

**APPLICATION FOR REZONING PETITION – CITY OF TERRE HAUTE**

**SPECIAL ORDINANCE NO. 2, 2013**

COMMON ADDRESS OF LOTS TO BE REZONED:

100 Antioch Circle East, Terre Haute, IN 47803

Current Zoning: C3 – Regional Commerce District

Requested Zoning: R3 – General Residence District

Proposed Use: Multi-family Apartment Complex

Name of Owner: Sycamore Terrace Apartments, LLC

Address of Owner: 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807

Phone Number of Owner: (812) 235-5959

Attorney Representing Owner (if any): Timothy E. Fears

Address of Attorney: 901 Wabash Ave, Suite 300, Terre Haute, IN 47807

Phone Number of Attorney: (812) 235 - 5959

For Information Contact: Timothy E. Fears

Council Sponsor: Robert All

**\*COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

**FILED**

JAN 04 2013

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 2, 2013**

**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 ORDAINED 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:

Part of lot numbered 1 (one) of the Plat of Sycamore Terrace North Subdivision per plat thereof recorded on November 29, 2010 as Instrument number 20100015813 in Plat Cabinet D, Slide 738 through 740 in the Office of the Recorder of Vigo County and being part of the Northeast quarter of Section 31, Township 12 North, Range 8 West, Vigo County, Indiana, described as follows:

Commencing at a rebar with cap found of record as the Southwest Corner of said Northeast Quarter of Section 31; thence, along the South line of said Northeast Quarter Section, South 89 degrees 43 minutes 26 seconds East 322.06 feet to a 5/8 inch rebar found with cap stamped "SPIRES IN LS 29900015" (hereafter "monument found") on the North right-of-way of New Margaret Avenue as described in Instrument Number 2010006549, being the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 1065.00 feet and a chord of 253.05 feet bearing North 55 degrees 42 minutes 55 seconds East; thence along said North right-of-way line and curve an arc length of 253.65 feet to the Southwest corner of Lot 2 in said Sycamore Terrace North; thence, along the West line of said Lot, North 00 degrees 41 minutes 33 seconds East 960.65 feet to a 5/8-inch rebar with yellow cap stamped "Higbie 20100067" set (hereafter "rebar set") at the Northwest Corner of said Lot 2 and the Point of Beginning of this description; thence continue along the previously described course a distance of 465.93 feet to the South line of property in the name of Wayne and Linda Horn (Instrument No. 2007016434) said line also being the North line of Lot 1 in said Sycamore Terrace North Subdivision, a rebar set; thence, along said North line, South 89 degrees 35 minutes 27 seconds East 559.95 feet to the West line of Lot 3 in said Sycamore Terrace North Subdivision a rebar set; thence, along said West line, South 00 degrees 35 minutes 45 seconds West 468.70 feet to the Northeast corner of said Lot 2, a rebar found ; thence, along the North line of said Lot 2, North 89 degrees 18 minutes 27 seconds West (North 89 degrees 18 minutes 26 seconds West as calculated 560.73 feet to the Point of Beginning, containing 6.01 acres more or less.

Commonly known as: **100 Antioch Circle East, Terre Haute, Vigo County Indiana 47803**

Be and the same is hereby established as a **R-3 General Residence District**, 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 Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member, Robert All  
Robert All

Passed in Open Council this 14 day of Feb, 2013.

ATTEST: Charles P. Hanley  
Charles P. Hanley, City Clerk

Norman E. Loudermilk, President

Presented by me to the Mayor of the City of Terre Haute this 15<sup>th</sup> day of February, 2013.

Charles P. Hanley  
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 15<sup>th</sup> day of FEBRUARY, 2013.

ATTEST: Charles P. Hanley  
Charles P. Hanley, City Clerk

Duke A. Bennett  
Duke A. Bennett, Mayor

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. *Timothy E. Fears, Attorney*

This instrument prepared by Timothy E. Fears, General Counsel, Thompson Thrift, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807, (812) 235-5959.

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 GENTLEMEN:

The undersigned, Paul M. Thrift, the Manager of **Sycamore Terrace Apartments, LLC**, an Indiana limited liability company, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Part of lot numbered 1 (one) of the Plat of Sycamore Terrace North Subdivision per plat thereof recorded on November 29, 2010 as Instrument number 20100015813 in Plat Cabinet D, Slide 738 through 740 in the Office of the Recorder of Vigo County and being part of the Northeast quarter of Section 31, Township 12 North, Range 8 West, Vigo County, Indiana, described as follows:

Commencing at a rebar with cap found of record as the Southwest Corner of said Northeast Quarter of Section 31; thence, along the South line of said Northeast Quarter Section, South 89 degrees 43 minutes 26 seconds East 322.06 feet to a 5/8 inch rebar found with cap stamped "SPIRES IN LS 29900015" (hereafter "monument found") on the North right-of-way of New Margaret Avenue as described in Instrument Number 2010006549, being the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 1065.00 feet and a chord of 253.05 feet bearing North 55 degrees 42 minutes 55 seconds East; thence along said North right-of-way line and curve an arc length of 253.65 feet to the Southwest corner of Lot 2 in said Sycamore Terrace North; thence, along the West line of said Lot, North 00 degrees 41 minutes 33 seconds East 960.65 feet to a 5/8-inch rebar with yellow cap stamped "Higbie 20100067" set (hereafter "rebar set") at the Northwest Corner of said Lot 2 and the Point of Beginning of this description; thence continue along the previously described course a distance of 465.93 feet to the South line of property in the name of Wayne and Linda Horn (Instrument No. 2007016434) said line also being the North line of Lot 1 in said Sycamore Terrace North Subdivision, a rebar set; thence, along said North line, South 89 degrees 35 minutes 27 seconds East 559.95 feet to the West line of Lot 3 in said Sycamore Terrace North Subdivision a rebar set; thence, along said West line, South 00 degrees 35 minutes 45 seconds West 468.70 feet to the Northeast corner of said Lot 2, a rebar found ; thence, along the North line of said Lot 2, North 89 degrees 18 minutes 27 seconds West (North 89 degrees 18 minutes 26 seconds West as calculated 560.73 feet to the Point of Beginning, containing 6.01 acres more or less.

Commonly known as: **100 Antioch Circle East, Terre Haute, Vigo County 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 a **C-3 Regional Commerce District**.

Your petitioner would respectfully state that the real estate described herein shall be zoned as an **R-3 General Residence District** to allow for the construction and development of a multi-family apartment complex. Your Petitioner would allege that the development would not alter the general characteristics of this neighborhood.

Your Petitioner would respectfully show the proposed use 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 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, 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 General Residence District** of the City of Terre Haute, Indiana, and entitled to the rights and the benefits that may accrue to the subject 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 on this 3<sup>rd</sup> day of January, 2013.

**Sycamore Terrace Apartments, LLC**

By:   
Paul M. Thrift, Manager

**PETITIONER: Sycamore Terrace Apartments, LLC  
901 Wabash Avenue, Suite 300  
Terre Haute, IN 47807**

This instrument prepared by Timothy E. Fears, General Counsel, Thompson Thrift, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807, (812) 235-5959.

TERRE HAUTE MULTIFAMILY				WATERMARK RESIDENTIAL			
S. UNIT TABULATION - 2 STORY BIGHOUSE				1031172			
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	PERCENTAGE	TOTAL AREA	% BREAKDOWN	
A1	1br/1ba	765	9	12.50%	6,885	37.50%	
A3	1br/1ba	822	18	25.00%	14,796		
B1	2br/2ba	1,032	3	4.17%	3,096	45.83%	
B3	2br/2ba	1,061	18	25.00%	19,098		
B5	2br/2ba	1,261	12	16.67%	15,132		
C1	3br/2ba	1,545	12	16.67%	18,540	16.67%	
<b>TOTALS</b>			<b>72</b>	<b>100.00%</b>	<b>77,547</b>		

UNIT AVERAGE NET SF : 1,077

\*NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE AN SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/CORAL/CON STORAGE.

**PROJECT DATA**

UNIT AVERAGE NET SF : 1,077 S.F.

AGREEMENT : 6.01 ACRES

DENSITY : 11.98 UNITS/ACRE

PARKING :

REQUIRED : 137 SPACES

PROVIDED : 137 SPACES

SURFACE PARKING : 107 SPACES

GARAGE PARKING : 30 SPACES

TOTAL : 137 SPACES/UNIT

**CURRENT ZONING : R3**

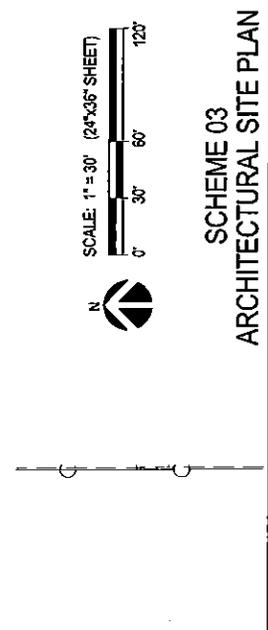
**PARKING REQUIRED.**

1 BED ROOM : 1.5 SPACES PER UNIT  
27 x 1.5 : 41 SPACES

2 BED ROOMS: 2 SPACES PER UNIT  
33 x 2 : 66 SPACES

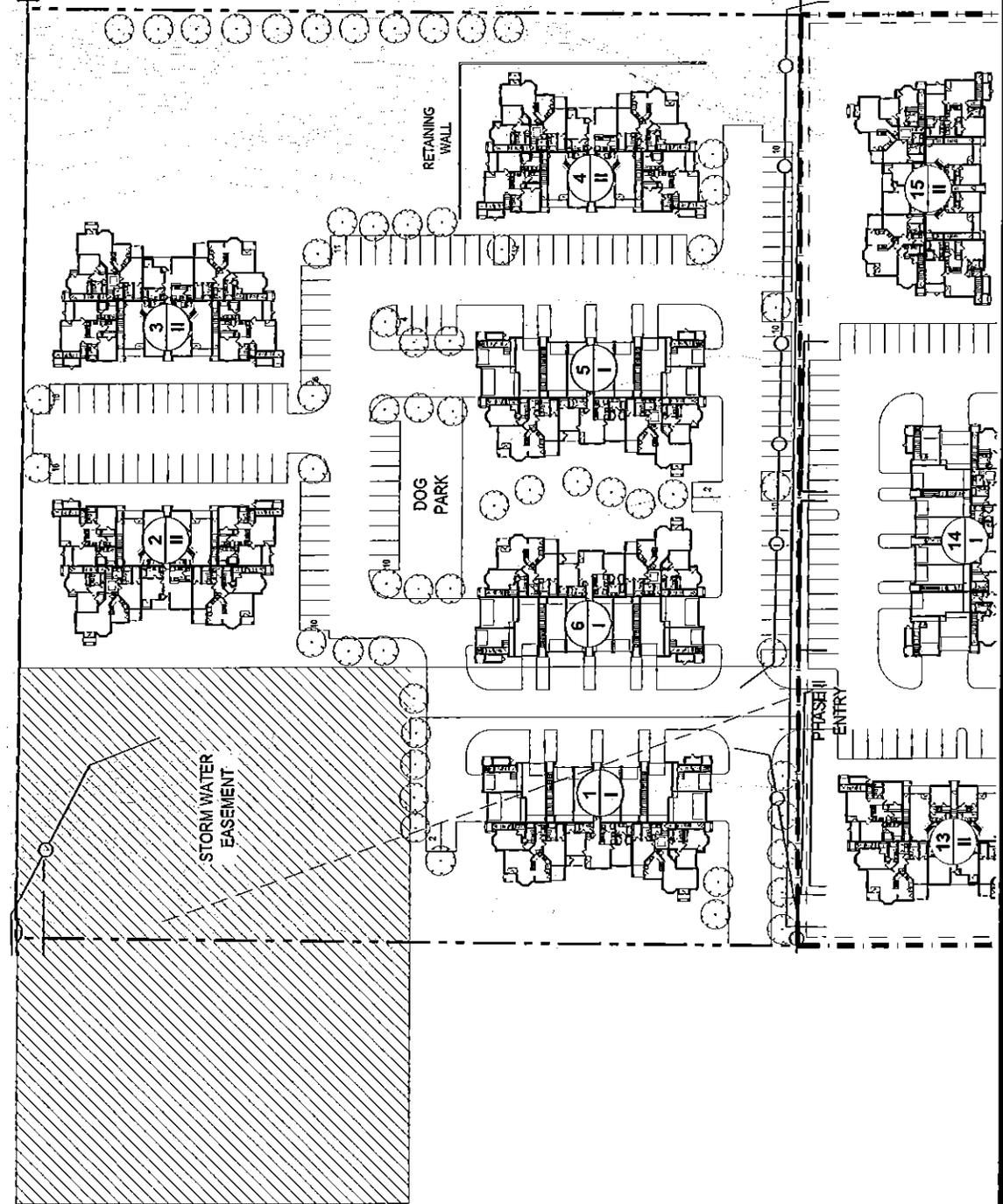
3 BED ROOMS: 2.5 SPACES PER UNIT  
27 x 2.5 : 30 SPACES

**TOTAL REQUIRED : 137 SPACES**



SCHEME 03  
ARCHITECTURAL SITE PLAN

**HUMPHREYS & PARTNERS ARCHITECTS, L.P.**  
1000 ALMA ROAD, SUITE 200, SAN ANTONIO, TEXAS 78202-3717  
DALLAS OFFICE: 1100 W. LEE, SUITE 3000, NEW ORLEANS, LOUISIANA 70119



**TERRE HAUTE MULTIFAMILY-PHASE II**  
**WATERMARK RESIDENTIAL**  
TERRE HAUTE, IN  
HPA# 2012461

10-31-2012

**HUMPHREYS & PARTNERS ARCHITECTS, L.P.**  
1000 ALMA ROAD, SUITE 200, SAN ANTONIO, TEXAS 78202-3717  
DALLAS OFFICE: 1100 W. LEE, SUITE 3000, NEW ORLEANS, LOUISIANA 70119

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF VIGO        )

**AFFIDAVIT**

Comes now Paul M. Thrift, the Manager of **Sycamore Terrace Apartments, LLC**, an Indiana limited liability company, being duly sworn upon his oath, deposes and says:

1. That Sycamore Terrace Apartments, LLC 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:

Part of lot numbered 1 (one) of the Plat of Sycamore Terrace North Subdivision per plat thereof recorded on November 29, 2010 as Instrument number 20100015813 in Plat Cabinet D, Slide 738 through 740 in the Office of the Recorder of Vigo County and being part of the Northeast quarter of Section 31, Township 12 North, Range 8 West, Vigo County, Indiana, described as follows:

Commencing at a rebar with cap found of record as the Southwest Corner of said Northeast Quarter of Section 31; thence, along the South line of said Northeast Quarter Section, South 89 degrees 43 minutes 26 seconds East 322.06 feet to a 5/8 inch rebar found with cap stamped "SPIRES IN LS 29900015" (hereafter "monument found") on the North right-of-way of New Margaret Avenue as described in Instrument Number 2010006549, being the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 1065.00 feet and a chord of 253.05 feet bearing North 55 degrees 42 minutes 55 seconds East; thence along said North right-of-way line and curve an arc length of 253.65 feet to the Southwest corner of Lot 2 in said Sycamore Terrace North; thence, along the West line of said Lot, North 00 degrees 41 minutes 33 seconds East 960.65 feet to a 5/8-inch rebar with yellow cap stamped "Higbie 20100067" set (hereafter "rebar set") at the Northwest Corner of said Lot 2 and the Point of Beginning of this description; thence continue along the previously described course a distance of 465.93 feet to the South line of property in the name of Wayne and Linda Horn (Instrument No. 2007016434) said line also being the North line of Lot 1 in said Sycamore Terrace North Subdivision, a rebar set; thence, along said North line, South 89 degrees 35 minutes 27 seconds East 559.95 feet to the West line of Lot 3 in said Sycamore Terrace North Subdivision a rebar set; thence, along said West line, South 00 degrees 35 minutes 45 seconds West 468.70 feet to the Northeast corner of said Lot 2, a rebar found ; thence, along the North line of said Lot 2, North 89 degrees 18 minutes 27 seconds West (North 89 degrees 18 minutes 26 seconds West as calculated 560.73 feet to the Point of Beginning, containing 6.01 acres more or less.

Commonly known as: **100 Antioch Circle East, Terre Haute, Vigo County Indiana 47803**

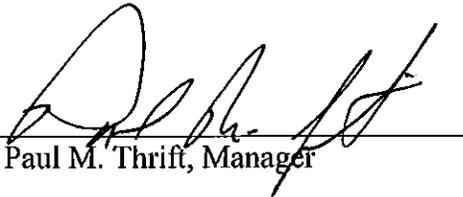
2. That a copy of the Special Warranty Deed dated December 27, 2012, and recorded December 28, 2012 at Instrument Number 2012019381, in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to **Sycamore Terrace Apartments, LLC** is attached hereto and made a part hereof and marked as Exhibit "A".

3. That Affiant makes this Affidavit for the sole purpose of affirming that the Affiant 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 as filed by Affiant.

4. Further Affiant sayeth not.

DATED at Terre Haute, Indiana this 3<sup>rd</sup> day of January, 2013.

**Sycamore Terrace Apartments, LLC**

By:   
Paul M. Thrift, Manager

**STATE OF INDIANA, COUNTY OF VIGO, SS:**

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 3<sup>rd</sup> day of January, 2013.

  
Tami L. Robertson, Notary Public



My Commission expires: 08-29-17  
County of Residence: Parke

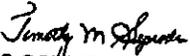
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. *Timothy E. Fears, Attorney*

This instrument prepared by Timothy E. Fears, General Counsel, Thompson Thrift, 901 Wabash Ave, Suite 300, Terre Haute, IN 47807, (812) 235-5959.

2012019381 SWD \$22.00  
12/28/2012 03:17:31P 4 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented

**DULY ENTERED FOR TAXATION**  
Subject to final acceptance for transfer

DEC 28 2012

  
TIMOTHY M. SPURGEON  
VIGO COUNTY AUDITOR

**SPECIAL WARRANTY DEED**

**GREGORY L. GIBSON**, by David R. Lundstrom, his Attorney-in-Fact, pursuant to a Power of Attorney recorded December 27, 2012, as Instrument No. 2012019082, in the records of Recorder's Office of Vigo County, in the State of Indiana, (hereinafter referred to as "Grantor") for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to him in hand paid by **SYCAMORE TERRACE APARTMENTS, LLC**, an Indiana limited liability company (hereinafter referred to as "Grantee"), whose mailing address is 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807, the receipt and sufficiency of which consideration is hereby acknowledged, and upon and subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY, unto Grantee all of the real property situated in Vigo County, Indiana, described on Exhibit A attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and together with all improvements located thereon and any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "Property").

This conveyance is made subject and subordinate to those encumbrances, exceptions and all other matters of record affecting the Property.

TO HAVE AND TO HOLD the Property as aforesaid, unto Grantee, its successors and assigns, forever; and Grantor does hereby bind himself and his successors, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns,

against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

By acceptance of this Special Warranty Deed, Grantee acknowledges and agrees that any and all liability hereunder of Grantor, his agents, representatives or employees, including the Special Warranty of title herein contained, shall be limited to and satisfied solely from the Grantor's proceeds from the Property.

The undersigned, David R. Lundstrom, Attorney-in-Fact for Gregory L. Gibson, warrants and states that the Power of Attorney dated December 20, 2012 and recorded December 27, 2012, as Instrument No. 2012019082, in the records of the Vigo County Recorder's Office is still in effect and has not been revoked by death or by any other means.

IN WITNESS WHEREOF, the said Grantor above named, Gregory L. Gibson, by David R. Lundstrom, his Attorney-in-Fact, pursuant to a Power of Attorney recorded December 27, 2012, as Instrument No. 2012019082, in the records of Recorder's Office of Vigo County, in the State of Indiana, has hereunto set his hand and seal, this 28<sup>th</sup> day of December 2012.

  
Gregory L. Gibson, by David R. Lundstrom,  
Attorney-in-Fact, pursuant to a Power of Attorney  
recorded December 27, 2012, as Instrument No.  
2012019082, in the records of the Recorder's Office  
of Vigo County, in the State of Indiana.

STATE OF INDIANA, COUNTY OF VIGO, SS:

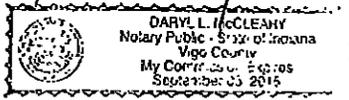
Before me, the undersigned, a Notary Public, in and for said County and State, this 28<sup>TH</sup> day of December, 2012, personally appeared the within named Gregory L. Gibson, by David R. Lundstrom, Attorney-in-Fact, pursuant to a Power of Attorney recorded December 27, 2012, as Instrument No. 2012019082, in the records of the Recorder's Office of Vigo County, in the State of Indiana, the Grantor in the above conveyance, and acknowledged the execution of the same to be his voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

*Daryl L. McCleary*  
\_\_\_\_\_  
Daryl L. McCleary Notary Public

My Commission Expires: 02-06-2015

County of Residence: VIGO



Send tax bill to: Sycamore Terrace Apartments, LLC, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807.

Grantee's mailing address: Sycamore Terrace Apartments, LLC, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807.

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. *Timothy E. Fears, Attorney*

This instrument prepared by Timothy E. Fears, Attorney at Law, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807, (812) 235-5959.

**EXHIBIT A  
LEGAL DESCRIPTION**

Part of lot numbered 1 (one) of the Plat of Sycamore Terrace North Subdivision per plat thereof recorded on November 29, 2010 as Instrument number 20100015813 in Plat Cabinet D, Slide 738 through 740 in the Office of the Recorder of Vigo County and being part of the Northeast quarter of Section 31, Township 12 North, Range 8 West, Vigo County, Indiana, described as follows:

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**Receipt**

TERRE HAUTE, IN  
**PAID**

The following was paid to the City of Terre Haute, Controller's Office 4 2013

Date: 1/4/13

Name: Thompson Christ

**CONTROLLER**

Reason: \_\_\_\_\_

Reasoning

Cash: \_\_\_\_\_

Check: \$4500

Credit: \_\_\_\_\_

Total: \$4500

Received By: Sat Keelin



**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: February 7, 2013

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER #2-13**

**CERTIFICATION DATE: February 6, 2013**

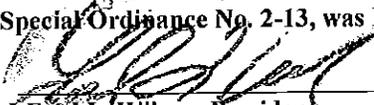
**TO: The Honorable Common Council of the City of Terre Haute**

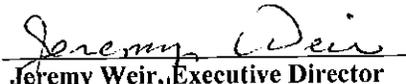
Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 2-13. This Ordinance is a rezoning of the property located at 100 Antioch Circle East. The Petitioner, Sycamore Terrace Apartments, LLC, Petitions the Plan Commission to rezone said real estate from zoning classification C-3 to R-3, General Residence District, for a apartment complex. 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. 2-13 at a public meeting and hearing held Wednesday, February 6, 2013. 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. 2-13 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 2-13 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. 2-13, was FAVORABLE.

  
Fred L. Wilson, President

  
Jeremy Weir, Executive Director

Received this 7th day of February, 2013

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #2-13  
Date: February 6<sup>th</sup>, 2013

Doc: # 7  
Page 1 of 3

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## APPLICATION INFORMATION

Petitioner: Gregory L. Gibson ~~Anti~~ Sycamore Terrace Apartment LLC  
Property Owner: Gregory L. Gibson  
Representative: Timothy E. Fears  
Proposed Use: Multi-family Apartment Complex  
Proposed Zoning: R-3, General Residence District  
Current Zoning: C-3, Regional Commerce District  
Location: The Property is located on the north side of New Margaret Dr. 700 Ft. west of State RD. 46 on the north side of Sycamore Terrace Apartments, LLC  
Common Address: Antioch Circle

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## COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Regional Commercial

- Increase the Identity of the district as a whole, with improved coordination in urban design elements including directional signage, 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 residential Neighborhoods in the vicinity.

Available Services: Area is well served by utilities.

Soil Limitations: Not studied.

Street Access: New Margaret Dr. is an Arterial Roadway

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #2-13

Doc: # 7

Date: February 6<sup>th</sup>, 2013

Page 2 of 3

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Dev. Priority: High development priority

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## ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-1, Single-Family Residence District

**East** – C-3, Regional Commerce Zone

**South** – R-3, General Residence District

**West** – C-3, Regional Commerce Zone

Character of Area: This area has land-uses that require large tracks of land such as a Major retail shopping-center anchored to Interstate 70 and State Road 46 attracting passersby's, and the 2<sup>nd</sup> largest International Airport in the state of Indiana.

Contig. Uses & Zones: The area is contiguous to a R-1, Single-Family Residence District, and Regional Commercial Zone C-3, and R-3, General Residence District with uses that are permitted.

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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 0.7 %  
Street Setback: 55 feet from centerline;

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Rear setback 11’;

Interior setback of 5’ from the interior lot line;

1.5 parking spaces per 1 bedroom unit.

2.0 parking spaces per 2 bedroom unit.

3.0 parking spaces per 3 bedroom unit.

Apartment, buffer strip separation of 150 Feet

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## **FINDINGS and RECOMMENDATION**

**Staff Findings:**

The proposed development will consist of 87 apartment units, which will consist of 27 one bedroom, 33 two bedroom, and 27 three bedroom units. The parking-lot layout will follow the same development pattern as phase I, with a mix of multifunctional private drive/surface parking areas, and attached private garages. The petitioner is planning to have storm water retention in the northwest corner of the property.

**Recommendation:**

A Favorable Recommendation.