

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: 2021-7-SPU

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 10/12/2021**  
Brandon & June Zeringue  
132 Ormond Meadows Drive  
Destrehan, LA 70047  
(504)-460-5210; bpz191@yahoo.com
- ◆ **Location of Site**  
Lot 15, Dufresne Business Park; 13899 River Road, Luling
- ◆ **Requested Action**  
Barroom associated with a brewery in an M-1 zoning district.

### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**  
51,503 sq. ft.
- ◆ **Current Zoning and Use**  
M-1, Light Manufacturing and Industry  
  
Developed with a multi-tenant commercial structure as part of Dufresne Business Park. The most recent use permitted in this suite was Overtime Lounge (Change of Occupancy 24550-12).
- ◆ **Surrounding Zoning and Land Uses**  
The site is located entirely within an M-1 zoning district.  
  
The site is located in a developed business park consisting of commercial and industrial uses. Specifically, an office building is located to one side across Dufresne Loop; the former River Room event hall is adjacent to the rear; a hotel abuts to the side.
- ◆ **Future Land Use Recommendation**  
*Business Park:* Although office uses are permitted within the Light Industry land use category and the associated M-1 zoning district, this zoning classification also permits a variety of industrial uses that would be incompatible with the development of a quality, planned corporate office, research or technology park. Therefore, this new land use category (and the zoning district that should be developed to implement it) would provide for the development of planned business, office, technology and research activities, with uses limited to these and directly related ancillary uses, such as shipping offices, office supply, hotels and restaurants. Business parks should be planned to incorporate consistent standards of development quality.
- ◆ **Traffic Access**  
The site has 192.22 ft. of frontage on Dufresne Loop and 269.28 sq. ft. on River Road. Driveway access is provided from both street frontages.
- ◆ **Utilities**  
Additional impact to existing drainage is not expected as the site is developed and no site improvements are proposed.

Parish water, available from Dufresne Loop, is adequate to serve the use.

Parish sewer is not available in the area. The applicant and property owner would work with the Department of Health and Hospitals/Office of Sanitarian to review

current wastewater facilities and make any necessary changes. Stormwater drainage is available and adequate for the built conditions, but will be reviewed if changes to the wastewater facilities require changes in the drain field.

## **APPLICABLE REGULATIONS**

### **Appendix A. Section VI. – Zoning District Criteria and Regulations**

#### **[I.] M-1 Light manufacturing and industry district:**

1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.
  - a. A building or land shall be used only for the following purposes:
    - (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
    - (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
    - (3) Agriculture and other general farming uses.
    - (4) Warehousing and storage of nonhazardous material.
    - (5) Assembly plants.
    - (6) Bottled gas sales and/or service.
    - (7) Food processing plants.
    - (8) Cellophane products manufacturing.
    - (9) Cold storage or refrigerating plants.
    - (10) Electrical parts manufacturing and assembly.
    - (11) Fiber products manufacturing (previously prepared fiber).
    - (12) Garment manufacturing.
    - (13) Glass products manufacturing.
    - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
    - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
    - (16) Leather products manufacturing (previously prepared leather).
    - (17) Machinery equipment sales and service.
    - (18) Millwork.
    - (19) Paint mixing and treatment (not employing a boiling process).
    - (20) Paper products manufacturing (previously prepared material).
    - (21) Plastic products manufacturing (previously prepared material).
    - (22) Sheet metal products manufacturing (light).
    - (23) Sign manufacture.
    - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
    - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
    - (26) Television and radio broadcasting transmitters.
    - (27) Textile products manufacturing.
    - (28) Toy manufacturing.
    - (29) Well drilling services.
    - (30) Wood products manufacturing (assembling work and finishing).
  - b. Special exception uses and structures (variation):
    - (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) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.1.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council.
    - (3) Cellular installations and PCS (personal communication service) installations.
    - (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council. Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
      - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
      - (2) Minimum lot size of site shall be ten (10) acres.
      - (3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:
        - a) A separate truckers' lounge
        - b) A full-service laundry facility located in a convenient area for truckers' use
        - c) Private showers for men and women and not located in an area open to general public restroom facilities
        - d) A travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
        - e) Truck scales
        - f) Separate truckers' telephones
        - g) Permanent storage facilities for fuel
      - (4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance.

- (5) Towing yard. Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations:
  - (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
    - a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
    - b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
    - c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
    - d) All buildings and structures to be located on the site and the required off-street parking layout.
  - (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
  - (3) Towing yards shall also adhere to state and local licensing requirements.
  - (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.
  - (6) 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. )
  - (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council.
  - (9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring.
2. Spatial Requirements:
  - a. Minimum lot size: Ten thousand (10,000) square feet. Minimum width: One hundred (100) feet. (Ord. No. 99-2-4, § I, 2-1-99)
  - b. Minimum yard sizes:
    - (1) Front - twenty-five (25) feet
    - (2) Side - fifteen (15) feet
    - (3) Rear - twenty-five (25) 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, rail, water.
4. Special Provisions:
  - a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height.
  - b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) 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 buffer strip.
  - c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

#### **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 designates this area as Business Park, which provides for a variety of office based uses within a master planned facility of consistent development quality. The designation specifically anticipates “business, office, technology and research activities” and “directly related ancillary uses, such as shipping offices, office supply, hotels and restaurants”. The more intense manufacturing based uses typically permitted in the associated M-1 zoning district would not comply with those expected in a business park, and the ancillary uses intended to supplement a business park does not include barrooms. **Does Not Comply**
  
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.* The barroom and brewery is proposed within an existing building developed as part of Dufresne Business Park, which includes a variety of uses ranging from offices, a restaurant, hotel, warehouses, and storage yards. It is developed with a parking lot and vehicle circulation area which has been utilized by barrooms previously permitted on this site (22508-10, 24550-12). This use is compatible with those which currently exist and are typically permitted within the Dufresne Business Park. **Complies**
  
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The building addressed as 13899 River Road consists of 8,940 sq. ft. and is separated into three (3) units, A, B, and C. Suite A is currently occupied by a restaurant, and the proposed brewery and taproom (barroom) would occupy suites B and C. The site is developed with a parking lot consisting of 89 parking spaces, seven (7) of which are handicapped accessible, which is accessed via two (2) driveways, one to River Road and another to Dufresne Loop. The 89 available spaces can accommodate the required parking for both existing restaurant (1 space per 150 sq. ft.) and proposed barroom (1 space per 100 sq. ft). Loading facilities are located to the rear of the building. **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.* M-1 zoning primarily permits a range of manufacturing uses along with higher intensity commercial uses typically permitted in the C-3 zoning district. The proposed use, which has both manufacturing and commercial components, would not exceed the impacts of those uses typically permitted in the M-1 district. **Complies**
  
5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The use is proposed in an existing building on a developed site dating back to 1993 (Permit No. 9254-93). Site improvements are not proposed as part of the new use, so the drainage impact is unchanged. The last permit on file for the site is a 2012 change of occupancy for new owners of the barroom which previously occupied the space (Permit No. 24550-12), which included Fire Marshal

review and approval. The proposed use would require a change of occupancy/use permit along with a permit for any renovations. Additional building code and fire protection review would occur at this point. Noise impacts are not expected to exceed those of the uses previously permitted at this location and the surrounding area, but the noise ordinance will provide for the enforcement of any noise issues that may result.

**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 use is proposed within an existing building on a developed site. No improvements are proposed which would affect yard and open space requirements. **Complies**
  - b. *Ingress and egress to property.* The site is developed with a hard surface parking area with two separate driveways providing ingress and egress to River Road and Dufresne Loop. **Complies**
  - c. *Parking and loading areas.* 89 parking spaces are available, including seven (7) accessible spaces, which is adequate for accommodating this use in addition to the existing restaurant. **Complies**
  - d. *Location of garbage facilities.* Garbage disposal is handled through use of a dumpster within an enclosure in the rear of the site. **Complies**
  - e. *Landscaping, buffering, and screening.* **N/A**
  - f. *Signage.* **N/A**
  - g. *Height and bulk of structures.* The use is proposed within an existing building on a developed site. No improvements are proposed which would affect the height and bulk of the structure. **Complies**
  - h. *Location and direction of site lighting.* **N/A**

<b>ANALYSIS</b>
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The applicant requests a Special Permit for a barroom as part of a brewery in an M-1 zoning district. The use would be domiciled at 13899 River Road, Luling, which was last used as the Overtime Lounge barroom.

The proposal meets the majority of the criteria for a Special Permit Use. The use is compatible with those typically permitted and currently located in Dufresne Business Park. The site is developed and no major improvements are proposed as part of the new use which would prevent it from meeting current setback and site design requirements.

The available parking is adequate for accommodating this new use in addition to the existing restaurant, but the striping is significantly faded. As part of the approval of this special permit the department recommends requiring restriping the parking area.

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