

CITY ORDINANCE NO. CO-055-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2022-0016 JOHNSTON STREET, GARFIELD STREET TO GENERAL MOUTON AVENUE ADMINISTRATIVE REZONING, LOCATED GENERALLY NORTH OF GENERAL MOUTON AVENUE, EAST OF JOHNSTON STREET, AND SOUTH OF GARFIELD STREET; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) TO MN-1 (MIXED-USE NEIGHBORHOOD) AND CM-2 (COMMERCIAL MIXED) WITH A CUP (CONDITIONAL USE PERMIT) FOR A BAR/LOUNGE FOR 215 EAST CONVENT STREET, 815 AND 817 JOHNSTON STREET

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2022-0016 Johnston Street, Garfield Street to General Mouton Avenue Administrative Rezoning, located generally north of General Mouton Avenue, east of Johnston Street, and south of Garfield Street; the particular parcel being rezoned from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood) and CM-2 (Commercial Mixed) with a CUP (Conditional Use Permit) for a bar/lounge for 215 East Convent Street, 815 and 817 Johnston Street and the said parcels being shown and identified by a rezoning map titled “Johnston Street, Garfield Street to General Mouton Avenue Administrative Rezoning,” 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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.

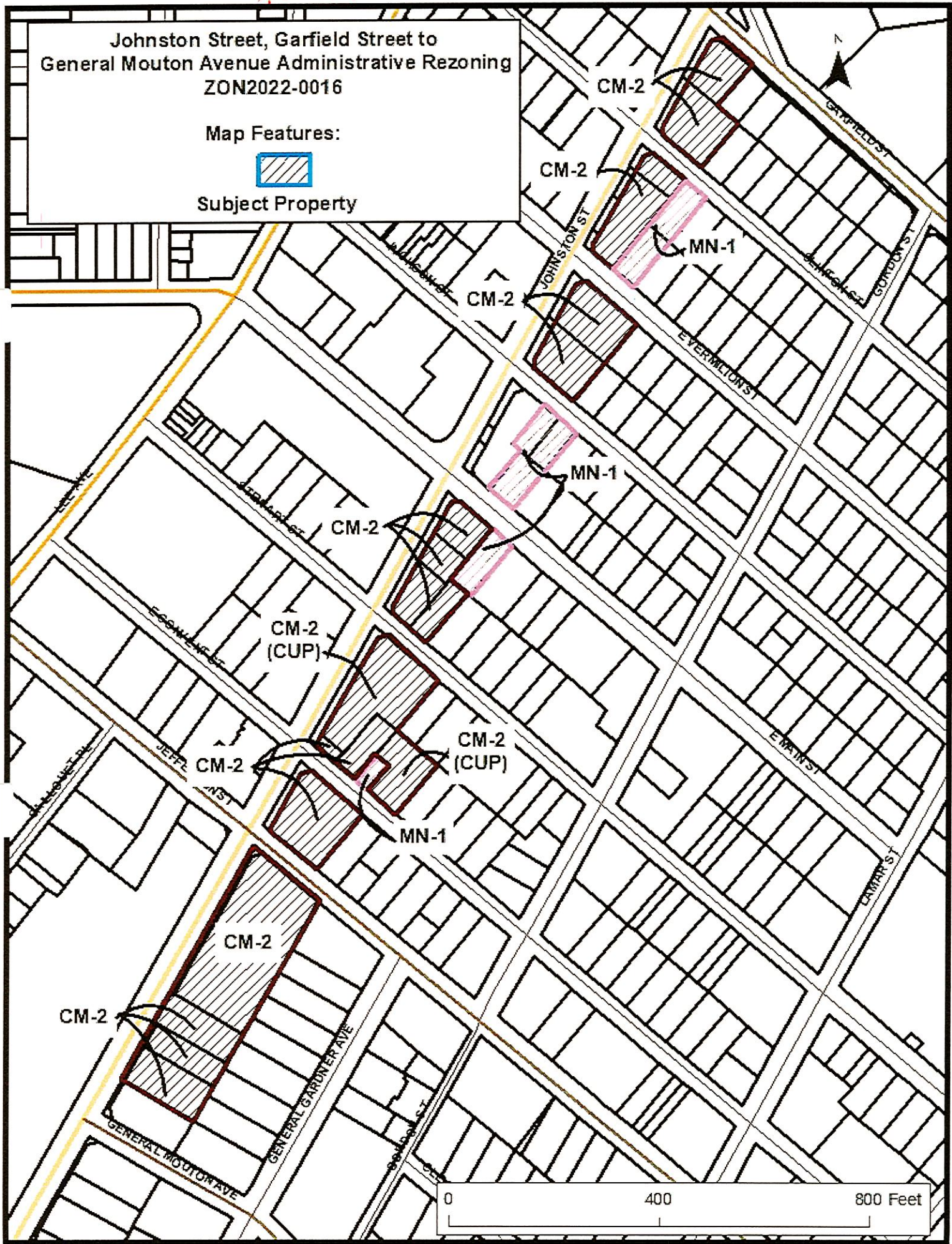
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Johnston Street, Garfield Street to
General Mouton Avenue Administrative Rezoning
ZON2022-0016

Map Features:



Subject Property



**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council

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

SUBJ: ZON2022-0016 Johnston Street, Garfield Street to General Mouton Avenue
Administrative Rezoning

PETITIONER: Lafayette Consolidated Government

DATE PETITION FILED: March 1, 2022

DATE OF PUBLIC HEARING: April 18, 2022

DATES OF PUBLICATIONS: April 3, 2022
April 13, 2022
April 17, 2022

DATE OF ZONING COMMISSION RECOMMENDATION: April 18, 2022

RECOMMENDATION: Approve the ordinance that would rezone properties from CH (Commercial-Heavy) to CM-2 (Commercial Mixed) and MN-1 (Mixed-Use Neighborhood).

Motion:	Green
Second:	Doise
Vote:	4-0-1-0
Ayes:	Hebert, Doise, Green, Pritchard
Nays:	None
Absent:	Dural
Abstain:	None

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



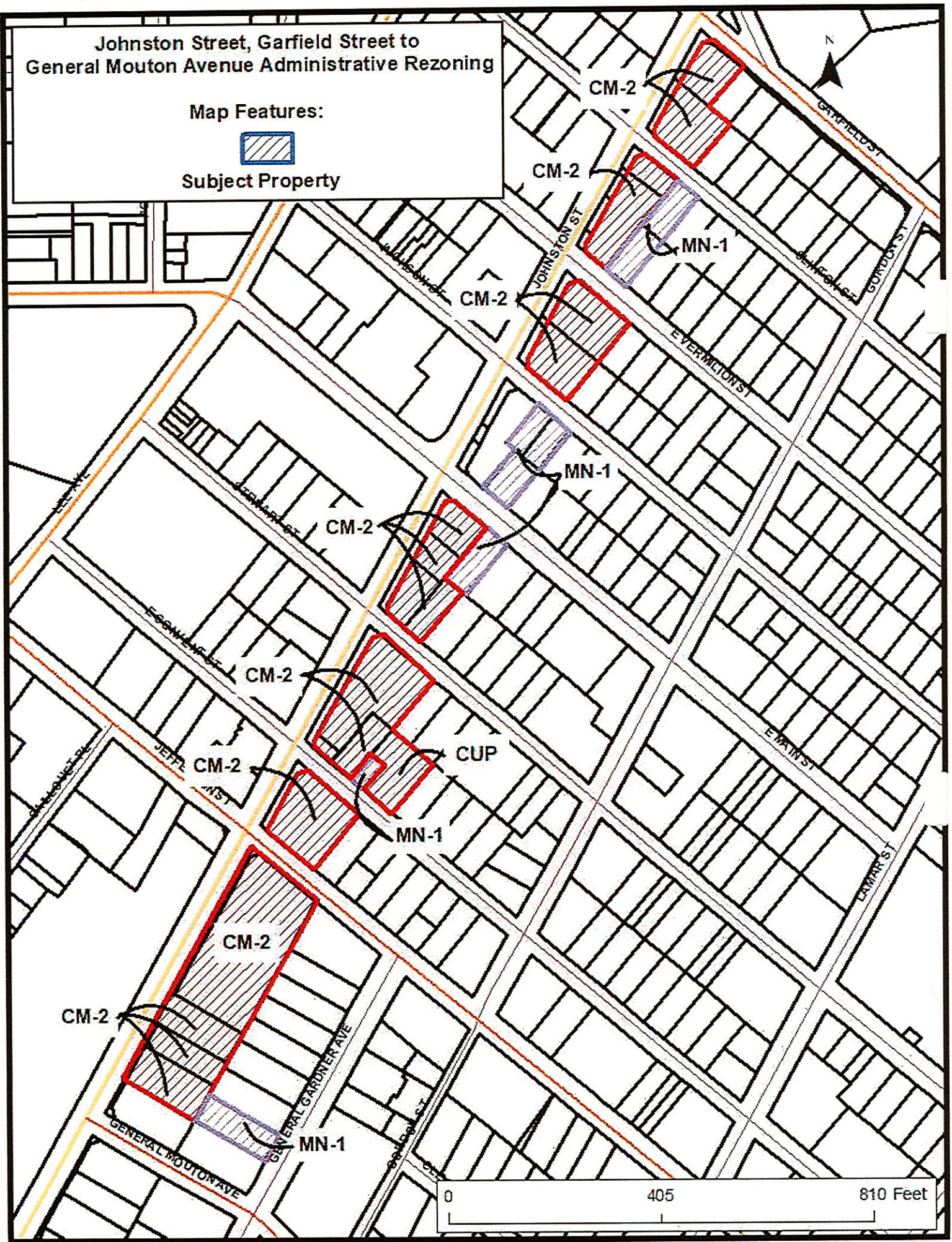
Mary Sliman, Director
Community Development and Planning Dept.

Johnston Street, Garfield Street to
General Mouton Avenue Administrative Rezoning

Map Features:



Subject Property



Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 3/9/2022
Amended 4/18/2022

ZON2022-0016**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 nineteen (19) properties from CH (Commercial-Heavy) to CM-2 (Commercial Mixed). There will also be eight (8) properties rezoned from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood) for use as buffers from commercial properties to residential properties. There will be a CUP (Conditional Use Permit) issued to one existing bar, *The Blue Moon Saloon and Guest House* at 215 East Convent Street. A CUP is required in a CM-2 (Commercial Mixed) zoning district for a bar/lounge. A bar/lounge is a conditional use in a CM-2 zoning district. (See address list on final page of report)

Location: Johnston Street, from Garfield Street to General Mouton Avenue, east side of Johnston Street.

Summary of Proposal:

The purpose of the proposed rezoning of the subject properties from CH (Commercial-Heavy) to CM-2 (Commercial Mixed) and from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood) is to correct zoning that is too intense and outdated for the vicinity. In addition, staff has been studying Johnston Street in order to make the principal arterial more pedestrian and bicycle friendly and less of a barrier between Downtown Lafayette and Freetown Port-Rico/UL. Using a CM-2 zoning assignment will also increase the density, which is appropriate along a principal arterial like Johnston Street.

Recommendation:

Staff recommends approval of the request to rezone the property from CH (Commercial-Heavy) to CM-2 (Commercial Mixed), and from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood).

Reason for Recommendation:

This portion of Johnston Street is directly across from the Downtown area. CH (Commercial-Heavy) properties are too intense for this location. It is also adjacent to the Freetown Port-Rico neighborhood, which was comprehensively rezoned in 2017. The Freetown Port-Rico area is now comprised of zoning

districts of MN-1 (Mixed-Use Neighborhood), RM-1 (Residential Mixed), and with CM-1 (Commercial Mixed) along major collectors such as Jefferson Street. It is now zoned more like a neighborhood, with the emphasis on residential and light commercial uses appropriate to a neighborhood use. Staff intends that these changes to this section of Johnston Street will help it become more accessible and less of a barrier between Downtown and the adjacent neighborhoods. There is one bar/lounge in the subject properties that will require a CUP (Conditional Use Permit) to be in a CM-2 (Commercial Mixed) zoning district. The remaining uses are permitted in a CM-2 zoning district, with the exception of five single-family residences, which will remain as legal non-conforming uses. Due to their locations, either directly fronting Johnston Street, or right around the corner at a side street, staff does not think they should be rezoned as residential. They are in areas of light and medium commercial uses, not single-family residential. There is also one bar and restaurant that will remain as CH (Commercial-Heavy). The owner did not want to rezone. These are **The Bulldog** at 109 General Mouton Avenue, and **Heavenly Taste 2** at 1043 Johnston Street.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received four phone calls asking for explanations of the rezoning. A briefing was held on this possible rezoning at the March 21, 2022 Zoning Commission meeting. It was decided that this case would continue and be presented next month, on April 18, 2022. There was one land owner who did not wish to participate in this downzoning, so his properties have been omitted. They will stay as is. (See above) Another property owner wished to be downzoned to MN-1 rather than CM-2. He felt that would be more beneficial to his property and the neighborhood now and in the future. He will attend the meeting on April 18, 2022 to ask for this change.

At the meeting on April 18, 2022, the above mentioned property owner at 211 East Convent Street, asked that his property be downzoned even further to MN-1 (Mixed-Use Neighborhood). This will be added to the final address list and final Map for the Ordinance. The owner of the Blue Moon Café and Guest House had called before the meeting to ask that his property remain CH (Commercial-Heavy). However, he was not at the meeting, but will be contacted.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its April 18, 2022, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to CM-2 (Commercial Mixed), MN-1 (Mixed-Use Neighborhood) and one (1) CUP for an existing bar/lounge. A property at 211 East Convent will be changed from downzoning from CH to CM-2; instead the property will downzone to MN-1.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 1

Opposition: 1

Neutral: 2

Public Comment during the Zoning Commission meeting

Support: 1

Opposition: 0

Neutral: 0

Zoning Commission Meeting

April 18, 2022

ZON2022-0016

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 a request for a rezoning of properties from CH (Commercial-Heavy) to CM-2 (Commercial Mixed) and MN-1 (Mixed-Use Neighborhood) in order to correct outdated and too intense zoning for the area.

Location: Johnston Street, from Garfield Street to General Mouton Avenue

Description: The property is located generally north of General Mouton Avenue, east of Johnston Street, and south of Garfield Street, and is 8.38 acres.

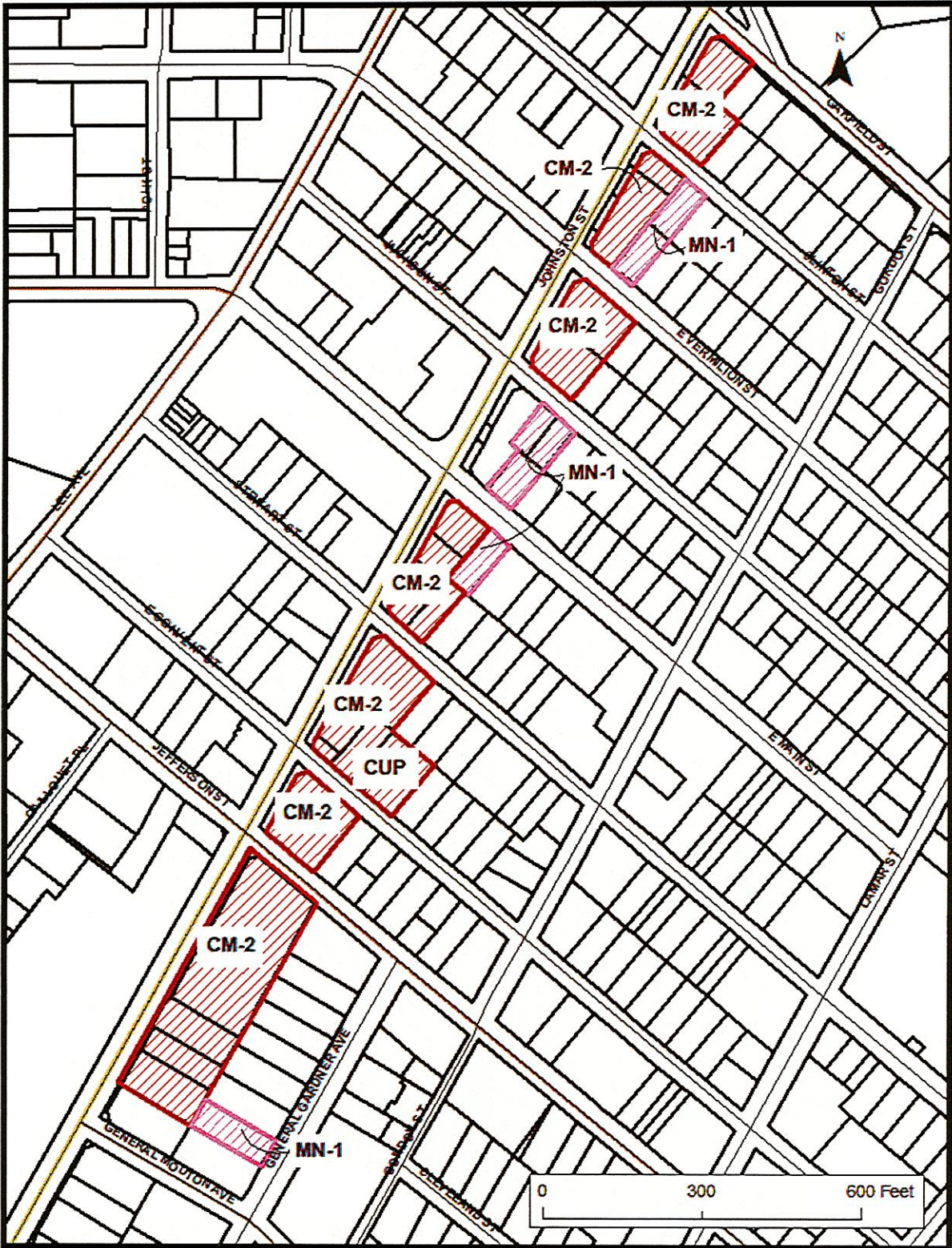
Why is Zoning Commission action required?

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

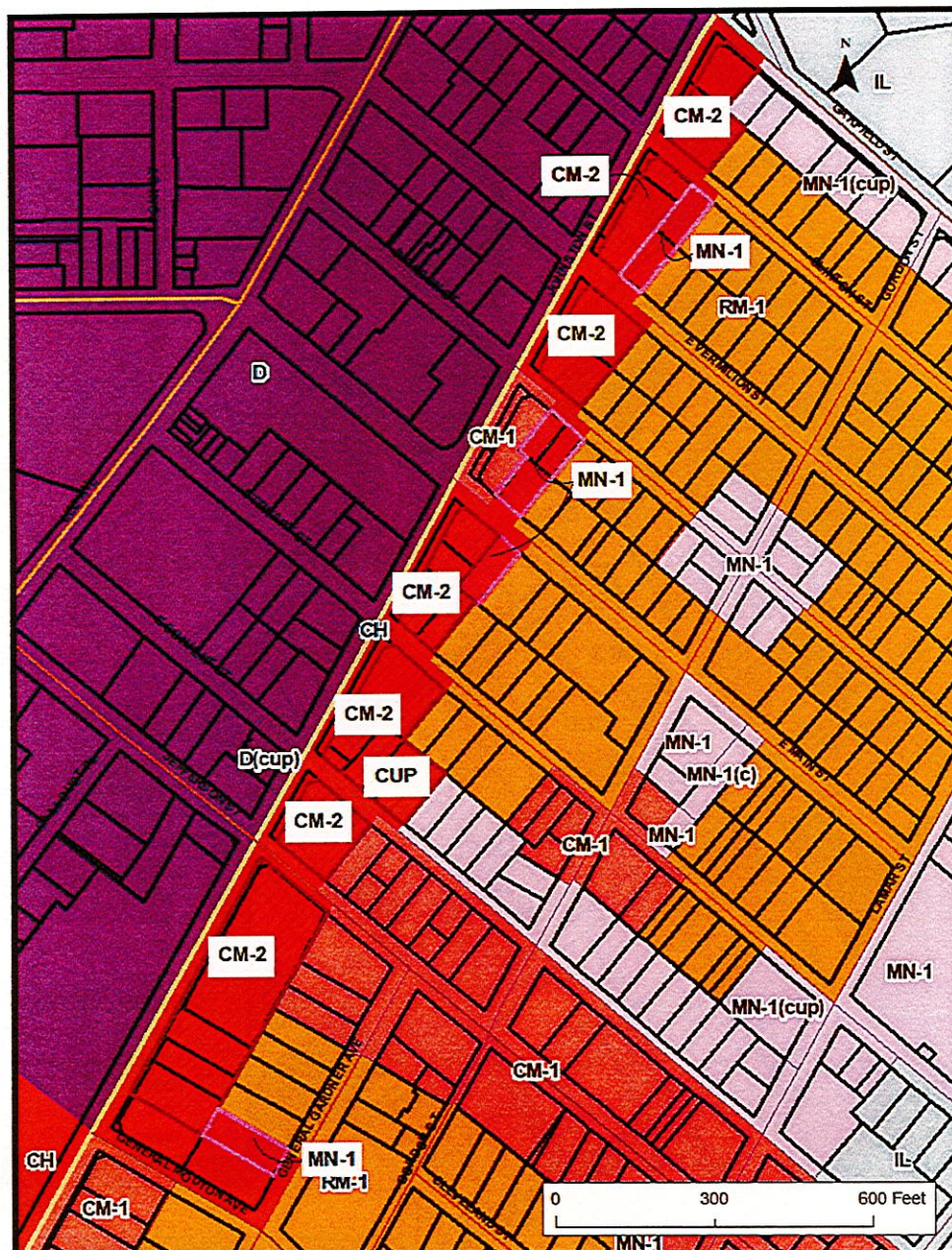


Vicinity Map

II. ANALYSIS

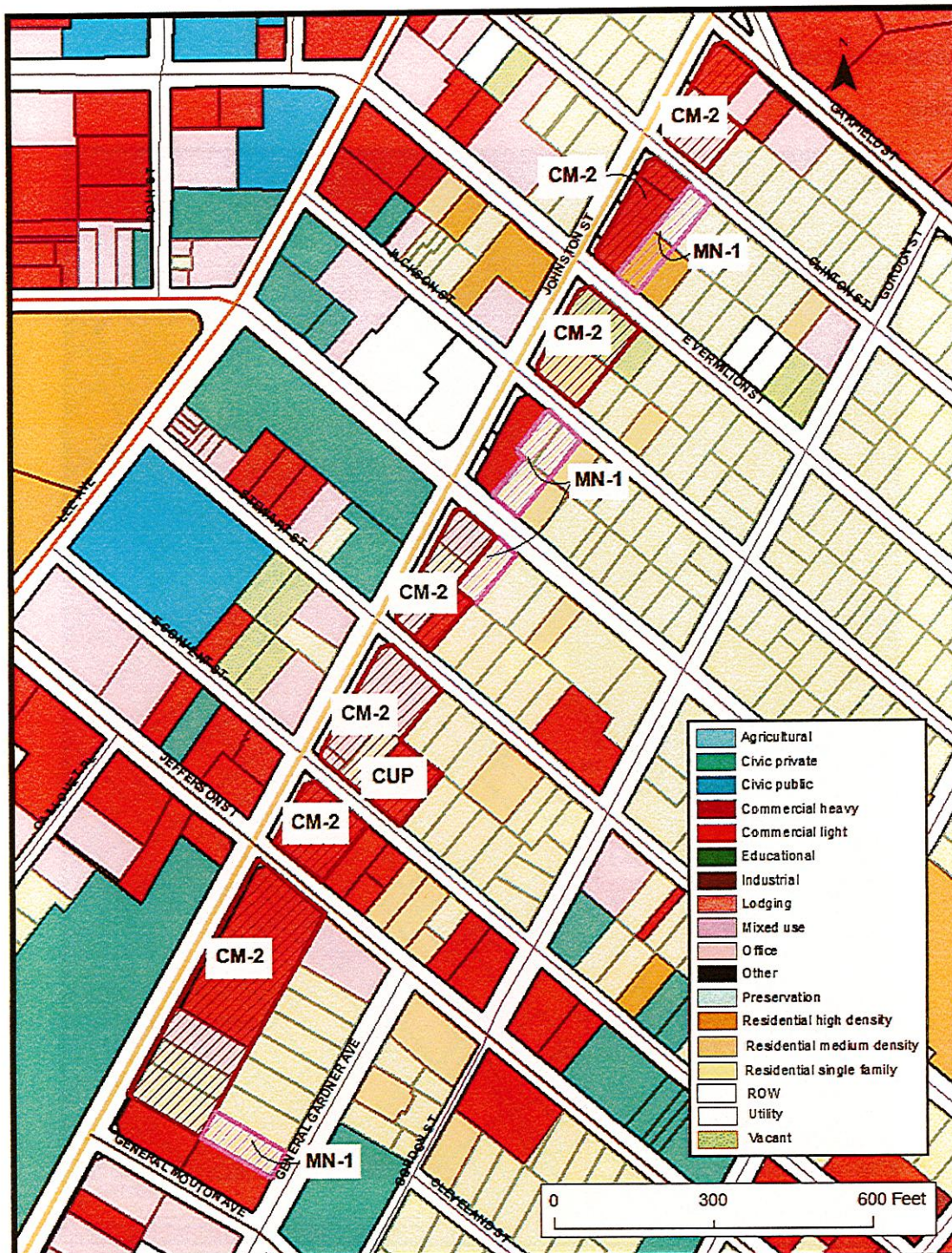
A. Existing conditions

Zoning



Zoning Map of the Area Surrounding the Petitioned Site

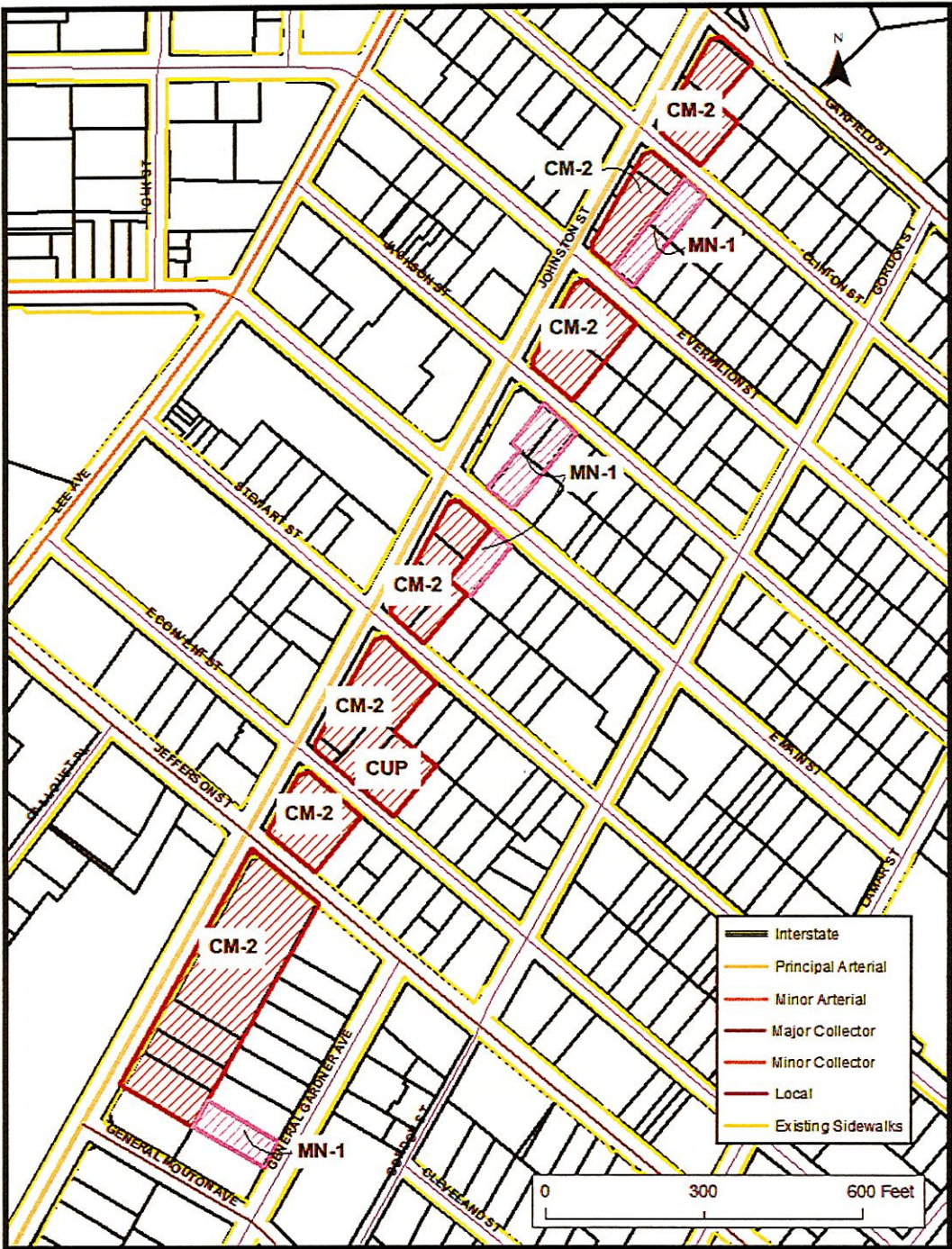
The subject properties line Johnston Street as a continuous band of CH (Commercial-Heavy). On the western side of Johnston Street are D (Downtown) zoning districts. There are IL properties to the north, but most of the zoning districts on the eastern side of Johnston Street are MN-1 (Mixed-Use Neighborhood), RM-1 (Residential Mixed) and CM-1 (Commercial Mixed) due to the neighborhood being comprehensively rezoned in 2017; that is, the Freetown Port-Rico neighborhood (**ZON2017-0035 Freetown Port-Rico and Crapaudville Comprehensive Neighborhood Rezoning**).



Land Use Map

The Land Use map shows commercial light uses, office space, residential uses, and one bar/lounge use within the subject properties. The bar is the only zoning district within the subject properties to require a CUP. The western side of Johnston Street is much the same, but also includes civic private and civic public uses such as churches, schools, and parks.

Infrastructure



Street Classification and Sidewalk Inventory

Johnston Street is a principal arterial. General Mouton Avenue and Jefferson Street are both major collectors, while Lee Avenue is a minor collector. West Main Street is also a minor collector until it crosses Lee Avenue, and then it is a local road. All other roads here are local roads. There is a fairly comprehensive sidewalk system here.

B. Recent cases and relevant trends

Staff recently had another administrative rezoning in February of 2022 that was similar to this one in intent. **ZON2022-0008 West Congress Street Administrative Rezoning** also took an area of too intense zoning and downzoned it to more reasonable and appropriate zoning districts. Both cases intend to promote more pedestrian access into the adjacent areas, where the streets are less of a barrier, more of an access way. This section of West Congress Street, from Parkside Drive to West Garfield Street, was zoned all CH (Commercial-Heavy). The mostly commercial properties along Congress Street were downzoned to CM-2, while other properties were absorbed into the D (Downtown) zoning district, rezoned to RM-1 (Residential Mixed) or to MN-1 (Mixed-Use Neighborhood). West Congress Street itself was adapted for more pedestrian access by being part of a “road diet”, where lanes are reduced, bike lanes added, and on-street parking promoted. Johnston Street is being studied in order to create more pedestrian access into the areas adjacent to it. At the present time Johnston Street discourages pedestrians, with the current layout and commercial heavy uses. CM zoning districts are desirable as the uses lend themselves to a more walkable corridor and also for performance measures including frontage buildout for CM. Also, all of the existing commercial uses along Johnston Street are permitted in a CM-2 (Commercial Mixed) district as well. Eliminating CH in this area will also eliminate too intense uses that don’t belong in an area such as this, between an active Downtown area and a very active neighborhood such as Freetown Port-Rico and UL.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to correct outdated and too intense zoning along Johnston Street between Garfield Street and General Mouton Avenue, which limits pedestrian access to the Downtown area and the Freetown Port-Rico neighborhood. There is a band of CH (Commercial-Heavy) zoning districts on the east side of Johnston Street that staff would like to downzone to CM-2. These subject properties are directly adjacent to the Freetown Port-Rico neighborhood, which is comprised of zoning districts of RM-1, MN-1, and CM-1, which is more appropriate for a neighborhood. This zoning is the result of the Comprehensive Rezoning of Freetown Port-Rico back in 2017. On the western side of Johnston Street is the downtown area, which is a valuable resource to our community. Too intense zoning at the edge of the downtown area can threaten efforts to make the area more accessible to pedestrians. Johnston Street at present is more of a barrier to pedestrians than an access way. It can be a dangerous street to cross on foot.

D. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

Policy 2.1 “Protect and preserve historic and cultural resources and maintain historic character- especially in downtown and surrounding areas-while promoting reinvestment that is complementary to community character.” Downzoning these CH (Commercial-Heavy) districts to a more compatible use with the existing Downtown area and the existing Freetown Port-Rico neighborhood will help protect these areas by eliminating too intense zoning and encouraging interaction between the districts. Both Downtown and Freetown Port Rico are important to the history and culture of Lafayette. Less intense zoning can help with promoting a more pedestrian accessible Lafayette Downtown.

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 is an older and established neighborhood (Freetown Port-Rico) next to a principal arterial for the city. Current development trends for reusing and adapting older buildings while maintaining the character of the existing neighborhood would be an important development trend at this time for the neighborhood. The recent West Congress Street “road diet” is another trend that staff hopes to encourage in other busy areas, where heavily used streets hamper pedestrian access.

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 downzoning of the CH (Commercial-Heavy) properties along Johnston Street from Garfield Street to General Mouton Avenue would make these areas much more compatible with the D (Downtown) zoning district and the Freetown Port-Rico neighborhood. While there are some Commercial-Heavy uses in the D Downtown areas, for instance, bars, they are a conditional use and therefore subject to review. The Freetown Port Rico area is a neighborhood, so CH uses so close are an intrusion to neighborhood life. Downzoning these properties to CM-2 (Commercial Mixed) or MN-1 (Mixed-Use Neighborhood) is much more compatible with a neighborhood and encourages interaction between Johnston Street, Downtown, Freetown Port-Rico and UL.

Appendix: listing of properties

CM-2 (formerly CH)

1. 504 Garfield Street
2. 315 Johnston Street
3. 401 Johnston Street
4. 407 Johnston Street
5. 508 Johnston Street
6. 207 Jackson Street (Apartment buildings-201, 203, 203 ½, 205, 205 ½, Jackson Street, 511, 511B, 513, 513A, 515 Johnston Street
7. 701 Johnston Street
8. 705 Johnston Street
9. 711 Johnston Street
10. 205 Stewart Street
11. 815 Johnston Street
12. 819 Johnston Street
13. 1103 Johnston Street
14. 1001 Johnston Street
15. 1027 Johnston Street
16. 1029 Johnston Street
17. 1037 Johnston Street

18. 207 East Convent Street
19. 215 East Convent Street

MN-1 (formerly CH)

1. 208 Clinton Street
2. 507 East Vermilion Street
3. 206 Jackson Street
4. 210 Jackson Street
5. 409 East Main Street
6. 412 East Main Street
7. 132 General Gardner Avenue
8. 211 East Convent Street



RECEIVED

APR 18 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

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

TO: Cydra Wingerter **DATE:** April 18, 2022

FROM: Mary Sliman

SUBJECT: Case No. ZON2022-0016
Johnston Street, Garfield Street to General Mouton Avenue Administrative
Rezoning

The attached ordinance would rezone, from CH (Commercial-Heavy) to MN-1 (Mixed-Use Neighborhood) and CM-2 (Commercial Mixed) with a CUP (Conditional Use Permit) for a bar/lounge for 215 East Convent Street, properties located generally north of General Mouton Avenue, east of Johnston Street, and south of Garfield Street.

The Zoning Commission, at its Monday, April 18, 2021 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, May 3, 2022, with Final Adoption Tuesday, May 17, 2022.

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

A handwritten signature in blue ink that reads 'Mary Sliman'. The signature is written in a cursive, flowing style.

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 General Mouton Avenue, east of Johnston Street, and south of Garfield Street.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject properties from CH (Commercial-Heavy) to CM-2 (Commercial Mixed) and MN-1 (Mixed-Use Neighborhood).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: May 3, 2022
 - B. FINAL ADOPTION: May 17, 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 (12 pages)
- 5) **FISCAL IMPACT:**
☐ Fiscal Impact (will be detailed in Cost-Revenue Analysis)
☒ No Fiscal Impact

RECOMMENDED BY:



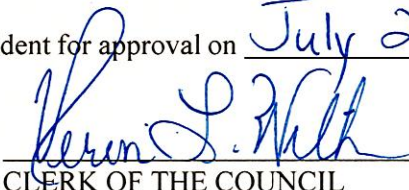
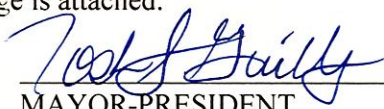


MARY SLIMAN, DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-055-2022

1. This ordinance was introduced: May 3, 2022
YEAS: Lewis, Naquin,
Hebert, Lazard
NAYS: None
ABSENT: Cook
ABSTAIN: None
Final disposition by Council:
July 19, 2022
YEAS: Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: Lewis
ABSTAIN: None
05/17: Amend to add 815 & 817 Johnston Street
05/17: Defer indefinitely
07/19: Amend to include a revised map removing 132 General Gardner from the rezoning
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on May 6, 2022.
3. This ordinance was presented to the Mayor-President for approval on July 20, 2022, at 11:15 o'clock 2 .m.

CLERK OF THE COUNCIL
4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the 21 day of JULY, 2022, at 3:00 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.

MAYOR-PRESIDENT
5. Returned to Council Office  with/without veto message on July 25, 2022, at 3:18 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.

CLERK OF THE COUNCIL
8. Full publication of this ordinance was made in the Advertiser on July 22, 2022.

