

**CITY ORDINANCE NO. CO-171-2021**

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2021-0038 2500 BLOCK SOUTH COLLEGE ROAD REZONING, LOCATED GENERALLY NORTH OF QUEENS ROW, WEST OF HUGH WALLIS ROAD, AND SOUTH OF DENBO STREET; THE PARTICULAR PARCELS BEING REZONED FROM IH (INDUSTRIAL-HEAVY) TO IL (INDUSTRIAL-LIGHT)**

**BE IT ORDAINED** by the Lafayette City Council, that:

**SECTION 1:** The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2021-0038 2500 Block South College Road Rezoning, located generally north of Queens Row, west of Hugh Wallis Road, and south of Denbo Street; the particular parcels being rezoned from IH (Industrial-Heavy) to IL (Industrial-Light); the said parcels being shown and identified by a rezoning map titled "A map showing 1.79 Acres to be rezoned from IH to IL Street Address: South College Road Lafayette, LA 70508, located in the City of Lafayette, Section 76, T-10-S, R-5-E, Lafayette Parish, Louisiana," prepared by Montagnet and Domingue, 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**SECTION 2:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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.

\* \* \* \* \*

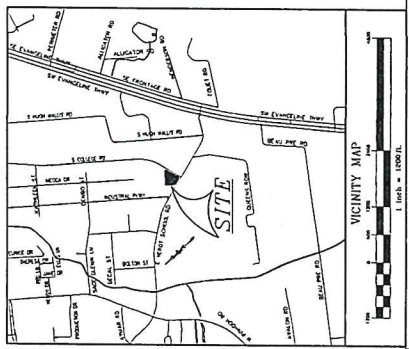




A MAP SHOWING 1.79 ACRES TO BE REZONED FROM IH TO IL STREET ADDRESS: SOUTH COLLEGE ROAD LOCATED IN THE CITY OF LAFAYETTE SECTION 76, T-10-S, R-5-E LAFAYETTE PARISH, LOUISIANA

PREPARED BY: J. E. MONTGOMERY  
 J. E. MONTGOMERY  
 P. E., L.S. No. 3282  
 PROFESSIONAL ENGINEER

MONTAGNET AND DOMINGUE, INC.  
 136 CLARA VON DRIVE  
 LAFAYETTE, LOUISIANA 70503  
 Phone: (337)981-2130 Fax: (337)981-3282  
 DATE: SEPTEMBER 29, 2021 SCALE: 1"=200'



UNINCORPORATED  
 A DUND MONTGOMERY FAMILY, LLC  
 LAFAYETTE, LA 70503-3027  
 (337) 298-4187

**LAFAYETTE ZONING COMMISSION  
RECOMMENDATION OF ACTION**

**TO:** Lafayette City Council

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

**SUBJ:** ZON2021-0038 2500 Block South College Road Rezoning

**PETITIONER:** A Denbo Montgomery Family LLC, Marshall Montgomery

**DATE PETITION FILED:** October 6, 2021

**DATE OF PUBLIC HEARING:** November 15, 2021

**DATES OF PUBLICATIONS:** October 31, 2021  
November 10, 2021  
November 14, 2021

**DATE OF ZONING COMMISSION RECOMMENDATION:** November 15, 2021

**RECOMMENDATION:** Approve the ordinance that would rezone property from IH (Industrial-Heavy) to IL (Industrial-Light).

Motion: Doise  
Second: Pritchard  
Vote: 3-0-2-0  
Ayes: Hebert, Doise, Pritchard  
Nays: None  
Absent: Dural, Green  
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**

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Drafted 10/3/2021  
Amended 11/16/2021**ZON2021-0038****City Council District:** 4 – Nannette Cook**Parish Council District:** 4 – John Guilbeau**Applicant:** A Denbo Montgomery Family LLC, Marshall Montgomery**Request:** This is a request for rezoning of a property from IH (Industrial-Heavy) to IL (Industrial-Light).**Location:** 2500 Block South College Road**Summary of Proposal:**

The purpose of this proposal is to allow the rezoning of a property from IH (Industrial-Heavy) to IL (Industrial-Light), in order to allow for the building of a convenience store with gasoline sales.

**Recommendation:**

Staff recommends approval of the request to rezone this property from IH (Industrial-Heavy) to IL (Industrial-Light).

**Reasons for Recommendation:**

This property is part of an extensive area of IL (Industrial-Light) zoning districts, with several IH (Industrial-Heavy) properties. As such, a convenience store with gasoline sales should work well here. Staff does not like to place gas stations too close to residential areas, as there is constant traffic, along with possible litter and noise. There are many businesses with employees who could get good use out of a convenience store with gas sales here. Commuters who use Highway 90 on a daily basis would also benefit. There are unincorporated districts near the subject property, but very few residential uses.

IH (Industrial-Heavy) is really too heavy a use for this area, and for a city that has only limited industrial uses. IH is a very limiting use for property in this vicinity; it actually only has a few more uses that IL doesn't permit, including Fuel Distribution, and a few Waste related uses. IL is much more flexible.

**Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received 0 phone calls.

## ZONING COMMISSION RECOMMENDATION

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The Zoning Commission held a public hearing regarding this matter at its September 20, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from IH (Industrial-Heavy) to IL (Industrial-Light).

### Summary of Public Comment:

#### Public Comment before the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

#### Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

**Zoning Commission Meeting****November 15, 2020****ZON2021-0038****To:** City Zoning Commission**From:** Mary Sliman, Director  
Cathie Gilbert, Planning Manager**City Council District:** 4 – Nanette Cook**Parish Council District:** 4 – John Guilbeau**Prepared by:** Carol Vermillion Robbins**PRELIMINARY STAFF REPORT**

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**Applicant:** A Denbo Montgomery Family, LLC – Marshall Montgomery

**Request:** This is a request to allow the rezoning of a property from IH (Industrial-Heavy) to IL (Industrial-Light).

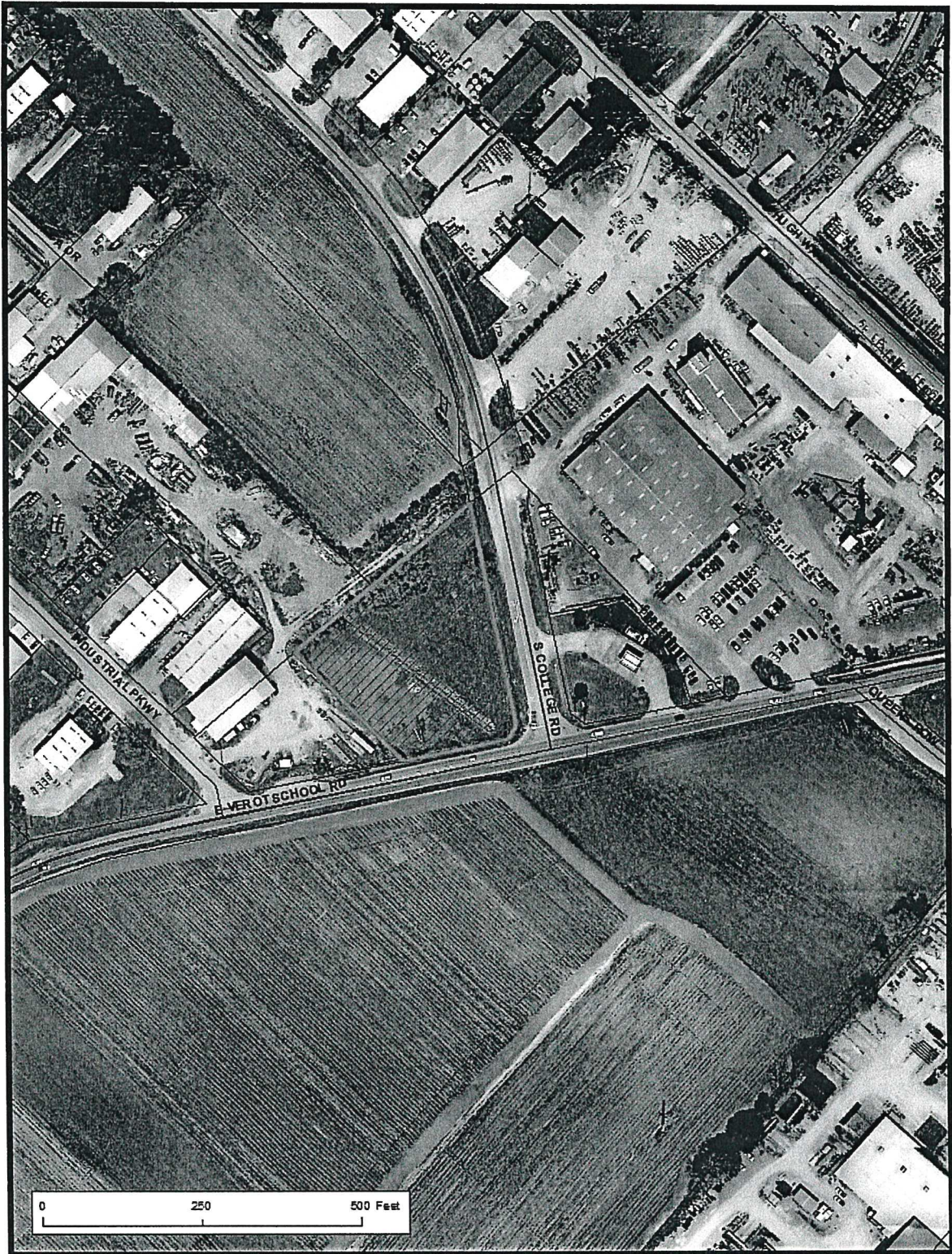
**Location:** 2500 South College Road

**Description:** The property is located generally north of Queens Row, west of Hugh Wallis Road, and south of Denbo Street. The subject property is approximately 1.79 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*



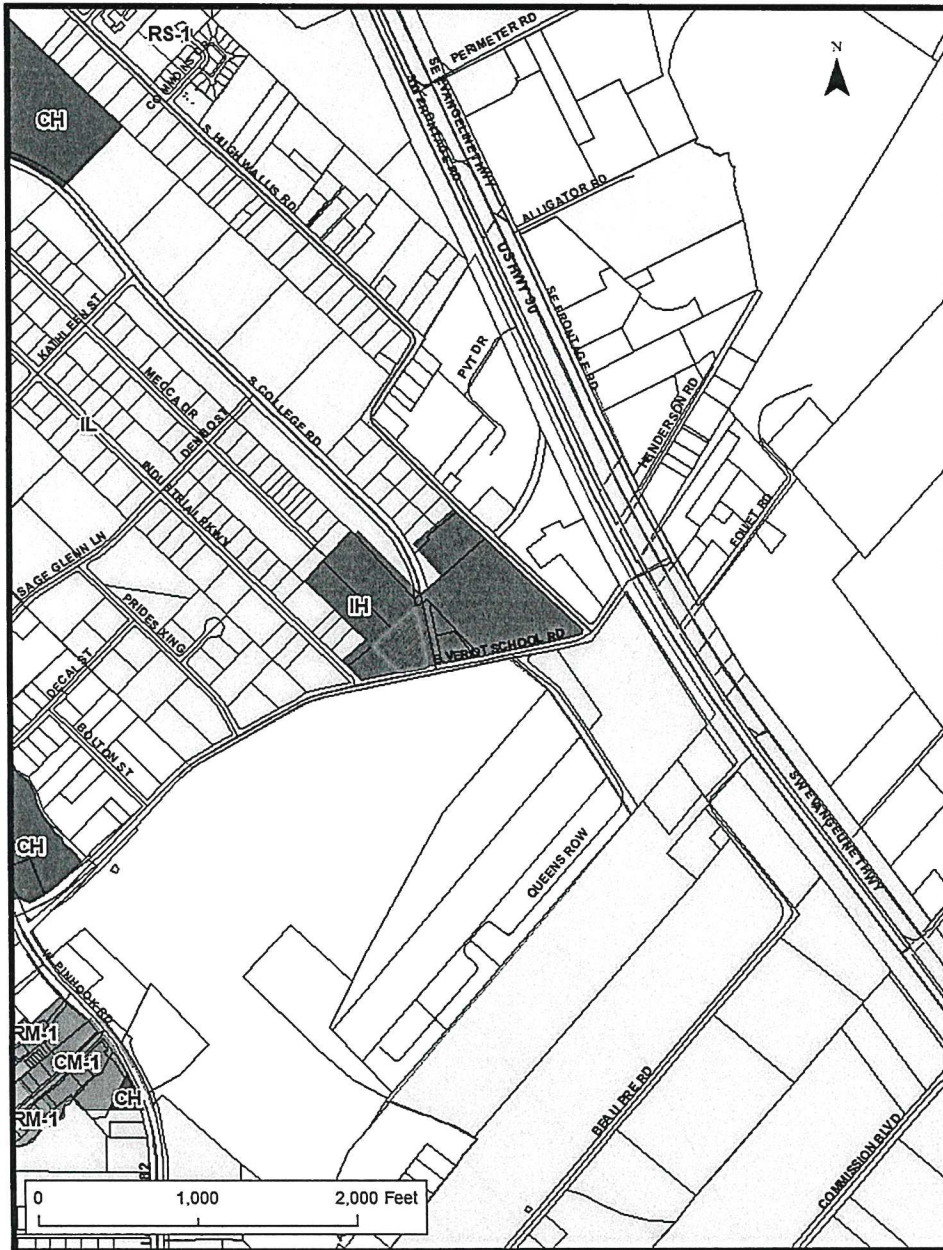


Vicinity Map

## II. ANALYSIS

### A. Existing conditions

#### Zoning



*Zoning map of the area surrounding the petitioned site*

The subject property is within a very large industrial area, near the Lafayette Regional Airport. The subject property is currently zoned IH (Industrial-Heavy), but most of the zoning districts in the vicinity are IL (Industrial-Light). There are unincorporated areas, both across Verot School Road from the subject property, and beyond the Evangeline Thruway. There are a few CH (Commercial-Heavy) and CM-1 (Commercial Mixed) zoning districts, and two small residential areas, RS-1 (Residential Single-Family) and RM-1 (Residential Mixed).



**Land Use Map**

The Land Use map indicates that the subject property and properties near it are agricultural uses. The majority of the other uses nearby are industrial, with commercial and office space also.



## B. Recent cases and relevant trends

There have been three cases this year also asking for a zoning district that would allow a convenience store with gasoline sales. Two of these cases were annexations, **ZON2021-0009 234 Duhon Road** and **ZON2021-0024 1115 & 1203 Carmel Drive**. The applicants both asked for a zoning assignment of CM-1 (Commercial Mixed). As both locations were fairly close to residential uses the lower CM zoning district was approved. Another case, **ZON2021-0023 1514 Louisiana Avenue**, was denied rezoning as the neighborhood involved in the rezoning did not want a convenience store in their neighborhood. The subject property for this case is not near any residential uses, and should be a location that would be convenient for the many people who work in the area, or for commuters on the Evangeline Thruway.

## C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow for a convenience store with gasoline sales on this property. The majority of the nearby properties are industrial in use as well. The subject property is only .27 miles from the Evangeline Thruway, where commuters and travelers could benefit from the location of a convenience store.

## 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.*

The proposed amendment would be compatible with current development trends in the area. The area has become an industrial zone, with many businesses located conveniently close to the Lafayette Regional Airport, the railroad and the Evangeline Thruway. There is very little or no residential development here.

*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 many uses in the area of the subject property are commercial and industrial in use. Typical businesses near the subject property include a commercial roofer, an auto parts store, a towing service yard, A/C Heating sales & service, a paint and body shop and many more. The addition of a convenience store with gasoline sales could be a welcome addition to this industrial zone.



RECEIVED

NOV 19 2021

Lafayette Consolidated Government  
Chief Administrative Office

## Internal Memorandum

Community Development and Planning Department  
Office of the Director (Route 9010)

**TO:** Cydra Wingerter **DATE:** November 16, 2021

**FROM:** Mary Sliman

**SUBJECT:** Case No. ZON2021-0038  
2500 Block South College Road Rezoning

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The attached ordinance would rezone, from IH (Industrial-Heavy) to IL (Industrial-Light), property located generally north of Queens Row, west of Hugh Wallis Road, and south of Denbo Street.

The Zoning Commission, at its Monday, November 15, 2021 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Wednesday, December 15, 2021, with Final Adoption Tuesday, January 4, 2022.

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

*Mait Achouf*  
*for 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 property located generally north of Queens Row, west of Hugh Wallis Road, and south of Denbo Street.

2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from IH (Industrial-Heavy) to IL (Industrial-Light).

3) **REQUEST ACTION OF COUNCIL:**

A. INTRODUCTION: December 15, 2021

B. FINAL ADOPTION: January 4, 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 (9 pages)

5) **FISCAL IMPACT:**

Fiscal Impact (will be detailed in Cost-Revenue Analysis)

No Fiscal Impact

**RECOMMENDED BY:**

*Paul Lehoucq*  
*for Mary Sliman*  
\_\_\_\_\_  
MARY SLIMAN, DIRECTOR

**APPROVED FOR AGENDA:**

*Andrea Wingerter*  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



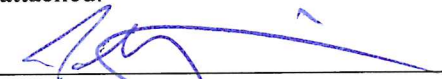


**DISPOSITION OF ORDINANCE NO. CO-171-2021**

1. This ordinance was introduced: December 15, 2021  
YEAS: Lewis, Naquin, Hebert, Lazard  
NAYS: None  
ABSENT: Cook  
ABSTAIN: None
- Final disposition by Council: January 4, 2022  
YEAS: Lewis, Naquin, Cook, Lazard  
NAYS: None  
ABSENT: Hebert  
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, 2021.
3. This ordinance was presented to the Mayor-President for approval on 1/5/2022, 2022, at 9:45 o'clock a.m.

ASST.   
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
- I hereby:
- A. Approve this ordinance, the 13 day of JANUARY, 2022, at 9:50 o'clock a.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 January 14, 2022, at 8:50 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.*

  
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on January 7, 2022.

