

**City Planning Commission  
Planning Meeting – January 27, 2015**

**CONSIDERATION – SUBDIVISION DOCKET 181/14  
Applicant: USB Capital, LLC**

**Prepared By:** Stephen Kroll  
**Date:** January 16, 2015  
**Deadline:** February 9, 2015

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**GENERAL INFORMATION**

**Proposal:** Resubdivision of Lots 8, 9, 10, and Pt. 11 into proposed Lots 8A and 10A.

**Location:** Square 567, West Boulogny, Sixth Municipal District, bounded by Valence, La Salle, South Liberty, and Upperline Streets. The municipal address is 2336 Valence Street. (PD 3)

**Zoning:** RD-2 Two-Family Residential District

**Current**

**Land Use:** The four existing lots are located at the intersection Valence and La Salle Streets. Currently, they serve as a single development parcel, which is developed with a single-family residence (2336 Valence Street) and its rear accessory structure. The single-family residence, which was constructed around 2007, occupies the front portions of Lots 9 and 10. The front portion of Lot 8 serves as a large side yard for the residence. The rear accessory structure, which predates the residence and is proposed for demolition, extends along Pt. 11 and the rear portions of Lots 8, 9, and 10 and.

The site was historically developed with two residences facing Valence Street. As shown on the 1983 Sanborn map, these were a four-family residence at 2328-2330 Valence Street and a two-family residence at 2334-2338 Valence Street. The four-family residence at 2328-2330 Valence Street appears to have occupied Lot 8 and a portion of Lot 9, while the two-family residence at 2334-2338 Valence Street appears to have occupied Lot 10 and the other portion of Lot 9. Additionally, the existing rear accessory structure appears to have been present at the site. It was larger in footprint, as it included a small residential unit (2334 ½ Valence Street) and a series of contiguous storage buildings. The four-family residence at 2328-2330 Valence Street was demolished at some unknown point between 1983 and 1998, according to Google Earth aerial photography, and the two-family residence at 2334-2338 Valence Street was demolished in 2007.

**Required:** The applicant proposes to resubdivide the four existing lots into two new lots, proposed Lots 8A and 10A. Proposed Lot 10A, which would be developed with the existing single-family residence at 2336 Valence Street, would be 55 feet in width, 110 feet in depth, and 6,050 square feet in area. This lot would exceed the lot size requirements of the RD-2 District, which requires a minimum width of 40 feet, a minimum depth of 90 feet, and a minimum area of 4,400 square feet for lots developed with single-family residences, as noted in **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance.

Proposed Lot 8A would be vacant once the rear accessory structure is demolished. It would measure 35 feet in width, 110 feet in depth, and 3,850 square feet in area. The lot would be compliant with the RD-2 District's minimum depth requirement but would be deficient of its 40 foot minimum width and 4,400 square foot minimum area requirement for lots developed with single-family residences and 50 foot minimum width and 5,000 square foot minimum area requirement for lots developed with two-family residences. The applicant has expressed an intent to develop the proposed lot with a two-story two-family residence in the near future.

Since the proposed Lot 8A would be substandard in size and because the applicant has the alternative of consolidating the existing lots into a single lot that meets all lot size requirements, rather than creating one complaint lot and one substandard lot, the resubdivision is not eligible for administrative approval and must be considered by the City Planning Commission.

**Utilities & Regulatory Agencies:**

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

The Department of Safety and Permits noted no objection to the proposal, provided that the rear accessory structure (which would extend across the proposed common lot line) is demolished, as is proposed.

The Sewerage and Water Board stated that sewer and water facilities and subsurface drainage are available for the proposed lots. It also noted that sewer and water house connections are available but not shown on the resubdivision survey and so a note should be shown on the survey indicating that sewer and water house connections are the responsibility of the property owner.

The Department of Public Works and the Department of Property Management, Division of Real Estate and Records have not yet provided their comments regarding the proposal.

## **LOT SIZE**

### **Existing**

**Lots:** Lots 8, 9, and 10 face Valence Street and measure 30 feet in width, 100 feet in depth, and 3,000 square feet in area each. Pt. 11 fronts on La Salle Street and measures 10 feet in width, 90 feet in depth, and 900 square feet in area.

(It should be noted that the existing lots shown on the survey do not match the lots shown on the City's zoning map. Instead of showing the site as including three lots facing Valence Street and a fourth lot facing La Salle Street, the City's zoning map shows the site as including two lots, Lots 24 and 25, which each measure 45 feet in width, 110 feet in depth, and 4,950 square feet in area.)

### **Proposed**

**Lots:** Proposed Lot 10A is to measure 55 feet in width, 110 feet in depth, and 6,050 square feet in area. It would exceed the lot size requirements of the RD-2 District, which requires a minimum width of 40 feet, a minimum depth of 90 feet, and a minimum area of 4,400 square feet for lots developed with single-family residences.

Proposed Lot 8A is to measure 35 feet in width, 110 feet in depth, and 3,850 square feet in area. The lot would be compliant with the RD-2 District's minimum depth requirement but would be deficient of its minimum width and area requirements for lots to be developed with single- or two-family residences.

## **ANALYSIS**

### **Development in the Vicinity:**

The site is located within an RD-2 Two-Family Residential District which spans the mostly residential interior of the area generally bounded by Napoleon Avenue (to the downriver-side), Joseph Street (to the upriver-side), Saint Charles Avenue (to the river-side), and Freret Street (to the lake-side). The site is divided into rectangular squares of consistent size and shape set into a grid network of mostly narrow, single lane streets. Individual squares are typically divided into rectangular lots. Although there is variation in the size of lots owing to the area's subdivision prior to the adoption of Subdivision Regulations, this variation is within a fairly limited range. For the most part, lots are between about 30 and 60 feet in width and around 120 feet in depth. Although there are a substantial number of development sites formed by multiple lots grouped together, it is most common for single lots to serve as individual development sites. In general, larger

lots/development sites are located nearer Saint Charles Avenue and between Soniat and Joseph Streets, while smaller lots are located nearer Napoleon Avenue and Freret Street.

For the most part, the RD-2 District is characterized by generally well-maintained single and two family residences, most of which date from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. Smaller lots, including many of those in the immediate vicinity of the subject site, are typically developed with smaller-scale residences, including shotgun-style homes and bungalow residences, which typically occupy most of their lots with minimal front and side yards. Some of these properties provide off-street parking on driveways in side yards, while properties with minimal side yards do not provide off-street parking. Larger lots are developed with larger single- and two-story structures in Victorian architectural styles popular at the time of their development. Residences on these larger lots typically have moderately larger yards that are used to provide off-street parking spaces in driveways.

In addition to the residential uses that predominate, the RD-2 District also features institutional and recreational facilities, including schools, churches, and small parks. This includes Samuel J. Green School, which is located across Valence Street from the site and which occupies the square bounded by Valence, La Salle, Cadiz, and South Liberty Streets.

**COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS:**

*Lot size*

This subdivision is classified for review under Policy B of the Subdivision Regulations. Policy B is intended to allow for the approval of subdivisions that are in compliance with the applicable regulations or which constitute a general improvement of the existing subdivision pattern. As noted in **Article 3, Section 3.2.2** of the Subdivision Regulation, Policy B subdivisions are to be evaluated based on their compliance with the three criteria. Those subdivisions that comply with all of these criteria are eligible for administrative approval, while those that do not, such as this proposal, must be considered by the City Planning Commission.

Policy B's three criteria are as follows:

- A. No lot is reduced in area below the minimum lot size required by the Zoning Ordinance;
- B. 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;

- C. Improvements exist upon the property, antedating the original adoption of the *Subdivision Regulations* in 1950.

Criterion A:

The request meets Criterion A. While they may currently function as a single development site, the four existing lots are each individually substandard of the RD-2 District's 40 foot minimum lot width, 90 foot minimum lot depth, and 4,400 square foot minimum lot area requirement for lots developed with single-family residences.

The two new lots would each be larger than the four existing lots. One of the two new lots, proposed Lot 10A (which would be developed with the existing single-family residence at 2336 Valance Street), would be fully compliant with the RD-2 District's lot area, width, and depth requirements. The second lot, proposed Lot 8A, would be compliant in depth but substandard in width and area of the RD-2 District's requirements for lots developed with single-family residences, as well as those requirements for lots developed with two-family residences. Nevertheless, both lots would be larger in area than the existing lots, and so the requirement that no lot be reduced below the minimum lot size requirement is met.

Criterion B:

Criterion B allows for the approval of subdivisions that create lots that are substandard in width, depth, or area, as long as the new lot(s) are an improvement over the existing lot(s). In this case, because the two new lots are larger and are closer to compliance with the RD-2 District's lot size requirements than the four existing lots, the proposal is an improvement over the existing condition in terms of lot size.

It should also be noted that although the subdivision would replace a single existing development site (composed of multiple lots) with two new, smaller development sites, the new development sites would still be normal in size for the area and certainly not unusually or excessively small for the area. For example, both of the proposed lots would be larger than all of the seven other lots/development sites in the 2300 block of Valance Street (which includes five lots that are approximately 30 feet in width, 100 feet in depth, and 3,000 square feet in area, one lot that is approximately 32 feet in width, 66 feet in depth, and 2,112 square feet in area, and one lot that approximately 28 feet in width, 66 feet in depth, and 1,848 square feet in area<sup>1</sup>). Based on Sanborn maps and the Orleans Parish Assessor's Office's records, it appears the structures on these seven lots include one building that is or at least was previously used as a four-family residence, three buildings that are or at least were previously used as two-family residences, and three buildings that appear to currently be used as single-family residences.

The City's zoning map shows that a large majority of lots in the surrounding area are similar in size and shape to the proposed lots, although in some cases multiple lots are used as single development sites. Nevertheless, it is most common for development sites

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<sup>1</sup> These approximate lot dimensions are taken from the website of the Orleans Parish Assessor's Office.

to be formed by a single lot, indicating that most development sites in the area are similar in size and shape to the proposed lots.

Further, the proposal for the site to include two lots, would be consistent with the site's historic conditional as including two development sites, as shown on the 1983 Sanborn map. The Sanborn map indicates that one development site was composed of Lot 8 and a portion of Lot 9 and was developed with a four-family residence (2328-2330 Valence Street). The second development site included Lot 10 and the other portion of Lot 9 and was developed with a two-family residence (2334-2338 Valence Street). Additionally, the existing rear accessory structure appears to have been present but larger in footprint, as it included a small residential unit (2334 ½ Valence Street) and a series of contiguous storage buildings. This accessory structure extended across the rears of both development sites. (This use of the site as two development sites as indicated on the 1983 Sanborn map is consistent with the City's zoning base map, which indicates two lots, Lots 24 and 25, that are similar in size and shape to the two development sites shown on the Sanborn map.)

In short, as 1) the two proposed lots would be larger than the existing lots (though the two new development sites would be smaller than the one existing development site); 2) the two proposed lots/development sites would be normal in size and shape for the area; and 3) the two proposed lots/development sites would be consistent with the site's historic condition of including two development sites, the request meets Criterion B.

Criterion C:

The does not meet Criterion C, as the existing structure on the site was built around 2007. Historic Sanborn maps indicate that at least one (2328-2330 Valence Street) of the two structures that formerly existed at the site predated 1950.

This analysis shows that the proposal is sufficiently consistent with Policy B's overall purpose of allowing for subdivisions which constitute a general improvement of the existing subdivision pattern and with the policy's individual criteria for evaluation. The staff is therefore supportive of the application.

Although the City Planning Commission can approve the creation of the new lots, because proposed Lot 8A would be substandard in width and area, it would still be necessary for the Board of Zoning Adjustments to grant the needed waivers of the applicable width and area requirements. This would have to occur before the subdivision could be granted final approval.

Additionally, the proposal would cause the residence at 2336 Valence Street to have an aggregate side yard (i.e., the combined width of the two individual side yards) of 9.75 feet, which is 17.7% of the 55 foot width of proposed Lot 10A. This is in contrast with the existing condition, where the structure has an aggregate side yard of 44.75 feet, which is 49.7% of the 90 foot width of the existing development site. In accordance with **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance,

residences in the RD-2 District are required to have an aggregate side yard that is 20% of the lot's width (with a maximum requirement of 12 feet). Since the subdivision proposal would cause the residence's aggregate side yard to become substandard of this requirement, the applicant must either alter the subdivision proposal to eliminate this substandard condition (by shifting the proposed common lot line between Lots 8A and 10A toward South Liberty Street by approximately two feet) or by obtaining a variance of the minimum aggregate side yard requirement from the Board of Zoning Adjustments. The Board would have to evaluate whether such a variance would be justifiable under its standards for variance in **Article 14, Section 14.6.4** of the Comprehensive Zoning Ordinance, so it is not guaranteed that it would grant the variance.

- The applicant shall apply for and obtain variances from the Board of Zoning Adjustments of the minimum lot width and minimum lot area requirements contained in **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance for proposed Lot 8A.
- The applicant shall ensure that the residence at 2336 Valence Street on proposed Lot 10A complies with the applicable aggregate side yard requirement, either by altering the resubdivision proposal to bring it into compliance with the aggregate side yard requirement in **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance or by applying for and obtaining a variance of the requirement from the Board of Zoning Adjustments.

### **SUMMARY**

Subdivision Docket 181/14 is a request to resubdivide four existing lots which form a single development site at the intersection of Valence and La Salle Streets in an RD-2 Two-Family Residential District into two new lots, proposed Lots 8A and 10A. Proposed Lot 10A would be developed with an existing single-family residence, 2336 Valence Street. It would be compliant with the RD-2 District's lot width, depth, and area requirements. Proposed Lot 8A would be vacant and is intended for two-family residential development by the applicant. It would be substandard of the RD-2 District's lot width, depth, and area requirements for lots to be developed for single-family or two-family residential use. Due to this proposed substandard condition, the proposal must be considered by the City Planning Commission.

The proposal is to be reviewed under Policy B of the Subdivision Regulations, which is intended to allow for the approval of subdivisions that constitute a general improvement of the existing subdivision pattern even if they do not comply with all applicable requirements of the Subdivision Regulations. The staff finds that the request satisfies the intent and criteria of this policy. The proposal is appropriate for the site, in the staff's view, because the two proposed lots would be larger than the existing lots; the two proposed lots would be normal in size and shape for the area; and the two proposed lots would be consistent with the site's historic condition of including two development sites. Based on this evaluation, the staff is supportive of the request.

## **PRELIMINARY STAFF RECOMMENDATION<sup>2</sup>**

The staff recommends **tentative approval** of Subdivision Docket 181/14, with final approval subject to five (5) provisos.

### *Provisos*

1. The applicant shall apply for and obtain variances from the Board of Zoning Adjustments of the minimum lot width and minimum lot area requirements contained in **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance for proposed Lot 8A.
2. The applicant shall ensure that the residence at 2336 Valence Street on proposed Lot 10A complies with the applicable aggregate side yard requirement, either by altering the resubdivision proposal to bring it into compliance with the aggregate side yard requirement in **Article 4, Section 4.5.7** and **Table 4.E** of the Comprehensive Zoning Ordinance or by applying for and obtaining a variance of the requirement from the Board of Zoning Adjustments.
3. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, the Department of Property Management, Division of Real Estate and Records, and the Department of Safety and Permits.
4. 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.
5. 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.

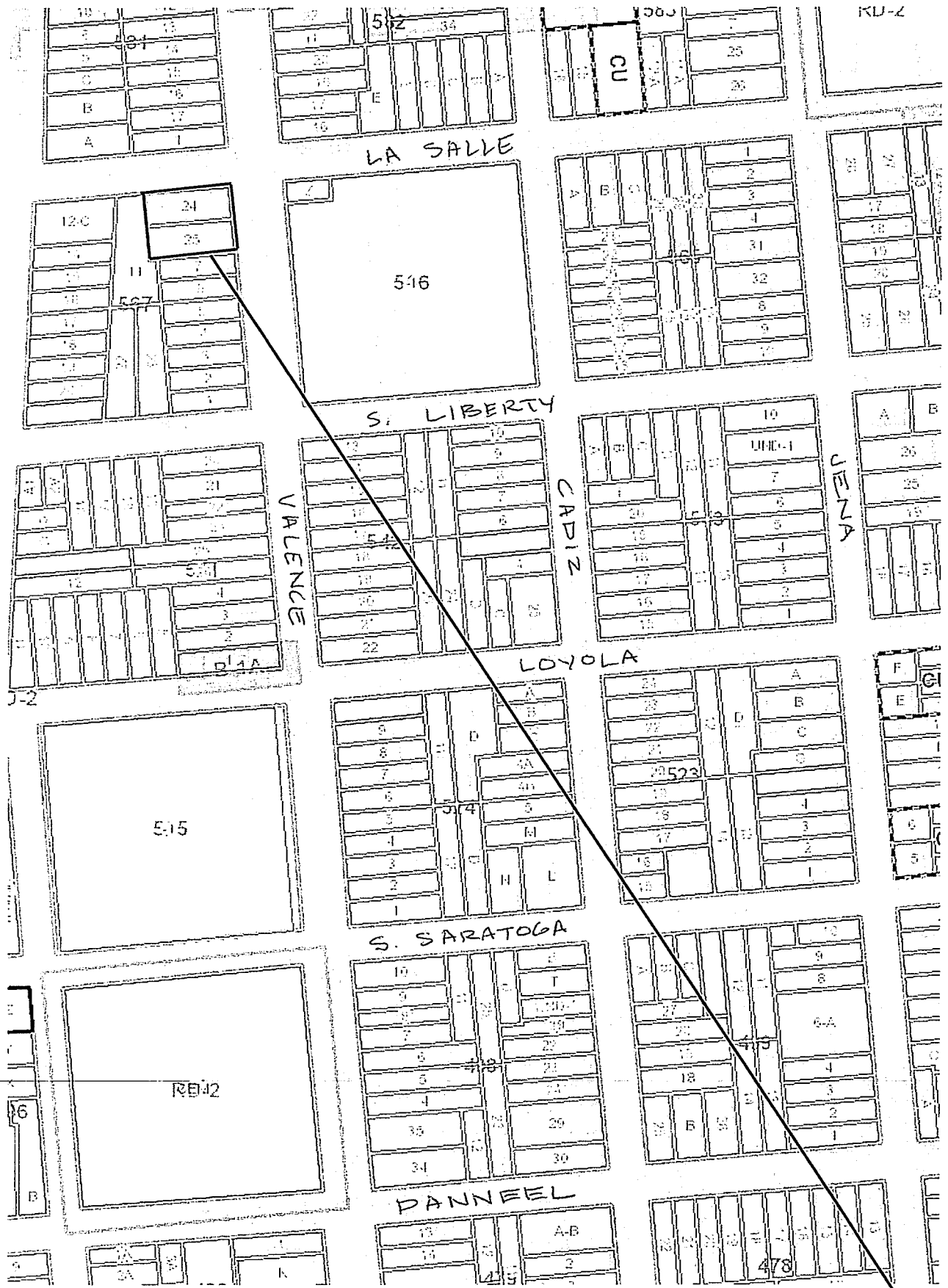
## **REASON FOR RECOMMENDATION**

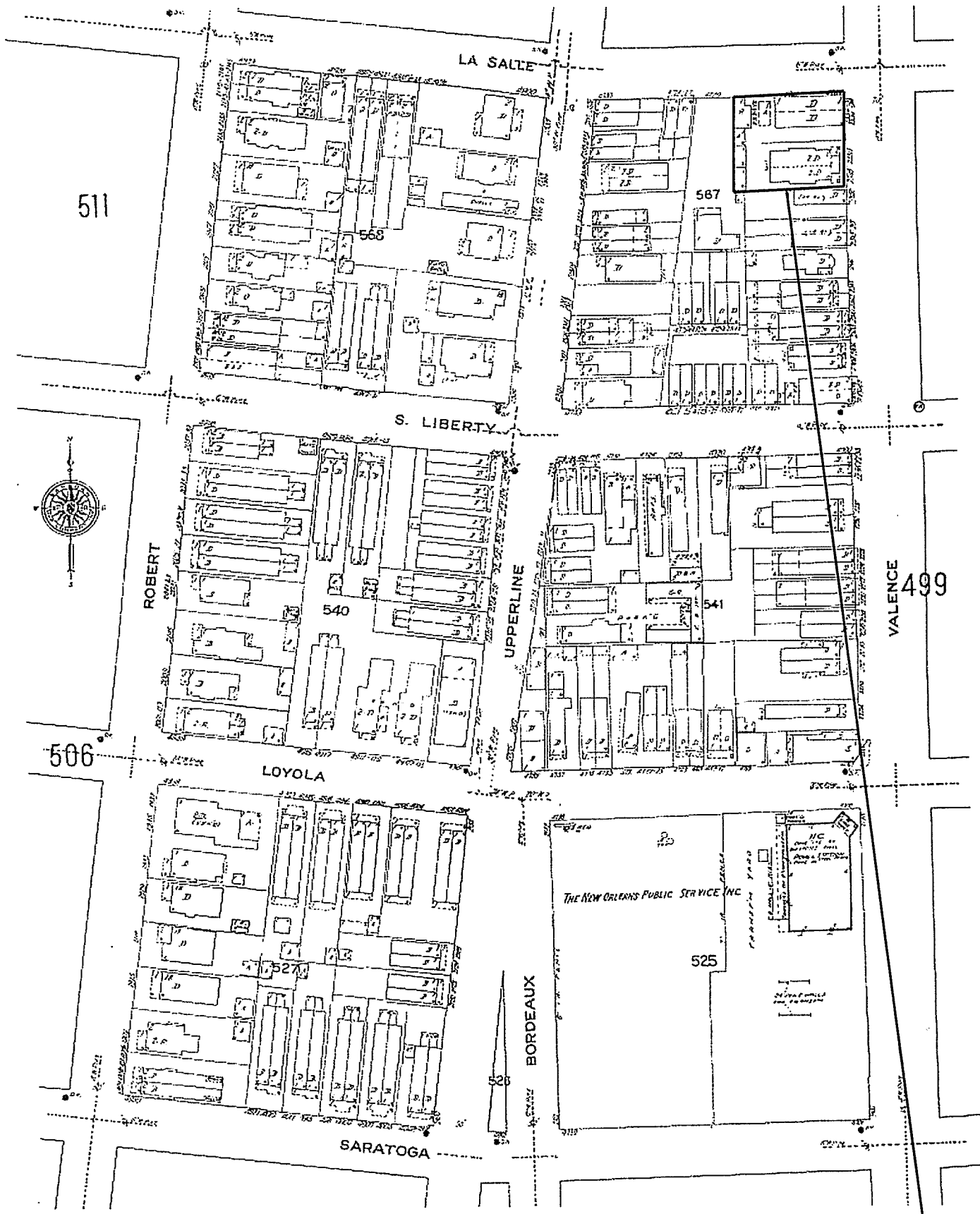
1. The proposal is eligible for consideration by the City Planning Commission under Policy B. The proposal satisfies the intent and criteria of Policy B and would be appropriate for the site as it would create two new lots that are larger than the existing lots, normal in size and shape for the surrounding area and consistent with the property's historic condition of including two development sites.

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<sup>2</sup> The preliminary staff recommendation is subject to modification by the City Planning Commission







511

LA SALLE

587

568

S. LIBERTY

ROBERT

540

541

UPPERLINE

VALENCE

499

506

LOYOLA

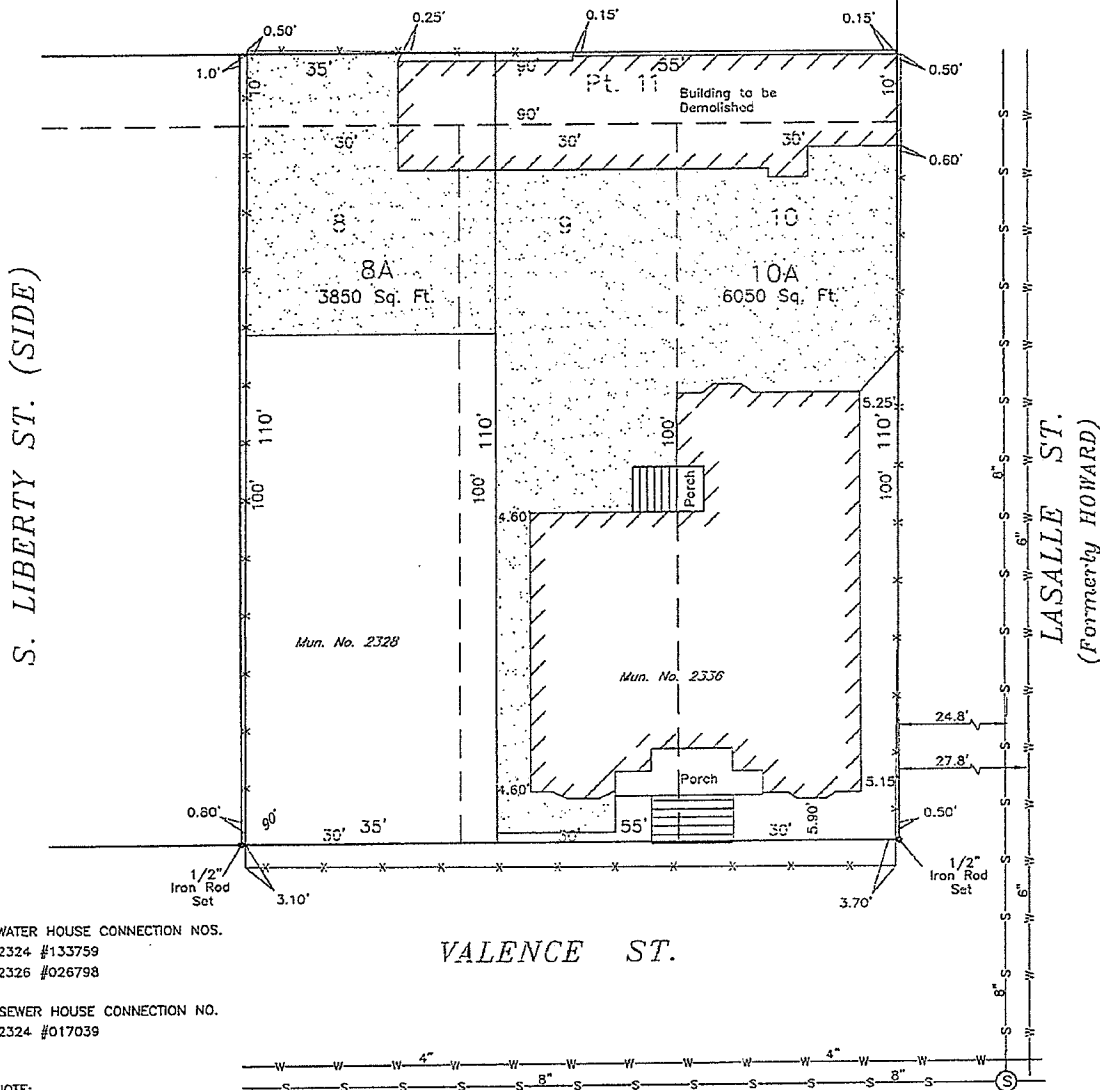
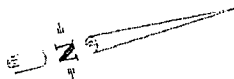
THE NEW ORLEANS PUBLIC SERVICE INC

525

BORDEAUX

SARATOGA

UPPERLINE ST. (SIDE)





WATER HOUSE CONNECTION NOS.  
2324 #133759  
2326 #026798

SEWER HOUSE CONNECTION NO.  
2324 #017039

VALENCE ST.

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

ANGLE BASIS: CITY OF NEW ORLEANS SQUARE MAPS BY PILIE'

RESUBDIVISION OF LOTS 8, 9, 10 & Pt. of 11 INTO LOT 8A & 10A SQUARE 567 WEST BOULIGNY SIXTH DISTRICT CITY OF NEW ORLEANS ORLEANS PARISH, LOUISIANA		<b>DADING, MARQUES &amp; ASSOCIATES, LLC</b>    P.O. BOX 790 METAIRIE, LA. 70004 (504) 834-0200		  RICHARD T. DADING REG. NO. 4369 REGISTERED PROFESSIONAL SURVEYOR	
I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION. MADE AT THE REQUEST OF:  ZANGARA+PARTNERS		THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR A CLASS "C" SURVEY ACCORDING TO THE "LOUISIANA MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS."			
DATE:	SCALE:	DRAWN BY:	CHECKED BY:	JOB NO.:	PLAT No.:
10-27-2014	1" = 20'	J.F.L.	R.T.D.	52004	D-213-713

11-10-2014 J.F.L.