

City Planning Commission Meeting
Tuesday, May 26, 2015

CPC Deadline: None
CC Deadline: 45 days from receipt from CPC
Council District: E – Gray

PRELIMINARY STAFF REPORT

To: City Planning Commission
Design Review: 042/15

Prepared by: Brooke Perry
Date: May 13, 2015

Applicant: Ahmed Salem

Request: This request is an appeal of the Eastern New Orleans Urban Corridor (UC) District regulations, **Article 10, Section 10.1B.9.1- Permitted Detached Identification Signs** of the *Comprehensive Zoning Ordinance*, to permit a detached pole sign with excessive sign area, excessive height, insufficient setback from the adjacent public right-of-way, and insufficient landscaping.

Zoning: LI Light Industrial District and Eastern New Orleans Urban Corridor (UC) District

Location: The petitioned property is located in the Third Municipal District, on Square F-1, on Lot 3-A, bounded by Chef Menteur Highway, Michoud Boulevard, Louisville & Nashville Railroad right-of-way, and West Line Michoud Tract. The municipal address is 12930 Chef Menteur Highway. (PD 10)

Proposal: The petitioned site is a large interior lot with frontage on Chef Menteur Highway close to the Interstate 510 interchange. The lot is zoned LI Light Industrial District and is located within the Eastern New Orleans Urban Corridor (UC) Overlay District. The subject lot, Lot 3-A, is rectangular-shaped with a lot width of 300 feet, a lot depth of approximately 404 feet, for a total lot area of 121,200 square feet. The lot is occupied by a gas station and is improved with a small retail store and two canopy structures which provide shelter for gas pumps. The vast majority of the site is paved.

The applicant proposes to install a detached pole sign that measures 30 feet in height, which exceeds the 12 foot height limit for detached signs in the Eastern New Orleans Urban Corridor District. The sign is required to be set back from the public right-of-way a distance equal to the height of the sign, currently the sign is setback approximately 10 feet, seven inches from the public right-of-way, which does not meet this requirement.¹ The proposed sign measures 13 feet, four inches in width, eight feet in height, for a total sign area of 106.67 square feet, which is greater than the 70 square feet allowed by the Eastern New Orleans UC. In

¹ Distance from public right-of-way measurement is approximate. At the time of application, the applicant provided a survey showing the location of the sign, however it did not expressly state the distance from the sign to the right-of-way. The staff requested the measurement from the applicant several times, however the applicant has not responded. Using Bluebeam Revu software, the staff approximated the distance from the right-of-way to be 10 feet, seven inches.

addition, landscaping is required around the base of any detached identification sign; the current proposal does not provide any landscaping. As such, a waiver of the Eastern New Orleans Urban Corridor Overlay District regulations is required.

Why is City Planning Commission Action required?

Article 10, Section 10.1B.14 - Appeals of the Comprehensive Zoning Ordinance requires that all variances of the Eastern New Orleans Urban Corridor (UC) District or from the underlying zoning district regulations be reviewed for recommendation by the City Planning Commission and forwarded to the City Council for final action. Therefore, the waivers of **Article 10, Section 10.1B.9.1(b) - Permitted Sign Face Area**, **Article 10, Section 10.1B.9.1(d) - Permitted Height**, **Article 10, Section 10.1B.9.1(e) - Permitted Location**, and **Article 15, Section 15.2.5(16) - Required Landscaping** of the Comprehensive Zoning Ordinance are required to go before the City Planning Commission for a recommendation and then City Council for final action.

I. EVALUATION

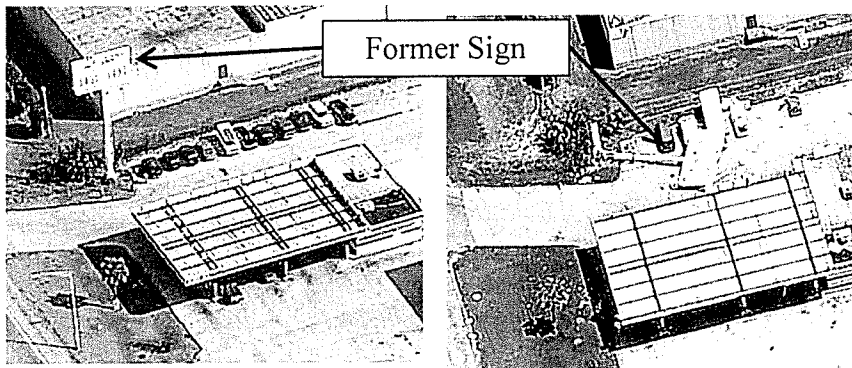
The purpose of the Eastern New Orleans Urban Corridor (UC) District “*is to provide for a superior environment along major suburban transportation corridors through... unique provisions pertaining to accessory signs and design requirements intended to support and complement land use development and establish a positive design image.*” This is achieved through various design standards including the limitations in new signage found in **Article 10, Section 10.1B.9 - Permitted Detached Identification Signs** of the Comprehensive Zoning Ordinance.

The petitioned site is improved with a gas station that contains a small convenience store and two canopy structures which provide shelter for gas pumps. Almost the entire site is paved. The site formerly had a large billboard-sized pole sign located on the Michoud Boulevard side of the property. The top portion of the sign fell during Hurricane Katrina and was never rebuilt. The applicant is

Figure 2: Remaining base of former sign



Figure 1: Aerial imagery of the subject site from January 13, 2004 showing the former sign and September 11, 2005 showing the sign after Hurricane Katrina.



proposing to install a new sign in the existing base of the former sign. The Zoning Administrator has determined that the remaining sign base does not qualify as a non-conforming sign, and thus should be treated as a new sign.

Single occupant sites, such as the subject property, in the Eastern New Orleans UC District are permitted one detached identification sign per street frontage. The applicant is proposing a detached pole sign in the location of the former sign, and is thus governed by **Article 10, Section 10.1B.9 - Permitted Detached Identification Signs** of the Comprehensive Zoning Ordinance.

Permitted Contents

The content of detached signage is limited to identification by letter, numeral, symbol or design of the use, its name and/or address. The proposed sign contains the name of the business, Discount Zone, and has an area for changeable message area so that current gas prices can be displayed. While gas prices are not considered identification of the business, **Article 10, Section 10.1B.9**, specifically allows gasoline service stations to integrate rate and price information into signage, provided:

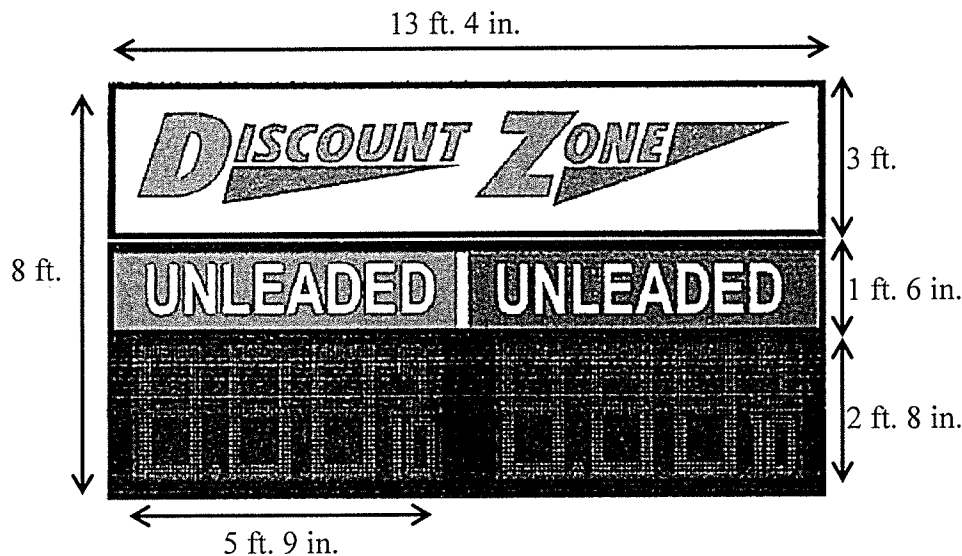
- Freestanding signs displaying price and rate information are not utilized
- Price and rate information is limited to 30 percent of the surface of the sign.

The proposed sign meets these qualifications; therefore a waiver of contents is not required.

Permitted Sign Face Area

The permitted sign area in the Eastern New Orleans UC District is calculated based on lineal street frontage. The district allows one square foot per lineal foot of street frontage with a maximum of 70 square feet. The subject site has 300 feet of frontage along Chef Menteur Highway, and thus is permitted the maximum sign area of 70 feet. The proposed sign measures 13 feet, four inches in width, eight feet in height, for a total sign area of 106 square feet. The proposed sign exceeds the permitted sign area, therefore a waiver of **Article 10, Section 10.1B.9.b - Permitted Sign Face Area** is required.

Figure 3: Proposed Sign Dimensions



Permitted Changeable Message Area

Detached signs in the Eastern New Orleans UC District are permitted to have a message area or menu board, provided that the changeable message area is not greater than 30% of the sign area. The proposed sign has two digital screens that will be used to display gas prices. Each screen measures two feet, eight inches in width and five feet, nine inches in height. The area of each screen is 15.33 square feet, for a total combined area of 30.67 square feet. The total area of changeable message area for the proposed sign is 28.75%, which complies with the 30% limit.

Permitted Height

The maximum height of detached signs is limited to 12 feet. The proposed sign's height is 30 feet, far exceeding this requirement. Thus a waiver of **Article 10, Section 10.1B.9.1(d) - Permitted Height** is required.

Permitted Location

The Eastern New Orleans UC District requires that detached signs be setback from all adjacent public rights-of-way a distance equal to the height of the sign. This setback is to be measured from the nearest portion of the sign. The proposed sign height is 30 feet, thus the proposed sign would be required to be setback 30 feet from the public right-of-way. At the time of application, the applicant provided a survey showing the location of the sign, however it did not expressly state the distance from the sign to the right-of-way. The staff requested the measurement from the applicant several times, however the applicant has not responded. Using Bluebeam Revu software, the staff approximated the distance from the right-of-way to be 10 feet, seven inches. This distance is less than the proposed height of the sign, so it does not comply with the setback requirement of the District and thus a waiver of **Article 10, Section 10.1B.9.1(e) - Permitted Location** is required.

The proposed sign and part of the existing canopy is located in a 22' servitude at the front of the property that is the property of the Louisiana Department of Transportation and Development.

- The applicant shall obtain approval from the Louisiana Department of Transportation and Development to permit the sign to be located within the servitude.

Required Landscaping

In the Eastern New Orleans UC District, landscaping is required around the base of any detached sign. The applicant is proposing no landscaping, and thus a waiver of **Article 15, Section 15.2.5(16) - Required Landscaping** is required.

Permitted Illumination

Signs in the district may be illuminated but are not permitted to flash, blink, fluctuate, be animated, or change physical position by movement or rotation. The proposed sign is internally illuminated and contains LED illuminated numbers in the changeable message area. The proposed sign is compliant with the illumination requirements of the Eastern New Orleans UC District.

The purpose of the Eastern New Orleans Urban Corridor (UC) is to provide for a superior environment along major transportation corridors, such as Chef Menteur Highway. The property's location has increased visibility as it fronts on a major state road and is located close to the junction of Interstate 510. The proposed sign greatly exceeds the permitted sign area and permitted height of the district. The sign does not provide an adequate setback from the public right-of-way, which further exacerbates its presence on pedestrians or motorists travelling past the petitioned site. Additionally, there is no landscaping proposed at the base of the sign. The staff believes that the proposed pole sign is contrary to the intent of the Eastern New Orleans Urban Corridor District and would establish a negative design image. The granting of the waiver of so many of the district's requirements would be detrimental to the corridor. The staff believes the existing regulations are lenient enough for adequate signage to be installed on site.

II. SUMMARY

Design Review docket 042/15 is an appeal of the Eastern New Orleans Urban Corridor (UC) District Regulations, **Article 10, Section 10.1B.9 - Permitted Detached Identification Signs** of the Comprehensive Zoning Ordinance to permit a sign that exceeds the maximum sign area allowed, exceeds the maximum height permitted by the district, does not provide an adequate setback from the public right-of-way, and does not provide the required landscaping. The staff believes that the proposed sign would establish a negative design image, which is contrary to the intent of the district. The granting of the waiver of so many of the district's requirements would be detrimental to the corridor and would establish a negative precedent for granting such requests in the future. The staff believes the existing regulations are lenient enough for adequate signage to be installed on site. Therefore, the staff recommends denial of Design Review 042/15.

III. PRELIMINARY STAFF RECOMMENDATION²

The staff recommends **DENIAL** of Design Review 042/15.

IV. REASONS FOR RECOMMENDATION

1. The intent of the Eastern New Orleans Urban Corridor District regulations to establish a positive design image, would be compromised by granting the variances.
2. Granting the request will constitute preferential treatment to this business and could encourage similar requests.

² Subject to modification by the City Planning Commission.

3. The existing sign regulations provide ample opportunity for the site to install signage that is adequately sized to be visible by patrons.

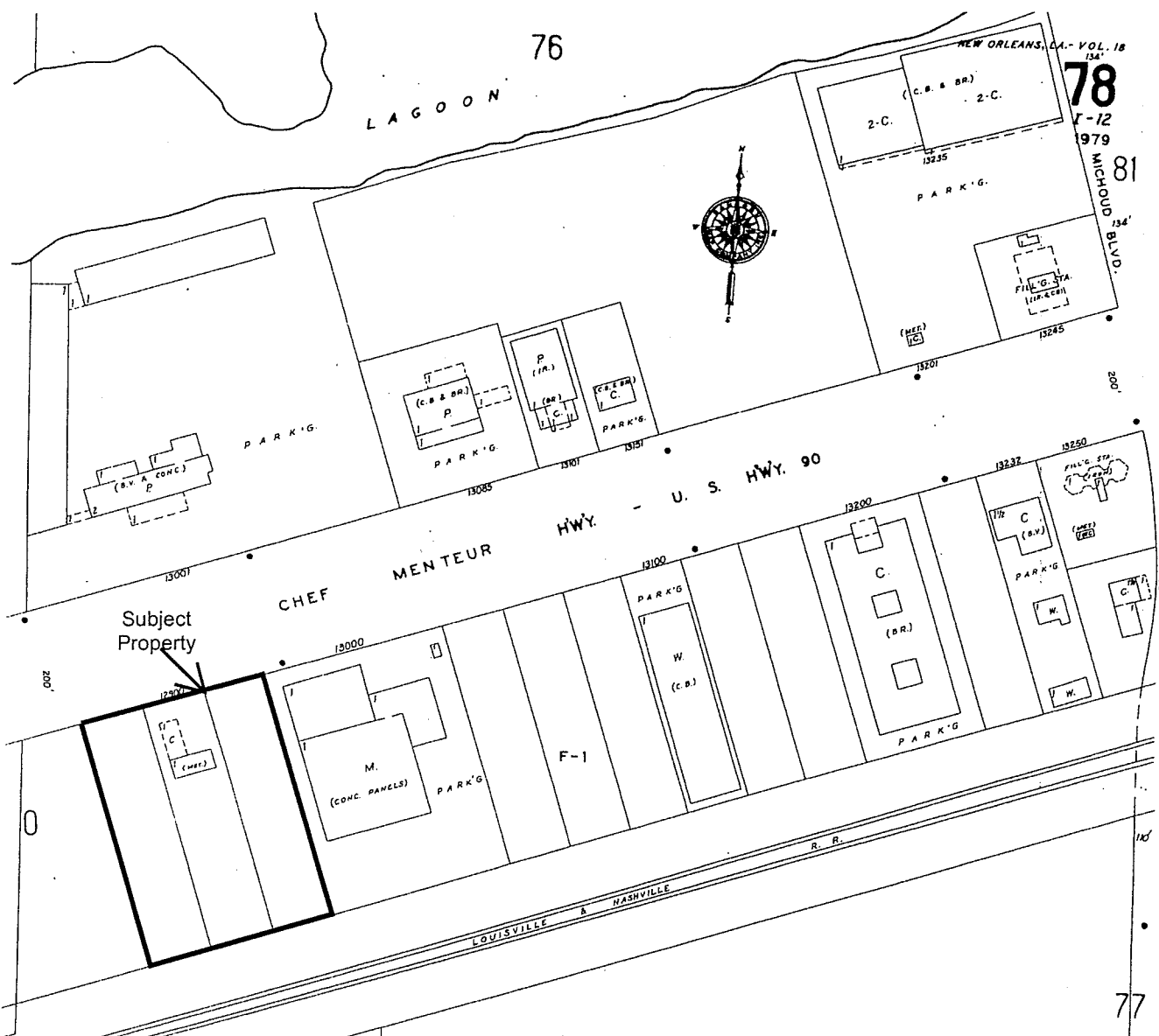
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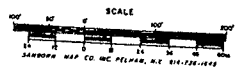
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979

MICHOU D BLVD.
134'



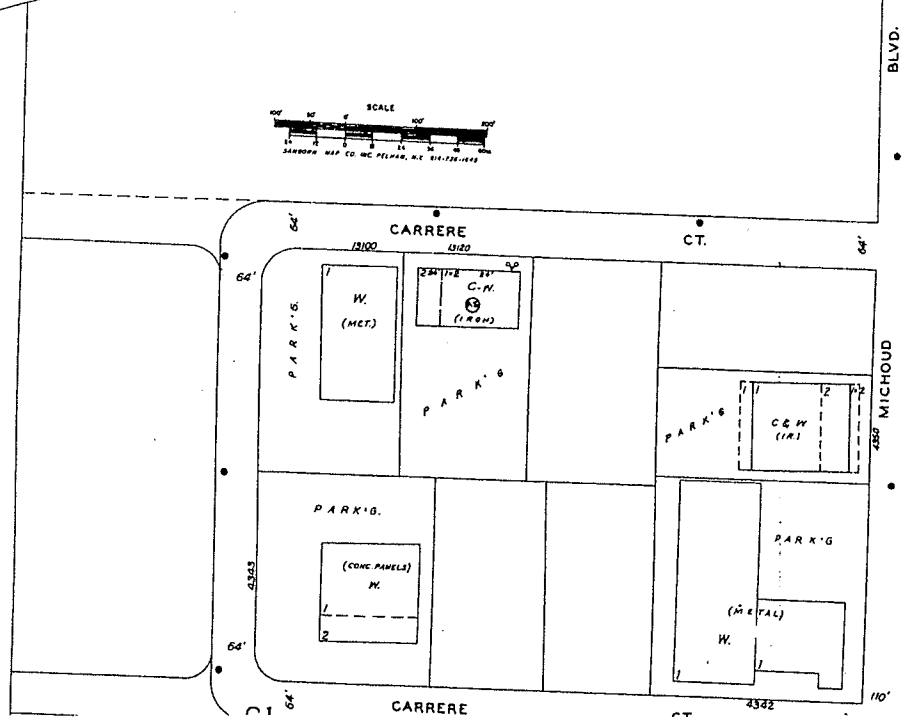
Subject Property

LOUISVILLE & NASHVILLE R.R.



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BLVD.



City of New Orleans Property Viewer

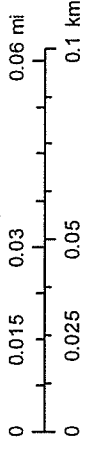


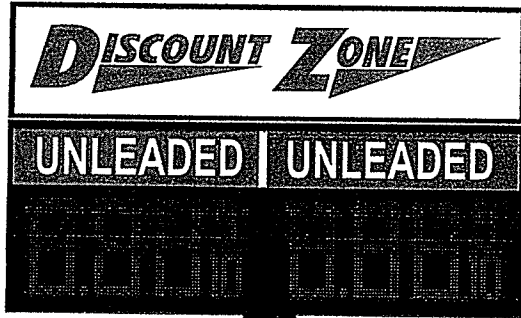
May 12, 2015



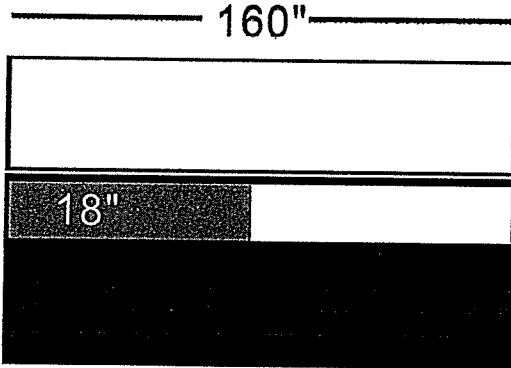
Override 1

1:1,975



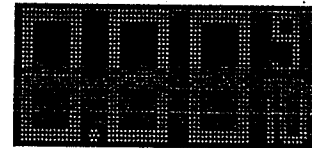


96"



36"

60"

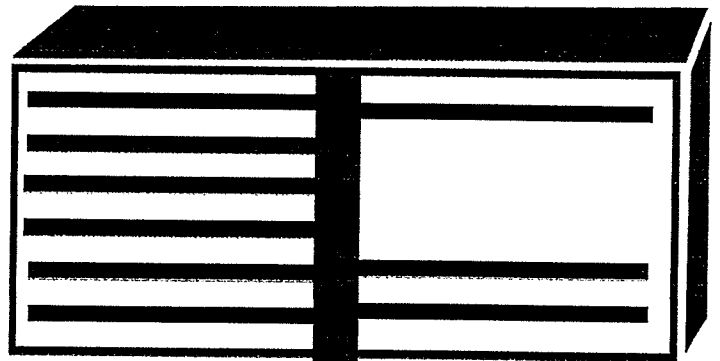


32"

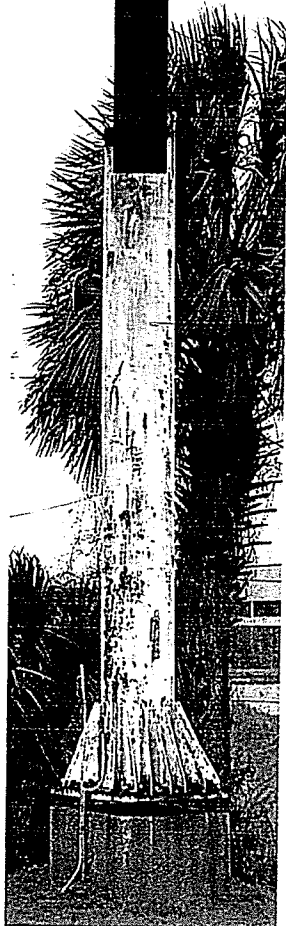
69" DIGITAL NUMBERS

8"

LEDS




EXISTING POLE

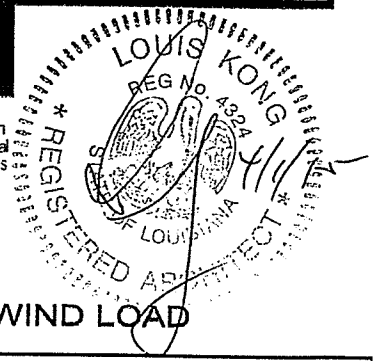


ALL COMPONENTS LISTED
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

TITLE 24 COMPLIANT

ALL MATERIAL WILL BE  LISTED

SIGN TO WITH STAND 140 MPH WIND LOAD



SIGN COMPANY

AAA BUSINESS SIGNS
 220 LIVINGSTON AVE
 ARABI, LA 70032

JAMES RIZZUTO
 504-722-1152
 LICENSE # 5112788

ARCHITECT

LOUIS KONG
 504 837-0764
 5726 ST CHARLES
 NO. LA 70015

REQ NO 4324

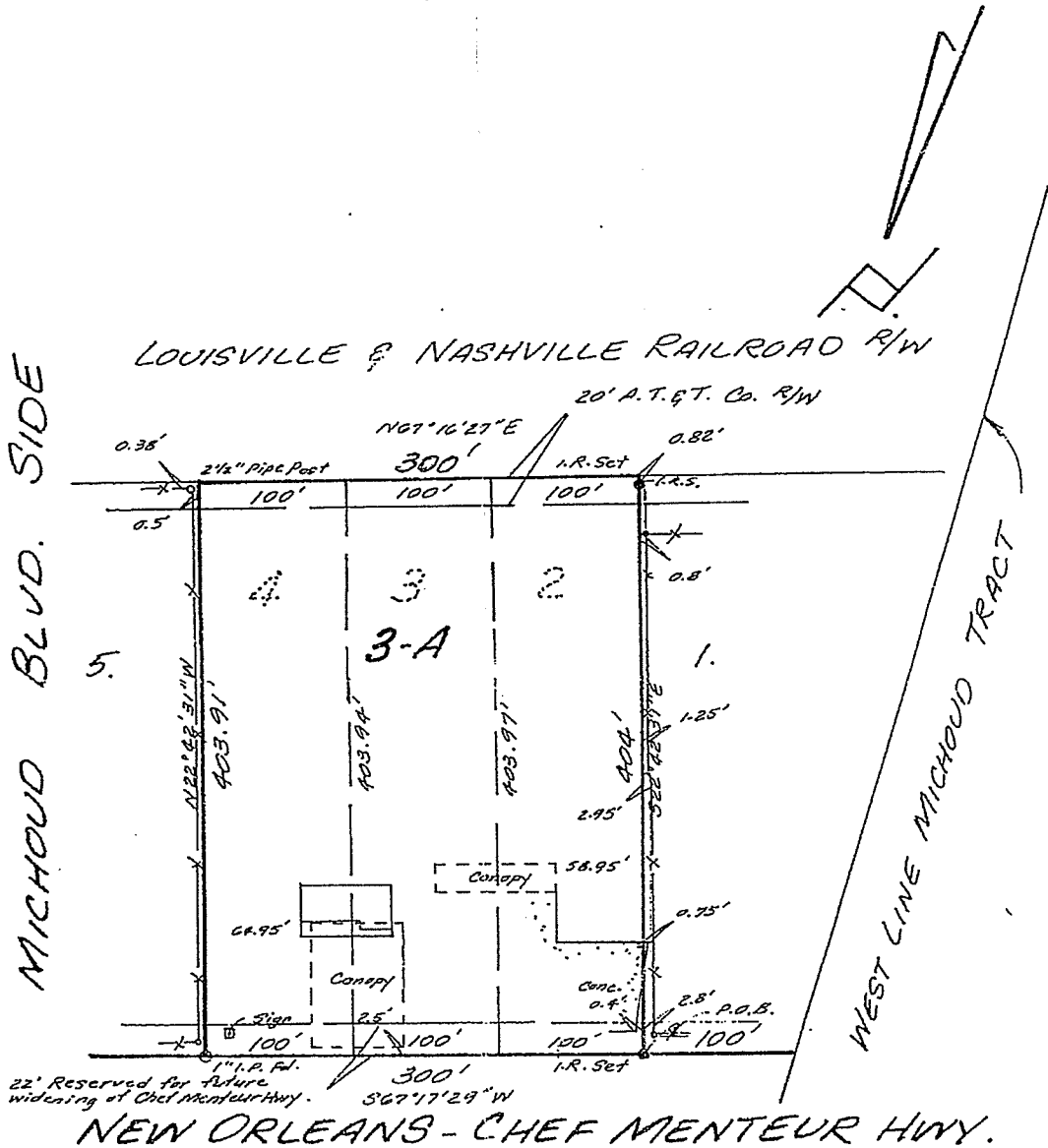
PROJECT ADDRESS

**12930 CHEF MENTEUR HWY
 NEW ORLEANS LA**

Reviewing is only for conformance with the design concept of the Project. The Contractor is responsible for dimensions to be confirmed and corrected at the site; for information that pertains solely to the fabrication processes or to the means, methods, techniques, sequences and

SR. F-1, NEW ORLEANS EAST INDUSTRIAL CENTER
THIRD DISTRICT (FAUBOURG DE MONTLUZIN)

ORLEANS PARISH
12930 Chef Hwy NEW ORLEANS, LA



22' Reserved for future widening of Chef Menteur Hwy.
1" I.P. Pd.
300'
S67°17'29"W

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

Date: February 3, 2001 Scale: 1" = 100'

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Minimum Standards for Property Boundary Surveys as found in Louisiana Administrative Code TITLE 46:LXI, Chapter 25 for a Class "2" survey.
Made at the request of Halal Moudi & Abbas Zeini, First Bank & Trust, Deutsch, Kerrigan & Stiles, L.L.P. & First American Title Ins. Co.

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