

**City Planning Commission Meeting – November 11, 2014**

**CONSIDERATION – SUBDIVISION DOCKET –129-14**

**Applicant: Susan A. Swanner**

**Prepared By:** Kelly G. Butler

**Date:** October 29, 2014

**Deadline:** November 11, 2014

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**GENERAL INFORMATION**

**Proposal:** Re-Subdivision of Lots 93-A, 93-B, 98-B, 5-B and 6-A, Sq. 234 into Lot 93-A-1

**Location:** First Municipal District, bounded by Julia, Baronne, Girod and Carondelet Streets. The municipal addresses are 740 Baronne and 819 Julia Street. (PD 1A)

**Zoning:** CBD-7 Central Business District

**Current**

**Land Use:** The subject site consists of five (5) lots that form an irregularly shaped development site that has frontages on Julia and Baronne Streets. The site has two (2) frontages of thirty-one feet eleven inches (31’ 11”), and forty-two feet seven inches (42’ 7”) on Julia Street and a single frontage on Baronne Street that measures sixty-three feet eleven inches (63’ 11”) in width. The total area for the site is approximately twenty-six thousand one hundred forty nine (26,149) square feet. The site is currently developed with a parking garage and a vacant lot.

**Required:** This is a request to subdivide five (5) lots into a single lot. The lots are perpendicular to one another and have frontages on Julia and Baronne Streets. The existing Lots 98-B and 6-A front on Julia Street while the existing Lots 93-A and 93-B front on Baronne Street. Lot 5-B is an interior lot situated between Lots 98-B, 93-A and 6-A. It does not have street frontage. All of the subject lots are zoned CBD-7 Central Business District.

The applicant proposes to construct a one hundred thirty eight (138) room hotel and restaurant on the site with varying heights and setbacks with a maximum height of seventy-five feet (75’) tall and six (6) stories within the interior portions of the site. At the ground level, the building will be setback zero feet (0’) from the Julia Street front property lines, the Carondelet Street side property line, the Girod Street rear property line, the Baronne Street front property line, and the Julia Street side property line adjacent to Baronne Street. At this level, the building will set back approximately six feet (6’) from the Julia Street side property line, thirty-three feet (33’) from the Baronne Street front property line, and set back ten feet (10’) from the Baronne Street side property line, and fifty-eight feet (58’) from the Julia Street front property line. This setback area will

and set back ten feet (10') from the Baronne Street side property line, and fifty-eight feet (58') from the Julia Street front property line. This setback area will provide courtyard and walkway space that is a portion of the open space for the site. Additionally, an interior courtyard will be provided between the inner portion of the proposed building and the back of the Julia Street building that it will envelope. The first floor of the building will consist of a lobby/reception area and a two thousand six hundred fourteen (2,614) square foot restaurant/bar that will front on Julia Street. A kitchen for the hotel, back of the house area, and an elevator bank will be located in the center of the site; while enclosed off-street parking and loading will be located in the rear of the site paralleling the Girod street rear property line. Forty-one (41) off-street parking spaces, two (2) off-street loading spaces, and a refuse area will be provided in the enclosed parking garage.

The second through fifth stories of the building will generally follow the majority of the first story's footprint; however, the massing of the building will generally articulate inward towards the interior of the site after holding all property lines at the street face. The sixth story of the building will be limited to the interior portion of the site generally located between the Baronne Street side property line, the interior courtyard building line, and the Girod Street rear property line.

The proposed lot would be a double frontage lot. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* states that double frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses. It also allows for the creation of a double frontage lot in an established urban environment where a similar development pattern already exists in the surrounding blocks and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

## **LOT SIZE**

### **Existing Lots:**

Four (4) of the existing lots, Lots 93-A, 93-B, 98-B, and 5-B, are rectangular parcels of land. One of the existing lots, Lot 6-A, is an L-shaped lot. Existing Lots 93-A, 93-B and 98-B each has a width of thirty-one feet eleven inches (31' 11") and a depth of one hundred twenty seven feet ten inches (127' 10"). Lot 5-B has a width of forty-two feet seven inches (42' 7") and a depth of ninety feet (90'). Lot 6-A, the L-shaped lot, has a width of forty-two feet seven inches (42' 7") on the Julia Street side, a width of forty-three feet eight inches (43' 8") on the Baronne Street side, a depth of one hundred ninety one feet, ten inches (191' 10") on the Carondelet Street side and a depth of eighty-five feet three inches (85' 3") on the Girod Street side.

**Proposed**

**Lot:** Lot 93-A-1 would have two frontages of thirty-one feet eleven inches (31' 11") and forty-two feet seven inches (42' 7") on Julia Street, and a single frontage on Baronne Street that measures sixty-three feet eleven inches (63' 11") in width. The proposed lot would also have a depth of approximately two hundred thirteen feet two inches (213' 2") along the Girod Street side and a depth of one hundred ninety-one feet (191') along the Carondelet Street side. The area for the proposed lot is approximately twenty six thousand one hundred forty-nine (26,149 sq. ft.) square feet.

**ANALYSIS**

**Development in the Vicinity:**

The petitioned properties are located within the CBD-7, Central Business District generally bounded by O'Keefe Avenue and Lafayette, Camp and St. Joseph Streets. The site is within the Lafayette Square District Local Historic District, which is generally bounded by the Pontchartrain Expressway, Carondelet Street, Howard Avenue, O'Keefe Avenue, Lafayette Street and Magazine Street. The existing lots, 93-A and 93-B, front on Baronne Street and currently contain a two-story warehouse structure. Lot 93-A contains a covered parking shed, while lots 98-B and 6-A, which front on Julia Street, are vacant<sup>1</sup>. Lots within the district are of varying sizes, ranging from 30'-several hundred feet in width. Lot depths ranges vary as well from 50'-to several hundred feet as shown in the picture below. The lots are developed with a range of mixed-use residential and commercial establishments, including The Baronne Street Lofts, surface parking lots, Rouses Grocery Store, professional offices and restaurants.



<sup>1</sup> At its Wednesday, October 08, 2014 meeting the Central Business District Historic District Landmarks Commission voted to grant conceptual approval for demolition of the existing covered parking shed and two-story warehouse building and construction of a five-story, approximately 98,000 sf hotel with penthouse and roof deck.

## Utilities & Regulatory Agencies

As part of the normal review process for subdivision proposals, the City Planning Commission staff requests responses from the Departments of Property Management (Division of Real Estate and Records), Public Works, and Safety and Permits, as well as the Sewerage and Water Board and Entergy. The purpose of the reviews by these agencies is to determine whether the proposed subdivision would have any impact on the City's infrastructure and whether it would comply with the City's building code and other applicable regulations.

At the time of this report, the staff had received responses from three of the requested agencies. The Department of Safety and Permits, Real Estate and Records and the Historic District Landmarks Commission all reported no exception to the request. However, the reviewing agencies have thirty (30) days to provide a written response to the City Planning Commission, after which time the Executive Director may consider that the agencies have approved the proposal.<sup>2</sup>

### **COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE, THE MASTER PLAN AND THE SUBDIVISION REGULATIONS:**

#### *Comprehensive Zoning Ordinance*

The petitioned site is located in a CBD-7 Central Business District in which a hotel and a restaurant are both permitted uses. **Article 6, Section 6.8.7 (Table 6.H) Height, Area and Bulk Requirements** of the Comprehensive Zoning Ordinance provides the regulations on floor area ratio, height limitations, open space requirements, window outlooks and setbacks. In July, 2014, the applicant requested waivers for insufficient minimum interior setback at the lowest residential level with windows for the Carondelet, Baronne and Julia Street sides. The applicant also applied for waivers of **Article 15, Section 15.27 (Table 15.G)-Off-Street Parking and Article 15.3.1 (Table 15.G) - Off-Street Loading** of the Comprehensive Zoning Ordinance. The applicant was granted waivers for the setback requests and off-street loading, but was denied the off-street parking request.<sup>3</sup>

*Is the proposed action supported by or in conflict with the policies and strategies of the Plan for the 21<sup>st</sup> Century: New Orleans 2030?*

A land use action is consistent with the Plan for the 21<sup>st</sup> Century, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and is compatible with the proposed future uses, densities, and intensities designated in the Land Use Element of the Plan. Chapter 14 of the Master Plan (the Land Use Plan) designates the future land use of the

<sup>2</sup> Article 4, Section 4.1.3. Processing the Subdivision Request of the *Subdivision Regulations*.

<sup>3</sup> BZA Docket 145-14

petitioned site as “Mixed-Use Downtown Core Neighborhood.” The goal, range of uses and development character for that designation are provided below:

### **MIXED-USE DOWNTOWN CORE NEIGHBORHOOD**

**Goal:** Encourage and support a compact, walkable, transit-oriented, mixed-use neighborhood at the core of the city.

**Range of Uses:** A mix of residential, office, commercial, hotel, retail, and service uses.

**Development Character:** The scale of new development will vary depending on location, with taller development generally encouraged along the edges of the CBD and new development that is sensitive to the scale of the neighborhood encouraged within the interior of the area.

The applicant intends to construct a hotel and restaurant on the site. Both of these uses are described in the Mixed-Use Downtown Core Neighborhood land use designation “Range of Uses.” The Board of Zoning Adjustments recently approved a request to permit the construction of a hotel with insufficient interior lot setback from the lowest residential level with windows, insufficient rear building setback at the lowest residential floor, insufficient off-street parking and insufficient off-street loading. This subdivision request is one of the required provisos of the approved BZA Resolution. The staff therefore believes the proposal is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030*.

#### *Subdivision Regulations*

There is no required minimum lot width, depth or area for the CBD-7 Central Business District under the Subdivision Regulations. As noted above, the proposed lot would be a double frontage lot. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* discourages the creation of double frontage lots except in instances that meet one of the following criteria:

1. Where the creation of a double frontage lot would be essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses, or
2. Where a double frontage lot would be located in an established urban environment in which a similar development pattern already exists in the surrounding blocks, and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

The proposed subdivision meets the second criteria as the applicant proposes to locate the provision of off-street parking for the development on the Julia Street side. There are also instances of properties with double frontage in the same CBD-7 Central Business District, including 735 St. Charles Ave. and 817 Carondelet St., both of which are located approximately within one block from the subject site. As stated previously, the applicant also requested

variances from the Board of Zoning Adjustments under BZA Docket 145-14, which were subsequently approved to allow for construction of a hotel and restaurant at this location. This subdivision request is one of the required provisos of the approved BZA request.

### SUMMARY

Subdivision Docket 129/14 is a request to subdivide five lots into a single lot. The lots are located perpendicular to each other and have frontages on different streets. The existing lots, Lot 98-B and Lot 6-A front on Julia Street. The existing lots, Lot 93-A and Lot 93-B front on Baronne Street. Lot 5-B is an interior lot with no street frontage. All five of the lots are located in a CBD-7 Central Business District.

The proposed subdivision meets the criteria under **Article 5, Section 5.5.5 Double Frontage Lots**, of the New Orleans Subdivision Regulations, as it is located in an urban environment and the provision of off-street parking will be provided on the site. There are also instances of properties with double frontage in the vicinity. As stated in the report, the applicant requested BZA waivers under BZA Docket 145-14, which were subsequently approved, to allow for the construction of a hotel on this site. This subdivision request is one of the required provisos of the approved BZA Resolution:

### PRELIMINARY STAFF RECOMMENDATION

The staff recommends **TENTATIVE APPROVAL** of Subdivision Docket 129-14, with final approval subject to three provisos:

1. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, the Department of Property Management, Division of Real Estate and Records, the Historic District Landmarks Commission and the Department of Safety and Permits.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final subdivision survey in dwg., dxf, or ESRI compatible file format.

### REASONS FOR RECOMMENDATION

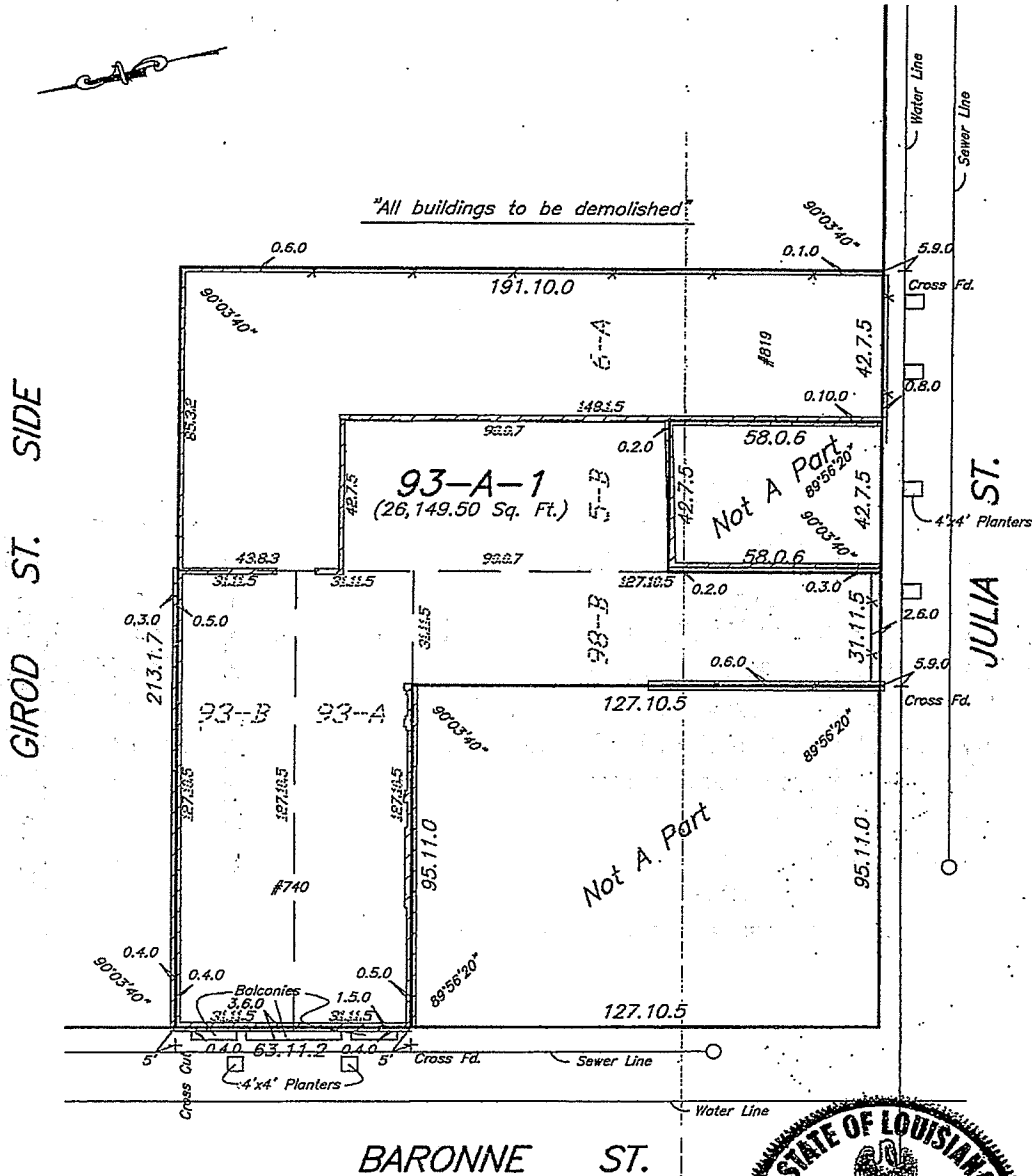
1. The resubdivision was a proviso of the approved Board of Zoning Adjustments Resolution
2. The proposed subdivision is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030*.
3. The proposed subdivision meets the criteria under **Article 5, Section 5.5.5 Double Frontage Lots**, of the New Orleans Subdivision Regulations.

SQ. NO. 234  
FIRST DISTRICT

NEW ORLEANS, LA  
ORLEANS PARISH

A Resubdivision of Lots 93-A, 93-B, 98-B, 5-B, & 6-A into Lot '93-A-1.

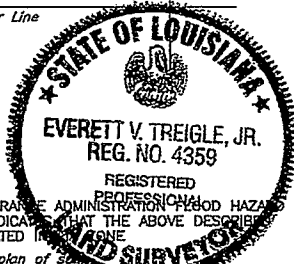
CARONDELET ST. SIDE



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 FLOOD HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN A FLOOD HAZARD AREA.  
Lot angles as per plan of subdivision.



Date: September 2, 2014

Scale: 1" = 40'

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 Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC.

Gilbert, Kelly & Couturie, Inc., Surveying & Engineering  
2121 N. Causeway Blvd., Metairie LA 70001 (504) 838-2121

City of New Orleans Property Viewer

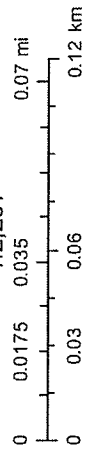


October 29, 2014



Override 1

1:2,257

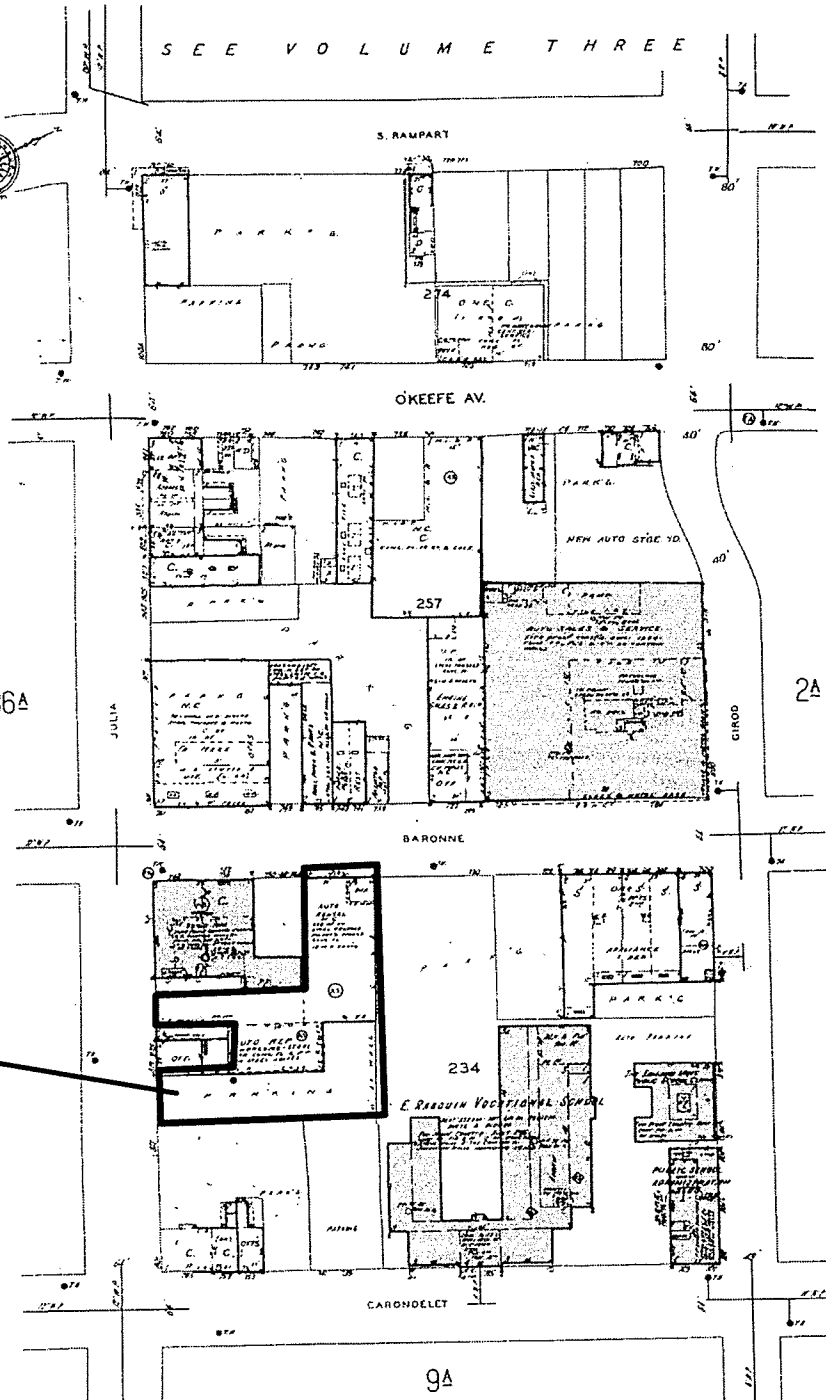
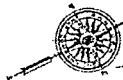


SD 129-14



1A

SEE VOLUME THREE



SD 129-14