

# Cover Sheet

Docket # 112/14 & 133/14

Attached are letters of concern from neighborhood residents, including some from people who participated in the Volunteers of America (VOA) NPP meeting. Several residents, however, were not timely notified of the NPP meeting and were not able to participate in the event. The majority of neighbors were surprised to find that we were having to organize around an issue that we thought that we had won, namely no parking lot intrusions on the residential lot located at 4147 Cleveland. The argument that this is a subdivision instead of a zoning change matters little when the will of the residents is to not have a parking lot at 4147 Cleveland.

We are still in the process of collecting letters because of the confusion over the date regarding the City Planning Commission meeting. We were using the December 23 date that was published in the "Notice Me" email. Later we found out that this notified hearing date was erroneous and that the hearing date was really November 11, 2014. This mistake has given us less time to plan for the hearing.

Nonetheless, the attached letters reflect many of the neighbors' concerns about the creeping encroachment of parking lots on 4147 Cleveland Avenue. In addition, there are several letters regarding the NPP summary report submitted by VOA, which omitted many of the concerns expressed by the participants.

Also, we have included the documents submitted previously under docket # 030-14 as this refers to the same property and many of the same issues raised last spring at the hearing.

Thank you in advance for your thorough examination of these documents and your consideration of the neighbors' concerns.

Submitted by Gayle V. Gagliano

November 1, 2014

RE: Docket # 112-14

Dear Stephen Kroll:

I am writing to you because I have recently participated in the NPP process. The VOA, who was recently and resoundingly defeated in trying to create a parking lot at 4147 Cleveland, has now tried to circumvent the will of the neighborhood by changing their proposal (right before the new CZOs would make this unallowable) to be a partial parking lot on the aforementioned land.

Having read up on the NPP process and armed with old and proposed CZOs, I attended the meeting. I was concerned with the fact that I seemed to know more about the requirements, with my very brief review, than they did. In spite of my concerns, I, and several other neighbors, left the meeting feeling more optimistic, in light of VOA's seeming willingness to address our concerns.

However, after not receiving the email of the proposal in my inbox that VOA promised to send, I started to grow concerned, but I decided to give them the benefit of the doubt. When I discovered that many did not receive it, I grew very wary. When I saw their NPP report, I became alarmed. None of our concerns were listed (other than the fence). This to me shows non-compliance, not only with the requirements of the NPP, which clearly state to notate all concerns discussed at the meeting, but with the spirit of the intent as well. I now have lost all faith in this proposal and feel that I have been lied to. The primary concern of the neighbors was that the property be residential. We were appeased by the fact that they were willing to put the property up for sale. We even discussed how it could be put up for sale with the contract contingent upon the approved subdivision. The fact that this was not even mentioned in the NPP report belies their willingness to work with the neighbors.

In addition, VOA already has a history of misappropriating residential land for commercial use without due process. Part of their current lot, the 39x60 portion that belongs to 4147 Cleveland, was leased to VOA as a parking lot, without notification, hearing, etc. This portion became a title dispute in 2012, when the Sadins tried to purchase the historic home located at 4147 Cleveland. This dispute was "resolved" by a sudden fire and the subsequent purchase of the property by VOA, who then tried to convert the entire residential property into a parking lot. I am concerned that this action by the VOA is an attempt to slowly convert the residential property into a parking lot, and thereby circumvent the City Planning Commission's and the City Council's decision to maintain this residential property that is in a historic neighborhood (and will soon be designated as HU RD-2).

In addition, VOA representatives (Jason Burt, for one) claimed that that would comply with all necessary requirements, but seemed hesitant to agree to the required screening and refused to use permeable paving (as required by the proposed CZOs). In addition to the neighbors' stance that the property remain residential, residents were also concerned about drainage, lighting, screening, CO emissions, and noise. None of these concerns were listed in the report.

Sincerely,

*Lisa G. Dawson*

Lisa Gagliano Dawson  
4154 Cleveland Avenue

Zoning Docket 112-14

Dear Stephen Kroll,

My name is Caylie Sadin, and I'm writing you in regards to Zoning Docket 112-14. I own the house at 4145 Cleveland Ave, which is right next door to the lot the VOA is now proposing to only turn a part of into a parking lot.

I am very nervous about their new request. As you probably remember, the last fight was a hard one, and one they ultimately lost. At the meeting where they unveiled their new plan, they said they'd be putting up the front section of the lot for sale for residential use.

I would be fine with this proposal, but ONLY if they actually sold off that part of the lot. As it is, by taking that 30 feet from the back and making it into a parking lot, the residential section is now the minimum amount to actually be a residential lot.

I'm concerned that they will not actually sell that part of the lot. I'm worried they will hold onto it, and then in a few years when the memory of the first fight is out of people's heads, they'll try

to make more of the lot into a parking lot.

Also, my parents told them they'd go under contract right now to buy that front section of the lot, and they were declined by the VOA, saying they were going to put it up with a real estate agent. Yet the VOA has still not listed it for sale, even though we told the VOA they could have a contract for that portion of the land conditional on City Council Approval.

Again, I would support their request, but only if they actually sold off the front portion of the land for residential use. And nothing they have done so far has made me believe that they will indeed do this.

Sincerely,  
Caylie Sadin  
4145 Cleveland Ave  
caylie@bellsouth.net

## Zoning Docket 112-14

Dear Stephen Kroll,

I live at 4145 Cleveland Ave and I oppose the proposed parking lot on the lot at 4147 Cleveland Ave.

The plan they proposed calls for the back 30 feet of the lot to be turned into a parking lot, and the front 60 feet to be sold for someone to place a residential home on it.

The Volunteers of America have shown that they don't respect the desires of their neighbors, evidenced by the long drawn out and even appealed battle over their original parking lot proposal.

They stubbornly want this unnecessary parking addition, despite the resistance of the neighbors and the city council, and we have no faith that they will not merely eat away at this lot in chunks.

If they get these 30 feet it will be much easier for them to just bite away at the lot with more parking and erode our neighborhood more.

I would approve of this parking lot if they had gotten under contract with a buyer, with a conditional contract so that the back 30 feet would have be separated from the lot. But they haven't even listed the lot for sale which doesn't inspire any confidence in them.

So I oppose the Parking lot at 4147 Cleveland Ave.  
Daniel Troyano

November 3, 2014

Dear City Planning Commission:

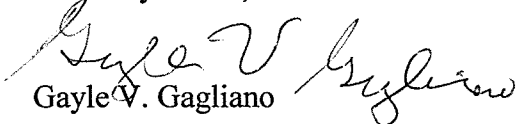
I am writing to you to express my concerns about the gradual erosion that the Volunteers of America (VOA) appears to be attempting in its effort to acquire additional parking—piece by piece. Although VOA contends that it will sell the remaining residential property, there is nothing to compel them to sell it. I grew quite worried when I viewed the VOA's NPP summary report, since it neglected to note their intention to sell the remaining residential portion at 4147 Cleveland. I am now alarmed that this is a circumvention that will allow VOA to eventually use the whole lot for parking, in spite of the wishes of the neighbors, the CPC, and the City Council to keep the property residential.

I have also been made aware that many of the concerns addressed at the meeting were omitted from the report. This omission calls into question VOA's intention with this proposal.

I further understand that there are persons interested in purchasing the residential lot, but VOA said that they were not entertaining offers at the time but would eventually list with a realtor. However, there is still no for sale sign posted on the lot. This exacerbates my concerns about VOA's intentions.

Thank you for your consideration.

Sincerely Yours,

  
Gayle V. Gagliano

**MOTION**  
**NO. M-14-267**

**CITY HALL: June 19, 2014**

**BY: COUNCILMEMBER GUIDRY**

**SECONDED BY: COUNCILMEMBER HEAD**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the report and unfavorable recommendation of the City Planning Commission on ZONING DOCKET NO. 30/14 – VOLUNTEERS OF AMERICA OF GREATER NEW ORLEANS, INC- Requesting a Conditional Use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two Family Residential District, on Square 783, Lot 26-A, in the First Municipal District, bounded by Cleveland and South Carrollton Avenues and Canal and South Solomon Streets (Municipal Address: 4147 Cleveland Avenue), be, and the same is hereby upheld, and the request is denied.**

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS: Brossett, Cantrell, Gray, Guidry, Head - 5**

**NAYS: 0**

**ABSENT: Ramsey, Williams - 2**

**AND THE MOTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Gene W. Johnson*  
CLERK OF COUNCIL



# APPENDIX / EXHIBITS

- EXHIBIT A Existing alternatives for shared or off-site parking.  
Aerial Map of square showing ample parking lots and available, vacant or underutilized property and parking lots.
- EXHIBIT A2 23,000+sf C1-A and legally nonconforming property available next door
- EXHIBIT B Timeline relative to a history of unpermitted commercial encroachment into 4147 Cleveland
- EXHIBIT B2 Applicant's lease confirming the date of intent to encroach onto residential property to create use, and maintain a parking lot without apparent permits or conditional use approval.
- EXHIBIT B3 Email formally requesting a determination as to the status of the parking lot created by the applicant on what was a portion of 4147 Cleveland until recently
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- EXHIBIT C Emails from CPC staff confirming the request is for a "main use" not an accessory parking lot.
- EXHIBIT C2 Email from CPC staff confirming that if approved the parking lot can be leased to another use unless title restricted.
- EXHIBIT D Photos of the home that once stood at 4147 Canal Street
- EXHIBIT E Photo from Caylie Sadin taken March 2014 showing run-off from 4147 Cleveland flooding her property and foundation.
- EXHIBIT F Subdivision Docket 073/14. A formal request that the full file be included in ZD030/14 was sent to CPC staff prior to written deadline.
- EXHIBIT G Complaint - construction of parking lot without proper permit. LAMA records
- EXHIBIT H Misc. Contracts verifying Timeline (attachment B) dates  
Contract: Sweet Dog, LLC and Vincent Marcello, Jr. to purchase 4145 and 4147 Cleveland  
Cancellation of Contract: Sweet Dog, LLC and Vincent Marcello, Jr. - 4147 Cleveland only  
Quit Claim Deed: Vincent Marcello, Jr and Volunteers of America  
Quit Claim Deed: Vincent Marcello, Jr and Volunteers of America  
Act of Cash Sale: 4147 Canal Vincent Marcello, Jr and Volunteers of America  
Marika Minutis Marcello succession
- EXHIBIT I Fire: Times Picayune article and photos
- EXHIBIT J LAMA / ONE STOP Permit Records confirming all permits were limited to residential use at 4147 Cleveland Avenue
- EXHIBIT K Aerial diagram of excess paving already on square from Ronnie Rodriguez / Gayle Gagliano
- EXHIBIT L GOOGLE EARTH MAPS SHOWING PAVED PORTION OF 4147 CLEVELAND. WILL COME VIA EMAIL NOT IN PACKET.

Finally, I respectfully request that the Commission, CPC Staff and the Director of Safety and Permits carefully consider the fact that since 1996, the applicant created, maintained and used an unpermitted parking lot on the RD-3 property at 4147 Cleveland without permit or required approval, specifically a roughly 30' x 60' paved commercial parking lot that is not a part of Zoning Docket 030-14.<sup>18, 19, 20, 21</sup> In April 2012 the petitioned site along with adjacent 4145 Cleveland were already under contract with Sweet Dog, LLC.<sup>22</sup> The closing for 4145 Cleveland went through April 27, 2014<sup>23</sup> but the unpermitted parking lot is precisely what prevented 4147 Cleveland from final sale on the same date. Sweet Dog, LLC intended to restore the home. Without that subdivision, the applicant would have lost use of the unpermitted parking lot they created at 4147 Cleveland. During the course of subdivision delay the home at 4147 Cleveland was ravaged by fire and burned to the ground paving the way for the request you are considering today.<sup>24</sup> Owner Vincent Marcello, Jr. requested demolition. Once the home was destroyed the contract delayed by the subdivision was cancelled<sup>25</sup> and the applicant purchased 4147 Cleveland.<sup>26</sup> Despite the process of subdivision review and a complaint relative to unpermitted construction of a parking lot<sup>21</sup> the applicant never applied for proper approvals "after-the-fact". Please see the attached recorded lease agreement which clearly indicates the applicant intended encroachment on the petitioned site and our residential neighborhood even prior to closing on the VOA property at 4152 Canal Street. The lease agreement was contingent on the VOA acquiring of 4152 Canal and specifically allowed the applicant to pave, maintain and use 4147 for a parking lot despite it's residential zoning.

In closing, I ask the Commission to consider the deleterious effect this project will have on neighboring property values and quality of life for residents who will incur no benefit from it. The proposal is solely for the profit and convenience of the applicant. While the applicant may indicate that the proposal will alleviate on street parking issues, there are eight vacant or underutilized commercially zoned or legally non-conforming properties and parking lots within close proximity on this square. There is no evidence the applicant has attempted to utilize these already paved lots to satisfy their desire for excess parking spaces beyond what is required. Nothing in this proposal or in requirements set forth by CPC appear to prevent this applicant or any future owner of 4152 Canal Street from selling 4147 Cleveland independently. The property at 4152 Canal can intensify it's use now or in the future due to C1-A designation without limit and as a result intensify use on the petitioned site on a separate lot of record in a manner incompatible with the neighborhood. We have to look beyond the current use into the future of any separate lot or use that may utilize the petitioned site at 4152 Canal or otherwise. Granting this proposal sets a dangerous precedent of commercial encroachment for our historic neighborhood. I join the 100+ near neighbors that signed a petition in opposition and urge you to deny Zoning Docket 030/14.

Sincerely,



Karen Ocker  
4732 Palmyra Street  
New Orleans, LA 70119  
504-488-9429  
designko@earthlink.net

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18. See Exhibit A - Timeline relative to the petitioned site, the applicant's unpermitted parking lot and eventual acquisition of 4147 Cleveland  
19. See Exhibit B2- Lease agreement between Mr. Vincent Marcello, Jr. and Volunteers of America for a portion of 4147 Cleveland Avenue with express permission to pave, use and maintain a portion of the RD-3 lot as a commercial parking lot.  
20. See Exhibit F - Subdivision Docket 073/12 relative to consolidation of unpermitted parking lot at 4147 Cleveland and 4152 Canal Street.  
21. See Exhibit G - LAMA records including complaint(s) relative to unpermitted construction of a parking lot.  
22. See Exhibit H - Contract Sweet Dog, LLC and Mr. Vincent Marcello, Jr - 4145 and 4147 Cleveland Avenue  
23. See Exhibit H - Assessor record confirming date of sale of 4145 Cleveland  
24. See Exhibit I - Times Picayune article relative to fire at 4147 Cleveland. Times Picayune photos of fire.  
25. See Exhibit H - Cancellation of Contract, Sweet Dog LLC and Mr. Vincent Marcello, Jr. after fire destroyed the home at 4147 Cleveland  
26. See Exhibit H - Sale of 4147 Cleveland to Volunteers of America four days after Sweet Dog LLC contract was cancelled

Attn: City Planning Commission  
 New Orleans City Hall  
 1300 Perdido Street, 7th floor  
 New Orleans, Louisiana 70112

March 31, 2014

RE: OPPOSITION to Zoning Docket 030/14

Dear Commissioners,

I am opposed to Zoning Docket 030/14. The proposal fails to meet the standards for Conditional Use. It conflicts with the Plan for the 21st Century, Future Land Use, and current Zoning Ordinance. There are too many impacts which can not be adequately mitigated through imposition of standards or conditions. For these reasons I urge the Commission to recommend denial of Zoning Docket 030-14.

CONFLICTS WITH THE PLAN FOR THE 21ST CENTURY OR MASTER PLAN

- The proposal conflicts with “Residential Low Density Pre-War” land use designation.

In addition to residential uses the *Range of Uses* in the Residential Low Density Pre War district is limited to supporting schools, churches, community and recreational facilities, businesses and traditional corner stores limited to sites where current or former commercial use is verified. <sup>1</sup> The petitioned site has remained 1-2 family residential use for a century. There has never been any legal commercial use on the site. A main use as a commercial parking lot is in direct conflict with not only the language but the spirit and intent of this Master Plan Land Use land use designation.

The proposal is also in further conflict or interferes with the goals, strategies, actions and guidelines found in Chapter 14, Land Use Plan, specifically but not limited to:

Goals, Strategies, Actions and/or Guidelines	Proposed parking lot at 4147 Cleveland Avenue
• locate surface parking lots in rear of developments	Fronts Cleveland Ave. Only development on site.
• parking alternatives such as shared lots and parking space maximums	Unusual amount of surface parking nearby including eight (8) vacant or underutilized C1-A or legally non-conforming properties, <sup>2</sup> including a vacant available 23,000 sf property with ample excess parking spaces next door. <sup>3</sup> No evidence applicant explored / exhausted alternatives within 300 feet.
• promote walkable, mixed-use environments, pedestrian and transit oriented development and alternate modes of transportation for employment	Promotes suburban-style, auto driven commercial development in a residential neighborhood despite location steps from Canal and Carrollton streetcar lines and near a major transportation hub at Canal and City Park Avenue
• sustainable land use and zoning practices	Already excessive paving on square, inadequate storm water management, drainage into public sewer that regularly backs up, lack of landscaped areas to absorb rainwater and prevent runoff on a street and site that frequently floods. Excessive paving. <sup>4</sup>

1. Plan for the 21st Century or Master Plan, Chapter 14, Land Use Plan

2. Exhibit A - Aerial photo mapping numerous parking alternatives that exist on the same square or within 300 feet of office use at 4152 Canal

3. Exhibit A2 - Aerial photo and real estate ad for vacant 23,000 sf C1A property with ample parking right next door to office at 4152 Canal

4. Exhibit E - Photos of recent March 2014 flooding of petitioned site with run-off onto adjacent 4145 Cleveland.

- Interferes and conflicts with the preservation of character of existing residential areas

The Goals, Strategies, Actions and Guidelines found in Chapter 14, Land Use Plan call for preservation of the character of existing residential areas.<sup>5</sup> In our historic neighborhood, the impact of large paved voids interrupt the streetwall created by buildings that exist on a block. While the imposition of standards or conditions may soften the visual impact, nothing that can adequately mitigate the impact of this sixty (60) foot wide void or interruption to the historic residential blockface. In this case it will sever continuity of residential use on this block and isolate remaining homes from the rest of the neighborhood. Once this is paved as commercial parking we will have no hope for making this residential block whole again. It will never be a home.

### CONFLICTS WITH CURRENT ZONING ORDINANCE

While an off-street parking lot may be allowed as a conditional use in the RD-3 district a commercial main use as a parking lot appears to conflict with the language of the stated purpose and intent of the RD-3 Two Family Residential District. In addition to residential use, the district allows churches, recreational facilities, and "accessory uses as may be necessary or customary."<sup>6</sup> The parking lot requested is not an accessory use. Spaces are not necessary to meet off-street parking requirements for any use. The very definition of an "Accessory Use" requires location on the same lot of record as the use it serves.<sup>7</sup> The proposal is for a "main use," a commercial parking lot on an RD-3 lot without intent to subdivide or consolidate lots, or any legal requirement for title restriction.<sup>8</sup> There is nothing that prevents this property from being sold separately or leased as contract or fee parking for a more intense commercial use within 300 feet. Normally if a conditional use changes to a more intense use application for a change in conditional use is required. In this case there is nothing preventing more intense commercial use in the future at 4152 Canal or any C1A property within 300 feet because this parking lot is a separate main use.

- Area regulations require a "non-residential site" to be located on a lot with a minimum of 20,000 square feet. Only 7,650 are provided.<sup>9</sup>
- Area regulations require a minimum lot width of 100 feet for non-residential sites. Only 60 are provided.<sup>9</sup>
- Revised plans do not meet the Supplemental Use regulations for Off Site Parking Lots<sup>10</sup> which require that design standards be met.
- Revised plans fail to meet design standards relative to parking space size, screening, buffering, litter receptacles, setbacks, handicapped spaces, pedestrian walkways within parking areas, lighting and drainage.<sup>11</sup> Additionally many of these deficiencies are standards also the same considered for conditional uses in Article 16, Section 16.6.5.1d (3), (5), (6), (7), and (9).
- Revised plans still fail to correct the excess paving of the front yard<sup>12</sup> and insufficient front yard setback<sup>13</sup>.

I do not support waivers for design standards. While they are a concern they are are not the main reason for my opposition. This is an inappropriate location for a parking lot in violation of the master plan. The request is an end around to proper subdivision consolidating the lots which quite possibly would require a zoning change and a higher level of scrutiny due to the double frontage or through lot it would create. Because of the commercial nature of the proposed use and because it would be the only and main use on the petitioned site this proposal certainly has the effect of spot zoning. A review of many recent conditional use requests for parking lots confirmed that many were required to subdivide and/or add title restrictions. This request requires neither setting a precedent in our neighborhood encouraging further erosion of our residential neighborhood in conflict with the *Plan for the 21st Century, Land Use Plan*.

5. *Plan for the 21st Century* or Master Plan, Chapter 14, Land Use Plan 6.

6. CZO Article 4 Two-Family Residential District, Section 4.6.1 RD-3 Purpose of the District

7. CZO Article 2 Definitions, Section 2.2.2 Accessory Use

8. Exhibit C – Emails from City Planning Staff confirming main use as a parking lot

9. CZO Article 4 Two-Family Residential District, Section 4.6.1 RD-3 Purpose of the District

10. CZO Article 11, Section 11.28 Supplemental Use Regulations for Off-Site Parking Lots

11. CZO Article 15 Section 15.2.5 Design Standards

12. CZO Article 15, Section 15.6.6 Limitation on Pavement of Required Yard Areas

13. CZO Article 4 Two-Family Residential, Section 4.6.1 RD-3 Purpose of the District, and Article 15, Section 15.2.3 Parking in front yard.

X

# CITY PLANNING COMMISSION

TO: HONORABLE CITY COUNCIL  
FROM: CITY PLANNING COMMISSION  
DATE: April 21, 2014  
SUBJECT: REPORT AND RECOMMENDATION OF THE CITY PLANNING  
COMMISSION

Ladies and Gentlemen:

Attached hereto are: 1) Report and Recommendation of the City Planning Commission from its Meeting of Tuesday, April 08, 2014 and 2) Documents filed in relation to the zoning petition. The recommendation of the Commission is described briefly below:

**Zoning Docket #** 030/14

**Applicant:** VOLUNTEERS OF AMERICA OF GREATER NEW ORLEANS,  
INC.

**Request:** Conditional Use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two-Family Residential District.

**Location:** Square 783, Lot 26-A, in the First Municipal District, bounded by Cleveland and South Carrollton Avenues and Canal and South Solomon Streets. The municipal address is 4147 CLEVELAND AVENUE. (PD 4)

**CPC Deadline:** 05/23/14

**CC Deadline:** 06/24/14

**Councilmember:** Guidry

**Recommendation:** DENIAL.

## **REASONS FOR RECOMMENDATION**

1. Those Commissioners that were opposed to the request opposed it because they were concerned that the parking lot would have excessive negative impacts on nearby residential properties.
2. The Commissioners voting to support the application did so because they believed that the recommended provisos could effectively mitigate the potential negative impacts of the parking lot.

**City Planning Commission Meeting**  
**Tuesday, April 8, 2014**

**CPC Deadline: 05/23/14**  
**CC Deadline: 06/24/14**  
**City Council District: A – Guidry**

**STAFF REPORT**

**To:** City Planning Commission

**Prepared by:** Stephen Kroll, Derek Scheerer and Geoff Moen

**Zoning Docket:** 030/14

**Date:** April 9, 2014

**I. GENERAL INFORMATION:**

**Applicant:** Volunteers of America of Greater New Orleans, Inc.

**Request:** This is a request for a Conditional Use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two-Family Residential District.

**Location:** The petitioned property is located on Square 783, Lot 26-A, in the First Municipal District, bounded by Cleveland and South Carrollton Avenues and Canal and South Solomon Streets. The municipal address is 4147 Cleveland Avenue. (PD 4)

**Description:** The subject property is a lot which fronts on Cleveland Avenue between South Carrollton Avenue and South Solomon Street. It measures 65 feet in width along the front property line and narrows to 60 feet in width along the rear property line. The lot is 120 feet in depth and has an area of 7,650 square feet. It was historically developed with a late 19<sup>th</sup> century or early 20<sup>th</sup> century two-story, two-family residence. That residence was determined to be fire-damaged and in imminent danger of collapse and was demolished in 2012<sup>1</sup>. The lot is currently undeveloped. It is accessed by the existing driveway along Cleveland Avenue.

The lot is owned by Volunteers of America, a non-profit human services organization. Volunteers of America's office is located at 4152 Canal Street, which is to the immediate rear of the subject property. The office at 4152 Canal Street is an approximately 10,000 square foot structure which provides 22 off-street parking spaces on its accessory parking lot. Volunteers of America intends to use the subject property to expand the existing accessory parking by connecting a new parking lot on the subject property to the rear of the existing parking lot. Vehicles parking at the Volunteers of America office would enter the site through the existing driveway on Canal Street and would park in the existing parking lot or would park in the parking lot expansion proposed for the subject site. Vehicles would exit the site from a second existing driveway on Canal Street. No new driveways are proposed. Also, the existing Cleveland Avenue driveway is to be eliminated and replaced with new curbing<sup>2</sup>.

<sup>1</sup> The structure was demolished under permit 12BLD-03573.

<sup>2</sup> The original plans submitted with this application showed a curb cut proposed for Cleveland Avenue. The applicant has since revised the plans to eliminate that curb cut.

The parking lot expansion would provide 24 new off-street parking spaces. The existing parking lot, which currently provides 22 off-street parking spaces, will be reconfigured to provide 27 off-street parking spaces. As such, a total of 51 off-street parking spaces would be provided between the two properties if the application is approved as proposed.

This proposal must be considered by the City Planning Commission because the parking lot expansion would be legally a separate site from the existing Volunteers of America office site and is within a different zoning district. The Volunteers of America office at 4152 Canal Street is on Lot 13-A. It is within a C-1A General Commercial District, which allows commercial uses and accessory parking for those commercial uses. The subject site at 4147 Cleveland Avenue is on Lot 26-A. It is within in an RD-3 Two-Family Residential District, which allows by right only single-family residences, two-family residences, and some institutional uses, as well as accessory parking serving those residential and institutional uses. Parking lots such as the proposed lot, which provide parking spaces for main uses on other lots and within different zoning districts, are allowed only as conditional uses. As such, a conditional use is necessary for the parking lot proposed for the subject property.

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

An off-site accessory parking lot which provides off-street parking for a main use located within 300 feet is a conditional use in the RD-3 Two-Family Residential District, as noted in **Article 4, Section 4.6.5 Conditional Uses** (by reference to **Article 4, Section 4.1.5(24)**) of the Comprehensive Zoning Ordinance.

The City Planning Commission is required to make a recommendation on all requests for conditional uses prior to City Council action, in accordance with **Article 16, Section 16.2.3.2. Planning Commission Recommendation** of the Comprehensive Zoning Ordinance.

## **II. ANALYSIS**

### **A. What is the zoning of the surrounding areas? How are the surrounding areas used?**

This application pertains to a parking lot proposed for Lot 26-A (4147 Cleveland Avenue), which would serve the Volunteers of America offices on the adjacent Lot 13-A (4152 Canal Street). The two lots are within separate zoning districts. The office at 4152 Canal Street is within a C-1A General Commercial District that is centered on the intersection of Canal Street and Carrollton Avenue and generally includes lots fronting on Canal Street between South Pierce Street and South Hennessey Street, as well as lots fronting on Carrollton Avenue between Palmyra Street and Bienville Avenue. This C-1A District features a mix of small retail, service, and office uses in a mix of historic structures dating from the original development of the area in the early 20<sup>th</sup> century, as well as more recent infill structures. The Volunteers of America offices occupy a raised single story structure with Neoclassical detailing which was originally built for



**MOTION**  
**NO. M-14-267**

**CITY HALL: June 19, 2014**

**BY: COUNCILMEMBER GUIDRY**

**SECONDED BY: COUNCILMEMBER HEAD**

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**NAYS: 0**

**ABSENT: Ramsey, Williams - 2**

**AND THE MOTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*[Signature]*  
CLERK OF THE CITY

residential use. Adjacent to it to the South Carrollton Avenue-side is the vacant mid-century modern Automotive Life Insurance Company Building, built in 1963. Adjacent to the Volunteers of America office to the South Solomon Street-side is a building originally used for two-family residential purposes which is now used as professional offices. The properties on the opposite side of Canal Street from it include professional offices, an animal day care, a restaurant, and residences.

While the Volunteers of America office is within the C-1A District along Canal Street, the site of the proposed parking lot at 4147 Cleveland Avenue is within an RD-3 Two-Family Residential District that covers the residential neighborhood located just off of Canal Street to its upriver and downriver sides. The RD-3 District is characterized by rectangular lots that are generally consistent in size and developed with early 20<sup>th</sup> century single- and two-family residences, including single-story shotguns, raised bungalows, and two-story doubles. Setbacks are consistent, with residences typically located between ten and twenty feet from their front property line. Residences such as this immediately surround the proposed parking lot site at 4147 Cleveland Avenue. These include a two-story residence which is immediately adjacent to the site to the South Carrollton Avenue side, a series of three single- and two-story residences fronting on South Solomon Street, the rears of which abut the subject site, and a series of two-family residences across Cleveland Avenue from the site. Two lots down from the subject site at 4137 Cleveland Avenue is the rear surface parking lot for the Automotive Life Insurance Company Building. That parking lot is similar to the proposed parking lot in that, while it fronts on Cleveland Avenue and is located within a residential district, it serves a commercial property on Canal Street. Another parking lot occupies 4119-4123 Cleveland Avenue, which is four lots down from the subject site. It is not immediately clear when visiting the site if this is an accessory or non-accessory parking lot, but the Assessor's Office's records indicate that it is likely used by the office located at 4710 South Carrollton Avenue, which is on an adjacent square.

It should be noted that while Inner-City Urban Corridor District overlays cover those properties fronting on Canal Street, including the Volunteers of America office, as well as a large area to the opposite side of Cleveland Avenue from the subject site, the subject site itself is not within an overlay district.

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

*Zoning History*

1929 – 'A' Single- and Two-Family Residential District

1953 – 'B' Single- and Two-Family Residential District

1970 – RD-3 Two-Family Residential District

*Land Use*

1929 – Single-family residential

1949 – Two-family residential

1999 – Single- and two-family residential<sup>3</sup>

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<sup>3</sup> The 1999 Land Use Plan presented a generalized description of land uses and was not lot-specific.

**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 (5) years, there have been the following zoning actions within five (5) blocks of the site:

**Zoning Docket 026/14** was a request for an amendment to Ordinance No. 25,644 MCS (Zoning Docket 108/13, which granted a conditional use to permit a boarding and lodging house in a C-1A General Commercial District) to consider deleting proviso #3, which requires the installation of an opaque fence with a minimum height of six (6) feet enclosing all side and rear yard areas, and to consider any other revisions and/or additions to waivers and provisos. The City Planning Commission recommended approval of the request, which has not yet been considered by the City Council. *This site is located approximately three (3) blocks from the subject site.*

**Zoning Docket 108/13** was a request for a conditional use to permit a boarding and lodging house in a C-1A General Commercial District. The municipal addresses are 4017-19 Iberville Street. The municipal addresses are 4017-19 Iberville Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site, also the subject of Zoning Docket 026/14, is located approximately three (3) blocks from the subject site.*

**Zoning Docket 001/12** was a request for a text amendment to expand the Inner-City Urban Corridor District overlay to include the area generally bounded by South Claiborne Avenue, Cleveland Avenue, South Bernadotte Street, Banks Street, Interstate 10, South Hennessey Street and Palmyra Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The downriver edge of the area affected by this text amendment is formed by Cleveland Avenue. The subject site, which is on the opposite side of Cleveland Avenue, is just outside of the area affected by this text amendment.*

**Zoning Docket 087/10** was a request for a text amendment to expand the Inner-City Urban Corridor District overlay to include those properties or developments generally bounded by City Park Avenue, Conti Street, South Pierce Street, and Cleveland Avenue. The City Planning Commission recommended approval of the request. The City Council granted modified approval, expanding the area of applicability to include those lots or developments fronting on Canal Street between City Park Avenue and South Pierce Street. *The subject site is immediately adjacent to the upriver edge of the area affected by this text amendment.*

**Zoning Docket 055/10** was a request for a text amendment to expand the Inner-City Urban Corridor District overlay to include the area generally bounded by Claiborne Avenue, Conti Street, Pierce Street, and Cleveland Avenue. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The lake-side edge of the area affected by this text amendment is*

formed by Pierce Street, which is about one and one half (1.5) blocks from the subject site.

**Zoning Docket 117/09** was a request for an amendment to Ordinance No. 22,831 MCS, (ZD 68/07, a conditional use to permit an accessory parking lot), to permit the expansion of an accessory parking lot in an RD-3 Two Family Residential District. The municipal addresses are 4132-4148 Banks Street and 418-428 South Solomon Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The site is located within three blocks of the subject site.*

**Zoning Docket 019/09** was a request for a conditional use to permit a fast food restaurant in a C-1A General Commercial District and the Inner-City Urban Corridor District. The municipal address is 4709 South Carrollton Avenue. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located on the same square as the subject site.*

The expansions of the Inner-City Urban Corridor District considered under Zoning Dockets 055/10, 087/10, and 001/12 are indicative of the increasing use of that overlay in recent years to regulate the use and design of commercial and multiple-family residential development in the Mid-City neighborhood. The other recent requests are not reflective of any particular pattern or trend.

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

The petitioned site is a rectangular shaped vacant lot that measures sixty-five feet (65') in width along Cleveland Avenue, one hundred twenty feet (120') in depth along its side property lines, and sixty feet (60') in width along its rear property line.<sup>4</sup> The side property line parallel to South Carrollton Avenue is perpendicular to the front property line, while the side property line parallel to South Solomon Street runs perpendicular to Cleveland Avenue for ninety feet (90') where it jogs into the site five feet (5') and then runs thirty feet (30') where it meets the rear property line. The total lot area of the site is seven thousand six hundred fifty square feet (7,650 sq. ft.). The applicant requests a conditional use to allow the lot to be used as a paved off-site parking lot, which would provide accessory parking for the adjacent Volunteers of America (VOA) site located behind the subject site. As submitted, the site plan indicates that the lot will provide twenty-four (24) off-street parking spaces.

Standards for the location of off-street parking within a site are included in **Article 15, Section 15.2.3 Parking in Front Yards**. **Article 15, Section 15.2.5 Design Standards** further establishes specific design standards for parking lots. These standards are identified below.

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<sup>4</sup> In the site plan submitted, the applicant has incorrectly labeled the width of the front property line adjacent to the Cleveland Avenue public right-of-way as sixty feet (60') when it is sixty-five feet (65').

### *Front Yard Parking*

As per the determination of the Department of Safety and Permits, the required front yard setback for the site is sixteen point nine feet (16.9'). In this area, the applicant proposes to locate six (6) off-street parking spaces, perpendicular to the South Solomon Street and South Carrolton Avenue side property lines. Off-street parking is not permitted within the required front yard setback in the RD-3 Two-Family Residential District and the staff does not recommend a waiver of this requirement. The subject site abuts residential uses that provide landscaped front yard setbacks that do not include front yard parking. Additionally, a parking lot similar to the proposed site is located two (2) lots south of the site, and provides its off-street parking behind the front property line, screened by six foot (6') tall opaque fencing. Therefore, the staff recommends the following proviso:

- The applicant shall submit revised site and landscaping plans that indicate the removal of all off-street parking within the required front yard setback and its replacement with landscaping, subject to the review and approval of the staff of the City Planning Commission.

### *Design Standards*

#### Minimum area

**Article 15, Section 15.2.5(1)** requires large car parking spaces to measure at least eight feet six inches (8'-6") in width by eighteen feet (18') in depth, small car parking spaces (which can constitute no more than 40% of the total number of spaces) to measure at least seven feet six inches (7'-6") in width by sixteen feet (16') in depth, and handicap-accessible parking spaces to measure at least ten feet (10') in width and eighteen feet (18') in depth. The submitted site plan indicates that all of the parking lot's twenty-four (24) spaces will be large car spaces; however they measure sixteen feet (16') in depth, which is not compliant with **Article 15, Section 15.2.5(1)**. Therefore, the staff recommends the following proviso:

- The applicant shall provide standard sized parking spaces that meet the minimum requirements for parking spaces found in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.

#### Handicap-accessible spaces

**Article 15, Section 15.2.51(d)** also requires that at least one (1) of the parking spaces is handicap-accessible. The submitted site plan indicates that none of the spaces will be handicap-accessible, so it will be necessary for the applicant to revise the plan to come into compliance with that requirement. Therefore, the staff recommends the following proviso:

- The applicant shall revise the site plan to indicate the presence of at least one (1) handicap-accessible parking space measuring at least ten feet (10') in width and eighteen feet (18') in depth, in accordance with **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.

### Drainage and Maintenance

**Article 15, Section 15.2.5(2)** requires that parking lots be drained to eliminate standing water and prevent damage to abutting property. The submitted site plan indicates that the applicant will provide two (2) subsurface drainage systems. The first system, located near the Cleveland Avenue front property line will tie directly into the City's storm water system in the Cleveland Avenue right-of-way, while the second system, located near the site's rear property line will retain water in a drywell within the site. To ensure that the drainage meets the requirements of the Sewerage and Water Board, the staff recommends the following proviso:

- The applicant shall include in the revised site plan a drainage arrangement indicating any retention, dispersion, and direction of water flow within and/or away from the proposed off-street parking facility, subject to the review and approval of the Sewerage and Water Board, the Department of Public Works and the staff of the City Planning Commission.

### Entrances and Exits

**Article 15, Section 15.2.5(4)** requires entrances and exits to meet all City standards. As proposed, the site will be accessed via a two-way entrance from the VOA site fronting on Canal Street. Curb cuts or access to the parking lot from Cleveland Avenue will not be provided. However, the staff has some concerns regarding the proposed access to the parking lot from the VOA site. Specifically, the staff is concerned with lane distinguishing and protection/shielding of proposed parking space thirty-four (34) from vehicles entering the site from the VOA site. Therefore, the staff recommends the following proviso:

- The applicant shall provide directional guidance for vehicles entering the site from the Volunteers of America site that will provide protection to proposed parking within the northeast corner of the site, subject to the review and approval of the staff of the City Planning Commission.

### Lighting

**Article 15, Section 15.2.5(7)** requires that parking lots used for nighttime operations be lit. The plans include lighting of the facility from eight (8) light standards located along the South Solomon Street and South Carrollton Avenue side property lines. The staff feels that the number of standards is excessive for the size of the site, and since the site abuts residential uses, the staff is concerned with the type and height of the proposed light standards. The proposed lighting may adversely affect these properties through light spillage and nighttime operation. Therefore, the staff recommends the following proviso:

- The applicant shall indicate in the revised site plan the location of any proposed lighting standards. The number of lighting standards shall be limited to six (6) standards, with a maximum height of twelve feet (12') from grade. The plans shall include manufacturer design schematics for any proposed lighting within the proposed facility. Lighting shall be limited to hours of 6:00 a.m. – 9:00 p.m. daily. These plans shall be subject to the review and approval of the staff of the City

Planning Commission. The plans shall indicate that all lighting is to be oriented toward the center of the site and away from adjacent properties.

#### Screening

Article 15, Section 15.2.5(8) requires the presence of a six foot (6') screening device along the site's rear and side property lines. Currently, there are wood stockade fences and chain link fences along the site's side and rear property lines. The applicant proposes to retain portions of the wooden stockade fence along the site's side property lines, and construct a four foot (4') tall wrought iron fence along the front property line and along the portions of the side property lines between the front property line and the development lines of the residences abutting the site's side property lines. However, after meetings with the staff, the applicant proposes to construct a new opaque fencing along the side property lines and construct a masonry wall along the front yard setback line, which will screen the parking lot from the Cleveland Avenue public right-of-way, and front adjacent residential uses.

- The applicant shall construct a six-foot (6') opaque wooden fencing along all side property lines and a six-foot (6') brick facade masonry wall along the required front yard setback line of the site. The design of the fence shall be subject to the review and approval of the City Planning Commission staff.

#### Landscaping

In the plans submitted, the applicant has proposed unspecified landscaping within the Cleveland Avenue public right-of-way adjacent to the site. However, after meeting with the staff, the applicant has proposed to provide additional landscaping within the required front yard area of the site. The staff believes there is opportunity to mitigate the impacts associated with a vast expanse of paving at the site, through the provision of additional landscaping and the provision of shade trees along portions of the site's perimeter. The staff and recommends the following proviso:

- The applicant shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect indicating the following:
  - a) A landscape perimeter strip having a minimum width of five feet (5') shall be provided along the ninety-foot (90') outer edge of the vehicular use area adjacent to the South Solomon Street side property line, to include shade trees, shrubs, and groundcover.
  - b) Trees shall be planted within the perimeter strips at a rate of one (1) tree per one hundred (100) square feet of landscape area.
  - c) Trees shall be planted in the Cleveland Avenue right-of-way adjacent to the site subject to the specifications of the Department of Parks and Parkways.
  - d) The landscape plan shall be subject to the final approval of the staff of the City Planning Commission for all plantings within the site and of the Department of Parks and Parkways for any planting within the public right-of-way adjacent to the site.

Finally, since the two (2) lots will function as a single development site, it is necessary that the lots be consolidated in a manner where their uses shall not be independent of each other.

- The accessory parking lot shall only be used in conjunction with the adjacent property located at 4152 Canal Street.

**E. What is the potential traffic impact? What are the off-street parking and off-street loading requirements? Can the required number of off-street parking spaces be provided on site, or would a waiver be required?**

*Traffic impact*

Although the subject lot has frontage on Cleveland Avenue, which is a single lane, one-way street lined primarily with residential uses, the proposed parking lot is designed to be accessed solely from Canal Street, which is a six lane, divided two-way street lined by a mix of residential and commercial uses. Vehicles parking on the lot would enter the Volunteers of America office site on Canal Street, continuing from there to the proposed parking lot. Vehicles would exit the site in the same way. There are to be no curb cuts on Cleveland Avenue. Since all vehicles using the parking lot would do so via Canal Street, not Cleveland Avenue, any traffic impact would be limited to Canal Street.

This impact on Canal Street should not be significant. As the parking lot is intended to provide parking for vehicles which already travel to the Volunteers of America office, it would not cause an increase in the overall levels of traffic associated with the office. By increasing the office's parking capacity, the parking lot would simply allow for a greater number of vehicles which already travel to the site but which currently park on-street instead of parking on-site. This would not affect the overall levels of traffic on Canal Street or any other surrounding streets but would reduce the demand for on-street parking.

*Parking requirement*

Since the applicant intends to develop the parking to provide additional parking for the Volunteers of America office at 4152 Canal Street, it is helpful to first address the parking requirement for that office. The office has a floor area of approximately 10,000 square feet, according to the applicant. Due to the office's location in a C-1A General Commercial District, it is required by **Article 15, Section 15.2.1** of the Comprehensive Zoning Ordinance to provide off-street parking at a rate of one (1) space per 500 square feet of floor area. Assuming a floor area of 10,000 square feet, this results in a parking requirement of 20 spaces. The applicant currently provides a total of 22 off-street parking spaces on 4152 Canal Street's accessory parking lot. As such, the off-street parking requirement for the office is currently met.

Although Volunteers of America is not legally required to provide more off-street parking space than it currently does, it believes that the actual demand for parking



### Sidewalks and Curbing

Since the parking lot would not use the existing curb cut on Cleveland Avenue, it is necessary that the curb cut be eliminated and the curbing restored. Additionally, it is necessary for the sidewalk to be repaired in accordance with the standards of the Department of Public Works.

- The applicant shall remove the existing curb cut on Cleveland Avenue and restore the curb and sidewalks subject to the review and approval of the Department of Public Works.

### Stormwater Management

While stormwater management is not addressed in the Comprehensive Zoning Ordinance, the staff believes it is necessary to adopt stormwater management practices so that the parking lot meets the sustainability objectives of the Master Plan, as discussed in Section III. Therefore, the staff believes the parking lot should be designed in a manner that reduces stormwater runoff into the public street, as described in the following proviso.

- The applicant shall revise the site plan to reflect sustainable land use practices through incorporation of landscape and stormwater management techniques within the proposed facility, subject to the review and approval of the staff of the City Planning Commission. The plans shall indicate, at a minimum, that the slope of the site's impervious surfaces be oriented toward open landscaping and/or stormwater Best Management Practices (BMPs) in order to delay site runoff into existing Municipal Separate Storm Sewer Systems (MS4) and adjacent properties during major storm events.

### *Miscellaneous Standards*

Drivers using the parking lot may litter as they walk to and from their vehicles. To ensure this litter is appropriately managed, the staff recommends that the site be subject to the following standard litter abatement proviso. Further, the applicant shall submit a litter abatement program letter to the staff to keep on file in case of any violations. The letter should indicate the method of trash storage and removal for the trash receptacle(s) and the site itself.

- The applicant shall indicate the location of a minimum of one (1) litter receptacle on the site plan. Further, the applicant shall provide to the City Planning Commission 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 of all litter from the sidewalks and the street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.

associated with the office necessitates the provision of additional spaces. The applicant's representative notes that the office currently has 29 employees (with space to accommodate up to 32 employees), so, depending on how many employees drive to the site, there is a daily need for up to 32 parking spaces for on-site employees. Additionally, Volunteers of America leases additional office space at another location in the next block of Cleveland Avenue. Due to limited parking availability at that location, the applicant intends for some employees working there to be able to park at the proposed parking lot. That further increases the number of parking spaces needed on a daily basis. Furthermore, as the office is Volunteers of America's central administrative office, it is used for board meetings, employee orientations and staff training, and various other meetings on a regular basis, which produces an increased demand for parking during those times. For those reasons, the applicant believes that while the 22 spaces currently provided meet the legal requirement, they are insufficient to accommodate the true need for parking associated with the site. It desires the additional parking spaces (resulting in an increase to 51 spaces in total) to help it accommodate that true demand for parking.

By providing off-street parking for Volunteers of America's employees and visitors, the parking lot will reduce or eliminate the demand for existing on-street parking that currently results from those employees and visitors. Additionally, since the site's driveway on Cleveland Avenue is to be eliminated and replaced by curbing, there will be a gain of one on-street parking space adjacent to the site.

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

The request was considered by the Planning Advisory Committee at its meeting on March 19, 2014. The representative of the Department of Parks and Parkways noted that the applicant would need to provide a landscape plan prepared by a licensed Louisiana landscape architect for the portion of the public right-of-way adjacent to the site and that the Department of Parks and Parkways will need to review and approve that landscape plan. The Department of Public Works noted that it would need to review the site's drainage plan as well as new sidewalks and curbing. The representative of the Sewerage and Water Board noted that the applicant's contractor will need to ensure that street trees planted adjacent to the site do not interfere with the locations of house connections. Additionally, the unused house connection for the residence that formerly occupied the site can be removed. The committee passed a motion of no objection subject to further review by the City Planning Commission, the Department of Public Works, the Department of Parks and Parkways, and the Sewerage and Water Board.

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

In the RD-3 Two-Family Residential District and other residential districts, parking lots providing off-site parking for main uses on other lots are classified as conditional uses because there is the presumption that the parking lots generally are appropriate for those residential districts or can be made appropriate through the imposition of standards (i.e., provisos) which could resolve site design, operation, and other characteristics that would

otherwise be problematic. In such cases, off-site parking lots should be allowed under a conditional use. When it is not possible to effectively mitigate a parking lot's negative impacts on surrounding properties and ensure that it is appropriate for its context, the parking lot should not be allowed as a conditional use<sup>5</sup>.

In assessing whether it is possible to mitigate the proposed parking lot's impacts on surrounding properties through the imposition of provisos, it is first necessary to identify what impacts the parking lot might be expected to have. In residential neighborhoods, surface parking lots can have two primary types of impacts, aesthetic impacts and operational impacts. The aesthetic impacts result from the visual inconsistency between the parking lot and the surrounding built environment. Particularly in older neighborhoods such as this one, residences are positioned near front property lines, creating a streetwall that visually frames the street and provides pedestrians with a sense of enclosure. In addition, residences have front yards that are often landscaped with grass, contributing to an overall sense of visual softness. Large surface parking lots can be detrimental to this urban form because they create a spatial void which interrupts the streetwall that is established by the surrounding buildings. Additionally, since parking lots are usually mostly or entirely paved, this paving is incongruous with and detracts from the visual softness created by the surrounding landscaped residences.

The operational impacts associated with parking lots have to do with the traffic, noise, and light generated by the vehicles using the lots. If a parking lot causes there to be traffic that would not otherwise exist on surrounding residential streets, this additional traffic could be objectionable to the immediately surrounding residences. The sound of vehicles entering and exiting the site also could be objectionable to the residents of the immediately adjacent residences. Similarly, if vehicle headlights shine into the windows of adjacent residences, residents could also find that to be a nuisance.

In this case, the staff believes that it is possible for the proposed parking lot's potential impacts on surrounding properties, both aesthetic and operational, to be effectively mitigated through the imposition of provisos. The aesthetic impact of the parking lot, which would result from the visibility of a large, open paved area interrupting the otherwise landscaped, developed character of the area, can be mitigated by screening the lot so that the use of the site as a parking lot is much less noticeable from the street. The staff believes that this parking lot can be designed so that it appears from the street to be not a parking lot, but rather a large, enclosed yard for the adjacent residence. This can be accomplished by providing a landscaped area along Cleveland Avenue in front of the parking lot, which can be used for stormwater management, as well as planting street trees adjacent to the site. Additionally, the applicant should construct a brick wall to completely conceal the parking spaces from view from the public street. Through these

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<sup>5</sup> Article 16, Section 16.6.1 of the Comprehensive Zoning Ordinance states that, "[a] conditional use is a land use which because of its unique nature is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of standards and conditions." Section 16.6.5 states that in evaluating a conditional use application, the City Planning Commission should consider the extent to which the use is compatible with surrounding development. Where necessary, the City Planning Commission and the City Council is to impose conditions which are reasonably necessary to ensure such compatibility with surrounding development.

efforts, the lot should appear from the street to be an extension of the adjacent residential properties, not a parking lot, allowing it to visually mesh with the residential character of the block.

The operational impacts that might be associated with the lot, such as traffic and noise, should not be so substantial as to negatively impact surrounding properties. Since the lot will have no entrance or exit points on Cleveland Avenue and all traffic using it will enter and exit from Canal Street, it will not generate any additional traffic on Cleveland Avenue. Due to the relatively small capacity of the lot and its use by an office functioning primarily during daytime hours, there should not be constant traffic into and out of the lot at all times, limiting the amount of noise it produces. Additionally, the impact of vehicles headlights on the adjacent residences can be addressed by requiring an opaque fence to be installed along the side property lines.

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Since the parking lot's potential aesthetic and operational impacts can be addressed through these provisos, the lot can be made to be sufficiently compatible with the adjacent residential uses. For this reason, the staff is supportive of the application subject to those provisos.

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

A land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines, including design guidelines, in the Land Use Element of the Master Plan 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 petitioned site as "Residential Pre-War Low Density." The goal, range of uses, and development character for that designation are reproduced below:

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**RESIDENTIAL PRE-WAR LOW DENSITY**

✓ **Goal:** Preserve the scale and character of pre-war (WWII) residential neighborhoods of lower density where the predominant use is single and two-family residential and allow for compatible infill development. Discourage the development of additional multifamily housing that is out of scale with existing character.

**Range of Uses:** New development generally limited to single or two-family dwellings, and preservation of existing multi-family buildings. Businesses and traditional corner stores may be allowed where current or former commercial use is verified. Supporting public recreational and community facilities (e.g., schools and places of worship) also allowed. Conversion to multifamily may be allowed for certain existing historic institutional, commercial or other non-residential buildings.

**Development Character:** New development will fit with the character and scale of surrounding residential neighborhoods where structures are typically located on smaller lots and have minimal front and side setbacks. Maximum density of 24 units/acre.

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The proposed action involves the development of a parking lot for a non-residential use located on an adjacent lot fronting on Canal Street. Parking lots for uses within 300 feet are not specifically addressed within the range of uses in the Residential Pre-War Low Density designation. However, the designation does allow for some non-residential uses, and parking lots might normally be included as parts of some institutional or community uses. If the proposed parking lot is designed in a way that complements the historic urban character of the surrounding area and meets the spirit of the design guidelines of the Master Plan, it should not interfere with the establishment of new low-density residential development in the surrounding area or on the subject site in the future. The staff therefore believes the proposal is consistent with the *Plan for the 21st Century*.

#### IV. SUMMARY

Zoning Docket 030/14 is a request for a conditional use to permit a lot on Cleveland Avenue which is located to the immediate rear of Volunteers of America's office at 4152 Canal Street to be used to provide off-street parking spaces for that office. While the Volunteers of America office on Canal Street is within a C-1A General Commercial District that extends along Canal Street, the proposed parking lot site, which is a separate lot of record, is within an RD-3 Two-Family Residential District that covers the residential area just off of Canal Street. Since the proposed parking lot is on a separate lot of record and within a different zoning district from the Volunteers of America office site, it is allowed only as a conditional use, necessitating the approval of the City Council.

In residential districts, parking lots such as this are classified as conditional uses under the logic that they are often compatible with surrounding residential uses in terms of their aesthetic and operational impacts or they can be made to be compatible through the imposition of standards. In this case, since the parking lot is designed to be accessed exclusively from Canal Street, is relatively small in size, and would be used primarily during daytime, weekday hours, the potential for operational impacts is relatively minor. The greater challenge is minimizing the lot's aesthetic impact, given its context within a historic, densely developed residential neighborhood. The staff believes the best way to accomplish this is by designing the site so it reads from the street not as a parking lot, but as a yard of an adjacent residence. This can be accomplished by ensuring that the site's legally required front yard setback is landscaped and used for stormwater management and by requiring a brick wall be installed running parallel to Cleveland Avenue. Through these efforts, the lot's parking spaces would be hidden from view from the public street and the lot would effectively blend with the residential uses that occupy most of this block of Cleveland Avenue, mitigating its potential aesthetic impacts. Given this ability to effectively mitigate potential impacts through appropriate site design, the staff supports the application provided that those site design modifications are made.

## V. PRELIMINARY STAFF RECOMMENDATION<sup>6</sup>

The staff recommends **approval** of Zoning Docket 030/14, a request for a conditional use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two-Family Residential District, subject to the following thirteen (13) 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 applicant shall submit revised site and landscaping plans that indicate the removal of all off-street parking within the required front yard setback and its replacement with landscaping, subject to the review and approval of the staff of the City Planning Commission.
3. The applicant shall provide standard sized parking spaces that meet the minimum requirements for parking spaces found in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.
4. The applicant shall revise the site plan to indicate the presence of at least one (1) handicap-accessible parking space measuring at least ten feet (10') in width and eighteen feet (18') in depth, in accordance with **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.
5. The applicant shall include in the revised site plan a drainage arrangement indicating any retention, dispersion, and direction of water flow within and/or away from the proposed off-street parking facility, subject to the review and approval of the Sewerage and Water Board, the Department of Public Works and the staff of the City Planning Commission.
6. The applicant shall provide directional guidance for vehicles entering the site from the Volunteers of America site that will provide protection to proposed parking within the northeast corner of the site, subject to the review and approval of the staff of the City Planning Commission.
7. The applicant shall indicate in the revised site plan the location of any proposed lighting standards. The number of lighting standards shall be limited to six (6) standards, with a maximum height of twelve feet (12') from grade. The plans

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<sup>6</sup> The recommendation is subject to change by the City Planning Commission

12. The applicant shall indicate the location of a minimum of one (1) litter receptacle on the site plan. Further, the applicant shall provide to the City Planning Commission 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 of all litter from the sidewalks and the street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.
13. The accessory parking lot shall only be used in conjunction with the adjacent property located at 4152 Canal Street.

#### **VI. REASONS FOR RECOMMENDATION**

1. The Comprehensive Zoning Ordinance classifies parking lots as conditional uses in residential districts because parking lots can sometimes be made to be compatible with the surrounding residential context through the imposition of provisos intended to mitigate the adverse impacts of the lots on surrounding properties. In this case, the proposed parking lot's potential adverse impacts can be addressed by modifying its design so that it provides landscaped green space along Cleveland Avenue, so that a substantial front wall is installed to screen parked cars from view from the public street, and stormwater management techniques are used to minimize stormwater runoff. These modifications would sufficiently address those adverse impacts which would most likely result from the use of the site as a parking lot.
2. The request is consistent with the *Plan for the 21<sup>st</sup> Century*.

**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.

#### **VIII. CITY PLANNING COMMISSION MEETING (APRIL 8, 2014)**

The speakers at the public hearing are listed on the attached public hearing speaker sheet.

The Principal City Planner summarized the request, stating the staff's recommendation of approval.

Commissioner Williams made a motion for approval as recommended by the staff, which was seconded by Commissioner Marshall.

## **Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 030/14 IS HEREBY RECOMMENDED FOR APPROVAL SUBJECT TO THIRTEEN (13) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

## *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 applicant shall submit revised site and landscaping plans that indicate the removal of all off-street parking within the required front yard setback and its replacement with landscaping, subject to the review and approval of the staff of the City Planning Commission.
3. The applicant shall provide standard sized parking spaces that meet the minimum requirements for parking spaces found in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.
4. The applicant shall revise the site plan to indicate the presence of at least one (1) handicap-accessible parking space measuring at least ten feet (10') in width and eighteen feet (18') in depth, in accordance with **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.
5. The applicant shall include in the revised site plan a drainage arrangement indicating any retention, dispersion, and direction of water flow within and/or away from the proposed off-street parking facility, subject to the review and approval of the Sewerage and Water Board, the Department of Public Works and the staff of the City Planning Commission.
6. The applicant shall provide directional guidance for vehicles entering the site from the Volunteers of America site that will provide protection to proposed parking within the northeast corner of the site, subject to the review and approval of the staff of the City Planning Commission.
7. The applicant shall indicate in the revised site plan the location of any proposed lighting standards. The number of lighting standards shall be limited to six (6) standards, with a maximum height of twelve feet (12') from grade. The plans



shall include manufacturer design schematics for any proposed lighting within the proposed facility. Lighting shall be limited to hours of 6:00 a.m. – 9:00 p.m. daily. These plans shall be subject to the review and approval of the staff of the City Planning Commission. The plans shall indicate that all lighting is to be oriented toward the center of the site and away from adjacent properties.

8. The applicant shall construct a six-foot (6') opaque wooden fencing along all side property lines and a six-foot (6') brick facade masonry wall along the required front yard setback line of the site. The design of the fence shall be subject to the review and approval of the City Planning Commission staff.
9. The applicant shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect indicating the following:
  - a) A landscape perimeter strip having a minimum width of five feet (5') shall be provided along the ninety-foot (90') outer edge of the vehicular use area adjacent to the South Solomon Street side property line, to include shade trees, shrubs, and groundcover.
  - b) Trees shall be planted within the perimeter strips at a rate of one (1) tree per one hundred (100) square feet of landscape area.
  - c) Trees shall be planted in the Cleveland Avenue right-of-way adjacent to the site subject to the specifications of the Department of Parks and Parkways.
  - d) The landscape plan shall be subject to the final approval of the staff of the City Planning Commission for all plantings within the site and of the Department of Parks and Parkways for any planting within the public right-of-way adjacent to the site.
10. The applicant shall remove the existing curb cut on Cleveland Avenue and restore the curb and sidewalks subject to the review and approval of the Department of Public Works.
11. The applicant shall revise the site plan to reflect sustainable land use practices through incorporation of landscape and stormwater management techniques within the proposed facility, subject to the review and approval of the staff of the City Planning Commission. The plans shall indicate, at a minimum, that the slope of the site's impervious surfaces be oriented toward open landscaping and/or stormwater Best Management Practices (BMPs) in order to delay site runoff into existing Municipal Separate Storm Sewer Systems (MS4) and adjacent properties during major storm events.

12. The applicant shall indicate the location of a minimum of one (1) litter receptacle on the site plan. Further, the applicant shall provide to the City Planning Commission 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 of all litter from the sidewalks and the street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.
13. The accessory parking lot shall only be used in conjunction with the adjacent property located at 4152 Canal Street.

YEAS: Marshall, Wedberg, Williams

NAYS: Brown, Bryan, Duplessis, Mitchell, Steeg

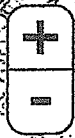
ABSENT: None

The motion for approval failed; therefore, the Commission recommended **DENIAL** of the request.

#### **IX. REASONS FOR RECOMMENDATION**

1. Those Commissioners that were opposed to the request opposed it because they were concerned that the parking lot would have excessive negative impacts on nearby residential properties.
2. The Commissioners voting to support the application did so because they believed that the recommended provisos could effectively mitigate the potential negative impacts of the parking lot.

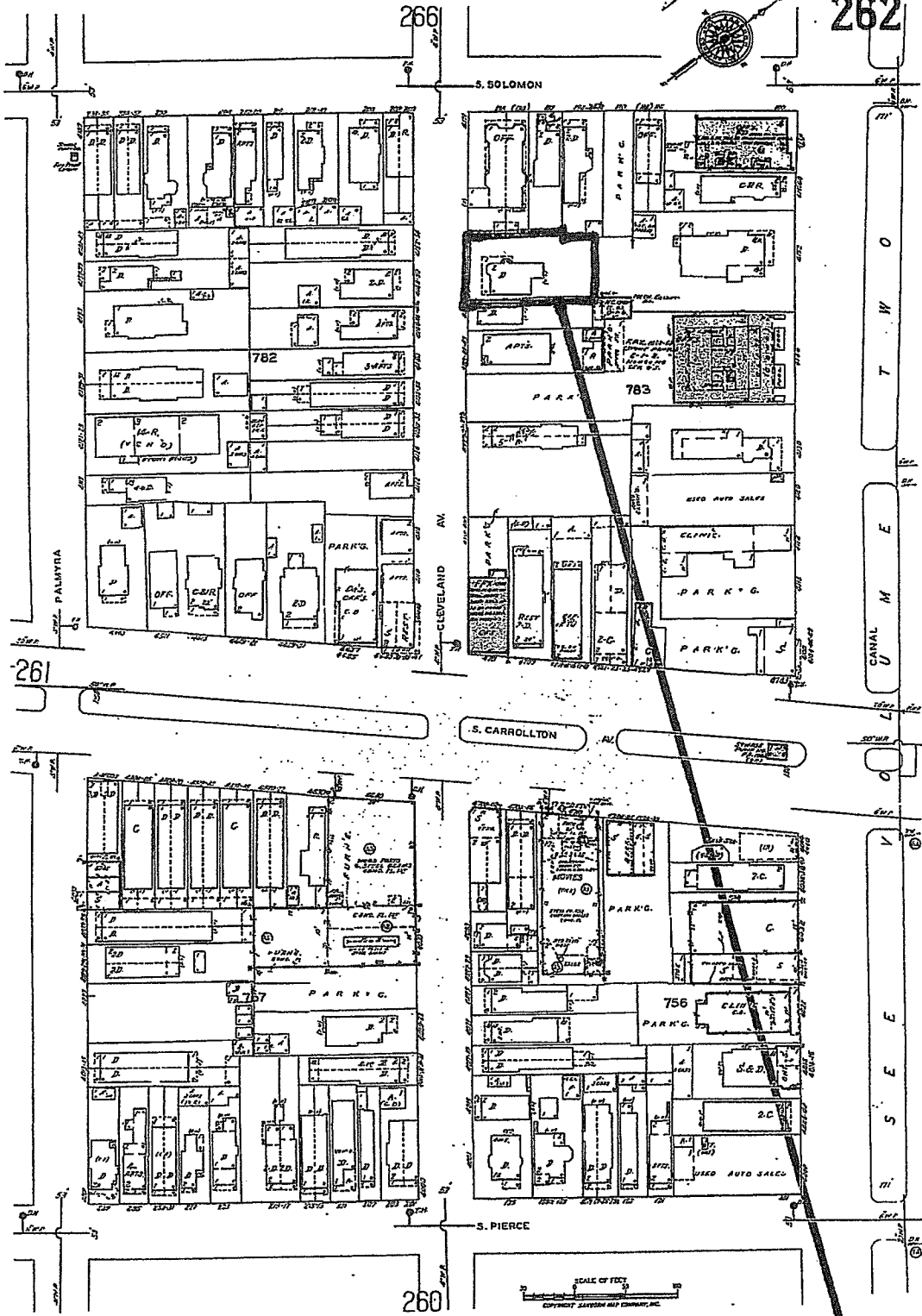
# Planning and Zoning Lookup Tool



- Lot
- Square
- Zoning
- CU/EU/Planned Dev
- Overlays/IZD's
- Future Land Use



ZD 030/14



ZD 030/14

**MOTION**  
**NO. M-14-267**

**CITY HALL: June 19, 2014**

**BY: COUNCILMEMBER GUIDRY**

**SECONDED BY: COUNCILMEMBER HEAD**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the report and unfavorable recommendation of the City Planning Commission on ZONING DOCKET NO. 30/14 – VOLUNTEERS OF AMERICA OF GREATER NEW ORLEANS, INC- Requesting a Conditional Use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two Family Residential District, on Square 783, Lot 26-A, in the First Municipal District, bounded by Cleveland and South Carrollton Avenues and Canal and South Solomon Streets (Municipal Address: 4147 Cleveland Avenue), be, and the same is hereby upheld, and the request is denied.**

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

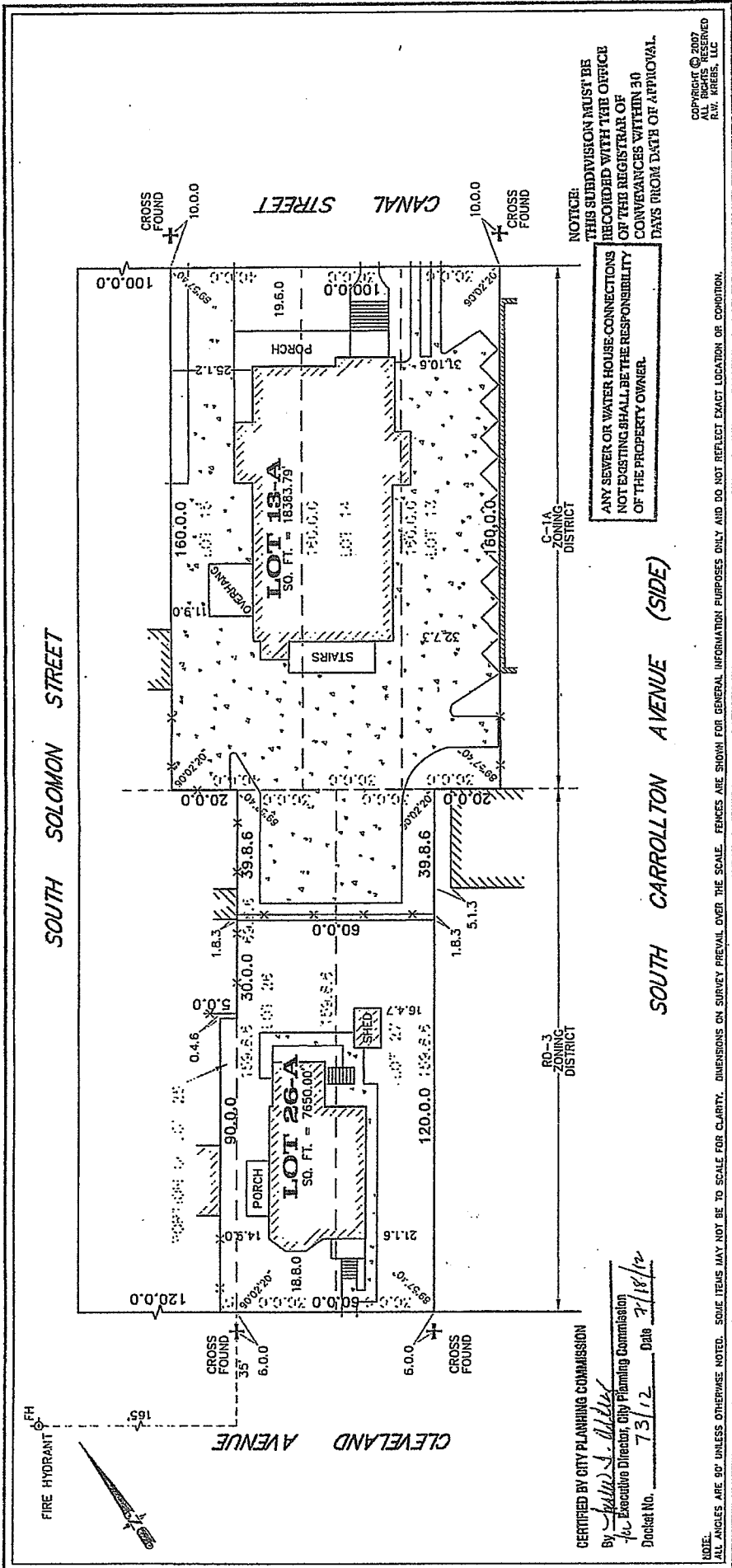
**YEAS: Brossett, Cantrell, Gray, Guidry, Head - 5**

**NAYS: 0**

**ABSENT: Ramsey, Williams - 2**

**AND THE MOTION WAS ADOPTED.**

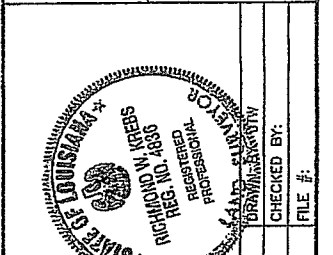
THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Debra W. Johnson*  
\_\_\_\_\_  
CLERK OF COUNCIL



**RESUBDIVISION OF LOTS 13, 14, 15, 26, 27 & A PORTION OF LOT 25 INTO LOTS 13-A & 26-A SQUARE 1788**

**FIRST DISTRICT, ORLEANS PARISH, LA**

**R. W. KRIBBS, I.L.C.**  
 PROFESSIONAL LAND SURVEYING  
 P.O. BOX 8641  
 METAIRIE, LA 70011-8641  
 PHONE: (504) 888-9616  
 FAX: (504) 888-0916  
 E-MAIL: richmondw@rwkribbs.com  
 WEB: www.rwkribbsllc.com



**DATE:** APRIL 6, 2012  
**SCALE:** 1" = 30'  
**JOB #:** 121010  
**CHECKED BY:** *[Signature]*  
**FILE #:**

**DATE:** APRIL 6, 2012  
**SCALE:** 1" = 30'  
**JOB #:** 121010  
**CHECKED BY:** *[Signature]*  
**FILE #:**

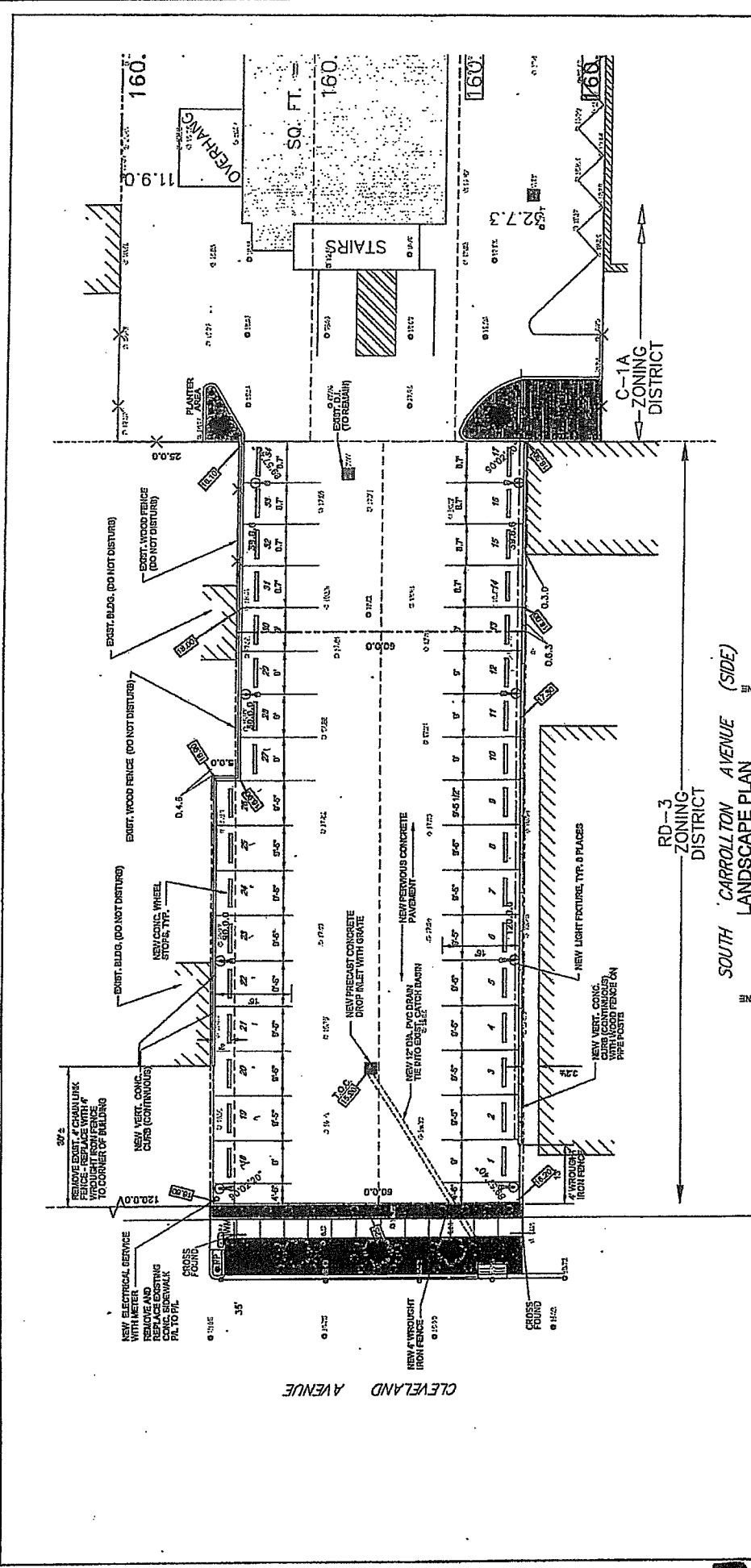
**GENERAL NOTES**  
 THE SERVICES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVICEDS ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLYING THE DATA FOR THIS SURVEY.

**ELEVATION NOTES**  
 THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELEASD UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND THIS SHALL BE SOLELY ACCORDING TO THE INFORMATION PROVIDED BY THE SURVEYOR.

**REFERENCE NOTES**  
 THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER COMMUNITY PANEL, IN 20030000S, MARCH 1, 1984  
 BASE FLOOD ELEVATION: 0'0"

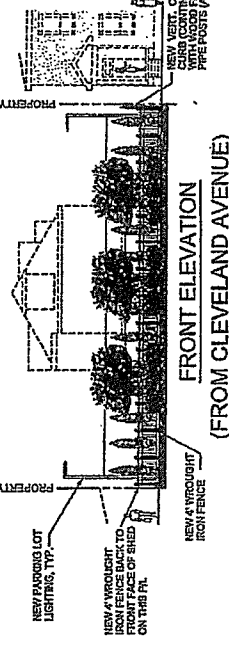
**ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1**  
**REFERENCE PLAN #1:** A PLAN OF SURVEY BY GILBERT, KELLY & COUTURIE, INC. DATED MAY 11, 2005

20030/14



VOLUNTEERS OF AMERICA GREATER NEW ORLEANS 4100 BLOCK CLEVELAND ST.	
VOA PARKING LOT EXPANSION LANDSCAPE PLAN AND ELEVATION (ALT. W/O CLEVELAND AVE. ACCESS)	
BURIKKLEIN PETER, INC.	
PROJECT ARCHITECTS, INC. (ARCHITECT, PROFESSIONAL SEAL) 4100 BLOCK CLEVELAND ST. (OFFICE) (504) 488-8881 (FAX) (504) 488-1714	
DATE	NOV. 13, 2014
SCALE	AS SHOWN
PROJECT NO.	14013055
CLIENT	VOA
LOCATION	4100 BLOCK CLEVELAND ST., NEW ORLEANS, LA
DATE	NOV. 13, 2014
BY	MLT
CHECKED BY	MLT

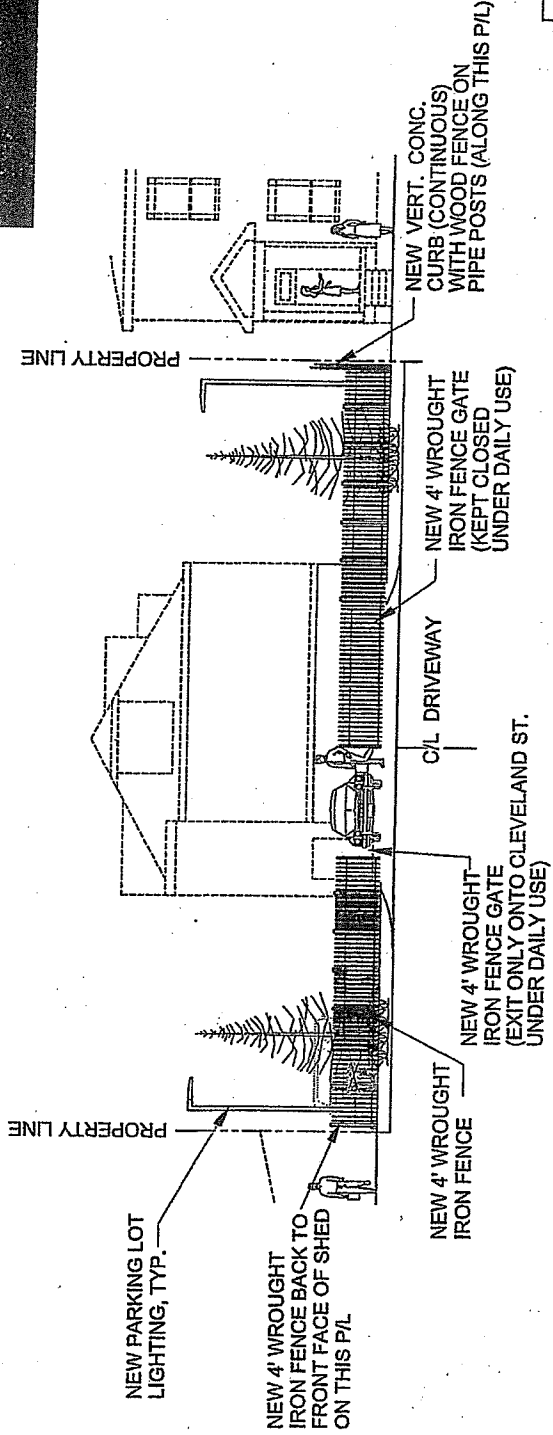
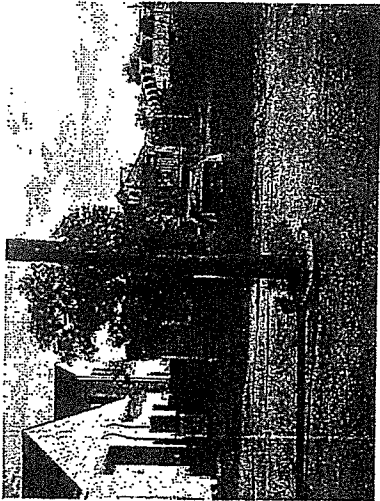
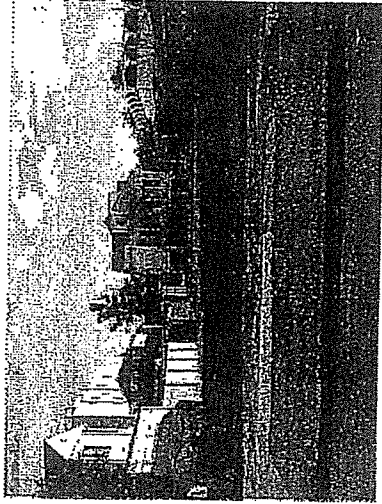
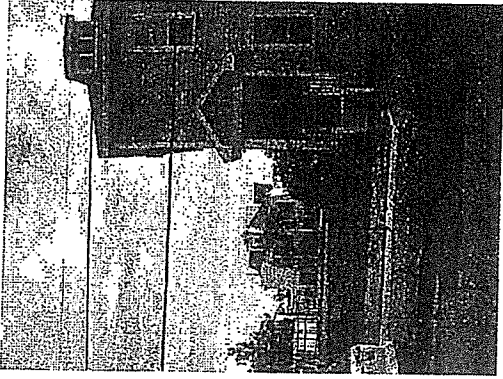
**SOUTH CARROLLTON AVENUE (SIDE)  
LANDSCAPE PLAN**



RD-3  
ZONING  
DISTRICT

**FRONT ELEVATION  
(FROM CLEVELAND AVENUE)**

2D 030/14



NOTED: THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO THE APPROVAL OF THE CITY OF NEW ORLEANS. THE CITY ENGINEER'S OFFICE WILL REVIEW THIS PLAN FOR CONFORMANCE WITH THE CITY ENGINEERING DEPARTMENT'S DESIGN STANDARDS AND SPECIFICATIONS. THE CITY ENGINEER'S OFFICE WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

NO.	DATE	DESCRIPTION
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VOLUNTEERS OF AMERICA  
GREATER NEW ORLEANS  
4147 CLEVELAND ST., NEW ORLEANS

VOA PARKING LOT EXPANSION  
FRONT ELEVATION

DURIK-KLEINPETER, INC.  
ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
1416 GRIFFIN ST., SUITE 100  
NEW ORLEANS, LA 70115  
(504) 581-1111 FAX (504) 581-1114

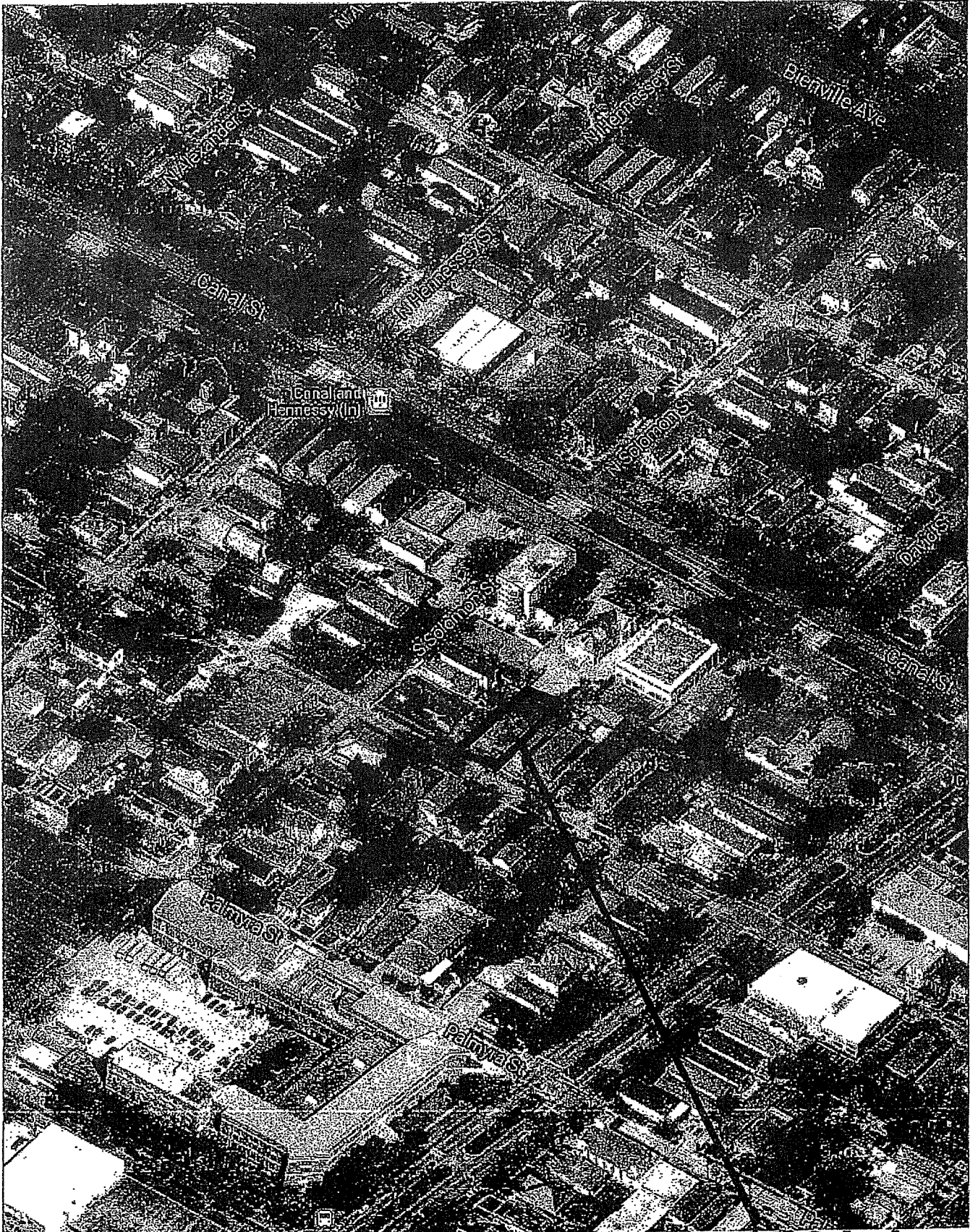
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2D 030/14

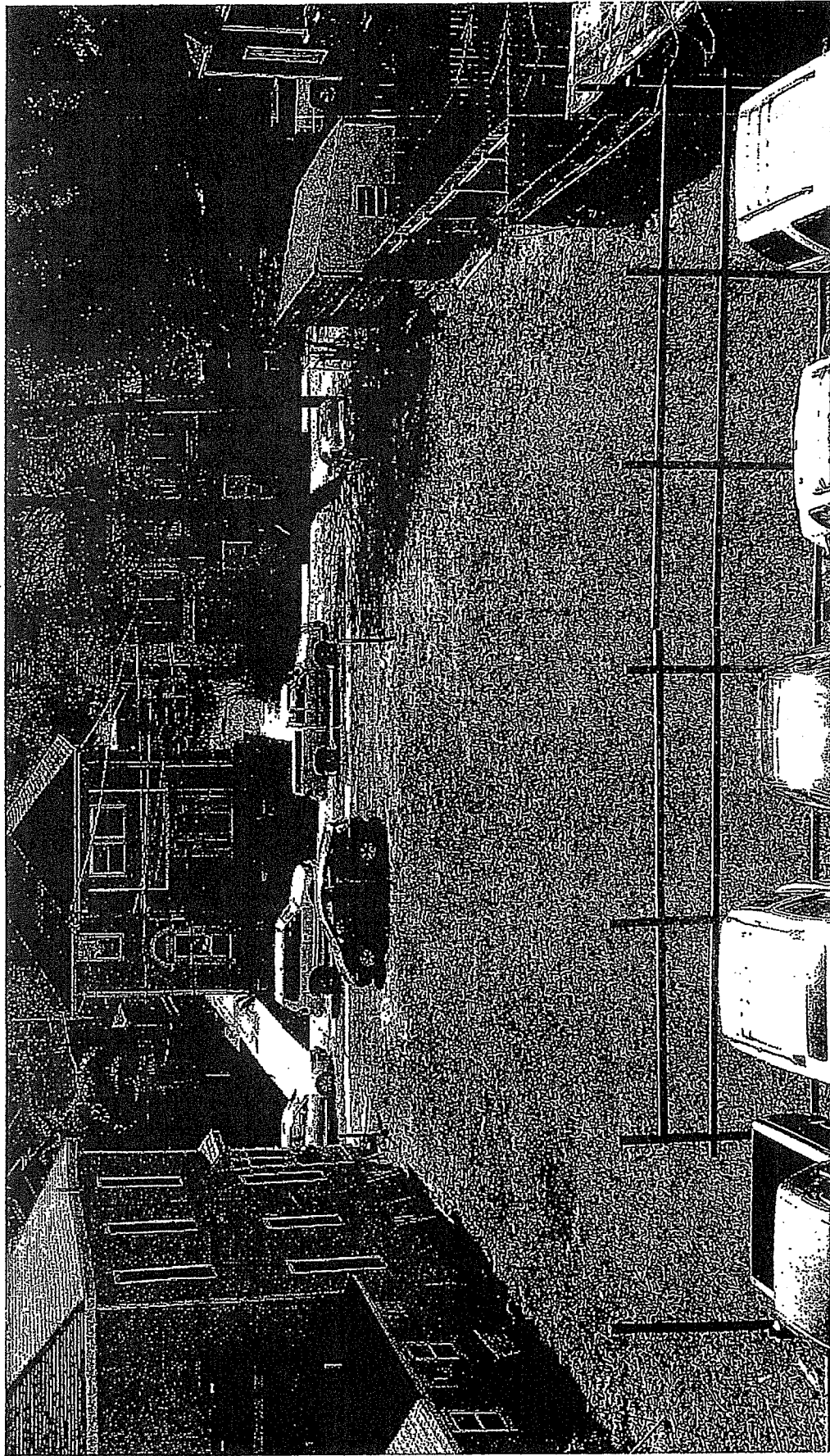


To see all the details that are visible on the screen, use the "Print" link next to the map.

# Google



4147 Cleveland Ave.



Center View from Canal St. Side

**MOTION**  
**NO. M-14-267**

**CITY HALL: June 19, 2014**

**BY: COUNCILMEMBER GUIDRY**

**SECONDED BY: COUNCILMEMBER HEAD**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the report and unfavorable recommendation of the City Planning Commission on ZONING DOCKET NO. 30/14 – VOLUNTEERS OF AMERICA OF GREATER NEW ORLEANS, INC- Requesting a Conditional Use to permit a parking lot providing off-street parking for a main use located within 300 feet of said lot in an RD-3 Two Family Residential District, on Square 783, Lot 26-A, in the First Municipal District, bounded by Cleveland and South Carrollton Avenues and Canal and South Solomon Streets (Municipal Address: 4147 Cleveland Avenue), be, and the same is hereby upheld, and the request is denied.**

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS: Brossett, Cantrell, Gray, Guidry, Head - 5**

**NAYS: 0**

**ABSENT: Ramsey, Williams - 2**

**AND THE MOTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
AS A TRUE AND CORRECT COPY  
*[Signature]*  
CLERK OF CITY

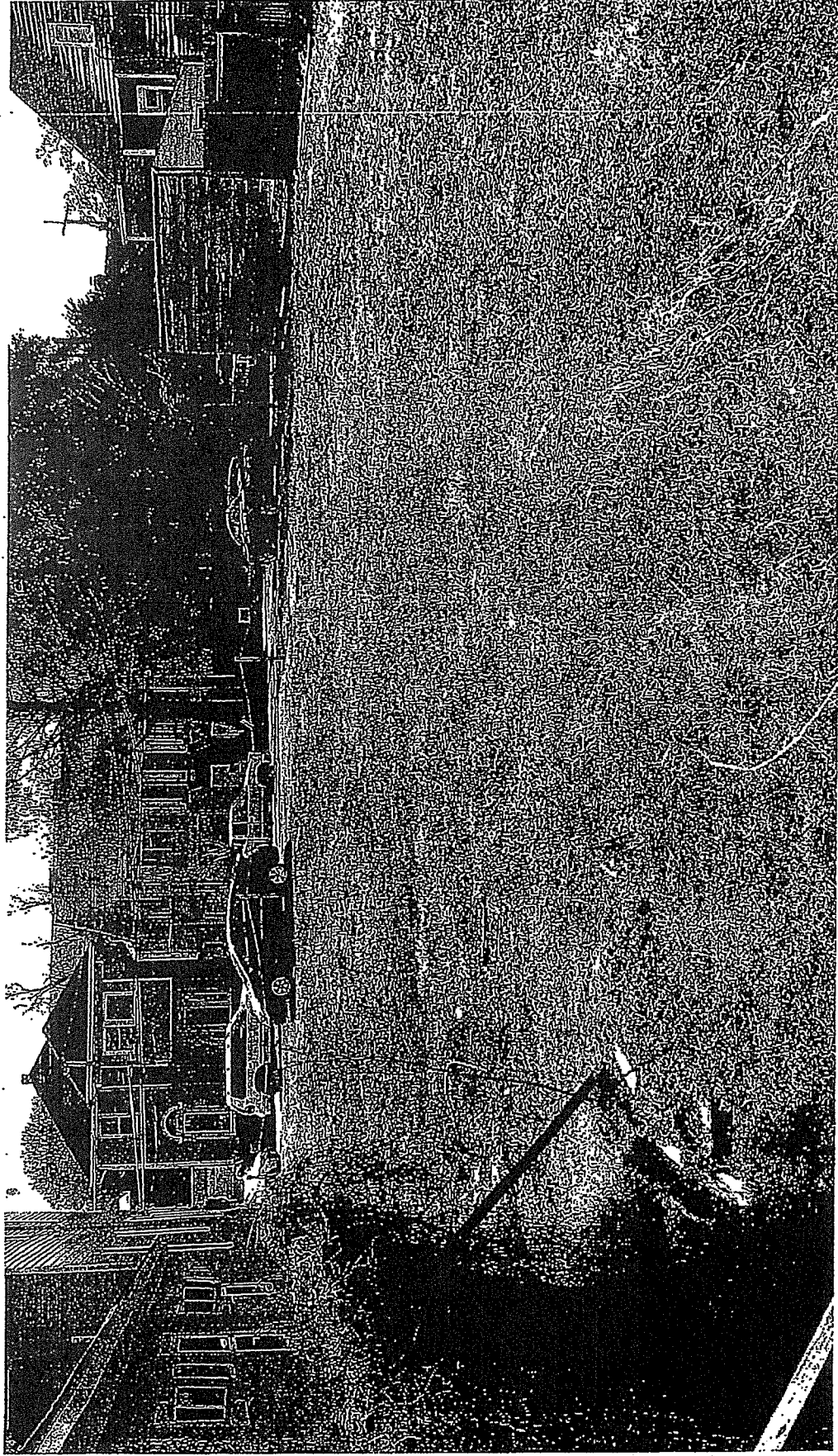
4147 Cleveland Ave.



Right View from Canal St. Side

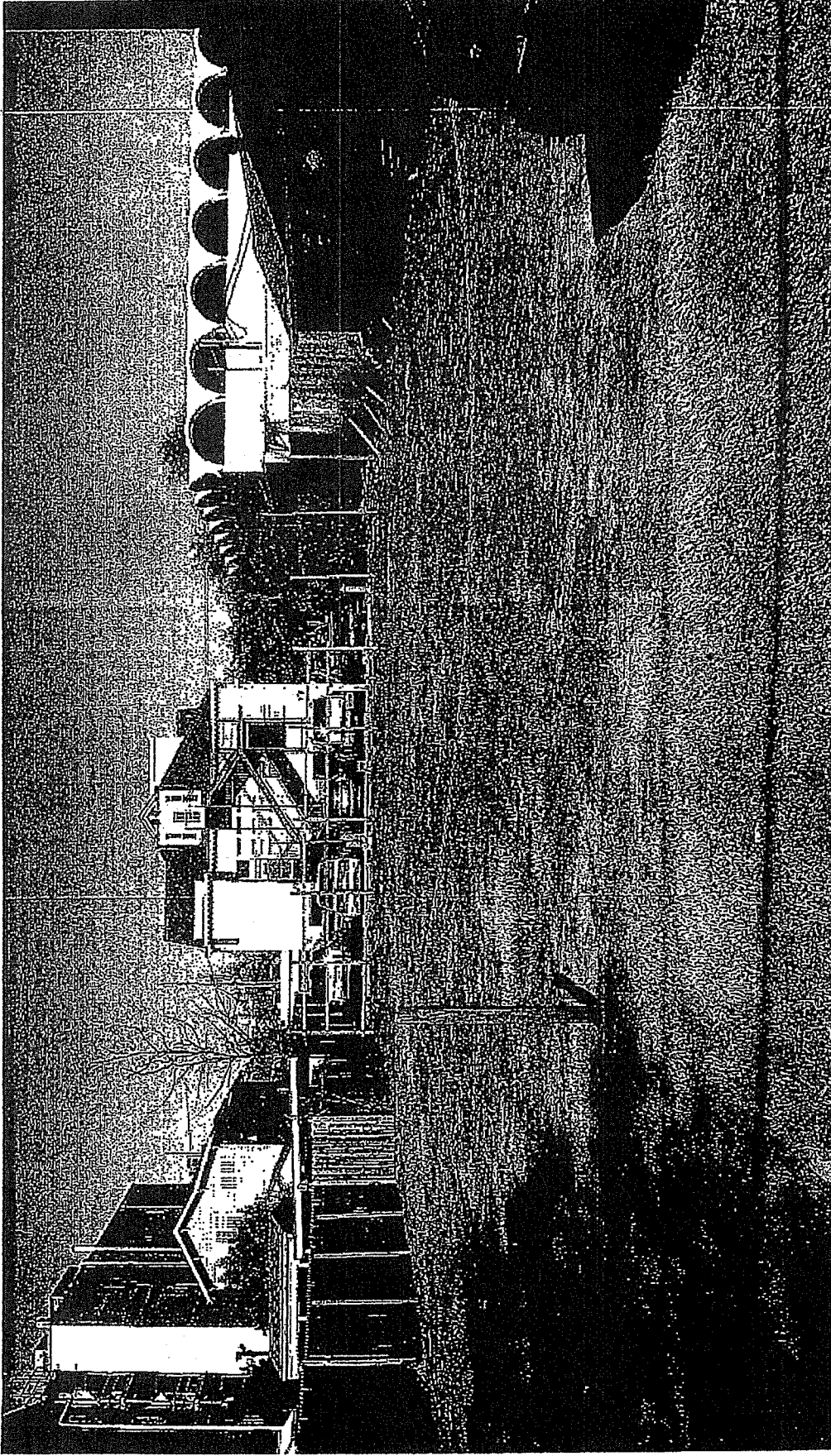


4147 Cleveland Ave.



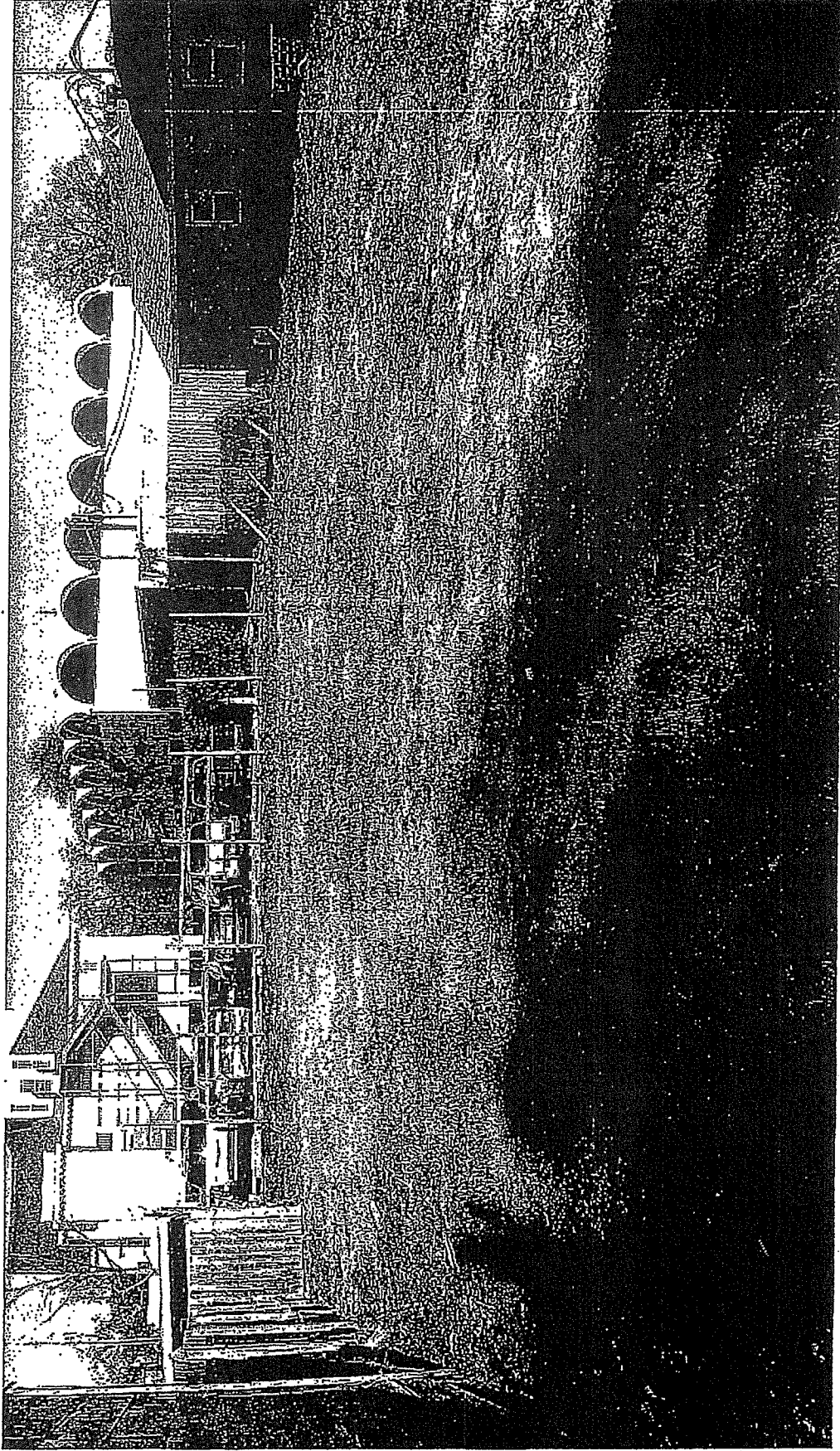
Left View from Canal St. Side

4147 Cleveland Ave.



Center View from Cleveland Ave. Side

4174 Cleveland Ave.



Left View from Cleveland Ave.

4147 Cleveland Ave.



Right View from Cleveland Ave.





**GREATER NEW ORLEANS**  
*Touching Lives. Building Community*

Robert C. Rhoden, Jr.  
 Chair

James M. LeBlanc  
 President/CEO

**Board of Directors**

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- Thomas J. Grace
- Paul Graff
- Nathan J. Junius
- Michelle Kehoe Ogden
- Leonard D. Simmons, Jr.
- Tod Smith

November 12, 2013

Dear Neighbor,

Volunteers of America Greater New Orleans, Inc. currently owns a vacant lot behind its Administrative office on Cleveland Ave. In order to alleviate parking concerns we'd like to expand our parking lot into this location. It would provide an additional 32 spaces for our staff and remove the need for employees and visitors to take up already limited street parking. As an added security measure, video cameras (installed through Project Nola) will face both directions of Cleveland Ave.

The site is in a location where a parking lot is a Conditional Use, which means we are required to apply for approval. 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.

Volunteers of America  
 of Greater New Orleans  
 is accredited by CARF  
 and ACA

The meeting will take place:

Wednesday, November 20<sup>th</sup> at 6:00 pm at our Administrative Office at 4152 Canal St.



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.



If you have questions or comments, here's how to reach me. I hope to see you at the meeting on November 20<sup>th</sup>.

Sincerely,

Gary Zapata  
 4152 Canal St.  
 New Orleans, LA 70119  
[gzapata@voagno.org](mailto:gzapata@voagno.org)  
 504.482.2130

# NPP Report

## Volunteers of America, Greater New Orleans Inc.

Date of Report: 12/1/2013

Project Name: VOA Accessory Parking Lot

**Overview:** This report provides results of the implementation of the Neighborhood Participation Program for property located at 4147 Cleveland Ave. The applicant intends to file an application for a conditional use to build an accessory parking lot. This report provides a summary of our contacts with neighbors and interested parties. Opportunities have been provided to learn about and comment on the proposed plans and actions.

**Contact:**

Jason Burt

4152 Canal St.

New Orleans, LA 70119

504-486-8674

[jburt@voagno.org](mailto:jburt@voagno.org)

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

1. November 20<sup>th</sup>, 2013, 6 PM at Volunteers of America's administrative office.

**Correspondence & Telephone Calls:**

1. November 13<sup>th</sup>, 2013 – Letters mailed to adjacent property owners contact list provided by City Planning.

**Results:**

There were 50 persons/addresses invited to the community meeting. 8 individuals attended the meeting. See summary below:

1. Summary of concerns, issues and problems.
  - a. Additional traffic/congestion on Cleveland St.
  - b. Parking lot lighting at night.
  - c. Water runoff & drainage issues.
2. How concerns, issues and problems will be addressed.
  - a. The Cleveland St. opening will be exit only. Entry to the parking lot will be routed through the Canal St. entrance.
  - b. All parking lot lights will be at a height no higher than 15 feet, pointing directly down and will have diffusers that prevent light from shining on adjacent properties. Timers will also be installed to turn lights off at a predetermined time.
  - c. Storm drains will be installed to feed water into the sewage system. A concrete lip will be installed around the perimeter of the parking lot to keep water from running onto adjacent properties.



Contact	Address	City	State	Zip
Ponce Properties	P.O. Box 19434	New Orleans	LA	70179
Julie Posner	121 S. Solomon Street	New Orleans	LA	70119
Mary Logsdon	124 S. Solomon Street	New Orleans	LA	70119
William Burke	4176 Canal Street	New Orleans	LA	70119
David McGee	136 S. Solomon St	New Orleans	LA	70119
Robert Margin	202 S. Solomon St	New Orleans	LA	70119
Elizabeth Ahern	6854 Catina St	New Orleans	LA	70124
Kristin Tully	206 S. Solomon St	New Orleans	LA	70119
Monica Marsalone	S. Solomon Street	New Orleans	LA	70119
John Ertel	210 S. Solomon Street	New Orleans	LA	70119
Mvn LLC	900 Hesper Ave	Metairie	LA	70005
Douglas Poulos	216 S. Solomon St	New Orleans	LA	70119
Thomas Moss	217 S. Solomon Street	New Orleans	LA	70119
Zachariah Fridge	224 S. Solomon St	New Orleans	LA	70119
New Orleans Firemen's Fed	P. O. Box 689	Metairie	LA	70004
Melvin Ellis	4117 Palmyra Street	New Orleans	LA	70119
Milton Gautreaux	4122 Cleveland Ave	New Orleans	LA	70119
Anthony Lotz	4125 Palmyra Street	New Orleans	LA	70119
4127-29 Cleveland, LLC	5520 S Tonti St	New Orleans	LA	70119
Canal Street Land Co LLC	750 City Park Ave	New Orleans	LA	70125
Foley Santamaria	4130 Cleveland Ave	New Orleans	LA	70119
Lynette Ledoux	4138 Cleveland Ave	New Orleans	LA	70119
Antonio Ledoux	4137 Palmyra Street	New Orleans	LA	70119
Patricia Hartmann	4139 Cleveland Ave	New Orleans	LA	70119
4140 Canal Street Inc	3164 Club Drive	Destin	FL	32550
Mark Daniels	1242 Kings Row	Slidell	LA	70461
Kurt Zarwell	4143 Palmyra St	New Orleans	LA	70119
September Stockstill	4144 Cleveland Av	New Orleans	LA	70119
Earl Schmit	P.O. Box 791120	New Orleans	LA	70179
Gayle Gagliano	4152 Cleveland Ave	New Orleans	LA	70119
Nihad Monem	824 Glencove Lane	Gretna	LA	70056
Gerald Leydecker	4629 S. Carrollton Ave	New Orleans	LA	70119
Yousef Haimour	1940 Taith Place #A	Gretna	LA	70056
Faust Brothers Properties LLC	7001 Glendale St	Metairie	LA	70002
Lacie's Boutique & Salon	2104 Allo Mumphrey	Violet	LA	70092
Michael Bettencourt	4709 S. Carrollton Ave	New Orleans	LA	70119
Edward Young	4715 S. Carrollton Avenue	New Orleans	LA	70119
Josephine Gallo	4848 Antonini Drive	Metairie	LA	70006
220 S Solomon, LLC	4528 S. Prieur St	New Orleans	LA	70125
Myrtle Place, LLC	11927 Oak Shadow	Baton Rouge	LA	70810
Robert Smith	5710 Memphis St	New Orleans	LA	70124
John Brent	201 S. Solomon St	New Orleans	LA	70119
Nicholas Mainieri	4133 Palmyra St	New Orleans	LA	70119
Barry Katz	3164 Club Drive	Destin	FL	32550

Contact	Address	City	State	Zip
Caylie Sadin	4145 Cleveland Ave	New Orleans	LA	70119
Ashley Duncan	220 S. Solomon St	New Orleans	LA	70119
David Bridges	132 S. Solomon St	New Orleans	LA	70119
Mary O'Connor	4848 Antonini Drive	Metairie	LA	70006
Julie Posner	121 S. Solomon St	New Orleans	LA	70119
Yousef Haimour	7034 Canal Blvd	New Orleans	LA	70124

4152-54 Cleveland Ave.  
New Orleans LA 70119  
March 5, 2014

City Planning Commission  
City of New Orleans  
1340 Poydras Street  
New Orleans LA 70112

Re: Zoning Change to 4147 Cleveland Avenue

Dear Commission Members:

Recently I was stunned to learn the importance that the City Planning Commission attached to the Volunteers of America (VOA) neighborhood meeting late last year. I regarded the VOA event as a public relations initiative to ingratiate itself to the neighborhood in hopes of mitigating any negative reactions\*. My son-in-law attended the event to listen to what VOA had planned, rather than to instigate a big confrontation. He felt that the other residents might have shared this perspective. Earl Schmit, who has been my neighbor and owns 4146-48 Cleveland Avenue, arrived late to the meeting and was unable to gain access to the building. I did not know if other residents had the same difficulty.

Please know that there is much neighborhood opposition to this plan, and we will galvanize the neighborhood in voicing their opposition to this proposed zoning change.

Thank you, and please acknowledge receipt of this communication. I can be contacted by phone at (504) 482-2427 or by email at ggagliano@cox.net.

Sincerely,

Gayle V. Gagliano

*\*The city should require some sort of disclaimer for any such letters sent to the neighborhood residents disclosing that their attendance and comments will weigh in the city's zoning decision.*

Earl Schmit  
PO Box 791120  
New Orleans, LA 70179-1120

March 1, 2014

MAR 7 14 11:46 AM

CITY PLANNING COMMISSION  
LESLIE KELLY  
1300 Perdido Street 7TH Floor  
Room 7E07  
New Orleans, Louisiana 7100

Dear MS. KELLY,

Volunteers of America Greater New Orleans, Inc. currently owns a vacant lot on Cleveland Avenue (4147 CLEVELAND AV) behind its administrative office located at 4152 Canal St., New Orleans, LA 70119. They have requested Conditional Use Permit approval for a parking lot on this vacant lot on Cleveland Avenue in which they propose to place 32 additional parking spaces. They also propose to add video cameras facing south directions on Cleveland Avenue as a security measure. For the reasons which follow, we strongly object to this Conditional Use Application.

#### CONDITIONAL USE MUST BE DENIED AT 4147 CLEVELAND AV

Conditional Use approval for a parking lot at this Cleveland Avenue location should be denied for multiple reasons as being incompatible with existing uses and the neighborhood. By way of background, a historical residential structure was located on the subject lot for decades. This residential structure only recently burned down, and Volunteers of America recently purchased the vacant lot and chose not to rebuild a residential home. Instead of rebuilding a house, Volunteers of America proposed a large parking lot whose external effects on adjacent properties and on the surrounding neighborhood cannot be effectively mitigated by any conditions which could be imposed by the City Council.

The proposed parking lot would adversely affect the adjacent properties and the surrounding neighborhood in the following ways, among others:

- (1) **REDUCED PARKING ON CLEVELAND AVE.** Volunteers of America's efforts to alleviate their parking concerns will worsen the parking concerns of the residents on Cleveland Avenue. VOA plans to enlarge the "apron" for entering and exiting their parking lot which will take away street parking for residents on Cleveland Ave. Cleveland Avenue already has limited street parking available for residents.

Dear MS. KELLY,  
March 3, 2014  
Page 2

(2) **TRAFFIC CONGESTION ON CLEVELAND AVE.** Cleveland Avenue is a narrow street. When cars are parked on both sides of the street, heightened caution must be used when driving down Cleveland Ave. due to its narrowness. VOA's proposal, which would entail dozens of cars entering and exiting their proposed parking lot at all times of the day, will create a bottleneck funnel on an already narrow street. Emergency and Services vehicles already have difficulty in maneuvering down Cleveland Avenue, and the proposed parking lot will greatly worsen the existing situation.

(3) **DRAINAGE PROBLEMS.** Cleveland Avenue already has drainage problems causing street flooding even in moderate rainfalls. VOA'S proposal would convert virtually their entire lot, which now has natural soil covering and a natural permeable surface, into an entirely impervious concrete surface. As a result, virtually all the rain falling on this lot would become urban runoff and worsen the flooding problems on Cleveland Avenue whose drainage cannot now even handle moderate amounts of rainfall runoff.

(4) **PARKING LOT SECURITY.** Roughly 80% of the criminal acts at business offices, strip malls and shopping centers occur in the parking lot. VOA proposes to add security cameras facing both directions, but the addition of security cameras in parking lots in the last few decades has not shown any decrease in the 80% figure of criminal acts occurring in parking lots of business offices. It is also important to note that VOA has not proposed security personnel for the parking lot as a crime deterrent.

(5) **LIGHT POLLUTION.** To the extent that VOA proposes sufficient lighting for its parking lot security and for its CCTV surveillance cameras, such lighting will cause light pollution in the form of glare and illumination levels inappropriate for a residential neighborhood. Many medical researchers consider light pollution to be one of the fastest growing and most pervasive forms of environmental pollution, and there is a growing body of scientific research that light pollution can have lasting adverse effects on human health. Residents of this neighborhood do not want artificial light from parking lot floodlights spilling on to the adjacent property. Obtrusive lighting from the parking lot would turn night into day in the surrounding area, and lighting that is sufficiently bright for the safety and security of VOA's staff and customers becomes a nuisance to the neighborhood.

(6) **NOISE AND EXHAUST POLLUTION.** VOA'S proposed parking lot will greatly increase the noise pollution and exhaust pollution in this quiet residential neighborhood. The constant starting, stopping, entering and exiting of cars into and out of the proposed parking lot will adversely affect the character of this residential neighborhood.

At the hearing on this proposed Conditional Use Permit application, we intend to demonstrate how VOA'S proposed use is not compatible with present and future uses and




Dear MS. KELLY,  
March 3, 2014  
Page 3

is not consistent with the goals of the city's plan for Mid-City neighborhood re-building following the devastation of Hurricane Katrina. The city has made great strides in improving the quality of life for Mid-City residents and has stemmed the exodus of residents following the levee failures that flooded the area in August 2005 during Hurricane Katrina. The proposed Conditional Use does not fit the character of the neighborhood, is not consistent with the residential family-oriented atmosphere of the neighborhood, and threatens the residents' quality of life.

We strongly believe that voting in favor of the Conditional Use will be an inappropriate precedent to establish within this community. We ask you to do what is right for the Mid-City and vote against the Conditional Use Permit application of VOA.

Sincerely  
Earl Schmit



Certified Mail 7013 2630 0001 3397 9015 Leslie Kelly  
Certified Mail 7013 2630 0001 3397 9008, Robert D Rivers

Thank you for your support. Please notify me of all updates and events.

email [midcityparkinglot@gmail.com](mailto:midcityparkinglot@gmail.com)  
Face book [midcityparkinglot](https://www.facebook.com/midcityparkinglot)  
phone number 504 908 4866  
My Property location 4148-50 Cleveland Av. New Orleans

copies to:

**MID-CITY NEIGHBORHOOD ORGANIZATION**

Improving Mid-City Since 1975

Jennifer Farwell, President, phone# 504 535 4364 email [president@mcno.org](mailto:president@mcno.org)

Bonnie Garrigan, Director of Communications, phone# 504 504 975 5378 email [communication@mcno.org](mailto:communication@mcno.org)

Roux Merio, Director of Quality of Life, phone# 504 957 0095 email [qol@mcno.org](mailto:qol@mcno.org)

PO Box 791023

New Orleans, LA 70179

Earl Schmit  
PO Box 791120  
New Orleans, LA 70179-1120

MAR 7 '14 11:46 AM

March 1, 2014

CITY PLANNING COMMISSION  
KELLY BROWN CHAIR - COMMISSION MEMBER  
1300 Perdido Street 7TH Floor  
Room 7E07  
New Orleans, Louisiana 7100

Dear MS. BROWN,

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Dear MR. BROWN,  
March 3, 2014  
Page 2

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March 3, 2014  
Page 3

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Sincerely  
Earl Schmit 

Certified Mail 7013 2630 0001 3397 9022 Kelly Brown  
Certified Mail 7013 2630 0001 3397 9015 Leslie Kelly  
Certified Mail 7013 2630 0001 3397 9008, Robert D Rivers

Thank you for your support. Please notify me of all updates and events.

email [midcityparkinglot@gmail.com](mailto:midcityparkinglot@gmail.com)  
Face book [midcityparkinglot](https://www.facebook.com/midcityparkinglot)  
phone number 504 908 4866  
My Property location 4148-50 Cleveland Av. New Orleans

copies to:

MID-CITY NEIGHBORHOOD ORGANIZATION  
Improving Mid-City Since 1975  
Jennifer Farwell, President, phone# 504 535 4364 email [president@mcno.org](mailto:president@mcno.org)  
Bonnie Garrigan, Director of Communications, phone# 504 504 975 5378 email [communication@mcno.org](mailto:communication@mcno.org)  
Roux Merio, Director of Quality of Life, phone# 504 957 0095 email [qol@mcno.org](mailto:qol@mcno.org)  
PO Box 791023  
New Orleans, LA 70179

## CPCinfo

---

**From:** Rodriguez, Ronald <ronald.rodriguez@urs.com>  
**Sent:** Wednesday, March 12, 2014 11:44 AM  
**To:** CPCinfo  
**Subject:** 4147 CLEVELAND AV, Parking Lot Proposal

Hello,

I am a homeowner in the 100 block of S. Murat St, 3 blocks from the proposed site. I am urging the commission to deny this proposal.

See: <http://midcitymessenger.com/2014/03/11/volunteers-of-america-parking-lot-plan-draws-opposition-from-mid-city-neighbors/#more-4944>

Conditional Use approval for a parking lot at this 4147 Cleveland Ave location should be denied for multiple reasons as being incompatible with existing uses and the neighborhood.

LOT IS ZONE RESIDENTIAL  
REDUCED PARKING ON CLEVELAND AVE.  
TRAFFIC CONGESTION OF CLEVELAND AVE  
DRAINAGE  
PARKING LOT SECURITY  
LIGHT POLLUTION  
NOISE POLLUTION  
CAR EXHAUST POLLUTION

That particular block is currently awash with unsightly and unnecessary surface parking lots. Almost 50% of the land area here is already parking lots which is extremely high for our neighborhood. The surrounding streets are hardly "stressed" or "congested". Jim Leblanc has it backwards. Adding more parking will increase traffic, congestion and stress on the neighboring streets by encouraging more auto use than the streets were initially designed for. There is currently ample street capacity for all the neighboring residents' and businesses' needs. This parking lot will add zero value to our neighborhood.

Jim LeBlanc fails to mention that not all of his 58 employees at VOA are there at the same time, nor are they all commuting there by car, alone. Every time I walk by, the VOA lots are half empty. He should do the right thing and sell that lot to a developer so a new home or business can be built.

We have a wonderful urban neighborhood here. We should be making it more walkable, not less. If we keep building parking lots, there will be no neighborhood left.

Thank you,

Ronnie Rodriguez  
Instrumentation & Controls Specialist  
URS Corporation  
600 Carondelet Street

New Orleans, LA 70130  
504-599-5197

This e-mail and any attachments contain URS Corporation confidential information that may be proprietary or privileged. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.

## CPCinfo

---

**From:** Kurt Buchert <kurtbuc@gmail.com>  
**Sent:** Wednesday, March 12, 2014 10:48 AM  
**To:** CPCinfo  
**Subject:** Volunteers of America parking lot plan draws opposition from Mid-City neighbors »  
Mid-City Messenger

Please deny this parking lot. We need houses & residents on properties like this. Not parking lots.

<http://midcitymessenger.com/2014/03/11/volunteers-of-america-parking-lot-plan-draws-opposition-from-mid-city-neighbors/#more-4944>

Thank you.

Kurt Buchert  
KingCake Real Estate LLC  
504-914-0591  
[kurtbuc@gmail.com](mailto:kurtbuc@gmail.com)

**CPCinfo**

---

**From:** Lindsey, Sarah H <lindsey@tulane.edu>  
**Sent:** Wednesday, March 12, 2014 10:19 AM  
**To:** CPCinfo  
**Subject:** 4147 Cleveland Av

CONDITIONAL USE MUST BE DENIED AT 4147 CLEVELAND AV

Conditional Use approval for a parking lot at this 4147 Cleveland Ave location should be denied for multiple reasons as being incompatible with existing uses and the neighborhood.

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REDUCED PARKING ON CLEVELAND AVE.  
TRAFFIC CONGESTION OF CLEVELAND AVE  
DRAINAGE  
PARKING LOT SECURITY  
LIGHT POLLUTION  
NOISE POLLUTION  
CAR EXHAUST POLLUTION

Many neighbors including myself believe that voting in favor of the Conditional Use will be inappropriate.

Sarah Lindsey, Ph.D.  
Assistant Professor  
Tulane University School of Medicine  
Department of Pharmacology  
1430 Tulane Avenue, SL-83  
New Orleans, LA 70112  
office 504-988-2581  
lab 504-988-2564  
fax 504-988-5283  
[lindsey@tulane.edu](mailto:lindsey@tulane.edu)



Earl Schmit  
PO Box 791120  
New Orleans, LA 70179-1120

MAR14'14 03:10PM

March 1, 2014

CITY PLANNING COMMISSION  
KELLY BROWN  
1300 Perdido Street 7TH Floor  
Room 7E07  
New Orleans, Louisiana 7100

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March 3, 2014  
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(4) **PARKING LOT SECURITY.** Roughly 80% of the criminal acts at business offices, strip malls and shopping centers occur in the parking lot. VOA proposes to add security cameras facing both directions, but the addition of security cameras in parking lots in the last few decades has not shown any decrease in the 80% figure of criminal acts occurring in parking lots of business offices. It is also important to note that VOA has not proposed security personnel for the parking lot as a crime deterrent.

(5) **LIGHT POLLUTION.** To the extent that VOA proposes sufficient lighting for its parking lot security and for its CCTV surveillance cameras, such lighting will cause light pollution in the form of glare and illumination levels inappropriate for a residential neighborhood. Many medical researchers consider light pollution to be one of the fastest growing and most pervasive forms of environmental pollution, and there is a growing body of scientific research that light pollution can have lasting adverse effects on human health. Residents of this neighborhood do not want artificial light from parking lot floodlights spilling on to the adjacent property. Obtrusive lighting from the parking lot would turn night into day in the surrounding area, and lighting that is sufficiently bright for the safety and security of VOA's staff and customers becomes a nuisance to the neighborhood.

(6) **NOISE AND EXHAUST POLLUTION.** VOA'S proposed parking lot will greatly increase the noise pollution and exhaust pollution in this quiet residential neighborhood. The constant starting, stopping, entering and exiting of cars into and out of the proposed parking lot will adversely affect the character of this residential neighborhood.

At the hearing on this proposed Conditional Use Permit application, we intend to demonstrate how VOA'S proposed use is not compatible with present and future uses and

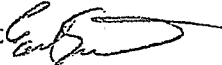
Dear Mr. Brown,  
March 3, 2014  
Page 3

is not consistent with the goals of the city's plan for Mid-City neighborhood re-building following the devastation of Hurricane Katrina. The city has made great strides in improving the quality of life for Mid-City residents and has stemmed the exodus of residents following the levee failures that flooded the area in August 2005 during Hurricane Katrina. The proposed Conditional Use does not fit the character of the neighborhood, is not consistent with the residential family-oriented atmosphere of the neighborhood, and threatens the residents' quality of life.

We strongly believe that voting in favor of the Conditional Use will be an inappropriate precedent to establish within this community. We ask you to do what is right for the Mid-City and vote against the Conditional Use Permit application of VOA.

Sincerely

Earl Schmit



Thank you for your support. Please notify me of all updates and events.

email [midcityparkinglot@gmail.com](mailto:midcityparkinglot@gmail.com)

Face book [midcityparkinglot](https://www.facebook.com/midcityparkinglot)

phone number 504 908 4866

My Property location 4148-50 Cleveland Av. New Orleans

copies to:

**MID-CITY NEIGHBORHOOD ORGANIZATION**

Improving Mid-City Since 1975

Jennifer Farwell, President, phone# 504 535 4364 email [president@mcno.org](mailto:president@mcno.org)

Bonnie Garrigan, Director of Communications, phone# 504 504 975 5378 email [communication@mcno.org](mailto:communication@mcno.org)

Roux Merio, Director of Quality of Life, phone# 504 957 0095 email [qol@mcno.org](mailto:qol@mcno.org)

PO Box 791023

New Orleans, LA 70179

**Mid-City Neighborhood Organization (MCNO)  
Land Use and Zoning Questionnaire**

1. Please provide a brief description of the total project.

**Volunteers of America Greater New Orleans, Inc. aims to build an accessory parking to its administrative office located on 4152 Canal Street. This additional parking will ease the need for current staff and visitors to park on Canal St, Cleveland Ave. and Solomon St. In addition, the existing curb cut on Cleveland will be removed adding one additional street parking spot. The lot will be set back nearly 17 feet from the property line. The sidewalk will be repaired, and the space between the sidewalk and the street will incorporate native landscaping that adheres to city's CZO. Also, in the space between the sidewalk and the property fence or wall, we will incorporate an environmentally friendly, water management bioswale.**

2. What is the current (or most recent) use of the property? To you knowledge, how long has the current use been in place? What variances or changes are you requesting?

**Under previous owner, property had been an abandoned and blighted home. Home burned down in a fire. Previous owner approached VOAGNO with sale of lot. VOAGNO purchased cleared lot in Summer 2012.**

Variances: **None**

Height:

Set backs:

Parking:

Other:

Zoning Change: **None**

From:

To:

Use Change that does not conflict with zoning:

From: **RD-3**

To: **Conditional use for an accessory parking lot.**

Subdivision:

(If subdivision, please indicate below the current and future lot configuration and dimensions as well as position of buildings, if present, on the property. Provide all distances from lot line to building that are less than 3' (side yard) or 20' (rear yard).

3. If the proposed use of the property requires a change from current zoning, does the proposed use conform to the new New Orleans Master Plan Land Use map and/or Comprehensive Zoning Ordinance (to view visit [www.nolamasterplan.org](http://www.nolamasterplan.org))

No zoning change      Yes to land use but not zoning      Yes to land use and zoning

**Mid-City Neighborhood Organization (MCNO)  
Land Use and Zoning Questionnaire**

You have requested a variance or land use/zoning change in Mid-City. MCNO has a review process to evaluate the impact of projects on Mid-City. This review considers the effect of the variances/zoning changes, any off-setting benefits, and possible alternative approaches.

The goal of the review is to develop solutions which will allow projects to proceed without a negative impact on the neighborhood. To assist in our review, please complete the following questionnaire. Use additional pages if necessary.

Send the completed questionnaire with all attachments to:

Jennifer Farwell  
President, MCNO  
4528 Bienville Avenue  
New Orleans, LA 70119  
Phone: (504) 232-7178  
Email: [president@mcno.org](mailto:president@mcno.org) (email the completed questionnaire to expedite the process)

The MCNO board reviews requests for variances and zoning changes and then evaluates it with other input, including resident comments. The Board makes the final decision concerning the organization's position on such requests.

If you have questions or wish to meet with the MCNO board to explain your proposal in person, please email [chair@mcno.org](mailto:chair@mcno.org) and ask to be on the board agenda.

Name: **Volunteers of America Greater New Orleans Inc.**

Property Address:

**4147 Cleveland Av.**

Mailing Address if different:

**4152 Canal St.  
New Orleans, LA 70119**

Phone: **504-482-2130**

Email: **[jburt@voagno.org](mailto:jburt@voagno.org)**

Zoning Docket: **030/14**

Date of BZA / CPC / City Council Hearing: (circle which one and enter date): **4/8/14**

**Mid-City Neighborhood Organization (MCNO)  
Land Use and Zoning Questionnaire**

4. How does the proposed use and requested variance improve the neighborhood?

- **The parking lot will be located 17 feet from the property line (sidewalk). That 17' x 65' piece of land will be landscaped and developed into a green bioswale (at the suggestion of City Planning). The bioswale will collect all runoff from the parking lot in an attempt to add little to no additional rainwater to the poor sewage infrastructure of the area.**
  - **The existing curb cut will be removed adding a single street parking spot for the neighborhood.**
  - **Volunteers of America employees and visitors will no longer have to park throughout the neighborhood.**
  - **There will be NO entry or exit on to Cleveland Ave. The only thing visible from the street will be the landscaped bioswale and fencing wall.**
  - **ProjectNOLA cameras will be installed to face down both directions of Cleveland Ave. to provide additional security for the neighborhood.**
  - **LED lights that face downward with rear deflectors will keep almost all light on the property until 8 PM when they are turned off completely by timers.**
- a. What is the anticipated impact on the area if the variance or zoning change is approved?

**Improvements above.**

- b. Are there alternate uses for the property that do not require a variance or zoning change?

**A homeless veterans or developmentally disabled group home.**

- c. What are you doing to be sensitive to the historic nature of the neighborhood?

**All designs were made in accordance with the CZO.**

5. Will you let MCNO have design input into the proposed restoration or new construction?

**We have already taken into account all comments from the MCNO meetings we have attended and will continue to listen to any additional input.**

6. Will you enter into a Good Neighbor Agreement to ensure compliance with neighborhood plans?

YES \_\_\_\_\_ NO \_\_\_\_\_

7. Will you agree to provisos to prevent future expanded nonconforming use of the property?

YES \_\_\_\_\_ NO \_\_\_\_\_

## Stephen Kroll

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**From:** LMS <lseymour07@bellsouth.net>  
**Sent:** Saturday, March 22, 2014 12:48 PM  
**To:** Stephen Kroll; Susan G. Guidry; Derek I. Scheerer  
**Subject:** 4157 Cleveland

I am strongly opposed to the VOA's proposed parking lot in the residential neighborhood at 4157 Cleveland Ave.

The problems the residents are having to endure because of the lack of enforcement and lack of understanding of the rules and regulations of the commercial properties along Canal are not being addressed and this will just add to the stack.

Light trespass - from "private" security lights placed on Entergy poles and paid for by private residents that are NOT placed on or in front of their property but next door - shine large rays of lights into the houses on the whole block are a problem.

Commercial occupants that leave their inside lights on all night and shine through the uncovered windows of the residents houses.

Noise from the 24.7.365 use of some of the properties

Also the non compliance of their trash - some leave their bins out all week some dont bother to put them out at all until they are flowing over onto the ground. BUT they arent bothered because it only causes blight in the BACK of their buildings BUT our front yards.....this has become a very huge problem. No one to call!

Leon Seymour  
111-113-115 South Hennessey

**Mid-City Neighborhood Organization (MCNO)  
Land Use and Zoning Questionnaire**

8. Attachments: Please attach any documents, plans, or drawings already submitted, or to be submitted, to the Board of Zoning Adjustments (BZA) or City Planning Commission (CPC) or both. Please also attach additional plans, sketches, or photographs that can assist MCNO in reviewing your request

Additional Information You Think We Should Consider:

**Volunteers of America Greater New Orleans, Inc. has been an integral part of the Mid-City community for many years and will continue to have a strong presence here for many more.**



Zoning Docket: 030-14

Dear Stephen Kroll,

This is a letter in regards to Zoning Docket: 030-14. My name is Caylie Sadin and I own the house at 4145 Cleveland Ave, which is right next door to the lot the VOA is trying to turn into a parking lot.

I absolutely do not support their efforts to turn the lot into a parking lot. I would like the lot to stay residential and for a house to be built there.

One of my concerns is that once the lot is turned into a parking lot, it would be expensive and time consuming to turn it back into a residential lot. So when the VOA no longer own their offices in front of the lot and the lot itself, then it will probably continue to be a parking lot.

I am also concerned about drainage. The drain on Cleveland Ave. regularly backs up and floods, even in light rain. The VOA's lot will be draining into the current drain, which would only exacerbate the problem. I am aware that they say they are working on this problem, but it is still concerning.

This is a residential neighborhood. I'd hate to see it marred by a gigantic parking lot. Instead of a huge, empty concrete space, I'd love to see a house or two built on the lot, which would continue rebuilding the city and mid-city.

Sincerely,

Caylie Sadin  
4145 Cleveland Ave  
caylie@bellsouth.net

This proposal is in direct conflict with the intent, spirit and language of the Master Plan. We ask that this commission deny docket #030-14.

March 30, 2014

Page 2

(2) **TRAFFIC CONGESTION ON CLEVELAND AVE.** Cleveland Avenue is a narrow street. When cars are parked on both sides of the street, heightened caution must be used when driving down Cleveland Ave. due to its narrowness. VOA's proposal, which would entail dozens of cars entering and exiting their proposed parking lot at all times of the day, will create a bottleneck funnel on an already narrow street. Emergency and Services vehicles already have difficulty in maneuvering down Cleveland Avenue, and the proposed parking lot will greatly worsen the existing situation.

(3) **DRAINAGE PROBLEMS.** Cleveland Avenue already has drainage problems causing street flooding even in moderate rainfalls. VOA'S proposal would convert virtually their entire lot, which now has natural soil covering and a natural permeable surface, into an entirely impervious concrete surface. As a result, virtually all the rain falling on this lot would become urban runoff and worsen the flooding problems on Cleveland Avenue whose drainage cannot now even handle moderate amounts of rainfall runoff.

A: Drainage Problems, a swale design may not always work properly

When property has too much concrete, drainage becomes a problem. Many plans incorporate a swale design to help resolve the water issues. While this may help, it is a strong recognized sign from the developer that there will be future problems with water removal. Parking lots, especial the one proposed at 4147 Cleveland Ave. (a confine space) will not have the same ability to absorbed water like a residential design. Failure to remove water properly will impact the neighbors directly next to the property line as well as impact the neighborhood development present and into the future. The main Street drain(located on and in front of lot 4147 Cleveland Av) that the proposed 12 inch drain will enter into works marginally and if the system is over worked with water it backs up on to the Street. The water that would have been absorbed by the lot now moves to a complicated drainage problem. The swale proposed at 4147 Cleveland is large enough to cause other potential problems, to name a few: smell, standing water, potential of personal injury and disease by mosquitoes and bacteria. The visual look of this proposed swale site will be uneven and not a match for a neatly kept front lawn and over time will be ugly. The Swale is not in the best interest of the Neighborhood.

Earl Schmit  
PO Box 791120  
New Orleans, LA 70179-1120

Dear City Planning Commission,

**WE THE MID-CITY NEIGHBORHOOD HAVE A 100 PLUS SIGNED  
NEIGHBORS WHO OPPOSE THIS REGUEST.**

Regardless of satisfaction of design standards and implementation of provisos, nothing can mitigate the severe and long lasting deleterious impact that this commercial encroachment of a main use parking lot will have on the streetscape and overall fabric of our historic residential neighborhood. This proposal is in direct conflict with the intent, spirit and language of the Master Plan.

We ask that this commission deny docket #030-14.

Volunteers of America Greater New Orleans, Inc. currently owns a vacant lot on Cleveland Avenue(4147 CLEVELAND AV) behind its administrative office located at 4152 canal St., New Orleans, LA 70119. They have requested Conditional Use Permit approval for a parking lot on this vacant lot on Cleveland Avenue in which they propose to place 32 additional parking spaces. They also propose to add video cameras facing south directions on Cleveland Avenue as a security measure. For the reasons which follow, we strongly object to this Conditional Use Application.

**CONDITIONAL USE MUST BE DENIED AT 4147 CLEVELAND AV**

Conditional Use approval for a parking lot at this Cleveland Avenue location should be denied for multiple reasons as being incompatible with existing uses and the neighborhood. By way of background, a historical residential structure was located on the subject lot for decades. This residential structure only recently burned down, and Volunteers of America recently purchased the vacant lot and chose not to rebuild a residential home. Instead of rebuilding a house, Volunteers of American proposed a large parking lot whose external effects on adjacent properties and on the surrounding neighborhood cannot be effectively mitigated by any conditions which could be imposed by the City Council.

The proposed parking lot would adversely affect the adjacent properties and the surrounding neighborhood in the following ways, among others:

- (1) **REDUCED PARKING ON CLEVELAND AVE.** Volunteers of American's efforts to alleviate their parking concerns will worsen the parking concerns of the residents on Cleveland Avenue. VOA plans to enlarge the "apron" for entering and exiting their parking lot which will take away street parking for residents on Cleveland Ave. Cleveland Avenue already has limited street parking available for residents.

Zoning Docket: 030-14

Dear Stephen Kroll,

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Caylie Sadin  
4145 Cleveland Ave  
caylie@bellsouth.net

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March 30, 2014  
Page 3

(4) **PARKING LOT SECURITY.** Roughly 80% of the criminal acts at business offices, strip malls and shopping centers occur in the parking lot. VOA proposes to add security cameras facing both directions, but the addition of security cameras in parking lots in the last few decades has not shown any decrease in the 80% figure of criminal acts occurring in parking lots of business offices. It is also important to note that VOA has not proposed security personnel for the parking lot as a crime deterrent.

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(6) **NOISE AND EXHAUST POLLUTION.** VOA'S proposed parking lot will greatly increase the noise pollution and exhaust pollution in this quiet residential neighborhood. The constant starting, stopping, entering and exiting of cars into and out of the proposed parking lot will adversely affect the character of this residential neighborhood.

At the hearing on this proposed Conditional Use Permit application, we intend to demonstrate how VOA'S proposed use is not compatible with present and future uses and is not consistent with the goals of the city's plan for Mid-City neighborhood re-building following the devastation of Hurricane Katrina. The city has made great strides in improving the quality of life for Mid-City residents and has stemmed the exodus of residents following the levee failures that flooded the area in August 2005 during Hurricane Katrina. The proposed Conditional Use does not fit the character of the neighborhood, is not consistent with the residential family-oriented atmosphere of the neighborhood, and threatens the residents' quality of life.

We strongly believe that voting in favor of the Conditional Use will be an inappropriate precedent to establish within this community. We ask you to do what is right for the Mid-City and vote against the Conditional Use Permit application of VOA.

**ZONING DOCKET 030-14**

**ATTENTION DEREK SCHEERER EMAIL DISCHEER@NOLA.GOV DATED 3/24/2014**

**Drainage Problems, a Swale Design may not always work properly**

**Proposed parking lot at 4147 Cleveland should be consider a confined space.**

When property has too much concrete, drainage becomes a problem. Many plans incorporate a swale design to help resolve the water issues. While this may help, it is a strong recognized sign from the developer that there will be future problems with water removal. Parking lots, especial the one proposed at 4147 Cleveland Ave. (a confine space) will not have the same ability to absorbed water like a residential design. Failure to remove water properly will impact the neighbors directly next to the property line as well as impact the neighborhood development present and into the future. The main Street drain(located on and in front of lot 4147 Cleveland Av) that the proposed 12 inch drain will enter into works marginally and if the system is over worked with water it backs up on to the Street. The water that would have been absorbed by the lot now moves to a complicated drainage problem. The swale proposed at 4147 Cleveland is large enough to cause other potential problems, to name a few: smell, standing water, potential of personal injury and disease by mosquitoes and bacteria. The visual look of this proposed swale site will be uneven and not a match for a neatly kept front lawn and over time will be ugly. The Swale is not in the best interest of the Neighborhood.

Please do not approve this Conditional Use( this a residential area)

**Additional Problems with a confine space parking lot**

Light Pollution(glare, hum noise from lights, brightness) The internet is full of light studies claiming illness and stress. Is this being considered. A legal question, if approved who is responsible for the personal injury, property damages and property devaluation, city, VOA or both?

Noise Pollution (hum noise from lights, car and light truck tire noise, engine start ups, horn noise, people noise). A legal question, if approved who is responsible for the personal injury, property damages property devaluation, city, VOA or both?

Carbon Pollution (emissions from cars, light trucks). The internet is full of stories about people having health issues. A legal question, if approved who is responsible for the personal, property damages, property devaluation, city, VOA or both?

Water Pollution and flooding. With the increase water issues and possible failed VOA design, the legal question is who is responsible for the personal injury, property damages, property devaluation if the conditional use is granted, city of New Orleans, VOA or both? Something to think about.

Earl Schmit owner of 4147 Cleveland Ave. New Orleans, LA directly across from 4147 Cleveland Av. phone number 504 908 4866 email 134eschmit@gmail.com

This proposal is in direct conflict with the intent, spirit and language of the Master Plan.  
We ask that this commission deny docket #030-14.

March 30, 2014

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What negative value will the conditional use have on property? Several Real Realtors have suggested that the conditional use will impact the value of property negatively. What are your calculation on the impact?

Sincerely

Earl Schmit

email [midcityparkinglot@gmail.com](mailto:midcityparkinglot@gmail.com)

Face book [midcityparkinglot](#)

phone number 504 908 4866

My Property location 4148-50 Cleveland Av. New Orleans