

**CITY ORDINANCE NO. CO-079-2022**

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2022-0019 300 EAST MARTIAL AVENUE REZONING, LOCATED GENERALLY NORTH OF ELDRIDGE DRIVE, EAST OF LEGARDIENNE WAY, AND SOUTH OF EAST MARTIAL AVENUE; THE PARTICULAR PARCEL BEING REZONED FROM RM-1 (RESIDENTIAL MIXED) TO PI-L (PUBLIC/INSTITUTIONAL 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. ZON2022-0019 300 East Martial Avenue Rezoning, located generally north of Eldridge Drive, east of Legardienne Way, and south of East Martial Avenue; the particular parcel being rezoned from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light); the said parcel being shown and identified by a rezoning map titled "This Is Survey Of 6.22 Acre Tract Designated As 1-B-1 On Plat By Roland W. Laurent And Associates, Inc. Dated 8/29/1977 And Recorded With ACT 77-23681, Of The Recorded Of The Lafayette Parish Clerk", prepared by Richard T. Tolbert, PLS. 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**SECTION 2:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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.

\* \* \* \* \*



**LAFAYETTE ZONING COMMISSION  
RECOMMENDATION OF ACTION**

**TO:** Lafayette City Council

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

**SUBJ:** ZON2022-0019 300 East Martial Avenue Rezoning

**PETITIONER:** Neal-Schaffer Inc. c/o Belinda Bodie

**DATE PETITION FILED:** January 9, 2022

**DATE OF PUBLIC HEARING:** May 16, 2022

**DATES OF PUBLICATIONS:** May 1, 2022  
May 11, 2022  
May 15, 2022

**DATE OF ZONING COMMISSION RECOMMENDATION:** May 16, 2022

**RECOMMENDATION:** Approve the ordinance that would rezone property from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light).

Motion:	Dural
Second:	Doise
Vote:	4-0-1-0
Ayes:	Hebert, Doise, Dural, Pritchard
Nays:	None
Absent:	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.

RICHARD T. TOLBERT, PLS  
100 OLD ORCHARD DRIVE  
MADISON, MISS 39110  
601-750-1669 (CELL)

200' FROM PROPERTY LINE

LAFAYETTE GARDENS OF DELAWARE LLC  
LAFAYETTE GARDENS APARTMENTS

PROPOSED STREET EXTENSION

LE GARDIENNE WAY

OWNER: THE CHURCH OF THE COVENANT—UNITED METHODIST CHURCH

THIS IS SURVEY OF  
6.22 ACRE TRACT DESIGNATED AS 1-B-1 ON  
ON PLAT BY ROLAND W. LAURENT AND ASSOCIATES, INC.  
DATED 8/29/1977 AND RECORDED WITH ACT 77-23581,  
OF THE RECORDED OF THE LAFALETTE PARISH CLERK  
ACCORDING TO US TITLE SOLUTIONS FILE NO. 66326-LA2010-5034

[illegible]

REF. PLAT - S 46°02' E 400.0'  
(GRID - S 45°42'48" E 399.96')

E MARTIAL AVENUE

DOVE CIRCLE

### QUAL HOLLOW SUBDIVISION

WATERMAN N L

HERRING, ALEX &amp; CA

TOUCHET, DANIE

LOT 93



Lafayette Consolidated Government  
**Zoning Commission**

Community Development and Planning Department Staff Report

**EXECUTIVE SUMMARY**

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Drafted 1/9/2022  
Amended 5/17/2022

**ZON2022-0019**

**City Council District:** 4 – Nanette Cook

**Parish Council District:** 4 – John Guilbeau

**Applicant:** Neel-Schaffer Inc. c/o Belinda Bodie

**Request:** This is a request for a rezoning of a property from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light) to clarify the zoning for institutional uses, like churches, and to allow for a cell tower as an accessory use to the church. (Covenant United Methodist Church)

**Location:** 300 East Martial Avenue

**Summary of Proposal:**

The purpose of the proposed rezoning of the subject property from RM-1 (Residential Mixed) to PI –L (Public/Institutional Light) is to allow for a cell tower as an accessory use, and to change the zoning to a more appropriate zoning district for a church.

**Recommendation:**

Staff recommends approval of the request to rezone the property from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light) to allow for a cell tower as an accessory use, and to have a more appropriate zoning district for a church.

**Reason for Recommendation:**

The LDC provided for new zoning districts for institutional uses: PI-L and PI-H. Staff is looking to identify uses like churches, parks, museums, and other uses of that nature to apply this Public Institutional zoning district. However, the PI zoning district allowed for some intense uses. There has been an amendment added to separate the PI designation into “Light” and “Heavy” uses, which will allow this particular zoning district designation to be used more frequently. A PI-L (Public/Institutional Light) zoning is more appropriate for a church, and will allow the church to also add a cell tower as an accessory use to the main church use. An accessory use is: a use customarily incidental and subordinate to the principal use or building and located in the same lot with the principal use or building. The cell tower will be located behind the rear parking lot, closest to Legardienne Way. It is marked with a red dot on the Subject Property map.

**Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received three phone calls. The first caller was surprised to hear that the church was putting a cell tower on the grounds, and was worried about the cell tower's distance from her house, which is right in back of the church property. She would not be supportive of the cell tower. Since then, Staff sent her a picture of the type of cell tower they were using and its location, and she seemed reassured. The second and third callers just wanted the case explained, and were both supportive after the explanation.

## ZONING COMMISSION RECOMMENDATION

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The Zoning Commission held a public hearing regarding this matter at its May 16, 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 PI-L (Public/Institutional Light).

### Summary of Public Comment:

#### Public Comment before the Zoning Commission meeting

Support: 3

Opposition: 0

Neutral: 0

#### Public Comment during the Zoning Commission meeting

Support: 1

Opposition: 0

Neutral: 0

**Zoning Commission Meeting**

**May 16, 2022**

**ZON2022-0019**

**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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**I. GENERAL INFORMATION**

**Applicant:** Neel-Schaffer Inc. c/o Belinda Bodie

**Request:** This is a request for a rezoning of property from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light) to allow for a cell tower as an accessory use and a more appropriate zoning district for a church.

**Location:** 300 East Martial Avenue

**Description:** The property is located generally north of Eldridge Drive, east of Legardienne Way, and south of East Martial Avenue, and is 6.22 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.

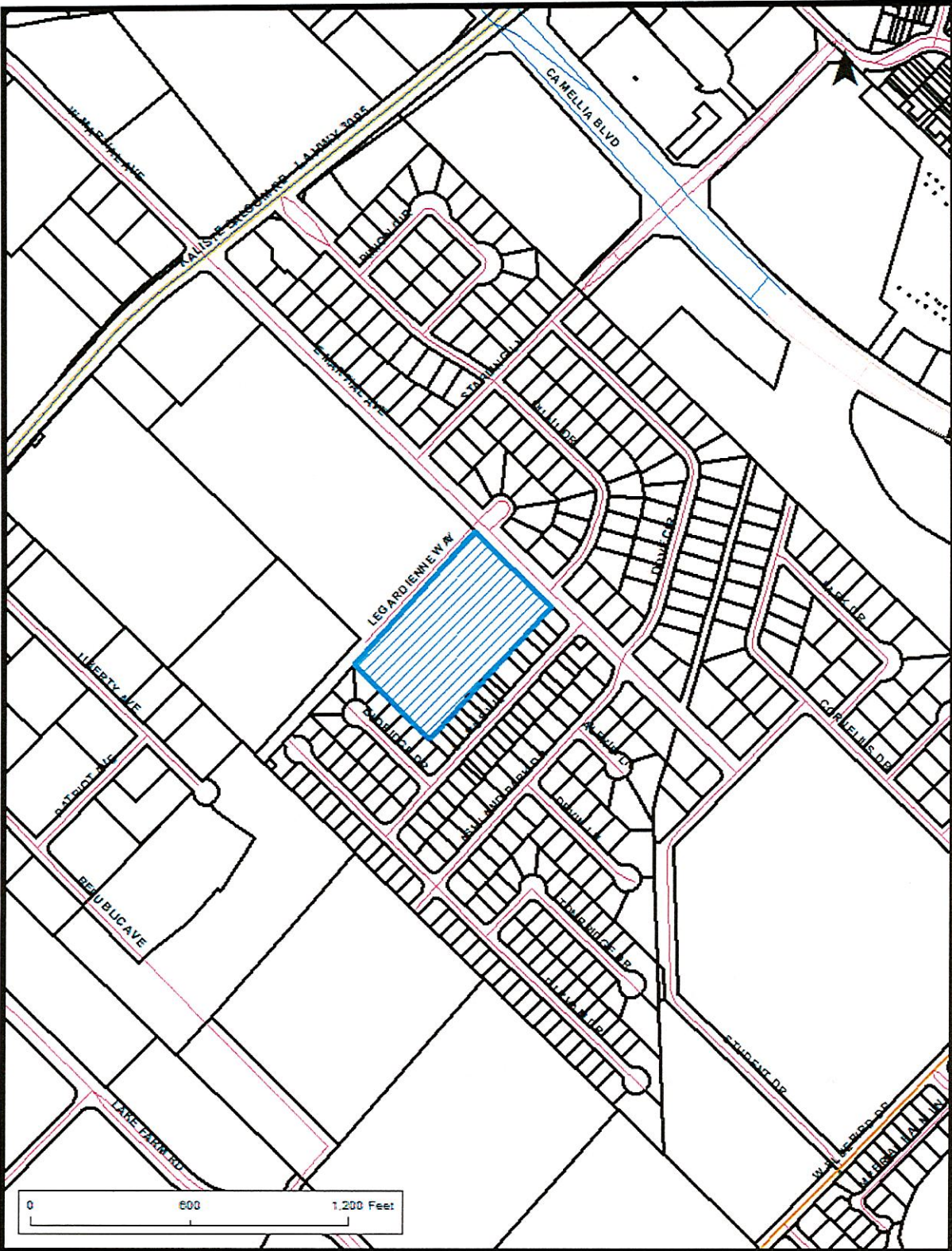
The LDC establishes procedures for making land development decisions. In order to obtain a certificate of occupancy, building permit or to subdivide the property, the zoning district must permit the proposed land use and development standards. The city of Lafayette is divided into zoning districts that 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





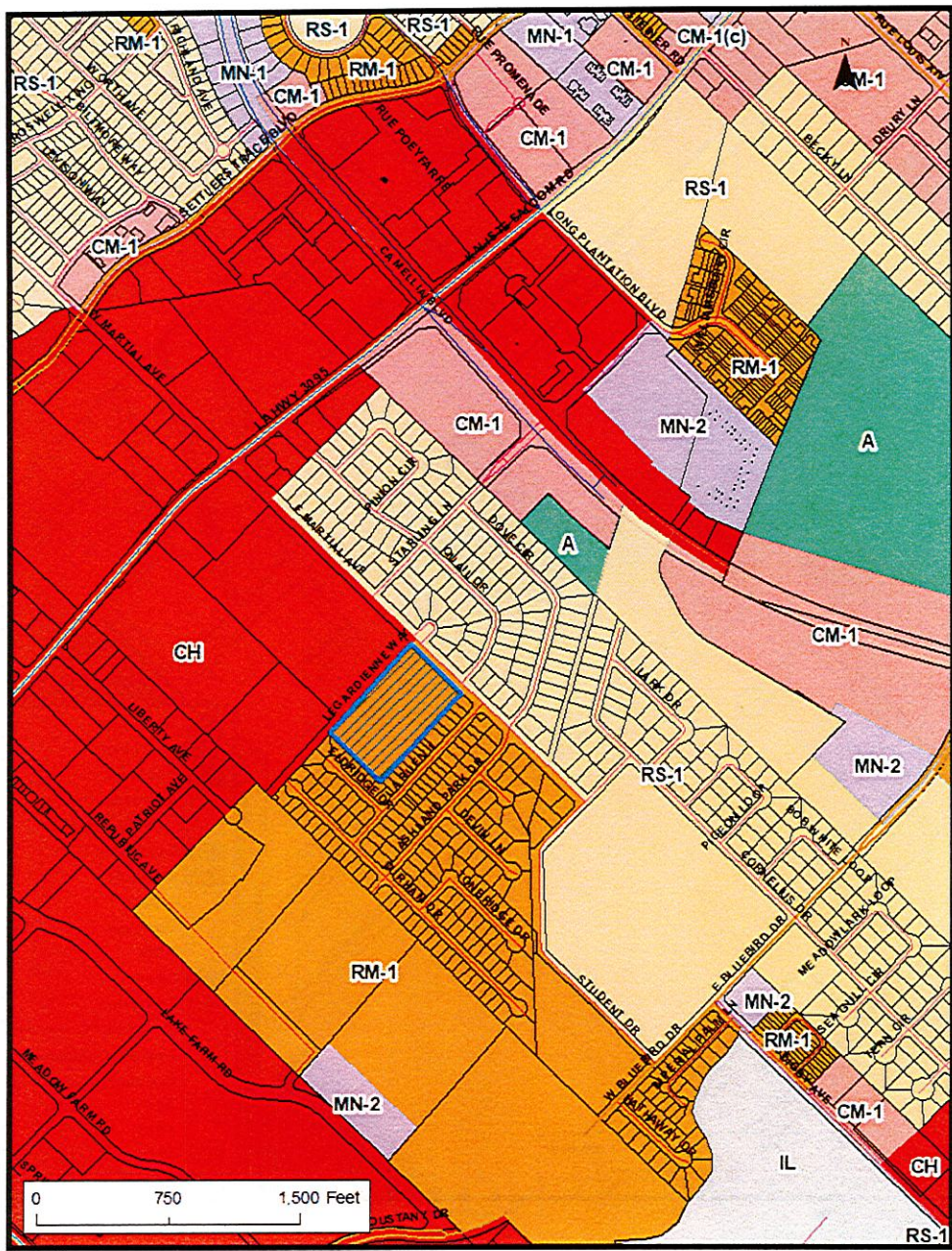
Vicinity Map



## II. ANALYSIS

### A. Existing conditions

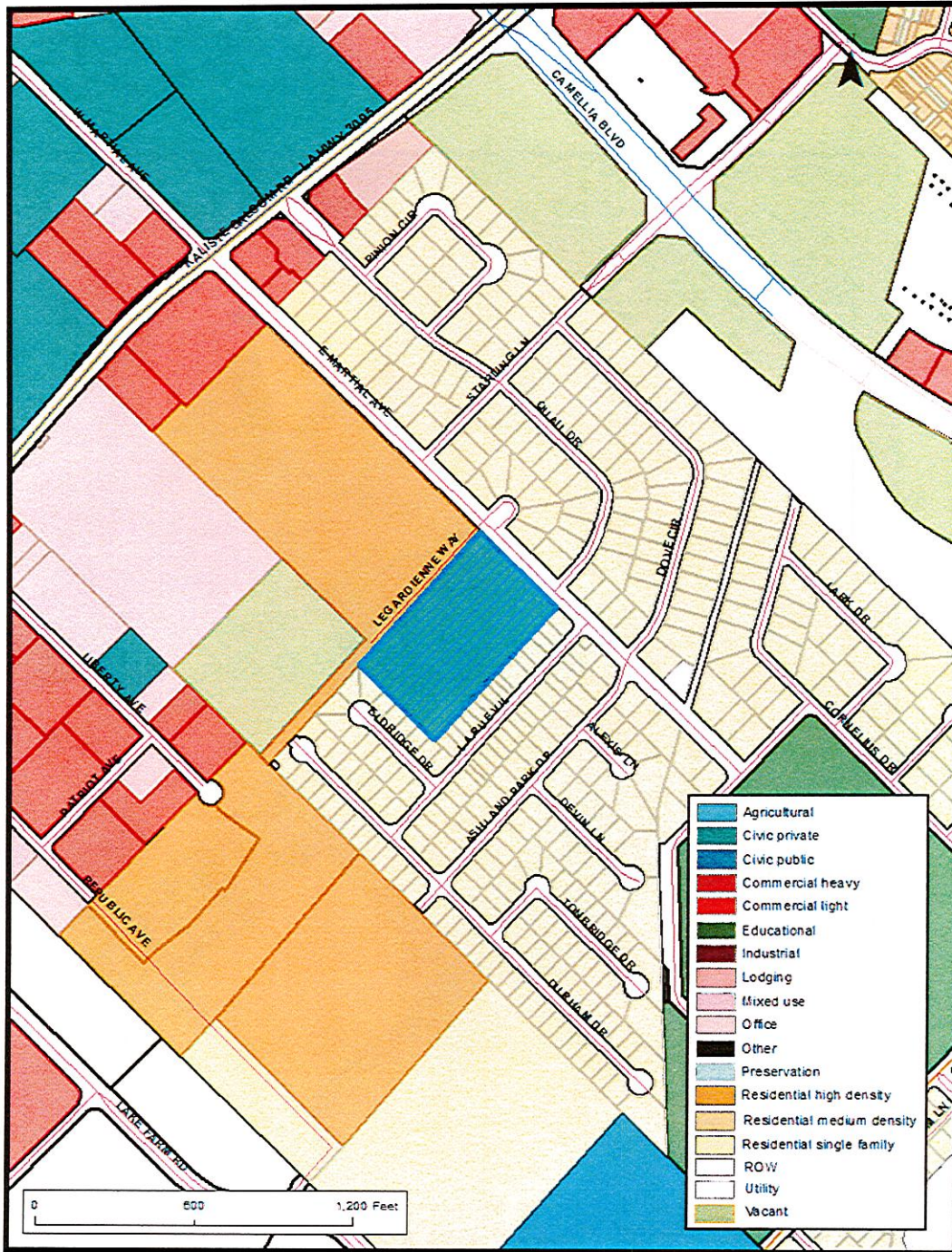
#### Zoning



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

The subject property is within a large RM-1 (Residential Mixed) zoning district, and directly adjacent to a large CH (Commercial-Heavy) zoning district that follows Kaliste Saloom and also follows Ambassador Caffery Parkway. There is a large RS-1 (Residential Single-Family) zoning district across East Martial Avenue from the church. Beyond the RS-1 districts are a mixture of zoning districts that follow Camellia Boulevard, such as CM-1 (Commercial Mixed), A (Agricultural), CH (Commercial-Heavy) and MN-2 (Mixed-Use Neighborhood). The properties along Camellia Boulevard are still being developed.



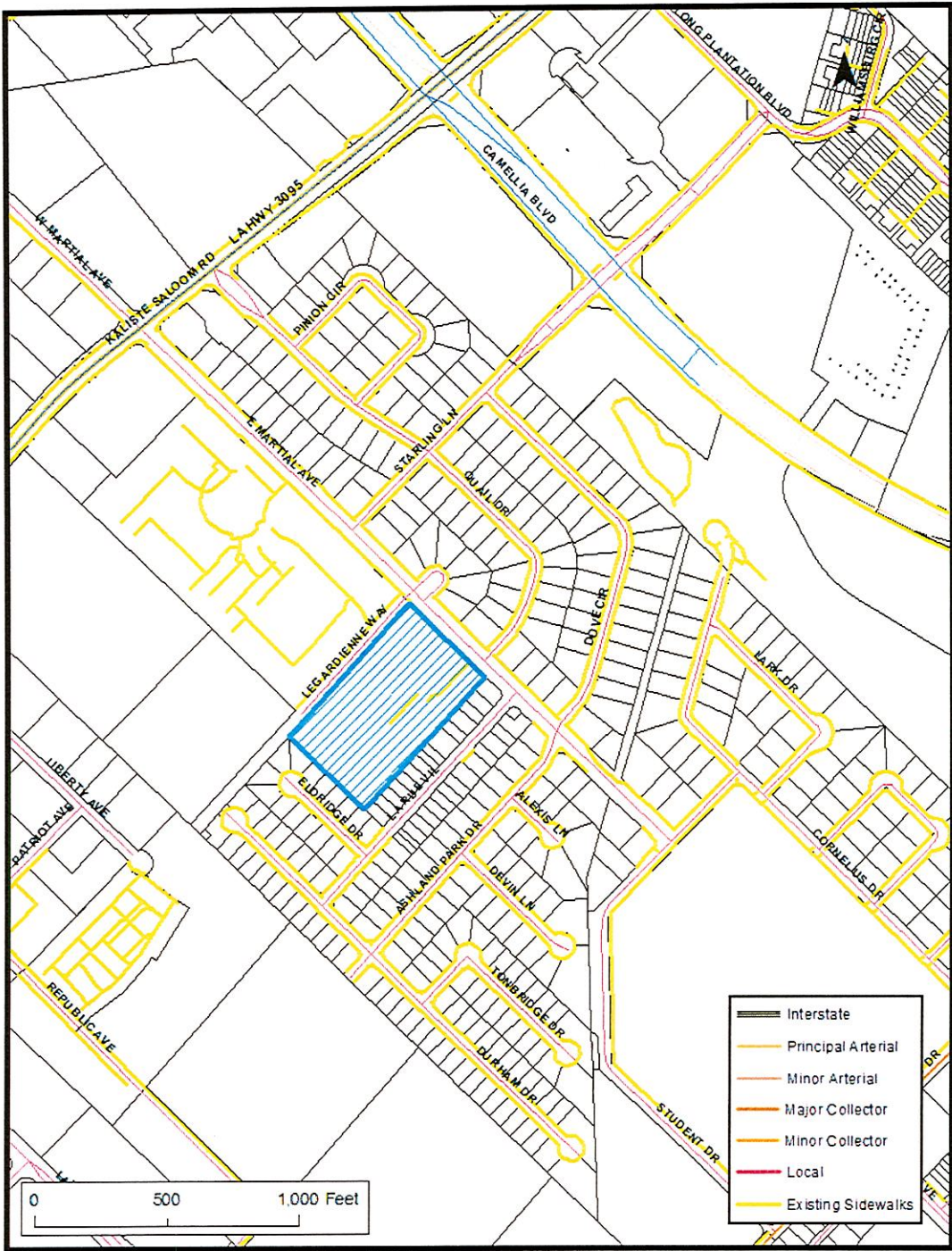


### Land Use Map

The Land Use map shows the large residential area around the subject property, from low density to high density. There are still vacant properties in this area, as some properties are still being developed, along Camellia Boulevard especially. There several other large churches near the subject property, and a school (Comeaux High School). There is also retail, office space and other commercial uses following Kaliste Saloom Road.



Infrastructure



Street Classification and Sidewalk Inventory

Kaliste Saloom Road is a principal arterial, with a continuous sidewalk system. Camellia Boulevard is a minor arterial, also with a continuous sidewalk system. The remaining streets near the subject property are local roads only. There are sidewalks in many of the areas around the subject property, but also areas without.

## **B. Recent cases and relevant trends**

A case just a month ago, **ZON2022-0014 400 Camellia Boulevard Rezoning** also had the goal of clarifying the zoning district for churches: PI-L (Public/Institutional Light). Staff had found that most churches, schools, museums, etc. were usually zoned the same as the adjacent zoning districts, no matter the use. Now that PI has been separated into “Light” and “Heavy”, churches can be in the PI-L use category. In the case of 400 Camellia Blvd., the property was rezoned also so that they could be permitted to use an existing columbarium. In the subject property case, the rezoning will allow the use of a cell tower as an accessory use.

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

The purpose of rezoning is to allow for a cell tower to be built upon the church property as an accessory use, and to rezone the church’s zoning district to the more appropriate PI-L (Public/Institutional Light). The current zoning of the church property is RM-1 (Residential Mixed). RM-1 does not allow cell towers which are allowed as an accessory use in PI. Staff has long wanted to place churches, parks, schools, etc. into PI (Public/Institutional), a more appropriate zoning. But the PI designation, until recently, had some permitted uses that are too intense for a church, or a park, or schools. The PI designation now has been split into two categories: PI-L and PI-H (Public/Institutional Light and Public/Institutional Heavy). This PI-L category will hopefully be very useful for the above mentioned uses.

## **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 subject property is located in an established residential neighborhood with an adjacent school (Comeaux High School), apartment buildings, and commercial businesses along Kaliste Saloom Road. The nearby properties along Camellia Boulevard are rapidly being developed at this time, with offices, medical offices, banks, and a grocery store. The rezoning of the subject property is compatible to all these uses, as is the addition of a cell tower (as an accessory use) on the subject property.

***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 church is a longtime part of this neighborhood, and rezoning it to what will be a PI-L zoning district will be compatible with the surrounding land uses. The only change to be introduced by the rezoning of this property from RM-1 (Residential Mixed) to PI -L (Public/Institutional Light) will be the addition of a cell tower as an accessory use. The church is selecting a discreet location with consideration to its longtime neighbors. (See photo below)



## ☐ Metal Utility Pole Designs



- Typically used in aesthetically minded areas
- Various colors and pole profiles are available to blend into the streetscape

This is a photograph of the type of cell tower that will be installed on the property of the Church of the Covenant. Belinda Bodie (applicant) told Staff that the pole will be 37 feet tall.

MAY 18 2022

Lafayette Consolidated Government  
Chief Administrative Officer

## Internal Memorandum

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

**TO:** Cydra Wingerter**DATE:** May 17, 2022**FROM:** Mary Sliman**SUBJECT:** Case No. ZON2022-0019  
300 East Martial Avenue Rezoning

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The attached ordinance would rezone, from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light), property located generally north of Eldridge Drive, east of Legardienne Way, and south of East Martial Avenue.

The Zoning Commission, at its Monday, May 16, 2022 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, June 7, 2022, with Final Adoption Tuesday, June 21, 2022.

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



**Mary Sliman**  
Director



**LAFAYETTE CITY COUNCIL MEETING**  
**ZONING AGENDA ITEM SUBMITTAL FORM**

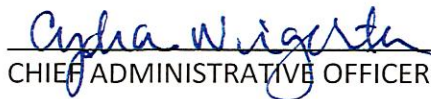
- 1) **JUSTIFICATION FOR REQUEST:** This is a request for the adoption of an ordinance that would rezone property located generally north of Eldridge Drive, east of Legardienne Way, and south of East Martial Avenue.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RM-1 (Residential Mixed) to PI-L (Public/Institutional Light).
- 3) **REQUEST ACTION OF COUNCIL:**
- A. INTRODUCTION: June 7, 2022
  - B. FINAL ADOPTION: June 21, 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 (11 pages)
- 5) **FISCAL IMPACT:**
- \_\_\_ Fiscal Impact (will be detailed in Cost-Revenue Analysis)
- X  No Fiscal Impact

**RECOMMENDED BY:**



MARY SLIMAN, DIRECTOR

**APPROVED FOR AGENDA:**



CHIEF ADMINISTRATIVE OFFICER

**DISPOSITION OF ORDINANCE NO. CO-079-2022**

- |  |   |
|--|---|
| 1. This ordinance was introduced:<br><u>June 7</u> , 2022<br>YEAS: Lewis, Naquin,<br>Hebert, Cook, Lazard<br><br>NAYS: None<br><br>ABSENT: None<br><br>ABSTAIN: None | Final disposition by Council:<br><u>June 21</u> , 2022<br>YEAS: Lewis, Naquin,<br>Hebert, Lazard<br><br>NAYS: None<br><br>ABSENT: Cook<br><br>ABSTAIN: None |
|--|---|

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on June 10, 2022.

3. This ordinance was presented to the Mayor-President for approval on June 22, 2022, at 9:50 o'clock 2 .m.

  
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 27 day of June, 2022, at 1:30 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 June 27, 2022, at 3:32 o'clock p .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 June 24, 2022.

