

**Semi-Monthly Planning Meeting
Tuesday, January 13, 2015**

**City Council District: B
Council Member: Cantrell**

PRELIMINARY STAFF REPORT

To: City Planning Commission
Property Disposition Docket: 005/14

Prepared By: Paul Cramer
Date: December 30, 2014

I. GENERAL INFORMATION:

Applicant: City of New Orleans

Request: This is a request for consideration of the sale of one certain portion of ground situated in the Second Municipal District, City of New Orleans, Orleans Parish, Louisiana, being the N. Rendon Street right-of-way between Square 449 and Square 426, shown on a survey by Dufrene Surveying and Engineering, Inc., dated December 4, 2002 and more fully described as follows: BEGINNING at the point and corner of the southerly corner of Square 449, being the intersection of N. Rendon Street and Conti Street and measure along the southeasterly boundary of Square 449 in a northeasterly direction a distance of 65.71 feet to a point and corner on the southwesterly boundary of the New Orleans Sewerage and Water Board servitude; THENCE measure in a southeasterly direction along said SWB servitude a distance of 53 feet to a point and corner on the northwesterly boundary of Square 426; THENCE measure in a southwesterly direction along the northwesterly boundary of Square 426 a distance of 70.16 feet to a point and corner on the northeastly side of Conti Street right-of-way; THENCE measure in a northwesterly direction along the northeastly side of Conti Street right-of-way a distance of 53 feet to the point of beginning and corner, and containing approximately 3600 square feet.

Why is City Planning Commission action required?

In accordance with Section 6-306, subsection 2 of the *Home Rule Charter of the City of New Orleans*, the consideration and approval of the City Planning Commission is required prior to the sale or exchange of immovable property no longer needed for public purposes.¹

¹ Section 6-306, subsection 2 also provides that the City Planning Commission may “impose restrictions as to future use of such property in order to insure that its use will be in conformity with the plans developed or in process of development by the Commission.”

II. ANALYSIS

A. General Property Description and Project Description:

The subject property is vacant land which is a portion of the unimproved N. Rendon Street right-of-way between Conti Street and a Sewerage & Water Board servitude that is parallel to an open drainage culvert. The open culvert runs between N. Jefferson Davis Parkway and N. Broad Street. On the opposite side of the drainage culvert, the Lafitte Greenway bicycle/pedestrian path is under construction.

The City's Property Management Department received interest in this land from an adjacent property owner on Square 449 between N. Jefferson Davis Parkway and the N. Rendon Street right-of-way. The adjacent property owner intends to operate a pet day care center with associated accessory uses and is interested in the City-owned land for a parking lot.

B. Criteria for Evaluation

The criteria for evaluation of requests for the disposition of City immovable public property are provided in Chapter 1, Part G of the Administrative Rules, Policies, and Procedures of the City Planning Commission. An analysis of each criterion is presented below.

1. Consistency with the Master Plan and the Future Land Use Map

The Plan for the 21st Century: New Orleans 2030, commonly known as the Master Plan, designates the site as Mixed Use Low Density. The goal, range of uses and development character of this designation as stated in the Master Plan are provided below:

MIXED-USE LOW DENSITY

Goal: Increase neighborhood convenience and walkability within and along edges of neighborhoods with low density residential and neighborhood-serving retail/commercial establishments.

Range of Uses: Low-density single-family, two-family and multifamily residential and neighborhood business; typically businesses in residential scale buildings interspersed with residences. Uses can be combined horizontally or vertically (ground floor retail required in certain areas). Limited light-industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

Development Character: Height, mass and density of new development varied depending on surrounding neighborhood character.

Any future use of the property must be consistent with the policies of the Master Plan including the Future Land Use designation of Mixed Use Low Density. The adjacent property owner may seek to purchase the land to use as parking for the adjacent business. This use would be consistent with the Master Plan.

2. Appropriateness of current zoning for existing and proposed land uses

The subject property is currently within an LI Light Industrial District. The Draft Comprehensive Zoning Ordinance proposes the site to be within an HU-MU Historic Urban Mixed Use District that extends along Conti Street and the Lafitte Greenway. A parking lot use is authorized in both the current and proposed zoning districts.

3. Impact of the proposed purchase, disposition, or lease on adjacent properties and the surrounding area

The sale of the property should not have a negative impact on the adjacent properties and the surrounding area. The adjacent squares can be accessed from Conti Street. However, both the Sewerage & Water Board and the Department of Public Works have stipulated that a utilities servitude shall be provided and that no permanent structure shall be built within the servitude. The Sewerage & Water Board will maintain its existing servitude along the drainage culvert, which is not part of the sale.

Prior to the property disposition, written consent to the sale shall be obtained from the Department of Public Works, the Sewerage & Water Board, and the adjacent property owners. These stakeholders have each submitted written consent to the lease of the property; however, clarification is needed on whether they have any objection to the sale.

4. Impact of the proposed action on traffic and the City's transportation system

The petitioned property is a "paper" street – an unimproved public right-of-way. This paper street does not provide access to any lots that cannot already be accessed from an improved street. Between N. Broad Street and N. Jefferson Davis Parkway, no streets cross the box drainage culvert or the Lafitte Greenway. With the recent capital investments in the Lafitte Greenway, it seems unlikely that this portion of the N. Rendon Street right-of-way will be needed to cross the Greenway as part of the City's transportation system.

5. Public purpose of the proposed action and potential impacts to public services and public safety

The land is not being used and is currently vacant. With the recommended provisos, the requested disposition would have no impact on public services or

safety. No City Departments have indicated a need for the property; however, a servitude for utilities and a prohibition on the construction of permanent structures would need to be stipulated in the sale.

6. Advice of the Planning Advisory Committee

The Planning Advisory Committee (PAC) considered the request at its meeting of February 28, 2014. The committee adopted a motion of no objection subject to further review by the City Planning Commission, the Department of Property Management (Real Estate & Records), the Sewerage & Water Board, and the Department of Public Works. The Sewerage & Water Board and Department of Public Works both advised of the need to stipulate a utilities servitude and a prohibition on the construction of permanent structures. The Department of Public Works also stated a need for the written consent of the adjacent property owners.

7. Potential future public use of property

An interested buyer may seek to develop the lot as parking for an adjacent business. This plan is consistent with current and proposed zoning as well as the Master Plan.

8. Compliance with Capital Improvement Plan

The subject property is not part of any project approved in the Capital Improvement Plan and therefore would not conflict with the Plan. With the recent capital investments in the Lafitte Greenway and the benefits of minimizing traffic crossings of the Greenway, the property disposition is consistent with the Plan.

9. Street naming policy (for the naming of new streets)

The request does not involve any proposal to rename a street.

10. Any other applicable CPC policies or small area or special studies

Much planning went into the Lafitte Greenway adjacent to the petitioned property. The Greenway was planned without any automotive crossings between N. Broad Street and Jefferson Davis Parkway. The sale of a public right-of-way perpendicular to the Greenway affirms that plan.

III. CONCLUSION AND RECOMMENATION:

Based on the above criteria, the CPC staff recommends **approval** of Property Disposition #005/14, subject to the following provisos:

1. A utilities servitude shall be provided including a provision that no permanent structure shall be built within the servitude.

2. Written consent of the adjacent property owners shall be obtained.
3. Written consent of the Department of Public Works shall be obtained.
4. Written consent of the Sewerage & Water Board shall be obtained.

IV. REASONS FOR RECOMMENDATION

1. No agency of the City has indicated a need for the property that cannot be satisfied with a servitude agreement.
2. The proposed action is consistent with the criteria for approval provided in the Administrative Rules, Policies, and Procedures of the City Planning Commission.

V. CITY PLANNING COMMISSION PUBLIC HEARING (December 9, 2014)

In the interest of time, the CPC Chair moved for **deferral** of this item to the January 13, 2015 meeting. The motion was seconded by Commissioner Mitchell and unanimously adopted. There were no speakers.

YEAS: BROWN, DUPLESSIS, MITCHELL, MARSHALL, BRYAN

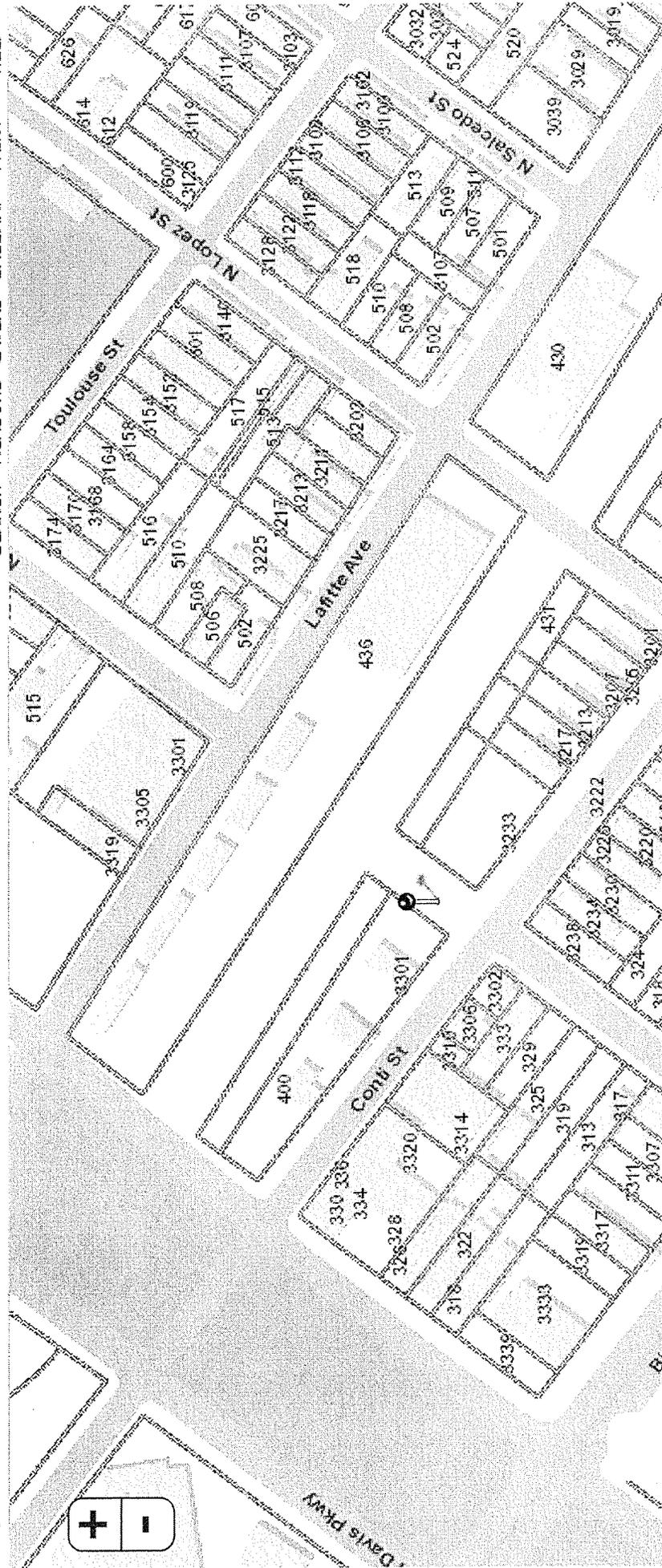
NAYS: NONE

ABSTAINING: NONE

ABSENT: MORA, WEDBERG, STEEG, HUGHES



CITY OF NEW ORLEANS PROPERTY VIEWER



ZONING

Zoning District: LI

Zoning Description: Light Industrial District

DRAFT Zoning: HU-MU

DRAFT Zoning Description: Historic Urban Neighborhood Mixed-Use District

Future Land Use: MUL

Future Land Use Description: Mixed-Use Low Density

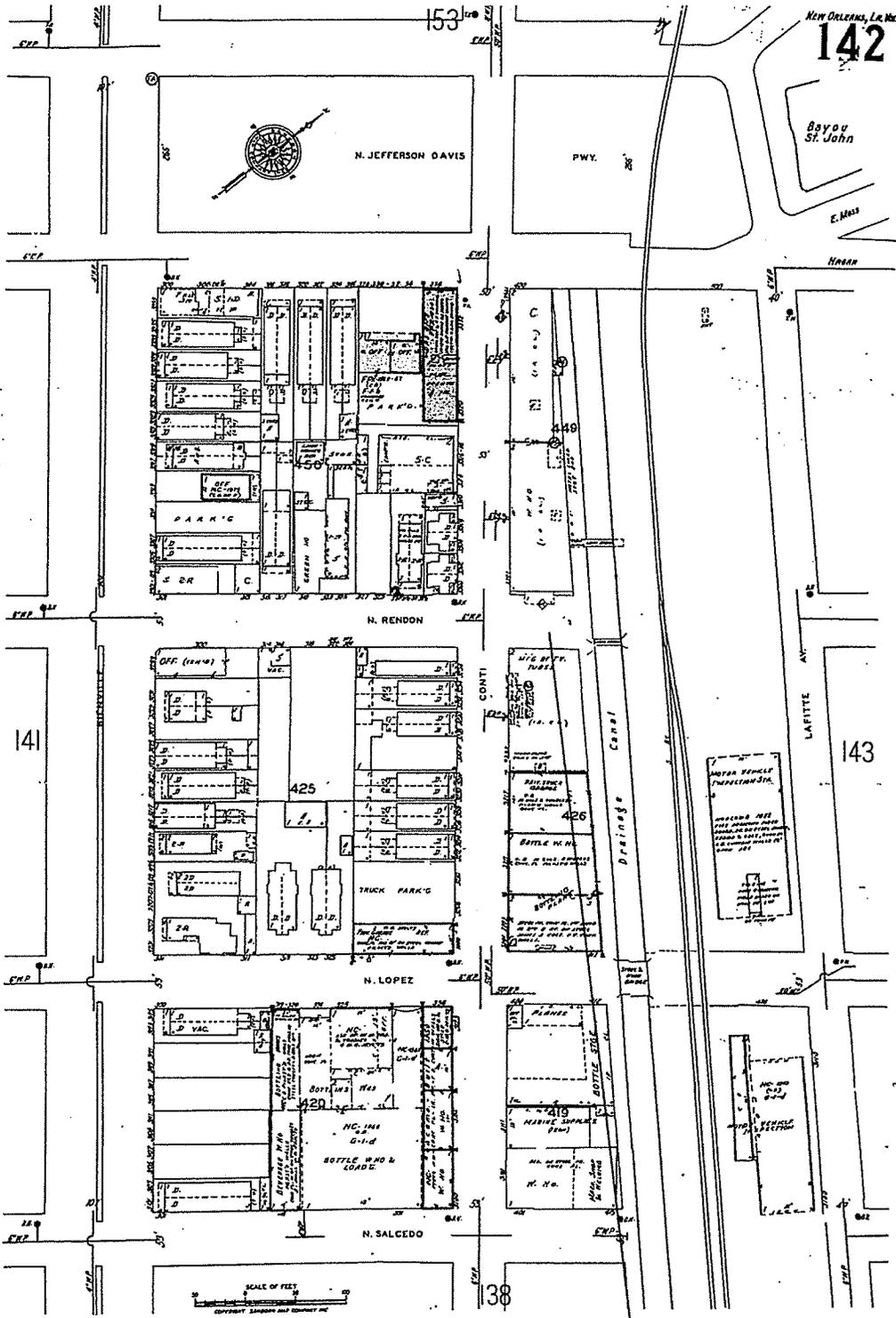
Last Updated: Thu Dec 19 2013

OVERLAYS AND INTERIM ZONING DISTRICTS

Overlay and Interim Zoning District 1:
LAFITTE REVITALIZATION INTERIM ZONING DISTRICT

Visit [Municode](#) to view the regulations of this District.

Regulations in the overlay and interim zoning districts are combined with the base zoning district. In the event of overlapping districts, please contact the [New Orleans One Stop Shop](#) for interpretation of the Overlays/Interim Zoning Districts.



N. Rendon Street
 right-of-way, Property
 Disposition #005-14