

CITY ORDINANCE NO. CO-069-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2021-0014 202 & 208 LEONPACHER ROAD REZONING, LOCATED GENERALLY NORTH OF LEONPACHER ROAD, WEST OF PINHOOK ROAD, AND SOUTH OF BEVERLY DRIVE; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) TO RS-1 (RESIDENTIAL SINGLE-FAMILY)

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2021-0014 202 & 208 Leonpacher Road Rezoning, located generally north of Leonpacher Road, west of Pinhook Road, and south of Beverly Drive; the particular parcels being rezoned from CH (Commercial-Heavy) to RS-1 (Single-Family Residential); the said parcels being shown and identified by a rezoning map titled "Plat showing the Property Boundary Survey of property belonging to Meselhe & Associates, LLC Situated in Section 50 T10S-R4E Lafayette Parish, Louisiana," 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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: ZON2021-0014 202 & 208 Leonpacher Road Rezoning

PETITIONER: Asim Baloch

DATE PETITION FILED: April 7, 2021

DATE OF PUBLIC HEARING: May 17, 2021

DATES OF PUBLICATIONS: May 2, 2021
May 12, 2021
May 16, 2021

DATE OF ZONING COMMISSION RECOMMENDATION: May 17, 2021

RECOMMENDATION:

Approve the ordinance that would rezone properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family)

Motion:	Green
Second:	Doise
Vote:	5-0-0-0
Ayes:	Hebert, Doise, Dural, Green, Pritchard
Nays:	None
Absent:	None
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

Zoning Commission

Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 5/10/2021

Amended 5/17/2021

ZON2021-0014

City Council District: 4 – Nanette Cook

Parish Council District: 4 – John Guilbeau

Applicant: Asim Baloch

Request: This is a request for the rezoning of two properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).

Location: 202 & 208 Leonpacher Road

Summary of Proposal:

The purpose of this proposal is to allow the rezoning of two properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family), in order to allow for residential single-family use of the properties.

Recommendation:

Staff recommends approval of the request to rezone this property from CH (Commercial-Heavy) to RS-1 (Residential Single Family).

Reasons for Recommendation:

The subject properties are part of a residential neighborhood, with single-family homes all around, but 202 & 208 Leonpacher Road are in a CH (Commercial-Heavy) zoning district. Possibly the properties were used for a business at one time, but these lots (and where they are located) are much better suited to a residential use. This is riverfront property, a desirable location. It is not suited for a business location, as the properties are not along the major road through this area, but are deep within a neighborhood. The properties can only be accessed by a gravel driveway off of Leonpacher Road.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 3 phone calls, all definite approvals.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its May 17, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 3

Opposition: 0

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting

May 17, 2021

ZON2021-0014

To: City Zoning Commission

From: Mary Sliman, Director
Cathie Gilbert, Planning Manager

City Council District: 4 – Nanette Cook

Parish Council District: 4 – John Guilbeau

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: Asim Baloch

Request: This is a request to allow the rezoning of a property from CH (Commercial-Heavy) to RS-1 (Residential Single-Family)

Location: 202 & 208 Leonpacher Road

Description: The property is located generally north of Leonpacher Road, west of Pinhook Road, and south of Beverly Drive. The subject property is approximately 3.477 acres.

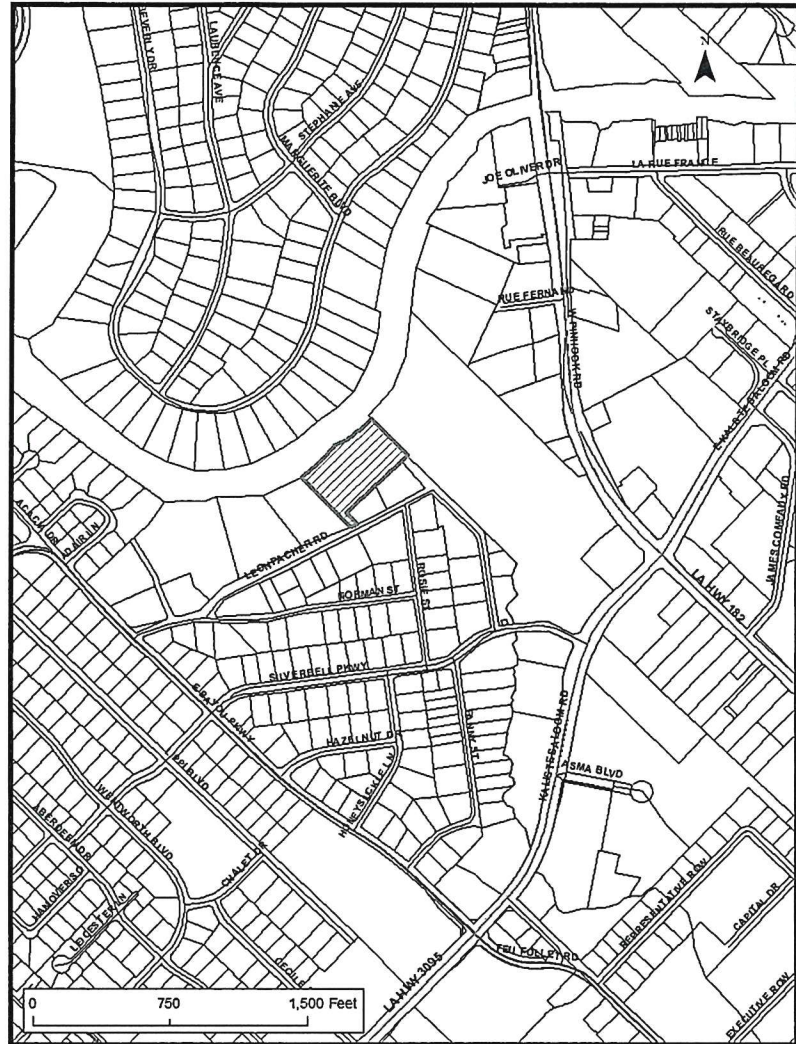
Why is Zoning Commission action required?

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 Map

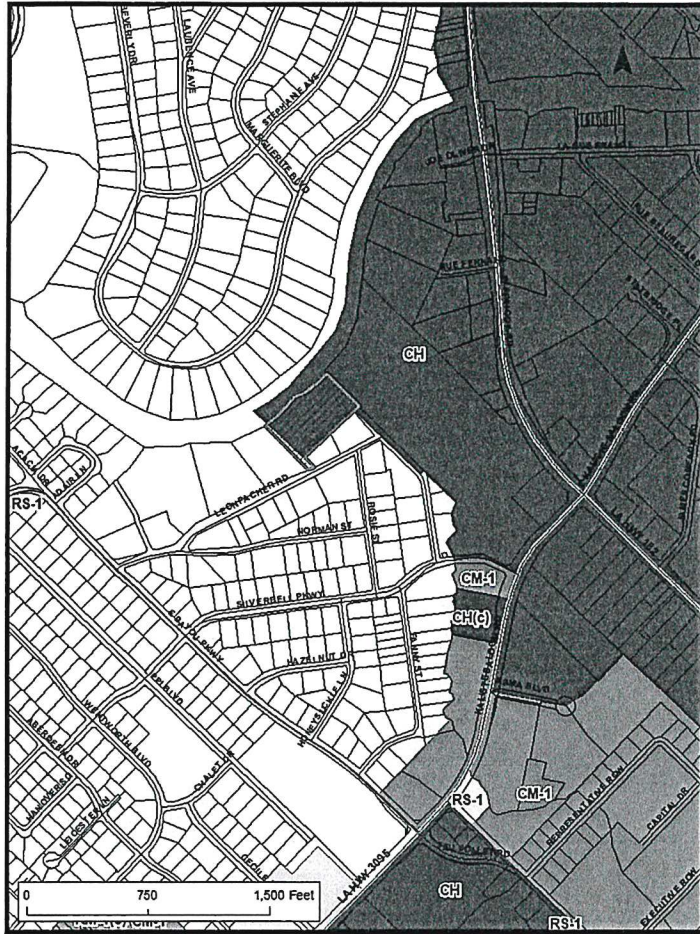


Vicinity Map

II. ANALYSIS

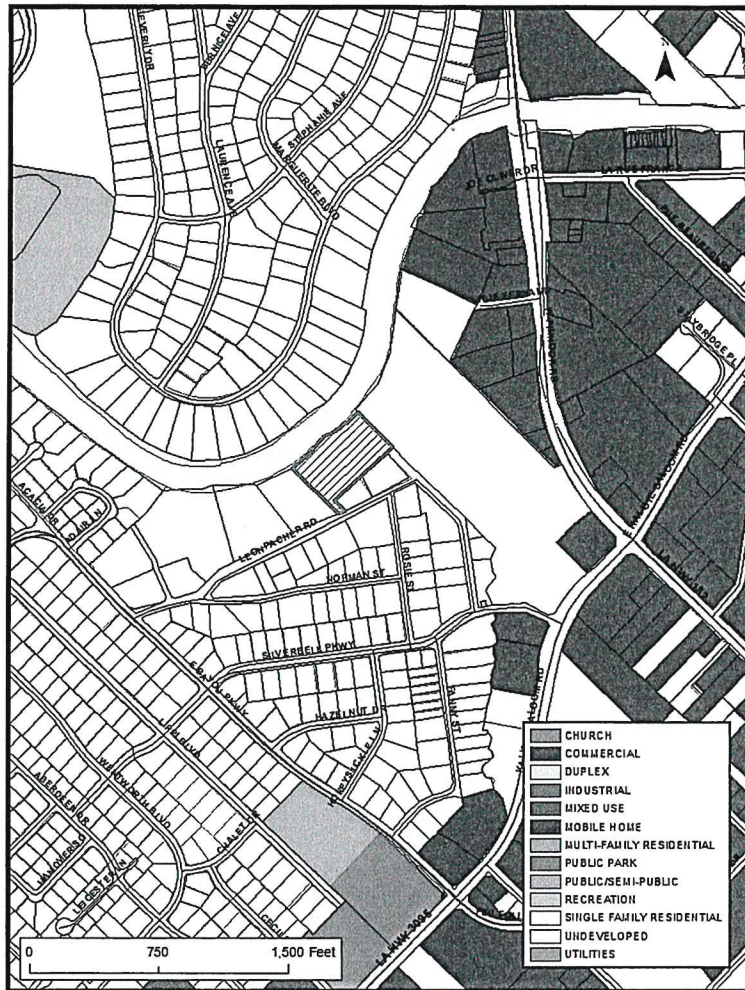
A. Existing conditions

Zoning



Zoning map of the area surrounding the petitioned site

The subject property is located in the middle of several large residential areas, which are following the Vermilion River. 202 and 208 Leonpacher Road are a small part of an area of a commercial zoning district that extends into the neighborhood. This adjacent CH (Commercial-Heavy) property is heavily wooded and undeveloped at this time. CH and CM-1 (Commercial Mixed) zoning districts follow Pinhook Road and Kaliste Saloom Road.



Land Use Map

The Land Use map indicates that there are two major uses in the area: residential and commercial. The commercial uses run along both sides of Pinhook Road and Kaliste Saloom Road. The commercial uses in these locations include: hotels, restaurants, law firms, accounting firms, auto parts and auto repairs, a surgical hospital, dentists, banks, social services, apartment buildings, churches and schools, and a cemetery. Pinhook Road and Kaliste Saloom Road are both busy roads. The area adjacent to 202 & 208 Leonpacher Road is undeveloped.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning to allow residential use of this property. 202 & 208 Leonpacher Road are part of the residential neighborhood, yet were zoned CH (Commercial-Heavy). There is no real commercial access to this property. It would not serve a commercial use easily. As it is a location on the Vermilion River, it stands to reason it would be much more desirable as a residential use than a commercial one. Also, if it were used as a commercial property, it would be disruptive to the rest of the neighborhood considering its location and less-than-perfect accessibility.

D. Anticipated impact on infrastructure

N/A.

E. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

Policy 1.2 "Protect and improve residential neighborhood character, including historical and cultural neighborhood resources."

This neighborhood has an interesting and unusual aspect, as some houses are developed on the river, and are often hidden from the street, accessible by long driveways and roads. The addition of a commercial use, instead of a residential one, would not be welcome in this neighborhood, and would probably be disruptive.

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.

These properties are very much compatible with the other residences in the area. The homes along the river are set back a great deal from the road, and landscaping is unusual and more of a local, cultural, native environment and a very rural feel.

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. These two properties are set back a good distance from Leonpacher Road, and, like the adjacent properties, have a great deal of natural plantings and native plants around the lot. These lots will fit in easily with its neighbors as a residential property. They would not fit in as a commercial property.

MAY 17 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

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

TO: Cydra Wingerter

DATE: May 17, 2021


FROM: Mary Sliman

SUBJECT: Case No. ZON2021-0014
202 & 208 Leonpacher Road Rezoning

The attached ordinance would rezone, from a CH (Commercial-Heavy) zoning district to a RS-1 (Residential Single-Family), properties located generally north of Leonpacher Road, west of Pinhook Road, and south of Beverly Drive .

The Zoning Commission, at its Monday, May 17, 2021 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, June 1, 2021, with Final Adoption Tuesday, June 15, 2021.

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



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 properties located generally north of Leonpacher Road, west of Pinhook Road, and south of Beverly Drive.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: June 1, 2021
 - B. FINAL ADOPTION: June 15, 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 SULMAN, DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-069-2021

1. This ordinance was introduced: Final disposition by Council:
June 1, 2021 _____, 2021
YEAS: Lewis, Nequin, YEAS:
Hebert, Cook, Lazard
NAYS: None NAYS:
ABSENT: None ABSENT:
ABSTAIN: None ABSTAIN:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on June 4, 2021.
3. This ordinance was presented to the Mayor-President for approval on _____, 2021, at _____ o'clock ____m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the _____ day of _____, 2021, at _____ o'clock ____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 _____, 2021, at _____ o'clock ____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 _____, 2021.