

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZR-2016-07

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 4/5/16**
Brennen & Melissa Friloux
123 Wanda Street
Luling LA 70070
504-559-0568; brennen_f8@hotmail.com

- ◆ **Location of Site**
The front portion of Lot 5A, Sections 34 & 36, T13-S, R-21-E), Ama.
10555 River Road, Ama.

- ◆ **Requested Action**
Change of zoning from C-2 and R-1A on approximately 2 acres of a parcel that is approximately 68' wide and 8,838' long.

- ◆ **Purpose of Requested Action**
To permit multifamily housing

SITE – SPECIFIC INFORMATION

- ◆ **Size of site**
The area requested for rezone is approximately 2 acres on a 13.6 acre parcel.

- ◆ **Current Zoning and Land Use**
The long, narrow parcel is zoned C-2 for the first 250' from River Road, then R-1A to a depth of approximately 800', then OL. The property contains one residential mobile home approximately 220' from the front property line) and a large shed approximately 600' from the front. The remainder of the parcel is vacant much of it is wooded.

- ◆ **Surrounding Land Uses and Zoning**
Michael Drive, a narrow street abutting upriver or to the west, is developed with eight single-family houses in R-1A zoning and Ama Grocery Store zoned C-2 on its first 560'; the remainder of the property abutting to the west is developed with an 65 slot RV Park zoned R-1M. Abutting the site downriver or to the east is a single-family house on a large lot that is split zoned C-2, R-1A, and OL.

- ◆ **Plan 2030 Recommendation**
From River Road for approximately 250-feet:
General Commercial: 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.

From approximately 250-feet from River Road to approximately 820-feet from River Road (a distance of approximately 570 feet):
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.

From approximately 820 feet from River Road to approximately 8,842 feet from River Road (a distance of approximately 8,022 feet):

Rural Residential: (less than 4 dwelling units per gross acre). Includes low-density residential development that is consistent with the O-L, Open Land zoning district, and conservation subdivisions which retain large amounts of open space. The Rural Residential land use category is intended to help preserve the Parish's rural character, which residents, in the Vision Statement, expressed a desire to see retained. For this reason, this designation also allows for the continuation of agricultural activities and related uses, since agriculture is an important part of the community's rural heritage and identity.

◆ **Traffic Access**

Lot 5A is 68' wide with 75.33' of frontage on River Road due to the angle at which it crosses.

APPLICABLE REGULATIONS

Appendix A, Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the 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. 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 zoning 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. One or more of following examples may be used in evaluating reasonableness:
 - 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.

AND:

[VIII.] R-3. Multi-family residential:

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) All uses allowed in the R-2 district. (Ord. No. 88-5-5, 5-16-88)
 - (2) Multi-family dwellings including duplexes, apartments, apartment houses, townhouses, and condominiums.
 - (3) Boarding and lodging houses.
 - b. Special exception uses and structures: As approved by the Planning and Zoning Commission only:
 - c. Special permit uses and structures:
 - (1) Supplemental C-1 and C-2 uses. (Ord. No. 88-5-6, 5-16-88)
 - (2) Reserved. (Ord. No. 88-5-6, 5-16-88; Ord. No. 95-4-8, § IV, 4-3-95)
 - (3) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § VI, 10-5-92)
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.
 - b. Minimum yard requirements:
 - (1) Front - twenty (20) feet
 - (2) Side - ten (10) feet
 - (3) Rear - twenty (20) 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, § VIII, 8-18-08).

- c. Maximum land coverage: Eighty (80) percent (twenty (20) percent green space).
- d. Accessory buildings:
 - (1) Accessory buildings shall be of one story construction not to exceed sixteen (16) feet in height.
 - (2) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (3) Nonresidential accessory buildings shall not be permitted.
(Ord. No. 82-3-3, § II, 3-1-82; Ord. No. 12-7-4, § IX, 7-2-12)
- e. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.
(Ord. No. 82-3-3, § II, 3-1-82)
- 3. Transportation System: Servitude of access, local, or collector street.
- 4. Special Provisions:
 - a. Where any multi-family residential district (R-3) abuts any residential zoning 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.
(Ord. No. 82-6-9, § III, 6-7-82)
 - b. 1. Townhouses: Single-family attached dwellings on individual lots for sale served by servitudes of access or fronting a public street.
 - (a) Location: In R-3 districts, townhousing shall be allowed.
 - (b) Procedure: Applicants wishing to subdivide existing multi-family lots into townhouse lots shall file for subdivision as per section II, subsection B.4., of St. Charles Parish Subdivision Regulations (Appendix C).
 - 2. Site Plan and Design Criteria, Details:
 - (a) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be twelve (12) feet.
 - (b) Minimum yard requirements:
 - (1) Front—twenty (20) feet.
 - (2) Side—ten (10) feet.
 - (3) Rear—twenty (20) feet.
 - (4) Area—twenty-five hundred (2500) square feet.
 - (c) Each townhouse shall have its own rear yard of at least one hundred twenty (120) square feet. When rear parking is provided it shall be reasonably secluded from view from a street, parking area or from neighboring property. Such yard shall not be used for any accessory building.
 - (1) Grouped parking facilities: Insofar as practical, off-street parking facilities shall be grouped in bays, either adjacent to access drive or in the interior of blocks. Adequate drainage shall be provided by developers in connection with common parking facilities, and all such facilities shall be improved to parish standards for off-street parking areas, with at least two (2) spaces per unit on the lot plus one (1) visitor parking space per each two (2) units.
 - (2) Courts, Open Space, and Recreational Areas: A minimum of two hundred (200) square feet per dwelling unit of recreation space must be provided. At the discretion of the director, recreation space may not be required provided that the developer pay a two hundred dollar (\$200.00) recreation fee per unit to the parish for the development of recreational facilities.
 - 3. Utilities and Landscaping: Design and construction of drives, drainage, and location of utilities shall be subject to review and approval by the Planning and Zoning Department. A minimum of twenty (20) percent of the site must be appropriately landscaped.
 - (1)[a] Interior access drives shall be at least twenty-two (22) feet wide for two-direction drives or twelve (12) feet with one-direction drive and must be properly drained.
 - (2)[b] Parking areas shall conform to section VIII of the St. Charles Parish Zoning Ordinance.
 - (3)[c] Before approval of the final subdivision plat, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open spaces, with provision for perpetual maintenance of all improvements, including pavements, landscaping, utilities and servitudes. The above items will be filed with the resubdivision of the R-3 parcel.

- (4) Buffer zone: There shall be a six-foot solid wood or masonry fence along the sides and rear of the property wherever it adjoins any single-family residential zoning district.

ANALYSIS

The applicants request rezoning the front portion of Lot 5A of the Norbert Zeringue Partition, approximately 2 acres, from C-2 and R-1A to R-3 leaving the remainder zoned OL. If approved the applicant intends to develop one or more 4-plexes. The portion of the lot being considered for rezoning will meet the spatial requirements of the R-3 zoning district.

The applicants own one of the few rental buildings in Ama but state that they have received many inquiries about renting in the community. They also point out that there is a lot of vacant property in Ama. A check of the zoning map indicates a total absence of R-2 or R-3 zoning in the community. The applicants contend that developing 4-plexes would provide more places for people to rent and that since development in Ama is sparse, this need can be served at a minimal impact to the community. The Department agrees that this proposed rezoning would add variety to the available housing types in the Ama Community and could provide additional site built rental opportunity. Public infrastructure is in place and adequately serves the community. What is being proposed is at a scale that should not result in a tremendous increase in demand. For this reason, the department concludes that the request **meets the third criteria.**

It should be noted that the width of the property, at 68 feet, will provide development challenges that will need to be resolved during permitting. The site does meet the minimum width for the proposed zoning district but is not traditionally shaped. The requirements for the development of R-3 uses in St. Charles Parish require parking and landscaping features and the developer will need to fit those requirements within the space provided.

If the site is rezoned to R-3, it is above the three acre threshold that mandates a corresponding Future Land Use Map amendment. Thus, if the rezoning is approved, the Future Land Use Map should reflect a change from *General Commercial and Low Density Residential* to *Moderate Density Residential*.

DEPARTMENT RECOMMENDATIONS

Approval, and to amend the Future Land Use Map as follows:

- For the C-2 zoned portion, change from *General Commercial* to *Moderate Density Residential*;
- For the R-1A zoned portion, change from *Low Density Residential* to *Moderate Density Residential*;