

CITY ORDINANCE NO. CO-056-2021

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL APPROVING A
CONDITIONAL USE PERMIT TO ALLOW A DWELLING, TWO (2) FAMILY
(DUPLEX) IN A RS-1 (RESIDENTIAL SINGLE-FAMILY) ZONING DISTRICT, CASE
NO. ZON2021-0011, 141 WHITTINGTON DRIVE CONDITIONAL USE PERMIT,
LOCATED GENERALLY SOUTH OF JOHNSTON STREET, EAST OF CATHERINE
STREET, AND WEST OF OAKCREST DRIVE**

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette City Council hereby approves a Conditional Use Permit to allow a Dwelling, two (2) family (duplex) in a RS-1 (Residential Single-Family) Zoning District, Case No. ZON2021-0011, 141 Whittington Drive Conditional Use Permit, located generally south of Johnston Street, east of Catherine Street, and west of Oakcrest Drive, the said parcel being shown and identified on a map titled, "A Map Requesting a Conditional Use Permit RS-1 (CUP)," prepared by Montagnet and Domingue, Inc., dated March 8, 2021, a copy of which is attached hereto and made a part thereof.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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

* * * * *

LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION

TO: Lafayette City Council
FROM: Lafayette Zoning Commission and Development and Planning Department
SUBJ: ZON2021-0011 141 Whittington Drive CUP
PETITIONER: Revibe Restoration, LLC

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 grant a Conditional Use Permit (CUP) to allow a Dwelling, two-family (duplex) in a RS-1 (Residential Single-Family) zoning district.

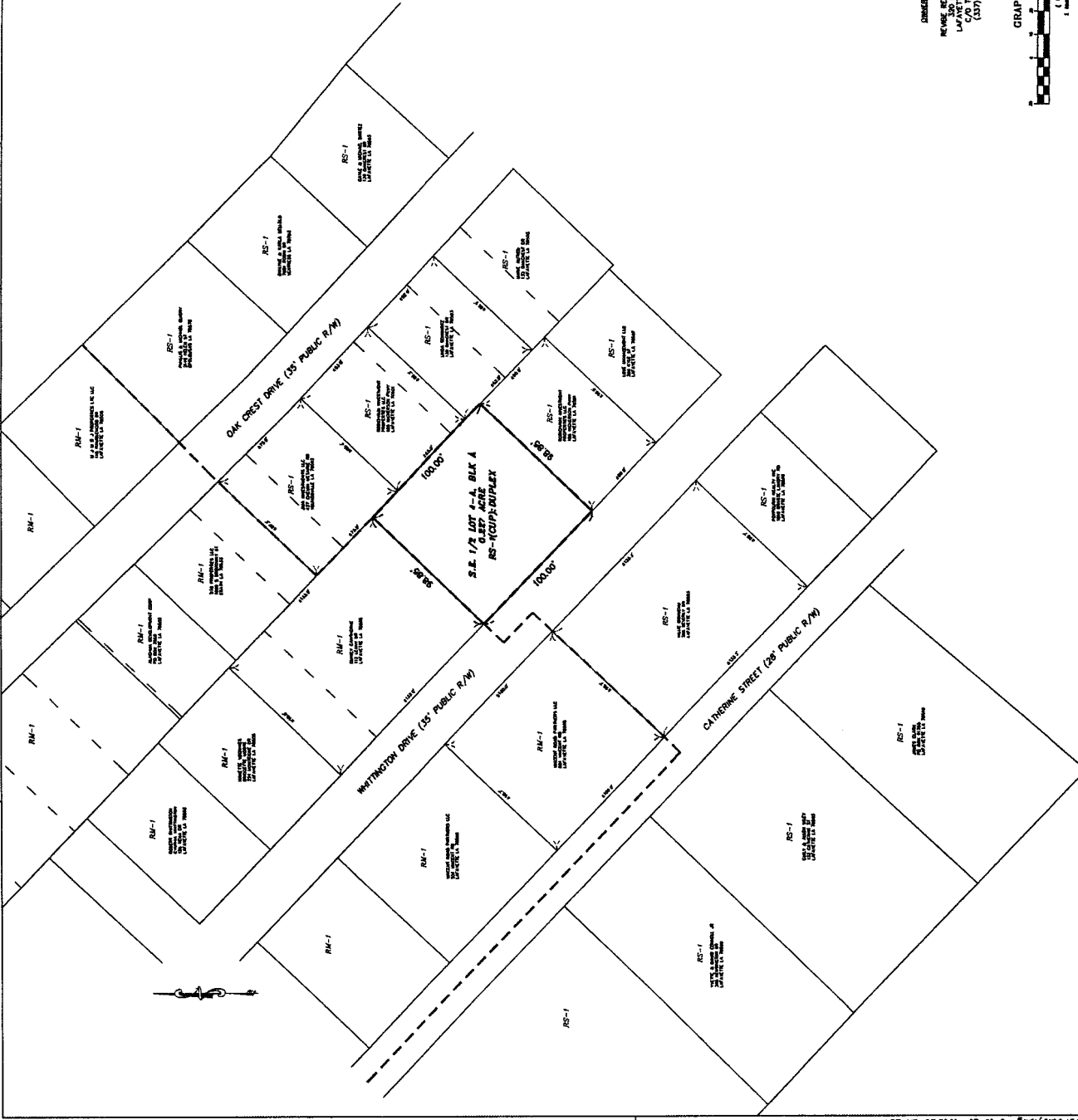
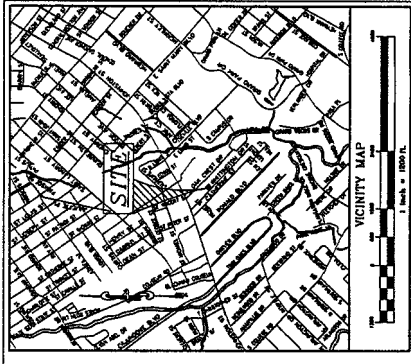
Motion: Dural
Second: Doise
Vote: 3-0-1-1
Ayes: Doise, Dural, Green
Nays: None
Absent: Hebert
Abstain: Pritchard

ATTACHMENTS: Executive Summary and Preliminary Staff Report

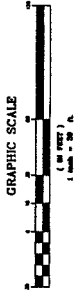
REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,

Mary Sliman, Director
Development and Planning Department



DRAWN/REVISION
 REVISE: BROWN, LLC
 LAFAYETTE, LA 70508
 (504) 485-7884



A MAP REQUESTING A CONDITIONAL USE PERMIT
 RS-1(CUP): DUPLEX
 ON THE S.E. HALF OF LOT 4-A, BLK A,
 WHITTINGTON HEIGHTS SUBDIVISION
 STREET ADDRESS: 141 WHITTINGTON DR.
 LAFAYETTE, LA 70503
 LOCATED IN THE CITY OF LAFAYETTE
 SECTION 47, T-10-S, R-7-E,
 LAFAYETTE PARISH, LOUISIANA

PREPARED BY: *[Signature]*
 A. E. MONTAGNET
 C.E., P.E., M.A.S.T.
 License No. 4484
 PROFESSIONAL ENGINEER

MONTAGNET AND DOMINGUE, INC.
 136 CLARA VON DRIVE 70503
 LAFAYETTE, LA 70503
 Phone: (337) 981-2150 Fax: (337) 981-3282
 DATE: MARCH 8, 2021 SCALE: 1"=30'



Lafayette Consolidated Government
Zoning Commission

Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 3/10/2021
Amended 4/19/2021

ZON2021-0011

City Council District: 3 – Liz Hebert

Parish Council District: 4 – John Guilbeau

Applicant: Revibe Restoration, LLC represented by Tim Bradley

Request: This is a request for a Conditional Use Permit (CUP) to allow a Dwelling, two-family (duplex) in a RS-1 (Residential Single-Family) zoning district.

Location: 141 Whittington Drive

Summary of Proposal:

The purpose of the proposed rezoning is to allow for the building of a duplex unit that would be compatible with a residential neighborhood.

Recommendation:

Staff recommends approval of the request for a Conditional Use Permit to allow a Dwelling, two-family (duplex) in a RS-1 zoning district.

Reasons for Recommendation:

This property is immediately adjacent to one of the properties rezoned from CH (Commercial-Heavy) to RM-1 (Residential Mixed) in the administrative rezoning project of 2020, **ZON2020-0024, Select Properties of Rene Street, Catherine Street, Whittington Drive and Oak Crest Drive**. Those properties were downzoned to RM-1 from CH, citing the existing neighborhood's makeup of land uses, consisting mostly of single family residences and mixed residential. The same applies to this subject property. There is, in fact, a duplex apartment across St. Catherine Street from the subject property, one of a group of three. We recommend approval of a CUP in order to allow a Dwelling, two-family (duplex) in a RS-1 zoning district.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received one call, asking for explanations. After discussion, the caller said that he would support the case.

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 for a conditional Use Permit (CUP) to allow a dwelling, two family (duplex) in a RS-1 (Residential Single Family) zoning district.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 2

Opposition: 0

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting**April 19, 2021****ZON2021-0011****To:** City Zoning Commission**From:** Mary Sliman, Director
Cathie Gilbert, Planning Manager**City Council District:** 3 – Liz Hebert**Parish Council District:** 4 – John Guilbeau**Prepared by:** Carol Vermillion Robbins**PRELIMINARY STAFF REPORT**

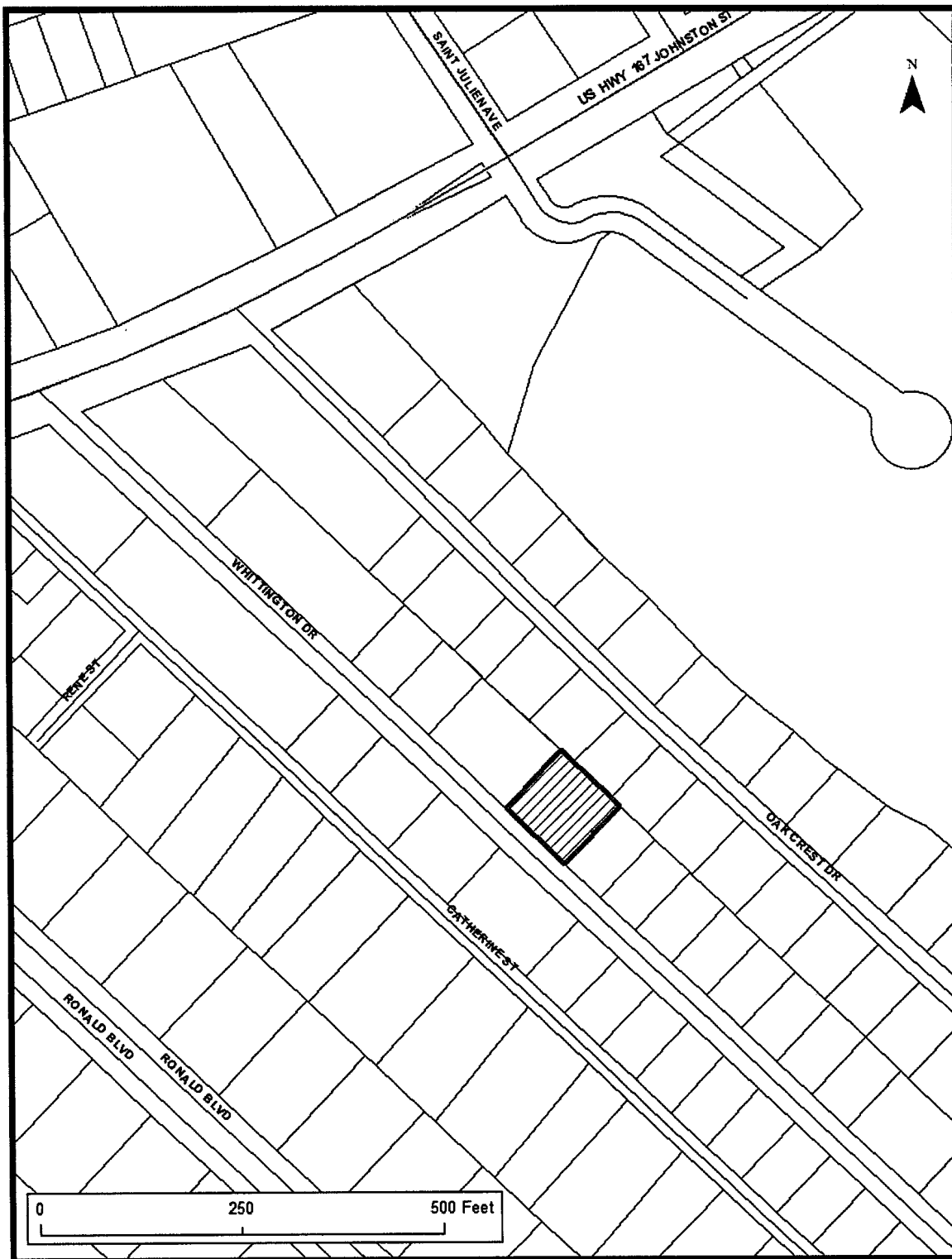
I. GENERAL INFORMATION**Applicant:** Revibe Restoration, LLC represented by Tim Bradley**Request:** This is a request for a Conditional Use Permit (CUP) to allow for the building of a Dwelling, two-family (duplex) in a RS-1 (Residential Single-Family) zoning district.**Location:** 141 Whittington Drive**Description:** The property is located generally south of Johnston Street, east of Catherine Street, and west of Oakcrest Drive, and is 0.227 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 Lafayette Development Code.

The LDC 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



Vicinity Map

II. ANALYSIS

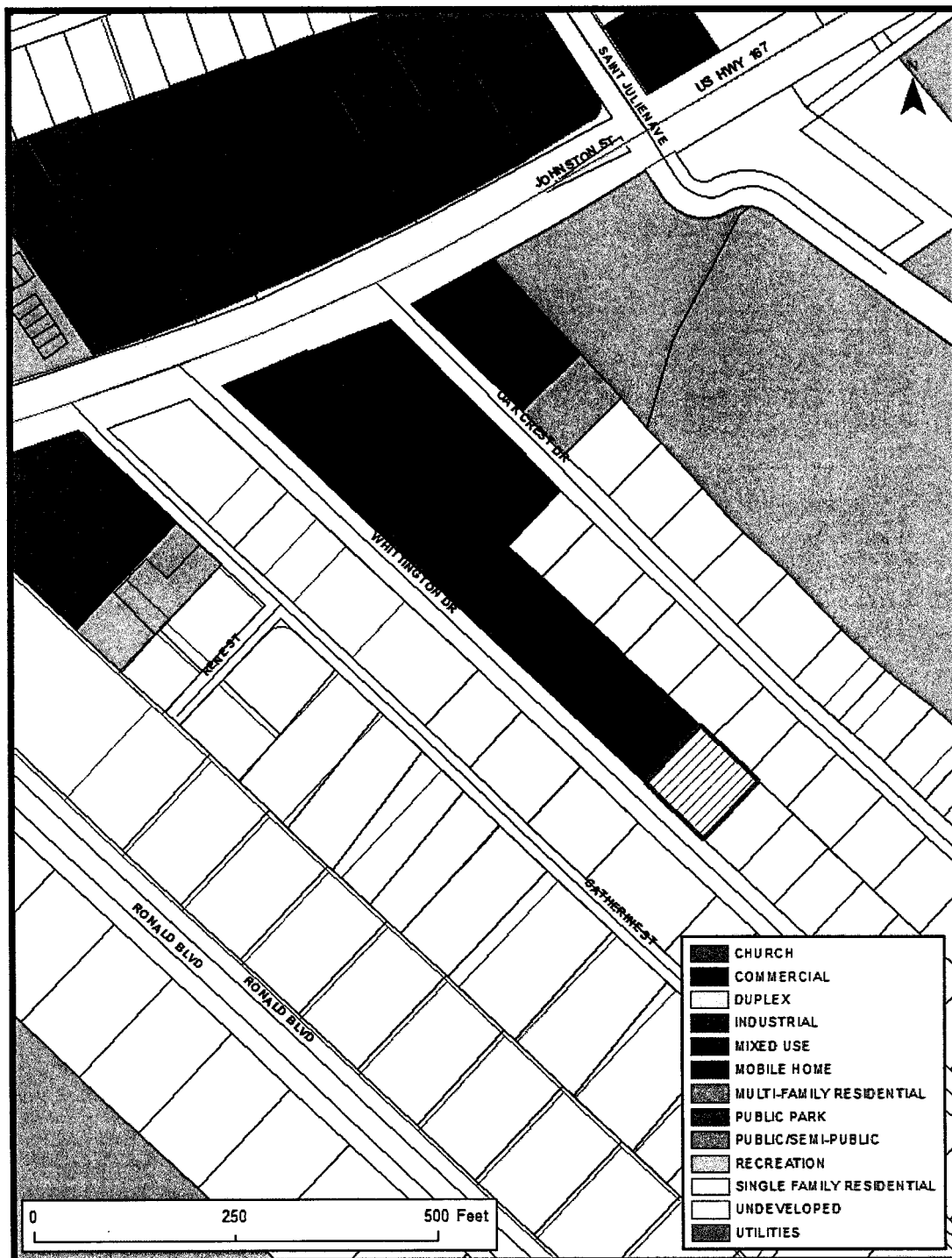
A. Existing conditions

Zoning



Zoning Map of the Area Surrounding the Petitioned Site

The zoning map clearly shows all of the area revised in ZON2020-0024, **Select Properties of Rene Street, Catherine Street, Whittington Drive and Oak Crest Drive Rezoning**. The RM-1 areas are all newly rezoned from CH (Commercial-Heavy) to RM-1 Residential Mixed). The subject property is adjacent to other areas of RM-1, and is part of a large RS-1 (Residential Single-Family) zoning district as well. CH (Commercial Heavy) properties still line Johnston Street.



Land Use Map

The Land Use map shows most of the heavy commercial uses are along Johnston Street. Most of the neighborhoods land uses are single-family residential, with some multi-family, and an area of grandfathered mobile homes. There is a large church property to the east of the subject property (Fatima church and school), and college properties to the west (UL student housing).

Infrastructure



Street Classification and Sidewalk Inventory

The subject property is located on a local road, Whittington Drive. This road connects to Johnston Street, a principal arterial. (141 Whittington Drive is approximately .16 miles from Johnston Street.) Whittington Drive is not a dead-end, but connects with Catherine Street and returns back to Johnston Street.

A. Recent cases and relevant trends

This office had rezoned a large number of properties very near to the subject property last year with

ZON2020-0024, Select Properties of Rene Street, Catherine Street, Whittington Drive, and Oak Crest Drive. These properties were inappropriately zoned CH (Commercial-Heavy), and were downzoned to RM-1 (Residential Mixed).

Another case from 2020, **ZON2020-0016, 106, 108, 112, 114 Whittington Drive Rezoning**, was a proposed rezoning of property from CH (Commercial Mixed) to RM-1 (Residential Mixed), in order to allow for townhouses. These two projects from 2020, along with this current rezoning confirm that the CH zoning was a mistake for a residential neighborhood such as this. This neighborhood has a mixture of single-family uses along with some multi-family uses, and this current case is a good selection for a duplex use.

B. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

Yes. The comprehensive plan considers that there is a lack of housing choice in the city and “encourages compact development within existing activity centers and along corridors that include a mix of uses supportive of vibrant daily activity patterns” (Policy 2.11). The neighborhood has always had a variety of housing types, from single-family homes, duplexes, apartments and accessory apartments. This variety in housing is indicating a current trend in housing. There are students from UL Lafayette, looking for apartments or duplexes, as well as families who are looking for a home and a yard, and a safe neighborhood. There are also people who are hoping to age in place, and are looking for a home or a townhouse, to see them through the years. This neighborhood will have plenty of variety for almost any resident.

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.

The current development trends in this area seem to be leaning toward smaller and/or multi-family type dwellings, not just the traditional single-family residences. There are singles who prefer a smaller yard, or couples who want to age in place. There are a variety of people living in this neighborhood, with different needs and desires, and the variety of housing should reflect this.

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

N/A.

The proposed amendment is compatible with surrounding land uses.

Yes. The surrounding land uses to the subject property are much the same as it-Residential Mixed, and Residential Single-Family. This is an older and established neighborhood with single family homes, along with townhouses, and duplexes or triplexes.



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. ZON2021-0011
141 Whittington Drive Conditional Use Permit in an RS-1 District

The attached ordinance would grant a Conditional Use Permit (CUP), on property located generally south of Johnston Street, east of St. Catherine Street, and west of Oakcrest Drive.

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 that reads 'Mary Sliman'.

Mary Sliman
Director

LAFAYETTE CITY COUNCIL MEETING
ZONING AGENDA ITEM SUBMITTAL FORM

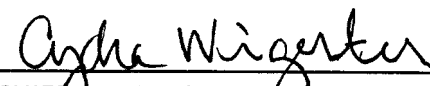
- 1) **JUSTIFICATION FOR REQUEST:** This is a request for the adoption of an ordinance that would rezone property located generally south of Johnston Street, east of Catherine Street, and west of Oakcrest Drive.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to grant a CUP (Conditional Use Permit) to allow a Dwelling, two family (duplex) in a RS-1 (Residential Single-Family) zoning district.
- 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 (9 pages)
- 5) **FISCAL IMPACT:**
 - Fiscal Impact (will be detailed in Cost-Revenue Analysis)
 - No Fiscal Impact

RECOMMENDED BY:



MARY SLIMAN, DIRECTOR

APPROVED FOR AGENDA:



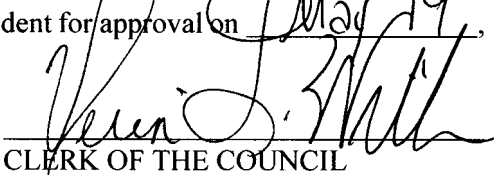
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-056-2021

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.