

City Planning Commission Meeting – May 12, 2015

CONSIDERATION – SUBDIVISION DOCKET – 038/15

Applicant: CCW Properties LLC

Prepared By: Larry Massey, Jr.

Date: April 30, 2015

Deadline: June 29, 2015

GENERAL INFORMATION

Proposal: Re-subdivision of Lots 13, 23, 24, 25, 26, 27, and 28 into Lot X

Location: Fourth Municipal District, bounded by Tchoupitoulas, Seventh, Saint Thomas, and Eighth Streets. The municipal address is 3033 Tchoupitoulas Street. (PD 2)

Zoning: LI Light Industrial

Current

Land Use: The petitioned site consists of seven lots that form an irregularly shaped development site that is 31,642.2 square feet in area, and has frontages on Tchoupitoulas, Eighth, and Saint Thomas Streets. The site's frontage on Tchoupitoulas Street measures 52 feet, 1 inch and its frontage on Saint Thomas Street is 127 feet, 2 inches. The site has 308 feet, 11 inches of frontage along Eighth Street. The site is currently developed with a concrete-block building and attached warehouse that face Tchoupitoulas Street, and a parking area closest to Saint Thomas Street.

Proposed

Use: This is a request to subdivide seven lots into a single lot. Lots 23, 24, 25, 26, 27, and 28 currently face Eighth Street, and Lot 13 faces Tchoupitoulas Street. All of the subject lots are zoned LI Light Industrial.

The applicant is proposing to renovate a vacant concrete-block building and add an addition that extends the first and second floors into a portion of the attached warehouse. The proposed use for this space is a bar/tap room for NOLA Brewery which occupies the warehouse structures on the adjacent site on Tchoupitoulas. Plans show that the renovated first floor space will be expanded from 1,803 square feet to 2,702 square feet.¹ The first floor will house the kitchen, walk-in cooler, and a bar and tap room. The second floor mezzanine currently measures 574 square feet and will be part of the second floor renovation which will include a 1,360 square foot addition and 1,027 square foot roof deck. This second floor

¹ This proposal has been reviewed by the Historic Districts Landmarks Commission and plans were approved on December 10, 2014

space will also contain a bar and tap room with roof-deck seating. Twenty-eight parking spaces are proposed in the rear of the site, mostly along the Eighth Street frontage with another parking aisle in the interior of the site. The off-street parking spaces are currently fenced-in with a sliding gate and trees surrounding the side and rear of the property. One off-street loading space and a new dumpster and enclosure are also proposed for the site.

Required: The proposed lot would be a double frontage lot, as it would have frontage on parallel streets, Tchoupitoulas and Saint Thomas Streets. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* states that double frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses. It also allows for the creation of a double frontage lot in an established urban environment where a similar development pattern already exists in the surrounding blocks and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

The proposed lot would also result in the reversal of lot frontages for Lots 23 through 28 from Eighth Street to Tchoupitoulas and Saint Thomas Streets. **Article 5, 5.1.8 Reversal of Lot Frontage** of the *New Orleans Subdivision Regulations* states that the Planning Commission will look with disfavor upon proposal(s) for reversal of lot frontages that will result in:

- a. Required rear yards abutting required side yards;
- b. Required side yards abutting required rear yards;
- c. Required front yards opposite required side yards,

However, reversals can be acceptable in cases where the existing lot pattern within 500 feet on both sides of the proposed subdivision on each affected street contains development on which 50% or more lots have similar frontages. Reversal of lot frontages which will result in placing lot frontages on Major Streets will be generally acceptable unless such reversals result in hardship to owners of the adjoining properties.

LOT SIZE

Existing

Lots:

Existing lots 23, 24, 25, 26, 27, and 28 are rectangular lots fronting Eighth Street and existing lot 13 is a mostly rectangular lot with frontage on Tchoupitoulas Street. Lots 23 through 27 each measure 34 feet 3 inches in width, 127 feet 2 inches in depth, and have 4,353.63 square feet in area. Lot 28 varies slightly from these lots and measures a width of 34 feet 3 inches, a depth of 127 feet 2 inches, and an area of 4,330.75 square feet. Lot 13 measures a width 52 feet 1 inch of frontage on Tchoupitoulas Street and 50 feet 10 inches at its rear property line, a

depth of 103 feet 3 inches on its Eighth Street side property line and 114 feet 9 inches on its Seventh Street side lot line, and an area of 5,543.30 square feet.

Proposed

Lot: Lot X would have frontages measuring 52 feet, 1 inch on Tchoupitoulas Street and 127 feet, 2 inches on Saint Thomas Street. The proposed lot's corner side lot line measures 308 feet, 11 inches along Eighth Street. The interior side lot line of proposed Lot X extends 114 feet 9 inches in depth, goes perpendicular for 76 feet 4 inches, and then extends an additional 205 feet 1 inch in depth. The total depth for proposed Lot X would be 319 feet, 10 inches. Lot X would contain an area of 31,642.20 square feet in area, approximately 35% of Square 21.

ANALYSIS

Development in the Vicinity:

The petitioned properties are located within an LI Light Industrial District that generally includes all of the properties fronting Tchoupitoulas Street between Louisiana Avenue and Soraparu Street. Uses in this district include several automotive repair shops, a wholesale florist, a shutter warehouse, and Camp Bow Wow, a camp-themed dog day-care and boarding facility. This district also includes all of the riverfront Port of New Orleans facilities from Louisiana Avenue to Race Street, and includes the First Street Wharf and a portion of the Louisiana Avenue Terminal Complex. Abutting this LI District to the north is an RD-3 District that covers most of the Irish Channel neighborhood and is developed primarily with single- and two-family dwellings. Structures in this area generally consist of single-story shotgun and creole cottages dating from the late 19th century to the early 20th century.

Utilities & Regulatory Agencies

As part of the normal review process for subdivision proposals, the City Planning Commission staff requests responses from the Departments of Property Management (Division of Real Estate and Records), Public Works, and Safety and Permits, the Sewerage and Water Board, Entergy, and the Historic District Landmarks Commission, if applicable. The purpose of the reviews by these agencies is to determine whether the proposed subdivision would have any impact on the City's infrastructure and whether it would comply with the City's building code and other applicable regulations.

At the time of this report, the staff had received responses from four of the requested agencies. The Department of Safety and Permits, the Department of Property Management (Division of Real Estate and Records), the Sewerage & Water Board, and the Department of Public Works all reported no exception to the request. The Historic Districts Landmark Commission (HDLC) has not yet comment on the survey. The HDLC did, however, review and approve the proposed renovations to the concrete block building and attached warehouse on December 10, 2014.

**COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE, THE
SUBDIVISION REGULATIONS, AND THE MASTER PLAN:**

Comprehensive Zoning Ordinance

The petitioned site is located in a LI Light Industrial District in which a local brewery is a permitted use. The applicant is proposing to expand the existing brewery to include a bar/tap room. This accessory tap room is a permitted use in the LI Light Industrial District.

Subdivision Regulations

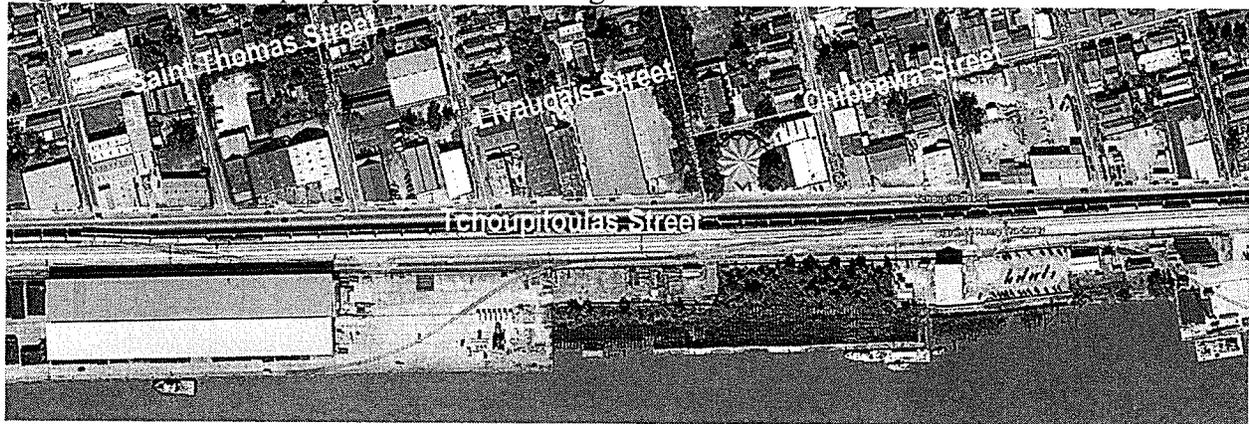
Article 5, Section 5.5 Lots of the Subdivision Regulations requires that lots located in industrial or commercial districts that will be used for industrial or commercial uses have a minimum width of 50 feet and depth of 100 feet, unless located in a designated local historic district. In local historic districts, minimum lot size requirements are not specified. The petitioned property is located in the Irish Channel local historic district but would exceed the 50 foot lot width and 100 foot lot depth requirements.

The proposed lot would be a double frontage lot. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* discourages the creation of double frontage lots except in instances that meet one of the following criteria:

1. Where the creation of a double frontage lot would be essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses, or
2. Where a double frontage lot would be located in an established urban environment in which a similar development pattern already exists in the surrounding blocks, and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

The proposed subdivision would create a development site that would be consistent with the other industrial uses in this established urban environment. The majority of industrial uses along Tchoupitoulas Street are located on or near the front property line, and off-street parking and loading is often located in the rear or the sides of these structures. The building proposed to be renovated into a tap room was constructed with the front building facade near the front property line, and with the sides of the building on or near both side property lines. With these site constraints, off-street parking for the proposed use can only be provided to the rear of the proposed lot. The proposed subdivision would allow for off-street parking that otherwise would not be present for the proposed tap room. Additionally, it is not uncommon for industrial/warehousing sites fronting Tchoupitoulas to extend back to the next abutting street right-of-way. Many of these structures are built from their front property line at Tchoupitoulas Street to the rear of the block at Livaudais, Saint Thomas, or Chippewa Street (Figure 1).

Figure 1: Petitioned property and surrounding uses



Other sites in the surrounding area have the building located on the Tchoupitoulas Street frontage and storage and parking in the back. Most of these structures are located on multiple lots so, technically, they are not double-frontage lots, but in actuality they are being used as such.

The proposed lot would also result in the reversal of lot frontage for Lots 23 through 28 which now front Eighth Street, to Lot X which fronts Tchoupitoulas Street with a second frontage on Saint Thomas Street. **Article 5, Section 5.1.8 Reversal of Lot Frontage** of the New Orleans Subdivision Regulations states that the Planning Commission will look with disfavor upon proposal(s) for reversal of lot frontages that will result in:

- a. Required rear yards abutting required side yards;
- b. Required side yards abutting required rear yards;
- c. Required front yards opposite required side yards,

Unless the existing lot pattern within 500 feet on both sides of the proposed subdivision on each affected street contains development on which 50% or more lots have similar frontages. Reversal of lot frontages, which will result in placing lot frontages on Major Streets, will be generally acceptable, unless such reversals result in hardship to owners of the adjoining properties.

The proposed subdivision will not create a situation consistent with “a” or “c,” as listed in this section of the Subdivision Regulations. The subdivision will result in 102 feet 6 inches of the depth of proposed Lot X’s interior side lot line abutting the rear property lines of three vacant lots. Two of these lots are under the same ownership as the brewery, and are used in conjunction with that site, so no detrimental impacts are expected for these lots. The other lot is owned by the Housing Authority of New Orleans and does not currently have any structures on the site. Though this proposed reversal would result in a portion of Lot X’s interior side lot line abutting the rear lot line of one lot unaffiliated with the brewery, it would also alleviate a condition in which the rear lot lines of three lots abut the side lot line of a residentially developed lot. The rear lot lines of Lots 23 through 25 abut the side lot line of a single-family dwelling that fronts Saint Thomas Street. The subdivision would improve this situation by reversing the rear

property lines of Lots 23 through 25 to become the interior side lot line of proposed Lot X, which would abut the side lot line of the adjacent residential site.

The existing lot pattern along Tchoupitoulas Street is characterized by lots with various widths and sizes fronting this major street. The proposed subdivision would result in Lot X having its primary frontage on Tchoupitoulas Street, which is consistent with **Article 5, Section 5.1.8 Reversal of Lot Frontage** because it places one of the frontages of the proposed on a major street.

Is the proposed action supported by or in conflict with the policies and strategies of the Plan for the 21st Century: New Orleans 2030?

A land use action is consistent with the Plan for the 21st Century, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and is compatible with the proposed future uses, densities, and intensities designated in the Land Use Element of the Plan. Chapter 14 of the Master Plan (the Land Use Plan) designates the future land use of the petitioned site as “Mixed-Use Medium Density.” The goal, range of uses and development character for that designation are provided below:

MIXED-USE MEDIUM DENSITY

Goal: Create medium-density neighborhood centers to enhance walkability and serve as focal points within neighborhoods. Proximity to transit encouraged.

Range of Uses: Medium-density single-family, two-family and multi-family residential and commercial uses. 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 to ensure proper transitions to surrounding lower density residential neighborhoods. Many structures will feature ground floor retail with residences on upper floors.

The applicant intends to renovate an existing concrete block building and portion of an attached warehouse for use as a bar/tap room that is associated with the NOLA Brewery. The goal of the Mixed-Use Medium Density future land-use designation includes the creation of focal points within communities that promote walkability and are in close proximity to transit. The proposed bar/tap room will be an addition to an existing brewery which has become a thriving brand and business. The petitioned site is also accessible via the Tchoupitoulas bus line, which has a designated stop at Seventh Street. Additionally, the expansion is utilizing an existing structure, which further supports the overall improvement of the surrounding area. Limited light industrial uses are described within the range of uses in the Mixed-Use Medium Density future land use designation, which is also consistent with the proposed addition to the brewery. The staff therefore believes the proposal is consistent with the *Plan for the 21st Century: New Orleans 2030*.

SUMMARY

Subdivision Docket 038/15 is a request to subdivide seven lots into a single lot. Existing Lots 23, 24, 25, 26, 27, and 28 front on Eighth Street, and Lot 13 fronts on Tchoupitoulas Street. All seven lots are located in an LI Light Industrial District. The proposed lot, Lot X, would reverse the lot frontage of Lots 23 through 28, and also result in a double frontage lot.

The proposed lot, Lot X, would have its primary frontage on Tchoupitoulas Street, a major street. The proposed lot would also have a secondary frontage on Saint Thomas Street. It is not uncommon for industrial/warehouse uses in this area to have a structure built on or near the front property line along Tchoupitoulas Street and parking and loading facilities in the rear of the lot. This subdivision would consolidate the proposed tap room with an area proposed to provide off-street parking for the use. This off-street parking would not be provided otherwise. Additionally, the reversal of lot frontage would alleviate a situation in which the rear lot lines of three of the lots included in the proposed subdivision abut the side lot line of a single-family residential site.

The proposed subdivision generally meets the criteria under **Article 5, Sections 5.1.8 Reversal of Lot Frontage** and **5.5.5 Double Frontage Lots**, of the New Orleans Subdivision Regulations, as it is located in an urban environment and the provision of off-street parking will be provided on the site, and that the proposal does not create a situation that results in an unfavorable lot orientation that is expected to negatively impact neighboring properties.

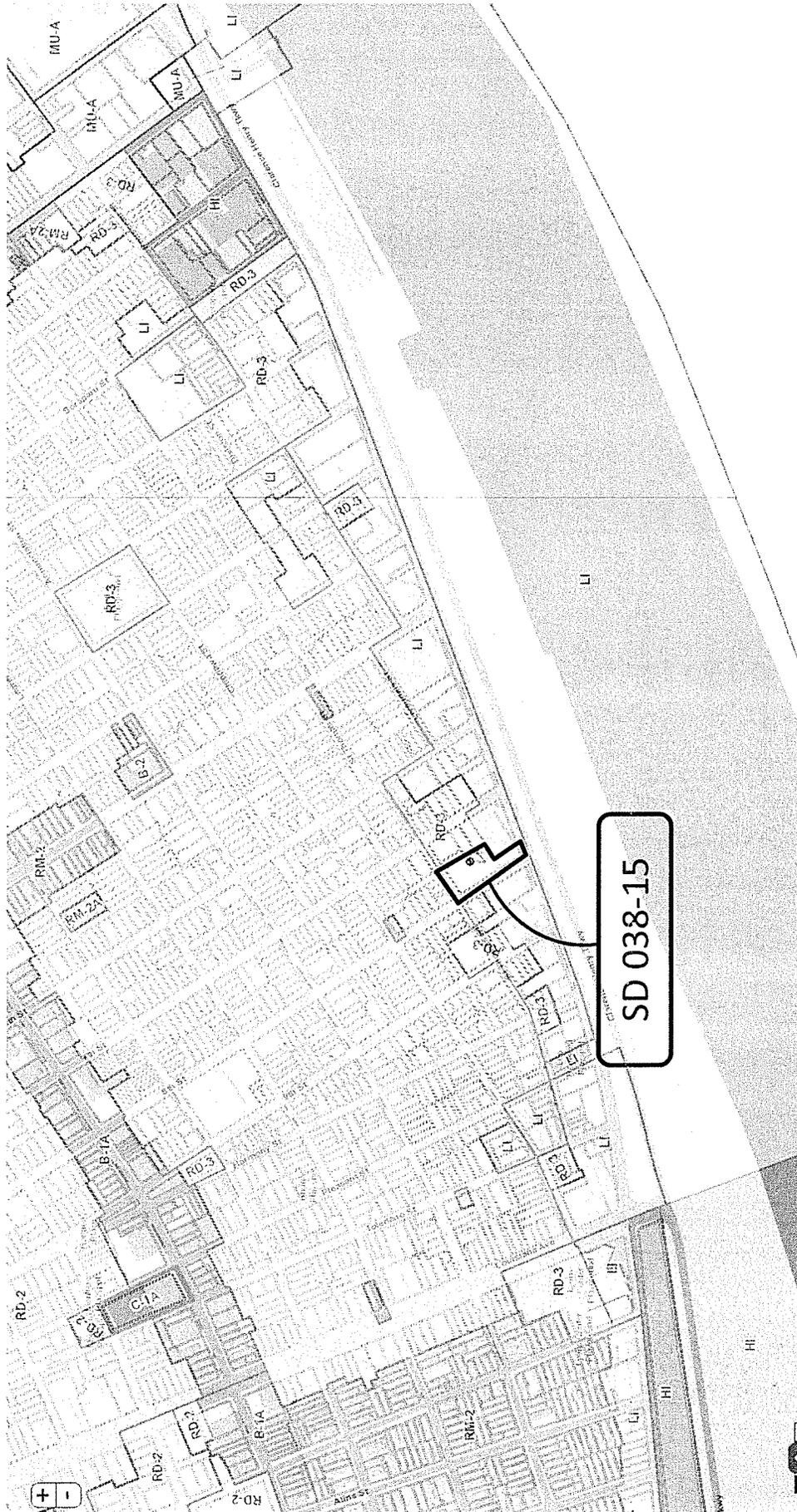
PRELIMINARY STAFF RECOMMENDATION

The staff recommends **TENTATIVE APPROVAL** of Subdivision Docket 038/15, with final approval subject to three provisos:

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, the Historic District Landmarks Commission 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 site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final subdivision survey in dwg., dxf, or ESRI compatible file format.

REASONS FOR RECOMMENDATION

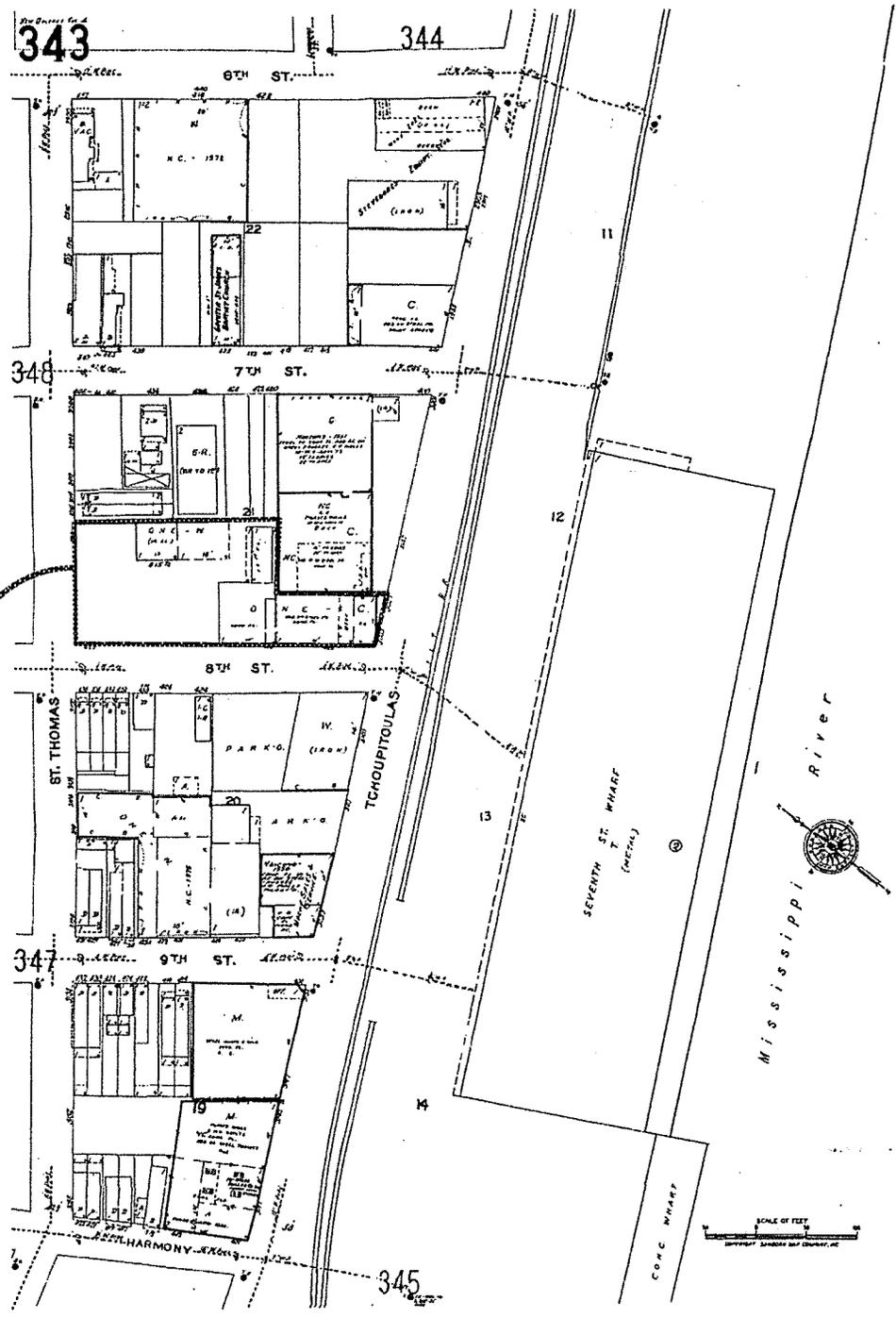
1. The proposed subdivision would create a double-frontage lot with a reversal of lot frontage, and meets the criteria under **Article 5, Sections 5.1.8 Reversal of Lot Frontage** and **5.5.5 Double Frontage Lots** of the New Orleans Subdivision Regulations.
2. The proposed subdivision is consistent with the *Plan for the 21st Century: New Orleans 2030*. The goal of the Mixed-Use Medium Density future land-use designation includes the creation of focal points within communities that promote walkability and are in close proximity to transit. The proposed bar/tap room will be an addition to an existing brewery which has become a thriving New Orleans brand and business, and will support the growth of a local industry.



SD 038-15



SD 038-15



343

344

348

347

345

6TH ST.

7TH ST.

8TH ST.

9TH ST.

ST. THOMAS

TCHOUPILOULAS

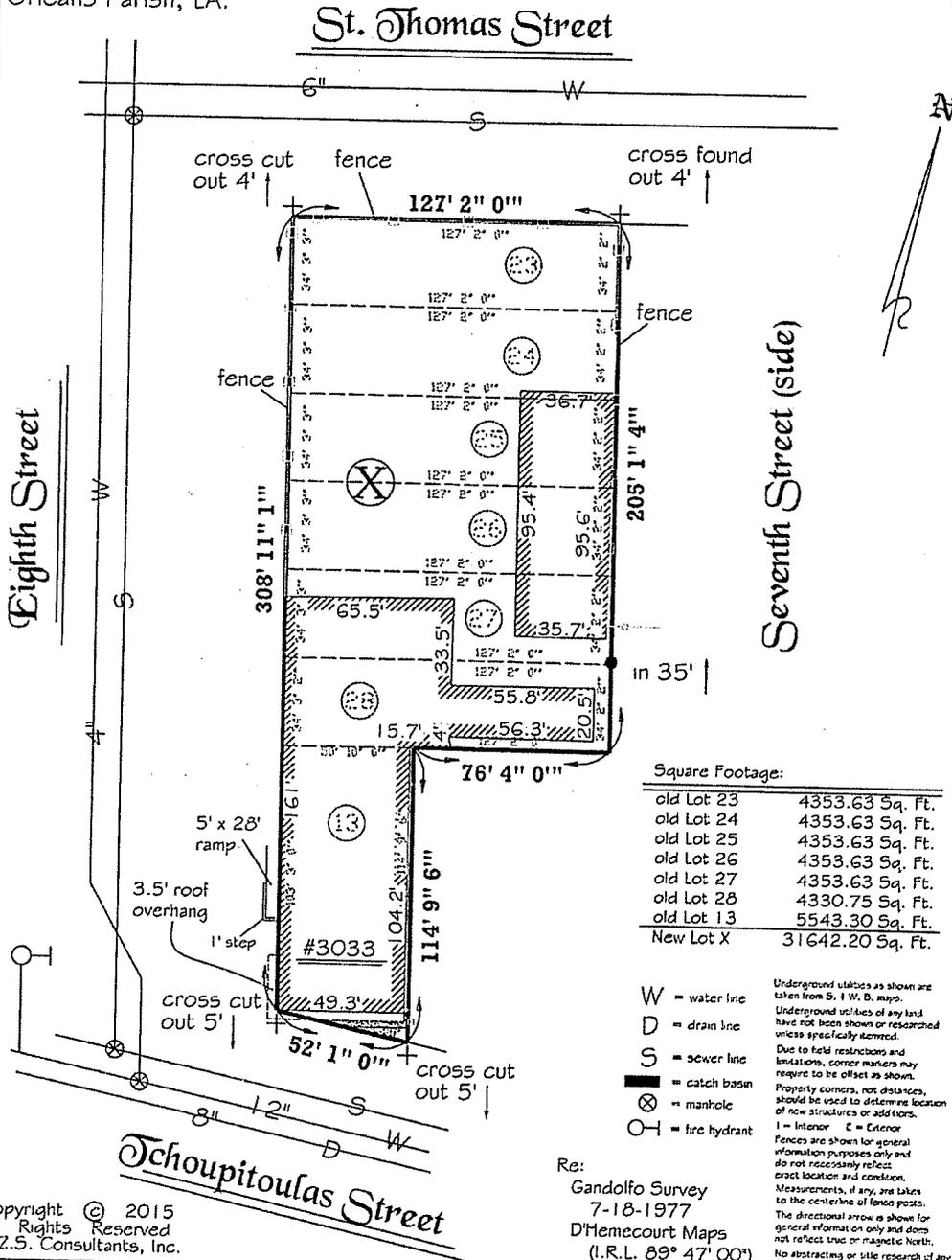
SEVENTH ST. WHARF
(METAL)

Mississippi River

SCALE OF FEET

Resubdivision of Lots 13, 23, 24,
25, 26, 27, & 28,
into Lot X, Square 21,
Fourth District,
City of New Orleans,
Orleans Parish, LA.

We certify that this plat represents
an actual ground survey made by us
& conforms to the requirements for
the Minimum Standards for Property
Boundary Surveys as found in La.
Administrative Code TITLE 46:XXI
Chapter 29 for a Class "C" survey.



Square Footage:

old Lot 23	4353.63 Sq. Ft.
old Lot 24	4353.63 Sq. Ft.
old Lot 25	4353.63 Sq. Ft.
old Lot 26	4353.63 Sq. Ft.
old Lot 27	4353.63 Sq. Ft.
old Lot 28	4330.75 Sq. Ft.
old Lot 13	5543.30 Sq. Ft.
New Lot X	31642.20 Sq. Ft.

- W = water line
 - D = drain line
 - S = sewer line
 - = catch basin
 - ⊗ = manhole
 - = fire hydrant
- Underground utilities as shown are taken from S. & W. B. maps. Underground utilities of any kind have not been shown or researched unless specifically keyed.
- Due to field restrictions and limitations, corner markers may require to be offset as shown. Property corners, not distances, should be used to determine location of new structures or additions.
- I = Interior E = Exterior
Fences are shown for general information purposes only and do not necessarily reflect exact location and condition. Measurements, if any, are taken to the centerline of fence posts. The directional arrow is shown for general information only and does not reflect true or magnetic North. No abstracting or title research of any kind was performed by this office.

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S.Z.S. Consultants, Inc.

Re:
Gandolfo Survey
7-18-1977
D'Hemecourt Maps
(I.R.L. 89° 47' 00")

RESUBDIVISION SURVEY
Made at the request of
Doug Walner

S.Z.S. CONSULTANTS, INC.
616 BARONNE STREET SUITE 302
NEW ORLEANS, LA. 70113
PH. (504) 561-5724 FAX (504) 561-5726
ENGINEERS - ENVIRONMENTALISTS - SURVEYORS

DRAWN: SJB
SCALE: 1" = 50'
DATE: 3-23-2015
JOB NO.: 2451-032

[Handwritten Signature]
S.Z.S. CONSULTANTS, INC.
3/23/2015