

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: 2021-9-SPU

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 10/27/2021**  
RNK Construction, LLC  
11 Azalea Court  
Luling, LA 70070  
(504)-382-9096; robbyg@pedalvalve.com
- ◆ **Location of Site**  
12715 Highway 90, Luling—southeast or left rear corner of St. Charles Plaza strip mall/Lot A-1-A-1A (proposed Lot A-1-A-6A, 2021-13-MIN).
- ◆ **Requested Action**  
Automobile fleet services—truck parking and dispatch in a C-3 zoning district (ord. 21-11-7)

### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**  
Proposed Lot A-1-A-6A is 61,010 sq. ft. (1.4 acres)
- ◆ **Current Zoning and Use**  
C-2 (proposed C-3, 2021-13-R); the site is a proposed lot located adjacent to the School District's Professional Learning Center building and a strip mall that is under consideration for resubdivision (2021-13-MIN pending Council consideration; approved with waivers by the Planning Commission on Nov 4; revised copy in this agenda).  
  
Proposed Lot A-1-A-6A is developed with a concrete surface that covers most if not all of the lot and a building that may have been a storage shed that was built between 2000 and 2004 (staff have been unable to find the building permit record).
- ◆ **Surrounding Zoning and Land Uses**  
C-2 zoning abuts to the front and east side; C-3 zoning abuts on the west side; R-1A zoning is adjacent to the rear.  
  
The site is located within St. Charles Plaza shopping center which contains a mix of commercial uses including restaurants, retail stores, and a cleaning equipment and supply. The Professional Learning Center for St. Charles Public Schools abuts to the northwest. Single family houses abut on the southwest or rear.
- ◆ **Future Land Use Recommendation**  
*General Commercial:* The General Commercial category includes sites for commercial uses that provide a mix of business activities and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. In general, this designation applies to most commercial uses that are permitted in the C-2 (General Commercial – Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts.
- ◆ **Traffic Access**  
Proposed lot A-1-A-6A is located in the rear of a commercial site developed with two driveways--one signalized driveway to Highway 90 (eastbound and westbound) and one driveway with egress onto and ingress from eastbound 90.

In order to reach proposed lot A-1-A-6A, trucks and other vehicles will travel about 700 ft. from Highway 90 across the front of the strip mall. The subdivision plat shows a hatched "PUBLIC ACCESS" which is 30-feet wide from the signalized driveway

across the front of the strip mall, through proposed lot A-1-A-6F. Proposed lot A-1-A-6F does not have any buildings on it; it contains all the required parking for the strip mall. A note regarding access states: "The owners or their assigns of lot A-1-A-6A, A-1-A-6B, A-1-A-6c, A-1-A-6D, & A-1-A-6E will have legal public access over and across lot A-1-A-6F through Entrance A & Entrance B as shown." Entrance A is signalized and accesses both east and westbound Highway 90; Entrance B is not signalized and accesses only eastbound Highway 90.

The result will be delivery and dump trucks driving between the required parking area and the front doors of the restaurants and other businesses in the strip mall.

◆ **Utilities**

Parish water is available along Highway 90.

There are sewer servitudes running through the site directing wastewater to a Parish maintained lift station at the front. This wastewater is then transferred to Parish sewer lines on Highway 90.

The site is fully developed and completely impervious, so additional drainage impacts are not expected.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

**[IV.] C-3. Highway commercial district—Wholesale and retail sales:**

1. Use Regulations:
  - a. A building or land shall be used for the following purposes.
    - (1) All uses allowed in the C-2 District.
    - (2) Commercial auditoriums, coliseums or convention halls
    - (3) Retail manufacturing
    - (4) Automobile sales and service
    - (5) Wholesale uses
    - (6) Warehouses (less than 10,000 sq. ft.)
    - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
    - (8) Bottling works
    - (9) Dog pound
    - (10) Building supply
    - (11) Heating and air conditioning service
    - (12) Plumbing shops
    - (13) Automotive repair, minor and major
    - (14) Glass installation
    - (15) Fabrication of gaskets and packing of soft metal material
    - (16) Creameries
    - (17) Parcel delivery service
    - (18) Reserved.
    - (19) Frozen food lockers
    - (20) Public stables
    - (21) Bulk dairy products (retail)
    - (22) Animal hospitals
    - (23) Gymnasiums
    - (24) Sheet metal shops.
    - (25) Upholstery
    - (26) Other uses of similar intensity
    - (27) Customary accessory uses incidental to the above uses when located on the same lot.
  - b. Special exception uses and structures:
    - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
  - c. Special permit uses and structures include the following:
    - (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
    - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (4) Reserved.
    - (5) Cellular installations and PCS (personal communication service) installations.
    - (6) Reserved.
    - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
    - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
    - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
    - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.

**(11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.**

2. Spatial Requirements:
  - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
  - b. Minimum yard sizes:
    - (1) Front - twenty (20) feet
    - (2) Side - five (5) feet
    - (3) Rear - ten (10) feet
    - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
3. Transportation System: Arterial, local industrial, rail, water.
4. Special Provisions:
  - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

[V.]Prohibited use: Medical waste storage, treatment or disposal facilities.

**Appendix A. Section IV.**

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
  - a. Required yards and open space
  - b. Ingress and egress to property
  - c. Parking and loading areas
  - d. Location of garbage facilities
  - e. Landscaping, buffering, and screening
  - f. Signage
  - g. Height and bulk of structures
  - h. Location and direction of site lighting

<b>SPU CRITERIA COMPLIANCE</b>
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The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The Comprehensive Plan designation of this site is General Commercial, which in a broad sense takes into account “most commercial uses that are permitted in the C-2 (General Commercial – Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts.” But the designation contains more context stating the anticipated uses “...includes sites for commercial uses that provide a mix of business activities and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis”. The use proposed as part of this special permit is an intense commercial service. While still falling under “all uses permitted in the C-3 zoning district” criteria, the proposal is on the more impactful set of uses allowable and while technically compliant within the bounds of all uses permitted in the C-3 zoning districts, consideration of impacts on adjacent sites must be factored into the further consideration below. **Complies.**
2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.*

St. Charles Plaza currently contains an off-track betting business, several restaurants and general offices, retail sales, and retail service shops. As the resubdivision survey

and site plan are drawn, customers and employees of these businesses will have to cross a 30-ft. wide road that runs approximately 800-ft. from the intersection with the highway to reach the proposed parking site. The result may be an unsafe conflict between pedestrians trying to access general commercial/retail services and heavy construction vehicles as well as a conflict between passenger vehicles. Appropriate crosswalk markings should be implemented from the various pedestrian access points along the main commercial building

In addition to the safety concern, dump trucks often drop material. The submitted site plan does not indicate a wash area for vehicles. Because vehicles would be passing between the parking area and front door of existing businesses, dump trucks should be required to be cleaned at a wash facility permitted by LDEQ for discharges of exterior vehicle and equipment wash wastewater (General Permit LAG 750000 or equivalent) before returning to the site. **Does Not Comply, but recommended conditions as stated may resolve these issues.**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The use requires 1 parking space for every 2 employees plus a space for each vehicle kept and maintained on site. The site plan states that the business will have 13 employees and 11 company trucks, which the applicant has indicated are dump trucks and delivery trucks. The required parking is 18 stalls; the site plan shows 13 truck stalls and 30 passenger vehicle stalls.

The site plan also shows lights on an existing pole and new LED wall packs on the front and side of the building, directed away from the adjacent residential neighborhood to the rear. **Complies**

4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* C-3 or highway commercial uses may impact residential uses with noise and activity. The Zoning Ordinance requires a 6 ft. high opaque fence and 10-ft. wide landscaped buffer between C-3 uses and residential uses to help mitigate these impacts. The site plan *does not* show a 10-ft. wide landscaped buffer to help mitigate the impacts. The ordinance allows the Planning and Zoning Department to increase or decrease the required buffer area. Due to the existing nature of the site being completely impervious, installation of buffer plantings may be unreasonable. Staff recommends conditioning the approval to exclude any vehicles from being parked within 20 ft. of the rear property line to compensate. **Partially Complies**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The site is developed with a commercial metal building and a concrete parking/vehicular circulation area. No improvements are proposed which would have any more impact to drainage as the site is almost entirely impervious. The site plan shows glare from lighting will be mitigating by removing the light pole closest to the adjoining residential neighborhood and facing new building lighting away from those residences. Fire protection will be part of the review for the permit required for the building addition. **Complies**

6. *A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:*

- a. *Required yards and open space.* The site is developed with a commercial building which currently meets C-3 setbacks (20 ft. front, 10 ft. rear, 5 ft. sides). A proposed building addition should continue to be well within the required setbacks, but more detail is required on the site plan to confirm. **More information required**
- b. *Ingress and egress to property.* The use is proposed on Lot A-1-A-6A which does not possess frontage on a public street. Access is proposed via a servitude through adjacent Lot A-1-A-6F, with traffic flow directed down the central access drive of the shopping center to a driveway opening to Highway 90. This central access drive separates the bulk of the commercial businesses from the main parking lot serving the shopping center. **Complies**
- c. *Parking and loading areas.* One (1) space per two (2) employees on a maximum work shift, plus one (1) space for each company or business vehicle maintained on the premises is required. The site plan states the use will have 13 employees. Two (2) will work on-site while the remainder are vehicle operators. This

arrangement requires a total of 18 parking spaces (7 for employees, 11 for vehicles), one of which should be an accessible space. The site plan shows 13 spaces designated for the vehicles maintained on the premises and another 30 spaces for employees, but none are shown as handicapped accessible. The parking is shown to comply with site design requirements for parking spaces, but the plan must be revised to include at least one (1) accessible space. **More information required**

- d. *Location of garbage facilities.* Details on how garbage collection will be handled has been requested from the applicant. If dedicated dumpster facilities are utilized, their location must be shown on the site plan. **More information required**
- e. *Landscaping, buffering, and screening.* This use is proposed as part of the redevelopment of an existing site within the St. Charles Plaza shopping center. The site is entirely hard-surfaced and is nonconforming to current landscaping and buffer requirements. The applicability section of the Parish's site design requirements states "For existing sites and redevelopment the requirements of this section shall apply to all additions of fifty (50) percent or more to the floor area". The existing building is approximately 2,500 sq. ft., with an addition of approximately 1,800 sq. ft. proposed as part of this special permit. This would be an increase in floor area of approximately 72%., and the full landscaping requirements for this special permit are applied, including:
- Designating a minimum of ten (10) percent of the site for designed landscaping, or 6,101 sq. ft. for this site.
  - One (1) tree planting for every five thousand (5,000) square feet of site area is required, or 12 trees for this site.
  - A buffer area consisting of a six (6) foot tall solid fence and planted buffer strip where abutting a residential district or use. This would apply to the rear property line abutting the residential neighborhood.

\*it should be noted the buffer requirement can be increased or decreased at the discretion of the Director of Planning and Zoning.

The original site plan submitted as part of this request shows the majority of the site being left as is, with only the building addition, parking lot striping, and fencing shown as improvements. The fencing includes a 6 ft. wooden fence along the rear, fulfilling part of the buffer requirement, and chain link around the sides and front of the site. The applicant has been notified of the applicability of the landscaping and buffering requirements, and the department is awaiting either a revised plan showing these items are met, or a request for waivers from the landscaping requirements. **Does Not Comply**

- f. *Signage.* No signage is proposed as part of this application. If new signage is considered in the future, it will be reviewed for compliance as part of a sign permit application. **N/A**
- g. *Height and bulk of structures.* The special permit will utilize an existing building which currently meets C-3 setbacks. A building addition is proposed as part of the special permit, but as mentioned under item 6.a. This addition also represents an approximately 72% increase in floor area, which causes the Parish's full site design requirements to be applied. The requirements this addition triggers are detailed in section e. above. **More information required**
- h. *Location and direction of site lighting.* The site plan shows LED wall packs on the front and side of the building. No lighting is shown affixed to the rear of the building which faces the adjoining residential neighborhood. An existing light pole located in the rear of the site will also be removed due to the proposed building addition, which should lessen the impact site lighting has on the adjacent residents.

**Complies**

## ANALYSIS

This request is to permit a construction company with a fleet of 11 heavy vehicles, dump trucks and delivery trucks. This is the first such request after the Parish Council adopted Ordinance No. 21-11-7 which requires *Automobile Fleet Services* to obtain a Special Permit to operate in a C-3 zoning district.

At the time of this writing staff are requesting additional information from the applicant in order to consider all the criteria for a complete Special Permit review. The applicant has been advised that staff cannot approve the submitted site plan without required elements including buffering and beautification landscaping. The applicant may be requesting

waivers from these requirements, which would be necessary for approval of the site plan. A subsequent supporting resolution of the Parish Council would be required for full approval of any waiver request.

While the application meets a majority of the special permit review criteria, there are several instances where those criteria make note of specific recommended conditions, especially where focused on compatibility with abutting uses.

The larger site design would force the heavy vehicles that may be very dirty from their loads to drive approximately 800 ft. from Highway 90 to the parking site on a path that separates the parking area and front doors of existing businesses. The applicant should propose measures to mitigate conflicts between passenger vehicles & pedestrians with the truck traffic as well as the potential for debris from dump trucks to accumulate on the driveway.

The specific site also abuts a residential neighborhood, with the rear yards of some dwellings sharing a property line with this proposed business. The C-3 zoning district requires a 10 ft. planted buffer where this conflict occurs (can be decreased or increased at the discretion of the Planning Director). In the M-1 zoning district where this use is permitted by right, a 15 ft. planted buffer is required (can be *increased* at the discretion of the Planning Director). The site this proposed use will be located on was developed without this buffer, and only a 6 ft. wood fence is shown separating this use from the adjacent houses. The use of buffers helps to mitigate the impacts more intense uses may have on less intense uses. The lack of a buffer as part of this request magnifies the impact this use could have on the abutting houses.

<b>DEPARTMENT RECOMMENDATION</b>
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**Conditional Approval.**

**If the special permit is approved, the following stipulations are recommended as conditions of approval:**

- 1. A 20-ft. wide area buffer, which excludes truck parking or servicing should be located where the site abuts residential uses.**
- 2. Heavy vehicles associated with the special permit are restricted to Entrance A, the signalized driveway.**
- 3. Hours of operation should be established to limit interference with adjacent businesses and residences.**
- 4. Pedestrian crosswalks should be installed between the parking lot and existing doors to businesses.**
- 5. A method for controlling sediment from the trucks must be approved by the Planning Commission and documented as part of the application.**
- 6. An updated site plan showing full compliance with any approved conditions or granted waivers is required.**

**If a waiver request is submitted for the landscaping requirements, the Department has no objection to its approval due to the existing nature of the site and that prior to its recent subdivision, the landscaping review would have been considerably different.**