

CITY ORDINANCE NO. CO-055-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. ZON2021-0010 119 SAINT LANDRY REZONING, LOCATED GENERALLY SOUTH OF SAINT LANDRY STREET, WEST OF WEST UNIVERSITY AVENUE, AND NORTH OF SAINT JOHN STREET; THE PARTICULAR PARCEL BEING REZONED FROM RS-1 (RESIDENTIAL SINGLE-FAMILY) TO MN-1 (MIXED-USE NEIGHBORHOOD)

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify the property of Case No. ZON2021-0010 119 Saint Landry Street Rezoning, located generally south of Saint Landry Street, west of West University Avenue, and north of Saint John Street; the particular parcel being rezoned from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood); the said parcel being shown and identified on a rezoning map titled “Proposed Zoning Map for property belonging to Curtis John Kidder located at 119 Saint Landry Street. Located in Section 67, T9S-R4E, City of Lafayette Parish, LOUISIANA,” prepared by Southeast Engineers, LLC, dated March 4, 2021, a copy of which is attached hereto and made a part hereof.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council

FROM: Lafayette Zoning Commission and Development and Planning Department

SUBJ: ZON2021-0010 119 Saint Landry Street Rezoning

PETITIONER: James J. Ricks, P.E.

DATE PETITION FILED: March 9, 2021

DATE OF PUBLIC HEARING: April 19, 2021

DATES OF PUBLICATIONS: April 4, 2021
April 14, 2021
April 18, 2021

DATE OF ZONING COMMISSION RECOMMENDATION: April 19, 2021

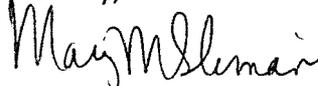
RECOMMENDATION: Approve the ordinance that would rezone property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Motion: Green
Second: Doise
Vote: 4-0-1-0
Ayes: Pritchard, Doise, Dural, Green
Nays: None
Absent: Hebert
Abstain: None

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Mary Sliman, Director
Development and Planning Department

Lafayette Consolidated Government
Zoning Commission

Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 2/15/2021
Amended 4/19/2021

ZON2021-0010

City Council District: 2 – Andy Naquin

Parish Council District: 4 – John Guilbeau

Applicant: James J. Ricks, P.E.

Request: This is a request for rezoning of a property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Location: 119 St. Landry Street

Summary of Proposal:

The purpose of this proposal is to allow the rezoning of a property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), in order to allow for office use within the existing building.

Recommendation:

Staff recommends approval of the request to rezone this property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Reasons for Recommendation:

The subject property is located on the edge of an older, historic neighborhood of Lafayette, **Elmhurst Park Subdivision**. This neighborhood is bounded by commercial properties to the north, at West University Avenue; to the south, at West St. Mary Street; to the east at Johnston Street; and to the west at St. Landry Street. There needs to be thought and care given to the edges of this neighborhood, as this property can serve as a transition between the neighborhood and commercial uses.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 2 phone calls, one undecided as of now, and the other a cautious yes.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its April 19, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 0

Opposition: 1

Neutral: 2

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting**April 19, 2020****ZON2021-0010****To:** City Zoning Commission**From:** Mary Sliman, Director
Cathie Gilbert, Planning Manager**City Council District:** 2 – Andy Naquin**Parish Council District:** 4 – John Guilbeau**Prepared by:** Carol Vermillion Robbins**PRELIMINARY STAFF REPORT**

Applicant: James J. Ricks, P.E.

Request: This is a request to allow the rezoning of a property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Location: 119 St. Landry Street

Description: The property is located generally south of St. Landry Street, west of West University Avenue, and north of St. John Street. The subject property is approximately 0.143 acres.

Why is Zoning Commission action required?

The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City Council prior to council action, in accordance with Article 4 of the Unified Development Code.

The UDC establishes procedures for making land development decisions. In order to obtain a certificate of occupancy, building permit or to subdivide the property, the zoning district must permit the proposed land use and development standards. The city of Lafayette is divided into zoning districts that can be generally categorized by agricultural, residential, mixed-use, commercial and industrial land uses. Each zoning district has a set of permitted and/or conditional uses.



Subject Property Map

II. ANALYSIS

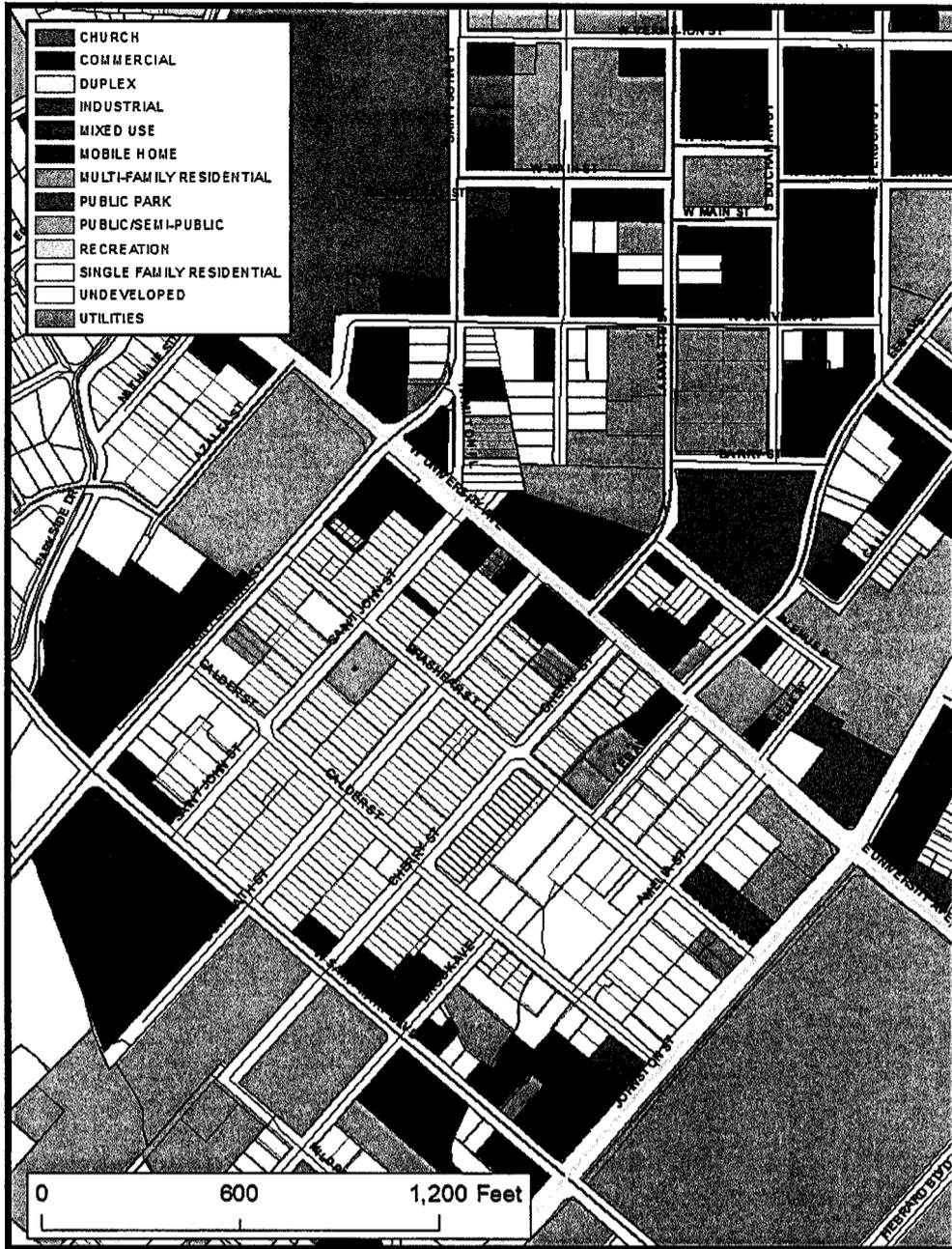
A. Existing conditions

Zoning



Zoning map of the area surrounding the petitioned site

The subject property is on the edge of a large residential area not far from the Downtown area. This is an older and historic neighborhood, Elmhurst Park Subdivision, with RS-1 (Residential Single-Family) as the main zoning district. The subdivision is surrounded by CM-1 zoning districts at all edges except for Johnston Street. There has also been the addition of MN-1 (Mixed-Use Neighborhood) zoning districts along University Avenue in recent years.



Land Use Map

The Land Use map also indicates that the Elmhurst subdivision is mainly residential, with the addition of RM-1 (Residential Mixed) properties and some commercial uses along the edges of the subdivision. LCG's City Hall is across the street from the property, and a church and school are just a few blocks away. Some of the small businesses near the subject property are: a convenience store, a small restaurant, a dental lab, a florist, small retail, pizza take-out, insurance and tax offices, counseling, a funeral home, a bridal shop, a barbeque place, and many law offices. Although the area is a RS-1 (Residential Single-Family) zoning district, there are in fact areas of multi-family uses throughout. There are duplexes, apartments, and accessory apartments.

B. Recent cases and relevant trends

There have not been many zoning cases in and around Elmhurst recently. This is possibly due to the age of the neighborhood. People are content to leave the existing neighborhood as it is, not bring in other types of residential uses, or new businesses. There are examples of other dwelling types, such as duplexes, small apartment complexes and accessory apartments. There are a few small businesses within that area also, mostly attorney's office space.

Lafayette has several areas where residential single-family housing is no longer desirable, such an area where the main road has been upgraded and has become busy over time. Staff had several cases along West Congress Street where residential property directly on West Congress Street was rezoned from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood) for this very reason. Staff also downzoned a small inappropriate CH (Commercial-Heavy) area to MN-1. **(ZON2021-0001 1911, 1913, 1921, 2000 & 2001 West Congress Street and 766 St. Thomas Street Administrative Rezoning)** MN-1 offers a compromise and serves as a buffer between commercial uses and residential uses.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow for an office use on this property. This property is no longer as desirable for residential use. There is steady traffic on St. Landry, especially with City Hall across the street. There is a busy convenience store two lots down from this subject property, and a pizza delivery business and a small restaurant right next door. CH (Commercial-Heavy) or CM-1 (Commercial Mixed) are not desirable as these uses would not be appropriate next to an established neighborhood. It is best to use the edges of the subdivision; for instance, this subject property can be used as a transition space between the residential neighborhood and the commercial properties. Therefore this zoning of MN-1 will have the least negative effect on the adjacent land uses.

D. Anticipated impact on infrastructure

N/A.

E. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

The MN-1 (Mixed-Use Neighborhood) zoning district implements the Transitional Mixed-Use future land use category of PlanLafayette. It provides an opportunity to establish neighborhood retail, convenience, service, **office**, and institutional uses in the Residential and Mixed Residential categories. It provides a **transition** between residential areas and more intense commercial corridors. And it provides opportunities for pedestrian access between residential and commercial areas.

There was a mistake in the original zoning map or text.

N/A.

The proposed amendment is compatible with current development trends, if any, in the vicinity of the subject property.

This house is on the very edge of Elmhurst Subdivision. It was once in a good location, but now there is constant traffic and retail uses right next door. (There is a small restaurant and a pizza take-out, and a convenience store with gasoline sales.) These properties will need to be considered as edge or transition properties, protecting and transitioning to center of the neighborhood.

The proposed amendment promotes the public health, safety, morals, and general welfare.

This was not the basis for consideration.

The proposed amendment is compatible with surrounding land uses.

Yes. There are a number of older residential properties now being used as office space, especially in areas like this where a great deal of change has occurred. City Hall is in the immediate vicinity, and there are many lawyers' offices also. This location is near Downtown for their uses also. The owner was fortunate to find a use where the existing house and lot can remain. This makes for a better transition from MN-1 (Mixed-Use Neighborhood) to housing (Residential Single-Family).



CO-055-2021
RECEIVED

APR 20 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Development and Planning Department
Office of the Director (Route 9010)

TO: Cydra Wingerter

DATE: April 20, 2021

FROM: Mary Sliman

SUBJECT: Case No. ZON2021-0010
119 St. Landry Street Rezoning

The attached ordinance would rezone, from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), property located generally south of St. Landry Street, west of West University Avenue, and north of St. John Street.

The Zoning Commission, at its Monday, April 19, 2021, meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, May 4, 2021, with Final Adoption Tuesday, May 18, 2021.

Please call if you have any questions or require additional information in this matter.

A handwritten signature in cursive script, appearing to read 'Mary Sliman', written over a horizontal line.

Mary Sliman
Director

LAFAYETTE CITY COUNCIL MEETING

ZONING AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** This is a request for the adoption of an ordinance that would rezone property located generally south of St. Landry Street, west of West University Avenue, and north of St. John's Street.

- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RS-1(Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: May 4, 2021
 - B. FINAL ADOPTION: May 18, 2021

- 4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
 - A. Cover Memo from Director (1 page)
 - B. Submittal Form (1 page)
 - C. Zoning Commission Recommendation of Action (1 page)
 - D. Ordinance (1 page)
 - E. Map (1 page)
 - F. Final Evaluation of Zoning Considerations (10 pages)

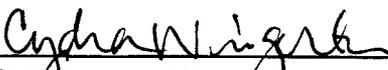
- 5) **FISCAL IMPACT:**
 Fiscal Impact (will be detailed in Cost-Revenue Analysis)
 No Fiscal Impact

RECOMMENDED BY:



MARY SLIMAN, DIRECTOR

APPROVED FOR AGENDA:



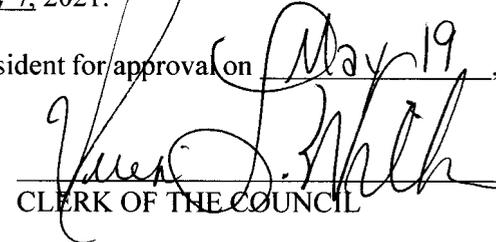
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-055-2021

1. This ordinance was introduced: May 4, 2021
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by Council:
May 18, 2021
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on May 7, 2021.

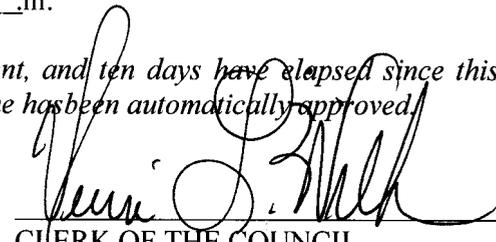
3. This ordinance was presented to the Mayor-President for approval on May 19, 2021, at 10:45 o'clock 2 .m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the 24 day of May, 2021, at 12:40 o'clock a.m.
B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.
C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.

MAYOR-PRESIDENT

5. Returned to Council Office with without veto message on May 24, 2021, at 2:22 o'clock p.m.

6. Reconsideration by Council (if vetoed):
On _____, 2021, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2021, at _____ o'clock ____m.
If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on May 21, 2021.