

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT (REVISED 7-30-14)

CASE NUMBER: PZSPU-2014-07

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Lloyd Bridges for Bread of Life Church
39 Davenport Street
Waggaman, LA 70094
504.431.4866; 504.377.7844
- ◆ **Application Date** 4/1/2014
Appl. Supplemented 7/30/2014
- ◆ **Location of Site:**
315 Canal Street, Boutte
- ◆ **Requested Action:**
Special permission to convert a single-family house (zoned R-1AM) into a church with a waiver from the required building setback and a reduction in the required number of parking stalls from the required 21 parking stalls to 10 paved in the front and additional unpaved parking in the rear.

SITE-SPECIFIC INFORMATION

- ◆ **Surrounding Land Uses and Zoning:**
To the north, across Canal Street zoning is C-2—developed with an open structure that houses a number of vehicle repairmen and also R-1A(M) developed with a residential mobile home.
To the east, zoning is C-2 and the use is an automobile repair shop.
To the west, zoning is R-1A(M) and developed with a site built church.
The southern portion of the lot and property abutting to the south is zoned R-1A(M) and developed with the Boutte Canal, a major drainage facility, and south of that is property is zoned R-1M and developed with residential mobile homes.
To the south and west, property is zoned R-1A(M); development is sparse.
- ◆ **Comprehensive Plan Specifications:**
The future land use map shows this area in the Paul Maillard Road mixed-use corridor.
- ◆ **Utilities:**
Standard utilities are available.

APPLICABLE REGULATIONS

St. Charles Parish Code of Ordinances, Appendix A, Zoning Ordinance, Section IV.

9. Review and evaluation criteria/special permit use and special exception use: The appropriate decision making agent and/or body shall review and evaluate each application based upon the following relevant criteria:
- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
 - b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
 - c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
 - d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.
 - e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
 - f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
 - g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.

- h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a--g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

AND

Section VI. B. [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes--Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions.
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places. (Ord. No. 06-12-6, § II, 12-4-06)
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
 - (4) **Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.**
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § II, 10-5-92)
2. Spatial Requirements.
 - a. Minimum lot size: five thousand (5,000) square feet per family; min width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front-fifteen (15) feet.
 - (2) Side-five (5) feet.
 - (3) Rear-five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line. (Ord. No. 99-8-6, 8-2-99)
 - (5) 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

AND

Section VIII.C.(2)

Religious institution	1 space for each 6 seats of rated capacity
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ANALYSIS

The applicant filed a Special Permit to relocate an established congregation into a single-family house at 315 Canal Street, Boutte. The property is 101 feet wide by a depth of over 250 feet and is developed with a site-built single-family house with parking for two vehicles. The house is setback 50 feet from the front or north property line and 11.25' from the east, approximately 120' from a major canal shown within the rear property line and 6' from the west side line. Canal Street is 535 feet long lying perpendicular to Paul Maillard Road and parallel to a major drainage canal. The uses on Canal are a mix of retail, light industrial, automotive repair, religious, light industrial, and residential. The subject site was permitted as a single-family house, operated as a group home, and also as a residence with a home-based business.

The property was foreclosed upon in March 2012. The applicant purchased the property in March 2014 and inquired with planning staff about the process to permit the church. In the time since the application was first heard in May, the applicants have had professionals draw a floor plan showing a sanctuary of 854 square feet with non-fixed seating, office space and a kitchen as well as the toilet rooms as required under the Louisiana Plumbing Code. The sanctuary will have a rated capacity of 122 persons; the Zoning Ordinance requires 21 parking stalls for that rated capacity. The applicants request a waiver from the required parking from 21 to 10 paved in the front and additional parking in the rear of the building. It is estimated that 39 cars or more can be parked in the rear (three rows of 13, oriented perpendicular to side lot lines with two 24' wide drive aisles between them).

In order to receive a recommendation for approval, a Special Permit must meet a majority of the review and evaluation criteria. An evaluation of the proposal according to the criteria follows.

Criterion A: Regarding comparison with applicable standards established by the Comprehensive Land Use Plan, the proposed neighborhood-scale institution would not conflict with the recommendations for a mixed use corridor along Paul Maillard Road.

Criterion B: Regarding compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features, the proposal includes a reuse of an existing residential building which is consistent with building type. Religious uses are required to setback their buildings 1 foot for every foot of building height however, because this setback cannot be met, the applicant has requested a waiver from this requirement. The applicant requests a reduction in the required paved parking from 21 (for a sanctuary of 854 square feet) to 10 paved parking stalls in the front and unpaved parking in the rear. In order to maintain compatibility with neighboring uses and reduce overflow parking onto Canal St, the rear yard should be limited to parking and a small area (up to 3000 square feet) designated for outdoor activities. With those restrictions, the development should not cause parking on the street or excessive noise due to outdoor uses, making the development of this property to a church compatible with the array of surrounding uses.

Criterion C: Regarding potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district, there is potential for the congregation to plan events in the yards that would create congestion on the street or parking on adjacent properties without permission. For that reason, staff recommends limiting the use of the rear yard to parking and the aforementioned play area.

Criterion D: Regarding safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area, this area has a history of complaints of congestion of streets when adjacent uses park vehicles under repair on the streets. For that reason, staff recommends limiting the use of the rear yard to parking and aforementioned play area.

Criterion E: With regard to erosion, flood, and water damage to neighboring properties, the addition of any hard surface parking will be required to meet drainage approval by the Department of Public Works. There are no unique physical property conditions that should affect adjoining properties. Impacts associated with noise will be addressed by the stipulation limiting use of the rear yard to parking and a play area. With regard to glare, it is recommended that exterior lighting be directed and shielded to shine on to the site and not onto adjacent properties.

Criterion F: Regarding adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting—this is discussed in Criterion D and Criterion E.

Criteria G: With regard to conformity with the objectives of residential zoning districts: The R-1A(M) zoning districts list “Educational, religious and philanthropic institutions” as a Special Permit Use with an additional set back requirement. Hard surface parking required for this use can often result in a concrete front yard that makes the site incompatible with the neighborhood. The proposed site plan shows parking setback behind a landscaped strip and additional parking in the back yard (to be paved as the need arises).

DEPARTMENTAL RECOMMENDATIONS

Approval of the use of the building for a religious use subject to the following restrictions and stipulations:

- 1. 10 hard-surface parking stalls shall be installed in the front of the site.**
- 2. Use of the rear yard is limited to parking and an area up to 3000 square feet designated for outdoor activities.**
- 3. All site lighting shall be shielded and directed to prevent glare on adjacent properties and roadways; a photometric survey may be required.**
- 4. Minor site plan changes may be approved by the Planning Director during permitting.**