## City Planning Commission Meeting Tuesday, May 26, 2015

CPC Deadline: 07/10/15 CC Deadline: 08/11/15 Council District: B Councilmember: Cantrell

#### PRELIMINARY STAFF REPORT

To: City Planning Commission Prepared By: Valerie McMillan

**Zoning Docket:** 046/15 **Date:** May 15, 2015

#### I. GENERAL INFORMATION

Applicant: Mia H. Weber and Emmanuel M. Weber

Request: This is a request for a conditional use to permit a bed and breakfast family

home in an RM-2A Multiple-Family Residential District.

Location: The petitioned property is located on Square 108, Lot 23, in the Fourth

Municipal District, bounded by Laurel, Constance, and Josephine Streets and Jackson Avenue. The municipal address is 2123-25 Laurel Street. It is

within the Lower Garden District Local Historic District. (PD 2)

Description: The petitioned lot measures 30' in width by 116' in depth and has a total

site area of 3,480 square feet. The site is currently developed with a two-story, two-family residence with a total floor area of approximately 2,062 square feet. The applicant is currently converting the site from a two-family residence to an owner-occupied single-family residence, in order to operate a bed and breakfast family home, containing one guest room. The applicant has already received approval for the exterior modifications

from the Historic District Landmarks Commission (HDLC). 1

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

According to Article 4, Section 4.6.5(10) of the Comprehensive Zoning Ordinance, bed and breakfast family 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 requests prior to City Council action, in accordance with Article 16, Section 16.6.4 of the Comprehensive Zoning Ordinance.

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<sup>&</sup>lt;sup>1</sup> See Permit #15-12641

#### II. ANALYSIS

# A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?

The site is within a large RM-2A Multiple-Family Residential District generally bounded by Laurel St., Jackson Ave., Constance St. and St. Andrew St. The district consists mainly of single and two-family residences with instances of vacant lots and multi-family residences in a variety of one and two-story dwellings. Corner convenience stores, churches and schools are also within this district. Since most properties were built prior to the automobile, many properties do not provide off-street parking, though some do in side or rear yards.

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

Zoning:

1929 - "F" Commercial

1953 – "D" Multiple-Family Residential

1970 - RM-2A Multiple-Family Residential District

Land Use:

1929 – Commercial/Two-Family Residential

1949 - Commercial/Single-Family/Two-Family Residential

1999 – Residential Single/Two Family<sup>2</sup>

## 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 years, there has been the following zoning action for properties located within approximately five blocks of the site:

Zoning Docket 065/13 was a request for a conditional use to permit the sale of alcoholic beverages for on-premises consumption at a standard restaurant in a B-2 Neighborhood Business District and the Inner-City Urban Corridor (ICUC) District overlay. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. The municipal address is 839 Jackson Avenue. This location is approximately three blocks from the subject site.

This request is not indicative of any particular pattern or trend in the area.

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

The applicant proposes to convert an existing two-story, two-family residential structure into an owner-occupied single-family residence, which is to be used as a bed and breakfast family home. The site is located in a RM-2A Multiple-Family Residential District in the Lower Garden District Local Historic District. The

<sup>&</sup>lt;sup>2</sup> The 1999 Land Use Plan presented a generalized indication of land uses, and was not lot-specific.

petitioned lot measures 30' in width by 116' in depth and has a total site area of 3,480 square feet. The site is developed with an existing two-story, two-family residence with a total floor area of approximately 2,062 square feet. The applicant is currently converting the building from a two-family residence to a single-family residence to be used as a bed and breakfast family home. The site plans, though not drawn to scale, indicate that there will be only one guest room in the home. The sidewalk adjacent the site is in poor condition and no street trees currently exist in the public right-of-way near the site.

The nearest bed and breakfast to the petitioned site is Garden District Bed and Breakfast, which is located at 2418 Magazine Street. Since the subject property is not on the same block as another bed and breakfast, the proposal meets the proximity standards of Article 11, Section 11.6.1(a).

#### Definitional Standards

Bed and Breakfast Family Homes, as per Article 2, Section 2.2.17 and Section 2.2.18 and Article 11, Section 6.1 of the Comprehensive Zoning Ordinance, are only permitted in owner-occupied single-family residences. As submitted, the current floor plans reflect a single-family structure and indicate that the first bedroom will be designated for bed and breakfast use. To ensure that the applicant complies with the Regulations of Article 2, Section 2.2, the staff recommends the following provisos:

- The applicant shall convert the existing two-family residence into a single-family residence by establishing an interior connection between the two units and by removing the means to power the stove of one of the units. The floor plan shall be revised to indicate the presence of only one stove within the structure. This one stove shall be the only cooking facility present at the site.
- The applicant shall submit a proof of owner occupancy in a form of homestead exemption issued by the Orleans Parish Assessor's Office. The homestead exemption status shall be maintained for the life of the use.

#### Supplemental Use Standards

Several supplemental use standards for bed and breakfast accommodations are contained within **Article 11**, **Section 11.6** of the Comprehensive Zoning Ordinance to ensure that such uses do not adversely impact surrounding development. The staff recommends that these standards be adopted in the form of provisos within the conditional use ordinance:

• The applicant shall submit updated floor plans, drawn to scale, which indicate compliance with **Article 11**, **Section 11.6.1(h)** of the Comprehensive Zoning Ordinance.

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- The operator shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
- 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.
- Lease of common areas for social events is prohibited.

The applicant has already received approval from the Historic District Landmarks Commission for exterior renovations. Should the applicant proposed any additional exterior renovations; the staff recommends the following proviso:

• Any additional modifications to the exterior of the building and the existing gates/fences shall require review and approval by the Historic District Landmarks Commission.

#### Trash

Trash storage has not been indicated on the site plan, although photos of the site and the staff's site visit indicate that a trash receptacle is located in the driveway and is visible from the street. Therefore staff recommends the following provisos:

- The applicant shall indicate on the site plans the location of secure trash storage. In no case shall trash be stored so that it is visible from the public right-of-way.
- 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, 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.

#### Signage

Signage has not been indicated on the plans submitted. Any signage located on the exterior of the structure is subject to the provisions of **Article 12**, **Section 12.2.2** and **Article 4**, **Section 4.10.6** of the Comprehensive Zoning Ordinance. Also, due to the site's location in the Lower Garden Local Historic District, any exterior signage must be approved by the Historic District Landmarks Commission.

Any proposed exterior signage shall be subject to the provisions of Article
 12, Section 12.2.2 and Article 4, Section 4.10.6 of the Comprehensive

Zoning Ordinance and the approval of the Historic District Landmarks Commission.

#### Landscaping

The applicant's submitted photos indicate limited, existing landscaping on the site. Staff believes additional landscaping will ultimately enhance and fit with the aesthetics of the Lower Garden District, improve storm-water management along the site's block face and help to attract visitors to the site. Therefore staff recommends the following provisos:

• The applicant shall submit a revised site plan detailing additional landscaping along the front of the site, including the location and type of a street tree in the public right-of-way near the site, subject to the review and approval of City Planning Commission staff and the Department of Parks and Parkways.

As stated previously, the sidewalk adjacent the site is in poor condition, therefore; the staff recommends the following proviso:

• The applicant shall restore the sidewalk adjacent the petitioned site subject to the review and approval of the Department of Public Works.

## E. What is the potential traffic impact? What are the off-street parking requirements? Can they be provided on site? If not, is a waiver required?

#### Traffic

The site is located near the intersection of Laurel Street and Jackson Ave. Laurel Street is a one-way minor street with one lane of traffic and parking on either side. Jackson Avenue is the nearest major street and has two traffic lanes in each direction. Bus routes along Jackson Avenue have stops near the petitioned site. Minimal adverse impacts are anticipated from the proposed bed & breakfast family home. A one-room bed & breakfast would not significantly generate more traffic to the site than nearby two-family residences or corner commercial uses. There is also ample on-street parking along the block face of the petitioned site. The applicant states that out of town visitors will not park at the site, and that a car service will be utilized in an effort to minimize adverse effects in the area.

#### Off-street parking

According to Article 15, Section 15.2.1 and Table 15.A of the Comprehensive Zoning Ordinance, a bed and breakfast is required to provide one off-street parking space for every two guest rooms. One additional off-street parking space is required for the owner-occupant. Therefore, the petitioned property is required to provide two off-street parking spaces. According to the Department of Safety

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and Permits' staff, the site was historically utilized as a two-family residence and did not provide parking onsite. Because of its previous use as a two-family residence which did not provide off-street parking, the site is grandfathered two off-street parking spaces. The applicant is not required to provide any additional off-street parking spaces for the bed and breakfast once the renovations are completed.

#### F. What are the comments from other agencies/departments/committees?

The proposal was considered at the Planning Advisory Committee meeting of May 6, 2015. The Department of Public Works stated that it would request that the applicant repair the sidewalk adjacent the site. The Department of Parks and Parkways stated that it would request that the applicant plant street trees along the frontage of the site, provided that there is ample space and doing so would not interfere with any underground water or sewerage connections. The applicant posed no objection to these modifications. The committee unanimously passed a motion of no objection of the request subject to further review by the City Planning Commission, the Department of Parks and Parkways and the Historic District Landmarks Commission.

#### G. What effects/impacts would the proposed use have on the neighborhood?

The proposed bed and breakfast would have minimal negative impact on the neighborhood. Since it is to have only guest room, the number of occupants the home could have at any one time as a bed and breakfast would be comparable to the number of occupants it has historically been able to have as a two-family residence. The levels of overall activity, noise, traffic, and demand for parking the bed and breakfast home generates should be comparable to those associated with the current use of the structure as a two-family residence. Therefore, it would not have inappropriate impacts on nearby properties.

## III. Is the proposed action supported by or in conflict with the policies and strategies of the *Plan for the 21<sup>st</sup> Century*?

The request for a conditional use to permit a bed and breakfast family home in an RD-3 Two-Family Residential District is **consistent** with the *Plan for the 21<sup>st</sup> Century*, commonly known as the Master Plan. "Chapter 14: Land Use Plan" of the Plan for the 21<sup>st</sup> Century designates the future land use of the petitioned site as Residential Low Density Pre-War. The goal, range of uses and development character for the designation mentioned above 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 multifamily 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/acre.

The proposed bed and breakfast home is consistent with the Master Plan as it is primarily a single-family residence. The building will be owner-occupied and fits in with the development character of the surrounding area.

#### IV. SUMMARY

Zoning Docket 046/15 is a conditional use request to allow a bed and breakfast family home in an existing residence in the Lower Garden District Local Historic District. The applicant proposes to convert the residence from a two-family residence to an owner-occupied single-family residence, and use one of the two bedrooms as a guest bedroom. The applicant has already received approval for the exterior modifications from the Historic District Landmarks Commission (HDLC) for this request. No significant impacts are anticipated on traffic and access to parking in the area. The request is consistent with the *Plan for the 21<sup>st</sup> Century* which designates the site Residential Low Density Pre-War. The recommended provisos address compliance with the regulations for a bed and breakfast family home.

### V. PRELIMINARY STAFF RECOMMENDATION<sup>3</sup>

The staff recommends **APPROVAL** of Zoning Docket 046/15, subject to thirteen (13) provisos:

#### **Provisos**

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a

<sup>&</sup>lt;sup>3</sup> Subject to modification by the City Planning Commission

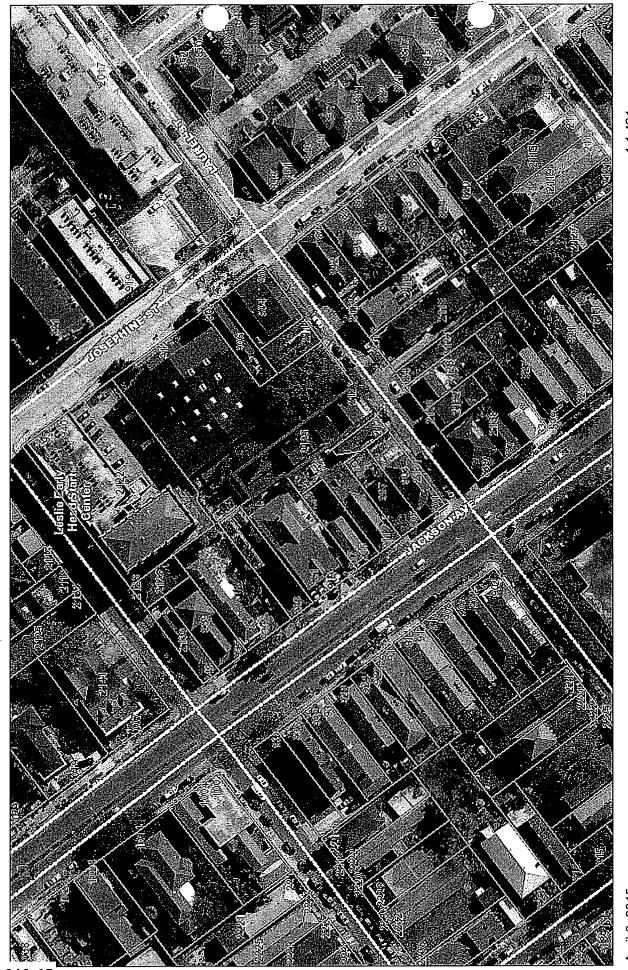
- one year time period or failure to request an administrative extension as provided for in **Article 16**, **Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.
- 2. The applicant shall convert the existing two-family residence into a single-family residence by establishing an interior connection between the two units and by removing the means to power the stove of one of the units. The floor plan shall be revised to indicate the presence of only one stove within the structure. This one stove shall be the only cooking facility present at the site.
- 3. The applicant shall submit a proof of owner occupancy in a form of homestead exemption issued by the Orleans Parish Assessor's Office. The homestead exemption status shall be maintained for the life of the use.
- 4. The applicant shall submit updated floor plans, drawn to scale, which indicate compliance with **Article 11**, **Section 11.6.1(h)** of the Comprehensive Zoning Ordinance.
- 5. The operator shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
- 6. 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.
- 7. Lease of common areas for social events is prohibited.
- 8. Any additional modifications to the exterior of the building and the existing gates/fences shall require review and approval by the Historic District Landmarks Commission.
- 9. The applicant shall indicate on the site plans the location of secure trash storage. In no case shall trash be stored so that it is visible from the public right-of-way.
- 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, 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. Any proposed exterior signage shall be subject to the provisions of **Article 12**, **Section 12.2.2** and **Article 4**, **Section 4.10.6** of the Comprehensive Zoning Ordinance and approval of the Historic District Landmarks Commission.

- 12. The applicant shall submit a revised site plan detailing additional landscaping along the front of the site, including the location and type of a street tree in the public right-of-way near the site, subject to the review and approval of City Planning Commission staff and the Department of Parks and Parkways.
- 13. The applicant shall restore the sidewalk adjacent the petitioned site subject to the review and approval of the Department of Public Works.

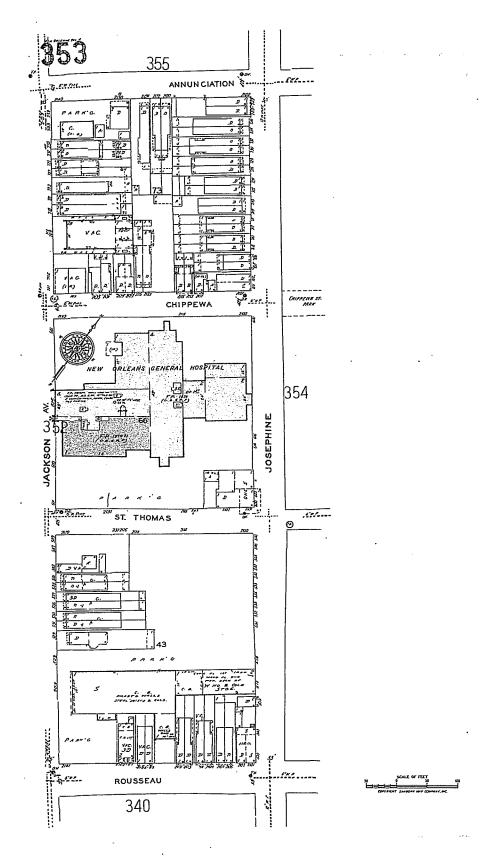
#### VI. REASONS FOR RECOMMENDATION

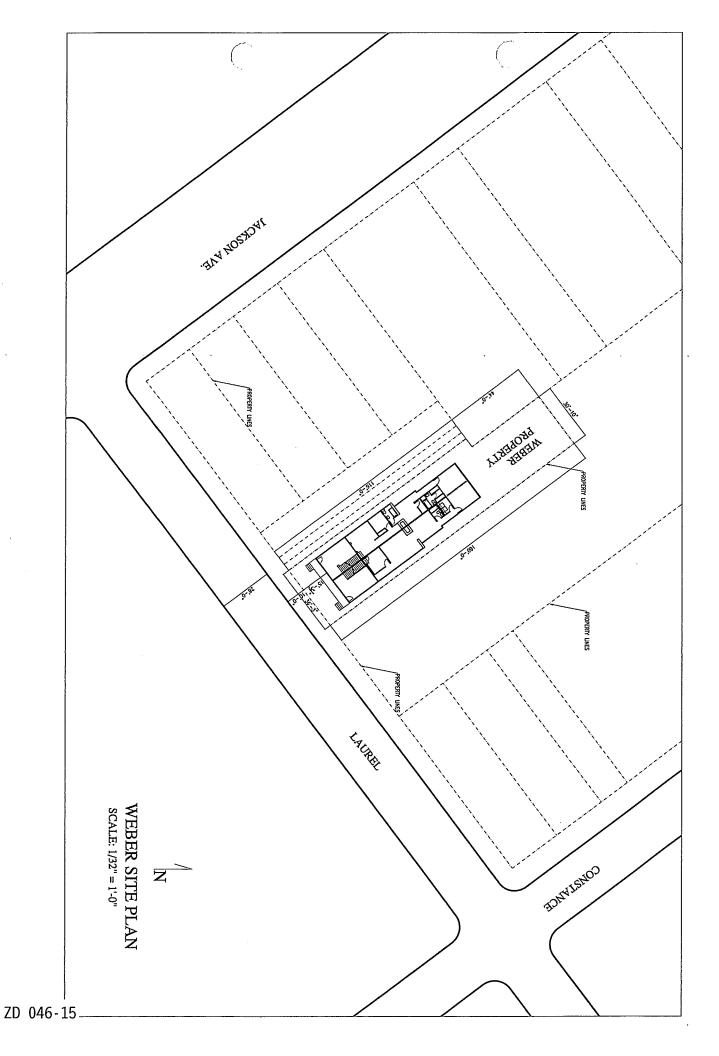
- 1. The proposed bed and breakfast family home will have minimal adverse impacts on the surrounding area.
- 2. The request is consistent with the *Plan for the 21<sup>st</sup> Century*.
- VII. Should the applicant desire changes to any recommended waivers or provisos, the applicant is encouraged to bring any proposed alternative language for discussion at the meeting.

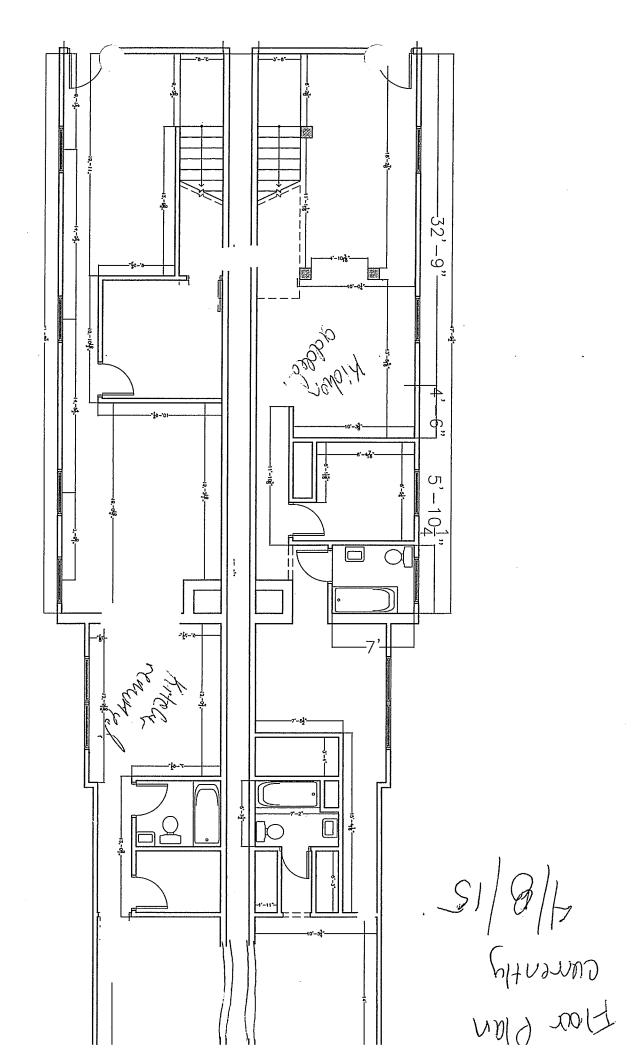
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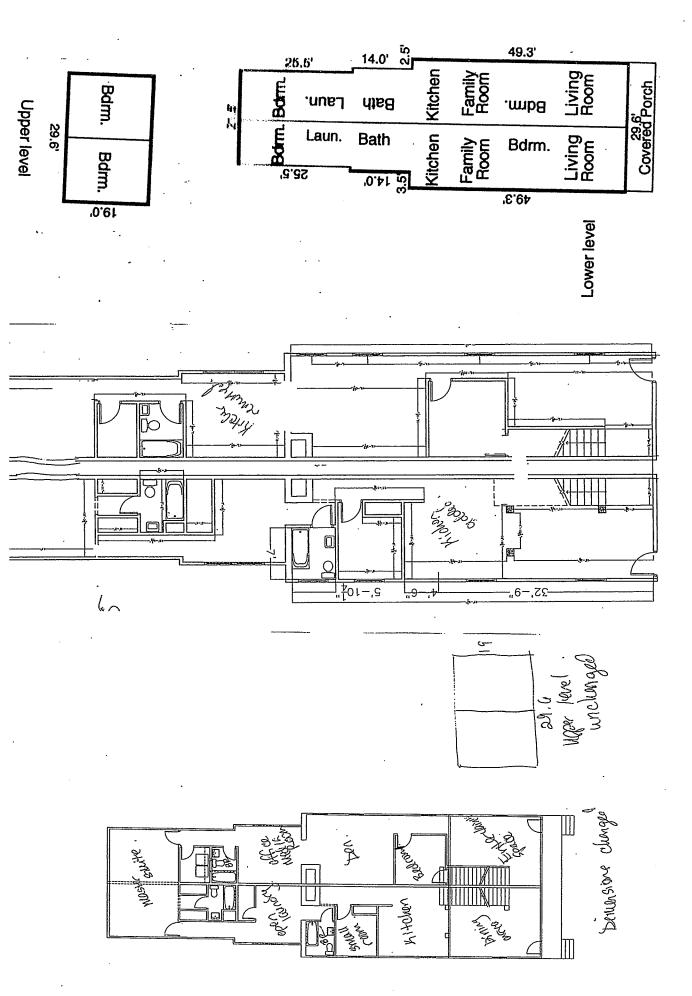
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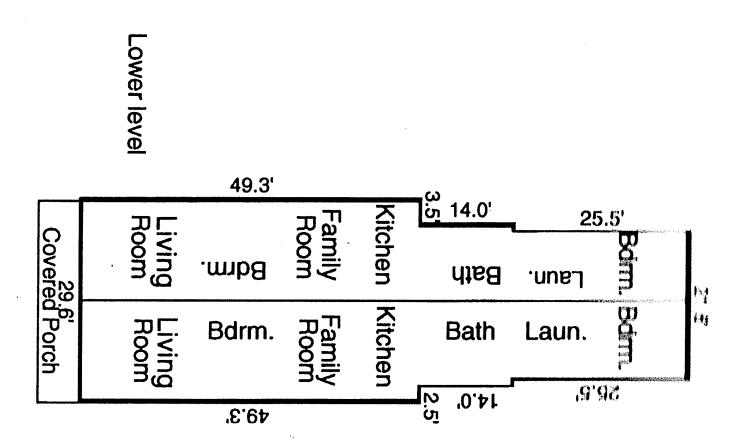


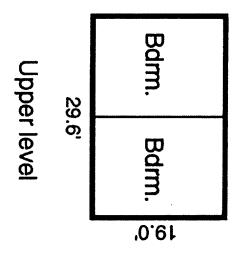




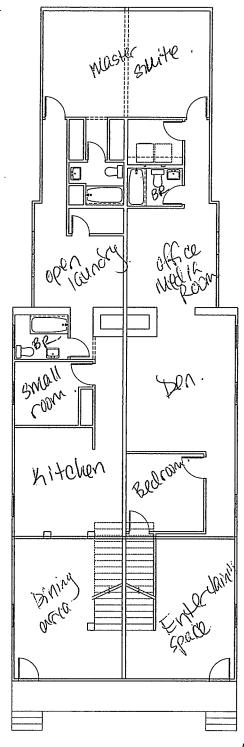
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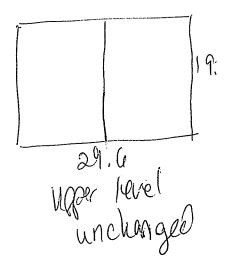




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#### Dear Neighbor:

Recently my family and I have obtained a beautiful creole cottage at 2125 Laurel Street. We are natives of the New Orleans garden district/ Irish Channel and have always dreamed of moving back to the area of our childhood. Currently we are beautifying the home to its full historic potential. Later, we plan to establish a small Bed and Breakfast. Clients would be limit to 1-2 guest at a time so parking space will not be limited. We plan to have 24 hour camera surveillance and security features for our family's as well as our guest's safety. Our application has been heard by the City Planning Commission and is in process. Because you are a nearby neighbor and share an interest in the neighborhood, we are inviting you to a meeting at our cozy creole cottage which has and will come a long way as we continue to renovate. We look forward to meeting our neighbors and would entertain any question you have about our endeavors.

The meeting will take place:

Wednesday April 1, 2015 at 6:30 pm

2125 Laurel Street New Orleans LA 70030

If you cannot attend and still have question, please feel free to email us at <a href="mailto:pedsdrweber@yahoo.com">pedsdrweber@yahoo.com</a>. Sincerely,

Mia and Emmanuel Weber

# Old La La's Creole Cottage 2123-2125 Laurel Street, New Orleans Louisiana 70130 Neighborhood Outreach Report 4/8/15

pedsdrweber@yahoo.com

#### **Project NPP Report**

Date of Report: 4/7/2015

Project Name: Old La La's Creole Cottage

**Overview:** This report provides results of the implementation of the Project Neighborhood Participation Program for the property located at 2123-2125 Laurel Street, New Orleans 70130. The applicant intends to utilize a residence as a Bed and Breakfast and obtain city approved permits to do so. This historic double occupancy home will be renovated into a single family home. The historic architecture and culture significance will be highlighted in the interior and exterior design. This report is a summary of contact with citizens, neighbors, public agencies, and interested parties. Comments and sign-in lists and other materials are available.

Contact:

Mia Weber and Emmanuel Weber

2125 Laurel Street New Orleans, LA 70130

504-296-9875

Email: pedsdrweber@yahoo.com

#### **Neighborhood Meeting:**

April 1, 2015- Meeting at 2123 Laurel Street 6pm-8pm 12 people in attendance.

#### **Correspondence:**

March 25, 2015- Flyers distributed within a 300 foot radius.

March 25, 2015- Letters mailed to contact list, including homes, apartments, neighborhood associations, councilwoman, and churches and school

March 30, 2015- Email correspondence with Beulah Neyland about if we will routinely serve breakfast.

March 31, 2015- Email correspondence with Nathan Albert welcoming us to the neighborhood and well wishes.

July 2014-April 2015- Multiple conversations about intentions with Father Richard Thibodeaux, President of the Society of Redemptorist (manages and own greater than 60% of the properties in the 300 foot radius) with his continued support via email to various municipalities while navigating renovations.

#### Results:

There were 175 letters mailed/ distributed to invite the community to the neighborhood outreach meeting.

- 1. Summary of concerns/issues and solutions:
  - a. Parking space addressed in the invitation letter and we explained for out of town guest a car service will be offered. We will limit our individual guests imprint on the neighborhood to 3 cars or less.
  - b. Safety was discussed. We will have security cameras and security system installed. All guests with need to provide a valid credit card and state id unless they are an accompanied minor.

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8) Wanda Cushirberry 2126 Laurel 5t. - (504) 329-4120

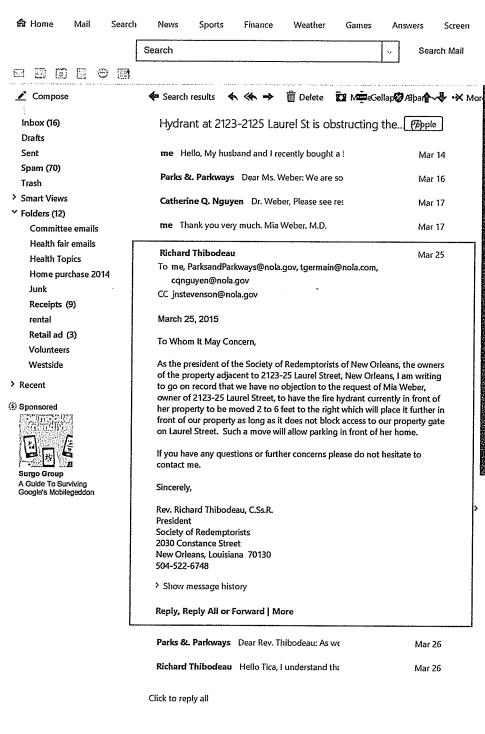
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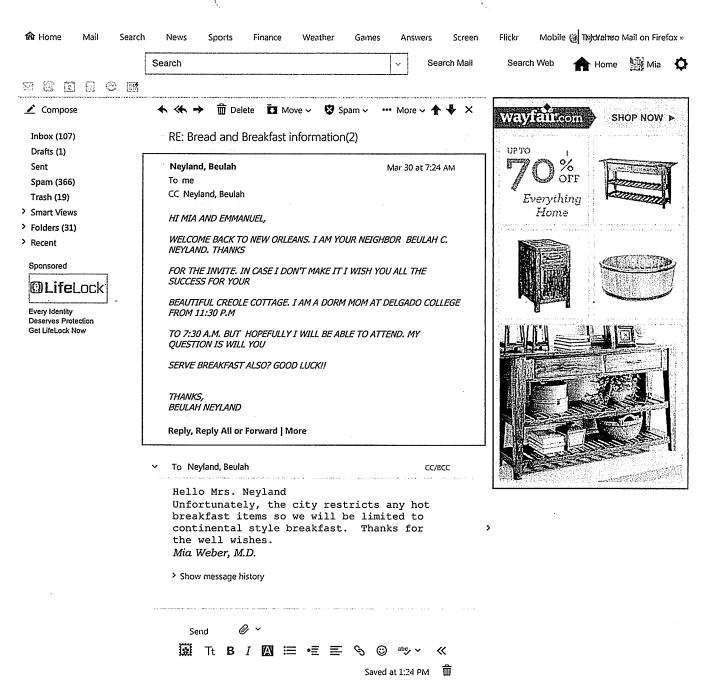


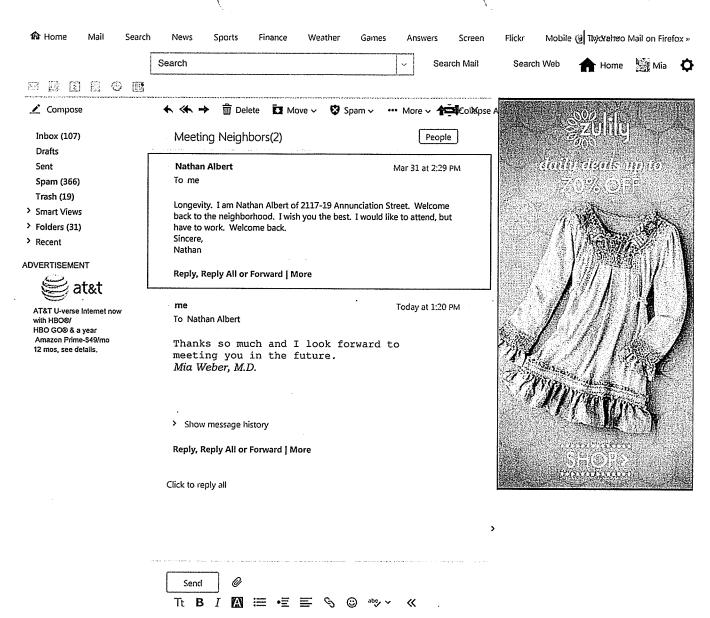
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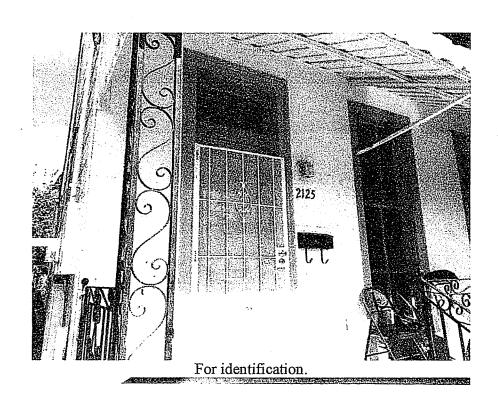


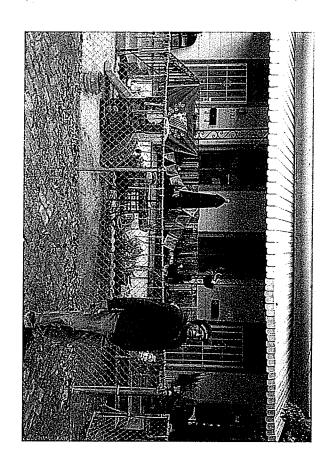
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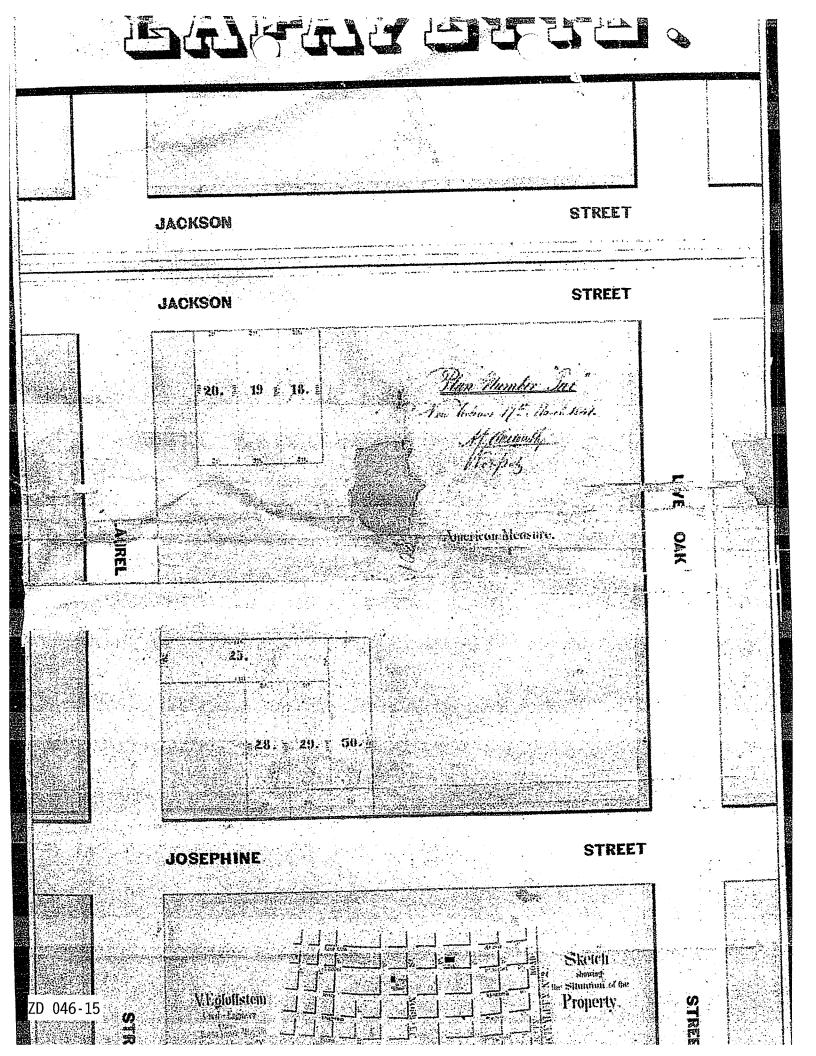
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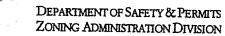












## CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU MAYOR

PAUL MAY DIRECTOR

#### **ZONING VERIFICATION**

The City's Zoning Map can be found online at http://cno-gisweb02.cityofno.com/CNOPropertyviewer/default.aspx; the full and complete text of the Comprehensive Zoning Ordinance is available online at http://www.municode.com/resources/onlinelibrary.asp.

Date: 6/8/-	
To:	
This letter is to verify the zoning classification of the fo	ollowing property:
Address: 2123 Laurel &	
Lot Number(s):	Square(s):
Zoning Designation: 2M-2A	
Zoning Description: Note James Residential	
Zoning Base Map:	
Attachment(s):	
Comments: A Bol & End Host is a CONDITION	IAL OSE in this district.
Apply with City Planning Communication.	
Inspector Signature:	
<b>5</b>	

Please note that the City's Zoning Base Maps do not reflect municipal addresses and may not contain accurate legal property descriptions. Prior to any sale, purchase, or mortgage any interested party should personally review the most current maps, which are maintained by the City Planning Commission (1340 Poydras Street, Suite 900).

1300 PERDIDO STREET | ROOM 7E05 | NEW ORLEANS, LOUISIANA 70112 TELEPHONE: 504.658.7125 | FACSIMILE: 504.658.7210



