

CITY ORDINANCE NO. CO-065-2024

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. 2024-12-REZ 515 CEDAR CREST COURT REZONING, LOCATED GENERALLY NORTH OF SOUTHDOWN PLACE, WEST OF CEDAR CREST COURT, AND SOUTH OF WEST SIMCOE STREET; BEING REZONED FROM RS-1 (RESIDENTIAL SINGLE-FAMILY) TO RM-1 (RESIDENTIAL 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. 2024-12-REZ 515 Cedar Crest Court Rezoning located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street, the particular parcel being rezoned from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed); the said parcel being shown and identified on a map titled, "A Map of Survey showing Property and Improvements for Rezoning 515 Cedar Crest Court", prepared by K. Christian Armstrong, PLS, dated March 5, 2024, a copy of which is attached hereto and made a part thereof.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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: 2024-12-REZ 515 Cedar Crest Court Rezoning
PETITIONER: Toby Dore'

DATE PETITION FILED: March 5, 2024

DATE OF PUBLIC HEARING: May 20, 2024

DATES OF PUBLICATIONS: May 5, 2024
May 15, 2024
May 19, 2024

DATE OF ZONING COMMISSION RECOMMENDATION: May 20, 2024

RECOMMENDATION: The Commission was unable to reach a consensus on the recommendation that would rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

Motion: German made a motion to deny this request
Second: Pritchard
Vote: 2-1-0-0
Ayes: German, Pritchard
Nays: Hebert
Absent: None
Abstain: None

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Anne Famoso, Interim Director
Community Development and Planning Dept.



LOCATION OF PROPERTY

SUBJECT MATTER
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND

ADJACENT OWNERS
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND

REMARKS
 THIS SURVEY IS A REVISION TO THE SURVEY OF THE
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 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND

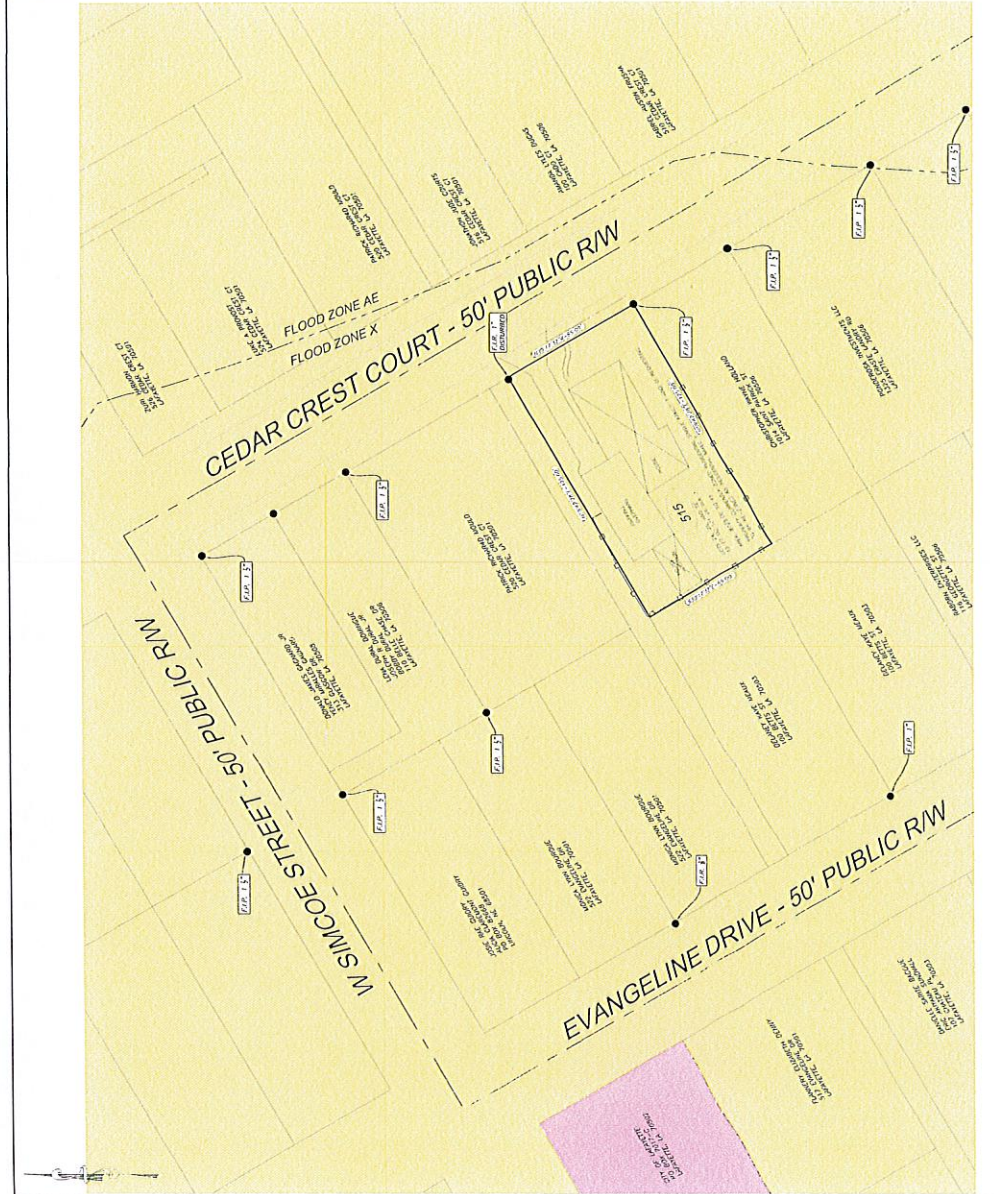
LEGEND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
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NOTES
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 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND



A PART OF SURVEY AND
 IMPROVEMENTS FOR REZONING
 SHUTRAM CREST COURT

MARKET, PENN.
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND
 1.0000 ACRES, 45,104.00 SQ. FT. OF LAND



Zoning Commission

Community Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 3/5/2024
Amended 5/21/2024

Note: This case was originally scheduled to be on the agenda for April 15, 2024. It is now scheduled for May 20, 2024.

2024-12-REZ

City Council District: 5 – Kenneth Boudreaux

Parish Council District: 5 -- AB Rubin

Applicant: Toby Dore'

Request: This is a request to rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to allow the continued use of the subject property as a Short-Term Rental.

Location: 515 Cedar Crest Court

Summary of Proposal:

The purpose of this proposal is to allow an existing short-term rental property to continue in this use by rezoning from RS-1 (Residential Single-Family), where it is no longer permitted, to RM-1 (Residential Mixed), where short term rentals are allowed.

Recommendation:

Staff recommends denial of this request to rezone from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

Reasons for Recommendation:

Considering this subject property, and given the consistency of housing both in use and in RS-1 (Residential Single-Family) zoning and the location on a local street, staff does not support the rezoning of this one property. The RM zoning district includes many types of housing besides single-family residential, such as: duplexes, cottage courts, multi-family, live/work dwellings, apartment houses, townhouses, boarding houses, community living and community homes. This variety of housing is not allowed in RS-1 (Residential Single-Family), and is not appropriate in a RS-1 neighborhood. A RM-1 (Residential Mixed) zoning district would be opening the door to uses not normally allowed in a single-

family neighborhood. Although this is the only option open to short-term rental owners in RS-1, staff has to evaluate all uses available in RM-1 (Residential Mixed) zoning districts.

According to the applicant, the subject property has been used as a short-term rental for almost ten years. The applicant has never had an incident where police have been called or where his neighbors have complained. The applicant and his neighbor at 521 Cedar Crest Court (**2024-10-REZ 521 Cedar Crest Court Rezoning**) have both run short-term rentals in this location for many years. The subject property's proximity to Downtown Lafayette, UL and the football stadium have made the short-term rental a popular choice with tourists, parents of students at UL, and sports enthusiasts.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received one call asking for information. The caller was satisfied with 515 Cedar Crest remaining as a short-term rental in the neighborhood. They felt the owner was responsible and that there had not been any problems in the past 10 years. Several other calls came in after the meeting was postponed that said they were not comfortable with having a short-term rental in the neighborhood, even though this short-term rental at 515 Cedar Crest Court has been here for almost 10 years. They would prefer not to have any short-term rentals at all in the neighborhood.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its May 20, 2024, meeting and were unable to reach a consensus on a recommendation to the City Council approve or deny the request to rezone the subject properties from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 2

Opposition: 4

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 5

Opposition: 2

Neutral: 0

Zoning Commission Meeting

May 20, 2024

2024-12-REZ

To: City Zoning Commission

From: Anne Famoso, Interim Director
Cathie Gilbert, Planning Manager

City Council District: 5 – Kenneth Boudreaux

Parish Council District: 5 – AB Rubin

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: Toby Dore'

Request: This is a request to rezone the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to continue to operate a short-term rental.

Location: 515 Cedar Crest Court

Description: The property is located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street. The subject property is approximately 0.19 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

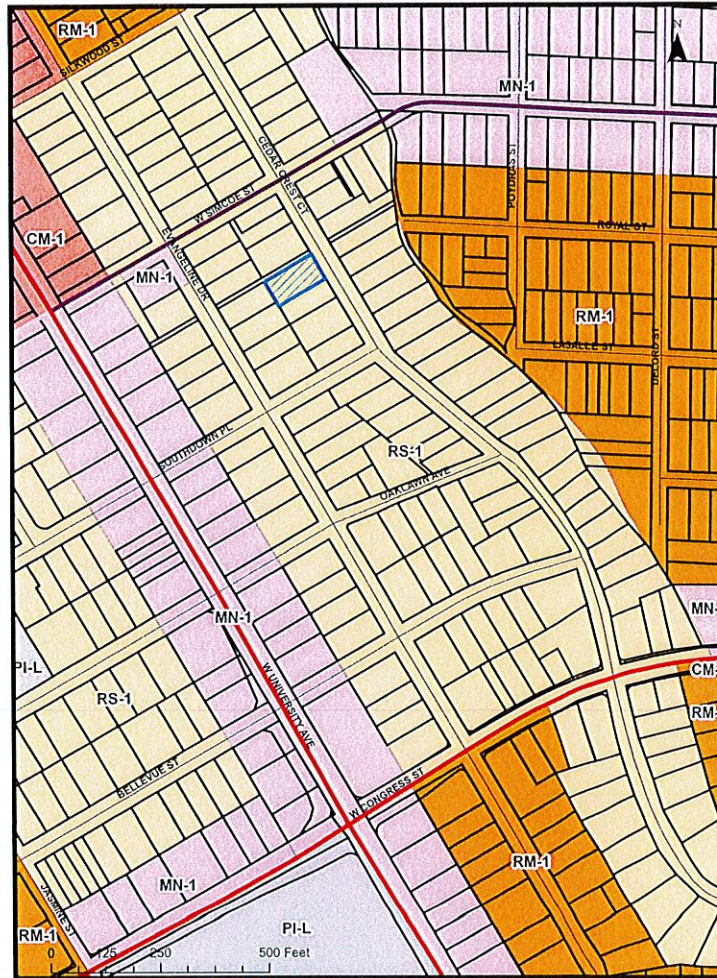


Vicinity Map

II. ANALYSIS

A. Existing conditions

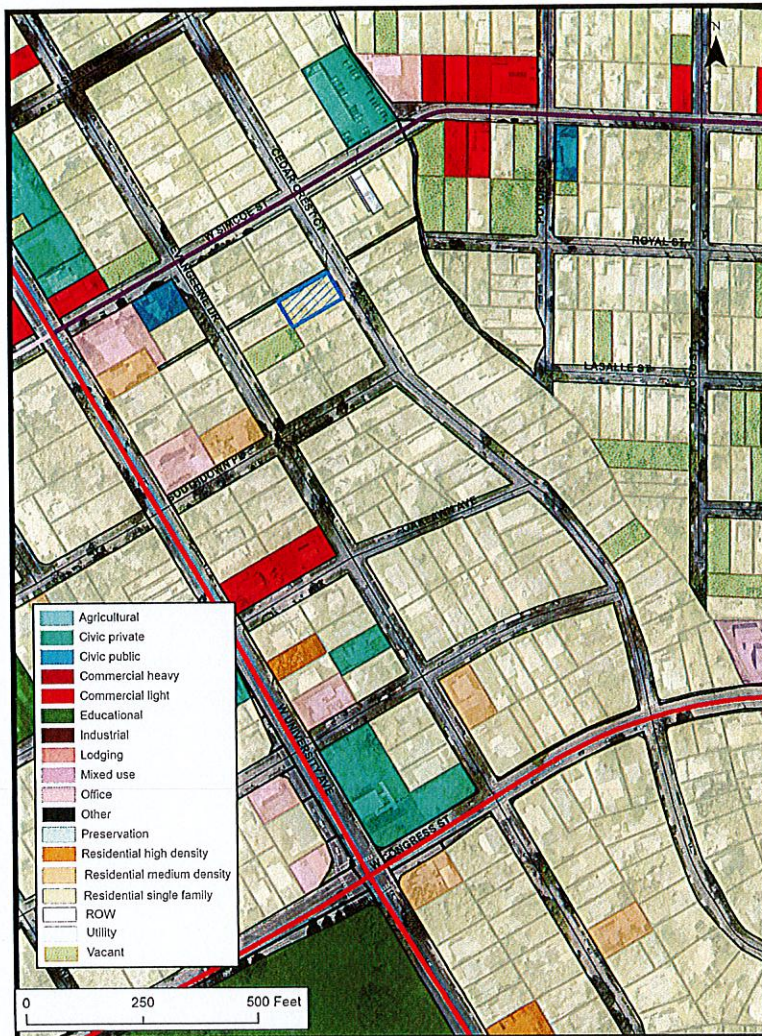
Zoning



Zoning map of the area surrounding the petitioned site

The subject property is located in a RS-1 (Residential Single-Family) zoning district, surrounded by zoning districts of RM-1 (Residential Mixed), MN-1 (Mixed-Use Neighborhood) and CM-1 (Commercial Mixed). The CM-1 (Commercial Mixed) zoning districts run along both sides of Cameron Street to the north, and down West University Avenue until West Simcoe Street. There are MN-1 (Mixed-Use Neighborhood) zoning districts that follow University Avenue from that point on until City Hall at 705 West University. The RM-1 (Residential Mixed) zoning districts are adjacent to the West End Heights neighborhood where the subject property is located, and to the north. There is a PI-L

(Public/Institutional Light) zoning district at Myrtle Place School, to the southwest of the subject property.



Land Use Map

The Land Use map indicates that this area is mostly residential, with commercial, office and a few civic private uses following West Simcoe Street and West University Avenue. There are medium and high-density residential uses mixed in with the single-family residential uses. There are vacant properties, most of them in the adjacent subdivision, the Vordenbaum Addition. Lafayette Middle School is the educational use to the south.



Street Classification and Sidewalk Inventory Map

The subject property is located just a few lots away from West Simcoe Street, which is a major collector, and a block and a half from West University Avenue, a principal arterial. West Congress Street, to the south of the subject property is also a principal arterial. There are sidewalk systems in some of these neighborhoods, but there are areas that are incomplete.

B. Recent cases and relevant trends

Staff has supported one recent case involving rezoning to RM-1 to allow s short-term rental use, which has been restricted from RS-1 (Residential Single-Family) neighborhoods since an ordinance regarding short-term rentals was passed in the fall of 2023. That case was **2023-38-REZ 406 North Sterling Street Rezoning**. However, in that case, the property was adjacent to another zoning district; it wasn't in the middle of a RS-1 (Residential Single-Family) zoning district. It was also at the intersection of two minor arterials, Moss Street and Mudd Avenue. The property is also accessed from Mudd Avenue, not from within the neighborhood. In this case staff was able to support the rezoning from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed). Also, the City Council placed conditions upon this property at Final Approval that restricted all other RM-1 uses from ever being used on the subject property.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow the applicant to continue a short-term rental use that he has had for almost 10 years. His property is in a RS-1 (Residential Single-Family) zoning district, which no longer permits short-term rental use. The only way available to be able to continue this use is to rezone the property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed). This rezoning would probably have little or no effect on the adjacent land uses as the subject property has been used as a short-term rental for almost 10 years without incident. However, this RM-1 zoning district could cause problems in the future, with a different owner, who could conceivably build a more intense residential use on the property. In some older neighborhoods where there is already a mix of types of housing, this may not be a problem but Cedar Crest Court is a street with consistent single-family residences. An apartment house, or townhouses, or a community home, would not be consistent with a typical RS-1 (Residential Single-Family) neighborhood.

D. Evaluation of approval standards

The proposed rezoning 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.

There are at least two short-term rentals existing in this neighborhood. (One is next door to the subject property, and is also a case for the Zoning Commission Meeting of May 20, 2024 (**2024-10-REZ 521 Cedar Crest Court**)). The applicants state that the proximity of this neighborhood to Downtown and to UL has made this area popular with tourists. However, Cedar Crest Court is a local road, not a classified roadway. With two RM-1 (Residential Mixed) properties, side by side, these properties in the future could provide an inconsistent (such as multi-family) use for a single-family residential neighborhood, with additional traffic and more people than in a typical RS-1 (Residential Single-Family) neighborhood.

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

N/A.

The proposed amendment is compatible with surrounding land uses.

Yes. This use has been compatible with the surrounding neighborhood for the past 10 years. But rezoning a single property to a different zoning than the rest of the neighborhood could cause conflict in the future. At this point, the owners have no intention of establishing a different use than a single-family home.



515 and 521 Cedar Crest Court – both existing short-term rentals



Revised Memo:
Zoning Commission's outcome

Internal Memorandum

Chief Administrative Officer (CAO)
CAO-Administration (1210)

TO: Veronica Arceneaux

DATE: May 31, 2024

FROM: Rachel Godeaux

SUBJECT: Case No. 2024-12-REZ
515 Cedar Crest Court Rezoning
CO-065-2024

Please replace the memo in the council packet with this memo.

The attached ordinance would rezone, from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), property located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street.

The Zoning Commission, at its Monday, May 20, 2024 meeting, was unable to reach a consensus on the recommendation to the City Council to approve or deny the attached ordinance.

We request that Council Introduction be scheduled for Tuesday, June 4, 2024, with Final Adoption Tuesday, June 18, 2024.

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


Rachel Godeaux
Chief Administrative Officer

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 Southdown Place, west of Cedar Crest Court, and south of West Simcoe 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).

- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: June 4, 2024
 - B. FINAL ADOPTION: June 18, 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:



ANNE FAMOSO, INTERIM DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER