

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2016-04

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicants

John Key
5645 Evelyn Court
New Orleans LA 70124
504.324.4217; jkey7@cox.net

Julio Dumas
214 W. Corner View Dr
Gonzales LA 70737
225.709.0591 juliod@gcrec.org
- Application Date: 11/19/15
- ◆ Location of Site
- Beltway Road, between I-310 Service Road and the KCS Railroad.
- ◆ Requested Action
- Resubdivision of Lots Z-1-B, Z-2-B and Z-3-B including Parcels 1 & 2 into Lots Z-1-B-1 and Z-1-B-2, John Lambert Tract with a waiver from the required 70' frontage or width for proposed Lot Z-1-B-2.

SITE-SPECIFIC INFORMATION

- ◆ Size of Parcel
- Approximately 1.6 acres
- ◆ Current Land Use and Zoning
- The entire site is zoned C-3, highway commercial; proposed Lot Z-1-B-2 is developed with a cell tower; the remainder of the site is vacant
- ◆ Surrounding Land Uses and Zoning
- The site is surrounded by C-3 zoning. Most of the surrounding property is vacant, however, a cell tower exists immediately adjacent to the south.
- ◆ Plan 2030 Recommendation
- General Commercial:* This category includes sites for commercial uses that provide a mix of business activities and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. In general, this designation applies to most commercial uses that are permitted in the C-2 (General Commercial- Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts).
- ◆ Utilities
- Only water and electricity are available. Other utilities will have to be extended at a developer's expense.
- ◆ Traffic Access
- Proposed Lot Z-1-B-2 is only accessible by Beltway Road (private). At the time of writing this report, staff are researching ownership records to determine if Lot Z-1-B-1 has frontage on the I-310 frontage road.



APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure

C. Minor Resubdivisions.

2. In instances where a net increase of more than five (5) lots is proposed by subdivision or resubdivision and no public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in Section II.C.3 of this section. Approval requires certification by the planning and zoning commission, determination and mitigation of impacts to public improvements, ordinance by the Council, and certification by the Parish President.

Subdivision Ordinance, Section II. Subdivision Procedure. E.4.

c. Waiver or Modification of Specific Subdivision Regulations. Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.

Zoning Ordinance [IV.] C-3. Highway commercial district—Wholesale and retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes.

- (1) All uses allowed in the C-2 District. (Ord. No. 88-5-5, 5-16-88)
- (2) Commercial auditoriums, coliseums or convention halls
- (3) Retail manufacturing
- (4) Motor vehicle sales and service
- (5) Wholesale uses
- (6) Warehouses (less than 10,000 sq. ft.)
- (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities) (Ord. No. 98-4-17, § II, 4-20-98)
- (8) Bottling works
- (9) Dog pound
- (10) Building supply
- (11) Heating and air conditioning service
- (12) Plumbing shops
- (13) Motor vehicle repair
- (14) Glass installation
- (15) Fabrication of gaskets and packing of soft metal material
- (16) Creameries
- (17) Parcel delivery service
- (18) Reserved. (Ord. No. 97-7-4, § VIII, 7-7-97)
- (19) Frozen food lockers
- (20) Public stables
- (21) Bulk dairy products (retail)
- (22) Animal hospitals
- (23) Gymnasiums
- (24) Sheet metal shops.
- (25) Upholstery
- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.

b. Special exception uses and structures:

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 14-8-6, § I, 8-4-14)
- (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
- (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
- (4) Reserved. (Ord. No. 01-5-18, § II, 5-21-01)
- (5) Cellular installations and PCS (personal communication service) installations.
- (6) Reserved. (Ord. No. 01-5-18, § III, 5-21-01)
- (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
- (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
- (10) Outdoor storage, when accessory to an otherwise permitted use in the district. (Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § IV, 1-10-94; Ord. No. 94-6-6, § II, 6-6-94; Ord. No. 97-7-4, § IV, 7-7-97; Ord. No. 98-4-17, § III, 4-20-98; Ord. No. 99-12-24, § I, 12-20-99; Ord. No. 03-1-12, § IV, 1-21-03; Ord. No. 07-10-10, § II, 10-15-07; Ord. No. 09-2-6, § 1, 2-16-09)

- 2. Spatial Requirements:
 - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XII, 8-18-08) (Ord. No. 82-6-6, § 1, 6-7-82)
 - 3. Transportation System: Arterial, local industrial, rail, water.
 - 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip. (Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § IV, 1-5-98)
- [V.] Prohibited use: Medical waste storage, treatment or disposal facilities. (Ord. No. 90-9-4, § II,

ANALYSIS

The applicant requests a resubdivision combining five (5) existing lots into two (2) lots where at least one lot does not have frontage on a developed, dedicated street. Proposed Lot Z-1-B-2 is developed with a telecommunication tower accessed by a gravel driveway from Beltway Road (private). Lot Z-1-B-1 is vacant and the co-applicant has stated that if approved there is an interested buyer who would like to develop it according to its current C-3 zoning. The current site abuts the I-310 Frontage Road.

However, approval of the resubdivision requires a waiver from the required 70' width and frontage on a developed, dedicated street for proposed lot Z-1-B-2. Lot Z-1-B-1 will front on the I-310 Frontage Road and thus complies.

All other all regulations and guidelines for resubdivision are met as the proposed lots exceed the minimum 7,000 square feet area for C-3 zoning.

DEPARTMENTAL RECOMMENDATION

Approval with a waiver to the required minimum width and frontage on a developed public street for Lot Z-1-B-2.