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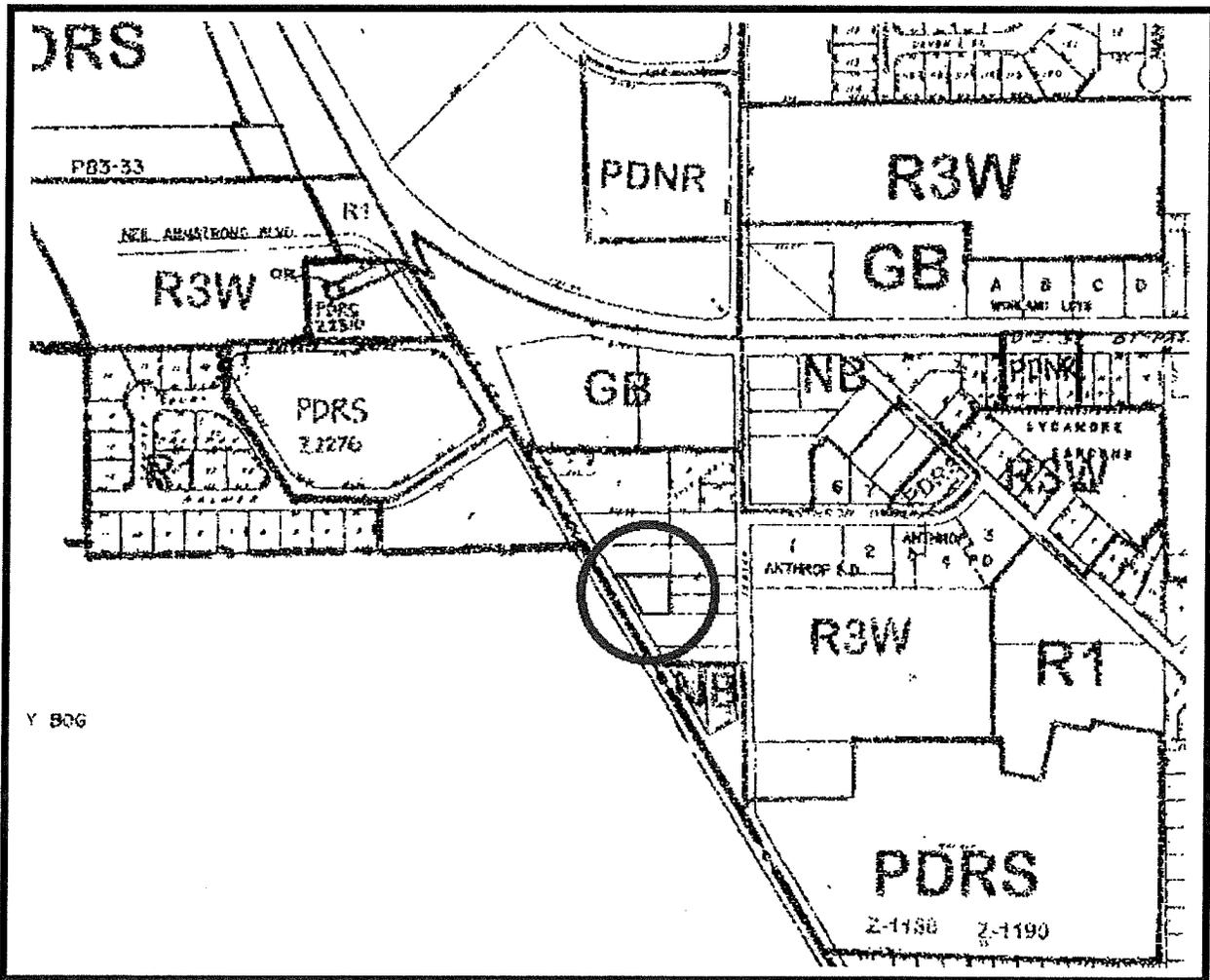
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Z-2547  
STANLEY E. KRUSE  
(R3W TO NB)

STAFF REPORT  
August 15, 2013

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

Petitioner, with consent from his wife who is also an owner, is requesting the rezoning of .315 acres (13,700 sq. ft.) from R3W to NB. The site is located in the triangle formed by Yeager Road, Northwestern Avenue and Sagamore Parkway. Petitioner would like to locate his wife's dietician and nutritional consulting business (SIC 8049) at the site commonly known as 2324 Northwestern Avenue, West Lafayette, Wabash 12 (SE) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The earliest zoning maps for this property show it zoned LB, Local Business zoning. With the passage of the zoning ordinance in 1998 this land became zoned NB, Neighborhood Business. Then in 2001, an overall rezone of West Lafayette was done changing the zoning to R3W for this parcel and surrounding land.

The most recent rezone in the immediate area was for land south of this site at the southern tip of the triangle. This rezone, done in 2004, changed the zoning from R3W to NB for a long-standing commercial property (Z-2197). This land was later purchased by the City as right-of-way for the recently completed round-about project at Yeager Road and Northwestern Avenue.

**AREA LAND USE PATTERNS:**

The subject property contains an older Cape Cod style home, a large detached garage and parking lot. Directly south of the site is a single-family home that is the office of a leasing company.

The area surrounding this parcel is a mix of apartment buildings, a childcare center, a gas station and a hotel.

**TRAFFIC AND TRANSPORTATION:**

The site in question has frontage along Northwestern Avenue, an urban primary arterial. Traffic counts taken in 2008 show that an average of 14,888 vehicles travel this road daily. The site has access from Northwestern via a private easement. Parking for this use is set at 1 per 200 sq. ft. of gross floor area and must be paved. According to assessor's information, the house is a little under 1,000 sq. ft. which requires 5 spaces.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City utilities serve the site. If this rezone is approved, a type C bufferyard 20' in width would be required where the property abuts R3W zoning. Per UZO 4-9-2 (a) (2), bufferyards that are required because of a rezoning are not required where the continued use of existing building and/or parking areas would occupy the space otherwise reserved for the bufferyard. However, if the building and parking area are removed for redevelopment, these requirements would have to be met.

**STAFF COMMENTS:**

Historically, the site in question has been used both commercially and residentially. Petitioner indicated that a residence is located on the second floor, though it is currently unoccupied and has been for a little over a year.

This area is a hodgepodge of commercial uses in residential structures, multi-family buildings and commercial structures, including apartments, a gas station, a hotel and a childcare facility. From 1965 until 2001, this entire triangular-shaped area was zoned LB (and later NB). Under the repealed 1965 zoning ordinance, both businesses and apartments were permitted by right in the LB zone. With the passage of the current zoning ordinance in 1998, apartments were not permitted in business zones and they became non-conforming. In an effort to clean up some of the non-conformities, the city adopted a new zoning map incorporating new zones made available with NUZO. Except for the northern lots fronting Sagamore Parkway, the entire triangle was rezoned to R3W. This made a commercial use of this property non-conforming, but still allowed the residence on the second floor. Petitioner's wife would like to utilize this empty downstairs space for her nutritional counseling business, and petitioner is aware that the residence may no longer be permitted.

With that in mind, residential uses in this area are traditionally higher density multi-family and a repurposing of a single-family home into a commercial use is supportable.

**STAFF RECOMMENDATION:**

Approval