



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

**SPECIAL ORDINANCE NO. 18, 2021**

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COMMON ADDRESS OF LOTS TO BE REZONED:

504 and 508 South 15<sup>th</sup> Street, Terre Haute, Indiana 47807

Current Zoning: R-3 Apartments

Requested Zoning: R-3 Planned Development

Proposed Use: Day center for the homeless

Name of Owner: Reach Services, Inc.

Address of Owner: 1400 Hulman Street, Terre Haute, IN 47802

Phone Number of Owner: 812-232-6305

Attorney Representing Owner (if any): David P. Friedrich

Address of Attorney: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: David P. Friedrich

Council Sponsor: Martha Crossen

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

**FILED**

MAY 05 2021

**SPECIAL ORDINANCE FOR PLANNED DEVELOPMENT**

**SPECIAL ORDINANCE NO. 18, 2021**

**CITY CLERK**

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting And Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing The Same; Providing For Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

Lots Two (2) and Three (3) in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

ALSO

Forty (40) feet off the East side of Lot Number Twelve (12) in Joab's Subdivision of Lot Number Six (6) in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West.

ALSO

Lot Number 4 in J.A. Wilson's Subdivision of Lots 12, 13 and 14 in Joabs Subdivision Lot No. 6 in Preston's Subdivision, of the East half of the North East quarter of Section 27, Township 12 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, Vigo County, Indiana

Commonly known as 504 and 508 South 15<sup>th</sup> Street, Terre Haute, Vigo County, Indiana 47807

Parcel Nos. 84-06-27-230-001.000-002 and 84-06-27-230-002.000-002

be the same is, hereby established as an R-3 Planned Development , together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

That the real estate shall be an R-3 Planned Development as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the terms and conditions set forth herein.

That the real estate shall be used for any use permitted in an R-3 Planned Development as a day center for the homeless with onsite parking. Services at the day center are limited to medical, mental health, drug treatment, case management, social services and job placement. The real estate will also operate as a warming and cooling center for the homeless during periods of extreme heat and cold. Overnight stays will be limited to only those periods when the real estate is operating as a heating and cooling center.

- (a) In the event that this Planned Development has not materialized within six (6) months of approval, it is understood that said Planned Development becomes void.
- (b) In the event the real estate is not utilized as a Planned Development for a continuous six (6) months as a day center for the homeless, the said Planned Development becomes void.
- (c) A variance is hereby granted from Section 10-113 a (20 which states part:
  - (1) “off street parking requirements’, there shall be no requirements beyond the existing off street parking places.
- (d) All such rights granted shall be fully transferable.
- (e) Said Planned Development shall be recorded in the Vigo County Recorder’s Office within ninety (90) days of the approval by the Council.

That the owner has met all of the criteria determined by the Area Planning Commission, except as stated above by the City Council of Terre Haute, Indiana, that a hardship does exist, due to the improvements on the real estate, the physical characteristics of the real estate the real estate is located near district boundary lines, and that a Planned Development as set forth herein is hereby approved and will be in the public’s interest and that substantial justice will be done for the neighborhood.

**SECTION II.** WHEREAS, the Area Planning Commission has considered a petition filed pursuant to General Ordinance No.10, 1999 being Division III Planned Development; and

WHEREAS, Amended Special Ordinance No. 18, 2021, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

WHEREAS, a public hearing on Amended Special Ordinance No. 18, 2021, has been held pursuant to Section 10 of said Ordinances and the owner of the real estate described has demonstrated to the Area Planning Commission and to the Common Council evidence that a hardship exists pursuant to Section 10-112 of said Ordinance and that said Planned Development will not adversely affect surrounding property values, and that it will not adversely affect public health, safety and the general welfare.

BE IT ORDAINED BY THE COMMON COUNCIL of the City of Terre Haute, Indiana that the owner of the real estate described has demonstrated that a hardship does exist for the use of said real estate and that the Common Council of the City of Terre Haute now determines that a hardship does exist and specifically authorizes and approves the uses of the real estate described as an R-3 Planned Development as described in this Ordinance, under the terms and conditions set forth herein, and further finds and determines that the proposed uses described will be in the public interest and that substantial justice will be done.

**SECTION III.** 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 publications as by law provided.

Presented by Council Member, Martha Crossen  
Martha Crossen

Passed in Open Council this 3RD day of JUNE, 2021.

O. Earl Elliott

O. Earl Elliott-President

ATTEST: Michelle Edwards  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 4TH day of JUNE 2021.

Michelle Edwards  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 4TH day of JUNE, 2021.

Duke Bennett  
Duke Bennett, Mayor

ATTEST: Michelle Edwards  
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,  
Terre Haute, IN 47807

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

A handwritten signature in cursive script, appearing to read "David P. Friedrich".

David P. Friedrich

**PETITION FOR A PLANNED DEVELOPMENT**

**PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Reach Services, Inc., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

Lots Two (2) and Three (3) in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

ALSO

Forty (40) feet off the East side of Lot Number Twelve (12) in Joab's Subdivision of Lot Number Six (6) in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West.

ALSO

Lot Number 4 in J.A. Wilson's Subdivision of Lots 12, 13 and 14 in Joabs Subdivision Lot No. 6 in Preston's Subdivision, of the East half of the North East quarter of Section 27, Township 12 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, Vigo County, Indiana

Commonly known as 504 and 508 South 15<sup>th</sup> Street, Terre Haute, Vigo County, Indiana 47807

Parcel Nos. 84-06-27-230-001.000-002 and 84-06-27-230-002.000-002

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-3 Apartment District.

The Petitioner would state the real estate is a vacant daycare/youth intervention center. The Petitioner intends to use the real estate as a day center with onsite parking for the homeless. Services provided at the day center will be limited to medical, mental health, drug treatment, case management, social services and job placement. The real estate will also operate as a warming and cooling center for the homeless during periods of extreme heat and cold. Overnight stays will be limited to only those periods when the real estate is operating as a heating and cooling center.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-3 Apartment District.

The Petitioner would request the real estate described in this petition be zoned as an R-3 Planned Development to allow for use as proposed by the Petitioner. The Petitioner would allege that the R-3 Planned Development would not alter the general characteristics of the neighborhood.

The Petitioner would allege a hardship exists due to the improvements on the real estate, physical characteristics of the real estate, and the parcel is located near district boundary lines.

The Petitioner requests that rezoning should be granted for the following reasons:

A. The Planned Development will not alter the general characteristics of this neighborhood because the area has mixed uses, including other similar commercial and residential uses in the immediate vicinity;

B. The proposed change will not adversely affect surrounding property values and will not adversely affect public health, safety or general welfare nor will it be injurious to the property or improvements in the neighborhood, because of the mixed uses in the area and the existence of other commercial and residential real estate in the immediate vicinity. The use of the real estate as a day center for the homeless is not incompatible with the zoning classification and surrounding uses;

C. The real estate is located on South 15<sup>th</sup> Street which provides adequate access;

D. The real estate is located near an area which is zoned for commerce and for similar planned development uses;

E. The use of the real estate as proposed lends itself well to the proposed use and the proposed use does not alter the essential character of the area.

Wherefore, the 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 District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-3 Planned Development of the City of Terre Haute, 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 witness whereof, this Petition has been duly executed this 5<sup>th</sup> day of May, 2021.

**PETITIONER:**

By: Rebecca S. Thompson  
Rebecca S. Thompson  
Executive Director  
Reach Services, Inc.



**Special Ordinance No. 18, 2021**

**SITE PLAN**

504 and 508 S. 15<sup>th</sup> Street  
Terre Haute, IN 47807

Current Zoning: R-3 Apartment District  
Proposed Zoning: R-3 Planned Development  
Proposed Use: Day Center for Homeless



**AFFIDAVIT OF REBECCA S. THOMPSON**

Rebecca S. Thompson ("Thompson"), being first duly sworn upon her oath, deposes and states:

1. Thompson is the Executive Director of Reach Services, Inc.
2. Reach Services, Inc. is the fee simple owner of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lots Two (2) and Three (3) in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

ALSO

Forty (40) feet off the East side of Lot Number Twelve (12) in Joab's Subdivision of Lot Number Six (6) in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West.

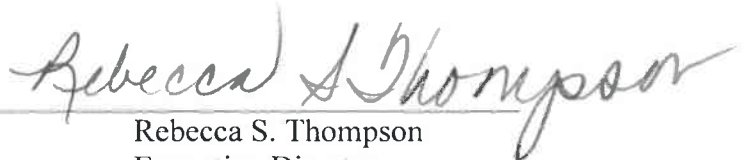
ALSO

Lot Number 4 in J.A. Wilson's Subdivision of Lots 12, 13 and 14 in Joabs Subdivision Lot No. 6 in Preston's Subdivision, of the East half of the North East quarter of Section 27, Township 12 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, Vigo County, Indiana

Commonly known as 504 and 508 South 15<sup>th</sup> Street, Terre Haute, Vigo County, Indiana 47807

Parcel Nos. 84-06-27-230-001.000-002 and 84-06-27-230-002.000-002

3. Copies of the deeds, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Reach Services, Inc. is attached to this affidavit as Exhibits A and B.
4. Thompson submits this affidavit for the sole purpose of affirming that Reach Services, Inc. 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 Reach Services, Inc.
5. The affiant further sayeth not.



\_\_\_\_\_  
Rebecca S. Thompson  
Executive Director  
Reach Services, Inc.

STATE OF INDIANA)

:SS

COUNTY OF VIGO )

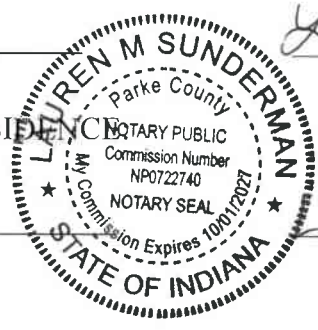
Subscribed an sworn to before me, a Notary Public, this 5<sup>th</sup> day of May, 2021.

MY COMMISSION EXPIRES:

10/01/2027

COUNTY OF RESIDENCE

Parke



Lauren M. Sunderman

NOTARY PUBLIC

Lauren M. Sunderman

(Printed Name)

ENTERED FOR RECORDED  
Subject to final acceptance for Transfer

2021000309 CORP WD \$25.00  
01/11/2021 02:51:57P 4 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

JAN 11 2021



*Diana Winsted-Smith*  
VIGO COUNTY AUDITOR

CORPORATE WARRANTY DEED

***THIS INDENTURE WITNESSETH***, That **Silver Lining Daycare, Inc. a/k/a Silver R Lining Daycare, Inc.**, "Grantor," a corporation organized and existing under the laws of the State of Indiana, ***CONVEYS AND WARRANTS*** to **Reach Services, Inc.**, a corporation organized and existing under the laws of the State of Indiana, "Grantee," for the sum of One and 00/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, in the State of Indiana:

Lots Two (2) and Three (3) in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West.

ALSO

Forty (40) feet off the East side of Lot Number Twelve (12) in Joab's Subdivision of Lot Number Six (6) in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West.

Subject to all general real estate taxes prorated to the date of this indenture and all subsequent taxes.

Subject to all conveyances or reservations of mineral rights, covenants, conditions, restrictions, easements, leases, encumbrances, and all other matters of record.

This conveyance is not a special corporate transaction within the meaning of that term as used in the Indiana Corporation Act and amendments thereto.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is a duly elected officer of Grantor and has been fully empowered, by proper corporate resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed/delivered this 7th day of January, 2021.

Silver Lining Daycare, Inc. a/k/a  
Silver R Lining Daycare, Inc.

BY: Cleytus Malone  
Cleytus Malone, President

WITNESS to the above signature:

Eric A. Frey  
ERIC A. FREY  
Printed Name

**ACKNOWLEDGMENT**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF VIGO        )

Before me, a Notary Public in and for said County and State, personally appeared Cleytus Malone, the President of Silver Lining Daycare, Inc. a/k/a Silver R Lining Daycare, Inc., who acknowledged the execution of the above and foregoing Corporate Warranty 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 7th day of January, 2021.



*Kayla Burke*

Notary Public

*Kayla Burke*

Printed Name

**PROOF**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF VIGO        )

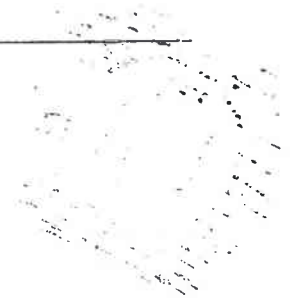
Before me, a Notary Public in and for said County and State, on January 7, 2021, personally appeared the above-named witness to the foregoing instrument, who, being duly sworn by me, did depose and say that he/she knows Cleytus Malone to be the individual described herein and who executed the foregoing instrument; that said witness was present and saw said Cleytus Malone execute the same; and that said witness at the same time subscribed his/her name as a witness thereto.

*Kayla Burke*

Notary Public

*Kayla Burke*

Printed Name



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.

/s/ Jeffrey A. Lewellyn

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

Mail tax statements to Grantee: 1400 Hulman Street, Terre Haute, IN 47802

Property address: 504 South 15<sup>th</sup> Street, Terre Haute, IN 47807  
Parcel No. 84-06-27-230-001.000-002





**EXHIBIT A - LEGAL DESCRIPTION**

Property ID#: 84-06-27-230-002.000-002

**Lot Number 4 in J.A. Wilson's Subdivision of Lots 12, 13 and 14  
in Joabs Subdivision Lot No. 6 in Preston's Subdivision, of the East  
half of the North East quarter of Section 27, Township 12 North,  
Range 9 West of the 2<sup>nd</sup> Principal Meridian, Vigo County, Indiana.**

Commonly known as: 508 South 15th Street, Terre Haute, IN 47807

Receipt

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

Date: 5/5/21

Name: Beach Services

Reason: Rezoning Notice of Filing 25.00  
Petition 20.00

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

Check: # 103359 845.00

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

Total: 845.00

Received By: [Signature]

TERRE HAUTE, INC  
PAID  
MAY 05 2021  
CONTROLLER



# 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: June 3, 2021

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 18-21

CERTIFICATION DATE: June 2, 2021

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. 18-21. This Ordinance is a rezoning of the property located at 504 and 508 S. 15<sup>th</sup> Street. The Petitioner, Reach Services Inc., petitioned the Plan Commission to rezone said real estate from zoning classification R-3 to R-3PD General Residence District Planned Development in order to build a day center for the homeless.

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. 18-21 at a public meeting and hearing held Wednesday, June 2, 2021. 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. 18-21 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 18-21 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. 18-21 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Must be recorded in 90 days 2) A hardship must be demonstrated 3) It must be determined, that if approved, the PD will be in the public's interest and that substantial justice will be done for that neighborhood.



Fred L. Wilson, President

Jared Bayler, Executive Director

Received this 3rd day of June, 2021

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-21

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Date: June 2021

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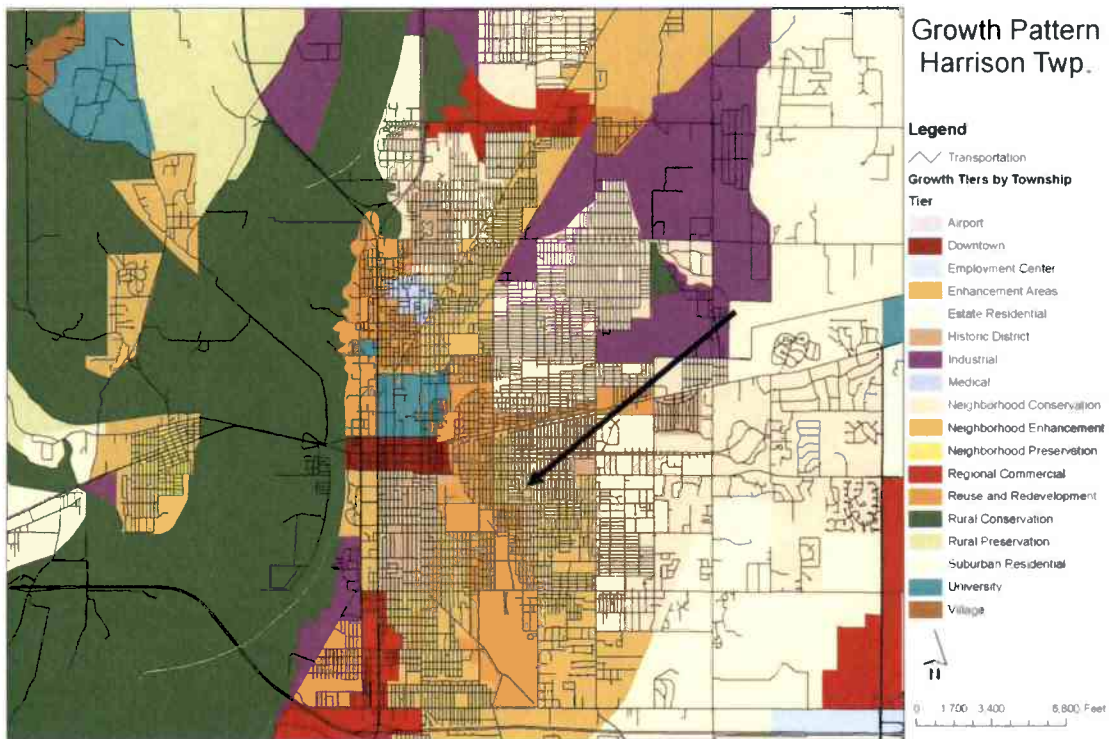
**APPLICATION INFORMATION**

Owner: Reach Services, Inc.  
Representative: David P. Friedrich  
Proposed Use: Day center for the homeless  
Proposed Zoning: R-3PD, General Residence District Planned Development  
Current Zoning: R-3, General Residence District  
Location: The property is located on the corner of N. 15<sup>th</sup> Street and Oak Street

Common Address: 504 & 508 S. 15<sup>th</sup> Street, Terre Haute  
Parcel #s 84-06-27-230-001.000-002 & 84-06-27-230-002.000-002

**COMPREHENSIVE PLAN GUIDANCE**

Service Area: The City of Terre Haute



### 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.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-21

Doc: # 38

Date: June 2021

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- 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.

Available Services: Area is well served by utilities.

Dev. Priority: Neighborhood commercial.

## ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-2  
**East** – R-2  
**South** – R-2  
**West** – R-2

Character of Area: The petitioned property is located in a two family residential area.

Contig. Uses & Zones: The area is residential uses.

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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 0.50 % or 384 Square Feet per bed  
                                 Street Setback: 55 feet from centerline;  
                                 Rear setback 11’;  
                                 Interior setback of 5’ from the interior lot line;  
                                 A parking plan must be approved by the Engineering and Planning  
                                 Departments.

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## **Planned Developments**

Planned Developments are uses that may be permitted, under certain circumstances that are not a permitted use in the zoned district where said Planned Development is proposed. A Planned Development is a floating zone.

Before a Planned Development can be considered, the petitioner must show proof of one of the following unique circumstances. That the petitioner has a:

- (1) Hardship due to the physical characteristics of the land.  
    Example - Peculiarities of the sizes, shape, or grade of the parcel in question.
- (2) Hardship due to the improvements on the land.  
    Example - Commercial structure in a residential neighborhood that is not suitable for residential use.
- (3) Hardship due to adjacent, scattered incompatible uses.  
    Example - Scattered commercial uses in a residential neighborhood.
- (4) Hardship due to the general deterioration of the neighborhood.  
    Example - Neighborhoods that are blighted as determined by the Department of Redevelopment.
- (5) Parcel located near district boundary lines.  
    Example - Parcel located on a major thoroughfare is presently zoned residential while other parcels in the area are zoned commercial.

When it is determined by the Area Plan Commission and the City Council that a hardship does exist, a Planned Development of certain uses may be approved for any zoned lot. However, it must be determined that said proposed uses, if approved, will be in the public's interest and that substantial justice will be done for that neighborhood. Approval of said proposed uses shall not have the intent of nullifying the purpose of these zoning regulations.

## **FINDINGS and RECOMMENDATION**

### Staff Findings:

The petitioned property was a former daycare and youth center. As it sits the building was constructed across a platted alleyway. Vacation of the alley is needed and a replat of the property to eliminate the alley is recommended.

The petitioner should be able to demonstrate a hardship. The proposed use is not identified under any zoning category. The Planned Development is needed for the mixed use nature of the development. Variances for a reduction in parking from §10-133, a. has been requested as a part of the ordinance. An updated site plan has been submitted depicting the location for staff parking.

Initially staff had many questions about the proposed facility. I reached out to the petitioner's representative whom was unable to answer my questions. I then called Reach Services directly and was fortunate to have had the opportunity to speak directly with the right persons. They submitted to our office the additional packet of info. Contained therein (attached to this report) was all the information we needed. Please give it careful consideration.

After reading the supplemental packet we are confident in Reach's organizational structure and ability to handle all contingencies within their network of social service agencies in and around Terre Haute.

Recommendation: Staff offers a Favorable Recommendation with the following conditions.

1. Must be recorded in 90 days
2. A hardship must be demonstrated
3. It must be determined, that if approved, the P.D. will be in the public's interest and that substantial justice will be done for that neighborhood.





17 Harding Avenue  
Terre Haute, IN 47807  
812-244-2311

Dear Councilmember,

This report contains the current plans for Reach Services homeless day drop-in center, Pathways. This report has been provided to you for review before the proposal is brought before the City Council.

In the first few sections of the report, you will find information pertaining to the background of this drop-in center, what led to the need of a day drop-in center in the community, partnerships built for the advisory board and closing on the building located at 504 S. 15<sup>th</sup> St. in Terre Haute, Indiana. This report also contains the proposed budget provided by architect Dan Sanders of Sanders and Associates, as well as the funding that has been received thus far for the project.

Lastly, I have included the floor plan of the current layout of the building, as well as the preliminary floor plan of the remodel.

It has been our pleasure to create this report for the council to review. Please feel free to contact us if any clarifying information is needed.

Thank you,

Susie Thompson  
Executive Director  
Reach Services

Sarah Chandler  
Program Manager  
Housing and Social Services

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**Pathways Day Center**  
504 S. 15<sup>th</sup> St.  
Terre Haute, IN 47802

### **Background:**

In January of 2019, Reach Services identified a community need and that was the impending cold weather that shut down the city and county. A warming center for the homeless and at-risk population was opened at Reach Services' main office for 72 hours to ensure their safety and warmth.

After the warming center and cold spell subsided, the need was still present. A committee was formed to work on addressing the growing homeless population in the community, the White Flag Committee. This committee consisted of a county commissioner and 3 other social service agencies in the area. This group would meet weekly to work on a procedure to put in place when extreme weather was headed to the Wabash Valley. While creating this plan the group began to discuss the possibility of bringing a homeless day drop-in center to the community.

### **Partnerships:**

Day centers are multifaceted with the services offered to the low-income population, as well as those facing homelessness. With various resources readily available in one central location, it is necessary that local agencies work together as a team to assist this population in the easiest way possible. Partnerships are detrimental to the work that is done with the homeless in our community and with this in mind memorandums of understanding were obtained from the following agencies, Wabash Valley Health Center, Hamilton Center, Catholic Charities Bethany House, Families by Choice, etc.

Reach Services is an active member of Region 7's coalition for the homeless, this group named, Homeless Council of the Wabash Valley, meets once a month to discuss ways to better assist the homeless, while also working towards streamlining services to ensure all clients get the resources they need. As members of this council Reach has opportunities to learn of new programs and agencies as well as create the partnerships necessary to continue working towards the mission of assisting those in the community. Through the partnerships created, Reach has been able to expand their programs and services to include other agencies. The agencies will come into the day-center to teach classes in various areas, group sessions, employment resources, mental health assistance, housing assistance, etc.

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### **Closing on 504:**

Reach was able to obtain the building located at 504 S. 15<sup>th</sup> in Terre Haute, but it was not without difficulty. Many obstacles had to be dealt with before the building was officially in Reach's name. Issues ranged from unpaid taxes, liens, and issues with attorneys not cooperating. After many months and a few hurdles, Reach was able to close officially on the building on December 18, 2020 with a closing cost of \$9,211.44. Thankfully, County Commissioner Brendan Kearns, was able to assist with donating the adjacent lot of 508 S. 15<sup>th</sup> to Reach at no cost.

Site maintenance is something that Reach had to immediately address. Once the keys were obtained and locks were changed, a walkthrough was completed by Jared McCullough and our architect Dan Sanders. It was determined that the building will need many new additions. Other issues needing attention include a new roof, siding, lawncare/ tree removal, security systems, sprinkler systems, new air and heating units, washer and dryers, flooring, and ADA bathrooms among other cosmetic/ structural needs.

Reach began obtaining bids from local businesses to begin work on the building. The bids are as follows:

**Pathways Day Center  
Sanders & Associates, Inc.**

**4.7.21**

### **Preliminary Cost Estimate:**

#### **Sitework:**

▪ Tree Removal/Misc. Demolition	\$10,000
▪ New ADA Ramp/Front Steps (Concrete)	\$15,000
▪ Retaining Walls/Fencing	\$20,000
▪ Parking, Drives, Ingress/Egress (Asphalt)	\$50,000
▪ Site Lighting	\$5,000
▪ Landscaping/Site Furnishings (Gazebo/Benches)	<u>\$10,000</u>

**\$110,000**

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**Building:**

▪ Roof Replacement (Asphalt Shingles)	\$30,000
▪ Fire Sprinkler Repair	\$50,000
▪ HVAC Replacement	\$50,000
▪ Electrical Panel Upgrades	\$20,000
▪ Demolition/Cleaning	\$10,000
▪ Remodel (5,000 sqft @ \$45/sqft)	<u>\$225,000</u>
	<b>\$385,000</b>

**Miscellaneous:**

▪ Signage (Interior & Exterior)	\$10,000
▪ Low-Voltage (Security System, Cameras, Internet)	\$50,000
▪ Furniture (Offices, Cots/Bunks, Lockers)	\$30,000
▪ Computers/Equipment	\$15,000
▪ Washer/Dryers	\$5,000
▪ Dog Kennels	<u>\$1,000</u>
	<b>\$111,000</b>

**CONSTRUCTION TOTAL \$611,000**

Contingency (5%)	\$30,000
▪ Architectural Fees (estimated)	\$40,000
▪ Surveying & Civil Engineering Services	<u>\$20,000</u>
	<b>\$60,000</b>

**PROJECT TOTAL \$696,000**

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### **Pathways:**

The homeless population consists of those who need assistance from multiple agencies, for instance, they may receive housing through Reach but need mental health assistance through Hamilton Center. The COVID-19 pandemic has caused organizations to work remotely to ensure safety of clients and employees. With one centralized location, where COVID-19 screenings can be taken at the door, local agencies can come together to assist the homeless in a more efficient and helpful way.

This population, as well as low-income individuals, are experiencing hardships related to COVID-19, one of these being the inability to access job training. This population works mainly low-level jobs within fast food restaurants, hotels/ motels, gas stations, etc. Pathways will bridge the gap and fulfill this unmet need with job training, search, and resume building opportunities.

Homeless shelters in the community have also changed their policies to ensure the safety of the population. These shelters are enforcing strict rules regarding entering and leaving, unless leaving for work or a doctor's appointment, residents are not permitted to leave. When homeless have no place to go, they do not have access to running water, food, and self-sustaining items.

### **Unmet Needs:**

- Job training and search
- Housing Assistance and Placement
- Community organization referrals

### **Food Banks and Soup Kitchens**

Two long standing sustainable resources to the homeless population are the food banks and soup kitchens. These resources have had to cut their hours of operation due to their volunteers being fearful of being high risk and fear of contracting COVID-19.

Pathways will bridge the gap to fulfill these needs within one centralized location. Mailboxes, food pantry, computer lab, job searches and other resources will be available to serve the most vulnerable within our community.

### **Hours of Operation:**

Pathways Day Center is a Reach Services program so the center will operate under normal business hours of 8am to 5pm Monday through Thursday and Fridays the center will close to the public at 12pm. The center will also be utilized for various classes to be taught to anyone who is

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interested at no cost. The classes will be held on various days throughout the week with some weekend courses. These classes include:

- Money Matters, a financial literacy course taught in partnership with Purdue Extension, Regions Bank, and the United Way.
- Cleanliness Standards
- Housing Stability
- Job Search/Training and Resume Building

In addition to the courses and daily operations of Pathways, this building will be utilized as a Warming and Cooling Center if the Wabash Valley experiences extreme temperatures. In the attached blueprints of Pathways proposed renovations, you will see the cots that can be utilized within the center and how many homeless individuals and families we will be able to assist in the events of extreme weather conditions. During these instances, the center may be open during hours that are not typical of a business day, but with the proposed additional parking, the added vehicles will not negatively affect the neighboring homes or flow of traffic on the streets.

#### **Transportation:**

It was very important to the members of the advisory board for Pathways that the location would be located on a city bus route. Those within the homeless and at-risk population must overcome this barrier, the opening of Pathways will assist those who do face this barrier with the resources they need. Reach Services works closely with the Indiana Housing and Community Development Authority on various grants that can assist the homeless and at-risk with transportation needs.

Transportation assistance includes:

- \$10 gas cards
- 7- and 14-day bus passes
- Diversion assistance to those wanting to go back to their home cities or states. (bus tickets)

#### **Pathways Timeline:**

The series of events for Pathways is as follows,

- City approval and support of Pathways took place on May 8, 2020.
- Remodeling of the facility to begin no later than 90 after city approval.
- Pathways newly organized advisory board began meeting via Zoom on May 20, 2020.

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- Redevelopment Funding was approved on June 15, 2020.
- Finalization of Pathways partnerships with MOU's were completed by July 1, 2020.
- Advisory Board met at Pathways to complete walkthrough of building on March 15, 2021.

**Funding Received:**

- United Way \$20,000
- Redevelopment \$300,000
- County Commissioners \$20,000
- 100 Women Who Care \$12,000
- Central Presbyterian \$1,000
- Judge and Mrs. John Roach \$500
- Correctional Facility \$500
- Charles Kindrick \$5,000
- Warming Center \$5,000

