

APPLICATION FOR REZONING PETITION
CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 22-2019

COMMON ADDRESS OF LOTS TO BE REZONED:

1425 E. Pugh Drive
Terre Haute, IN 47802
Parcel No. 84-09-03-201-009.000-00

REZONE FROM: Single Family Residential District (R-1)

REZONE TO: Light Industry District (M-1)

PROPOSED USE: Office space with related warehousing
space initially intended for Strode
Construction, who is engaged in
Residential, Commercial and Industrial
construction design and build
contractor business.

PROPERTY OWNER: Strode Properties & Development, LLC

ADDRESS OF OWNER: 1027 Poplar St.
Terre Haute, IN 47807

PHONE NO. OF OWNER: (812) 232-4311 - Jeffrey A. Lewellyn

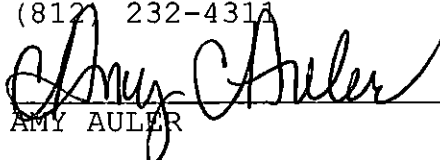
ATTORNEY REPRESENTING OWNER/PURCHASER:
Jeffrey A. Lewellyn
Attorney at Law, #15216-34

ADDRESS OF ATTORNEY: Wilkinson, Goeller, Modesitt,
Wilkinson & Drummy, LLP
333 Ohio St.,
Terre Haute, IN 47807

PHONE NO. OF ATTORNEY: (812) 232-4311

FOR INFORMATION CONTACT: Attorney, Jeffrey A. Lewellyn
(812) 232-4311

COUNCIL SPONSOR:


AMY AULER

FILED

SEP 4 2019

CITY CLERK

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 22 - 2019
COMMON COUNCIL OF THE CITY OF TERRE HAUTE, STATE OF INDIANA

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

SECTION I. BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, That Chapter 10, Article 2 of the City Code of Terre Haute, designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana" 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:

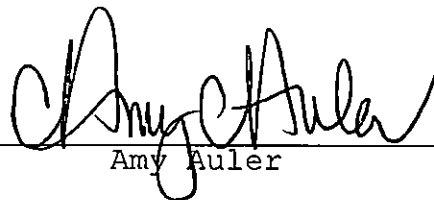
See Exhibit A attached hereto and incorporated herein.

Currently commonly known as: 1425 E. Pugh Drive
Terre Haute, IN 47802
Parcel No. 84-09-03-201-009.000-00

be and the same is, hereby established as a **(M-1) Light Industry District**, together with all rights and privileges that may inure to said real estate and owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

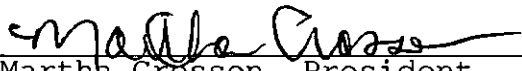
SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member:



Amy Auler

Passed in Open Council this 7TH day of NOVEMBER, 2019.


Martha Crossen, President
Common Council of
City of Terre Haute, Indiana

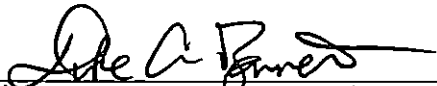
ATTEST:


Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 15TH
day of NOVEMBER, 2019.


Michelle Edwards, City Clerk

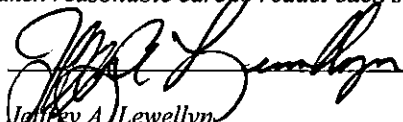
Approved by me, the Mayor of the City of Terre Haute, this 15TH
day of NOVEMBER, 2019.


Duke Bennett, Mayor,
City of Terre Haute, Indiana

ATTEST:


Michelle Edwards, 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.


Jeffrey A. Lewellyn

This instrument prepared by: Jeffrey A. Lewellyn, Attorney,
333 Ohio Street, Terre Haute, IN 47807.

EXHIBIT A

The following described real estate located in the County of Vigo, State of Indiana, to-wit:

Beginning at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 3, Township 11 North, Range 9 West; thence South a distance of 530.30 feet; thence South 89 degrees 56 minutes East a distance of 405.52 feet to the place of beginning; thence South 89 degrees 56 minutes East a distance of 355.99 feet to the center of the Canal Road; thence South 15 degrees 50 minutes East a distance of 214.70 feet to the North right of way line of the Indiana State Highway Commission; thence South 87 degrees 30 minutes West a distance of 415.24 feet; thence North 0 degrees 4 minutes east a distance of 225.08 feet to the place of beginning.

EXCEPT

Commencing at the northwest corner of the Northwest Quarter of Northeast Quarter, Section 3, Township 11 North, Range 9 West, Honey Creek Township, Vigo County, Indiana, thence South 530.30 feet; thence South 89 degrees 56 minutes East 405.52 feet to the place of beginning; thence South 89 degrees 56 minutes East 138.74 feet, South 4 degrees 24 minutes East 218.75 feet to the north right of way line of Interstate 70; thence South 87 degrees 30 minutes West along and with said right of way 15.593 feet; thence North 00 degrees, 04 minutes East 225.08 feet to the place of beginning, Containing 0.75 acres, more or less.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

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
OF VIGO COUNTY, INDIANA:

LADIES AND GENTLEMEN:

The undersigned, **Strode Properties & Development, LLC** respectively submits this petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

See attached Exhibit A, legal description.

Commonly known as: 1425 E. Pugh Drive
Terre Haute, IN 47802

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 respectively state that the real property is approximately 1.24 acres of land with an existing office building type improvement. The property was previously used as commercial office property. Your Petitioner has purchased this property for develop and use initially by Strode Construction, LLC, a design and build construction business, which would include uses as office space and business related warehousing of material storage, tool storage and equipment storage, as well as a meeting place for employees prior to going to various job sites.

Your Petitioner requests that the real estate described herein shall be zoned as a (M-1) Light Industry District. Your Petitioner would allege that this change in zoning and use would not alter the general characteristics of this neighborhood. There is M-1 property adjoining on the west property line of the subject real estate.


Your Petitioner would respectively 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 respectively requests that the Area Plan Commission of 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, Chapter 10, Article 2, of the Municipal Code, designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana", and declaring the above-described real estate to be part of the **(M-1)Light Industry District** of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the subject real estate and the owners thereof by virtue of the new zoning designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, this Petition has been duly executed on this 4th day of September, 2019.

Strode Properties & Development, LLC

By: _____


Jeffrey A. Lewellyn, Attorney

Petitioner: Strode Properties & Development, LLC
1027 Poplar St.
Terre Haute, IN 47807

Prepared By: Jeffrey A. Lewellyn, No. 15216-34
ATTORNEY FOR PETITIONER
Wilkinson Goeller Modesitt
Wilkinson & Drummy, LLP
333 Ohio Street
Terre Haute, Indiana 47807
Phone: (812) 232-4311

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Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Beacon™ Vigo County, IN / City of Terre Haute



Overview



Legend

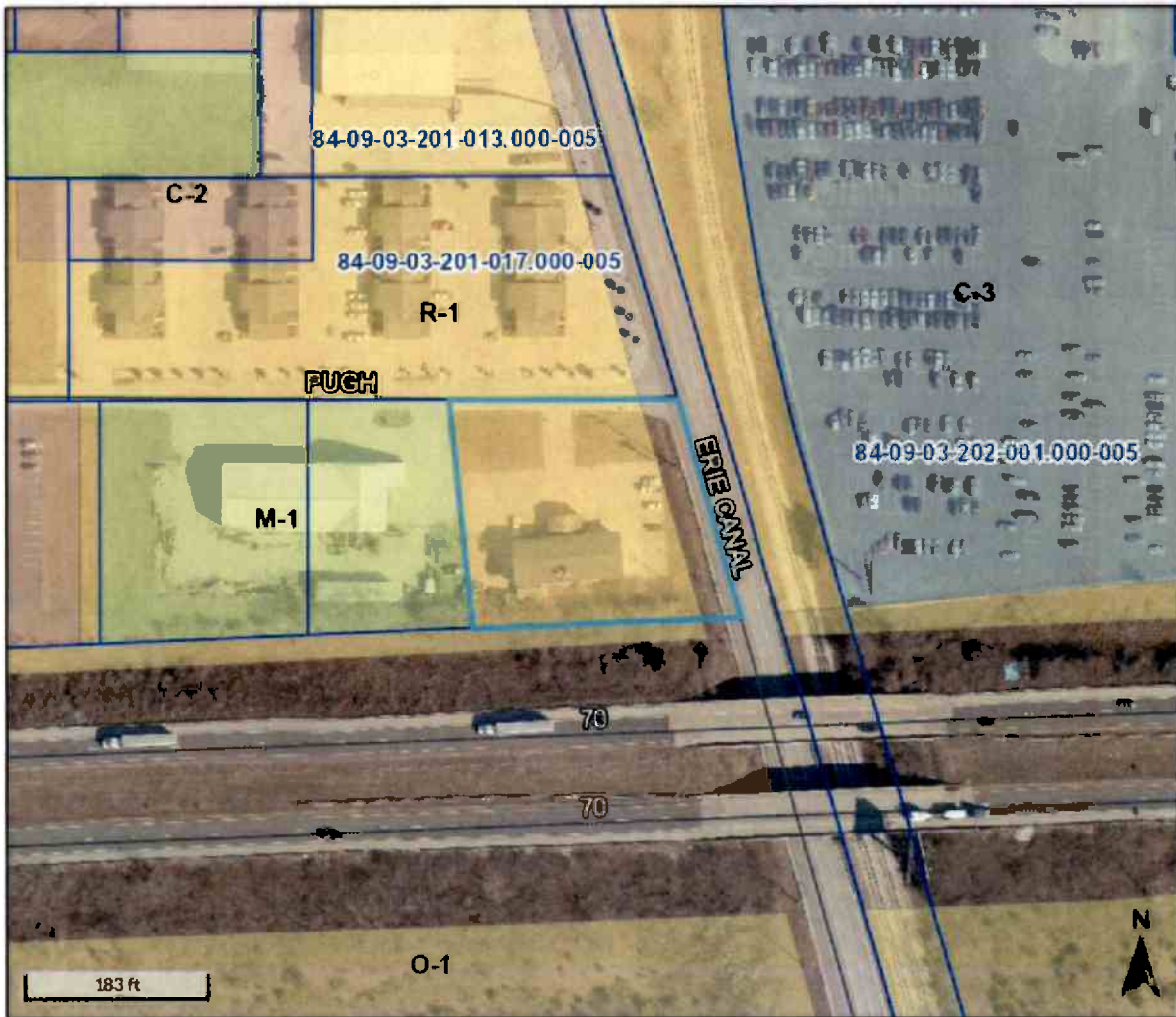
- Corporate Limits
- Political Township
- Sections
- Blocks
- Parcels
- Road Centerlines

Parcel ID	84-09-03-201-009.000-005	Alternate ID	119-09-03-201-009	Owner Address	STRODE PROPERTIES & DEVELOPMENT LLC
Sec/Twp/Rng	3	Class	Commercial Garage		3101 ERIE CANAL RD
Property Address	3101 ERIE CANAL RD	Acres	1.24		TERRE HAUTE, IN 47802
	TERRE HAUTE				
Neighborhood	102302 - HONEY CREEK				
District	005 HONEY CREEK				
Brief Tax Description	MID NW NE 1425 E PUGH DR) CONTRACT 20014186 3-23-0				
	MISC-209/1251 D-435/104 D-442/4101 3-11-9 1.240 AC				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/29/2019

Last Data Uploaded: 8/28/2019 8:44:48 PM

Developed by  Schneider
GEOSPATIAL



Overview

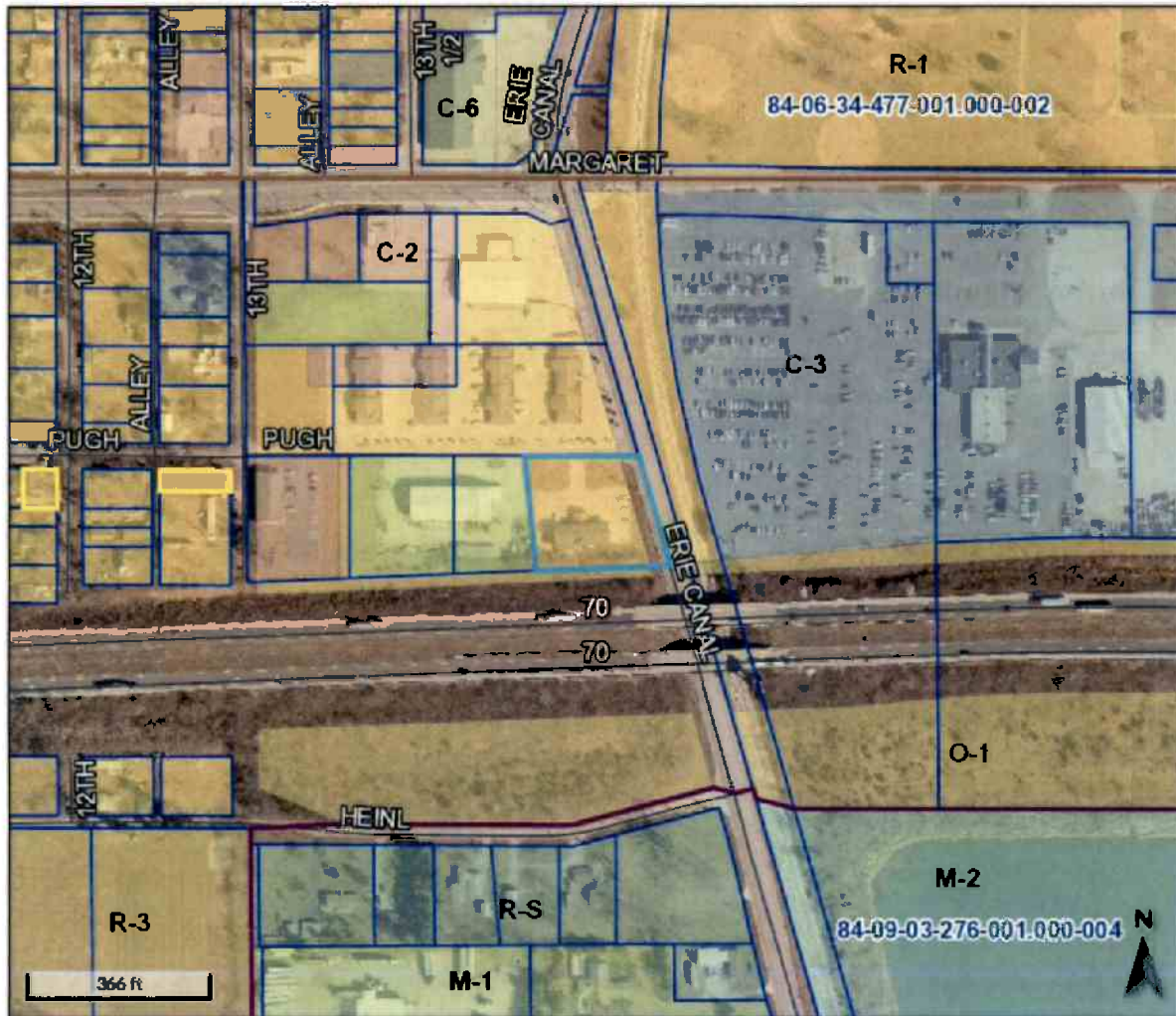


Legend

- Corporate Limits
- Political Township
- Sections
- Blocks
- Parcels
- Road Centerlines

Current Zoning Classifications

- A-1
- A-1MO
- A-1NR
- C-1
- C-1PD
- C-2
- C-2PD
- C-2SU
- C-3
- C-3NR
- C-3PD
- C-3SU
- C-4
- C-5
- C-6
- C-6PD
- C-6SU
- C-7
- C-7NR
- C-8
- C-8PD
- C-9
- C3PUD
- M-0
- M-1
- M-1PD
- M-2
- M-2NR
- M-2PD
- M-O



Overview



Legend

- Corporate Limits
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Current Zoning Classifications

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- C-3PD
- C-3SU
- C-4
- C-5
- C-6
- C-6PD
- C-6SU
- C-7
- C-7NR
- C-8
- C-8PD
- C-9
- C3PUD
- M-0
- M-1
- M-1PD
- M-2
- M-2NR
- M-2PD
- M-O

N

PUSH DRIVE

S 04 56' E (R) S 04 44' 22" E (M) 217.25' (R/M)

ENTRY EXIT

R/M 25' SETBACK

EXISTING CONCRETE PAVEMENT

55' SETBACK

EXISTING CONCRETE PAVEMENT

60" SETBACK

R/M

ERIE CANAL ROAD
S 15 50' E (R) S 15 43' 26" E (M) 214.10' (R/M)

N 04 24' W (R) N 04 17' 21" W (M)

218.16' (R/M)

5' SETBACK

NATURAL GAS

40.2'

40.2' EAST

40.2' EAST

EXISTING SINGLE STORY BUILDING

100'

40.2'

11' SETBACK

S 01 30' W (R) S 01 36' 38" W (M)

259.30'

SITE PLAN
SCALE: 1/8" = 1'-0"

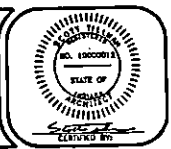
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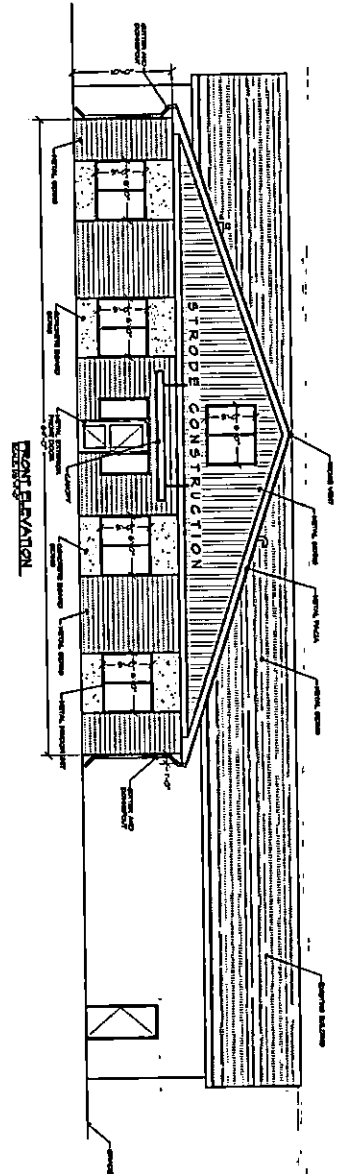
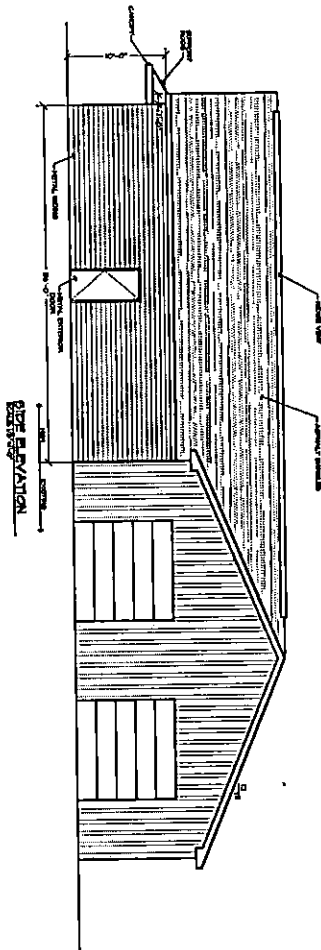
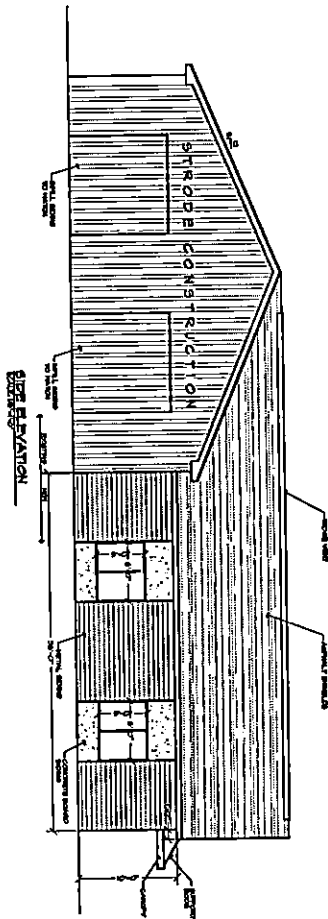
SITE PLAN

STRODE CONSTRUCTION
TERRE HAUTE, INDIANA

Scott Tillman Designs

Architecture; Planning; and Design
614 N. Meridian Street
Brazil, Indiana 47834
Phone: (812) 448-7136 Cell: (812) 878-4251





4200

NO.	DATE	REVISION

ELEVATIONS



**STRODE
CONSTRUCTION LLC**

Scott Tillman Designs

Architecture, Planning, and Design
614 N. Meridian Street
Brazil, Indiana 47834
Phone: (812) 448-7188 Cell: (812) 878-4251



AFFIDAVIT OF OWNERSHIP AND CONSENT

COMES NOW Affiant, Jeffrey A. Lewellyn, Attorney for **Strode Properties & Development, LLC**, an Indiana limited liability company, (the "Company") and affirms under penalty of law that the Company is the owner of record of the property located at **1425 E. Pugh Drive, Terre Haute, IN 47802, Parcel No. 84-09-03-201-009.000-00** for which a rezoning is requested and attached hereto is a copy of the deed evidencing such ownership. Further, as attorney for the Company it is represented that the Company is seeking to rezone the subject property to **(M-1) Light Industry District** to allow for the construction of a business office and related warehousing space.

I affirm under penalty of perjury, that the foregoing representations are true.


Jeffrey A. Lewellyn

STATE OF INDIANA)
 :SS
COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, **Jeffrey A. Lewellyn**, who acknowledged the execution of the above and foregoing Affidavit of Ownership and Consent, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal this 4th day of September, 2019.


Debra L. Hileman, Notary Public
Resident of Vigo County, Indiana

My commission expires:
05-19-2023



ENTERED FOR TAXATION
Subject to final acceptance for Transfer

2019006232 WD \$25.00
06/20/2019 02:36:54P 2 PGS
Stacey Todd
VIGO County Recorder IN
Recorded as Presented



JUN 20 2019

James W. Brouck
VIGO COUNTY AUDITOR
WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Charles E. Mattingly, of Vigo
County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other
good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEYS and
WARRANTS unto Strode Properties & Development, LLC, a limited liability company organized and existing
under the laws of the State of Indiana, the following described real estate located in the County
of Vigo, State of Indiana, to-wit:

Beginning at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 3,
Township 11 North, Range 9 West; thence South a distance of 530.30 feet; thence South 89 degrees 56
minutes East a distance of 405.52 feet to the place of beginning; thence South 89 degrees 56 minutes
East a distance of 355.99 feet to the center of the Canal Road; thence South 15 degrees 50 minutes East
a distance of 214.70 feet to the North right of way line of the Indiana State Highway Commission;
thence South 87 degrees 30 minutes West a distance of 415.24 feet; thence North 0 degrees 4 minutes
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way line of Interstate 70; thence South 87 degrees 30 minutes West along and with said right of way
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0.75 acres, more or less.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the
subject real estate.

Subject to taxes prorated to the date hereof.

IN WITNESS WHEREOF the above referred to Charles E. Mattingly has hereunto set his hand and
seal, this 20th day of June, 2019.

Charles E. Mattingly

(SEAL)

Charles E. Mattingly

STATE OF INDIANA, VIGO COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 20th day of June,
2019, personally appeared Charles E. Mattingly and acknowledged the execution of the annexed Deed to be his voluntary act
and deed.

WITNESS my hand and Notarial Seal.

James W. Brouck

Notary Public

My Commission Expires: May 30, 2027

James W. Brouck

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.

Kathleen G Cox
Signature

Kathleen G Cox
Printed Name

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: 1425 E. High Dr. Terre Haute IN 47802
~~3101 E. Canal Rd~~

MAIL TAX STATEMENTS TO: Same



Receipt

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

Date: 09-04-19

Name: Wilkinson Law Firm

Reason: Re-zoning

TERRE HAUTE, IN
PAID

SEP 6 2019

Cash: _____

CONTROLLER

Check: 4500 CK#0100886

Credit: _____

Total: \$ 4500

Received By: [Signature]



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 7, 2019

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER 22-19,

CERTIFICATION DATE: November 6, 2019

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. 22-19. This Ordinance is a rezoning of the property located at 1425 E. Pugh Drive, Terre Haute, IN. The Petitioner, Strode Properties & Development, petitions the Plan Commission to rezone said real estate from zoning classification R-1 to M-1, Light Industrial District for office space with related warehousing space. 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. 22-19 at a public meeting and hearing held Wednesday, November 6, 2019. 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. 22-19 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 22-19 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. 22-19 was FAVORABLE WITH THE FOLLOWING CONDITIONS:

1. Approval of a landscape and buffer plan by City Engineering.



Fred L. Wilson, President

Jared Bayler, Executive Director

Received this 7th day of November, 2019

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #22-19

Doc: # 62

Date: October 2019

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APPLICATION INFORMATION

Petitioner: Strode Properties & Development

Owner: Same

Representative: Jeffry A Lewellyn

Proposed Use: Office space with related warehousing space initially intended for Strode Construction, who is engaged in residential, commercial & industrial construction design and a building contractor business.

Proposed Zoning: M-1, Light Industrial District

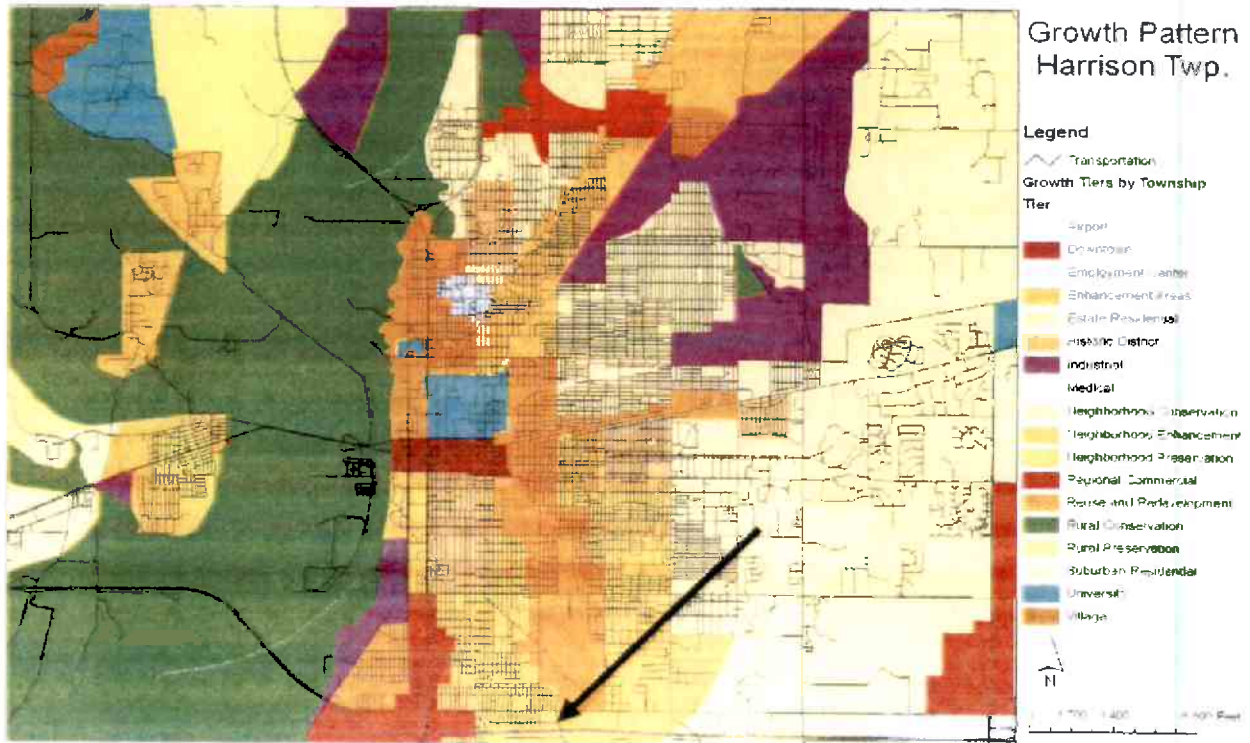
Current Zoning: R-1, Single Family Residential District

Location: The property is located on the corner of Erie Canal Rd and E. Pugh Drive

Common Address: 1425 E. Pugh Drive, Terre Haute, In

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



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
OF VIGO COUNTY, INDIANA:

LADIES AND GENTLEMEN:

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See attached Exhibit A, legal description.

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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.

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WHEREFORE, your Petitioner respectively requests that the Area Plan Commission of 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, Chapter 10, Article 2, of the Municipal Code, designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana", and declaring the above-described real estate to be part of the **(M-1)Light Industry District** of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the subject real estate and the owners thereof by virtue of the new zoning designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, this Petition has been duly executed on this 4th day of September, 2019.

Strode Properties & Development, LLC

By: _____


Jeffrey A. Lewellyn, Attorney

Petitioner: Strode Properties & Development, LLC
1027 Poplar St.
Terre Haute, IN 47807

Prepared By: Jeffrey A. Lewellyn, No. 15216-34
ATTORNEY FOR PETITIONER
Wilkinson Goeller Modesitt
Wilkinson & Drummy, LLP
333 Ohio Street
Terre Haute, Indiana 47807
Phone: (812) 232-4311

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #22-19

Doc: # 62

Date: October 2019

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Neighborhood Enhancement Areas

Areas that qualify as Neighborhood Enhancement, represent residential areas with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within the Terre Haute, West Terre Haute, Seelyville, and Riley.

In regards to residential neighborhoods that are in need of rehabilitation, they should receive priority efforts with respect to public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Over time incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect some displacement of existing industrial facilities, either because of functional and competitive obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial reuse or redevelopment may not be appropriate, for example in older core of the City of Terre Haute.

Neighborhood commercial areas are small scale, retail activity clusters or planned centers that serve limited market areas – typically 4,000 to 10,000 people. They provide shopping opportunities for those most frequently purchased goods and services. Neighborhood commercial areas should be distributed throughout the community in relationship to the distribution of households. Each neighborhood commercial center should be a master planned commercial development that is contained within a defined tract or land area. Auto ingress and egress must be controlled. Most importantly, these areas should relate to surrounding residential neighborhoods but not adversely impact the livability of those neighborhoods through traffic, lighting, noise, litter, or other impacts. They will require strong buffering and landscape regulations, as well as being architecturally harmonized and able to blend with their neighborhood context.

Additional policies for Neighborhood Enhancement Areas should include:

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Support preservation and rehabilitation of historic properties.
- Incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.
- Identify areas that need sub-area plans and prioritize the development of those plans by area.
- 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.

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Street Access: E. Pugh Drive.

Dev. Priority: High intensity residential area

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-1, C-2

East – C-3

South – I-70 Interstate

West – M-1

Character of Area: The area has a mix of uses.

ZONING REGULATIONS

It is the purpose of this classification to provide for complete separation of residential and commercial areas, from industrial areas for the mutual protection of both industrial and residential, and commercial uses. It is recognized that for industrial growth, a reasonable excess of quality land must be held in exclusive reserve for industrial expansion. In the granting of special uses, this goal must be paramount in the consideration thereof and special uses not clearly of manufacturing or industrial nature must be incidental to an established industrial facility.

The Light Industrial zone classification provides for additional sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in Sec. 10-143.

Uses, Permitted - M-1 Light Industry District.

The following uses are permitted, provided that all business, servicing, or processing shall take place within completely enclosed buildings, unless otherwise indicated hereinafter and except for establishments of the "drive-in" type offering goods or services directly to customers waiting in parked motor vehicles and off-street loading and parking as regulated in Sec. 10-137. Any production, processing, cleaning, servicing, testing, repair, or storage of material, goods, or products which shall conform with the performance standards set forth in Sec. 10-143 (except such uses as are specifically excluded), and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat. Within three hundred feet (300') of a Residence District, all storage except of motor

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vehicles, shall be within completely enclosed buildings or may be located out-of-doors if it is effectively screened by a solid wall or fence (including solid entrance and exit gates) as specified in Sec. 10-172 e. for junkyards.

The following is a list of approved uses of an M-1 zoning: Automobile laundries.

(3) Building materials sales, (4) Contractor or construction office, shops, and yards; such as:(A) Building.(B) Cement.(C) Electrical.(D) Heating, ventilating and air conditioning.(E) Roofing.(F) Masonry.(G) painting.(H) Plumbing.(I) Refrigeration.(5) Fuel and ice sales, if located in completely enclosed buildings.(6) Garages and parking lots, for motor vehicles.(7) Public utility and public service uses, including:(A) Bus terminals, bus garages, bus lots.(B) Electric sub-stations.(C) Fire stations.(D) Gas utility service sub-stations.(E) Police stations.(F) Railroad passenger stations.(G) Railroad rights-of-way.(H) Telephone exchanges, microwave relay towers, and water filtration plants.(I) Water filtration plants.(J) Water pumping stations.(K) Sewage or storm water pumping stations.(8) Signs as regulated in Sec. 10-141. (9) Trade schools. (10) Accessory uses.

FINDINGS and RECOMMENDATION

Staff Findings:

The Light Industrial zone classification provides for sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in §10-143.

Anytime an industrial zoning is considered protecting the rights of surrounding uses is the highest concern. In this instance the property immediately to the north is zoned R-1. However, all uses are commercial in nature. To the west, is already zoned M-1. To the east and south major thoroughfares act as a natural buffer.

So, as long as all fabrication is completed indoors and all outdoor storage is visually screened. Staff has no issues with this request. Reuse and redevelopment are encouraged activities in the City of Terre Haute.

Recommendation:


Staff offers a Favorable Recommendation on the rezoning with the following conditions:

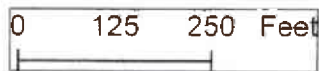
1. Approval of a landscape and buffer plan by City Engineering.

DUCKET #02, S.O. #22-19 -- 1425 E. Pugh Dr.
From R-1 to M-1



Parcels: 84-09-03-201-009 000-005


Area of Interest



Department of Area Planning
For Vigo County