

Lafayette Consolidated Government  
**Zoning Commission**

Community Development and Planning Department Staff Report

**EXECUTIVE SUMMARY**

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**2023-36-REZ**

**City Council District:** 3 – Liz Hebert

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

**Applicant:** JA Fontenot Enterprises, LLC, c/o Bill Lukasko

**Request:** This is a request for the rezoning the subject property from CH (Commercial-Heavy) and CM-1(c) (Commercial Mixed with conditions) to CM-1 (Commercial Mixed).

**Location:** 4603 Johnston Street

**Summary of Proposal:**

The purpose of the proposed rezoning of the CH (Commercial-Heavy) and the CM-1(c) (Commercial Mixed with conditions) portion of this property is to eliminate the existing and obsolete conditions on the CM-1(c) (Commercial Mixed with conditions) portion and to make the whole lot into one cohesive zoning district. The current conditions were intended for a convenience store with gas sales, and were specific for that use. Originally, conditions were placed on the subject property for the use of a car dealership. Those conditions were revised to the current conditions. The new uses will be a drive-thru beverage bar and a drive-through restaurant, with a retail use on site also, but not a convenience store with gas sales. The applicant considered rezoning the CM-1 portion to CH (Commercial-Heavy) to make the property all one zoning district, but decided on CM-1 (Commercial Mixed) for the entire property instead as a consideration for the close RS-1 (Residential Single-Family) neighbors on the north side of this property.

**Recommendation:**

Staff recommends approval of the request to rezone the subject property from CH (Commercial-Heavy) and CM-1(c) (Commercial Mixed with conditions) to CM-1 (Commercial Mixed).

**Reason for Recommendation:**

Conditions were attached to the CM-1 (Commercial Mixed) portion of the subject property in a 2015 rezoning for an auto sales use (**ZON2015-0001 Lana Drive Property Rezoning**), then again in a 2017 rezoning for a convenience store with gas sales (**ZON2017-0003 100 Block of Lana Drive Rezoning**). The conditions were specific to each intended use. The car dealership and the convenience store with gas sales were never built, and now the property is to be used for commercial mixed uses: a drive through beverage bar, a drive through restaurant, and a small retail use. The current conditions have no relevance to these uses, as they are specific for a convenience store with gas sales. Finally, staff is in agreement with one zoning district that is a little less intensive than the partial CH zoning.

The latest and existing conditions for the 100 Block of Lana Drive Rezoning are:

1. *Development shall be as shown on the site plan submitted with this application, and*
2. *All required landscaping and buffers must be provided, and*
3. *A Class A Buffer shall be provided on Lana Drive, and*
4. *Transport trucks shall only enter and exit from Johnston Street, and*
5. *No signage shall be provided along Lana Drive.*

These conditions, intended for a convenience store with gas sales, are no longer relevant. The site plan referred to is for a convenience store with gas sales, which is no longer relevant. All landscaping and buffers will already be provided as per LCG requirements. These conditions are no longer needed for the subject property.

Original conditions for 2015 automobile dealership are below. These were superseded by the conditions of 2017. Conditions of 2015:

1. *A 6' tall sight proof fence shall be constructed on the property line common with adjoining lot 36; and*
2. *An evergreen Mary Nell holly hedge shall be planted on the property line common with the adjoining lot 36 as well as on Lana Drive across from the other R-1-B (RS-1) properties. Plantings will consist of 8' tall balled and burlap holly shrubs to create an immediate sight proof hedge; and*
3. *A 10' wide landscape strip shall be provided on the side and rear property lines; and*
4. *The Lana Drive driveway shall be aligned with the driveway for McDonald's; and*
5. *Transport trucks shall only enter and exit from Johnston Street; and*
6. *The facility shall have no public address system for communication; and*
7. *No signage shall be provided on Lana Drive; and*
8. *No test driving shall occur on Lana Drive.*

**Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received two phone calls. The 1<sup>st</sup> caller lived on Lana Drive and knew about previous rezonings. She is undecided until she knows more. The next 2 callers were supportive of the case.

## Zoning Commission Meeting

December 18, 2023

2023-36-REZ

**To:** City Zoning Commission

**From:** Mary Sliman, Director  
Cathie Gilbert, Planning Manager

**City Council District:** 3 – Liz Hebert

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

**Prepared by:** Carol Vermillion Robbins

### PRELIMINARY STAFF REPORT

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#### I. GENERAL INFORMATION

**Applicant:** JA Fontenot Enterprises, LLC, c/o Bill Lukasko

**Request:** This is a request for the rezoning of the subject property from CH (Commercial-Heavy) and CM-1(c) (Commercial Mixed with conditions) to CM-1 (Commercial Mixed); **in effect removing the conditions from the subject property and making the entire property CM-1 (Commercial Mixed).**

**Location:** 4603 Johnston Street

**Description:** The property is located generally north of Grand Avenue, east of Johnston Street, and south of Lana Drive, and is 2.84 acres.

#### **Why is Zoning Commission action required?**

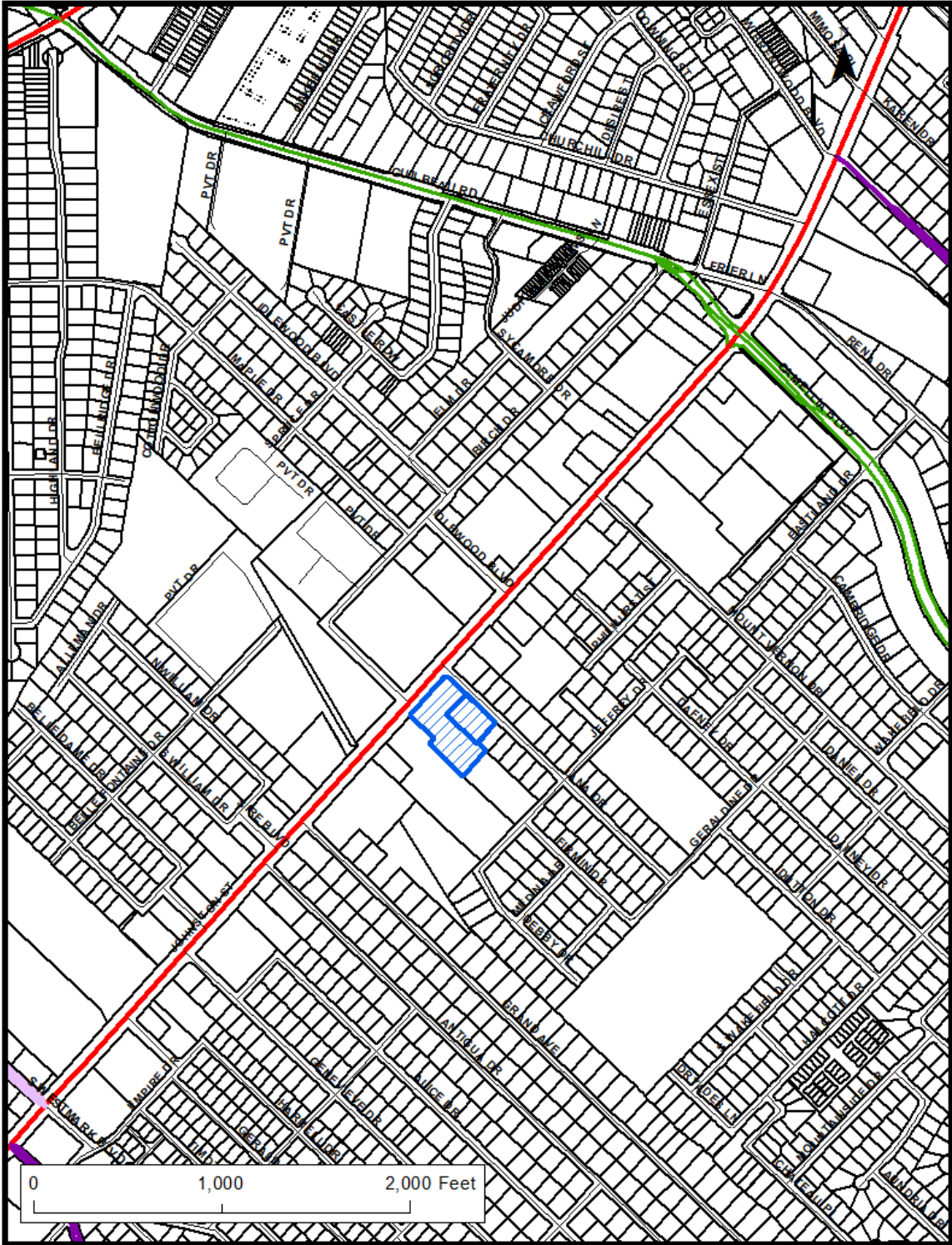
The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City Council before council action, by Article 4 of the Lafayette Development Code.

The LDC establishes procedures for making land development decisions. 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***



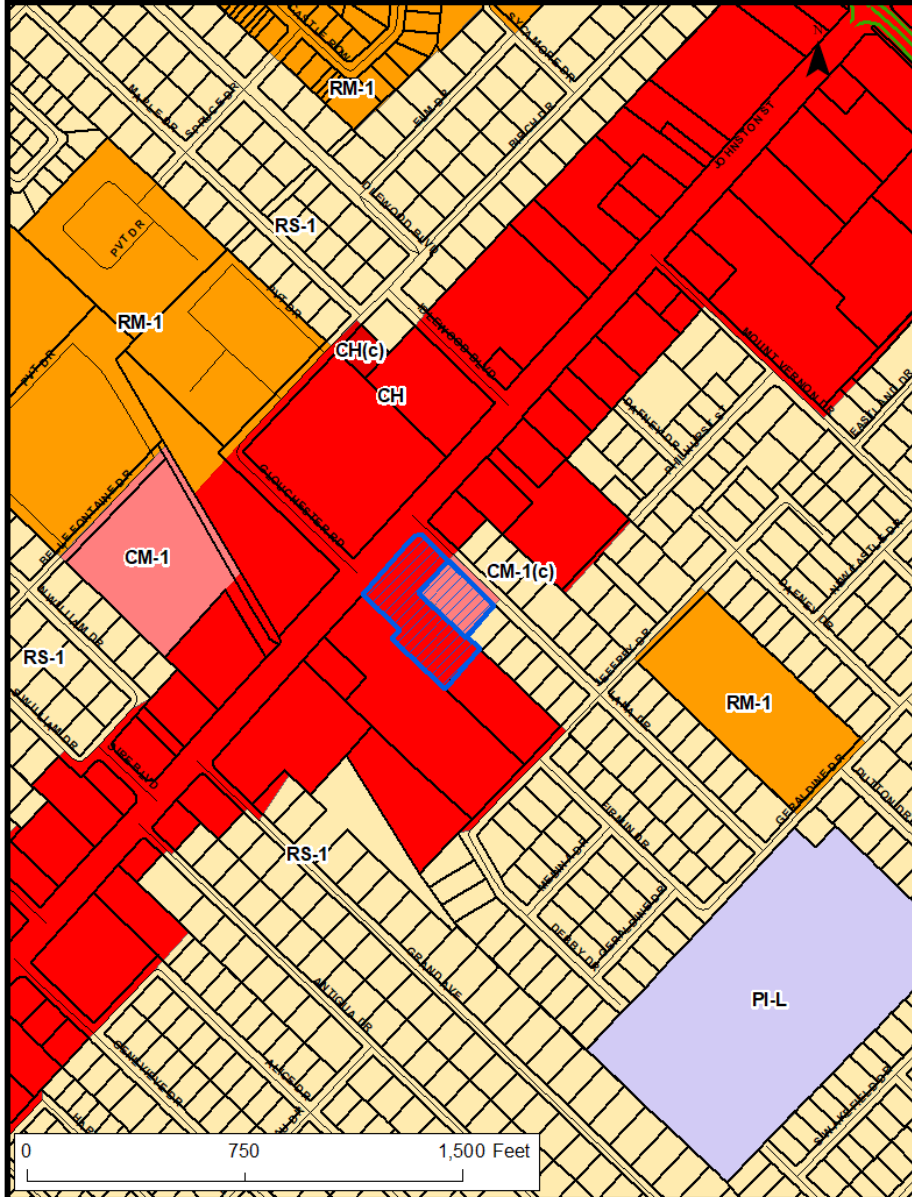


Vicinity Map

## II. ANALYSIS

### A. Existing conditions

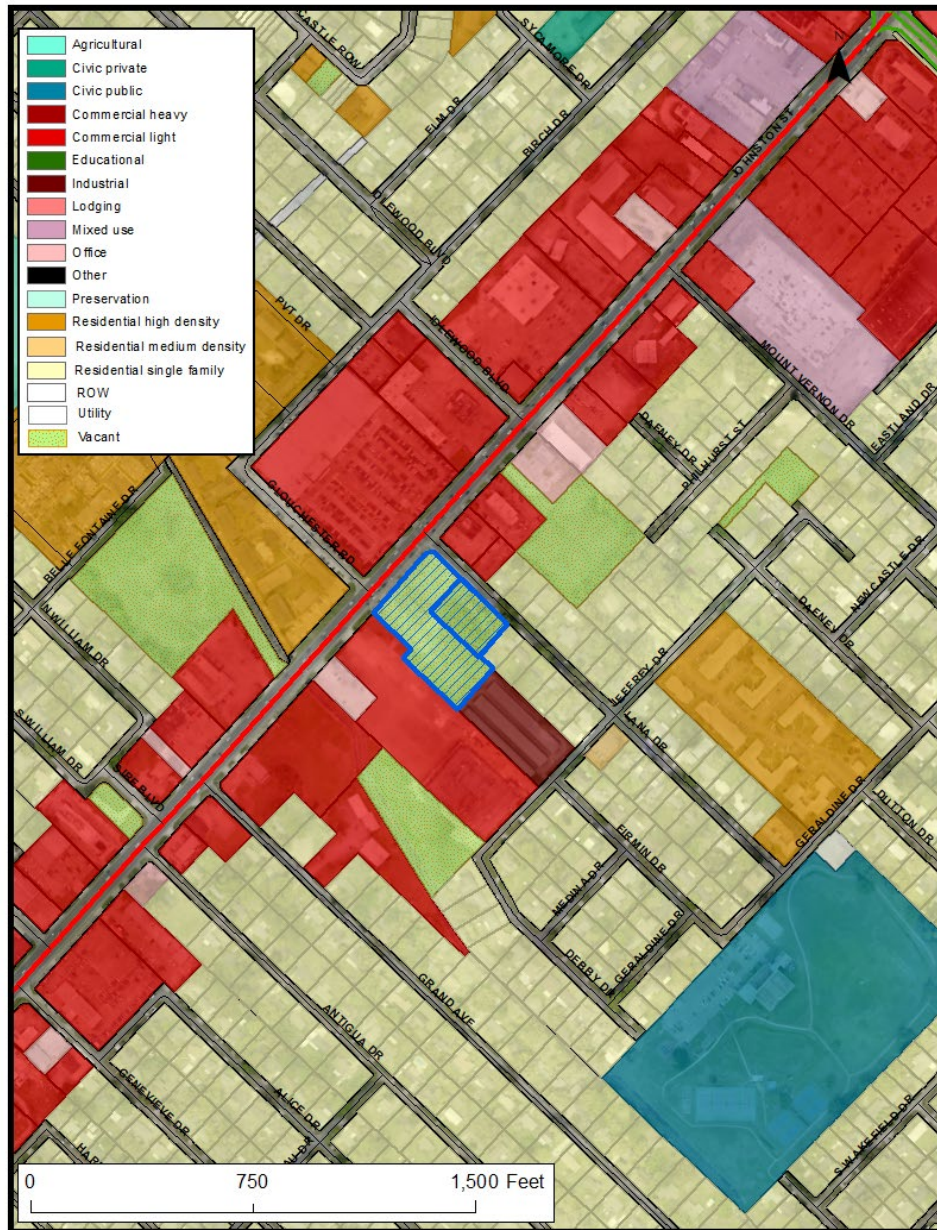
#### *Zoning*



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

The subject property is part of a band of CH (Commercial-Heavy) properties that follow Johnston Street. A portion of the subject property is CM-1(c) (Commercial Mixed with conditions). It faces two RS-1 (Residential Single-Family) properties across Lana Drive. Beyond the CH (Commercial-Heavy) band along Johnston are primarily RS-1 (Residential Single-Family) zoning districts with several RM-1 (Residential Mixed) districts also. There is a PI-L (Public/Institutional Light) district which is Thomas Park. There is a CM-1 (Commercial Mixed) zoning district across Johnston Street, and one IL (Industrial-Light) zoning district (cabinet making/stone countertop manufacture).





**Land Use Map**

The Land Use map indicates that the subject property is part of a line of commercial light, mixed and heavy uses that border Johnston Street on both sides. There are also office uses, mixed-use centers and mixed retail centers with office uses. There are large amounts of residential single-family uses on both sides of Johnston Street, beyond the CH band, with areas of medium and high density residential. There are a few commercial heavy uses, such as self-service storage centers, bar/lounges, car washes and auto repair.

## Infrastructure



### ***Street Classification and Sidewalk Inventory***

The subject property fronts a principal arterial, Johnston Street, and is a short distance from a minor arterial, Camellia Boulevard/Guilbeau Road. Johnston Street does not have a complete sidewalk system, and is a frightening road to travel for pedestrians and bikes. Some of the residential neighborhoods have sidewalk systems.



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

This subject property was first featured in a case in 2015. Most of the subject property was originally zoned the equivalent of CH (Commercial-Heavy), but the .74-acre portion that is CM-1(c) (Commercial Mixed with conditions) today was originally RS-1 (Residential Single-Family). In Case No. **ZON2015-0001 Lana Drive Property Rezoning** that portion was rezoned to the equivalent of CH (c) (Commercial-Heavy with conditions). This was done mainly due to concerns of the neighborhood on Lana Drive. They did not want to have a auto dealership in the neighborhood, directly across from several neighborhood RS-1 (Residential Single-Family) lots. The applicant achieved the rezoning by agreeing to eight conditions referring to an automobile dealership. In 2017, an applicant asked to rezone the same property to CM-1(c) (Commercial Mixed with conditions) to be able to place a convenience store with gas sales on the property. Case No. **ZON2017-0003 100 Block of Lana Drive Rezoning**, rezoned a portion of the property to CM-1(c) (Commercial Mixed with conditions) and revised the conditions to fit a convenience store instead of an auto dealership. The conditions were reduced to five conditions. These conditions are now obsolete and are not relevant to the current case.

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

The purpose of the rezoning for the subject property is to eliminate conditions that are obsolete and relate only to former uses that were planned for the property but never built. The applicant recognizes that the CM-1 (Commercial Mixed) property is facing Lana Drive and two houses opposite. They plan to use the CM-1 (Commercial Mixed) property for their detention pond and possibly for an exit drive. Their concept plan shows the drive-through coffee shop and drive-through restaurant far to the Johnston Street front of the property with a proposed small retail use to the interior of the property. The applicant also decided to rezone the rest of the property from CH (Commercial-Heavy) to CM-1 (Commercial Mixed), partially to be able to make the property one zoning district, but also in consideration of the RS-1 (Residential Single-Family) properties across from the subject property on Lana Drive.

## **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 proposed amendment would be compatible with current development trends in the area as drive-through beverage bars and drive-through restaurants have become very popular on major roadways such as 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.**

Yes. The uses planned for this site, drive-through coffee bar and drive-through restaurant are a common site along principal arterials like Johnston Street. The applicant is taking care that the new development does not adversely affect the adjoining Lana Street residents. The applicant is suggesting that the detention pond for this development be placed close to the single-family dwellings on Lana Drive, with the major drive through areas toward the front of the entire site.

**Concept Plan**

