

City Planning Commission Meeting – February 10, 2015

CONSIDERATION – SUBDIVISION DOCKET – 178-14

Applicant: Full Circle Homes LLC

Prepared By: Valerie McMillan

Date: January 27, 2015

Deadline: February 17, 2015

GENERAL INFORMATION

Proposal: Re-Subdivision of Lot 9-A into Lots 9B and 9C.

Location: Square 86, Third Municipal District, bounded by Dreux Ave., Spain St., Filmore Ave. and St. Roch Ave. The municipal addresses are 2363 Dreux Ave. and 5200 St. Roch Ave. (PD 6)

Zoning: The petitioned site is located in a RS-2 Single-Family Residential District.

Current

Land Use: The petitioned site is a large, undeveloped rectangular corner lot that is located at the intersection of Dreux Ave. and St. Roch Ave. Historic Sanborn maps indicate that the site has a history of commercial use as a residence and a store. Orleans Parish Assessor data indicates that the site has most recently been utilized as a beauty salon.

Required: This is a request to subdivide existing Lot 9-A (see Table 1) into lots 9B and 9C respectively (see Table 2), in order to develop a single-family residence on each lot. In accordance with Article 3 of the New Orleans Subdivision Regulations, all minor and major subdivisions are classified into seven categories. The proposed subdivision is classified as a Policy B subdivision request, which waives the requirement for a public hearing for subdivisions that meet all the requirements of the Subdivision Regulations or meet each of three conditions. All doubtful cases must be referred to the Commission. The proposed subdivision involves the creation of two substandard lots which do not meet the minimum lot width or lot area requirements for single-family residences within this RS-2 Single-Family Residential District (see Table 3). Consistency with the requirements of the Comprehensive Zoning Ordinance is required by the Subdivision Regulations for the administrative approval of all subdivisions. The proposal would meet all of the other area requirements of the Subdivision Regulations and this RS-2 District.

Utilities & Regulatory Agencies:

The City Planning Commission, when reviewing a proposed subdivision, requests responses from the Department of Property Management's Division of Real Estate and Records, the Department of Public Works, 911, the Department of Safety and Permits, the Sewerage and Water Board and Entergy regarding the compliance of the proposed subdivision with the building codes, zoning ordinance, and other regulations governing development in the city.

As of the writing of this report, the staff had received responses from the Department of Property Management's Division of Real Estate and Records and the Department of Safety and Permits, which both reported no objection to the proposed subdivision. However, the applicant recently submitted an updated survey (see Figures 1 and 2) which the staff has sent out to all of the corresponding departmental agencies. The original survey subdivided proposed Lots 9B and 9C into identical, substandard lots. The applicant's updated survey reduces Lot 9B by 3'6" in width and reallocates this to proposed Lot 9C, so that it will be easier to provide the RS-2 District required 10' corner side yard.¹ The updated survey results in substandard Lots 9B and 9C, therefore this request must still be heard before the City Planning Commission. The Subdivision Regulations permit the City Planning Commission to consider the failure of an agency to respond within thirty (30) days as evidence of its approval of the submitted survey.

Figure 1: Applicant's Original Subdivision Survey

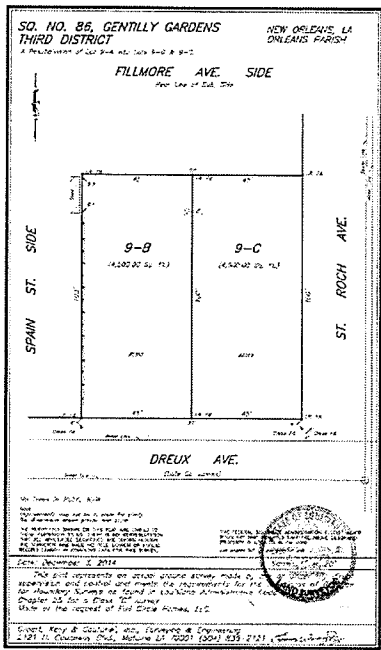
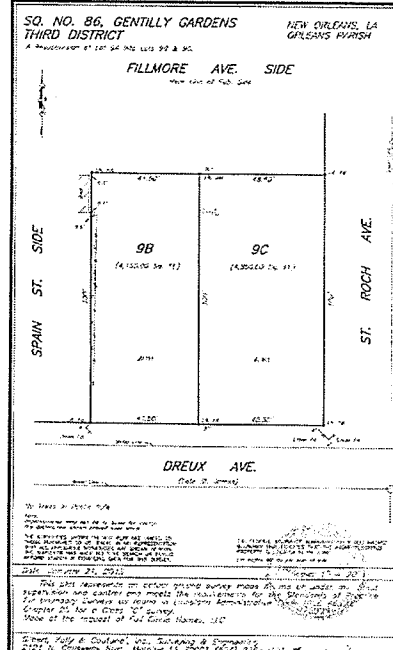


Figure 2: Applicant's Updated Subdivision Survey



¹ Article 4 Section 4.3.7 (Table 4.C Notes) indicates that for a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

LOT SIZE

Existing

Table 1: Dimensions of Existing Lot 9-A

| Lot Designation | Lot Width | Lot Depth | Lot Area |
|-----------------|-----------|-----------|---------------|
| 9-A | 90' | 100' | 9,000 sq. ft. |

Proposed

Lot:

Table 2: Dimensions of Proposed Lots 9B and 9C

| Lot Designation | Lot Width | Lot Depth | Lot Area |
|-----------------|-----------|-----------|---------------|
| 9B | 41.5' | 100' | 4,150 sq. ft. |
| 9C | 48.5' | 100' | 4,850 sq. ft. |

Table 3: Area Requirements of RS-2 Districts

| | |
|--|---------------|
| Minimum Lot Width (Residential) | 50' |
| Minimum Lot Depth (Residential) | 90' |
| Minimum Lot Area Per Dwelling Unit (Residential) | 5,000 sq. ft. |

ANALYSIS

Development in the Vicinity:

The site is located within a large RS-2 Single-Family Residential District. This district consists mainly of single-family residences both with and without off-street parking. The site is also near a small B-1 Neighborhood District along the intersection of Filmore Ave. and Elysian Fields Ave. This B-1 District is also within the Inner City Urban Corridor (ICUC) Overlay District and consists of a variety commercial uses such as corner grocery stores, a barber and beauty salon, a dance studio, a coffee shop and a bank.

A survey (see Tables 4 to 5) of twenty-four (24) neighboring single-family residences was completed for this analysis.² The lot widths of these neighboring residences range approximately between forty feet (40') and one hundred feet (100'). The lot areas of these same neighboring properties range between four thousand square feet (4,000 sq. ft.) and eight thousand, four hundred fifty square feet (8,450 sq. ft.). Fifteen (15) of the twenty-four (24) surveyed single-family residences have lot widths that are below the required fifty foot (50') minimum. Similarly, fourteen (14) of these same residences have lot areas that are below the required five thousand square foot (5,000 sq. ft.) minimum.

² Data from Squares 87 and 88 are included in this analysis and are both located in RS-2 Single-Family Residential Districts. Properties which are not single-family residences are not reflected in the subsequent analysis.

Table 4: Lot Sizes of Surrounding Single-Family Residences

| Parcels | Square | Address | Width | Depth | Area | Type |
|---------|--------|---------------------|-------|-------|------|--------|
| 1 | 86 | 2531 Dreux Ave. | 40 | 100 | 4000 | Single |
| 2 | 86 | 2437 Dreux Ave. | 80 | 100 | 8000 | Single |
| 3 | 86 | 2335 Dreux Ave. | 40 | 100 | 4000 | Single |
| 4 | 86 | 5207 Spain St. | 40 | 120 | 4800 | Single |
| 5 | 86 | 5213 Spain St. | 40 | 120 | 4800 | Single |
| 6 | 86 | 5250 St. Roch Ave. | 65 | 130 | 8450 | Single |
| 7 | 86 | 5230 St. Roch Ave. | 60 | 130 | 7800 | Single |
| 8 | 86 | 5226 St. Roch Ave. | 40 | 130 | 5200 | Single |
| 9 | 86 | 5222 St. Roch Ave. | 40 | 130 | 5200 | Single |
| 10 | 86 | 5218 St. Roch Ave. | 40 | 130 | 7800 | Single |
| 11 | 87 | 2323 Dreux Ave. | 40 | 100 | 4000 | Single |
| 12 | 87 | 2315 Dreux Ave. | 80 | 100 | 8000 | Single |
| 13 | 87 | 2309 Dreux Ave. | 40 | 100 | 4000 | Single |
| 14 | 87 | 2301 Dreux Ave. | 40 | 100 | 4000 | Single |
| 15 | 87 | 5215 Mandeville St. | 40 | 120 | 4800 | Single |
| 16 | 87 | 5217 Mandeville St. | 40 | 120 | 4800 | Single |
| 17 | 87 | 5219 Mandeville St. | 40 | 120 | 4800 | Single |
| 18 | 87 | 5233 Mandeville St. | 40 | 120 | 4800 | Single |
| 19 | 87 | 5235 Mandeville St. | 40 | 120 | 4800 | Single |
| 20 | 87 | 5243 Mandeville St. | 60 | 120 | 7200 | Single |
| 21 | 87 | 5246 Spain St. | 100 | 120 | 6000 | Single |
| 22 | 87 | 5234 Spain St. | 100 | 120 | 6000 | Single |
| 23 | 87 | 5228 Spain St. | 80 | 120 | 4800 | Single |
| 24 | 87 | 5226 Spain St. | 80 | 120 | 4800 | Single |

Table 5: Analysis of Surrounding Single-Family Residences

| Lot Width | Number | Percentage |
|--|---------------|-------------------|
| Lot Width between 40' and 49' | 15 | 63 |
| Lot Width between 50' and 60' | 2 | 8 |
| Lot Width ≥ 61' | 7 | 29 |
| Total | 24 | 100 |
| | | |
| Lot Area | Number | Percentage |
| Lot Area between 4,000 sq. ft. and 4,999 sq. ft. | 14 | 58 |
| Lot Area between 5,000 sq. ft. and 6,000 sq. ft. | 4 | 17 |
| Lot Area between ≥ 6,001 sq. ft. | 6 | 25 |
| Total | 24 | 100 |

Compliance with the Comprehensive Zoning Ordinance and the Subdivision Regulations:

Comprehensive Zoning Ordinance Compliance

The RS-2 Single-Family Residential District requires a minimum lot width of fifty feet (50'), a minimum lot depth of ninety hundred feet (90') and a minimum lot area of (5,000 sq. ft.) for single-family residences. Both of the proposed lots meet the minimum depth requirements. However, proposed Lots 9B and 9C are both deficient in that they do not

meet the required lot width or lot area requirements. As Table 4 indicates, there are instances of neighboring single-family residences which do not meet the minimum required lot width or lot area requirements of this district. Therefore, the approval of this subdivision request and the subsequent construction of a single-family residence on each respective lot will fit in with the existing development pattern and will help restore the historic development pattern of the area.

Subdivision Regulations Compliance

Policy B of the *Subdivision Regulations* allows for Administrative Approval of subdivisions which either meet all of the requirements of the regulations or meet each of three alternative conditions. The proposed subdivision meets all of the requirements of the *Subdivision Regulations*, with the exception of Section 5.1.1 of the regulations, which requires compliance with the Comprehensive Zoning Ordinance. The three alternative conditions are copied below:

- No lot is reduced in area below the minimum lot size required by the Zoning Ordinance;
- The new condition creates a general improvement of the original plat by increased lot width, etc., although the proposed lots may be slightly below the minimum lot dimensions and area standards which are required in these regulations;
- Improvements exist upon the property, antedating original adoption of the Subdivision Regulations (May, 1950).

The proposed subdivision does not meet any of these conditions. The site is currently vacant and can be developed with a single-family residence. However, as Table 5 indicates, sixty-three percent (63%) of the surveyed neighboring single-family residences do not meet the minimum lot width regulations for this RS-2 Single-Family Residential District. Fifty-eight percent (58%) of these same residences have lot areas that do not meet the minimum lot area regulations for this RS-2 District. An approval of this subdivision request will be consistent with the historic and current development pattern in the area.

SUMMARY

This is a request to subdivide one lot into two separate lots of record. The applicant is requesting the subdivision in order to develop a single-family residence on each lot. Both the existing lot and the proposed lots have frontage on Dreux Avenue and are located in an RS-2 Single-Family Residential District. The proposed subdivision involves the creation of two substandard lots which do not meet the minimum lot width or lot area requirements for single-family residences within this RS-2 District. However, there are numerous instances of single-family residences in the surrounding neighborhood that do not meet the required lot width or lot area requirements for this RS-2 Single-Family

Residential District and this request would be consistent with the historic and current development pattern in the area. If the applicant can secure variances from the Board of Zoning Adjustments, they will have undergone the process for legally complying with the Comprehensive Zoning Ordinance (CZO), thereby satisfying **Section 5.1.1** of the Subdivision Regulations.

PRELIMINARY STAFF RECOMMENDATION³

The staff recommends **TENTATIVE APPROVAL** of Subdivision Docket 178-14, with final approval subject to four (4) provisos:

1. The applicant shall comply with any requirements deemed necessary by the Department of Safety and Permits, the Department of Property Management's Division of Real Estate and Records, Entergy, the Department of Public Works, and Sewerage and Water Board.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final resubdivision survey in dwg., dxf, or ESRI compatible file format.
4. The applicant shall secure variances from the Board of Zoning Adjustments for the establishment of Lots 9B and 9C, which would have insufficient lot width and insufficient lot area.

REASONS FOR RECOMMENDATION

1. The lot size of the proposed lots is consistent with the current and historic development pattern of the surrounding neighborhood.
2. The recommended provisos will ensure compliance with the Comprehensive Zoning Ordinance and other city ordinances and standards.

³ The preliminary staff recommendation is subject to modification by the City Planning Commission

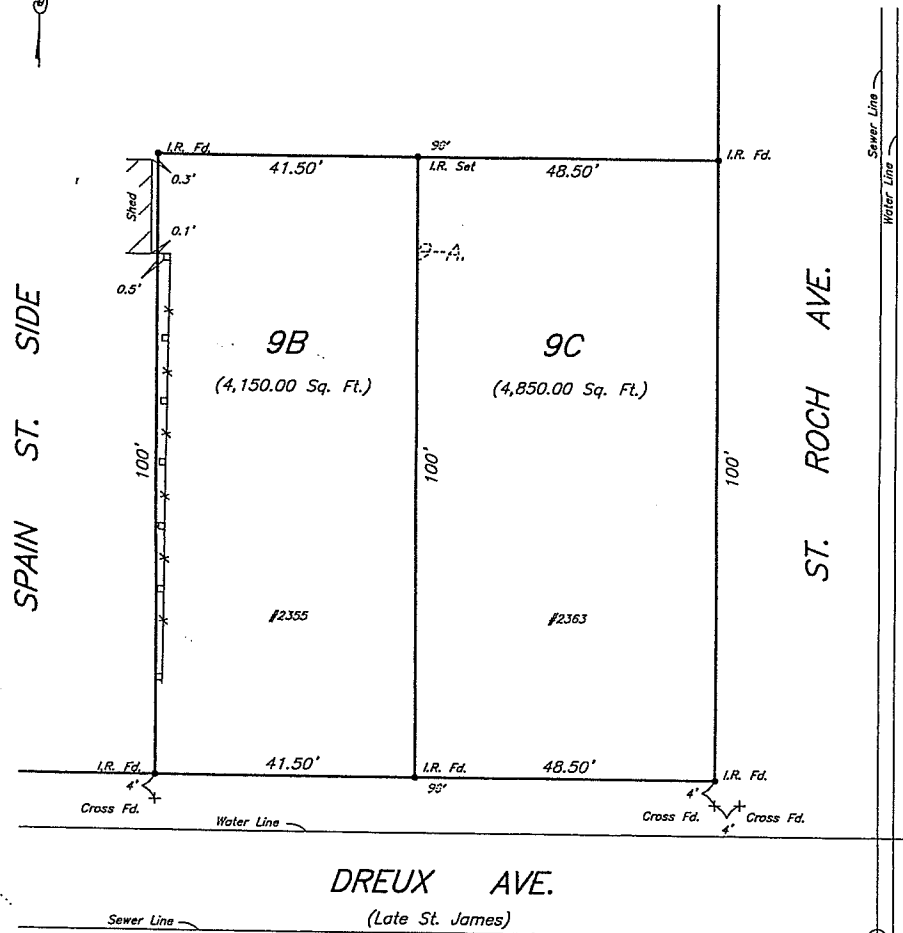
**SQ. NO. 86, GENTILLY GARDENS
THIRD DISTRICT**

**NEW ORLEANS, LA
ORLEANS PARISH**

A Resubdivision of Lot 9A into Lots 9B & 9C.

FILLMORE AVE. SIDE

Rear Line of Sub. Side



No Trees in Public R/W

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

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

THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE
Lot angles 90° as per plan of sub.

Date: January 21, 2015

Scale: 1" = 20'

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code, TITLE 46, Chapter 25 for a Class "C" survey.
Made at the request of Full Circle Homes, LLC.

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

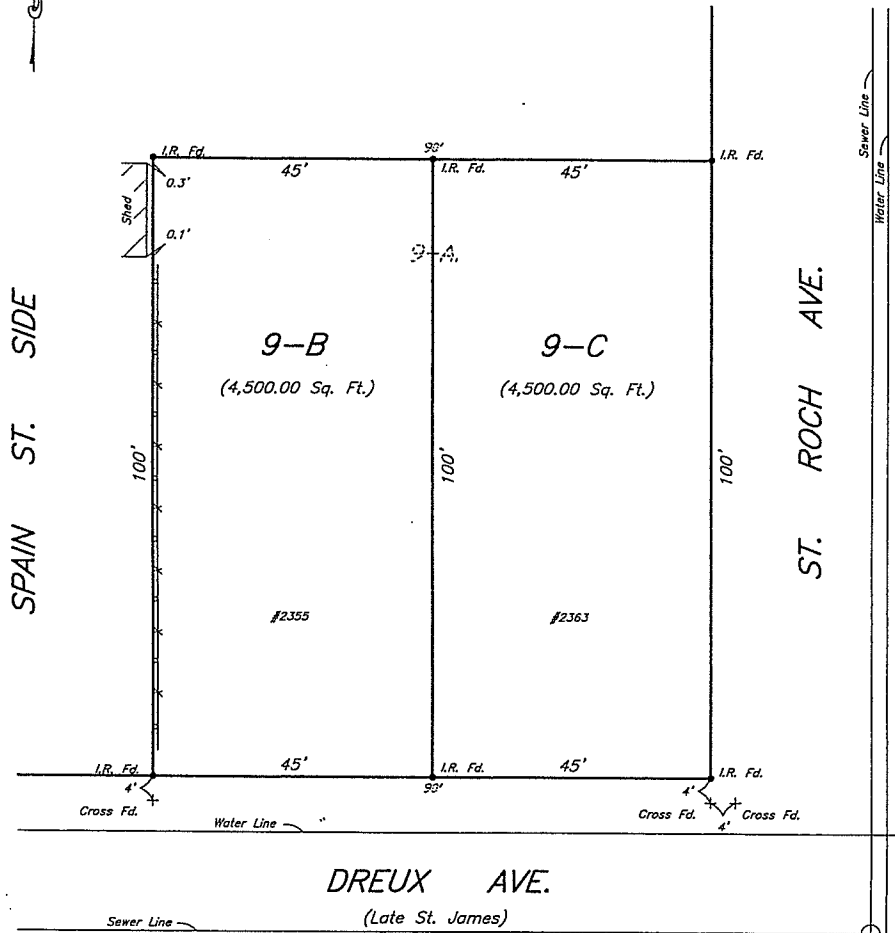
SQ. NO. 86, GENTILLY GARDENS
THIRD DISTRICT

NEW ORLEANS, LA
ORLEANS PARISH

A Resubdivision of Lot 9-A into Lots 9-B & 9-C.

FILLMORE AVE. SIDE

Rear Line of Sub. Side

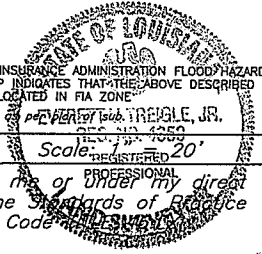


No Trees in Public R/W

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

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

THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE
Lot angles 90°

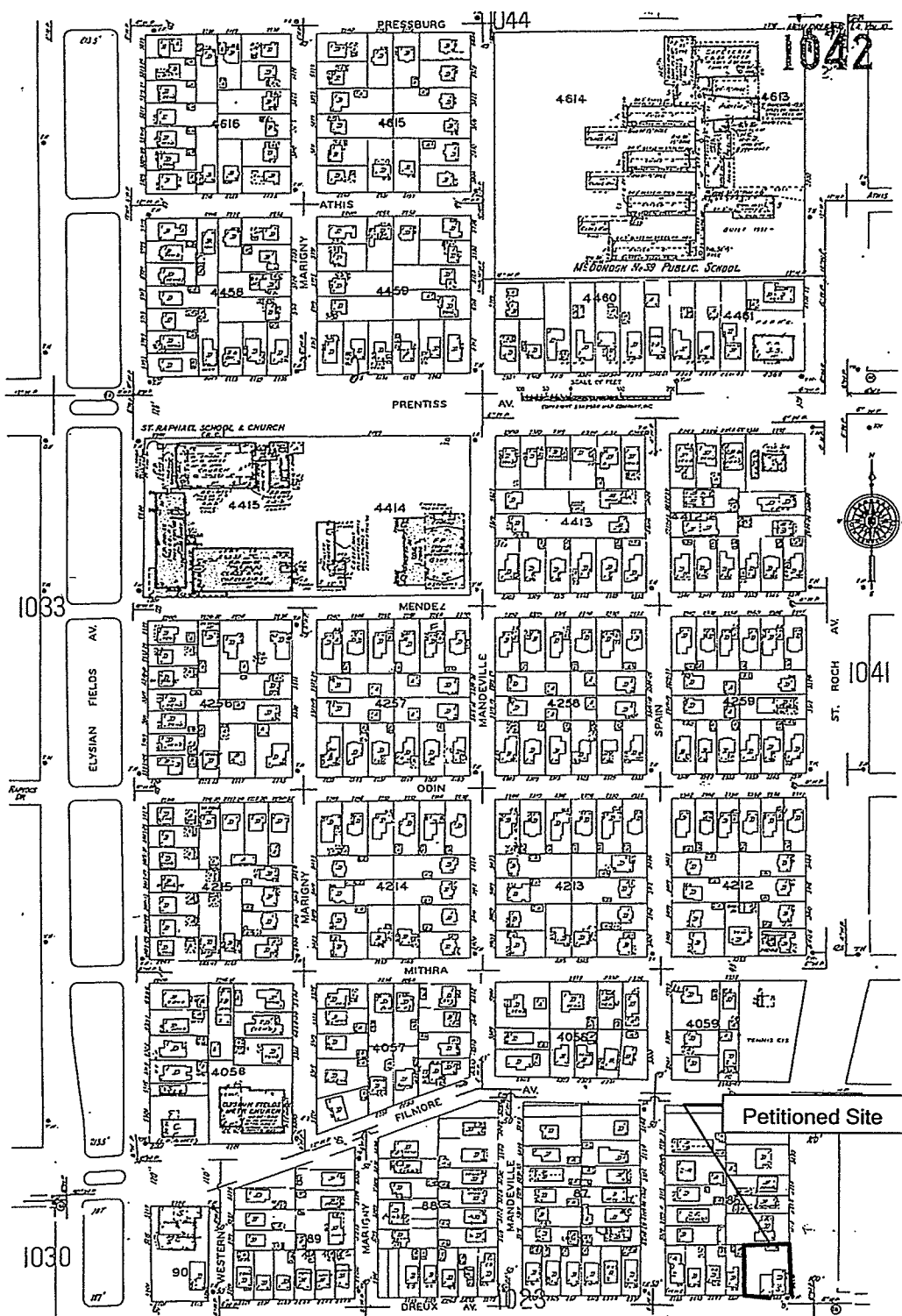


Date: December 3, 2014

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code Chapter 25 for a Class "C" survey.
Made at the request of Full Circle Homes, LLC.

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

Walter J. Tregle, Jr.



1033

U44

1042

1033

1041

1030

Petitioned Site



CITY OF NEW ORLEANS PROPERTY VIEWER



SEARCH



MEASURE



LAYERS



BASEMAP



PRINT



HELP



PROPERTY INFORMATION

Site Address: 2363 DREUX AVE, LA, 70122
 First Owner Name: FULL CIRCLE HOMES LLC
 Mailing Address: PO BOX 19363
 Mailing City: NEW ORLEANS
 Mailing State: LA
 Mailing Zip 5: 70179
 Property Description: GENTILLY TERRACE SQ 86 LOT 9-A DREUX AV
 90X100 VACANT BEAUTY PARLOR

ZONING

Zoning District: RS-2
 Zoning Description: Single-Family Reside
 DRAFT Zoning: S-RS
 DRAFT Zoning Description: Suburban Si
 Future Land Use: RSF-POST
 Future Land Use Description: Residentia
 Last Updated: Thu Dec 19 2013