



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-21-R

APPLICATION INFORMATION

- **Submittal Date:** 11/21/2024
- **Applicant / Property Owner**
Danny P. Alexander
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Hahnville, LA 70057
504.485.1004; danny.alexander@shell.com
- **Request**
Change of zoning:
 - Current - R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes - Medium density
 - Proposed - R-2, Two Family Residential

SITE INFORMATION

- **Location**
Lots 35 and 36, Square E, Oak Ridge Park Subdivision; 925 and 935 Paul Frederick Drive, Luling
- **Size:** approximately 7,700 sq. ft. per lot, 15,400 sq. ft. total
- **Current Use:** a manufactured home occupies each lot
- **Surrounding Zoning**
R-1A(M) zoning is adjacent to each side and to the front, across Paul Frederick Drive; CR-1 and MS zoning located to the rear of the subject site on Paul Maillard Road.
- **Surrounding Uses**
The site is in a developed residential area adjacent to the Paul Maillard Road corridor. Dwellings on Paul Frederick Drive consist of both manufactured and site-built single family homes. Those adjacent to the rear on Paul Maillard Road are a mixture of medical, commercial, and residential uses.
- **Zoning History**
The existing R-1A(M) district was established in 1981.
- **Future Land Use Recommendation**
Town Center: Mixed-use development concentrated around employment uses. Uses include retail, office, services, restaurants, and residential. The town centers are envisioned as walkable districts and are anticipated to range in scale and density. The highest density uses and activity would take place near high access major corridors.

Recommended Zoning Districts: R-2 (6,000 sf. min. lot size), R-3 (10,000 sf. min. lot size), CR-1 (6,000 sf. min. lot size), C-1 (6,000 sf. min. lot size), C-2 (6,000 sf. min. lot size)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Traffic Access**
Each lot has 70 ft. of frontage and access on Paul Frederick Drive.

▪ **Utilities**

The Parish GIS shows water, gravity sewer, and drainage facilities along Paul Fredrick Drive.

Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[VII.] *R-2. Two-family residential:*

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) See uses allowed in the R-1A district
 - (2) Two-family dwellings
 - (3) Single family dwellings
 - (4) Accessory uses.
 - (5) Nonresidential accessory buildings shall not be permitted.
 - b. Special exception uses and structures include the following:
 - (1) Club houses and/or accessory recreational facilities for resident use only
 - (2) Professional, non-retail offices
 - c. Special permit uses and structures include the following:
 - (1) Child care centers
 - (2) Schools (public, private, and commercial)
 - (3) Religious institutions
 - (4) *Reserved.*
 - (5) *Reserved.*
 - (6) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - d. Transportation system required: Local or collector street.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet (3,000 per family); minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet each side
 - (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.
 - c. Accessory buildings:
 - 1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
 - 2) The accessory building shall not exceed two-story construction.
 - 3) Minimum rear setback of accessory building shall be the same as side yard requirement of the district in which it is located.
 - 4) Accessory buildings shall be located on the same parcel of land as the main structure.
 - d. 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.
3. Transportation System Requirement: Front on local or collector street only.
4. Special Provisions:
 - a. Where any two-family residential district (R-2) abuts any residential zoning district or use, a six-foot high solid wood fence or masonry wall shall be erected.

Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - 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.

- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

1. *The proposed rezoning conforms to the 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.*

The subject site is within an area designated *Town Center*, which promotes mixed-use development focused around employment uses. To accomplish this a wide range of zoning districts, which includes the requested R-2 along with R-3, CR-1, C-1, and C-2 are promoted under this designation. This particular *Town Center* area is noteworthy with its focus around the St. Charles Parish Hospital and alignment with a portion of the Paul Maillard Revitalization Overlay District (PMROD). This request to R-2 not only works toward the goals of the *Town Center* designation, it also lends itself towards those of the PMROD.

This does not meet the Parish’s definition of a spot zone. The requested R-2 does not extend special privileges to these small lots not extended to others in the area. Duplexes may be permitted within the adjacent PMROD, and a new R-2 zoning district was approved earlier this year across 5 lots on Paul Fredrick Drive approximately 630 ft. from the subject site (2024-2-R; Ord. 24-3-1). And as detailed above, the request is done in furtherance of the Comprehensive Plan. **The request meets the first guideline.**

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 and the proposed zoning does.*

The existing R-1A(M) zoning district was established in 1981 and this block of Paul Frederick Drive has been developed with a mixture of manufactured and site-built homes for decades.

The subject site consists of two lots each measuring 70 ft. wide and approximately 7,700 sq. ft. Under current zoning each lot can be developed by right with either a manufactured or site-built home, and with reduced setback requirements. With a change to R-2 four total dwellings could be permitted compared to the two that can be permitted now. But while an additional two dwellings is beneficial, the ability to develop the two existing lots under the current zoning is far from unreasonable, especially considering the reduced lot sizes, setbacks, and lower cost housing options permitted in the existing district. And this has not been impacted by any substantial changes in the land-use pattern or character of the neighborhood. **The request does not meet the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

Despite being an upzoning permitting housing at a higher density, the R-2 district is more in-line with the development standards of the R-1A zoning district compared to the reduced standards of the existing R-1A(M). This includes:

- Site-built construction
- Same lot area (6,000 sq. ft. / 60 ft. wide)
 - R-1A(M) allows lots of 5,000 sq. ft. / 50 ft. wide
- Same setbacks (20 ft. front / 5 ft. sides / 20 ft. rear)

- R-1A(M) permits 15 ft. front and 5 ft. rear setbacks
- Same rear yard coverage requirement (25%)
 - No such requirement under R-1A(M)

The more stringent development requirements of the R-2 zoning district, both in terms of construction type and lot size requirements, would actually allow for development more in character with the site-built houses on Paul Frederick Drive and the abutting Paul Maillard Road corridor (where manufactured homes are not permitted at all as per the PMROD), and not adversely impact neighborhood character.

The site is located in a developed area where Parish water, gravity sewer, and drainage facilities are available and will not be overburdened by the potential development increase from this proposed rezone. The applicant submitted a site plan proposing development of duplexes on Lots 35 and 36, increasing the development potential from two (2) homes to four (4) units in total. Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, based on meeting the first and third rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.