

FILED

JUN 04 2015

CITY CLERK



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 12, 2015

COMMON ADDRESS OF LOTS TO BE REZONED:

2611 South Harding St.

Current Zoning: C-4

Requested Zoning: C-6

Proposed Use: Retail garden center

Name of Owner: Apple, LLC

Address of Owner: 2711 South Third

Phone Number of Owner: 812-236-6402

Attorney Representing Owner (if any): N/A

Address of Attorney: N/A

Phone Number of Attorney: N/A

For Information Contact: Ryan Cummins

Council Sponsor: _____

FILED

JUN 04 2015

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 12, 2015

CITY CLERK

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,
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:

Lots 12, 13, 14, 15, 16, 17, 18, 29, 30, 31, 32, 33, 34, and 35 in George R. Preston's
Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of Section
thirty three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute,
Vigo County, Indiana

Commonly known as: 2611 South Harding Street, Terre Haute, IN 47802

Be and the same is hereby established as a C-6 Strip Business Zone, 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 Amy Auler

Passed in Open Council this 16th day of July, 2015.

John Mullican
John Mullican, President

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

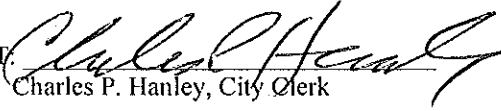
Presented by me to the Mayor of the City of Terre Haute this 17th day of July, 2015

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 17th day of July, 2015.

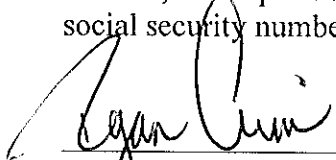
Duke A. Bennett
Duke A. Bennett, Mayor

ATTEST.


Charles P. Hanley, City Clerk

This instrument prepared by: Ryan Cummins, 2711 South Third Street, Terre Haute, Indiana 47802

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



Ryan Cummins
Apple LLC

PETITION FOR A REZONING

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

Lots 12, 13, 14, 15, 16, 17, 18, 29, 30, 31, 32, 33, 34, and 35 in George R. Preston's Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of Section thirty three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute, Vigo County, Indiana

Commonly known as: 2611 South Harding Street, Terre Haute, Indiana 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 C-4 Restricted Central Business District

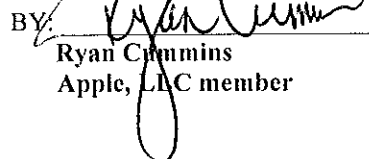
Your petitioner would respectfully state that the real estate is now used for sales/loading of bulk landscape materials, holding for sale of horticultural nursery stock, and overflow parking. Your petitioner intends to use the real estate as a full service retail garden center providing a full line of horticultural products.

Your petitioner would request that the real estate described herein shall be zoned as a C-6 Strip Business Zone. Your petitioner would allege that the Strip Business Zone would not alter the general characteristics of this neighborhood.

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

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the C-6 Strip Business Zone 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 4TH day of June, 2015.

BY: 
Ryan Cummins
Apple, LLC member

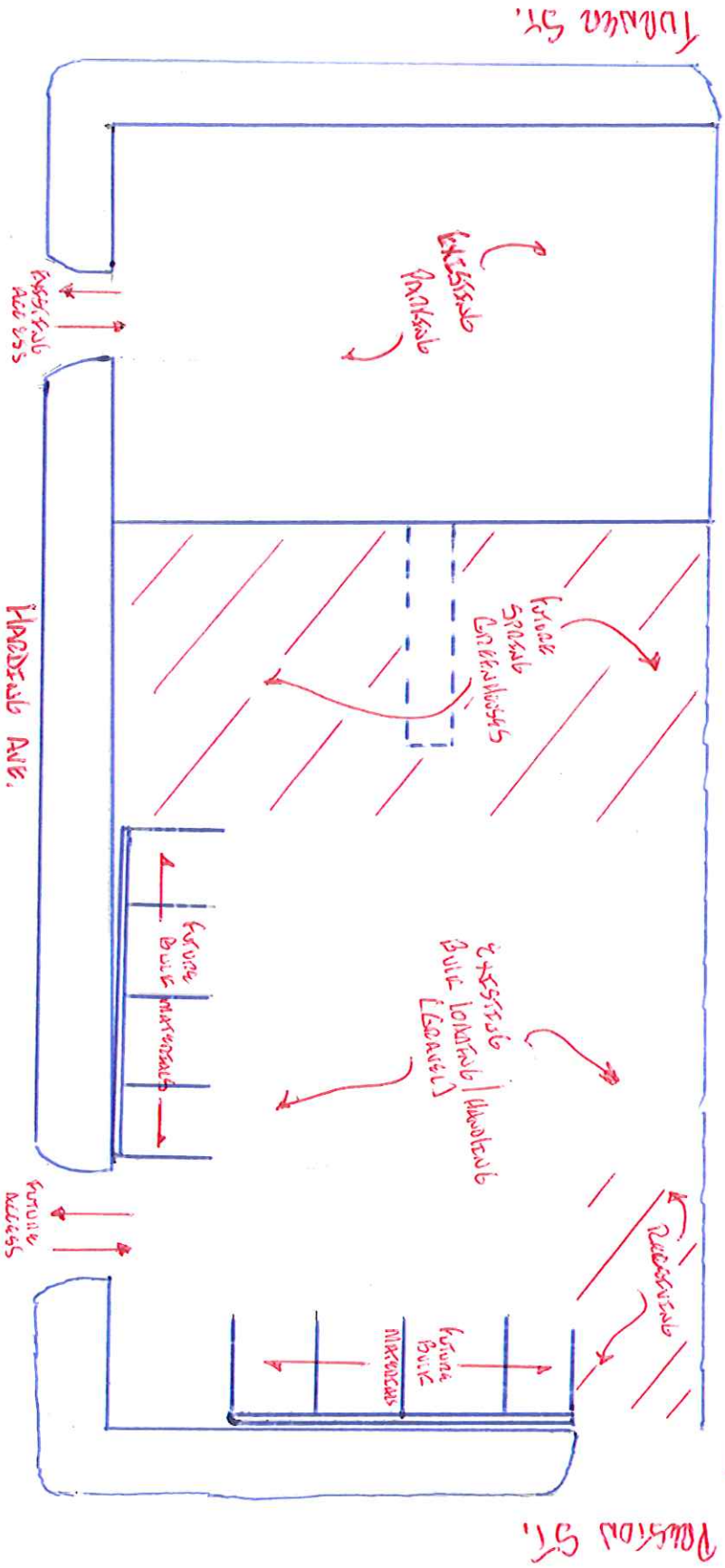
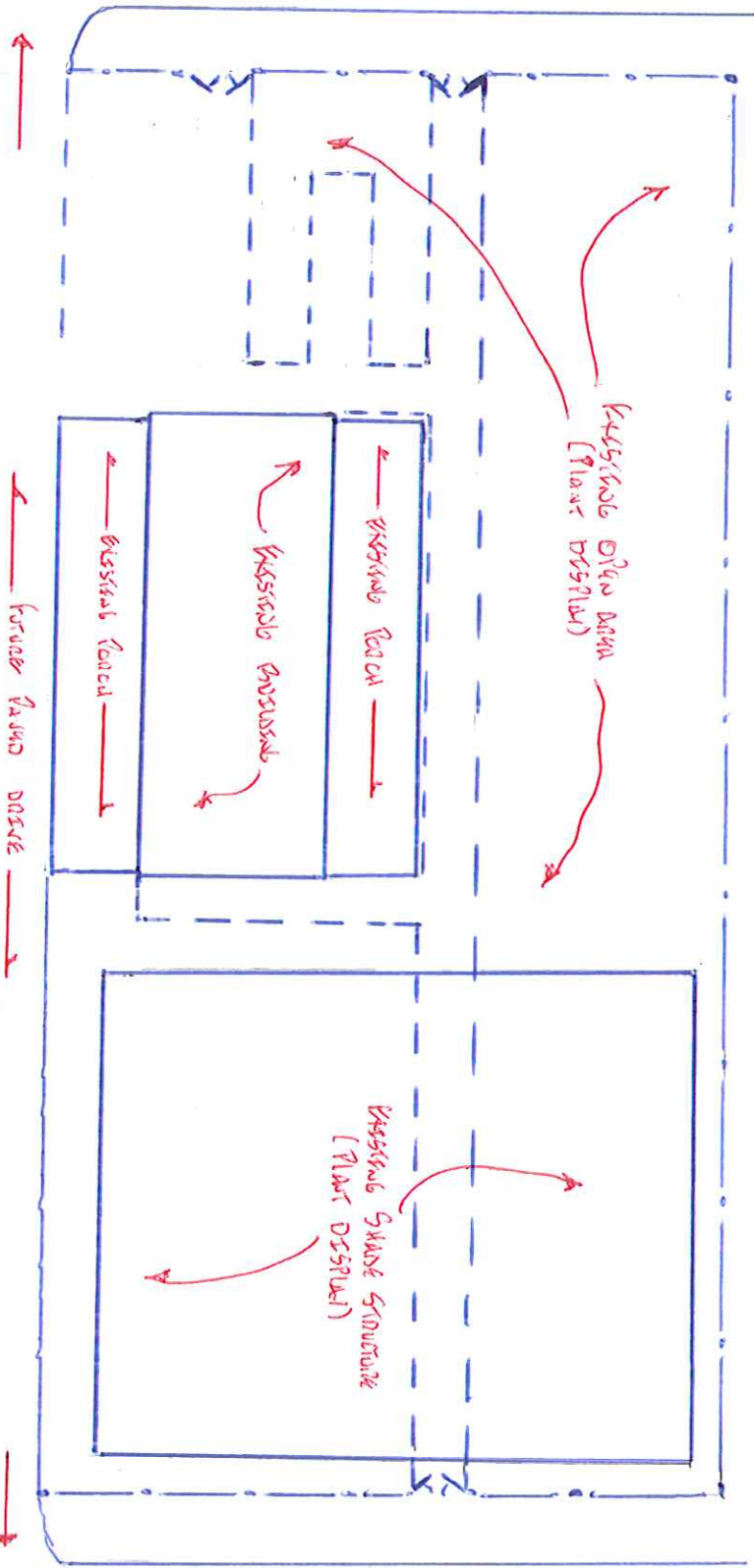
PETITIONER: Apple, LLC, 2711 South Third Street, Terre Haute, IN 47802.

This instrument was prepared by: Ryan Cummins, 2711 South Third Street, Terre Haute, IN 47802



Scale: 1"=4ft

Apple House /
Bleedoms Bldg.
Rosenstein Site Plan
2011 S. Woodruff



Tudor St.

Rosario St.

Future Access

Future Access

Future Access

AFFIDAVIT OF:

COMES NOW affiant Apple, LLC

and affirms under penalty of law that affiant is the owner of record of the property located at 2611 South Harding Avenue, Terre Haute, IN 47802

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

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

Apple, LLC

SIGNATURE: *Ryan J. Cummins* MEMBER

SIGNATURE: *H. Thomas Cummins Jr.* MEMBER

STATE OF INDIANA)
SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for
said County and State, VIGO IN

who acknowledges the execution of the above and foregoing, after being duly sworn upon his
oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 4th day of JUNE, 2005.

Notary Public:

Debbie S Long
Debbie S Long

My Commission Expires: 12-9-15

My County Of Residence: VIGO

NOTARY PUBLIC FOR TAXATION
Subject to rules accepted for transfer

98 07066

RECEIVED FOR RECORD

000603

FEB 24 1998

003066

EXEMPT FROM DISCLOSURE

98 FEB 25 AM 8:33

Jordan A. Anderson Notary Public
Vigo County

WARRANTY DEED

PAUL MASON
VIGO CO. RECORDER

THIS INDENTURE WITNESSETH: That Hugh T. Cummins and Marie T. Cummins, husband and wife ("Grantors"), CONVEY and WARRANT to Apple, LLC, an Indiana limited liability company, with a mailing address of 2711 South 3rd Street, Terre Haute, Indiana 47802 (the "Grantee"), for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the real estate in Vigo County, in the State of Indiana, described as follows, to-wit:

Lots 12, 13, 14, 15, 16, 17 and 18 in George R. Preston's Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of the Southeast quarter of Section thirty three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute, Vigo County, Indiana.

TOGETHER WITH all improvements thereon and appurtenances thereto.

SUBJECT TO Indiana general real property taxes.

IN WITNESS WHEREOF, the said Hugh T. Cummins and Marie T. Cummins, husband and wife, have hereunto set their hands and seals this 18th day of February, 1998.

Hugh T. Cummins
Hugh T. Cummins
Marie T. Cummins
Marie T. Cummins

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

Before me, the undersigned, a Notary Public in and for said County and State, this 18th day of February, 1998, appeared Hugh T. Cummins and Marie T. Cummins, husband and wife, and acknowledged the execution of the above and foregoing instrument and who, having been duly sworn, stated that the representations therein contained are true.

Karen S. McCann
Notary Public
KAREN S. MCCANN
Printed Name
County of Residence: VIGO

My Commission Expires:
May 30, 1999

This instrument prepared by David P. Friedrich, Attorney,
333 Ohio Street, P.O. Box 800, Terre Haute, IN 47808-0800.

Send tax duplicates to: Apple, LLC
2711 South 3rd St, Terre Haute, IN 47802

RECEIVED FOR RECORD
AT _____ O'CLOCK _____ M
RECORD 493 PAGE 603

Paul Mason

RECEIVED FOR RECORD

DULY ENTERED FOR TAXATION
Subject to final acceptance 03068

98 FEB 25 AM 8:34
EXEMPT FROM DISCLOSURE
PAUL HASON
VCO CO. RECORDER

000605

FEB 24 1998

CORPORATE WARRANTY DEED

Deed THIS INDENTURE WITNESSETH, That Apple House, Inc., a corporation organized and existing under the laws of the State of Indiana ("Grantor") CONVEYS AND WARRANTS to Apple, LLC, an Indiana limited liability company ("Grantee") with a mailing address of 2711 South 3rd Street, Terre Haute, Vigo County, State of Indiana 47802, for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the real estate in Vigo County, in the State of Indiana, described as follows, to-wit:

Lots 29, 30, 31 and 32 in George R. Preston's Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of the Southeast quarter of Section thirty three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute, Vigo County, Indiana.

TOGETHER WITH all improvements thereon and all appurtenances thereto.

SUBJECT TO Indiana general real property taxes.

This conveyance is further SUBJECT TO (a) public streets and highways and rights of way relating thereto, and (b) restrictions and easements of record and customary easements granted to public utilities.

As a further consideration of the payment of the above sum, the undersigned persons executing this deed on behalf of Grantor represent and certify, for the purpose of inducing Grantee to accept this Corporate Warranty Deed, that they are duly elected officers of Grantor and have been fully empowered, by either Grantor's By-Laws or by proper resolution of the Board of Directors of Grantor, to execute, acknowledge and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein and conveyed hereby; that the real estate conveyed by this indenture is conveyed in Grantor's usual and regular course of business as such term is defined in the Indiana Business Corporation Act, as amended; and all necessary corporate action for the making of such conveyance has been taken and done.

The undersigned certify that no corporate gross income tax is due and owing with respect to this conveyance.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 18th day of February, 1998.

APPLE HOUSE, INC.

By Ryan J. Cummins
THOMAS J. CUMMINS V.P.
(Printed Name) (Office)

ATTEST:

H. Thomas Cummins, Jr.
H. Thomas Cummins, Jr. Pres
(Printed Name) (Office)

000605 / 2

STATE OF INDIANA)
)SS:
COUNTY OF VIGO)

Before me, a Notary Public in and for said County and State, personally appeared H. Thomas Cummins, Jr. and Ryan J. Cummins, the President and Vice-President, respectively, of Apple House, Inc., a corporation organized and existing under the laws of the State of Indiana, who each acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and Notarial Seal this 18th day of February, 1998.

My Commission Expires:
Aug. 10, 1999

Karen S. McCammom
Notary Public
KAREN S. McCAMMOM
Printed Name
County of Residence: VIGO

This instrument prepared by David P. Friedrich, Attorney,
333 Ohio Street, P.O. Box 800, Terre Haute, IN 47808-0800.

Send Tax Duplicates To: Apple, LLC
211 South Third St, Terre Haute, IN 47802

RECEIVED FOR RECORD
AT 11 O'CLOCK AM
RECORD 43 PAGE 605

Paul Mason
RECORDER VIGO COUNTY

96 07067

RECEIVED FOR RECORD

060604

DULY ENTERED FOR TAXATION
Subject to final acceptance by transfer

003067
EXEMPT FROM DISCLOSURE

98 FEB 25 AM 8:33

PAUL MASON
VIGO CO. RECORDER

FEB 24 1998

WARRANTY DEED

Judith A. Quisenberry AUDITOR
WITNESSETH: That H. Thomas Cummins, Jr. and Ryan J. Cummins, as equal tenants in common and not as joint tenants with the right of survivorship ("Grantors"), CONVEY and WARRANT to Apple, LLC, an Indiana limited liability company, with a mailing address of 2711 South 3rd Street, Terre Haute, Indiana 47802 (the "Grantee"), for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the real estate in Vigo County, in the State of Indiana, described as follows, to-wit:

Lots 25 and 31 in George R. Preston's Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of the Southeast quarter of Section thirty three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute, Vigo County, Indiana.

TOGETHER WITH all improvements thereon and appurtenances thereto.

SUBJECT TO Indiana general real property taxes.

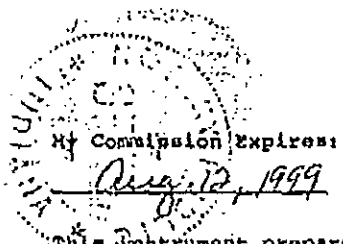
IN WITNESS WHEREOF, the said H. Thomas Cummins, Jr. and Ryan J. Cummins, as equal tenants in common and not as joint tenants with the right of survivorship, have hereunto set their hands and seals this 18th day of February, 1998.

H. Thomas Cummins Jr.
H. Thomas Cummins, Jr.
Ryan J. Cummins
Ryan J. Cummins

STATE OF INDIANA)
)SS:
COUNTY OF VIGO)

Before me, the undersigned, a Notary Public in and for said County and State, this 18th day of February, 1998, appeared H. Thomas Cummins, Jr. and Ryan J. Cummins, as equal tenants in common and not as joint tenants with right of survivorship, and acknowledged the execution of the above and foregoing instrument and who, having been duly sworn, stated that the representations therein contained are true.

Karen S. McCannon
Notary Public
KAREN S. McCANNON
Printed Name
County of Residence: Vigo



This instrument prepared by David P. Friedrich, Attorney,
333 Ohio Street, P.O. Box 800, Terre Haute, IN 47808-0800.

Send tax duplicates to: Apple, LLC, 2711 South 3rd Street, Terre Haute, IN 47802

RECEIVED FOR RECORD
AT 10:30 O'Clock AM
RECORD 412 PAGE 104

Paul Mason
RECORDER VIGO COUNTY

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

APR 24 2000

James W. Drummy
VIGO COUNTY AUDITOR

EXEMPT FROM DISCLOSURE

WARRANTY DEED

EGA Date 04/24/2000 Time 10:03:04
Mitchell Neuton
Vigo County Recorder
Filing Fee: 14.00
I 200005869 D 445/2712

THIS INDENTURE WITNESSETH, That Rose Hamilton, surviving spouse of Chet Hamilton, who died November 8, 1999, ("Grantor"), of Vigo County, in the State of Indiana, CONVEYS AND WARRANTS to Apple, LLC, an Indiana Limited Liability Company, whose principal office is located at 2711 South Third Street, Terre Haute, Indiana 47802, ("Grantee"), for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, State of Indiana, to-wit:

Lots Number Thirty-four (34) and Thirty-five (35) in George R. Preston's Subdivision of part of Krumbhaar's Subdivision of the Northwest quarter of the Southeast quarter of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in Terre Haute, Vigo County, Indiana.

Subject to real property taxes.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed this the 19th day of APRIL, 2000.

Rose Hamilton
ROSE HAMILTON

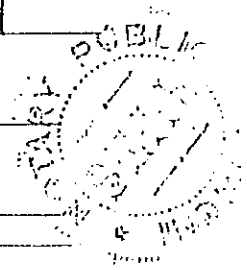
STATE OF INDIANA)
 :SS
COUNTY OF VIGO)

BEFORE ME, a Notary Public in and for and a resident of said county and state, personally appeared ROSE HAMILTON, who acknowledged the execution of the above and foregoing Warranty Deed, and who, being first duly sworn, stated that any representations contained therein are true.

WITNESS my hand and Notarial Seal this 19 day of APRIL 2000.

My commission expires:
12-09-07

Debbie S Long
Notary Public
Printed: Debbie S Long
County of Residence: Puldam



This instrument was prepared by:
William W. Drummy, Attorney 4607-84
333 Ohio Street, P.O. Box 800
Terre Haute, IN 47808-0800

Mail tax duplicates to:
Apple, LLC
2711 South Third Street
Terre Haute, Indiana 47802

Receipt

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

Date: 06/04/15

Name: Apple LLC

Reason: _____

Responing Notice of Filing & Petition

TERRE HAUTE, IN
PAID

Cash: _____

Check: 4500

Credit: _____

Total: 4500

JUN - 4 2015

CONTROLLER

Received By: Sat / Bellis



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: July 2, 2015

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #12-15

CERTIFICATION DATE: July 1, 2015


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.12-15. This Ordinance is a rezoning of the property located at 2611 Harding. The Petitioner, Apple, LLC, petitions the Plan Commission to rezone said real estate from zoning classification C-4 to C-6, Strip Business District for a retail garden center. 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. 12-15 at a public meeting and hearing held Wednesday, July 1, 2015. 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. 12-15 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No.12-15 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. 12-15 was Favorable WITH THE FOLLOWING CONDITION: That a landscape plan be submitted and approved for any parking areas as outlined in Sec. 10-207(3).


Fred L. Wilson, President


Darren Maher, Executive Director

Received this 2nd day of July, 2015

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #12-15
Date: July 2015

Doc: # 46
Page 1 of 4

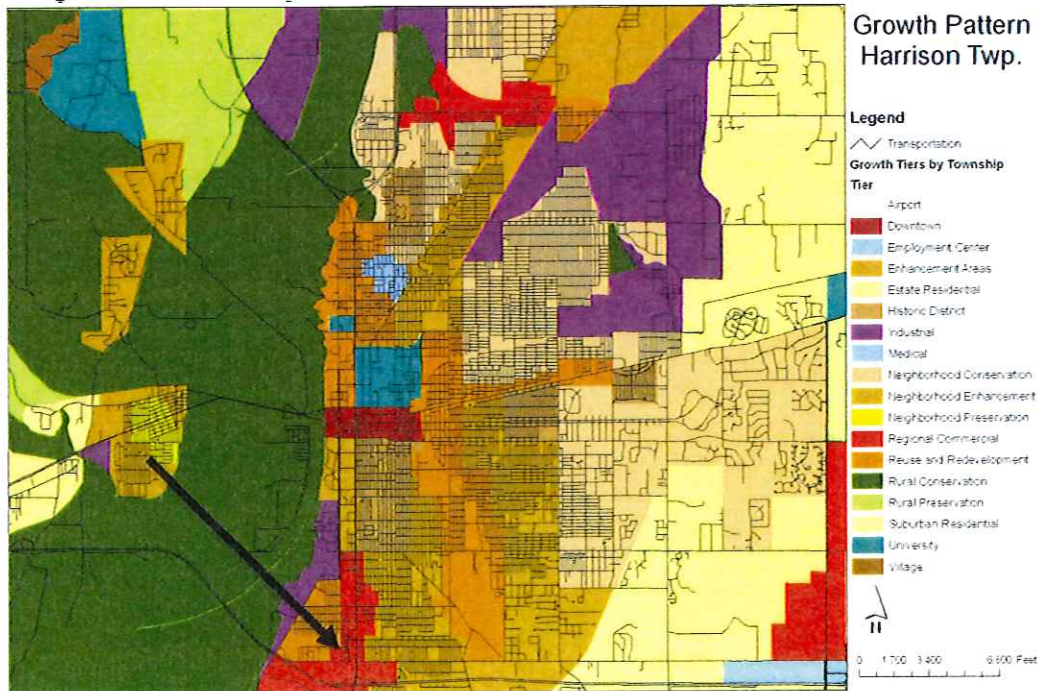
APPLICATION INFORMATION

Petitioner: Apple LLC.
Property Owner: Same-As-Above
Representative: Ryan Cummins
Proposed Use: Retail Garden Center
Proposed Zoning: C-6, Strip Business District
Current Zoning: C-4 Restricted Central Business District
Location: The property comprises one city block bounded by Turner to the south, Harding to the east, 1st Street to the west and Preston on the north.

Common Addresses: 2611 S Harding St. Terre Haute, IN 47802

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute
Guiding Policies: Regional Commercial



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #12-15

Doc: # 46

Date: July 2015

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COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Regional Commercial

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:

- 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, 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.
- Utilize spatial containment of commercial activities to existing commercially zoned sites to

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #12-15

Doc: # 46

Date: July 2015

Page 3 of 4

Dev. Priority: Medium

ZONING COMPATIBILITY

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

East – R-1, Single Family Residential, C-6 Strip Business

South – C-6 Strip Business District, R-1, Single Family

West – R-1, Single Family Residential

Character of Area: The area consists of single family homes on platted lots. There is a commercial presence with interspersed C-6, C-2 and C-4 zonings.

ZONING REGULATIONS

C-6 Uses:

Uses permitted in C-6, Strip Business District are; Same as for C-1 Zone as provided in Sec. 10-207 c. (1); Banks, Barber shops; Camera and photographic supply stores; Candy and ice cream stores; Drug stores; Dry cleaning stores; Gift shops; Grocery stores, meat markets, bakeries, delicatessens, and food stores; Ice storage for retail; Municipal or privately owned recreation buildings or community centers; Post offices; 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); Service stations; Soda fountains; Sporting goods stores; Tobacco shops; Motel and as accessory uses: dining facilities with or without a bar serving alcoholic beverages, or swimming pool; Automobile sales and service (major and minor repairs); Signs as regulated by Sec. 10-141; Landscape, nurseries, garden supply, and seed stores; Business and professional offices.

FINDINGS and RECOMMENDATION

Staff Findings: The property to be rezoned is and has been owned by Apple LLC. for 25 plus years. The business has, in part, operated from this location for fifteen plus years. This will be the future headquarters for the Apple House and Blooms Brothers retail locations. The need to rezone was brought about by city engineering and the intended relocation to this property from the 3rd Street address by Apple LLC. Apple LLC. is planning a

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #12-15

Doc: # 46

Date: July 2015

Page 4 of 4

100,000 dollar budgeted renovation of the property including a considerable effort to beautify the property with trees, flowers and shrubs.

The petitioner will be required to comply with (Sec. 10-207(3)) which requires all surface parking lots have a five foot (5') minimum width landscaping area between the vehicular use area and any street right-of-way, adorned with visual screening (other than berms) between thirty inches (30") to forty-two inches (42") height, plus one (1) tree per twenty (25) linear feet. However, based on a conversation on 6/11/15 with the petitioner it has been made clear that the landscaping will be above and beyond what is called for in code minimum requirements.

Recommendation: Staff has a Favorable Recommendation on the C-6 Strip Business at this location with the following condition:

1. A landscape plan be submitted and approved for any parking areas as outlined in Sec. 10-207(3).