

CPC MINUTES

**October 14, 2014
Meeting**

ZONING DOCKET 083/14 – Request by HUTTON GROWTH ONE, LLC for a Conditional Use to permit an automobile/vehicular parts sale/non-service facility in a C-1A General Commercial District and an ICUC Inner-City Urban Corridor District overlay, on Square 461, Lots 1 through 23, in the Seventh Municipal District, bounded by Colapissa, Pine, and Burdette Streets and Earhart Boulevard. The municipal address is 7601 COLAPISSA STREET. (PD 4)

Applicant: HUTTON GROWTH ONE, LLC

Request: This is a request for a Conditional Use to permit an automobile/vehicular parts sale/non-service facility in a C-1A General Commercial District and an ICUC Inner-City Urban Corridor District overlay.

Location: The location is on Square 461, Lots 1 through 23, in the Seventh Municipal District, bounded by Colapissa, Pine, and Burdette Streets and Earhart Boulevard. The municipal address is 7601 COLAPISSA STREET. (PD 4)

Description: The subject site is vacant and the applicant proposes to build an auto parts store on a 1.39 acre site, located on Earhart Boulevard, between Pine and Burdette Streets. The irregular-shaped parcel has 240' of frontage on Earhart Boulevard and 279' on Pine Street. The store will have a floor area of 7,225 square feet and will face the corner of Earhart Boulevard and Pine Street. Thirty-two (32') parking spaces are proposed with access from curb cuts on Earhart Boulevard and Pine Street.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

The Senior City Planner read a summary of the report. The applicant and their representative spoke in support of the request. There were no opponents.

Commissioner Hughes made a motion for approval of the request with an additional proviso prohibiting work in the parking lot. Commissioner Steeg offered a friendly amendment to revise Proviso #2 to indicate that the property will be divided into two parcels and to revise Proviso #6 remove the first sentence so that the proposed curb cut widths will be primarily at the discretion of the Department of Public Works. Commissioner Mitchell seconded the motion which was adopted as amended.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 083/14 IS HEREBY RECOMMENDED FOR **APPROVAL**, SUBJECT TO THIRTEEN (13) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

Provisos

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in **Article 16, Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.
2. The applicant shall subdivide the property into two lots of record prior to the issuance of a Certificate of Use and Occupancy.
3. The applicant shall submit revised plans which show a main entrance and signage oriented towards Earhart Boulevard, rather than facing a side street.
4. The applicant shall provide revised plans which include display windows on the Earhart Boulevard façade, an overhang or covering over the entrance to the store, and the use of multiple materials or textures to add visual interest to the façades subject to the review and approval of the City Planning Commission staff.
5. The applicant shall provide revised plans which show windows and/or openings to reduce the impact of blank walls on the Pine Street façade subject to the review and approval of the City Planning Commission staff.
6. All new curb cuts are subject to approval by the Department of Public Works.
7. The applicants shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect or landscaping contractor in charge of the installation of landscaping, indicating the following:
 - a) The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the site and the street rights-of-way adjacent to the site, with applicable remarks and details;
 - b) The landscaping of all residual areas on site not used for parking or vehicular access, including trees, shrubs, and groundcover along the Pine Street façade, all subject to the review and approval of the City Planning Commission staff.
 - c) The installation of street trees, planted at a maximum interval of thirty feet (30') on center, along the public rights-of-way on Pine, Burdette, and Colapissa Streets, subject to the review and approval of the staff of the Department of Parks and Parkways.
 - d) The installation of trees adjacent to the sidewalk, within ten feet (10') of the

public right-of-way on Earhart Boulevard, at an interval of thirty feet (30') on center subject to the review and approval of the City Planning Commission staff.

8. The site plans shall indicate removal of the chain link fencing around the site. Any proposed fencing shall be masonry or wood and have a maximum height of seven feet (7') or ten feet (10') if adjacent to a residential district.
9. The applicant shall provide revised site plans which indicate a wood or masonry dumpster enclosure that is at least six feet (6') tall.
10. The applicant shall provide to the City Planning Commission a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup, and the clearing of litter from the adjacent sidewalks and the street right-of-way, as necessary. The name and phone number of the owner/manager shall be included in this letter to be kept on file in case of any violation.
11. The applicant shall submit a lighting plan illustrating the location and height of any light standards and any other lighting fixtures within the site, subject to the approval of the staff of the City Planning Commission. Light standards shall be limited in height to twenty-five feet (25') and shall be directed away from nearby residential uses.
12. The applicant shall provide revised site plans which indicate thirty-seven (37) off-street parking spaces which comply with **Article 15, Section 15.2.5** of the Comprehensive Zoning Ordinance.
13. Customers shall be permitted to perform incidental repairs on vehicles in the parking lot for duration of no more than thirty (30) minutes, at which time the vehicle must be removed from the premises. Automobile repair which takes on the characteristics of work performed by an automobile repair shop shall be prohibited on the premises.

Yeas: Brown, Bryan, Hughes, Marshall, Mitchell, Mora, Steeg, Wedberg

Nays: None

Absent: Duplessis

REASONS FOR RECOMMENDATION

1. The proposed use is appropriate for a major commercial corridor.
2. The recommended conditions should mitigate the adverse impacts of the proposed use.
3. The additional condition addresses concerns noted by the residents.

ZONING DOCKET 088/14 – Request by NARENDRA S. TREWN for a Conditional Use to permit the sale of alcoholic beverages for on-premises consumption in a standard restaurant in a B-1 Neighborhood Business District, on Square 1553, Lot B-1, in the Third Municipal District, bounded by Esplanade Avenue, Grand Route St. John, Ponce de Leon and North Lopez Streets. The municipal address is 3101 ESPLANADE AVENUE. (PD 4)

Applicant: Narendra S. Trewn

Request: This is a request for a conditional use to permit the sale of alcoholic beverages for on-premises consumption in a standard restaurant in a B-1 Neighborhood Business District.

Location: The petitioned property is located on Square 1553, Lot B-1, in the Third Municipal District, bounded by Esplanade Avenue, Ponce de Leon, North Lopez and Grand Route St. John Streets. The municipal address is 3101 Esplanade Avenue. (PD 4)

Description: The site is located within an irregularly shaped polygon with frontage on Esplanade Ave. The parcel measures one hundred forty feet (140') in width by ninety-five feet (95') in depth along Esplanade Avenue, fifty-seven feet in width by one hundred fifty-nine feet in depth along the Ponce de Leon Street side and has an area of twelve thousand, five hundred nine square feet (12,509 sq. ft.)

The petitioned site is occupied by an existing single-story brick masonry structure which currently operates as a standard restaurant, which is permitted by right in this District. The applicant requests a conditional use in order to allow the sale of alcoholic beverages for on-premises consumption at the site.

The applicant's site plan indicates that there are fifteen (15) existing off-street parking spaces provided on the site – which appear to be accessed from Esplanade Avenue. The building currently has a floor area of one thousand eight hundred twenty-seven square feet (1,827 sq. ft.) and the applicant does not propose any additions to the floor area. The site is also located within the Esplanade Ridge Local and National Historic Districts. The applicant does not propose any alterations to the exterior of the site – therefore approval is not required by the Historic District Landmarks Commission (HDLC) for this request. HDLC's review of this request is mentioned later in this report.

CITY PLANNING COMMISSION MEETING (October 14, 2014)

Staff summarized the request, stating the staff's recommendation of approval. One proponent, who was the applicant and one opponent were present. Their names are reflected on the attached sign-in sheet.

The applicant raised concern about proviso #6 of the staff report, which states that "no music of any kind shall be projected to the exterior of the building." The applicant stated that he would like to play pre-recorded music that could be heard by patrons who would potentially be seated in his establishment's outdoor seating. Commissioner Steeg made a motion for a approval of the request, adjusting proviso #6 to permit music to be projected to within six feet of the front of the building. This motion was seconded by Commissioner Hughes and was adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 088/14 IS HEREBY RECOMMENDED FOR APPROVAL, SUBJECT TO THIRTEEN (13) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

Provisos

1. The applicant shall revise the site plan to indicate the location of trash receptacles that are screened by a six (6') foot opaque fence with latching gates.
2. The applicant shall provide to the City Planning Commission staff a letter outlining a litter abatement program, approved by the Department of Sanitation, inclusive of the location of trash storage out of the public right-of-way, the frequency of trash pickup, the clearing all litter from the adjacent rights-of-way, and the periodic cleaning of the adjacent street rights-of-way, as necessary. The name and phone number of the owner/operator of the restaurant shall be kept on file in case of any violation.
3. The applicant shall submit a revised site plan detailing additional proposed landscaping subject to the review and approval of CPC staff.
4. Any landscaping of the public right-of-way adjacent to the site shall secure the review and approval of the Department of Parks and Parkways.
5. The restaurant shall operate only between the hours of 8:00 a.m. and 10:00 p.m., Sunday through Thursday and 8:00 a.m. Midnight Friday and Saturday.
6. Live music shall be prohibited. Unamplified, pre-recorded music shall be allowed and projected no more than 6' from the front of the building.

7. Alcoholic beverage service for consumption on premises shall be only in combination with food service. Food and non-alcoholic beverages sales shall comprise at least fifty percent (50%) of the revenue for the restaurant and a full food menu shall be available at all times during which the restaurant operates.
8. Signage for the advertisement of alcoholic beverages and shall not be visible from the public rights-of-way.
9. The applicant shall submit a lighting plan to allow for exterior lighting on site. These lights shall be directed towards the interior of the site, away from neighboring properties.
10. Any signage shall require the applicant to submit a signage plan that is compliant with **Article 5, Section 5.4.6 Permitted Signs** of the Comprehensive Zoning Ordinance. Additionally, temporary signs, banners and promotional material for alcoholic beverages, including window signs shall be prohibited.
11. Any signage shall be subject to the review and approval of the Historic District Landmarks Commission (HDLC).
12. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in Article 16, Section 16.9.11 of the Comprehensive Zoning Ordinance will void the conditional use approval.
13. The applicant shall indicate individual parking designations or striping for each parking space.

YEAS: Brown, Bryan, Hughes, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis

REASONS FOR RECOMMENDATION

1. The proposed use is compatible with the mix of commercial uses in the B-1 Neighborhood Business District in which it is located.
2. Those negative impacts that are sometimes associated with the sale of alcoholic beverages for on-premises consumption can be sufficiently mitigated through the compliance with the recommended operational standards.

ZONING DOCKET 090/14 – Request by ORLEANS PARISH SCHOOL BOARD for a Conditional Use to permit an elementary school in an MS Medical Service District, on Square E, Pt. Lot E1 or Lot A-1 or Parcels A-2 and A-3, in the Fifth Municipal District, bounded by Seine Street and Memorial Park, Texas, and Bender Drives. The municipal address is 3501 SEINE STREET. (PD 12)

Applicant: Orleans Parish School Board

Request: This is a request for a conditional use to permit an elementary school in an MS Medical Service District.

Location: The petitioned property is located on Square E, Pt. Lot E1 or Lot A-1 or Parcels A-2 and A-3, in the Fifth Municipal District, bounded by Seine Street and Memorial Park, Texas, and Bender Drives. The municipal address is 3501 Seine Street. (PD 12)

Description: The petitioned site is a nearly rectangular parcel occupying most of the square bounded by Seine Street, Texas Drive, Bender Drive, and Memorial Park Drive in Algiers. It measures 527.18 feet in width along Seine Street, 719.91 feet in width along Texas Drive, 690.52 feet in width along Bender Drive, and 550 feet in width along its Memorial Park Drive-side property line. The site area is 577,525 square feet (13.26 acres). The site has never been developed and is covered with trees and groundcover.

The Orleans Parish School Board proposes to develop the site with a new elementary school, Paul B. Habans Elementary School. The approximately 107,950 square foot school is intended to accommodate approximately 788 students in pre-kindergarten through the eighth grade. The three-story structure will contain a total of 41 classrooms, including 24 classrooms for the first through eighth grades, an additional 6 classrooms for pre-k and kindergarten students, flexible classrooms, science classrooms, a science lab, art and music classrooms, and special education classrooms. It will also have a gymnasium, office areas, and other specialized spaces. The school will have two surface parking lots, one located along Texas Drive, which will provide 11 off-street parking spaces and a passenger vehicle drop-off area, and another located along Seine Street, which will have 71 off-street parking spaces and a bus drop-off/queuing area. The remainder of the site's exterior is to be occupied by an outdoor classroom, play areas, and passive open space.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

The speakers at the public hearing are listed on the attached public hearing speaker sheet.

The Principal City Planner summarized the request, stating the staff's recommendation.

Commissioner Wedberg made a motion for approval as recommended by staff, except for the modification of proviso #2. That proviso is to be amended to include language suggested by the staff at the meeting which would require the building's design to reflect the design changes required by the Design Advisory Committee. The motion was seconded by Commissioner Marshall and adopted.

Motion

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 090/14 IS HEREBY RECOMMENDED FOR APPROVAL, SUBJECT TO ONE (1) WAIVER AND EIGHT (8) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

Waiver

1. The applicant shall be granted a waiver of **Article 15, Section 15.2.3** *Parking in Front Yards* of the Comprehensive Zoning Ordinance, which prohibits off-street parking from being located between a street line and the nearest point of the front façade of a building, to allow the parking lots proposed along Seine Street and Texas Drive, as shown in the submitted site plan.

Provisos

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in **Article 16, Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.
2. Subject to the review and approval of the City Planning Commission staff, the building's elevations shall be revised to reflect the changes to the building's design required by the Design Advisory Committee.
3. The applicant shall secure the approval of the Department of Public Works for all sidewalks, curbs, curb cuts, and any other modifications to the surrounding public rights-of-way. Additionally, the applicant shall secure the approval of the Department of Public Works for a drainage plan for the site.
4. The developer shall submit an updated landscape plan prepared by a licensed Louisiana landscape architect, subject to final approval by City Planning Commission staff and by the Department of Parks and Parkways indicating the following:
 - a. A tree protection plan detailing the location of existing trees, denoting which

trees are to be retained and which are to be removed, and procedures for the protection during the construction period of any existing trees that are to be retained.

- b. The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.
 - c. Trees shall be planted along the rights-of-way adjacent to the site at a rate of one (1) tree per thirty (30) feet of street frontage.
 - d. All parking areas facing the rights-of-way shall have a continuous line of shrubs at a minimum of two (2) feet in height when planted.
 - e. All play areas abutting the rights-of-way shall have a minimum of two (2) feet high shrubs when planted around the perimeter of the site.
 - f. All play areas shall contain large shade trees, typical of those that are found in the neighborhood.
5. All refuse areas shall be screened with a minimum of a six (6) foot high opaque fence when visible from the right-of-way. In no case shall trash be stored so that it is visible from the public right-of-way.
 6. The applicant shall provide a litter abatement program inclusive of the location of trash storage, the frequency of trash pickup, and the clearing of all litter from the sidewalks, parking areas, and street rights-of-way, including periodic cleaning of the site and rights-of-way, where necessary. The program description, including the name and phone number of the principal of the school or his/her grounds maintenance designee, shall be kept on file in case of any violation.
 7. The applicant shall install a six (6) foot high opaque wood or masonry fence along the Memorial Park Drive-side lot line.
 8. All signage shall comply with **Article 5, Section 5.1.6 Permitted Signs** of the Comprehensive Zoning Ordinance.

YEAS: Brown, Bryan, Hughes, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis

REASON FOR RECOMMENDATION

1. The use of the site as a school will have no inappropriate impacts on the mix of commercial and residential properties that surround the site.
2. The proposal is consistent with the *Plan for the 21st Century's* designation of the site for multiple-family residential use.

ZONING DOCKET 091/14 - Request by ORLEANS PARISH SCHOOL BOARD for a Conditional Use to permit an elementary school in an RS-2 Single-Family Residential District, on an undesignated lot on Square 20, in the Third Municipal District, bounded by Virgilian Street, Dwyer Road, East Hermes Street, and Pines Boulevard. The municipal address is 6519 VIRGILIAN STREET. (PD 9)

Applicant: Orleans Parish School Board

Request: This is a request for a conditional use to permit an elementary school in an RS-2 Single-Family Residential District.

Location: The location is on an undesignated lot on Square 20, in the Third Municipal District, bounded by Virgilian Street, Dwyer Road, East Hermes Street, and Pines Boulevard. The municipal address is 6519 VIRGILIAN STREET. (PD 9)

Description: The applicant proposes to construct an elementary school on a vacant lot near Dwyer Road in New Orleans East. The 4.19 acre site is located next to Digby Playground on Virgilian Street. The previous school structures were demolished in 2008¹. The three-story school will have a floor area of 138,406 square feet and will include pre-K through 8th grade. The site will be accessed using two curbs on Virgilian Street and two curb cuts on E. Hermes Street. Fifty-six (56) parking spaces are proposed which include handicap-accessible spaces.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)²

The Senior City Planner read a summary of the report. The applicant's representative spoke in support of the request. There were no opponents.

Commissioner Wedberg made a motion for approval of the request as recommended. He noted that he liked the synergy of having a school next to a NORDC facility. The motion was seconded by Commissioner Marshall and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 091/14 IS HEREBY RECOMMENDED FOR **APPROVAL, SUBJECT TO THREE (3) WAIVERS AND ELEVEN (11) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.**

¹ 08COM-00044 demolition permit

² The names and contact information for those who spoke during the public hearing are included on the public hearing speaker sign-in sheet for ZD 91/14.

Waivers

1. The applicant shall be granted a waiver of **Article 11, Section 11.37.2(b)**, allowing the proposed school to be located on a site that is bounded by two, two-lane streets with traffic in each direction.
2. The applicant shall be granted a waiver of **Article 15, Section 15.2.1 Table 15A** of the Comprehensive Zoning Ordinance which requires the provision of seventy (70) off-street parking spaces to permit fifty-six (56) off-street parking spaces on the site.
3. The applicant shall be granted a waiver of **Article 15, Section 15.3.1 Table 15.G** of the Comprehensive Zoning Ordinance, which requires the provision of three (3) off-street loading spaces to permit one (1) off-street loading space on the site.

Provisos

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in **Article 16, Section 16.9.11** of the Comprehensive Zoning Ordinance will void the conditional use approval.
2. The applicant shall provide revised plans which indicate a raised height of the curvilinear element of the gymnasium roof, as recommended by the Design Advisory Committee, subject to the review and approval of City Planning Commission staff.
3. The applicant shall secure approval from the Department of Public Works for all proposed curb cuts.
4. The developer shall submit an updated landscape plan prepared by a licensed Louisiana landscape architect, subject to final approval by City Planning Commission staff and by the Department of Parks and Parkways indicating the following:
 - a. A tree protection plan detailing the location of existing trees and procedures for their protection during the construction period.
 - b. The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.
 - c. Trees shall be planted along the rights-of-way adjacent to the site at a rate of one (1) tree per thirty (30) feet of street frontage.
 - d. All parking areas facing the rights-of-way shall have a continuous line of shrubs at a minimum of two (2) feet in height when planted.

- e. All play areas abutting the rights-of-way shall have a minimum of two (2) feet high shrubs when planted around the perimeter of the site.
 - f. All play areas shall contain large shade trees, typical of those that are found in the neighborhood.
5. The applicant shall provide revised site plans which indicate a wood or masonry dumpster enclosure that is at least six feet (6') tall.
 6. The applicant shall provide to the City Planning Commission a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup, and the clearing of litter from the adjacent sidewalks and the street right-of-way, as necessary. The name and phone number of the owner/manager shall be included in this letter to be kept on file in case of any violation.
 7. The applicant shall submit a lighting plan illustrating the location and height of any light standards and any other lighting fixtures within the site, subject to the approval of the staff of the City Planning Commission staff. Light standards shall be dark skies compliant and limited in height to twenty-five feet (25') and shall be directed away from nearby residential uses.
 8. The applicant shall submit revised elevation drawings and signage plans which meet the requirements of **Article 4, Section 4.3.6 Permitted Signs** and **Article 12 General Sign Regulations** of the Comprehensive Zoning Ordinance.
 9. The applicant shall provide revised site plans which indicate the number of bicycle parking spaces that are provided.
 10. The applicant shall submit a drainage plan for the site, subject to the review and approval of the Department of Public Works.
 11. The applicant shall provide personnel to be present during the morning drop-off and afternoon pick up time periods as well as during any special events in the evening.

Yeas: Brown, Bryan, Hughes, Marshall, Mora, Steeg, Wedberg

Nays: None

Recused: Mitchell

Absent: Duplessis

REASONS FOR RECOMMENDATION

1. The proposed use is appropriate for a site in a residential area next to a playground.
2. The recommended conditions should mitigate the adverse impacts of the proposed use on the surrounding neighborhood.
3. The request is consistent with the *Plan for the 21st Century: New Orleans 2030 Plan*.

ZONING DOCKET 092/14 – Request by DOWNMAN PLAZA INVESTMENTS, LLC for a Conditional Use to permit the sale of alcoholic beverages for on-premises consumption in a proposed reception hall within 200 feet of a residential zoning district in a B-1 Neighborhood Business District and the Eastern New Orleans UC Urban Corridor District and an appeal of the City Council District D Reception Hall and Reception Facilities Interim Zoning District, on Square 16, Jackson Place, Lots 1 through 4, in the Third Municipal District, bounded by Downman Road, Odin, Mendez and Deanne Streets. The municipal addresses are 4701-07 DOWNMAN ROAD. (PD 9)

Applicant: Downman Plaza Investments, LLC

Request: This is a request for a conditional use to permit the sale of alcoholic beverages for on-premises consumption in a proposed reception hall within 200 feet of a residential zoning district in a B-1 Neighborhood Business District and the Eastern New Orleans UC Urban Corridor District and an appeal of the City Council District D Reception Hall and Reception Facilities Interim Zoning District.

Location: The petitioned property is located on Square 16, Jackson Place, Lots 1 through 4, in the Third Municipal District, bounded by Downman Road, Odin Street, Mendez Street, and Deanne Street. The municipal address is 4701-07 Downman Road. (PD9)

Description: The subject site is an existing structure situated on four (4) adjoining lots forming a rectangular corner site, which is approximately eighty (80) feet wide, one hundred seven (107) feet deep with an area of approximately eight thousand five hundred sixty square feet (8,560 sq. ft.). The site has frontages on both Downman Road and Odin Street. The proposed reception hall portion of the building will occupy the entire three thousand eight hundred (3,800 sq. ft) square foot second floor of the building. The first floor of the building contains three tenant spaces, which operate as retail space. As indicated in the submitted plans, the reception hall space contains a reception area for two hundred three (203) people, a bar, caterer's prep area, kitchenette, two dressing rooms, a security office and two additional offices serving the reception hall.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

The City Planner summarized the request, stating the staff's recommendation of denial.

Proponents

The applicant and his wife spoke in favor of the request stating they wanted to host small events, such as baby showers, repasts, weddings, etc, and want to be able to serve alcohol at these events.

The business owner next door to the property also spoke in support of the request.

Opponents

Four people spoke in opposition to the request stating Downman Road is saturated with alcoholic beverage outlets.

Discussion

Commissioner Wedberg questioned the City attorney and City Planning Commission staff about whether or not attendees of the facility could bring their own alcohol to the site. The City attorney clarified that there ARE actually three things to consider with this application, including the request to sell alcohol for on-premises consumption, an appeal of the Eastern New Orleans UC Urban Corridor and the District D Reception Hall Interim Zoning District. The City attorney and staff concluded that if the reception hall was permitted, alcoholic beverages could be obtained through a caterer.

Commissioner Hughes made a motion for denial as recommend by staff, which was seconded by Commissioner Bryan and adopted.

Motion

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 092/14 IS HEREBY RECOMMENDED FOR DENIAL. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

REASONS FOR RECOMMENDATION

1. The sale of alcoholic beverages for on-premises consumption at a reception facility is not appropriate for this property, which is located in close proximity to a residential district.
2. The City Council has implemented an Interim Zoning District prohibiting the establishment of new reception facilities in Council District D.

ZONING DOCKET 093/14 – Request by SADIE COOK for a Zoning Change from an RM-4 Multiple-Family Residential District to a B-1A Neighborhood Business District, on Square 347, Lot 1, in the Fourth Municipal District, bounded by Jackson Avenue and LaSalle, Freret and Josephine Streets. The municipal address is 2301 JACKSON AVENUE. (PD 2)

Applicant: Sadie Cook

Request: This is a request for a zoning change from an RM-4 Multiple-Family Residential District to a B-1A Neighborhood Business District.

Location: The property is located on square 347, Lot 1, in the Fourth Municipal District, bounded by La Salle, Freret and Josephine Streets and Jackson Avenue. The municipal address is 2301 Jackson Avenue. (PD 2)

Description: The site contains an existing, two-story mixed-use building that is built to the corner. The first floor contains a vacant beauty salon (see Figure 1) and the second floor contains two vacant residential apartments. The site has frontage on Jackson Avenue. The lot has a width of thirty feet (30’), a depth of one hundred twenty-nine feet (129’) and an area of three thousand eight hundred seventy square feet (3,870 sq. ft.). According to Orleans Parish Assessor data, the first floor of the site has a floor area of one thousand twenty-six square feet (1,026 sq. ft.) and the second floor has a floor area of six hundred twenty-four square feet (624 sq. ft.) The sidewalk adjacent to the site is in fair condition, no off-street parking is provided and no trees currently exist in the public right-of-way.

The applicant proposes to renovate the structure to its previous mixed used as a beauty salon and two-family residence. The site sustained damages during a fire which caused it to be inoperable for six months and to lose its non-conforming status. Sanborn maps, Orleans Parish Assessor Data, the applicant’s photos of the site and staff’s site visit indicate that the site has a history of commercial use. Zoning and Sanborn map data indicate that the petitioned site has a history of commercial use dating back to 1929. However, staff is unable to determine when the first floor commercial addition was added to the site. The applicant is not proposing any additions to the floor area or exterior of the site.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

Staff summarized the request, stating the staff’s recommendation of approval. There were four proponents, including the applicant, who were in attendance. Their names are reflected in the attached sign-in sheet.

Commissioner Wedberg made a motion to approve the request. The motion was seconded by Commissioner Marshall and was adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 093/14 IS HEREBY RECOMMENDED FOR APPROVAL. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE COUNCIL OF SAID ACTION.

YEAS: Brown, Bryan, Hughes, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis

REASON FOR RECOMMENDATION

1. The request is consistent with all four of the general criteria for an approval under the Historic Non-Conforming Use Policy.
2. The request is consistent with two of the specific criteria for an approval under the Historic Non-Conforming Use Policy.
3. The request is consistent with the *Plan for the 21st Century*.
4. The site currently exists, serves a neighborhood need and has a history of non-residential use.

ZONING DOCKET 094/14 – Request by LOWER NINTH WARD CENTER FOR SUSTAINABLE ENGAGEMENT & DEVELOPMENT for a Zoning Change from an RD-3 Two-Family Residential District to a B-1 Neighborhood Business District, on Square 1452, Lots 11, 18B, 26, and 27, in the Third Municipal District, bounded by Caffin Avenue, Florida Avenue, Lamanche Street, and Law Street. The municipal addresses are 2639 CAFFIN AVENUE, 5620 FLORIDA AVENUE, AND 2636-40 LAMANCHE STREET. (PD 8)

Applicant: Lower 9th Ward Center for Sustainable Engagement and Development

Request: This is a request for a zoning change from an RD-3 Two-Family Residential District to a B-1 Neighborhood Business District.

Location: The property is located on Square 1452, Lots 11, 18B, 26, and 27, in the Third Municipal District, bounded by Caffin Avenue, Florida Avenue, Lamanche Street, and Law Street. The municipal addresses are 2639 Caffin Ave., 5620 Florida Ave. and 2636-40 Lamanche Street. (PD 8)

Description: The subject site is located within four (4) lots immediately bounded by Caffin Ave., Florida Ave. and Lamanche Street. Lots 11, 26 and 27 each independently measures thirty one feet (31’) in width and one hundred twenty five feet (125’) in depth for a total area of three thousand eight

hundred seventy five square feet (3,875 sq. ft.) per lot. Lot 18B measures thirty one feet (31') in width and one hundred seventy feet (170') in depth for a total area of five thousand two hundred eighty three square feet (5,283 sq. ft.). When combined, the petitioned site has a total area of sixteen thousand nine hundred eight square feet (16,908 sq. ft.).

The applicant proposes to establish a visitor and learning center along with office space on lot 27 with future plans for building a Lower 9 Environmental Learning and Research Center within the remainder of the site to include but not limited to office spaces, gallery, café, conference room, auditorium, laboratory/research areas and wetland and community garden projects. The proposed one-story structure or "Waterlab" on lot 27 will measure fourteen feet (14') in width and forty feet (40') in depth for a total floor area of five hundred and sixty square feet (560 sq. ft.). The Waterlab will consist of an entryway, kitchen, classroom, restroom and a storage area. The proposed structure will also be developed with a contemporary roof design to capture and store rainwater as well as covering portions of an outdoor deck.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)³

There were one (1) proponent and one (1) opponent for the request.

The Senior City Planner summarized the request.

The applicant gave a summary of the project followed a brief discussion with Commissioner Wedberg. The opponent cited concerns with the zoning change. Commissioner Marshall made a motion for approval of the request. The motion was seconded by Commissioner Mora and adopted.

Motion

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 094/14 IS HEREBY RECOMMENDED FOR **APPROVAL**. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes

³ The names and contact information for those who spoke during the public hearing are included on the public hearing speaker sign-in sheet for ZD 094/14. An archived video of the public hearing, including ZD 094/14, is available through the CPC website located at: <http://www.nola.gov/city-planning/>

REASONS FOR RECOMMENDATION

1. The request is consistent with the Master Plan Future Land Use Designation of Mixed-Use Low Density.
2. The request is consistent with the draft zoning designation of S-B2 Pedestrian-Oriented Corridor Business District.
3. The request is not spot zone.

ZONING DOCKET 095/14 - Request by JANE PLACE, LLC for a Zoning Change from an RD-3 Two-Family Residential District to an RM-2 Multiple-Family Residential District, on Square 606, Lot 1 or 11 or B or 26, in the First Municipal District, bounded by Palmyra Street, Jane Place, Cleveland Avenue, and South White Streets. The municipal address is 2739 PALMYRA STREET. (PD 4)

Applicant: Jane Place, LLC

Request: This is a request for a zoning change from an RD-3 Two-Family Residential District to an RM-2 Multiple-Family Residential District.

Location: The petitioned property is located on Square 606, Lot 1 or 11 or 26, in the First Municipal District, bounded by Palmyra Street, Jane Place, Cleveland Avenue, and South White Streets. The municipal address is 2739 Palmyra Street. (PD 4)

Description: The property that is the subject of this application is a rectangular lot located at the intersection of Palmyra Street and Jane Place and which faces Palmyra Street. It measures 25 feet, 4 inches in width along Palmyra Street, 100 feet in depth, and 2,533 square feet in area. It is developed with a raised two-story masonry Spanish Colonial-style structure which dates from about 1915. The structure occupies nearly the entire lot, as it set back 3 inches from the Palmyra Street property line, set back approximately 2 feet, 5 inches from the interior side property line, set back 5 feet, 10 inches from the rear property line, and encroaches 10 inches over the Jane Place property line and onto the Jane Place right-of-way. No off-street parking spaces are provided. (The structure has what appear to be two enclosed parking spaces on its ground-level facing Jane Place. Those are actually storage bays which do not meet the minimum requirements for parking spaces and cannot be used as such.)

The structure was originally used for commercial purposes as the Nolde Furniture Store but was converted into a multiple-family residence in the 1920s. The structure currently contains four residential units. From 1929 until 1970, the site was zoned for multiple-family residential use, so the use of the site as a multiple-family residence was permitted by right. Since 1970, the site has been within an RD-3 Two-Family Residential District, which allows only single- and two-family residential use. Until Hurricane Katrina, the site operated as a legally non-

conforming four-unit residence. The structure has been vacant since Hurricane Katrina and, due to this extended period of vacancy, has lost its legally non-conforming status and can only be used as a single-family or two-family residence. The applicant requests that the site be rezoned to an RM-2 Multiple-Family Residential District to allow it to be used as a multiple-family residence in the future.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

The speakers at the public hearing are listed on the attached public hearing speaker sheet.

The Principal City Planner summarized the request, stating the staff's recommendation of denial. The motion was seconded by Commissioner Marshall.

Commissioner Wedberg made a motion to approve the request, saying that he believed the rezoning to be advisable due to the structure's approximately 80 year history of multiple-family residential use, the need to return the structure to use, and a need for affordable housing units in the city.

Commission Brown noted that she would not support the rezoning due to its inconsistency with the Master Plan and the fact that the draft Comprehensive Zoning Ordinance may provide a mechanism for this property to be restored as a multiple-family residence, possibly through the conditional use process.

Commissioner Mitchell said that he would not support the rezoning for two reasons. First, the applicant purchased the property after its legal non-conforming status lapsed. Second, he does not want to treat the applicant, a non-profit organization, differently than he would a for-profit private developer. He doubted that he would support the proposal had it been made by a for-profit developer.

Commissioner Marshall noted that he supported the proposal due to the need for affordable housing in the area.

Motion

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 095/14 IS HEREBY RECOMMENDED FOR APPROVAL, BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

The motion resulted in a **NO LEGAL MAJORITY** vote.

YEAS: Bryan, Marshall, Mora, Wedberg

NAYS: Brown, Mitchell

RECUSED: Steeg

ABSENT: Duplessis, Hughes

REASON FOR RECOMMENDATION

1. Some Commissioners supported the rezoning due to a desire to return the structure to multiple-family use consistent with its extended history of such use, as well as a desire for increased affordable housing units in the area.
2. Some Commissioners opposed the rezoning due to its inconsistency with the Master Plan.

SUBDIVISION DOCKET 034/13 – Request by JOAN MITCHELL CENTER ON BAYOU ROAD, LLC – to resubdivide Lots F and D, Square 1191 and Lots 4, 5, 9, 10, A, B and an undesignated portion of ground, Square 1192 into Lot B2, Square 1192, in the Third Municipal District, bounded by Bayou Road, N. Rocheblave, Kerlerec, Columbus and N. Tonti Streets. The municipal addresses are 1430, 1440, 1448, 1462 AND 1466-68 NORTH ROCHEBLAVE STREET. (PD 4)

Proposal: Resubdivision of Lots F and D on Square 1191 and Lots 4, 5, 9, 10, A, B, and an undesignated portion of ground on Square 1192 and into proposed Lot B2 on Square 1192.

Location: Squares 1191 and 1192, Third Municipal District, bounded by Bayou Road and North Rocheblave, Kerlerec, Columbus, and North Tonti Streets. The municipal addresses are 1430, 1440, 1448, 1462, and 1466-1468 North Rocheblave Street. (PD 4)

Zoning: RD-3 Two-Family Residential District

Description: The multiple lots forming the site are the site of the Joan Mitchell Foundation’s Joan Mitchell Center on Bayou Road. The Joan Mitchell Center on Bayou Road is an artist community which is to provide living and studio space for its artists-in-residence. The lots comprising the site were historically used for residential purposes but have been acquired in recent years by the foundation as part of its efforts to develop its artist community. The artists’ community is now under construction and the foundation requests the consolidation of the lots into a single lot which would encompass the artist community’s entire campus.

Description of proposed lot

The site is currently formed by six lots which front on North Rocheblave Street, Lots 4, 5, 9, 10, A, and F; one lot, Lot D, that fronts on a dead-ending portion of the Kerlerec Street right-of-way that extends into the square; as well as two “landlocked” lots, one called Lot B and the other which is undesignated, which

are located in the center of the square and which do not front on any rights-of-way. The applicant proposes to consolidate these lots into a new lot, Lot B2, which would be essentially m-shaped, having frontage on North Rocheblave Street in three locations and extending from North Rocheblave Street into the square.

Proposed Lot B-2 would have 39 feet, 7 inches on North Rocheblave Street between Bayou Road and the unimproved portion of Kerlerec Street which extends into the square. From that point, it would extend to the rear of that portion of Kerlerec Street before extending back to North Rocheblave Street and having 88 feet, 10 inches of frontage on North Rocheblave Street. From that point, it would extend to the rear of two parcels fronting on North Rocheblave Street. It would then again extend back to North Rocheblave Street, having 63 feet, 2 inches of frontage on North Rocheblave Street. The proposed lot's depth would vary greatly, increasing from 71 feet, 6 inches at its shallowest point to about 240 feet at its deepest point. The proposed lot would have an area of 44,720.60 square feet (1.03 acres)

Land use

The site is in the process of being developed with the artist community⁴, which is a permitted use in the RD-3 Two-Family Residential District⁵. As part of this, a structure is being constructed on the existing Lot B, which would form the central portion of the proposed lot. This 8,000 square foot, single-story structure is to provide studio space for the community's artists-in-residence⁶. The existing structure at 1440 North Rocheblave Street (which is on existing Lots A and 10) is to provide four residential units for the artists, while the existing structure at 1448 North Rocheblave Street (which is on existing Lot 9) is to provide an additional four residential units. A third existing building, 1430 North Rocheblave Street (which is on existing Lots D and F and which also encroaches over the adjacent unimproved portion of the Kerlerec Street right-of-way) is to be used as office, storage, and staff living space. A fourth existing building, 1462 North Rocheblave Street (which is on existing Lot 5) is to be used for utility and storage purposes.

Required: In the RD-3 District, lots used for non-residential purposes, which would include lots developed with artist communities, are required to measure at least 100 feet in width, 100 feet in depth, and 20,000 square feet in area, in **Article 4, Section**

4 An artist community is defined by **Article 2, Section 2.2.11A** of the Comprehensive Zoning Ordinance as "land and buildings used as a meeting place, retreat and/or exhibition center for the exchange of ideas between artists, members of the professional art community and the general public which may provide indoor and outdoor exhibition space, work space, meeting space, lecture halls, performance space and sculpture parks, as well as living and dining facilities for the staff, artists and participants in the center's retreat programs.

5 The use is permitted by right in the RD-3 District, provided that it meets all normal development standards of the zoning district, as well as the supplementary use standards in **Article 11, Section 11.62** of the Comprehensive Zoning Ordinance.

6 This structure is being constructed under building permit 14-03595-NEWC.

4.6.7 and **Table 4.F** of the Comprehensive Zoning Ordinance. The proposed Lot B2 exceeds these requirements.

It should also be noted that **Article 11, Section 11.62** of the Comprehensive Zoning Ordinance requires artist communities in the RD-3 District to be located on sites that are at least one acre in area. Such sites may be composed of multiple lots on a contiguous site. This site is just over one acre in size, so this requirement is met regardless of whether or not the existing lots forming the site are consolidated into a single lot.

Although the proposed lot meets these requirements, it would nonetheless be atypical of the area due to its unusual m-shape. For this reason, it is advisable that the Commission consider the proposal.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

The Principal City Planner summarized the information in the foregoing report. Commissioner Wedberg made a motion for **approval** as recommended by staff, which was seconded by Commissioner Mora and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 034/13 IS HEREBY GRANTED TENTATIVE APPROVAL, WITH FINAL APPROVAL SUBJECT TO FOUR (4) PROVISOS.

Provisos

1. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, the Department of Property Management, Division of Real Estate and Records, and the Department of Safety and Permits.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final resubdivision survey in dwg., dxf, or ESRI compatible file format.
4. The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments (including but not limited to building encroachments on the Kerlerec Street right-of-way) in accordance with the requirements of the Department of Property Management, Office of Real Estate and Records.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes, Steeg

REASONS FOR APPROVAL

1. The proposed lot meets all applicable requirements of the Comprehensive Zoning Ordinance and Subdivision Regulations and is eligible for approval under Policy B of the Subdivision Regulations.
2. The proposal should be considered by the City Planning Commission because the proposed lot would be highly unusual in shape for the area. The staff believes this unusual shape to be acceptable in this case, as the site's large site and its use as an artist community causes it to be different from the surrounding properties, which are mostly residential. Since the property differs from its surroundings in those respects, it is appropriate for it to have a shape that is also different.

SUBDIVISION DOCKET 099/14 – Request by DANIEL NITSCHKE AND EDWARD NICKOLAUS, JR. to resubdivide Lot A into Lots A1, A2 and A3, Square 533, in the Second Municipal District, bounded by Bienville, N. Scott, Iberville and N. Pierce Streets. The municipal addresses are 215 N. SCOTT STREET AND 3903 IBERVILLE STREET. (PD 4)

Proposal: Subdivision of Lot A into Lots A1, A2, and A3.

Location: Square 533, in the Second Municipal District, bounded by Bienville, N. Scott, Iberville, and N. Pierce Streets. The municipal addresses are 215 N. Scott and 3903 Iberville Street. (PD 4)

Zoning: RM-2 Multiple-Family Residential District

Current

Land Use: Vacant land. Single-family residence.

Proposed

Use: The applicants propose to retain the single-family residence and place it on its own lot of record. The remainder of the site would be developed with a two-story, party-wall double.

Required: The applicant proposes to subdivide one lot into three lots. An existing single-family residence will remain on its own lot. The proposal will result in a reversal of lot frontage for proposed Lot A1. Proposed lot A1 will be substandard in lot depth and lot area for the RM-2 Multiple-Family Residential District. The request will be considered under Policy B.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)⁷

The applicants spoke in support of the request.

The Senior City Planner read a summary of the report. Commissioner Marshall made a motion for **tentative approval** as recommended by the staff, which was seconded by Commissioner Wedberg and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 099/14 IS HEREBY GRANTED TENTATIVE APPROVAL, WITH FINAL APPROVAL SUBJECT TO ONE (1) WAIVER AND SIX (6) PROVISOS.

Waivers

1. The applicant shall be granted a waiver of **Article 5, Section 5.1.8 Reversal of Lot Frontage** of the *Subdivision Regulations*, to permit a reversal of lot frontage for proposed Lot A1 which will face North Scott Street.

Provisos

1. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, the Department of Property Management, Division of Real Estate and Records, the Department of Safety and Permits, and Historic District Landmarks Commission.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final resubdivision survey in dwg, dxf, or ESRI compatible file format.
4. The applicant shall secure approval from the Board of Zoning Adjustments for any necessary waivers, including lot depth and lot area for proposed Lot A1.
5. The applicant shall develop proposed Lots A2 and A3 with a two-family dwelling with common wall, consistent with the standards in **Article 11, Section 11.33.5** and **Article 4, Section 4.9** of the Comprehensive Zoning Ordinance.

⁷ The names and contact information for those who spoke during the public hearing are included on the public hearing speaker sign-in sheet for SD 99/14.

6. The applicant shall submit site plans, floor plans, and elevations for the proposed two-family dwelling with common wall, subject to the review and approval of the City Planning Commission staff.

Yeas: Brown, Bryan, Marshall, Mitchell, Mora, Wedberg

Nays: None

Absent: Duplessis, Hughes, Steeg,

REASONS FOR RECOMMENDATION

1. The proposal would reflect the previous development on the site.
2. The proposal will create a separate lot of record for the existing single-family residence.
3. The proposal is consistent with residential development in the adjacent block faces.

SUBDIVISION DOCKET 107/14 – Request by BRUNO & CROWLEY PROPERTIES LLC to resubdivide Lot C into Lots X and Y, Square 481, in the Third Municipal District, bounded by Louisa, Marais, Clouet and Urquhart Streets. The municipal address is 1200-02 LOUISA STREET. (PD 7)

Proposal: Re-Subdivision of Lot C, into Lots X and Y

Location: Square 481, third Municipal District, bounded by Clouet, Marais, Urquhart and Louisa Streets. The municipal addresses are 1200-02 Louisa Street. (PD 7)

Zoning: The petitioned site is located in a RD-3 Two-Family Residential District and is within the Bywater Local Historic District.

Current

Land Use: The petitioned site is currently a vacant and undeveloped lot. The site is clear and well-maintained. Sanborn map data indicate that the site historically contained a single-family residence and a store.

Required: This is a request to subdivide one lot into two separate lots of record in order to develop a single-family residence on each lot. 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. All doubtful cases must be referred to the Commission. The proposed subdivision involves the creation of two substandard lots which do not meet the minimum lot width or lot area requirements for single-family residences within this RD-3 Two-Family Residential District. Consistency

with the requirements of the Comprehensive Zoning Ordinance is required by the Subdivision Regulations for the approval of all subdivisions. The proposal would meet all of the other area requirements of the Subdivision Regulations and this RD-3 District.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)

Staff summarized the request, stating the staff's recommendation of approval. There were no proponents or opponents present.

Commissioner Marshall made a motion to approval the request. The motion was seconded by Commissioner Bryan and was adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 107/14 IS HEREBY GRANTED TENTATIVE APPROVAL, WITH FINAL APPROVAL SUBJECT TO FOUR (4) PROVISOS.

1. The applicant shall comply with any requirements deemed necessary by Entergy, the Department of Public Works, and the HDLC.
2. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.
3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final resubdivision survey in dwg., dxf, or ESRI compatible file format.
4. The applicant shall secure variances from the Board of Zoning Adjustments for the establishment of lots with insufficient lot width and insufficient lot area for the proposed Lots X and Y.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes

REASONS FOR ACTION

1. The lot size of the proposed lots is consistent with the current and historic development pattern of the surrounding neighborhood.
2. The recommended provisos will ensure compliance with the Comprehensive Zoning Ordinance and other city ordinances and standards.

SUBDIVISION DOCKET 109/14 – Request by CELSO ERIC HERNANDEZ to resubdivide Lot 3-A into Lots 3A1 and 3A2, Square 11, West End Tract, in the Seventh Municipal District, bounded by Bellaire Drive, 34th, 35th and Center Streets. The municipal address is 6528 CENTER STREET. (PD 5)

Proposal: Resubdivision of Lot 3-A into Lots 3A1 and 3A2

Location: Square 11, West End Tract, Seventh Municipal District, bounded Center, 34th and 35th Streets and Bellaire Drive. The municipal address is 6528 Center Street. (PD-5)

Zoning: LRS-1 Lakeview Single Family Residential District

Current

Land Use: Lot 3A is developed with a single family residence, located on the portion of the site designated as the proposed Lot 3A2. A covered deck area is located at the newly proposed Lot 3A1.

LOT SIZE

Required

Lot Size: According to **Article 9A, Section 9A.1.7**, minimum lot size requirements for the LRS-1 District are as follows:

- For properties to be developed with single family homes:
Lot width 40 feet; Lot depth 90 feet; Lot area 5,000 square feet
- For residential doubles, the minimum lot width must be 50 feet.
Lot width 50 feet; Lot depth 90 feet; Lot area 5,000 square feet

Existing

Lot: Lots 3-A measures 80 feet in width, 100 feet in depth, and contains an area of 8,000 square feet. The existing lot exceeds the minimum lot size requirements for the LRS-1 District.

Proposed

Lots: Lots 3A1 and 3A2 would each measure 40 feet in width, 100 feet in depth, and would contain an area of 4,000 square feet each. The width of both proposed lots will meet a minimum lot width requirement for lots to be developed with single family homes only. The lots' depths will exceed the stated minimums. Both lots will be deficient in terms of the minimum required lot area and, if recommended for approval, will require granting of the waiver from the Board of Zoning Adjustment.

CITY PLANNING COMMISSION MEETING (October 14, 2014)

The Planning Administrator summarized the request, stating the staff's recommendation for approval. There were no proponents or opponents present.

Commissioner Marshall made a motion for approval of the request. The motion was seconded

by Commissioner Mora and adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 109/14 IS HEREBY GRANTED **TENTATIVE APPROVAL**, WITH FINAL APPROVAL SUBJECT TO FIVE (5) PROVISOS:

1. The applicant shall obtain a waiver from the Board of Zoning Adjustment for insufficient lot area as required by **Article 9A, Section 9A.1. Table 9.A.A** for the proposed Lots 3A1 and Lot 3A2 (required 5,000 square feet, provided 4,000 feet, waiver of 1,000 square feet per lot);
2. The applicant shall obtain a waiver from the Board of Zoning Adjustment for insufficient side yard setback for the proposed Lot 3A2 as required by **Article 9A, Section 9A.1. Table 9.A.A** (required 4 feet, provided 1.3 feet, waiver of 2.7 feet);
3. The applicant shall obtain a waiver from the Board of Zoning Adjustment for insufficient aggregate side yards for the proposed Lot 3A2 as required by **Article 9A, Section 9A.1. Table 9.A.A** (required 8 feet, provided 5.3 feet, waiver of 2.7 feet);
4. The applicant shall obtain approval from the Department of Safety and Permits (Board of Building Standards and Appeals) for insufficient building setback from the property line for the proposed Lot 3A2.
5. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage, a consent letter from the mortgage company (if applicable) and tax certificates for the petitioned site.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg,

NAYS: None

ABSENT: Duplessis, Hughes

REASONS FOR ACTION

3. The proposed resubdivision is consistent with the existing development pattern in the area.
4. The proposed lots will be in keeping with the size of development sites of the adjacent properties.

PROPERTY DISPOSITION 003/14 - Consideration of the sale of part of Lot 17, Lot 18, Lot 19 and Lot 29, Square 485, Fourth Municipal District, bounded by S. Broad, Third, Fourth, and S. Dorgenois Streets. The municipal address is 2600 S. Broad Street.

Applicant: City of New Orleans

Request: This is a request for the consideration of the sale of part of Lot 17, Lot 18, Lot 19 and Lot 20, Square 485, Fourth Municipal District, bounded by S. Broad, Third, Fourth, and S. Dorgenois Streets. The municipal address is 2600 S. Broad Street.

CITY PLANNING COMMISSION MEETING (OCTOBER 14, 2014)⁸

There were one no proponents or opponents for the request.

The Senior City Planner summarized the request.

Commissioner Marshall made a motion for indefinite deferral of the request. The motion was seconded by Commissioner Mitchell and adopted.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes

REASONS FOR RECOMMENDATION:

1. Further investigation is needed to determine the extent of remaining remedial activities required at the site.
2. Continued discussions with the Department of Property Management on how to best assess and/or dispose of city property located in strategic areas.

CONSIDERATION - Ratification of Actions Relative to Certified Subdivisions.

RATIFICATION OF ACTIONS RELATIVE TO CERTIFIED OR APPROVED SUBDIVISIONS

1. 48/09 – Sixth Baptist Church – resubdivision of Lots 1, 6, Pt. 11 and Pt. 12 into Lot 1-A, Square 105-138, Fourth Municipal District, bounded by Hastings Place, Felicity, St. Mary and Laurel Streets.

⁸ The names and contact information for those who spoke during the public hearing are included on the public hearing speaker sign-in sheet for PD 003/14. An archived video of the public hearing, including ZD 003/14, is available through the CPC website located at: <http://www.nola.gov/city-planning/>

2. 105/14 – Todd E. Matherne and Andrea C. Matherne – resubdivision of Lots 9 and 11 into Lot 9-A, Square G, Sixth Municipal District, bounded by Walmsley Ave., Fontainebleau Dr., Versailles and Audubon Boulevards.
3. 20/13 - Sean E. and Paula A. Vappie – resubdivision of Lots 5 and 6 into Lot 5-A, Square 3, Seventh Municipal District, bounded by Fleur de Lis Dr., Tacoma, Center and 34th Streets.
4. 96/14 – 2003 Realty Company LLC – resubdivision of Lots E-5-A and E-5-B into Lots E-5-A1 and E-5-B1, Sec. 44, T12S R12E, Third Municipal District, bounded by Chef Menteur Hwy., L and N Railroad, Read and Paris Roads.
5. 26/13 – Sean E. and Paula A. Vappie – resubdivision of Lots 3 and 4 into Lot 3-A, Square 3, Seventh Municipal District, bounded by Fleur de Lis Dr., Tacoma, Center and 34th Street.
6. 6/12 – Nancy M. Cowan – resubdivision of Lots D and E into Lot D-1, Square 2, Maryland Court, Seventh Municipal District, bounded by Hedwige Lane, Metairie Rd., Maryland and Bellaire Drives.
7. 41/14 – Project Home Again Foundation – resubdivision of Lots J, K and 25-A into Lots J1 and K1, Square A, Third Municipal District, bounded by Cameron Blvd., Burbank Dr., St. Anthony and Prentiss Avenues.
8. 42/14 – Carver Theater LLC – resubdivision of Lots 7 and 8 into Lot 8-A, Square 253, Second Municipal District, bounded by Orleans Ave., St. Ann, N. Johnson and N. Prieur Streets.
9. 64/14 – Demetrius Renfurm and Linda Wallace Renfurm – resubdivision of Lots 3-B, C and 4-A into Lot 3-C, Square 763, Third Municipal District, bounded by N. Derbigny, Columbus, N. Roman and Laharpe Streets.
10. 89/13 – St. Thomas Properties, LLC – resubdivision of Lot P into Lots P-1 and P-2, Square 49, Fourth Municipal District, bounded by Third, St. Thomas, Fourth and Rousseau Streets.
11. 101/14 – Edward J. Davidson, III – resubdivision of Lots 1 and 2A into Lot 1A, Square 1, Tamaron Subdivision, Third Municipal District, bounded by Interstate-10, S. Tamaron Blvd. and W. Tamaron Blvd.
12. 81/14 – Black Jack Oak, LLC – resubdivision of Lots Pt. 11, Pt. 12, Pt. 13, Pt. 14, Pt. 15 and Pt. 16 into Lots 11-A and 12-A, Square 246, Fourth Municipal District, bounded by Baronne, Second, Carondelet and Third Streets.

13. 89/14 – Kathryn A. Lorio – resubdivision of Lots 36, 37 and 39-A onto Lot 36-A, Square 14, Metairie Park, Seventh Municipal District, bounded by Pontchartrain Blvd., 22nd Street, Fleur de Lis and W. Harrison Avenues.
14. 94/13 – Adam Jeffrey Newman, Morton D. Newman and David Ralph Dominici – resubdivision of Lots 14 and D into Lots 14-A and D-1, Square 140, Third Municipal District, bounded by Chartres, Piety, Royal and Louisa Streets.
15. 92/14 – Diane B. Blanche – resubdivision of Lots B and X into Lot X1, Square 292, Sixth Municipal District, bounded by Cadiz, Coliseum, Valence and Chestnut Streets.
16. 100/14 – Johann, LLC – resubdivision of Lots J, K and L into Lot J-1, Square 299, First Municipal District, bounded by Gravier and S. Rampart Streets, Tulane and Loyola Avenues.
17. 106/14 – Asghar Kashanifar – resubdivision of Lots 9, 10, 11 and 12 into Lot 9-A, Square 15, Metairie Park, Seventh Municipal District, bounded by W. Harrison Ave., Avenue C, 26th St. and Pontchartrain Blvd.
18. 3/13 – New Orleans African American Museum – resubdivision of Lots A, 2, 3, 4, 5, 11 or 13 and A, Square 171, Second Municipal District, bounded by Gov. Nicholls, N. Villere, Ursulines and Marais Streets.
19. 70/14 – 3601 Camp St., LLC – resubdivision of Lots A, B and Pt. C into Lot C1A, Square 271, Sixth Municipal District, bounded by Camp, Antonine, Chestnut and Foucher Streets.
20. 98/14 – Freret Nola, LLC – resubdivision of Lots 4, 5, 6A, 7, 8, 12A, 23, 24 and X into Lots 5A, X1 and 12A1, Square 604, Sixth Municipal District, bounded by Freret, Cadiz, Jena and S. Robertson Streets.
21. 143/13 – Mt. Hermon Baptist Church – resubdivision of Lots 9 and 10 into Lot 9-A, Square 1725, Third Municipal District, bounded by Republic, Industry, Bruxelles and Agriculture Streets.
22. 88/14 – Paul W. Rogers and Perry S. Rogers – resubdivision of Lots 21 and 22 into Lot 21A, Square 424, Second Municipal District, bounded by N. Rendon, Bienville, N. Lopez and Iberville Streets.
23. 138/13 – New Orleans Redevelopment Authority – resubdivision of Lot 1-A into Lots 1-A-1, 1-A-2, 1-A-3, 1-A-4 and 1-A-5, Square 288, First Municipal District, bounded by S. Saratoga, Erato, Thalia and S. Rampart Streets.
24. 37/11 – LMC-SMM Ventures, LLC – resubdivision of Lots 5, 6, 7 and part lots 11, 12 and 13 into Lot 5-A, Square 317, Second Municipal District, bounded by Esplanade Ave., N. Tonti, Barracks and N. Rocheblave Streets.

DISCUSSION (October 14, 2014)

A motion for approval was made by Commissioner Marshall, seconded by Commissioner Steeg and adopted.

MOTION

Be it moved by the City Planning Commission that the above listed certified or approved subdivisions are ratified.

Yeas: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg

Nays: None

Absent: Duplessis, Hughes

CONSIDERATION Adoption of the 2015 City Planning Commission regular meeting schedule.

The meeting schedule was adopted as presented.

Committee Reports

There were none.