

CITY ORDINANCE NO. CO-191-2023

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. 2023-33-REZ 4800 BLOCK WEST CONGRESS STREET REZONING, LOCATED GENERALLY NORTH OF NEZIDA LANE, WEST OF RUE DU BELIER AND SOUTH OF WEST CONGRESS STREET; BEING REZONED FROM RS-1 (RESIDENTIAL SINGLE-FAMILY) TO RM-1 (RESIDENTIAL MIXED), WITH ONE (1) CONDITION

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. 2023-33-REZ 4800 Block West Congress Street Rezoning located generally north of Nezida Lane, west of Rue du Belier, and south of West Congress Street, the particular parcel being rezoned from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), with one (1) condition; the said parcel being shown and identified on a map titled, “A Map Showing 7.00 Acres To Be Rezoned From RS-1 to RM-1,” prepared by Montagnet & Domingue, Inc., dated September 20, 2023, a copy of which is attached hereto and made a part thereof.

SECTION 2: The property is subject to the following condition:

1. There will be no access through North Roclay Drive.

SECTION 3: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 4: 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.

* * * * *

**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council

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

SUBJ: 2023-33-REZ 4800 Block West Congress Street Rezoning

PETITIONER: Premiere Investments, LLC represented by Russ Sonnier

DATE PETITION FILED: September 26, 2023

DATE OF PUBLIC HEARING: November 20, 2023

DATES OF PUBLICATIONS: November 5, 2023
November 15, 2023
November 19, 2023

DATE OF ZONING COMMISSION RECOMMENDATION: November 20, 2023

RECOMMENDATION: Approve the ordinance that would rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), with the condition that there be no access through North Roclay Drive.

Motion: German
Second: Trahan
Vote: 5-0-0-0
Ayes: Hebert, Trahan, Dural, German, Pritchard
Nays: None
Absent: None
Abstain: None

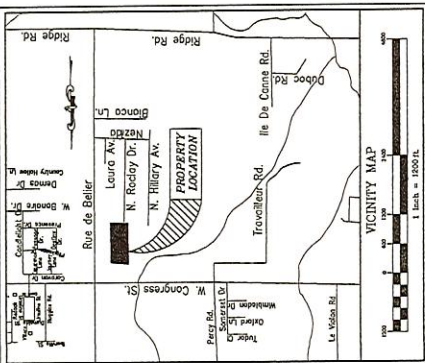
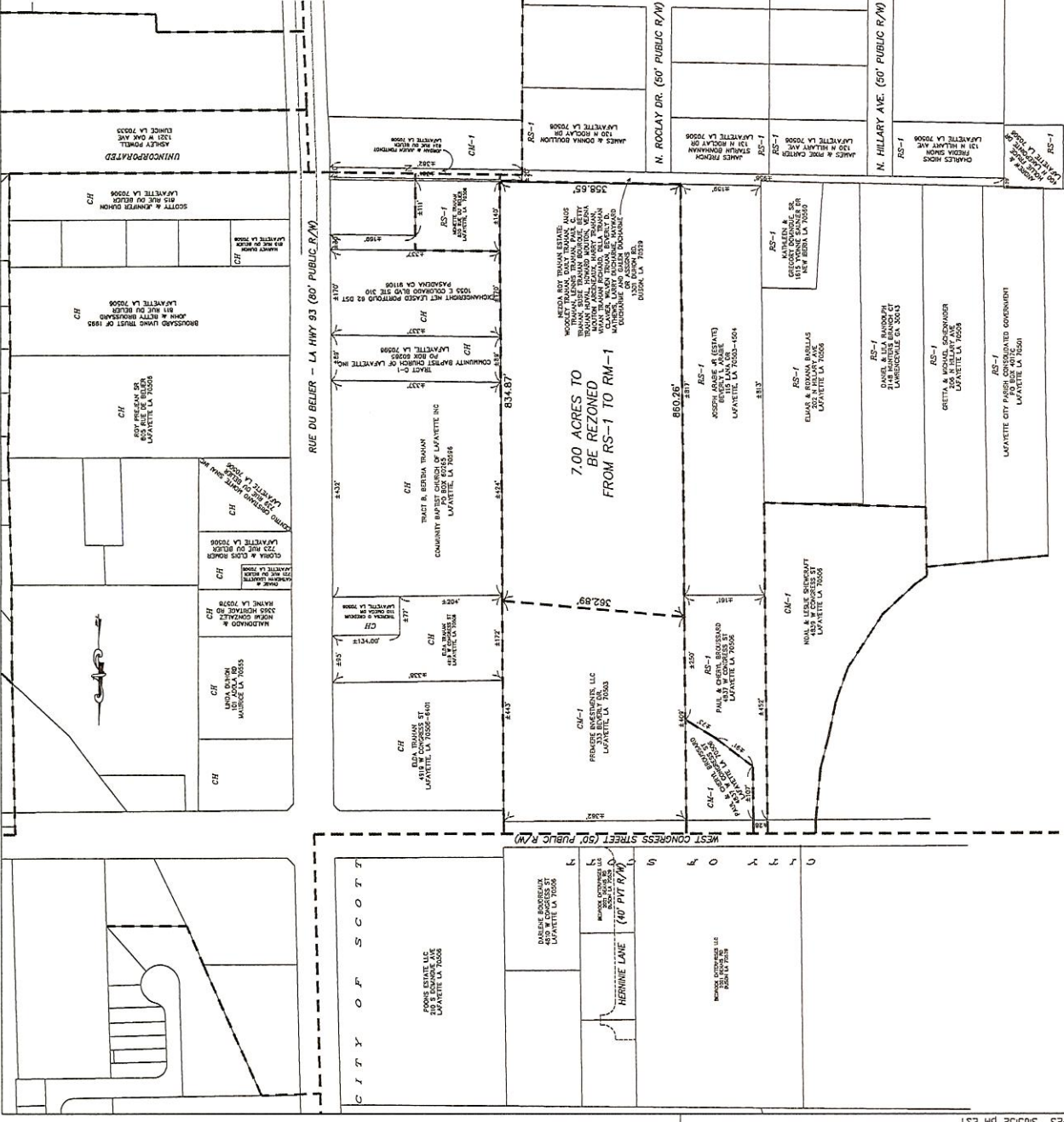
ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Mary Sliman, Director
Community Development and Planning Dept.



Russ55.dwg 9-20-23 3:55:22 PM EST

A MAP SHOWING 7.00 ACRES TO BE REZONED FROM RS-1 TO RM-1
STREET ADDRESS: W. CONGRESS ST. 70506
LOCATED IN THE CITY OF LAFAYETTE
SECTION 7, T-10-S, R-4-E,
LAFAYETTE PARISH, LOUISIANA
PREPARED BY: *[Signature]*
A. E. MONTAGNET
P.E., S.E., L.S.
CLARIFICATION
136 CLARA VON DRIVE
LAFAYETTE, LOUISIANA 70503
Phone: (337)881-2130 Fax: (337)881-3282
DATE: SEPTEMBER 20, 2023 SCALE: 1"=100'

OWNER/APPLICANT
PREMIERE INVESTMENTS, L.L.C.
LAFAYETTE, LA 70506
(917) 848-9828



Lafayette Consolidated Government
Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 10/12/2023
Amended 11/21/2023

2023-33-REZ

City Council District: 2 – Andy Naquin

Parish Council District: 2 – Kevin Naquin

Applicant: Premiere Investments, LLC represented by Russ Sonnier

Request: This is a request for the rezoning of a property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) to build a residential development with more density and housing options.

This case pertains to two previous cases: **2022-6-REZ 4800 Block West Congress Street Rezoning**, and **ZON2021-0016 4800 Block West Congress Street Rezoning**.

Location: 4800 Block West Congress Street

Summary of Proposal:

The purpose of the proposed rezoning of the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) is to allow for the construction of a residential development with more density and more options.

Recommendation:

Staff recommends approval of the request to rezone the property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) to allow for the construction of a residential mixed development.

Reason for Recommendation:

The subject property was rezoned in 2021 from a property that had 3.764 acres of CH (Commercial-Heavy) zoning districts fronting West Congress, with 7 acres of RS-1 (Residential Single-Family) zoning districts behind them. That case rezoned all the CH (Commercial-Heavy) property to RS-1 (Residential Single-Family), although the staff was concerned that an RS-1 (Residential Single-Family) property would be fronting West Congress Street, a major collector. The subject property was then partially rezoned in early 2023, where the former CH (Commercial-Heavy) portion, 3.764 acres fronting West Congress Street, was rezoned back to commercial, but to CM-1 (Commercial Mixed), instead of CH (Commercial-Heavy). The current case will rezone the back 7 acres from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), to be able to build a residential development with more options than RS-1 (Residential Single-Family). The transition from CM-1

(Commercial Mixed) to RM-1 (Residential Mixed) is less intense and the two districts should work better adjacent to each other than RS-1 (Residential Single-Family) and CH (Commercial-Heavy) could. A CM-1 (Commercial Mixed) use could possibly be of benefit to residential mixed development and the surrounding community.

An important consideration to make regarding RM-1 (Residential Mixed) zoning districts versus RS-1 (Residential Single-Family) zoning districts is that according to a recent study by LCG's GIS Division RS-1 is still by far the predominant residential zoning district. RS-1 (Residential Single-Family) accounts for 41% of all zoning districts while RM-1 (Residential Mixed) accounts for a much smaller share at 10%. While single-family residential is still largely the preferred residential district, planning staff acknowledges that changing demographics (including an aging population and an increased number of households with no children) and issues regarding housing affordability, demand for rental units, etc. have shown an increased demand for smaller homes and yards as well as a demand for a range of housing choice like duplexes, townhomes and apartments. These factors will continue to influence staff's zoning recommendations going forward.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 1 phone call from the neighbor next door. The neighbor is unsure if she is happy about RM-1 (Residential Mixed) zoning as she knows apartments are allowed in RM-1 (Residential Mixed), and she would prefer to not have apartments next door to her house.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its November 20, 2023, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), with the condition there be no access through North Roclay Drive.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 0

Opposition: 1

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 2

Opposition: 32

Neutral: 0

Zoning Commission Meeting

November 20, 2023

2023-33-REZ

To: City Zoning Commission

From: Mary Sliman, Director
Cathie Gilbert, Planning Manager

City Council District: 2 – Andy Naquin

Parish Council District: 2 – Kevin Naquin

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

I. GENERAL INFORMATION

Applicant: Premiere Investments, LLC represented by Russ Sonnier

Request: This is a request for the rezoning of the property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), to allow for the construction of a residential development with more housing choices and more options.

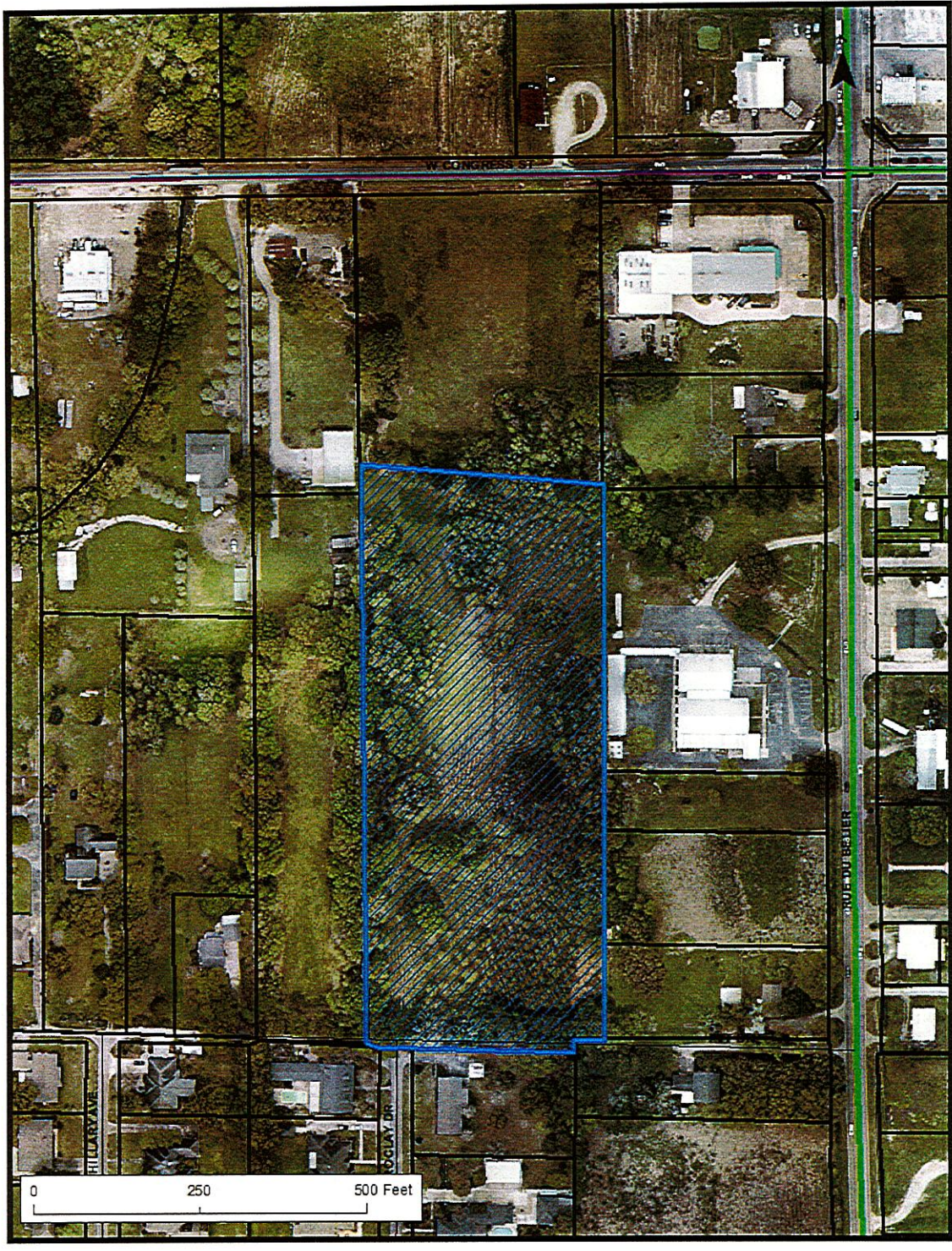
Location: 4800 Block West Congress Street

Description: The property is located generally north of Nezida Lane, west of Rue du Belier, and south of West Congress Street, and is 7.00 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 before council action, by Article 4 of the Lafayette Development Code.

The LDC establishes procedures for making land development decisions. 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

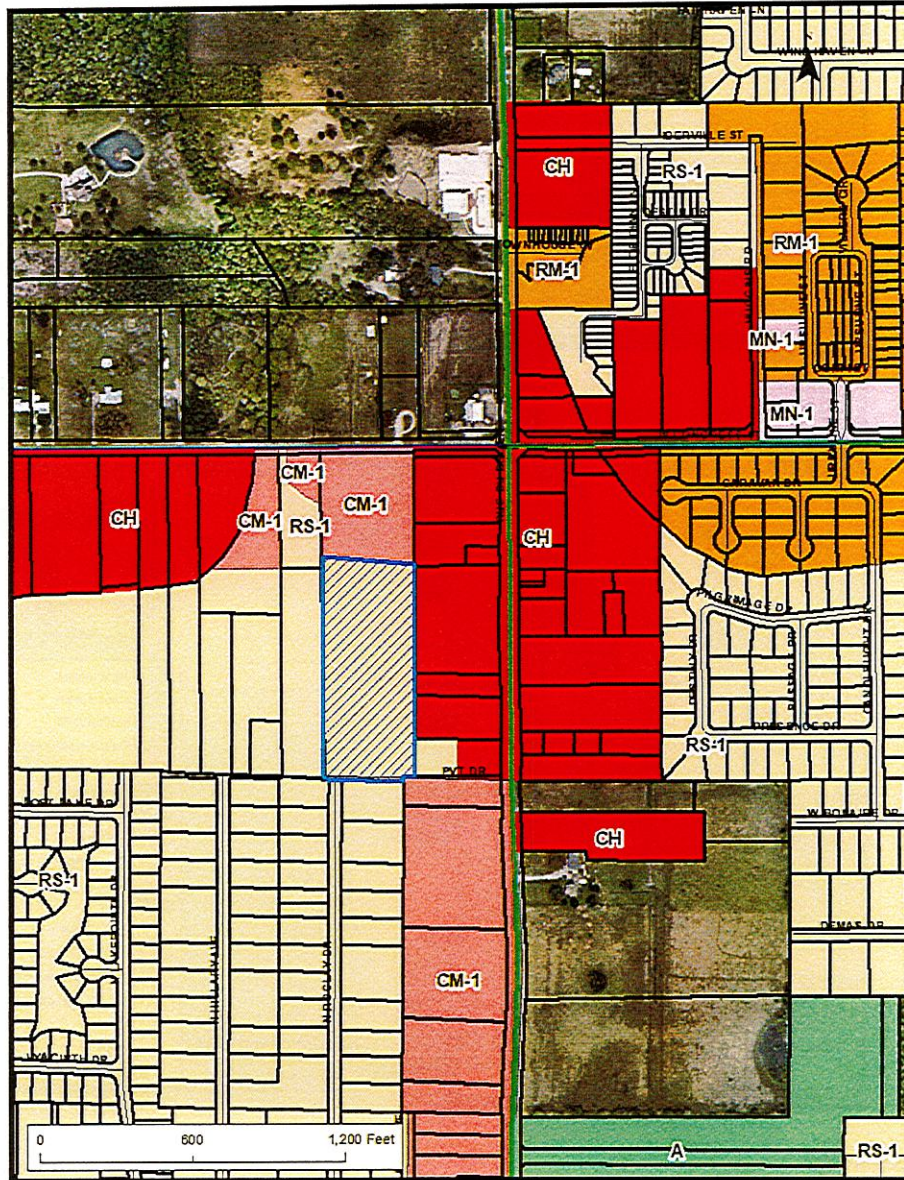


Vicinity Map

II. ANALYSIS

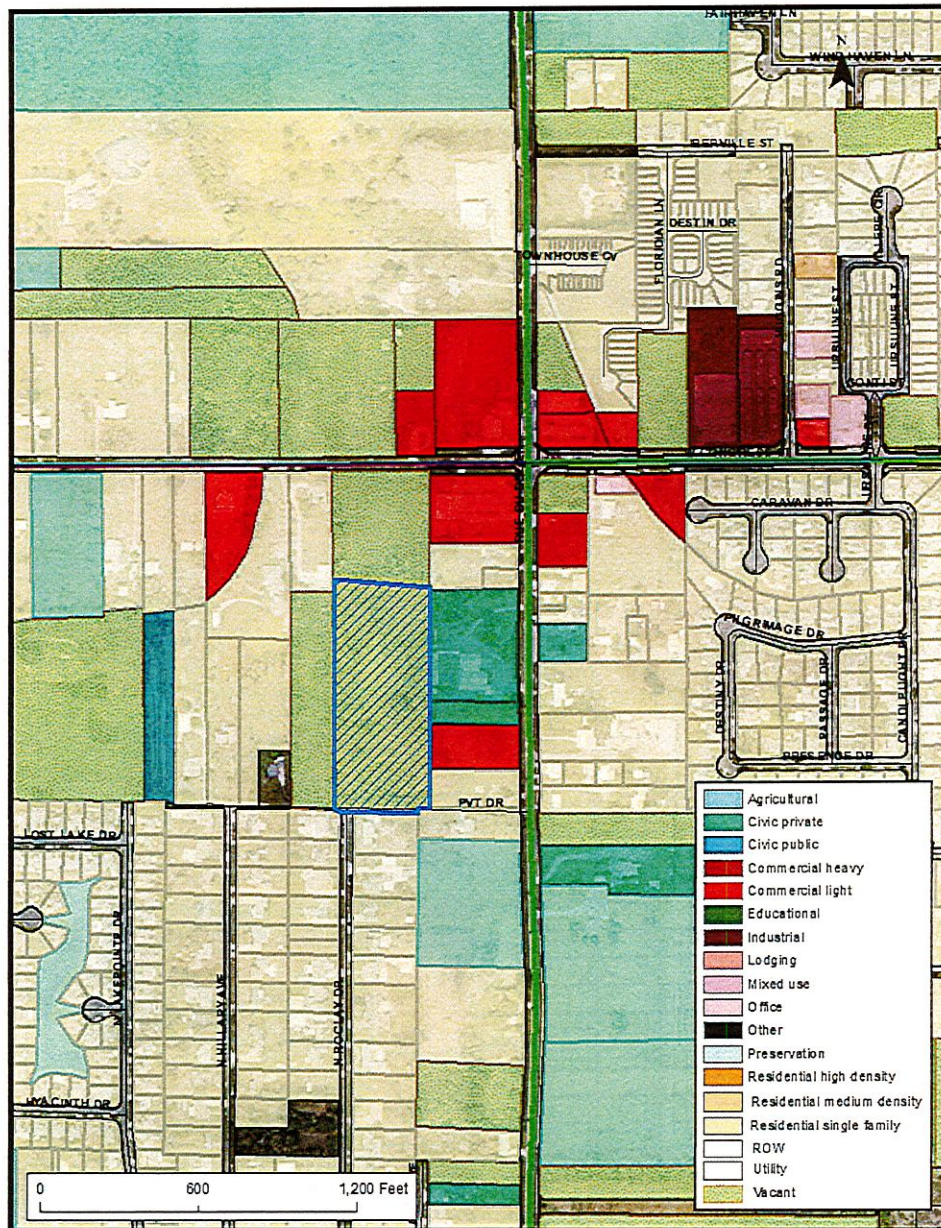
A. Existing conditions

Zoning



Zoning Map of the Area Surrounding the Petitioned Site

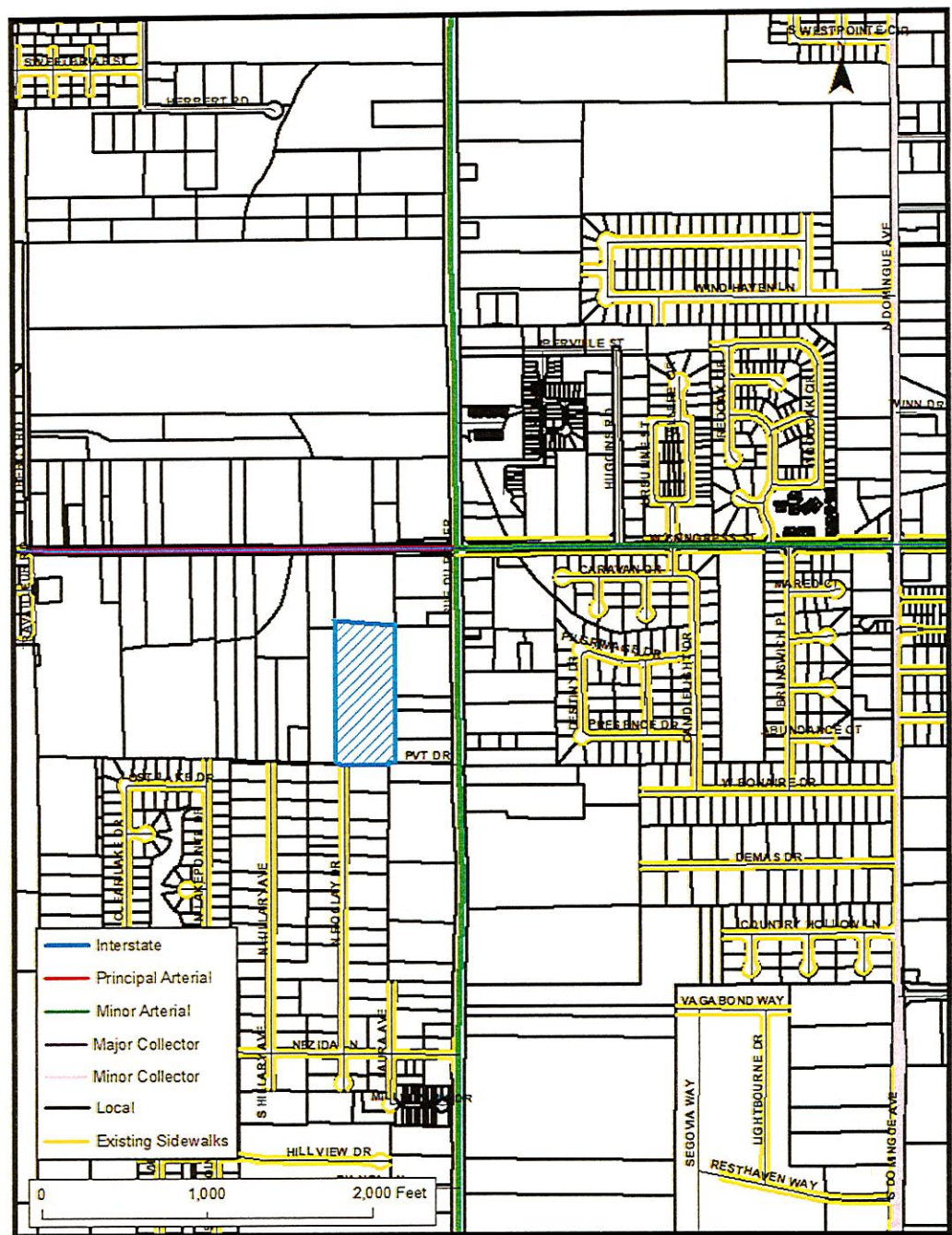
The subject property is located behind a buffer property of CM-1 (Commercial Mixed), which fronts West Congress Street. The subject property is currently an RS-1 (Residential Single-Family) zoning district. Other properties down this portion of West Congress Street follow this same pattern, with CM-1 (Commercial Mixed) or CH (Commercial-Heavy) properties as buffers for RS-1 (Residential Single-Family) zoning districts to the south. Some properties east of Rue du Belier have buffers of MN-1 (Mixed-Use Neighborhood) and RM-1 (Residential Mixed). There are CH (Commercial-Heavy) and CM-1 (Commercial Mixed) zoning districts bordering Rue du Belier. The city of Scott is north of the subject property, and there are other unincorporated properties in this area. There is one area of A (Agricultural zoning) districts off of Rue du Belier.



Land Use Map

The Land Use map indicates that the subject property and properties near it are undeveloped properties, agricultural uses, and many residential uses. Most of these residential properties are single-family and with some rural residential uses. There are several civic private uses, including church properties. Most commercial uses in this area are small until you reach the areas at the intersection of Rue du Belier and West Congress Street. At the intersection, the uses include commercial heavy businesses such as a convenience store with gasoline sales, auto sales, and industrial uses such as a self-service storage facility.

Infrastructure



Street Classification and Sidewalk Inventory

The subject property is located behind an undeveloped commercial mixed property on West Congress Street, which is a major collector to the west of the intersection with Rue du Belier, and a minor arterial to the east of Rue du Belier. Rue du Belier is a minor arterial. North and South Domingue Avenue are both minor collectors. There are sidewalks along West Congress Street on the east side of Rue du Belier, but none on the west side. The only other sidewalks in this area are in the residential neighborhoods.

B. Recent cases and relevant trends

The subject property was zoned CH (Commercial-Heavy) in the 3.764 acres section fronting West Congress Street, and RS-1 (Residential Single-Family) in the 7 acres portion to the south of the CH section in 2021 when the CH (Commercial-Heavy) section was rezoned to RS-1 (Residential Single-Family) in Case No. **ZON2021-0016 4800 Block West Congress Street Rezoning**. The subject property was then 10.764 acres of RS-1 (Residential Single-Family) zoning districts. The applicants planned to build a single-family residential development on the entire property. Case No. **2022-6-REZ 4800 Block West Congress Street Rezoning** at the beginning of 2023 rezoned the 3.764 acres of former CH (Commercial-Heavy) portion of the property to CM-1 (Commercial Mixed), creating a buffer between the commercial areas and the residential areas. The current case is to rezone the RS-1 portion (7.00 acres) to RM-1 (Residential Mixed) to create more housing choices for the residential development. There have been several cases over the last few years where RM-1 (Residential Mixed) zoning districts were selected over RS-1 (Residential Single-Family) zoning districts to give residents more housing choices.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of the rezoning is to allow for mixed residential uses, not just single-family homes. RM-1 (Residential Mixed) would have more housing choices and different options for residents. There are many other residential developments in the area, including at least one that is also an RM-1 (Residential Mixed) zoning district. A new mixed residential development would be compatible with these. There are also several commercial uses nearby, a number of them supportive of nearby residential neighborhoods, such as a small grocery store, a lawn equipment store, a beauty salon, and a dance studio. There is also a new elementary school on Rue du Belier and several churches and restaurants in the area.

D. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

N/A.

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 proposed amendment would be compatible with current development trends in the area as some of the most recent uses in the area include other residential developments around the subject property. These residential developments, and the current case, are all within a short distance of a new elementary school and all are near classified roadways such as West Congress Street, Rue du Belier, Johnston Street, and Ambassador Caffery Parkway, which makes it convenient to travel to work and for recreation. This area has become desirable for residential living, as this easy access is combined with site planning to ensure a more residential feel to these developments.

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 many uses in the area of the subject property are mainly residential with smaller commercial businesses nearby. There are much larger commercial properties the closer one gets to Johnston Street, Ambassador Caffery Parkway, and Ridge Road, among others. There are also civic and commercial uses that are supportive of residential properties such as this one.



Internal Memorandum

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

TO: Cydra Wingerter

DATE: December 4, 2023

FROM: Mary Sliman

SUBJECT: Case No. 2023-33-REZ
4800 Block West Congress Street Rezoning

The attached ordinance would rezone, from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), with one condition, that there be no access through North Roclay Drive, property located generally north of Nezida Lane, west of Rue du Belier, and south of West Congress Street, with.

The Zoning Commission, at its Monday, November 20, 2023 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, December 19, 2023, with Final Adoption Tuesday, January 9, 2024.

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

A handwritten signature in blue ink that reads "Mary Sliman".

Mary Sliman
Director

RECEIVED

NOV 30 2023

Lafayette Consolidated Government
Chief Administrative Office

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 Nezida Lane, west of Rue du Belier, and south of West Congress Street.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), with one condition, that there be no access through North Roclay Drive.
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: December 19, 2023
 - B. FINAL ADOPTION: January 9, 2024
- 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:



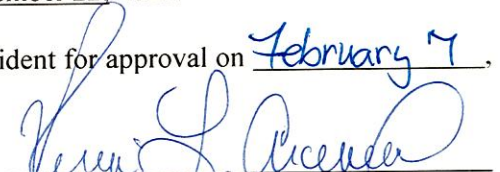
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-191-2023

1. This ordinance was introduced: December 19, 2023
YEAS: Lewis, Naquin, Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
DEFER: 01/09 – Deferred until February 6th.
- Final disposition by Council: February 6, 2024
YEAS: Broussard, Naquin, Hebert, Hooks, Boudreaux
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 December 22, 2023.

3. This ordinance was presented to the Mayor-President for approval on February 7, 2024, at 10:15 o'clock a.m.


CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the 7th day of February, 2024, at 5:40 o'clock P.m.

B. Veto this ordinance, the _____ day of _____, 2024, at _____ o'clock _____m., veto message is attached.

C. Line item veto certain items this _____ day of _____, 2024, at _____ o'clock _____m., veto message is attached.


MAYOR-PRESIDENT

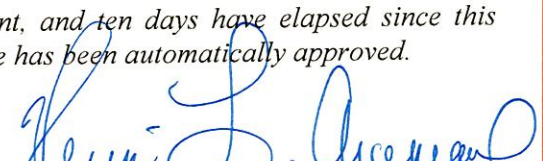
5. Returned to Council Office with/without veto message on February 8, 2024, at 10:01 o'clock a.m.

6. Reconsideration by Council (if vetoed):

On _____, 2024, 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 _____, 2024, 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 February 9, 2024.

