

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: 2022-12-R

### GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 7/8/2022**  
Keith Dacus for  
St. Charles Parish Hospital Service District No. 1  
1057 Paul Maillard Road  
Luling, LA 70070  
(985)-785-3644; keith.dacus@ochsner.org
- ◆ **Location of Site**  
1001 Paul Maillard Road, Luling
- ◆ **Requested Action**  
Change of zoning from C-2 to MS, Medical Service District on a lot measuring 200 ft. by 450 ft. as shown on the map by E.M. Collier dated April 22, 1955.

### SITE INFORMATION

- ◆ **Size of Site**  
90,000 sq. ft., approximately 2 acres
- ◆ **Current Zoning and Land Use**  
C-2 / Paul Maillard Road Overlay District (PMROD); the site is a religious campus developed with a church, office building, meeting hall, classroom building, single—family house and two parking lots most recently occupied by Greater Mount Calvary Church (Permit 27972).
- ◆ **Surrounding Zoning and Land Use**  
C-2 zoning abuts to the north, across Hall St; and CR-1 zoning abuts to the west across Paul Maillard Road. MS zoning abuts to the east and south and covers most of the square bounded by Hall Street, Milling Avenue, Angus Drive, and Paul Maillard Road.  
  
Commercial offices are located to the north, across Hall Street; site-built single-family houses are located to the west, across Paul Maillard Road; the St Charles Parish Hospital abut the remaining sides.
- ◆ **Zoning History**  
The C-2 district was established in 1981.
- ◆ **Future Land Use Recommendation**  
*Low Density Residential:* (from 4 up to 8 dwellings per gross acre) this category includes the Parish’s predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.  
  
*Paul Maillard Road Mixed Use Corridor Overlay:* should encourage redevelopment and revitalization of existing commercial sites with a mix of local-serving retail and service-oriented offices (health-care related), as well as provide for infill and redevelopment (as opportunities arise) of higher density residential (apartments and town homes) to serve those employed by the nearby hospital and put in place development guidelines to reinforce walkability with an improved streetscape.

◆ **Traffic Access**

This is a corner lot with vehicle access developed to both Paul Maillard Road and Hall Street. Redevelopment or a significant change of occupancy of the site would be subject to the traffic impact analysis requirements of Chapter 6 of the Code of Ordinances (Section 6-14.(n).)

◆ **Utilities**

Representatives of the Departments of Waterworks and Public Works/Wastewater indicated that uses permitted by the MS zoning district would not be likely to overburden water or sewer infrastructure at the site.

The Parish engineer stated the development potential from proposed MS district could impact drainage and traffic conditions in the area. A Drainage Impact Analysis and review of Traffic Scoping information are required through the building permit process to more determine these impacts, and any mitigation requirements.

The MS4 Coordinator indicated that demolition and/or new construction would require a Storm Water Pollution Prevention Plan.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

I. *MS Medical Service District - Hospitals, Nursing Homes and Related Facilities:*

1. Use Regulations:
  - a. A building or land shall be used for the following purposes:
    - (1) Offices for physicians, surgeons, dentists, psychiatrists, chiropractors or practitioners in related specialties.
    - (2) Drugstores limited to the sale of medical and dental products and articles of personal hygiene.
    - (3) Retail shops dispensing ocular or surgical supplies, providing that such store or shop be operated incidental to and in the same building with professional offices as described above.
    - (4) Flower shops.
    - (5) Restaurants.
    - (6) Clinics.
    - (7) Accessory uses.
    - (8) Medical research laboratories.
    - (9) Physically handicapped facilities.
    - (10) Nursing and convalescent homes.
    - (11) Hospitals.
    - (12) Professional and sub-professional offices, including engineers, architects, landscape architects, plan services, realtors, insurance, and other similar uses not involving the sale of merchandise.
  - b. Special permit uses and structures including the following:
    - (1) Rehabilitation facilities (including drug, alcohol, mental, psychiatric, delinquency, and retardation facilities); prisons; jails; reformatories; penitentiaries; or any other kind of rehabilitation facility, penal institution, or sanctuary; upon review and approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements.
  - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - eighty (80) feet.
  - b. Minimum yard size:
    - (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.
3. Transportation System: Collector or arterial preferred - permitted on connector of local if services similar uses.
4. Hospitals, nursing and convalescent homes and rehabilitation facilities shall conform with the design standards noted below:
  - a. Location: Any site proposed for a medical service district shall have a minimum of three hundred (300) feet on a public street.
  - b. Setbacks: All buildings shall be set back from all property lines a distance of at least two (2) feet for each foot of building height.
  - c. Ingress and Egress: Adequate facilities for circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking areas, off-street loading areas and landscaped separation spaces between pedestrian and vehicular ways.
  - d. Protection of Residential Districts: When residential districts or uses abut the proposed site, the development must provide adequate provisions, including fences, walls and/or planting to screen and protect the residential districts. A minimum of a six-foot-high solid wooden fence or masonry wall shall border that residential use and a minimum of ten-foot-wide designated and maintained buffer strip planted with plant materials acceptable for buffer zones.
  - e. Drainage: Adequate facilities for drainage of surface water, including storm sewers, gutters, paving and proper design of finished grades, must be reviewed and approved by the parish engineer and department of planning and zoning.
  - f. Utilities: All utilities shall be underground except high-voltage electrical lines.
  - g. Landscaping: A landscape plan of the entire project must be provided showing individual plats and vegetation types.

- h. Refuse: Location of all garbage, trash and all dumpsters location shall be shown and shall be properly screened from view by wood or masonry fencing.
- 3. Prohibited Use: Medical waste storage, treatment or disposal facilities.

**Appendix A. Section XV. - Amendment procedure**

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
  - a. Consideration of uses on adjacent properties that would limit the use of 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 can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

<b>REZONING GUIDELINE EVALUATION</b>
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Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that two or more of the following criteria are met:

1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.* This site has a Future Land Use designation of Low Density Residential under the Paul Maillard Road Mixed Use Corridor Overlay. The overlay encourages redevelopment and revitalization of existing commercial sites with a mix of local-serving retail and service-oriented offices, with an special emphasis on health-care services. The proposed Medical Service (MS) District would further the goals of the Paul Maillard Road overlay. Granting the request would expand an existing MS zone within a city square; it would not create a spot zone. **The request meets the first guideline.**
2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.* The existing C-2 zoning was established in 1981. Although a change to MS zoning would facilitate re-use or redevelopment of the site supporting the St. Charles Parish Hospital, the existing C-2 zoning offers a range of permitted uses that are currently reasonable uses of the site. The C-2 zone permits restaurants, retail, offices and even churches (as a special exception). Any of these uses could be developed on the site to be in harmony with the health care uses on the block. **The request fails the second guideline.**
3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.* The uses permitted in the proposed Medical Service district would be compatible with the existing neighborhood character. Most are already permitted in both the underlying C-2 zoning and the Paul Maillard Road Overlay District (restaurants, retail, and offices). The only exceptions are hospitals and nursing homes, which are specific to the MS district. These additional health care uses would fit within the hospital campus and benefit the Paul Maillard Road corridor. Representatives for Wastewater and Waterworks indicated that existing infrastructure could accommodate MS uses on the site. Potential impacts to drainage and level of service on the streets that the expansion of MS uses might have would be reviewed in detail through the permit process. **The request meets the third guideline.**

## **ANALYSIS**

The applicant requests rezoning from C-2 to MS on a lot measuring 200 ft. by 450 ft., approximately 2 acres.

The request meets two of the three guidelines for rezoning as detailed in the previous section. In summary:

- The proposed MS district conforms to the Paul Maillard Road Mixed Use Corridor Overlay designation, and is not a spot zone.
- The uses that the zoning change would add to the list of permitted uses, hospitals and nursing homes, are compatible with the existing neighborhood character, and would not overburden existing public facilities.

The request is below the three-acre threshold for requiring a change to the Future Land Use Map.

## **DEPARTMENT RECOMMENDATION**

**Approval.**

**\*This request will be forwarded to the Parish Council for a final determination following the Planning Commission meeting.**