

**CITY ORDINANCE NO. CO-004-2022**

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2021-0039 100 BLOCK BROWN FORTIER DRIVE REZONING, LOCATED GENERALLY NORTH OF BROWN FORTIER DRIVE, WEST OF JOHNSTON STREET, AND SOUTH OF DUHON ROAD; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) 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. ZON2021-0039 100 Block Brown Fortier Drive Rezoning, located generally north of Brown Fortier Drive, west of Johnston Street, and south of Duhon Road; the particular parcels being rezoned from CH (Commercial-Heavy) to CM-1 (Commercial Mixed); the said parcels being shown and identified by a rezoning map titled "Requested Rezone to CM-1 for Frontline Properties being Lot 7 located on Brown Fortier Drive located in Section 20, T10S-R4E Lafayette Parish, Louisiana," prepared by Southeast Engineers, LLC.; 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**SECTION 2:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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:** ZON2021-0039 100 Block Brown Fortier Drive Rezoning  
**PETITIONER:** Frontline Management Group, LLC c/o Phil Devey

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

**DATE OF PUBLIC HEARING:** December 20, 2021

**DATES OF PUBLICATIONS:** December 5, 2021  
December 15, 2021  
December 19, 2021

**DATE OF ZONING COMMISSION RECOMMENDATION:** December 20, 2021

**RECOMMENDATION:** Approve the ordinance that would rezone property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed).

Motion: Green  
Second: Doise  
Vote: 3-0-1-1  
Ayes: Doise, Green, Pritchard  
Nays: None  
Absent: Dural  
Abstain: Hebert

**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 10/10/2021  
Amended 12/20/2021

**ZON2021-0039**

**City Council District:** 2 – Andy Naquin

**Parish Council District:** 2 – Kevin Naquin

**Applicant:** Frontline Management Group, LLC c/o Phil Devey

**Request:** This is a request for a rezoning of a property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed).

**Location:** 100 Block Brown Fortier Drive

**Summary of Proposal:**

The purpose of the proposed rezoning of the subject property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed) is to allow for the construction of a townhouse community.

**Recommendation:**

Staff recommends approval of the request to rezone the property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed) to allow for the construction of a townhouse development.

**Reasons for Recommendation:**

The proposed project is a townhouse development built next to the recently approved Planned Development at 201 Duhon Road and 105 Marblehead. There are CH (Commercial-Heavy) districts along Johnston Street. This new townhouse development would be situated between these commercial uses and the PD (Planned Development), and would serve as a transition space between the two disparate uses. Other than the commercial uses following Johnston Street the primary uses are residential. The townhouse development would have easy access to a principal arterial, Johnston Street, and to two major collectors, Rue du Belier and Duhon Road.

The applicant is asking for a rezoning of the current CH (Commercial-Heavy) zoning district to a CM-1 (Commercial-Mixed) zoning district because a townhouse or townhouses are not permitted in a CH zoning district. They are allowed in a CM zoning district.

Note: This case was originally scheduled for presentation on November 18, 2021, but the necessary quorum was not possible. Therefore this case was deferred until December 20, 2021.

**Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received no phone calls.

**ZONING COMMISSION RECOMMENDATION**

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The Zoning Commission held a public hearing regarding this matter at its November 15, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed).

**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: 1

Opposition: 0

Neutral: 0

**Zoning Commission Meeting**

**January 24, 2021**

**ZON2021-0039**

**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**

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**I. GENERAL INFORMATION**

**Applicant:** Frontline Management Group, LLC c/o Phil Devey

**Request:** This is a request for a rezoning of properties from CH (Commercial-Heavy) to CM-1 (Commercial Mixed), to allow for the construction of a townhouse community.

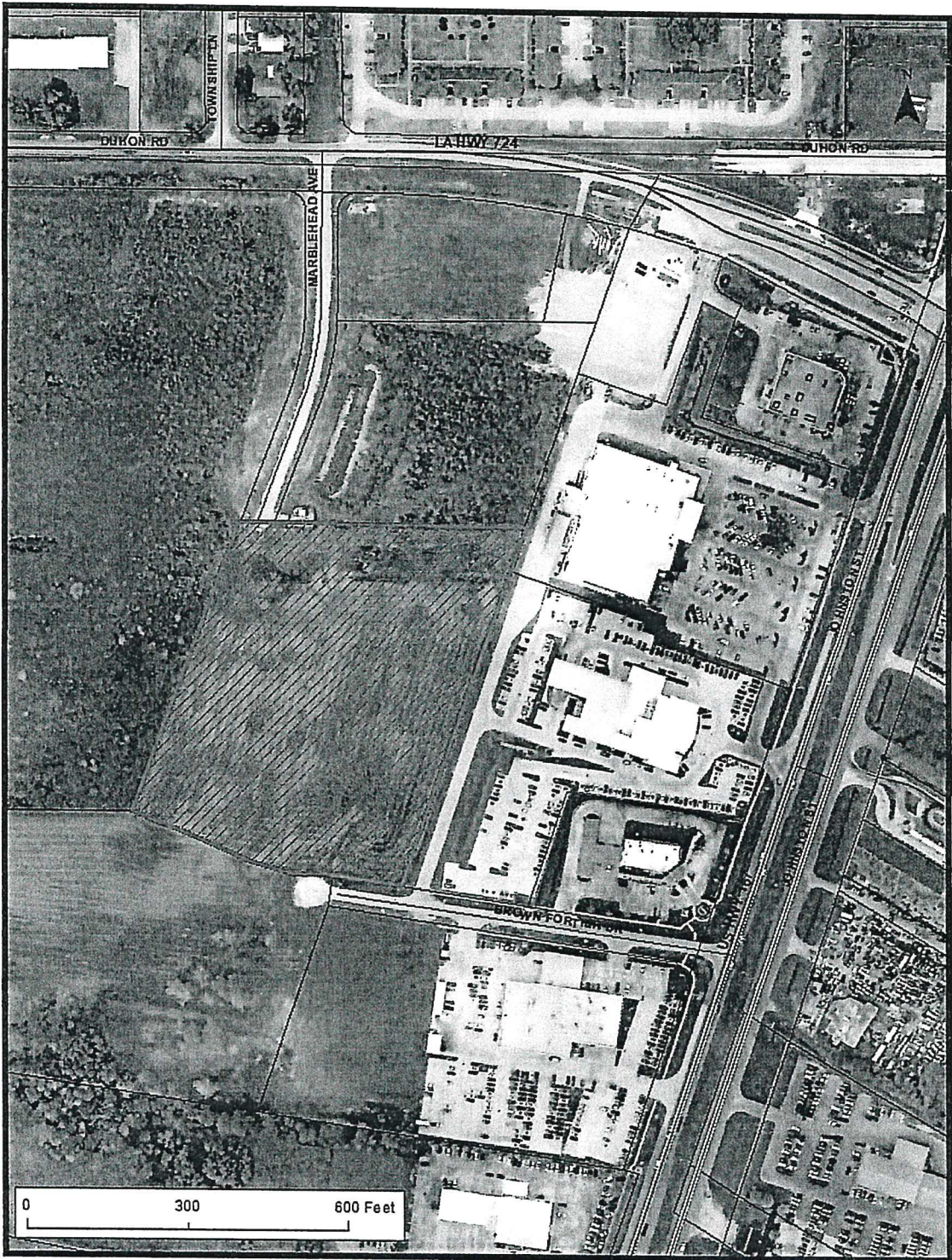
**Location:** 100 Block Brown Fortier Drive

**Description:** The property is located generally north of Brown Fortier Drive, west of Johnston Street, and south of Duhon Road, and is 6.71 acres.

**Why is Zoning Commission action required?**

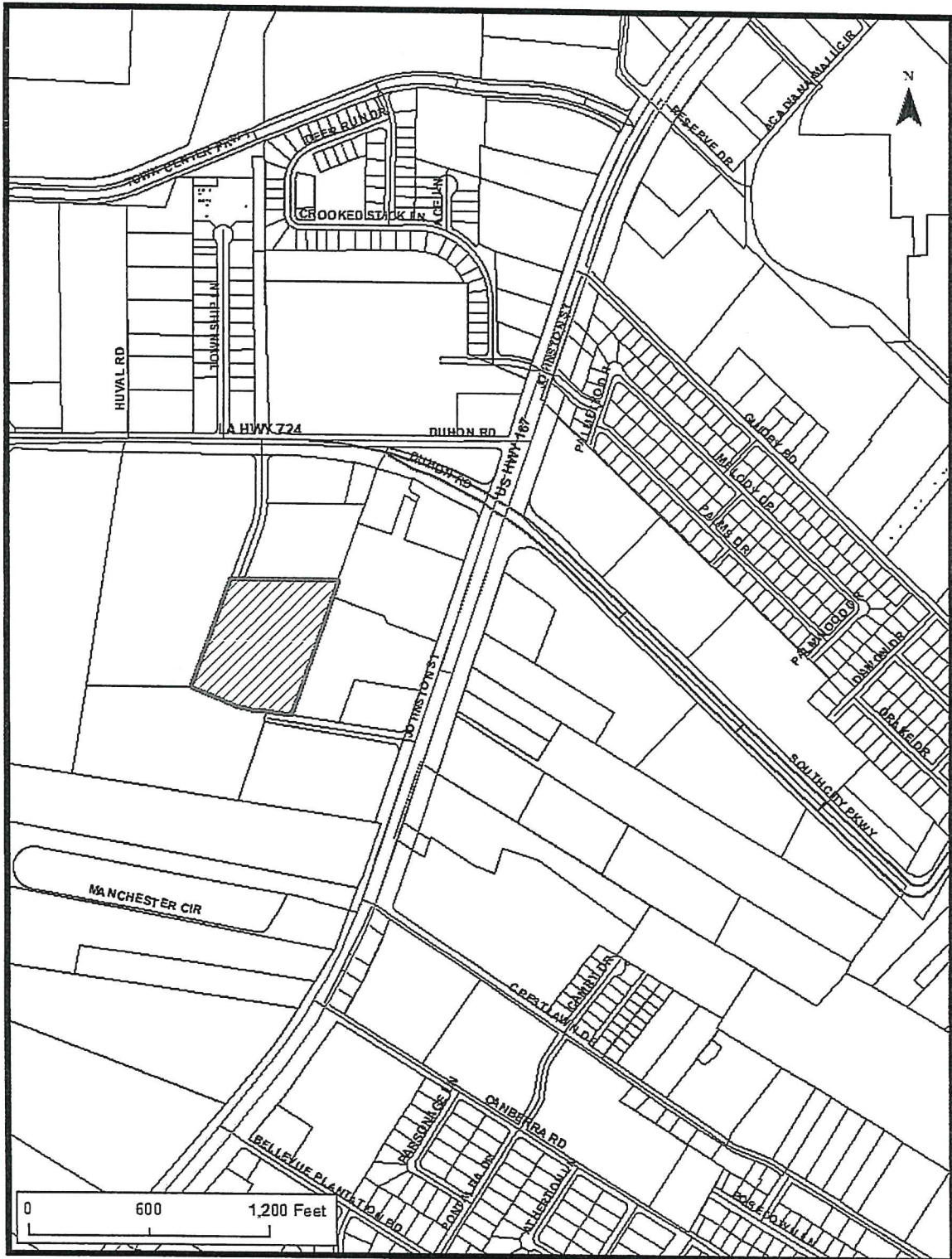
The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City Council prior to council action, in accordance with Article 4 of the Lafayette Development Code.

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*



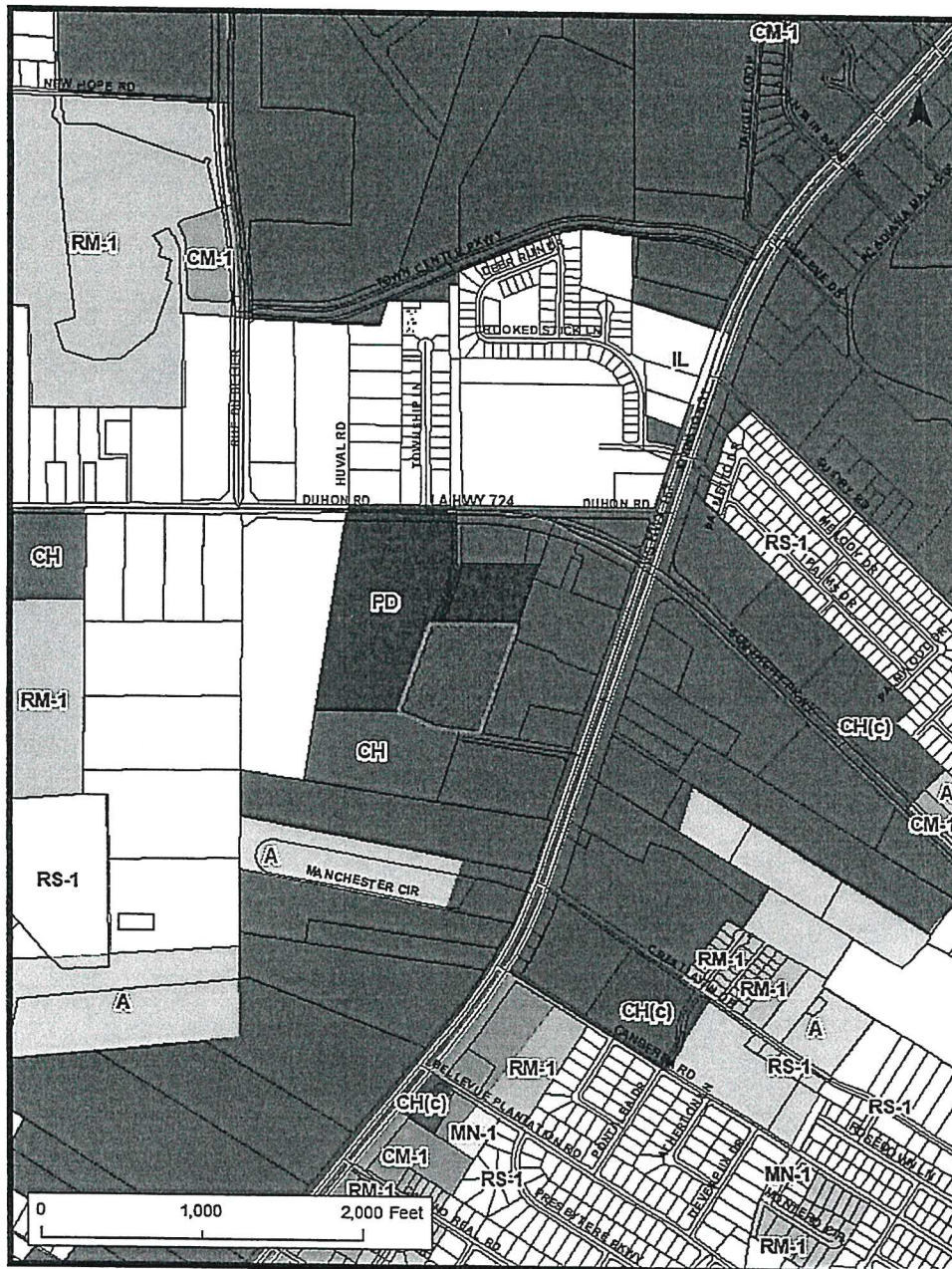


Vicinity Map

II. ANALYSIS

A. Existing conditions

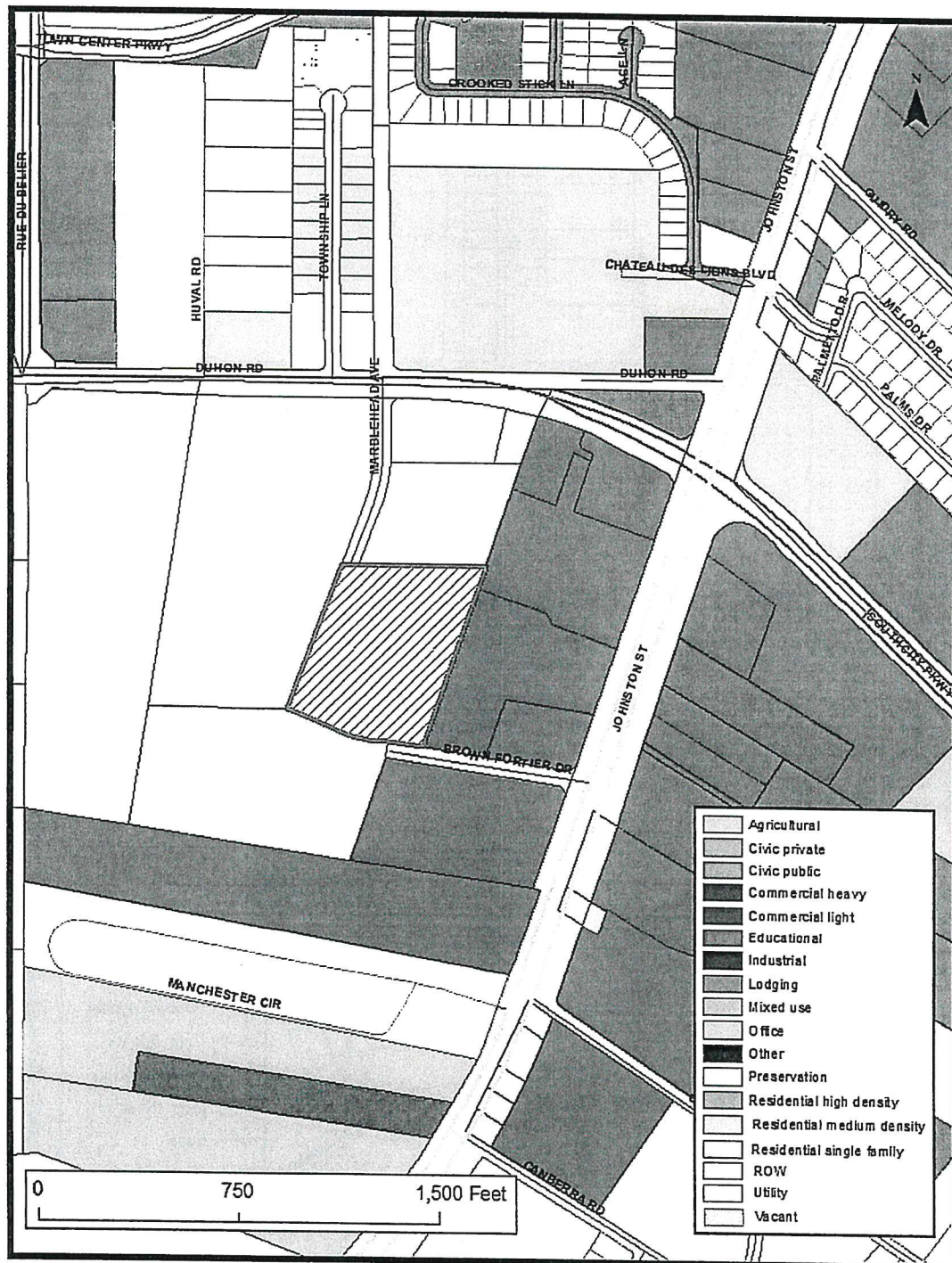
Zoning



**Zoning Map of the Area Surrounding the Petitioned Site**

The subject property is within a border of CH (Commercial-Heavy) zoning districts that follow Johnston Street. Johnston Street has mostly commercial zoning districts on its borders, but as the street goes further south there are more residential properties and developments, most of them buffered from Johnston Street by CM (Commercial Mixed), MN (Mixed-Use Neighborhood) or RM (Residential Mixed) zoning districts. There is a large area of unincorporated properties on the west side of Johnston Street.

There are still A (Agricultural) zoning districts, and more and newer residential developments. A PD (Planned Development) has been approved for the property adjacent to the subject property.



**Land Use Map**

The Land Use map shows the border of commercial properties along Johnston Street, with growing areas of residential development, particularly multi-family, as you move further south. There are still areas of agricultural use bordering Johnston Street also.

Infrastructure



**Street Classification and Sidewalk Inventory**

Johnston Street is a principal arterial, and Duhon Road and Rue du Belier are major collectors. The residents of the new townhouse development will have easy access to large roadways that will connect them with other areas of town. Johnston Street, Rue du Belier, and a portion of Duhon Road have sidewalk systems.

### A. Recent cases and relevant trends

There was a recent and similar case in the same area, **ZON2021-0008 201 Duhon Road and 105 Marblehead Avenue**. This is a PD (Planned Development) that is adjacent to the subject property. This project consisted of a planned development including cottage court type residences, apartment buildings, a recreation center, common open space and civic space. The subject property is a much smaller version of this, with only townhouses in the community.

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

The purpose of rezoning is to allow for a townhouse community. The applicant feels the townhouse community will serve as a transition space between the CH (Commercial-Heavy) zoning districts of Johnston Street and the Planned Development beyond the subject property. Townhouses are not permitted in a CH zoning district, but they are permitted in CM (Commercial Mixed).

### C. Evaluation of approval standards

*The proposed use is consistent with the comprehensive plan.*

Yes. The comprehensive plan considers that there is a lack of housing choice in the city and "encourages compact development within existing activity centers and along corridors that include a mix of uses supportive of vibrant daily patterns" (Policy 2.11)

*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 area is developing quickly as the city of Lafayette expands to the south. There is much residential development in the area, once you get past the commercial zoning districts borders of Johnston Street.

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

N/A.

*The proposed amendment is compatible with surrounding land uses.*

This proposed amendment would allow a residential development into an area that is developing rapidly. There have been at least three residential developments that have gone through the rezoning/annexation/CUP process in this area during the last year. One case was on West Congress and Rue du Belier (**ZON2021-0016 4800 Block West Congress Street Rezoning**), the PD adjacent to the subject property, and the residential development on South Domingue Avenue (**ZON2021-0012 600 Block South Domingue Avenue Annexation**). Besides these residential developments, there was also a rezoning and an annexation in the commercial uses. (**ZON2021-0020 440 Block South Domingue Avenue Rezoning and ZON2021-0009 234 Duhon Road Annexation**).



RECEIVED

DEC 27 2021

Lafayette Consolidated Government  
Chief Administrative Officer

## Internal Memorandum

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

**TO:** Cydra Wingerter **DATE:** December 22, 2021

**FROM:** Mary Sliman

**SUBJECT:** Case No. ZON2021-0039  
100 Block Brown Fortier Drive Rezoning

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The attached ordinance would rezone, from CH (Commercial-Heavy) to CM-1 (Commercial Mixed), property located generally north of Brown Fortier Drive, west of Johnston Street, and south of Duhon Road.

The Zoning Commission, at its Monday, December 20, 2021, meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, January 18, 2022, with Final Adoption Tuesday, February 1, 2022.

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

A handwritten signature in cursive script that reads '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 Brown Fortier Drive, west of Johnston Street, and south of Duhon Road.

2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed).

3) **REQUEST ACTION OF COUNCIL:**

A. INTRODUCTION: January 18, 2022

B. FINAL ADOPTION: February 1, 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)

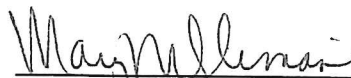
F. Final Evaluation of Zoning Considerations (9 pages)

5) **FISCAL IMPACT:**

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

No Fiscal Impact

**RECOMMENDED BY:**



MARY SEIMAN, DIRECTOR

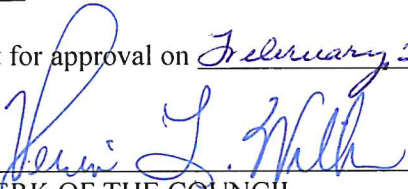

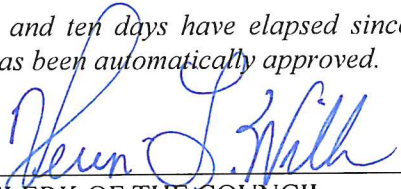
**APPROVED FOR AGENDA:**

  
CHIEF ADMINISTRATIVE OFFICER





DISPOSITION OF ORDINANCE NO. CO-004-2022

1. This ordinance was introduced: January 18, 2022  
YEAS: Naquin,  
Hebert, Cook, Lazard  
NAYS: None  
ABSENT: Lewis  
ABSTAIN: None
- Final disposition by Council:  
February 1, 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 January 21, 2022.
3. This ordinance was presented to the Mayor-President for approval on February 2, 2022, at 10:30 o'clock a.m.
-   
CLERK OF THE COUNCIL
4. Disposition by Mayor-President:  
I hereby:
- A. Approve this ordinance, the 4 day of February, 2022, at 2:00 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 February 8, 2022, at 8:31 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 February 4, 2022.

