

City Planning Commission Meeting
Tuesday, January 13, 2015

CPC Deadline: 02/27/15
CC Deadline: 03/06/15
City Council Districts: D – Brossett

PRELIMINARY STAFF REPORT

To: City Planning Commission
Zoning Docket: 004/15

Prepared by: Stephen Kroll
Date: December 22, 2014

I. GENERAL INFORMATION:

Applicant: City Council Motion No. M-14-477

Request: This is a request for a conditional use to permit a bed and breakfast historic home in an RD-3 Two-Family Residential District and the rescission of Ordinance No. 19,536 MCS (Zoning Docket 104/99, which granted a conditional use to permit a community center).

Location: The petitioned property is located on Square 322, Lot 13 or 99 and 100, in the Second Municipal District, bounded by Saint Philip, North Dorgenois, Dumaine, and North Rocheblave Streets. The municipal address is 2552 Saint Philip Street. The site is within the Tremé Local Historic District. (PD 4)

Description: The property that is the subject of this application is a rectangular lot located at the intersection of Saint Philip Street and North Dorgenois Street in the Tremé neighborhood. It measures 59 feet, 7 inches in width along Saint Philip Street, 111 feet in depth, and 6,614 square feet in area. It is developed with the historic Police Jail and Patrol Station. The station, constructed in 1902-1903, is a masonry structure which incorporates elements of the Queen Anne and French Renaissance Revival styles. It originally functioned as a satellite facility to the House of Detention located at the intersection of Tulane and Broad Streets, which was constructed at the same time and has since been demolished. In addition to this original building, the structure also has a late-20th century rear first floor addition. By 1951, the structure had been converted into a library. In 2000, it was granted a conditional use (Ordinance No. 19,536 MCS; Zoning Docket 104/99) to allow its use as a community center. The structure stood vacant for several years and was sold from the City to the current property owner in early 2014.

The property owner proposes to use the site as a bed and breakfast historic home containing nine guest rooms. As part of the conversion for this use, the structure is to undergo extensive interior renovations as well as exterior modifications including the installation of new dormers and a new roof. Once renovated, the structure's first floor is to contain six guest rooms, dining, kitchen, and common areas. The second floor is to contain three guest rooms and common space. The third floor is to contain the owners' living space. Of the structure's 7,218 square feet of gross floor area, 3,032 square feet (42% of the total) is to be dedicated to

bed and breakfast use. The structure has historically provided no off-street parking spaces and none are proposed for the proposed bed and breakfast home.

In addition to this bed and breakfast space, the property owner proposes for the structure to provide space for community meetings and events. Initially, this meeting space will occupy the single-story rear addition. The property owner intends to eventually construct a second floor to the rear addition for this community space use.

Why is City Planning Commission action required?

Article 4, Section 4.6.5.12 of the Comprehensive Zoning Ordinance states that bed and breakfast historic homes are conditional uses in the RD-3 Two-Family Residential District. The City Planning Commission is required to make a recommendation on all conditional use applications prior to City Council action, in accordance with **Article 16, Section 16.6.4. Procedures for Conditional Use Permits** of the Comprehensive Zoning Ordinance.

II. ANALYSIS

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

The site is located within a large RD-3 Two-Family Residential District covering most of the residential interior of the portion of Tremé bounded by North Claiborne Avenue (to the river-side), North Broad Street (to the lake-side), Orleans Avenue (to the upriver-side), and Barracks Street and Bayou Road (to the downriver-side). This RD-3 District is characterized by uniformly-sized rectangular squares set into a grid network of streets. Individual squares are divided into rectangular lots that are generally consistent in size and which were mostly developed beginning in the late 19th century for residential use. Most structures are wood-frame single- and two-family residences, predominantly shotgun structures and Creole cottages, which are positioned at the front property lines or setback only slightly from them. Structures have relatively minimal side yards, typically three feet each, although there is some variation. Since buildings are typically positioned near their front and side property lines, off-street parking spaces are typically not provided. Off-street parking is typically limited to those structures that have unusually wide side yards and corner properties, which can provide off-street parking in their rear yards.

While the RD-3 District covers most of this interior residential portion of Tremé, the district is interrupted in some locations by spot-zoned districts, including multiple-family residential districts (such as an RM-2 Multiple-Family Residential District that includes two lots on North Dorgenois Street on the subject square), and commercial districts, such as B-1 and B-1A Neighborhood Business Districts, which are typically occupied by historic corner-commercial structures. The arterial streets bounding the neighborhood feature linear commercial or multiple-family residential zoning districts, including B-1 Districts extending along North Claiborne Avenue and North Broad Street, a series of small B-1 and B-1A Districts along Orleans Avenue, and an RM-2 District flanking

Esplanade Avenue, the edge of which extends along Barracks Street. For the most part, those districts are occupied by historic structures used in accordance with their commercial or multiple-family residential zoning.

Focusing on the properties immediately surrounding the subject site, the property is mostly surrounded by historic single- and two-family residential structures as described above, including shotgun structures primarily, although there are a significant number of raised bungalows. These structures feature detailing in a variety of styles popular at their times of construction. While most of the surrounding residences date from the area's original time of development, there are a limited number of examples of infill residential construction. This includes a single-story residence located across Saint Philip Street from the site, which has a traditional design but, unlike the area's older structures, is setback significantly from the front property line to allow off-street parking to be provided, as well as the structure directly across North Dorgenois Street from the site, which is a single-family residence that is also traditional in design, with the general form of a historic shotgun residence, which is positioned along the front and corner side property lines.

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

Zoning: 1929 – "B" Multiple-Family Residential District
1953 – "C" Multiple-Family Residential District
1970 – RD-3 Two-Family Residential District

Land Use:
1929 – Institutional
1949 – Institutional
1999 – Institutional

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 has been the following zoning action for properties located within a 1,750 foot radius (the equivalent of approximately five blocks) of the site:

Zoning Docket 123/14 was a request for a conditional use to permit an amusement place (movie theater) in an LI Light Industrial District and the Lafitte Greenway Revitalization Corridor Interim Zoning District. The municipal address is 636-646 North Broad Street. The City Planning Commission recommended approval of the request. The City Council has not yet considered the request. *This site is located approximately five (5) blocks from the subject site.*

Zoning Docket 110/13 was a request for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District. The municipal address is 2600 Ursulines Avenue. The City Planning Commission recommended approval of the

request, which was subsequently approved by the City Council. *This site is located approximately one (1) block from the subject site.*

Zoning Docket 101/13 was a request for a zoning change from an RD-3 Two Family Residential District to a C-1A General Commercial District and a conditional use to permit a mixed-use development over 10,000 square feet in floor area. The municipal address is 1010 North Galvez Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

Zoning Docket 087/13 was a request for a conditional use to permit a private club in a B-1 Neighborhood Business District. The municipal addresses are 722-24, 726, and 732-34 North Broad Street and 2644 and 2648 Saint Ann Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately three (3) blocks from the subject site.*

Zoning Docket 076/12 was a request for a zoning change from an RD-3 Two-Family Residential District to an RM-2A Multi-Family Residential District. The municipal address is 2534 Saint Philip Street. The City Planning Commission recommended denial of the request, which was subsequently denied by the City Council. *This site is located on the same block as the subject site.*

Zoning Docket 016/12 was a request for a conditional use to permit an elementary school in new structures in an RD-3 Two-Family Residential District. The location is the site of the former Phillis Wheatley Elementary School in the Tremé neighborhood. The municipal address is 2300 Dumaine Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The site is located approximately three (3) blocks from the subject site.*

Zoning Docket 124/11 was a request for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District. The municipal address is 2441 Orleans Avenue. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

Zoning Docket 100/11 was a request for a zoning change from an RD-3 Two-Family Residential District to an RM-2A Multi-Family Residential District. The municipal address is 2516 Dumaine Street. The City Planning Commission recommended denial of the request. The request was subsequently approved by the City Council. *This site is located on a square which is adjacent to the subject square.*

Zoning Docket 112/09 was a request for a conditional use to permit a museum in an RM-2 Multi-Family Residential District. The municipal address is 2336 Esplanade Avenue. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately five (5) blocks from the subject site.*

These requests include several requests for zoning changes. Of those zoning change requests for spot zones, the Commission typically supported those which met its Historic Non-Conforming Use Policy (such as Zoning Docket 110/13 and Zoning Docket 124/11) and did not support those which did not meet that policy (such as Zoning Docket 076/14). This reflects the importance of the policy in guiding the Commission's actions.

The site has been the subject of the following two zoning applications:

Zoning Docket 104/99 was a request for a conditional use to permit a community center in an RD-3 Two Family Residential District. The municipal address is 2552 Saint Philip Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council.

The conditional use, which was effectuated by Ordinance No. 19,536 MCS, was approved subject to the following waivers and provisos:

Waivers

1. That six (6) required off-street parking spaces be waived.

Provisos

1. The curb along N. Dorgenois Street shall be restored in accordance with the requirements of the Department of Public Works.
2. The signage for the use shall be limited to a single sign not exceeding twenty-five (25) square feet.

Zoning Docket 096/14 was a request for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District and the rescission of Ordinance No. 19,536 MCS (Zoning Docket 104/99, which granted a conditional use to permit a community center). The municipal address is 2552 Saint Philip Street. The request was withdrawn by the applicant prior to its consideration by the City Planning Commission.

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

The subject site has a width of 59 feet, 7 inches along Saint Philip Street, a depth of 111 feet, and an area of 6,614 square feet. It is developed with the historic Police Jail and Patrol Station. The circa 1902-1903 station is a masonry structure that incorporates elements of the Queen Anne and French Renaissance Revival styles. Originally, the station served as a satellite facility to the House of Detention located at the intersection of Tulane and Broad Streets, which was constructed at the same time and has since been

demolished. The structure was converted into a library by 1951. In 2000, it was granted a conditional use (Ordinance No. 19,536 MCS; Zoning Docket 104/99) to allow its use as a community center. The structure stood vacant for several years and was acquired by the property owner from the City in early 2014.

The 7,218 square foot building contains the original three-story structure and a single-story rear addition. The building is set back approximately 15 feet from the Saint Philip Street property line, has no setback from the North Dorgenois Street property line at the front of the structure and an approximately 5 foot setback at the rear of the structure, a setback from the North Rocheblave Street-side property line that ranges between 3 and about 20 feet, and a 3 foot rear setback. The site does not provide off-street parking spaces.

The property owner proposes to use the site as a bed and breakfast historic home containing nine guest rooms. As part of the conversion for this use, the structure is to undergo extensive interior renovations as well as exterior modifications including the installation of new dormers and a new roof. Once renovated, the structure is to contain six guest rooms, dining, kitchen, and common areas in the first floor of the original structure and meeting space in the rear addition. The second floor is to contain three guest rooms and common space. The third floor is to contain the owners' living space. Of the structure's 7,218 square feet of gross floor area, 3,032 square feet (42% of the total) is to be dedicated to bed and breakfast use. Just as the structure has historically provided no off-street parking spaces, none are proposed for the proposed bed and breakfast accommodation.

Definitional standards

In the Comprehensive Zoning Ordinance, the term "bed and breakfast accommodation" is an umbrella term that includes all kinds of bed and breakfast facilities. Individual bed and breakfast facilities are classified as one of several sub-types: bed and breakfast family home, bed and breakfast guest home, bed and breakfast historic homes, and bed and breakfast inns. This proposed bed and breakfast accommodation would be a bed and breakfast historic home.

Based on this, the proposed bed and breakfast historic home must adhere to the requirements contained in the definition of "bed and breakfast accommodation" in **Article 2, Section 2.2.17** of the Comprehensive Zoning Ordinance and the definition of "bed and breakfast historic home" in **Article 2, Section 2.2.20** of the Comprehensive Zoning Ordinance.

Bed and breakfast accommodation

The definition of "bed and breakfast accommodation" currently requires such facilities to be originally constructed as either a single-family residence or as a two-family residence that is easily converted to a single-family residence. As an institutional structure, the Police Jail and Patrol Station does not currently meet this requirement. However, the City

Planning Commission and the City Council are considering amending the definition to allow structures that were originally built for institutional or commercial use but which can be easily converted into single-family residences to be used as bed and breakfast accommodation. This text amendment is being considered concurrently with this application under Zoning Docket 003/15. If this text amendment is approved by the City Council, the subject structure would become compliant with the revised definition upon its renovation into a single-family residence in accordance with requirements of the Department of Safety and Permits. Among other requirements which might be deemed necessary by the Department of Safety and Permits, this would require the structure to contain only one kitchen.

- The applicant shall convert the structure into a single-family residence subject to the review and approval of the Department of Safety and Permits. This shall require the presence of only one stove within the structure, which shall be indicated on a revised site plan, and any other building modifications deemed necessary by the Department of Safety and Permits.

The bed and breakfast accommodation definition also requires them to be owner-occupied and for the owner-occupant to provide a homestead exception. The following proviso is necessary to ensure compliance with that requirement.

- The bed and breakfast home shall be owner-occupied for the life of the use. Proof of owner-occupancy shall be demonstrated by the submission of a homestead exception for the review and approval of the City Planning Commission staff.

Bed and breakfast historic home

The definition of “bed and breakfast historic home” requires such accommodations to have three to nine sleeping rooms, subject to the approval of the Historic District Landmarks Commission. Further, historic home status will be granted only to structures that are at least 3,000 square feet in floor area, at least 50 years old, and capable of being architecturally rated as green, blue, or purple.

The proposed bed and breakfast meets these requirements. The structure exceeds 3,000 square feet in floor area and is over 50 years old. Under the color-coded rating scheme, which is no longer used by the Historic District Landmarks Commission, the structure was rated “blue,” indicating major architectural importance. In the Historic District Landmarks Commission’s current terminology, the structure is considered to be a “contributing” building. The bed and breakfast accommodation is to contain nine guest rooms.

Supplemental use standards

In addition to those definitional standards, bed and breakfast historic homes are subject to the supplemental use standards contained in **Article 11, Section 11.8** of the

Comprehensive Zoning Ordinance. Those standards are listed below in italics with the staff's comments in plain text.

a. A Certificate of Appropriateness must be issued by the Historic District Landmarks Commission;

To ensure that the proposed bed and breakfast historic home meets this requirement, it should be subject to the following proviso:

- The applicant shall obtain a Certificate of Appropriateness from the Historic District Landmarks Commission for all exterior modifications to the site.

b. A current Certificate of Liability Insurance shall be posted on the premise;

To ensure that the proposed bed and breakfast historic home meets this requirement, it should be subject to the following proviso:

- A current Certificate of Liability Insurance shall be posted on the premises at all times.

c. No new bed and breakfast facility shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing bed and breakfast facility;

The site complies with this requirement.

d. Facility operators shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue;

To ensure that the proposed bed and breakfast meets this requirement, it should be subject to the following proviso:

- The operator shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.

e. Facilities may provide continental breakfast food service only, with foods purchased from a licensed food seller (caterer or bakery) and served "as is" or only warmed at the bed and breakfast facility;

To ensure that the proposed bed and breakfast meets this requirement, it should be subject to the following proviso:

- Food shall not be cooked for guests on site, but only purchased from a licensed food seller (caterer or bakery) and served "as is" or warmed at the facility.

f. No cooking facilities are permitted in individual guest accommodations;

This standard is met, as no cooking facilities are proposed for the guest bedrooms. Additionally, the site should be subject to the above recommended proviso, which would allow only one stove in the residence.

g. Leasing of a common dining area for social events is prohibited;

The property owner requests the waiver of this standard to allow a portion of the structure's first floor rear addition to be used as a meeting space that would be available to the surrounding residential community. The property owner intends for there to be an eventual second floor addition to provide additional meeting space. In this way, the property owner intends for the bed and breakfast to not only serve visitors to the neighborhood, but to also serve the neighborhood's residents by providing space to meet the neighborhood's community gathering needs. This meeting space function is appropriate for the structure, given its history of institutional use and especially its most recent history as a community center, which is authorized by the existing conditional use ordinance. This justifies the waiver of this standard to allow the inclusion of meeting space within the bed and breakfast historic home.

- The property shall be granted a waiver of **Article 11, Section 11.8.1(g)** of the Comprehensive Zoning Ordinance, which prohibits the leasing of common dining areas for social events, to allow the use of the bed and breakfast historic home's common areas for social and community events.
- The plans shall indicate the locations of all common areas intended for use for social and community events.

h. No exterior signage is permitted except in accordance with district regulations;

Signage has not been proposed by the applicant, but should the applicant prefer to add signage to the use, the applicant will be required to submit plans for review by both the Historic District Landmarks Commission and City Planning Commission staff. With regard to signage, the staff recommends:

- Any proposed signage shall conform to **Article 4, Section 4.5.6 Permitted Signs** of the Comprehensive Zoning Ordinance, subject to the review of the Historic District Landmarks Commission and City Planning Commission staff.

i. Off-street parking shall be provided in accordance with Section 15.2 of the Comprehensive Zoning Ordinance;

No off-street parking spaces are required for the facility, as discussed in Section E, and none are proposed.

j. *A percentage limitation on the floor area of a bed and breakfast use shall be as follows:*

[...]

Nine (9) room bed and breakfast use, fifty (50) percent of the floor area for the bed and breakfast use;

This standard is met. The bed and breakfast facilities are to occupy 3,032 square feet (42%) of the structure's 7,218 square feet of floor area.

Trash storage and litter abatement

Trash storage has not been indicated on the site plans. The applicant should provide the Department of Sanitation with a litter abatement letter to address concerns of trash storage and site maintenance.

- The applicant shall provide a litter abatement program letter, approved by the Department of Sanitation, describing of the location of trash storage, the frequency of trash pickup by the City, and the clearing of all litter from the sidewalks and street right-of-way. The program description, including name and phone number of the owner/operator of the facility, shall be kept on file in case of any violation.
- The applicant shall indicate on the site plan the location of secure trash storage. Except for scheduled pick-up times, trash shall not be stored so that it is visible from the public right-of-way.

Landscaping

Finally, to enhance the tree canopy along the streets adjacent to the site, the staff recommends the planting of new street trees in the street rights-of-way adjacent to the site and the preservation of an existing oak tree in the North Dorgenois Street right-of-way.

- The applicant shall plant street trees in the public right-of-way adjacent to the site subject to the review and approval of the Department of Parks and Parkways. The site plan shall be revised to indicate the type and location of the tree. Additionally, the applicant shall preserve the existing tree in the North Dorgenois Street right-of-way in accordance with the standards of the Department of Parks and Parkways.

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

The site is located at the intersection of Saint Philip and North Dorgenois Streets, both of which are minor residential streets in the grid street network that extends through Tremé and the surrounding neighborhoods. Like most streets in the residential interior of Tremé, those two streets are narrow, single lane one-way streets with a parking lane on each side. The network of minor residential streets extending through Tremé is used primarily by the neighborhood's residents as they travel within the neighborhood or to nearby arterial streets (such as North Broad Street, Orleans Avenue, and Ursulines Avenue) that extend through the neighborhood and connect with adjacent neighborhoods.

In addition to carrying vehicular traffic, the surrounding streets serve the important role of providing on-street parking for the neighborhood's residences, the majority of which do not have off-street parking. Demand for this on-street parking is fairly high during evening hours when neighborhood residents are most likely to be at home and low to moderate during business hours when many of them are at work.

The use of the site as a bed and breakfast historic home would generate a modest level of additional traffic on the surrounding streets. As the home is to have nine guest rooms, the exact traffic impact would vary depending on the number of guest rooms in use at any one time and the number of guests which drive to and from the site. The bed and breakfast home's guests would presumably be mostly guests to the city, so many of them would likely not drive to the site, and the staff expects that at most times, there only be a few vehicles associated with the home. This modest level of additional traffic associated with the bed and breakfast home would have no significant impact on overall traffic levels on the surrounding streets.

Parking

Bed and breakfast family homes are required by **Article 15, Section 15.2.1** and **Table 15.A** of the Comprehensive Zoning Ordinance to provide one off-street parking space for every two guest rooms. For the proposed facility, which is to have nine guest rooms, five off-street parking spaces would be required under this standard. One additional off-street parking space is required for the owner's unit, bringing the total parking requirement to six spaces.

This requirement is reduced by the number of "grandfathered" spaces which were required by the Comprehensive Zoning Ordinance for the last use of the site as a community center but which were not actually provided. The last use of the site as a community center was required to provide six off-street parking spaces, but this requirement was entirely waived as part of the conditional use ordinance (Ordinance No. 19,536 MCS) authorizing the community center. As such, the six spaces waived under

the current ordinance are considered to be grandfathered and are deducted from the six space requirement for the proposed bed and breakfast home. As such, there is no off-street parking requirement for the bed and breakfast home.

No off-street parking is proposed for the bed and breakfast home. As the structure is built near the site's front and side property lines, it is not possible for off-street parking to be provided on the site. The bed and breakfast home's owner-occupants and guests traveling by automobile would park on-street. This would increase the demand for on-street parking in the vicinity of the site, depending on the number of vehicles associated with the bed and breakfast home at any one time, but this increase should not be so significant as to be problematic.

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

The request was considered by the Planning Advisory Committee at its meeting on December 17, 2014. The Department of Parks and Parkways stated that it would be desirable for street trees to be planted in the streets rights-of-way right-of-way adjacent to the site and necessary for the existing oak tree in the North Dorgenois Street right-of-way adjacent to the site to be preserved. The Historic District Landmarks Commission noted that it had issued a Certificate of Review for the exterior renovations proposed for the structure. The committee passed a motion of no objection to the request subject to further review by the City Planning Commission and the Department of Parks and Parkways.

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

The proposed bed and breakfast historic home is an appropriate use of this structure. While most structures in this portion of Tremé were originally constructed and historically used for residential purposes, this structure is unique, as it was built and historically used for institutional purposes, first as a police jail, later as a library, and most recently as a community center. This differing use is reflected in its physical character, as the structure is larger in scale and different in its design and masonry construction than the smaller wooden residential structures that predominate in the neighborhood. This warrants its continued use for non-exclusively residential purposes, now as a bed and breakfast historic home, which is a quasi-residential use which meshes well both with the structure's distinct physical character and institutional history as well as the largely residential character of the surrounding neighborhood.

As the bed and breakfast historic home would have nine guest rooms as well as community meeting space, it would generate increased levels of overall activity, noise, traffic, and demand for parking than are produced by the now-vacant structure. The exact levels of activity experienced at any one time would vary with the number of guests occupying the site at once, as well as the frequency of community meeting events, but in general terms this activity should be substantially lower than what would have normally been associated with the past institutional uses of the site. Further, this increased activity should not necessarily be considered to be negative or problematic. Rather, moderate

levels of increased activity at the site would be positive, as it would encourage increased pedestrian activity around the site and additional “eyes on the street”, improving both the sense of liveliness and of safety in the immediate surrounding area. Finally, the renovation of the structure, as needed to allow the bed and breakfast use, will be beneficial to the neighborhood and city as a whole, as it will preserve this architecturally and historically important building.

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*?

In accordance with the Home Rule Charter of the City of New Orleans, a land use action is consistent with the *Plan for the 21st Century*, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Land Use Element of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its site on the Future Land Use Map. “Chapter 14: Land Use Plan” of the Master Plan designates the future land use of the petitioned site as Residential Low Density Pre-War. The goal, range of uses and development character for this designation are provided below:

RESIDENTIAL LOW DENSITY PRE WAR

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 historical institutional, commercial or other non-residential uses.

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 per acre.

The request for a conditional use to permit a bed and breakfast historic home is **consistent with** this Residential Low Density Pre-War future land use designation. The proposed bed and breakfast historic home fits within the range of uses of the Residential Low Density Pre-War category in that it would be a primarily a single-family residence. Although this single-family residence would provide guest accommodations, as all bed and breakfast homes by definition are single-family residences with guest accommodations, the staff has found such uses to be primarily single-family residences and therefore consistent with this future land use designation.

In addition to being consistent with the Master Plan’s future land use designation for the site, the proposal would promote the historic preservation goals identified by the Master Plan. Volume 2, Chapter 6 *Historic Preservation* of the Master Plan extensively documents the value of historic preservation, noting that historic preservation initiatives support and invigorate neighborhood revitalization. That chapter recommends various actions which can be taken as part of such preservation efforts, including “encourage[ing] adaptive reuse of existing historic structures that contribute to overall neighborhood character and quality of life,” which can be accomplished through the use of zoning and other City efforts.¹ The conditional use proposal is clearly consistent with such actions, as it calls for the adaptive reuse of an important institutional building which reflects the history and physical character of the part of Tremé in which it is located.

Additionally, Volume 2, Chapter 6 *Historic Preservation* of the Master Plan notes that “historic preservation initiatives support and invigorate neighborhood regeneration.” These sorts of historic preservation initiatives include efforts to “develop cultural heritage destinations in less-traveled areas of the city and expand visitor access to these sites.”² This bed and breakfast proposal is one example of such an effort, as it would provide guest accommodations within a portion of Tremé that is not currently a tourist destination, allowing for increased visitor access to this part of the city. In these ways, the proposal should be seen as furthering the Master Plan’s future land use and historic preservation objectives.

IV. SUMMARY

Zoning Docket 004/15 is an application for a conditional use to permit the use of the circa 1902-1903 Police Jail and Patrol Station located at the intersection of Saint Philip and North Dorgenois Streets as a bed and breakfast historic home. The bed and breakfast historic home is to be occupied by the owner’s dwelling unit and nine guest rooms, with a portion of its first floor available for use as community meeting space. It is the property owner’s intent to eventually construct a second story to structure’s first floor rear addition for use as additional meeting space. The staff is supportive of the proposal, which would allow for the preservation of an architecturally and historically significant building in a quasi-residential manner which respects both the non-residential history and physical character of the building and the largely residential nature of the surrounding neighborhood.

V. PRELIMINARY STAFF RECOMMENDATION³

The staff recommends **approval** of Zoning Docket 004/15, a request for a conditional use to permit a bed and breakfast historic home in an RD-3 Two-Family Residential District and the rescission of Ordinance No. 19,536 MCS (Zoning Docket 104/99, which granted a conditional use to permit a community center), subject to the following one (1) waiver and twelve (12) provisos:

¹ *Plan for the 21st Century*, Volume 2, Chapter 6, Historic Preservation, pp. 6.6 and 6.15

² *Plan for the 21st Century*, Volume 2, Chapter 6, Historic Preservation, pp. 6.11 and 6.12

³ The recommendation is subject to change by the City Planning Commission

Waiver

1. The property shall be granted a waiver of **Article 11, Section 11.8.1(g)** of the Comprehensive Zoning Ordinance, which prohibits the leasing of common dining areas for social events, to allow the use of the bed and breakfast historic home's common areas for social and community events.

Provisos

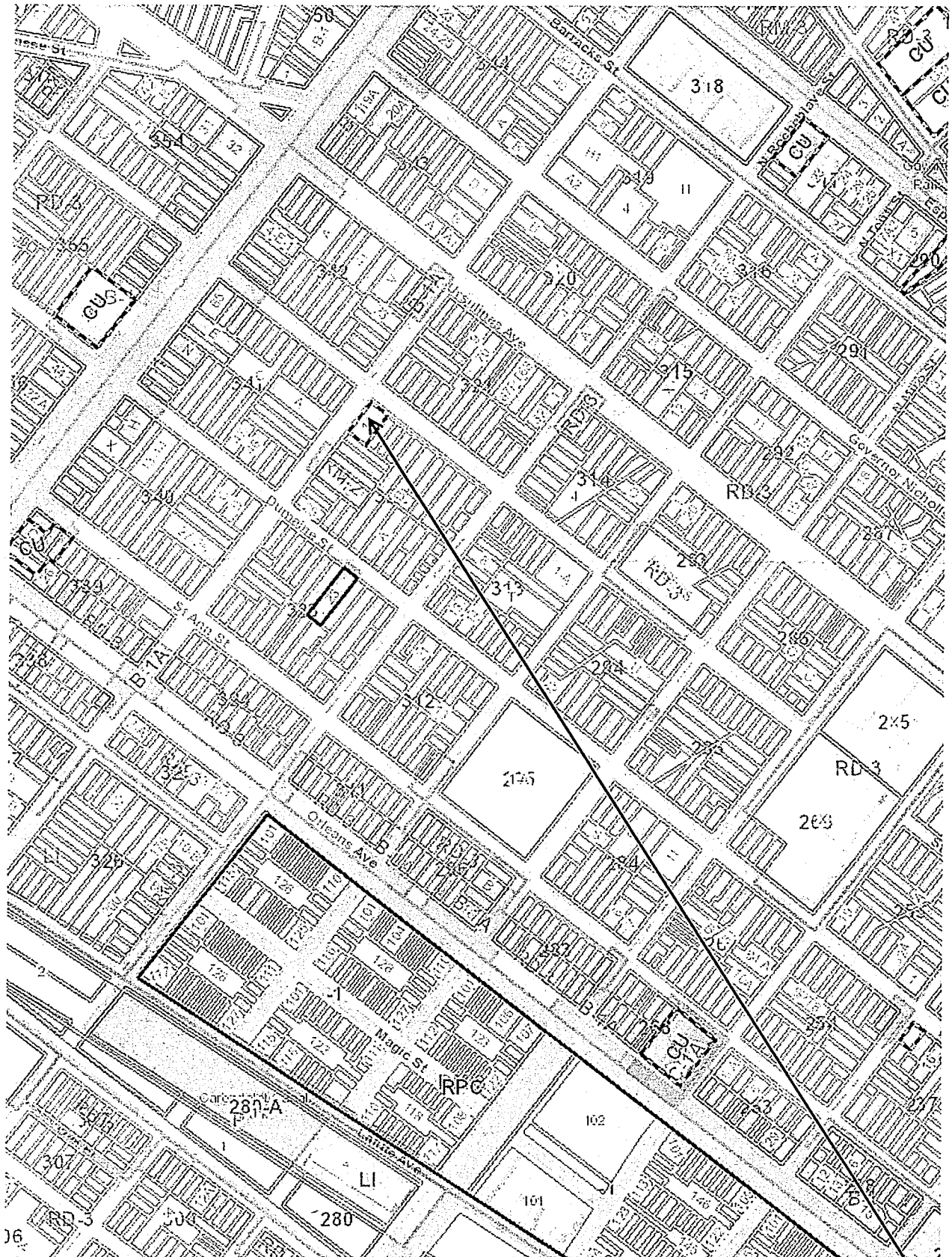
1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within 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 convert the structure into a single-family residence subject to the review and approval of the Department of Safety and Permits. This shall require the presence of only one stove within the structure, which shall be indicated on a revised site plan, and any other building modifications deemed necessary by the Department of Safety and Permits.
3. The bed and breakfast home shall be owner-occupied for the life of the use. Proof of owner-occupancy shall be demonstrated by the submission of a homestead exception for the review and approval of the City Planning Commission staff.
4. The applicant shall obtain a Certificate of Appropriateness from the Historic District Landmarks Commission for all exterior modifications to the site.
5. A current Certificate of Liability Insurance shall be posted on the premises at all times.
6. The operator shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
7. Food shall not be cooked for guests on site, but only purchased from a licensed food seller (caterer or bakery) and served "as is" or warmed at the facility.
8. The plans shall indicate the locations of all common areas intended for use for social and community events.
9. Any proposed signage shall conform to **Article 4, Section 4.5.6 Permitted Signs** of the Comprehensive Zoning Ordinance, subject to the review of the Historic District Landmarks Commission and City Planning Commission staff.

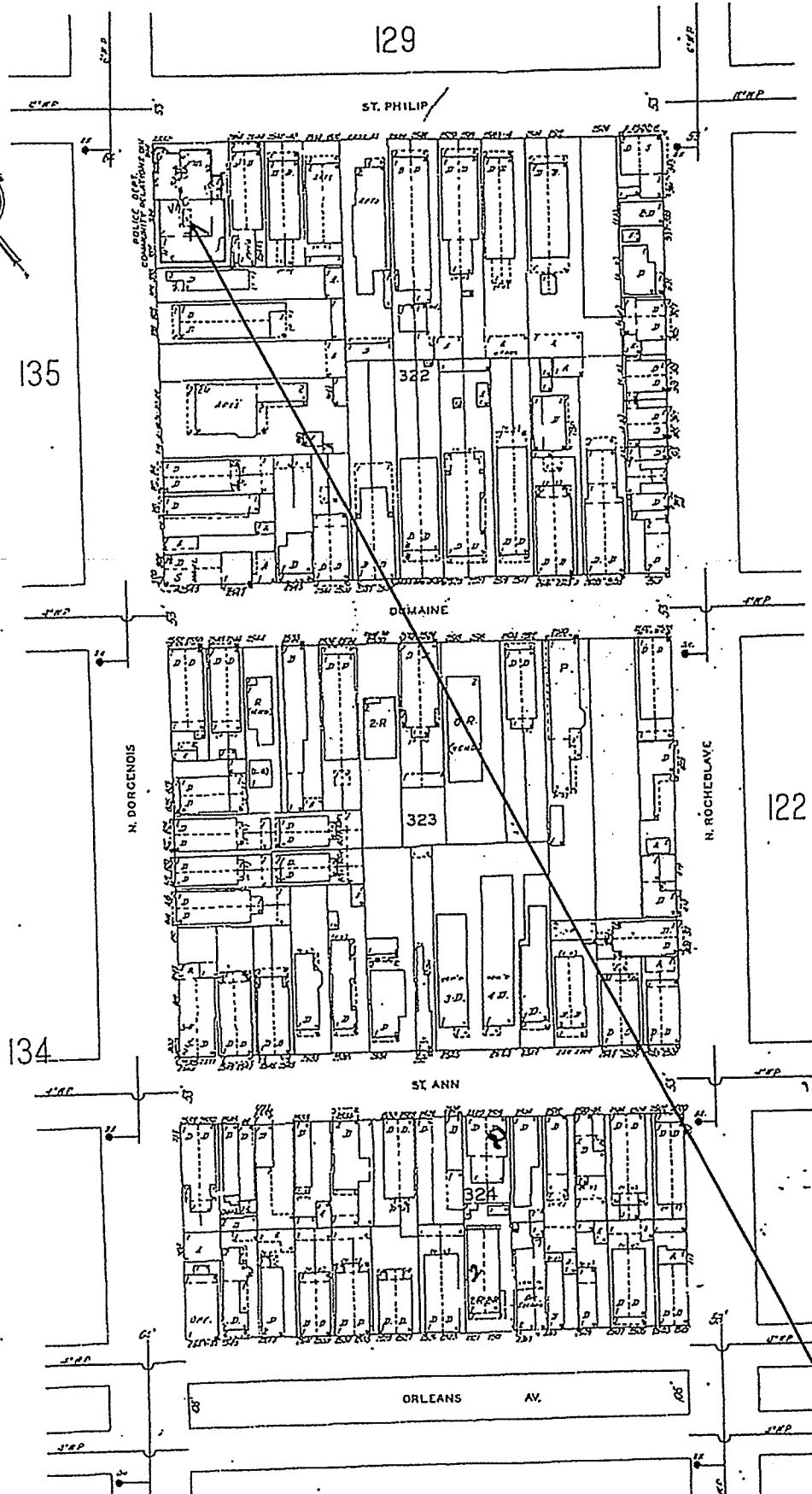
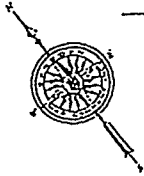
10. The applicant shall provide a litter abatement program letter, approved by the Department of Sanitation, describing of the location of trash storage, the frequency of trash pickup by the City, and the clearing of all litter from the sidewalks and street right-of-way. The program description, including name and phone number of the owner/operator of the facility, shall be kept on file in case of any violation.
11. The applicant shall indicate on the site plan the location of secure trash storage. Except for scheduled pick-up times, trash shall not be stored so that it is visible from the public right-of-way.
12. The applicant shall plant street trees in the public right-of-way adjacent to the site subject to the review and approval of the Department of Parks and Parkways. The site plan shall be revised to indicate the type and location of the tree. Additionally, the applicant shall preserve the existing tree in the North Dorgenois Street right-of-way in accordance with the standards of the Department of Parks and Parkways.

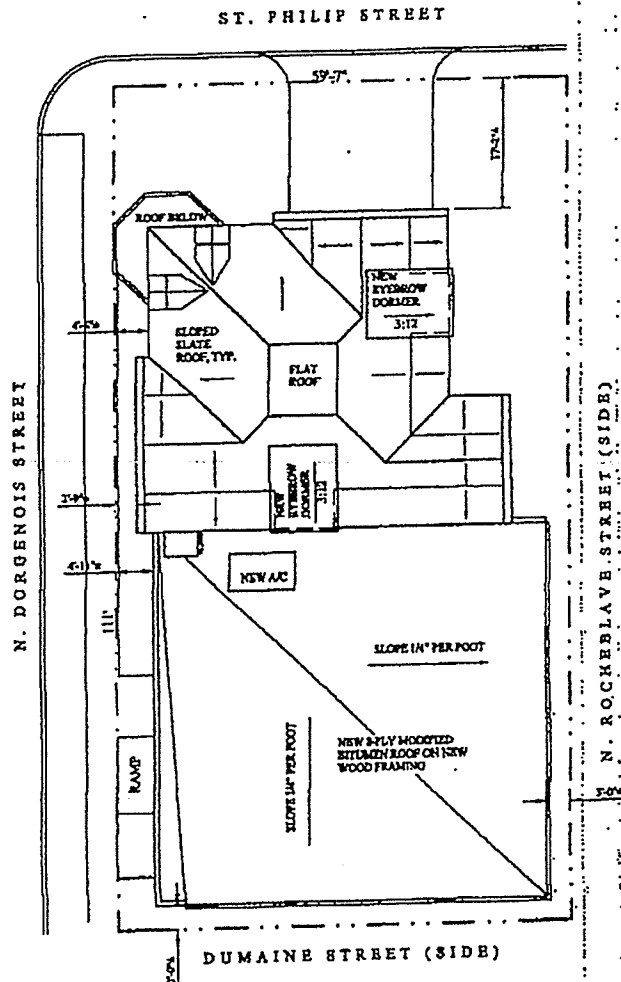
VI. REASONS FOR RECOMMENDATION

1. The proposed bed and breakfast historic home would be an appropriate use of this historic former institutional structure, as it would respect the building's history of non-residential use while also being inoffensive to the residential uses that predominate in the surrounding area.
2. The proposal is consistent with the *Plan for the 21st 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.







⊗ SITE PLAN / ROOF PLAN
 SC: 1/16" = 1'-0"

AREA CALCULATIONS

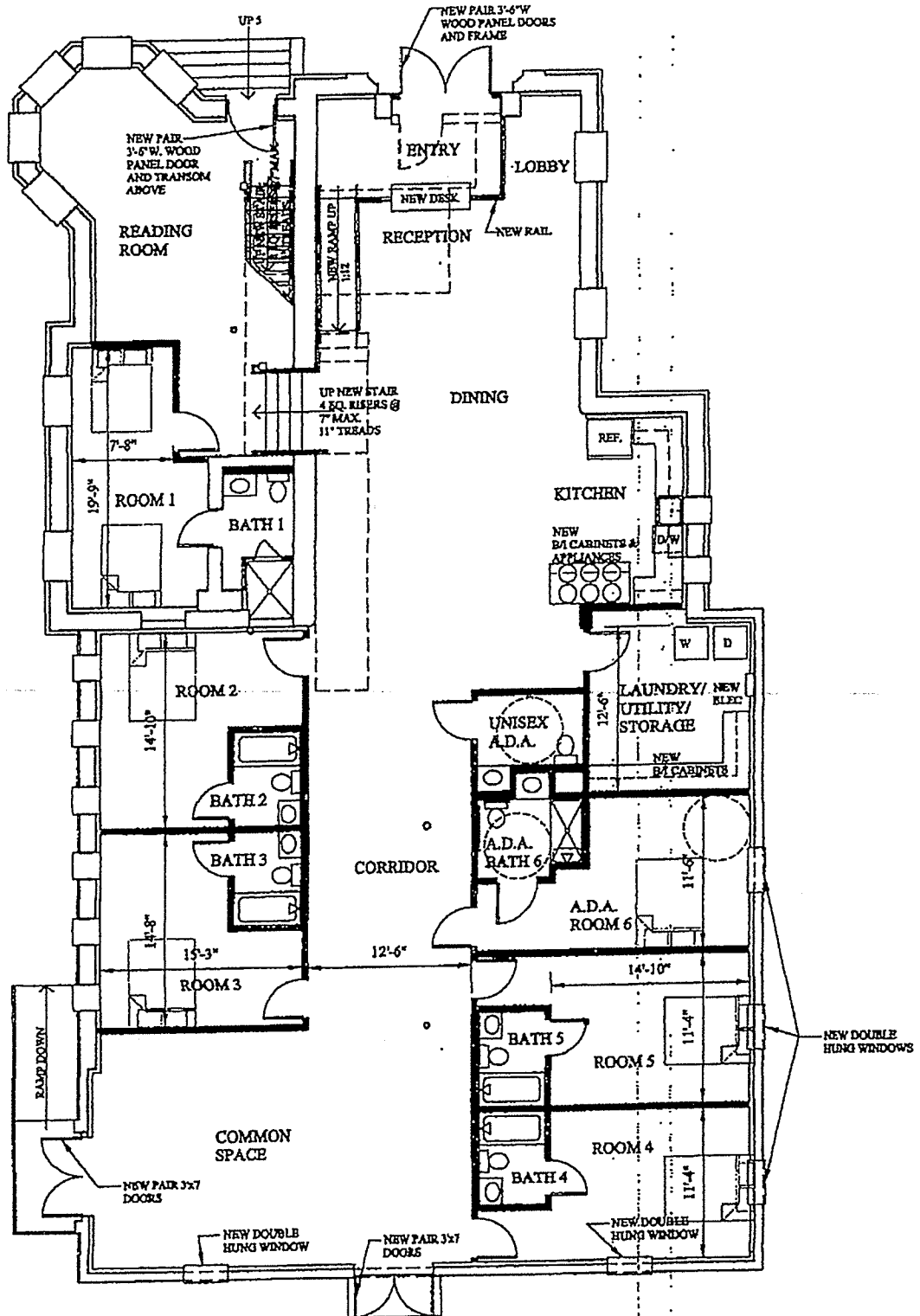
1st floor: 4456 GROSS FLOOR AREA
 1678 GROSS B&B AREA
 2nd floor: 1790 GROSS FLOOR AREA
 1354 GROSS B&B AREA
 3rd floor: 972 GROSS FLOOR AREA
 0 GROSS B&B AREA
TOTAL BUILDING:
 7218 GROSS FLOOR AREA
 3032 GROSS B&B AREA
 42% BED AND BREAKFAST USE



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 New Orleans Louisiana 70124

RENOVATION of 2552 ST. PHILIP
NINE ROOM BED AND BREAKFAST
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⊗ **FIRST FLOOR PLAN**
 SC: 1/8" = 1'-0"

LEGEND:

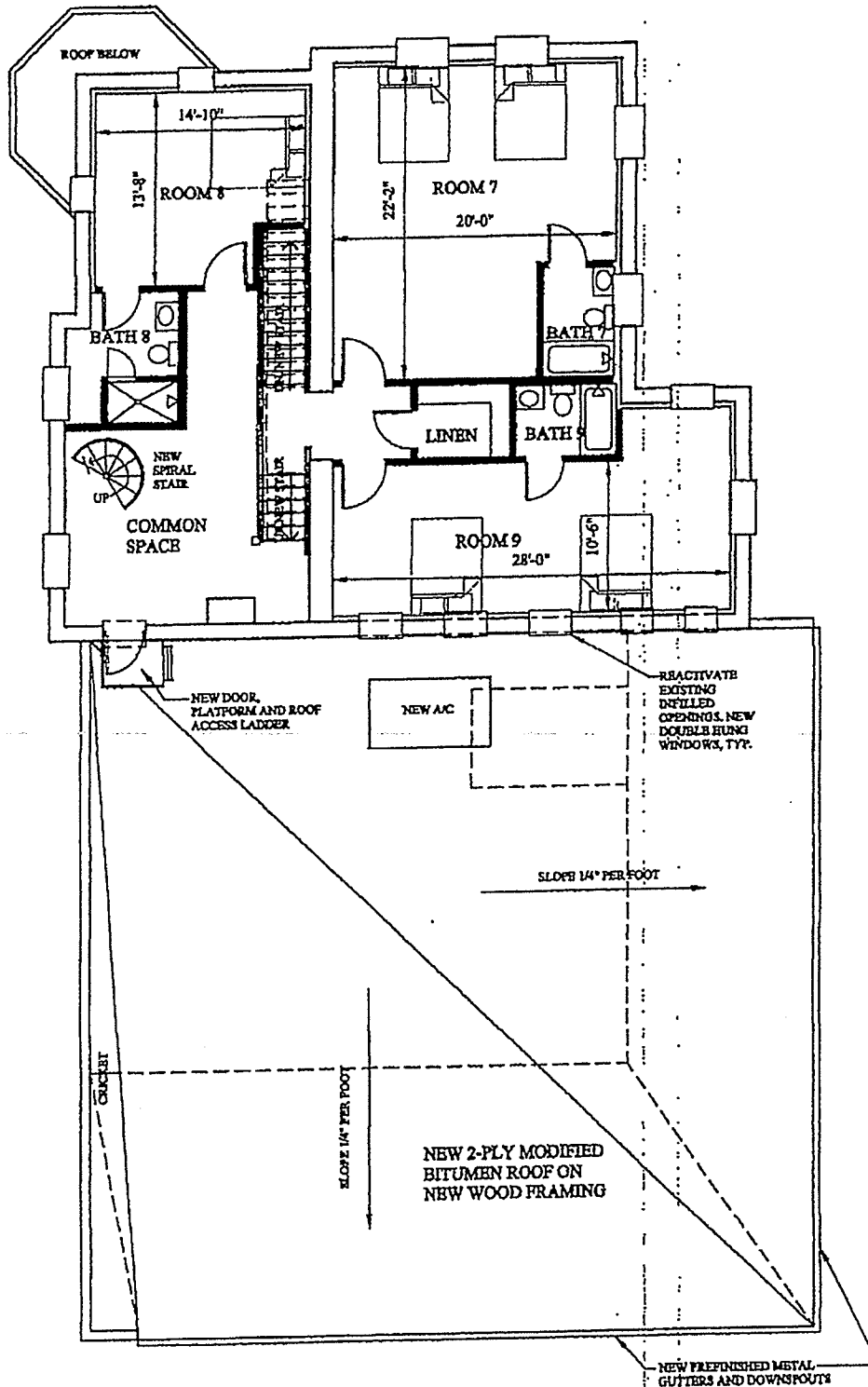
- NEW WALLS
- EXISTING WALLS
- DEMOLISH



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 8.19.2017



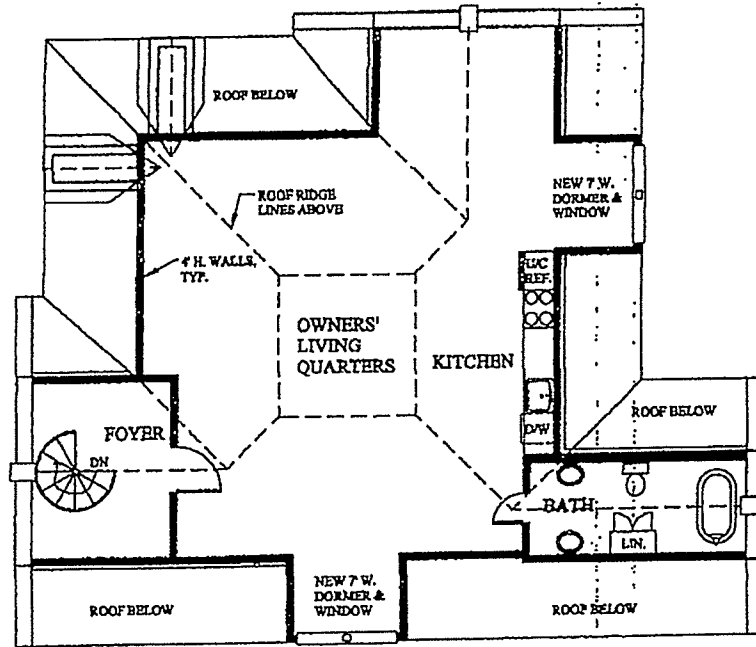
⊗ SECOND FLOOR PLAN
 SC: 1/8" = 1'-0"



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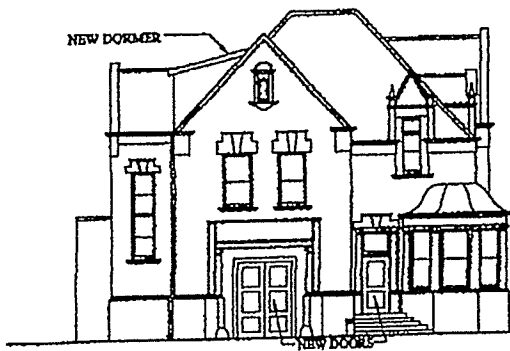
⊗ **THIRD FLOOR PLAN**
 SC: 1/8" = 1'-0"



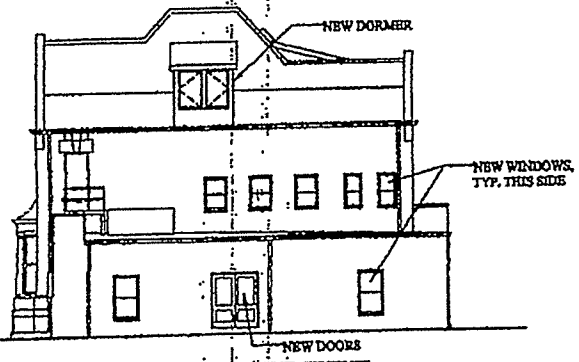
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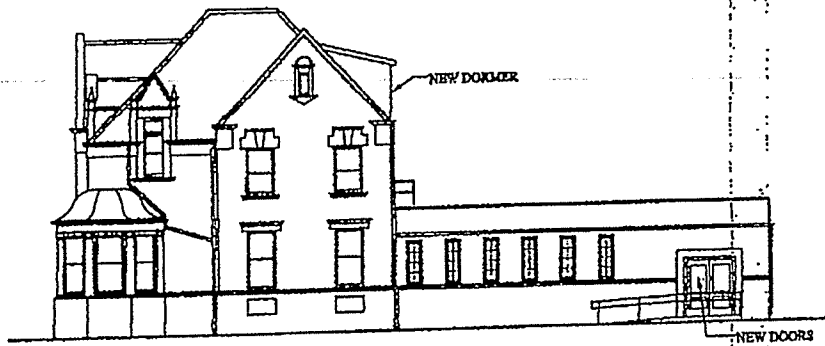
8.19.2014 ZD 004/15
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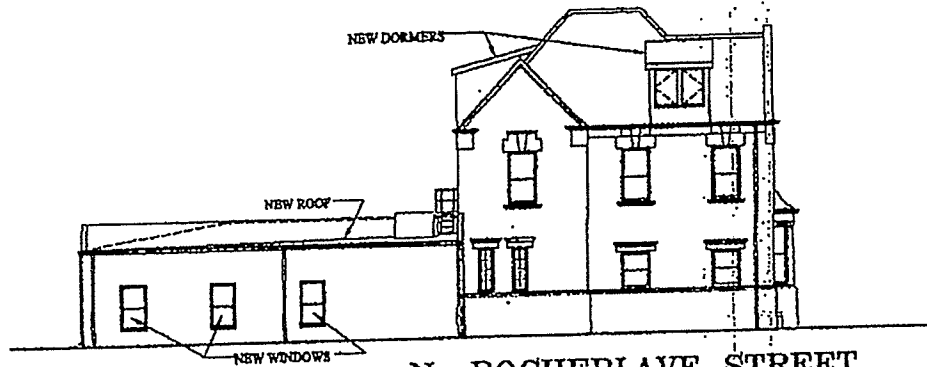
**ST. PHILIP STREET
FRONT ELEVATION**
SC: 1/16" = 1'-0"



**DUMAINE STREET
REAR ELEVATION**
SC: 1/16" = 1'-0"



**N. DORGENOIS STREET
SIDE ELEVATION**
SC: 1/16" = 1'-0"



**N. ROCHEBLAVE STREET
INTERIOR SIDE ELEVATION**
SC: 1/16" = 1'-0"



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MOTION

NO. M-14-477

CITY HALL: November 6, 2014

BY: COUNCILMEMBER ~~BROSSETT~~

SECONDED BY:

BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF NEW ORLEANS,
That the City Planning Commission is hereby directed to conduct a public hearing to consider a request by the City of New Orleans to rescind Ord. No. 19,536 MCS (Z.D. 104/99), and to authorize a conditional use to permit a bed and breakfast historic home on property located on Square 322, Lots 13 or 99 and 100, in the Second Municipal District, bounded by Saint Philip, North Dorgenois, Dumaine, and North Rocheblave Streets. The municipal address is 2552 Saint Philip Street.

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

YEAS:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.