

CITY ORDINANCE NO. CO-062-2025

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. 2025-10-REZ 903 MYRTLE PLACE REZONING, WITH A CONDITIONAL USE PERMIT (CUP) FOR A RESTAURANT IN A MN-1 (MIXED-USE NEIGHBORHOOD) ZONING DISTRICT, LOCATED GENERALLY NORTH OF WEST CONGRESS STREET, WEST OF MYRTLE PLACE, AND SOUTH OF BELLEVUE STREET; BEING REZONED FROM RM-1 (RESIDENTIAL MIXED) TO MN-1 (CUP) (MIXED-USE NEIGHBORHOOD, WITH A CUP FOR A RESTAURANT IN AN MN-1 ZONING DISTRICT)

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. 2025-10-REZ 903 Myrtle Place Rezoning with a Conditional Use Permit (CUP) for a restaurant in an MN-1 (Mixed-Use Neighborhood) zoning district located generally north of West Congress Street, west of Myrtle Place, and south of Bellevue Street, the particular parcel being rezoned from RM-1 (Residential Mixed) to MN-1 (CUP) (Mixed-Use Neighborhood with a CUP for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district); the said parcel being shown and identified on a map titled, "A Map Showing Lot 8 & portions of Lots 9, 10, 23, 24 & 25, Block O, Comeaux Place to be rezoned from RM-1 to MN-1 (C): Restaurant," prepared by Montagnet & Domingue, Inc, dated April 3, 2025, a copy of which is attached hereto and made a part thereof.

SECTION 2: The following conditions are to apply:

1. The restaurant shall be open during daylight hours only.

SECTION 3: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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**LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION**

TO: Lafayette City Council

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

SUBJ: 2025-10-REZ 903 Myrtle Place Rezoning and CUP

PETITIONER: Sarah Trotter

DATE PETITION FILED: April 3, 2025

DATE OF PUBLIC HEARING: May 19, 2025

DATES OF PUBLICATIONS: May 4, 2025
May 14, 2025
May 18, 2025

DATE OF ZONING COMMISSION RECOMMENDATION: May 19, 2025

RECOMMENDATION: Approve the ordinance that would rezone property from RM-1 (Residential Mixed) to MN-1 (CUP) (Mixed-Use Neighborhood with a Conditional Use Permit (CUP) for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district with the following condition:

1. The restaurant shall be open during daylight hours only.

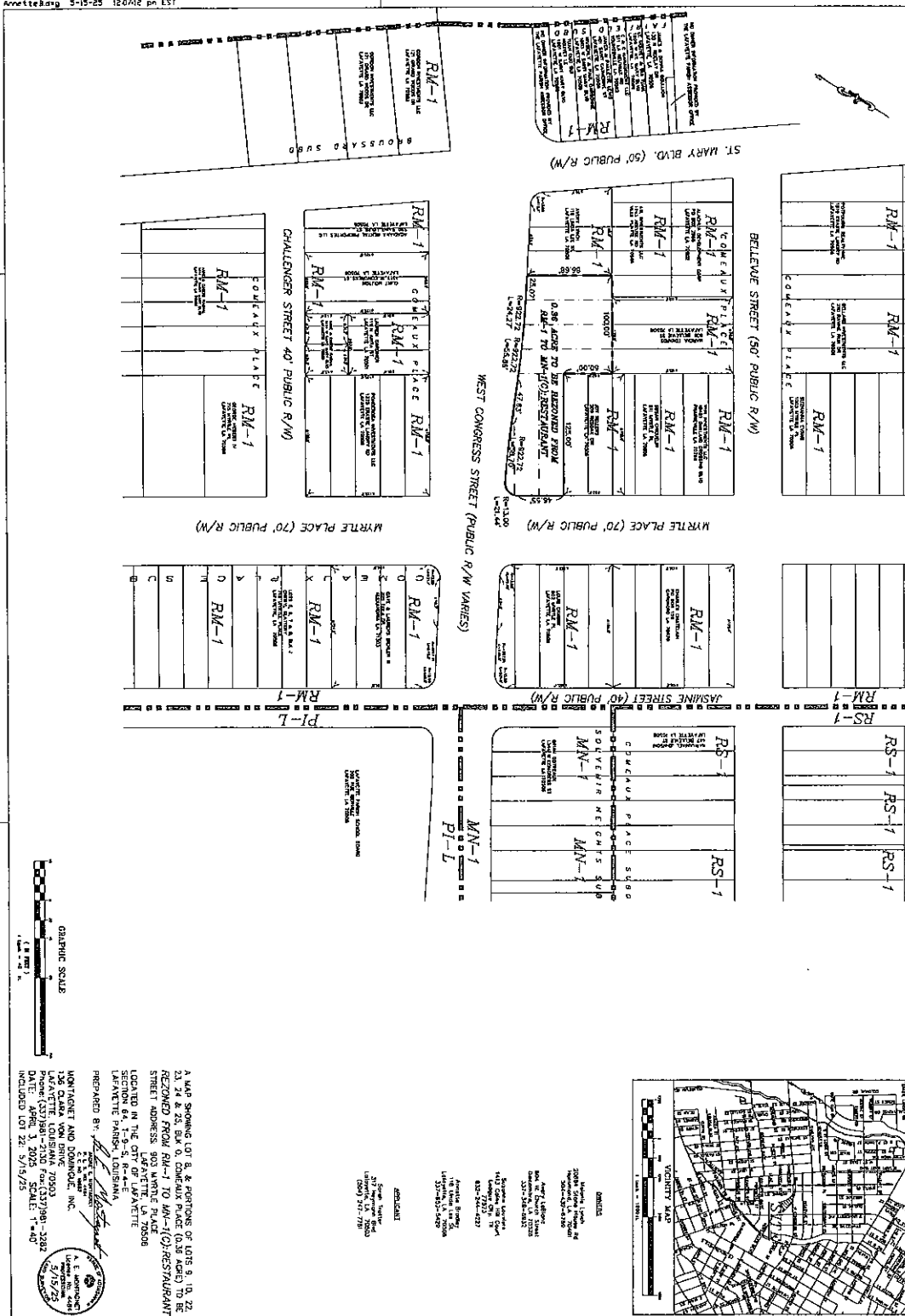
Motion: Hebert
Second: Pontiff
Vote: 4-0-1-0
Ayes: Hebert, Lehman, Pritchard, Pontiff
Nays: None
Absent: German
Abstain: None

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,

Neil J. Lebowitz for Tammy Luke
Tammy Luke, Director
Community Development and Planning Dept.



Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 4/9/2025

Amended 5/20/2025

2025-10-REZ

City Council District: 2 – Andy Naquin

Parish Council District: 1 – Bryan Tabor

Applicant: Sarah Trotter

Request: This is a request for the rezoning of a property from RM-1 (Residential Mixed) to MN-1 (Mixed-Use Neighborhood) with a Conditional Use Permit (CUP) for a *restaurant* in a MN-1 (Mixed-Use Neighborhood) zoning district in order to convert an existing single-family residence to a restaurant.

Location: 903 Myrtle Place

Summary of Proposal:

The purpose of the proposed rezoning of the subject property from RM-1 (Residential Mixed) to MN-1 (Mixed-Use Neighborhood) with a Conditional Use Permit (CUP) for a *restaurant* in a MN-1 zoning district is to allow for the renovation of a single-family residence to a restaurant.

Recommendation:

Staff recommends approval of the request to rezone the subject property from RM-1 (Residential Mixed) to MN-1 (Mixed-Use Neighborhood) with a Conditional Use Permit (CUP) for a *restaurant* in a MN-1 zoning district to allow for the subject property to be developed into a restaurant, the new location for **5 Mile Eatery**.

Reason for Recommendation:

The subject property is on a principal arterial, West Congress Street, right before the intersection with West Saint Mary Boulevard. West Saint Mary Boulevard is a local road until it crosses West Congress Street to the south, then it is a major collector. Myrtle Place is a minor collector. West Congress Street has become a much busier road since this residence at 903 Myrtle Place was built. This location at 903 Myrtle Place is no longer a desirable location for a house. This is a problem that is occurring more and more in Lafayette; the formerly quiet street becomes a widened and then classified roadway, and no one wants to live fronting the road anymore.

MN-1 (Mixed-Use Neighborhood) zoning has become a solution for this type of problem for many other properties along West Congress Street, and elsewhere in the city. MN zoning is neighborhood friendly and therefore useful for a busy roadway in close proximity to residential. In addition, the properties

across from Lafayette Middle School are MN-1 (Mixed-Use Neighborhood), which has led to more options and opportunities for office space, townhouses and small businesses. A small area of CH (Commercial-Heavy) at a former gas station at St. Thomas Street was downzoned to MN-1 a few years ago to prevent more intense commercial heavy uses from moving in. That area now has a dentist office, an interiors shop, and a hand car wash. Another property further west on West Congress Street is an insurance office, also with an MN-1 (Mixed-Use Neighborhood) zoning district. A MN-1 (Mixed-Use Neighborhood) zoning district instead will allow only small businesses (or residential uses) that are compatible with neighborhood life. A MN-1 (Mixed-Use Neighborhood) zoning district paired with a Conditional Use Permit for a restaurant will allow **5 Mile Eatery** to relocate to the subject property. **This proposed restaurant is only open until after lunch. It is not open at night. Also, the owners would like it known that they do not serve alcohol.**

One further fact in reinforcing the gentle touch that this restaurant will have upon the existing neighborhoods nearby is that they will have ample parking directly off of West Congress Street. The neighborhood will not have to fear that cars will be parked in front of their houses. **5 Mile Eatery** has already been in business in the Oil Center for a good period of time. Their reputation as a good restaurant with no problems for its neighbors or community has already been recognized. The lack of parking at their old location has been the reason for their relocation. A restaurant that is closed at night, has ample parking and that does not serve alcohol should be a good fit for the edge of any neighborhood.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 1 phone call from a neighbor who understands that no one wants to live at 903 Myrtle Place, but is still unhappy with "commercial" coming in. Another 2 callers were not supportive of this case either.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its May 19, 2025, meeting and approved a motion to recommend that the City Council approve the request to rezone the subject properties from RM-1 (Residential Mixed) to MN-1 (Mixed-Use Neighborhood), with a Conditional Use Permit (CUP) for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 1

Opposition: 1

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 7

Opposition: 8

Neutral: 0

Zoning Commission Meeting

May 19, 2025

2025-10-REZ

To: City Zoning Commission

From: Tammy Luke, Director
Cathie Gilbert, Planning Manager

City Council District: 2 – Andy Naquin

Parish Council District: 1 – Bryan Tabor

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

I. GENERAL INFORMATION

Applicant: Sarah Trotter

Request: This is a request for a rezoning of property from RM-1 (Residential Mixed) to MN-1 (Residential Mixed) with a Conditional Use Permit (CUP) for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district to allow for the renovation of an existing single-family residence for **5 Mile Eatery**.

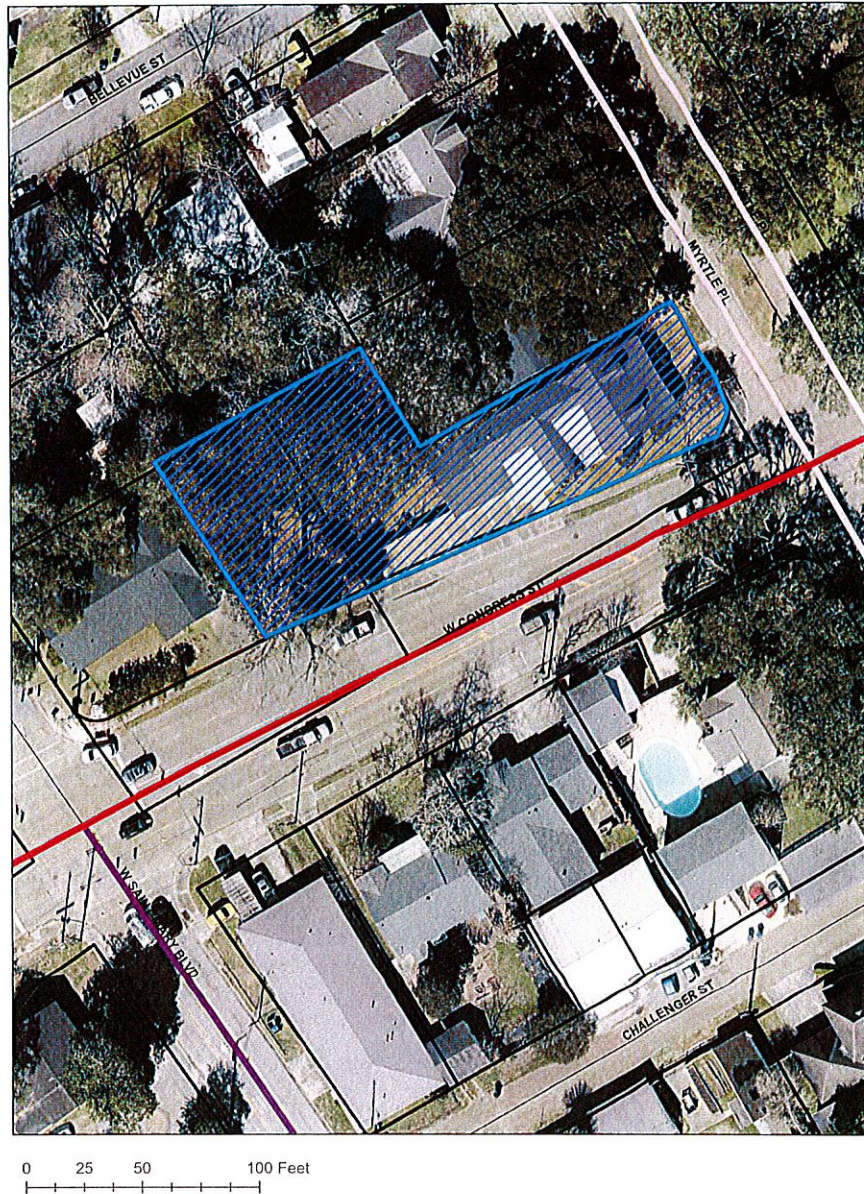
Location: 903 Myrtle Place

Description: The property is located generally north of West Congress Street, west of Myrtle Place, and south of Bellevue Street, and is 0.31 acres.

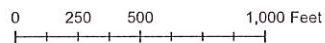
Why is Zoning Commission action required?

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

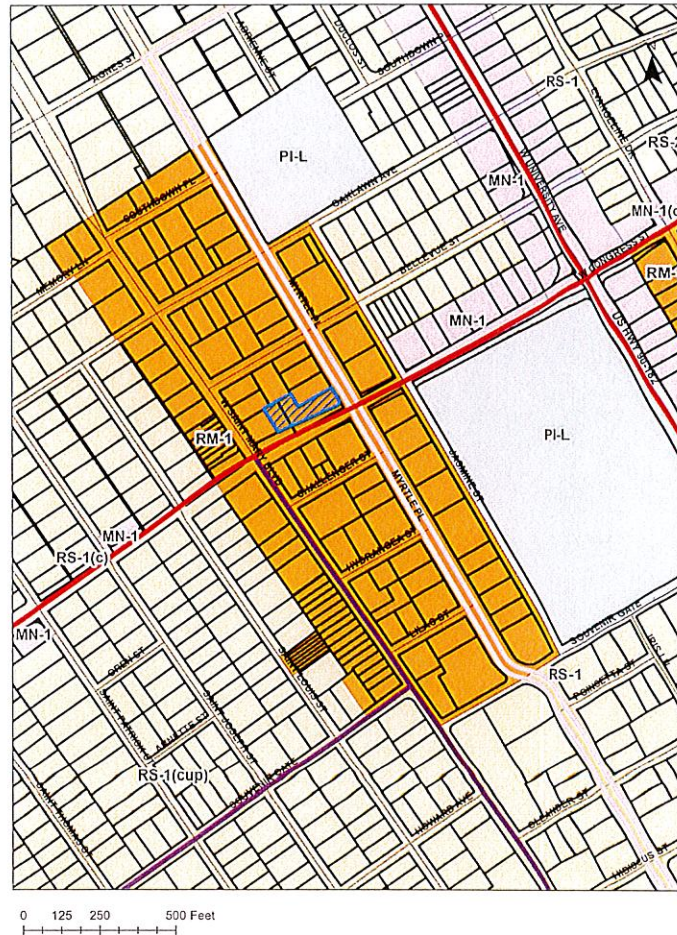


Vicinity Map

II. ANALYSIS

A. Existing conditions

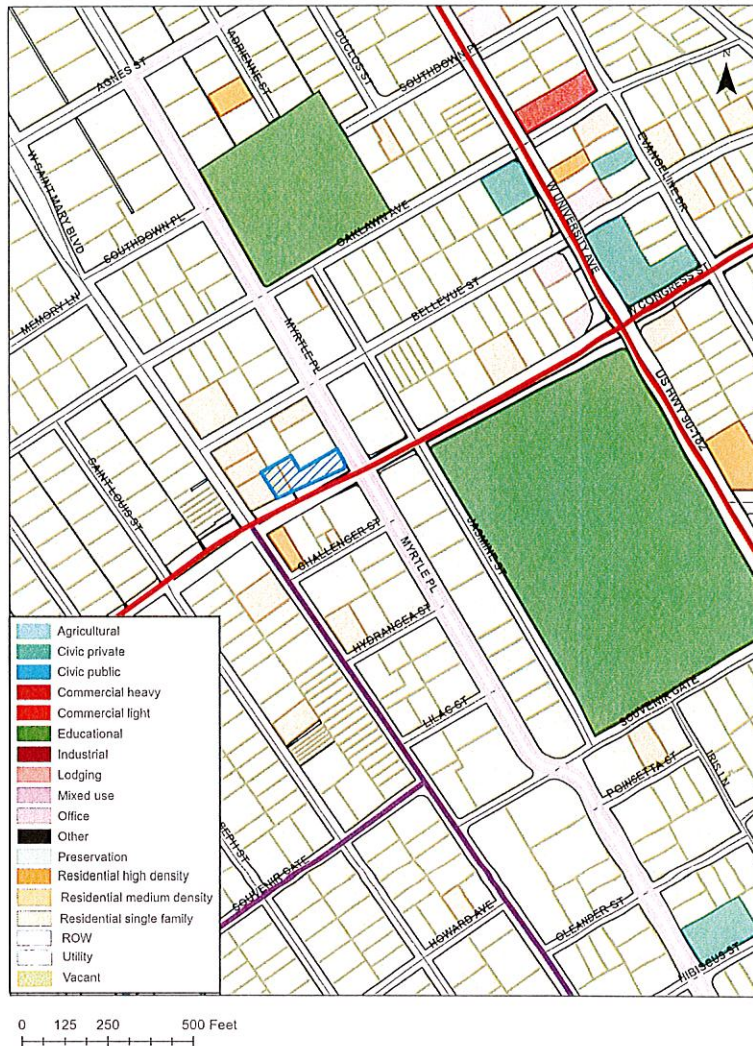
Zoning



Zoning Map of the Area Surrounding the Petitioned Site

The subject property is in the middle of a large RM-1 (Residential Mixed) zoning district. This is surrounded by RS-1 (Residential Single-Family) zoning districts, except on the east side, where there are two PI-L (Public/Institutional Light) zoning districts, both schools (Lafayette Middle School and Myrtle Place Elementary School). There is also a border of MN-1 (Mixed-Use Neighborhood) districts

that follow West Congress Street and West University Avenue. On the west side of the subject property, there are intermittent MN-1 (Mixed-Use Neighborhood) zoning districts following West Congress Street also.



Land Use Map

The Land Use map indicates that the subject property is in an area of residential single-family uses that has a large number of residential medium density uses. There are also civic private uses, office uses and a few light commercial uses following West University Avenue and West Congress Street. The two educational uses are Lafayette Middle School and Myrtle Place Elementary School.



Street Classification and Sidewalk Inventory

The subject property fronts a minor collector, Myrtle Place, and also fronts West Congress Street, a principal arterial. West University Avenue, another principal arterial, is just two blocks away. West Saint Mary Boulevard becomes a major collector at the intersection with West Congress Street. Sidewalks are shown throughout this area but that is not accurate in all cases.

B. Recent cases and relevant trends

This case is similar to several others recently in that a strictly residential property on a classified roadway has become an undesirable location. The **2024-4-AZON West Congress Street Administrative Rezoning**, which attempted to recommend to rezone residential properties on West Congress Street leading to Downtown was partially successful. MN-1 lots along the classified roadway gives the landowners more options.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of rezoning and obtaining a conditional use permit is to allow a restaurant to open and operate at 903 Myrtle Place. That restaurant is **5 Mile Eatery**, which is relocating from their location in the Oil Center, due to lack of adequate parking. Staff believes there will be very little effect on adjoining land uses. 5 Mile Eatery is only open for breakfast and lunch, and the restaurant is alcohol free. The parking lot for the restaurant is accessed from West Congress Street, not Myrtle Place. It is likely that most traffic for the restaurant will enter or exit onto West Congress Street, avoiding Myrtle Place entirely. Myrtle Place is too narrow for on-street parking.

D. Evaluation of approval standards

The proposed use is consistent with the comprehensive plan.

Reuse of existing buildings and sites is clearly one of the aims of the comprehensive plan. As stated by Policy 2.11 "Encourage compact development/**redevelopment** within existing activity centers and along corridors", in this case along West Congress Street, a principal arterial. Further, "that includes a mix of uses supportive of vibrant daily activity patterns," It would certainly be possible to walk or bike to **5 Mile Eatery** from the university or from any of the nearby neighborhoods.

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.

West Congress Street from West Saint Mary Boulevard down to the UL stadium runs through a residential area with many single-family residential dwellings directly on a principle arterial which is very busy at times with a lot of traffic. There have been several rezonings in this area to correct having a house directly on the roadway. An insurance firm was added along West Congress Street after rezoning to MN-1 (Mixed-Use Neighborhood) and has flourished as a business. A former gas station and several other businesses were downzoned from CH (Commercial-Heavy) to MN-1 to prevent too intense uses intruding into the neighborhoods. Several homes have rezoned to MN-1 (Mixed-Use Neighborhood) to establish office uses.

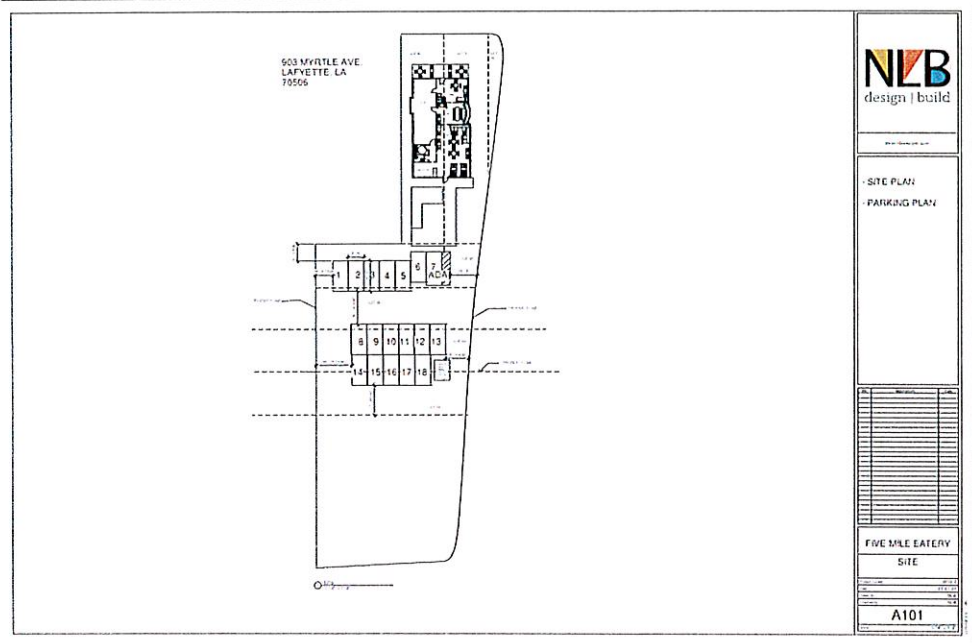
The proposed amendment promotes the public health, safety, morals, and general welfare.

N/A.

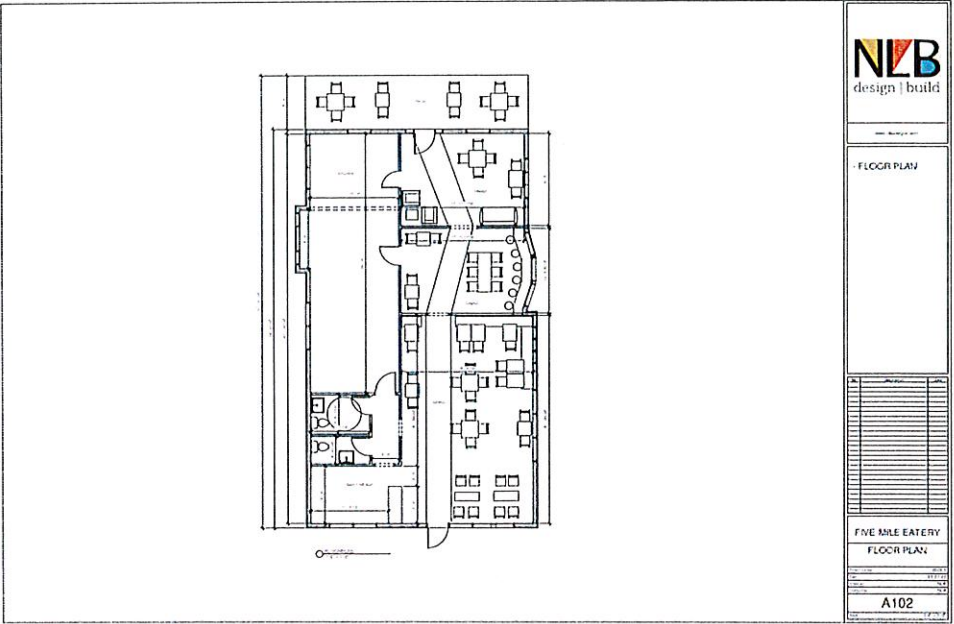
The proposed amendment is compatible with surrounding land uses.

Yes. A restaurant with only daily hours, which does not serve alcohol, and which has placed its parking away from the neighboring houses is compatible with the surrounding land uses. **5 Mile Eatery** is trying to establish a neighborhood-friendly business that will not disrupt the neighborhood.

Proposed Site Plan



Proposed Floor Plan





Internal Memorandum

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

TO: Rachel Godeaux
DATE: May 16, 2025

FROM: Tammy Luke

SUBJECT: Case No. 2025-10-REZ
903 Myrtle Place Rezoning with Conditional Use Permit

The attached ordinance would rezone, from RM-1 (Residential Mixed) to MN-1(CUP) (Mixed-Use Neighborhood with a Conditional Use Permit (CUP) for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district, property located generally north of West Congress Street, west of Myrtle Street, and south of Bellevue Street. This is a city ordinance because zoning only exists in the city of Lafayette.

The Zoning Commission, at its Monday, May 19, 2025 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Tuesday, June 3, 2025, with Final Adoption Tuesday, June 17, 2025.

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



Tammy Luke
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 West Congress Street, west of Myrtle Place, and south of Bellevue Street.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RM-1 (Residential Mixed) to MN-1 (CUP) (Mixed-Use Neighborhood with a Conditional Use Permit (CUP) for a restaurant in a MN-1 (Mixed-Use Neighborhood) zoning district).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: June 3, 2025
 - B. FINAL ADOPTION: June 17, 2025
- 4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
 - A. Cover Memo from Director (1 page)
 - B. Submittal Form (1 page)
 - C. Zoning Commission Recommendation of Action (2 pages)
 - D. Ordinance (1 page)
 - E. Map (1 page)
 - F. Final Evaluation of Zoning Considerations (12 pages)
- 5) **FISCAL IMPACT:**
☐ Fiscal Impact (will be detailed in Cost-Revenue Analysis)
☒ No Fiscal Impact

RECOMMENDED BY:


TAMMY LUKE, DIRECTOR *for Tammy Luke*

APPROVED FOR AGENDA:


CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-062-2025

1. This ordinance was introduced: June 3, 2025
YEAS: Broussard, Naquin,
Hebert, Hooks, Boudreaux
- Final disposition by Council:
_____, 2025
YEAS:

NAYS:

ABSENT:

ABSTAIN:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the official journal on June 6, 2025.
3. On _____, at _____ o'clock __.m., 2025, this ordinance was presented to the Mayor-President for approval.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, this _____ day of _____, 2025, at _____ o'clock __.m.
- B. Veto this ordinance, this _____ day of _____, 2025, at _____ o'clock __.m., veto message is attached.
- C. Veto individual appropriation item(s) this _____ day of _____, 2025, at _____ o'clock __.m., veto message is attached. *Only applicable to ordinances adopting the operating and capital improvement budgets and amendments thereto.*

MAYOR-PRESIDENT

5. A. On _____, at _____ o'clock __.m., 2025, this ordinance was returned to the Council Office signed by Mayor-President, without veto message.
- B. On _____, at _____ o'clock __.m., 2025, this ordinance was returned to the Council Office with a veto message, and on _____, 2025, the Council did/refused to adopt this ordinance after the Mayor-President's veto.
- C. On _____, at _____ o'clock __.m., 2025, this ordinance was returned to the Council Office without signature of Mayor-President. *If not signed or vetoed by the Mayor-President within ten (10) days after receipt, the ordinance shall be considered adopted.*

CLERK OF THE COUNCIL

6. This ordinance was published in full in the official journal on _____, 2025.