

**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT
CASE NUMBER: PZR-2018-08

GENERAL INFORMATION

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|--|-----------------------------------|
| ◆ Name/Address of Applicant
Supreme Developers, LLC
201 St. Charles Avenue #2567
New Orleans, LA 70170
(504)-754-6835; supremedevelopersllc@gmail.com | Application Date: 10/29/18 |
| ◆ Location of Site
Lots 5, south half of 6 (A6), north half of 6 (B6), and an 18.5' portion of Lot 7, Square 2, Good Hope Plantation Subdivision; 21 Barreca Street, Norco | |
| ◆ Requested Action
Rezoning of a 118.5' wide, 84.4' deep area from C-2, General Commercial-Retail Sales to R-3, Multi-family Residential. | |

SITE INFORMATION

- ◆ **Size of Parcel**
In total, the development site will measure 118.5' feet in width along Barreca Street and consist of 10,001.04 square feet. More specifically:
- Lot 5 measures 50 feet wide and 84.4 feet deep (4,220 sf.)
 - Lot 6 in its entirety has the same dimensions as Lot 5, but is shown as two separate halves measuring 25 feet in width and designated as south half of 6 (A6), north half of 6 (B6)
 - The portion of Lot 7 measures 18.5' in width and 84.4' in depth, consisting of 1,561.4 square feet.

The site is currently non-conforming with lots that do not meet the minimum width or area requirements for either the C-2 or R-3 zoning district. The building also crosses interior lot lines and encroaches on required setbacks. The owner obtained a demolition permit to take down the building, and has been advised that the lots and portions of lots will have to be resubdivided into one in order to permit any new buildings.

- ◆ **Current Zoning and Land Use**
C-2, General Commercial; the site is developed with a vacant building (a structural analysis determined the building should be demolished, a demolition permit was applied for on September 21st).
- ◆ **Surrounding Zoning and Land Use**
R-1A and C-2 zoning is adjacent to the front and rear; C-2 zoning is adjacent to each side.

A fire station, a general commercial building, and single family residence are located across Barreca Street to the front; single-family residences are adjacent to the rear and River Road side; a commercial building is adjacent to the 1st Street side.

- ◆ **Future Land Use Recommendation**
General Commercial: Includes sites for commercial uses that provide a mix of business activities and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. In general, this designation applies to most commercial uses that are permitted in the C-2 (General Commercial–Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts.

◆ **Traffic Access**

The site has 118.5 feet of width on Barreca Street, a local road that connects to River Road.

◆ **Utilities**

Representatives of Public Works & Wastewater, Waterworks, and MS4 indicate utilities can accommodate all the dwelling units that could be developed on the site.

APPLICABLE REGULATIONS

[VIII.] R-3. Multi-family residential:

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) All uses allowed in the R-2 district. (Ord. No. 88-5-5, 5-16-88)
 - (2) Multi-family dwellings including duplexes, apartments, apartment houses, townhouses, and condominiums.
 - (3) Boarding and lodging houses.
 - b. Special exception uses and structures: As approved by the Planning and Zoning Commission only:
 - c. Special permit uses and structures:
 - (1) Supplemental C-1 and C-2 uses. (Ord. No. 88-5-6, 5-16-88)
 - (2) Reserved. (Ord. No. 88-5-6, 5-16-88; Ord. No. 95-4-8, § IV, 4-3-95)
 - (3) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § VI, 10-5-92)
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.
 - b. Minimum yard requirements:
 - (1) Front - twenty (20) feet
 - (2) Side - ten (10) feet
 - (3) Rear - twenty (20) 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 (Ord. No. 08-8-9, § VIII, 8-18-08).
 - c. Maximum land coverage: Eighty (80) percent (twenty (20) percent green space).
 - d. Accessory buildings:
 - (1) Accessory buildings shall be of one story construction not to exceed sixteen (16) feet in height.
 - (2) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - e. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.
3. Transportation System: Servitude of access, local, or collector street.
4. Special Provisions:
 - a. Where any multi-family residential district (R-3) abuts any residential zoning district or use, a six-foot-high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
 - b. 1. Townhouses: Single-family attached dwellings on individual lots for sale served by servitudes of access or fronting a public street.
 - (a) Location: In R-3 districts, townhousing shall be allowed.
 - (b) Procedure: Applicants wishing to subdivide existing multi-family lots into townhouse lots shall file for subdivision as per section II, subsection B.4., of St. Charles Parish Subdivision Regulations (Appendix C).
 2. Site Plan and Design Criteria, Details:
 - (a) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be twelve (12) feet.
 - (b) Minimum yard requirements:
 - (1) Front—twenty (20) feet.
 - (2) Side—ten (10) feet.
 - (3) Rear—twenty (20) feet.
 - (4) Area—twenty-five hundred (2500) square feet.
 - (c) Each townhouse shall have its own rear yard of at least one hundred twenty (120) square feet. When rear parking is provided it shall be reasonably secluded from view from a street, parking area or from neighboring property. Such yard shall not be used for any accessory building.
 - (1) Grouped parking facilities: Insofar as practical, off-street parking facilities shall be grouped in bays, either adjacent to access drive or in the interior of blocks. Adequate drainage shall be provided by developers in connection with common parking facilities, and all such facilities shall be improved to parish standards for off-street

- parking areas, with at least two (2) spaces per unit on the lot plus one (1) visitor parking space per each two (2) units.
- (2) Courts, Open Space, and Recreational Areas: A minimum of two hundred (200) square feet per dwelling unit of recreation space must be provided. At the discretion of the director, recreation space may not be required provided that the developer pay a two hundred dollar (\$200.00) recreation fee per unit to the parish for the development of recreational facilities.
3. Utilities and Landscaping: Design and construction of drives, drainage, and location of utilities shall be subject to review and approval by the Planning and Zoning Department. A minimum of twenty (20) percent of the site must be appropriately landscaped.
- (1)[a] Interior access drives shall be at least twenty-two (22) feet wide for two-direction drives or twelve (12) feet with one-direction drive and must be properly drained.
- (2)[b] Parking areas shall conform to section VIII of the St. Charles Parish Zoning Ordinance.
- (3)[c] Before approval of the final subdivision plat, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open spaces, with provision for perpetual maintenance of all improvements, including pavements, landscaping, utilities and servitudes. The above items will be filed with the resubdivision of the R-3 parcel.
- (4) Buffer zone: There shall be a six-foot solid wood or masonry fence along the sides and rear of the property wherever it adjoins any single-family residential zoning district.

Appendix A. Section XV. - Amendment procedure

D. *Rezoning guidelines and criteria:* Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. *Rezoning approval criteria:* Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map. and
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

<h4>REZONING GUIDELINE EVALUATION</h4>

Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.* Plan 2030 recommends *General Commercial* for this site. General Commercial corresponds to the C-2 and C-3 zoning districts. The surrounding area is zoned R-1A and C-2, and developed with commercial businesses or single family houses. A change of zoning to R-3 would be a spot zone as it would give to a single site privileges not extended to other land in the vicinity and not done in furtherance of the comprehensive plan.

The request fails the first guideline.

2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property.* The site is located

within the first block of Barreca from River Road and one block off the Apple Street commercial corridor. This area consists of a variety of commercial businesses making up a commercial node along River Road. The existing C-2 zoning fits the commercial character of the area, and the land use pattern has not changed to the extent that the C-2 zoning is preventing reasonable use of the property. **The request fails the second guideline.**

- 3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.* R-3 is a high-density residential zone permitting one dwelling unit per 2,500 square feet of site area. If the site is rezoned, up to four dwelling units may be developed. Representatives of Waterworks and Public Works for wastewater and drainage have indicated public facilities can accommodate that number of dwelling units.

A multi-family development in this area could be considered a reasonable transition. The neighborhood bounded by Apple Street and Mary Street, River Road and the Canadian National Railroad contains a mix of uses in the first block and a half from Apple Street corridor, then primarily single-family moving toward Mary Street. Considering the vacancy rate of commercial buildings on the Apple Street corridor, a change to R-3 would reduce the amount of developable commercial land in the neighborhood and increase the residential density of the area. High-density residential in transition zones benefits commercial corridors. Because this site is close to River Road and Apple Street, impacts to the lower density area would be minimal. **The request meets the third guideline.**

ANALYSIS

Supreme Developers, LLC, requests a zoning change from C-2, General Commercial to R-3, Multi-Family Residential on an area just over 10,000 square feet. Multi-family uses can be permitted under the current, C-2, zoning as a special permit; however, C-2 zoning does not allow multi-family developments to be subdivided into individual lots that promote owner-occupancy. In September 2018, the Planning Commission denied PZSPU 2018-12, a request for a duplex on a part of the subject site.

The subject site involves four lots or portions of lots which in total will meet the width and area requirements for a lot in the R-3 zoning district after a resubdivision to combine them. At 10,001.04 square feet, the site can accommodate up to four (4) dwelling units, each of which requires 2.5 parking stalls. The lot will be approximately 118.5 feet wide and 84.4 feet deep. Considering the required yards in the R-3 zoning district, 20-foot front & rear and 10-foot sides, the buildable area will be approximately 98 feet by 44 feet.

The request does not meet the first two rezoning guidelines as it does not further the St. Charles Parish Comprehensive Plan, creates a spot zone, and the existing C-2 zoning does not inhibit reasonable use of the property.

The request meets the third guideline as the multi-family uses permitted in the R-3 district would be compatible in an area transitioning from commercial to single family residential, and would not overburden existing infrastructure.

DEPARTMENT RECOMMENDATION

Approval.