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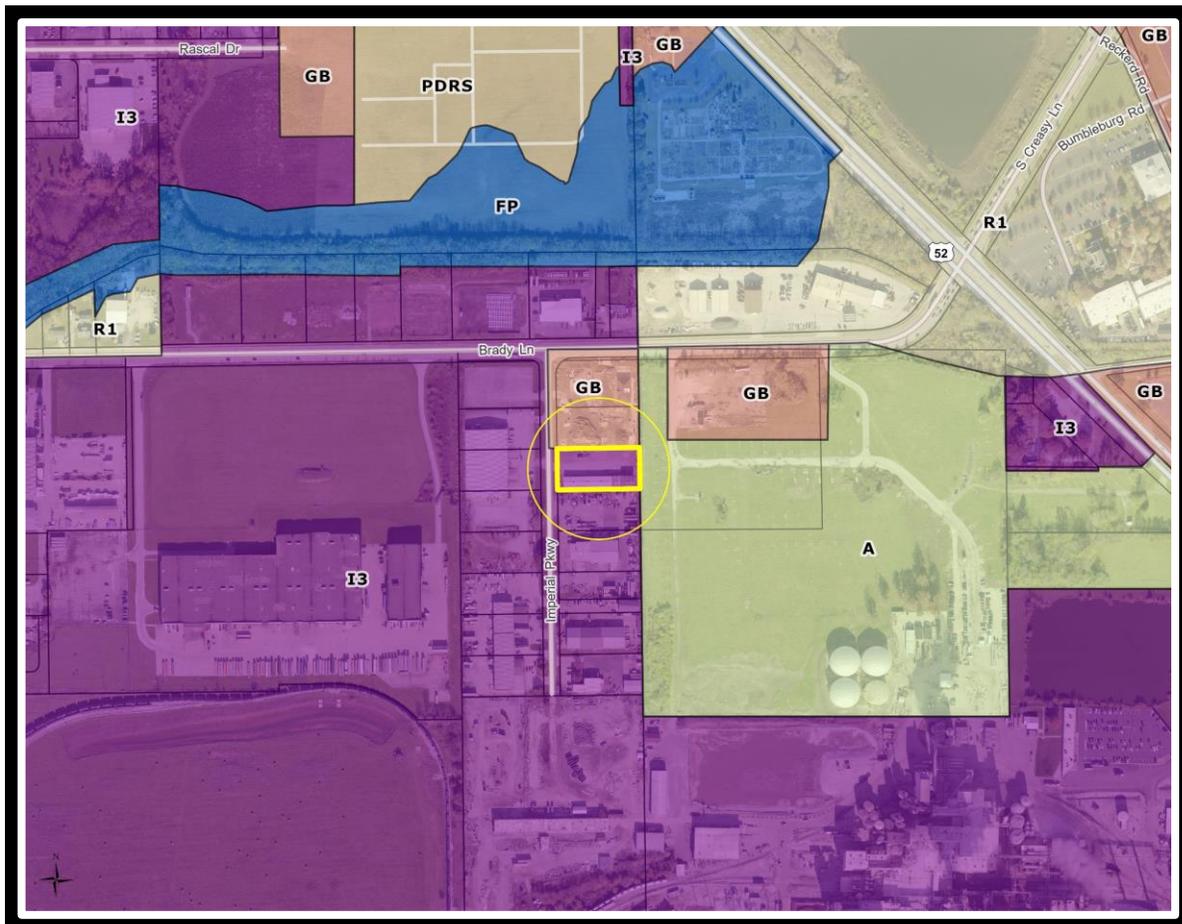
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**Z-2862**  
**IMPERIAL PARKWAY, LLC**  
**(I3 to GB)**

**STAFF REPORT**  
**July 14, 2022**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner and owner, represented by law firm Reiling, Teder and Schreier, is requesting rezoning of Lot 3 of the Imperial Industrial Park Subdivision from I3 to GB, to construct an automotive repair shop. The property is commonly known as 1523 Imperial Parkway, in Lafayette, Wea 3 (SW) 22-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

This lot is zoned I3 which permits heavy industrial uses. Land to the south and west are also zoned I3. Land to the north is zoned GB, General Business. Land to the east is zoned A, Agriculture and GB. At one time, a mobile home park was in the A-zoned portion and its sales office and club house were located on the GB-zoned part. The county highway garage, northeast of the site, across Brady Lane is zoned residentially. Flood Plain zoning is north across Brady Lane, but the most recent DNR floodplain data puts the western edge of this lot into that flood area. Any new construction on this site will need to have approval from the City of Lafayette.

The two lots to the north of this site underwent a rezone in 2011, from I3 to GB, to build a gas station, only recently under construction.

**AREA LAND USE PATTERNS:**

The lot currently houses a pole barn and according to petitioner's attorney, they plan to build a new automotive repair shop. It is unknown what will be done with the existing building, which appears to still be in use.

The land to the east is part of the Tate & Lyle South plant. The lot adjacent to the north will be a new Marathon gas station, currently under construction. The uses that line Imperial Parkway are heavy industrial in nature and generate a significant amount of truck traffic.

There have not been any recent BZA cases in this area.

**TRAFFIC AND TRANSPORTATION:**

Imperial Parkway is classified as a local road, which requires a 25' setback. If the rezone is approved the setback will remain the same. An entrance from Imperial Parkway currently exists on site.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

A type 'A' bufferyard is required along GB and I3 zoning boundaries.

City utilities serve the site; all drainage and building plans will need to be approved by the City of Lafayette Engineer's office.

**STAFF COMMENTS:**

Petitioner is requesting the rezoning of this site for a proposed automotive repair shop. This use is not permitted in the current zone of I3 but would be in I1 or I2, so long as all activity is held indoors. As we stated in the previous rezone case Z-2466 directly to the north, introducing commercial zoning in the area could set a precedent of commercial zones replacing industrial zones that would conflict with the current industrial character of this corridor as planned by the **Amendment to the Adopted Land Use Plan Regarding the Expanded Fuji-Isuzu Development Area**, passed in April 1987 by the Area Plan Commission. This current request is proof of further commercial "seep" into this industrial sector, after the previous property was rezoned to GB. Petitioners felt that with the GB in the area, this rezone request would fit better than any industrial zones.

According to this **Comprehensive Plan** amendment, an industrial future is shown for the subject property. To help ensure that the various land uses shown in the **Plan** function properly as guides to development, certain policies were adopted by APC and the County Commissioners. First among them recommends that:

*Requests to rezone land within the study area will be carefully measured against this land use plan amendment, with regard to both its development sectors and the goals that underlie them.*

The **Plan** shows this site within the "Industrial" land use area. Commercial expansion is shown east of the Tippecanoe Mall, east of I-65 in Dayton, and south of SR 26 around the I-65 interchange with SR 26. While GB zoning is present to the east of the site, the property adjacent is owned by Tate & Lyle and no commercial development has occurred on this site since the mobile home park sales office and club house were removed in the mid 1980's.

Staff remains opposed to any expansion of GB zoning in the industrial expansion area specified in the **Comprehensive Plan**. The commercial sectors delineated in the **Adopted Land Use Plan** continue to meet the need for additional business zoning in this part of the community. Allowing commercial spot-zoning in a planned industrial area only serves to weaken the goals of the **Comprehensive Plan** while sending mixed-signals to potential industrial developers.

According to the City of Lafayette's Economic Development office, there are no objections to this property being rezoned commercially. However, staff would prefer changing the request to I1 or I2, which would meet the goals of the **Comprehensive Plan** and still allow petitioner's stated use of the property. Big industrial users are not likely to need a lot of this size; but I1 or I2 would allow smaller industrial uses, as well as auto repair if all indoors, and staff could support such a request.

**STAFF RECOMMENDATION:**

Denial