

**City Planning Commission Meeting**  
**Tuesday, December 9, 2014**

**CPC Deadline: 01/23/15**  
**CC Deadline: 02/24/15**  
**City Council District B - Cantrell**

**PRELIMINARY STAFF REPORT**

**To:** City Planning Commission  
**Zoning Docket:** 116/14

**Prepared by:** Nicholas Kindel  
**Date:** November 19, 2014

**I. GENERAL INFORMATION:**

**Applicant:** Theone M. Halpern, Alvin K. Halpern, Jenifer Halpern, Doriane H. Schulman, and Edward M. Halpern

**Request:** This is a request for a Conditional Use to permit a micro-distillery in a C-1A General Commercial District and the Lower Saint Charles Design Review District.

**Location:** The petitioned property is located on Square 194, Lots 3 or 20, 21, 22, X, A or 18, and Y or 19, in the First Municipal District, bounded by Saint Charles Avenue and Terpsichore, Melpomene, and Prytania Streets. The municipal address is 1530 Saint Charles Avenue. (PD-2)

**Description:** The petitioned site is located on an L-shaped lot at the corner of St. Charles Avenue and Terpsichore Street. The property has approximately sixty-four feet, two inches (64' 2") in width along St. Charles Avenue, approximately one hundred ninety feet, four inches (190' 4") in depth along Terpsichore Street, and a total area of approximately fifteen thousand seven hundred eighty-four square feet (15,784 sq. ft.).<sup>1</sup> The site is developed with a single-story brick structure that is located on the St. Charles Avenue and Terpsichore Street property lines. The structure is L-shaped as well and has a width of approximately sixty-four feet, two inches (64' 2"), a depth of approximately one hundred thirty-two feet (132'), and a floor area of approximately nine thousand nine hundred fourteen square feet (9,914 sq. ft.). The structure has historically been used for commercial purposes, including its current use as a furniture store. There is off-street parking located behind the subject property in a parking lot that is shared with the nearby Prytania Park Hotel. This off-street parking lot contains forty (40) spaces that are located on multiple adjacent lots, including the subject property, owned by various Limited Liability Companies (LLC) that have many of the same officers who are the owners of the subject property.<sup>2</sup>

<sup>1</sup> The site plan shows the building encroaching on two adjacent parcels that appear to be common alleyways and a parcel owned by D J E, LLC.

<sup>2</sup> Per the Louisiana Secretary of State business filings for D J E, LLC, The Prytania Park Hotel, Ltd., and 1519 Terpsichore LLC.

The applicant is proposing to renovate the existing structure to create a standard restaurant with a micro-distillery called Lula Restaurant – Distillery. The proposed standard restaurant is a permitted use in the C-1A General Commercial District and the Lower Saint Charles Avenue Design Review District and the proposed one thousand five hundred square foot (1,500 sq. ft.) micro-distillery is a conditional use in these districts.

**Why is City Planning Commission action required?**

**Article 5, Section 5.8.5(36), Conditional Uses** of the Comprehensive Zoning Ordinance states that a micro-distillery is a conditional use in the C-1A General Commercial District. The City Planning Commission is required to make a recommendation on all applications for conditional use requests prior to City Council action, in accordance with **Article 16, Section 16.6.4. Procedures for Conditional Use Permits** of the Comprehensive Zoning Ordinance.

**II. ANALYSIS**

**A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?**

The subject property is located within a C-1A General Commercial District. The C-1A General Commercial District is generally bounded by the Pontchartrain Expressway (Highway 90), Prytania Street (both sides), Jackson Avenue (both sides), and Carondelet Street. The property is also located in the Lower St. Charles Avenue Design Review District, which is generally bounded by the Pontchartrain Expressway (Highway 90), Prytania Street (both sides), Jackson Avenue (both sides), and St. Charles Avenue (both sides). These districts are occupied by a variety of mostly commercial uses, especially along St Charles Avenue, and some residential and industrial uses. The specific uses in vicinity of the petitioned site on the same square as the subject property include two clothing stores, a fabric store, multiple-family dwellings, a hair salon, a vacant commercial building, a hotel, and a vacant single-family home. Nearby uses on St. Charles Avenue include a number of restaurants, a few clothing stores, mixed use office and residential structures, a bar, a coffee shop, and an athletic club. On the other side of Prytania Street adjacent to this C-1A District is a large RM-2A Multiple-Family Residential District that is centered on Coliseum Square. This District is mostly comprised of residential uses. Across Carondelet Street is an LI Light Industrial District with a mix of industrial, residential, and commercial uses. Across Carondelet and Terpsichore Streets starts an RM-4 Multiple-Family Residential District which has mostly residential uses.

**B. What is the zoning and land use history of the site?**

**Zoning:** 1929 – J Industrial District  
1953 – G Eight-Story Commercial District and F Heavy Commercial District  
1970 – C-1A General Commercial District

Current – C-1A General Commercial District

**Land Use:** 1929 – Industries and Warehouses  
1949 – Light Industrial  
1999 – Commercial<sup>3</sup>  
Current – Commercial

**C. Have there been any recent zoning changes or conditional uses in the area? If so, do these changes indicate any particular pattern or trend?**

In the past five years, there has been the following zoning action for properties located within approximately five blocks of the site:

**Zoning Docket 101/14** was a request for a Conditional Use to permit an accessory parking lot for a main use within 300’ of said lot in an RM-2A Multiple-Family Residential District. The municipal address is 1540 Saint Mary Street. The City Planning Commission recommended denial of the request, which is awaiting action by the City Council. *This site is located approximately four blocks from the subject site.*

**Zoning Docket 052/14** was a request for a Conditional Use to permit four townhouses and a single-family residence in an LI Light Industrial District. The municipal addresses are 1503-09 Carondelet Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately two blocks from the subject site.*

**Zoning Docket 010/14** was a request for a Conditional Use to permit a cocktail lounge in a MU-A Mixed Use District. The municipal addresses are 1018-20 Erato Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately five blocks from the subject site.*

**Zoning Docket 010/13** was request for a Conditional Use to permit a multi-family development in an LI Light Industrial District and the Central City Multi-Family Minimum Design Standards Interim Zoning District. The municipal addresses are 1527-31 Carondelet Street and 1719-21 Terpsichore Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately one block from the subject site.*

**Zoning Docket 057/09** was request for a Conditional Use to permit the construction of a single-family dwelling in an LI Light Industrial District. The municipal address is 1527 Baronne Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately three blocks from the subject site.*

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<sup>3</sup> The 1999 Land Use Plan presented a generalized description of existing land use; it was not lot-specific.

These actions do not indicate a specific trend. It should be noted that the City Planning Commission recommended approval and the City Council approved **Zoning Docket 010/14** which approved a Conditional Use for a cocktail lounge and to allow for the opening of a local brewery, which is a similar use to the proposed micro-distillery.

**D. What are the comments from the design review staff?**

The subject property is an L-shaped lot with approximately sixty-four feet, two inches (64' 2") in width along St. Charles Avenue, approximately one hundred ninety feet, four inches (190' 4") in depth along Terpsichore Street, and a total area of approximately fifteen thousand seven hundred eighty-four square feet (15,784 sq. ft.). The site is developed with a single-story brick structure that is located on the St. Charles Avenue and Terpsichore Street property lines. The structure is L-shaped as well and has a width of approximately sixty-four feet, two inches (64' 2"), a depth of approximately one hundred thirty-two feet (132'), and a floor area of approximately nine thousand nine hundred fourteen square feet (9,914 sq. ft.). It does not appear that the applicant is proposing any increase in size of the existing structure.

There is an existing parking lot behind the existing furniture store structure. There are currently forty (40) striped parking spaces with an overflow lot with approximately twenty (20) additional unmarked spaces. This lot is currently shared with the adjacent sixty-two (62) room Prytania Park Hotel. The site plan shows that the parking lot will be reconfigured and restriped to provide eighty-one (81) parking spaces, including thirty-one (31) compact and three (3) handicapped spaces. In addition, there are twenty-two (22) bicycle parking spaces. Only a portion of the existing and proposed parking lot is located on the subject property. The four (4) adjacent properties that the parking lot is located on are owned by different entities with many of the same officers as the owners of the subject property.<sup>4</sup> More information about off-street parking is included in Section E.

The submitted floor plan indicates the basic layout of the interior of the building with few details. The building includes a large dining area, a bar, private dining and meeting rooms, offices, restrooms, kitchen, prep area, dishwashing area, a storage room, and an electrical room. In addition, there is a proposed forty-one feet, two inches (41' 2") wide and eighteen feet, six inches (18' 6") deep outdoor dining area. The subject of the conditional use request, the micro-distillery, the applicant indicated has a maximum floor area of approximately one thousand five hundred square feet (1,500 sq. ft.).<sup>5</sup>

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<sup>4</sup> D J E, LLC and 1519 Terpsichore LLC are the listed property owners of the adjacent properties where some of the parking is located.

<sup>5</sup> The site plan shows the area for the micro-distillery being approximately thirty feet (30') by twenty feet (20'), but the applicant indicated that they are still working on the design of the distillery, but it will not be any larger than the proposed fifteen hundred square feet (1,500 sq. ft.).

### *Performance Standards for Micro-Distilleries*

While there are not specific use standards in the Comprehensive Zoning Ordinance, there are some limitations on micro-distilleries inherent in the definition. **Article 2, Section 2.2.129** defines a *Micro-Distillery* as the following:

“A facility that produces alcoholic beverages in quantities not to exceed twelve thousand (12,000) gallons per year and includes a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited. A separate liquor license is required for sales of alcohols manufactured on site.”

A micro-distillery is a relatively new use category in the Comprehensive Zoning Ordinance that was only included by a 2011 text amendment.<sup>6</sup> The existing micro-distillery definition is structured towards production facilities where most of the spirits would be consumed off-site. There is a provision for a tasting room to allow for customers to sample the spirits, and the limitations on sales of alcohols manufactured outside of the facility are to prevent the tasting rooms from turning into de facto bars. This is not the case for the proposed facility, which is a restaurant with a micro-distillery which will produce spirits for mostly onsite consumption.<sup>7</sup> There will not be a tasting room, because the spirits will be consumed at the restaurant. Because the spirits will be sold with food, this should minimize the impact of any alcohol sales. In addition, the applicant indicated that there will be physical separation between the micro-distillery and the restaurant. Alcohol sales at a standard restaurant are a permitted use in the C-1A District. The proposed conditional use would allow for the production of spirits. Given that the spirits will be served at the restaurant and not at the micro-distillery, there is no reason why sales of alcohols manufactured outside the facility should be prohibited for on-site consumption at the restaurant. The applicant shall comply with the following limitations on micro-distilleries:

- The facility shall produce no more than twelve thousand (12,000) gallons of alcoholic beverages per year.
- Retail sales of spirits for consumption off-premises shall be limited to those spirits manufactured on site.

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<sup>6</sup> **Zoning Docket 076/11**

<sup>7</sup> While the definition states that a micro-distillery includes a tasting room, the Zoning Administrator in the Department of Safety and Permits has determined that the definition implies that a tasting room is an allowed accessory use of a micro-distillery and not a requirement for a micro-distillery.

### *Litter Abatement*

The area for dumpster storage has been noted on the site plan. Trash receptacles shall be kept in this area and shall be moved curbside for pickup only at designated time of trash pickup. At no time should the trash receptacles be stored within the public right-of-way. The applicant indicated on the site plan that the dumpster storage area will be enclosed from the public right-of-way with a seven foot tall fence. That fence shall be made of an opaque material to adequately screen the dumpster from the street right-of-way. The applicant shall conduct a daily litter abatement program, which shall include clearing of all litter from the sidewalks adjacent to the property and periodic cleaning of the street right-of-way. With regard to trash disposal, the staff recommends:

- The applicant shall indicate on the site plan that the dumpster area will be screened from the public right-of-way by a six (6) foot tall opaque fence with latching gates.
- The applicant shall provide to the City Planning Commission staff a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup by a contracted trash removal company, and the clearing all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the business shall be included in this letter to be kept on file in case of any violation.

### *Landscaping and Screening*

The submitted site plan indicates the installation of street trees adjacent to the building along the Terpsichore Street side of the building. The applicant shall submit an application to the Department of Parks and Parkways for their review and approval of the proposed street trees. In addition, the C-1A General Commercial District parking lot design standards require that all parking area shall be landscaped and screened from the street by an opaque wall, fence, or continuous opaque evergreen vegetation screen a minimum of four (4) feet in height. Therefore, the applicant shall provide a detailed landscape plan that shows how the portion of the parking lot located on the subject property will be screened from the Terpsichore Street right-of-way. The applicant is required to maintain all landscaping in perpetuity.<sup>8</sup> With regards to landscaping and screening, the staff recommends:

- The applicant shall install trees in the public right-of-way adjacent to the site, subject to the review and approval of the Department of Parks and Parkways.
- The applicant shall submit a revised site plan and a landscape plan prepared by a licensed Louisiana landscape architect to the staff of the City Planning Commission. The landscape plan shall indicate the following:

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<sup>8</sup> Per Article 5, Section 5.8.8.1.e(4) *Landscaping Maintenance*

- a) The genus, species, size, location, quantity, and irrigation of all existing and proposed plant materials within the site with applicable remarks and details; and
- b) How the parking area along the Terpsichore Street right-of-way on the subject property shall be landscaped and screened from the street by an opaque wall, fence, or continuous opaque evergreen vegetation screen a minimum of four (4) feet in height.

- All planted areas shall be maintained in perpetuity.

### *Lighting*

The applicant did not provide a lighting plan or did not include lighting information on the site plan. Since the proposed restaurant and micro-distillery will include evening time uses, the proposed parking lot will be used at night. Therefore, the applicant shall provide adequate lighting in the parking lot on the subject property that is arranged to eliminate glare on nearby residential properties. With regards to lighting, the staff recommends:

- The applicant shall submit a lighting plan for review and approval by the City Planning Commission staff. The lighting plan shall show adequate lighting of the parking lot on the subject property that is arranged to eliminate glare on residential properties.

### *Signage*

The applicant indicated proposed signage on the elevation. The applicant proposes a sign with the restaurant's name on the front façade and a small sign on the Terpsichore Street side of the property indicating the location of the parking area. Any exterior signage is subject to standards of the C-1A General Commercial District in **Article 5, Section 5.8.6** and the Lower St. Charles Avenue Design Review District in **Article 10, Section 10.11.6.2** of the Comprehensive Zoning Ordinance. The applicant shall submit detailed sign plans subject to final review by the staff of the City Planning Commission. With regards to signage, the staff recommends:

- The applicant shall submit signs compliant with **Article 5, Section 5.8.6 Permitted Signs** and **Article 10, Section 10.11.6.2 Design Review Standards** of the Comprehensive Zoning Ordinance subject to the review and approval of the City Planning Commission staff. No signage promoting alcoholic beverages shall be visible from the public right-of-way.

### *Lower Saint Charles Design Review District*

As part of the procedures of the Lower Saint Charles Design Review District review, the City Planning Commission seeks the advice of the Historic District Landmarks Commission

regarding the redevelopment of the structure. The City Planning Commission staff received the following comments from the Historic District Landmarks Commission. “The HDLC recommends against the construction of any structures within the parade ground area in front of the building. In regards to the modification of the existing structure, the applied elements should either complement the existing style of the building or obscure enough of the original building to create a new style of the building. The current mix of styles with partially obscure architectural elements is not successful.” With regards to these comments, the staff recommends the following provisos:

- The applicant shall remove all structures from the parade ground area in front of the building.
- The applicant shall provide revised building elevations to the City Planning Commission staff that address the input received by the Historic District Landmarks Commission.

#### *Other Provisions*

Should the conditional use be approved, the staff recommends the following standard proviso to ensure that the development is permitted appropriately by the Department and Safety and Permits in accordance with the requirements of the conditional use.

- The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in **Article 16, Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.

**E. What is the potential traffic impact? What are the off-street parking requirements? Can they be provided on site? If not, is a waiver required?**

#### *Traffic Impact*

The subject property fronts the major street of St. Charles Avenue. St. Charles Avenue is a two-way street that has two travel lanes and one parking lane in each direct. In addition, there is a large neutral ground with a high-frequency streetcar line providing public transportation to the subject property. The property also front Terpsichore Street, which provides the only current access to the shared parking lot behind the structure. Terpsichore is a minor street with one or two unmarked lanes of two-way traffic and a parking lane on each side. The proposed improvement to the parking lot would add an entrance to Melpomene Street, which is a major street with two lanes of two-way traffic and a parking lane on each side. Prytania

Street will also provide access to Terpsichore and Melpomene Streets and is a two-way street with one travel lane and one parking lane in each direction.

The proposed restaurant will likely generate more traffic than the previous use as a furniture store; however, the restaurant is not the subject of this conditional use request. The proposed micro-distillery will hardly generate any traffic, as the only people who will have access to the distillery will be the one or two employees per shift working at that portion of the facility. In addition, this site is less than a block from a stop on the St Charles Avenue Streetcar line and the large number of proposed bicycle parking spaces should encourage non-automotive trips to the site and lessen the traffic impact. Therefore, the staff believes that traffic generated by the proposed uses will not have a significant impact on the level of service of the streets surrounding the site.

### *Off-Street Parking*

Off-street parking is required for the proposed use in accordance with **Article 5, Section 5.5.8.1** and **Article 15, Section 15.2.1 (Table 15.A) *Off-Street Parking Regulations*** of the Comprehensive Zoning Ordinance. There are special parking regulations in the C-1A District that provide parking bonuses when the existing structure is retained, as is the case with this proposed use. Per **Article 5, Section 5.5.8.1.d(2)**, “no additional off-street parking spaces shall be required for...one-half (1/2) of the square feet of the existing structure.” Therefore, the applicant needs to provide parking spaces for only four thousand nine hundred fifty-seven square feet (4,957 sq. ft.) of the structure. Per **Article 15, Section 15.2.1 (Table 15.A)**, restaurants are required to provide one (1) space per two hundred fifty square feet (250 sq. ft.). The proposed restaurant is required to provide twenty (20) off-street parking spaces. In addition, the proposed micro-distillery is required to provide one (1) parking space for every two (2) employees working per shift.<sup>9</sup> The applicant indicated that the proposed micro-distillery will have a maximum of two (2) employees working per shift, which requires one (1) additional off-street parking space. The applicant is required to provide twenty-one (21) off-street parking spaces for the proposed restaurant and micro-distillery.

The applicant is requesting a conditional use for a proposed micro-distillery. In addition to this conditional use, it appears that the applicant wants to redevelop a shared parking lot for the subject building and the nearby sixty-two (62) room Prytania Park Hotel. The current parking lot has forty (40) marked spaces with likely an additional twenty (20) unmarked spaces. The existing furniture store would be required to provide thirteen (13) parking spaces.<sup>10</sup> This leaves forty-seven (47) off-street parking spaces for the hotel, when sixty-two (62) spaces are required.<sup>11</sup> Once the parking lot is restriped, there will be sixty (60) of the

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<sup>9</sup> Per **Article 15, Section 15.2.1 (Table 15.A) *Off-Street Parking Regulations*** for Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plants, wholesale, warehouse, or similar establishment.

<sup>10</sup> Furniture stores are required to provide one space per four hundred square feet (400 sq. ft.), which would result in 13 spaces when using the bonus provisions of **Article 5, Section 5.5.8.1.d(2)**.

<sup>11</sup> Per **Article 15, Section 15.2.1 (Table 15.A) *Off-Street Parking Regulations***, hotels are supposed to provide one

eight-one (81) parking spaces available for the hotel. While the hotel will still be deficient in parking by two spaces, the proposed improvement to the parking lot will result in a net increase for the subject property and the adjacent Prytania Park Hotel.

The parking lot will be expanded and the parking spaces on the lot will be reoriented and restriped to provide for a total of eight-one (81) parking spaces. This shared parking lot includes the subject property and four additional lots that are owned by different ownership entities who officers include some of the owners of the subject property. There are a total of sixteen (16) parking spaces, thirteen (13) of which are compact and none are handicapped, located solely on the subject property. This does not meet the off-street parking requirements, therefore the applicant shall provide to the City Planning Commission staff a joint use parking agreement for the required parking spaces on the subject property and adjacent lots that includes at least twenty-one (21) dedicated parking spaces, at least one of which is a handicapped space and no more than eight (8) are compact spaces.<sup>12</sup> Therefore, the applicant must meet the following provisos:

- The applicant shall submit a joint use parking agreement with the adjacent property owners that provides for twenty-one (21) dedicated off-street parking spaces, one of which shall be a handicapped parking space and not more than eight (8) of which shall be compact spaces on the subject and adjacent properties.
- The applicant shall submit a revised site plan that shows the location of the required parking spaces that meets the standards of **Article 5, Section 5.8.8.1.e.(1), *Minimum Area***.
- The applicant shall restripe the parking lot as shown in the approved plans prior to the Department of Safety and Permits issuing a Certificate of Occupancy.

#### *Off-Street Loading*

According to the special regulations for off-street loading spaces<sup>13</sup> in the C-1A General Commercial District, the minimum number of off-street loading spaces for uses under 10,000 square feet is one (1). Both the previous use as a furniture store and the proposed use as a restaurant/micro-distillery are each required to provide one (1) off-street loading space. Since there is not an off-street loading space at the existing furniture store, that off-street loading space is grandfathered to the site. Therefore, the applicant is not required to provide an off-street loading space. There is an existing on-street loading space on Terpsichore Street near the rear of the building that the applicant is proposing to retain. The proposal meets the off-street loading requirements.

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off-street parking space per guest room.

<sup>12</sup> Per **Article 5, Section 5.8.8.1.e.(1)**, no more than forty percent (40%) of the required parking spaces can be compact car spaces.

<sup>13</sup> Per **Article 5, Section 5.8.8.2 *Off-Street Loading Regulations***

**F. Are there any comments from other agencies, departments, or committees?**

The proposal was considered by the Planning Advisory Committee at its meeting of November 19, 2014 and the departments made the following comments. The Department of Public Works said that the applicant needs to obtain approval for a sidewalk café franchise for the proposed outdoor dining area. In addition, the department of Public Works needs to review any modifications to the sidewalks. The Division of Real Estate and Records said that the applicant needs to obtain a servitude agreement for the proposed outdoor dining area. The Department of Parks and Parkway indicated that the applicant needs to provide a landscape plan prepared and stamped by a licensed Louisiana landscape architect (which is addressed in the Design Review section). The committee passed a motion of no objection subject to further review by the City Planning Commission, the Department of Public Works, the Division of Real Estate and Records, and the Department of Parks and Parkways. The staff recommends the following provisos to address the comments made by the Department of Public Works and the Division of Real Estate and Records:

- The applicant shall secure a franchise from the Department of Public Works for any sidewalk seating located in a public right-of-way adjacent to the site.
- The applicant shall secure the approval of the Department of Public Works for the installation/restoration of all public sidewalks, curbs, and curb cuts adjacent to the site.
- The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments in accordance with the requirements of the Department of Property Management's Division of Real Estate and Records.

**G. What effects/impacts would the proposed conditional use have on adjacent properties?**

The applicant proposes to open a restaurant with a micro-distillery on the subject property. Since the restaurant is a permitted use, this review will focus on the impacts of the micro-distillery, which is a conditional use. The micro-distillery will only occupy approximately five hundred seventy-five square feet (575 sq. ft.) of the proposed nine thousand nine hundred fourteen square foot (9,914 sq. ft.) restaurant. The applicant indicated that most of the spirits produced by the micro-distillery will be sold at the restaurant for onsite consumption. The applicant stated that there would not be retail or wholesale sales of the spirits, but promotional materials submitted with the applicant state that the micro-distillery will produce alcohol for retail distribution throughout the state and for sale in Lula's restaurant.

Either way, the impact of the micro-distillery on the adjacent properties should be minimal. By definition, the proposed micro-distillery will be limited in production to twelve thousand (12,000) gallons of spirits per year. This will reduce current or future potential truck trips for dropping off distilling supplies and picking up the finished product. Due to the industrial

nature of the distillery, there will not be many employees for the size of the facility, as the applicant indicated that there will be a maximum of two (2) micro-distillery employees per shift. This will minimize the impact of traffic and parking by the employees. Any retail sales of the spirits for off premise consumption will be limited to what is produced onsite. This will prevent the micro-distillery from becoming a package liquor store, and limit the demand for parking and increase in traffic from the retail sales component of the micro-distillery.

There are also concerns about the potential safety and odor impacts due to the distilling process. This issues came up at the two (2) Neighborhood Participation Program meetings that the applicant held in October. The applicant responded that there is minimal danger in the distilling process because the facility will have to meet both Federal and State safety regulations for the equipment and the distilling process. The applicant indicated that there will not be a rated fire-wall enclosure around the still, but that there would be a sprinkler fire suppression system installed throughout the building. With regards to odors, the applicant indicated that the sugar used in the fermentation process will release a mild, sweet smell with no noxious odors that would reduce air quality. The applicant shall comply with all Federal, State, and Local building standards to ensure the safety of the distillery. Therefore, the staff finds that with the imposition of the proposed provisos, the proposed conditional use for a micro-distillery will have minimal impacts on the adjacent properties.

**III. Is the proposed action supported by or in conflict with the policies and strategies of the Plan for the 21<sup>st</sup> Century?**

The proposed Conditional Use to permit a micro-distillery in a C1-A General Commercial District is **consistent with** the *Plan for the 21st Century*, commonly known as the Master Plan. “Chapter 14: Land Use Plan” of the Master Plan designates the future land use of the petitioned site as “Mixed-Use Medium Density.” The goal, range of uses, and development character for that designation are copied below:

**MIXED-USE MEDIUM DENSITY**

**Goal:** Create medium-density neighborhood centers to enhance walkability and serve as focal points within neighborhoods. Proximity to transit encouraged.

**Range of Uses:** Medium-density single-family, two-family and multifamily residential and commercial uses. Limited light industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

**Development Character:** Height/mass and density of new development varied to ensure proper transitions to surrounding lower density residential neighborhoods. Many structures will feature ground floor retail with residences on upper floors.

The proposed use as a micro-distillery is a craft and value added light industrial use, and combined with the commercial use restaurant, fits in with the range of uses. The reuse of the

existing structure and its limited height matches the development character of the area. The site is located adjacent to a high frequency transit line. As such, the proposal **is consistent with** the Master Plan.

#### IV. SUMMARY

Zoning Docket 116/14 is a request for a conditional use to permit a micro-distillery in a C-1A General Commercial District and the Lower Saint Charles Avenue Design Review District. The subject property is located on the corner of St. Charles Avenue and Terpsichore Street. The applicant proposes to convert the existing building, currently a furniture store, into a restaurant with a micro-distillery. The proposed restaurant, a permitted use, will occupy most of the nine thousand nine hundred fourteen square foot (9,914 sq. ft.) building, and the proposed micro-distillery will occupy no more than one thousand five hundred square feet (1,500 sq. ft.) within the restaurant. Based on the definition of a micro-distillery, production and retail sales of the spirits produced onsite will be limited. The applicant indicated that most of the spirits will be sold for consumption at the restaurant. The proposed development meets the minimum parking requirements for this district. The limited scope of the proposed micro-distillery and the recommended provisos should limit the impact on the adjacent properties. The proposed micro-distillery is consistent with the Master Plan. Therefore, the staff recommends approval of the conditional use request.

#### V. PRELIMINARY STAFF RECOMMENDATION<sup>14</sup>

The staff recommends **APPROVAL** of Zoning Docket 116/14, a conditional use to permit a micro-distillery in a C-1A General Commercial District and the Lower Saint Charles Avenue Design Review District, subject to eighteen (18) provisos.

*Provisos:*

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in **Article 16, Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.
2. The facility shall produce no more than twelve thousand (12,000) gallons of alcoholic beverages per year.
3. Retail sales of spirits for consumption off-premises shall be limited to those spirits manufactured on site.

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<sup>14</sup> Subject to modification by the City Planning Commission

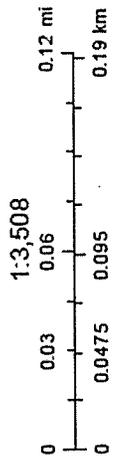
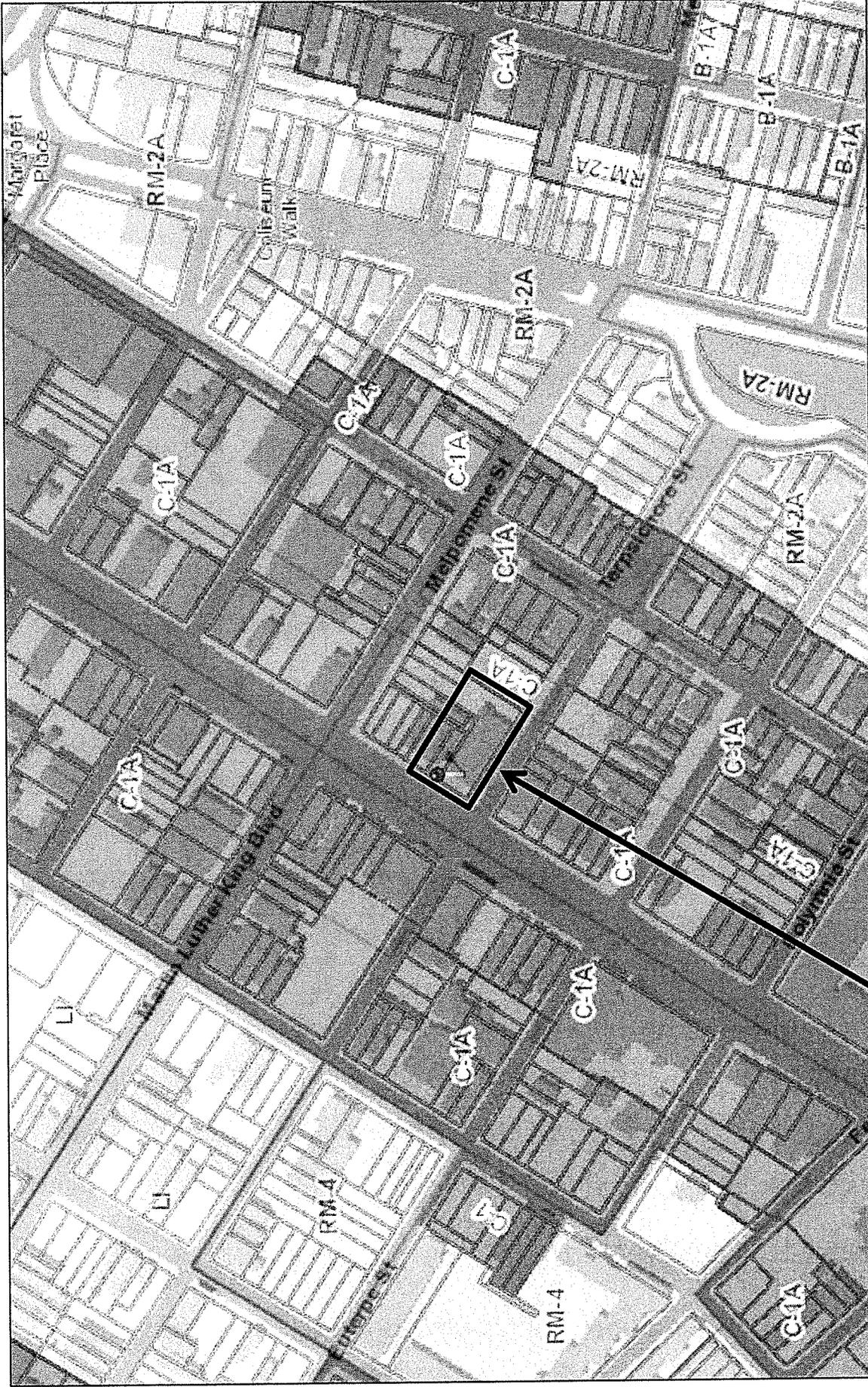
4. The applicant shall indicate on the site plan that the dumpster area will be screened from the public right-of-way by a six (6) foot tall opaque fence with latching gates.
5. The applicant shall provide to the City Planning Commission staff a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup by a contracted trash removal company, and the clearing all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the business shall be included in this letter to be kept on file in case of any violation.
6. The applicant shall install trees in the public right-of-way adjacent to the site, subject to the review and approval of the Department of Parks and Parkways.
7. The applicant shall submit a revised site plan and a landscape plan prepared by a licensed Louisiana landscape architect to the staff of the City Planning Commission. The landscape plan shall indicate the following:
  - a) The genus, species, size, location, quantity, and irrigation of all existing and proposed plant materials within the site with applicable remarks and details; and
  - b) How the parking area along the Terpsichore Street right-of-way adjacent to the subject property shall be landscaped and screened from the street by an opaque wall, fence, or continuous opaque evergreen vegetation screen a minimum of four (4) feet in height.
8. All planted areas shall be maintained in perpetuity.
9. The applicant shall submit a lighting plan for review and approval by the City Planning Commission staff. The lighting plan shall show adequate lighting of the parking lot on the subject property that is arranged to eliminate glare on residential properties.
10. The applicant shall submit signs compliant with **Article 5, Section 5.8.6 Permitted Signs** and **Article 10, Section 10.11.6.2 Design Review Standards** of the Comprehensive Zoning Ordinance subject to the review and approval of the City Planning Commission staff. No signage promoting alcoholic beverages shall be visible from the public right-of-way.
11. The applicant shall remove all structures from the parade ground area in front of the building.

12. The applicant shall provide revised building elevations to the City Planning Commission staff that address the input received by the Historic District Landmarks Commission.
13. The applicant shall submit a joint use parking agreement with the adjacent property owners that provides for twenty-one (21) dedicated off-street parking spaces, one of which shall be a handicapped parking space and not more than eight (8) of which shall be compact spaces on the subject and adjacent properties.
14. The applicant shall submit a revised site plan that shows the location of the required parking spaces that meets the standards of **Article 5, Section 5.8.8.1.e.(1), *Minimum Area***.
15. The applicant shall restripe the parking lot as shown in the approved plans prior to the Department of Safety and Permits issuing a Certificate of Occupancy.
16. The applicant shall secure a franchise from the Department of Public Works for any sidewalk seating located in a public right-of-way adjacent to the site.
17. The applicant shall secure the approval of the Department of Public Works for the installation/restoration of all public sidewalks, curbs, and curb cuts adjacent to the site.
18. The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments in accordance with the requirements of the Department of Property Management's Division of Real Estate and Records.

**VI. REASONS FOR RECOMMENDATION**

1. The proposal is consistent with the Master Plan.
2. The recommended provisos would minimize any potential adverse impacts of the proposal on other uses nearby.

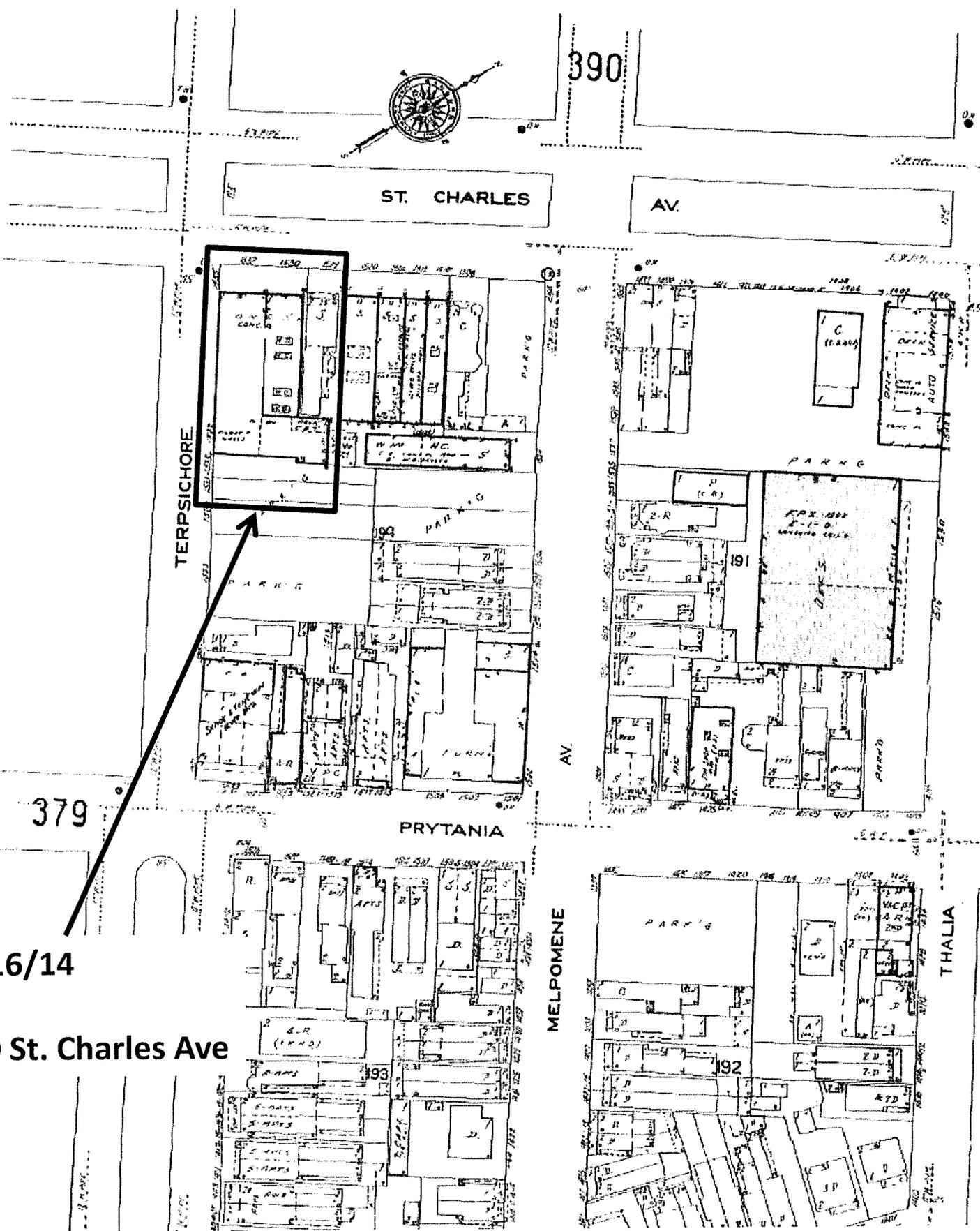
**VII.** Should the applicant desire changes to any recommended waivers or provisos, the applicant is encouraged to bring any proposed alternative language for discussion at the meeting.



November 17, 2014  
Override 1

**ZD116/14**

**C-1A: General Commercial District**



390

ST. CHARLES

AV.

TERSICHORE

379

PRYTANIA

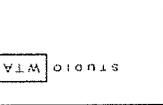
AV.

ZD116/14

1530 St. Charles Ave

MELPOMENE

THALIA



# LULA RESTAURANT + DISTILLERY

1532 S. Charles Avenue New Orleans, LA 70130

CPC Review  
 10/15/17  
 7, October 2017

## SITE PLAN

# A1:00

1. Outline dining, with program notes, and show location of existing and proposed parking spaces within public ground.
2. Show existing and proposed parking spaces within public ground.
3. Show existing and proposed parking spaces within public ground.
4. Existing utility poles.
5. Existing utility poles.
6. Existing utility poles.
7. Existing utility poles.
8. Existing utility poles.
9. Existing utility poles.
10. Existing utility poles.

**ZONING**  
 District: C-1A  
 Sub-District: M-1  
 Request: Conditional Use for a low-rise building.

**BUILDING AREA**  
 Total Existing Area: 9,915 sq ft  
 Actual Area: 0.11

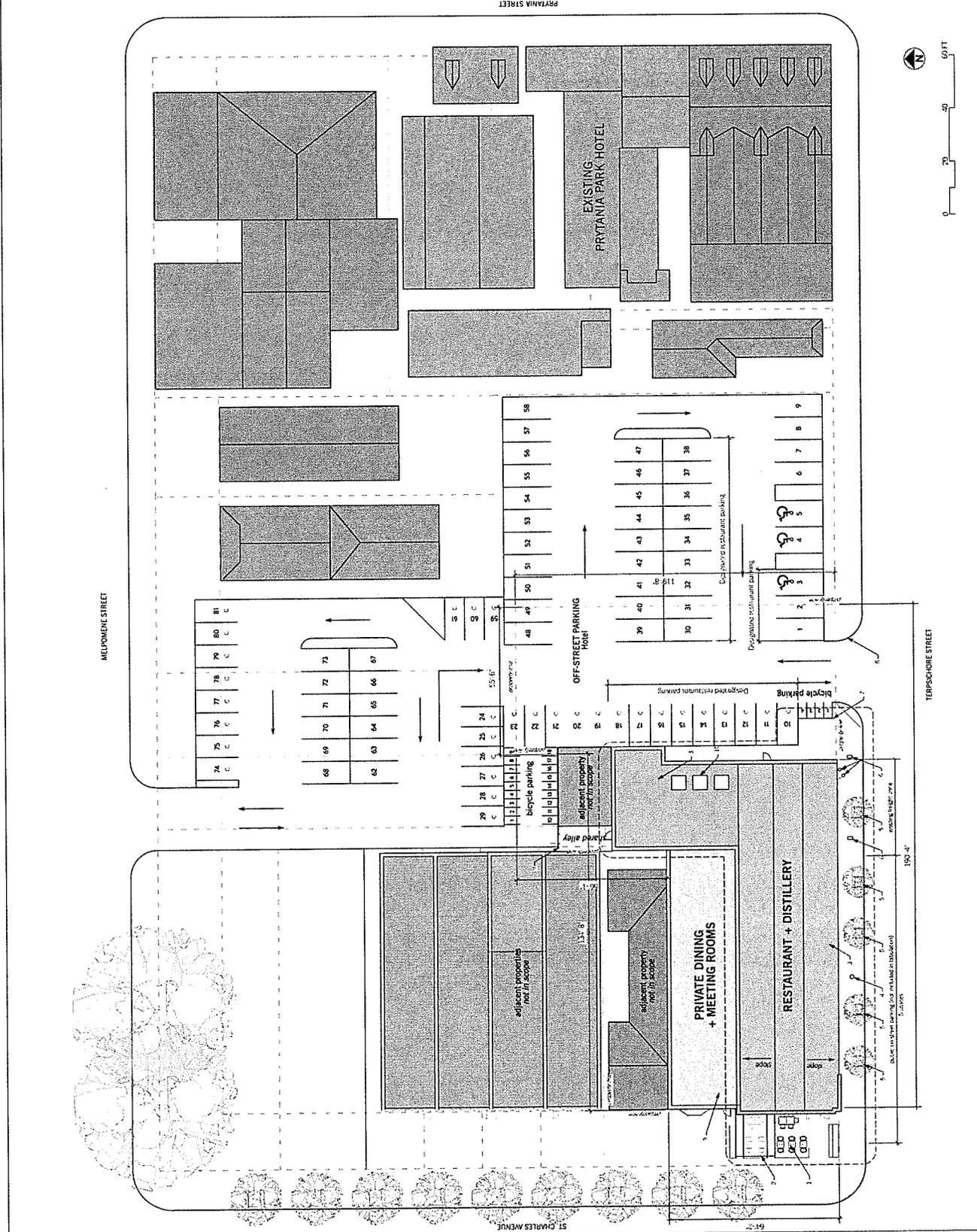
**SERVICE LOADING CAPACITY**  
**MAIN SPACE, 201**  
 INDOOR  
 Bar Tables: 12  
 Dining Tables: 68  
 Barstools: 18  
 Communal: 48  
 Total Indoor: 176

**OUTDOOR**  
 Dining Tables: 10  
 Barstools: 20  
**TOTAL SEATING CAPACITY: 40**

**HOTEL SEATING CAPACITY: 80**  
 Dining Tables: 60  
**TOTAL DINING: 281**

**PARKING, 21 SPACES**  
 Required: 207  
 Provided: 207  
 19,314 sq ft (SF) Area 5,888,140 sq ft  
 2,557,222 sq ft (Area 15.41)  
 2,570

On-site loading, unloading, and equipment (loading/unloading) equipment (loading/unloading) equipment (loading/unloading)



# LULA RESTAURANT + DISTILLERY

1532 St. Charles Avenue New Orleans, LA 70130

STUDIO W.T.A.

190 Poydras Street, Suite 2000  
New Orleans, LA 70112  
504.581.1111  
www.studiowta.com



DATE: 08/20/2014  
PROJECT: 1532 ST. CHARLES AVE  
SCALE: A1:01

1. Existing site work, new site work
2. Existing site work, new site work
3. Existing site work, new site work
4. Existing site work, new site work
5. Existing site work, new site work
6. Existing site work, new site work
7. Existing site work, new site work
8. Existing site work, new site work
9. Existing site work, new site work
10. Existing site work, new site work
11. Existing site work, new site work
12. Existing site work, new site work
13. Existing site work, new site work
14. Existing site work, new site work
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16. Existing site work, new site work
17. Existing site work, new site work
18. Existing site work, new site work
19. Existing site work, new site work
20. Existing site work, new site work
21. Existing site work, new site work
22. Existing site work, new site work
23. Existing site work, new site work
24. Existing site work, new site work

**ZONING**  
 Current: C-1A  
 Future: M-1  
 County: Lower St. Charles  
 District: Upper St. Charles  
 Use: Restaurant  
 Request: Conditional Use  
 to a lower use  
 category

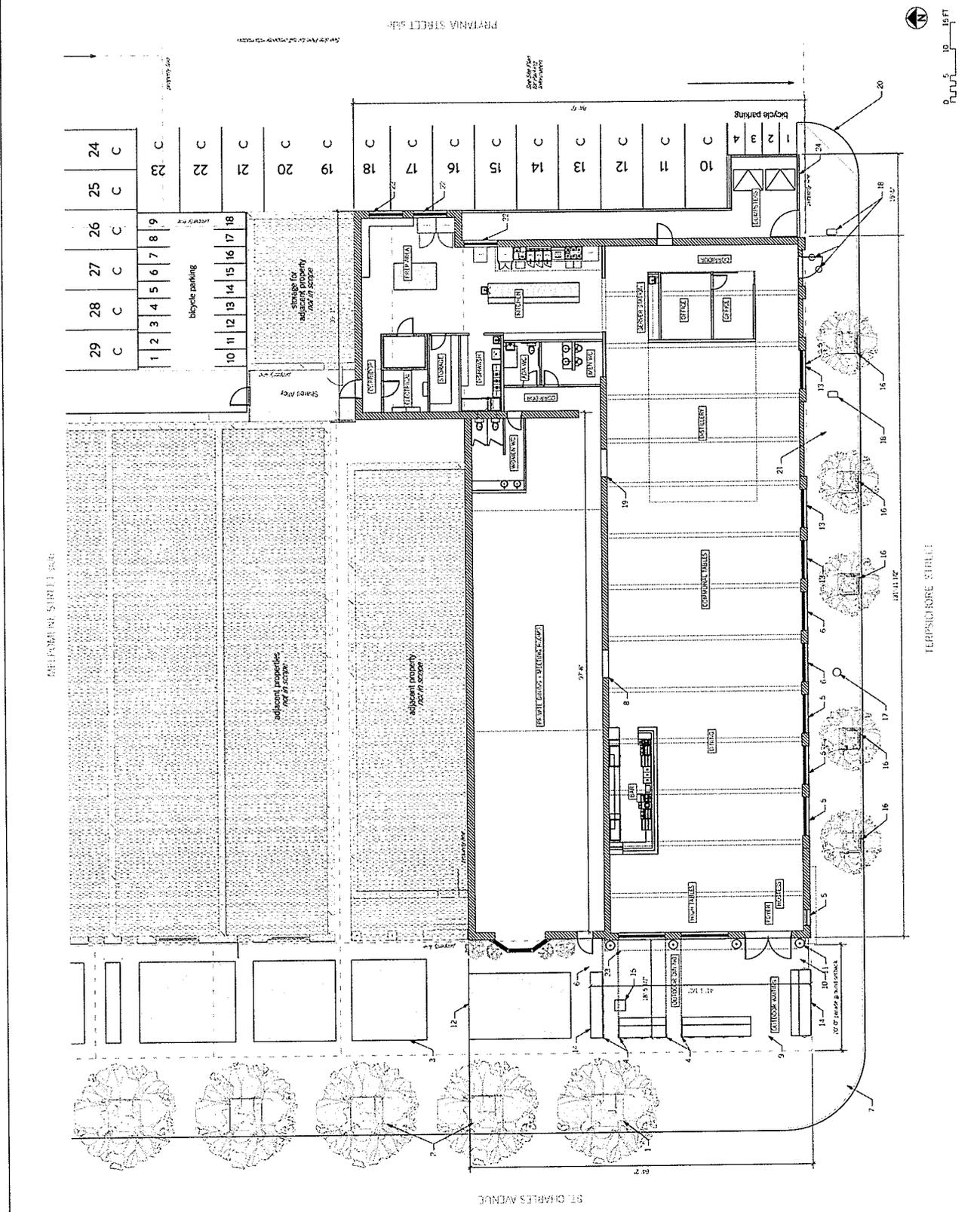
**BUILDING AREA**  
 Total Enclosed Area: 9,914 sq ft  
 Area: 0.11  
 Accidental: 0.11

**SERVICE DRINKING CAPACITY**  
 MAIN SPACE 201  
 INDOOR: Bar Tables 12, Dining Tables 68, Barstools 19, Communal 4  
 Total Indoor: 179  
 OUTDOOR: Bar Tables 10, Dining Tables 27  
 Total Outdoor: 37  
**HOTEL/LODGER SPACE: 80**  
 Dining Tables: 60  
**TOTAL DINING: 281**

**PARKING: 21 SPACES**  
 Required: Restaurant 20, Delivery 1  
 \*5916 sq ft (SF) (Area 6.681 A(7))  
 \*2,517 sq ft (SF) (Area 15.41)  
 = 0

1 per 2 residential units  
 1 per 100 sq ft of building area  
 On-site parking shall be provided for all vehicles used for the project. The parking shall be located on the property and shall be designed to meet the requirements of the Louisiana State Board of Architecture when included in the parking plan. The parking shall be located on the property and shall be designed to meet the requirements of the Louisiana State Board of Architecture when included in the parking plan.

Un-Use Loading: 1  
 Un-Use Unloading: 1  
 On-Street Right-of-Way: 1  
 Compact parking space: C



MEETING STREET

TERPSICHOE STREET

ST. CHARLES AVENUE

PRYORINA STREET



## **Lula Restaurant – Distillery Concept**

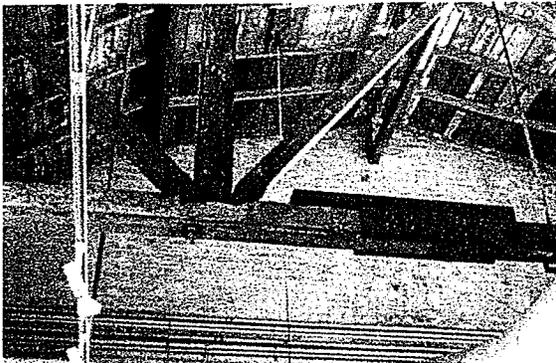
**From photographs of the proposed restaurant – distillery location to photographs of other restaurants and distilleries that have similar aesthetics, the following section is intended to give you an idea of the Lula Restaurant – Distillery concept.**

### **Proposed Location**

The proposed location for Lula Restaurant – Distillery is 1532 St. Charles Avenue in the heart New Orleans, LA. The proposed site location is a prime building comprised of 6,553 square feet, an area for patio dining overlooking St. Charles Ave. and the streetcar line, an open floor concept and ample off-street parking lot. We believe this high-traffic location coupled with the unique concept provide an ideal foundation for Lula Restaurant-Distillery's success. The restaurant and distillery will highlight the historic architecture of 1532 St. Charles which includes an exposed wood truss ceiling, concrete flooring and old brick. The copper still will be a focal point from all areas of the restaurant and we will bring in natural elements of stone, brick and heart pine beams to create a simple and rustic setting.



**Exposed Truss Ceiling of 1532 St. Charles Avenue.**





Front view of 1532 St. Charles Avenue / Currently this building is an operating furniture store. As Lula Restaurant – Distillery, the front will undergo a major reconstruction to include a patio for outdoor dining and a vintage-looking sign, among other features.



October 3, 2014

Dear Neighbor,

My company, Lula Holdings, LLC., is leasing the Halpern's Furniture building at the corner of St. Charles Ave. and Terpsichore St. We would like to open a restaurant and micro-distillery at this location. Our hours of operation would be 7 am-10pm Sunday through Wednesday, and 7 am-11pm Thursday-Saturday.

The location of our proposed micro-distillery is a conditional use; which means we are required to apply for approval to operate there. Our application has to be heard by the City Planning Commission and the City Council. Because you are a nearby neighbor or otherwise interested in the neighborhood, I am inviting you to a meeting where you can learn more about what we are proposing, and present questions or concerns. We are required to do this before we submit our application to the City Planning Commission.

The Meetings will take place:

October 10, 2014 @ 4:30 p.m. (Friday)

October 13, 2014 @ 4:30 p.m. (Monday)

Halpern's Furniture Store

1532 St Charles Ave New Orleans La 70130

This letter is being delivered through U.S. Mail. At the meeting, I'll provide a sign in sheet to obtain email addresses, so that I can keep you updated if there are any changes to the plans.

I've enclosed a project description to give you a better idea of what we would like to do. The micro-distillery would occupy approximately 1,500 square feet of the leased space. The entrance will be towards the back of the building on Terpsichore St. This is presently the site of the Halpern's furniture building that we would renovate. If we receive approval, we plan to start the construction work within 2 months of approval, and estimate that the work should take about 4-6 months.

If you have any questions or comments, please contact me at the phone number or email provided below. I hope to see you at the meeting on October 10 or October 13.

Sincerely,

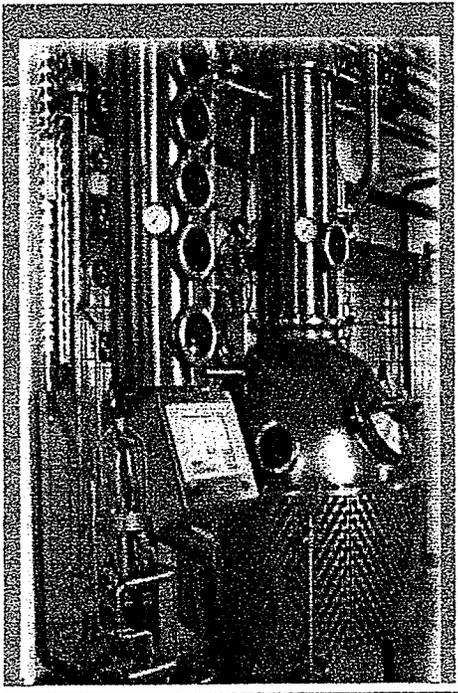
Jess Bourgeois

6651 Louisville Street, New Orleans, LA 70124

[jessb.lula@gmail.com](mailto:jessb.lula@gmail.com) --225-938-4263

# LULA RESTAURANT-DISTILLERY

## Conceptual Overview



*Lula's copper still will be built by CARL Artisan Distilleries, a world-renown custom-fabricator of artisan distilling, based in Stuttgart, Germany. The family-owned company has been in the business of making some of the world's most beautiful and high-tech stills since 1869.*

In the heart of New Orleans, fresh, from-scratch food and expertly crafted spirits come together in a unique start-up micro-distillery and restaurant concept. It is quintessentially southern with a distinct Louisiana influence. It is called Lula-Restaurant Distillery. It is a unique and unpretentious place for people who love great food and expertly crafted cocktails. It's more than just a restaurant and more than just a distillery. It's an experience that you want to bottle up and take home.

**Lula Restaurant – Distillery**  
**Proposed Site Location:**  
**1532 St. Charles Avenue**

Contact: Jess Bourgeois  
(225) 938.4263 / jessb.lula@gmail.com



Lula. a

UAL Dining Experience.



## About Lula

The idea was collaborated between two professionals who share a passion for outstanding food paired with finely crafted beverages. Driven by Jess Bourgeois, a formally trained chef with nearly 12 years kitchen and management experience in the restaurant industry and Terrell Bear, a family ER physician with a love for distilling, Lula Restaurant - Distillery takes advantage of an untapped concept - a fully operating distillery and a full service restaurant in a prime New Orleans location.

Lula Restaurant - Distillery will be the only restaurant distillery in New Orleans and within 1,000 miles and it will join a very small elite group of similar businesses in the country. Those existing concepts include Bardney Restaurant and Distillery in Boise Idaho, High West Distillery Restaurant in Park City, Utah, and Captain Jimmys in Agawam, Massachusetts. Lula patrons will not only be able to dine at our restaurant distillery, but they will also be able to sample on site distilled spirits, and learn about distillation with sugarcane.

From the prime location selected for Lula Restaurant - Distillery to the quality products and service, we will steadfastly focus on differentiating ourselves from others and finding a seat as a New Orleans mainstay restaurant and distilling business.



## RESTAURANT-DISTILLERY

### The Restaurant

The food served at Lula Restaurant - Distillery will focus on local, seasonal produce, seafood and meat. It will be casual and meticulously crafted from scratch daily. From in-house cured meats and fish to house baked breads, Lula Restaurant - Distillery will take special care to serve inventive twists on the southern classics with a focus on quality and freshness. The menu will also feature gluten free options and dishes that are complemented by specialty drinks poured from a draught cocktail system featuring Lula spirits.

### The Distillery

The three Lula Restaurant - Distillery products - Lula Vodka, Lula Gin, and Lula Rum - will be made from Louisiana-grown sugarcane and will result in a 100 percent gluten free alcohol for retail distribution throughout the state and for sale in Lula's restaurant.



Organization Name: Coliseum Square Association  
Point of Contact: Frank Cole  
Phone Number: 504-522-4799  
Email: info@coliseumsquare.org  
Street Address: P.O. Box 50024  
City: New Orleans  
Zip: 70150

Organization Name: St. Charles Avenue Association  
Point of Contact: Robert Hassinger  
Phone Number: 504-561-0138  
Email: rhassing@bellsouth.net  
Street Address: P.O. Box 15833  
City: New Orleans  
Zip: 70175

Organization Name: Lower Garden District Coalition  
Point of Contact: Jesse LeBlanc  
Phone Number: 504-525-1333  
Email: lowergarden@gmail.com  
Street Address: 1206 Magazine Street  
City: New Orleans  
Zip: 70122

Organization Name: Prytania Corridor Business & Professional Organization  
Point of Contact: Dennis Hilton  
Phone Number: 504-523-6556  
Email: -  
Street Address: 1748 Prytania Street  
City: New Orleans  
Zip: 70130

Organization Name: St. Charles Avenue Merchants Association  
Point of Contact: Edward Halparn  
Phone Number: 504-524-0427  
Email: -  
Street Address: 1525 Prytania Street  
City: New Orleans  
Zip: 70130

Organization Name: Jefferson City Improvement Association  
Point of Contact: Mary Price  
Phone Number: 504-895-7651  
Email: mpdunbar@cox.net  
Street Address: 5015 Camp Street  
City: New Orleans  
Zip: 70115

Bao R. Nguyen | GIS Analyst / IT Specialist  
New Orleans City Planning Commission  
City Hall  
1300 Perdido Street Suite 7W03  
New Orleans, LA 70112  
(p) 504.658.7033 | (f) 504.658.7032

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 City, State, ZIP+4 New Orleans LA 70151  
 PS Form 3800, August 2006 See Reverse for Instructions

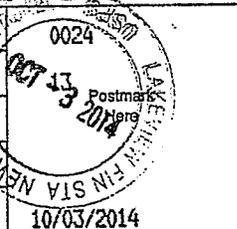
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 City, State, ZIP+4 New Orleans LA 70130  
 PS Form 3800, August 2006 See Reverse for Instructions

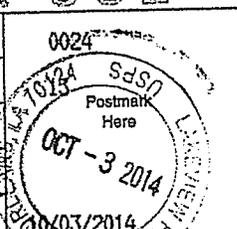
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 Street, Apt. No. or PO Box No. 5015 Camp St  
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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.49



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 Street, Apt. No. or PO Box No. 1525 Prytanis St.  
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 PS Form 3800, August 2006 See Reverse for Instructions

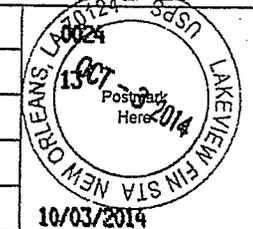
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 City, State, ZIP+4 1206 Magazine St.  
 New Orleans LA 70122  
 PS Form 3800, August 2006 See Reverse for Instructions

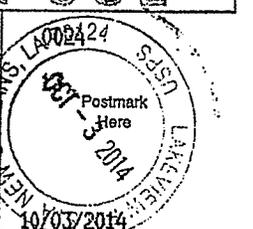
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 Street, Apt. No. or PO Box No. PO Box 15833  
 City, State, ZIP+4 New Orleans LA 70175  
 PS Form 3800, August 2006 See Reverse for Instructions

Type	Source	Name	Address1	Address2	City	St	Zip	DayPhone	MobilePhone	Email	Website
Person	County	Palma Propertiesllc	1515 Melpomene Street		New Orleans	LA	70130				
Person	County	Olmo Rita	1515 Melpomene Street		New Orleans	LA	70130	504-525-0521			
Person	County	Olmo Rita	1515 Melpomene St		New Orleans	LA	70130	(504) 525-0521		olmorita@gmail.com	
Person	County	Palma Propertiesllc	Rita Olmo (Manager)	1515 Melpomene Street	New Orleans	LA	70130				
Person	County	Jic Investmentsllc	3100 Ridgelsaka Dr. Suite 105		Metairie	LA	70002				
Person	County	Halpem Herbert D	1520 St Charles Ave		New Orleans	LA	70130				
Person	County	Halpem Herbert D	1520 St. Charles Ave		New Orleans	LA	70130				
Person	County	St Martin Hugh P III	1514 Prytania Street		New Orleans	LA	70130				
Person	County	Lazard Edwin C	1514 St Charles Ave		New Orleans	LA	70130				
Person	County	Mayer Bartha L	1608 St Charles Ave		New Orleans	LA	70113				
Person	County	Theone Milmanhalpem	939 Topaz		New Orleans	LA	70124				
Person	County	Hunter Ozzie L Jr	1518 Melpomene Street HF		New Orleans	LA	70130				
Person	County	Olma Rita	1518 Prytania		New Orleans	LA	70130				
Person	County	Mayer William	1608 St Charles Ave		New Orleans	LA	70113				
Person	County	Nettes Derek L	1518 Melpomene St		New Orleans	LA	70130				
Person	County	Theone Milmanwife Of	Alvin K Halpem	939 Topaz St	New Orleans	LA	70124				
Person	County	Black William J Jr	1520 1/2 Melpomene Street		New Orleans	LA	70130				
Person	County	Halpem Herbert D	1217 Philip Street		New Orleans	LA	70130				
Person	County	Stormy Propertiesllc	3629 East Lake Aspen Dr		Gretna	LA	70056				
Person	County	Wren Hayden W III	541 Audubon St		New Orleans	LA	70118				
Person	County	Boyer Helen M	1528 Melpomene Street		New Orleans	LA	70130				
Person	County	Mayer B L	1608 St Charles Ave		New Orleans	LA	70113				
Person	County	Halpem Alvin K	939 Topaz St		New Orleans	LA	70124				
Person	County	Aguilar Blanca	1819 Prytania Street		New Orleans	LA	70130	504 524 4719			
Person	County	Mangan Igor	2133 St Charles Ave		New Orleans	LA	70130	568-9786			
Person	County	Imbomone Charles J	1628 St Charles Av.		New Orleans	LA	70130				
Person	County	St Charles Ave Properties	# 5 Rosa Park		New Orleans	LA	70115				
Person	County	Creole Gardens, Llc	C/O Latrelle Skinner, Sr	17080 Fox Ridge Dr	Prairieville	LA	70769				
Person	County	Creole Gardens, Llc	C/O John R Dubberley		New Orleans	LA	70130	1356 Camp St			
Person	County	Halpem Theone M	Etal	939 Topaz St	New Orleans	LA	70124				
Person	County	Creole Gardens, Llc	C/O Sit Partnership	1818 Napoleon Ave	New Orleans	LA	70115				
Person	County	Nawins Irrevocable Trust	4437 E Renfro St		Akvarado	TX	76009				
Person	County	Halpem Jenifer	Etal	936 Topaz St	New Orleans	LA	70124				
Person	County	Flora Jeffrey E	2013 Rivercrest Dr	Apt 206	Twin Falls	ID	83301				
Person	County	Thom Lauren M L	1521 Melpomene St		New Orleans	LA	70130				
Person	County	Halpem Alvin	Etal	939 Topaz St	New Orleans	LA	70124				
Person	County	Goebel Anthony D	1510 Prytania St		New Orleans	LA	70130				
Person	County	Mayer Michael W III	1608 St Charles Ave		New Orleans	LA	70130				
Business	County	Kpk Video Poker Corporation	717 St Charles Av		New Orleans	LA	70130				
Business	County	D J E, LLC	1600 Prytania St		New Orleans	LA	70130				
Business	County	1501, LLC	5946 Laurel Street		New Orleans	LA	70115				
Business	County	Juan's Flying Burrito LLC	2018 Magazine Street		New Orleans	LA	70130				
Business	County	Viatrx, Inc	1515 Melpomene St		New Orleans	LA	70130				
Business	County	Palma Properties LLC	1515 Melpomene Street		New Orleans	LA	70130				
Business	County	Breathing Space LLC	3939 Houma Blvd Suite 1		Metairie	LA	70006				
Business	County	D J E LLC	1600 Prytania St		New Orleans	LA	70130-7735				
Business	County	M A Gonzalez Properties LLC	4700 Craig Ave		Metairie	LA	70003				
Business	County	Tiger Ho LLC	3813 N Amoult Road		Metairie	LA	70002	8883997			
Business	County	Sushi Family Properties, LLC	425 Terry Pkwy		Gretna	LA	70056				
Business	County	Sushi Family Properties, LLC	425 Terry Parkway		Gretna	LA	70056				
Business	County	St Charles Holdings LLC	1717 St Charles Ave		New Orleans	LA	70130				
Business	County		1661 Canal St Ste 3300		New Orleans	LA	70112				
Business	County	New Orleans Private Patrol S			New Orleans	LA	70130				
Business	County	1618 St Charles Avenue LLC	1618 St Charles Ave		New Orleans	LA	70130				
Business	County	Mia's Balcony LLC	1321 Lake Louise Dr		Gretna	LA	70058				
Business	County	3705 Iberville, LLC	212-A Lakeview Dr		Slidell	LA	70458				
Business	County	M. J. Falgout, Inc	337 Carondelet St		New Orleans	LA	70130				
Business	County	D. J. E., LLC	1600 Prytania Street		New Orleans	LA	70130				
Business	County	Old Town Management, LLC	337 Highway 21 Ste D		Madisonville	LA	70447				
Business	County	Academy Drive Development	C/O Cbm South LLC	P O Box 1154	Shreveport	LA	71163				
Business	County	Highway 23, LLC	Attn: Clark Heebe	817 Bocage Lane	Mandeville	LA	70471				
Business	County	Buckjump LLC	650 Poydras St Suite 2245		New Orleans	LA	70130				

OwnerName	OwnerAddress
Haydon W III Wren	541 Audubon St New Orleans, LA 70118
D J E, LLC	1600 Prytanis St New Orleans, LA 70130
Juan's Flying Burrito LLC	2018 Magazine Street New Orleans, LA 70130
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
Rita Olmo	1515 Helpomene Street New Orleans, LA 70130
Rita Olmo	1518 Prytanis New Orleans, LA 70130
H A Gonzalez Properties LLC	4700 Craig Ave Metairie, LA 70003
Alvin Halpern	Etal 939 Topaz St New Orleans, LA 70124
Michael W III Mayer	1608 St Charles Ave New Orleans, LA 70130
Academy Drive Development LLC	C/O Cbm South LLC P O Box 1154 Shreveport, LA 71163
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
D J E, LLC	1600 Prytanis St New Orleans, LA 70130
Herbert D Halpern	1520 St Charles Ave New Orleans, LA 70130
Jennifer Halpern	Etal 936 Topaz St New Orleans, LA 70124
William Mayer	1608 St Charles Ave New Orleans, LA 70113
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
BuckJump LLC	650 Poydras St Suite 2245 New Orleans, LA 70130
Valentino Franz	Etal C/O Property Tax Acct. P.O. Box 020783 Miami, FL 33102-0783
Blanca Aguilar	1619 Prytanis Street New Orleans, LA 70130
Igor Margan	2133 St Charles Ave New Orleans, LA 70130
D J E LLC	1600 Prytanis St New Orleans, LA 70130-7735
Okie Town Management, LLC	337 Highway 21 Ste D Madisonville, LA 70447
Herbert D Halpern	1217 Philp Street New Orleans, LA 70130
HilmanHalpern Thoone	939 Topaz New Orleans, LA 70124
D J E, LLC	1600 Prytanis St New Orleans, LA 70130
Herbert D Halpern	1520 St. Charles Ave New Orleans, LA 70130
Breathing Space LLC	3939 Houma Blvd Suite 1 Metairie, LA 70006
HilmanWfo Of Thoone	Alvin K Halpern 939 Topaz St New Orleans, LA 70124
New Orleans Private Patrol Service, Inc	1661 Canal St Ste 3000 New Orleans, LA 70112
Mie's Bakery LLC	1321 Lake Louise Dr Gretna, LA 70056
B L Mayer	1608 St Charles Ave New Orleans, LA 70113
1618 St Charles Avenue LLC	1618 St Charles Ave New Orleans, LA 70130
William Mayer	1608 St Charles Ave New Orleans, LA 70113
Helen H Boyer	1529 Helpomene Street New Orleans, LA 70130
William J Jr Black	1520 1/2 Helpomene Street New Orleans, LA 70130
D J E, LLC	1600 Prytanis St New Orleans, LA 70130
Irrevocable Trust Navline	4437 E Renfro St Alvarado, TX 76009
David J Sauer	Et Al P O Box 99102 New Orleans, LA 70179
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
Edwin C Lazard	1514 St Charles Ave New Orleans, LA 70130
Gardens, LLC Orooke	C/O Latrelle Skinner, Sr 17060 Fox Ridge Dr Prairieville, LA 70769
Jeffrey E Flora	2013 Rivercrest Dr Apt 206 Twin Falls, ID 83301
Tiger Ho LLC	3813 N Arnoult Road Metairie, LA 70002
Gardens, LLC Orooke	C/O Sit Partnership 1918 Napoleon Ave New Orleans, LA 70115
Gardens, LLC Orooke	C/O John R. Dubberley 1356 Camp St New Orleans, LA 70130
Martin Hugh P III St	1514 Prytanis Street New Orleans, LA 70130
Alvin K Halpern	939 Topaz St New Orleans, LA 70124
Propertiedic Stormy	3625 East Lake Aspen Dr Gretna, LA 70056
Propertiedic Palma	1515 Helpomene Street New Orleans, LA 70130
Suehl Family Properties, LLC	425 Terry Pkwy Gretna, LA 70056
Rita Olmo	1515 Helpomene St New Orleans, LA 70130
Suehl Family Properties, LLC	425 Terry Parkway Gretna, LA 70056
Highway 23, LLC	Attn: Clark Hesbe 817 Borage Lane Mandeville, LA 70471
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
Derek L Nettles	1519 Helpomene St New Orleans, LA 70130
Rita Olmo	1515 Helpomene Street New Orleans, LA 70130
Tiger Ho LLC	3813 N Arnoult Road Metairie, LA 70002
Jennifer Halpern	Etal 936 Topaz St New Orleans, LA 70124
H. J. Falgout, Inc	337 Carondelet St New Orleans, LA 70130
New Orleans Private Patrol Service, Inc	1661 Canal St Ste 3000 New Orleans, LA 70112
St Charles Holdings LLC	1717 St Charles Ave New Orleans, LA 70130
1501, LLC	5946 Laurel Street New Orleans, LA 70115
Lauren M L Thom	1521 Helpomene St New Orleans, LA 70130
Bertha L Mayer	1608 St Charles Ave New Orleans, LA 70113
Propertiedic Palma	1515 Helpomene Street New Orleans, LA 70130
3705 Iberville, LLC	212-A Lakeview Dr Slidell, LA 70458
Valtrix, Inc	1515 Helpomene St New Orleans, LA 70130
Ozzie L Jr Hunter	1518 Helpomene Street If New Orleans, LA 70130
Palma Properties LLC	1515 Helpomene Street New Orleans, LA 70130
Thoone H Halpern	Etal 939 Topaz St New Orleans, LA 70124

## Lula Restaurant Distillery NPP Report

October 20, 2014

### Lula Restaurant Distillery

**Overview:** This report provides results of the implementation of the Lula Restaurant Distillery Neighborhood Participation Program for property Located at 1532 St Charles Avenue located on the corner of St. Charles Ave and Terpsichore Street. The applicant intends to file an application for conditional use of the property for use as a Micro-distillery. This report provides a summary of contacts with citizens, neighbors, public agencies, and interested parties. Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in lists, letters, summary sheets, and other materials are attached.

#### Contact:

Jess Bourgeois

6651 Louisville Street

New Orleans La, 70124

(225) 938-4263

Email: [jessb.lula@gmail.com](mailto:jessb.lula@gmail.com)

**Neighborhood Meetings:** The following dates and locations of all meetings where citizens were invited to discuss the applicant's proposal [comments, sign in lists, and other feedback are attached].

1. October 10, 2014- Halpern's Furniture Store, 1532 St Charles Ave, 4:30 p.m., 4 ppl in attendance.
2. October 13, 2014- Halpern's Furniture Store, 1532 St Charles Ave, 4:30 p.m., 3 ppl in attendance.

#### Correspondence:

1. October 3, 2010 – Letters mailed to contact list provided by Bao Nguyen, city-planning employee, to homes, apartments, and certified letters to neighborhood associations.

#### Results:

There were 51 persons/addresses invited to the community meeting. Please see following attachments regarding concerns, issues, and how they were addressed.

Lula Restaurant + Distillery 1532 St. Charles Avenue  
*Neighborhood Participation Process Meetings*

Meeting No. 1 10 October 2014  
 @ 4:30 pm  
 1532 St. Charles Ave.

Meeting No. 2 13 October 2014  
 @ 4:30 pm  
 1532 St. Charles Ave.

No of Participants: 4

No of Participants: 3

Concern of Participant	Applicant Response to Concern
Where will the restaurant employees park?	<i>In the off-street parking provided behind the building.</i>
Is there any danger during the distilling process?	<i>Minimal. Both Federal and State government regulate safety of the equipment and process. The still manufacturing company has been in business for more than 140 years. Numerous safety measures are designed into the still itself. We will strictly abide by all federal and state safety regulations to mitigate any risk involved.</i>
Is there a fire-wall or suppression system at the still?	<i>There is no requirement for a rated enclosure around the still, but a fire suppression system (sprinklers) will be provided throughout the building as mandated by code. All safety regulations will be followed.</i>
Is there any smell that will be released into the air?	<i>The sugar used in the distilling process releases a sweet smell, which will not impact air quality around the building.</i>
What are the hours of operation?	<i>Sunday-Thursday: 7 am-10 pm Friday-Saturday: 7 am-11 pm  The restaurant will operate 365 days a year.</i>
Will you be serving breakfast?	<i>Yes. The restaurant will work with the hotel to provide breakfast for hotel guests, and the restaurant will be open to the public for breakfast.</i>
Where will the still be located?	<i>The plan layout is conceptual, but the still is currently located in the back half of the building.</i>
Will there be an on-street loading zone?	<i>Yes. The existing on-street freight zone will remain where it is.</i>
How many tables will the restaurant serve?	<i>Approximately 35 (between 150-175 exclusive of the bar seating)</i>
Will there be private rooms for receptions, meetings, etc.?	<i>There will not be private rooms in the restaurant, but the adjacent building will be used for those events and for groups scheduled through the Prytania Park Hotel.</i>
Before the [Prytania Park] hotel's Phase II parking comes online, how will you deal with overflow parking?	<i>The hotel and restaurant will monitor the parking lot to ensure that only guests of those businesses are parking in that lot. The hotel is negotiating use/purchase of subsequent lots to accommodate any overflow.</i>

Will you use raw sugar cane as the raw product?	<i>No. The sugar used in the process is a granulated product. We will not be squeezing fresh cane juice on premises.</i>
Will there be a molasses smell produced by the distilling process?	<i>No, due to the small amount of molasses actually used. The only smell will come from the fermentation of sugar which is a mild sweet smell.</i>
What kind of food will the restaurant serve?	<i>The food will be "Rustic Southern, with a Louisiana influence"</i>
Will you serve cocktails outside during Mardi Gras (or similar outdoor events)?	<i>Yes.</i>
How will you deal with trash during these outdoor events?	<i>The restaurant will be responsible for picking up trash around the business during events, and is willing to hire additional employees to ensure this is done.</i>
Will parking on the street change?	<i>No. All street parking will remain, as will the on-street freight zone.</i>
How many parking spaces are you required to have?	<i>Between the restaurant and the distillery, there are 21 spaces required. The distillery is required to have 1 space for every 2 employees and we do not see a need for more than 4 employees. In this case 2 spaces are needed for the conditional use.</i>
When do you anticipate opening?	<i>Sometime in the Fall of 2015.</i>

Lula Restaurant Distillery  
 NPP sign in sheet

October 10, 2014  
 4:30pm

	Name	Address	Phone#	Email	Email Updates
1	Helen Boyer	1529 Melpomene NOLA 70130	504-522-1285	Mittieboyer@yahoo.com	Yes
2	Jim McAlister	2029 Camp St NOLA	504-427-9267	Jim.McAlister@car.net	Yes
3	BARRY WRIGHT	1522 St Charles NOLA		godwilprov@AOL.COM	yes
4	Devek Nettles	1519 Melpomene St NOLA	504-432-4793	nett.f1@gmail.com	Yes
5					
6					
7					
8					
9					
10					
11					
12					

Lula Restaurant Distillery  
 NPP sign in sheet

October 13, 2014  
 4:30pm

	Name	Address	Phone#	Email	Email Updates
1	Grey Fox	1525 Meepomene	559-8317	gfoxs@GMAIL.COM	Y
2	Donna Goebel	1510 Prytania	901 482-2705	dgoebel76@gmail.com	Y
3	Manjhan Costa	1420 Euterpe St	504-524-6068	kickshawebell@earthlink.net	Y
4					
5					
6					
7					
8					
9					
10					
11					
12					

November 27<sup>th</sup>, 2014

Nick Kindel  
City Planner  
New Orleans Planning Commission  
1300 Perdido St 7<sup>th</sup> floor  
New Orleans, LA 70112

Case #: ZD116-14

Hi Nick,

I'm writing you to express my disapproval of the change of use application for 1530 St Charles Ave to a Micro-distillery. The neighbors on Melpomene St. feel this is not an acceptable usage for this property.

The Parking situation in the surrounding neighborhood of 1530 St. Charles Ave. is already beyond capacity without the new restaurant at 1530 St. Charles Ave. In the proposal, the restaurant claims they will use parking spaces behind the restaurant that are presently used by the Prytania Park Hotel. This parking lot is already full due to usage by Prytania Park Hotel, Queen Anne Hotel and Prytania Oaks Hotel all owned by the Halperns. There is also a proposed Hotel Phase 1 project being proposed by the Halperns at the corner of Melpomene and St Charles Ave that is proposing to use the same identical parking spots with a proposed need of 66 parking spaces. With this scenario the proposed restaurant at 1530 St. Charles Ave. will never have available parking from that parking lot and will force employees and guests to park on the street in public parking spaces. Most of the homes in the surrounding neighborhood do not have driveways and already use these limited public parking space for residential parking. Basically, these projects are proposing multi use of the exact same parking spaces that are currently already being used.

We are also concerned about the safety and emissions of a micro-distillery operating at this location. We don't feel the emission gases will be safe or not contain some noxious odors that are not desired in the neighborhood.

We are also concerned about the outdoor seating in the front of the restaurant occupying City Parade Grounds. Has there been a lease signed for these City Parade Grounds.

We feel overall that this is not an acceptable usage at 1530 St. Charles Ave.

Sincerely,

Derek Nettles  
1519 Melpomene St.

## Nicholas J. Kindel

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**From:** Helen Boyer <mittie.boyer@gmail.com>  
**Sent:** Monday, December 01, 2014 12:04 PM  
**To:** Nicholas J. Kindel  
**Cc:** Yahoo  
**Subject:** 1530 St Charles application for change of usage to restaurant

Mr. Kindel,

I am against the 1530 St Charles application for change of usage to restaurant. I have lived at 1529 Melpomene St., New Orleans, LA 70130 since 1998.

My concerns about the 1530 St. Charles project include parking, street congestion, the use of the public "parade" space, and the operation of a distillery so close to my home.

My greatest concern is the lack of parking. The proposal states that the restaurant will rent parking spaces from the Prytania Park Hotel; however the hotel does not have any spaces available to rent. The Prytania Park Hotel (61 rooms) is affiliated with two other hotels, The Prytania Oaks Hotel (16 rooms) and The Queen Anne Hotel (12 rooms). These hotels, which have a total of 89 rooms, share a parking lot with 79 spaces. There are not any spaces available for the restaurant to rent. Additionally, the Prytania Park Hotel plans an expansion. The proposal for Phase 1 of the expansion allocates only 12 spaces to the restaurant, which is significantly less than the 20 parking spaces the restaurant is required to have. Therefore, the restaurant does not have adequate parking spaces and cannot rely on the hotel to provide more spaces in the future.

Thank you for your consideration of my concerns,

Helen Boyer

(504) 723-5499