

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2021-13-MIN

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 10/5/2021**
St. Charles Plaza Partners
13726 River Road
Destrehan, LA 70047
(985)-764-9911; joelchaisson@aol.com
- ◆ **Location of Site**
12715 & 12727 Highway 90, Luling
- ◆ **Requested Action**
Resubdivision of Lot A-1-A-1A into six lots, A-1-A-6A, A-1-A-6B, A-1-A-6C, A-1-A-6D, A-1-A-6E, & A-1-A-6F, with a waivers from geometric standards.

SITE INFORMATION

- ◆ **Size of Lots (proposed)**
Lot A-1-A-6A: 61,010 sq. ft., 192 ft. wide
Lot A-1-A-6B: 154,639 sq. ft., 60 ft. wide at front setback line
Lot A-1-A-6C: 28,697 sq. ft., 150.34 ft. wide at front setback line
Lot A-1-A-6D: 39,593 sq. ft., 181.23 ft. wide
Lot A-1-A-6E: 27,440 sq. ft., 150.67 ft. wide
Lot A-1-A-6F: 53,583 sq. ft., 64 ft. wide at front setback line
- ◆ **Current Zoning and Land Use**
C-2; the site is St. Charles Plaza, a multi-tenant commercial shopping center occupied with C-2 uses including restaurants, retail outlets, and offices.
- ◆ **Surrounding Zoning and Land Use**
R-1A zoning is adjacent to the rear; C-3 zoning abuts to the west side; C-2 zoning abuts to the east side; M-2 zoning is located across Highway 90.

In general, this area of the Highway 90 corridor is developed with commercial uses fronting the highway and residential neighborhoods off of the highway, often behind the commercial development. Specifically, the parcels adjacent to each side of St. Charles Plaza are undeveloped, and single family houses are adjacent to the rear.

- ◆ **Plan 2030 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 (proposed)**
Lot A-1-A-1A has frontage on Highway 90 and is accessed via two separate driveways.

If this subdivision is approved:

- Lots A-1-A-6A, A-1-A-6C, A-1-A-6D, A-1-A-6E will be arranged without the required frontage on a public street. Access will be via a servitude through Lot A-1-A-6B.
- Lots A-1-A-6B and A-1-A-6F will be arranged with frontage and driveway access on Highway 90.

◆ **Utilities**

Parish water is available along Highway 90.

The plat shows sewer servitudes running through the site and directing wastewater to a Parish maintained lift station at the front. This wastewater is then transferred to Parish sewer lines on Highway 90.

The site is almost completely impervious, so additional drainage impacts are not expected. But any development which could result from this resubdivision will undergo additional drainage review at permitting.

◆ **Development History**

A 1982 subdivision (PZS-82-16, A resubdivision of the Mitchell & Neely, Inc. Tract, Roy A. Carter, June 28, 1982) created Lots A, B, and C, with the latter two lots being the St. Charles Plaza site.

A 2006 subdivision (PZS-2006-80, Resubdivision of Parcel I and Parcel II, L. Lyles Budden, July 18, 2006) reconfigured the site into Lots A-1 and A-2. The primary result of this resubdivision was the separation of what is now the School Board property (Lot A-2) from the rest of the St. Charles Plaza site.

The following minor subdivisions created outparcels fronting Highway 90:

- PZS-2011-19, resubdivision of Lot A-1 by Mark D. Hughes, Jr., August 9, 2011 creating Lot A-1-B.
- PZS-2012-22, resubdivision of Lots A-1-A & A-1-B by Stephen P. Flynn, May 2, 2012 creating Lot A-1-A-2.
- PZS-2016-11, resubdivision of Lots A-1-A-1 & A-1-A-2 by Stephen P. Flynn, March 8, 2016 creating Lot A-1-A-3A.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

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

1. Use Regulations:

a. A building or land shall be used for the following purposes:

- (1) All uses allowed in C-1 District.
- (2) Retail sales (except auto and mobile home sales), usage, and storage
- (3) Hotels, motels and apartment hotels
- (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
- (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.
- (6) Animal hospitals where all animals are kept inside the building
- (7) Service station
- (8) Commercial recreation facilities
- (9) Commercial greenhouses and nurseries
- (10) Commercial schools
- (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:
 - Bicycles
 - Radios
 - Televisions
 - Stereos and recorders
 - Household appliances
 - Locksmith
 - Typewriters
 - Other similar uses
- (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:
 - Dressmakers
 - Millinery
 - Tailors
 - Baking goods sales
 - Laundry and dry cleaners
 - Theatres (but not the drive-in type)
- (13) Laboratories
- (14) Customary accessory uses incidental to the above uses when located on the same lot
- (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department

- (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts Cellular/communication towers.
- (17) Other uses of similar intensity.
- (18) Mini-storage facilities (limited to one-story construction in C-2 district).
- (19) Historic home site bed and breakfast.
- b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director.
- 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.
- 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (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, not withstanding 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 Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential 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.

Appendix C. Section II. Subdivision Procedure

C. Minor Resubdivisions.

- 1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
- 3. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information:
 - a. Location of the property.
 - b. Name(s) and address(es) of the owners.
 - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
 - d. Existing property lines and lot numbers, including names and width of adjoining streets.
 - e. Proposed property lines and revised numbers of proposed lots.
 - f. Location and dimensions of existing buildings.
 - g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
 - h. Existing lakes and ponds.
 - i. North arrow and scale.

- j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
- k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.
- l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

ANALYSIS

The applicant requests a minor subdivision of one (1) lot into six (6) at the site of St. Charles Plaza Shopping Center, 12715 Highway 90, Luling. Each lot meets the required 60 ft. width and 6,000 sq. ft. for the C-2 zoning district, but the majority do not meet geometric standards, specifically:

- B. Blocks, 3. Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations
 - Lots A-1-A-6A, A-1-A-6C, A-1-A-6D, and A-1-A-6E
- E. Building Lines. Building setback lines shall meet the minimum requirements of the St. Charles Parish Zoning Ordinance for the type of development.
 - Lots A-1-A-6D, A-1-A-6E, A-1-A-6F

The applicant requests waivers from geometric standards, citing the need for this lot configuration in order allow for portions of the St. Charles Plaza site to be owned individually, with fee simple title.

In addition, the Louisiana State Uniform Construction Code (IBC 706) requires a 2-HR fire wall where the property lines are proposed through the existing building. Staff have notified the applicant and will coordinate receiving the necessary documentation for review by the building official.

The new side lot lines separating lots A-1-A-6A, A-1-A-6C, A-1-A-6D, A-1-A-6E, and A-1-A-6F are not perpendicular to any street. The Planning Commission can grant this variation.

The department has no objection to the orientation of the line separating A-1-A-6A. If the lines separating the building comply with building code requirements, the department does not object to the orientation.

Staff have requested a revised plat addressing some text based items along with the addition of Note I, and a revised signature block adding a line for the Council Chair signature.

DEPARTMENT RECOMMENDATION

Approval, contingent on:

- **Receipt of a new plat with the following revisions:**
 - **Revised lot layout as detailed in this report and shown on the marked-up plat.**
 - **Inclusion of an access servitude for those lots that do not meet the arrangement requirement.**
 - **Revision of the Public Access note based on the two items noted above.**
 - **Addition of Note I, stating “No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years”.**
 - **Addition of a signature line for the Council Chair.**
- **Approval of the waivers by the Planning Commission with supporting resolution from the Parish Council.**