

CITY PLANNING COMMISSION MEETING AGENDA

**TUESDAY, DECEMBER 9, 2014
1:30 P.M. CITY COUNCIL CHAMBER
(CITY HALL 1E07)**

PUBLIC HEARING:

THE CITY PLANNING COMMISSION, IN ACCORDANCE WITH PROVISIONS OF ARTICLE 16 OF THE COMPREHENSIVE ZONING ORDINANCE NUMBER 4264 M.C.S., AS AMENDED, AND IN ACCORDANCE WITH PROVISIONS OF THE REVISED STATUTES OF THE STATE OF LOUISIANA AND THE CITY CHARTER REGARDING PROPERTY DISPOSITIONS AND SUBDIVISIONS, WILL HOLD PUBLIC HEARINGS ON TUESDAY, DECEMBER 9, 2014 ON THE FOLLOWING PROPOSED AMENDMENTS TO THE COMPREHENSIVE ZONING LAW, PROPERTY DISPOSITIONS AND SUBDIVISIONS. THE COMMISSION WILL TAKE ACTION OR MAKE A RECOMMENDATION AT THE CONCLUSION OF EACH PUBLIC HEARING.

A. UNFINISHED BUSINESS:

- 1. ZONING DOCKET 110/14 – Request by CITY COUNCIL MOTION NO. M-14-381 for a Text Amendment to Article 2, Section 2.2 *Definitions* of the Comprehensive Zoning Ordinance to create a new definition of “Tobacco Retail Business” and to define said use as an establishment whose principal business is the sale of tobacco products and accessories, where the sales of tobacco products and accessories (for on or off-premises) produces seventy (70) percent or more of the gross revenue for said establishment, where alcoholic beverages and/or food products are sold or served for consumption on premises, but where neither live entertainment nor gambling are provided, where package liquor products are not advertised outside or off the premises or in any place visible from the exterior of the premises, and to Article 8, Section 8.5.5 *Conditional Uses* of the Comprehensive Zoning Ordinance to classify “Tobacco Retail Business” as a conditional use in the VCC-2 Vieux Carré Commercial District. (PD 1B) (SK) (DEFERRED FROM THE NOVEMBER 11, 2014 MEETING)**

2. **ZONING DOCKET 111/14** – Request by CITY COUNCIL MOTION NO. M-14-401 for a Text Amendment to Article 18 of the Comprehensive Zoning Ordinance to establish the Earhart Corridor Spur Track Interim Zoning District to prohibit the issuance of any permits within the Interim Zoning District prior to design review and approval by the City Planning Commission staff, with the advice of the Department of Safety and Permits, subject to appeal to the City Council, to erect any barrier or other obstruction within fifteen feet on either side of the spur track in the area generally bounded by Earhart Boulevard, South Lopez Street, Euphrosine Street, and South Broad Street. (PD 4) **(DT) (DEFERRED FROM THE NOVEMBER 11, 2014 MEETING)**

3. **SUBDIVISION DOCKET 124/14** – Request by ALGIERS DEVELOPMENT DISTRICT AND THE STATE OF LOUISIANA FOR THE USE AND BENEFIT OF THE LOUISIANA COMMUNITY AND TECHNICAL COLLEGE SYSTEM, DELGADO COMMUNITY COLLEGE, ALGIERS CAMPUS to resubdivide portions of the former Algiers Naval Air Station and Lots F and G of Prosper Marigny plantation into Square 1, Lots 1 and 2; Square 2, Lot 1a; Square 3, Lots 1 and 2; Square 4, Lot 1; Square 5, Lot 1; Square 6, Lot 1; Square 7, Lot 1; Square 8, Lot 1; Square 9, Lot 1; Square 10, Lot 1; Square 11, Lot 1; Square 12, Lots 1 and 2; Square 13, Lots 1, 2 and 3; Square 14, Lot 1; Square 15, Lots 1 and 2; Square 16, Lot 1; Square 17, Lot 1; and the dedication of Hebert Street, Heerman Street, Hunley Lane, O'Bannon Street, Savage Street, Shirley Drive, Carmick Street, Constellation Street, Constitution Street, Coral Sea Street, Guadal Canal Street, Opelousas Street, Sanctuary Drive and Patterson Street as public rights-of-way, in the Fifth Municipal District, generally bounded by the Mississippi River, Hendee Street, Opelousas Avenue, Behrman Avenue, General Meyer Avenue and Merrill Street. There are multiple municipal addresses. (PD 12) **(SK) (DEFERRED FROM THE NOVEMBER 11, 2014 MEETING)**

4. **SUBDIVISION DOCKET 130/14** – Request by 1866 GENTILLY, LLC to resubdivide Lots X-1 and F into Lot X-1-F, Square 654, in the First Municipal District, bounded by Banks, S. Salcedo, Baudin and S. Lopez Streets. The municipal addresses area 3100-3108 BANKS STREET AND 416 S. LOPEZ STREET. (PD 4)**(DG) (DEFERRED FROM THE NOVEMBER 11, 2014 MEETING) (WITHDRAWN BY APPLICANT)**

B. NEW BUSINESS:

1. **ZONING DOCKET 115/14** – Request by BADINE LAND LTD. for a Conditional Use to permit a hotel in a VCS-1 Vieux Carré Service District on Square 3A, Lots X, 3, and 4, and the adjacent portion of the Clay Street right-of-way, in the Second Municipal District, bounded by Iberville, North Peters, and Bienville Streets. The municipal address is 111 IBERVILLE STREET. (PD 1B) **(SK)**

2. **ZONING DOCKET 116/14** – Request by THEONE M. HALPERN, ALVIN K. HALPERN, JENIFER HALPERN, DORIANE H. SCHULMAN, AND EDWARD M. HALPERN for a Conditional Use to permit a micro-distillery in a C-1A General Commercial District and the Lower Saint Charles Design Review District, on Square 194, Lots 3 or 20, 21, 22, X, A or 18, and Y or 19, in the First Municipal District, bounded by Saint Charles Avenue and Terpsichore, Melpomene, and Prytania Streets. The municipal address is 1530 SAINT CHARLES AVENUE. (PD 2) (NK)
3. **ZONING DOCKET 117/14** – Request by ACV VII, LLC for an Amendment to Ordinance No. 19,400 MCS (Zoning Docket 061/99, which established a Conditional Use to permit the residential/commercial redevelopment of an existing industrial/warehouse complex [former American Can Company]) to allow modifications to the site and structure, including the addition of a raised pedestrian walkway, new signage, the modification of storefront windows for the development’s retail units, and the elimination of off-street parking spaces, in an LI Light Industrial District, on Parcel 1B or Squares 484, 485, 498, 499, and Pt. 511, all lots, in the Second Municipal District, bounded by Orleans Avenue, North Jefferson Davis Parkway, Toulouse Street, and North Cortez Street. The municipal address is 3700 ORLEANS AVENUE. (PD 4) (DG)
4. **ZONING DOCKET 118/14** - Request by PATRICIA B. TOMBAR, AUGUST J. ROQUES, JR., DORIS H. KIMBLE, SCOTT WOLFE, JANE L. WOLFE, AND 5000 N. CLAIBORNE, LLC for a Zoning Change from an RD-3 Two-Family Residential District and a B-1 Neighborhood Business District to a B-2 Neighborhood Business District, on Square 676, Lots 1, 2, 3, 4, 9 through 12, A, B, C, G, H, I in the Third Municipal District, bounded by North Claiborne Avenue and Reynes, Forstall, and North Robertson Streets. The municipal addresses are 5000-5030 NORTH CLAIBORNE AVENUE, 1502-1510 FORSTALL STREET, AND 5011 NORTH ROBERTSON STREET. (PD 8) (DT)
5. **ZONING DOCKET 119/14** - Request by CITY OF NEW ORLEANS for an Amendment to Ordinance No. 24,006 MCS (Zoning Docket 039/10, which granted a zoning change from an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District and a Conditional Use to permit the renovation and expansion of an existing television station and associated accessory equipment) to permit the further expansion of a television station and associated accessory equipment, in an LRM-1 Lake Area Low-Rise Multiple-Family Residential District, in the Second Municipal District and being a portion of that certain tract known as the Delgado Tract, bounded by Navarre Avenue, General Diaz Street, Orleans Avenue, and City Park Avenue. The municipal address is 916 NAVARRE AVENUE. (PD 5) (EA)

6. **ZONING DOCKET 120/14** – Request by CITY COUNCIL MOTION NO. M-14-430 for a Text Amendment to Article 18 of the Comprehensive Zoning Ordinance to establish the Central Business District Height and Floor Area Ratio Interim Zoning District to prohibit the issuance of any permits within the Interim Zoning District prior to design review and approval by the City Planning Commission staff, with the advice of the Historic District Landmarks Commission when a project is within its jurisdiction, subject to appeal to the City Council, that are in conflict with the Interim Zoning District’s standards and all figures attached to the City Council Motion, for the area generally bounded by South Claiborne Avenue, the Pontchartrain Expressway, the Mississippi River, and Iberville Street. (PD 1A) **(NK)**

7. **ZONING DOCKET 121/14** – Request by SIBLING RIVALRY ASSET MANAGEMENT GROUP, LLC for a Conditional Use to permit a child care center over 5,000 square feet in floor area in a B-1A Neighborhood Business District, on Square 583, Lots 11 or 28, 18 or 19, 38, 39, 2 or 10, 9 or 26, A or 8 or 25 or Pt. 37, 9 or 26 and 27, in the First Municipal District, bounded by South Dorgenois, Palmyra, South Broad, and Banks Streets. The municipal addresses are 321-329 SOUTH DORGENOIS STREET. (PD 4) **(EA)**

8. **ZONING DOCKET 122/14** – Request by DAO CHENG WEI AND XIU H. LI for a Conditional Use to permit a wholesale seafood business in an NU Non-Urban District, on Prairie Lands Pt. Parcel 2, Lot 10, in the Third Municipal District, bounded by Chef Menteur Highway, Victory Road, and Highway 11. The municipal address is 57023 OR 19841 CHEF MENTEUR HIGHWAY. (PD 11) **(DT)**

9. **ZONING DOCKET 123/14** – Request by GET THE GORILLA, LLC for a Conditional Use to permit an amusement place (movie theater) in an LI Light Industrial District and the Lafitte Greenway Revitalization Corridor Interim Zoning District, on Square 337, Lots 3 through 9, in the Second Municipal District, bounded by North Broad, Toulouse, Saint Peter, and North Dorgenois Streets. The municipal address is 636-646 NORTH BROAD STREET. (PD 4) **(KB)**

10. **ZONING DOCKET 124/14** – Request by JUGS SOCIAL CLUB, INC./KREWE OF NOMTOC for a Conditional Use to permit a private club in a B-1 Neighborhood Business District on Square 168, Lot N1, in the Fifth Municipal District, bounded by Homer, Newton, and Sumner Streets and Behrman Avenue. The municipal address is 1906-08 NEWTON STREET. (PD 12) **(DG)**

11. **ZONING DOCKET 125/14** – Request by 511 MARIGNY, LLC for an Amendment to Ordinance No. 25,607 MCS (Zoning Docket 097/13, which amended Ordinance No. 24,562 MCS to allow the development to contain those uses that are permitted by right in the HMC-1 District) to permit a wine shop with on-premises tasting and the sale of alcoholic beverages for off-premises consumption, in an HMLI Historic Marigny/Treme Light Industrial District, on Square 10, Lot K-6, in in the Third Municipal District, bounded by Chartres, Decatur, Mandeville and Marigny Streets. The municipal address is 511 MARIGNY STREET. (PD 7) (SK)

12. **ZONING DOCKET 126/14** – Request by BCH NOLA MAGAZINE COMMONS, LLC for a Conditional Use to permit the sale of alcoholic beverages for on-premises consumption in a standard restaurant in a B-2 Neighborhood Business District and the rescission of Ordinance No. 23,755 MCS (Zoning Docket 075/09, which granted a Conditional Use to permit the sale of alcoholic beverages for consumption off-premises at a retail store occupying less than 5,000 square feet of floor area), on Square 28 or 28HV, Lot B-1, in the Sixth Municipal District, bounded by Nashville Avenue, Magazine, Arabella and Camp Streets. The municipal address is 801 NASHVILLE AVENUE AND 5721-23 MAGAZINE STREET. (PD 3) (VM)

C. ZONING/PLANNING MATTERS:

1. **SUBDIVISION DOCKET 140/14** – Request by NORTH PETERS RIVERFRONT PLACE, LLC to resubdivide Lots 2 and 3 into Lot 2-A, Square 6, in the Second Municipal District, bounded by N. Peters, Iberville, Bienville and Clinton Streets. The municipal addresses are 207-209 N. PETERS STREET AND 202-205 CLINTON STREET. (PD 1B) (EA)

2. **SUBDIVISION DOCKET 142/14** – Request by COME INTO THE LIGHT MISSIONARY CHURCH to resubdivide Lots B, C and U into Lot B-1, Square 1282, in the Third Municipal District, bounded by Caffin Avenue, N. Dorgenois, Lamanche and N. Rocheblave Streets. The municipal addresses are 5617-19 NORTH ROCHEBLAVE STREET AND 2407-13 CAFFIN AVENUE. (PD 8) (VM)

3. **SUBDIVISION DOCKET 148/14** – Request by CARONDELET PARTNERS LLC to resubdivide Lots 1, 2, 3, 4, 5, 6, 7, 20 and A into Lot A1, Square 219, in the First Municipal District, bounded by Carondelet, Lafayette, St. Charles and Girod Streets. The municipal addresses are 600 THROUGH 628 CARONDELET STREET. (PD 1A) (NK)

4. **SUBDIVISION DOCKET 153/14** – Request by MARIE OLAGUES to resubdivide Lot Pt. A into Lots A1 and A2, Square 731, in the First Municipal District, bounded by Cleveland Avenue, S. Cortez, Canal and S. Telemachus Streets. The municipal addresses are 136-138 S. CORTEZ STREET AND 3727-29 CLEVELAND AVENUE. (PD 4) **(DT)**
5. **SUBDIVISION DOCKET 156/14** – Request by BEHIND THE LEVEE, LLC to resubdivide Lots D and E into Lots D1 and E1, Square 43-A, Lakeview, in the Second Municipal District, bounded by Robert E. Lee and Argonne Boulevards, Conrad and Marshal Foch Streets. The municipal addresses are 918 ROBERT E. LEE BOULEVARD AND 7106 ARGONNE BOULEVARD. (PD 5) **(BN)**
6. **DESIGN REVIEW 148/14** – Request by CAMPO ARCHITECTS FOR D-BARLO, LLC to appeal the **Central Business District Height and Floor Area Ratio Interim Zoning District, Motion M-14-430**, to permit additional height and floors in a CBD-7 Central Business District, Lots 5, 6 and Pt. 4, Square 180, in the First Municipal District, bounded by St. Charles Avenue, Girod, Church and Julia Streets. The municipal address is 744 ST. CHARLES AVENUE. (PD 1A) **(DG)**
7. **DESIGN REVIEW 149/14** – Request by COMMERCE LIVING, LLC to appeal the **Central Business District Height and Floor Area Ratio Interim Zoning District, Motion M-14-430**, to permit additional height and floors in a CBD-8 Central Business District, Lot 2A-1-A, Square 60, in the First Municipal District, bounded by Commerce, Girod, Tchoupitoulas and Lafayette Streets. The municipal address is 611 COMMERCE STREET. (PD-1A) **(KB)**
8. **DESIGN REVIEW 150/14** – Request by SOUTH MARKET DISTRICT B1, LLC to permit the demolition of one structure in a Central Business District, as required by Section 26-2 of the Code of the City of New Orleans, in a CBD-5 Central Business District, Square 274, Lot 3 or 4 or 22, in the First Municipal District, bounded by O’Keefe Avenue, South Rampart, Girod and Julia Streets. The municipal address is 730 SOUTH RAMPART STREET. (PD 1A) **(SK)**
9. **PROPERTY DISPOSITION 005/14** - Consideration of the sale of one certain portion of ground situated in the Second Municipal District, City of New Orleans, Orleans Parish, Louisiana, being the N. Rendon Street right-of-way between Square 449 and Square 426, shown on a survey by Dufrene Surveying and Engineering, Inc., dated December 4, 2002 and more fully described as follows: BEGINNING at the point and corner of the southerly corner of Square 449, being the intersection of N. Rendon Street and Conti Street and measure along the southeasterly boundary of Square 449 in a northeasterly direction a distance of

65.71 feet to a point and corner on the southwesterly boundary of the New Orleans Sewerage and Water Board servitude; THENCE measure in a southeasterly direction along said SWB servitude a distance of 53 feet to a point and corner on the northwesterly boundary of Square 426; THENCE measure in a southwesterly direction along the northwesterly boundary of Square 426 a distance of 70.16 feet to a point and corner on the northeasterly side of Conti Street right-of-way; THENCE measure in a northwesterly direction along the northeasterly side of Conti Street right-of-way a distance of 53 feet to the point of beginning and corner, and containing approximately 3600 square feet. (PC)

10. CONSIDERATION - Ratification of Actions Relative to Certified Subdivisions. (AB)

OTHER PLANNING MATTERS:

- A. Adoption of minutes of the November 11, 2014 meeting.
- B. Committee Reports.
- C. Announcements.

Robert D. Rivers
Executive Director

RR/ab