



Planning Department

Bessie L. Martin Director

STAFF REPORT
Docket No. EZ-7-24
Summary No.
Map Amendment

PARISH COUNCIL
A: Jennifer Van Vrancken
B: Scott Walker
1: Marion F. Edwards
2: Deano Bonano
3: Byron L. Lee
4: Arita M.L. Bohannon
5: Hans J. Liljeberg
Cynthia Lee Sheng Parish President

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Location: 116 Harang Ave.

Council District: 2

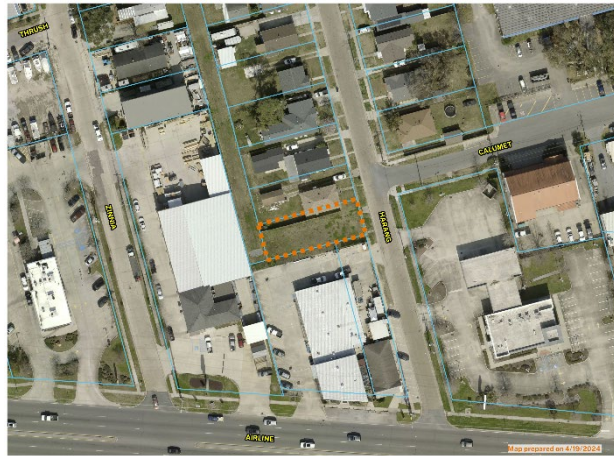
Legal Description: Lot 89, Edmo Elms Subdivision; bounded by Airline Dr., Zinnia Ave., and Condor St.

PAB Hearing: 5/23/24

Last Meeting Date for Council Action: 9/25/24

Owner: Louis Ugalde Properties, LLC

Applicant: Roy Gattuso



CURRENT ZONING/FUTURE LAND USE

R-1A Single-Family Residential District
C-2 General Commercial District
CPZ Commercial Parkway Overlay Zone

COM Commercial

REQUEST

Removal of the CPZ Overlay

RECOMMENDATIONS

Planning Department: Denial for the following reasons:

- The proposed zoning map amendment does not meet the approval criteria for map amendments.
The request will not benefit the public health, safety, or welfare because it will eliminate CPZ required landscape buffers which would help to separate the proposed office from the abutting residence.
The proposed removal of CPZ would directly oppose the 1999 zoning study in which this site was overlaid with CPZ.

Planning Advisory Board: tbd

CONSISTENCY WITH ENVISION JEFFERSON 2040

The proposed zoning change is not consistent with the following objective and goal of the comprehensive plan:

- Land Use
 - Goal 1, Objective 6: Employ best planning practices and effective regulatory tools.
 - Goal 2, Objective 6: Protect residential neighborhoods from incompatible development or redevelopment.
 - Goal 5, Objective 1: Preserve and enhance the Parish’s tree canopy and other landscaping.

FINDINGS

1. Table 1: Zoning history of Subject Lot.

Change	Year	Classification
Initial Parish Zoning	1958	R-1/C-2
Parish-wide rezoning	1966	R-1A/C-2
Zoning Study (E-27-99)	1999	R-1A/C-2/CPZ
Current Zoning	2024	R-1A/C-2/CPZ

- The petitioned property was originally zoned R-1 Single-Family Residential District and C-2 General Commercial District when the Parish Council adopted comprehensive zoning in 1958.
 - In 1999, the petitioned property was part of a zoning study that consisted of properties that had frontage on or adjacent to the north and south side of Airline Dr. in an area bounded by the Jefferson Parish-Kenner City Line and the Jefferson Parish-Orleans Parish line (Docket No. E-27-99). The Planning Department recommended that the study area, including the petitioned property, be overlaid with the Commercial Parkway Overlay Zone (CPZ). The Planning Advisory Board recommended approval and to concur with the Planning Department’s recommendation. Parish Council approved E-27-99 under Ordinance No. 20771, which officially overlaid the petitioned property with CPZ.
2. The petitioned property is located on Harang Ave. and has 43.20 ft. of frontage, 120 ft. of depth, and 5,184 sq. ft. of area. The property is currently split zoned with a 6.6 ft. wide section of R-1A Single-Family Residential and C-2 General Commercial base districts with a CPZ Commercial Parkway Overlay Zone. The site is currently undeveloped, but the applicant intends to build an insurance office on the C-2 zoned portion of the site. No development is proposed for the 6.6 ft by

120 ft. R-1A zoned portion of the site (Figure 2).

3. The Commercial Parkway Overlay Zone (CPZ) requires a minimum site area of ten thousand (10,000) sq. ft., frontage of seventy-five (75) ft., and depth of one hundred (100) ft., per *Sec. 40-474(b) Area Regulations*. The lot does not meet the minimum lot area and frontage requirements. The applicant requests to remove the CPZ Commercial Parkway Zone from the property.
4. The C-2 General Commercial District has no minimum lot dimension requirements. The existing lot does not meet the general development standards of *Sec. 33-6.6.1 Lot Standards (B) Lot Area*: 50 ft. of width at the front line and 5,000 sq. ft. of lot area.
5. Removal of the CPZ Overlay would eliminate the required streetscape buffer along Harang Ave, a 10 ft. wide buffer with 3 Class A Trees on the Condor St. side, and a 5 ft. wide buffer with 3 Class A Trees on the Airline Hwy. side (Table 3).
6. Following LURTC review, Planning gave the applicant the option to amend the request to change the base zoning from R-1A Single-Family Residential District and C-2 General Commercial District to GO-2 General Office District along with the request to remove the CPZ. The GO-2 district has a more restrictive list of permitted uses and lower maximum height more in line with the abutting residential uses. The applicant chose not to amend the request.
7. The zoning and land use within the vicinity of the petitioned property are as follows (Figure 3):
 - a. To the north, the properties fronting on both sides of Harang Ave. and fronting on the north side of Calumet St. are all zoned R-1A Single-Family Residential District. The uses are largely single family residential in addition to East Jefferson High School.
 - b. To the east, the block bound by Harang Ave., Calumet St., Phlox Ave., and Airline Hwy. are all zoned C-2 General Commercial with a CPZ Commercial Parkway Overlay Zone. The uses consist of a fire station, offices, trade, service, and repair establishments.
 - c. To the south, the properties abutting the petitioned property and fronting on Airline Hwy. are both zoned C-2 General Commercial with a CPZ Commercial Parkway Overlay Zone. One of the abutting properties is a restaurant and the other is a dive shop with a pool. The properties south of Airline Hwy. are zoned C-2 General Commercial District and R-3 Multiple-Family Residential District with a CPZ Commercial Parkway Overlay Zone and R-1A Single-Family Residential District. The uses are single-family residential and a cemetery.
 - d. To the west, the properties fronting on both sides of Zinnia Ave. are zoned C-2 General Commercial District with a CPZ Commercial Parkway Overlay Zone, R-2 Two-Family Residential District, and RR-3 Three- and Four-Family Residential District. The uses include retail, office, restaurant, trade service and repair establishments, single- and multi-family residential.

8. The purpose of the Commercial Parkway Overlay Zone (CPZ) is to superimpose an overlay zone utilizing landscape and buffer standards to enhance the general quality of commercial and office development or structures located on arterial streets or collectors as delineated in the Jefferson Parish Thoroughfare Plan; by providing buffers to neighboring residences and other commercial uses; increase public safety by guiding traffic; by minimizing the impact of commercial development and structures on the drainage system; by decreasing the amount of paved area; and by coordinating green space and signage in commercial and office areas.
9. In determining its recommendation or decision, the Planning Director, PAB, and Council shall consider the Approval criteria for Map Amendments of Sec. 33-2.21.4(e)(1). The proposed C-2 zoning district does not satisfy the following criteria:

- a. *Whether the map amendment is consistent with the comprehensive plan.*

The proposed zoning is inconsistent with the following land use goals: Goal 1 Objective 6, Goal 2 Objective 6, and Goal 5 Objective 1.

- b. *Whether the amendment is consistent with the purpose and intent of the UDC and Chapter 40 Zoning.*

The removal of the CPZ landscaping requirements is incompatible with the UDC's stated purpose of protecting and/or enhancing property values parish wide. Especially for commercial properties abutting a residential zoning district.

- c. *Whether the amendment will benefit the public health, safety, and welfare.*

The request will not benefit the public health, safety, or welfare because it will eliminate CPZ required landscape buffers which would help to separate the proposed office from the abutting residential and offer additional protections from noise and/or lights.

- d. *Whether the proposed zoning district and future land use map category are compatible, possibly compatible, or not compatible, in accordance with Table 33-2.21.4-1: Zoning and future land use compatibility matrix.*

The compatibility matrix does not mention the compatibility of overlay districts.

DEPARTMENT COMMENTS

Table 2: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Public Works	Not Opposed	EZ-07-24 the Department of Public Works (on 04/18/2024) this “no objection” statement/letter is strictly based on technical issue(s). It does not address any potential Code of Ordinance violations/regulations. Such regulations shall be addressed by other departments such as Code Enforcement, Planning, etc. prior to the granting of a permit. Note any future construction or additions may require additional comments and/or requirements. Requires the sewer H.C. to be located and/or installed before the slab is poured at the property owners’ expense. Call the Engineering Department (736-6800) for location information and/or sewer estimate form. Sight triangles are not an issue at this time and a TIA is not currently required.
Building Permits	Not Opposed	
Engineering-Site Plan	Not Opposed	No comment
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
Fire	Not Opposed	
Environmental	Not Opposed	No comment

TABLES

Table 3: Comparison of zoning overlay for C-2 portion of the subject property		
Requirement	Current With CPZ	Requested Without CPZ
Front Yard Setback	20 ft.	20 ft.
Rear Yard Setback	None (3 ft. where provided)	None (3 ft. where provided)
Side Yard Setbacks	5 ft. (Condor St. side)	5 ft. (Condor St. side)
Buffer	10 ft./ 3 Class A Trees (Condor St. side)	N/A
	5 ft./ 3 Class A Trees (Airline Dr. side)	
	20 ft. (Harang Ave. frontage)	

Table 3: Comparison of zoning overlay for C-2 portion of the subject property		
Requirement	Current With CPZ	Requested Without CPZ
Streetscape (Harang Ave.)	1 Class A Tree 14 Shrubs	N/A
Fence	7 ft. (Condor St. side)	7 ft. (Condor St. side)
Height	65 ft.	65 ft.
Lot Area	5,000 sq. ft.	5,000 sq. ft.



Planning Department

Aerial

116 Harang Ave.

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the CPZ Overlay

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Summary No.

Council District 2



FIGURE 1



All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



Planning Department

Survey

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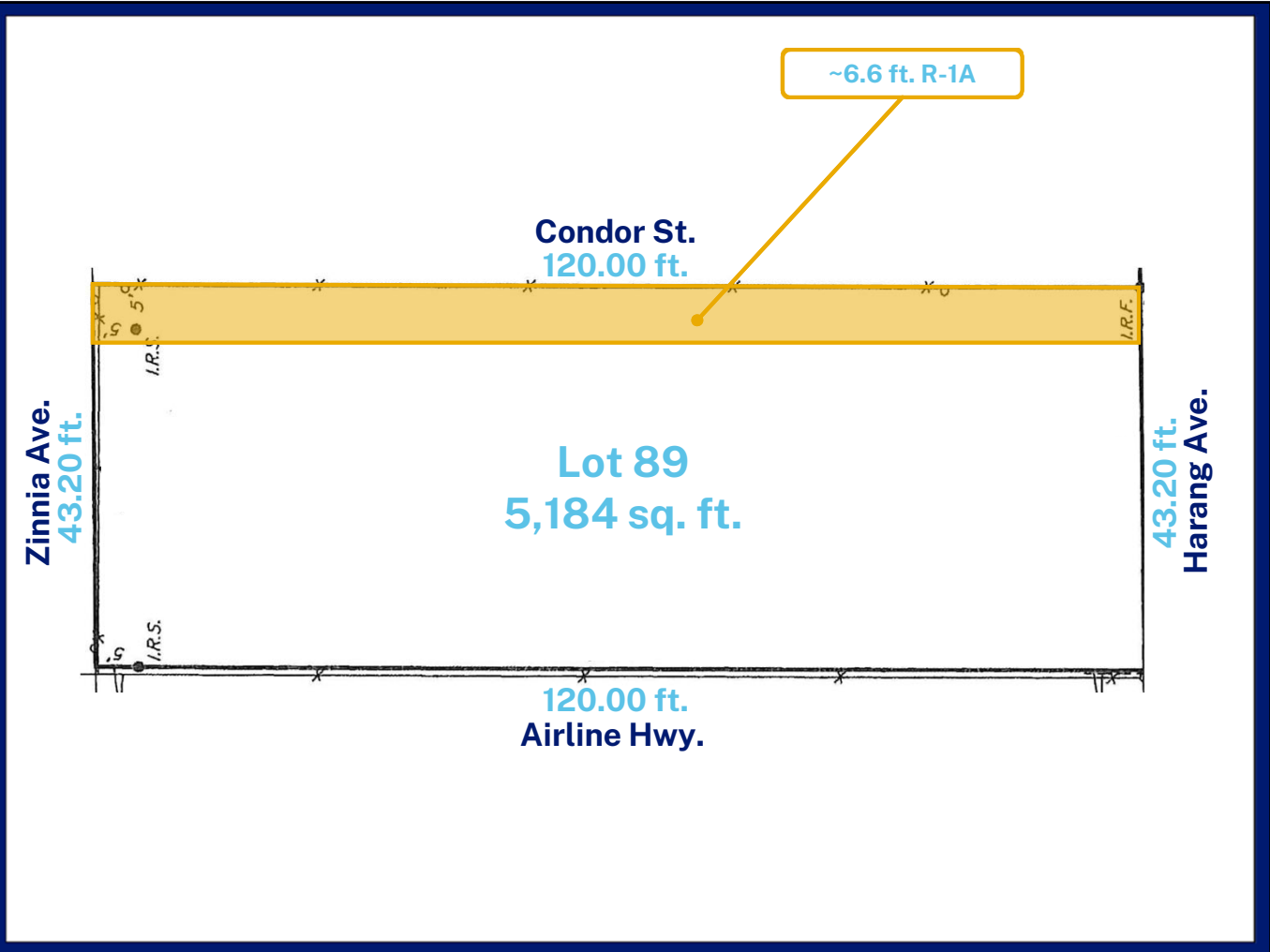
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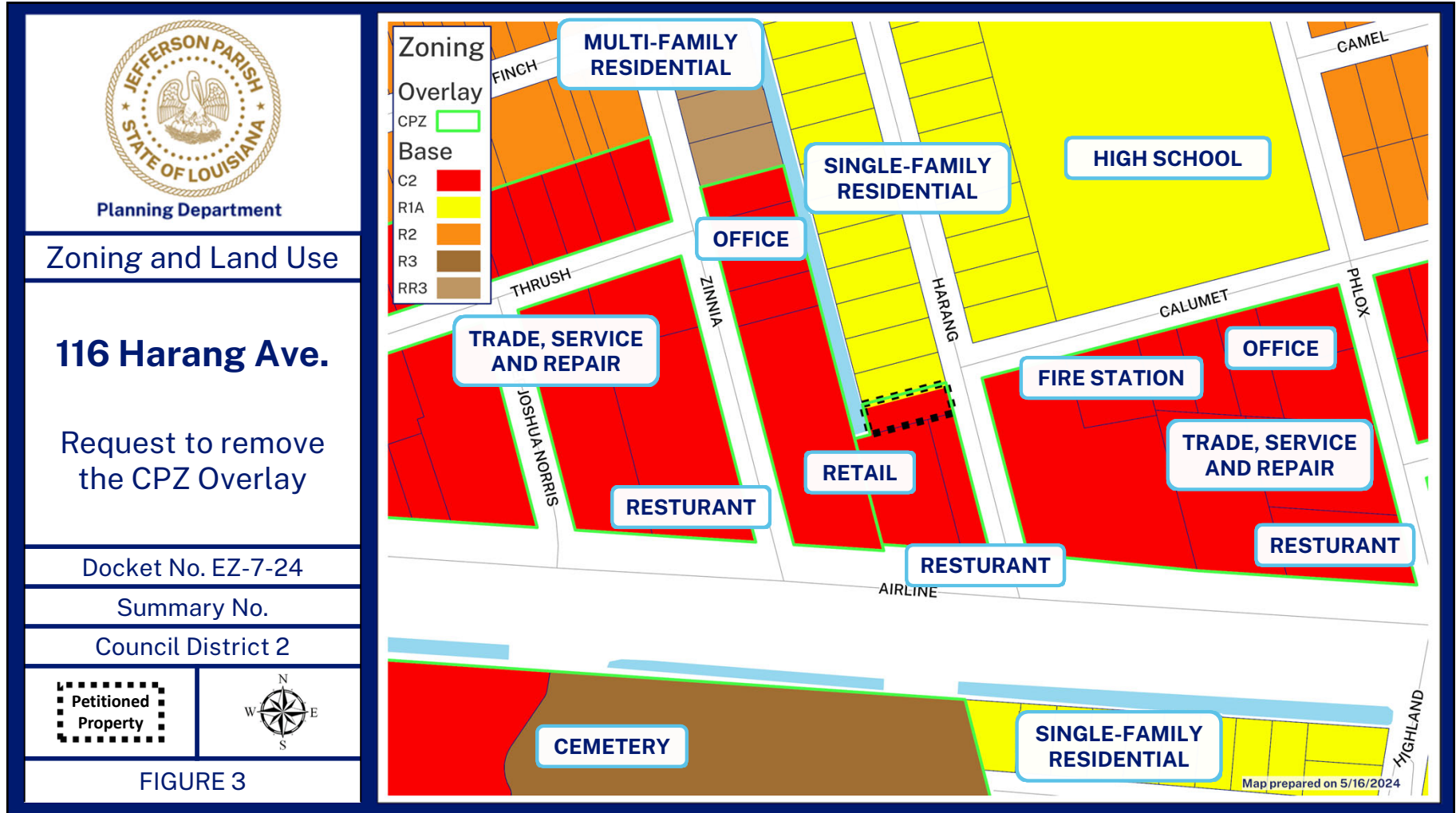
Petitioned Property



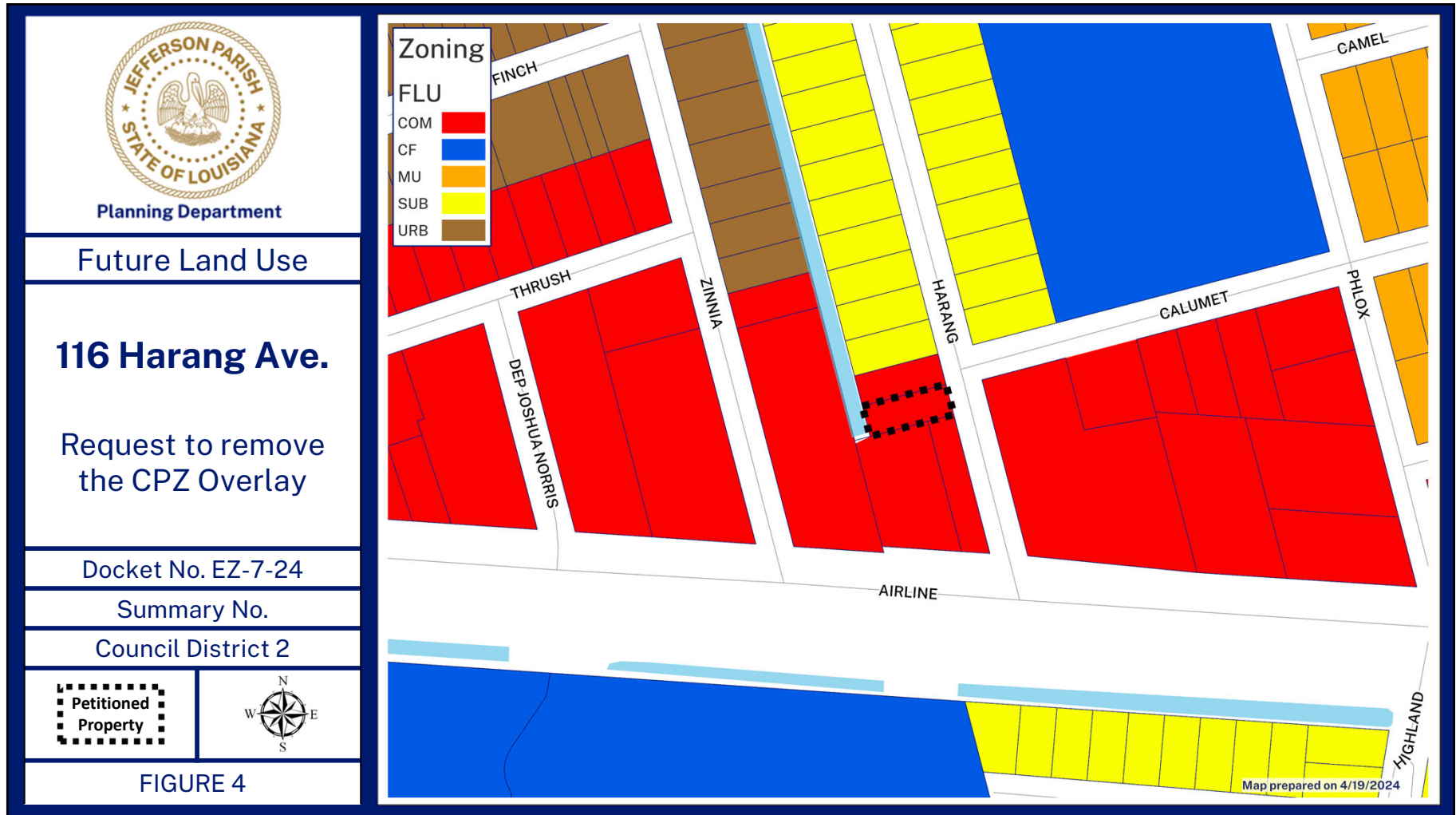
FIGURE 2



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