CITY ORDINANCE NO. CO-050-2026

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT TO ALLOW A BAR/LOUNGE IN A D (DOWNTOWN) ZONING DISTRICT, CASE NO. 2026-10-REZ 403B SOUTH BUCHANAN STREET CUP (CONDITIONAL USE PERMIT), LOCATED GENERALLY NORTH OF JEFFERSON STREET, WEST OF GARFIELD STREET, AND SOUTH OF SOUTH BUCHANAN STREET

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette City Council hereby approves a Conditional Use Permit to allow a bar/lounge in a D (Downtown) Zoning District, Case No. 2026-10-REZ, 403B South Buchanan Street CUP (Conditional Use Permit), located generally north of Jefferson Street, west of Garfield Street, and south of South Buchanan Street, the said parcel being shown and identified on a map titled, "403B S. Buchanan Street CUP", a copy of which is attached hereto and made a part thereof.

SECTION 2: The following conditions are to apply:

1. No person under the age of 21 allowed to enter the bar/lounge.
2. No external speakers and all external windows and external doors shall remain closed. Special care should be taken to follow Chapter 34 Section 34-366 of the Lafayette City-Parish Consolidated Government Code of Ordinances specifying maximum permissible sound levels.
3. Maximum occupancy is 45 persons in the bar only.
4. 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.
5. Interior door installed in the wall separating the cigar lounge business from the bar business must be closed and locked no later than midnight each night of the week.

SECTION 3: In addition to all other requirements related to a Conditional Use Permit, Conditional Use Permits granted in the "D" zoning district shall also conform to the requirements of Section 89-95-2 of the Lafayette Development Code.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: 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.

* * * * *

CD – 050 – 2026

LAFAYETTE ZONING COMMISSION
RECOMMENDATION OF ACTION

TO: Lafayette City Council

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

SUBJ: 2026-10-REZ 403B South Buchanan Street CUP

PETITIONER: Ash 2 Ash Bar, LLC

DATE PETITION FILED: March 10, 2026

DATE OF PUBLIC HEARING: May 18, 2026

DATES OF PUBLICATIONS: May 3, 2026
May 13, 2026
May 17, 2026

DATE OF ZONING COMMISSION RECOMMENDATION: May 18, 2026

RECOMMENDATION: Deny the ordinance that would allow a Conditional Use Permit for a bar/lounge in a D (Downtown) zoning district, subject to the following conditions:

1. No person under the age of 21 allowed to enter the bar/lounge.
2. No external speakers and all external windows and external 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. Special care should be taken to follow Chapter 34 Section 34-366 of the Lafayette City-Parish Consolidated Government Code of Ordinances specifying maximum permissible sound levels.
3. Maximum occupancy is 45 persons in the bar.
4. 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.
5. Interior door installed in the wall separating the cigar lounge business from the bar business must be closed and locked no later than midnight each night of the week.

Motion: Pritchard made the motion to recommend denial of the Conditional Use Permit (CUP) for a bar/lounge in a D (Downtown) zoning conditions

Second:	Campbell
Vote:	5-0-0-0
Ayes:	Campbell, German, Lehman, Pontiff, Pritchard
Nays:	None
Absent:	None
Abstain:	None

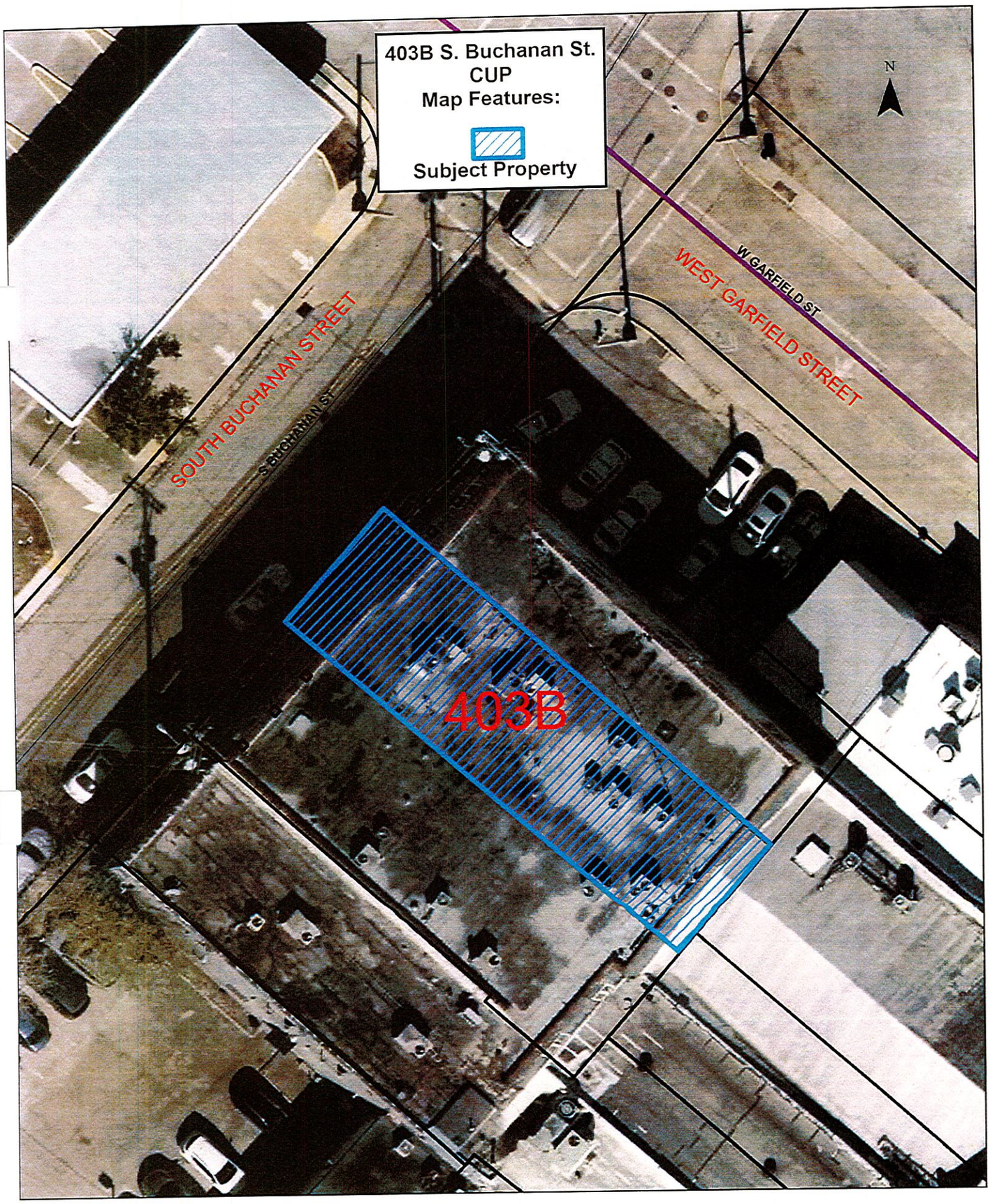
ATTACHMENTS: Executive Summary and Preliminary Staff Report

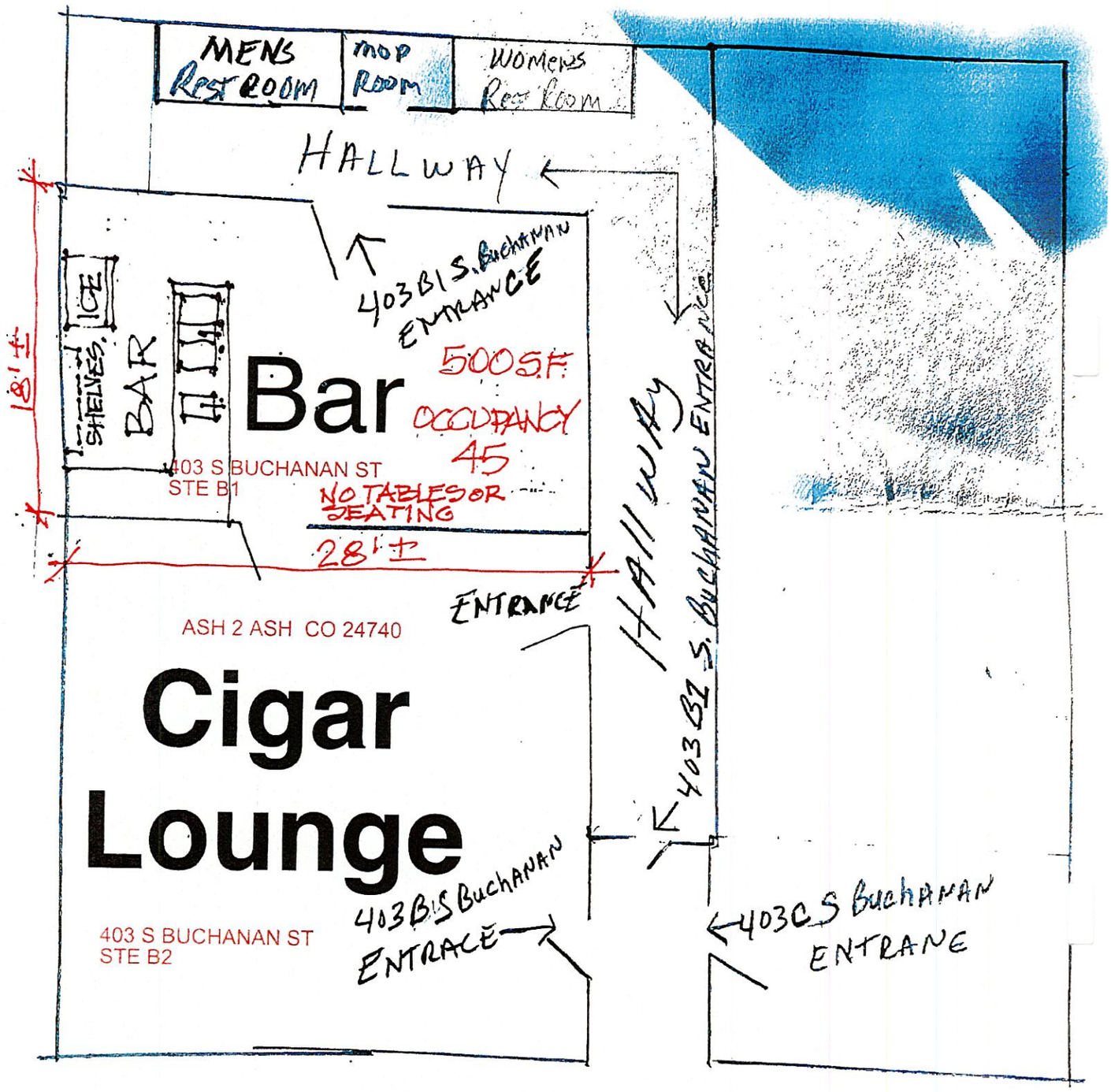
REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,

Tammy Luke, Director
Community Development and Planning Dept.

CO-050-2024


403B S. Buchanan St.
CUP
Map Features:
Subject Property
N
W GARFIELD ST
WEST GARFIELD STREET
SOUTH BUCHANAN STREET
S BUCHANAN ST
403B
0
12.5
25
50 Feet



BAR, ONLY

CURRENT

CO-050-2026

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Staff Report
EXECUTIVE SUMMARY

Drafted 3/18/2026
Amended 5/29/2026

Agenda Item #1

2026-10-REZ

City Council District: 5 – Kenneth Boudreaux

Parish Council District: 5 – AB Rubin

Applicant: Ash 2 Ash Bar LLC

Request: This is a request to grant a conditional use permit (CUP) to allow a ***bar/lounge*** in the D (Downtown) zoning district, adjacent to an existing cigar lounge. This is a new bar that will serve alcohol in a separate area from the existing cigar lounge. Smoking is no longer permitted in bars, so the two uses must be separate. A new CUP for a ***bar/lounge*** is required for the new bar. The name for the proposed new bar will be "**Ashes to Ashes Bar".**

Note: This case was deferred from the April 20, 2026 Zoning Commission due to questions about occupancy. Those questions have been answered.

Location: 403B South Buchanan Street

Note: There will be five attachments to this report: Attachment 1 – from Director Tammy Luke, Attachment 2 - Certificates of Occupancy, 403B South Buchanan Street, Attachment 3- David Stanley, comments and conditions, Attachment 4-ANC comments and conditions, Attachment 5 – DDA comments and conditions

Summary of Proposal:

The purpose of the request is for the applicant to operate a bar 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.

Ashes to Ashes Bar wants to establish the bar as a small bar that is separate but adjacent to the Cigar Lounge. Smoking is no longer allowed in bars so the two uses must be separated. The operator of the proposed bar is the same operator of **Rooftop 116** located at 116 East Vermilion Street. According to

information provided to staff and to the City Council, there have been several undesirable activities chronicled at the **Rooftop 116** establishment. However, these violations, mostly noise concerns, have not exceeded the limit for violations, according to ANC reports.

Recommendation:

The subject case, **Ashes to Ashes Bar,** is located on South Buchanan Street, which is north of Jefferson Street. This location is one half block removed from Jefferson Street and a much quieter location. Ashes to Ashes bar is located in a multi-story mixed-use building with residential tenants upstairs. **Being a mixed-use building with retail and a proposed bar on the first floor and residential uses on the second floor can induce conflicts; however, cooperation from both uses with reasonable conditions and operations oversight a feedback loop can be established whereby all parties can address outstanding issues.**

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 external windows and external 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. Special care should be taken to follow Chapter 34 Section 34-366 of the Lafayette City-Parish Consolidated Government Code of Ordinances specifying maximum permissible sound levels.
3. Maximum occupancy is 45 persons in the bar.
4. 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.
5. Interior door installed in the wall separating the cigar lounge business from the bar business must be closed and locked no later than midnight each night of the week.

Listed below are comments on these conditions from LCG's Alcohol and Noise Control (ANC), and the Lafayette Police Department (LPD):

LPD (David Stanley) *– He agrees with all conditions except the last, Condition No. 5. He feels that it may not be enforceable on the establishment as a condition or recommendation. (It was removed) He also attached a report on the area.*

ANC (Sally Leger) *–asked staff to remove a condition (which we have) that stated that open containers of any kind are not allowed to leave the premises at any time.*

DDA (Kevin Blanchard) *– DDA's list of conditions was reviewed and consolidated into the final list (above) at a meeting held 5/14/2026 with ANC, DDA, LPD, Forrest Chaisson & Staff.*

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 South Buchanan Street, just a half block from Jefferson Street with limited residential in the vicinity and abundant parking in the Parc Auto

du Centre Ville Parking Garage and on street parking. The size and concept presented may not rise to the level of a significant security issue downtown; however, security must be considered and accommodated.

There are residential uses directly above the proposed bar. DDA has relayed to Staff of several complaints from the owners of the lofts on the second floor of this building. Noise and the loudness of music forms the basis for most of their complaints. It may be necessary that the applicant be prepared to limit noise and monitor the decibel level of any music emanating from **Ashes to Ashes Bar.** There are definite guidelines established for this type of situation by LCG's Alcohol and Noise Code (See Condition No. 2).

It is important for the applicant to understand this proposed CUP faces scrutiny as the applicant also operates Rooftop 116. Documented violations from Rooftop116, although below the limit for CUP revocation, can be considered as a reason to deny a CUP. The violations noted were generally noise violations, though capacity violations and security questions were featured as well. It is necessary for the success of this bar and any future bars in Downtown Lafayette that the applicants follow the conditions compiled for the location, and that they maintain compliance with the Noise Control Code.

Summary of Public Comment:

At the time of publication of the preliminary report, staff received no calls. We did have two people show up at the April 20, 2026 Zoning Commission meeting who wanted to discuss this bar, and didn't realize this case had been deferred. They will come to the rescheduled meeting. They did say they were neighbors of the bar, and just wanted to emphasize that noise control needs to be monitored at this bar very closely, as they felt the noise level was too high at times.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its May 18, 2026, meeting and approved a motion to recommend that the City Council deny the request for a Conditional Use Permit (CUP) for a bar/lounge in a D (Downtown) zoning district.

Summary of Public Comment:

Public Comment before the Zoning Commission meeting
Support: 0
Opposition: 0
Neutral: 2

Public Comment during the Zoning Commission meeting
Support: 3
Opposition: 4
Neutral: 1

CO-050-2026

Zoning Commission Meeting

May 18, 2026

2026-10-REZ

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: Ash 2 Ash Bar LLC

Request: This is a request to grant a conditional use permit (CUP) to allow a ***bar/lounge*** in the D (Downtown) zoning district, adjacent to an existing cigar lounge. This is a new bar that will serve alcohol in a separate area from the existing cigar lounge. Smoking is no longer permitted in bars, so the two uses must be separate. A new CUP for a ***bar/lounge*** is required for the new bar. The name for the proposed new bar will be "**Ashes to Ashes Bar".**

Location: 403B South Buchanan Street

Description: The petitioned site is located generally north of Jefferson Street, west of West Garfield Street, and south of South Buchanan Street, and is 0.05 acres. Nearby 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." 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.

CO-030-2021



Subject property



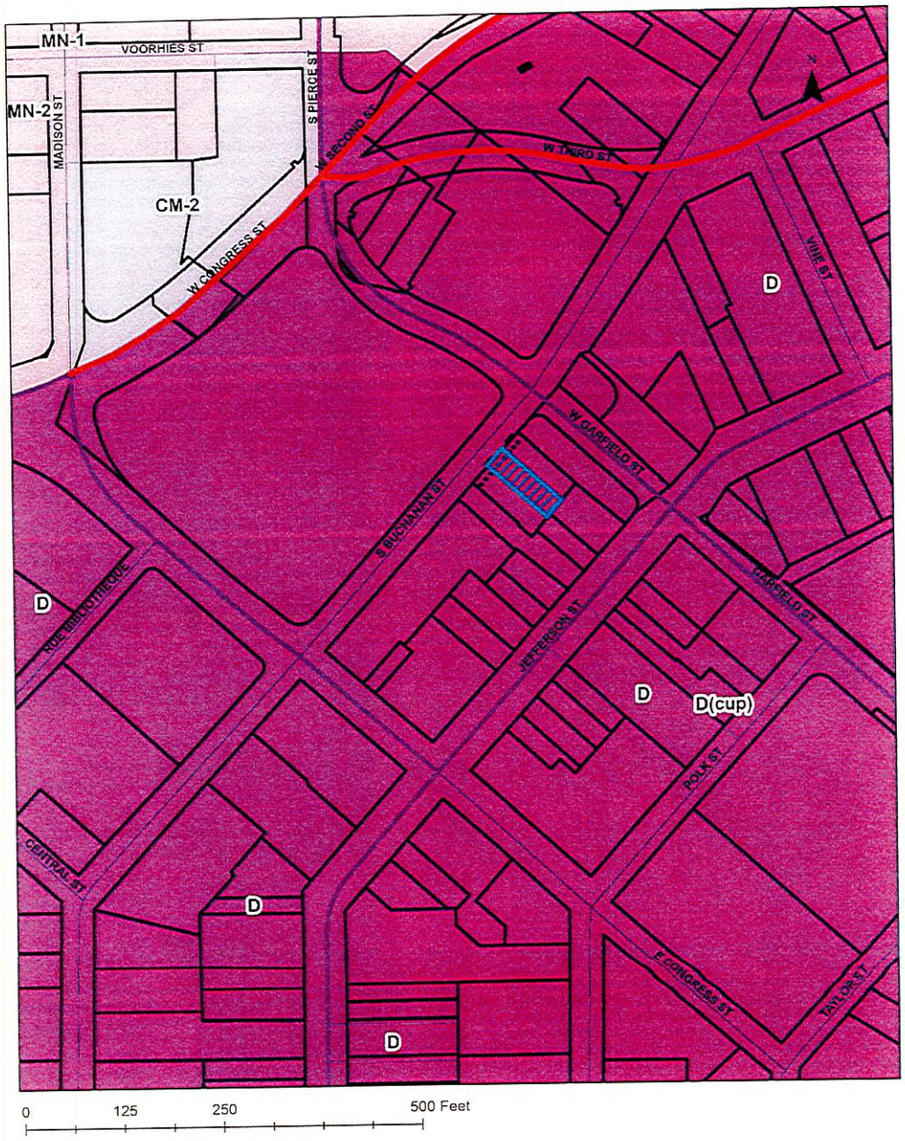
Vicinity Map

CO-050-2024

II. ANALYSIS

A. Existing conditions

Zoning

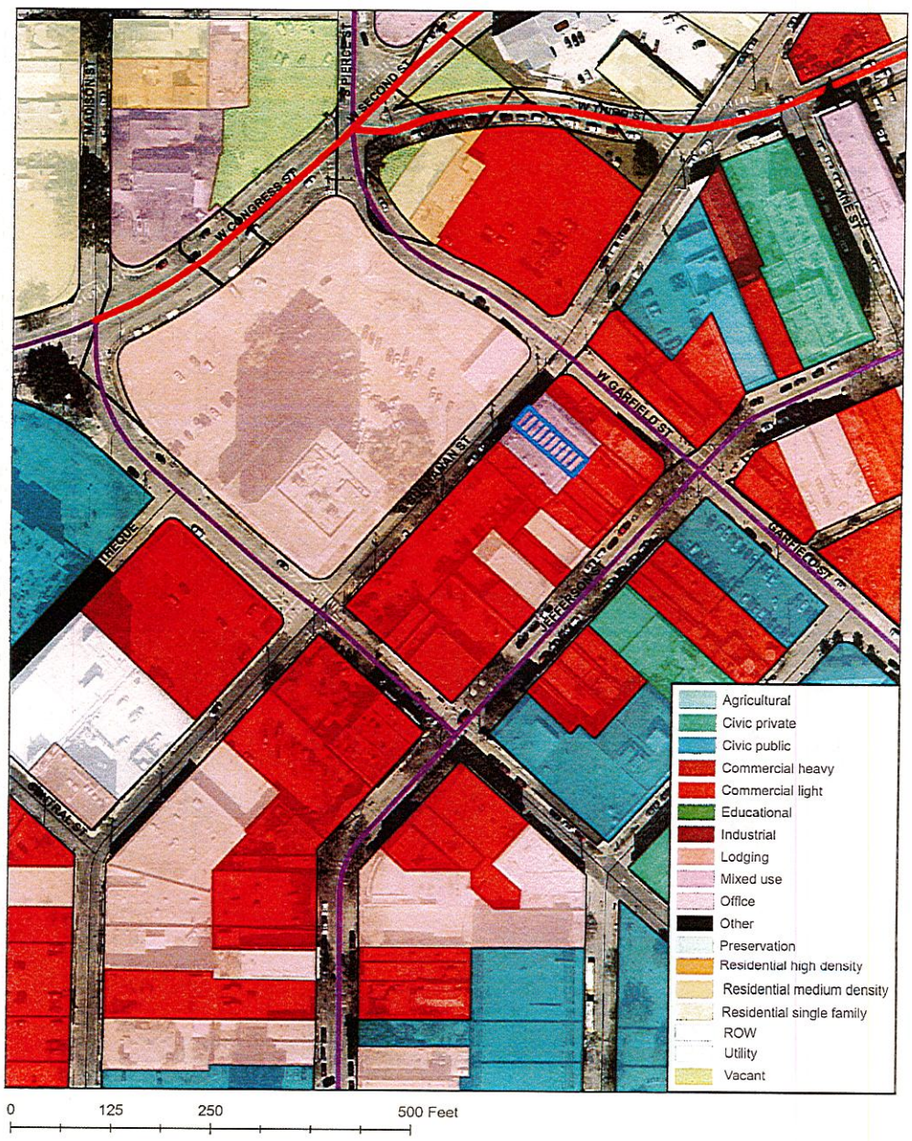


Zoning map of the area surrounding the petitioned site

The subject property is located in the northern portion 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 West Congress

Street. Beyond that are the residential districts of RM-1 (Residential Mixed) and MN-2 (Mixed-Use Neighborhood) of LaPlace Neighborhood.

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, including directly above the Ashes to Ashes bar, 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 southeast of the subject property. There is

CO-050-2024

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 local road, South Buchanan Street. Nearby Jefferson Street is a major collector. West Congress, at this location, and West Garfield Street are also major collectors. Jefferson 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 since seen an increase in establishments with an alcoholic beverage—and food—sales. However, at this time, there are only three (3) CUP bars: **Artmosphere** at 902 Johnston Street, **Legends Annex** at 110 Polk Street, and **Rooftop 116** at 116 East Vermilion Street.

There have been a number of bars that have opened with CUPs since the moratorium ended, including **The Grouse Room** (now closed), **Beausoleil Books** (now only a bookstore) the **Legends Annex, Bliss** (now closed), **Artmosphere, Wurst Biergarten, Rooftop 116** and **Le Grenadier** (Although Le Grenadier has since closed, and Wurst Biergarten is now a restaurant). There are also **seven (7)** bars that were grandfathered in after the moratorium. Recently, a proposed CUP for the Downtown Daquiri Lounge, a sports bar concept with similar occupancy, was denied by the City Council.

South Buchanan Street—classified as a "B" street—has reduced frontage standards allowing for more flexibility and limited vehicular interface. This is a quieter part of Downtown, and this bar/lounge is designed to appeal to a certain interest and a certain clientele. While potentially noxious in the wrong setting, bars such as **Ashes to Ashes Bar** are desirable on a secondary street of a downtown area.

C. Proposal and effect on adjacent land uses

Hours of operation

3PM – 12 AM Sunday through Thursday 3PM – 2AM Friday and Saturday

Estimated building capacity

The occupancy number of the bar is 45 persons.

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 established for Rooftop 116, but is willing to discuss and consider hiring an additional security officer for the door as is deemed necessary.

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.

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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

See Attachments

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, **Ashes to Ashes Bar**, shall maintain compliance with the Noise Control Code and any conditions of the CUP during all hours of operation. Concerns regarding noise have been raised recently for the cigar lounge, close attention shall be paid, and Condition No. 2 has been added.

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. There are residential apartments above the bar. There are concerns about noise from these residents, so Condition No. 2 was added to the list. This is a mixed-use building, with retail on the first floor, and residential above. The two different uses must make accommodations for the other.

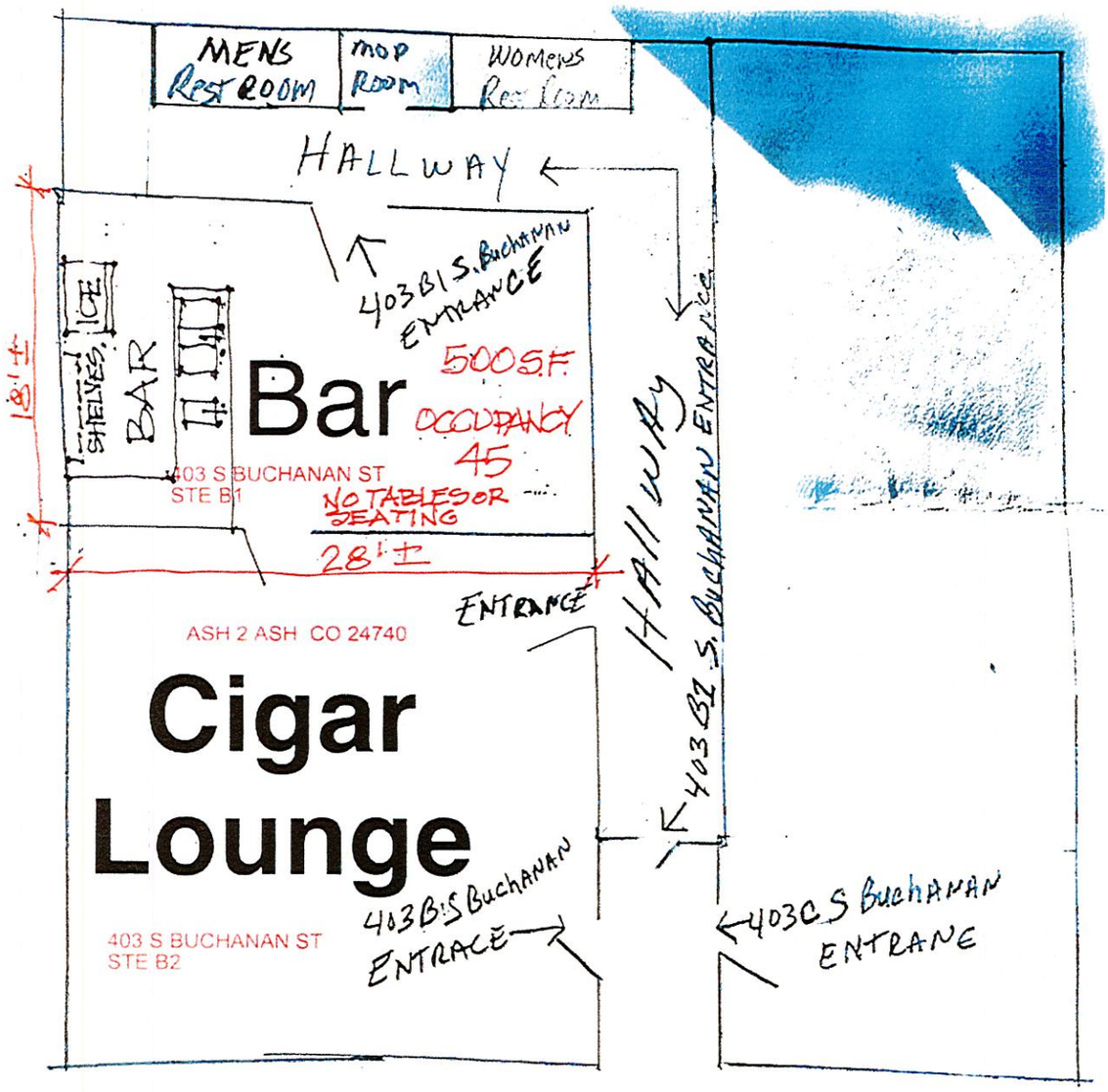
The proposed use does not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

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, LPD and DDA have provided commentary and professional insight into operational issues that may be detrimental and should be addressed. However, this bar/lounge will not have the occupancy level of Rooftop 116, and the function of this bar is different.

CO-050-2024



Bar Floor Plan

1

Carol Robbins

From: Neil T. Lebouef
Sent: Monday, March 23, 2026 8:30 AM
To: Carol Robbins
Subject: FW: Ash 2 Ash Cigar Lounge

Importance: High

See below. Add to the CUP application package for Commissioners.

From: Tammy Luke <tluke@LafayetteLA.gov>
Sent: Sunday, March 22, 2026 3:35 PM
To: Neil T. Lebouef <NLebouef@LafayetteLA.gov>; Kathy L. Trahan <kltrahan@LafayetteLA.gov>; Sally Leger <sleger@LafayetteLA.gov>
Subject: FW: Ash 2 Ash Cigar Lounge
Importance: High

Good Afternoon All,
@Neil T. Lebouef this is for awareness for the CUP application
@Kathy L. Trahan not sure there is anything on the compliance side, keeping you in the loop
@Sally Leger how does this affect their alcohol permit and how is it enforced? Is it being posted ion social media count ?

Tammy Luke | *Director of Community Development & Planning Department*
Lafayette Consolidated Government
705 W. University Avenue / Lafayette, LA 70502
p: 337.291.8013 / f: 337.291.8003 / tluke@lafayettela.gov / lafayettela.gov

Lafayette

From: Christina Dayries <cdayries@LafayetteLA.gov>
Sent: Friday, March 20, 2026 1:28 PM
To: philippe callais <philippecallais@gmail.com>; jacquesguillot@bellsouth.net
Cc: Tammy Luke <tluke@LafayetteLA.gov>; MayorPresidentsOffice <mayorpresidentsoffice@LafayetteLA.gov>; Rachel Godeaux <rachel.godeaux@LafayetteLA.gov>; Vincent J. Pierre <vjpierre@LafayetteLA.gov>
Subject: RE: Ash 2 Ash Cigar Lounge

Thank you for this information, I have copied our Director, Tammy Luke is over permits and compliance for her to look into further to determine if there is anything we can do.

Thank you,
Christina Dayries | *Chief of Staff*
Lafayette Consolidated Government
705 W. University Avenue | P.O. Box 4017-C | Lafayette, LA 70506
p.337.291.8367 | c.225.247.0797 | cdayries@lafayettela.gov | www.lafayettela.gov

CU-050-2026

From: philippe callais <philippecallais@gmail.com>
Sent: Friday, March 20, 2026 1:18 PM
To: Christina Dayries <cdayries@LafayetteLA.gov>; jacquesguillot@bellsouth.net
Subject: Ash 2 Ash Cigar Lounge

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender. Please exercise caution when opening any attachments or clicking on links.
Please click the "Report Suspicious" button to report the message as suspicious.

Report Suspicious

Good afternoon-

My name is Philippe Callais and I am the owner of unit 2 at Buchanan Lofts, the building that also contains Tsunimi, the Refinery and Ash 2 Ash Cigar Lounge.

I'm writing to express my extreme frustration that a business that's stated sole purpose is to sell and smoke cigars is even allowed to function in a shared residential building.

I lived in this building as a renter for 2 years before I decided to purchase the property. Had I known that I could be dealing with constant loud/late parties and the associated noise, not to mention the lingering stale smell of cigars, I NEVER would have stayed past the first month of the lease. I was not naive about noise levels when I chose to live downtown. BUT when the bass is literally rattling a glass on my bedside table, the problem becomes unbearable.

Further, the owners and their friends frequently put benches and ash trays out for their guests to smoke outside, which is maybe 10 feet from the condo lobby - residents and guests have no option but to walk through the smoke to enter or exit the building.

I also KNOW they are illegally selling alcohol without a permit- it is pretty often that people post images on social media such as the one attached, which is another violation.

I have lived in this building for about 4 years now, and if this cannot get resolved, I will, unfortunately, have to put this loft on the market (as other owners have) and find a new space where other tenants are not allowed to negatively affect quality of life in the building.

Thank you for your attention and please don't hesitate to reach out if you have any questions.

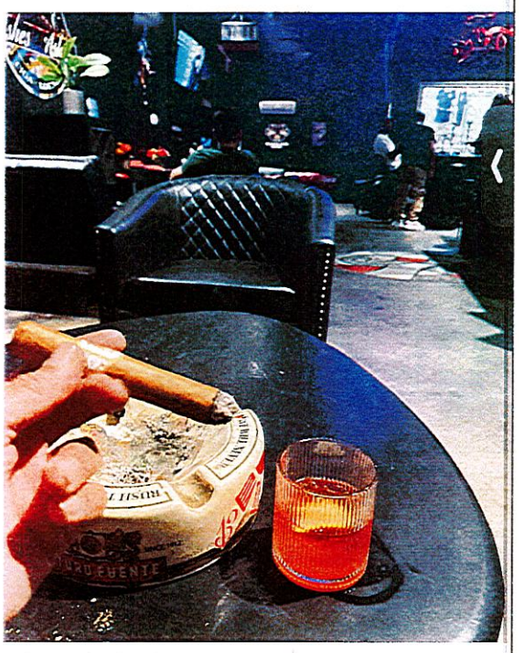
Philippe Callais
403 South Buchanan #2
Lafayette, LA 70501

1

1:13 5G+

Lafayette Drinks!
Paul Brouillette · 2d ·

$5 old fashioned and a smoke at Ashes to Ashes downtown.



22 3

Most relevant

David Moore · 2d · by Author

2

403 S Buchanan Street - Ashes to Ashes Bar							
Certificate of Occupancy No.	Date of Issue	Date of Upload to MGO	Use Classification	Business Name	Business Owner	Business Address	Alcohol Sales
24740	6/18/2025	6/18/2025	Convenience Store	Ash 2 Ash	Dwight Stewart	403 S Buchanan St, B	No
24740	6/18/2025	6/19/2025	Bar/Lounge	Ash to Ash Bar & Cigar Lounge	Dwight Stewart	403 S Buchanan St, B1 & B2	No
24740	6/18/2025	6/23/2025	Bar/Lounge	Ash to Ash Bar & Cigar Lounge	Dwight Stewart	403 S Buchanan St, B1 & B2	No
24740	6/18/2025	6/24/2025	Bar/Lounge	Ash to Ash Cigar Lounge	Dwight Stewart	403 S Buchanan St, B1	No
24740	6/18/2025	10/13/2025	Bar/Lounge	Ash to Ash Bar	Marlon Haynes	403 S Buchanan St, B2	Yes
24740	6/18/2025	10/14/2025	Retail, Limited (B)	Ashes II Ashes Cigar Lounge LLC	Marlon Haynes	403 S Buchanan St, B1	Yes

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3

Attachment 3 – David Stanley, LPD

Good Afternoon,

Lafayette Police Department concurs with conditions 1-5 as written and recommended. The current issue we have with 6 is it may not be enforceable on the establishment as a condition or recommendation. Feel free to call me if you have any questions or need further explanations.

Note: Staff deleted a condition from the original list, so Mr. Stanley is referring to Condition No. 5.

From: Carol Robbins <crobbins@LafayetteLA.gov>
Sent: Tuesday, March 31, 2026 9:02 AM
To: Rachel Holland <rachel@downtownlafayette.org>; Sally Leger <sleger@LafayetteLA.gov>; Forrest Chaisson <fchaisson@LafayetteLA.gov>; Scott Rummel <SRummel@LafayetteLA.gov>; David Stanley <davidstanley@LafayetteLA.gov>; Kevin Blanchard <Kevin@downtownlafayette.org>
Cc: Neil T. Lebouef <NLebouef@LafayetteLA.gov>; Tammy Luke <tluke@LafayetteLA.gov>
Subject: Ashes to Ashes Bar

Good morning all-

I have attached an updated floor plan with dimensions and some details. If there is any other information you need in reference to this proposed CUP, please let me know. Mr. Haynes' application is on the agenda for the April 20, 2026, Zoning Commission meeting. This would result in City Council Intro on May 5, and Final Approval/Denial on May 19, 2026. I have attached the proposed conditions again as I have revised a few items.

Please let me know if there is anything else you need-

Thank you,

Carol Vermillion Robbins | *Planner II*

Lafayette Consolidated Government

Community Development and Planning Department

Development Division

220 West Willow Street / Lafayette, LA 70501

p: 337.291.8006 /crobbins@LafayetteLA.gov

C-050-2026

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Lafayette
POLICE DEPARTMENT

RE: 2026-10-REZ – CUP for Bar/Lounge
403B South Buchanan Street

The Lafayette Police Department has reviewed the Conditional Use Permit request for the proposed bar/lounge located at 403B South Buchanan Street.

As part of our review, we considered the recommendations submitted by the Lafayette Consolidated Government Alcohol and Noise Control Division, which are as follows:

1. No person under the age of 21 shall be allowed to enter the bar/lounge.
2. No external speakers shall be permitted, and all external windows and doors shall remain closed during operation.
3. Maximum occupancy shall be limited to 45 persons.

Additionally, the Lafayette Police Department conducted a review of calls for service associated with the location and surrounding area. A review of the last 90 days for 403 S. Buchanan Street reflected only one call for service, which was an alarm call later cleared as a false alarm.

A review of the entire 400 block of South Buchanan Street for the same time period reflected:

- Three "911 Satisfied" calls, which commonly indicate accidental or abandoned calls;
- One "fight in progress" call; and
- One noise complaint.

Based on the low volume of calls for service associated with both the location and surrounding block, as well as the proposed business model submitted for consideration, the Lafayette Police Department has no extraordinary recommendations or concerns regarding this Conditional Use Permit request.

The Lafayette Police Department supports reaffirming the recommendations already submitted by the Lafayette Consolidated Government Alcohol and Noise Control Division.

L. S. Rummel #1107

Lt. Scott Rummel

Community Engagement Unit

Precinct 5

Attachment 4 – ANC (Sally Leger)

Carol,

Based on the venue type and layout of the business, below are the recommendations for the CUP for Ash 2 Ash Bar, located at 403 S. Buchanan St., Ste. B2:

1. No person under the age of 21 allowed to enter the bar/lounge.
2. No external speakers and all external windows and external doors shall remain closed.
3. Maximum capacity of 45 persons.

If you have any questions or need additional information, please let me know.

Sincerely,
Sally Leger

CO-030-2026
5

Recommended Conditions (Annotated)

Submitted by the Downtown Development Authority – 5/8/2026

2026-10-REZ — CUP for Bar/Lounge at 403B South Buchanan Street

1. **Smoking, as defined in Sec. 42-2(a), is prohibited in the bar at all times, including by means of cigarettes, cigars, pipes, hookahs, and electronic smoking devices.**

   Rationale: Sec. 42-2(c)(6) prohibits smoking in any bar or alcoholic beverage establishment. The tobacco-business exemption under Sec. 42-2(f)(4) covers the cigar lounge because 50 percent or more of its sales are tobacco-related, but that exemption does not extend to the adjoining bar suite once that suite is operating as an alcoholic beverage establishment. This condition applies existing state and local smokefree law to the use being permitted.

2. **Smoking is prohibited in any common area of the building, including the rear hallway, restrooms, vestibules, and any other space shared by the commercial suites and the residential condominium units, consistent with Sec. 42-2(c)(10). The applicant is responsible for enforcing this prohibition as to bar customers and bar employees.**

   Rationale: Sec. 42-2(c)(10) expressly protects "common areas in apartment buildings, condominiums... and other multiple-unit residential facilities," and that protection is independent of how the bar/cigar-lounge question is resolved. The hallways, restrooms, and vestibules shared with the residential units above are squarely within the statutory text. Placing the affirmative enforcement duty on the operator (the party generating the smoke and controlling the patrons) is the only practical mechanism. Under Sec. 6-1 of the code, a Building is defined as any structure or edifice enclosing any space within the outer walls, including any portion under the same roof or a common roof. The bar suite and the cigar lounge are within the same building under this definition regardless of any sub-address designation the operator may adopt, and the shared hallways, vestibules, and restrooms remain common areas of that building protected by Sec. 42-2(c)(10). Buchanan Lofts residents have reported that smoke continues to reach residential units above the lounge despite prior mitigation efforts, which establishes that passive or informal compliance measures have not been sufficient and that an affirmative, enforceable obligation on the operator is warranted.

3. **The applicant shall post signage in conformity with Sec. 42-2(h) at all bar entrances and within the interior of the bar and shall remove all ashtrays and tobacco-refuse receptacles from the bar and from any common area where smoking is prohibited.**

   Rationale: These are the standard compliance steps Sec. 42-2(h) requires of any premises subject to the smoking prohibition: conspicuous signage at every entrance under (h)(1) and (h)(2), and

removal of ashtrays and refuse receptacles under (h)(3). Posting at the bar's entrances and inside the bar puts patrons and staff on notice that the bar itself is non-smoking, even with a tobacco-permitted use directly adjoining.

4. **Sound levels measured within any residential unit located above, adjacent to, or within the same structure as the bar shall not exceed the residential receptor limits established by Sec. 34-366(a) Table I (60 dB(A) between 7:00 a.m. and 10:00 p.m. and 50 dB(A) between 10:00 p.m. and 7:00 a.m.) measured at any point within the unit. The boundary of any such residential unit is a receptor property line as provided in Sec. 34-362.**

   Rationale: Chapter 34, Article IV sets residential receptor-property-line limits of 60 dB(A) between 7:00 a.m. and 10:00 p.m. and 50 dB(A) between 10:00 p.m. and 7:00 a.m. under Sec. 34-366(a) Table I. Treating each upstairs unit's interior boundary as the receptor location is the only way the existing limits can function in a building where the receptor is directly above the source. Without this, the noise ordinance is structurally unenforceable in mixed-use buildings — which is precisely the situation at 403B Buchanan. Sec. 6-11(e) provides that acts prohibited under Chapter 34, Article IV constitute violations of Chapter 6 when occurring on the premises of an alcoholic beverage establishment. A noise violation at the bar therefore counts as both a Chapter 34 violation and a Chapter 6 violation, and feeds the escalating penalty schedule at Sec. 6-5 in addition to any consequences under Sec. 89-95-2(b)(4)(ii).

5. **Amplified sound reproduction equipment, including but not limited to DJ equipment, sound systems, and live amplified performance, is prohibited at the bar at all hours. Acoustic music is permitted only with all doors and windows closed.**

   Rationale: In a residential condominium with occupied units directly above the proposed bar, amplified sound is the highest-risk noise source and the most difficult to attenuate after construction. Sec. 34-370(a)(3) already provides that amplified-sound violations cannot be classified as "minor." Combined with Sec. 6-11(e), which makes Chapter 34 violations on alcohol-permitted premises also Chapter 6 violations, and with the Sec. 89-95-2(b)(4)(ii) auto-revocation rule, an amplified-sound violation in this configuration carries three independent regulatory consequences: a Chapter 34 enforcement action, a Chapter 6 enforcement action under Sec. 6-5, and a count toward the two-violations-in-six-months auto-revocation trigger. Buchanan Lofts residents have specifically identified music played in the cigar lounge as the source of noise that becomes problematic on weekends — and the cigar lounge does not hold an alcohol permit. A bar with a connecting door to that same space and its own patron base presents a materially greater disturbance risk. A flat prohibition is the cleanest mitigation in this configuration; if Council is unwilling to adopt an absolute prohibition, a measured-dB cap tied to the receptor limits in Condition 4 is a workable substitute but places the operator at risk of future "major" violations.

6. **The applicant shall, prior to opening, install and maintain sound attenuation between the bar and the residential units above, including acoustical ceiling treatment and isolation of any speakers from the building structure. Documentation of installation shall be filed with the Office of Alcohol and Noise Control.**

   Rationale: Acoustical ceiling treatment and structural isolation of speakers must be installed at the time of opening. Filing the installation documentation with the Office of Alcohol and Noise Control creates a baseline record that enforcement staff can rely on when residents call and inspectors respond, and it shifts the burden of proof onto the operator to demonstrate that the attenuation remains in place. Buchanan Lofts residents have reported that noise from the existing cigar lounge continues to reach residential units

7. **The applicant shall provide direct contact information—a phone number monitored during operating hours by a manager with authority to abate—to every other unit owner in the building, to the condominium association, to the Lafayette Police Department, and to the Office of Alcohol and Noise Control.**

   Rationale: Residents above an active bar should not be required to route every disturbance through 311 or police. A monitored manager line routed directly to a person with authority to abate is a standard mitigation technique that provides an opportunity to de-escalate issues prior to police or other enforcement involvement.

8. **Maximum occupancy in the bar shall be 45 persons. Maximum occupancy in the cigar lounge shall be 75 persons. Any change in occupancy in either space shall require independent verification by the Lafayette Fire Department's Fire Prevention Division and shall be reported to the Office of Alcohol and Noise Control.**

   Rationale: The 45-person and 75-person caps reflect the posted occupancies of the two spaces under existing Fire Marshal review. Under Sec. 6-1, Building is defined by common roof, not by interior partition or address suffix; the bar and cigar lounge share a single building footprint.

9. **Alcoholic beverages sold or served at the bar shall not be carried into the cigar lounge, into any common area of the building, or onto any sidewalk or right-of-way, and shall be consumed only within the bar. Sec. 6-31(c) of the Code, which provides that no on-premise consumption of alcoholic beverages may occur except within the physical boundaries described in a permit issued under Chapter 6, independently obligates the bar permit holder to confine alcohol consumption to the bar's described physical boundaries. Likewise, the connected cigar lounge operates under a BYOB Exception Permit issued under Sec. 6-34(e), which prohibits the operator, the operator's manager, and the operator's employees from selling, serving, or storing alcoholic beverages within the BYOB-permitted premises absent a Special Event Permit under Sec. 6-37. Permitting the operator's bar-sold alcoholic beverages to enter or be consumed within the cigar lounge would cause the operator to be serving or**

storing alcohol in the BYOB-permitted premises in violation of those rules. Bar staff shall enforce this restriction at the bar's partition with the cigar lounge and at all bar exits.

Rationale: The prohibition in this condition rests on two independent provisions of the Code. Sec. 6-31(c) requires the location and physical boundaries of the bar premises to be particularly described in the alcoholic beverage permit application and prohibits on-premise consumption outside those boundaries; the bar permit holder is therefore responsible for ensuring that alcohol sold or served at the bar is consumed only within the bar's described boundaries. The BYOB Exception Permit currently issued at this address under Sec. 6-34(e) separately prohibits the operator, manager, and employees from selling, serving, or storing alcoholic beverages on the BYOB-permitted premises absent a Special Event Permit under Sec. 6-37. Any bar-sold drink that crosses the partition into the cigar lounge therefore creates two independent violations: a Sec. 6-31(c) violation by the bar permit holder for alcohol consumed outside described boundaries, and a Sec. 6-34(e) violation by the BYOB permit holder for service or storage of alcohol inside the BYOB premises. The DDA notes that this analysis is not affected by any sub-address designation the operator or the City may adopt for permit-issuance purposes, including any designation of the bar suite and the cigar lounge under separate sub-addresses such as 403B(a) and 403B(b). Under either framing, alcohol sold or served at the bar must remain within the bar's described physical boundaries, and any movement of that alcohol into the cigar lounge premises is a violation of the Code provisions cited above. Sec. 6-5(10) further provides that when an operator holds more than one permit under Chapter 6, suspension or revocation of any one may result in suspension or revocation of all. The condition makes the partition a functional regulatory wall, and the Chapter 6 framework already in place ensures that crossing it triggers consequences across both permits the operator holds.

10. **No person under the age of 21 shall be permitted in the bar at any time when alcohol is being sold, served, stored, or consumed.**

    Rationale: Standard age separation under Chapter 6 and state ATC law for Class A on-premises establishments. Stating the requirement in the CUP makes it directly enforceable as a permit condition under the revocation framework in Sec. 89-95-2(b)(4) rather than only as an ATC matter — important here because patron flow between the bar and the under-21-permitted cigar lounge requires an enforceable line within the same building footprint. A violation of the under-21 prohibition on alcohol-permitted premises also feeds the Sec. 6-5 escalating penalty schedule via Sec. 6-13 and the Chapter 6 framework generally.

11. **A designated manager with managing authority over the bar shall be in attendance during all days and hours of operation, as required by R.S. 26:80 and 26:280 and Chapter 6 of the Code for Class A on-premises permittees.**

    Rationale: R.S. 26:80 and R.S. 26:280 already require a managing authority on premises during all hours of operation for Class A permittees. Restating that requirement as a CUP condition

makes it directly enforceable through the Sec. 89-95-2(b)(4) revocation framework, not solely through the ATC permit process.

12. **The applicant shall coordinate a written security plan with the Lafayette Police Department and the Office of Alcohol and Noise Control prior to opening, and shall provide written security on premises during all hours when the bar is open and during any hour when the cumulative occupancy across the bar and the cigar lounge exceeds 75 persons.**

    Rationale: A coordinated written security plan with LPD and the Office of Alcohol and Noise Control is appropriate for any new bar adjacent to occupied residential units. The 75-person cumulative occupancy trigger captures the operational reality that the bar and the cigar lounge share a single building footprint: load on the building, on the parking, and on the surrounding right-of-way does not respect the interior partition between the two uses, and the security obligation should not either. This is so regardless of any sub-address designation the operator may adopt for permit-issuance purposes. Under Sec. 6-1, the bar and cigar lounge are within a single Building under common roof, and the cumulative occupancy of the building is the relevant figure for security planning. Sec. 6-5(10) further provides that an operator holding multiple permits under Chapter 6 may have any one or all of those permits suspended or revoked together, confirming that the regulatory architecture already treats the operator as a unified subject for consequence purposes when consequences flow.

Lafayette
CONSOLIDATED GOVERNMENT

Internal Memorandum

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

TO: Rachel Godeaux **DATE:** May 22, 2026

FROM: Tammy Luke

SUBJECT: **Case No. 2026-10-REZ**
403B South Buchanan Street Conditional Use Permit

The attached ordinance would permit a Conditional Use Permit (CUP) for a bar/lounge in a D (Downtown) zoning district for property located generally north of Jefferson Street, west of West Garfield Street, and south of South Buchanan Street. This is a city ordinance because zoning only exists in the city of Lafayette.

The Zoning Commission, at its Monday, May 18, 2026 meeting, recommended that the City Council deny the attached ordinance. We request that Council Introduction be scheduled for Tuesday, June 16, 2026, with Final Adoption Tuesday, July 7, 2026.

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

Tammy Luke
Director

RECEIVED
MAY 21 2026
OFFICE OF THE CAO

CO-050-2026

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 permit a Conditional Use Permit (CUP) for a bar/lounge in a D (Downtown) zoning district for property located generally north of Jefferson Street, west of West Garfield Street, and south of South Buchanan Street.

2) **ACTION REQUESTED:** Adoption of the attached ordinance to permit a Conditional Use Permit (CUP) for a bar/lounge in a D (Downtown) zoning district.

3) **REQUEST ACTION OF COUNCIL:**

   A. INTRODUCTION: June 16, 2026

   B. FINAL ADOPTION: July 7, 2026

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, Floor Plan (2 pages)

   F. Final Evaluation of Zoning Considerations with Attachments (27 pages)

5) **FISCAL IMPACT:**

   ___ Fiscal Impact (will be detailed in Cost-Revenue Analysis)

   _X_ No Fiscal Impact

RECOMMENDED BY:

TAMMY LUKE, DIRECTOR

APPROVED FOR AGENDA:

CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-050-2026

1. This ordinance was introduced:
June 16, 2026
YEAS: Broussard, Naquin, Hebert, Hooks, Boudreaux

NAYS: None

ABSENT: None

ABSTAIN: None

Final disposition by Council:
July 7, 2026
YEAS: Broussard, Naquin, Boudreaux

NAYS: Hebert, Hooks

ABSENT: None

ABSTAIN: None

AMEND: 07/07 – Remove sentences two (2) and three (3) from Section 2 from the list of conditions

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the official journal on June 19, 2026.

3. On July 9, at 9:30 o'clock a.m., 2026, 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 10 day of July, 2026, at 4:34 o'clock p.m.

B. Veto this ordinance, this _____ day of _____, 2026, at _____ o'clock ___.m., veto message is attached.

C. Veto individual appropriation item(s) this _____ day of _____, 2026, 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 July 13, at 2:25 o'clock p.m., 2026, this ordinance was returned to the Council Office signed by Mayor-President, without veto message.

B. On _____, at _____ o'clock ___.m., 2026, this ordinance was returned to the Council Office with a veto message, and on _____, 2026, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

C. On _____, at _____ o'clock ___.m., 2026, 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 July 10, 2026.