



Planning Department

Juliette L. Cassagne
Director

STAFF REPORT

Site Plan Review

Docket No. SP-25-20
Gus' Fried Chicken
Summary No.

PARISH COUNCIL
A: Ricky J. Temple
B: Scott Walker
1: Marion F. Edwards
2: Deano Bonano
3: Byron Lee
4: Dominick Impastato
5: Jennifer Van Vrancken

Cynthia Lee Sheng
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504-736-6320 | Yenni Building, 1221 Elmwood Park Blvd, Ste 601, Jefferson, LA 70123 | jppanning@jeffparish.net

Location: 3940 Veterans Memorial Blvd. (Figure 1)

Council District: 5

Legal Description: Lot 159-A, Manson Subdivision, bounded by Cleary Ave., Barron St., and Richland Ave.

PAB Hearing: 12/17/2020

Last Meeting Date for Council Action: tbd

Owner: LINFRAN, LLC

Applicant: Christopher G. Young

Zoning: C-2 General Commercial District/ CPZ Commercial Parkway Overlay Zone (Figure 2)

Future Land Use: COM Commercial

REQUEST

Amend CPZ-22-07 to include variances to the area regulations and the parking requirements of the C-2 General Commercial District and the CPZ Commercial Parkway Overlay Zone.



RECOMMENDATIONS

Planning Department: Denial for the following reasons:

- The request for a variance for 33 parking spaces (84.6%) is a significant deficiency.
- The deficiency of parking on-site may result in spill-over of customer parking onto adjacent property and along Richland Ave.

Planning Advisory Board: to be determined.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposal is inconsistent with the following goal of the Land Use Element of the Comprehensive Plan:

Goal 3, Objective 6: “Minimize negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices.”

FINDINGS

1. The petitioned property has 100.14 ft. of primary frontage on Veterans Memorial Blvd., 125.47 ft. of secondary frontage on Richland Ave., an average width of 100.07 ft., an average depth of 125 ft., and an area of 12,352.38 sq. ft. (Figure 3). Lot 59-A contains a 6,067-sq.-ft. building that most recently contained a Bedding Plus Mattress Outlet furniture store. There was another 816-sq.ft. building on site near the corner of Veterans Memorial Blvd. and Richland Ave., but it was demolished in 2020 under Project No. 20-402736. That building most recently contained Chilly’s Snoballs.
2. In September 2007, the Parish Council, under Ordinance No. 23135, approved a three-space variance to the parking requirements for the smaller building on site which was demolished in 2020 (Planning Docket No. CPZ-22-07). At the time, Bayou Daiquiri was proposing to expand and occupy the smaller building that was near the corner of Veterans Memorial Blvd. and Richland Ave.
3. The current proposal involves a change in use of the existing 6,067-sq.-ft. building from a furniture store to two (2) separate restaurant uses. Though the parking on site is currently noncompliant, due to the site’s historic and continuous use as a mattress store, the noncompliant parking is considered an existing condition. Due to the change in use to restaurant, which has a higher parking requirement than furniture stores, the off-street parking requirements for restaurants will apply.
4. The scope of work includes renovations to the existing structure to create two (2) units—a 3,494-sq.-ft. unit to contain Gus’ Fried Chicken, and a 2,289-sq.-ft. unit to contain a yet-unknown restaurant. With the former snowball stand gone, sitework is also proposed to reconfigure access, the drive aisle, and parking on the site. Further, the applicant proposes to enhance landscaping along the Veterans Blvd. and Richland Ave. frontages with the addition of trees and shrubs in order to offset the variance request.
5. Per Sec. 40-474, the first 20 ft. from the front lot line shall be the minimum front yard and building setback, and shall be landscaped in accordance with section 33-6.25, Landscaping, buffering, and screening. Sec. 33-6.25 states that no parking areas shall be allowed within the 20-ft. front yard. Three new parking spaces are located within the required front yard, necessitating a variance to the CPZ area regulations
6. Per Sec. 40-662, a restaurant requires one parking space for every 150 sq. ft. of gross floor area. The proposed 3,494-sq.-ft. containing Gus’ Fried Chicken would require approximately 23 spaces. The second 2,289-sq.-ft. restaurant unit would require an additional 15 spaces (Table 1). As the site contains six (6) parking spaces within the lot which can be counted towards required parking, a 33-space (84.6%) variance to the parking requirements is necessitated for the current proposal (Figure 4).

Table 1: Parking Requirements			
Suite	Sq. Ft.	Use	Req. parking
Gus’ Fried Chicken	3500	Restaurant w/ seating	@ 1/150 = 23.3 = 23
Future Restaurant	2289	Restaurant w/ seating	@ 1/150 = 15.3 = 15

7. The site also includes nine (9) parking spaces located in the Veterans Memorial Blvd. right-of-way, bringing the total parking count for the development site to 15 spaces. Per Sec. 40-662, off-street parking shall be provided on any lot for which the use is established. The parking spaces in the right-of-way are not located on the lot itself, and therefore cannot count towards the total required off-street parking. As a result, this review is based on the six (6) parking spaces provided on site. There is a current lease with the Parish for use of the right-of-way. If the 15 spaces serving the property were all counted towards required parking, there would still be a 24-space, or 61.5%, shortage.
8. When evaluating requests for parking variances, the Planning Department generally considers a 20% threshold
9. Section 40-480 states that variances to the CPZ requirements may be granted, provided the following criteria are met:
 - a. *The proposal complies with CPZ requirements to the maximum extent possible and taking into account space limitations of existing structures.* The requested parking variance is due to a change in use from the former furniture store to two restaurants. The size of the existing building limits potential uses for the site, as almost any proposed use will require a parking variance
 - b. *The proposal enhances the general quality of commercial and office corridors by providing buffers to neighboring residences and other commercial uses; increases public safety by guiding traffic; minimizes the impact of development and structures on drainage; and coordinates with greenspace and signage in the corridor.* By not accommodating required parking on site, the proposed parking variance does not enhance the quality of this commercial corridor; *however, the applicant is proposing landscaping with additional trees and shrubs to enhance the quality of the corridor.*
 - c. *The proposal does not adversely affect the harmony or compatibility of the surrounding land uses.* The parking variance adversely affects the harmony or compatibility of the surrounding land uses as attested to by the 84.6% parking space deficiency. The lack of on-site parking for the restaurants may cause a spill-over of customer parking onto other properties and along Richland Ave.
 - d. *Special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures, or buildings in the same zone.* No special conditions and/or circumstances exist that are peculiar to the land, structure or building.
10. The applicant is submitting a revised site plan addressing ENG-Site Plan's LURTC comments. Planning received the revised site plan by December 7, 2020, and the third round of LURTC review closes on Monday, December 14, 2020. The requested variances will not be affected by the revised site plan, nor will any new variances result.

DEPARTMENT COMMENTS (LURTC)

Table 2: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
ICE-Building	Not Opposed	A tenant build-out permit will be needed to change the use of the building. All building code issues will be addressed during the permitting process.
Fire	Not Opposed	Acceptable.

Table 2: Land Use Review Technical Committee (LURTC) Comments

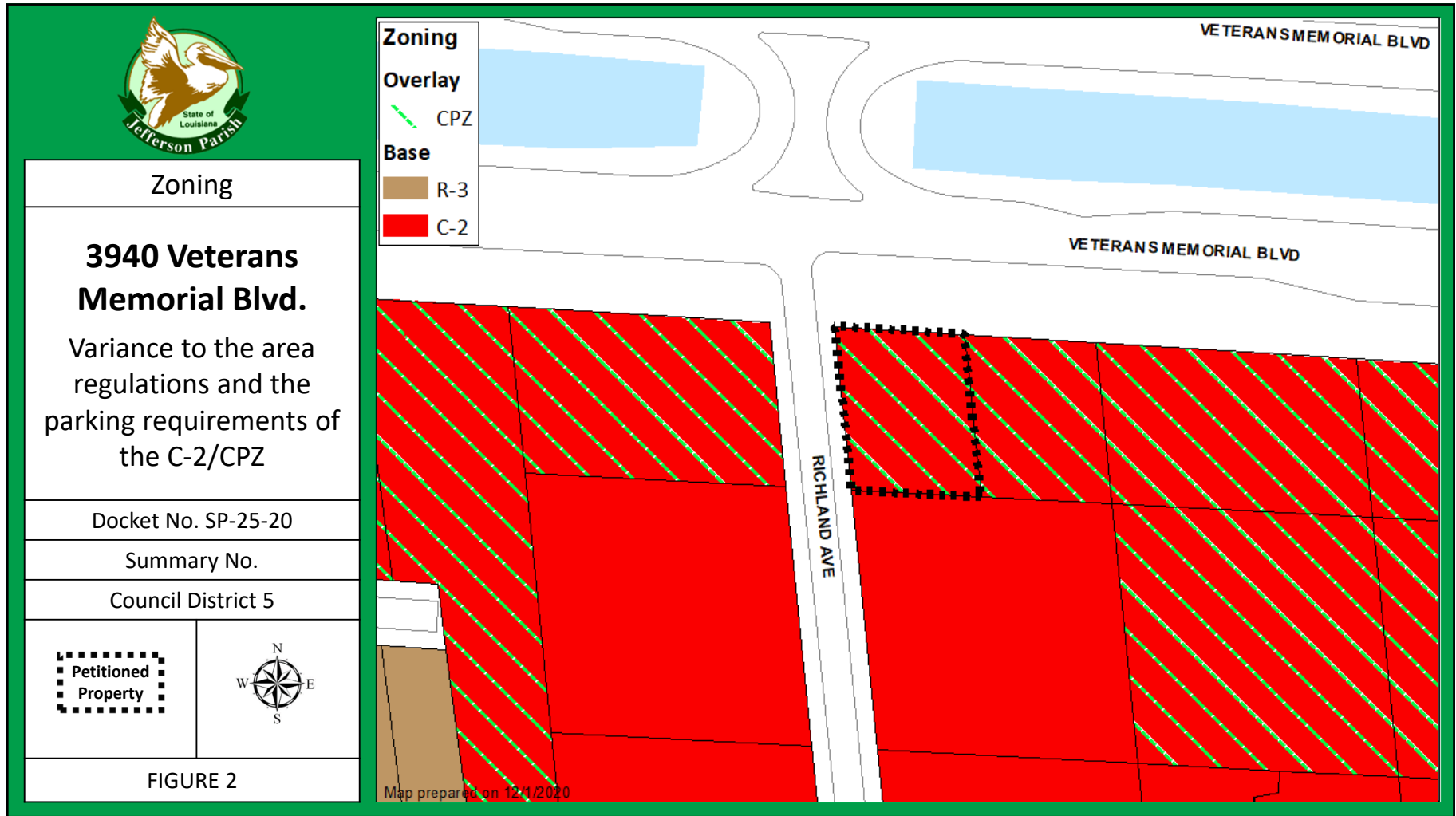
Department	Position	Comment/Stipulation
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
Environmental	Not Opposed	
Public Works	Not Opposed	<p>SP-25-20 the Department of Public Works (on 11/02/2020) This 'no objection' statement/letter is strictly based on technical issue(s). 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. The 5-foot servitude shown along the rear is a private utility servitude. Street Department states that the developer will have to pay the cost to convert they Type I drainage basin to a rollover basin to accommodate the parking access from the Richland Ave. side. Traffic Engineering Division finds that the sight triangles are not an issue at this time and a TIA is not required. Parkways has no comment, no landscape plan submitted. If the existing house connection cannot be located or not usable, a new connection will be required at the property owner's expense.</p>
ENG-Site Plan	Opposed	<p>1. Verify dimensions from the property line to edge of public roadway or back of curb along edge of public roadway on both Veterans Blvd. and Richland Ave. Verify these dimensions with either a survey that clearly delineates the distance between the curb line of the street and the property line where sight triangles are required, or a certified notarized affidavit that is signed by the owner, applicant, or applicable design professional stating that the dimensions provided to the parish are true and correct. 2. Provide width of driveways at the back of curb or edge of roadway. 3. Provide dimensions of any radii or flare in feet. These are required to be 5' unless special circumstances allow for larger ones. 4. No barrier curbs are allowed along the sides of the apron from the sidewalk to the edge of the street. 5. Provide location of the existing or proposed sidewalk. The sidewalk must be located 1 ft. from the property line, but no closer than 2' from the back of the street curb or edge of roadway. 6. The existing sidewalk along Richland Ave. must be replaced at this time. 7. Provide width of sidewalks. These must be a minimum of 5' wide, however along Veterans Blvd. they must be 6' wide. 8. Any portion of the public right of way used for private purposes, must be leased from Jefferson Parish. Contact the Parish Attorney's Office at (504) 736-6300 for more information. 9. The property owner is responsible for any damage to right of way improvements (including the existing sidewalks or driveways) during or after the construction of any new structure(s) or demolition of any existing structure(s). Any damage must be repaired, or improvements replaced in accordance to the Jefferson Parish Engineering standards. Please contact the department of Engineering at (504) 349-5173 or (504) 736-6793 prior to beginning any sidewalk / driveway apron construction. Further comments will be made at the permit stage. Contact Engineering Site Plan Review at: (504) 736-6397 for more information and a complete list of requirements.</p>

TABLE 3: C-2/CPZ SITE INFORMATION

Criteria	Required/Permitted	Proposed	Compliant?
Site area, Lot 10-A, min.	10,000 sq. ft. 75 ft. frontage 100 ft. depth	12,352.38 sq. ft. 100.14 ft. frontage 100.07 ft. depth	Y
Required front yard, Veterans, min.	20-ft. landscaped front yard	Parking spaces located in required front yard	N
Parking Spaces	39	6	N



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Survey

3940 Veterans Memorial Blvd.

Variance to the area regulations and the parking requirements of the C-2/CPZ

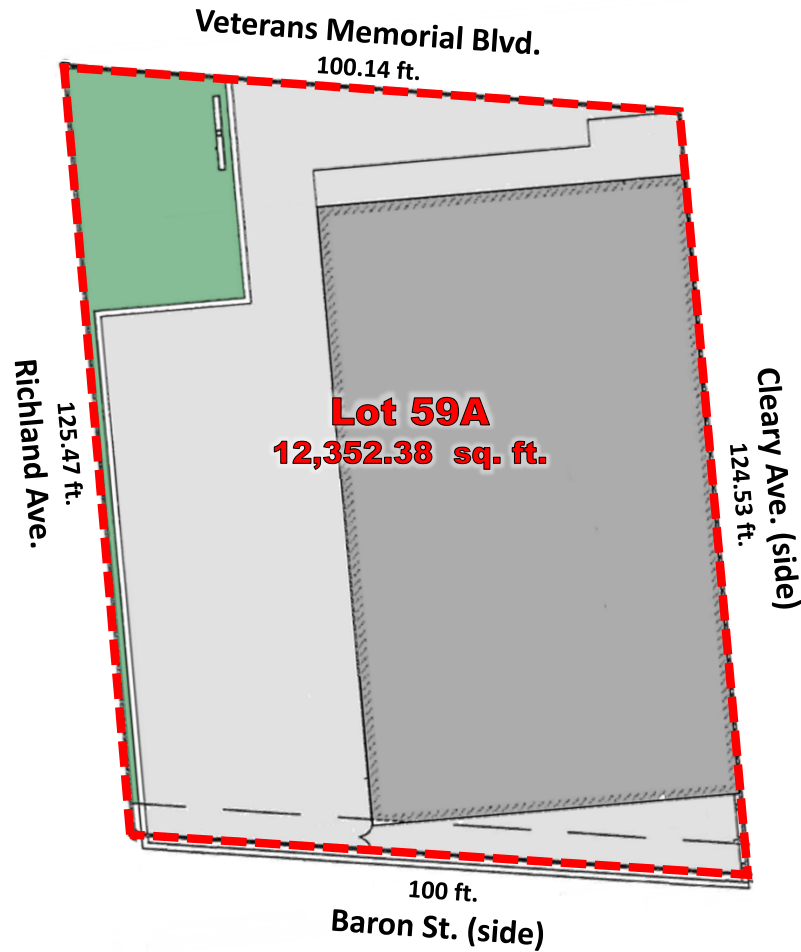
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Council District 5



FIGURE 3



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Site Plan
& Variance Request

**3940 Veterans
Memorial Blvd.**

Variance to the area
regulations and the
parking requirements of
the C-2/CPZ

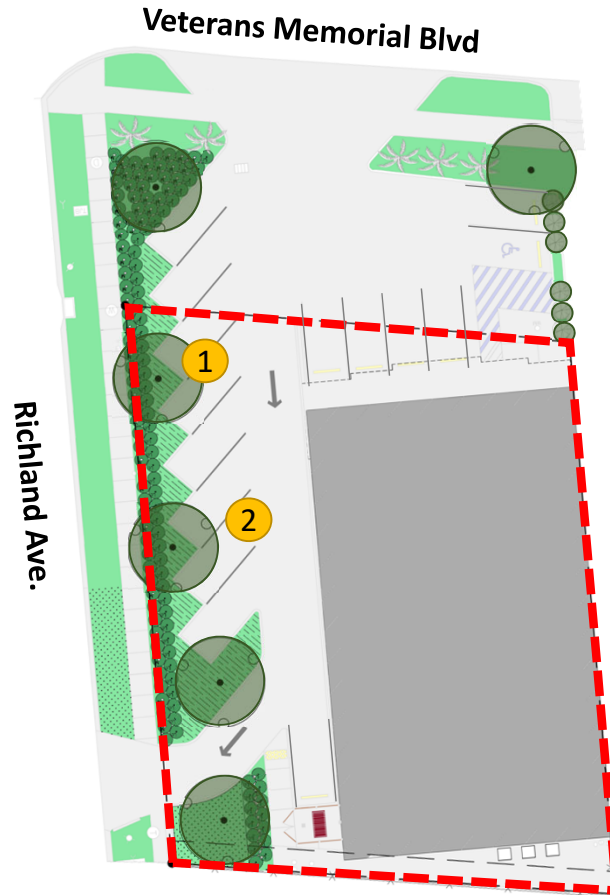
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FIGURE 4



Variances			
	Regulation	Required	Proposed
1	40-474.a.1	20-ft. landscaped front yard along Veterans Memorial Blvd.	Parking spaces located in required front yard
2	40-475.a	39 parking spaces	6 parking spaces

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