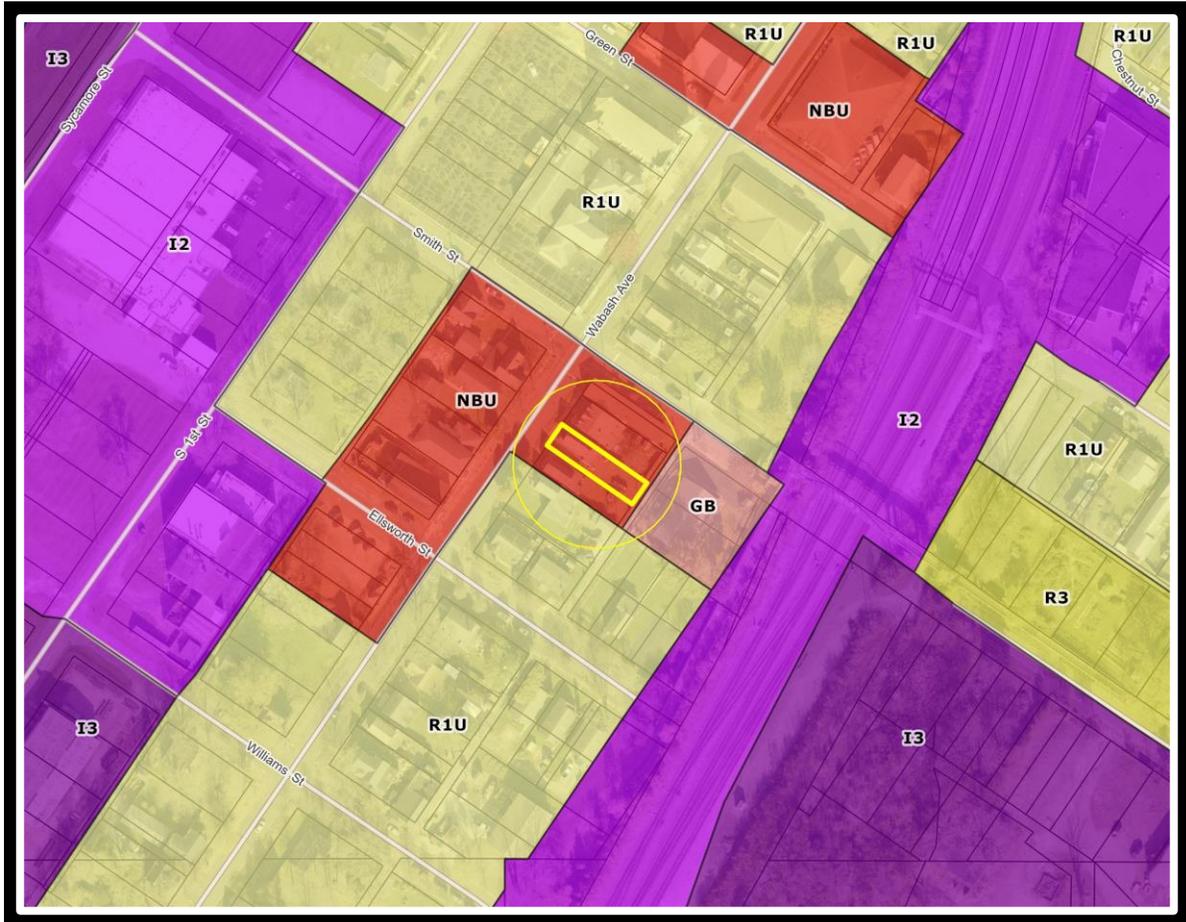

Z-2859
JASMINE JONES
(NBU to R1U)

STAFF REPORT
May 12, 2022



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner Jasmine Jones, with consent of the owners, is requesting rezoning of an existing, legally nonconforming residence located at 707 Wabash Avenue, Lafayette, Fairfield 29 (NW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

This property is zoned NBU, neighborhood business, urban. Areas along the Wabash Ave corridor were mostly zoned Industrial from the beginning of zoning in 1965 even though the majority of uses were residential. Over the years, many spot rezones occurred adding to the mixture of nonconformities. The most significant rezone in this area, with staff working closely with the Wabash Avenue neighborhood, occurred in 1992 when 132 land uses were made conforming by rezoning to mostly R1B and GB (Z-1486). The other significant zoning change occurred in January of 1998 when the newly adopted Unified Zoning Ordinance was implemented: areas previously zoned LB became NB, as this property did. In 2000, the property was rezoned from NB to NBU (Z-1897). Immediately adjacent is a GB zone and additional NBU zones.

AREA LAND USE PATTERNS:

The lot is currently occupied by a single-family home, which was built around 1930. The rest of the properties on this block but one are also single-family homes. A community center sits between this property and the railroad tracks. The Wabash Ave neighborhood is largely residential; there is also a small coffee shop, a meat processing company, a church, and a steel fabrication business in the neighborhood. A grain elevator is located further southwest along Wabash Ave.

TRAFFIC AND TRANSPORTATION:

The adopted *Thoroughfare Plan* classifies Wabash Avenue as an urban secondary arterial.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

This site is served by sanitary sewer and water service.

STAFF COMMENTS:

The petitioner would like to purchase this home, and it was through the home-buying process that the legally nonconforming use was discovered. The petitioner's lender has

stipulated that it must be a legally conforming property before it will approve a home loan for the petitioner.

The old LB zone, local business, allowed residential uses; when these zones were changed to NB, residential was removed from the approved use, making some of those new NB properties legally nonconforming. This area of NBU zoning appears to only house one actual business – the coffee shop, “Sacred Grounds”. The rest of the block consists of all single-family homes. This area of Wabash Ave was likely targeted as a good location for businesses, but the fact that it remains residential in use tells us that the zoning was not appropriate.

Staff would prefer not to spot rezone this single property residential when it lies between business zones; rezoning the other residential properties along this street (or the whole block) would be a better alternative. As it stands, however, the other property owners have not chosen to rezone at this time. Staff has no problem recommending approval for this rezone request, which would allow the petitioner the opportunity to purchase the home.

STAFF RECOMMENDATION:

Approval