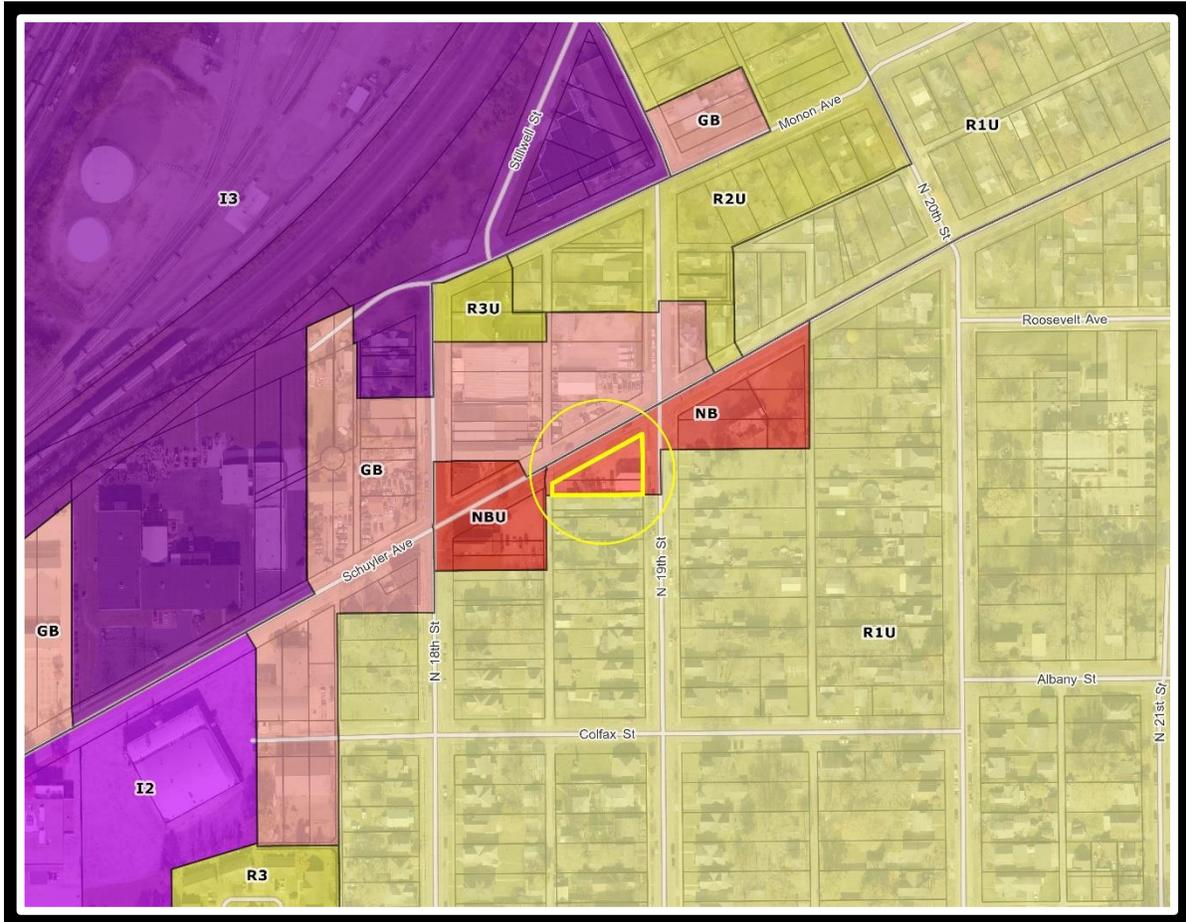

**Z-2855
AMY GAETA
(NB to GB)**

**STAFF REPORT
April 14, 2022**



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who represents the owner, Gaeta Rentals, Inc., is requesting a rezone from NB to GB. There is no proposed use at this time; however, the owner would like to rent the property to a business that will likely require GB zoning. Some of the potential uses are a tire shop, car detailing, or automobile sales and repair- all of which require GB zoning. The site is triangular-shaped and is located at the southwest corner of North 19th Street and Schuyler Avenue, Lafayette, Longlois Reserve (S1/2) 23-4, commonly known as 1827 Schuyler Avenue.

ZONING HISTORY AND AREA ZONING PATTERNS:

In 2005 and 2006, staff worked with the St. Lawrence/MacAllister neighborhood to create a new land use map and subsequent new zoning map. This effort resulted in a change to the zoning of the subject property from GB to NB (Z-2288). Since the neighborhood's border is Schuyler Avenue, the neighborhood's zoning proposal did not extend to the north side of the road. The adopted neighborhood plan recommended the GB zoned land along its edges be changed to NB or NBU due to the proximity several of these commercial uses had to adjoining residences.

There have been two rezones in the immediate area since 2015. Land to the west and north across Schuyler was rezoned in 2015 from GB to NBU (Z-2628) and land four lots north of Schuyler was rezoned in 2018 from R2U to GB (Z-2713).

AREA LAND USE PATTERNS:

The site contains a 1-story commercial building built in 1958 per the County Assessor's records. Residential uses are adjacent to the south as well as to the east across 19th Street. Commercial uses line most of Schuyler Avenue except to the northeast where single-family homes are located along the north side of Schuyler.

TRAFFIC AND TRANSPORTATION:

Traffic counts taken in 2020 along Schuyler Avenue indicate that 4,678 vehicles pass this site daily. The site is served by two driveways, one on Schuyler and the other on 19th.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

If this lot is rezoned, the ordinance requires a "type c" bufferyard 30 feet in width where GB zoned land abuts R1U land to the south. However, bufferyards are not required where the continued use of existing buildings and/or parking areas would occupy the space

otherwise reserved for the bufferyard (UZO 4-9-2(a)(2)). It is unknown how the site will be used but the City Engineer's office will review the development for zoning compliance.

STAFF COMMENTS:

Petitioner is requesting a rezone from NB to GB to allow for easier marketing of the property. The owners have been contacted by an operator of businesses that include tire sales/repair, auto detailing and auto sales/repair- all of which require GB zoning. This small triangular-shaped lot is located on the portion of Schuyler Avenue that is home to many commercial and light industrial businesses. The subject property's southern property line has long been the dividing line for residential uses to the south in the St. Lawrence/MacAllister neighborhood and non-residential uses to the north.

APC staff worked with the neighborhood in 2005 and 2006 to develop a land use map that was adopted as part of *The Comprehensive Plan*. The neighborhood plan includes the goal to preserve the commercial area lining US 52 and Schuyler Avenue. The plan further states "While the neighborhood welcomes new jobs, which can increase the tax base, businesses should not be permitted to intrude into existing residential areas. Neighborhood support for any future commercial rezoning will be determined on a case-by-case basis." (Z-2288, 4/2016)

The lots on the south side of Schuyler were rezoned from GB to either NB or NBU with this plan helping to protect the nearby residences. Additionally, the 5' no-parking setback requirement and lack of maneuverability on-site due to its small triangular size are limitations specific to this site. For these reasons, and with guidance from the adopted *Plan*, staff cannot support this request.

STAFF RECOMMENDATION:

Denial