

Zoning Commission

Community Development and Planning Staff Report EXECUTIVE SUMMARY

Agenda Item #1

2025-2-CUP

City Council District: 5 – Kenneth Boudreaux

Parish Council District: 5 – AB Rubin

Applicant: Downtown Daquiri Lounge, LLC

Request: This is a request to grant a conditional use permit (CUP) to allow a **bar/lounge** in the D (Downtown) zoning district. This is an existing bar (“Legacy”), that lost its grandfathered status on December 30, 2023. A CUP (Conditional Use Permit) was obtained for the bar, “Le Grenadier”, in early 2024, but Le Grenadier has since closed. Therefore, a new CUP for a **bar/lounge** is required for the new Owner/Applicant. The name for the proposed new bar will be “**Downtown Daquiri Lounge**”.

Location: 522 Jefferson Street

Note: There will be three attachments to this report: Attachment 1-DDA comments and conditions, Attachment 2-LPD comments and conditions, and Attachment 3-ANC comments and conditions.

Summary of Proposal:

The purpose of the request is for the applicant to operate an establishment where alcoholic beverage sales, consumed on the premises, are the main source of revenue. This establishment will operate as a **bar/lounge**. The LDC recognizes that **bar/lounges** can be a desirable use in the Downtown district, but should be permitted on a case-by-case basis in order to mitigate any adverse effects to nearby uses.

Downtown Daquiri Lounge wants to establish the bar as a small sports bar, that also has to-go drinks. This bar has a history downtown; it’s been a bar for many years. It’s one of the smaller bars, and as such, the capacity of the bar is only 49 persons. The operator of the proposed bar is the same operator of “Rooftop 116” located at 116 East Vermilion Street. According to information provided and attached to this report, there have been several undesirable activities chronicled at the “Rooftop 116” establishment. It is worth noting that the operator for the proposed CUP possesses a CUP for the “Rooftop 116” bar/lounge business.

Recommendation:

From a land use/planning perspective, staff recommends that the use of this property for a *bar/lounge* is appropriate. Staff recommends approval of the request, subject to the conditions below:

1. No person under the age of 21 allowed to enter the bar/lounge.
2. No external speakers and all windows and doors shall remain closed. Noise emanating from the licensed premises shall not be audible at 100 feet, in any direction, from the licensed premises. Noise includes, but is not limited to, amplified music, acoustic music, patrons and employees. External speakers may be considered for projects with rooftop bars, so long as the noise emanating from the property is in accordance with the city's Alcohol and Noise Code.
3. Maximum occupancy is 49 persons.
4. No outdoor events
5. If the bar operates as TO GO only, the bar must close at 12:00 AM on all days of the week.

Listed below are additional conditions that are recommended and compiled from submissions by the Downtown Development Authority (DDA), LCG's Alcohol and Noise Control (ANC), and the Lafayette Police Department (LPD):

1. Owner/Operator must provide and adhere to the private security plan in the application and coordinate with LPD and ANC once the alcohol permit is issued and prior to opening.
2. Open containers of any kind are not allowed to leave the premises at any time.
3. One (1) law enforcement officer per every 125 occupants should be retained for operations on Wednesday, Thursday, Friday, Saturday and Sunday nights, from 10:00 PM – 2:30 AM.
4. The operator must have a plan for trash.
5. The business should be required to provide uniformed law enforcement presence positioned directly in front of the establishment during all hours of operation, with staffing levels approved by the Lafayette Police Department.
6. No outdoor queuing, loitering, or alcohol consumption should be permitted in front of or adjacent to the business, and the operator should be held responsible for maintaining orderly conditions in the immediate vicinity of the premises.

Reasons for Recommendation:

The proposed bar as a use meets the conditions of this review. The proposed use is consistent with urban centers such as Downtown Lafayette. The Downtown zoning district implements the Mixed-Use Center future land use category, which provides the highest density and intensity in the city and parish. Staff contends that a bar is appropriate at this location given its location on Jefferson Street, limited residential in the vicinity and abundant parking in the Parc Auto du Centre Ville Parking Garage. The size and concept presented presents little concerns regarding security downtown.

Summary of Public Comment:

At the time of publication of the preliminary report, staff received 1 call, from the owner of the adjacent bar, "Nite Town". He just wanted to know what a CUP was. Staff explained, and he was fine with a new bar opening at 522 Jefferson Street.

Zoning Commission Meeting

January 26, 2025

2025-2-CUP

To: City Zoning Commission

From: Tammy Luke, Director
Neil LeBouef, Zoning and Development Manager

City Council District: 5 – Kenneth Boudreaux

Parish Council District: 5 – AB Rubin

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

I. GENERAL INFORMATION

Applicant: Downtown Daquiri Lounge, LLC

Request: This is a request to grant a conditional use permit (**CUP**) to allow a **bar/lounge** for an existing bar, formerly “Legacy”, most recently “Le Grenadier”, and now “Downtown Daquiri Lounge” in the D (Downtown) zoning district. A new CUP is required as the bar lost its grandfathered status on 12/30/2023.

Location: 522 Jefferson Street

Description: The petitioned site is located generally north of West Vermilion Street, west of Jefferson Street, and south of West Congress Street, and is 0.4 acres. Jefferson Street is classified as an “A” street. An “A” street, as per LDC, “is designed at the highest standards for vibrancy as characterized by human activity and interaction, and public spaces defined by high-quality outdoor rooms.” West Vermilion Street and West Congress Street are also “A” streets, while South Buchanan Street is a “B” street, which allows “for more flexibility and a limited vehicle interface.”

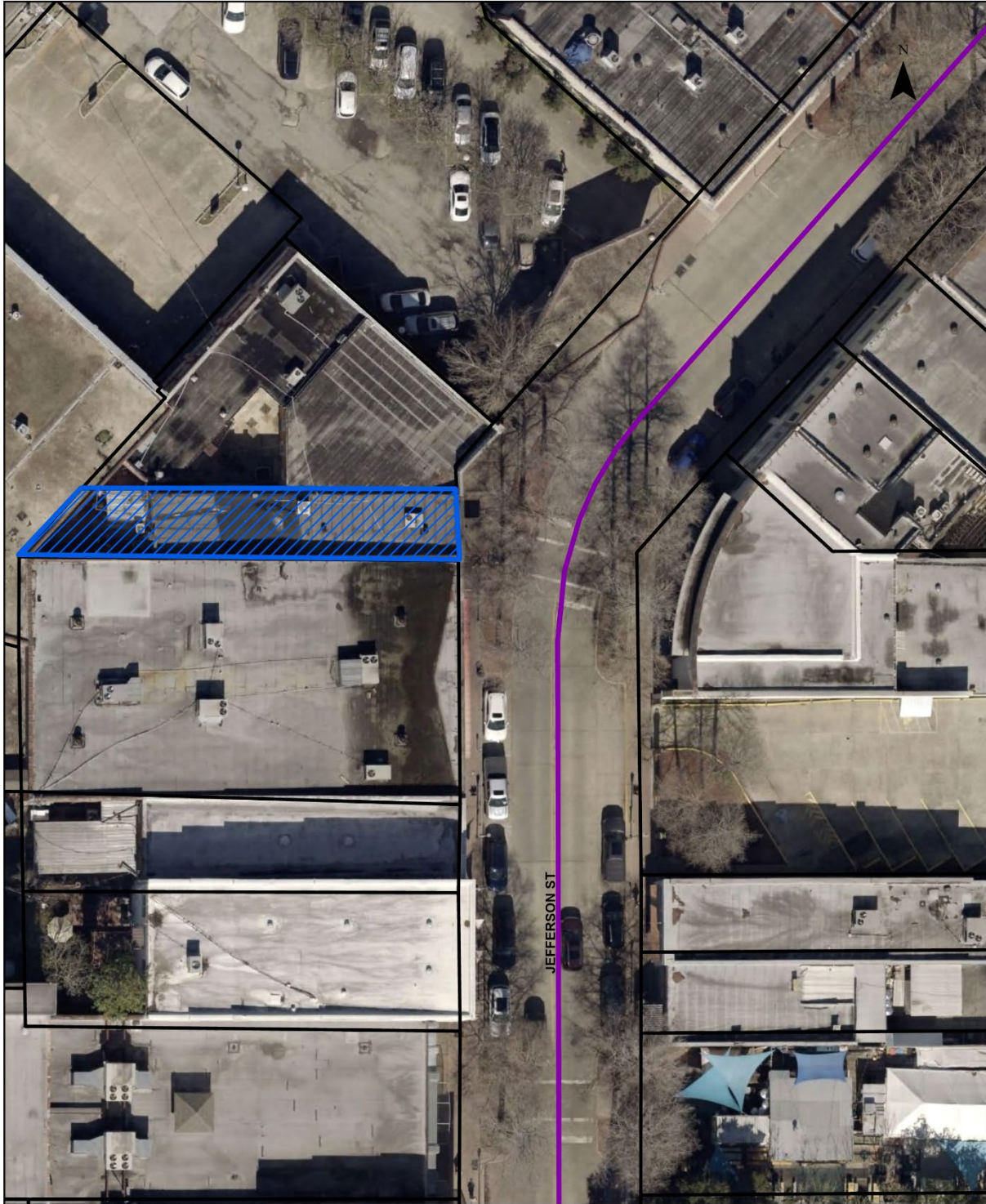
Bar/lounge is listed as a conditional use in *Table 89-21-2 Use Table* in the LDC and requires a conditional use permit in the D (Downtown) zoning district. Therefore, to legally operate an establishment where there are alcoholic beverage sales (from the use definition in the LDC) that are consumed on the premises, and are the main source of revenue, the applicant requests a conditional use permit.

Why is Zoning Commission action required?

The Zoning Commission is required to make a recommendation relative to the conditional use permit, including its reasons for making the recommendation to the City Council before council action, in Article 4 of the Lafayette Development Code.

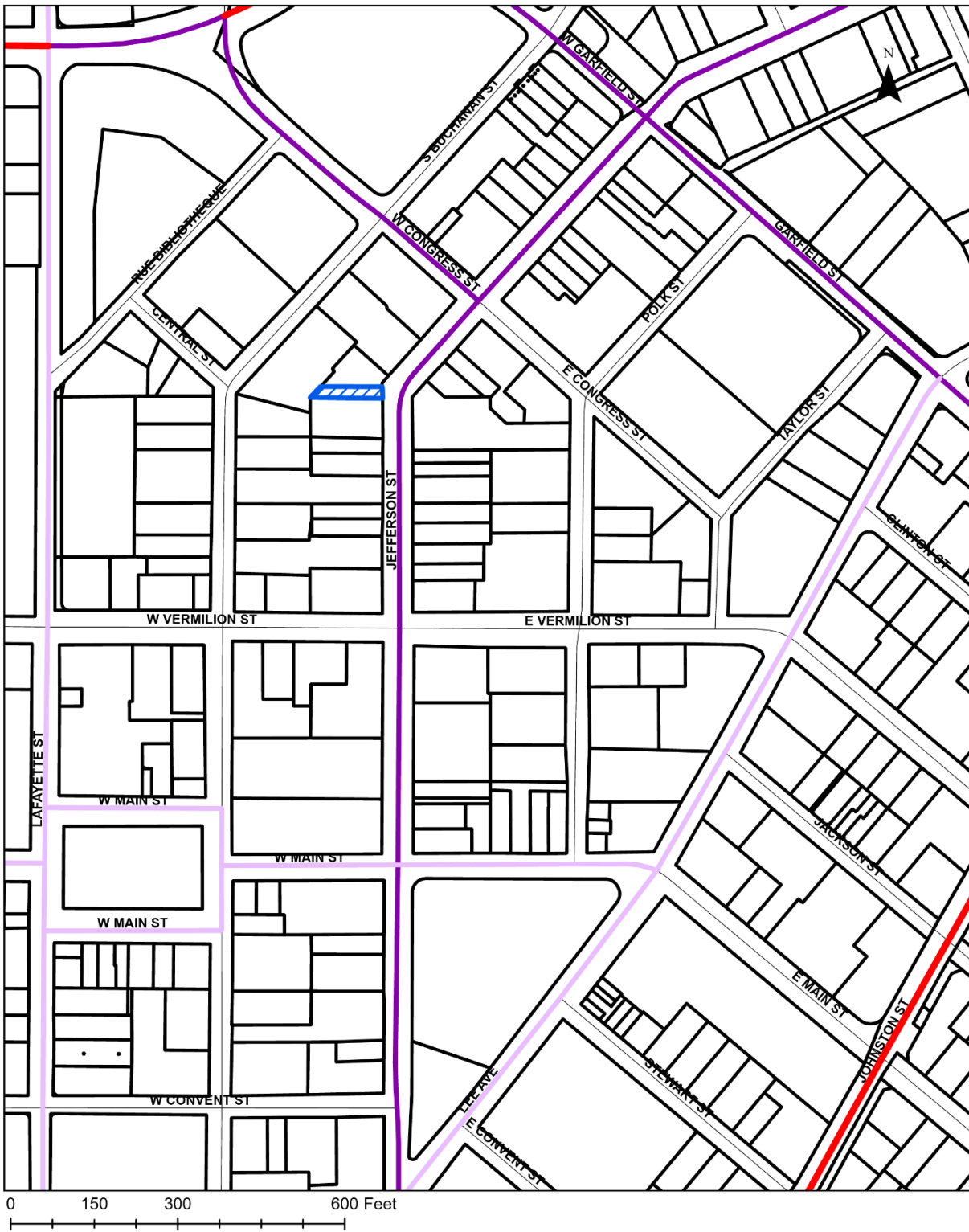
The LDC establishes procedures for making land development decisions. To obtain a certificate of occupancy, building permit, or subdivide the property, the zoning district must permit the proposed land use and development standards. The city of Lafayette is divided into zoning districts that can be generally categorized by agricultural, residential, mixed-use, commercial, and industrial land uses. Each zoning district has a set of permitted and/or conditional uses.

This process applies to any use designated as a conditional use in the applicable zoning district. Article 2 states that a *bar/lounge* is a conditional use in the D (Downtown) zoning district. Conditional Use Permits (CUP) related to *bar/lounge* use in D (Downtown) zoning districts are issued to the operator and not to the property, differing from CUPs issued in other zoning districts within the city. If the property is purchased by a new owner, a new CUP is required.



0 25 50 100 Feet

Subject property

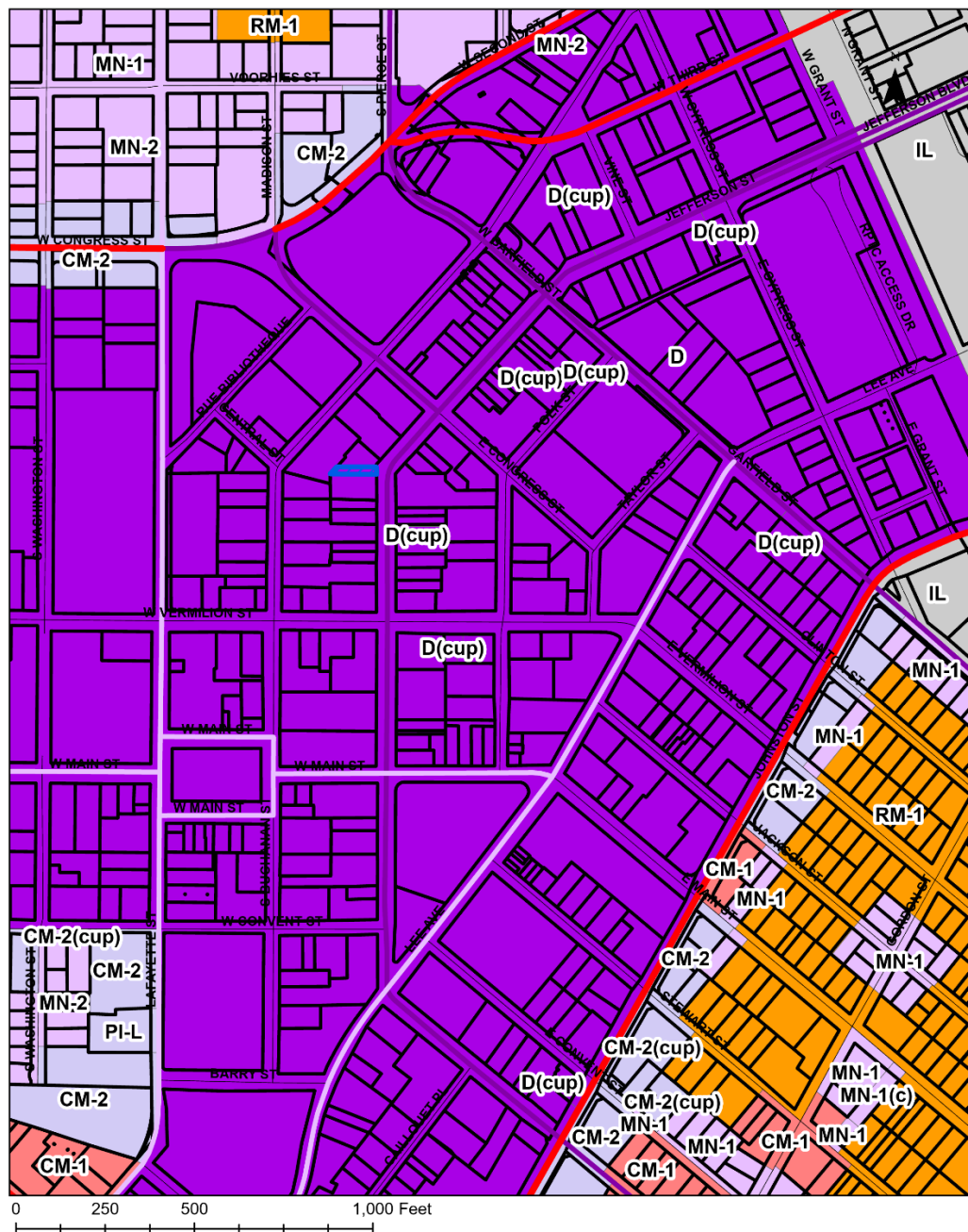


Vicinity Map

II. ANALYSIS

A. Existing conditions

Zoning

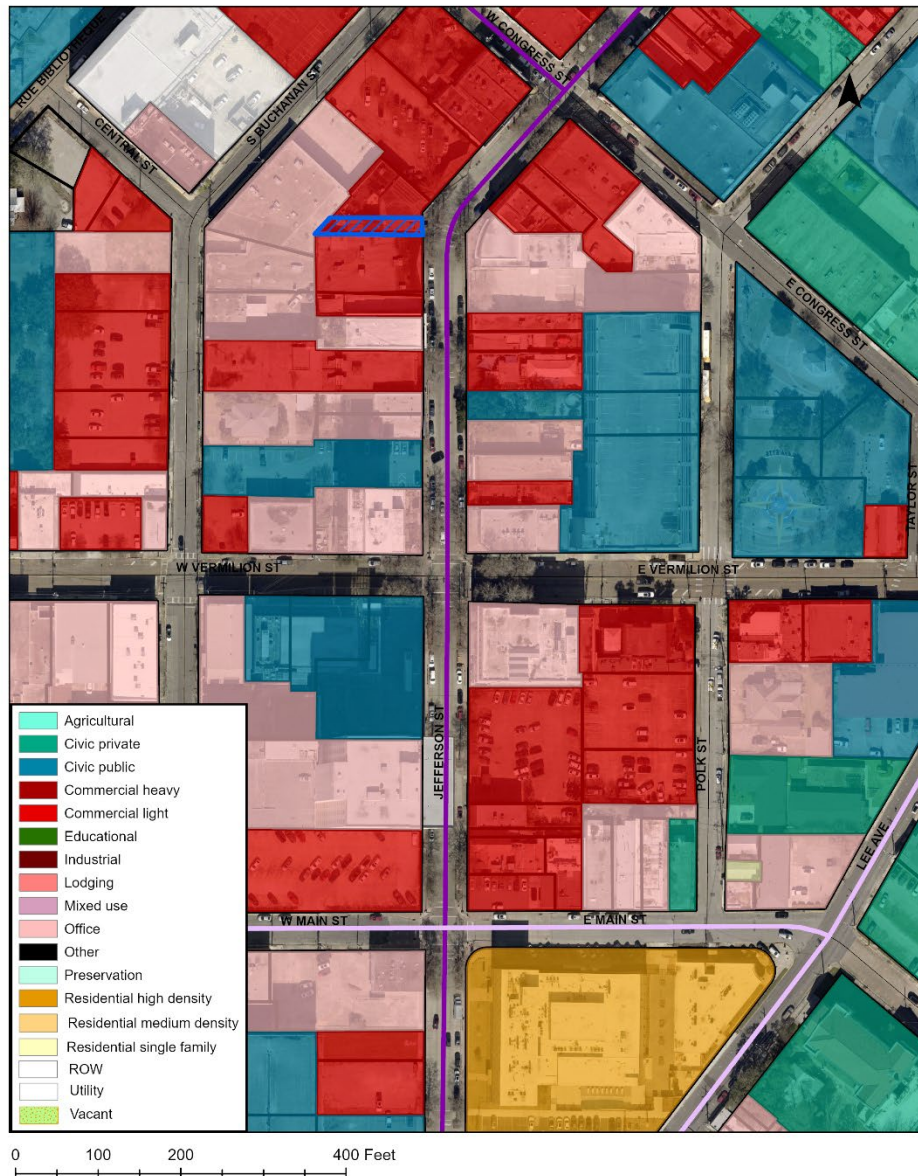


Zoning map of the area surrounding the petitioned site

The subject property is located in the middle of the “D” Downtown District. The subject property will be classified as a *bar/lounge*, applying for a CUP to be allowed in a “D” zoning district. This “D” zoning

District provides the highest density and intensity in the city and parish, preserving its unique character and function. On the edges of the D (Downtown) area are a variety of zoning districts, including CM-1 (Commercial Mixed) and CM-2 for various businesses down Johnston Street and West Congress Street, and at St. John Street and West Convent Street, with MN-1 (Mixed-Use Neighborhood) and MN-2 buffering residential areas.

Land Use



Land uses surrounding the petitioned site

The subject property is located in a firmly established commercial zone in a downtown area, with a unique tradition and history. There are residential uses in the area, as there is interest in living downtown. The Downtown District offers retail, office space and restaurants, live music, and public events such as *Mardi Gras*. Parc International, which is used for many music events such as *Festival International*, is located northeast of the subject property. There is a large amount of private

and public civic uses downtown, including churches, schools, government offices, and museums.

Infrastructure



Street classification and sidewalk inventory

The subject property is located on a major collector, Jefferson Street. Lee Avenue is a minor collector. West Congress, at this location, and Garfield Street are also major collectors. Jefferson Street, Main Street, West Congress Street and East Vermilion Street are also classified as “A” streets, as defined by LDC in the section 89-13, “D” Downtown.

The rest of the roads around the subject property are local roads and “B” roads. There is a good sidewalk system throughout the downtown area. Pedestrians are welcome there.

B. Recent cases and relevant trends

The ordinance to allow bars/lounges as a conditional use in the D (Downtown) zoning district became effective in **January 2018**. Staff has seen an increase in establishments with an alcoholic beverage—and food—sales.

Jefferson Street—classified as a major collector, and an “A” street—has the capacity to handle commercial land uses and includes a mix of heavy and light commercial uses. While potentially noxious in the wrong setting, bars such as “Downtown Daquiri Lounge” are desirable on the main street of a downtown area.

There have been a number of bars that have opened with CUPs since the moratorium ended, including **The Grouse Room** (now closed), **Beausoleil Books**, the **Legends Annex**, **Bliss**, **Artmosphere**, **Wurst Biergarten**, **Rooftop 116** and **Le Grenadier** (Although Le Grenadier has since closed, and Wurst Biergarten is now a restaurant). There are also bars that were grandfathered in after the moratorium. This bar was formerly one of the “grandfathered” bars, or legal non-conforming.

C. Proposal and effect on adjacent land uses

Hours of operation

Monday through Thursday: Noon to Midnight, Friday through Sunday: Noon to 2 AM

Estimated building capacity

The occupancy number of this bar is 49 persons. This number is firm due to the lack of a second exit from this building.

Parking

The applicant is not required to provide parking per the Downtown zoning district. Parking is available on street and in parking lots in the downtown area.

Security

The applicant will follow the security plan as he established for Rooftop 116, but is willing to discuss and consider hiring an additional security officer for the door.

D. Plan review

Staff recommends that approval of the use requested for a conditional use permit be conditioned with the understanding **that the applicant will maintain compliance with the conditions as modified from the ANC, LPD and DDA**. Capacity and ongoing issues related to the current operations at “Rooftop 116” are a top concern of the ANC, the DDA and the police.

Signs

All nonconforming signs must be modified to fully comply with Article 5 89-90 Signs before the issuance of a certificate of occupancy.

E. External comments

Downtown Development Authority:

Note: Due to the length of the document, the DDA's "Memo regarding conditional use permit at 522 Jefferson Street" will be a separate attachment. However, staff includes DDA recommendations for conditions only:

1. *Open containers of any kind are not allowed to leave the premises at any time.*
2. *Persons under 21 are not allowed to enter the premises.*
3. *One (1) law enforcement officer per every 125 occupants should be retained for operations on Wednesday, Thursday, Friday, Saturday and Sunday nights, from 10:00 PM – 2:30 AM.*
4. *No external speakers and all windows and doors shall remain closed. Noise emanating from the licensed premises shall not be audible at 100 feet, in any direction, from the licensed premises. Noise includes, but is not limited to, amplified music, acoustic music, patrons and employees. External speakers may be considered for projects with rooftop bars, so long as the noise emanating from the property is in accordance with the city's Alcohol and Noise Code.*
5. *The operator must have a plan for trash.*

Lafayette Police Department:

Staff: The following are recommendations from Lieutenant Scott Rummel of the Lafayette Police Department. Lt. Rummel would prefer that this location would not be used as a bar, due to the location and capacity, but this building has been a bar for many years. Also, Downtown Daquiri Lounge will NOT be a TO GO bar only. The interior will be a small sports bar.

"Lafayette Police Department CUP Recommendations – 522 Jefferson Street"

Primary Recommendation

The Lafayette Police Department recommends that this location not be permitted to operate as a bar or nightclub due to the size of the venue, the nature of the proposed business model, and the existing public safety demands within the immediate area.

If the CUP is approved, the Lafayette Police Department recommends the following conditions be imposed:

1. Hours of Operation Restriction

The business should be required to cease alcohol sales and close to the public by 12:00 a.m.

Reasoning:

This location is situated within the Downtown/McKinley Street area, where city ordinance restricts the removal and possession of alcoholic beverages in public between 12:00 a.m. and 6:00 a.m. These restrictions are intended to reduce late-night crowd movement, public consumption, and disorderly activity.

Given the small interior occupancy (previously limited to 49 persons) and the apparent emphasis on a “to-go” daiquiri business model, late-night operation would likely result in patrons congregating outside the premises during restricted hours, increasing enforcement challenges and the likelihood of violations and disturbances.

2. Mandatory Law Enforcement Presence

The business should be required to provide uniformed law enforcement presence positioned directly in front of the establishment during all hours of operation, with staffing levels approved by the Lafayette Police Department.

Reasoning:

Since 2021, Lafayette Police Department data reflects approximately 258 in-progress disturbance-related calls in the 500 block of Jefferson Street between 9:00 p.m. and 3:00 a.m. In comparison, the 400 block recorded approximately 105 calls and the 600 block approximately 72 calls during the same time frame.

These figures demonstrate that the immediate area already places a significant demand on police resources. Additional crowd-generating activity without dedicated security and law enforcement presence would further strain services and negatively impact public safety.

3. Interior Use and Crowd Flow Controls

The business shall be required to maintain continuous staff or security presence at the entrance to ensure patrons enter, complete transactions, and exit in a timely manner, preventing interior congestion and exterior crowd buildup.

The establishment shall operate strictly as a “grab-and-go” daiquiri service and shall not provide or permit:

- Live entertainment or performances*
- DJs or amplified music*
- Video games, arcade machines, or similar entertainment*
- Any fixtures, activities, or amenities that encourage patrons to remain inside for extended periods*

Additionally, no noise permits should be issued for this location.

Reasoning:

Allowing entertainment, music, or leisure activities would effectively convert the business into a “stay-and-drink” environment, which is incompatible with the limited interior capacity and would significantly increase crowd density both inside and immediately outside the establishment. This condition is necessary to ensure the business model does not evolve into a bar or club atmosphere by function rather than by name.

4. Crowd Management and Spillover Prevention

No outdoor queuing, loitering, or alcohol consumption should be permitted in front of or adjacent to the business, and the operator should be held responsible for maintaining orderly conditions in the immediate vicinity of the premises.

Reasoning:

*Due to its limited interior capacity, this business is likely to generate more activity outside than inside the venue. This concern is heightened by its proximity to **Nite Town**, a nightclub with a capacity exceeding 800 patrons that consistently draws large crowds.*

The convergence of multiple high-density crowd generators in a confined area increases the likelihood of disorderly conduct, pedestrian obstruction, altercations, and delayed emergency response times. Strict operational controls are necessary to mitigate these risks.

Conclusion

The Lafayette Police Department's recommendations are based on documented call-for-service data, observed crowd behavior patterns, and the intent of city ordinances designed to preserve public safety within the downtown area. While the Department's preference is that this location not be permitted to operate as a bar or club, the above conditions are necessary to mitigate foreseeable impacts should the CUP be approved."

Alcohol and Noise Control:

These are ANC's recommendations for conditions for the CUP application for the **Downtown Daquiri Lounge**:

1. No person under 21 allowed to enter the bar/lounge.
2. **IF TO GO ONLY:** Must close at 12:00 a.m. on all days of the week.
3. Owner/Operator must provide and adhere to the private security plan in the application and coordinate with LPD and ANC once the alcohol permit is issued and prior to opening.
4. No outdoor events.
5. No external speakers.
6. Windows and doors shall remain closed at all times.

F. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

The proposed use is in a targeted area on the Future Land Use Map and is consistent with the goal for a mix of uses in these areas.

The proposed land use is compatible with the downtown area providing continued day/night activity. In addition, the size of the proposed bar/lounge is appropriately scaled for the properties along the Jefferson Streetscape.

The proposed use is consistent with all applicable requirements of the LDC, including zoning regulations, development standards, and supplemental use regulations.

Yes, the applicant has applied for a certificate of occupancy.

The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

The proposed use is consistent with urban centers such as Downtown Lafayette. The Downtown zoning district implements the Mixed-Use Center future land use category, which provides the highest density and intensity in the city and parish and preserves its unique character and function.

The proposed use is compatible with the surrounding areas.

There is a wide range of uses within the Downtown district. The Downtown district houses several commercial/mixed-use businesses, as well as public/civic/institutional entities.

Adequate utilities are provided.

Currently, the urban core has adequate infrastructure for commercial uses.

Ingress and egress are designed to minimize traffic hazards and congestion on public roads.

There is on-street parking along Jefferson Street, as well as on-street parking spaces on South Buchanan Street. There is also parking at the Parc Auto du Centre Ville south from the subject property. There appears to be adequate parking for the establishment.

The proposed use is not noxious or offensive because of emissions, vibration, noise, odor, dust, smoke, or gas.

Staff reiterates that the applicant, "Downtown Daquiri Lounge", shall maintain compliance with the Noise Control Code and any conditions of the CUP during all hours of operation.

The proposed use does not injure the use and enjoyment of property in the immediate vicinity for purposes already permitted.

The proposed use would not injure the use and enjoyment of the nearby property for purposes already permitted. There are several bars near the subject property, along with several small shops, office space and restaurants.

The proposed use does not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The use is appropriate.

The proposed use is not detrimental to and does not endanger the community's public health, safety, and general welfare.

The use is appropriate; however, LPB and DDA have provided commentary and professional insight into operational issues that may be detrimental and should be addressed.



Councilman Kenneth Boudreaux, Chair
% City Council Clerk Joseph Gordon-Wiltz
P.O. Box 4017-C
Lafayette, LA 70502

Lafayette Zoning Commission
c/o Community Development & Planning Department
220 West Willow Street, Building B
Lafayette, LA 70501

Kevin Blanchard, CEO
Downtown Development Authority
735 Jefferson Street, Suite 200
Lafayette, LA 70501

January 21, 2026

RE: Memo regarding conditional use permit at 522 Jefferson Street

Dear City Council and Lafayette Zoning Commission:

This memorandum reflects an extensive review by the DDA staff on the current application for a daiquiri lounge at 522 Jefferson Street. The intent is to provide the Zoning Commission and City Council, as the ultimate decision-makers, some background of the conditional use permit process. This memo will also give you a sense of the current state of downtown nightlife and the burgeoning efforts of LCG and the Lafayette Police Department to provide fair, across-the-board enforcement. The operator who is applying for this conditional use permit at 522 Jefferson Street already operates a downtown nightclub under the terms of a conditional use permit, so this memo asks you, as the decision-maker, to consider the operator's history of compliance under its first conditional use permit before issuing a second. Finally, the DDA staff concurs with the Lafayette Police Department's recommendation against approval, based on the location of this daiquiri lounge in an already-crowded portion of Jefferson where the police have existing security concerns, but suggests minimum conditions in the event you decide to grant the permit.

Background

For more than a decade prior to 2018, new bar and nightclub uses were effectively prohibited downtown through a moratorium. While intended to limit negative impacts associated with nightlife, the moratorium had the unintended consequence of insulating existing operators—no matter whether they were responsible operators or not—from meaningful review, competition, or accountability. Operators who were already established downtown retained the ability to continue operating regardless of



changing conditions or performance.

Beginning in 2016, the city undertook an extensive public and stakeholder-driven process to reassess how nightlife should be regulated downtown. This included multiple public meetings, engagement with downtown residents and business owners, and consultation with national experts in responsible hospitality management. A consistent theme throughout these discussions was the need for a more nuanced regulatory tool—one that allowed nightlife to exist downtown, but only where it could operate responsibly within a mixed-use environment.

The Conditional Use Permit (CUP) framework was adopted in 2017 and implemented in 2018 to replace the moratorium. This shift reflected a deliberate policy choice: rather than prohibiting new bars outright or allowing them by right, each proposed establishment would be evaluated on its own merits, with conditions tailored to mitigate foreseeable impacts related to public safety, noise, crowd behavior, and neighborhood compatibility. The CUP process allows decision-makers—with input from planning staff, the police department, the alcohol and noise office, the fire department, and the Downtown Development Authority—to evaluate applications based on operator history, business model, location, and surrounding context.

To restate: bars are not an allowed use downtown, unless they can commit to certain conditions that would help protect day time businesses from having to bear the burden and cost of negative nighttime activities. Great bars and nightclubs are part of a healthy downtown. The right conditions allow the bar and nightclub to be great, because they help it be a great neighbor.

Progress and Ongoing Challenges

Since adopting the CUP framework, downtown has experienced significant, gradual evolution. Total bar and nightclub capacity has declined from approximately 5,800 patrons in 2018 to roughly 3,000 today as some of the larger mega venues have been renovated and put to different use. The several new bars that have opened during this period have generally been smaller in scale, oriented toward legal-drinking age patrons, and better integrated into our mixed-use neighborhood. During this same timeframe, downtown has added more than 200 new residential units.

Importantly, this reduction in nightlife capacity has not resulted in the economic decline predicted by some critics of doing away with the moratorium. In fact, the Downtown Lafayette Economic Development District has continued to experience record-setting sales tax collections year over year. And the future outlook remains bright: eight of the last twelve months of EDD collections have seen a record set for that month. This is a direct reflection of Downtown's expanding economic ecosystem, reflecting a more diverse and resilient economy that includes restaurants, retail, offices, and a growing residential base, alongside our nightlife. That is proof that the CUP process has had a positive impact on the overall economic ecosystem downtown.



That is not to say that we have fixed every issue. In 2024, the DDA convened a group of business owners during a series of Neighbor to Neighbor meetings. The consensus of that group was that downtown still has a lingering perception of issues with litter, broken glass, underage drinking, and nuisance noise. We discussed the need for a quick, big impact intervention that would be noticed by the public and real estate market. As a response to that feedback, the DDA worked with the Downtown Lafayette EDD Board of Directors to start the Downtown Ambassador Program, which has been operational since April 2025. There is a broad consensus the ambassador program has hit its mark so far.

The ambassador program tracks detailed statistics. Over the last ten months of Saturday and Sunday mornings, when we clean up after our biggest overnight crowds, the ambassadors collected 9,679 pounds of trash, including 1,650 pounds of glass. A lot of this cleanup is obviously centered around our large nighttime traffic generators like our bars and nightclubs. We have a responsibility to remain vigilant about enforcement and prevention: not just cleanup. While open container ordinances prohibit street drinking after midnight—and banned glass bottles altogether—we have historically experienced some enforcement gaps, and voluntary compliance by bar operators remains inconsistent.

The Lafayette Police Department has been increasing across-the-board enforcement efforts, focusing on across-the-board compliance checks and one-on-one interaction with operators to try to mitigate continuing issues before they become enforcement issues. We have begun to see the fruits of those efforts and would encourage you, as the decision-makers, to recognize this as a positive step.

Our goal downtown is to diversify the downtown business base, attract new companies, expand residential development, and cultivate a more balanced neighborhood environment. A fun, exciting nightlife is absolutely part of that balance, but that does not happen without some common sense and thoughtfulness. From our perspective, the CUP process is the best time—sometimes the only time—when we can get ahead of issues that we can reasonably foresee. The best conditions are those that find the right balance, to encourage responsible operations, and to propose conditions that can help a bar be both successful, and a good neighbor. The framework is not designed to mitigate problematic uses after the fact—it exists to prevent foreseeable impacts before they occur.

Analysis of Current Application

Given the background of how we got here, we believe that decision-makers should take seriously the Lafayette Police Department's safety concerns that may arise from the granting of this permit. It is appropriate to consider what types of activities will be reasonably foreseeable, based on what we know.

The proposed daiquiri lounge would be located next door to Nitetown in a relatively confined area of Jefferson Street. The Lafayette Police Department has advised that this block already presents public safety and crowd management challenges. While the proposed capacity of the daiquiri lounge is modest



at 49 patrons, experience demonstrates that small-capacity establishments can generate substantial exterior crowds, especially in a daiquiri business, which is intended to generate to-go traffic.

Conditional Use Permits for bars downtown run with the operator, not the property. That was by design. The historic issue with the moratorium was that it allowed bad operators to bounce from bar property to bar property and escape any kind of meaningful consequences so long as they could avoid being shut down for one full year. Having the Conditional Use Permit run with the operator was an important feature. And so, we believe it would be helpful for decision-makers to know when an applicant for a new CUP is already operating under an existing CUP and how that's worked out so far. That information should be useful in calibrating conditions in the event the CUP is granted as well.

To that end, we think it's important to acknowledge that the applicant, the prospective operator of the daiquiri lounge, is currently operating Rooftop 116. As a current conditional use permit operator, it's reasonable, fair, and necessary to consider history.

To the best of our information, Rooftop 116 was cited about a year ago for failing to comply with one of the conditions of their CUP¹. Namely, the CUP requires that the operator have an approved security plan for large events. But for this particular event, the number of security personnel onsite did not meet the minimum number previously approved by Lafayette Police.

A few months later, a large fight broke out inside Rooftop 116. Tape of the incident clearly shows the DJ repeatedly calling for security over the PA system. The tape continues for a long period of time while the fight continues and onlookers have to wait for security to arrive. We have requested to understand whether there were any citations issued to Rooftop 116 for that incident, but as of this writing, the incident was still under investigation.

Then earlier this month, Rooftop 116 was written up for a noise violation. The citation was the result of an official calibrated noise meter handled by a trained, certified operator. Rooftop 116 currently generates the most noise complaints among downtown bars—although they are definitely not the only generator of noise complaints downtown.

Rooftop 116's noise issue is not entirely one of the operator's making. What makes Rooftop 116 unique is that they have external speakers that are directed toward the street. That directs the sound into the open floors of the Vermilion Garage, which is directly across the street—and the garage only serves to further amplify the sound. Additionally, the establishment often opens on Sunday afternoons: the high

¹ For reasons that are difficult to easily or quickly explain, one floor of the two-floor Rooftop 116 building is subject to the conditions of the CUP, and the other floor is not. The CUP requires, in part, that folks under 21 cannot enter, that security be provided as approved by Lafayette Police, and that the business comply with the noise ordinance. The other floor is NOT subject to that CUP. This one-building-but-two-sets-of-rules situation is less than ideal, making enforcement a confusing mess.



volume disrupts a public playground and other retail establishments, which also generates a higher number of complaints: there are a lot more folks around during the day to complain.

This needs to be extraordinarily clear: the track record of the operators at Rooftop 116 is the subject of this review only because they are the applicant at the moment. If any other existing bar operators downtown request an expansion of an existing use or a new CUP, we will be generating a memo about that application too. Rooftop 116 is not the only nightclub downtown to be cited for rules violations over the last year; not by a longshot. They just happen to be the one that's applying for another location to operate.

We also understand that businesses can sometimes run into issues: bad onsite managers, a rogue DJ, or a misunderstanding of the rules themselves. And uneven enforcement, to the extent it exists, can undermine the credibility of the system and the decision-makers alike. When it seems like EVERYONE is violating the noise ordinance, for example, it can feel personal if you feel like you are the only one that is getting complaints.

That is why we are very encouraged that LCG and the Lafayette Police Department have been focusing on across-the-board, proactive enforcement measures, because we know that all of our operators want that type of consistency. They want for everyone to be treated fairly and evenly. And it's what our other small businesses downtown have been demanding of us. We have, historically, done a much better job enforcing our good neighbor rules during the day; but have, historically, been lax at enforcing those rules at night. We see that changing now, and that is already making a big difference for our overall investment prospects.

Recommendations

Given the above, the DDA concurs with the Lafayette Police Department's assessment that this application presents legitimate public safety concerns. Based on the applicant's demonstrated compliance issues and operational challenges at the existing establishment, we recommend that there not be a permit granted at this time. We respect the expertise of LPD officers who manage these conditions firsthand every weekend, and we share their concerns about adding another establishment to an already challenging block until and unless we c.

Should the Zoning Commission and City Council elect to approve this application, the DDA would recommend the following set of conditions, which the DDA Board adopted in 2023 as a set of baseline conditions for any conditional use permit application downtown:

- Open containers of any kind are not allowed to leave the premises at any time.
- Persons under 21 are not allowed to enter the premises.
- One (1) law enforcement officer per every 125 occupants should be retained for operations on Wednesday, Thursday, Friday, Saturday and Sunday nights, from 10 p.m. - 2:30 a.m.

- External speakers are not allowed, and windows and doors must remain closed at all times. Noise emanating from the licensed premises shall not be audible at 100 feet, in any direction, from the license premises. Noise includes, but is not limited to, amplified music, acoustic music, patrons, and employees. External speakers may be considered for projects with rooftop bars, so long as the noise emanating from the property is in accordance with the city's Alcohol and Noise Code.
- The operator must have a plan for trash.

In this particular case, given the smaller size of the venue, we understand that this facility does not reach the 125 occupant threshold stated in the DDA policy as the starting point for hiring law enforcement security. And Nitetown, which is next door, already hires a number of law enforcement personnel who occupy the space in front of Nitetown and this address. As such, should you as the decision-maker, decide that this venue is too small to be able to adequately pay for the cost of law enforcement onsite, there should, at a minimum, be a requirement for at least two (2) licensed security personnel to be on-site during those same peak times of operation. We believe that condition would be consistent with the scale and potential impacts of the proposed use.

Conclusion

Our role is advisory, and we respect that the final decision rests with the Zoning Commission and City Council. However, the conditional use permit process exists to allow decision-makers to evaluate operators based on their demonstrated ability to be good neighbors and positive contributors to the district. And the process empowers you, as the decision-makers, to craft solutions that make sense for all parties. Bars are not a by-right use downtown. The law does not give anyone a right to open any kind of bar anywhere they want. The conditional use permit process was put in place as a bulwark to guard against readily foreseeable issues and to provide an opportunity for comment and input before we make a decision that could have a lasting impact.

While a daiquiri lounge concept may have merit in principle, this applicant's operational approach at the existing establishment should be taken into account, particularly regarding amplified outdoor music and compliance with security requirements. We appreciate your consideration of these comments and remain available to discuss any aspect of our analysis.

Respectfully submitted,

Kevin Blanchard

A handwritten signature in dark ink, appearing to read "Kevin Blanchard", written over a horizontal line.

CEO, Downtown Development Authority



Lafayette Police Department CUP Recommendations – 522 Jefferson Street

Primary Recommendation

The Lafayette Police Department recommends that this location not be permitted to operate as a bar or nightclub due to the size of the venue, the nature of the proposed business model, and the existing public safety demands within the immediate area.

If the CUP is approved, the Lafayette Police Department recommends the following conditions be imposed:

1. Hours of Operation Restriction

The business should be required to cease alcohol sales and close to the public by 12:00 a.m.

Reasoning:

This location is situated within the Downtown/McKinley Street area, where city ordinance restricts the removal and possession of alcoholic beverages in public between 12:00 a.m. and 6:00 a.m. These restrictions are intended to reduce late-night crowd movement, public consumption, and disorderly activity.

Given the small interior occupancy (previously limited to 49 persons) and the apparent emphasis on a “to-go” daiquiri business model, late-night operation would likely result in patrons congregating outside the premises during restricted hours, increasing enforcement challenges and the likelihood of violations and disturbances.

2. Mandatory Law Enforcement Presence

The business should be required to provide uniformed law enforcement presence positioned directly in front of the establishment during all hours of operation, with staffing levels approved by the Lafayette Police Department.

Reasoning:

Since 2021, Lafayette Police Department data reflects approximately 258 in-progress disturbance-related calls in the 500 block of Jefferson Street between 9:00 p.m. and 3:00 a.m. In comparison, the 400 block recorded approximately 105 calls and the 600 block approximately 72 calls during the same time frame.

These figures demonstrate that the immediate area already places a significant demand on police resources. Additional crowd-generating activity without dedicated security and law enforcement presence would further strain services and negatively impact public safety.

3. Interior Use and Crowd Flow Controls

The business shall be required to maintain continuous staff or security presence at the entrance to ensure patrons enter, complete transactions, and exit in a timely manner, preventing interior congestion and exterior crowd buildup.

The establishment shall operate strictly as a “grab-and-go” daiquiri service and shall not provide or permit:

- Live entertainment or performances
- DJs or amplified music
- Video games, arcade machines, or similar entertainment
- Any fixtures, activities, or amenities that encourage patrons to remain inside for extended periods

Additionally, no noise permits should be issued for this location.

Reasoning:

Allowing entertainment, music, or leisure activities would effectively convert the business into a “stay-and-drink” environment, which is incompatible with the limited interior capacity and would significantly increase crowd density both inside and immediately outside the establishment. This condition is necessary to ensure the business model does not evolve into a bar or club atmosphere by function rather than by name.

4. Crowd Management and Spillover Prevention

No outdoor queuing, loitering, or alcohol consumption should be permitted in front of or adjacent to the business, and the operator should be held responsible for maintaining orderly conditions in the immediate vicinity of the premises.

Reasoning:

Due to its limited interior capacity, this business is likely to generate more activity outside than inside the venue. This concern is heightened by its proximity to NiteTown, a nightclub with a capacity exceeding 800 patrons that consistently draws large crowds.

The convergence of multiple high-density crowd generators in a confined area increases the likelihood of disorderly conduct, pedestrian obstruction, altercations, and delayed emergency response times. Strict operational controls are necessary to mitigate these risks.



Conclusion

The Lafayette Police Department's recommendations are based on documented call-for-service data, observed crowd behavior patterns, and the intent of city ordinances designed to preserve public safety within the downtown area. While the Department's preference is that this location not be permitted to operate as a bar or club, the above conditions are necessary to mitigate foreseeable impacts should the CUP be approved.

Lieutenant Scott Rummel

Lafayette Police Department

Community Engagement Lieutenant Precinct 5

Attachment #3-ANC

Here are my recommendations for 522 Jefferson Street CUP:

1. No person under 21 allowed to enter the bar/lounge.
2. **IF TO GO ONLY:** Must close at 12:00 a.m. on all days of the week.
3. Owner/Operator must provide and adhere to the private security plan in the application and coordinate with LPD and ANC once the alcohol permit is issued and prior to opening.
4. No outdoor events.
5. No external speakers.
6. Windows and doors shall remain closed at all times.

Sally Leger | *Manager*

Alcohol and Noise Control Division

Community Development and Planning Department

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