

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZSPU 2016-04

GENERAL APPLICATION INFORMATION

Name/Address of Applicant

Frickey Brothers Construction, Inc.
101 Louisiana Street
Paradis, LA 70080
(985)-758-7332
fbci@nocoxmail.com

Application Date: 5/27/16

◆ **Location of Site**

Lot 5A, Square 26; 102 South Street, Paradis

◆ **Requested Action**

The Special Permit Use (SPU) is for an R-3 use in a C-2 zoning district. Specifically, the request is to develop the property with a multi-family structure with four residential units. This request was approved in 2013 (PZSPU 2013-06) but the owners did not obtain building permits before the Special Permit expired. The applicant is reapplying for the same request.

SITE-SPECIFIC INFORMATION

◆ **Size of Parcel**

Approximately 11,000 sq. ft.

◆ **Current Zoning and Use**

The site is zoned C-2 and is undeveloped.

◆ **Surrounding Zoning and Land Uses**

C-2 zoning is located to the north across Highway 90, C-2, R-1A, and R-1A(M) zoning is located to the south, R-1A zoning is located to the east, and C-2 zoning is located to the west.

A drainage ditch and Highway 90 is located to the north; single family homes are located to the south and west; a child care center is located across South Street to the east.

◆ **Future Land Use Recommendation**

General Commercial— the General Commercial 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.

◆ **Traffic Access and Parking**

The site plan shows the development fronting South Street. Each unit is shown to have its own 10 foot wide drive providing access from South Street which connects to Highway 90.

APPLICABLE REGULATIONS

Appendix A. Section VI.

[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.
- (Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § III, 1-10-94; Ord. No. 94-6-6, § I, 6-6-94; Ord. No. 98-7-6, 7-6-98; Ord. No. 02-5-21, 5-20-02; Ord. No. 03-1-12, § III, 1-21-03; Ord. No. 07-10-10, § I, 10-15-07; Ord. No. 09-4-19, § 1, 4-20-09)

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

ANALYSIS

The applicant requests a special permit for an R-3 use in a C-2 zoning district on Lot 5A, Square 26, municipal address 102 South Street, Paradis. Specifically, the proposal is for a multi-family residential building consisting of four individual units. Lot 5A is currently undeveloped.

The St. Charles Parish Zoning Ordinance has established criteria for evaluating proposals requiring a Special Permit Use permit. The criteria and how they are met by this proposal are as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The Plan 2030 designation of “General Commercial” intends to offer areas to accommodate light commercial but nothing in that designation is intended to prohibit residential uses or mixed uses.
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.* The residential development at this location should provide a more compatible building form than a commercial structure. Access to the development will be via South Street potentially reducing vehicular conflicts associated with a new driveway point onto Highway 90.
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* Adequate room is on-site to provide required parking. The Department will request a stipulation to require the applicant provide analysis to show all lighting will be directed toward the subject property and will not produce off-site glare.

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.* Buffering requirements for this type of development are consistent with a C-2 development. Fencing and landscape buffering will be required where the site abuts residential uses. Additionally, a minimum of 20% of the site shall be kept in green space.
5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The development and building code standards will require that the site meets the safety requirements. Noise impacts for this type of development should be less than what would occur with a typical commercial development. Lighting will be evaluated with the permit review to ensure that off-site glare does not occur.
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.* R-3 developments are required to have 10,000 square feet of lot area, 2,500 square feet per family, 20 foot front and rear yards, and 5 foot side yards. The site consists of 11,000 square feet, 2,750 square feet per family, and meets the setback and greenspace requirements.
 - b. *Ingress and egress to property.* Each unit is shown to have its own driveway opening up onto South Street which provides access to Highway 90.
 - c. *Parking and loading areas.* 10 parking spaces are required for this development (2.5 per unit). Each unit has its own driveway and parking spaces are provided for each unit under the development, allowing for the required 10 parking spaces.
 - d. *Location of garbage facilities.* No garbage facilities are shown or proposed for this development.
 - e. *Landscaping, buffering, and screening.* This development is required to follow the landscape regulations of Section VIII. Site Design Requirements. Specifically, a 10 foot planted buffer strip where abutting a residential zoning district or use must be provided. The 10 foot buffer is provided where this conflict occurs and shown to be planted with grass. Additional 5 foot wide planting buffers must be in place between the development and public rights-of-way. The following should also be provided: 1,100 square feet of designed landscaping, 2.2 trees, .7 being Class A. A landscape plan has not been submitted and the site plan only shows grass being provided in the open spaces and buffer areas.
 - f. *Signage.* No signage being provided.
 - g. *Height and bulk of structures.* N/A
 - h. *Location and direction of site lighting.* See previous note on site lighting.

Regarding compatibility with the surrounding neighborhood, land uses within the immediate area are primarily residential. There are some commercial uses located along this stretch of Highway 90, including a day care, but the immediate vicinity of the subject site consists either of undeveloped land or residential uses ranging from single to multi-family. Specifically, a multi-family building located in R-3 zoning is located approximately 250 feet away at the corner of Louisiana St. and Highway 90. This demonstrates that the proposed development does not appear to conflict with existing uses in the general vicinity. The proposed rental units would help fill a need that is underserved in the community while also providing an infill development opportunity. As noted previously, the Plan 2030 designation of "General Commercial" intends to offer areas to accommodate light commercial but nothing in that designation is intended to prohibit residential uses or mixed uses. And with limited commercial development in the area, a 4-plex at this location could be considered a less intensive land use than what might otherwise occur within the C-2 zoning district. For example, less off street parking is required for this type of use and less traffic would be generated versus a typical commercial development. This should help to reduce the potential impacts to surrounding properties.

DEPARTMENTAL RECOMMENDATION

Approval, with the stipulation that a landscape plan meeting the requirements of the zoning ordinance is submitted for the permit process.