sworn upon his oath, deposes and says:

1. That M&P Properties Group, LLC of Terre Haute is the fee simple owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

The East half (1/2) of the following described parcel of land, to-wit:
Commencing at a point on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest corner of said quarter section, running thence North forty (40) rods, thence East forty (40) rods, thence South forty (40) rods to the South line of said quarter section, thence West forty (40) rods along said line to the place of beginning.

(Commonly known as: 2814 Hulman Street, Terre Haute, Indiana 47803)

2. That a copy of the Deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to M&P Properties Group, LLC is attached hereto and made a part hereof and marked as Exhibit A.

3. That Affiant makes this Affidavit for the sole purpose of affirming that M&P Properties Group, LLC of Terre Haute is the owner of record of the above-described real estate for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by M&P Properties Group, LLC.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 20th day of November, 2015.

M&P Properties Group, LLC

BY:


Michael Pick, Member

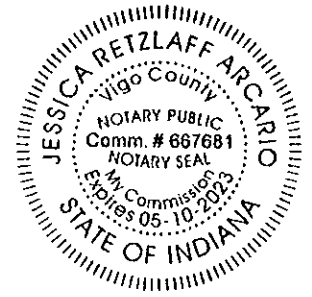
STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 20th day of November, 2015.

Jessica Arcario
Jessica Arcario, Notary Public

My Commission expires:
05-10-2023

My County of Residence:
Vigo



This instrument prepared by Richard J. Shagley, Attorney at Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, Terre Haute, Indiana 47807.

Receipt

The following was paid to the City of Terre Haute, Controller's Office.

Date: 11/24/15

Name: Wright, Shagley & Lowery, PC.

Reason: Filing Fees for Rezoning
M&P Properties Dump St

Cash: _____

Check: \$4500 #65150

Credit: _____

Total: \$4500

TERRE HAUTE, IN
PAID

NOV 24 2015

CONTROLLER

Received By: [Signature]



TERRE HAUTE
A HEART 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: January 7, 2016

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #44-15**

CERTIFICATION DATE: January 6, 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.44-15. This Ordinance is a rezoning of the property located at 2814 Hulman. The Petitioner, M & P Properties Group, LLC petitions the Plan Commission to rezone said real estate from zoning classification R-1 to R-2, Two Family Residence District, for duplexes . 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. 44-15 at a public meeting and hearing held Wednesday, January 6, 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. 44-15 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 44-15 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. 44-15 was TABLED.

Handwritten signature of Fred L. Wilson in black ink.

Fred L. Wilson, President

Handwritten signature of Darren Maher in black ink.

Darren Maher, Executive Director

Received this 7th day of January, 2016



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: February 4, 2016

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #44-15

CERTIFICATION DATE: February 3, 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.44-15. This Ordinance is a rezoning of the property located at 2814 Hulman. The Petitioner, M & P Properties Group, LLC petitions the Plan Commission to rezone said real estate from zoning classification R-1 to R-2, Two Family Residence District, for duplexes. 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. 44-15 at a public meeting and hearing held Wednesday, February 3, 2016. 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. 44-15 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 44-15 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. 44-15 was TABLED.


Fred L. Wilson, President


Darren Maher, Executive Director

Received this 4th day of February, 2016



TERRE HAUTE
A LEVEL 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: March 3, 2016

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #44-15**

CERTIFICATION DATE: March 2, 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. 44-15. This Ordinance is a rezoning of the property located at 2814 Hulman Street. The Petitioner, M & P Properties Group, LLC., petitions the Plan Commission to rezone said real estate from zoning classification R-1 to R-2, Two Family Residence District, for duplexes. 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. 44-15 at a public meeting and hearing held Wednesday, March 2, 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. 44-15 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 44-15 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.44-15 was FAVORABLE for R-2 zoning.


Fred L. Wilson, President


Darren Maher, Executive Director

Received this 2nd day of March, 2016

APPLICATION INFORMATION

Petitioner: M&P Properties Group LLC.

Property Owner: Same-As-Above

Representative: Richard Shagley

Proposed Use: Two-family Dwelling

Proposed Zoning: R-2, Two-Family Residence District

Current Zoning: R-1, Single Family Residence District

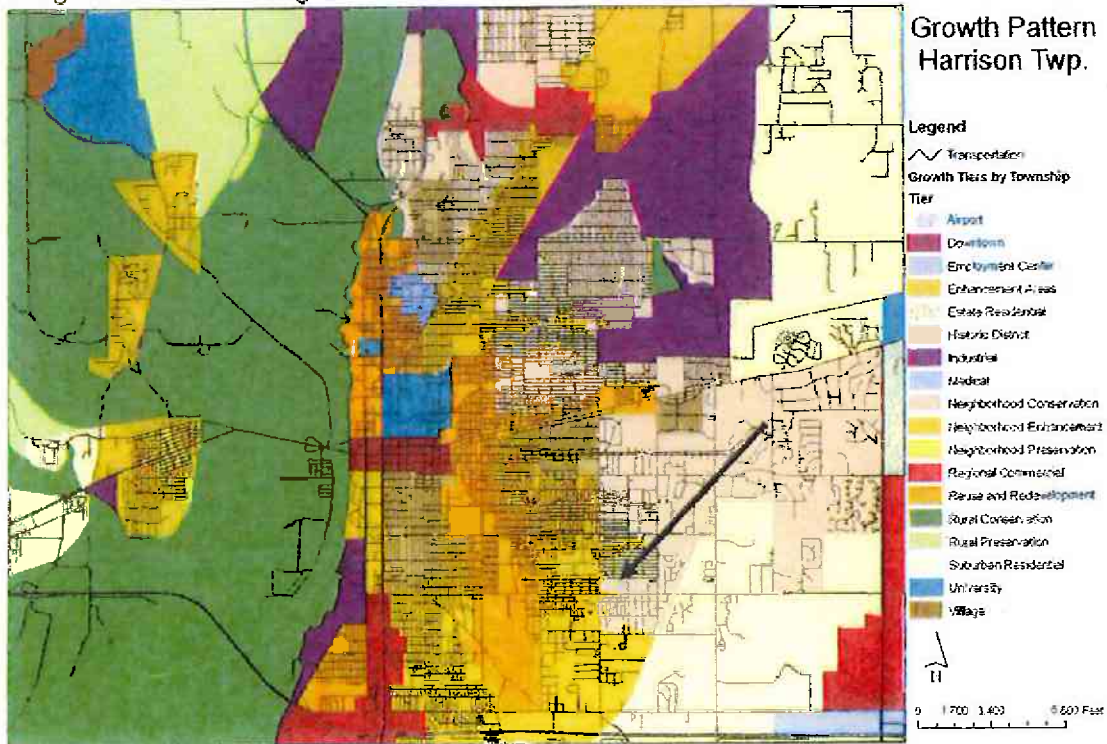
Location: The property is bordered by 29th Street on the east Hulman on the south and Putnam St. to the north.

Common Address: 2814 Hulman St., Terre Haute, IN 47803

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Neighborhood Conservation



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #44-15

Doc: # 4

Date: Jan 2016

Page 2 of 4

These areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed (or expected to be in a relatively short timeframe). Fundamental directives urged for these areas encourage the maintenance of the residential desirability and stability. Where new infill development is proposed, it should be entirely consistent and compatible with pre-existing developments. However, special public attention may, in some cases, be required to assure that drainage, sidewalk improvements, and linkages to pedestrian and bicycle trails are made. Many of these neighborhoods may be excellent candidates for special assessment districts for neighborhood improvements and amenities.

In addition, these areas encompass existing retail activity nodes located throughout the community. In general, these commercial areas have evolved in an unplanned, largely uncoordinated manner along frontage of primary arterials. Within these commercial bands, a great variety of activities exist which target different markets. Some activities are oriented toward “drive-by” markets, fast food restaurants, convenience stores, gasoline stations, drive-in banking facilities, for example. Other activities are special-purpose, oriented to single trips rather than comparative multi-purpose shopping. These single purpose stores serve a market larger than a single neighborhood. Sales and service of automobiles, trucks, boats, recreational vehicles and related activities are special purpose region-serving activities. They require large site with good visibility. Finally, commercial areas include a range of neighborhood level retail activities including grocery stores, pharmacies, personal services such as hair styling, and other frequently purchased goods and services.

Additional policies for Neighborhood Conservation areas should include:

- Allow for a range of housing densities based on the zoning ordinance.
- Allow for a mix of uses, focusing on neighborhood and community serving commercial nodes.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.
- Reuse of commercial oriented structure should be limited to retail activities that contribute to the diversity and variety of retail uses in a commercial node.
- With respect to existing commercial “strips” – i.e. narrow bands of commercial uses occupying major roadway frontage, the limitation of additional or new commercial uses is strongly advised.
- Geographic expansion of this commercial “strips” should be limited to the provision of additional space to ensure the compatibility with adjacent uses, not an intensification of use.
- Improved landscaping, improved pedestrian amenities, and increased attention to lighting, signage, and impacts upon nearby residential areas is advised in the review of development petitions.

Available Services: Area is well served by utilities.

Soil Limitations: Not studied.

Street Access: proposed access to the site will be from Hulman St.

Dev. Priority: Capital investment and urban renewal that matches the existing development intensity and block pattern is a high priority within the City of Terre Haute

ZONING COMPATIBILITY

Surrounding Zones and Uses:

North R-1, Single-family Residence District
East R-1, Single-family Residence District
South R-1, Single-family Residence District
West R-1, Single-family Residence District

Character of Area: The area is a mix of mostly single family homes with few exceptions one of which being Bethesda Corp to the west.

Contiguous Uses & Zones: The contiguous zoning is R-1, Single Residence District with single family residential uses as permitted.

ZONING REGULATIONS

R-2 Purpose: Single-Family and Two-Family Dwellings Units

R-2 Uses: Any use permitted in the R-1, Single-family Residence District, such as Churches, Rectories, and Parish Houses, Convents and Monasteries; Gardening, including nurseries, provided that no offensive odors or dust are created; Public Libraries; Child Care as a Home Occupations; Parks, Playgrounds, and Schools; Residential Facility for the Developmentally Disabled. (Gen. Ord. No. 19, 1997, 2-12-98); Residential Facility for the Mentally Ill. (Gen. Ord. No. 19, 1997, 2-12-98).

R-2 Standards: Minimum Lot Size: 7,200 Sq. Ft.

Two (2) parking spaces per two-bed room unit and three (3) parking spaces per three-bed room unit. The proposed development will require 10 off-street parking stalls

FINDINGS and RECOMMENDATION

Staff Findings:

Sec 10 in the City Code lists the permitted uses in an R-2 Two-Family district. Under dwellings a single one or two family attached or detached home is permitted [Sec 10-180, c. (2)].

The petitioners are seeking to convert the single empty lot into a residential development containing 20, 3 bedroom units at 1620 Sq. Ft. each and 12, 2 bedroom units at either 956 or 1480 Sq. Ft.

The petitioner has available 5 acres for development and after implementing Rights-of-Way and setbacks enough net buildable area for the proposed development. As submitted, the current site plan does meet the development standards for an R-2 as set forth in table 8 but is not in compliance with zoning ordinance requiring each single or two family home have its own lot. The petitioner has applied for a subdivision of the property.

The surrounding neighborhood has a density greater than that proposed by the petitioner. The site plan as submitted is not out of character for the surrounding zones and uses.

The Comprehensive Plan encourages the existing land uses as well as an allowance for a range of residential uses and encourages infill development that is compatible with the surrounding residential uses.

Recommendation: Staff offers a Favorable recommendation on the proposed R-2 rezoning