

CITY ORDINANCE NO. CO-119-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2022-0025 1401 NORTH SAINT ANTOINE STREET REZONING, LOCATED GENERALLY NORTH OF WEST WILLOW STREET, EAST OF NORTH SAINT ANTOINE STREET, AND SOUTH OF MARTIN LUTHER KING JR. DRIVE; THE PARTICULAR PARCEL BEING REZONED FROM RM-1 (RESIDENTIAL MIXED) TO CM-1 (COMMERCIAL MIXED)

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2022-0025 1401 North St. Antoine Street Rezoning, located generally north of West Willow Street, east of North St. Antoine Street, and south of Martin Luther King Jr. Drive; the particular parcel being rezoned from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed); the said parcel being shown and identified by a rezoning map titled “Map Of Survey Showing Property To Be Rezoned From RM-1 to CM-1. Being 2.095 Acres Located In Sections 13 & 24, T-9-S, R-4-E, City Of Lafayette, Lafayette Parish, Louisiana, Southwestern Land District”, Prepared By Dubroc Engineering, Inc.; 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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: ZON2022-0025 1401 North St. Antoine Street Rezoning

PETITIONER: Mcatal, LLC

DATE PETITION FILED: June 6, 2022

DATE OF PUBLIC HEARING: July 18, 2022

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

DATE OF ZONING COMMISSION RECOMMENDATION: July 18, 2022

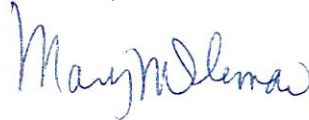
RECOMMENDATION: Approve the ordinance that would rezone property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed).

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.

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 6/6/2022
Amended 7/19/2022**ZON2022-0025****City Council District:** 1 – Pat Lewis**Parish Council District:** 5 – AB Rubin**Applicant:** Mcatal, LLC**Request:** This is a request for rezoning of a property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed).**Location:** 1401 North St. Antoine Street**Summary of Proposal:**

The purpose of this proposal is to allow the rezoning of a property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed), in order to allow for mixed commercial uses.

Recommendation:

Staff recommends denial of the request to rezone this property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed). Staff recommends the less intensive use in zoning district MN-1 (Mixed-Use Neighborhood) instead.

Reasons for Recommendation:

Staff considers RM-1 (Residential Mixed) as the preferred zoning for the subject property as it is almost completely residential north of West Willow Street, despite North St. Antoine Street being a major collector. The adjacent park requires density in this area to take advantage of this asset. However, MN-1 (Mixed-Use Neighborhood) can be recommended because of another asset: the “*Rails for Trails*” project which will follow the length of the subject property.

Staff recommends MN-1 (Mixed-Use Neighborhood) instead of a CM-1 (Commercial Mixed) zoning district. This area is very much residential, with RS-1 (Residential Single-Family), RM-1 (Residential Mixed) and MN-1 zoning districts. The subject property is a good place for light commercial uses and/or residential uses. Staff does not recommend a CM-1 (Commercial Mixed) property in the middle of primarily residential properties.

Staff would recommend a CUP (Conditional Use Permit) for a restaurant, if the less intense MN-1 (Mixed-Use Neighborhood) zoning assignment is accepted. As previously mentioned, this subject property will be adjacent to the future “*Rails for Trails*” project where old railroad track locations are turned into bike trails. That would make this property an excellent location for a restaurant, light

commercial, or residential. Mixed commercial uses on the subject property next to the “*Rails for Trails*” path would be wasting this opportunity.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received one phone call. The caller was a neighbor of the property who just wanted to know what this rezoning was about. She was okay with the idea of a light commercial business there.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its July 18, 2022, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 1
Opposition: 0
Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 1
Opposition: 0
Neutral: 0

Zoning Commission Meeting

July 18, 2022

ZON2022-0025

To: City Zoning Commission

From: Mary Sliman, Director
Cathie Gilbert, Planning Manager

City Council District: 1 – Pat Lewis

Parish Council District: 5 – AB Rubin

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: Mcatal, LLC

Request: This is a request to allow the rezoning of a property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed).

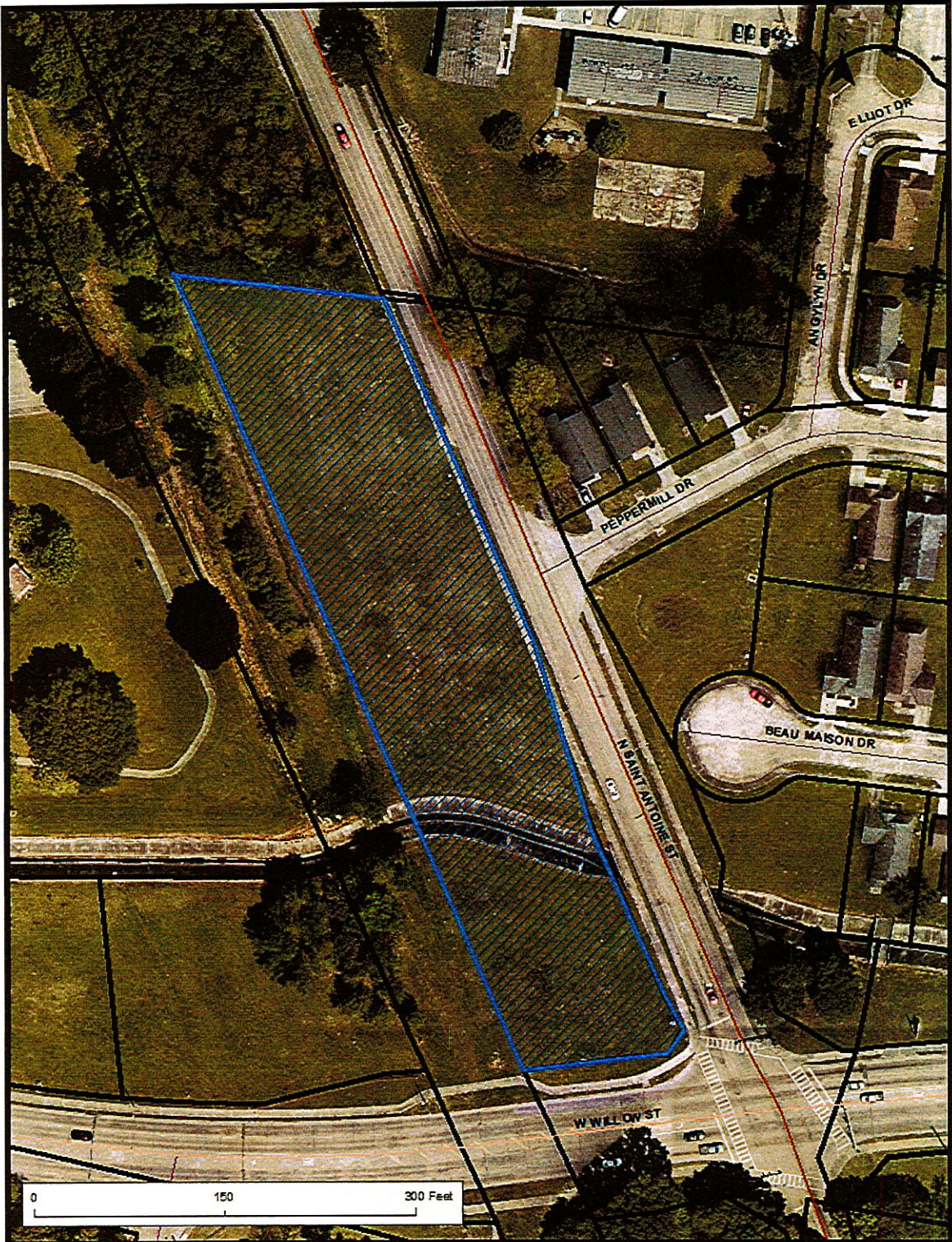
Location: 1401 North St. Antoine Street

Description: The property is located generally north of West Willow Street, east of North St. Antoine Street, and south of Martin Luther King Jr. Drive. The subject property is approximately 2.095 acres.

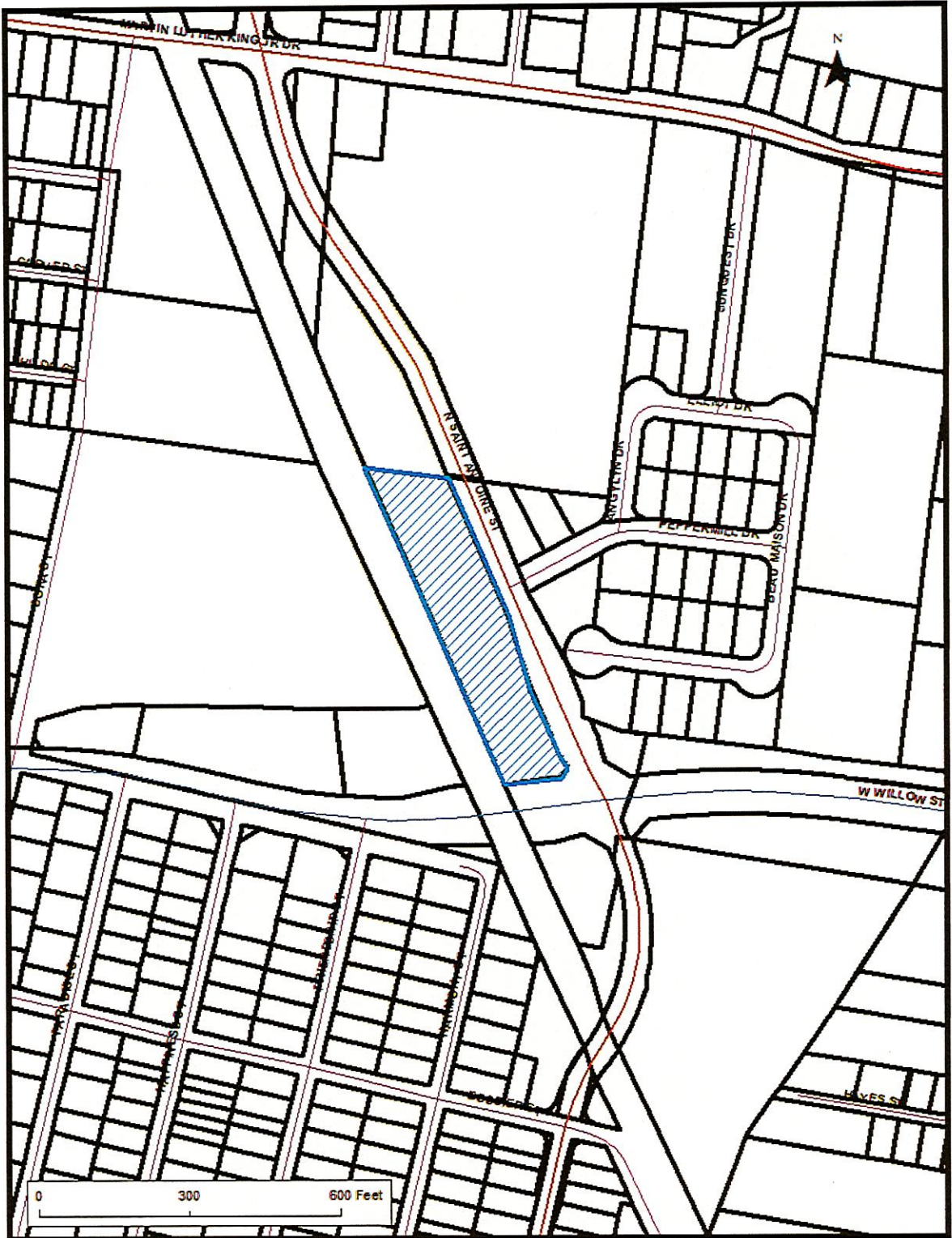
Why is Zoning Commission action required?

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 Unified Development Code.

The UDC 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

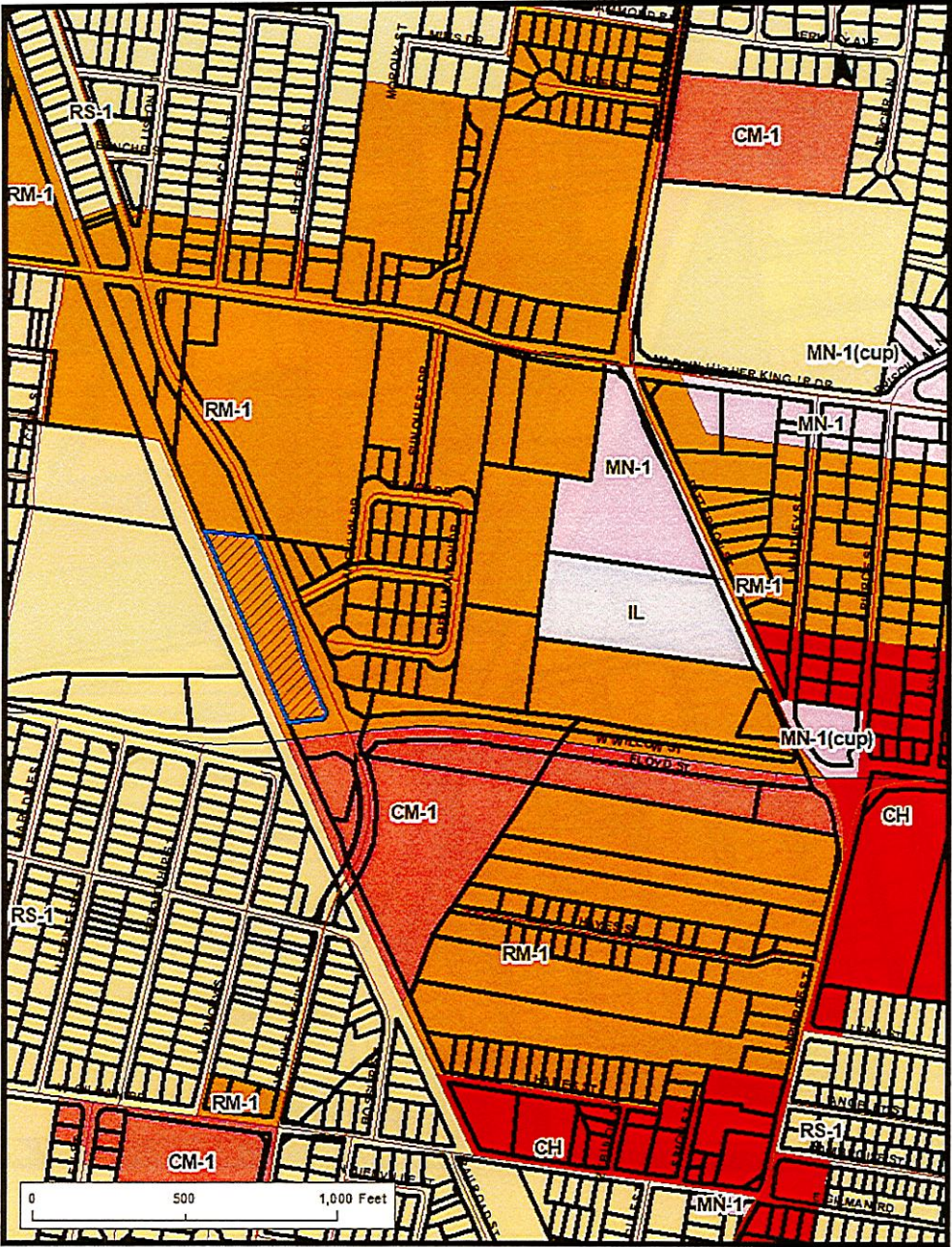


Vicinity Map

II. ANALYSIS

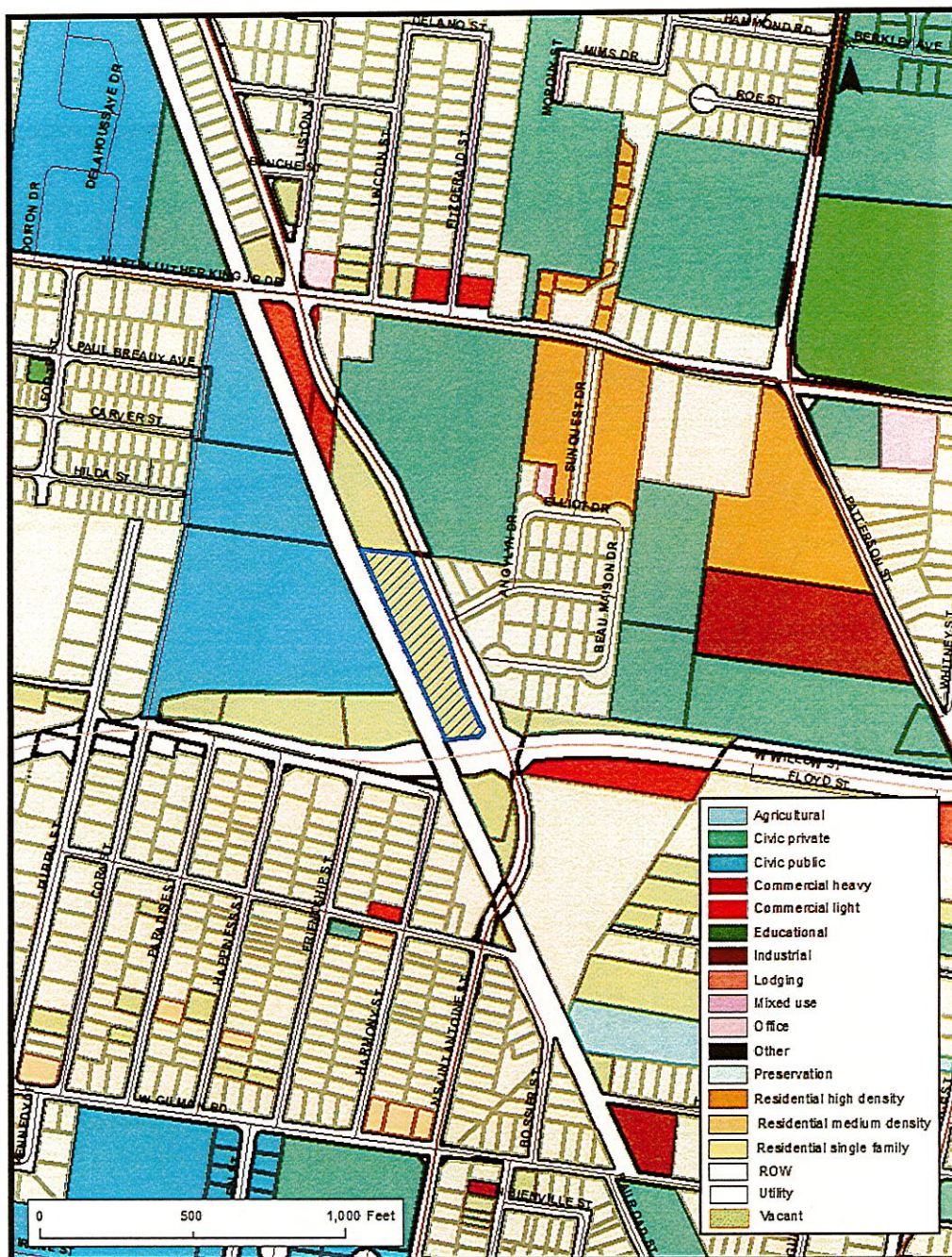
A. Existing conditions

Zoning



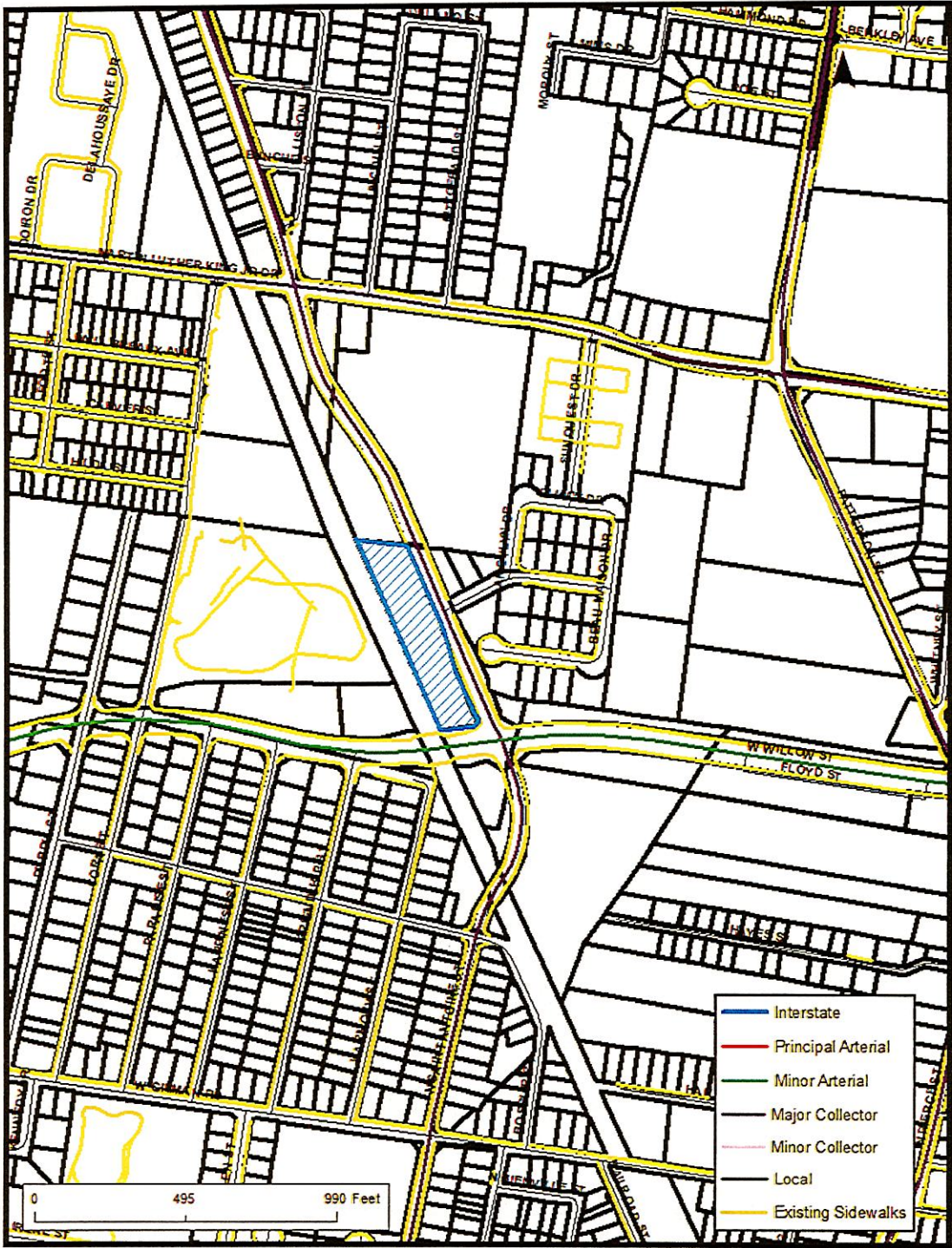
Zoning map of the area surrounding the petitioned site

The subject property is at the border of a large RM-1 (Residential Mixed) zoning district. To the west is a large RS-1 (Residential Single-Family) zoning district. There are more residential properties in the area, including in MN-1 (Mixed-Use Neighborhood) zoning districts. There is a large CM-1 (Commercial Mixed) undeveloped property across West Willow Street from the subject property, and one IL (Industrial-Light) zoning district for a trucking company, but the majority of the properties are residential. Much of this area was zoned IL in the past.



Land Use Map

The Land Use map shows that the subject property is a vacant and undeveloped property. To the west are civic public uses; the Martin Luther King Jr. Center and Park. To the northeast are civic private uses, including housing and church property, as yet undeveloped. But the main land use around the subject property is residential uses, mostly single-family, but also medium density residential. Unfortunately, there are two heavy commercial uses to the north of the subject property: a bar and an auto repair shop and tire center. They are legal non-conforming uses that have been grandfathered into the district.



Street Classification and Sidewalk Inventory Map

The subject property is located on North St. Antoine Street, a major collector. North St. Antoine intersects with West Willow Street, a minor arterial, in front of the subject property. Martin Luther King Jr. Drive, to the north, is also a major collector. There are sidewalk systems along Willow Street, North St. Antoine Street, Martin Luther King Jr. Drive, and in many of the surrounding neighborhoods.

B. Recent cases and relevant trends

N/A.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow commercial uses on the subject property. The applicant is asking for CM-1 (Commercial Mixed), but staff recommends MN-1 (Mixed-Use Neighborhood) instead. This is a very residential area. The Martin Luther King Jr. Center and park is directly adjacent to the subject property, and residential neighborhoods are all around. The uses available to a MN-1 zoning district are more compatible with a residential area than CM-1 uses. Also, the “*Rails for Trails*” path will be immediately adjacent to this property. A light commercial use rather than a heavier one would be a lot more compatible with “*Rails for Trails*”.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

The comprehensive plan states, “P1.2 Protect and improve residential neighborhood character, including historical and cultural neighborhood resources.” It is important to consider this statement when selecting an appropriate zoning district. Some of the uses permitted in a CM-1 zoning district are not consistent with a residential neighborhood.

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.

The current development trends are for residential properties and light commercial uses. There is a barbershop, a plate lunch drive-through, a small bakery, and a pharmacy along West Willow Street in the area around the subject property. In the near future, the “*Rails for Trails*” bicycle path will be added through this area on old railroad property. This path offers many opportunities for small retail, small restaurants, or snack bars. Of course, the commercial uses become heavier uses the closer you get to I-49. Unfortunately, there are two commercial heavy uses on North St. Antoine, north of the subject property, a bar and a tire shop/auto repair shop. These are non-conforming uses in a RM zoning district.

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. The majority of uses around the subject property are residential with a few light commercial uses. A MN-1 (Mixed-Use Neighborhood) use would be compatible with these uses. There is a small bakery, a pharmacy, and a dollar store in the surrounding area, but the main uses are residential. There are several legal non-conforming uses on the block which are heavy commercial uses.



Co-119-2022

RECEIVED

JUL 19 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

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

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

FROM: Mary Sliman

SUBJECT: Case No. ZON2022-0025
1401 North St. Antoine Street Rezoning

The attached ordinance would rezone, from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed), property located generally north of West Willow Street, east of North St. Antoine Street, and south of Martin Luther King Jr. Drive.

The Zoning Commission, at its Monday, July 18, 2022 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, August 2, 2022, with Final Adoption Tuesday, August 16, 2022.

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

A handwritten signature in blue 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 rezone property located generally north of West Willow Street, east of North St. Antoine Street, and south of Martin Luther King Jr. Drive.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: August 2, 2022
 - B. FINAL ADOPTION: August 16, 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-119-2022

1. This ordinance was introduced:

August 2, 2022

YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

NAYS: None

ABSENT: None

ABSTAIN: None

Final disposition by Council:

August 16, 2022

YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

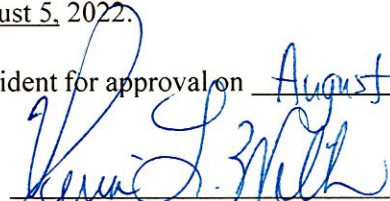
NAYS: None

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 August 5, 2022.

3. This ordinance was presented to the Mayor-President for approval on August 17, 2022, at 10:15 o'clock 2 .m.


CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 24 day of August, 2022, at 2:15 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 August 26, 2022, at 9:51 o'clock a .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.

ASST. 
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on August 19, 2022.

