

CITY ORDINANCE NO. CO-117-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE AND THE OFFICIAL MAP OF THE CITY OF LAFAYETTE, PROVIDING FOR THE ANNEXATION OF ADDITIONAL LAND INTO THE CORPORATE LIMITS OF THE CITY OF LAFAYETTE, LOUISIANA, CASE NO. ZON2021-0024 1115 & 1203 CARMEL DRIVE ANNEXATION, LOCATED GENERALLY NORTH OF CARMEL DRIVE, EAST OF PINHOOK ROAD, AND SOUTH OF KRIS DRIVE, AND ASSIGNING A ZONING CLASSIFICATION OF CM-1 (COMMERCIAL MIXED) (DISTRICT 5)

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code and official map of the city of Lafayette are hereby amended so as to annex Case No. ZON2021-0024 1115 & 1203 Carmel Drive Annexation, located generally north of Carmel Drive, east of Pinhook Road, and south of Kris Drive, and assigning a zoning classification of CM-1 (Commercial Mixed).

SECTION 2: The foregoing described property is located within Lafayette City Council District No. 5.

SECTION 3: The description of the property to be annexed is as follows:

Beginning at a point on the existing City of Lafayette corporate limits said point is a southwesterly property corner of Singh Signature Stores Inc and is on the northerly right-of-way of LA HWY 94 - Carmel Drive, thence northerly, on an arc with a length of 67.16', having a chord bearing of N36°17'09"W, a chord distance of 57.32', and a radius of 35.00', along the easterly right-of-way of East Pinhook Road and the westerly property line of Singh Signature Stores Inc, thence N28°17'40"E, a distance of approximately 338.12', along the easterly right-of-way of East Pinhook Road and the westerly property line of Singh Signature Stores Inc, thence N24°48'02"E, a distance of approximately 87.99', along the easterly right-of-way of East Pinhook Road and the westerly property line of Singh Signature Stores Inc, thence N17°31'43"E, a distance of approximately 88.56', along the easterly right-of-way of East Pinhook Road and the westerly property line of Singh Signature Stores Inc, thence N10°49'20"E, a distance of approximately 175.81', along the easterly right-of-way of East Pinhook Road and the westerly property line of Singh Signature Stores Inc, to the northwesterly property corner of said property, thence S31°37'30"E, a distance of approximately 164.67', along the northerly property line of Singh Signature Stores Inc, to a northeasterly property corner of said property, thence S17°59'40"E, a distance of approximately 14.31', along the northerly property line of Singh Signature Stores Inc, to a northeasterly property corner of said property, thence S08°30'16"W, a distance of approximately 566.98', along the easterly property line of Singh Signature Stores Inc, to a southeasterly property corner of said property, and the northerly right-of-way of LA HWY 94 - Carmel Drive, thence N81°40'34"W, a distance of approximately 232.29', along the northerly right-of-way of LA HWY 94 - Carmel Drive and the southerly property line of Singh Signature Stores Inc, to a southwesterly property corner of said property, which is also the point of beginning, all as shown on the attached incorporation map prepared by Lafayette City - Parish Consolidated Government - Lafayette Utilities System, dated April 13, 2021, entitled, **MAP OF PROPOSED EXTENSION FOR CITY OF LAFAYETTE, LOUISIANA, CORPORATE LIMITS, LOCATED IN SECTION 101, T9S-R5E 1115 & 1203 CARMEL DRIVE ANNEXATION – APPROX. 2.653 ACRES.**

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective upon the elapse of 30 days after publication or posting, pursuant to La. R.S. 33:173, *et seq.*

* * * * *

**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council

FROM: Lafayette Zoning Commission and Community Development & Planning Dept.

SUBJ: ZON2021-0024 1115 & 1203 Carmel Drive Annexation

PETITIONER: Jas Thind

DATE PETITION FILED: January 20, 2021

DATE OF PUBLIC HEARING: August 16, 2021

DATES OF PUBLICATIONS: August 1, 2021
August 11, 2021
August 15, 2021

DATE OF ZONING COMMISSION RECOMMENDATION: August 16, 2021

RECOMMENDATION: Approve the ordinance that would annex the subject property and assign the zoning classification CM-1 (Commercial Mixed).

Motion:	Doise
Second:	Dural
Vote:	3-0-2-0
Ayes:	Pritchard, Doise, Dural
Nays:	None
Absent:	Hebert, Green
Abstain:	None

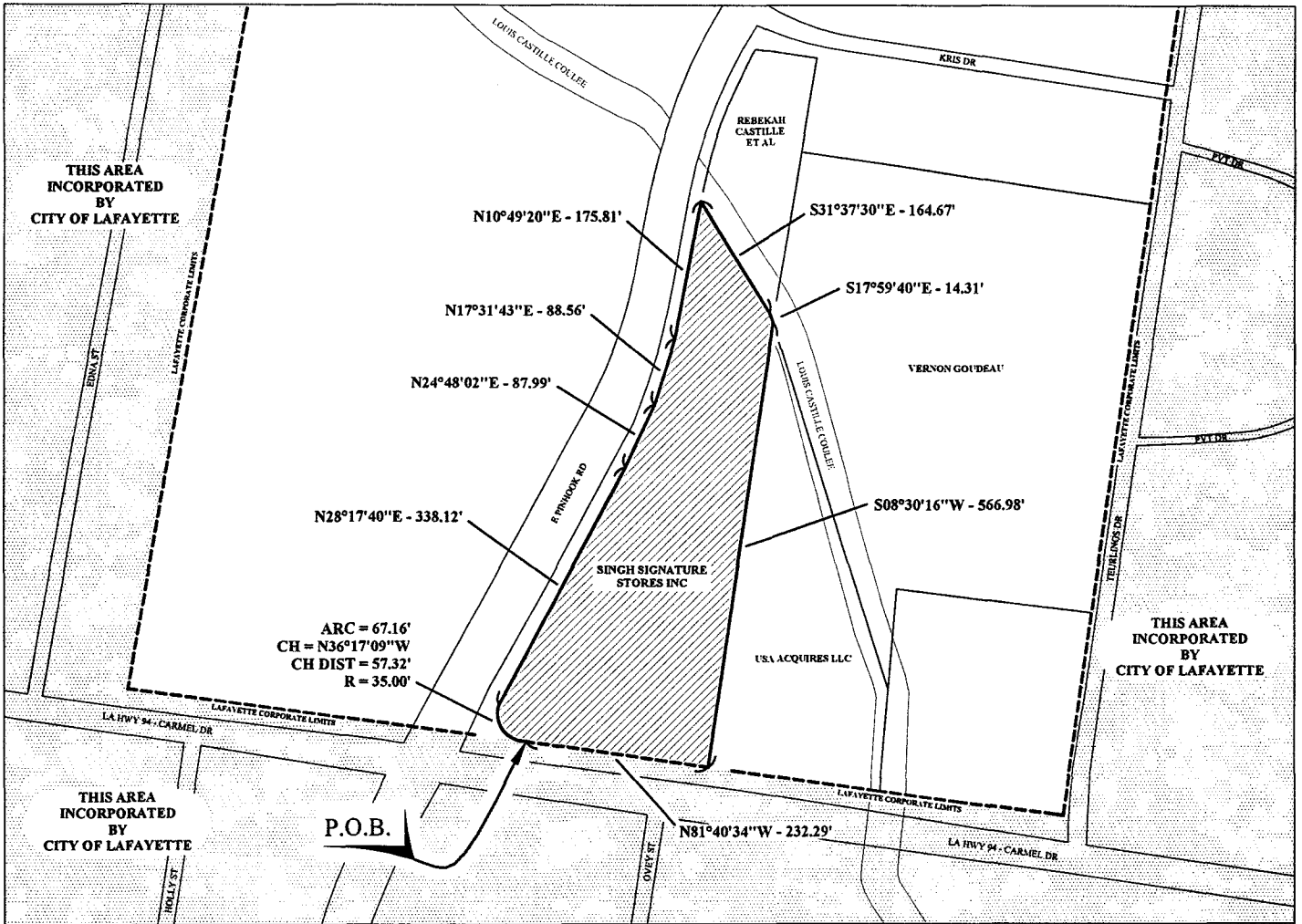
ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Mary Sliman, Director
Community Development and Planning Dept.



LEGEND

- P.O.B. POINT OF BEGINNING
- PROPOSED CITY OF LAFAYETTE ANNEXATION AREA
- PROPOSED CITY OF LAFAYETTE CORPORATE LIMITS EXTENSION
- EXISTING CITY OF LAFAYETTE CORPORATE LIMITS
- ROADWAY EDGE
- COULEE OR DRAINAGE CANAL

**MAP OF
PROPOSED EXTENSION
FOR CITY OF LAFAYETTE,
LOUISIANA, CORPORATE LIMITS,
LOCATED IN
SECTION 101, T9S-R5E
1115 & 1203 CARMEL DRIVE
ANNEXATION
APPROX. 2.653 ACRES**

NOTE:
NO ACTUAL GROUND SURVEY PERFORMED. INFORMATION OBTAINED FROM
PLAT A PLAT PREPARED BY AUCOIN & ASSOCIATES, INC. ENTITLED "PLAT OF
SURVEY MAD FOR SINGH SINGATURES STORES", DATED JANUARY 1, 2021

Prepared by: Lafayette City - Parish Consolidated Government	
Department: Lafayette Utilities System	Approved by: B.G.
Dated: April 13, 2021	Drawn by: E.G.

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 1/20/2021
Amended 8/16/2021

ZON2021-0024

City Council District: 5 – Glenn Lazard

Parish Council District: 5 – AB Rubin

Applicant: Jas Thind

Request: Zoning assignment

Location: 1115 & 1203 Carmel Drive

Summary of Proposal:

This is a request for a zoning assignment for property proposed for annexation. The applicant requires annexation in order to receive LUS water service for a convenience store with gasoline sales. This is a requirement of plat approval.

Recommendation:

The staff recommends a zoning assignment of CM-1 (Commercial Mixed).

Reasons for Recommendation:

A CM-1 (Commercial Mixed) zoning district is consistent with the land use in the surrounding area. There are existing CH (Commercial-Heavy) and CM-1 (Commercial Mixed) zoning districts across Carmel Drive from the subject properties. The properties to either side of the subject property are on unincorporated land, with a commercial use to the east side, and undeveloped property to the west. This corner of Pinhook Road and Carmel Drive has been a focal point for commercial properties. Both Pinhook and Carmel Drive are minor arterials. This corner is a good spot for this use, as there are a lot of daily commuters from Breaux Bridge and other small towns to the north.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has not received any letters/emails in support or opposition.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its August 16, 2021, meeting and approved a motion to recommend that the City Council approve the request to assign a zoning of CM-1 (Commercial Mixed) for this property to be annexed into the city of Lafayette.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting**August 16, 2021****ZON2021-0024****To:** City-Parish Zoning Commission**From:** Mary Sliman, Director
Cathie Gilbert, Planning Manager**City Council District:** 5 – Glenn Lazard**Parish Council District:** 5 – AB Rubin**Prepared by:** Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

I. GENERAL INFORMATION**Applicant:** Jas Thind**Request:** A request to assign zoning to property proposed for annexation.**Location:** 1115 & 1203 Carmel Drive

Description: The property is 2.653 acres and is undeveloped. The property once held several small rental homes. It is located generally north of Carmel Drive, east of East Pinhook Road, and south of Kris Drive. The applicant requests a commercial zoning assignment. The applicant wants to build a convenience store with gasoline sales. This requires a CM, CH or IL zoning district. Staff recommends CM-1 (Commercial Mixed).

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 conditional uses.

Subject Property Map



Subject property map

Vicinity Map



Vicinity map

II. ANALYSIS

A. Existing conditions

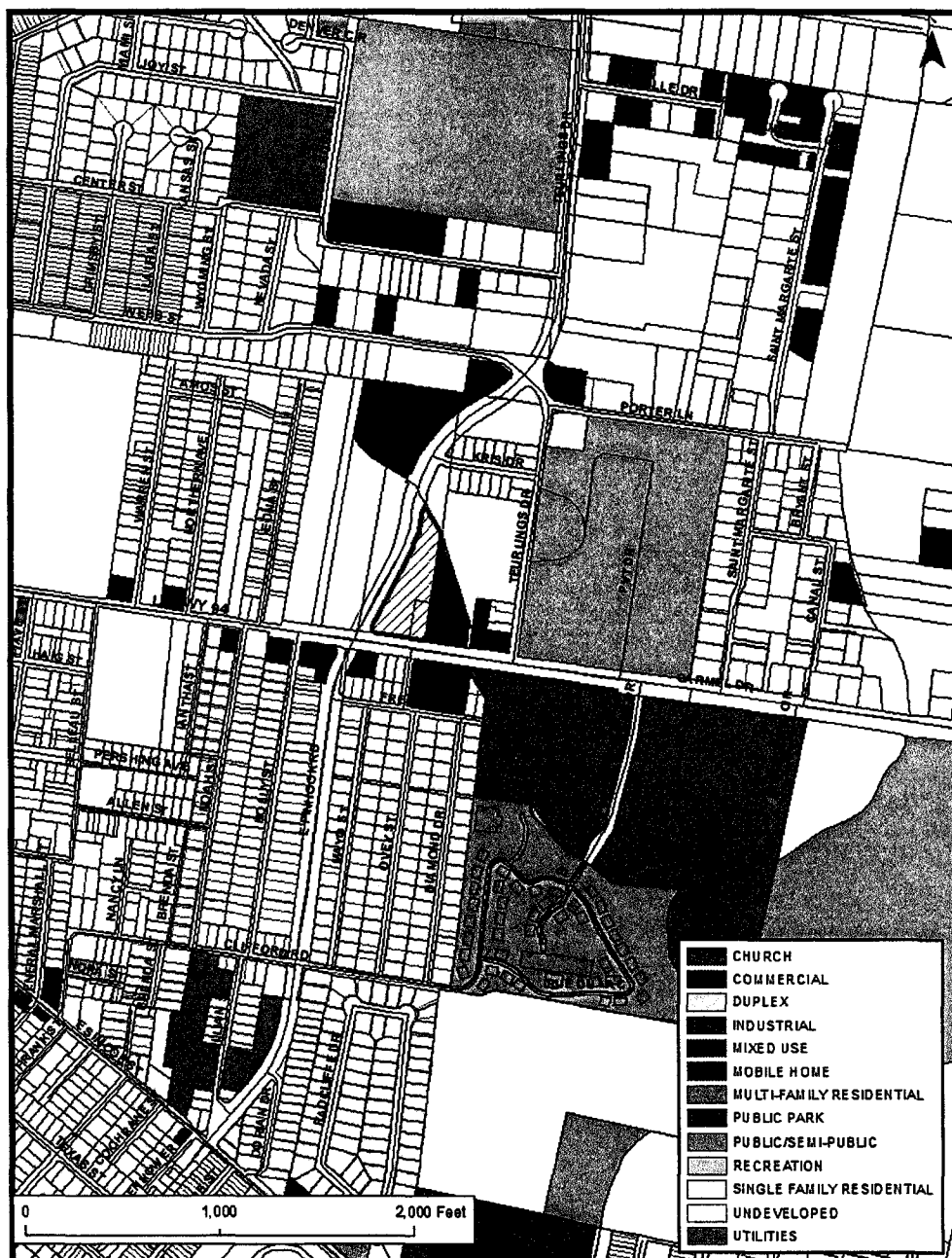
Zoning



Zoning map of the area surrounding the petitioned site
Most of the area is zoned for low density residential use, with most of the properties adjacent to the subject property is unincorporated. The unincorporated portion to the west is undeveloped. The properties across Carmel Drive are, typically for this area, a band of CH (Commercial-Heavy) commercial

properties fronting Carmel Drive with RS-1 (Residential Single-Family) districts adjacent. The large are of RM-1 zoning to the east is predominately properties owned by the Catholic Church.

Land Use



Land uses surrounding the petitioned site

Single-family residential use is the predominant land use in the area. A great deal of the property to the east is church properties, including residential areas for staff and for the disabled (Village du Lac). There are commercial properties following Carmel Drive, centering on the intersection of Carmel Drive and East Pinhook Road.

Infrastructure



Street classification and sidewalk inventory

The subject property is bounded on two sides by minor arterials, Carmel Drive and East Pinhook Road. The remainder of the roads near the subject property are local roads only. A coulee forms the northern boundary of the subject property. There are sidewalks consistently on Pinhook Road, but nowhere else. There will be a few roads with some walks and other areas with none at all. The Carmel Drive sidewalk system is not in good condition, which greatly reduces pedestrian access in this area.

B. Recent cases and relevant trends

This case is being submitted before another case dealing with Carmel Drive, **ZON2021-0026, Select Properties on Carmel Drive between Louisiana Avenue and Holly Street Rezoning, and CUP**. (The Zoning Commission has been briefed on this case at the July 19, 2021 meeting.) This other Carmel Drive project is concerned with the CH (Commercial-Heavy) zoning districts that follow Carmel Drive from Louisiana Avenue until Holly Street. **The two cases are concerned with clarifying the correct areas for residential uses, commercial uses, and with the buffer-type areas between.** Staff reviewed the entire corridor from Louisiana Avenue up to Pinhook Road, noting the areas of residential use, and commercial use. Staff is recommending that the first five blocks starting at Louisiana Avenue be rezoned as MN-1 (Mixed-Use Neighborhood) to maintain and support the existing residential areas there. Staff would then recommend a few blocks of CM-1 (Commercial Mixed) zoning, in order to transition to the existing commercial properties near the intersection of Carmel Drive and Pinhook Road. One relevant trend that can be seen and used here and in other parts of Lafayette is the use of a MN-1 zoning district as a buffer between intense commercial areas and residential areas, or as a buffer between a busy minor arterial and residential areas.

Another recent project at this same intersection was **ZON2020-0026 1008 Carmel Drive Rezoning**. This rezoning was to correct the zoning of a property at 1008 Carmel Drive, where the property is split into two separate zoning districts, RS-1 (Residential Single-Family) and CH (Commercial-Heavy). It was determined that CH would better reflect the on-the-ground uses of the area, and the entire property was rezoned to CH. There is now a commercial building being constructed on this property.

C. Purpose of rezoning and effect on adjacent land uses

The applicant requests annexation in order to receive city services for a convenience store with gasoline sales. This intersection of two minor arterials, Pinhook Road and Carmel Drive, will be a good location for a gas station. There are daily commuters on the Breau Bridge Highway who will find the location convenient. There are not very many other gas stations in this area; the nearest may be a Circle K at Mudd Avenue and Louisiana Avenue. The location of Teurlings High School further north on Pinhook Road should also guarantee customers who find the location convenient.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

N/A.

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.

Yes. The current development trends are for building new commercial properties at this general location (Intersection of Carmel Drive and Pinhook Road). A new carwash is going up across Carmel

Drive from the subject property. There are several bars and auto repair businesses. This area has been perceived as the nexus of commercial business along Carmel Drive.

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 proposed convenience store is at a good location to serve drivers. The area is all commercial uses, except for two houses near the auto repair businesses which are non-conforming uses. The other businesses, such as a Dollar Store, the bar/lounges, the carwashes are all similar, commercial properties, compatible with each other.

**RECEIVED**

AUG 23 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

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

TO: Cydra Wingerter **DATE:** August 17, 2021

FROM: Mary Sliman

SUBJECT: Case No. ZON2021-0024
1115 & 1203 Carmel Drive Annexation

The attached ordinance would annex and assign a CM-1 (Commercial Mixed) zoning classification to property located generally north of Carmel Drive, east of East Pinhook Road, and south of Kris Drive.

The Zoning Commission, at its Monday, August 16, 2021, meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, September 7, 2021, with Final Adoption Tuesday, September 21, 2021.

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

A handwritten signature in black ink, appearing to read "Mary Sliman", written over a horizontal line.

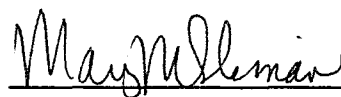
Mary Sliman
Director

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 annex property located generally north of Carmel Drive, east of East Pinhook Road, and south of Kris Drive.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to annex and assign a CM-1 (Commercial Mixed) zoning classification to the subject property.).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: September 7, 2021
 - B. FINAL ADOPTION: September 21, 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-117-2021

1. This ordinance was introduced:
September 7, 2021
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

NAYS: None

ABSENT: None

ABSTAIN: None

Final disposition by Council:
September 21, 2021
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

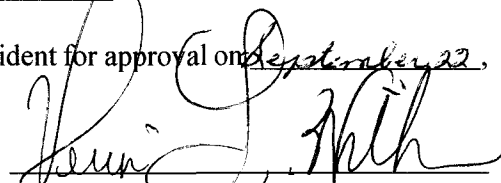
NAYS: None

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 September 10, 2021.

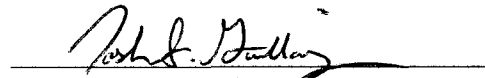
3. This ordinance was presented to the Mayor-President for approval on September 22, 2021, at 10:45 o'clock a.m.


CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 24 day of SEPTEMBER, 2021, at 9:40 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

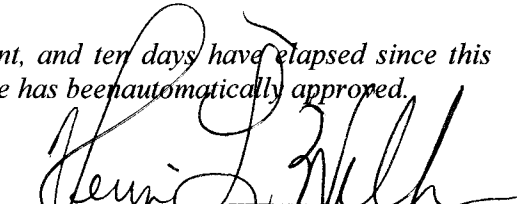
5. Returned to Council Office with without veto message on October 1, 2021, at 3:30 o'clock p.m.

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 September 24, 2021.