

# **CPC MINUTES**

**July 28, 2015  
Meeting**

**ZONING DOCKET 063/15** – Request by ALTON GREEN for a Conditional Use to permit a bed and breakfast accommodation in an RD-3 Two-Family Residential District, on Square 414, Lots 8, and 9, in the Second Municipal District, bounded by Dumaine, North Salcedo, Saint Ann and North Lopez Streets. The municipal address is 3046 DUMAINE STREET. (PD 4)

**Applicant:** Alton Green

**Request:** This is a request for a conditional use to permit a bed and breakfast family home in an RD-3 Two-Family Residential District.

**Location:** The petitioned property is located on Square 414, Lots 8 & 9, in the Second Municipal District, bounded by Dumaine, North Salcedo, Saint Ann, and North Lopez Streets. The municipal address is 3046 Dumaine Street. The site is within the Esplanade Ridge Local Historic District. (PD 4)

**Description:** The subject parcel consists of two rectangular lots of record, Lots 8 and 9. Each lot measures twenty-nine (29') feet in width and one hundred (100) feet in depth. The parcel has a total area of five thousand eight hundred (5,800 sq. ft.) square feet. The parcel is developed with a three-bedroom, camel-back single-family residence which contains two thousand sixty-four (2,064 sq. ft.) square feet of floor area. The structure is primarily developed on Lot 8, while Lot 9 is primarily used as yard space. The applicant proposes to use the structure as a bed and breakfast family home, which would contain two (2) sleeping rooms for guests' use. The structure's remaining bedroom would be reserved for the owner's use. In addition to these bedrooms, the structure contains a kitchen, an office, three (3) restrooms, and a living and dining room. Most of the entire front yard is paved and appears to provide area for up to five (5) front yard off-street parking spaces.

#### **CITY PLANNING COMMISSION MEETING (July 28, 2015)**

The Senior City Planner summarized the request, stating the staff's recommendation of approval subject to twelve (12) provisos.

The agent for the applicant spoke in favor of the request. One person spoke in opposition. The speakers at the public hearing are listed on the attached public hearing speaker sheet.

Commissioner Steeg noted that enforcement issues related to the development are enforced by other City agencies and not the by the City Planning Commission. Commissioner Steeg made a motion for approval of staff's recommendation. The motion was seconded by Commissioner Mora and adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 063/15 IS HEREBY RECOMMENDED FOR **APPROVAL** SUBJECT TO

TWELVE (12) 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 consolidate the lots associated with the site into a single lot of record through the City Planning Commission. The approved subdivision shall be recorded with the Office of Conveyances prior to the issuance of a Certificate of Occupancy by the Department of Safety and Permits.
3. The bed and breakfast home shall be owner-occupied for the life of the use. Proof of owner-occupancy shall be demonstrated by the submission of a homestead exception for the review and approval of the City Planning Commission staff.
4. The operator shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
5. Food shall not be cooked for guests on site, but only purchased from a licensed food seller (caterer or bakery) and served “as is” or warmed at the facility.
6. Lease of common areas for social events is prohibited.
7. Any proposed signage shall conform to **Article 4, Section 4.6.6 – Permitted Signs** of the Comprehensive Zoning Ordinance, subject to the review of the Historic District Landmarks Commission and City Planning Commission staff.
8. The applicant shall only be permitted to use one (1) of guest bedroom on the first floor for bed and breakfast services.
9. The applicant shall provide a litter abatement program letter, approved by the Department of Sanitation, describing of the location of trash storage, the frequency of trash pickup by the City, and the clearing of all litter from the sidewalks and street right-of-way. The program description, including name and phone number of the owner/operator of the facility, shall be kept on file in case of any violation.
10. The applicant shall indicate on the site plan the location of secure trash storage.

In no case shall trash be stored so that it is visible from the public right-of-way.

- 11. The applicant shall provide updated site plans indicating removal of all front yard parking and the removal of excessive pavement in the required front yard area. These revised plans shall demonstrate compliance with the standards of **Article 15, Section 15.2.3 – Parking in the Front Yard** and **Article 15, Section 15.6.6 – Limitation on Pavement** of the Comprehensive Zoning Ordinance. The applicant shall secure the approval of the Department of Public Works for any improvements to the adjacent public right-of-way, including sidewalks, curbing, and curb cuts.
- 12. The applicant shall restore a green strip and plant two (2) trees within the public right-of-way, adjacent to the site, subject to the review and approval of the Department of Parks and Parkways. The site plan shall be revised to indicate the type and location of each tree.

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

NAYS: None

ABSENT: Brown, Duplessis, Hughes

**REASONS FOR RECOMMENDATION:**

- 1. The proposed bed and breakfast family home would be low in intensity and should not generate levels of activity, noise, traffic, and demand for parking which would have a significant negative impact on surrounding properties.
- 2. The proposal is consistent with the *Plan for the 21st Century*.

**ZONING DOCKET 064/15** – Request by MY HOUSE INC. for an Amendment to Ordinance No. 25,641 M.C.S. (Zoning Docket 100/13, which granted a Conditional Use to permit a community center in an RD-2 Two-Family Residential District) to permit a school/child care facility in an RD-2 Two-Family Residential District and to modify existing provisos, on Square 505, Lots 2, 3, 4, 5 and 6, in the Sixth Municipal District, bounded by Peniston, Danneel, General Taylor, and South Saratoga Streets. The municipal address is 2010 PENISTON STREET. (PD 2)

**Applicant:** MY HOUSE, INC.

**Request:** This is a request for an Amendment to Ordinance No. 25,641 M.C.S. (Zoning Docket 100/13, which granted a Conditional Use to permit a community center) to permit a school/child care facility in an RD-2 Two-Family Residential District and to modify existing provisos.

**Location:** The property is located on Square 505, Lots 2, 3, 4, 5 and 6 in the Sixth Municipal District, bounded by Danneel, General Taylor, Peniston and South Saratoga Streets. The municipal address is 2010 Peniston Street. (PD2)

**Description:** The petitioned site is located on the southeastern side of the square bounded by South Saratoga, Danneel, General Taylor and Peniston Streets. The petitioned site includes five (5) rectangular shaped lots. Together, these lots have a combined frontage of one hundred and fifty feet (150') on Peniston Street and one hundred and ten feet (110') on Danneel Street for a total of sixteen thousand, five hundred square feet (16,500 sq. ft.) in area. Currently, the site is developed with a vacant two-story institutional structure.

The Sanborn Map indicates that the structure at one time served as the Sellers Baptist Home for Unwed Mothers providing professional Christian counseling and maternity care for young unwed girls and adoption services through Sellers Maternity Ministries. In 2013, a conditional use was established to permit a community center providing after-school meals, summer camp programs, academic enrichment, homework assistance, tutoring and recreational opportunities (Ordinance No. 25,641 M.C.S.; Zoning Docket 100/13).

The applicant now proposes to amend the conditional use to permit a school and child care facility and to modify the existing proviso requiring that the fencing on the perimeter of the site be masonry. The applicant seeks to change the proviso to require a fence or screening wall not less than six feet (6') in height along the rear and S. Saratoga side lot lines and 22 feet from the rear line on the Daneel side lot line abutting residential uses.

The school would contain nineteen (19) classrooms, seventeen (17) restrooms, eight (8) offices, four (4) storage rooms, two (2) vocational rooms, a conference room, a meeting room, a resource room, a laundry room, a community science work place, a reception area, a kitchen, a cafeteria, an elevator, and a courtyard,. The facility, operated by My House Inc., would offer Pre-K and Kindergarten classes, as well as early childhood care.

#### **CITY PLANNING COMMISSION MEETING (JULY 28, 2015)**

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

The City Planner summarized the request, stating the staff's recommendation of approval subject to four (4) waivers and twelve (12) provisos. The City Planner also noted that the future tenant plans to remove some of the walls inside the building to make fewer classrooms than shown on the submitted plans, which would lower the required amount of off-street parking spaces, and possibly end the need for a parking waiver.

Commissioner Mora made a motion for approval of the request as recommended by staff. Commissioner Steeg seconded the motion.

## **Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 064/15 IS HEREBY RECOMMENDED FOR APPROVAL, SUBJECT TO FOUR (4) WAIVERS AND TWELVE (12) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

### *Waivers*

1. The applicant shall be granted a waiver of Article 11, Section 11.37.1.(a) - *Schools, Public/Private Elementary Schools* of the Comprehensive Zoning Ordinance, which requires a minimum lot area of 2 acres to allow a lot area of 16,500 square feet.
2. The applicant shall be granted waivers of Article 11, Section 11.37.1.(b) - *Schools, Public/Private Elementary Schools* of the Comprehensive Zoning Ordinance, which requires a twenty-five foot (25') front yard to allow for front yard setbacks of nine feet, eight inches (9'-8"), and which requires a fifty foot (50') rear yard and interior side yards setbacks to allow a rear yard setback of twenty feet (20'-0"), an interior side yard setback of three feet, four inches (3'-4") on the Danneel Street side and ten feet, five inches (10'-5") on the S. Saratoga Street side.
3. The applicant shall be granted waivers of Article 11, Section 11.37.2 - *Schools, Public/Private Elementary Schools* of the Comprehensive Zoning Ordinance, which requires access to schools be provided by a minimum of a street with two (2) or more clearly marked lanes for traffic in each direction and a street with a single lane for traffic in each direction or three (3) streets with a single lane for traffic in each direction.
4. The applicant shall be granted a waiver of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance, which requires a school to provide one (1) parking space for each classroom, plus one (1) parking space per 10 seats in main auditorium or lecture room, or one (1) parking space per classroom, plus one (1) parking space per 3 employees, whichever is greater.

### *Provisos*

1. The applicant shall re-subdivide the lots comprising the site into a single lot of record prior to the finalization of the conditional use. Additionally, the subdivision shall be completed and recorded with the Office of Conveyances prior to the issuance of a Certificate of Use and Occupancy by the Department of Safety and Permits.
2. The applicant shall submit a complete and accurate landscape plan with planting

strips, sidewalks, tree protection plan and street trees within the rights-of-way adjacent to the site, subject to the review and approval of the Department of Parks and Parkways and the City Planning Commission staff.

3. The applicant shall submit a revised site plan indicating six foot (6'-0") high opaque fencing along the interior side property lines and the rear property line, subject to the review and approval of the staff of the City Planning Commission.
4. No overnight occupancy shall be permitted at this facility. The operational hours shall be limited to 6:00 am – 10:00 pm seven days a week.
5. The applicant shall submit a lighting plan that indicates the exact location, type, make, and height of all proposed exterior lighting, for the review and approval of the staff of the City Planning Commission. All exterior lighting shall be limited in height to twelve feet (12') and shall not be directed toward any adjacent residential uses.
6. The applicant shall provide to the City Planning Commission a refuse and litter abatement program letter approved by the Sanitation Department, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup by a contracted trash removal company, and the clearing of all litter from the sidewalks and periodic hosing of the street rights-of-way. The name and phone number of the owner/operator shall be included in this letter to be kept on file in case of any violation. In no case shall trash be stored so that it is visible from the public right-of-way.
7. The applicant shall submit revised plans indicating a location for the trash storage area, appropriately screened and set back from the adjacent rights-of-way.
8. The Department of Safety and Permits shall issue no building permits or licenses 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.
9. The applicant shall secure approval from the Department of Public Works for sidewalk replacement and utility cut permits.
10. The applicant shall arrange for the designation of passenger loading zones adjacent to the site by the Department of Public Works.
11. The school's staff shall manage pick-up/drop-off activity at the site.
12. The applicant shall submit signage plans for any proposed signage to City Planning Commission for review and approval. All exterior signage shall be in accordance with the requirements of Article 4, Section 4.1.6 – Permitted Signs

and Article 12, Section 12 – General Sign Regulations of the Comprehensive Zoning Ordinance.

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

NAYS: None

ABSENT: Brown, Duplessis, Hughes

## **REASONS FOR RECOMMENDATION**

1. The proposal is consistent with the future land use objectives of the *Plan for the 21<sup>st</sup> Century*.
2. The school would provide educational services to the neighborhood and the greater area.
3. The proposal would facilitate the re-use of an existing building that has been vacant since Hurricane Katrina.

**ZONING DOCKET 065/15** – Request by CITY COUNCIL MOTION M-15-214 for Amendments to Calendar Ordinance No. 30,637 to amend Article 18, and the Magazine Street Overlay to provide for the Magazine and Maple Street Overlay, to include the addition of all lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Maple Street frontage from Cherokee Street to South Carrollton Avenue, and all lots within the HU-RM1 District on squares with Maple Street frontage, between Lowerline and Cherokee Streets.

**Applicant:** City Council Motion M-15-214

**Request:** This is a request by City Council Motion M-15-214 for amendments to Calendar Ordinance No. 30, 637 to amend Article 18, and the Magazine Street Overlay to provide for the Magazine and Maple Street Overlay, to include the addition of all lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Maple Street frontage from Cherokee Street to South Carrollton Avenue, and all lots within the HU-RM1 District on squares with Maple Street frontage, between Lowerline and Cherokee Streets.

**Location:** The request would modify **Article 18, Section 18.20** *Magazine Street Use Restriction Overlay District* of the newly adopted Comprehensive Zoning Ordinance, and would apply to properties within the HU-B1 Historic Urban Neighborhood Business District on properties with frontage on Maple Street from Cherokee Street to South Carrollton Avenue, and within the HU-RM1 District with frontage on Maple Street between Lowerline and Cherokee Streets.



## **CITY PLANNING COMMISSION MEETING (July 28, 2015)**

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

The Senior Planner summarized the request, stating the staff's recommendation of denial. Commissioner Marshall made a motion for denial as recommended by the staff. Commissioner Mitchell seconded the motion, which was adopted.

### **Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 065/15 IS HEREBY RECOMMENDED FOR DENIAL. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

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

NAYS: None

ABSENT: Brown, Duplessis, Hughes

### **REASONS FOR RECOMMENDATION**

1. The new CZO is designed to regulate restaurants through use standards rather than eliminating the excessive burdensome conditional use process. Maple Street should follow this strategy as it is intended.
2. The new CZO created a city-wide policy allowing restaurants and alcohol sales that included use standards that the staff believes are deemed sufficient to address any adverse impacts that may be caused by standard restaurants.
3. The Commission expressed concern about implementing an overlay for a problem that has not yet occurred and did not feel that it is appropriate to create regulations in anticipation of a problem that may or may not occur.
4. The Commission did not believe that there are special circumstances along Maple Street that justify the imposition of a special set of regulations. This is for three primary reasons:
  1. Maple Street has a healthy balance of daytime and nighttime uses that provide for a relatively smooth transition between the mix of restaurant, office and service uses located along the street.
  2. Maple Street does not differ significantly in intensity from other corridors in the area, including nearby Oak or Freret Streets. Because of this, there

isn't justification as to why Maple Street requires a separate set of regulations that would differ from other areas of the city.

3. The staff believes that sale of alcoholic beverages at restaurants when properly enforced and with good management can be no more offensive to properties in the surrounding area than restaurants that do not sell alcohol, as customers are limited to drinking within the restaurant while meals are served.

**SUBDIVISION DOCKET 067/15** – Request by XAVIER UNIVERSITY OF LOUISIANA to resubdivide Lot A, Square 544, Lot M, Square 545, Lot 2-B, Square 546, Lot 1, Square 543, Lot R, a portion of Fern Street, and an undesignated portion of ground, in the Seventh Municipal District, bounded by Endinburgh, Short, Palm, and Lowerline Streets, into Lot X-1, Square 546. The municipal addresses are 3536 LOWERLINE STREET, 7801-7933 EDINBURGH, AND 3501-3525 SHORT STREET. (PD 4)

**Proposal:** Re-subdivision of Lot A, Square 544, Lot M, Square 545, Lot 2-B, Square 546, Lot 1, Square 543, Lot R, a portion of Fern Street, and an undesignated portion of ground into Lot X-1, Square 546.

**Location:** Seventh Municipal District, bounded by Endinburgh, Short, Palm, and Lowerline Streets. The municipal addresses are 3536 Lowerline Street, 7801-7933 Edinburgh, and 3501-3525 Short Street. (PD 4)

**Zoning:** C-1A General Commercial Districts and RM-4 Multiple-Family Residential District.

**Current**

**Land Use:** The petitioned site is undeveloped except for a cell tower near its Short Street frontage.

**Description:** The applicant proposes to re-subdivide five lots, a former portion of Fern Street, and an undesignated portion of land into one lot so that the site can be developed with a parking lot. As a result, the proposed lot shape is irregular and has multiple frontages on bounding streets. Proposed Lot X-1 would have an area of 120,111 square feet (2.757 acres).

**Figure 1:** View of petitioned property from Edinburgh Street near Lowerline Street



The applicant plans to develop the site for use as a non-accessory<sup>1</sup> parking lot for the use of Xavier University's students, faculty, staff, and visitors. The lot would provide 275 parking spaces, including 7 handicap-accessible spaces. Landscaping is proposed along the edges of the site and on landscaped islands in the interior of the site.

**Required:** Current lots M, R, 1, and 2-B, the former portion of Fern Street, and an undesignated portion of land is zoned C-1A General Commercial District which allows non-accessory parking lots as conditional uses. Lot A is zoned RM-4 Multiple-Family Residential District, which allows university parking lots by right. A conditional use for the C-1A portion of the site was approved under Ordinance No. 25,525 M.C.S. (Zoning Docket 060/13). The approval of this conditional use included a proviso requiring the subdivision of this site into one lot of record.

The C-1A District does not prescribe a minimum lot width, depth, or area. The portion of the site near the intersection of Lowerline and Palm Street is zoned RM-4, which according to **Article 4, Section 4.12.7 (Table 4.L)** requires nonresidential sites to have a minimum width of 100 feet, minimum depth of 100 feet, and minimum lot area of 20,000 square feet. Proposed Lot X-1 exceeds all of these requirements.

The proposed lot would be a multiple-frontage lot, as it would have frontage on parallel streets: Palm and Edinburgh Streets, and Short and Lowerline Streets. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* states that double frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses. It also allows for the creation of a double frontage lot in an established urban environment where a similar development pattern already exists in the surrounding blocks and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

## **CITY PLANNING COMMISSION MEETING (July 28, 2015)**

The Principal City Planner summarized the request and recommendation.

The applicant and one person spoke in favor of the request. No one spoke in opposition. Commissioner Mora made a motion for approval which was seconded by Commissioner Bryan and adopted.

### **Motion:**

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<sup>1</sup> Although the parking lot is intended to serve Xavier University's students, faculty, staff, and visitors and will not serve as a pay-to-park lot for the use of the general public, it is considered to be a non-accessory lot rather than an accessory lot because it is not on the same lot of record as a university building.

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 067/15 IS HEREBY GRANTED **TENTATIVE APPROVAL**, WITH FINAL APPROVAL SUBJECT TO THREE (3) 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.

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

NAYS: None

ABSENT: Brown, Duplessis

**REASONS FOR ACTION**

1. The proposed subdivision would create a multiple-frontage lot, and meets the criteria under **5.5.5 Double Frontage Lots** of the New Orleans Subdivision Regulations.
2. The proposed subdivision is consistent with the Plan for the 21st Century: New Orleans 2030. The large parking lot, at this location, could support both the university campus general operations as well as soften the transition to the surrounding residential area through the use of landscaping and stormwater management Best Management Practices (BMPs), which are also required as a condition of the site's 2013 conditional use approval.

**DESIGN REVIEW DOCKET 068/15** – Request by CAPITAL SIGNS ON BEHALF OF PUBLIC STORAGE INCOME FUND to appeal the Eastern New Orleans Renaissance Corridor District overlay, **Article 10, Section 10.2.8 Permitted Attached Identification Signs** of the Comprehensive Zoning Ordinance, on Square 1, Lot 3A3C, in the Third Municipal District, bounded by the I-10 Service Road, Read Boulevard, Wright Road and Lake Forest Boulevard. The municipal address is 10010 INTERSTATE 10 SERVICE ROAD. (PD 9).

**Applicant:** Capital Signs on behalf of Public Storage Income Fund

- Request:** The applicant is requesting an appeal pursuant to **Article 10, Section 10.2.8(1) Accessory Signs** via **Article 10, Section 10.2.13 Appeals** of the Comprehensive Zoning Ordinance (CZO).
- Zoning:** C-1 General Commercial District and Eastern New Orleans Renaissance Corridor (ENORC) District overlay
- Location:** The petitioned lot is located within the Third Municipal District, in Square 1, Lot 3A3C, bounded by the I-10 Service Road, Read Boulevard, Wright Road and Lake Forest Boulevard. (PD 9)
- Proposal:** This applicant is building a storage facility on an interior lot that faces I-10 Service Road. Currently, the applicant is approved for one attached sign to be installed on the front facade of the building. The applicant wishes to install a second attached sign on the building facade that faces Read Boulevard (see Figure 1. Approved and Proposed Sign Placement). However, only one (1) attached sign per street frontage up to (70) seventy square feet is permitted pursuant to **Article 10, Section 10.2.8.1 Accessory Signs** of the ENORC District overlay in the CZO. The applicant is appealing these regulations to allow the second sign.

#### **CITY PLANNING COMMISSION MEETING (JULY 28, 2015)**

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

There was one speaker at the public hearing and is listed on the attached public hearing speaker sheet. This speaker (the applicant) spoke in support of the request.

Commissioner Mitchell inquired about the location of the petitioned site from the staff. The staff verified the lot was an interior lot.

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

#### **Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT DESIGN REVIEW DOCKET 068/15 IS HEREBY RECOMMENDED FOR **DENIAL**. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

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

NAYS: None

ABSENT: Brown, Duplessis, Hughes

## REASONS FOR RECOMMENDATION

1. Appeals of **Article 10, Section 10.2.8(1) Accessory Signs** in the ENORC District overlay of the CZO should be granted only if they meet all three (3) criteria in **Article 10, Section 10.2.13 Appeals** of the CZO. Staff believes the request fails all three criteria per **Article 10, Section 10.2.13** of the CZO in that:
  - a. A second attached sign would not meet **Article 10, Section 10.2.8(1) Accessory Signs**.
  - b. A second attached sign would not be in harmony with the overlay's intent and would contradict its purpose, to promote a superior environment and positive design image.
  - c. It is possible for the applicant to comply with the sign regulations and have only one sign. No special conditions or circumstances specific to the site exist to justify a waiver for a second sign.

## CONSIDERATION - Ratification of Actions Relative to Certified Subdivisions.

There were the following subdivisions to ratify:

### RATIFICATION OF ACTIONS RELATIVE TO CERTIFIED SUBDIVISIONS

1. Subdivision Docket 51/09 - resubdivision of Lots 1-4 (formerly the entireties of Squares 616, 617, 620, 620, and portions of Dante and Dixon Streets), a portion of the former Peach Street, and Lot A (Squares 642 and 643) into Parcel 1, Square 616-A, Seventh Municipal District, bounded by Dublin, Palmetto, and Cambronne Streets, the Pontchartrain Expressway, and the L&A Railroad.
2. Subdivision Docket 48/12 – Matthew Schwartz – resubdivision of Lots 2 or 1, 6, 7, 8, and 9 into Lot 6-A, Square 189, Fourth Municipal District, bounded by Coliseum, Pleasant, Harmony, and Chestnut Streets.
3. Subdivision Docket 159/13 – William R. Bishop and Catherine M. Bishop – resubdivision of Lots 1 or A and 8 into Lot 8-A, Square 263, First Municipal District, bounded by Union, Baronne, and Perdido Streets and O'Keefe Avenue.
4. Subdivision Docket 59/14 – Dixieland Auto Sales, Inc. and Rebecca S. Brown – resubdivision of Lots 1-A, 2-B, and C into Lot 2-C, Square 351, Third Municipal District, bounded by Saint Claude Avenue, Lesseps Street, France Street, and North Rampart Street.
5. Subdivision Docket 84/14 – Downey Investment Group, LLC and Gina M. Manalla – resubdivision of Lots 39, 40, and 41 into Lots 39-A and 41-A, Lake Catherine Land Company – Two, T11S, R14E, Third Municipal District, bounded by Chef Menteur Highway and Lake Saint Catherine.

6. Subdivision Docket 111/14 – Dixieland Auto Sales, Inc. and Rebecca S. Brown – resubdivision of Lots 1, 2, 3, and W into Lot 1A, Square 580, First Municipal District, bounded by Canal, South Rocheblave, and South Dorgenois Streets and Cleveland Avenue.
7. Subdivision Docket 112/14 – Pelican Shoring, LLC – resubdivision of Lots D and E into Lot D-1, Square 494, First Municipal District, bounded by Clio, South Dupre, South White, and Erato Streets.
8. Subdivision Docket 126/14 – 3322 La Salle, LLC – resubdivision of Lots 11 and 12 into Lot 11-A, Square 555, Plaisance, Sixth Municipal District, bounded by La Salle, Toledano, and South Liberty Streets and Louisiana Avenue.
9. Subdivision Docket 138/14 – Gary Martin Hoffmann and Cathy Altobello Hoffman – resubdivision of Lots 3, 4, and 5 into Lot 4A, Square 72, Metairie Park, Seventh Municipal District, bounded by Avenue A, 38<sup>th</sup> Street, 40<sup>th</sup> Street, and Fleur Des Lis Drive.
10. Subdivision Docket 168/14 – Mission Properties Foundation – resubdivision of Lots 51, 1, 2, 1, 2 and M-E into Lot X, Square 254, First Municipal District, bounded by Clio, Baronne, and Calliope Streets and Oretha Castle Haley Boulevard.
11. Subdivision Docket 170/14 – 1016 Gen. Taylor, LLC and 1013-17 Austerlitz, LLC – resubdivision of Lots 5, A, and Pt. 5 into Lots A1 and 5A, Square 267, Boulogny, Sixth Municipal District, bounded by General Taylor, Austerlitz, Camp, and Chestnut Streets.
12. Subdivision Docket 173/14 – Ellen Bennett – resubdivision of Lots 49 and 50 into Lot 49-A, Square 15, Cartier Manor, Third Municipal District, bounded by Cartier Avenue, Owens Boulevard, Randolph Street, and Mandolin Street.
13. Subdivision Docket 16/15 – Trinity Industries, Inc. – resubdivision of Lots 2C, 2B, 3A, and 5B into Lots 2C-1 and 3A-1, Portion of Parcel 2, Former Faubourg De Montluzin, bounded by Chef Menteur Highway and the Venetian Waterway.
14. Subdivision Docket 20/15 – Matthew Falati – resubdivision of Lots 38, 39, and 40 into Lot 38A, Square 107, Lakeview, Second Municipal District, bounded by Louisville, Chapelle, Mouton, and Colbert Streets.
15. Subdivision Docket 28/15 – Kenneth M. Wiltz and JoAnne Martineau Wiltz – resubdivision of Lots 15 and 16 into Lot 15A, Square 169, Lakeview, Second Municipal District, bounded by West End Boulevard, Smith, Porteous, and Catina Streets.
16. Subdivision Docket 30/15 – Orleans Parish School Board – resubdivision of Lots 1-22 into Lot WF, Square 1082, Third Municipal District, bounded by North Galvez, North Miro, Pauline, and Alvar Streets

17. Subdivision Docket 34/15 – Road Home Solutions – resubdivision of Lot C and an undesignated parcel into Lots U-1 and C-1, Square 477, Second Municipal District, bounded by North Clark, Iberville, Bienville, and North Genois Streets.
18. Subdivision Docket 35/15 – Patrick Staunton, Patrick Eugene Staunton, Donald J. Bonck – resubdivision of Lots 25, 26, and 27 into Lots 25A and 27A, Square 823, First Municipal District, bounded by South Saint Patrick, Baudin, D’Hemecourt, and Olympia Streets.
19. Subdivision Docket 36/15 – International Properties, Inc., Downtown Star, LLC, and Peter D. Coleman – resubdivision of Lots X, Y, 1, 2, 3, 1, 2, and 23-25 into Lot X-1, Square 262, First Municipal District, bounded by O’Keefe Avenue, Perdido, Penn, and Poydras Streets.
20. Subdivision Docket 38/15 – General Pershing, LLC – resubdivision of Lot 11-A into Lots 11-A-1 and 11-A-2, Square 141, Bouligny, Sixth Municipal District, bounded by Annunciation, Lyons, Bordeaux, and Laurel Streets.
21. Subdivision Docket 42/15 – Orleans Parish School Board – resubdivision of Square 4460, Lot D; Square 4461, Lot B; Athis Street Parcel N, Spain Street Parcel M, Spain Street Parcel Y, Square 4613, and Square 4614 into Lot AA on Square 4613A, Third Municipal District, bounded by Saint Roch Avenue, Mandeville Street, Pressburg Street, and Prentiss Avenue.
22. Subdivision Docket 53/15 – Hollygrove Ventures, LLC – resubdivision of Lots 1 and 2 into Lot 1-A, Square 14, Pontchartrain Boulevard Subdivision, Third Municipal District, bounded by Cameron Boulevard, Filmore Avenue, Rapides Drive, and Pasteur Boulevard.
23. Subdivision Docket 56/15 – Bogalusa DG, LLC – resubdivision of Lots 6A-1B and 6A-2B-2A into Lots 6A-1B1 and 6A-2B-2A1, Section 22, Lakratt Tract, Third Municipal District, bounded by Lake Forest Boulevard, Crowder Boulevard, the Interstate 10 Service Road, and the Lawrence Canal.

**DISCUSSION (July 28, 2015)**

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

**MOTION**

**BE IT MOVED BY THE CITY PLANNING COMMISSION THAT THE ABOVE LISTED CERTIFIED SUBDIVISIONS ARE RATIFIED.**

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



Nays: None

Absent: Brown, Duplessis, Hughes

**Adoption of minutes of the July 14, 2015 meeting.**

**Commissioner Steeg made a motion to accept the minutes as written, which was seconded by Commissioner Bryan and adopted.**

**MOTION**

**BE IT MOVED BY THE CITY PLANNING COMMISSION THAT THE MINUTES OF THE JULY 14, 2015 CITY PLANNING COMMISSION MEETING ARE ACCEPTED AS WRITTEN.**

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

Nays: None

Absent: Brown, Duplessis, Hughes

**Committee Reports.**

There were none.

**Announcements.**

There were none.