

**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT

CASE NUMBER: PZSPU-2018-06

GENERAL APPLICATION INFORMATION

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| <p>◆ Name/Address of Applicant
 Patrick O'Malley
 34 E. Levert Drive
 Luling, LA 70070
 (985)-785-6221; yellamop@hotmail.com</p> | <p>Application Date: 05/10/18</p> |
| <p>◆ Location of Site
 Lots 1, 2, & 3, Sq. 201, Ellington Addition Sub.; 201 Milling Avenue, Luling</p> | |
| <p>◆ Requested Action
 Renovation to convert a commercial suite in a six-unit building into two dwelling units, resulting in a total of eight residential units in the building.</p> | |

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
Each lot measures 50' x 150' and consists of 7,500 sf; together, the site measures 150' x 150' and consists of 22,500 sf
- ◆ **Current Zoning and Use**
C-2, General Commercial; the site is developed with a six (6) unit multi-family building with one office suite.
- ◆ **Surrounding Zoning and Land Uses**
C-2 zoning is adjacent to each side and to the front across Milling Avenue; R-1A zoning is adjacent to the rear.

A business and multi-family residential building are located across Court Street to the north. The multi-family building is currently vacant and blighted; Single-family residences are adjacent to the front across Milling Avenue and to the rear and side.

- ◆ **Utilities**
The site is serviced by an existing ¾ inch water meter. The site does not have the reduced pressure backflow assembly required for multi-family housing. This must be installed. Public Works stated this would be a change of use increasing demand, so additional sewer fees may apply; these would be assessed at permitting.

APPLICABLE REGULATIONS

[III.] C-2 General commercial district— Retail sales:

1. Use Regulations:
 - c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.**
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (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 St. Charles Parish Council.

Appendix A. Section IV.

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit* Use shall be evaluated by the criteria below. These criteria are to be considered illustrative and not

restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
 - a. Required yards and open space
 - b. Ingress and egress to property
 - c. Parking and loading areas
 - d. Location of garbage facilities
 - e. Landscaping, buffering, and screening
 - f. Signage
 - g. Height and bulk of structures
 - h. Location and direction of site lighting

SPU CRITERIA COMPLIANCE

The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan*

The Comprehensive Plan designates this site as General Commercial, which takes into account most commercial uses permitted in the C-3 and C-3 zoning districts. Both zoning districts allow R-3 uses as Special Permits. **Complies**

2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* This particular area is a transition neighborhood, going from the commercial area along River Road and Paul Maillard Road to the mostly single-family residential neighborhood to the south. While the use is not necessarily compatible with the adjacent single-family homes, it is compatible with some of the more commercial uses in the area which are developed with parking areas similar to the subject site. **Complies**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The site currently required twenty (20) parking spaces based on six multi-family residential units and 1,162 sf. of office space. The required parking will not change since the increase to eight (8) multi-family units will require twenty (20) spaces. The site is developed with a front parking with six (6) spaces and a rear parking area with eight (8) spaces, for a total of fourteen (14). The site will have a six (6) space parking deficiency. Loading areas are only required for multi-family uses when the building exceeds 20,000 sf. The building is 4,840 square feet; a loading space is not required.

4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* The existing multi-family use, typically permitted in the less intense R-3 zoning district, would not have an unfavorable impact exceeding those uses permitted in the C-2. **Complies**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The site is developed with the only improvements being the conversion of the office space to the new residential units. Fire Marshal inspection will be part of the permit process. No site lighting exists or is proposed. The waterworks department will require a reduced pressure backflow assembly to be installed. Any other hazards or impacts will be addressed at the permitting stage or is covered by the Code of Ordinances.

6. *A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:*

- a. *Required yards and open space;* the C-2 zoning district requires a 20 foot front yard, 10 foot rear yard, and 5 foot side yards. The site is currently un-subdivided and does not meet setback requirements. If the site were to be subdivided into one lot of record the C-2 setback requirements would be met.

- b. Ingress and egress to property*; the site has ingress/egress access from both Milling Avenue and Court Street. **Complies**
- c. Parking and loading areas*; the building does not have enough square footage to require a loading area. The proposed 8 multi-family units would require 20 parking spaces. The existing parking areas can accommodate a total of 14 vehicles, leaving the site with a 6 space parking deficiency.
- d. Location of garbage facilities*; site receives regular sanitation service with three cans. No dumpster or dumpster area. **Complies**
- e. Landscaping, buffering, and screening*; **N/A**
- f. Signage*; **N/A**
- g. Height and bulk of structures*; a subdivision should occur in order to bring the building into compliance with C-2 setback requirements.
- h. Location and direction of site lighting*; no site lighting existing or proposed. **N/A**

ANALYSIS

The applicant inquired about converting a commercial suite in into two apartment units. Multi-family residential/R-3 uses are permitted the C-2 zoning district by Special Permit (Commission and Council). The building has been used for six apartments and one commercial suite for decades. The Department has no record of a Special Permit for this property, so it is a legally non-conforming use. In order to expand the use/increase the intensity, a Special Permit is required.

Often a Special Permit to allow for expansion of a non-conforming use does not require site improvements. However, this application has brought several minor site deficiencies. First, the building is constructed over three separate lots. A subdivision to combine the lots will bring the site into compliance with regard to required yards or building setbacks; this can be completed with an administrative resubdivision. Second, the site does not have a reduced pressure backflow assembly. This will be required at permitting. Finally, eight dwelling units require 20 parking spaces, but current parking areas cannot provide for more than 16 parking stalls.

The applicant has been advised of these deficiencies and has indicated the site will comply with all the requirements.

The request meets the majority of the evaluation criteria. The use is compatible with the Comprehensive Plan and also with other uses in the area. A multi-family building is not likely to impact the neighborhood more than other uses that could be permitted in the C-2 district.

DEPARTMENT RECOMMENDATION

Approval with the stipulation that the Department can approve the location of additional parking at permitting.