

**City Planning Commission Meeting**  
**Tuesday, April 14, 2015**

**CPC Deadline:** none  
**CC Deadline:** 45 days from receipt from CPC  
**Council District:** A – Guidry

**PRELIMINARY STAFF REPORT**

---

**To:** City Planning Commission  
**Design Review:** 024/15

**Prepared by:** Nicholas Kindel  
**Date:** April 1, 2015

**Applicant:** Philip L. Kitchen

**Request:** This request is an appeal of the Lake Area Design Corridor (LADC) Overlay District regulations, **Article 9A, Section 9A.13.6.3(b) - Design Review Standards - Signage** of the *Comprehensive Zoning Ordinance* to permit a monument sign along a corridor with less than four (4) lanes and insufficient setback from the adjacent public right-of-way.

**Zoning:** LB-1 Lake Area Neighborhood Business District and LADC Lake Area Design Corridor Overlay District.

**Location:** The petitioned property is located in the Seventh Municipal District, on Square 34, on Lots 24 thru 33, bounded by W Harrison Avenue, Fleur De Lis Drive, 26<sup>th</sup> Street, and Bellaire Drive. The municipal addresses are 331-339 W Harrison Avenue. (PD 5)

**Proposal:** The petitioned site is a rectangular-shaped lot with 160 feet of frontage on W Harrison Avenue, a lot depth of 120 feet, and an area of approximately 19,200 square feet. On the property is a strip shopping center whose structure measures 107 feet wide, 45 feet deep, for a total area of approximately 4,815 square feet. The shopping center is occupied with four commercial uses including a physical therapy clinic, a clothing store, a pet cleaning and supply store, and a health club.

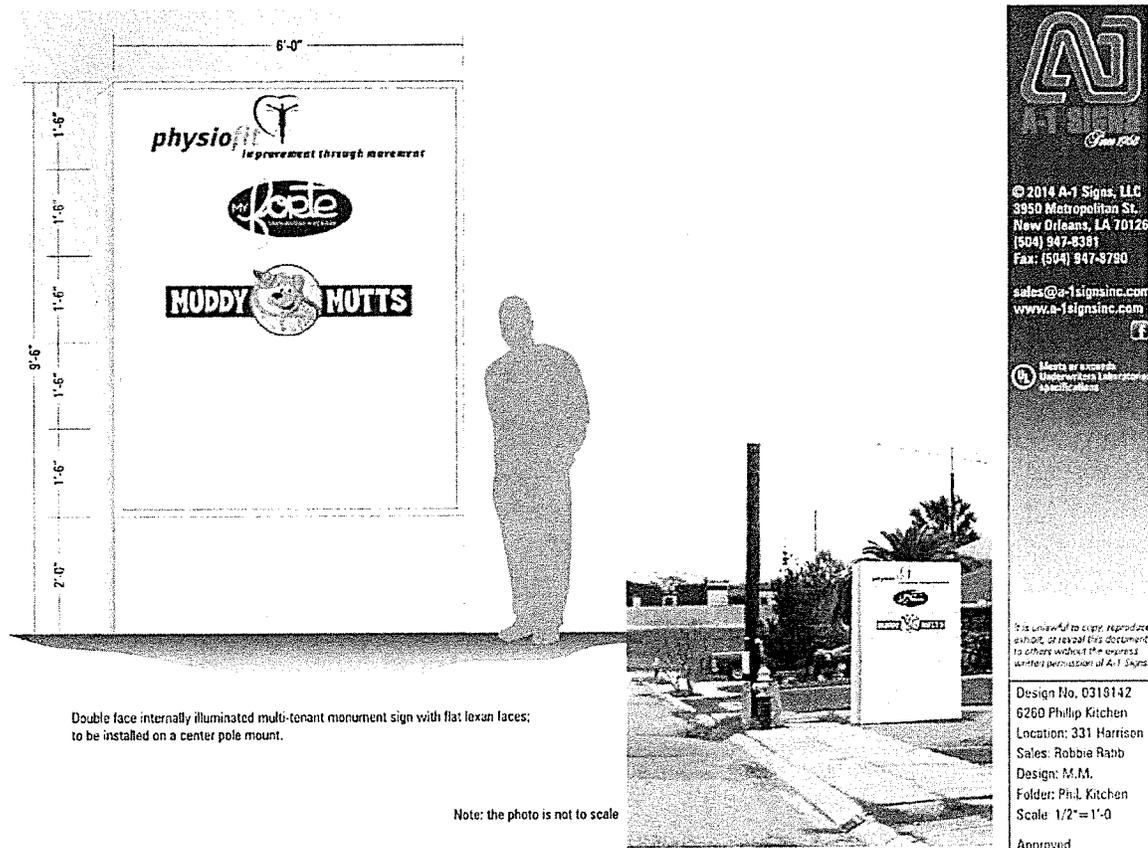
All of the existing businesses have attached (wall) signs on the structure, and the property owner proposes building a detached (monument) sign for the entire shopping center. The proposed monument sign is 9 feet 6 inches tall and 6 feet wide. The sign area measure 7 feet 6 inches tall by 6 feet wide and has a total area of 45 square feet. In the LADC Lake Area Design Corridor Overlay District monument signs are limited to corridors with at least 4 lanes of traffic and W Harrison Avenue is only two lanes; therefore a monument sign is not allowed. In addition, the sign is required to be set back from the public right-of-way a distance equal to the height of the sign. The sign measures 9 feet 6 inches in height, however it is only proposed to be set back 2 to 3 feet from the public right-of-way.

## Why is City Planning Commission Action required?

**Article 9A, Section 9A.13.8 - Appeal to City Council** of the Comprehensive Zoning Ordinance requires that all variances of the Lake Area Design Corridor Overlay District regulations be reviewed for recommendation by the City Planning Commission and forwarded to the City Council for final action. The monument sign is not allowed along this commercial corridor and the sign has an insufficient setback from the adjacent public right-of-way. As such, a waiver of the Lake Area Design Corridor Overlay District regulations is required.

### I. EVALUATION

The applicant is proposing to build a new monument sign at an existing strip shopping center with 160 feet of frontage on W Harrison Avenue. Previously, there was a detached pole sign at this location, but that sign has been missing for almost 10 years, so it has lost its non-conforming status. The proposed monument sign is 9 feet 6 inches tall and 6 feet wide. The sign area measure 7 feet 6 inches tall, 6 feet wide, and has a total area of 45 square feet (see Figure 1 below). A monument sign on this site has a maximum allowed area of 70 square feet and a maximum height of 12 feet, both of which this proposed sign meets.



**Figure 1: Proposed Monument Sign**

The applicant is requesting a variance of the LADC Lake Area Design Corridor Overlay District regulations to allow for a monument sign on a corridor with less than 4 lanes of traffic and that does not meet the minimum required setback from the public right-of-way. According to **Article 9A, Section 9A.13.6.3(b) - Design Review Standards - Signage**:

3. *Signage.*

*b. One (1) detached (monument) sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) lanes. The sign shall be limited to one-half (½) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.*

W Harrison Avenue is only a two lane corridor, and a monument sign is not allowed. Therefore, the applicant is required to receive a waiver to allow for a monument sign in this location. In addition, the sign is required to be set back from the public right-of-way a distance equal to the height of the sign. The sign measures 9 feet 6 inches in height, however it is only setback 2-3 feet from the public right-of-way. Therefore the applicant would need a waiver of the setback requirement of approximately 7 feet 6 inches.

There are a number of businesses along W Harrison Avenue with monuments signs. The staff visited the area and found that approximately 12 of the 20 properties with businesses on the corridor have monument signs. Many of these signs, most likely 6, pre-date the Lake Area Design Corridor Overlay District regulations which were adopted in 2007.<sup>1</sup> The 6 remaining detached signs on the corridor were likely installed after the LADC District went into effect. These detached signs would not be allowed and many of them appear not to meet the setback requirement either. The staff could only find records of one monument sign that was approved by the City Planning Commission.<sup>2</sup> The remaining 5 detached signs appear to have been installed without the required approval of the City Planning Commission. Even though many of these properties received Design Review approval from the City Planning Commission, the detached sign was not part of that approval.<sup>3</sup> Since these signs were never approved, they were illegally constructed and should not be used as the basis to grant a waiver of the LADC District sign regulations.

The purpose of the Lake Area Design Corridor Overlay District is to provide for a superior environment, compatible development, and architectural quality of design. These regulations hope to achieve that by limiting detached signs to only major corridors with at

---

<sup>1</sup> These include signs at the following addresses: 201 W Harrison Avenue, 207 W Harrison Avenue, 230 W Harrison Avenue, 234 W Harrison Avenue, 241 W Harrison Avenue, and 247 W Harrison Avenue.

<sup>2</sup> The monument sign at 141 W Harrison Avenue was approved by the City Planning Commission in Zoning Docket 029/10.

<sup>3</sup> These properties include 6262 Pontchartrain Boulevard (Design Review 103/12), 128 W Harrison Avenue (Design Review 099/10), 131 W Harrison Avenue (Design Review 107/13), 140 W Harrison Avenue, and 204 W Harrison Avenue.

least 4 lanes. While there are many examples of detached signs on this portion of W Harrison Avenue, most of the signs predate the LADC District regulations or were built without the review and approval of the City Planning Commission and/or the Department of Safety and Permits. The current LADC sign regulations intend to limit the amount of signage within its boundaries. Even though there are detached signs on this corridor, the staff does not want to set the precedent of waiving the LADC District sign regulation based on the presence of illegally constructed signs.

## II. SUMMARY

Design Review docket 024/15 is an appeal of the Lake Area Design Corridor (LADC) Overlay District regulations, **Article 9A, Section 9A.13.6.3(b) - Design Review Standards - Signage** of the *Comprehensive Zoning Ordinance*. The applicant proposes installing a detached sign on a corridor with less than four lanes and insufficient setback from the adjacent public right-of-way. There are many examples of detached signs on the W Harrison Avenue corridor; however, about half of those signs are legal non-conforming signs that predate the LADC District regulations and the other half were built without approval from the City Planning Commission. The staff could only find one example of a detached sign that was approved since the LADC regulations were put into place. The staff believes that the proposed sign is in conflict with the intent of the Lake Area Design Corridor Overlay District and that current sign regulations are appropriate for the site. Therefore, the staff recommends denial of Design Review 024/15.

## III. PRELIMINARY STAFF RECOMMENDATION<sup>4</sup>

The staff recommends **DENIAL** of Design Review 024/15.

## IV. REASONS FOR RECOMMENDATION

1. The intent of the Lake Area Design Corridor Overlay District regulations would be compromised by granting these variances.
2. Granting the request could legitimize signs that were built without City Planning Commission approval and could encourage similar variance requests.

---

<sup>4</sup> Subject to modification by the City Planning Commission.

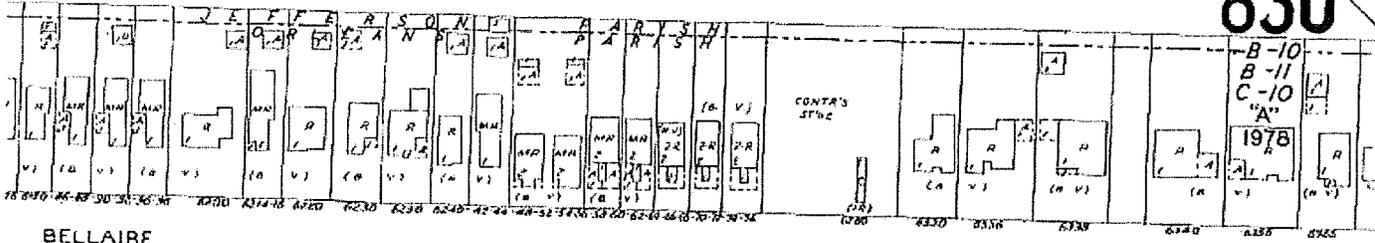


LP

DR024-15 - 331-339 W Harrison Avenue

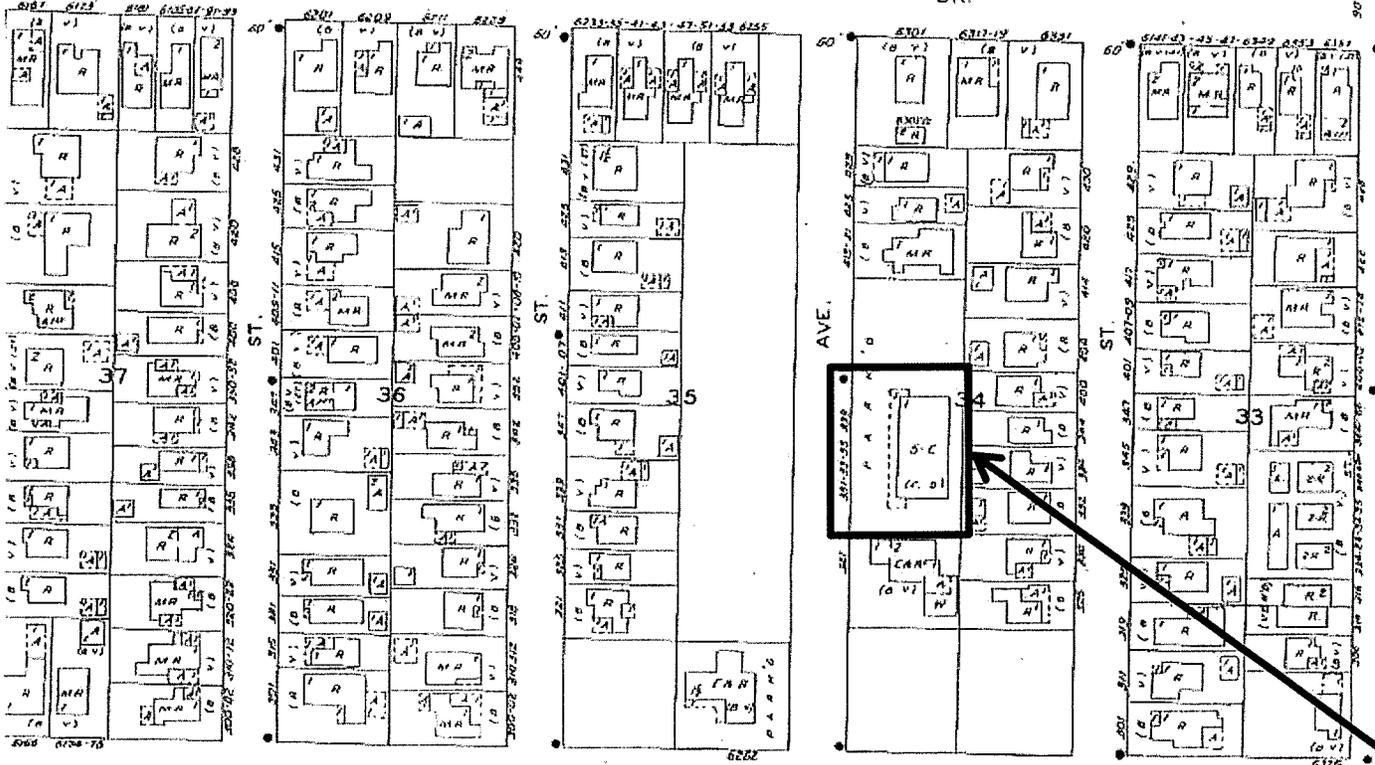
LB-1 Lake Area Neighborhood Business District & LADC Lake Area Design Corridor Overlay District

830



BELLAIRE

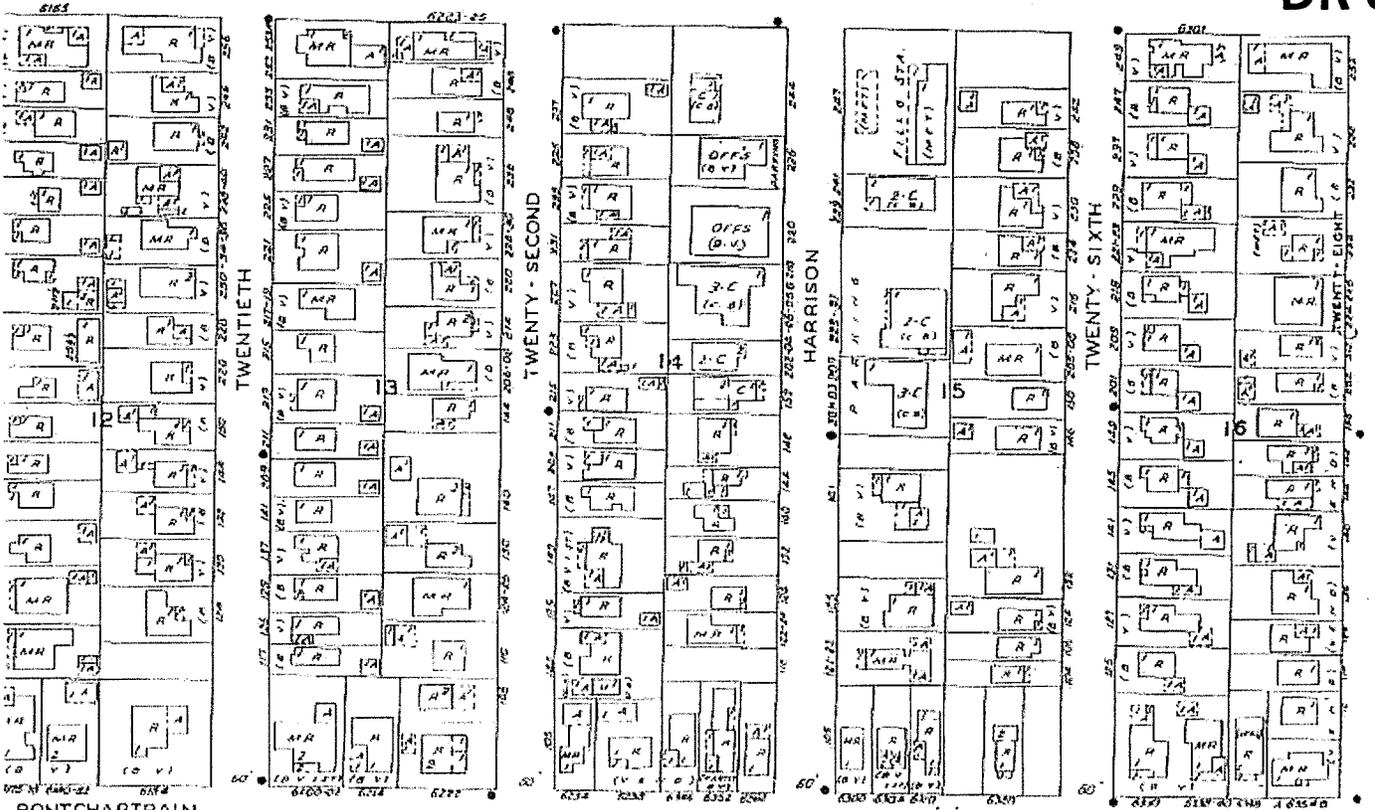
DR.



FLEUR DE LIS

DR.

DR 024/15



PONTCHARTRAIN



Since 1988

© 2014 A-1 Signs, LLC  
3950 Metropolitan St.  
New Orleans, LA 70126  
(504) 947-8381  
Fax: (504) 947-8790

sales@a-1signsinc.com  
www.a-1signsinc.com



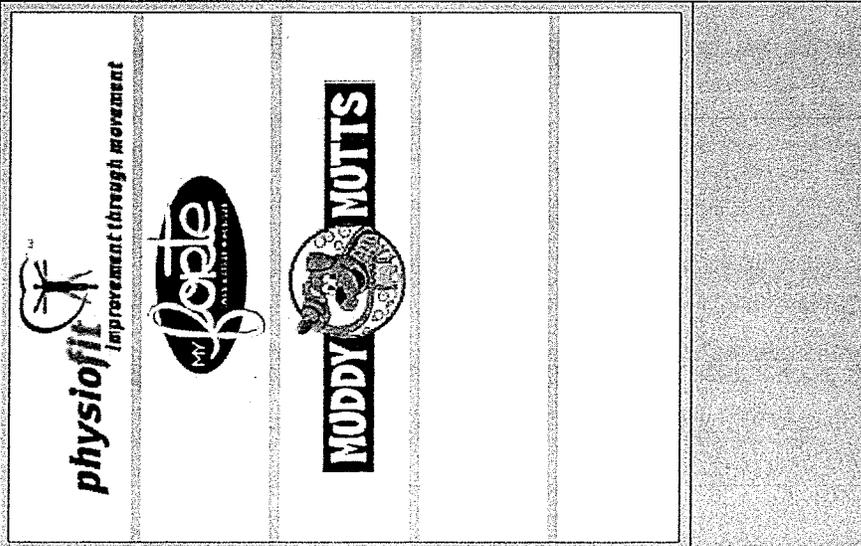
Meets or exceeds  
Underwriters Laboratories  
specifications

It is unlawful to copy, reproduce,  
exhibit, or reveal this document  
to others without the express  
written permission of A-1 Signs.

Design No. 0318142  
6260 Phillip Kitchen  
Location: 331 Harrison  
Sales: Robbie Rabb  
Design: M.M.  
Folder: Phil. Kitchen  
Scale: 1/2" = 1'-0"

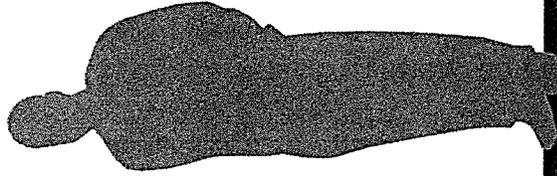
Approved \_\_\_\_\_

6'-0"



1'-6" 1'-6" 1'-6" 1'-6" 1'-6" 2'-0"

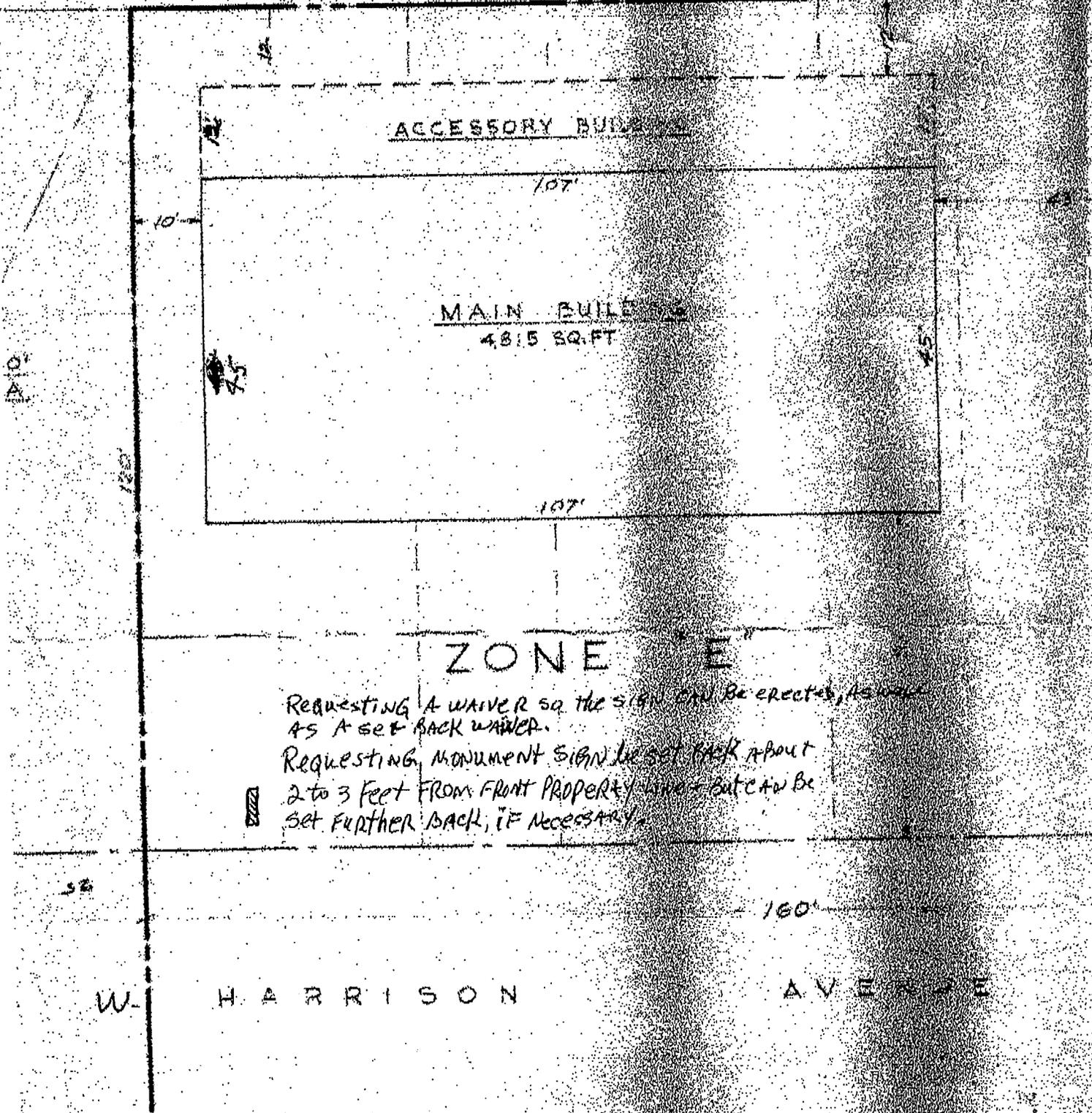
9'-9"



Double face internally illuminated multi-tenant monument sign with flat lexan faces;  
to be installed on a center pole mount.

Note: the photo is not to scale

SQ. 34



ZONE "E"

Requesting A waiver so the sign can be erected, as well as a set back waiver.

Requesting monument sign be set back about 2 to 3 feet from front property line - but can be set further back, if necessary.

W. HARRISON AVENUE

**Crossfit**  
NEW ORLEANS  
70124

**MODDY MOTT'S**

DO IT YOURSELF DOG WASH & PET SUPPLIES

335

Organic  
Highly  
Fresh

Artistic  
Motion  
Dance  
Academy

MODDY  
MOTT'S





**MODDY MOTT'S**

DO IT YOURSELF DOG WASH & PET SUPPLIES

**My Jojo**  
PET SUPPLIES & MORE

**physiofit**

PHYSICAL THERAPY AND WELLNESS

335

**MODDY MOTT'S**

Organic  
Homemade  
Treats

Locally  
Sourced  
Dog Treats

333

**Jojo**

