



Planning  
Department

Bessie L. Martin  
Director

STAFF REPORT  
**Docket No. WZ-19-23**  
**Summary No.**  
**Map Amendment**

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

Cynthia Lee Sheng  
Parish President

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**Location:** 842 Behrman Hwy.

**Council District:** 1

**Legal Description:** Lot 11A Terrytown, Square 139, Subdivision No. 8; bounded by Northbrook Drive and Matador Drive

**PAB Hearing:** 5/9/2024

**Last Meeting Date for Council Action:** 09/11/2024

**Owner:** Blue Square LLC

**Applicant:** Nam Vo

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**CURRENT ZONING/FUTURE LAND USE**

GO-2 General Office District

FLU COM Commercial

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**REQUEST**

MUCD Mixed Use Corridor District



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**RECOMMENDATIONS**

**Planning Department:** Denial for the following reasons:

- The requested amendment does not meet the approval criteria for map amendments of Sec. 33-2.21.4. (e).
- The proposed MUCD Mixed Use Corridor District zoning would permit development that is incompatible with the abutting R-1A Single Family Residential District.
- The proposed change does not support the intent and purpose of Ordinance No. 16411 (WS-17-85), which led to the current GO-2 General Office District.

**Planning Advisory Board:** tbd

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## CONSISTENCY WITH ENVISION JEFFERSON 2040

The proposed zoning change is not consistent with the following objectives and goals of the comprehensive plan:

- Goal 2, Objective 6 of the Land Use Element – Protect residential neighborhoods from incompatible development or redevelopment
- Goal 2, Objective 4 of the Land Use Element- “Support uses or facilities that promote healthy communities”

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## FINDINGS

1. The request is to rezone the subject property from GO-2 General Office District to MUCD Mixed Use Corridor District for the purpose of expanding retail sales. The subject property is currently developed with a multi-tenant structure. The owner has requested this rezoning in order to expand his future business tenant base to businesses not currently permitted in the GO-2 zoning district. As this property is already developed, the site will not be subject to site plan review or the landscaping requirements of the MUCD.
2. The subject property was zoned R-1A Single Family Residential in 1958 when zoning was adopted by Jefferson Parish and reaffirmed in the 1966 parish wide rezoning. In 1976 the property was rezoned R-2 Two-Family Residential District (WS-35-76) (Ordinance No. 12435). In 1985, there was a significant zoning study (WS-17-85) (Ordinance No.16411) that recommended a zoning change from R-2 Two-Family Residential District to GO-2 General Office District. Within that study, it was noted that Behrman Hwy. had become a major transportation artery between Jefferson Parish and the Orleans Parish line. It was also noted that GO-2 General Office District would be beneficial as a buffer between future commercial and the abutting residential properties.
3. The Behrman Highway corridor is classified as a Major Arterial as defined by the Jefferson Parish Thoroughfare Plan. Per Sec. 29-0.1., Major arterial shall mean a street primarily designed to move traffic between cities or parishes. Behrman Highway has continued to develop with non-residential uses since the WS-17-85 study thus making this zoning buffer significant to the abutting R-1A Single Family Residential District.

<b>Change</b>	<b>Year</b>	<b>Classification</b>
Initial Parish Zoning	1958	R-1
Parish-wide rezoning	1966	R-1
Rezoning WS-35-76	1976	R-2
Rezoning WS-17-85	1985	GO-2

<b>Change</b>	<b>Year</b>	<b>Classification</b>
Current Zoning	2024	GO-2

4. The purpose of the current GO-2 General Office District zoning is to “create an environment especially suited to a group of professional, general administrative, and general sales offices, together with certain commercial uses primarily to service employees in the district. The district regulations are such as to protect adjacent commercial and residential uses.” (Sec. 40-361) The GO-2 General Office District is more restrictive than the MUCD in permitted uses, and only allows limited nonresidential uses such as banks, medical clinics, clubs, churches, florist, general professional offices, and daycare centers.
5. The proposed MUCD Mixed Use Corridor District will allow a broad variety of permitted uses to include those permitted in all of the office, medical, and commercial zoning districts. The businesses allowed include retail stores and establishments, clubs, restaurants, clinics, gas stations, car washes, automobile sales, motels, hotels, bars, mechanic shops, adult uses and off-track wagering facilities. The majority of the permitted uses in the MUCD are not permitted in the present GO-2 zoning and may not be suitable for the abutting R-1A Single-Family Residential properties. Additionally, the maximum height allowed in the MUCD District is sixty-five (65) feet, which is a drastic increase over the thirty-five (35) feet that is currently permitted in GO-2.
6. As per Sec. 40-442(c), MUCD Property shall be eligible for reclassification to a Mixed-Use Corridor District by individual petition if a minimum site area contains ten thousand (10,000) square feet or greater, has a minimum width of seventy-five (75) feet and a minimum depth of one hundred (100) feet. While the property meets this criterion for reclassification. The entire west side of Behrman, from Northbrook Drive to Holmes Boulevard, is zoned GO-2 General Office District. The proposed zoning change would create a single spot zone of MUCD lot in a corridor of GO-2 properties.
7. Zoning and land use of property within 300 ft. (Figure 3)
  - The current zoning north and south of the subject property is GO-2 General Office District. The GO-2 zoning extends to the entire West side of Behrman Highway from North at Holmes Boulevard, and to the south at Northbrook Drive. Properties in the immediate vicinity are developed with a barber, law office, and medical uses.
  - To the East of the property, across Behrman Highway, is MUCD Mixed Used Corridor District. Properties are developed with a grocery store, car wash, beauty salons, and a restaurant.
  - To the west of the subject property is residential properties zoned R-1A Single Family Residential District that are developed with single-family homes.
8. The proposed zoning map change is not consistent with the following policies of the Comprehensive Plan:

- Land use Goal 1 - The development and redevelopment of land, buildings and structures is orderly and well-planned.
  - Land use objective 2:6 Protect residential neighborhoods from incompatible development or redevelopment.
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 MUCD Mixed Use Corridor zoning district does not satisfy the criteria.

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

The request is not consistent with the following goals and objective of the Land Use Element:

Goal 2, Objective 6 of the Land Use Element – Protect residential neighborhoods from incompatible development or redevelopment

Goal 2, Objective 4 of the Land Use Element- “Support uses or facilities that promote healthy communities”

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

The request will not promote the safe, orderly development, and use of land by increasing the potential for incompatible development.

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

Uses permitted in the MUCD Mixed Use Corridor District are not compatible with the character and scale of the surrounding development.

*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 Future Land Use map designates the subject property as COM Commercial future land use category. This land use is consistent with both Mixed Used Corridor District and GO-2 General Office District.

**TABLES**

<b>Table 1: Land Use Review Technical Committee (LURTC) Comments</b>		
<b>Department</b>	<b>Position</b>	<b>Comment/Stipulation</b>
Public Works	Approved	<p>WZ-19-23 the Department of Public Works (on 02/20/2024) 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 within the 12ft. servitude is an 8in sewer line and a 12in water main.</p> <ol style="list-style-type: none"> <li>1. Drainage Department has no comment.</li> <li>2. Parkways has no comment, no landscape plan submitted.</li> <li>3. Sewer Department has no comment.</li> <li>4. Streets Department has no comment.</li> <li>5. Traffic Engineering Division finds that the sight triangles are not an issue at this time and a TIA is not currently required.</li> <li>6. Public Works Utilities has no comment.</li> <li>7. Water Department has no objection.</li> </ol> <p>Not opposed</p>
Building Permits	Approved	No comment
Engineering-Site Plan	Approved	No objection. Sight triangle is not an issue at this time. TIA is not required.
Parish Attorney	Approved	We will defer to the other departments for comments.
Fire	Approved	No comment
Environmental	Approved	No comment

**Table 2: History of subject property and surrounding 300 ft, within past 20-25 yrs.**

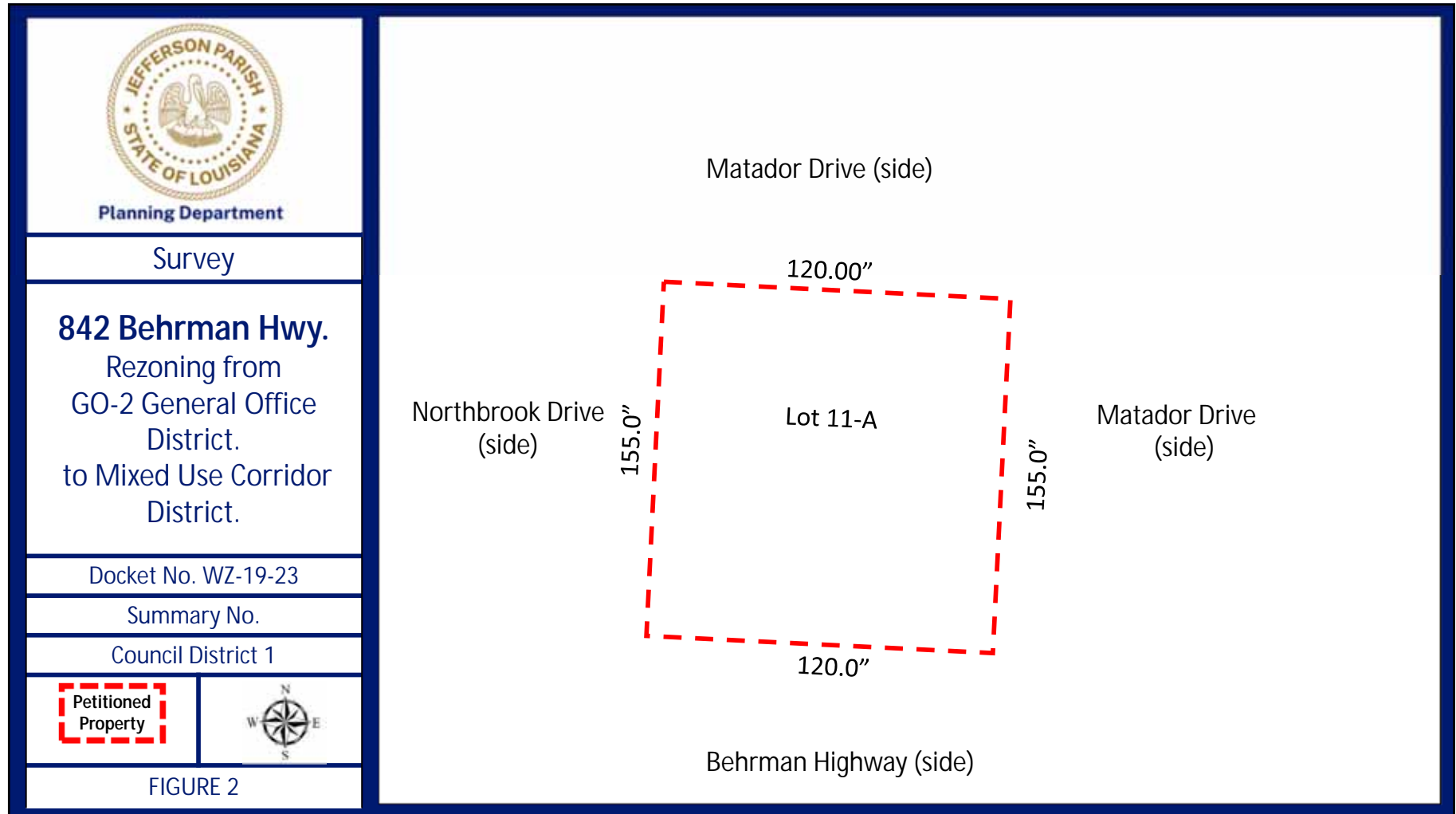
	<b>Date</b>	<b>Location</b>	<b>Request</b>	<b>PD/PAB Recommendation (Docket #)</b>	<b>Council Decision (Ordinance #)</b>
	10/1/2008	Orleans Parish Boundary line to the north, the Orleans/Plaque mine's Parish line to the east, Belle chasse highway to the south, and Whitney Ave/Westbank Expressway on the west.	To lower the intensity of the uses in the study area.	Approval (ASW-2-08)	Approved (23401)

**Table 3: Comparison of zoning districts for subject property**

<b>Requirement</b>	<b>GO-2</b>	<b>MUCD</b>
Front Yard Setback	20 ft.	20 ft.
Rear Yard Setback	20 ft.	20 ft.
Side Yard Setbacks	minimum 3 ft.	10 ft.
Height	35 ft.	65 ft.
Lot Width	Minimum 50 ft.	75 ft.
Lot Depth	No minimum depth.	100 ft.
Lot Area	5,000 sq. ft.	10,000 sq. ft.



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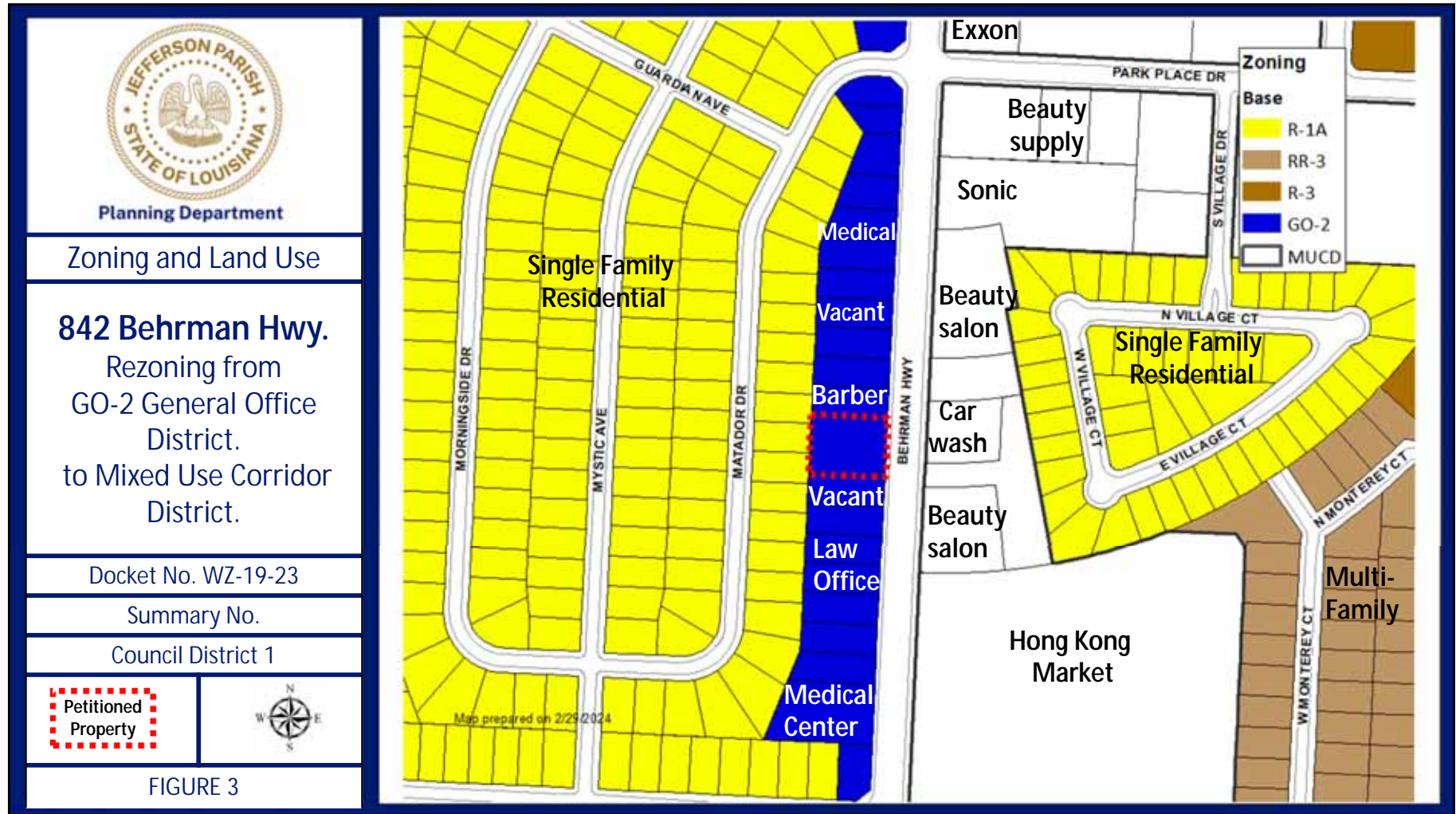
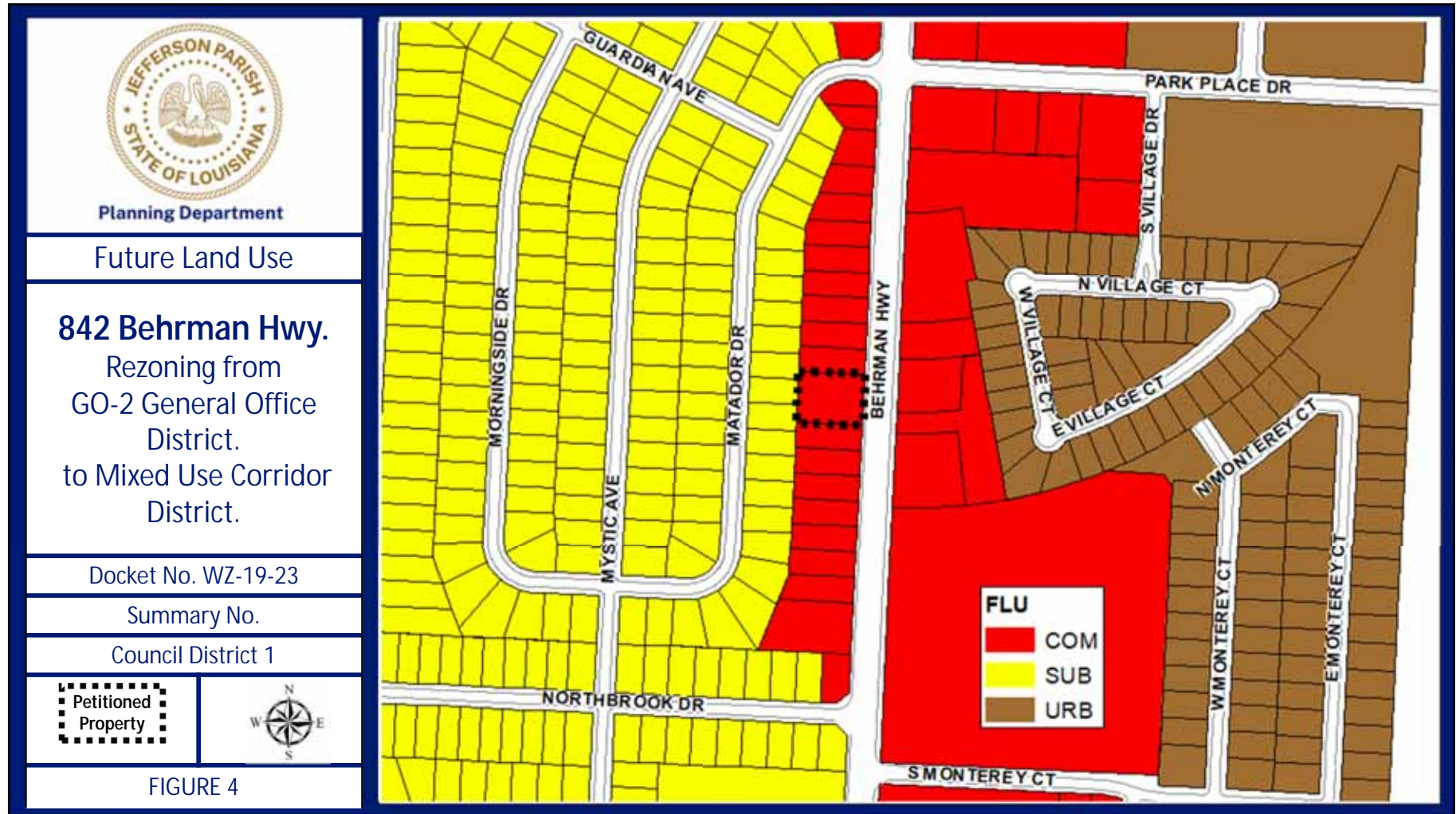


FIGURE 3

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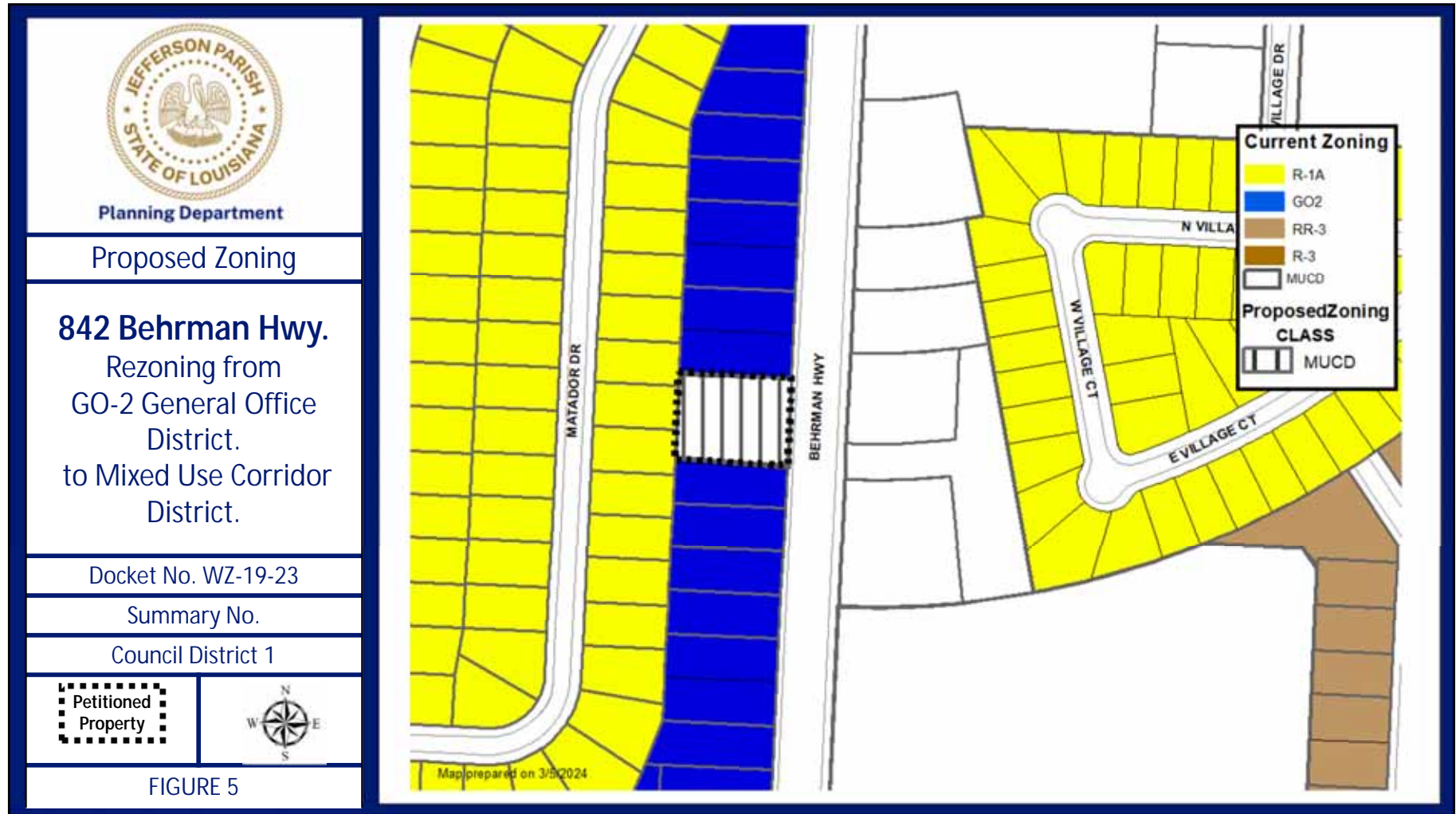


FIGURE 5

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