

CITY ORDINANCE NO. CO-139-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2022-0030 111 CHURCHILL DRIVE REZONING, LOCATED GENERALLY NORTH OF FRIER LANE, EAST OF ESSEX STREET, AND SOUTH OF CHURCHILL DRIVE; THE PARTICULAR PARCEL BEING REZONED FROM RS-1 (RESIDENTIAL SINGLE-FAMILY) TO MN-1 (MIXED-USE NEIGHBORHOOD)

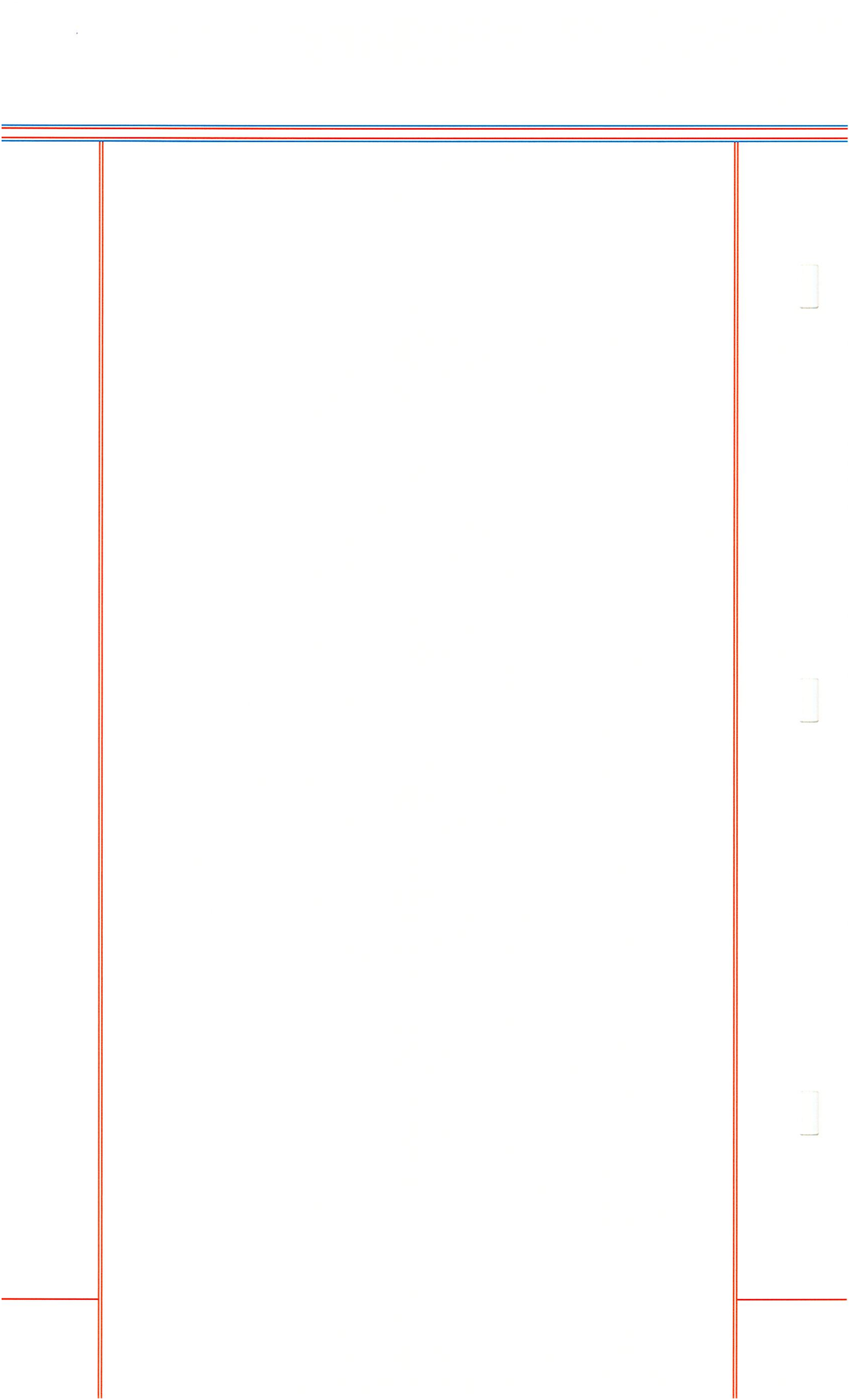
BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2022-0030 111 Churchill Drive Rezoning, located generally north of Frier Lane, east of Essex Street, and south of Churchill Drive; the particular parcel being rezoned from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood); the said parcel being shown and identified by a rezoning map titled “Plat Showing Property of Walter Enrique Castelblanco to be Rezoned From RS-1 to MN-1, Between A, B, C, D & A, Located in Section 42 & 9, T-10-S, R-4-E Lafayette Parish, Louisiana,” Prepared By Michael J. Breaux & Associates, 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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.

* * * * *



LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION

TO: Lafayette City Council

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

SUBJ: ZON2022-0030 111 Churchill Drive Rezoning

PETITIONER: Elizabeth Esteban

DATE PETITION FILED: June 8, 2022

DATE OF PUBLIC HEARING: August 15, 2022

DATES OF PUBLICATIONS: July 31, 2022
August 10, 2022
August 14, 2022

DATE OF ZONING COMMISSION RECOMMENDATION: August 15, 2022

RECOMMENDATION: Approve the ordinance that would rezone property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

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

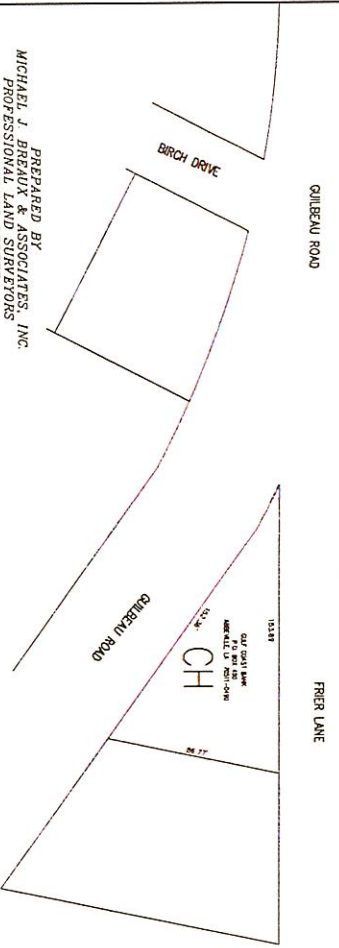
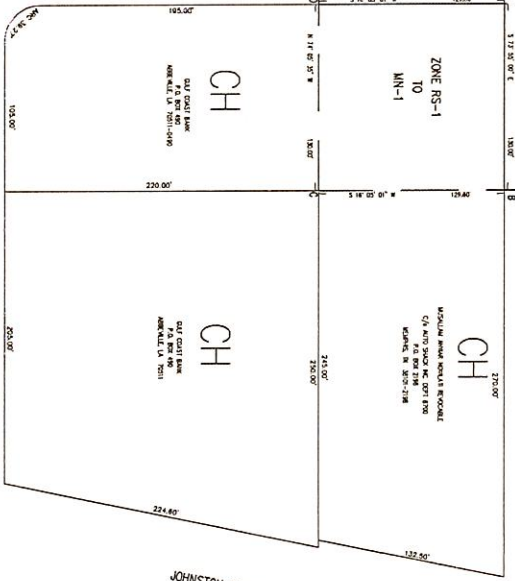
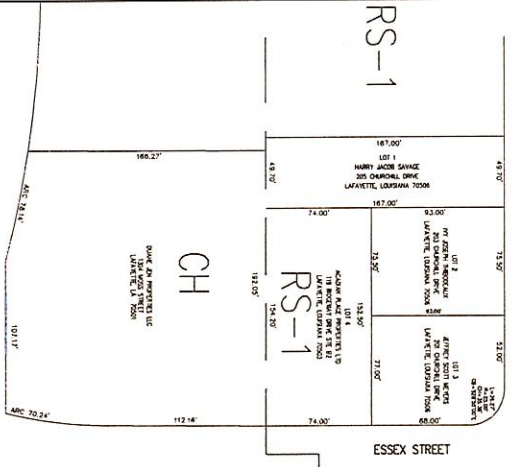
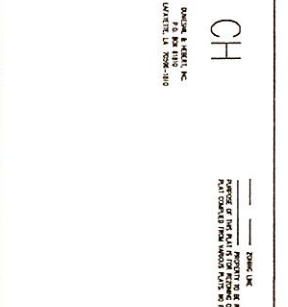
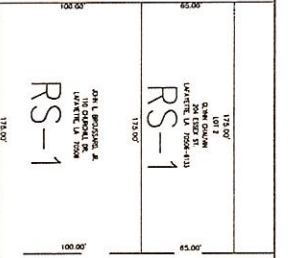
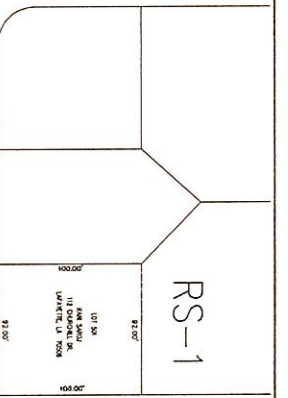
ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,

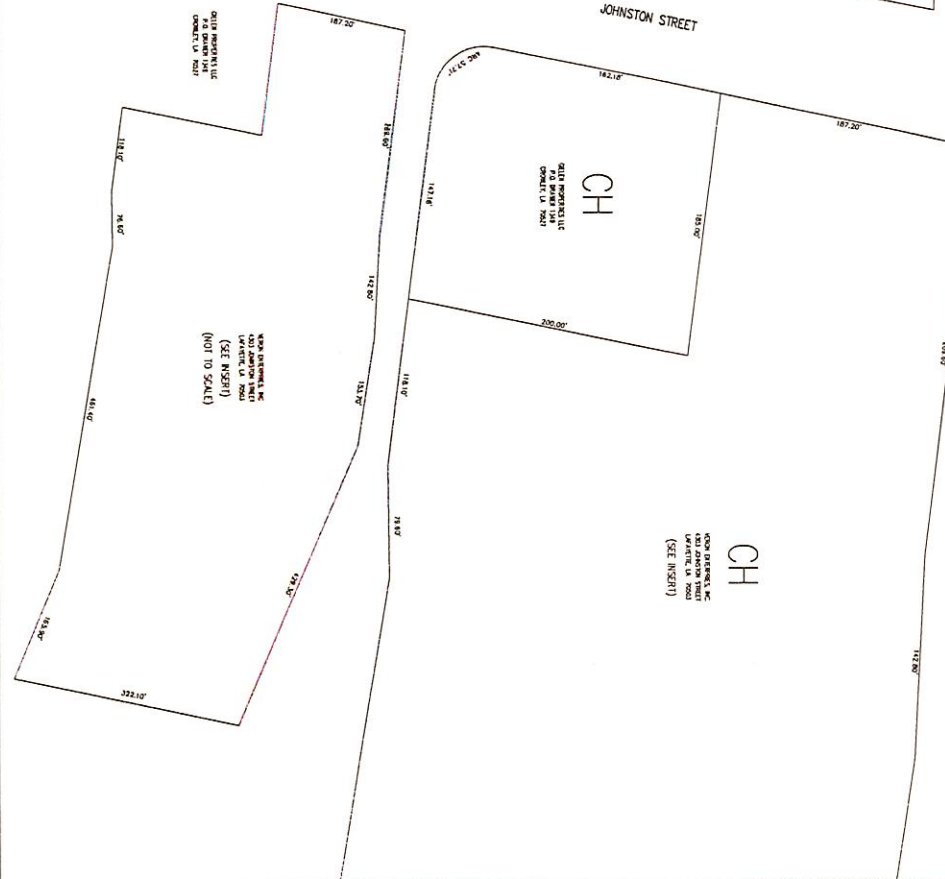
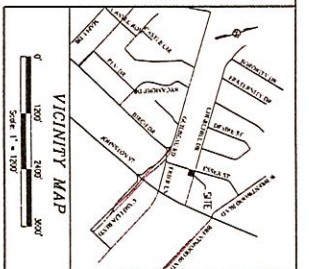


Mary Sliman, Director
Community Development and Planning Dept.



Property is in ZONE: LINDSEY WALK
 PORTION OF LOT 11, PLAT OF THE RESUBDIVISION OF THE 1/4 SECTION 9, T-10-S, R-4-E, LAJAYETTE PARISH, LOUISIANA, AS SHOWN ON MAP NO. 3337-2428, AS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE CLERK OF CONCORDIA PARISH, LOUISIANA, ON APRIL 11, 2022.

Plot Showing
 Property of, to be rezoned
WALTER ENRIQUE CASTELBLANCO
 A, B, C, D & A
 Located in
 Section 42& 9, T-10-S, R-4-E
 LaJayette Parish, Louisiana
 Scale: 1" = 40' Date: June 17, 2022



PREPARED BY
MICHAEL J. BREUX & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 106 ANNOUCE STREET
 LAFAYETTE, LOUISIANA 70507
 (337) 232-2428

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 6/8/2022
Amended 8/16/2022**ZON2022-0030****City Council District:** 2 – Andy Naquin**Parish Council District:** 2 – Kevin Naquin**Applicant:** Elizabeth Esteban**Request:** This is a request to rezone property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), in order to open a limited retail business or a personal services business.**Location:** 111 Churchill Drive**Summary of Proposal:**

The purpose of this rezoning from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood) is to open a limited retail business-**Retail, limited (A)** or a **Personal services** business. For example, either a small retail use at that location, or a small *personal services* business. Definitions and parameters of **Retail, limited (A)** and **Personal services** to be found at the end of the Staff Report.

Recommendation:

Staff recommends rezoning from RS-1(Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).

Reasons for Recommendation:

This property is adjacent to a RS-1 (Residential Single-Family) zoning district on two sides. It is also adjacent to a CH (Commercial-Heavy) zoning district on the other two sides. These two zoning districts work better when they have some sort of buffer between them. The applicant wants to open some kind of light commercial business, which staff recommended be accommodated in a MN-1 (Mixed-Use Neighborhood) zoning district. This would help the subject property serve as a small buffer between the very heavy commercial uses that line Johnston Street in this area, and the low-density residential neighborhood behind it. It is unlikely that a residential use is desirable here on a block surrounded by CH zoning/uses. The possible businesses discussed by the applicant and staff include light retail, and personal services such as a beauty parlor, nail salon, or a similar small business. The size and type of the business will be limited to prevent any disruption of the adjacent residential neighborhood.

Summary of Public Comment:

At the time of publication of the preliminary report, staff received one phone call from a neighbor on Essex Street. This neighbor just wanted to know what was planned for the subject property and wanted an explanation of MN-1 (Mixed-Use Neighborhood). After we discussed the case, he was happy with the project and had no objection to it.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its August 15, 2022, 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 MN-1 (Mixed-Use Neighborhood).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 1

Opposition: 0

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 1

Opposition: 0

Neutral: 0

Zoning Commission Meeting**August 15, 2022****ZON2022-0030****To:** City-Parish 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:** Elizabeth Esteban**Request:** This is a request to rezone property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood) to open a limited retail or small personal services business.**Location:** 111 Churchill Drive**Description:** The subject property is located generally north of Frier Lane, east of Essex Street, and south of Churchill Drive. The property is a total of 0.39 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-Parish 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

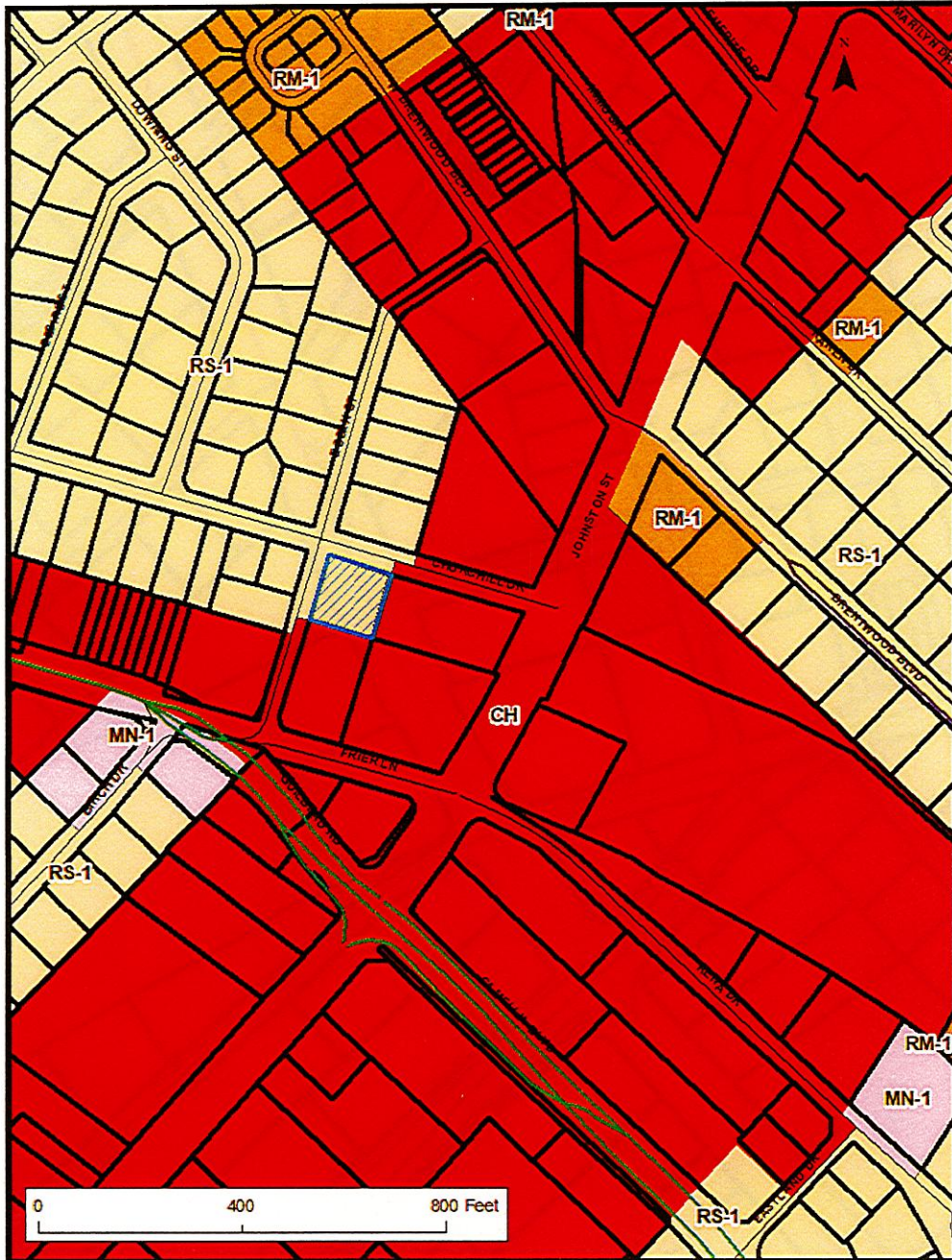


Vicinity Map

II. ANALYSIS

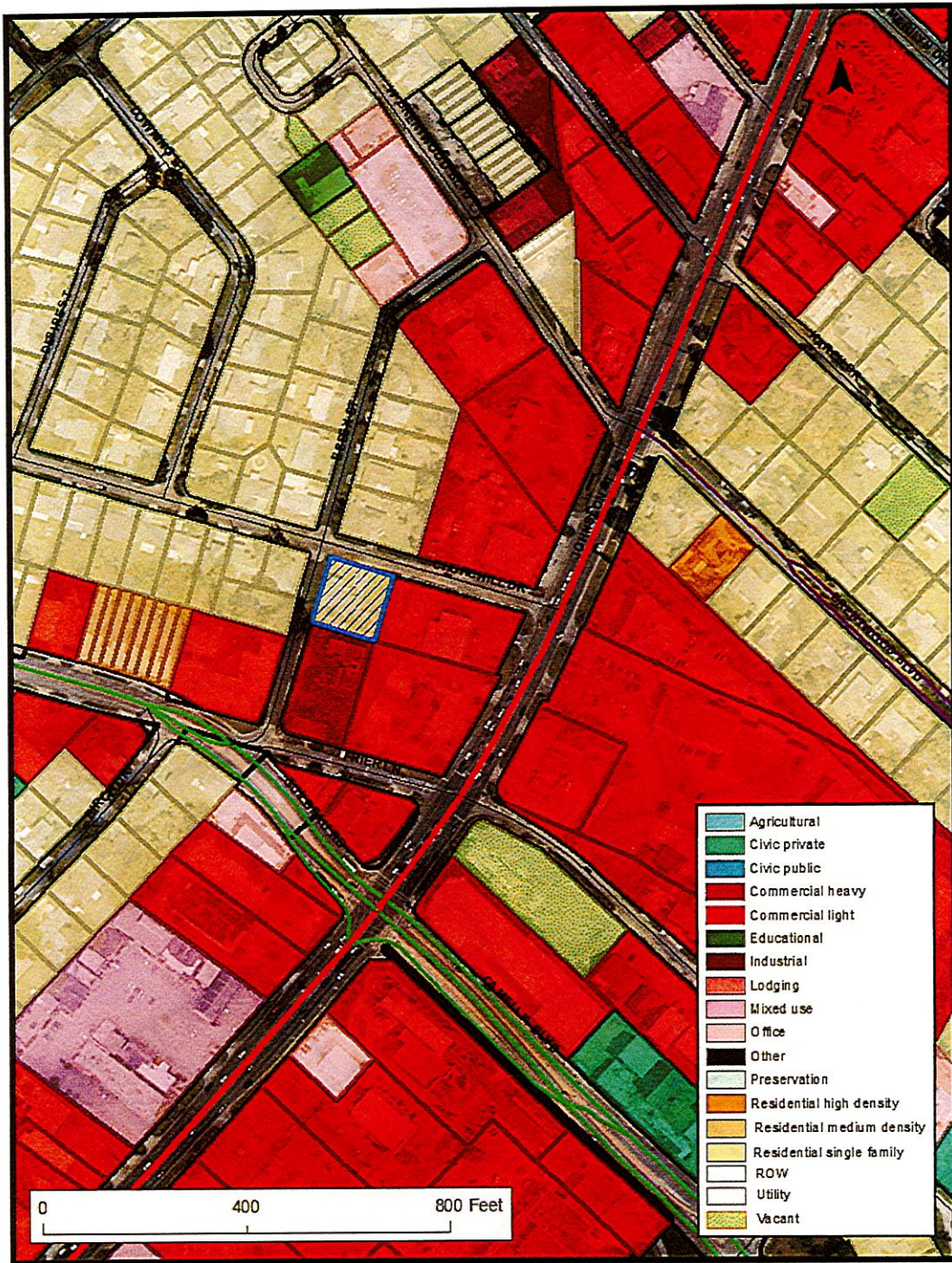
A. Existing conditions

Zoning



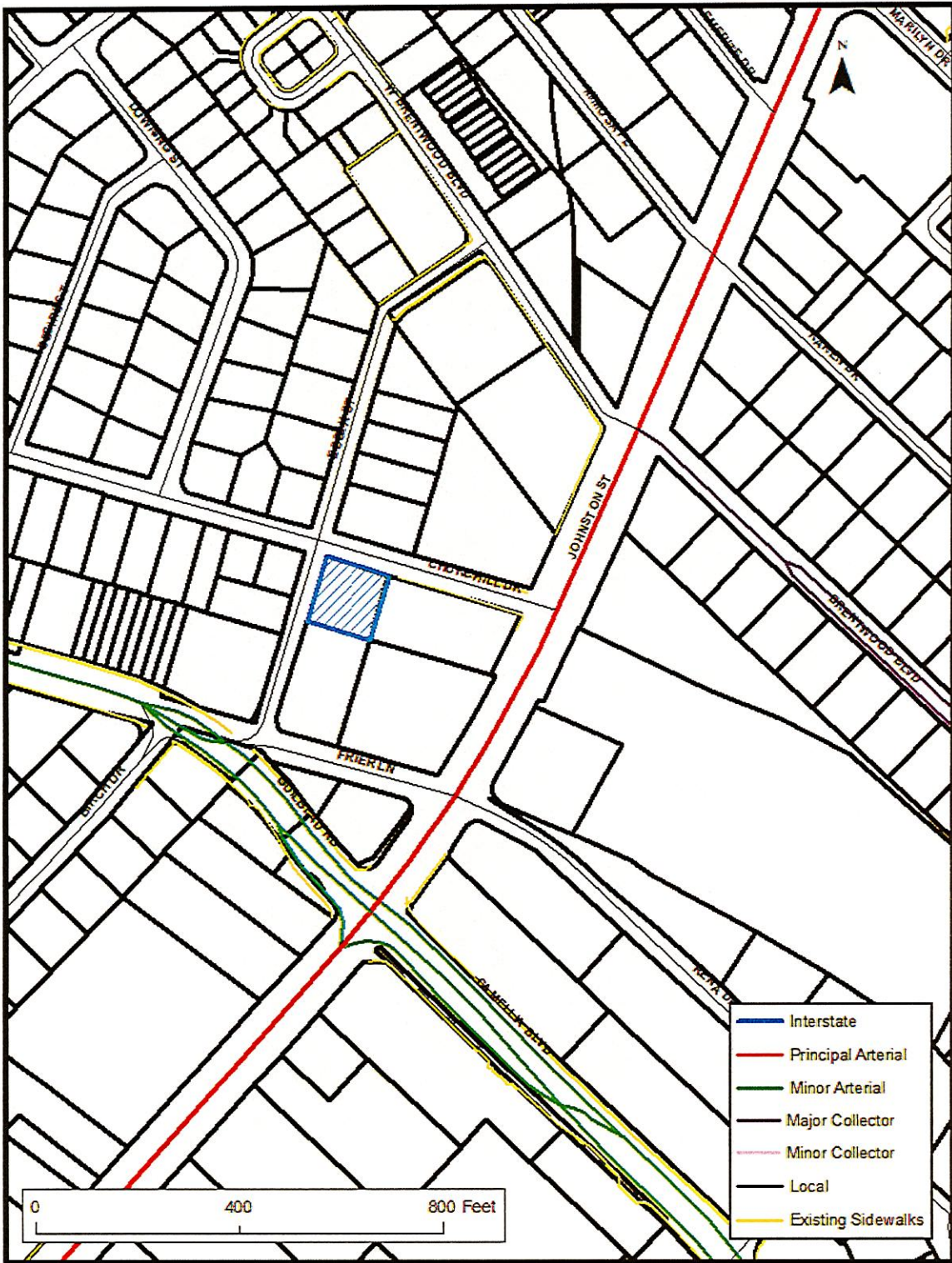
Zoning map of the area surrounding the petitioned site

The subject property is currently zoned RS-1 (Residential Single-Family) although it is part of a city block that is all CH (Commercial-Heavy) zoning districts, except for the subject property. It is also clearly part of the existing adjacent residential neighborhood, however. There is a broad belt of CH (Commercial-Heavy) zoning districts that follow Johnston Street, Guilbeau Road and Camellia Boulevard. RS-1 properties begin as soon as the CH belt ends, except for a few areas that are buffered by RM-1 (Residential Mixed) and MN-1 (Mixed-Use Neighborhood) zoning districts.



Land Use Map

The land uses around the subject property are mostly residential to the west and north. To the east and south are mixed commercial and heavy commercial uses such as: a self-service storage facility, an auto parts store, used car lots, a convenience store with gas sales, a paint and body shop, auto and truck repair, a pharmacy, restaurants, and tattoo parlors and vape stores. These commercial uses follow Johnston Street, Camellia Boulevard and Guilbeau Road. This stretch of Johnston Street in particular has a lot of heavy commercial uses. Beyond these are more low-density residential neighborhoods.



Street Classification and Sidewalk Inventory Map

The subject property fronts a local road, Churchill Drive. It is a half-block away from Johnston Street, a principal arterial, and a half block away from Guilbeau Road, which is a minor arterial. Nearby Brentwood Boulevard is a major collector. This is a very busy intersection and section of Johnston Street. Guilbeau Road and Camellia Boulevard, also a minor arterial, both have sidewalk systems, but Johnston

Street does not, at least in this area. The neighborhood around the subject property does not have sidewalks either. There are bike paths along Johnston Street, but this is not a comfortable area for pedestrians or bicycles.

B. Recent cases and relevant trends

There was a recent case similar to this one. **ZON2022-0015 715 Coolidge Street Rezoning** also had an applicant wanting to rezone their residential property to a commercial zoning district. In both cases the properties were surrounded by mixed uses. The Coolidge Street project was proposed to be rezoned in order to use the property for a doctor's office. This subject property is proposed to be rezoned in order to use the property for a small business. The subject property is only a half-block off Johnston Street, a principal arterial, and a very busy street with many commercial businesses fronting it. Also, in both cases, the subject properties are very close to residential areas. In the Coolidge Street case, nearby residents had no objection to a doctor's office opening across the street. That had been the original use, and the residents preferred that the area stay commercial. Staff has gotten only one comment or complaint on the 111 Churchill Drive case from the adjacent neighborhood. The caller was okay with the change, and was interested in possibly rezoning his property also in the future. Neighborhood reaction can be critical in a rezoning of this type, where property goes from residential use to commercial use.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to have limited retail business in the existing building. Staff recommends a MN-1 (Mixed-Use Neighborhood) zoning district as this house is adjacent to and part of a RS-1 (Residential Single-Family) neighborhood. The neighborhood should be protected by avoiding a more intense zoning district. A more intense zoning district would limit future residential use, and would be inappropriate at the subject property's location. A MN-1 zoning district at this location would provide a small buffer for the neighborhood, helping to buffer the effects of commercial heavy uses a block away.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

This rezoning is consistent with the comprehensive plan, if only in a small way. One of the Key Challenges for the Future as expressed in PlanLafayette states:

"Major roadway corridors are flanked by segregated, single-use commercial development creating unappealing edges to residential neighborhoods without offering substantive choices for amenities or services."

These "unappealing edges" are a major feature down Johnston Street, where CH zoning districts transition abruptly to low density residential neighborhoods. A small buffer of MN-1 (Mixed-Use Neighborhood) can help make that transition a little bit smoother.

There was a mistake in the original zoning map or text.

N/A.

The proposed rezoning is compatible with current development trends, if any, in the general area of the property in question.

Yes, the current development trends are for businesses fronting Johnston Street, or immediately accessible to it, with residential use beyond the belts of commercial zoning districts. 111 Churchill Drive is immediately accessible from Johnston Street, being only a half-block away. It is also directly accessible from the neighborhood. If a *personal services* use or a small retail use is established here on the subject property, pedestrian access could be an option for residents of the neighborhood. Also, a buffer is provided between CH (Commercial-Heavy) zoning districts and RS-1 (Residential Single-Family).

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

N/A.

The proposed amendment is compatible with surrounding land uses.

Yes, by providing limited and appropriate retail/business next to and part of an existing neighborhood. A heavy commercial use at this location would be too intense for the neighborhood, even if the subject property is adjacent to heavy commercial uses on two sides. A MN-1 (Mixed-Use Neighborhood) zoning district provides a small, much-needed buffer from the heavy commercial uses fronting Johnston Street. On one side of the subject property is an existing, older neighborhood. On the other side are CH uses such as: an AutoZone parts store, a paint and body shop, a tire business, a self-service storage facility, gas stations and convenience stores. Buffers are needed on this stretch of Johnston Street.

Retail, limited (A) – An establishment engaged in the sale and/or rental of goods such as apparel and accessories/uniforms, bicycles, cameras and photographic supplies, candy and confections, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games) floral goods, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), hobby, home décor, jewelry, luggage and leather goods, music, news, media (newsstands), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used merchandise/antiques, arts and crafts, or similar items. This includes artist studios/galleries that both create and sell visual artwork. Each ***Retail, Limited (A)*** use on a lot shall be limited to six thousand (6,000) gross square feet.

Personal services – A business that provides a service to the general public. This includes, but is not limited to, barber shops, beauty shops/salons, laundries (including self-service), dry cleaners, tailors, seamstresses or dressmakers, taxidermist, pet groomers, photographers, wedding planning, wedding chapels, dating services, nail salons, massage establishments, tattoo parlors, and shoe shining or repair. This does not include social escort, bail bond, or other services listed separately.



RECEIVED

AUG 16 2022

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

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

TO: Cydra Wingerter **DATE:** August 16, 2022

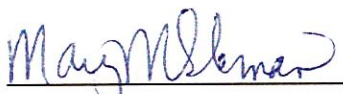
FROM: Mary Sliman

SUBJECT: Case No. ZON2022-0030
111 Churchill Drive Rezoning

The attached ordinance would rezone, from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood), property located generally north of Frier Lane, east of Essex Street, and south of Churchill Drive.

The Zoning Commission, at its Monday, August 15, 2022 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, September 6, 2022, with Final Adoption Tuesday, September 20, 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 Frier Lane, east of Essex Street, and south of Churchill Drive.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RS-1 (Residential Single-Family) to MN-1 (Mixed-Use Neighborhood).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: September 6, 2022
 - B. FINAL ADOPTION: September 20, 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 (10 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-139-2022

- | | | |
|----|--|--|
| 1. | This ordinance was introduced:
<u>September 6</u> , 2022
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

NAYS: None

ABSENT: None


ABSTAIN: None | Final disposition by Council:
<u>September 20</u> , 2022
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard

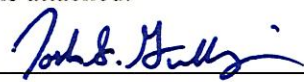
NAYS: None

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 September 9, 2022.

3. This ordinance was presented to the Mayor-President for approval on September 21, 2022, at 10:30 o'clock a.m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the 23 day of September, 2022, at 11 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 September 26, 2022, at 1:26 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 September 23, 2022.

