

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZR 2015-14

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 4/27/2015**
Donald James George
9606 Garden Oak Ln
River Ridge, LA 70123
504.559.8517
- ◆ **Location of Site:**
14648 River Rd
New Sarpy, LA
Lots 7, 8, 9, Square D, St. Charles Terrace
- ◆ **Requested Action:**
Rezone from R1-A to C-3 to bring the existing auto repair shop into conformance with the Zoning Ordinance

SITE-SPECIFIC INFORMATION

- ◆ **Zoning and Land Use:**
Lots 7, 8, & 9 are developed with a single structure that serves as an auto repair shop. The structure fronts River Rd, but is also accessible from Terrace St. The lots are currently zoned R1-A.
- ◆ **Surrounding Land Uses and Zoning:**
Lots located directly adjacent to the site are zoned R1-A. Lots located south of the site, opposite Terrace St along River Rd, are zoned C-3 and C-2.
- ◆ **2030 Comprehensive Plan Recommendations:**
The future land use map (FLUM) is not parcel specific, however, in this River Road area of New Sarpy, the FLUM shows a small node of neighborhood commercial uses along River Road with low density residential uses between River Road and Airline Highway. As this request is to adjust a zoning district line to change zoning on less than 3 acres for a use compatible with existing adjacent uses, no amendment to the future land use map is required.
- ◆ **Utilities:**
Standard utilities (water, sewer, drainage, electricity, gas, and telecommunications) are available to the subject site.
- ◆ **Traffic Access:**
Site is accessible from River Road and Terrace Street

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.

- d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND:

Section VI. C [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.
 - (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, notwithstanding 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, 9-4-90)

ANALYSIS

The applicant requests to rezone the site from R1-A to C-3. The site is currently not in use but was formerly used for several years for auto repair services, which is not a permitted use in a R1-A zoning district. A change to C-3 zoning would place the site's intended land use as an auto repair shop in compliance with the Zoning Ordinance, as motor vehicle repair is a permitted use in C-3 zoning.

The future land use map (FLUM) of the 2030 Comprehensive Plan shows a small node of neighborhood commercial uses along River Road in New Sarpy with low density residential uses between River Road and Airline Highway. Per the 2030 Comprehensive Plan, neighborhood commercial areas accommodate sales and services for the daily self-sufficiency of residents. Appropriate uses for neighborhood commercial include uses permitted in C-1 and C-2 zoning districts.



Per the applicant's description, this site has operated as an auto repair shop for nearly 50 years. It is compatible with other commercial properties fronting River Rd in the New Sarpy area including C-3 and C-2 zoned properties located south of the applicant's property. These commercial properties include River Road Self Storage, Moheng's Garage (auto repair shop), Pam & Dale's Seafood Restaurant, and Friendly Quick Stop (convenience store). See zoning map—the applicant's property is indicated by a red dot.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three evaluation tests. This request meets all criteria of the third test.

DEPARTMENTAL RECOMMENDATION

Approval.

- ◆ The site has operated as an auto repair shop in the past and is suited for continued use as an auto repair shop.
- ◆ The FLUM shows neighborhood commercial as a viable land use in the area. An auto repair shop accommodates sales and services for the daily self-sufficiency of residents.
- ◆ The site is compatible with the other functional commercial properties along River Road. It does not place new limits to the value of surrounding residential properties or negatively impact the character and usefulness of the adjacent residential area.