

CITY ORDINANCE NO. CO-026-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2022-0008 WEST CONGRESS STREET, PARKSIDE DRIVE TO WEST GARFIELD STREET ADMINISTRATIVE REZONING, LOCATED GENERALLY NORTH OF WEST VERMILION STREET, WEST OF WEST GARFIELD STREET, EAST OF CEDAR CREST COURT, AND SOUTH OF VOORHIES STREET; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) TO RM-1 (RESIDENTIAL MIXED), MN-2 (MIXED-USE NEIGHBORHOOD), CM-2 (COMMERCIAL MIXED) AND D (DOWNTOWN), WITH ONE GROUP OF PARCELS AT 814 & 816 WEST CONGRESS STREET TO REMAIN CH (COMMERCIAL-HEAVY) WITH A CUP (CONDITIONAL USE PERMIT) TO ALLOW A BAKERY

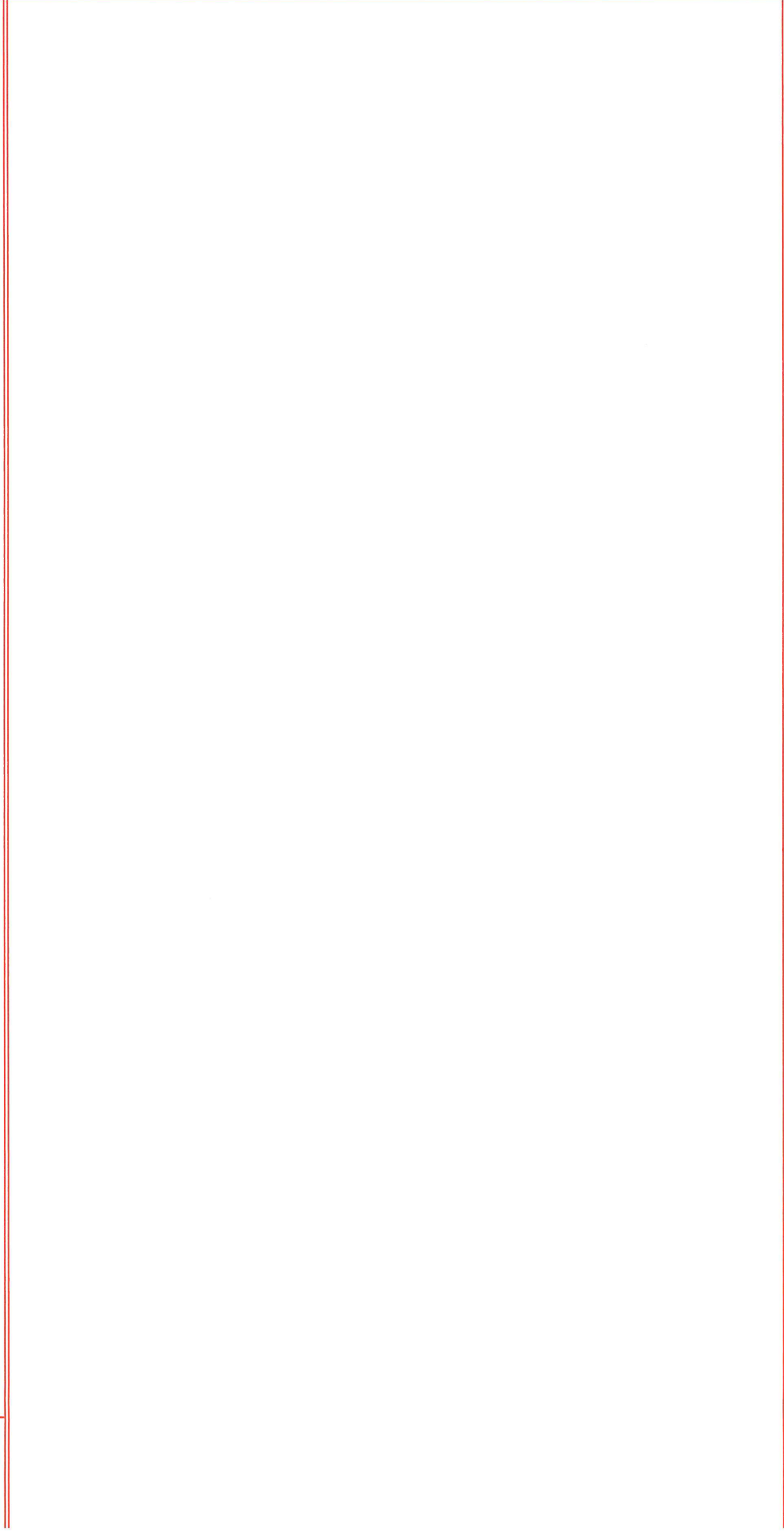
BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2022-0008 West Congress Street, Parkside Drive to West Garfield Street Administrative Rezoning, located generally north of West Vermilion Street, east of Cedar Crest Court, west of West Garfield Street, and south of Voorhies Street; the particular parcels being rezoned from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown), with one group of parcels at 814 & 816 West Congress Street to remain CH (Commercial-Heavy) with a CUP (Conditional Use Permit) to allow a bakery; the said parcels being shown and identified by a rezoning map titled "Map for Ordinance;" 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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 Community Development & Planning Dept.

SUBJ: ZON2021-0008 West Congress Street, Parkside Drive to West Garfield Street
Administrative Rezoning

PETITIONER: Lafayette Consolidated Government

DATE PETITION FILED: December 2, 2021

DATE OF PUBLIC HEARING: February 21, 2022

DATES OF PUBLICATIONS: February 6, 2022
February 16, 2022
February 20, 2022

DATE OF ZONING COMMISSION RECOMMENDATION: February 21, 2022

RECOMMENDATION: Approve the ordinance that would rezone property from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown). 814 & 816 West Congress Street to remain CH (Commercial-Heavy) with a CUP (Conditional Use Permit), for a bakery.

Motion: Dural
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
Community Development and Planning Dept.

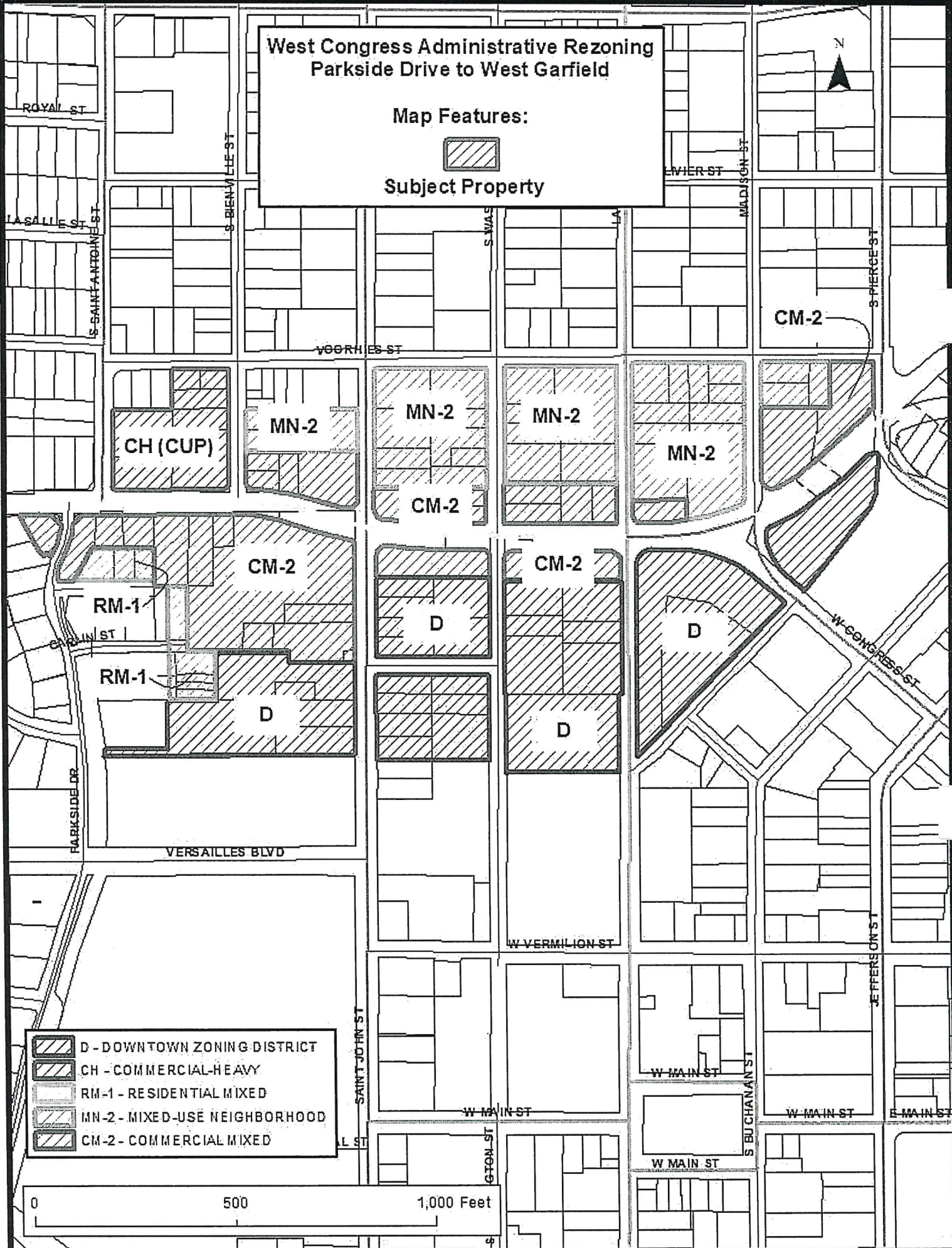
West Congress Administrative Rezoning
Parkside Drive to West Garfield

Map Features:



Subject Property

N



- D - DOWNTOWN ZONING DISTRICT
- CH - COMMERCIAL-HEAVY
- RM-1 - RESIDENTIAL MIXED
- MN-2 - MIXED-USE NEIGHBORHOOD
- CM-2 - COMMERCIAL MIXED

0 500 1,000 Feet

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 12/15/2021

Amended 2/21/2022

ZON2022-0008**City Council District:** 5 – Glenn Lazard**Parish Council District:** 5 – AB Rubin**Applicant:** Lafayette Consolidated Government**Request:** This is a request for a rezoning of properties from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown). One property will be left as a CH (Commercial-Heavy) use, with a CUP (Conditional Use Permit); the property of Langlinois Bakery at 814 & 816 West Congress Street.**Location:** West Congress Street, from Parkside Drive to West Garfield Street**Summary of Proposal:**

The purpose of the proposed rezoning of the subject properties from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed) and D (Downtown) is to assign zoning that will complement adjacency to Downtown and the streetscape plans for Congress Street.

Recommendation:

Staff recommends rezoning the properties from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed) and D (Downtown). It is also recommended that one property, Langlinois Bakery, at 815 West Congress Street, remain as a CH (Commercial-Heavy) zoning district, with a CUP (Conditional Use Permit). A CUP is required as a bakery is in the use category *Manufacturing, General*, which is a conditional use in CH (Commercial-Heavy) zoning district. Staff recommends MN-2 (Mixed-Use Neighborhood) and CM-2 (Commercial Mixed) in lieu of MN-1 and CM-1 as these two classifications will allow an increase of density near Downtown and near the corridor, which is desirable for an area like this.

Reasons for Recommendation:

This area was zoned under old rules, where a “blanket” zoning was used. This is where an entire area is zoned as one zoning district; in this case, CH (Commercial-Heavy). In the previous zoning scheme CH allowed almost uses including all types of housing. This is inappropriate as there are residential uses and small commercial businesses, as well as downtown uses (such as small shops, offices, banks, and

government facilities). In fact, there are no true “heavy” commercial uses within this area with the exception of a bakery, which will remain in a CH (Commercial-Heavy) zoning district with a CUP (Conditional Use Permit).

Congress Street, through the Downtown area has been identified as an impediment to the La Place neighborhood accessing Downtown. A “road diet” involved reducing the number of lanes, added on-street parking, and a bike lane. This was achieved with striping alone. Engineering work is currently underway to make permanent streetscape improvements. CM and Downtown zoning districts are desirable for the uses they lend themselves to a more walkable corridor but also for performance measures including frontage build out for CM and design requirements for Downtown. This administrative rezoning will contribute to re-envisioning the Congress St. corridor.

Summary of Public Comment: At the time of publication of the preliminary report, staff has received 4 phone calls seeking information. A briefing was held at the January 24, 2022 Zoning Commission meeting, with only a little response from the neighborhood. One change made after the briefing was to retain the CH (Commercial-Heavy) zoning, with a CUP, for Langlinais Bakery. Mr. Colby Langlinais spoke to the Zoning Commission, and as a result, the zoning for this property alone will be retained. Staff also spoke with two developers who are interested in pursuing projects in this area, once the rezoning is complete.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its February 21, 2022, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown). One property will remain as a CH (Commercial-Heavy) zoning district, with a CUP (Conditional Use Permit).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 4

Opposition: 0

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting

February 21, 2022

ZON2022-0008

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

I. GENERAL INFORMATION

Applicant: Lafayette Consolidated Government

Request: This is an administrative rezoning of properties from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed) and D (Downtown), to correct inappropriate and inconsistent zoning in this area. One property owner requested to be left as a CH (Commercial-Heavy) use. Staff is recommending adding a CUP (Conditional Use Permit) for this established business, Langlinois Bakery at 814 & 816 West Congress Street.

Location: West Congress Street, from Parkside Drive to West Garfield Street.

Description: The property is located generally north of West Vermilion Street, west of West Garfield Street, east of Cedar Crest Court, and south of Voorhies Street. It is approximately 37 acres.

Why is Zoning Commission action required?

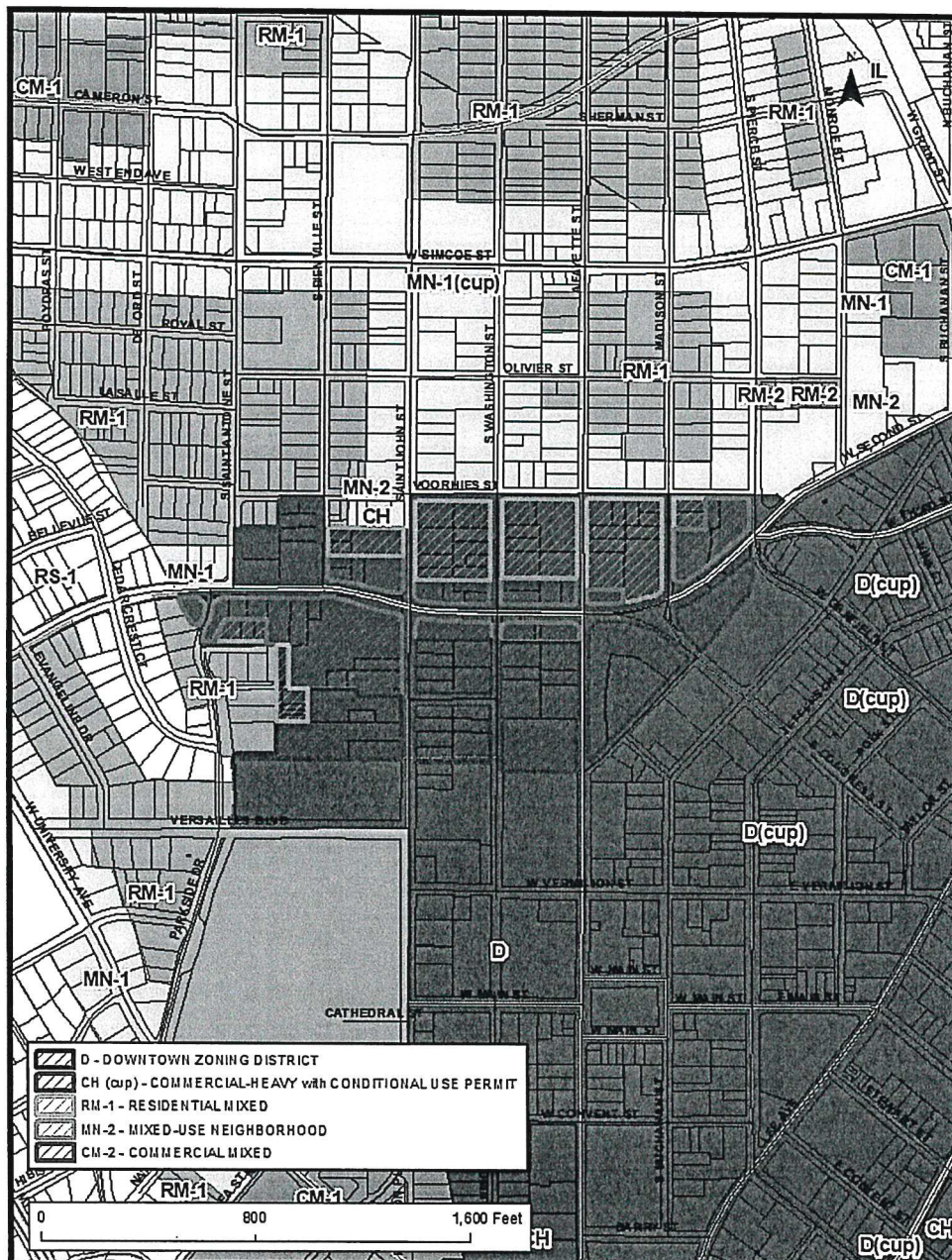
The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City Council prior to council action, in accordance with Article 4 of the Lafayette Development Code.

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.

II. ANALYSIS

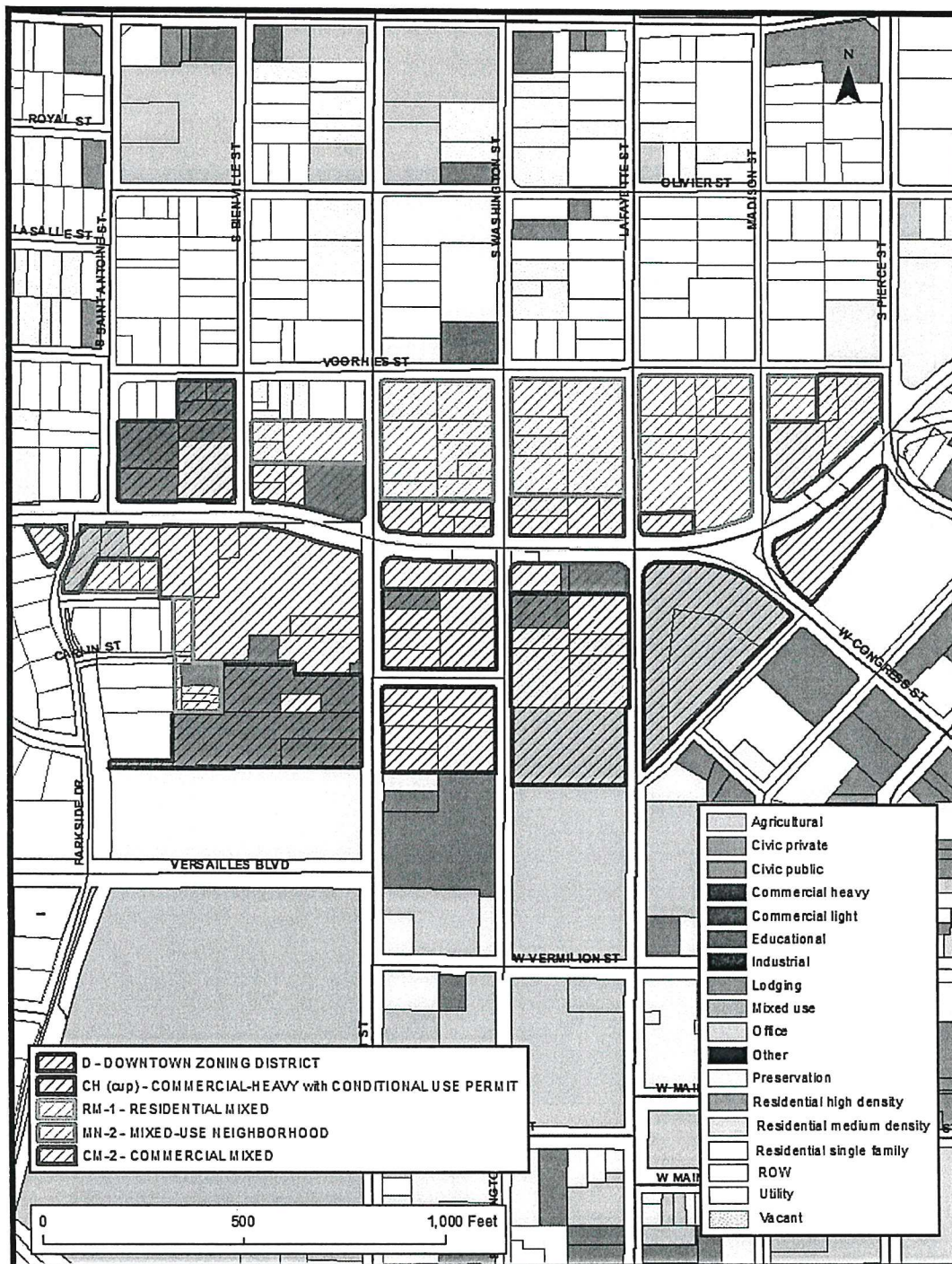
A. Existing conditions

Zoning



Zoning Map of the Area Surrounding the Petitioned Site

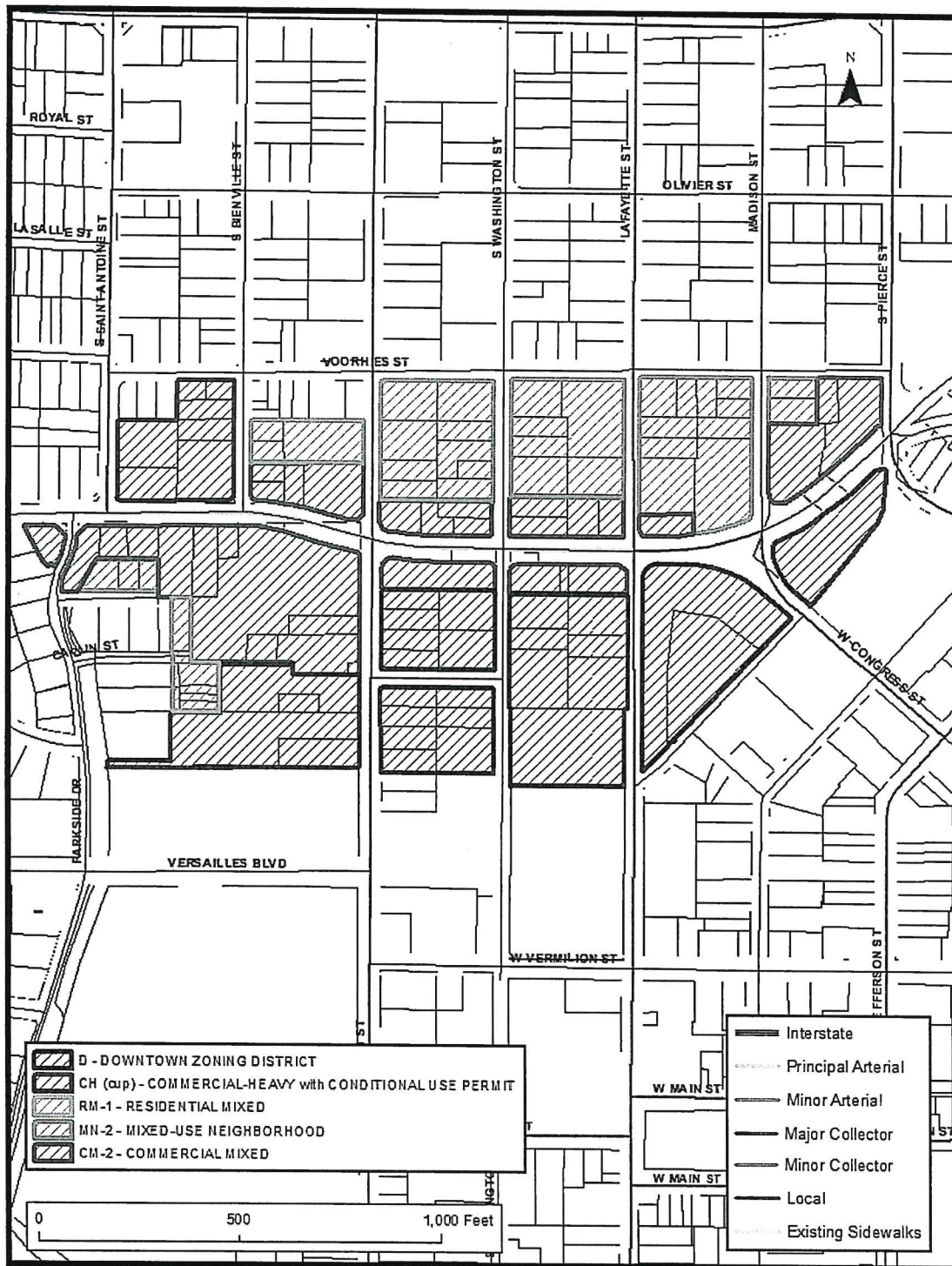
The subject property is all CH (Commercial-Heavy) zoning. To the east and south are Downtown zoning as we meet the CBD (Central Business District). The zoning districts to the north are RM-1 (Residential Mixed) and MN-1 (Mixed-Use Neighborhood) in the La Place neighborhood, which was comprehensively rezoned in 2016. There are more residential zoning districts to the west, including RS-1 (Residential Single-Family), RM-1 (Residential Mixed), and MN-1 (Mixed-Use Neighborhood).



Land Use Map

The Land Use map shows that the main use of the subject properties seems to be more residential and light commercial rather than heavy commercial use. There are commercial uses along West Congress, and St. John Street. A lot of the uses shown in and around the subject property are office spaces. There are large areas of civic private and civic public uses also. St. John's Cathedral to the south is a major civic private use, and the Federal Courthouse generates much of the civic public uses. There is one heavy commercial use at the bakery on West Congress Street. There is an unusual amount of vacant property within this area. Single-family residential use is not permitted in a CH (Commercial-Heavy) zoning district, so that may be one reason for vacant lots.

Infrastructure



Street Classification and Sidewalk Inventory

The subject property is split by West Congress Street, which is a principal arterial until it reaches Lafayette Street, a minor arterial. Once West Congress Street crosses into the Downtown area it is a major collector, then finally a local road. St John Street and West Garfield Street are both major collectors. There is a fairly complete sidewalk system throughout the area and into Downtown.

B. Recent cases and relevant trends

N/A.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of rezoning is to correct the previous “pyramidal” zoning. This entire area was zoned CH (Commercial-Heavy) when CH meant you were allowed to do almost anything with your property. Now, lower density residential use is no longer permitted in CH. There are more non-CH uses in the subject area than CH uses. There are light and medium commercial uses, along with office use and residential use. This should not limit any of the existing or adjacent land uses as there are few heavy commercial uses in the subject property area. The only heavy commercial use is the established Langlinais Bakery on West Congress Street, which will retain its CH (Commercial-Heavy) zoning with a CUP.

D. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

Yes. Policy 1.1 “Encourage compact, mixed-use, pedestrian friendly development in centers and along corridors as designated by the FLUM.” The subject property is part of and adjacent to the Downtown area of Lafayette. This subject property is also considered a mixed-use center, with uses such as office space, services, restaurants and residential. These areas are envisioned as walkable districts in these sorts of centers. The “road diet” that has been applied to West Congress Street and this proposed rezoning helps to accomplish this goal along the Congress corridor.

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.

This proposed amendment is compatible with the current developmental trends in the vicinity. This downzoning will help to create a mixed-use center compatible with that of the Downtown area. The work that has been done to West Congress Street (and that will be done) as part of a “road diet” will create walkable areas, areas to congregate and areas for opportunities to enhance and beautify by way of plantings and artwork. The subject property is now severely restricted by the blanket zoning of the most intensive commercial zoning district, CH (Commercial-Heavy). Downzoning will create opportunities for other uses to come into the area.

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

N/A.

The proposed amendment is compatible with surrounding land uses.

Yes. As of now, the area is restricted by the blanket zoning of CH (Commercial-Heavy) for the whole area. New MN-2 (Mixed-Use Neighborhood) zoning districts will allow housing of several types and opportunities for light commercial uses such as personal services -beauty parlors, barber shops, nail salons, and small retail. The new RM-1 (Residential Mixed) zoning districts will protect existing residential areas. CM-2 (Commercial Mixed) zoning districts along West Congress Street will encourage small businesses and offices. Some of the uses such as the Main Library and law offices near the Federal Courthouse will be absorbed into the Downtown area, which is a more appropriate zoning district for these uses than CH (Commercial-Heavy). The only real CH (Commercial-Heavy) use, the Langlinais Bakery, will maintain a CH zoning with the use of a CUP (Conditional Use Permit).



RECEIVED

FEB 22 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Community Development and Planning Department
Office of the Director (Route 9041)

TO: Cydra Wingerter **DATE:** February 21, 2022

FROM: Mary Sliman

SUBJECT: Case No. ZON2021-0008
West Congress Street, Parkside Drive to West Garfield Street Admin Rezoning

The attached ordinance would rezone, from a CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown), properties located generally north of West Vermilion Street, west of West Garfield Street, east of Cedar Crest Court, and south of Voorhies Street. 814 & 816 West Congress Street to remain CH (Commercial-Heavy) with a CUP (Conditional Use Permit) for a bakery.

The Zoning Commission, at its Monday, February 21, 2022 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, March 8, 2022, with Final Adoption Tuesday, March 22, 2022.

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 properties located generally north of West Vermilion Street, west of West Garfield Street, east of Cedar Crest Court, and south of Voorhies Street.

- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property/properties from CH (Commercial-Heavy) to RM-1 (Residential Mixed), MN-2 (Mixed-Use Neighborhood), CM-2 (Commercial Mixed), and D (Downtown). 814 and 816 West Congress Street to remain CH (Commercial-Heavy) with a CUP (Conditional Use Permit) for a bakery.

- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: March 8, 2022
 - B. FINAL ADOPTION: March 22, 2022

- 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-026-2022

1. This ordinance was introduced: Final disposition by Council:
March 8, 2022 March 22, 2022
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
NAYS: None NAYS: None
ABSENT: None ABSENT: None
ABSTAIN: 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 March 11, 2022.

3. This ordinance was presented to the Mayor-President for approval on March 23, 2022, at 2:40 o'clock p.m.
Kerwin L. Milh
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the 28 day of MARCH, 2022, at 2:35 o'clock p.m.
B. Veto this ordinance, the ___ day of ___, 2022, at ___ o'clock __.m., veto message is attached.
C. Line item veto certain items this ___ day of ___, 2022, at ___ o'clock __.m., veto message is attached.
John D. Duff
MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on March 30, 2022, at 4:38 o'clock p.m.

6. Reconsideration by Council (if vetoed):
On ___, 2022, 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 ___, 2022, 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.
Kerwin L. Milh
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on March 25, 2022.

