

**City Planning Commission Meeting – April 14, 2015**

**CONSIDERATION – SUBDIVISION DOCKET 017/15**

**Applicants: Doka Investments, LLC**

**Prepared By:** Larry Massey, Jr.

**Date:** March 31, 2015

**Deadline:** June 1, 2015

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**GENERAL INFORMATION**

**Proposal:** Resubdivision of Lot 21 into Lots 21A and 21B.

**Location:** Square 651, First Municipal District, bounded by Gravier Street, South Salcedo Street, Perdido Street, and South Lopez Street. The municipal addresses are 3100 Gravier Street and 713 – 715 South Salcedo Street. (PD 4)

**Zoning:** RD-3 Two-Family Residential District

**Current**

**Land Use:** Multi-family residential

**Proposed**

**Land Use:** Multi-family residential

**Required:** The subject property, Lot 21, is located at the corner of Gravier and South Salcedo Streets. This lot is developed with two two-story multiple-family residential structures divided by a narrow gated area which is occupied by staircases leading to the apartments' second-floor entrances. The structure closest to the corner of Gravier and South Salcedo Streets (3100 Gravier Street) has four residential units, and the building behind it (713-715 South Salcedo Street) has three residential units. The applicant is proposing to subdivide Lot 21 into two lots so each structure will be on its own lot of record.

Due to the age of the buildings on the site, this request is being considered under Policy E of the Subdivision Regulations. This Policy waives the requirement for a public hearing for Minor Subdivisions and authorizes the Executive Director to grant Administrative Approval to subdivision plans proposing new lot lines that will separate buildings constructed prior to 1929, provided that plans meet all the following conditions:

- a. *Satisfactory evidence is submitted indicating existence of structures prior to 1929. Such evidence is to be provided by the owner or subdivider and should consist of a letter from the appropriate Tax Assessor or other documents deemed acceptable by the Executive Director.*
- b. *The request to separate buildings involves only main/principal buildings.*
- c. *Proposed side lot lines comply as nearly as possible with the Subdivision Regulations and the Comprehensive Zoning Ordinance.*
- d. *The proposed lots shall contain a minimum of 1,800 square feet.*
- e. *The proposed lots will not be an excessive variation to the neighborhood norm.*

This proposal must be considered by the City Planning Commission because proposed Lot 21B does not meet criteria “d” and “e” under Policy E.

**Description:** The subject property is one lot of record, Lot 21. The site is developed with one four-unit residential structure at 3100 Gravier Street, and one three-unit residential structure at 713-715 South Salcedo Street. Both of the structures are two-story. The applicant proposes to create two lots in order to place each multiple-family structure on their own lot of record.

**Utilities & Regulatory Agencies:**

The City Planning Commission, when reviewing a proposed subdivision, requests responses from the Department of Property Management Division of Real Estate and Records, Department of Public Works, Department of Safety and Permits, Sewerage and Water Board, and Entergy regarding the compliance of the proposed subdivision with the building codes, zoning ordinance, and other regulations governing development in the city. The Department of Property Management Division of Real Estate and Records, The Department of Safety and Permits, and Sewerage and Water Board had no exception to the proposed subdivision. The City Planning Commission staff has not received a response from Entergy about the proposed resubdivision. The Department of Public Works commented that the encroachments shown on the survey should be addressed by the applicant. The applicant has since entered into a servitude agreement with the Department of Property Management Division of Real Estate and Records.

## **LOT SIZE**

**Existing Lots:** Existing Lot 21 measures 29.37 feet in width on its Gravier Street frontage, 120 feet in depth on its South Salcedo Street frontage, and a total lot area of 3,524.4 square feet.

**Proposed Lots:** Proposed Lot 21A measures 29.37 feet in width along its Gravier Street frontage, 28.86 feet in width at the rear property line, 77 feet in depth along South Salcedo Street, and 71.8 feet in depth along its interior side lot line. The total area of proposed Lot 21A is 2,146.81 square feet. This proposed lot is occupied by a four-unit multiple-family residential structure bearing the municipal address 3100 Gravier Street.

Proposed Lot 21B measures 43 feet in width along its South Salcedo Street frontage, 48.2 feet in width at its rear property line, 29.37 feet in depth at its western side lot line, and 28.86 in depth at the side lot line abutting the rear lot line of proposed Lot 21A. The total area of proposed lot 21B is 1,315.8 square feet. This proposed lot is occupied by a three-unit multiple-family residential structure bearing the municipal addresses 713-715 South Salcedo Street.

## **ANALYSIS**

### **Development in the Vicinity:**

The petitioned site is located within an RD-3 Two-Family Residential District in the Mid-City Neighborhood. This RD-3 District is bounded by a variety of districts due to its proximity to Interstate 10, Tulane Avenue, and Broad Street. This district is developed mostly with single- and two-family residential structures, but also has a number of multiple family and non-residential structures throughout. Some nonresidential uses include the Orleans Parish Sheriff's Vehicle Maintenance Facility and a few fenced lots where a variety of building materials are stored outdoors.

The neighboring RO General Office District encompasses the City's Criminal Justice Complex and includes offices for the City Attorney, Police Headquarters, Orleans Parish Criminal District Court, and New Orleans Municipal Court. The HI Heavy Industrial District to the south includes the site of the new Orleans Parish Prison. North of the petitioned site is a C-2 General Commercial District that covers lots fronting Tulane Avenue. Uses along Tulane Avenue and near the petitioned site include a bank, strip shopping center, moving-truck rental store, and two large four- and five-story multiple family residential structures. These multiple family structures have between three and four stories of residences above ground level parking. One structure has nonresidential space on its ground level fronting Tulane Avenue.

**COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS:**

The lot requirements of the RD-3 Two-Family Residential District vary depending on the property’s use and can be found in **Article 4, Section 4.6.7. (Table 4.F) Height, Area and Yard Requirements** of the Comprehensive Zoning Ordinance. The current use of the petitioned site is multiple-family residential, though this is not a permitted use in the RD-3 District. Since multiple-family residences are not permitted in the RD-3 District, lot requirements are not specifically listed for this use but are listed for single- and two-family, townhouse, and nonresidential uses, as shown in Table 1.

**Table 1.** RD-3 lot requirements and lot characteristics of Proposed Lots 21A & 21B

Lot Requirements	RD-3 Two Family Residential Lot Requirements				Proposed Lot 21A (Four-Family)	Proposed Lot 21B (Three-Family)
	Single-Family	Two-Family	Townhouse	Nonresidential		
Area <sup>1</sup>	3,600	1,800	2,000	20,000	2,147	1,316
Width	30	30	18	100	29	46
Depth	90	90	90	100	74	29

<sup>1</sup>Lot area per unit

Proposed Lot 21A does not meet any of the lot requirements for single- or two-family residences and meets the area and width requirements for townhouses. Similarly, proposed Lot 21B does not meet the area or depth requirements for the permitted uses in the RD-3 district, but does meet the width requirement for single- and two-family residences, and townhouses. Since the applicant is proposing to create two lots with insufficient depth and area, the applicant will require the following waivers, if approved:

- The applicant shall be granted a waiver of **Article 4, Section 4.6.7 Height, Area and Yard Requirements, Table 4.F Area Regulations for the RD-3 Two-Family Residential District** of the Comprehensive Zoning Ordinance for minimum lot depth on proposed Lots 21A and 21B. Lot 21A shall be allowed a depth of 77 feet along South Salcedo Street, and 71.8 feet in depth along its interior side lot line. Lot 21B shall be allowed a depth of 29.37 feet at its western side lot line, and 28.86 in depth at the side lot line abutting the rear lot line of proposed Lot 21A
- The applicant shall be granted a waiver of **Article 4, Section 4.6.7 Height, Area and Yard Requirements, Table 4.F Area Regulations for the RD-3 Two-Family Residential District** of the Comprehensive Zoning Ordinance for minimum lot area on proposed Lots 21A and 21B to allow a lot area of 2,146.81 square feet and 1,315.8 square feet, respectively.

Additionally, since proposed Lot 21A does not meet the required lot width of the RD-3 Two-Family Residential District, the applicant will require the following waiver, if approved:

- The applicant shall be granted a waiver of **Article 4, Section 4.6.7 Height, Area and Yard Requirements, Table 4.F Area Regulations for the RD-3 Two-Family Residential District** for minimum lot width on proposed Lot 21A to allow a lot width of 29.37 feet

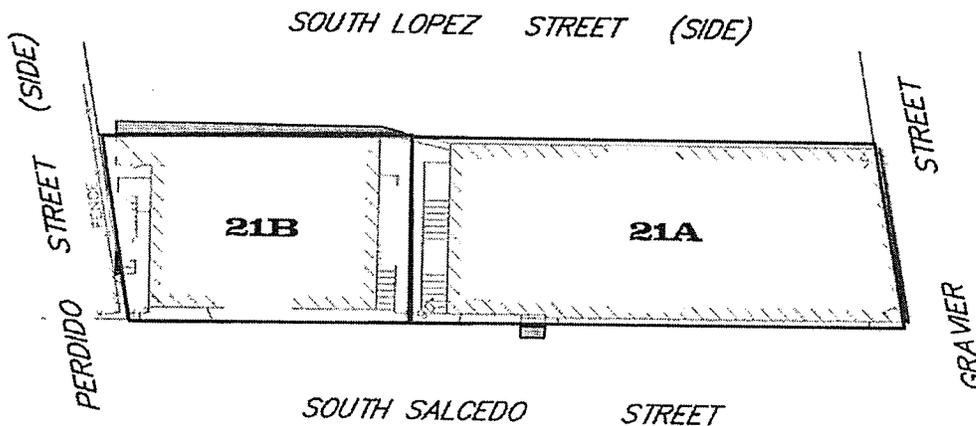
The RD-3 Two-Family Residential District does not prescribe setback requirements for multiple-family structures because it is not a permitted use within the district. In the case that either structure was converted into single- or two-family structures, the proposed lots would be deficient on almost every side (Table 2).

**Table 2.** RD-3 Setback requirements and setback of Proposed Lots 21A & 21B

Setback Requirements	RD-3 Two Family Residential Lot Requirements				Proposed Lot 21A (Four-Family)	Proposed Lot 21B (Three-Family)
	Single-Family	Two-Family	Townhouse	Nonresidential		
Front	Average of block; otherwise 20 feet				<i>encroachment</i>	1.95
Side	3	3	10	10	0.12 and 0.79	2
Rear	20	20	20	20	2	<i>encroachment</i>

Both existing buildings on the proposed lots have portions of their structures projecting beyond their lot lines. The four-family structure on proposed Lot 21A projects into the Gravier Street right-of-way between 4.74 and 6.74 inches and a set of stairs leading to one of the building's units extends two feet into the South Salcedo Street right-of-way. The three-family structure located on proposed Lot 21B projects 1.74 feet into the neighboring interior lot and one of the building's exterior staircases projects 1.6 inches into a neighboring property.

**Figure 1.** Existing encroachments on Proposed Lots 21A & 21B



These projections are existing conditions of current Lot 21. The proposed division of Lot 21 into two lots does not lessen or exacerbate the amount by which the existing buildings extend beyond the property lines.

**Policy E Review**

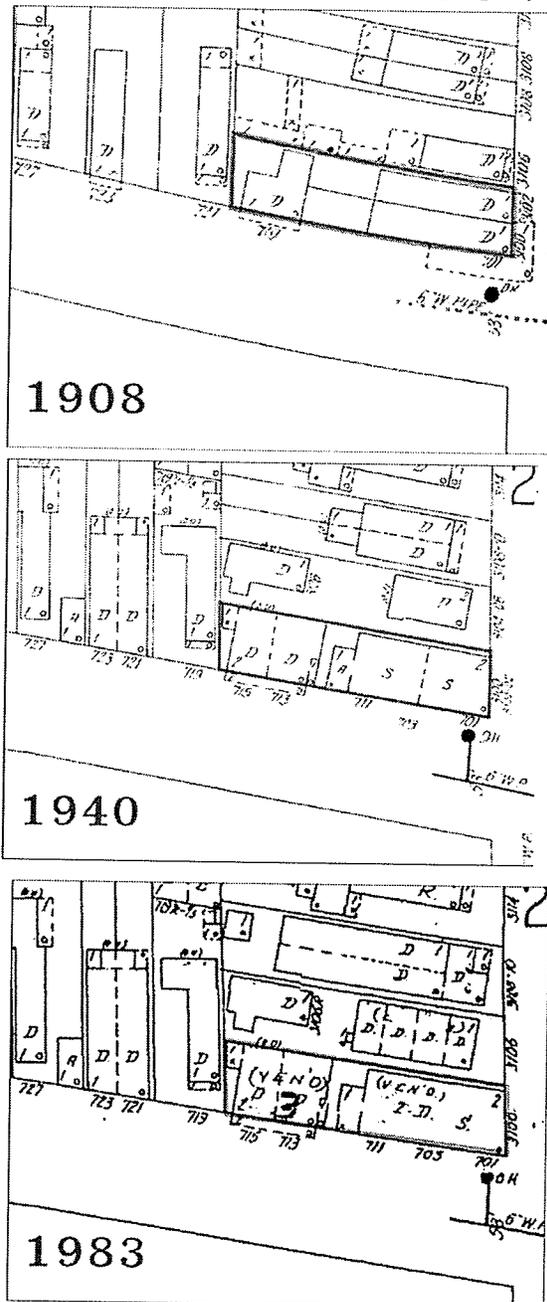
- a. *Satisfactory evidence is submitted indicating existence of structures prior to 1929. Such evidence is to be provided by the owner or subdivider and should consist of a letter from the appropriate Tax Assessor or other documents deemed acceptable by the Executive Director.*

The applicant submitted records from the Sewerage and Water Board that show that water and sewer connections were installed at 713-715 South Salcedo Street and 3100 Gravier Street between 1909 and 1912. Staff examined Sanborn maps from 1908, 1940, and 1983 to confirm that building footprints around this time are consistent with the buildings currently on the property (Figure 2).

The historic maps show the transformation this property has undergone over the last century. The 1908 maps show the property was once divided into multiple lots with three dwellings within the boundaries of current Lot 21. The building footprint is very similar for the building occupying the corner of South Salcedo and Gravier Streets. The dwelling that is shown as 719

South Salcedo Street appears to be what is now 713 -715 South Salcedo Street and is drawn as an L shaped dwelling. This varies from the current building footprint but not enough to conclude that this is not the present day structure. The 1940 Sanborn map shows the building footprints begin to expand to what is shown on the current survey. The major changes from 1908 to 1940 is the erasure of the interior lot line, the conversion of the two dwellings to two shops, the addition of a garage, and the expansion of the building in the rear of the property into two dwellings. The buildings do not

**Figure 2.** Sanborn maps of subject property



drastically change from 1940 to 1983, but the corner building does convert its space from two shops to one shop and two dwellings. Also important to note is that the maps show that sometime between 1940 and 1983 both buildings were given brick veneers, which explains their current exterior appearance.

There is significant proof that these buildings have been on the petitioned site since 1929 including water and sewerage connection records and maps illustrating the buildings' transformation over time.

- b. *The request to separate buildings involves only main/principal buildings.*

This request involves dividing one lot into two lots in order place each multiple family use on a lot of record. Both buildings on the two proposed lots are main uses.

- c. *Proposed side lot lines comply as nearly as possible with the Subdivision Regulations and the Comprehensive Zoning Ordinance.*

The proposed property line between Lot 21A and 21B is located between exterior stairwells leading to the second story of the respective multiple-family dwellings. Currently, there is a gate securing this area with a door for each stairwell. The proposed lot line dividing the multiple-family structures is located two feet from each stairwell. There is no other way Lot 21 could be divided without locating the proposed lot line closer to one building's stairwell than the other. The other side lot lines are existing and are not being moved or erased, so there are no new impacts to those lot lines.

- d. *The proposed lots shall contain a minimum of 1,800 square feet.*

The petitioned property is currently developed with two multiple-family residences, one with three units and one with four units. The applicant is proposing to subdivide existing Lot 21 into two lots so each use will be located on a separate lot of record. Proposed Lot 21A exceeds the minimum lot area of 1,800 square feet by providing 2,146.81 square feet. Proposed Lot 21B has a total of 1,315 square feet, which is 485 square feet (27%) deficient of the 1,800 square foot requirement. The area of proposed Lot 21B cannot be increased within the current boundaries of Lot 21 without decreasing the lot area of proposed Lot 21A and subsequently including a portion of that four-unit multiple-family dwelling. No lots fronting South Lopez, Gravier, or South Salcedo Streets in Square 651 have lot areas below 1,800 square feet. If approved, the staff recommends the following waiver:

- The applicant shall be granted a waiver of **Article 3, Section 3.2.5.d** of the *Subdivision Regulations* requiring a minimum lot area of 1,800 square feet for Lot 20B.

- e. *The proposed lots will not be an excessive variation to the neighborhood norm.*

Lot 21 is very representative of the typical lot in the area. Staff calculated the lot area of all lots fronting South Salcedo, Gravier, and South Lopez Streets in Square 651 to determine how proposed Lot 21A and 21B compare with the neighborhood norm. The average lot area in this sample area is approximately 3,212 square feet, just shy of Lot 21's total lot area of 3,462.61 square feet. Proposed Lots 21A and 21B only have 2,146.81 and 1,315 square feet of area, respectively. The proposed subdivision of Lot 21 would reduce a lot that currently matches the typical lot size in the neighborhood into two lots that are between 33.2% and 59% less than the a typical lot in that square.

In this case, the neighborhood norm could also be judged by looking at the corner lots near the petitioned property. Three of the four corner lots on the block face of Gravier Street between South Salcedo and South Lopez Streets are developed with two residential structures on one site. The petitioned site has the most total number of units with seven. The other two sites have a total of four and five units split mostly between a two-unit structures and one three-unit structure. Neither of the other similar sites are subdivided into two lots and both contain an area of approximately 3,520 square feet, slightly more than the petitioned property's total area of 3,462.61 square feet.

The current size and use of the property on Lot 21 (proposed Lots 21A and 21B) is consistent with the surrounding properties and the subdivision of this lot into two substandard lots would be a departure from this norm.

### **SUMMARY**

The applicant proposes a subdivision of Lot 21 into Lots 21A, and 21B. Currently, Lot 21 is developed with two two-story multiple-family residential structures divided by a narrow gated area that is occupied by staircases leading to the apartments' second floor entrances. The applicant is proposing to subdivide the lot into two lots so each structure will be on their own lot of record. The existing structures were existing prior to 1929, but the proposal fails to meet two of the criteria for consideration under Policy E in that proposed Lot 21B does not meet the minimum lot area of 1,800 square feet and this subdivision would result in an excessive variation to the neighborhood norm. Proposed Lots 21A and 21B would require a number of waivers to the minimum lot requirements if approved, which the Commission can waive under the Policy E regulations.

Due to the current lot's consistency with the typical lot size and development, and the proposed lot's deficiency in lot dimensions and area, the staff believes the request would unnecessarily create two substandard lots of record. For this reason, the staff recommends denial of this request. If approved, the staff recommends the following three provisos in addition to the waivers already listed in this report:

1. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, the Department of Property Management, Division of Real Estate and Records and the Department of Safety and Permits.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final resubdivision survey in dwg., dxf, or ESRI compatible file format.

#### **PRELIMINARY STAFF RECOMMENDATION<sup>1</sup>**

The staff recommends **DENIAL** of Subdivision Docket 017-15.

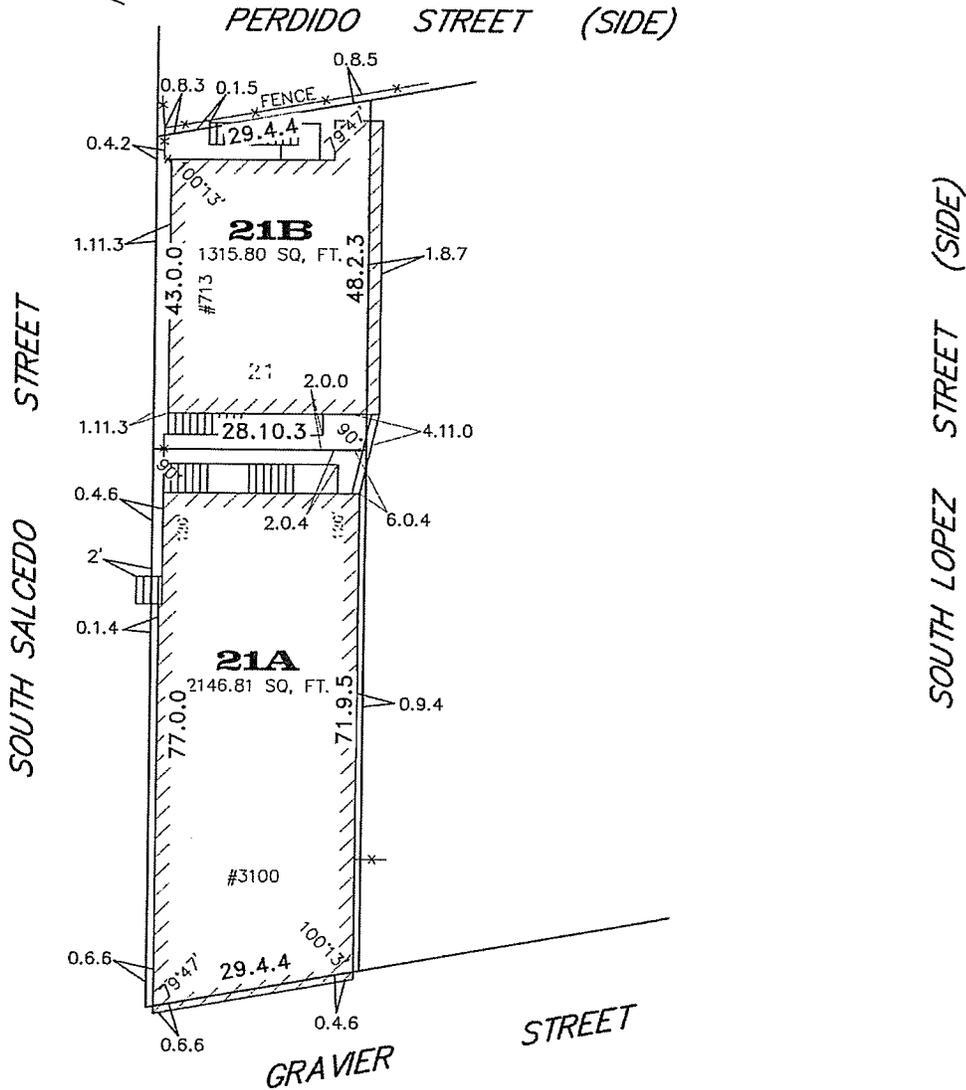
#### **REASON FOR RECOMMENDATION**

1. The request does not meet the criteria for a resubdivision under Policy E as the proposal is an excessive departure from the neighborhood norm and the requirement that the proposed lots have a minimum area of 1,800 square feet.
2. The proposed subdivision is unnecessary and would create two substandard lots of record.
3. The lot configuration in the proposed subdivision is not consistent with the neighborhood norm.

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<sup>1</sup> The preliminary staff recommendation is subject to modification by the City Planning Commission

**RESUBDIVISION OF  
LOT 21 INTO LOTS 21A & 21B  
SQUARE 651  
FIRST DISTRICT  
ORLEANS PARISH, LA**



**NOTE:**  
ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.



**GENERAL NOTES**

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1  
REFERENCE PLAN #1: A PLAN OF SURVEY BY DADING, MARQUÉS & ASSOCIATES, INC.  
DATED MAY 20, 2001

THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

**ELEVATION NOTES**

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER FLOOD INSURANCE RATE MAP (FIRM) DATED: \_\_\_\_\_ FLOOD ZONE: \_\_\_\_\_  
BASE FLOOD ELEVATION: \_\_\_\_\_ COMMUNITY PANEL: \_\_\_\_\_

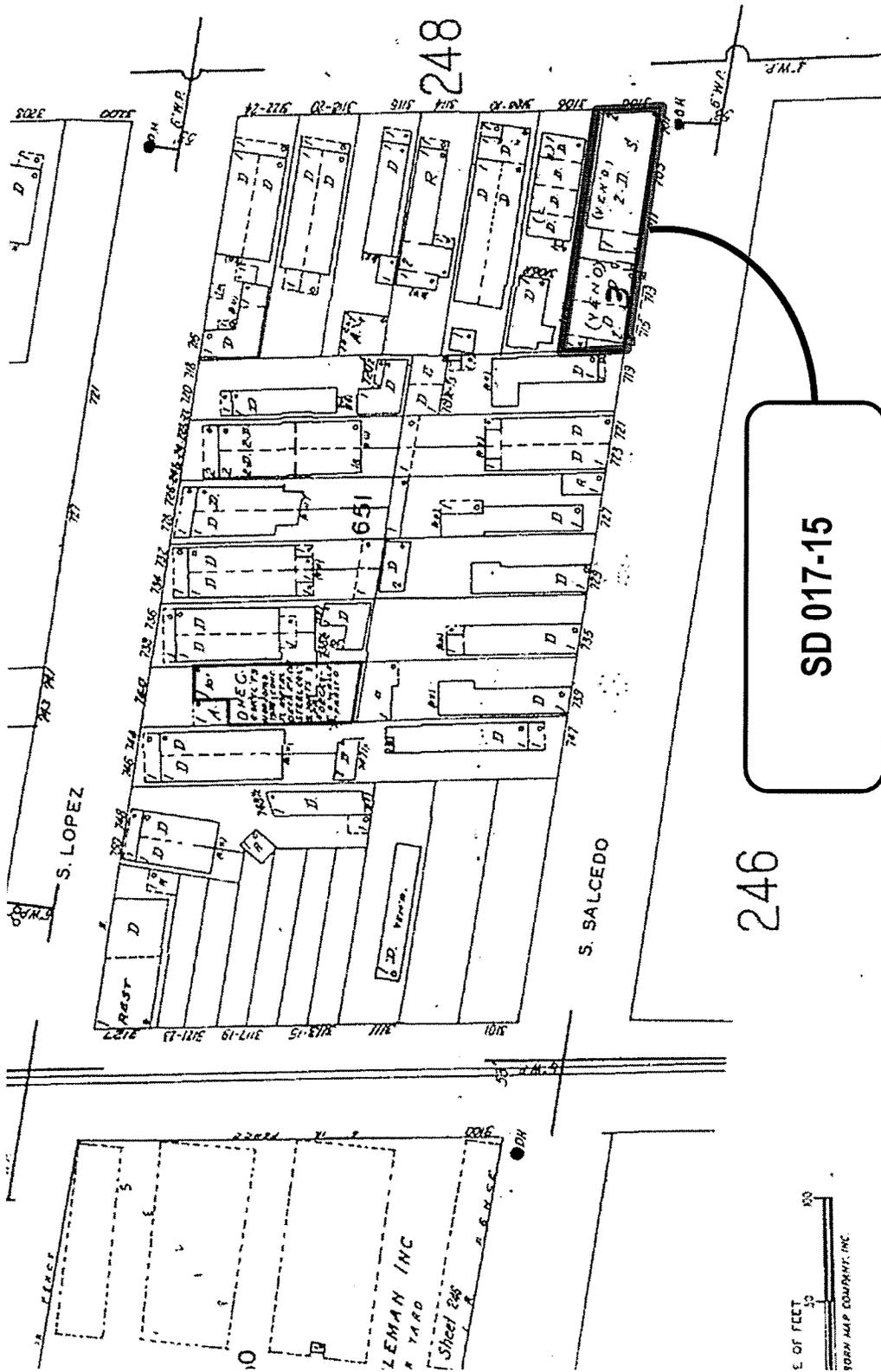
THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE: 46:IXI, CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY

MADE AT THE REQUEST OF OLEG KRASNOV  
REVISED PER CITY COMMENTS  
MARCH 25, 2015

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DATE: FEBRUARY 6, 2015	DRAWN BY: WRB
SCALE: 1" = 20'	CHECKED BY:
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SD 017-15

SCALE OF FEET  
 0 50 100  
 1000 MAP COMPANY, INC.



