

CITY ORDINANCE NO. CO-141-2025

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL APPROVING A
CONDITIONAL USE PERMIT TO ALLOW A CONVENIENCE STORE (WITH FUEL
SALES) IN A CM-1 (COMMERCIAL MIXED) ZONING DISTRICT, CASE NO. 2025-25-
REZ 801 FOREMAN DRIVE CUP (CONDITIONAL USE PERMIT), LOCATED
GENERALLY NORTH OF DULLES DRIVE, EAST OF MARIE ANTOINETTE
STREET, AND SOUTH OF BELLE CHASE DRIVE**

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette City Council hereby approves a Conditional Use Permit to allow a convenience store (with fuel sales) in a CM-1 (Commercial Mixed) Zoning District, Case No. 2025-25-REZ, 801 Foreman Drive CUP (Conditional Use Permit), located generally north of Dulles Drive, east of Marie Antoinette Street, and south of Belle Chase Drive, the said parcel being shown and identified on a map titled, "A Rezoning Map for Lots 6, 7, 8, 9, 10 & 11 of Belle Chasse Gardens Subdivision Zoned CM-1, For a CUP for Gas Pumps," prepared by PBM Surveying, LLC, dated October 6, 2025, a copy of which is attached hereto and made a part thereof.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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 comes 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: 2025-25-REZ 801 Foreman Drive CUP
PETITIONER: SPEC, LLC c/o Morgan Meyer

DATE PETITION FILED: October 6, 2025
DATE OF PUBLIC HEARING: November 17, 2025
DATES OF PUBLICATIONS: November 2, 2025
November 12, 2025
November 16, 2025

DATE OF ZONING COMMISSION RECOMMENDATION: November 17, 2025

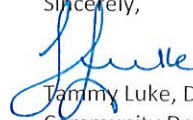
RECOMMENDATION: Deny the ordinance that would allow a Conditional Use Permit (CUP) for a convenience store (with fuel sales) in a CM-1 (Commercial Mixed) zoning district.

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

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Tammy Luke, Director
Community Development and Planning Dept.

Zoning Commission

Development and Planning Staff Report

EXECUTIVE SUMMARY

Drafted 9/9/2025
Amended 11/18/2025

Agenda Item #3

2025-25-REZ

City Council District: 1 – Elroy Broussard

Parish Council District: 1 – Bryan Tabor

Applicant: Spec, LLC c/o Morgan Meyer

Request: This is a request for a Conditional Use Permit (CUP) to allow a *convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district. A *convenience store (with fuel sales)* is a use under the category **Retail sales** and is conditional in a CM-1 zoning district.

Note: There is an existing convenience store at this location, but no fuel pumps. The applicant plans to tear down the existing store/restaurant and build a new convenience store with six gas pumps.

Location: 801 Foreman Drive

Summary of Proposal:

The purpose of this proposal is to obtain a Conditional Use Permit (CUP) to allow a *convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district. As a *convenience store (with fuel sales)* is a conditional use in CM-1, a CUP (Conditional Use Permit) will be required. The LDC recognizes that a *convenience store (with fuel sales)* could be a desirable use in a CM district, but should be permitted on a case-by-case basis in order to mitigate any adverse effects to nearby uses.

Recommendation:

Staff is reluctant to support the request for a Conditional Use Permit (CUP) for a *convenience store (with fuel Sales)* in a CM-1 (Commercial Mixed) zoning district due to the proximity of RS-1 (Residential Single-

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Family) on three sides of the subject property The CUP is to allow fuel sales with a convenience store; however, a stand-alone convenience store is allowed by-right.

In an effort to make the convenience store with fuel sales more compatible to adjacent areas of single-family residential homes, staff compiled a list of conditions that may be considered for the subject property:

1. Canopy and any outdoor illumination be reduced in intensity during nighttime operations including when/if store is closed. May require a photometric study of site to depict how lighting fixtures direct illumination to minimize light spillover/pollution.
2. Limit operation hours of the facility.
3. No allowance for external speakers to broadcast music, commercials, advertising, etc.
4. Noise emanating from the licensed premise shall not be audible at 100 feet, in any direction, from the licensed premise. Noise includes, but is not limited to, amplified music, acoustical music, patrons and/or employees.

Reasons for Recommendation:

This triangular block along Foreman Drive has long been the subject of calls from neighbors, particularly about the bars that have been located there. It is part of *Belle Chase Gardens* Subdivision, and the triangle is in a CM-1 (Commercial Mixed) zoning district. There is one bar there currently, La Cabana. (Communications to staff have been that La Cabana has had a better relationship with the neighborhood than the previous bars) There have been complaints in the past about noise, littering, lights, people parking on private property, and so on. The addition of a six-pump gas station will not help this situation. **This triangular block is in the middle of only residential zoning districts: RS-1 (Residential Single-Family), RM-1 (Residential Mixed) and MN-1 (Mixed-Use Neighborhood), with several PI-L (Public/Institutional Light) zoning districts, for the three schools in the area. There is also a Boys & Girls Club of Acadiana, right across Dulles Drive from the subject property.**

Convenience stores with fuel sales were once allowed by-right in CM; however, the City Council has discussed and approved limiting further fuel sales in CM-1 district by requiring a CUP. The CUP allows for more analysis and public input in areas where CM-1 runs adjacent to residential areas. Staff has had at least five cases concerning a convenience store (with fuel sales) over the last two years and the majority of them have failed. Residents have generally not been receptive to having a gas station close to them, and have offered the following reasons why: increased traffic, health concerns and noise, open late hours or open 24/7, increased danger to the children of the neighborhood, and significant light pollution. Whether or not these reasons are valid, residents near a proposed convenience store (with fuel sales) feel very strongly against having them in a neighborhood.

Dulles Drive (from Ambassador Caffery Parkway to the subject property) passes through only residential properties. It is a classified roadway, a major collector, that cuts through these neighborhoods, bringing heavy traffic. A gas station at Foreman Drive and Dulles Drive will only exacerbate the problem. Except for the other commercial properties on this triangle, almost all the surrounding zoning districts are residential.

From a regulatory perspective, a convenience store without fuel sales is allowed by-right and could permit under the current zoning for the property without a CUP. The property formerly housed a neighborhood grocery store for many years and a convenience store without gas sales may fill a need in the immediate area.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 10 calls asking for information. 1 caller, who owns the pick-up seafood place near the subject property, is concerned about parking, but has no other objections. The other 9 callers were all opposed to a gas station in this area. They cite problems with already-heavy traffic at this location, health concerns, noise and light pollution.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its November 17, 2025, meeting and approved a motion to recommend that the City Council deny the request for a Conditional Use Permit for a convenience store (with fuel sales).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 1

Opposition: 10

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 2

Opposition: 15

Neutral: 0

Zoning Commission Meeting

November 17, 2025

2025-25-REZ

To: City Zoning Commission

From: Tammy Luke, Director
Neil LeBouef, Development Manager

City Council District: 1 – Elroy Broussard

Parish Council District: 1 – Bryan Tabor

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: SPEC, LLC

Request: This is a request for a Conditional Use Permit (CUP) to allow *a convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district.

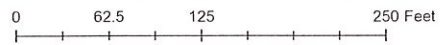
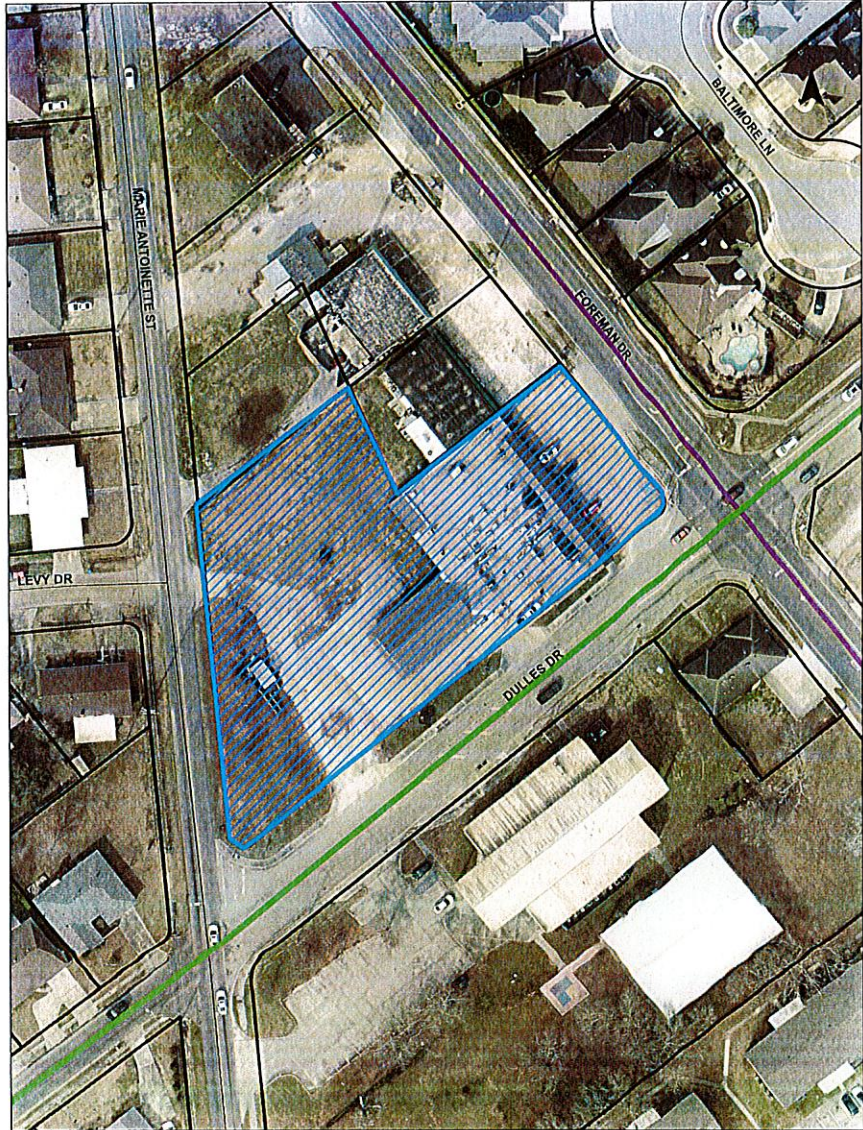
Location: 801 Foreman Drive

Description: The property is located generally north of Dulles Drive, east of Marie Antoinette Street, and south of Belle Chase Drive. The subject property is approximately 1.216 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.

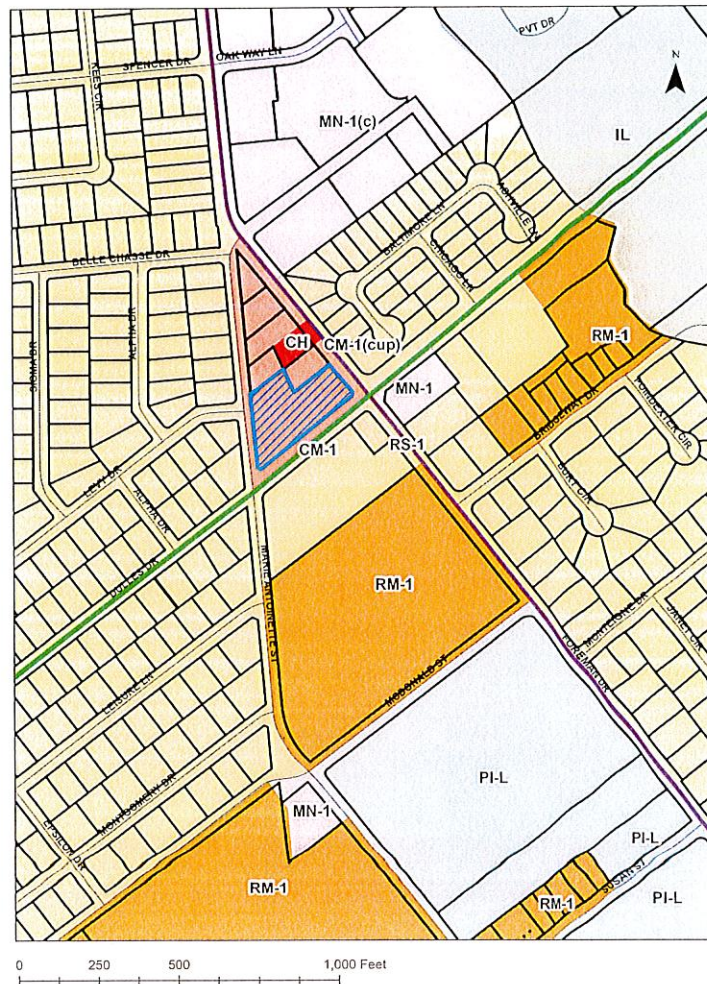


Subject Property Map

II. ANALYSIS

A. Existing conditions

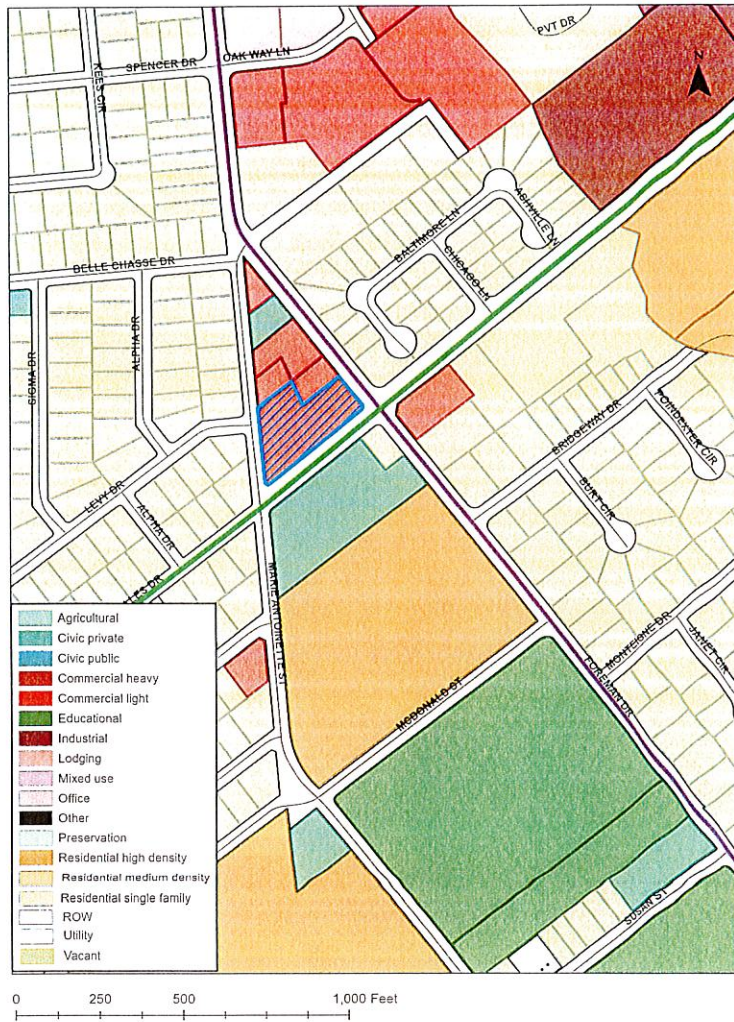
Zoning



Zoning map of the area surrounding the petitioned site

The subject property is in a CM-1 (Commercial Mixed) zoning district, between a multitude of RS-1 (Residential Single-Family), RM-1 (Residential Mixed) and MN-1 (Mixed-Use Neighborhood) zoning districts in this mostly residential area. There are also several PI-L zoning districts for the three schools in the area (S. J. Montgomery Elementary School, Lafayette High School and Crawfish Aquatics). There is one small CH (Commercial-Heavy) zoning district on the same block as the

subject property, but the business there appears closed. There is also a CM-1 (CUP) (Commercial Mixed, with a Conditional Use Permit for a *bar/lounge* in a CM-1 zoning district) zoning district adjacent to the subject property, along with a cell tower. Further north are the edges of a large IL (Industrial-Light) zoning district that runs along Eraste Landry Road.



Land Use Map

The Land Use map indicates a triangle of commercial mixed and heavy uses, along with a civic public use (Boys and Girls Club of Acadiana) and residential high density uses, all surrounded by residential single-family uses and educational uses. Further north are more residential high density and commercial mixed uses, along with the edges of an industrial area. The commercial uses on the same

block as the subject property are: a bar/lounge, an engraving shop, a pick-up seafood restaurant and a cell tower.



Street Classification and Sidewalk Inventory Map

The subject property fronts Foreman Drive, a major collector. Foreman Drive intersects with Dulles Drive, a minor arterial, at the subject property. There are sidewalks in some of the newer developments.

B. Recent cases and relevant trends

It has been difficult the last few years to get a CUP for a *convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district in Lafayette. The use is controversial when combined with residential areas and several CUPs have failed. In 2023 there were three CUPS for a convenience store (with gas sales) applied for, and only one was approved. **2023-4-CUP 800 Block of E. Broussard Road CUP** was approved, mainly because its location was property designated years earlier for commercial businesses. **2023-22-REZ 4517 West Congress Street Rezoning and CUP** and **2023-5-CUP 3014 Kaliste Saloom Road CUP** both failed as these locations were too close to neighborhoods, and the residents came to meetings and contacted their councilmen in order to deny these cases. **2024-13-REZ 1803 West University Avenue CUP** failed last year as, again, the location was too close to a neighborhood. The only other CUP for a convenience store (with fuel sales) that was approved was **2024-38-REZ 6300 Johnston Street CUP**. This convenience store with fuel sales was located on Johnston Street, a principal arterial, beyond the mall where there are a lot of car dealerships. The location of these convenience store/fuel sales CUPs has everything to do with approval or denial.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to obtain a CUP (Conditional Use Permit) in order to allow a *convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district. This is a use under **Retail sales**. It matches the uses on the triangle, but doesn't match those in the nearby neighborhoods. This is primarily a residential area. A convenience store (with gas sales) will bring more traffic into the area, which will be a negative side effect on the surrounding single-family neighborhoods, and the medium and high-density apartment complexes. There is already a lot of traffic in this area, partially because of the three schools just south of the subject property (S. J. Montgomery Elementary School, Crawfish Aquatics (swimming school) and Lafayette High School) and also because Dulles Drive is a minor arterial with heavy traffic. There is an existing store at this location. A new convenience store would be permitted in a CM-1 zoning district. The CUP to include gas sales was added a few years ago to make sure each location is considered carefully, as a convenience store (with gas sales) is a heavy commercial use. Each CUP needs to be considered in terms of its location and adjacent land uses. Adjacent land uses in this case are mainly single-family residential, which is not compatible with gas sales.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

N/A.

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

This is an unusual block in an area of neighborhoods. Quite possibly the businesses have existed for a long time, before the area neighborhoods built up around it, and were placed in a zoning district that was appropriate for the uses but not for the area.

The proposed amendment is compatible with current development trends, if any, in the vicinity of the subject property.

No. The development trends in this have been primarily residential. The only commercial uses in this area are the existing commercial uses next to the subject property: a bar, an engraver, a pick-up seafood restaurant, and a cell tower. Commercial uses increase as Foreman Drive approaches Eraste Landry, but in this area the majority of the development is single-family residential.

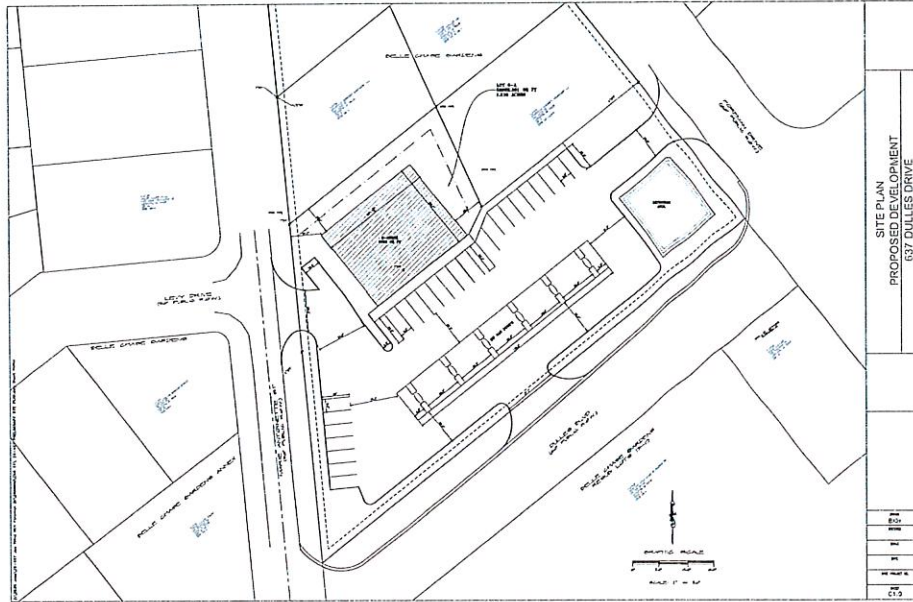
The proposed amendment promotes the public health, safety, morals, and general welfare.

N/A.

The proposed amendment is compatible with surrounding land uses.

No, this use is not compatible to the surrounding land uses. The surrounding land uses are mainly residential single-family with a few areas of residential high density. These residential uses are not compatible with a convenience store with fuel sales. This is an existing island of commercial mixed and commercial heavy uses that have been at this location a long time. This would be an expansion of the commercial land uses farther into the neighborhood. A brand-new convenience store at this location would probably draw a lot of customers and wouldn't be a disruptive addition, but a convenience store with gas sales would draw even more customers and traffic until it becomes a use that is not compatible with this neighborhood, possibly even intrusive. Conditions as discussed earlier in this report may help reduce the intrusion into the neighborhood.

Site Plan





Internal Memorandum

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

TO: Rachel Godeaux **DATE:** November 12, 2025

FROM: Tammy Luke

SUBJECT: Case No. 2025-25-REZ
801 Foreman Drive Conditional Use Permit

The attached ordinance would allow a Conditional Use Permit for a convenience store (with fuel sales) in a CM-1 (Commercial Mixed) zoning district for property located generally north of Dulles Drive, east of Marie Antoinette Street, and south of Belle Chasse Drive. This is a city ordinance because zoning only exists in the city of Lafayette.

The Zoning Commission, at its Monday, November 17, 2025 meeting, recommended that the City Council deny the attached ordinance. We request that Council Introduction be scheduled for Tuesday, December 2, 2025, with Final Adoption Tuesday, December 16, 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 allow a Conditional Use Permit (CUP) for a *convenience store (with fuel sales)* in a CM-1 (Commercial Mixed) zoning district for a property located generally north of Dulles Drive, east of Marie Antoinette Street, and south of Belle Chasse Drive.

- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to allow a Conditional Use Permit (CUP) for a *convenience store (with fuel sales)* in a CM-1 zoning district.

- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: December 2, 2025
 - B. FINAL ADOPTION: December 16, 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 (1 page)
 - D. Ordinance (1 page)
 - E. Map (1 page)
 - F. Final Evaluation of Zoning Considerations (13 pages)

- 5) **FISCAL IMPACT:**
 Fiscal Impact (will be detailed in Cost-Revenue Analysis)
 No Fiscal Impact

RECOMMENDED BY:



TAMMY LUKE, DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER