CPC Deadline: 45 days from receipt CC Deadline: 45 days from receipt Council District: B-Cantrell

PRELIMINARY STAFF REPORT

To: City Planning Commission

Prepared by: Brittany DesRocher

Design Review: 058-15

Date: June 9, 2015

Applicant:

Pelican Shoring LLC

Request:

This is an appeal of the Zion City Residential Character Preservation Interim Zoning District, Article 18, Section 18.64 of the Comprehensive Zoning Ordinance, to permit the new construction of a warehouse in an LI Light

Industrial District.

Zoning:

LI Light Industrial

Zion City Residential Character Preservation Interim Zoning District

Location:

The petitioned property is located in the First Municipal District, on Square 494, Lots D and E, bounded by Clio, S. White, Erato and S. Dupre Streets. The

municipal address is 4116 Clio Street. (PD4)

Proposal:

The petitioned site is on the block face of Clio Street between S. White Street and S. Dupre Street. The site located in an LI - Light Industrial District on a square that is also part of the Zion City Residential Character Preservation Interim Zoning District. The site is currently undeveloped and being used as storage for construction materials by the applicant. Lot D measures twenty-nine (29) feet wide by one hundred fourteen (114) feet eight and four tenths (8.4) inches deep. Lot E measures twenty-nine (29) feet wide by one hundred fourteen (114) feet eight and four tenths (8.4) inches deep. The combined lots measure fifty-eight (58) feet wide by one hundred fourteen (114) feet eight and four tenths (8.4) inches deep for an area of approximately six thousand six hundred fifty (6650) square feet. The applicant is proposing to construct a two-story warehouse with storage on the first floor and office space on the second floor. The proposed warehouse measures forty-eight (48) feet wide by thirty-five (35) feet deep with an approximate height of twenty-one (21) feet and would be located in the southwestern corner of the petitioned site. The proposed building will be on the S. Dupre Street side property line and on the rear property line. The applicant is proposing a S. White Street side yard setback of ten (10) feet and a front yard setback of seventy-nine (79) feet eight and one-half (8 1/2) inches. A fourteen (14) foot wide driveway will provide vehicular access to the warehouse. There will be two (2) parking spaces provided in the front yard. One (1) parking space will be handicap accessible.

Why is City Planning Commission Action required?

Article 18, Section 18.64.3 Appeals of the Comprehensive Zoning Ordinance requires that all appeals of the Zion City Residential Character Preservation Interim Zoning District regulations be reviewed for recommendation by the City Planning Commission and forwarded to the City Council for final action.

I. EVALUATION

Article 16, Section 16.4.5(5) Standards of the Comprehensive Zoning Ordinance notes that the City Planning Commission is to consider three standards in evaluating an appeal of the regulations of an interim zoning district.

Standard "a": The granting of the waiver is not inconsistent with the general intent of the interim zoning district.

The intent of the Zion City Residential Character Preservation Interim Zoning District (IZD) is to prohibit the establishment of any use and the issuance of any permit, certificate, or license except in accordance with the provisions of the RD-3 Two-Family Residential District within the area of applicability.

The Zion City Residential Character Preservation Interim Zoning District applies to all lots currently zoned LI Light Industrial District within Squares 494 and 495. The IZD was initiated in response to concerns from neighborhood residents that the current industrial zoning of lots on squares 494 and 495 allows for the development of uses that are inconsistent with the predominantly residential character of the area and with its designation in the Master Plan for low-density residential development in the future. The newly adopted zoning for the petitioned property is Historic Urban Two-Family Residential District which would not permit the construction of a warehouse. The IZD was put in place to prevent the development of commercial and industrial uses within the district until such time as it is replaced with new permanent zoning regulations. Allowing the construction of a new warehouse to store construction materials would be inconsistent with the intent of the IZD.

Standard "b": Harmony and compatibility with adjacent land uses would not be adversely affected.

The area affected by the IZD is predominantly developed with single- and two-family residential structures, although there are several vacant lots and some industrial sites throughout the area as well. During a site visit the staff counted approximately ten (10) residences, most of which appeared to be occupied, within the area affected by the IZD. It appears that there are five (5) current or former industrial developments and one historic commercial/mixed-use structure at South White and Erato Streets.

An LI Light Industrial District is located to the northeast and southeast of the petitioned

site, across Clio and South White Streets. This district covers several large squares and is developed with a car dealership, a utility facility, a large retail store, a rehabilitative-recovery/care center, and several small industrial uses. A small RM-2 Multiple-Family Residential District, covering three lots, is located southwest of the petitioned site, at the corner of Erato and South Dupre Streets. This district is presently vacant. The remainder of the property surrounding the site is located within an RD-3 Two-Family Residential District, and is characterized by a mixture of single- and two-family dwellings and vacant lots.

Although the area is interspersed with industrial and commercial uses, the predominate use in the area is residential. The development of a new warehouse to store construction materials would have adverse effects on the residential development in the area such negative visual impacts as well as possibly increased traffic and noise. Further, according to the Plan for the 21st Century, the future land use of the petitioned site is Residential Pre-War Low Density which calls for new development that fits with the character and scale of the surrounding residential neighborhoods. The proposal would not fit in with the character of the neighborhood and would likely discourage future residential development.

If this proposal were to be recommended for approval, there are several provisos that would need to be put in place to reduce the negative impacts on the adjacent properties. The intent of the Zion City Residential Character Preservation Interim Zoning District is that all new development be subject to the provisions of the RD-3 Two-Family Residential District. Although the use would not be permitted, the staff believes the proposal should be subject to other applicable provisions such as setback requirements, which will be more supportive to current and future residential development.

RD-3 Two-Family Residential Area Regulations – Nonresidential	
Minimum Depth of Front Yard	Average of block ² ; 20'
Minimum Width of Side Yard	10'
Minimum Depth of Rear Yard	20'

• The applicant shall submit a revised site plan to City Planning Commission for review and approval that meets the yard requirements of **Article 4**, **Section 4.6.7** of the Comprehensive Zoning Ordinance.

Since the proposed use is inconsistent with the residential development in the area, the proposal should include modifications that would minimize the negative visual impacts of the use. Additionally, some regulations should be put in place to reduce the adverse effects of increased traffic and noise.

• The site shall be screened from adjacent properties with a minimum six foot (6')

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¹ Article 4, Section 4.6.7 of the Comprehensive Zoning Ordinance.

² The front yards of the block vary more than six (6) feet therefore the average would not be used per Article 15, Section 15.5.8 of the Comprehensive Zoning Ordinance.

opaque fence, subject to review and approval of the staff of the City Planning Commission.

- No parking or storage of materials shall be permitted in the required front yard.
- Off-street loading shall be provided in such a way that in the process of loading or unloading, no truck will extend into the public right-of-way, subject to review and approval of the staff of the City Planning Commission. Additionally, no loading shall take place before 7:00am or after 10:00pm.
- The applicant shall restore a curb along the Clio Street right-of-way adjacent to the site subject to review and approval of the Department of Public Works. No curb cut along Clio Street shall exceed twelve (12) feet in width unless authorized by the Department of Public Works.
- The applicant shall restore the sidewalk in the public right-of-way adjacent to the site subject to the review and approval of the Department of Public Works.

Standard "c": Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the interim zoning district.

The petitioned site is two (2) lots of record that measure a combined fifty-eight (58) feet wide by one hundred fourteen (114) feet eight and four tenths (8.4) inches deep. Currently the lot is undeveloped. The lots are similar in size to those within the IZD. There are no special conditions or circumstances that would prevent the petitioned site from being developed within the regulations of the IZD.

II. MASTER PLAN

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 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. The proposed Conditional Use is addressed by the Plan for the 21st Century, commonly known as the Master Plan. "Chapter 14: Land Use Plan" of the Master 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 these designations are copied below:

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.

The requested appeal is not consistent with the intent of the Master Plan. A warehouse to store construction materials is not within the range of uses suggested. Additionally, the proposal does not fit with the character or scale of the surrounding development.

III. PRELIMINARY STAFF RECOMMENDATION³

The CPC staff recommends **Denial** of Design Review 058/15, an appeal of the Zion City Residential Character Preservation Interim Zoning District, **Article 18, Section 18.64** of the Comprehensive Zoning Ordinance, to permit the new construction of a warehouse in LI – Light Industrial.

IV. REASONS FOR RECOMMENDATION

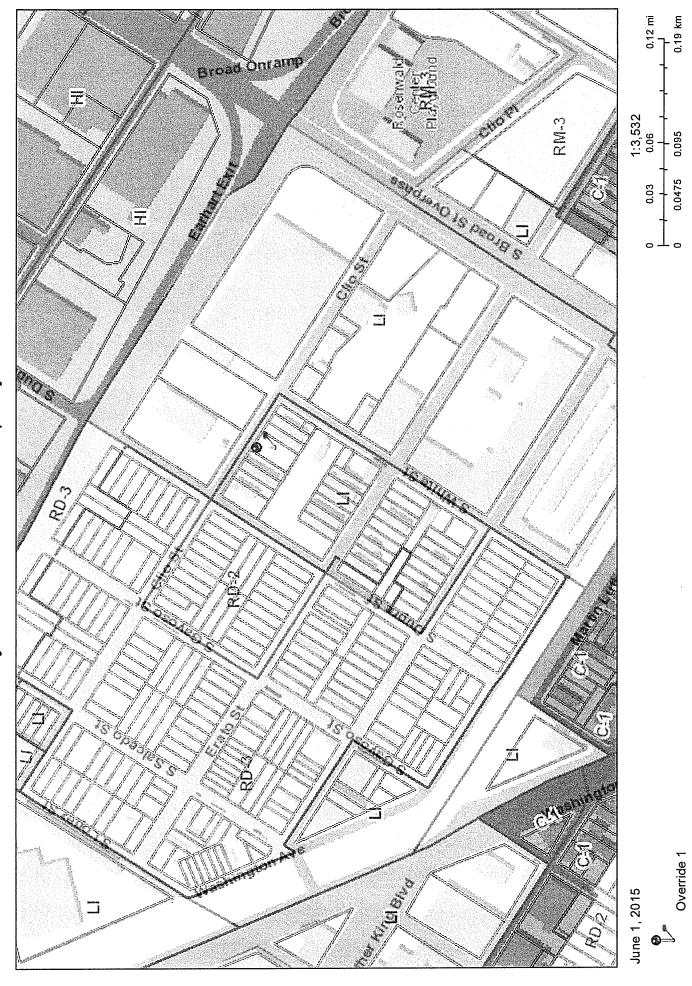
- 1. The proposal is not consistent with the intent of the Zion City Residential Character Preservation Interim Zoning District.
- 2. The proposal is inconsistent with the intent of the Master Plan.
- 3. The proposal would have adverse effects on the adjacent land that can only be minimized by standard provisos.

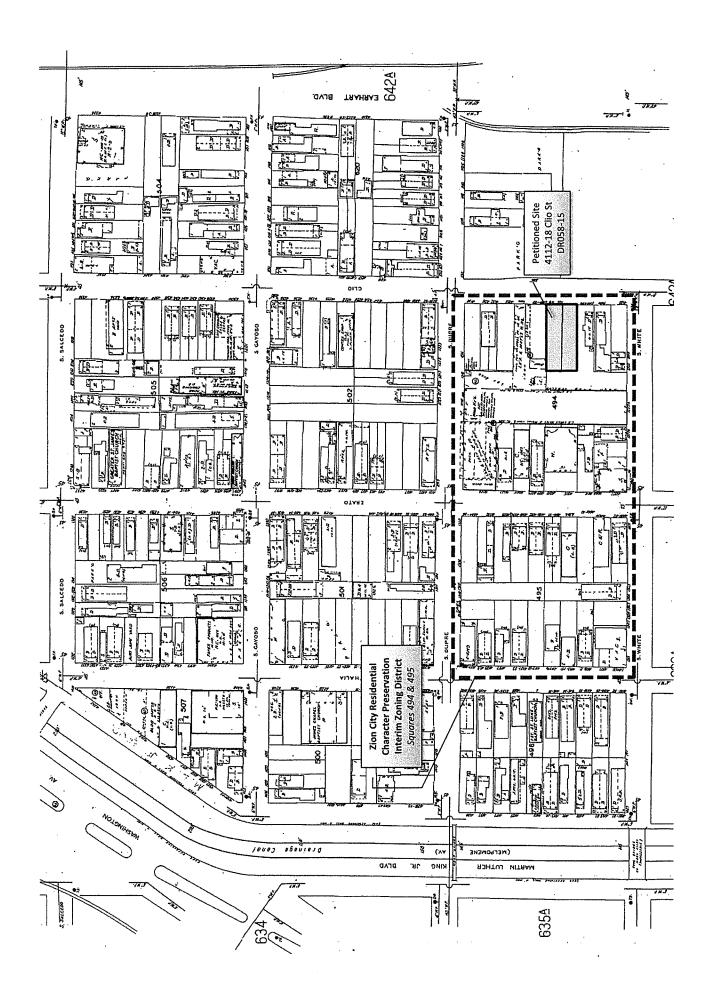
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¹ Subject to modification by the City Planning Commission.

City of New Orleans Property Viewer





PROPOSED NEW STORAGE & OFFICE BUILDING NEW ORLEANS, LA. 4116 CLIO ST.

DESIGN CRITERIA - INTERNATIONAL BUILDING CODECISC) 2012 EDITION-DESIGN WIND SPEED - 130MPH EXPOSURE CATEGORY 'B' IMPORTANCE FACTOR 1.0 BUILDING IS NOT: SPRINKLED

NEW RIDGID METAL FRAME STURAGE BUILDING SCOPE OF VORK

DESIGNED BY

MANDEVILLE, LA. 70448 MICHAEL M. HATTAWAY, P.E. *637* MARYILYN DRÍVE 985-626-9253

DRAWN BY

DEPARTMENT OF BAFETY & PERMITS CITY OF NEW ORLEANS

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SQ. NO. 494 FIRST DISTRICT

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NEYREY DESIGN, L.L.C. METAIRIE, LA. 70006 504-583-4522 FAX 504-888-1241 **4208 LUCERNE STREET**

SHEET

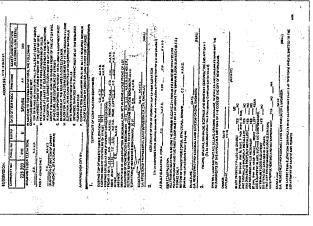
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NOTES AND SPECIFICATIONS

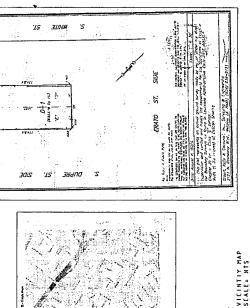
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A4 ELEVATIONS
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SITE SURVEY SCALE= NTS



LOT D,E SQ. 494 FIRST DISTRICT NEW ORLEANS, LA.



design criteria – international Bulloing Code(16C) 2012 edition Nise Strutural Code

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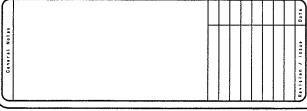
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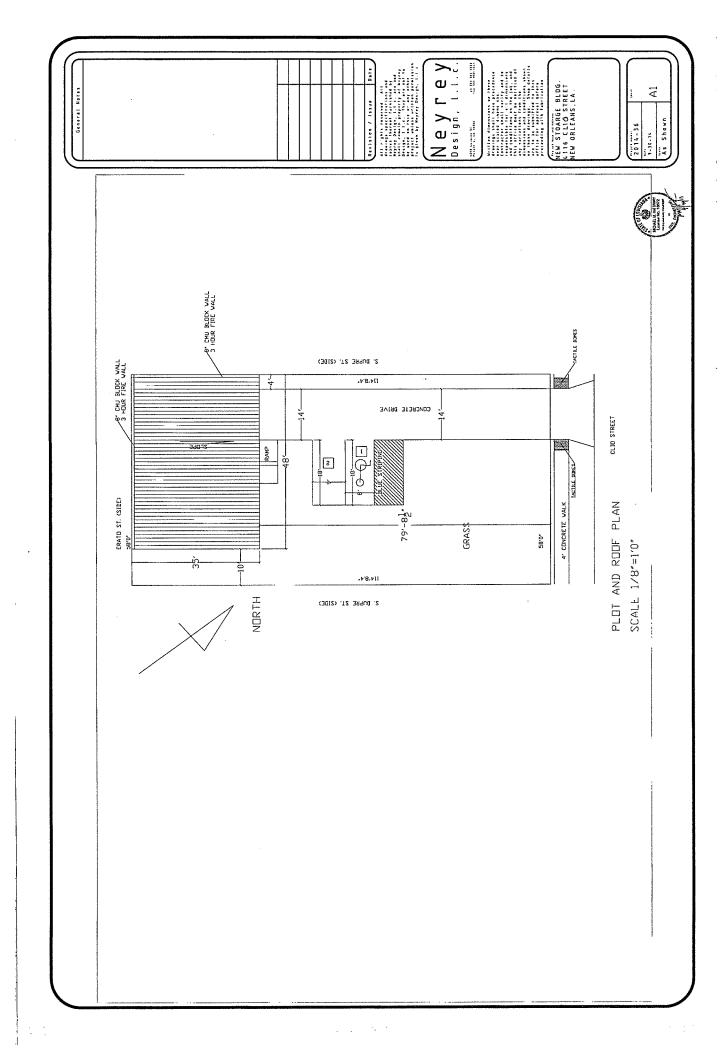


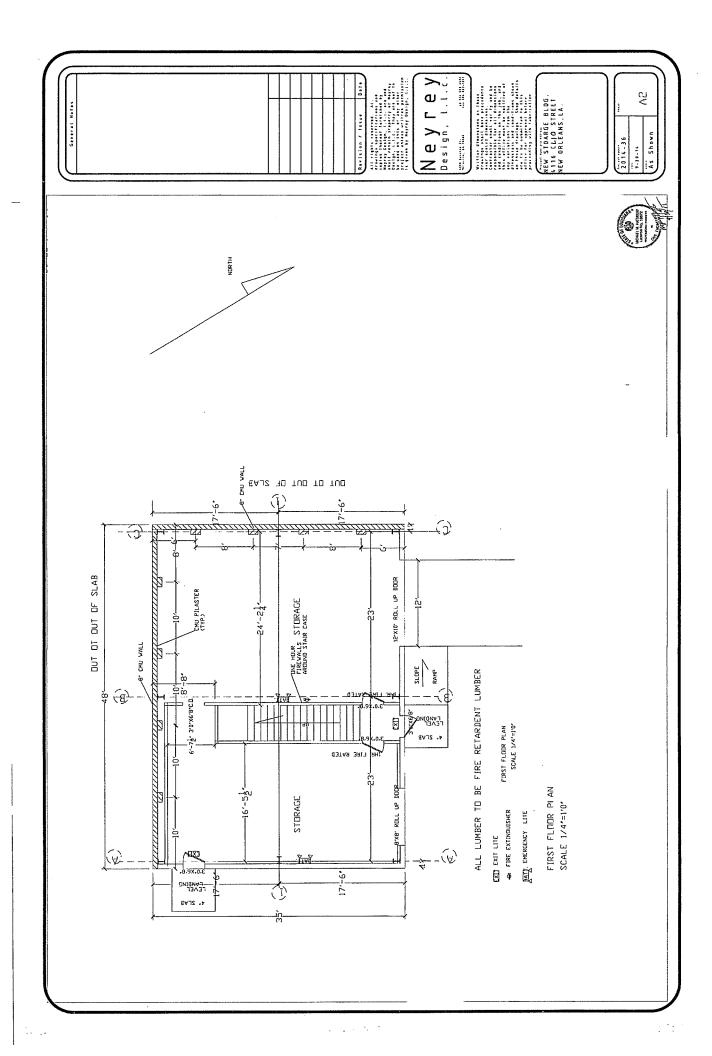
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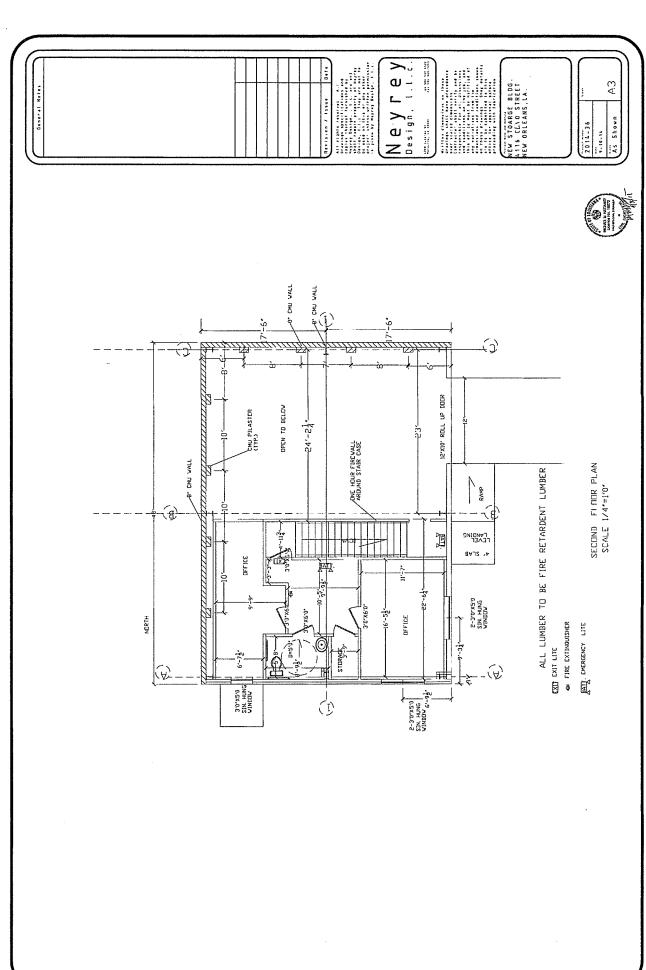
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