

City Planning Commission Meeting – January 27, 2015

CONSIDERATION – SUBDIVISION DOCKET – 170/14

Applicant: 1013-17 Austerlitz, LLC & 1016 Gen. Taylor, LLC

Prepared By: Dubravka Gilic

Date: January 13, 2015

Deadline: February 4, 2015

GENERAL INFORMATION

Proposal: Subdivision of Lots 5, Part of 5 and A into lots A1 and 5A.

Location: Square 267, Boulogny, Sixth Municipal District, bounded by General Taylor, Camp, Austerlitz and Chestnut Streets. Municipal addresses are 1014-18 Gen. Taylor Street and 1015-17 Austerlitz Street. (PD 3)

Zoning: RD-2 Two-Family Residential District

Current Lot 5 - Single family residence

Land Use: Lot Pt. 5 – Vacant land

Lot A – Vacant, former double

Lot size

Required: All lots are zoned RD-2 Two-Family Residential District which, according to **Article 4, Section 4.5.7 Height, Area and Yard Requirements (Table 4.E)** requires a minimum lot width of 50 feet for residential doubles, 40 feet for singles; minimum lot depth of 90 feet, and minimum lot area of 5,000 square feet for doubles, and 4,400 for singles.

Existing

Lots: **Lot 5** measures 30' in width, 80'-9" to 84'-9" in depth, and has an area of 2,482.5 square feet. The lot fronts on Gen. Taylor Street.

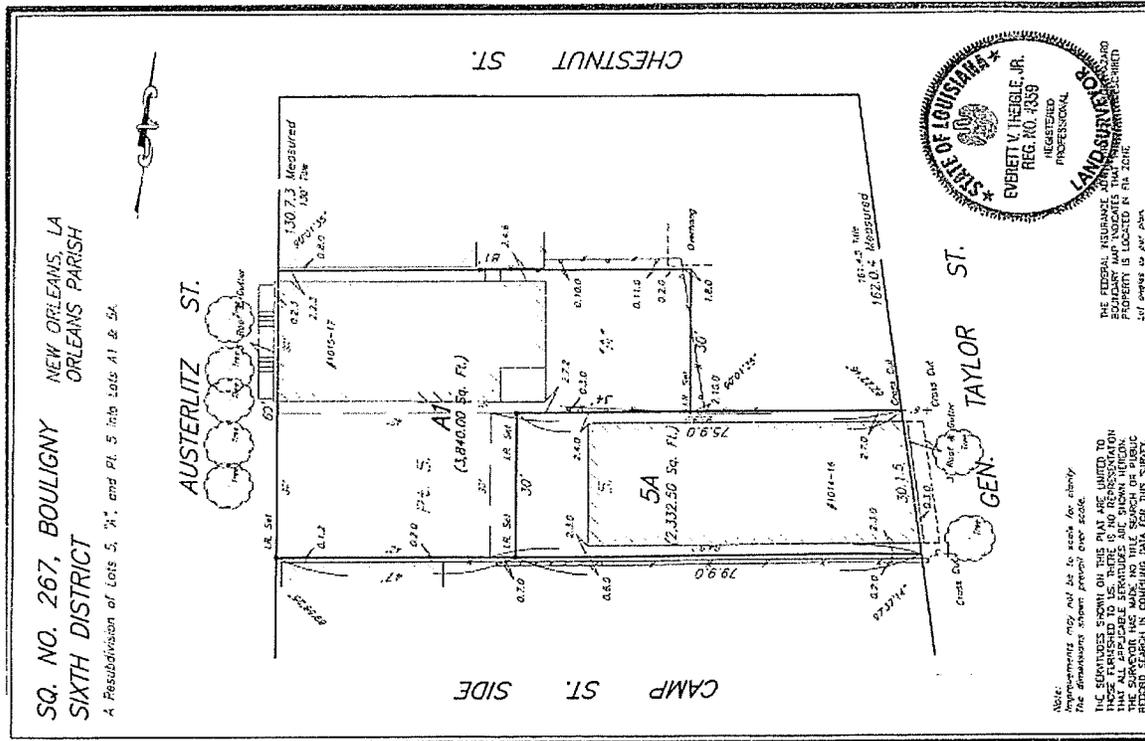
Lot Pt. 5 measures 30' in width, 42' in depth and has an area of 1,260 square feet. The lot fronts on Austerlitz Street.

Lot A measures 30' in width, 81' in depth, and contain an area of 2,430 square feet. The lot fronts on Austerlitz Street.

Proposed

Lots: **Lot 5A** would measure 30' in width, 75'-9" to 79'-9" in depth, and will contain an area of 2,332.5 square feet. The depth of the existing Lot 5 will be reduced by 5 feet and its area by 150 square feet. This reduction in lot depth will increase the amount of non-compliances for this already substandard lot in terms of lot depth, lot area and rear yard depth. These reductions will require variances from the Board of Zoning Adjustments (BZA).

Lot A-1 would be an "L" shaped lot with a width of 60' (frontage on Austerlitz Street), 47' to 81' feet in depth and an area of 3,840 square feet. The proposed Lot A1 will meet the minimum lot width, but despite the fact that the lot is created by a consolidation of the two existing lots, it will still be deficient in terms of lot depth and lot area. These deficiencies are considered as improvements to the existing situation and will not require waivers from the BZA.

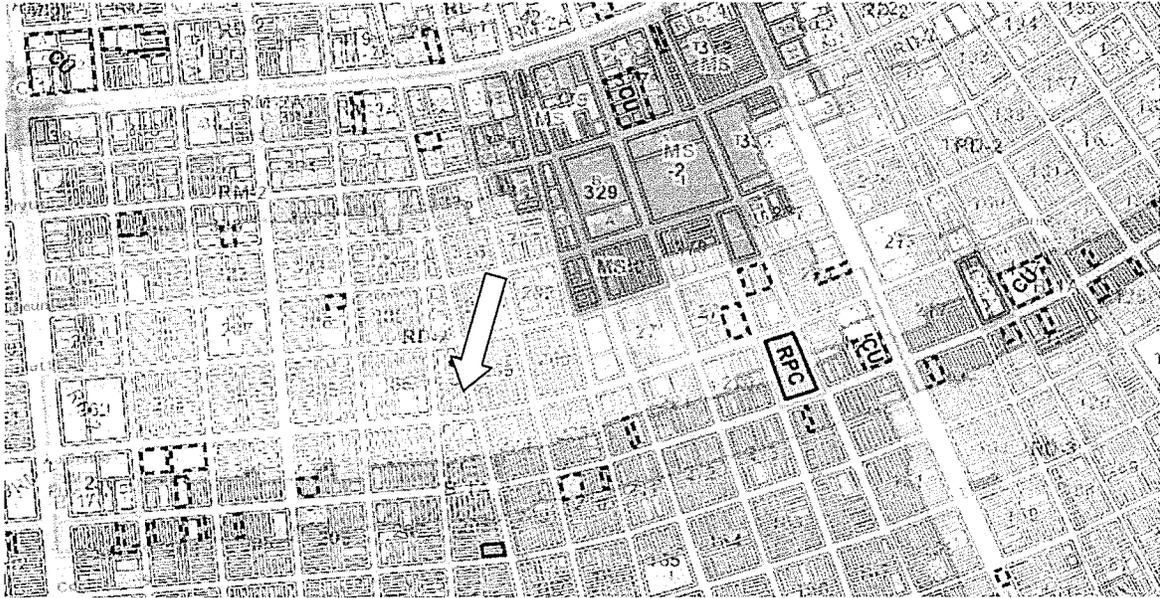


ANALYSIS

Development in the Vicinity:

The site is within a large RD-2 Two-Family Residential District generally bounded by Napoleon Avenue, to the upriver side, Jackson Avenue, to the downriver side, Prytania Street, to the lake side, and Magazine Street, to the river side. This district, generally covering the majority of the residential property in the Uptown, Touro, and Garden District neighborhoods, is divided into lots of varying size that are developed with a mix of single- and two-family residences dating from the late 19th Century. These structures, which are constructed in Queen Anne, Eastlake, and other styles typically have front yard setbacks ranging from ten to twenty feet, with shallower side yard setbacks, and rear yards that can range significantly in depth. Some of these residences, particularly those on larger lots, provide off-street parking, while others do not. Many properties provide off-street parking spaces in side yards, although some properties, particularly smaller lots,

do not provide off-street parking. Although most properties in the RD-2 District are single- and two-family residences, consistent with their zoning, there are some examples of non-conforming properties, including multiple-family residences and commercial uses, some of which immediately abut the subject site.



When examining the sizes of the lots in the area, we find that the most common lot size is about 30 feet in width by approximately 120 feet in depth. There is a substantial degree of variation in both the width and depth of individual lots. The subject square is smaller than the typical 300'x300' square and has an irregular trapezoidal shape; the square is indicative of this range of lot size. There are a few lots in the vicinity that are somewhat comparable to the proposed lots, including one lot (1) on the same Square as the petitioned site, and one (1) lot on the adjacent Square 268. Some other small lots in the area have slightly larger lot width or lot depth than one of the proposed lots (Lot 5A).



COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS:

The applicant proposes to resubdivide three (3) existing lots into two (2) new lots of record. All of the existing lots are substandard in size; they have less than the minimum required lot depth, lot width and lot area as prescribed by the underlying zoning district.

The proposed resubdivision will combine existing Lot A and Pt.5 into a new Lot A1. The proposed Lot A1 will also get an additional 5 x 30 foot area carved out from the rear of the existing Lot 5. This reduction will further decrease the lot area, lot depth and the depth of the rear yard for the existing Lot 5, therefore increasing the non-conformances with the requirements of the Comprehensive Zoning Ordinance. For a resubdivision to be approved as proposed, variances for the insufficient lot depth, rear yard depth and lot area for Lot 5A will have to be obtained from the Board of Zoning Adjustments.

Section 4.5.7. (Table 4E) – Minimum Lot Depth

Required: 90' (Existing: 80'-9" to 84'-9") Provided: 75'-9' to 79'-9" Waiver: 5'

Section 4.5.7. (Table 4E) – Minimum Depth of Rear Yard

Required: 20' (Existing: 18'-7") Provided: 13'-7" Waiver: 5'

Section 15.2. (Table 15.A) – Minimum Lot Area -square feet

Required: 4,400 single family (Existing: 2,482.5) Proposed: 2,332.5 Waiver: 150

According to the applicant, the proposed reduction in size of the existing Lot 5 and the addition of 150 square feet of lot area to the newly created lot A1 will facilitate the planned expansion of the existing structure fronting on Austerlitz Street. The carved-out 5 foot deep strip from the rear of Lot 5 will provide for a better rear yard flow of the proposed Lot A1.

The analysis of the lot sizes in the 3-block radius from the petitioned property reveals that there are only two existing lots that are comparable in size (or smaller), than the proposed Lot 5A. Those are Lot B (1018 Gen. Taylor Street) located within the same Square 267 as the petitioned site, and Lot A (1024 Peniston Street) on the adjacent Square 268. The later one is actually a part of the larger development site, which is developed with a large single-family residence. Other smaller lots in the specified area have slightly larger lot width or lot depth than the proposed Lot 5A. The planning staff believes that the proposed reduction in lot depth and the increased non-conformities with the district standards for the existing Lot 5 can't be justified either in terms of the neighborhood norms or from the point of view of a future redevelopment of Lot A1.

The proposed Lot A1 will be significantly enlarged through its consolidation with the adjacent Lot Pt.5, without the benefit of a further addition of the portion of a rear yard of Lot 5. Therefore, the staff recommends no reduction in size of the existing Lot 5.

Utilities & Regulatory Agencies:

The City Planning Commission, when reviewing subdivision proposals, requests responses from the Department of Property Management, Office of Real Estate and Records, Department of Public Works, Department of Safety and Permits, Sewerage and Water Board, and Entergy regarding the compliance of the proposed subdivision with the building codes, zoning ordinance, and other regulations governing development in the city. The Office of Real Estate and Records acknowledged encroachments of the roof overhang on the Gen. Taylor Street right-of-way and of the stairway on the Austerlitz Street right-of-way which require approval of the City. Other agencies stated no objections to the proposed subdivision. Therefore, should the subdivision be recommended for approval, it should be subject to the following proviso:

- 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, Office of Real Estate and Records.

SUMMARY

Subdivision Docket 170/14 is a request to resubdivide three existing, nonconforming lots into two new lots of record. The proposed resubdivision will combine existing Lot A and Pt.5 into a new Lot A1. The proposed Lot A1 will also get an additional 5 x 30 foot area carved out from the rear of the existing Lot 5. This reduction will further decrease the lot area, lot depth and the depth of the rear yard for the existing Lot 5, therefore increasing the non-conformances with the requirements of the Comprehensive Zoning Ordinance. For a resubdivision to be approved as proposed, multiple variances for Lot 5A will have to be obtained from the Board of Zoning Adjustments. The planning staff believes that the proposed reduction in lot depth and the increased non-conformities for the existing Lot 5 cannot be justified either in terms of the neighborhood norms or from the need for a future redevelopment of Lot A1.

PRELIMINARY STAFF RECOMMENDATION¹

The staff recommends **MODIFIED APPROVAL** of Subdivision Docket 170/14 to allow consolidation of the existing Lots A and Pt.5 into a single lot of record, subject to five (5) provisos. Lot 5 shall remain unchanged.

Provisos

1. The applicant shall revise the subdivision plan (survey) to exclude Lot 5 from the request.

¹ The preliminary staff recommendation is subject to modification by the City Planning Commission

2. The applicant shall secure the appropriate rights to utilize City property in connection with any encroachments in accordance with the requirements of the Department of Property Management, Office of Real Estate and Records.
3. The applicant shall comply with all other Subdivision Regulations, which include the submittal of mortgage certificates, consent letters from any mortgage companies or lien holders (if applicable) and tax certificates for the petitioned site.
4. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, Property Management Division of Real Estate and Records and the Department of Safety and Permits.
5. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final re-subdivision survey in dwg., dxf, or ESRI compatible file format.

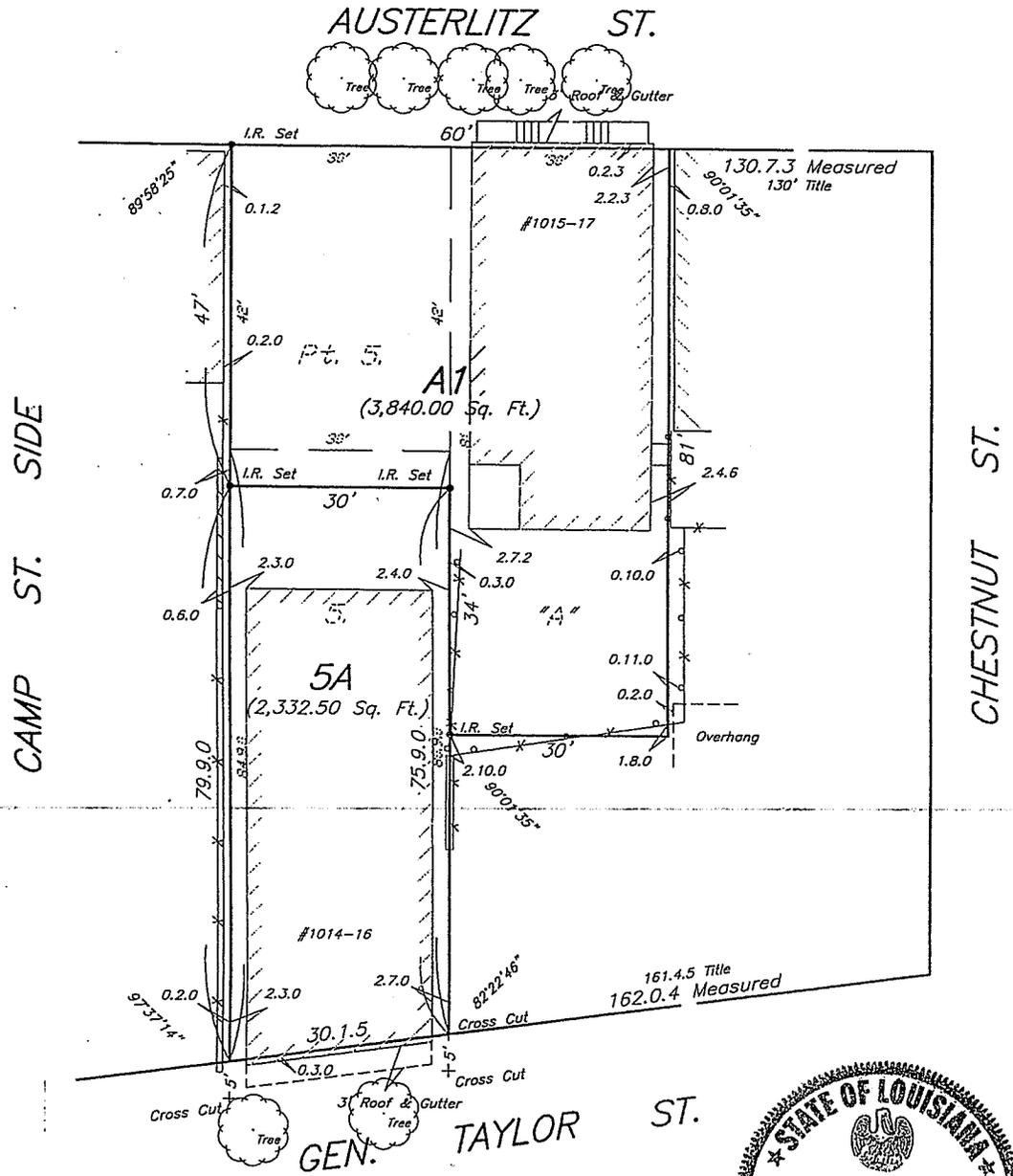
REASONS FOR RECOMMENDATION

1. The proposed resubdivision will increase the level of nonconformities with the district regulations for Lot 5A that is already substandard in terms of its depth, lot area and rear yard setbacks.
2. The proposed resubdivision will create a lot which is inconsistent with minimum lot sizes established within the immediate neighborhood.
3. The recommended modified approval provides for the larger lot combining Lot Pt5 and Lot A bringing it more in compliance with the required standards, but does not require further reduction in size of Lot 5, which is already deficient in terms of lot depth and lot area.

SQ. NO. 267, BOULIGNY
SIXTH DISTRICT

NEW ORLEANS, LA
ORLEANS PARISH

A Resubdivision of Lots 5, "A", and Pt. 5 into Lots A1 & 5A.



Note:
Improvements may not be to scale for clarity.
The dimensions shown prevail over scale.

THE SERVITUDES SHOWN ON THIS PLAT ARE LIMITED TO THOSE FURNISHED TO US. THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING DATA FOR THIS SURVEY.

THE FEDERAL INSURANCE ADMINISTRATION HAZARDOUS WASTE BOUNDARY MAP INDICATES THAT THE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE
Lot angles as per plan.



Date: October 26, 2014 Scale: 1" = 20'

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code TITLE 46:LXI, Chapter 25 for a Class "C" survey.
Made at the request of 1013-1017 Austerlitz, LLC & 1016 General Taylor, LLC.

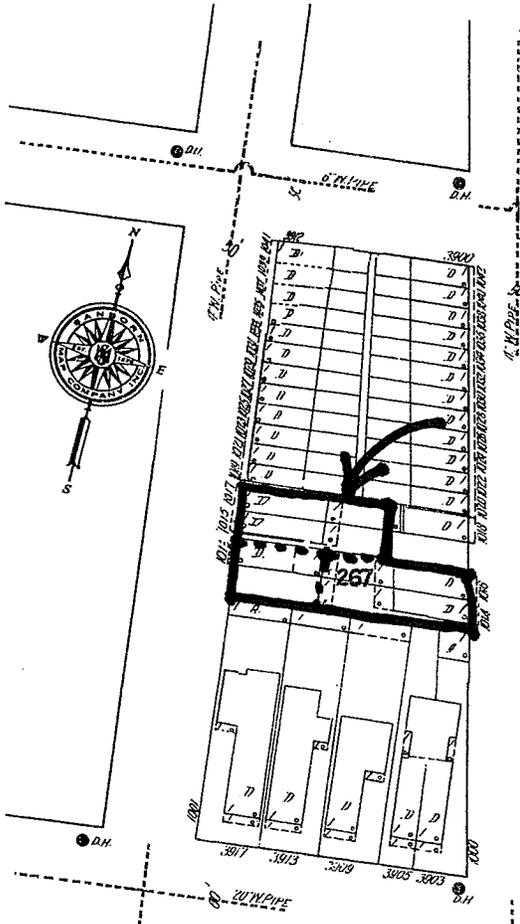
Gilbert, Kelly & Couturie, Inc., Surveying & Engineering
2121 N. Causeway Blvd., Metairie LA 70001 (504) 836-2121

Zoning Base Map SD 170-14 -- 1013 Austerlitz and 1016 General Taylor Streets

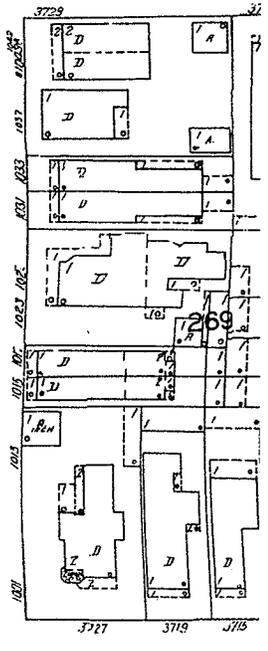
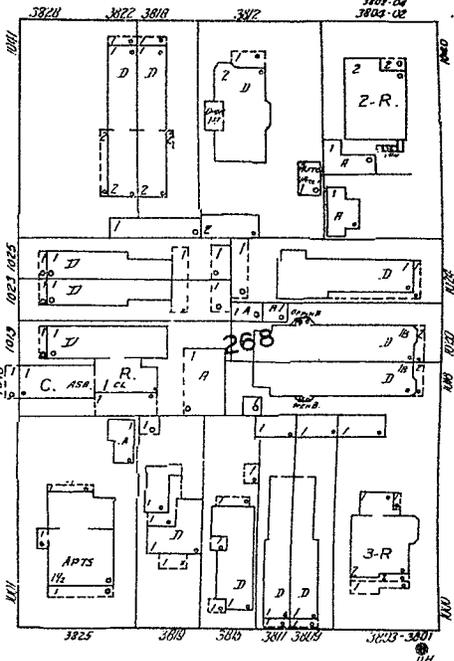


446

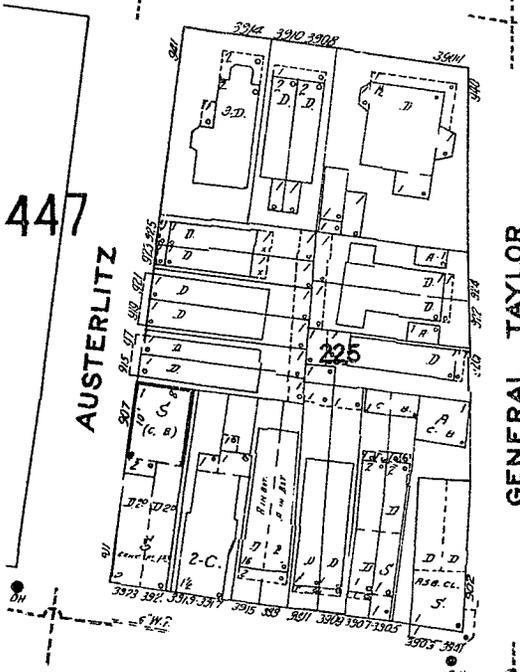
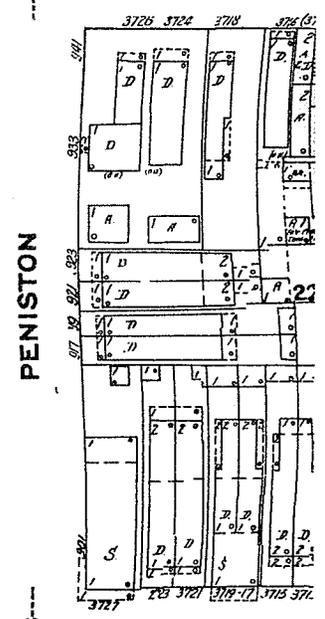
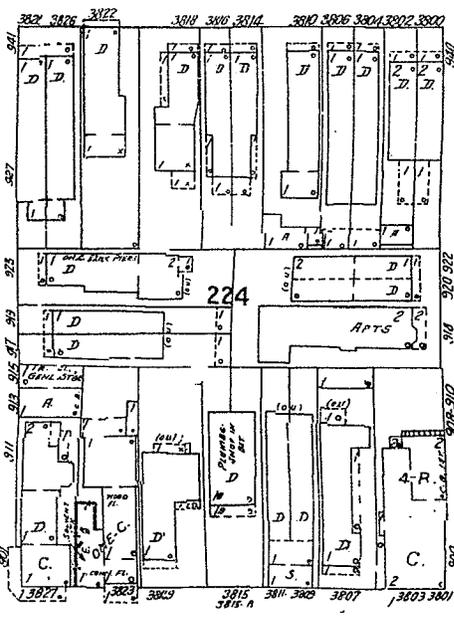
443



CHESTNUT



CAMP

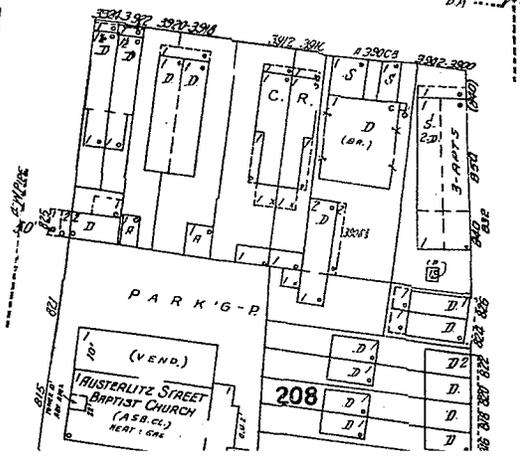


447

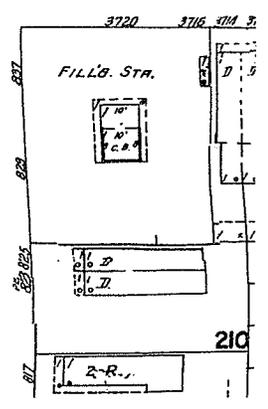
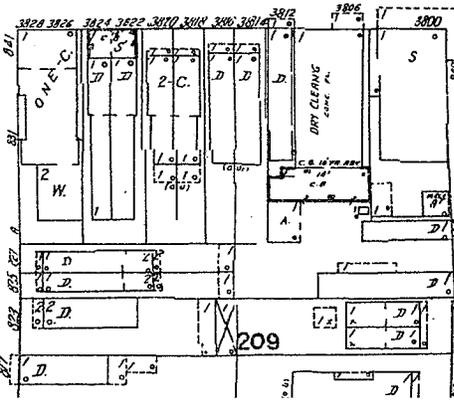
AUSTERLITZ

GENERAL TAYLOR

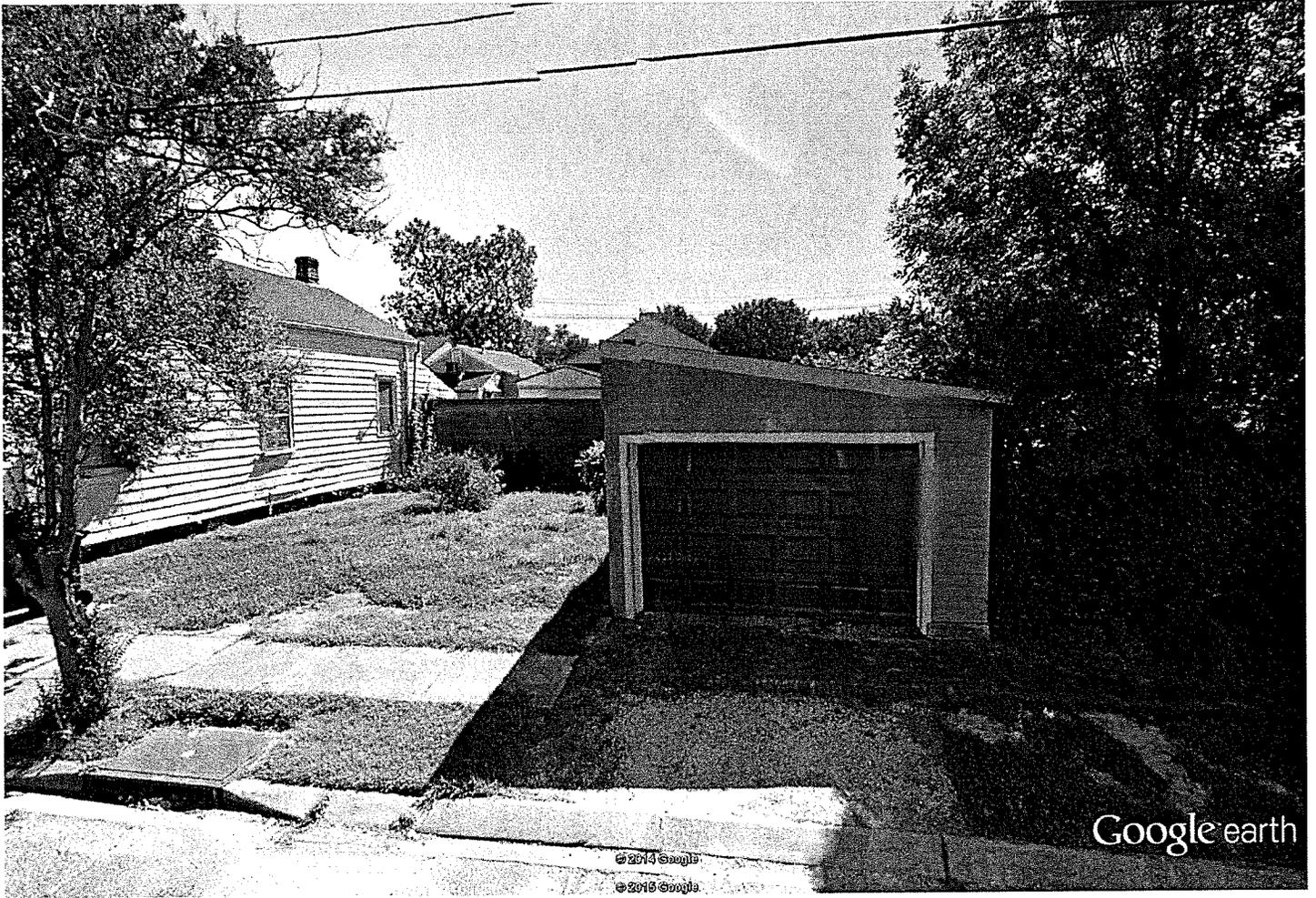
PENISTON



MAGAZINE



(VEND.)
 AUSTERLITZ STREET
 BAPTIST CHURCH
 (A.S.B.C.)
 NEAR CORNER



Google earth

feet
meters





Google earth

