

**CITY ORDINANCE NO. CO-129-2021**

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2021-0026 SELECT PROPERTIES ON CARMEL DRIVE BETWEEN LOUISIANA AVENUE AND HOLLY STREET ADMINISTRATIVE REZONING AND CONDITIONAL USE PERMIT (CUP), LOCATED GENERALLY NORTH OF HAIG STREET, EAST OF LOUISIANA AVENUE, SOUTH OF CARMEL DRIVE, AND WEST OF HOLLY STREET; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) AND RS-1 (RESIDENTIAL SINGLE-FAMILY) TO MN-1 (MIXED-USE NEIGHBORHOOD) AND CM-1 (COMMERCIAL MIXED), WITH A CONDITIONAL USE PERMIT FOR 302 CARMEL DRIVE**

**BE IT ORDAINED** by the Lafayette City Council, that:

**SECTION 1:** The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2021-0026 select properties on Carmel Street between Louisiana Avenue and Holly Street Administrative Rezoning and Conditional Use Permit (CUP), located generally north of Haig Street, east of Louisiana Avenue, south of Carmel Drive, and west of Holly Street; the particular parcels being rezoned from CH (Commercial-Heavy) and RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood) and CM-1 (Commercial Mixed) with a Conditional Use Permit (CUP) for 302 Carmel Drive; the said parcels being shown and identified in – MAP FOR ORDINANCE: “Carmel Drive Administrative Rezoning and CUP, ZON2021-0026, Select Properties on Carmel Drive between Louisiana Avenue and Holly Street”, a copy of which is attached hereto and made a part hereof more fully described as follows:

**SECTION 2:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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 Community Development & Planning Dept.

**SUBJ:** ZON2021-0026 Select properties on Carmel Drive between Louisiana Avenue and Holly Street Administrative Rezoning and Conditional Use Permit (CUP)

**PETITIONER:** Lafayette Consolidated Government

**DATE PETITION FILED:** June 21, 2021

**DATE OF PUBLIC HEARING:** September 20, 2021

**DATES OF PUBLICATIONS:** September 5, 2021  
September 15, 2021  
September 19, 2021

**DATE OF ZONING COMMISSION RECOMMENDATION:** September 20, 2021

**RECOMMENDATION:** Approve the ordinance that would rezone property from CH (Commercial-Heavy) and RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), and CH (Commercial-Heavy) to CM-1 (Commercial Mixed), with a Conditional Use Permit (CUP) for 302 Carmel Drive.

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

**ATTACHMENTS:** Executive Summary and Preliminary Staff Report

**REASONS FOR RECOMMENDATION:** Executive Summary including Zoning Commission Recommendation

Sincerely,



Mary Sliman, Director  
Community Development & Planning Dept.

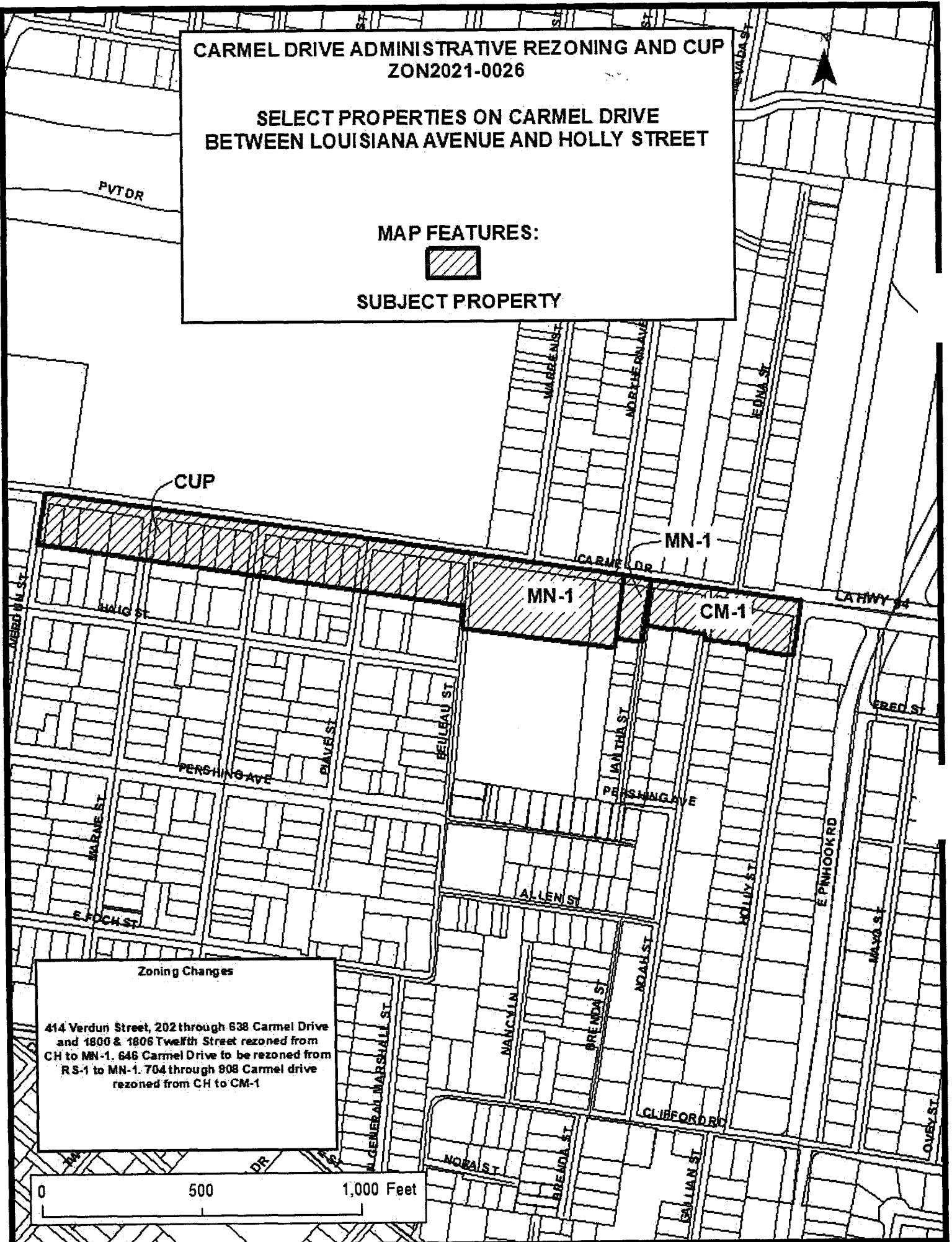
CARMEL DRIVE ADMINISTRATIVE REZONING AND CUP  
ZON2021-0026

SELECT PROPERTIES ON CARMEL DRIVE  
BETWEEN LOUISIANA AVENUE AND HOLLY STREET

MAP FEATURES:



SUBJECT PROPERTY



Zoning Changes

414 Verdun Street, 202 through 638 Carmel Drive  
and 1800 & 1806 Twelfth Street rezoned from  
CH to MN-1. 646 Carmel Drive to be rezoned from  
RS-1 to MN-1. 704 through 908 Carmel drive  
rezoned from CH to CM-1

## Lafayette Consolidated Government

**Zoning Commission**

## Community Development and Planning Staff Report

**EXECUTIVE SUMMARY**

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Drafted 6/15/2021  
Amended 9/20/2021

**ZON2021-0026****City Council District:** 5 – Glenn Lazard**Parish Council District:** 5 – AB Rubin**Applicant:** Lafayette Consolidated Government

**Request:** This is a recommendation of the LCG administration to rezone twenty-four (24) properties from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood), one (1) property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), four (4) properties from CH (Commercial-Heavy) to CM-1 (Commercial Mixed), with a additional Conditional Use Permit (CUP) for 302 Carmel Drive (to allow an existing “restaurant” to remain).

**Location:** Select properties on Carmel Drive between Louisiana Avenue and Holly Street (414 Verdun Street, 202 Carmel Drive to 908 Carmel Drive, and 1800 & 1806 Twelfth Street).

**Summary of Proposal:**

The purpose of the proposed rezoning is to correct inappropriate commercial zoning adjacent to an existing residential neighborhood. The rezonings are as follows: 414 Verdun Street and 202 Carmel Drive to 638 Carmel Drive, and 1800 & 1806 Twelfth Street are to be rezoned from CH (Commercial-Heavy) zoning districts to MN-1 (Mixed-Use Neighborhood) zoning districts. 646 Carmel Drive is to be rezoned from a RS-1 (Residential Single-Family) zoning district to a MN-1 (Mixed-Use Neighborhood) zoning district. 704 Carmel Drive to 908 Carmel Drive is to be rezoned from CH (Commercial-Heavy) zoning districts to CM-1 (Commercial Mixed) zoning districts. A Conditional Use Permit (CUP) is recommended for 302 Carmel Drive, to allow an existing “restaurant” to continue its operation within an MN-1 zoning district.

**Reasons for Recommendation:**

This is an LCG-led administrative effort to rezone properties where there appears to be a gap between current zoning and existing land use. In this case, the current zoning district for the addresses from 414 Verdun Street, 202 Carmel Drive to 638 Carmel drive, and 1800 & 1806 Twelfth Street is CH (Commercial Heavy), but the land uses, for the most part, are single family residential. Under the LDC, single-family

residential uses are not allowed in a CH (Commercial-Heavy) zoning district. There is one property that is an automotive repair business, which will remain as a non-conforming use. There are a few small businesses, such as a church outreach center, which is an allowed use in a MN-1 zoning district. There is also a small restaurant at 302 Carmel Drive, which will be issued a Conditional Use Permit (CUP), in order to let the business continue.

Given the current uses and the RS-1 (Residential Single-Family) zoning districts immediately to the south, MN-1 (Mixed-Use Neighborhood) is a more appropriate zoning designation that will allow residents to continue to develop property with residential uses and to possibly develop "light" commercial uses. This neighborhood currently has single-family homes, duplexes, and garage apartments. There are also a great many vacant lots where single family homes could be built.

The properties from 704 Carmel Drive to 908 Carmel Drive are also a CH (Commercial-Heavy) zoning district. Staff recommends rezoning to CM-1 (Commercial Mixed), which is less intense than CH but still will allow commercial uses. This will help by creating a buffer of less intense uses between the CH areas around the Pinhook Road and Carmel Drive intersection, and the residential areas.

#### **Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received 2 calls in support of the case, and 1 call against it, and 1 unsure. Most callers just want to understand what the changes will be, and want more information.

At the briefing on Monday, July 19, 2021, there were a few residents and property owners there for information. No one really seemed to have any objection to downzoning the first section from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood). A few property owners (not residents) wanted to make sure their businesses could continue. Four (4) properties closer to the intersection of Pinhook Road and Carmel Drive are recommended to be downzoned, but only to CM-1 (Commercial Mixed). We had one business owner who wanted to make sure her property could still be used for commercial uses. The owner of the auto repair business at 216 Carmel was assured he could continue his business as long as he wanted. He would have a legal non-conforming use.

## **ZONING COMMISSION RECOMMENDATION**

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The Zoning Commission held a public hearing regarding this matter at its September 20, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood) and CM-1 (Commercial Mixed), and from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

### **Summary of Public Comment:**

#### Public Comment before the Zoning Commission meeting

Support: 2

Opposition: 1

Neutral: 1

#### Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

**Zoning Commission Meeting**

**September 20, 2021**

**ZON2021-0026**

**To:** City 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**

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**I. GENERAL INFORMATION**

**Applicant:** Lafayette Consolidated Government

**Recommendation:** This is a recommendation of Lafayette Consolidated Government Administration to rezone properties from CH (Commercial-Heavy) and RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), from CH (Commercial-Heavy) to CM-1 (Commercial Mixed), and a Conditional Use Permit (CUP) issued for 302 Carmel Drive, to accommodate an existing “restaurant”. This property, 302 Carmel Drive, is also a property being rezoned from CH to MN-1.

**Description:** The properties are located generally north of Haig Street, east of Louisiana Avenue, south of Carmel Drive, and west of Holly Street. The total acreage for these properties is approximately 8.89 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**





## II. ANALYSIS

### A. Existing conditions:

#### Zoning



#### Zoning Map

The subject properties are part of an extended line of CH (Commercial-Heavy) zoning districts which follow the larger streets in the area. RS-1 (Residential Single-Family) is the primary zoning in this area, but there are also large areas of RM-1 (Residential Mixed). There are CH zoning districts following Louisiana Avenue, East Simcoe Street, Mudd Avenue and Carmel Drive, and CM-1 (Commercial Mixed) zoning districts following Twelfth Street within the McComb-Veazey neighborhood.



### Land Use Map

The land uses in and around the subject properties are primarily single family residences. There are a number of vacant lots. The subject properties are mostly residential in use, with an automotive repair center, a snack hut and a church outreach ministry included in the subject property area. These commercial uses also include a bar/lounge, a pest control business, and a seafood supply store further down Carmel Drive toward the intersection of Pinhook Road and Carmel Drive. The large undeveloped area across the street from the subject properties is part of the Holy Rosary Land Holdings, Inc.



### Street Classification and Sidewalk Inventory Map

The subject properties front Carmel Drive, which is a minor arterial. The subject properties lie between Louisiana Avenue, which is another minor arterial, and Holly Street, which is a local road. Just a few blocks beyond Holly Street is another minor arterial, Pinhook Road. There is a sidewalk system along Carmel Drive, but it is incomplete, old, and in not very good shape. There is local and federal funding to improve the sidewalk network in this area.

## B. Recent cases and relevant trends

There is a recent case on Carmel Street where the intent was also to correct a mistake in the zoning district. **ZON2020-0026 1008 Carmel Drive Rezoning** was seeking to correct zoning which split one property into two different zoning districts, CH (Commercial-Heavy) and RS-1 (Residential Single-Family). The CH zoning better reflected the land uses and road classification around that subject property, which was at the corner of Carmel Drive and Pinhook Road. In the case of this subject property, an area clearly a residential neighborhood is in a CH zoning district. Since it isn't possible to build a single-family residence in a CH zoning district, a number of properties are now vacant.

Another similar case was the annexation of **1115 and 1203 Carmel Drive, ZON2021-0024** where a zoning assignment of CM-1 will allow a convenience store with gasoline sales. This location is at the intersection of Carmel Drive and Pinhook Road, where most of the Commercial-Heavy and Commercial Mixed properties are located. This will be a convenient location, but one that is distanced from the more residential areas along Carmel Drive.

## C. Purpose of rezoning and effect on adjacent land use

The purpose of downzoning this strip of CH zoning is to allow the area to continue as a neighborhood, and to grow as a neighborhood. This is an old neighborhood, with long-time residents. If this CH border along Carmel Drive is downzoned to MN-1, not only could single-family residences but also small businesses be built here. An MN zoning district would also protect and buffer the existing RS-1 area behind it from traffic and noise. Before, in this CH zoning district, once a property was vacant it was likely to stay that way. Also, small neighborhood businesses like office space, small retail, and personal services, such as beauty parlors or barbers, laundries, nail salons, dry cleaners, and so on can be built here. Having light neighborhood-friendly business addresses the classification of the road. Pedestrian access to these services is also a goal.

LDC district purposes defined:

MN (Mixed-Use Neighborhood)

- Implement the Transitional Mixed-Use future land use category of PlanLafayette
- Provide an opportunity to establish neighborhood retail, convenience, service, office, and institutional uses in the Residential and Mixed Residential categories
- Provide a transition between residential areas and more intense commercial corridors, and provides opportunities for pedestrian access between residential and commercial areas

## D. Evaluation of approval standards

### *The proposed rezoning is consistent with the comprehensive plan*

Yes. The comprehensive plan promotes maintaining and supporting existing neighborhoods to ensure their sustainability. Administrative rezoning helps staff to identify potential problems before they occur. In this case, having a CH (Commercial-Heavy) zoning district in this primarily residential area can cause problems with future renovations, property sales, and future planning. Rezoning the subject property to MN-1 would affirm the buffer capabilities of this zoning district, while allowing light commercial uses along Carmel Drive.

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

NA.

***The proposed amendment promote the public health, safety, morals and general welfare***

Yes. The CH (Commercial-Heavy) zoning district is too intensive for this predominantly single-family residential neighborhood. The CH zoning is not appropriate for areas that are almost completely residential. Intensive commercial uses can bring traffic, noise, garbage and litter into residential neighborhoods. Intensive CH uses include: car washes, auto sales and repair, gasoline sales, adult businesses, bars, liquor stores, building maintenance services, heavy equipment rental, light manufacturing, self-service storage, manufactured home dealers,

***The proposed rezoning is compatible with surrounding land uses***

A new MN-1 (Mixed-Use Neighborhood) zoning for this property would eliminate the possibility of an intensive CH (Commercial-Heavy) use being located in this area in the future. Some extreme or intensive CH uses would be: bars or lounges, gas stations, auto repair or sales, car washes, industrial machinery rental, and light manufacturing. The proposed MN-1 downzoning would protect the neighborhood from these uses, helping to sustain a strong community with space for new growth. The four subject properties to be rezoned from CH (Commercial-Heavy) to CM-1 (Commercial Mixed) will help to protect the neighborhood as a buffer while also contributing services to be accessed by the community.

In addition, the redevelopment of the Holy Rosary site across the street from the subject properties is underway with funding that includes an Economic Development District. The uses in the MN and CM zoning districts will be more complementary to a redevelopment such as this.

SEP 20 2021

Lafayette Consolidated Government  
Chief Administrative Officer

## Internal Memorandum

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

**TO:** Cydra Wingerter**DATE:** September 21, 2021**FROM:** Mary Sliman

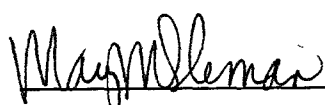
**SUBJECT:** Case No. ZON2021-0026  
Select Properties of Carmel Drive between Louisiana Avenue and Holly Street  
Rezoning and Conditional Use Permit (CUP)

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The attached ordinance would rezone, from CH (Commercial-Heavy) and RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), and CH (Commercial-Heavy) to CM-1 (Commercial Mixed) properties located generally north of Haig Street, east of Louisiana Avenue, south of Carmel Drive, and west of Holly Street, with a Condition Use Permit (CUP) for 302 Carmel Drive.

The Zoning Commission, at its Monday, September 20, 2021, meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, October 5, 2021, with Final Adoption Tuesday, October 19, 2021.

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



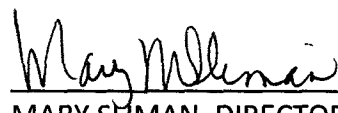
Mary Sliman  
Director

## LAFAYETTE CITY COUNCIL MEETING

ZONING AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** This is an administrative zoning for the adoption of an ordinance that would rezone properties located generally north of Haig Street, east of Louisiana Avenue, south of Carmel Drive, and west of Holly Street.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject properties from CH (Commercial-Heavy) and RS-1 (Residential Single Family) to MN-1 (Mixed-Use Neighborhood), and CH (Commercial-Heavy) to CM-1 (Commercial Mixed) and to issue a Conditional Use Permit (CUP).
- 3) **REQUEST ACTION OF COUNCIL:**
  - A. INTRODUCTION: October 5, 2021
  - B. FINAL ADOPTION: October 19, 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 SLOMAN, DIRECTOR

## APPROVED FOR AGENDA:

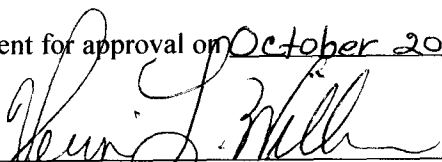



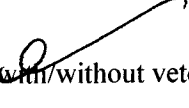
CHIEF ADMINISTRATIVE OFFICER

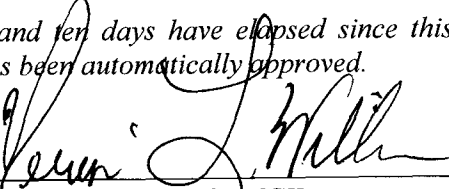


DISPOSITION OF ORDINANCE NO. CO-129-2021

1. This ordinance was introduced:  
October 5, 2021  
YEAS: Lewis, Naquin,  
Hebert, Cook, Lazard  
  
NAYS: None  
  
ABSENT: None  
  
ABSTAIN: None  
  
Final disposition by Council:  
October 19, 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 October 8, 2021.
3. This ordinance was presented to the Mayor-President for approval on October 20, 2021, at 10:30 o'clock a.m.  

  
CLERK OF THE COUNCIL
4. Disposition by Mayor-President:  
  
I hereby:  
  
A. Approve this ordinance, the 27 day of OCTOBER, 2021, at 1:10 o'clock P.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 27, 2021, at 4:16 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 October 22, 2021.