

CITY ORDINANCE NO. CO-118-2021

**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. ZON2021-0025, 515 SAINT CATHERINE STREET CONDITIONAL USE PERMIT,
LOCATED GENERALLY NORTH OF RAY AVENUE, EAST OF SAINT FRANCES
STREET, AND SOUTH OF HOWARD AVENUE**

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. ZON2021-0025, 515 St. Catherine Street Conditional Use Permit, located generally north of Ray Avenue, east of St. Frances Street, and south of Howard Avenue, the said parcel being shown and identified on a map titled, “Conditional Use Permit Survey prepared for Bill Pritchard for the property known as lots 75 & 76 of the ninth extension to the Cornay Addition,” prepared by Fuselier Surveying and Maps, 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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.

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**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council
FROM: Lafayette Zoning Commission and Community Development & Planning Dept.
SUBJ: ZON2021-0025 515 St. Catherine Street Conditional Use Permit
PETITIONER: Jeremy Lebouef

DATE PETITION FILED: July 7, 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: Deny the ordinance that would grant a CUP (Conditional Use Permit) to allow a Dwelling, two family (duplex) in a RS-1 (Residential Single-Family) zoning district.

Motion: Dural
 Second: Doise
 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.

Zoning Commission Meeting**August 16, 2021****ZON2021-0025****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: Jeremy Lebouef

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

Location: 515 St. Catherine Street

Description: The property is located generally north of Ray Avenue, east of St. Frances Street, and south of Howard Avenue. The subject property is approximately 0.124 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

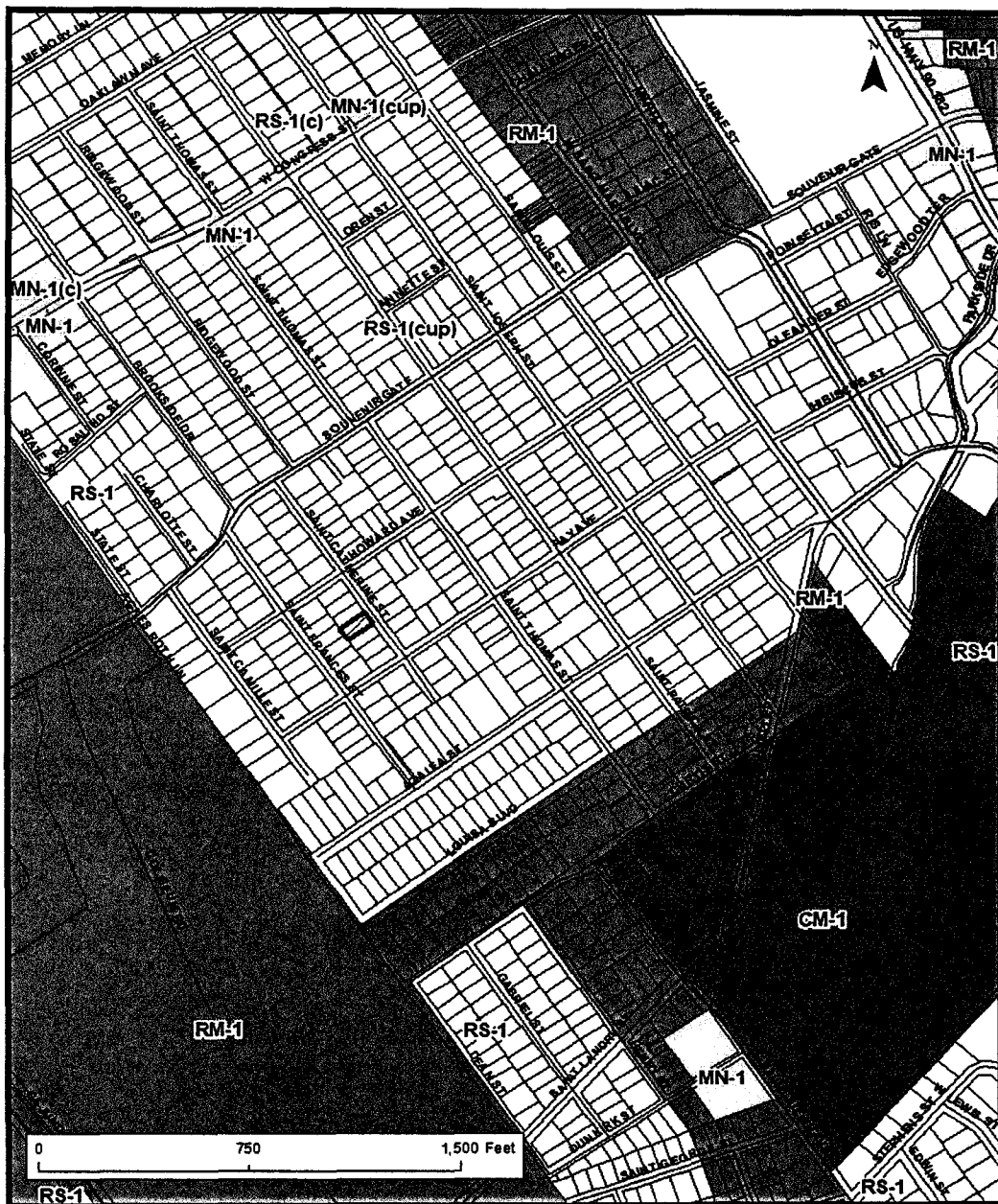


Subject Property Map

II. ANALYSIS

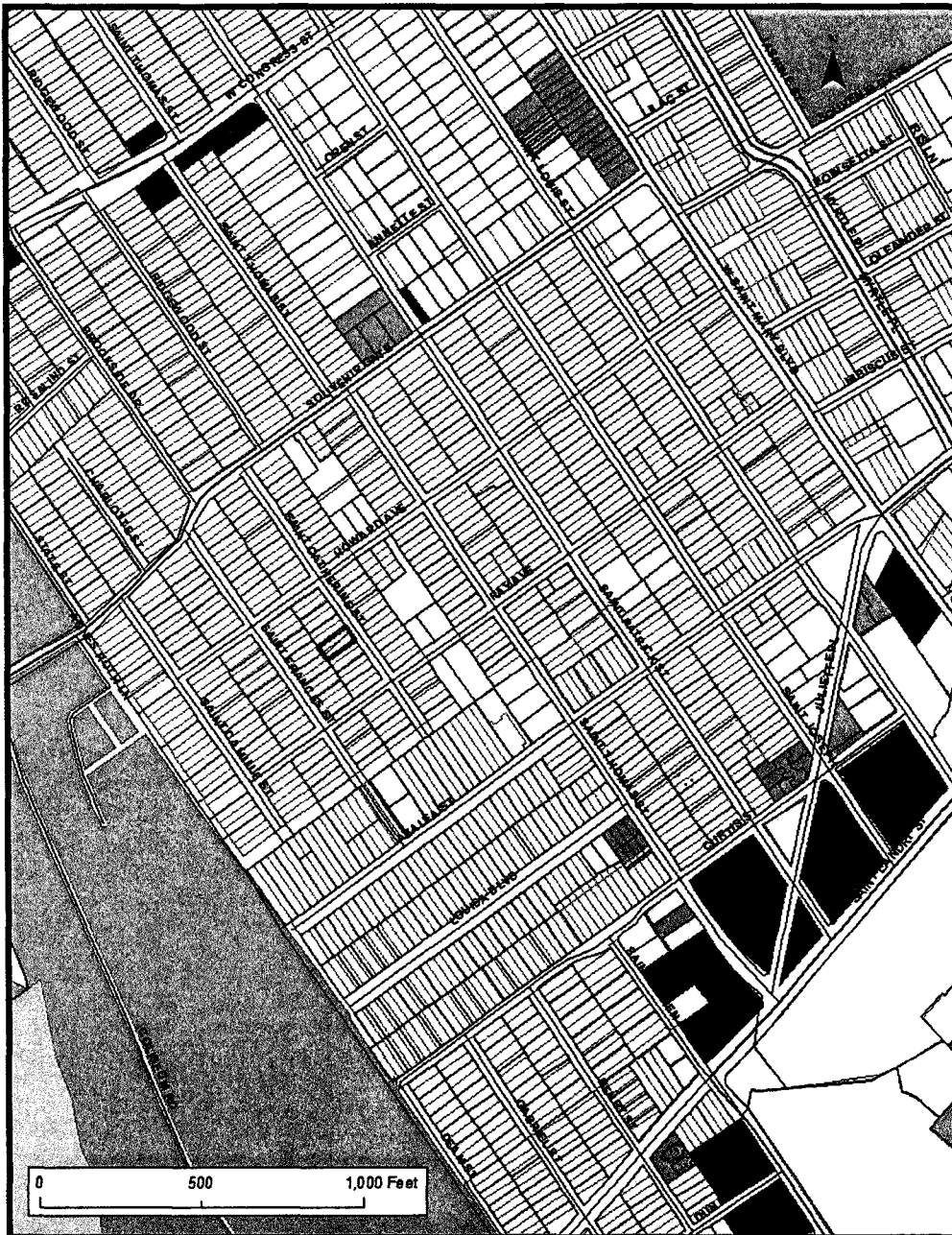
A. Existing conditions

Zoning



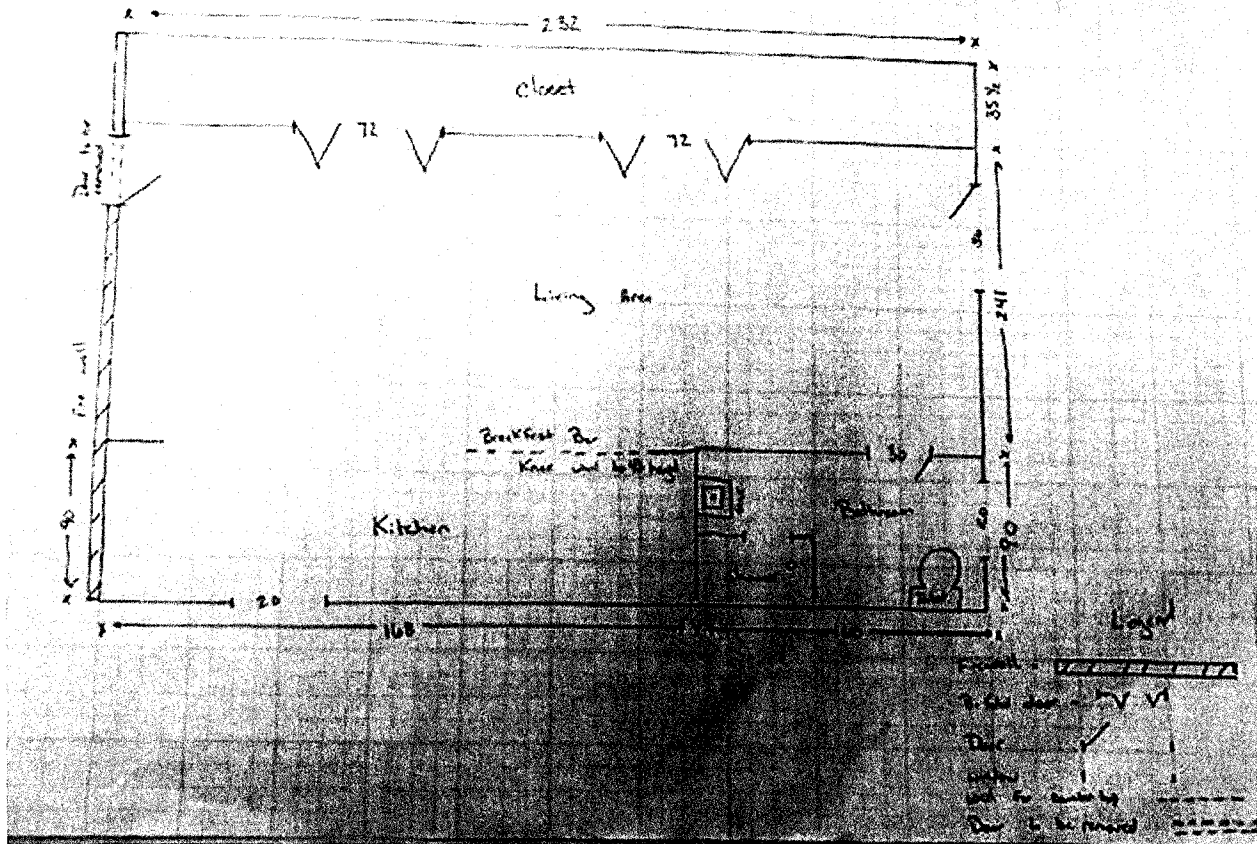
Zoning map of the area surrounding the petitioned site

The subject property is in the middle of a very large residential area not far from the Downtown area. There are areas of RM-1 (Residential Mixed) zoning districts, but RS-1 (Residential Single-Family) is the main zoning district. Although most of the area is a RS-1 zoning district, there are many apartments, duplexes, triplexes, accessory apartments, and one fourplex. These properties were likely existing before zoning was enacted and therefore grandfathered. There are MN-1 (Mixed-Use Neighborhood) zoning districts following West Congress Street.

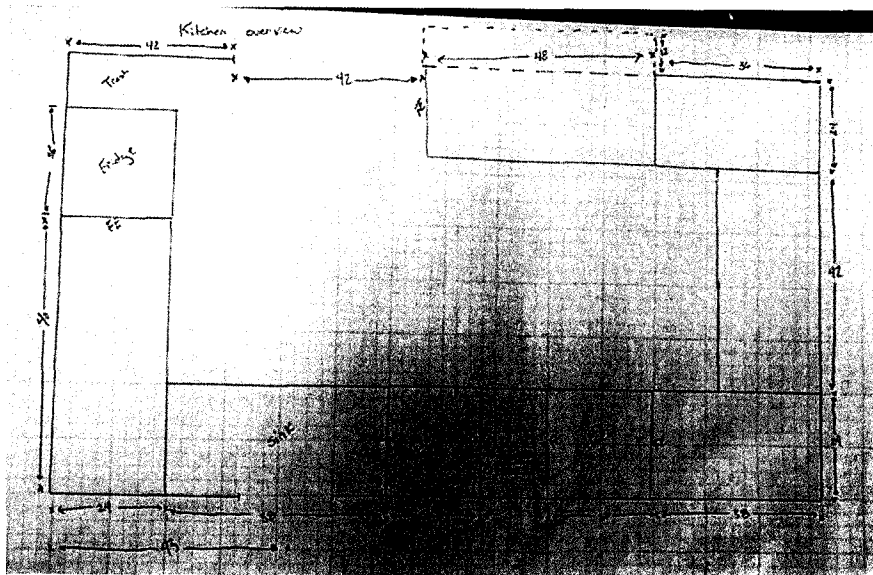
Land Use*Land Use Map*

The Land Use map also indicates that the surrounding area is residential. There are many uses present in this RS-1 district besides the traditional single-family residence. There are duplexes, triplexes, fourplexes and accessory apartments. There is a commercial space on Souvenir Gate that is a small grocery store that has been grandfathered in as an existing non-conforming use. The blue area is institutional: the Cajundome and the UL stadium.

St. Catherine Overview



New 1 bedroom apartment to be added on to existing building



New kitchen plan

The contractor will be converting this single family home to a duplex. A firewall will be added to separate the two units. The front unit will be a 2 bedroom and 1 bath unit with no renovations. The back unit will be a 1 bedroom and 1 bath unit. It will retain the existing bathroom, but a kitchen will be added. There will be no construction at the existing building structure except the addition of a firewall. Space for additional parking will be added by the removal of an existing shed. There is also on-street parking.

B. Recent cases and relevant trends

There was a recent case very similar to this one, and just a few blocks away. **Case Number ZON2021-0007 111 Annette Street Conditional Use Permit** also was a project to create a duplex in a RS-1 (Residential Single-Family) zoning district. The Saints Street neighborhood has always had living units other than single-family homes. There have always been duplexes, accessory apartments, even a few triplexes and four-plexes. The single-family residences and lots in the Saints Street area are already smaller than usual, but there has been notable demand for smaller units.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow for a duplex to be built on this property. Staff believes the effect on the adjacent land uses will be negligible as duplexes and other multi-family apartments exist already in the neighborhood and the home and lot sizes are compatible.

E. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

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 Saint Streets neighborhood has long had a variety of residential uses. The buildings are almost all single-family residences, but there are

quite a few duplexes, a few triplexes, and even fourplexes. There are also many accessory apartments on these RS-1 properties.

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. Over the last year, staff has received a number of calls asking to rezone a property in the Saint Streets area to allow duplexes. The Saint Streets neighborhood is a popular place to live with UL students, and duplexes and apartments are a smaller and more affordable alternative to single family homes.

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 is a four-plex apartment a block away (Ray Avenue) from the subject property on St. Catherine Street. There is a duplex one block away from St. Catherine Street on St. Frances Street, and there is an old apartment building with five apartments on Ray Street. The nearby single-family residences are of a similar size and style to this duplex.



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. ZON2021-0025
515 St. Catherine Street Conditional Use Permit

The attached ordinance would grant a Conditional Use Permit (CUP), on property located generally north of Ray Avenue, east of St. Frances Street, and south of Howard Avenue.

The Zoning Commission, at its Monday, August 16, 2021, meeting, recommended that the City Council deny 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 cursive script, reading "Mary Sliman", written over a horizontal line.

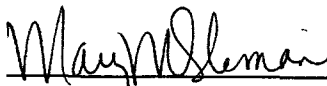
Mary Sliman
Director

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 north of Ray Avenue, east of St. Frances Street, and south of Howard Avenue.
- 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: 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 (11 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

Lafayette Consolidated Government
Zoning Commission
Community Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 6/19/2021
Amended 8/17/2021

ZON2021-0025

City Council District: 2 – Andy Naquin

Parish Council District: 4 – John Guilbeau

Applicant: Jeremy Lebouef

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

Location: 515 St. Catherine Street

Summary of Proposal:

The purpose of this proposal is to allow the development of a duplex.

Recommendation:

Staff recommends approval of the request to rezone this property from RS-1 (Residential Single-Family) to RS-1 CUP (Residential Single-Family Conditional Use Permit). This CUP would allow the applicant to build a duplex in a RS-1 zoning district.

Reasons for Recommendation:

The subject property is located in an urban core neighborhood known as the “Saint Streets”. This area is a RS-1 (Residential Single-Family) zoning district, but, in fact, there are duplexes, accessory apartments, apartments and triplexes existing and thriving in the Saint Streets (apartments and triplexes grandfathered). Duplexes are appropriate given the scale of homes and lot sizes and the proximity to UL, downtown, amenities, goods and services.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 6 calls asking for information. Four approved of the addition of a duplex, 1 disapproved and the other never called back with her opinion.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its August 16, 2021, meeting and motioned to recommend that the City Council deny the request to grant a CUP (Conditional Use Permit) 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: 4

Opposition: 1

Neutral: 1

Public Comment during the Zoning Commission meeting

Support: 2

Opposition: 2

Neutral: 0

DISPOSITION OF ORDINANCE NO. CO-118-2021

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 20, 2021, at 10:45 o'clock a.m.

Kevin J. With
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 29 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.

John D. Davis
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.

Kevin J. With
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on September 24, 2021.