

**City Planning Commission
Meeting – May 26, 2015**

**CONSIDERATION – SUBDIVISION DOCKET – 049-15
Applicant: Greater New Home Baptist Church**

Prepared By: Brooke Perry
Date: May 14, 2015
Deadline: July 24, 2015

GENERAL INFORMATION

Proposal: Re-Subdivision of Lots 3 through 17, 20 and 21 into Lot 3A.

Location: Square 8, Third Municipal District, bounded by N. Roman Street, Delery Street, Roder Street, and Jackson Barracks. The municipal addresses are 6414-6434 N. Roman Street, 1735-1741 Delery Street, and 6421-6435 Roder Street. (PD 8)

Zoning: RD-3 Two-Family Residential District.

Current

Land Use: The petitioned site is not developed with any buildings. There is a small parking lot on existing Lots 14 and 15 that is currently being utilized for parking for the existing church building across Roder Street from the subject property.

Required: The applicant proposes to re-subdivide all but four lots on the subject square into proposed Lot 3A so that the lot may be developed with a church. As a result, the proposed lot shape is highly irregular and has frontages on Delery Street, N. Roman Street, and Roder Street. The proposed lot would have 286 feet of frontage on Roder Street, 150 feet of frontage on Delery Street, and two 52 foot portions of street frontage on N. Roman St. The proposed lot would have an area of 44,200 square feet.

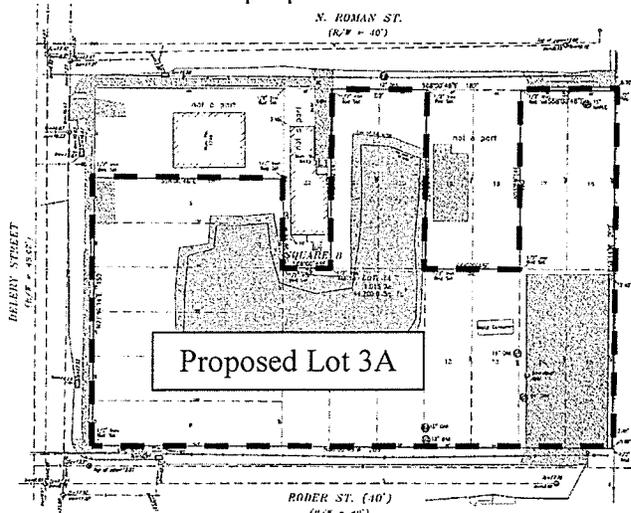


Figure 1: Proposed lot excludes several lots on the subject square. As a result, the proposed lot shape is highly irregular with two frontages on N. Roman Street.

The lots are located in an RD-3 Two-Family Residential District, which according to **Article 4, Section 4.5.7 (Table 4.E)** of the Comprehensive Zoning Ordinance requires a minimum lot width of 100 feet, a minimum lot depth of 100 feet, and a minimum lot area of 20,000 square feet for lots developed with non-residential uses.

Table 1: Area Requirements of RD-3 Two-Family District

Requirement	Nonresidential Uses
Lot Width	100 ft.
Lot Depth	100 ft.
Lot Area	20,000 sq. ft.

In accordance with **Article 3** of the *New Orleans Subdivision Regulations*, all minor and major subdivisions are classified into seven categories. The proposed subdivision is classified as a Policy B subdivision request, which waives the requirement for a public hearing for subdivisions that meet all the requirements of the *Subdivision Regulations* or meet each of three conditions. First, no lot is to be reduced in area below the minimum lot size required by the Zoning Ordinance. Second, the new condition is to create a general improvement of the original plat by increased lot width, etc., although the proposed lots may be slightly below the minimum lot dimensions and area standards required by the regulations. Third, improvements exist that predate the May, 1950 original adoption of the Subdivision Regulations. Cases that clearly meet these three criteria are eligible for administrative approval, but cases that are doubtful, are to be referred to the City Planning Commission.

**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, the Historic District Landmarks Commission (where applicable), 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 noted no objection to the survey, but noted the following objection to ownership:

Lot 6 is in the name of The Congregation of the New Home Baptist Church, Lots 11 & 20 are in the name of Greater New Home Missionary Baptist Church and lot 21 is in the name of Ninth Ward Greater New Home Missionary Baptist Church, Inc. The Subdivision letter of request should read Greater New Home

Baptist Church a.k.a. Ninth Ward Greater New Home Missionary Baptist Church, Inc., The Congregation of The New Home Baptist Church, & Greater New Home Missionary Baptist Church, Inc. The Subdivision letter of request mention lots 18 & 19 as one of the existing lots; the survey label lots 18 & 19 as not a part.

The representative of the Sewerage and Water Board stated that subsurface drainage was available, and noted that sewer and water facilities are available and that a note should be shown on the subdivision plans stating that sewer and water house connections are the responsibility of the property owner.

The Department of Safety and Permits and the Department of Public Works noted that they had no objection to the proposal.

The petitioned site is not located within a Local Historic District.

At the time of this writing, Entergy had not yet reviewed the proposed subdivision.

LOT SIZE

**Existing
Lots:**

Lots 3 through 8 measure 25 feet in width and 104 feet in depth. Lots 9 through 17 and Lots 20 and 21 measure 26 feet in width and 100 feet in depth. All lots have a lot area of 2,600 square feet.

Table 2: Existing Lot Dimensions

Lot Designation	Lot Width	Lot Depth	Lot Area
3	25	104	2600
4	25	104	2600
5	25	104	2600
6	25	104	2600
7	25	104	2600
8	25	104	2600
9	26	100	2600
10	26	100	2600
11	26	100	2600
12	26	100	2600
13	26	100	2600
14	26	100	2600
15	26	100	2600
16	26	100	2600
17	26	100	2600
20	26	100	2600
21	26	100	2600

Proposed

Lot: The applicant proposes to consolidate all existing lots into a single lot, proposed Lot 3A. The proposed lot would have 286 feet of frontage on Roder Street, 150 feet of frontage on Delery Street, and two 52 foot portions of street frontage on N. Roman St. The proposed lot would have an area of 44,200 square feet.

Table 3: Proposed Lot Dimensions

Lot Designation	3A
Lot Width	Varies
Lot Depth	Varies
Lot Area	44,200 sq. ft.

ANALYSIS

Development in the Vicinity:

The petitioned site is located in an RD-3 Two-Family Residential District in the Lower 9th Ward neighborhood near the parish line. The area surrounding the site is predominantly developed with a mix of single- and two-family residential developments, with numerous vacant lots scattered throughout the neighborhood. An existing church owned by the applicant is directly across Roder Street from the proposed lot. The petitioned Square consists of mostly vacant, undeveloped land except for a single-family residence on the corner of Delery Street and N. Roman Street bearing the municipal address of 1745 Delery Street¹ and a single-family residence at 6412 N. Roman Street.²

Compliance with the Comprehensive Zoning Ordinance and the Subdivision Regulations:

Comprehensive Zoning Ordinance

Article 4, Section 4.6.7 states that RD-3 Districts require churches and other nonresidential uses to be located on a lot of at least 20,000 square feet in floor area. The proposed Lot 5-A exceeds the area regulations for this RD-3 Two-Family Residential District.

Compliance with the Subdivision Regulations

This subdivision is classified for review under Policy B of the Subdivision Regulations. As noted in **Article 3, Section 3.2.2** of the Subdivision Regulation, Policy B subdivisions are to be evaluated based on their compliance with the three criteria. Those subdivisions that comply with all of these criteria are eligible for administrative approval, while those that do not, such as this proposal, must be considered by the City Planning Commission.

¹ Residence is built on Lots 1 & 2.

² Residence is located on Lot 22.

Policy B's three criteria are as follows:

- a. No lot is reduced in area below the minimum lot size required by the Zoning Ordinance;
- b. The new condition creates a general improvement of the original plat by increased lot width, etc., although the proposed lots may be slightly below the minimum lot dimensions and area standards which are required in these regulations;
- c. Improvements exist upon the property, antedating the original adoption of the *Subdivision Regulations* in 1950.

Criterion a:

The request does satisfy criteria a. **Article 4, Section 4.6.7, (Table 4.F)** of the *Comprehensive Zoning Ordinance* requires a minimum lot area of 20,000 square feet for nonresidential uses. The proposed lot meets this requirement.

Criterion b:

Generally, a re-subdivision proposal should be considered to be an improvement if it causes existing lots to become more compliant with the lot width, depth, and area standards of the applicable zoning district, or if it causes the lots to be compliant with some other standard. In this case, the subdivision would not be an improvement, as it would create a highly irregular lot with multiple frontages. **Article 5, Section 5.5.5** of the *Subdivision Regulations* states that double frontage lots shall be avoided except:

- When essential to provide separation of residential development from Major streets; or
- When necessary to overcome specific disadvantages of topography or adjacent non-compatible land uses, or
- Where a similar development pattern already exists in the surrounding blocks; or
- Where a second street frontage will provide for the otherwise nonexistent off-street parking and fire access to the building.

The proposed lot is located several blocks from the major street of Claiborne Avenue and is intended for institutional use, therefore the multiple frontage is not required to provide separation of residential development from major streets. The topography at the site is flat and surrounding land uses are residential, which is compatible with institutional development. The staff did not find any instances of similar lot development in the area. The site is currently undeveloped, thus the applicant has the ability to reconfigure the lots to provide ample fire access and off-street parking.

Criterion c:

The request does not meet *criterion c* as the existing lots are undeveloped.

SUMMARY

Subdivision Docket 049/15 is a request to re-subdivide Lots 3 through 17, 20 and 21 into Lot 3A. The existing lots are currently undeveloped and the applicant intends to construct a church on the proposed lot. The proposed re-subdivision would create a highly irregular lot with multiple frontages. The *Subdivision Regulations* specifically prohibit multiple frontage lots except in cases where it is absolutely necessary. The staff believes that the proposed subdivision does not meet the criteria for double frontage lots and that the site could be reconfigured to accommodate the proposed church and meet the 20,000 square foot requirement without creating an unusual lot shape. Therefore the staff believes that the request does not constitute an improvement over the existing condition and cannot be supported under Policy B.

PRELIMINARY STAFF RECOMMENDATION³

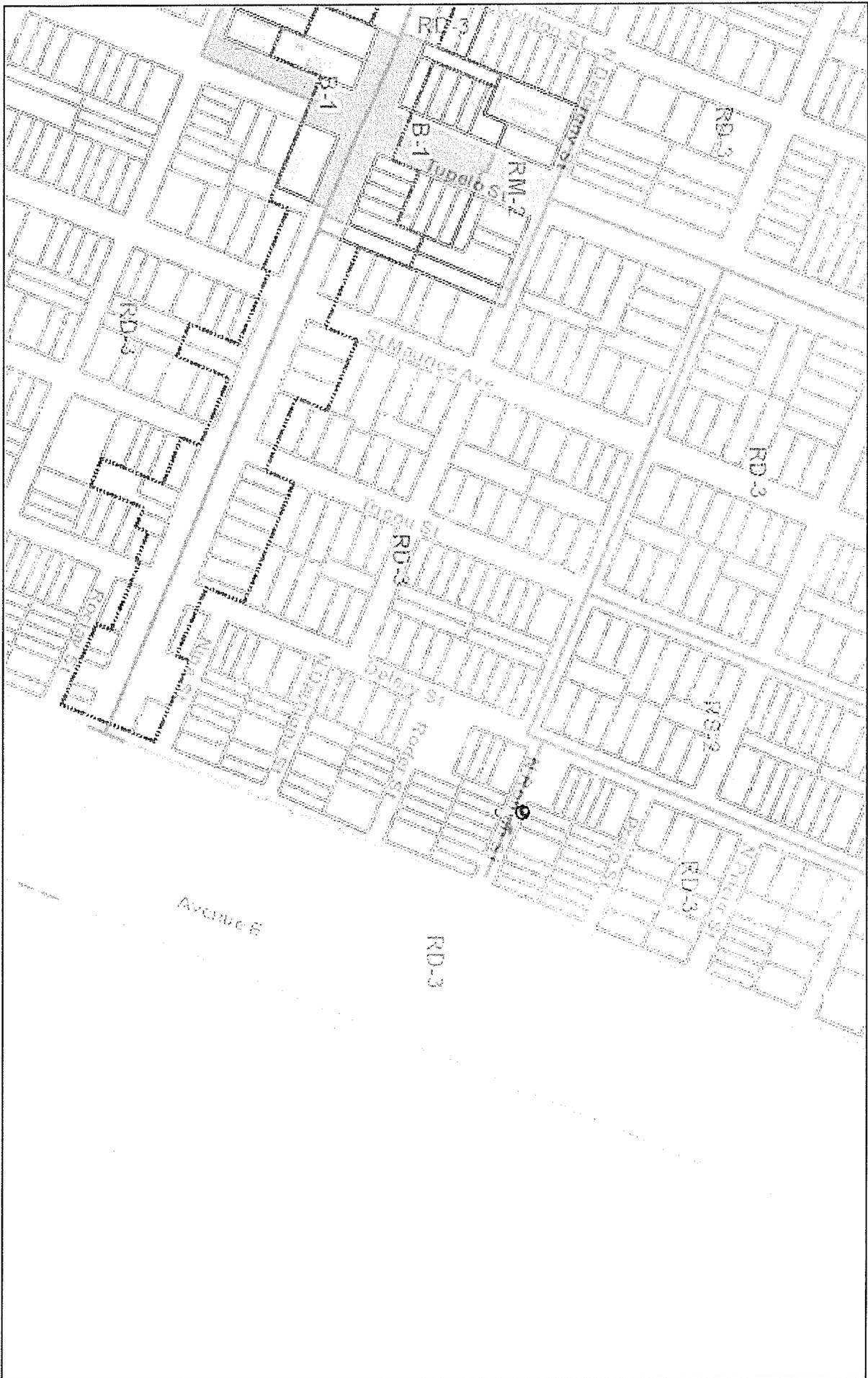
The staff recommends **denial** of Subdivision Docket 049-15.

REASONS FOR RECOMMENDATION

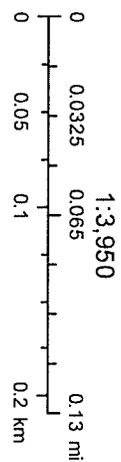
1. The application does not meet the criteria of Policy B of the Subdivision Regulations, as the proposed subdivision would create an unusually-shaped lot and would not constitute an improvement over the existing condition and cannot be supported under Policy B. Furthermore, there are viable options for the site which do not require the re-subdivision, so there are no special circumstances that necessitate the re-subdivision.
2. The proposed subdivision does not meet the criteria under **Article 5, Section 5.5.5 - Double Frontage Lots** of the *Subdivision Regulations*.

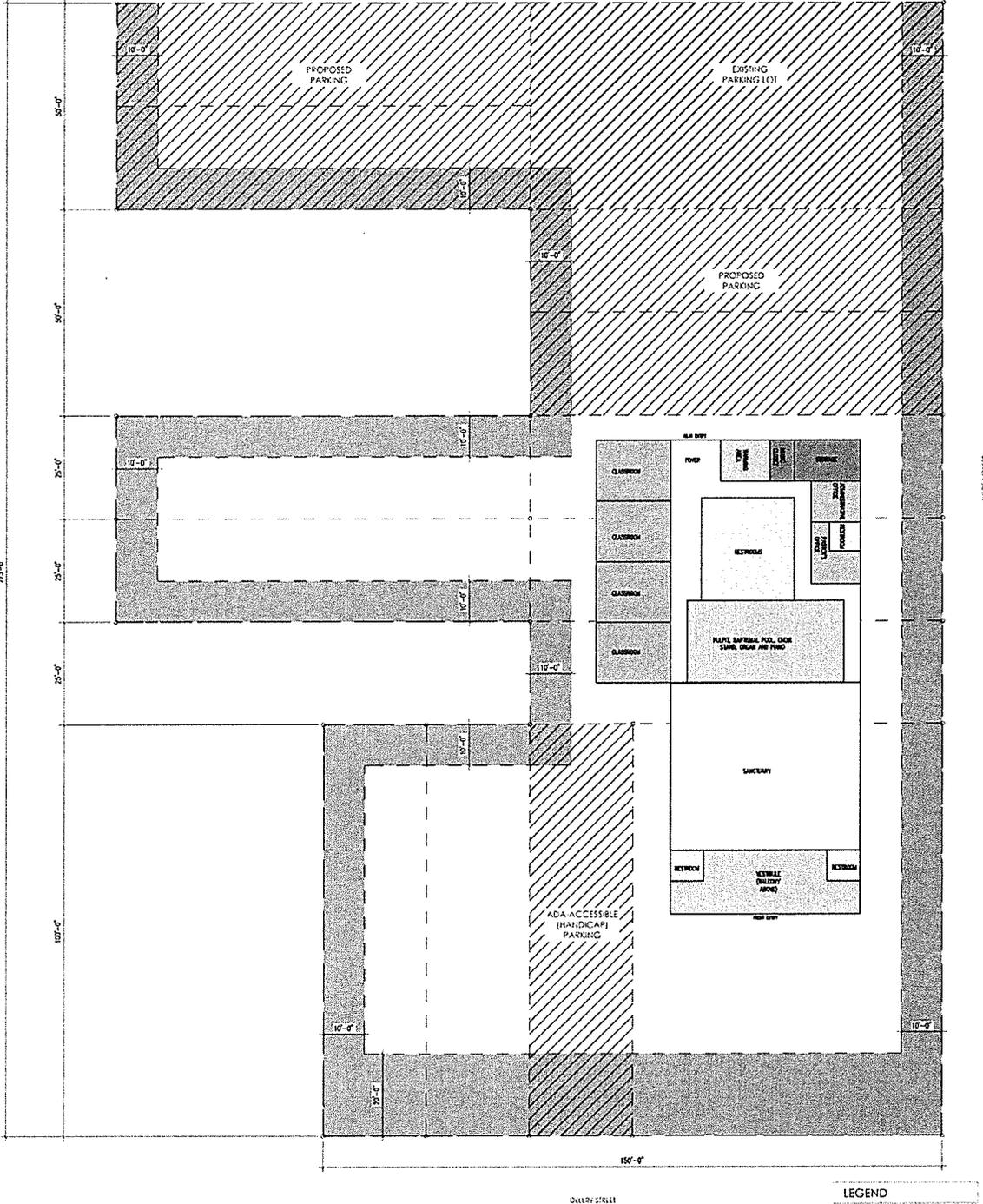
³ The preliminary staff recommendation is subject to modification by the City Planning Commission

City of New Orleans Property Viewer



May 13, 2015





**BLOCK DIAGRAM PLAN
ON POTENTIAL SITE
NOT TO SCALE**

- LEGEND**
- PROPERTY CORNER
 - PROPERTY LINE
 - TENTATIVE SETBACKS ACCORDING TO CODE
 - ▨ POTENTIAL AREAS FOR PARKING