

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

**CPC Deadline:** None  
**CC Deadline:** 45 days from receipt from CPC  
**Council District:** E – Gray

### PRELIMINARY STAFF REPORT

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**To:** City Planning Commission  
**Design Review:** 119/14

**Prepared by:** Nicholas Kindel  
**Date:** April 1, 2015

**Applicant:** New Orleans Bible Fellowship Inc.

**Request:** This request is an appeal of the Eastern New Orleans Urban Corridor (UC) District regulations, **Article 10, Section 10.1B.9.1(c) Permitted Changeable Message Area** and **Article 15, Section 15.2.5(16) Paving Surface** of the Comprehensive Zoning Ordinance, to allow for a sign with larger than allowed changeable message area and to permit a parking lot that is not paved with a durable, all-weather material.

**Zoning:** RM-2E Eastern New Orleans Multiple-Family Residential District and Eastern New Orleans Urban Corridor (UC) District

**Location:** The petitioned property is located in the Third Municipal District, on a Portion of Evangeline Oaks Subdivision, on Lot L,<sup>1</sup> bounded by Bundy Road, Chef Menteur Highway, Cerise Avenue, and Grant Street. The municipal address is 4430 Bundy Road. (PD 9)

**Proposal:** The petitioned site is a large corner lot with frontage on Bundy Road and Grant Street in the Read Boulevard West Neighborhood of New Orleans East. The lot is zoned RM-2E Eastern New Orleans Multiple-Family Residential District and is also located within the Eastern New Orleans Urban Corridor (UC) Overlay District. The property, Lot L, is slightly L-shaped and has a width of four hundred forty-nine feet (449') along Bundy Road and a depth of five hundred forty-seven feet (547') along Grant Street. The total area of Lot L is 281,303 square feet, or approximately 6.5 acres.<sup>2</sup> The lot is improved with the following four structures: a two-story, metal-sheeted structure that was originally built as a gymnasium but now serves as a church, a prefabricated, one-story trailer used for storage, a wooden gazebo, and a small wooden shed. The applicant received approval to convert the existing gymnasium into a church in December 2013.<sup>3</sup>

A Design Review application is required for the proposed detached (monument) sign. The monument sign is not consistent with the Eastern New Orleans Urban Corridor (UC) District regulations. The 27 square foot sign has 15 square feet

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<sup>1</sup> A pending subdivision being reviewed in Subdivision Docket 011/15 would result in a minor modification to the property line, decrease in the size of the subject property, and change the lot designation to Lot L1.

<sup>2</sup> Following the pending subdivision, the size of Lot L1 will be reduced to 274,953 square feet, or approximately 6.3 acres.

<sup>3</sup> Design Review 118/13 was approved administratively by the City Planning Commission on December 24, 2013.

dedicated for changeable message area. Since the change message area is greater than 30% of the sign area, or 8.1 square feet, a waiver of 6.9 square feet in changeable message area is required. This is an after the fact request because the sign was built after the Department of Safety and Permits issued a sign permit on September 11, 2014.<sup>4</sup>

In addition, the applicant is requesting a waiver of the requirement that off-street parking spaces are paved. The proposed plans approved with Design Review 118/13 show the applicant providing the required 52 off-street parking space with 21 spaces in an existing paved lot and 31 spaces in a new parking area adjacent to the existing lot. When the Department of Safety and Permit did a final site inspection in August 2014, they noted that the applicant had not paved the new parking area. **Article 15, Section 15.2.5(16) – Paving Surface** requires that a surface parking lot shall be paved with a durable all-weather material. The applicant is requesting a waiver of this paving requirement.<sup>5</sup>

### **Why is City Planning Commission Action required?**

**Article 10, Section 10.1B.14 - Appeals** of the Comprehensive Zoning Ordinance requires that all variances of the Eastern New Orleans Urban Corridor (UC) District or from the underlying zoning district regulations be reviewed for recommendation by the City Planning Commission and forwarded to the City Council for final action. Therefore, the waivers of **Article 10, Section 10.1B.9.1(c) Permitted Changeable Message Area** and **Article 15, Section 15.2.5(16) Paving Surface** of the Comprehensive Zoning Ordinance both are required to go before the City Planning Commission for a recommendation and then City Council for final action.

### **I. EVALUATION**

The purpose of the Eastern New Orleans Urban Corridor (UC) District “*is to provide for a superior environment along major suburban transportation corridors through... unique provisions pertaining to accessory signs and design requirements intended to support and complement land use development and establish a positive design image.*” This is achieved through various design standards including the limitations in new signage found in **Article 10, Section 10.1B.8 and 10.1B.9** of the Comprehensive Zoning Ordinance.

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<sup>4</sup> The applicant applied for a sign permit with Safety and Permits on August 20, 2014. The applicant then submitted this Design Review application for the sign on August 25, 2014. On September 11, 2014, the Department of Safety and Permits issued the building permit for the sign even though the City Planning Commission has never approved any signs as part of this or the previous design review applications.

<sup>5</sup> The applicant initially applied for a waiver with the Board of Zoning Adjustment (BZA200-14), but the application was withdrawn after a determination was made that because the property is located in the Eastern New Orleans Urban Corridor (UC) District, per **Article 10, Section 10.1B.14 – Appeals** any variance of the Overlay District or the underlying zoning district requires City Council approval. This requires a Design Review application. Since the applicant already had an open Design Review application for the proposed sign, the requested waiver of the paving requirement was included as part of this review.

## *Site Design*

The applicant received approval to change the use of the property from a gymnasium to a place of worship in Design Review 118/13. The site was mostly built out as approved, but there are a few changes that were not approved and shall be considered as part of this Design Review application. First, signage was not approved in the initial application. The applicant received a sign permit from the Department of Safety and Permits, but the changeable message area is larger than is allowed. The City Planning Commission will consider this as an after the fact request. Second, the addition to the parking lot is not paved as required, which necessitates a variance of **Article 15, Section 15.2.5(16) – Paving Surface**. Finally, the previously approved design review shows an enclosed dumpster area in the new parking lot that was never built. Trash cans are currently being stored next to the building and are not screened. The applicant shall be required to comply with the following proviso:

- The applicant shall revise the site plan to show an enclosed refuse storage area consistent with the requirements of **Article 10, Section 10.1B.12.4(c) – Required Screening**.

## *Permitted Changeable Message Area*

The applicant is requesting approval for a detached monument sign at the church. This is an after the fact request, because the sign was already built after the applicant received a sign permit from the Department of Safety and Permits on September 11, 2014.<sup>6</sup> The sign is approximately 6 feet tall and set back 12 feet from the right-of-way. The sign face is 4 feet 3 inches tall, 6 feet wide, and has a total area of approximately 27 square feet.<sup>7</sup> There is landscaping provided at the base of sign. The sign meets all of the above detached sign requirements in **Article 10, Section 10.1B.9.1**.

The applicant is requesting a variance of the Eastern New Orleans Urban Corridor (UC) District regulation to allow for a monument sign with excessive changeable message area. According to **Article 10, Section 10.1B.9.1(c) – Permitted Changeable Message Area**:

### *10.1B.9. Permitted Detached Identification Signs.*

*c. Permitted Changeable Message Area: A message area or menu board designed as an integral part of the main sign may be utilized and shall be limited to thirty (30) percent of the total permitted sign face area.*

The proposed detached sign will contain a message area that identifies times of services, bible study, and other church activities. According to a conversation with the Zoning Administrator in the Department of Safety and Permits, this provision is interpreted that changeable message area is limited to 30% of the total sign area of 27 square feet. This

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<sup>6</sup> 14-26124-SATT

<sup>7</sup> This is less than the maximum allowed sign face area for this site of 70 square feet.

part of the sign face will contain approximately 15 square feet or 56% of the total sign area. Therefore, the applicant needs a variance of 6.9 square feet or 26% in addition changeable message area.

Based on the size of the site, a maximum permitted sign area for a detached sign for this property is 70 square feet,<sup>8</sup> and the respective message area could contain up to 21 square feet. As proposed, the total sign area is 27 square feet and the changeable message area is 15 square feet. To comply with this requirement, the applicant could propose to increase the total sign area to at least 50 square feet so that the changeable message area is only 30% of the total sign area. This would be inconsistent with the goal of the Eastern New Orleans Urban Corridor (UC) District which seeks to improve urban design by limiting the size of signage.

In addition, with a literal reading of these regulations, one could argue that the applicant “shall be limited to thirty (30) percent of *the total permitted sign face area*” of 70 square feet, allowing for 21 square feet of changeable message area. Finally, the applicant received a permit to build a sign, and had detrimental reliance on the determination that the Department of Safety and Permits made by issuing the permit. Therefore, the staff would prefer to keep the total sign area as proposed and built and to allow for a greater proportion of changeable message area. Therefore, the staff recommends:

- The applicant shall be granted a waiver of **Article 10, Section 10.1B.9.1 (c) – Permitted Changeable Message Area** which limits the size of the Changeable Message Area to 30% of the total permitted sign face area to permit a Changeable Message Area of up to 15 square feet, or 56% of the total sign face area.

#### *Paving of Off-Street Parking Area*

According to the previous analysis of the off-street parking requirements in Design Review 118/13, the new church, with 210 seats, was required to provide 52 off-street parking spaces. The existing parking lot had 21 parking spaces, and an addition to the parking lot would provide for 31 new parking spaces. When the applicant did not pave the new parking spaces, the applicant was required to pave the parking lot or seek a waiver of the paving requirement. According to **Article 15, Section 15.2.5.16 – Paving Surface**:

##### *15.2.5. Design Standards.*

*16. Paving Surface: Any surface parking lot shall be paved with a durable, all-weather material, such as concrete, asphalt, or a permeable surface such as an*

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<sup>8</sup> According to **Article 10, Section 10.1B.9. (b)**, the allowable area shall be computed at one (1) square foot per lineal foot of street frontage with a maximum of 70 square feet. The street frontage along Bundy Road is approximately 450 feet; therefore, the maximum permitted sign area is 70 square feet.

*open paving system or a pervious paving system. Shells, gravel, crushed stone and bare earth shall not be acceptable paving materials...*

However, the previous analysis did not consider any parking spaces that were grandfathered to the site. The pervious use of the building was as a gymnasium, and the applicant converted the existing structure into a church. The gymnasium had a large assembly area, offices, restrooms, a break room, and a locker room. The assembly area measured 90 feet by 96 feet 7 inches, for a total area of approximately 8,093 square feet. At one space per 75 square feet of floor space in seating area, the previous use was required to provide 116 off-street parking spaces. With only 21 spaces provided, 95 off-street parking spaces are grandfathered to the site. The applicant has 21 existing paved off-street parking spaces and with the previously unaccounted for 95 spaces grandfathered to the site, the applicant has met the requirement for 52 off-street parking spaces. Since the applicant is not required to provide for any more spaces than the existing 21 paved spaces, there is no need for the addition to the parking lot. Since the additional parking is not required, there is no need to waive the paving requirement at this time.

## II. SUMMARY

Design Review docket 119/14 is an appeal of the Eastern New Orleans Urban Corridor (UC) District Regulations, **Article 10, Section 10.1B.9.1(c) Permitted Changeable Message Area** and **Article 15, Section 15.2.5(16) Paving Surface** of the Comprehensive Zoning Ordinance. This request would allow for a sign with larger than allowed changeable message area and to permit a parking lot that is not paved with a durable, all-weather material. The UC District regulations limit the changeable message area to 30% of the total sign area. The applicant could comply with this requirement by increasing the total size of the sign, which is in conflict with the goals of the UC District. In addition, the Department of Safety and Permits already issued a permit for this sign. Therefore, the staff supports the appeal of the changeable message area requirements.

In the previous Design Review docket 118/14, the applicant proposed 31 new off-street parking spaces in addition to the existing 21 spaces to meet the off-street parking requirement of 52 spaces. The applicant never paved the 31 new spaces and requested a waiver of the paving requirement. During the course of this review, the staff determined that the previous analysis did not account for any off-street parking spaces grandfathered to the previous use as a gymnasium. Accounting for the 21 existing paved spaces and the 95 spaces grandfathered to the site, there is no need for the 31 space parking addition. Since that parking addition is not required, the applicant is not required to paved the parking addition at this time and no waiver is required.

### III. PRELIMINARY STAFF RECOMMENDATION<sup>9</sup>

The staff recommends **MODIFIED APPROVAL** of Design Review 119/14, subject to one (1) waiver and one (1) proviso.

#### *Waiver*

1. The applicant shall be granted a waiver of **Article 10, Section 10.1B.9.1 (c) – Permitted Changeable Message Area** which limits the size of the Changeable Message Area to 30% of the total permitted sign face area to permit a Changeable Message Area of up to 15 square feet, or 56% of the total sign face area.

#### *Proviso*

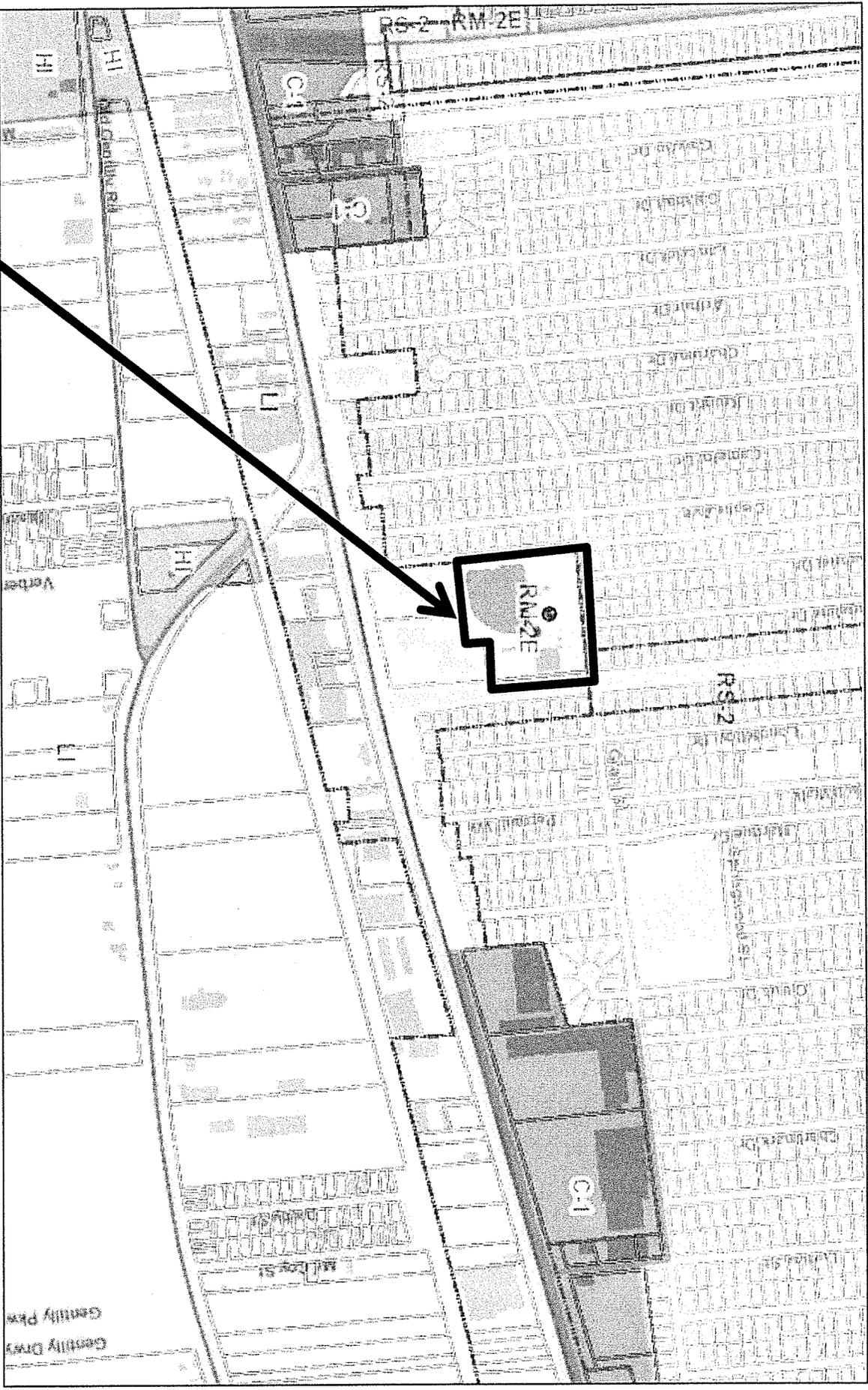
1. The applicant shall revise the site plan to show an enclosed refuse storage area consistent with the requirements of **Article 10, Section 10.1B.12.4(c) – Required Screening**.

### IV. REASONS FOR RECOMMENDATION

1. Granting the variance for changeable messaging area is the preferred outcome to achieve the goals of the Eastern New Orleans Urban Corridor (UC) District.
2. The Department of Safety and Permits has already issued a permit to build the detached sign.
3. Due to previously unaccounted for parking that is grandfathered to the site, no new off-street parking is required and a waiver of the paving requirements is no longer needed since the applicant does not have to provide additional parking at this time.

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<sup>9</sup> Subject to modification by the City Planning Commission.



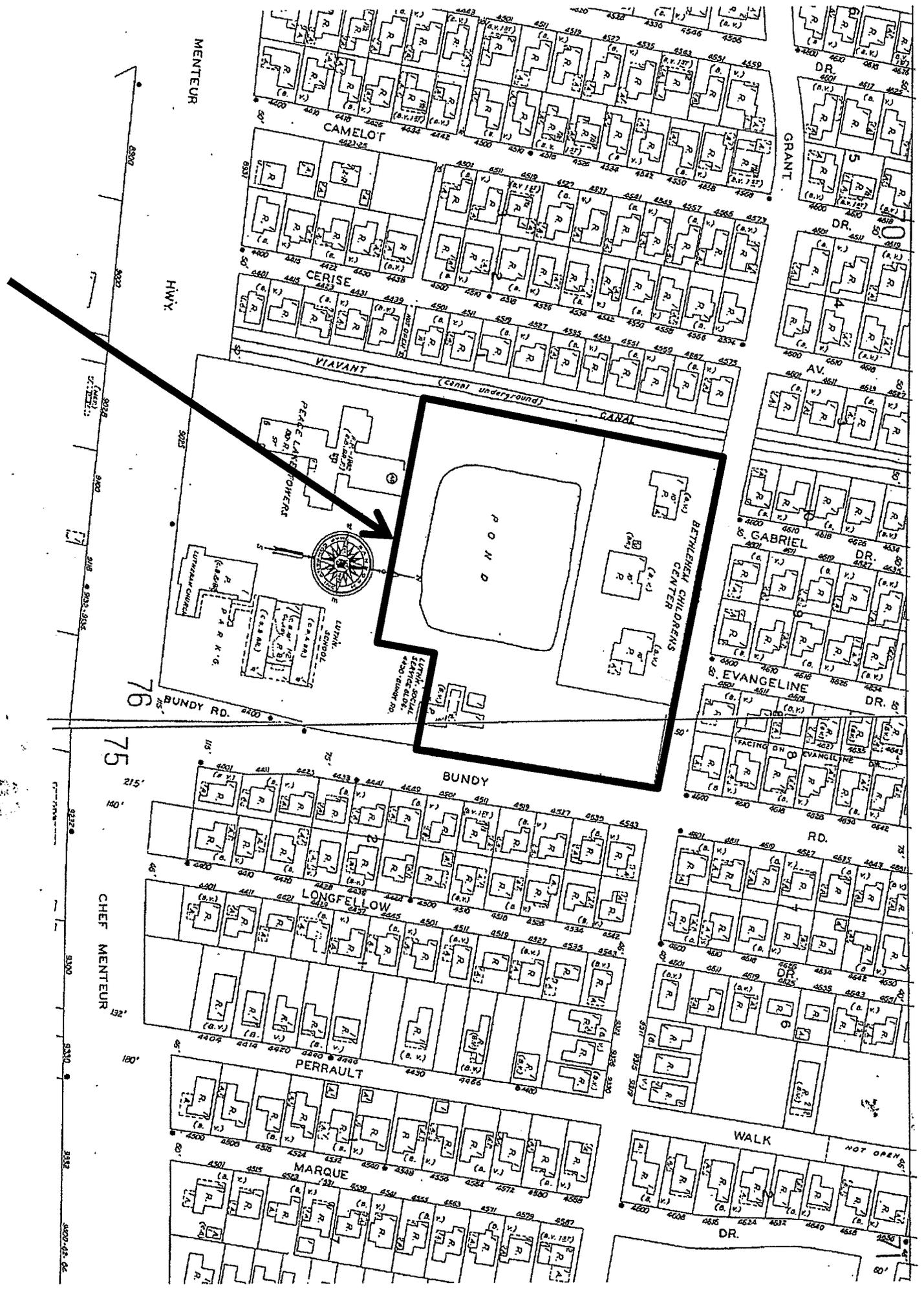
March 31 2015

1-R 609

DR 119/14 - 4430 Bundy Road

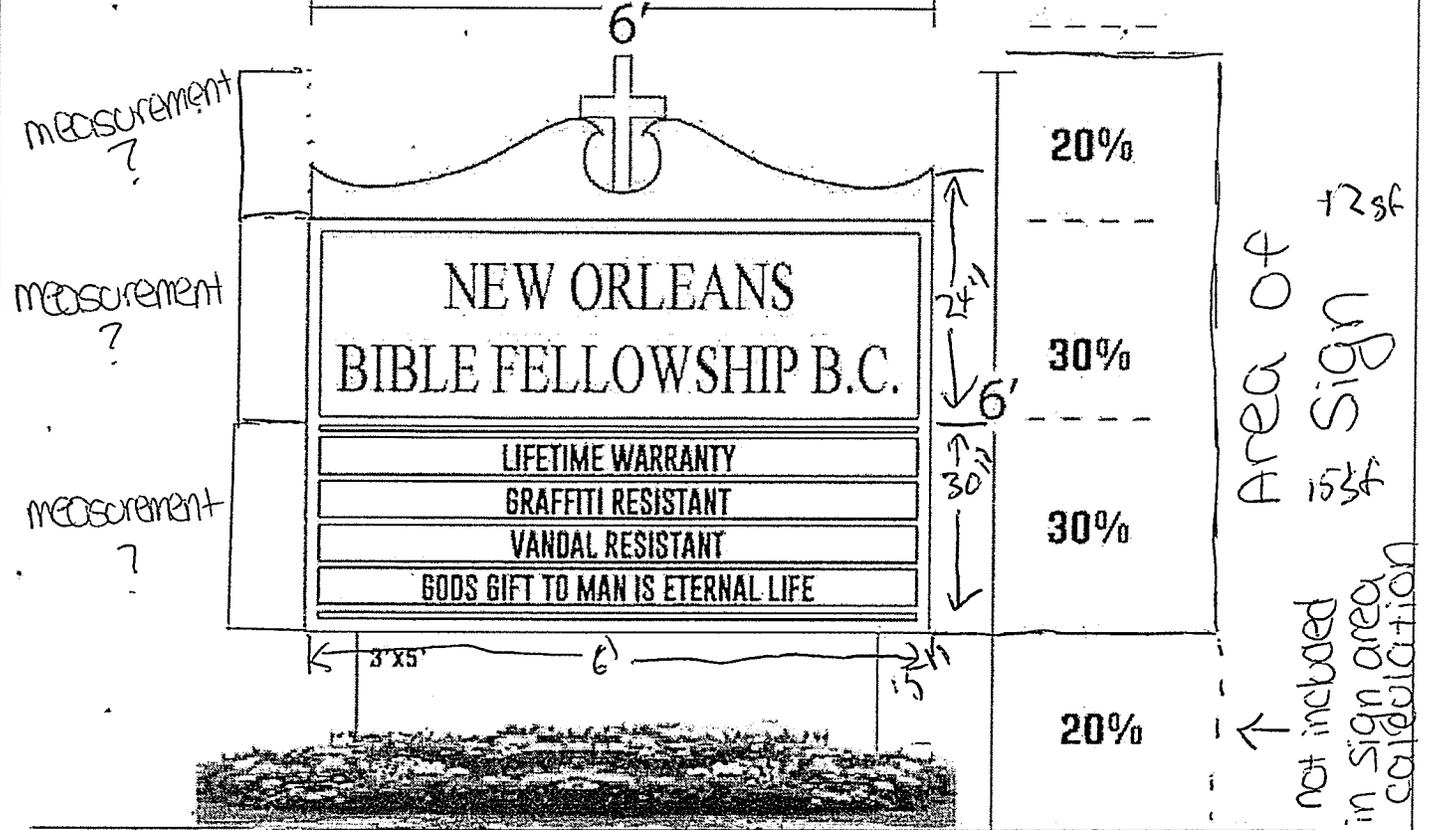
RM-2E Multiple-Family Residential District & Eastern New Orleans Urban Corridor (UC) District

# DR 119/14 - 4430 Bundy Road

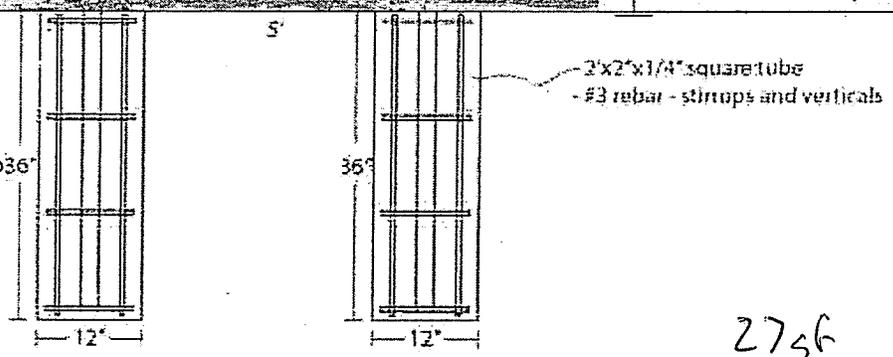


Need to know scale 0' 1' 2' etc

OPA - New Orleans Baptist Monument - 4430 Bundy Road New Orleans LA

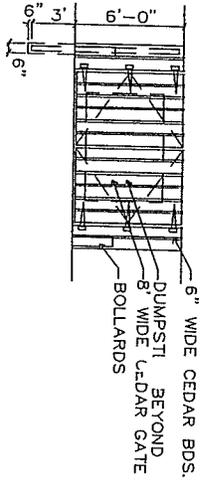


indicate plant materials and quantity



27sf

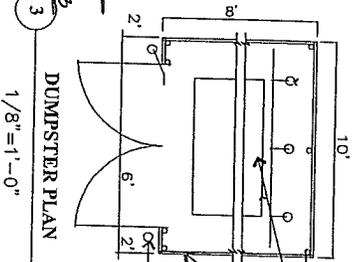
- 6'x4'x7" deep monument sign
- Constructed from aluminum
- Square tube frame with .06" aluminum "skin"
- Painted exterior grade automotive paints
- 2'x2"x1/4" square tube
- #3 rebar - stirrups and verticals



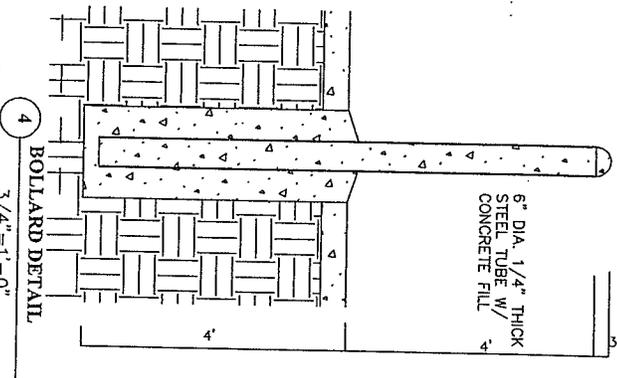
2 DUMPSTER GATE ELEV. 1/8"=1'-0"

- FENCE/GATE NOTES**
1. 1/8" MINIMUM TENSION WIRE W/ A 3" EYE TO EYE TURNBUCKLE, WIRE ROPE THIMBLES AND CLAVES. SECURE EACH END OF WIRE W/ SCREW EYEBOLTS.
  2. USE HEAVY DUTY SECURITY SURFACE BOLTS TYPICAL.
  3. USE 3 HEAVY DUTY GALVANIZED HINGES @ EACH GATE.
  4. USE MINIMUM 2X 4 TREATED VND CROSS BRACING @ EACH GATE.

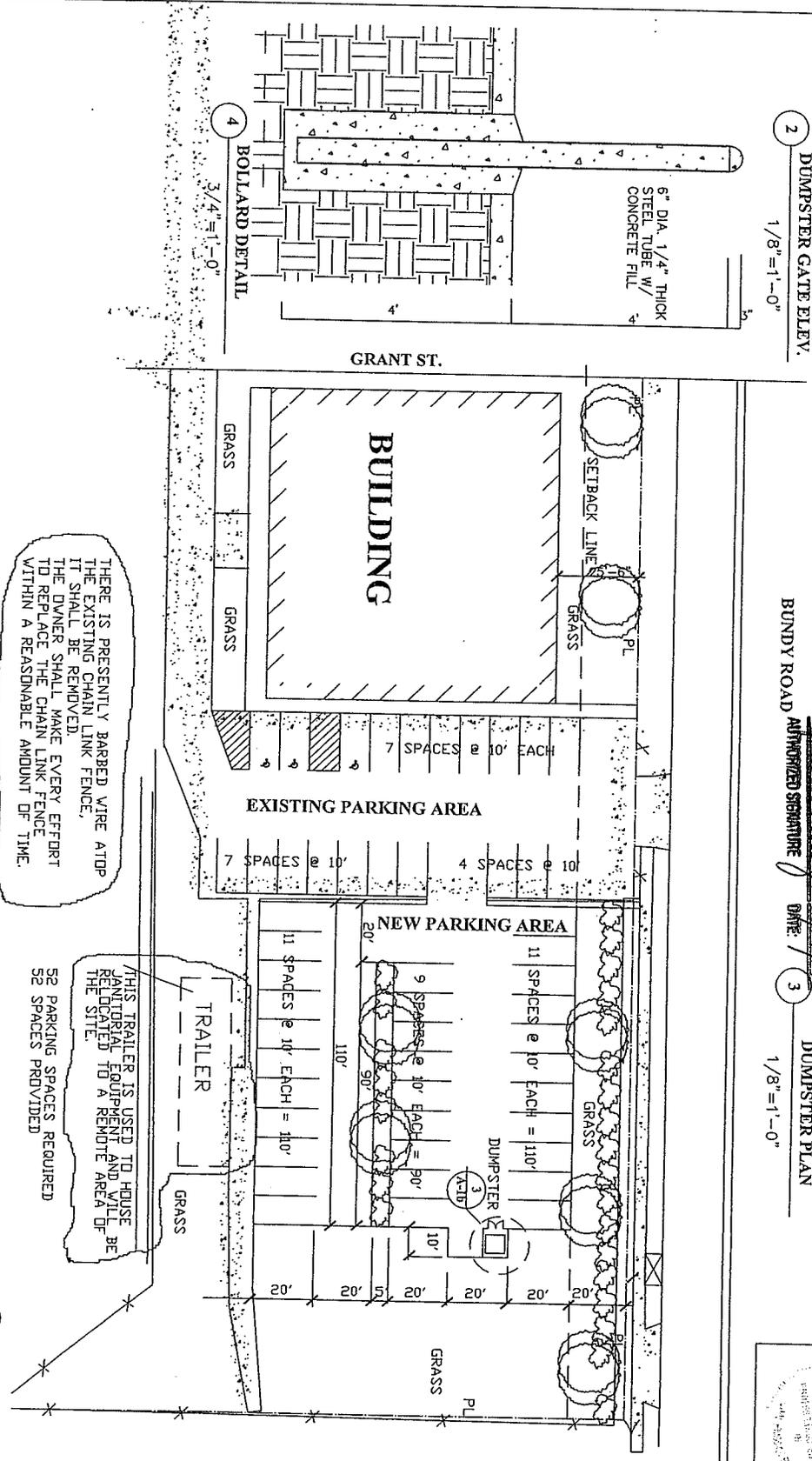
**PLAN APPROVED**  
 NEW ORLEANS CITY PLANNING COMMISSION  
 DESIGN REVIEW DOCKET # 1182115  
*Shirley M. Miller*  
 AUTHORIZED SIGNATURE DATE: 12/21/15



3 DUMPSTER PLAN 1/8"=1'-0"



4 BOLLARD DETAIL 3/4"=1'-0"



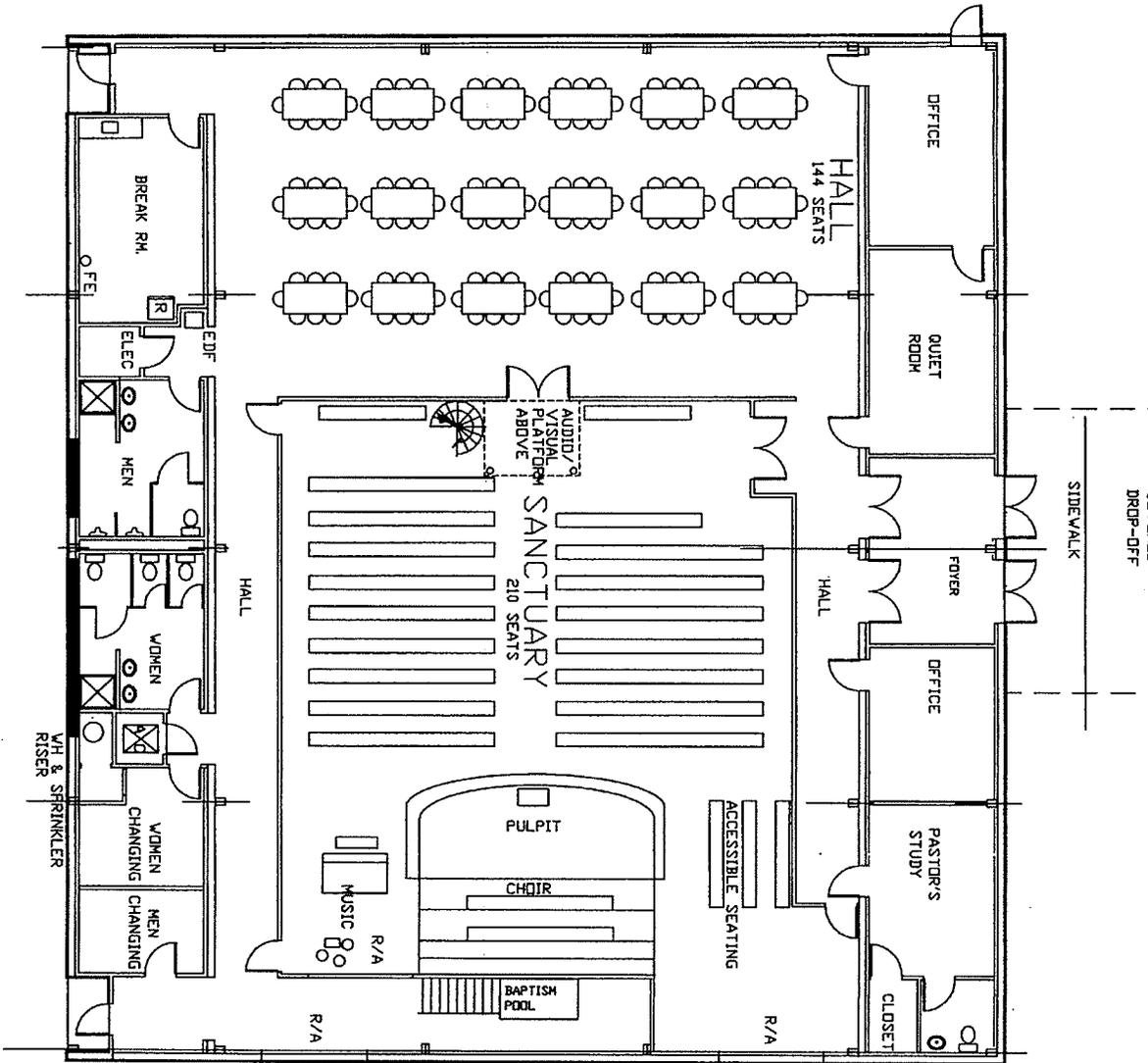
THIS TRAILER IS USED TO HOUSE JANITORIAL EQUIPMENT AND SHALL BE RELOCATED TO A REMOTE AREA OF THE SITE.  
 52 PARKING SPACES REQUIRED  
 52 PARKING SPACES PROVIDED

AMERICAN DRAFTING SERVICE  
 2902 SAINT ROCHI AVENUE NEW ORLEANS, LA 70122  
 IN JOINT VENTURE WITH  
 LOUIS JACKSON, PE

RENOVATION TO  
 4430 BUNDY ROAD FOR:  
 NEW ORLEANS BIBLE FELLOWSHIP B. C.  
 NEW ORLEANS, LA 70127

REVISION	DATE	BY

DATE: 12-20-15  
 SHEET NO. 1 of 1



1 FURNITURE PLAN  
3/32"-1'-0"



A-3a of

A/C UNIT

EDF  
ELEC  
MEN  
WOMEN  
WOMEN CHANGING  
MEN CHANGING  
VH & SHRINKLER  
RISER

HALL  
BREAK RM.  
O FEI

OFFICE  
QUIET ROOM  
FOYER  
OFFICE  
PASTOR'S STUDY  
CLOSET

HALL  
144 SEATS

AUDIO/ VISUAL PLATFORM ABOVE  
SANCTUARY  
210 SEATS

PULPIT  
CHOIR  
MUSIC  
R/A  
BAPTISM POOL  
R/A

HALL  
ACCESSIBLE SEATING  
R/A

DRIP-OFF  
SIDE WALK

NO.	SIZE	DESCRIPTION
1	1'-0" X 1'-0"	SOLID CORE WOOD & GLASS
2	1'-0" X 1'-0"	SOLID CORE WOOD
3	1'-0" X 1'-0"	SOLID CORE WOOD
4	1'-0" X 1'-0"	MARONITE
5	1'-0" X 1'-0"	MARONITE
6	1'-0" X 1'-0"	MARONITE
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9	1'-0" X 1'-0"	MARONITE
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14	1'-0" X 1'-0"	MARONITE

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NOTES:  
 1) ALL WALLS AND CEILINGS SHALL BE PAINTED  
 2) GYPSUM BOARD SHALL BE 1/2" THICK  
 3) CEILING HEIGHTS VARY SEE REFLECTED  
 4) WALL PANELS VESICANT GYPSUM ON ALL FLOORING  
 5) USE CONC. IMPREGNATED BOARD BEHIND  
 6) ALL TILES  
 7) ALL WOOD TRIM FOR ALL DOOR AND WINDOW  
 8) ALL FLOORING SHALL BE 1/2" THICK  
 9) ALL FLOORING SHALL BE 1/2" THICK  
 10) ALL FLOORING SHALL BE 1/2" THICK  
 11) ALL FLOORING SHALL BE 1/2" THICK  
 12) ALL FLOORING SHALL BE 1/2" THICK  
 13) ALL FLOORING SHALL BE 1/2" THICK  
 14) ALL FLOORING SHALL BE 1/2" THICK

FE FIRE EXTINGUISHER  
 EDF ELECTRIC BURNING ROOF/FAN  
 R REFRIGERATOR

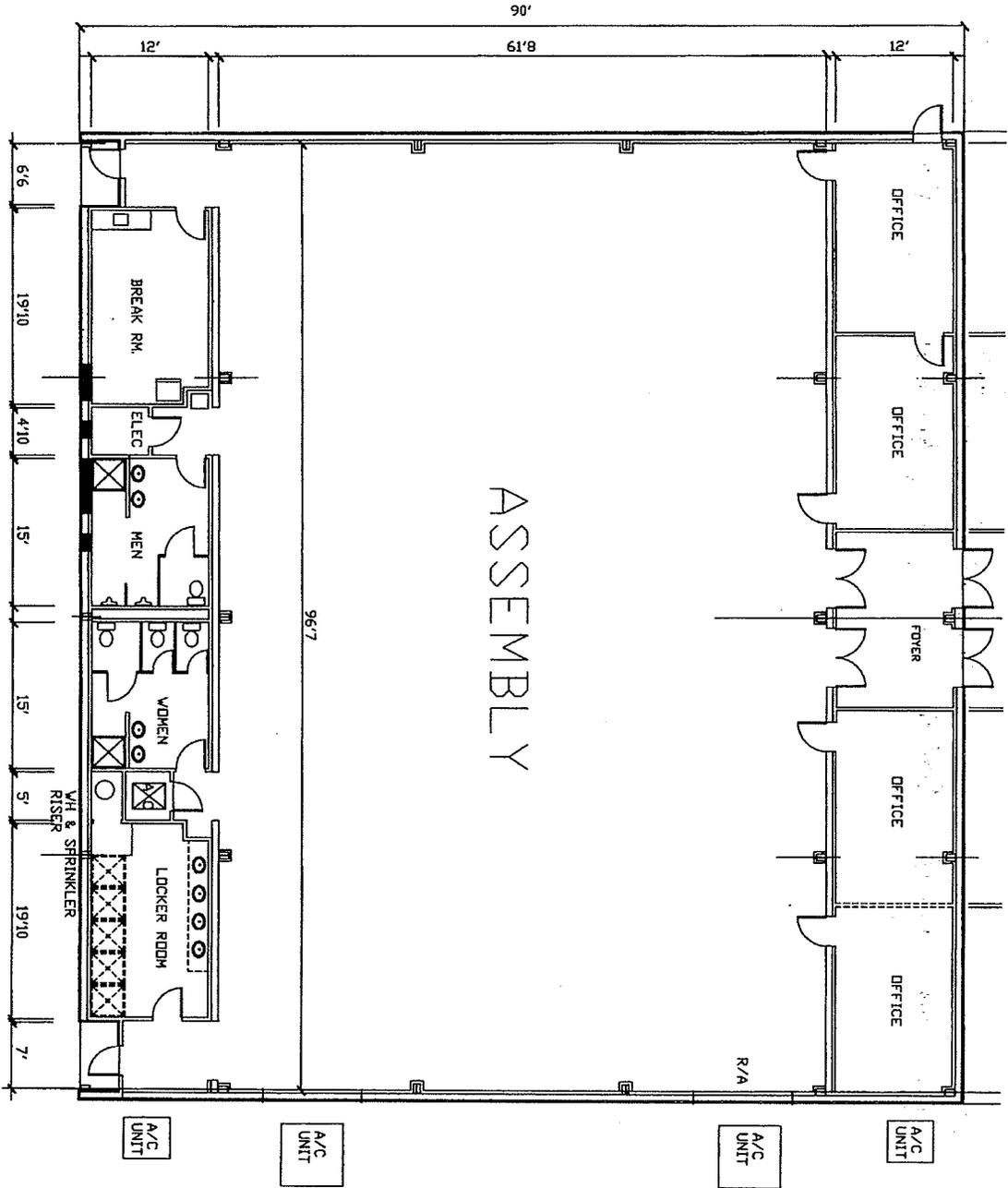
INTERIOR FINISHES  
 FLOOR MATERIAL  
 STAINED CONCRETE  
 AREAS  
 TRIBUOLUTON

AMERICAN DRAFTING SERVICE  
 2902 SAINT ROCH AVENUE NEW ORLEANS, LA 70122  
 IN JOINT VENTURE WITH  
 LOUIS JACKSON, PE

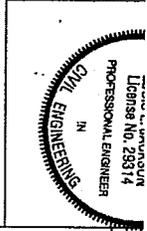
RENOVATION TO  
 4430 BUNDY ROAD FOR:  
 NEW ORLEANS BIBLE FELLOWSHIP B. C.  
 NEW ORLEANS, LA 70127

DATE: 11-15-2013  
 SHEET NO.  
 A-3a of

CIVIL ENGINEERING  
 License No. 23314  
 PROFESSIONAL ENGINEER



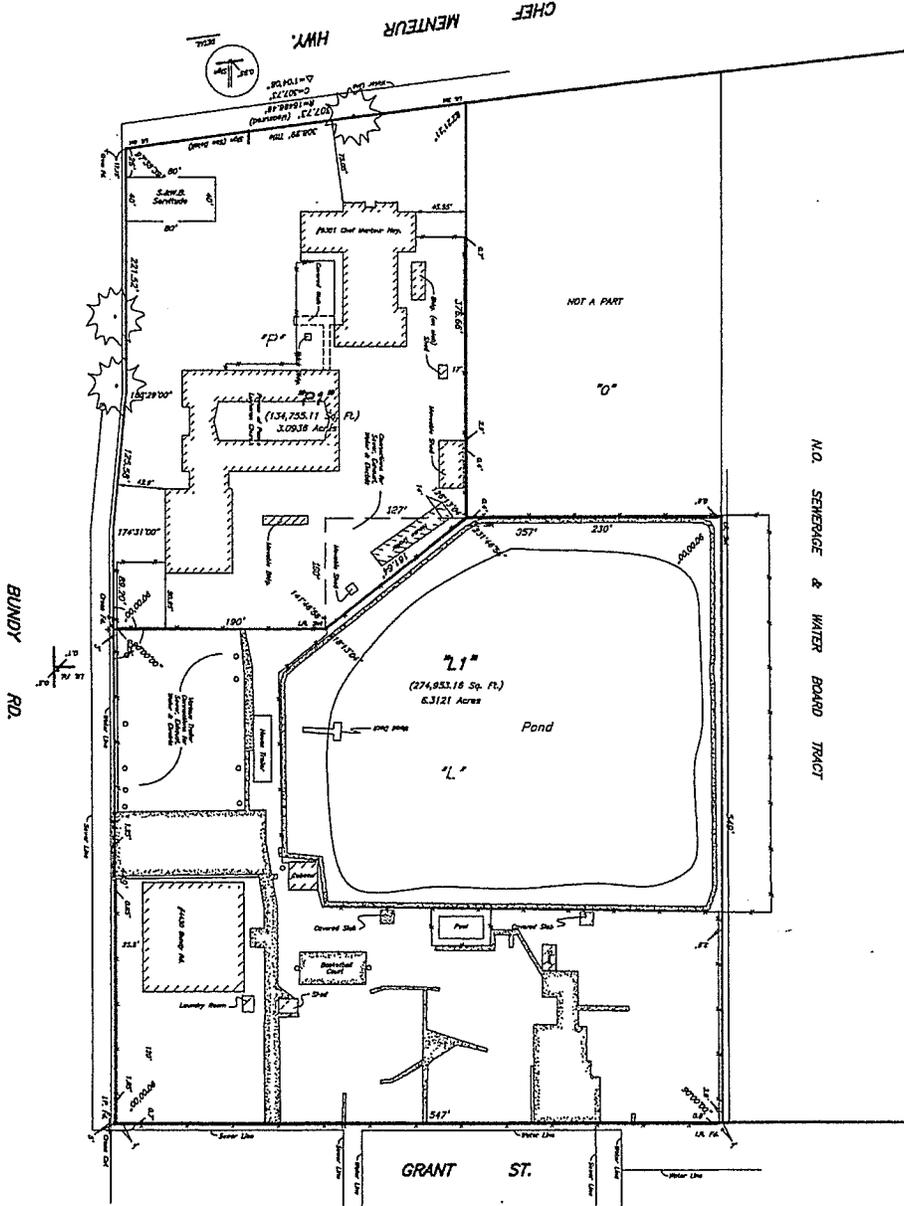
1 REVISED DEMOLITION PLAN  
3/32"=1'-0"



SHEET NO. A of	DATE: 12-18-11	SHEET TITLE EXISTING DEMO PLAN	CHECKED BY MKT	DRAWN BY MKT	PROJECT NUMBER	AMERICAN DRAFTING SERVICE 2902 SAINT ROCH AVENUE, NEW ORLEANS, LA 70122 IN JOINT VENTURE WITH LOUIS JACKSON, PE	RENOVATION TO 4430 BUNDY ROAD FOR: NEW ORLEANS BIBLE FELLOWSHIP B. C. NEW ORLEANS, LA 70127
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PORTION OF EVANGELINE OAKS SUB.  
THIRD DISTRICT (SEC. 43, T12S, R12E)  
A Resubdivision of Lots 1, 2 & 3 of Block 217 & 217.1

NEW ORLEANS, LA  
ORLEANS PARISH



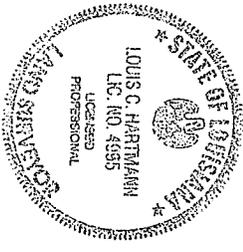
THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES RENDERED BY HIM AND HE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE USER OF THIS PLAN ASSUMES ALL LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE USER OF THIS PLAN ASSUMES ALL LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.

DATE: NOVEMBER 22, 2012

This plan represents an actual ground survey made by one or more of the direct or indirect predecessors of the undersigned and the requirements for the State of Louisiana Chapter 201 for a Class "C" survey. Louisiana Administrative Code Title 48:281

Done at the request of Nancy Lee Fran.

Survey: 2171 & 2171.1, Evangeline Oaks, Subdivision & Resubdivision  
2171 & 2171.1, Evangeline Oaks, Subdivision & Resubdivision





**NEW ORLEANS  
BIBLE FELLOWSHIP B.C.**

**SUNDAY WORSHIP 9AM  
BIBLE STUDY TUES.  
7PM**





NEW ORLEANS  
HOME DELICIOUS

