

City Planning Commission Meeting
Tuesday, January 13, 2015

CPC Deadline: 02/27/15
CC Deadline: 03/31/15
Council District: A
Councilmember: Guidry

PRELIMINARY STAFF REPORT

To: City Planning Commission
Zoning Docket: 010/15

Prepared By: Editha Amacker
Date: December 23, 2014

I. GENERAL INFORMATION

Applicant: Ancona Investments, LLC

Request: This is a request for an amendment to Conditional Use Ordinance No. 24,005 MCS (Zoning Docket 024/10, which amended Ordinance No. 20,898 MCS to permit the expansion of an existing restaurant's kitchen in a B-2 Neighborhood Business District) to allow the existing restaurant to sell high alcoholic content beverages.

Location: The petitioned property is located on Square 13, Lot A or Pt. Lots 14 and 15, in the Sixth Municipal District, bounded by Magazine, Eleonore, Constance and State Streets. The municipal addresses are 735-741 State Street. (PD 3)

Description: This is an amendment to a conditional use for an existing restaurant located at the corner of Magazine and State Streets. The lot is sixty feet (60') in width and seventy-one feet (71') in depth for a total area of four thousand two hundred seventy square feet (4270 sq. ft.). The two-story mixed-use building has an approximate floor area of eight thousand five hundred forty square feet (8540 sq. ft.). The subject restaurant and a dance studio occupy the first floor and there are three apartments on the second floor. The restaurant has a floor area of approximately 1,550 square feet. The submitted plan shows seating for forty-three (43) patrons, including seven (7) at the proposed holding bar.

The initial request in 2001 permitted low content alcoholic beverage sales with meals for a previous restaurant on the subject site. The previous restaurant amended the conditional use in 2010 for a proposed expansion which did not occur because they moved to another location. The current restaurant, Noodle & Pie, has been operating at the site since August 2013. They are requesting an amendment to the conditional use in order to serve high content alcoholic beverages at a full service bar at the restaurant.

Why is City Planning Commission action required?

Modifications to a conditional use require an amendment according to **Article 16, Section 16.6.7** of the Comprehensive Zoning Ordinance. An amendment must be authorized as set forth in **Article 16, Section 16.6** of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. What is the zoning of the surrounding areas? What is the land use of the surrounding areas?

Zoning and Land Use

The subject site is located at the intersection of Magazine and State Streets. This section of Magazine Street is developed with a variety of businesses including restaurants, retail stores, a dance studio, assisted living facility, bakery, hardware store, barber shop, and a gasoline service station. The properties on Magazine Street are within a B-2 Neighborhood Business District. The adjacent neighborhood on the riverside of Magazine Street is within an RD-4 Two-Family Residential District. The neighborhood on the lakeside of Magazine Street is within RD-2 and RD-3 Two-Family Residential Districts.

B. What is the zoning and land use history of the site?

Zoning and Land Use History:

Zoning: 1929 - E - Commercial
1953 - F - Heavy Commercial District
1970 - B-2 Neighborhood Business District

Land Use: 1929 - Two Family Residential
1949 – Commercial
1999 – Commercial¹

C. Have there been any recent zoning changes or conditional uses in the area? If so, do these changes indicate any particular pattern or trend?

There have been the following actions within five (5) blocks of the subject site in the past five (5) years:

Zoning Docket 14/09 was a request for an amendment to Ordinance No. 21,934 M.C.S. (Zoning Docket 02/05, a Conditional Use to permit the expansion of an existing bar and to include restaurant service in an existing structure in a B-2 Neighborhood Business District), to reduce the required number of off-street

¹ The 1999 Land Use Plan presented a generalized indication of land uses, and was not lot-specific.

parking spaces. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. *The location is approximately three blocks from the petitioned site.*

Zoning Docket 75/09 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption off-premises at a retail store occupying less than 5,000 square feet of floor area in a B-2 Neighborhood Business District, on Square 28, Lot C, in the Sixth Municipal District, bounded by Nashville Avenue, Magazine, Arabella, and Camp Streets. The municipal addresses are 5723-5725 Magazine Street. The City Planning Commission recommended approval and the request was approved by the City Council subject to eight (8) provisos. *The location is two blocks from the petitioned site.*

Zoning Docket 117/10 was a request for a conditional use to permit the sale of alcoholic beverages for consumption off premises at a retail store in a B-2 Neighborhood Business District. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The site is located approximately five (5) blocks from the subject site.*

Zoning Docket 80/11 was a request for an amendment to Ordinance No. 20,253 MCS (ZD 34/01, a zoning change from a B-2 Neighborhood Business District and RD-4 Two-Family Residential District to a C-1A General Commercial District and a conditional use to permit a retail use greater than 10,000 square feet in floor area and a mini-warehouse), to modify provisos to permit expanded hours for loading and trash pickup, an increase in the number of eighteen wheel trucks permitted to deliver merchandise to the site in a calendar day, expanded hours of operation, the display of merchandise outside the building, and live entertainment on the premises. The City Planning Commission recommended modified approval of the request which was subsequently approved by the City Council as modified. *The location is approximately four blocks from the petitioned site.*

Zoning Docket 83/11 was a request for an amendment to Ordinance No. 23,630 M.C.S. (ZD 14/09, a Conditional Use to permit the expansion of an existing bar and to include restaurant service in an existing structure in a B-2 Neighborhood Business District), to permit the expansion of the restaurant space and a second floor addition for office and storage space. The City Planning Commission vote resulted in No Legal Majority. The request was approved by the City Council. *The location is approximately three blocks from the petitioned site.*

Zoning Docket 68-12 was a request for a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-2 Neighborhood Business District. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. *The location is on the corner across Magazine Street from the petitioned site.*

The following are previous requests on the subject site.

Zoning Docket 32-01 was a request for a conditional use to permit the sale of alcohol at an existing restaurant in a B-2 Neighborhood Business District at 741 State Street. The City Planning Commission recommended approval and the request was approved by the City Council subject to ten (10) provisos.

Zoning Docket 24/10 was a request for an amendment to Ordinance No. 20,898 MCS, (ZD 32/01, a conditional use to permit the sale of alcohol at an existing restaurant in a B-2 Neighborhood Business District), to permit the expansion of an existing kitchen. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. *The request was approved, subject to nine (9) provisos. Adjustments were made to the provisos to provide standard language for that time, and to ensure that the provisos were enforceable and consistent with standard recommendations for restaurants with alcoholic beverage sales for consumption on-premises.*

Provisos

1. Alcoholic beverage sales shall be limited to low alcoholic content beverages.
2. Hours of operations shall be limited to 10:00 a.m. to 11:00 p.m. Sunday through Thursday and 10:00 a. m. to 12:00 midnight on Friday and Saturday.
3. Alcoholic beverages may only be served with meals.
4. The sidewalk café area, should it be approved by the City, shall operate in accordance with the Sidewalk Café city code requirements.
5. The developer shall secure a lease for all existing and proposed encroachments from the Department of Property Management, Division of Real Estate and Records.
6. The developer shall provide to the City Planning Commission a litter abatement program inclusive of the location of litter storage, the frequency of litter pickup, and the clearing of all litter from the sidewalks, and street rights-of-way. The program description, including name and phone number of the owner/operator of the restaurant, shall be kept on file in case of any violations. In no case shall trash be stored so that it is visible from the public right-of-way. No dumpsters shall be allowed.
7. No signage advertising the sale of alcoholic beverages shall be allowed.

8. Beverages shall not be served in paper, plastic or similar disposable containers or in go-cups.
9. The developer shall abide by the conditions of the Agreements and Covenants dated September 6, 2002 and signed by the developer and representatives of the Uptown Neighborhood Improvement Association, Inc.

D. What are the comments from the design review staff?

Additional provisos are shown in **bold**. Deletions are indicated by ~~strikethrough~~.

The petitioned site is a corner lot that is developed with a two-story, mixed-use structure with wood siding. The lot measures approximately sixty (60) feet in width along State Street and seventy-one (71) feet in depth along Magazine Street for a total area of 4,270 square feet (0.10 acre).

The previous request was for an amendment to the conditional use to permit an expansion of the previous restaurant. The restaurant moved to another location without completing the expansion on the subject site. Noodle & Pie, the current occupant, has a floor area of approximately 1,550 square feet. The submitted plan shows seating for forty-three (43) patrons. The applicant did not submit a site plan for this request. If there is outdoor seating, the applicant needs to provide that they completed the sidewalk café franchise, as noted in the previous reports. According to the Lease Contract Manager at the Division of Real Estate and Records, the property owner did not complete their lease agreement for encroachments in the public right-of-way.

- **The applicant shall submit a detailed site plan with the final development plans prior to approval by City Planning Commission staff.**
- ~~The developer shall secure a lease for all existing and proposed encroachments from the Department of Property Management, Division of Real Estate and Records.~~ **The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments in accordance with the requirements of the Department of Property Management, Office of Real Estate and Records.**
- ~~The sidewalk café area, should it be approved by the City~~ **The applicant shall provide documentation indicating approval of a sidewalk café franchise agreement, which shall operate in accordance with the Sidewalk Café city code requirements.**

The floor plan shows a holding bar above the main seating area. According to Article 11, Section 11.51.1 of the Comprehensive Zoning Ordinance, restaurants in a B-2 Neighborhood Business District are allowed to have a holding bar but no other type of bar. The dimensions of the holding bar are not shown and the bar area must not exceed fifteen (15) percent of the floor area of the seating area in the restaurant. In addition to the area requirements, the following limitations apply to holding bars in restaurants, as denoted in Article 11, Section 11.51.2 of the Comprehensive Zoning Ordinance.

- **The revised floor plan shall include dimensions and indicate a holding bar which does not exceed fifteen (15) percent of the floor area of the seating area of the restaurant, up to a maximum of 300 square feet.**
- **The holding bar shall be open only while food is being served in the restaurant.**
- **No live entertainment is permitted.**

Operational Standards for Restaurants

The following standard recommendation for restaurants with alcoholic beverage sales is intended to ensure that the restaurant does not take on the operating characteristics of a bar. Staff reiterates the existing provisos related to operational standards for restaurants.

- **Alcoholic beverage service for consumption on premises shall only be 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.**
- Hours of operations shall be limited to 10:00 a.m. to 11:00 p.m. Sunday through Thursday and 10:00 a.m. to 12:00 midnight on Friday and Saturday.
- Alcoholic beverages may only be served with meals.

The following proviso is currently required for all conditional use requests in order to ensure compliance with the conditional use prior to finalizing permits and licenses.

- **The Department of Safety and Permits shall not issue the final certificate of occupancy 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.

- E. What is the potential traffic impact? What are the off-street parking and loading requirements? Can they be provided on site? If not, is a waiver required?**

Traffic

Magazine Street is a two-lane, two-way street and is a major street according to the *New Century New Orleans Major Streets Plan*. Magazine Street does not have any parking lanes from State Street to Joseph Street. Parking lanes on Magazine Street resume across State Street from the petitioned site. State Street is a two-lane, two-way street with parking lanes on either side. Magazine Street experiences heavy traffic throughout the day as well as State Street which is a collector street for Magazine Street and Saint Charles Avenue.

Off-street parking and loading

There is no space available on the site for off-street parking and off-street loading spaces. No waiver is necessary because these conditions are grandfathered to the site. It was noted in the previous staff reports that the restaurant is sharing a nearby parking area with other local businesses.

- F. What are the comments from other agencies/departments/committees?**

The request was considered by the Planning Advisory Committee at its March 10, 2010 meeting. The representative from the Division of Real Estate and Records stated that the applicant applied for a lease of servitude for a handicap ramp in 2001 but never completed the process and the ramp is not shown on the current plans. The representative from the Department of Parks and Parkways expressed interest in seeing street trees on Magazine Street but the representative from the Department of Public Works noted that there is no room on the sidewalk for street trees on Magazine Street. The representative from the Division of Real Estate and Records noted that the applicant will need to apply for a lease of servitude for encroachments of the canopy, roof overhang, trash enclosure, and the side door. The representative of the Division of Real Estate and Records made a motion for no objection subject to further review by the Department of Parks and Parkways, the Department of Property Management Division of Real Estate and Records, and the City Planning Commission. The motion was seconded by the representative of the City Planning Commission. The motion passed.

The concerns stated by the committee members were addressed when the applicant closed Zoning Docket 24/10.

G. What effects/impacts would the proposed use have on the neighborhood?

The restaurant is open and is permitted to sell low content alcoholic beverages with meal service. The applicant is requesting permission to sell high content alcoholic beverages with meals and proposes to include a holding bar in the floor plan for the restaurant. Proviso #1 limits the restaurant to only selling low content alcoholic beverages. This restriction was included with the first conditional use at this site in 2001. The neighbors were concerned about having an alcoholic beverage outlet at the location because of problematic businesses in the area which subsequently closed in the following years. Restricting the type of alcoholic beverages that can be sold is not standard practice for a staff recommendation. Additional provisos were included in the Design Review section to incorporate operational standards that are typically required for a restaurant with alcoholic beverage sales and a holding bar. Therefore, staff recommends removing the following proviso.

- ~~• Alcoholic beverage sales shall be limited to low alcoholic content beverages.~~

Proviso #9 references an agreement that was made between the property owner and the neighborhood organization. The staff does not recommend incorporating an agreement made between an applicant and a neighborhood organization. The City of New Orleans was not a party to the agreement; therefore staff recommends removing the following proviso.

- ~~• The developer shall abide by the conditions of the Agreements and Covenants dated September 6, 2002 and signed by the developer and representatives of the Uptown Neighborhood Improvement Association, Inc.~~

III. Are the proposed actions supported by or in conflict with the policies and strategies of the *Plan for the 21st Century: New Orleans 2030*?

“Chapter 14: Land Use Plan” of the *Plan for the 21st Century*, commonly known as the Master Plan, designates the petitioned site as **Mixed-Use Low Density**. The goals, ranges of uses, and development character for this designation is listed below:

MIXED-USE LOW DENSITY

Goal: Increase neighborhood convenience and walkability within and along edges of neighborhoods with low density residential and neighborhood-serving retail/commercial establishments.

Range of Uses: Low-density single-family, two-family and multifamily residential and neighborhood business; typically businesses in residential

scale buildings interspersed with residences. Uses can be combined horizontally or vertically (ground floor retail required in certain areas). Limited light-industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

Development Character: Height/mass, and density of new development varied depending on surrounding neighborhood character.

The restaurant is currently operating and increases walkability and neighborhood convenience as noted in the Goals for the Mixed-Use Low Density category. The proposal to alter the limitation on the type of alcoholic beverages sold for consumption on-premises at the restaurant is **not addressed** by the Mixed-Use Low Density category in the *Plan for the 21st Century*. As long as the proposal is not in conflict with the Master Plan, the decision whether to grant a conditional use may be made on a case-by-case basis.

IV. SUMMARY

Zoning Docket 010/15 is a request for an amendment to a conditional use to permit the sale of high content alcoholic beverages with meals at an existing restaurant. Additional provisos are recommended in order to incorporate the standard conditions for a restaurant with alcoholic beverage sales and a proposed holding bar. The proposal to alter the limitation on the type of alcoholic beverages sold for consumption on-premises at the restaurant is **not addressed** by the Mixed-Use Low Density category in the *Plan for the 21st Century*.

V. PRELIMINARY STAFF RECOMMENDATION²

The staff recommends **Approval** of Zoning Docket 010/15, a request for an amendment to Conditional Use Ordinance No. 24,005 MCS (Zoning Docket 024/10, which amended Ordinance No. 20,898 MCS to permit the expansion of an existing restaurant's kitchen in a B-2 Neighborhood Business District) to allow the existing restaurant to sell high alcoholic content beverages, subject to thirteen (13) provisos.

Additions are indicated in **bold**. Deletions are indicated by ~~striketrough~~.

Provisos

- ~~1. Alcoholic beverage sales shall be limited to low alcoholic content beverages.~~

² Subject to modification by the City Planning Commission

1. Hours of operations shall be limited to 10:00 a.m. to 11:00 p.m. Sunday through Thursday and 10:00 a. m. to 12:00 midnight on Friday and Saturday.
2. Alcoholic beverages may only be served with meals.
3. ~~The sidewalk café area, should it be approved by the City~~ **The applicant shall provide documentation indicating approval of a sidewalk café franchise agreement, which** shall operate in accordance with the Sidewalk Café city code requirements.
4. ~~The developer shall secure a lease for all existing and proposed encroachments from the Department of Property Management, Division of Real Estate and Records.~~ **The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments in accordance with the requirements of the Department of Property Management, Office of Real Estate and Records.**
5. The developer shall provide to the City Planning Commission a litter abatement program inclusive of the location of ~~litter~~ **trash** storage, the frequency of ~~litter~~ **trash** pickup, and the clearing of all litter from the sidewalks, and street rights-of-way. The program description, including name and phone number of the owner/operator of the restaurant, shall be kept on file in case of any violations. In no case shall trash be stored so that it is visible from the public right-of-way. No dumpsters shall be allowed.
6. No signage advertising the sale of alcoholic beverages shall be ~~allowed~~ **visible from the public right-of-way.**
7. Beverages shall not be served in paper, plastic or similar disposable containers ~~or in go-cups.~~
8. ~~The developer shall abide by the conditions of the Agreements and Covenants dated September 6, 2002 and signed by the developer and representatives of the Uptown Neighborhood Improvement Association, Inc.~~
8. **The revised floor plan shall include dimensions and indicate a holding bar which does not exceed fifteen (15) percent of the floor area of the seating area of the restaurant, up to a maximum of 300 square feet.**
9. **The holding bar shall be open only while food is being served in the restaurant.**

10. The applicant shall submit a detailed site plan with the final development plans prior to approval by City Planning Commission staff.
11. No live entertainment is permitted.
12. Alcoholic beverage service for consumption on premises shall only be 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.
13. The Department of Safety and Permits shall not issue the final certificate of occupancy 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.

VI. REASONS FOR RECOMMENDATION

1. Potential adverse impacts from the request have been addressed with additional operational standards for the restaurant.
2. The proposal to alter the limitation on the type of alcoholic beverages sold for consumption on-premises at the restaurant is **not addressed by** the Mixed-Use Low Density category in the *Plan for the 21st Century*.

- VII. Should the applicant desire changes to any recommended waivers or provisos, the applicant is encouraged to bring any proposed alternative language for discussion at the meeting.

ED:11401.2 THP

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: May 20, 2010

CALENDAR NO.: 27,990

024005

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBERS *SAB* GUIDRY AND HEAD

AN ORDINANCE to administratively amend Ordinance No. 20,898 M.C.S. (ZD 32/01), a conditional use to permit the expansion of an existing kitchen in a B-2 Neighborhood Business District, on Square 13, Lot A or Pt. Lots 14 and 15, in the Sixth Municipal District, bounded by Eleonore, Magazine, Constance and State Streets (Municipal Addresses: 735-41 State Street and 5956-60 Magazine Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 24/10 was initiated by Ancona Investments, LLC and referred to the City Planning Commission; and-

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended approval, in its report to the City Council dated March 25, 2010, of the Administrative Amendment presented in Zoning Docket Number 24/09; and

WHEREAS, the recommendations of the Planning Commission were upheld and the changes were deemed necessary and in the best interest of the City of New Orleans and were approved, subject to nine (9) provisos, in Motion Number M-10-199 of the Council of the City of New Orleans, adopted on April 22, 2010.

1 SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY
2 ORDAINS that Ordinance No. 20,898 M.C.S. (ZD 32/01), a conditional use to permit the

3 expansion of an existing kitchen in a B-2 Neighborhood Business District, on Square 13, Lot
4 A or Pt. Lots 14 and 15, in the Sixth Municipal District, bounded by Eleonore, Magazine,
5 Constance and State Streets (Municipal Addresses: 735-41 State Street and 5956-60
6 Magazine Street) is hereby amended; subject to the following provisos as specifically set forth
7 herein:

8 **PROVISOS:**

9 No person shall use any of the properties described herein or permit another to use any of those
10 properties described herein for the use authorized by this ordinance, unless the following
11 requirements are met and continue to be met:

- 12 1. Alcoholic beverage sales shall be limited to low alcoholic content beverages.
- 13 2. Hours of operations shall be limited to 10:00 a.m. to 11:00 p.m. Sunday through
14 Thursday and 10:00 a.m. to 12:00 midnight on Friday and Saturday.
- 15 3. Alcoholic beverages may only be served with meals.
- 16 4. The sidewalk café area, should it be approved by the City, shall operate in accordance
17 with the Sidewalk Café city code requirements.
- 18 5. The developer shall secure a lease for all existing and proposed encroachments from the
19 Department of Property Management, Division of Real Estate and Records.
- 20 6. The developer shall provide to the City Planning Commission a litter abatement program
21 inclusive of the location of litter storage, the frequency of litter pick-up, and the clearing of all
22 litter from the sidewalks and street rights-of-way. The program description, including name and
23 phone number of the owner/operator of the restaurant, shall be kept on file in case of any
24 violation. In no case shall trash be stored so that it is visible from the public right-of-way. No
25 dumpsters shall be allowed.

26 7. No signage advertising the sale of alcoholic beverages shall be allowed.

27 8. Beverages shall not be served in paper, plastic or similar disposable containers or in go-
28 cups.

29 9. The developer shall abide by the conditions of the Agreements and Covenants dated
30 September 6, 2002 and signed by the developer and representatives of the Uptown Neighborhood
31 Improvement Association, Inc.

1 **SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS** that whoever does anything prohibited by this Ordinance or fails to do anything
3 required to be done by this Ordinance shall be guilty of a misdemeanor and upon conviction shall
4 be subject to a fine or to imprisonment or both, such fine and/or imprisonment set by Section 1-
5 13 of the 1995 Code of the City of New Orleans, or should alternatively be subject to whatever
6 civil liabilities, penalties or remedies the law may prescribe. Conviction shall be cause for the
7 immediate cancellation of the Use and Occupancy permit of the premises.

1 **SECTION 3.** This ordinance shall have the legal force and effect of authorizing this
2 conditional use only after all the provisos listed in Section 1 of this Ordinance which impose a
3 one-time obligation have been completely fulfilled and complied with, and only after all the
4 provisos listed in Section 1 which impose a continuing or on-going obligation shall have begun
5 to be fulfilled, as evidenced by the Planning Commission's approval of a final site plan, on or
6 before one year from the date of adoption of this ordinance, (which shall be incorporated into
7 this ordinance by reference) and its subsequent recordation, and no use or occupancy certificates
8 or permits (other than the building permits needed to fulfill the provisos) shall be issued until all
9 the provisos which impose a one-time obligation have been completely fulfilled and complied
10 with, and only after all the provisos listed in Section 1 which impose a continuing or ongoing

11 obligation shall have begun to be fulfilled, as evidenced by the Planning Commission's approval
12 of a final site plan (which shall be incorporated into this ordinance by reference) and its
13 subsequent recordation.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS JUN 17 2010

ARNIE FIELKOW

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON JUN 18 2010

APPROVED: JUN 24 2010

MITCHELL J. LANDRIEU

MAYOR

RETURNED BY THE MAYOR ON JUN 25 2010 AT 04 45 PM

PEGGY LEWIS

CLERK OF COUNCIL

ROLL CALL VOTE

YEAS: Clarkson, Fielkow, Gisleson Palmer, Guidry, Head, Hedge-Morrell, Johnson - 7

NAYS: 0

ABSENT: 0

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY
Peggy Lewis
CLERK OF COUNCIL



CITY OF NEW ORLEANS PROPERTY VIEWER

-  SEARCH
-  MEASURE
-  LAYERS
-  BASEMAP
-  PRINT
-  HELP



CONDITIONAL USE/EXCEPTIONAL USE/PLANNED DEVELOPMENT

A land-use that is allowed to operate subject to design and/or operational requirements thru a review and approval process.

Zoning Action Type: CU

Zoning Docket Number: 24

Zoning Docket Year: 2010

Ordinance Number: 24,005

Some ordinances may be found by accessing [Municode](#). All ordinances are available from the Clerk of Council's office in City Hall.

ZONING

Zoning District: B-2

Zoning Description: [Neighborhood Business District](#)

DRAFT Zoning: HU-B1

DRAFT Zoning Description: [Historic Urban Neighborhood Business District](#)

Future Land Use: MUL

Future Land Use Description: [Mixed-Use Low Density](#)

Last Updated: Tue Jul 01 2014



553

CONSTANCE

STATE

558

554



ELEONORE

MAGAZINE

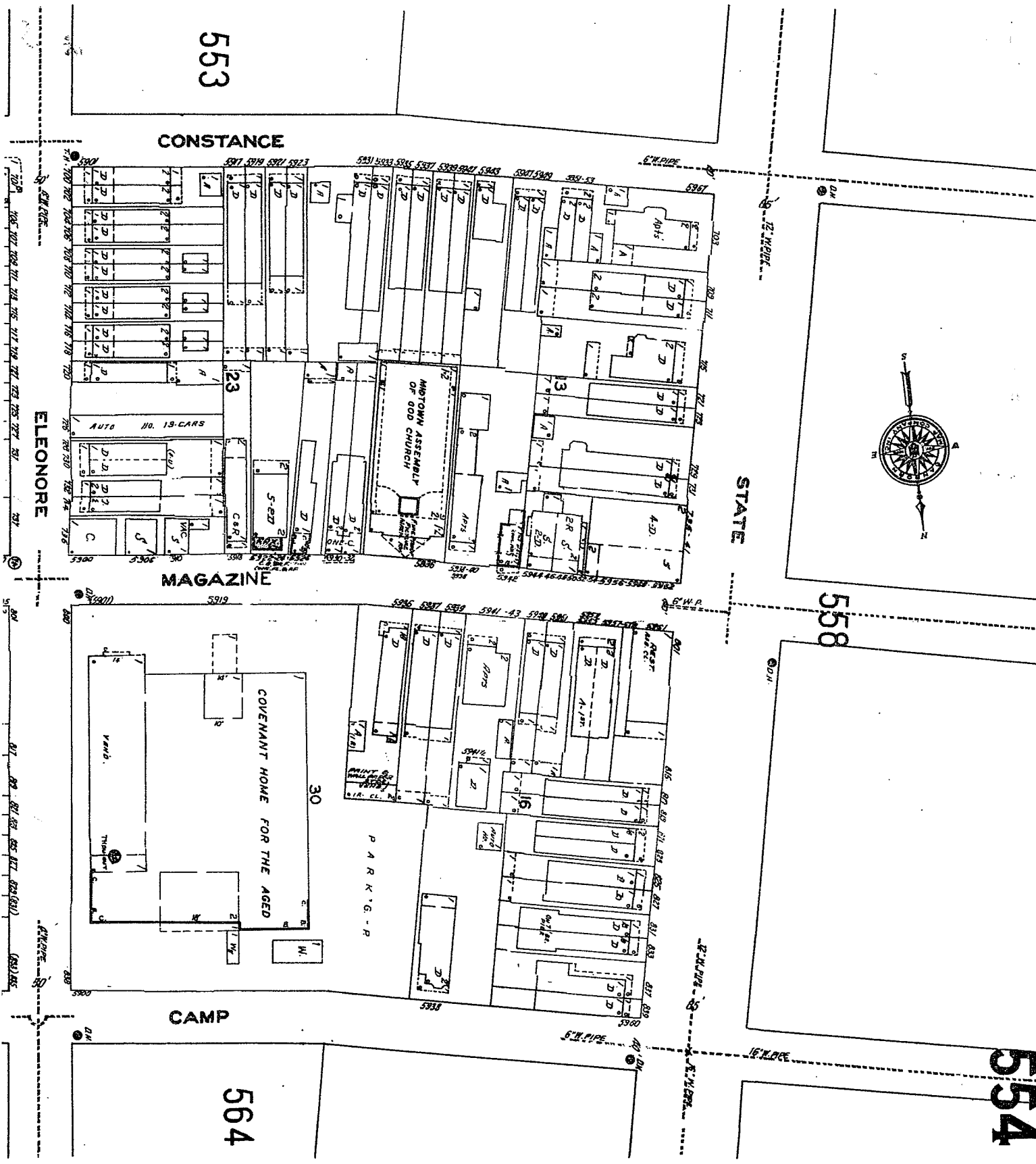
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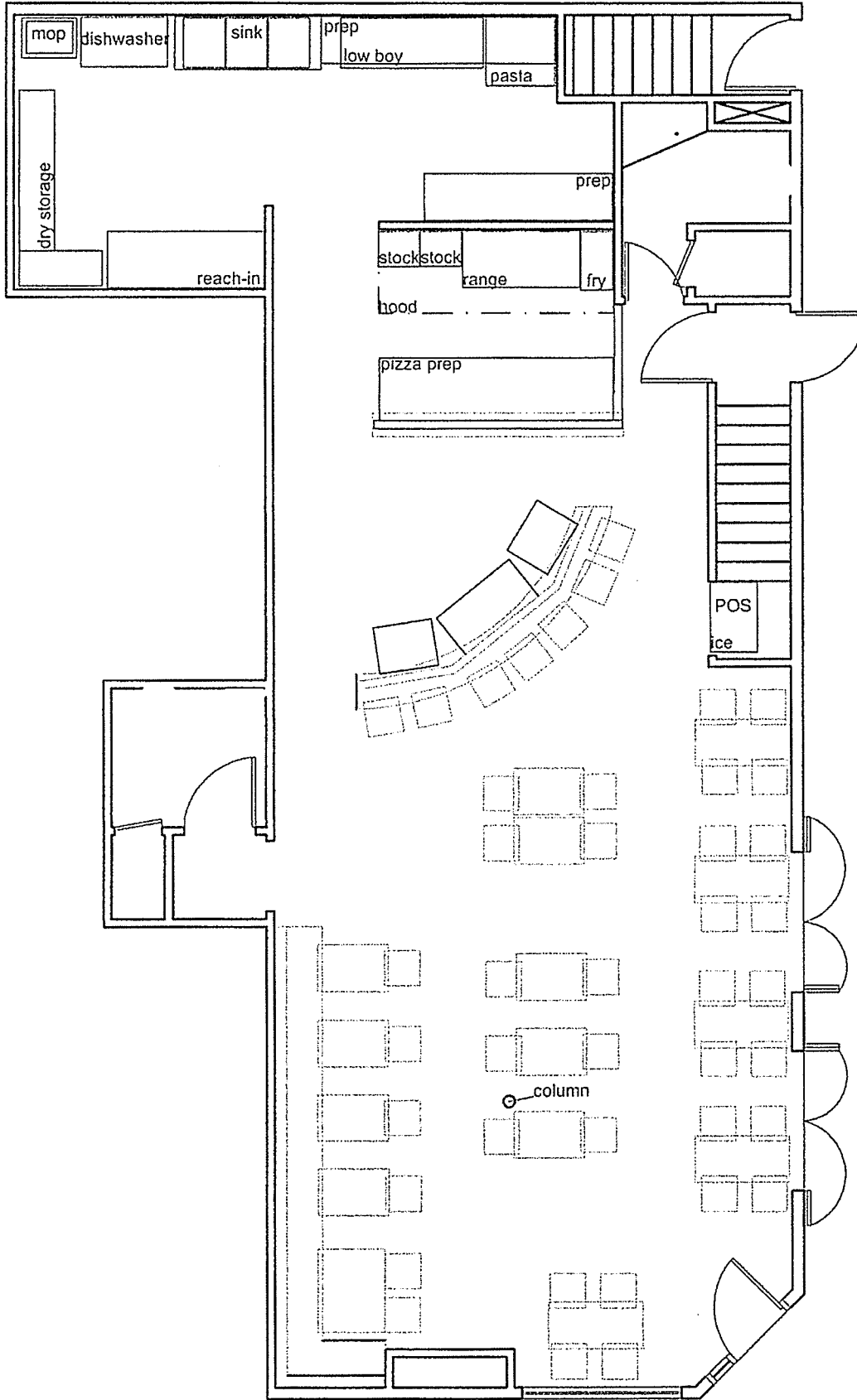
PARK'G-R

CAMP

564

MADTOWN ASSEMBLY OF GOD CHURCH

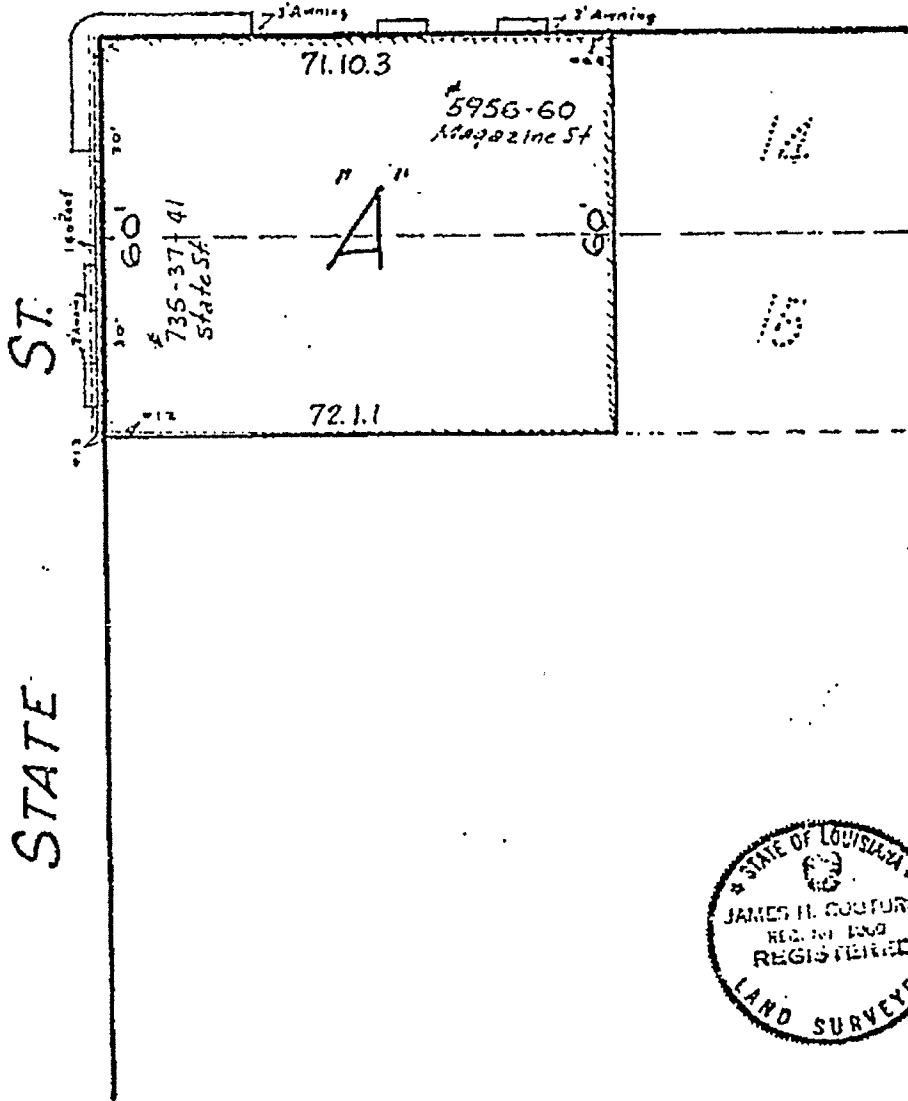




noodle & pie

SO. No. 13, BLOOMINGDALE
SIXTH DISTRICT

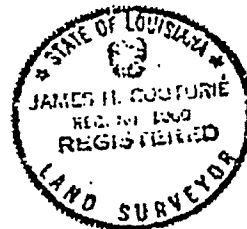
MAGAZINE ST.



SIDE

ELEONORE

FILED



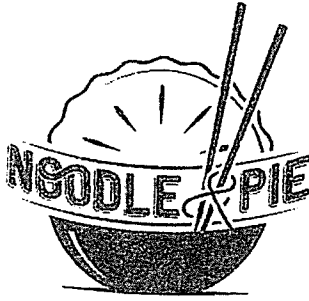
CONSTANCE ST. SIDE

Feb 19, 1993 Found as shown for Mrs Roy & Mrs Charlotte Southern Savings Ass'n. *Jan Blanton*
April 18, 1981 Found as shown for Columbia Hospital - Hospital & Pharmacy, Inc. *Joseph A. Fiasconero, Jr.*

New Orleans, La.
Aug 23, 1977

Survey certified correct. Made at the request
of Mozer's Pharmacies Inc., Columbia Hsthd. & Joseph A. Fiasconero, Jr.
Gilbert, Kelly & Couturie, Inc., Surveying & Engineering

5055 8/1/77 21.5.52



Dear neighbors,

Noodle and Pie restaurant, which the Times Picayune recently named one of the top 5 new restaurants of 2014 and also honored our chef and owner Brian Armour as a rising chef to watch, would like to inform the neighborhood that we will be applying for an amendment to the existing conditional use permit to include a full service bar. There will be no change to the existing structure, operating times or any construction associated with this change.

We will be holding a general meeting on this subject at Noodle & Pie restaurant at 741 State Street on Wednesday November 19th at 3 pm. We invite everyone who receives this letter to attend the meeting where we will explain our reasons for seeking this amendment and you will also be invited to express your opinions whether pro or con on the subject.

Thank you for taking time out of your day for this meeting

Emanuel Loubier

Partner noodle&pie

504-952-2048

Brian Armour

Partner noodle&pie

504-444-2689

noodleandpie@gmail.com

Notes on meeting

Date; november 18th and 19th

Brian Armour and Emanuel Loubier held a neighborhood meeting to discuss the application for a full service restaurant liquor license for noodle and pie restaurant located at 741 State Street. We mailed out 80 letters to the neighbors as outlined from the city planning committee, with a 1 1/2 week notice of or scheduled meeting.

2 people contacted us to say that they could not make that time or date so we held a smaller meeting for these 2 neighbors on the 18th, these participants were Joseph Constan at 729 State Street and David Hall at 712 State Street. on the 19th at the time of the meeting only 1 neighbor showed up, a miss Susan Couvion of 839 State Street.

Notes from the meetings,

We proposed no change to the operating provisos for the light wine and beer license that we already have, and assured the neighbors that we had no intention of any expansion of the restaurant or the bar area or of our operating hours.

Comments

Joseph had concerns of decrease of property value, no objection to noodle and pie but concerned about the change of charter zoning of the property for future tenants

David had concerns about midnight customers lingering to late hours, again no concerns about noodle and pie operating on this corner. also concerned about how easy it might be to change the operating hours in the future. did say he would be for the license if the weekend hours were changed to an 11 o'clock closing time

Susan had concerns over parking in the neighborhood and about future tenants. again no objection to noodle and pie operating in this neighborhood.

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.4704



Fax Numbers
225.932.5317 (Admin. Services)
225.932.5314 (Corporations)
225.932.5318 (UCC)

Name	Type	City	Status
NOODLE & PIE, LLC	Limited Liability Company	NEW ORLEANS	Active

Business: NOODLE & PIE, LLC

Charter Number: 40969504K

Registration Date: 10/17/2012

State Of Origin:

Domicile Address

736 DANTE ST.
NEW ORLEANS, LA 70118

Mailing Address

736 DANTE ST.
NEW ORLEANS, LA 70118

Status

Status: Active
Annual Report Status: In Good Standing
File Date: 10/17/2012
Last Report Filed: N/A
Type: Limited Liability Company

Registered Agent(s)

Agent:	DANIEL E. BURAS
Address 1:	301 N COLUMBIA ST.
City, State, Zip:	COVINGTON, LA 70433
Appointment Date:	10/17/2012

Officer(s)

Additional Officers: No

Officer:	EMANUEL LOUBIER
Title:	Manager, Member
Address 1:	4444 S GALVEZ ST.
City, State, Zip:	NEW ORLEANS, LA 70125

Officer:	BRIAN ARMOUR
Title:	Manager, Member
Address 1:	2923 PALMYRA
City, State, Zip:	NEW ORLEANS, LA 70119

Amendments on File

No Amendments on file

Print

<u>Property Address</u>	<u>Owner's Contact Information</u>
5936 Magazine St	Debra A Salbador
	1775 Mountinside Dr Blacksburg, VA 24060
5941 Magazine St	Bloomingdale Palms LLC
5920 Camp St	C/O William W Messersmith IV 916 Leontine St New Orleans, LA 70115
	Home For Aged Infirmary Protestant
5948 Magazine St	5920 Camp St New Orleans, LA 70115- 0
	David L Pesses
6033 Magazine St	246 Evangeline Dr Mandeville, LA 70471
O'dellice Patisserie,Inc	Tinh T Nguyen
6024 Magazine St	1609 Calder St Gretna, LA 70053
	Otis P Marinho
6031 Magazine St	Et Al C/O Oliver P Carriere Jr 72409 Military Road Hwy 21 Covington, LA 7043
	George G Jr Adams
	6029 Magazine St New Orleans, LA 70118
712 State St	David K Hall
	712 State St New Orleans, LA 70118
821 State St	Swift Merchant Capital, LLC
	740 Clouet St New Orleans, LA 70117
703 State St	Marcelle B Coogan
	Etal 159 Country Club Dr New Orleans, LA 70124
5961 Magazine St	Drr Ventures LLC
Wow Cafe' & Wingery	323 Octavia St New Orleans, LA 70115
6021 Constance St	William E Jr Wright
	6021 Constance St New Orleans, LA 70118
628 State St	III William F Grace
	628 State St New Orleans, LA 70118
839 State St	Susan L Couvillon
	839 State St New Orleans, LA 70118
5926 Magazine St	Dhr Property LLC
Spa Zeeba	824 Dakin Street Jefferson, LA 70121
5939 Constance St	Amanda R Coleman
	5939 Constance St New Orleans, LA 70115

5931 Constance St	Kenneth L Schaefer
Kenneth L Schaefer Renovationsinc	5931 Constance St New Orleans, LA 70115
728 State St	Denise B King
	Etal 728 State St New Orleans, LA 70118-7011
736 State St	Leon J III Clement
Clement Hardware, Golden Shears, A Girl Is A Gun	6000 Magazine St New Orleans, LA 70118
808 State St	David W Jr Lichtenstein
	C/O Lavignebaker Petroleum,Llc 2307 Gause Blvd. E. Slidell, LA 70461-4369
5938 Camp St	Timothy G Schaefer
	5938 Camp St New Orleans, LA 70115-0701
700 State St	Kenneth L Tolar
	700 State St New Orleans, LA 70118
825 State St	Harold S Jr Andry
	825 State St New Orleans, LA 70118
5947 Constance St	Michael L Rolfsen
	3960 Floyd Dr Baton Rouge, LA 70808
5917 Constance St	Jonell T Lombardo
	5917 Constance St New Orleans, LA 70115
6020 Magazine St	Girls And Boys Town Of Louisiana Inc
	700 Frenchmen St New Orleans, LA 70116
5955 Magazine St	Drr Ventures, LLC
	323 Octavia St New Orleans, LA 70115
735 State St	Ancona Investments LLC
New Orleans Dance Academy Inc, Reginell's Pizzer	307 Burdette St New Orleans, LA 70118
831 State St	River State, LLC
	One Canal Place Ste 1600 New Orleans, LA 70130
718 State St	Cheryl Haney Maureen
	718 State St New Orleans, LA 70118
814 State St	Andrew G Bucaro
	814 State St New Orleans, LA 70118
817 State St	Joseph L Reese
	817 State St New Orleans, LA 70118
708 Eleonore St	Edward L Jr Levert
	710 Eleonore St New Orleans, LA 70115
709 State St	Govern Gerard P Mc

		2718 State St New Orleans, LA 70118
5935 Constance St		Abigail R Miller
708 State St		Etal 5937 Constance St New Orleans, LA 70115
		Donatella M Kuypers
636 State St		708 State St New Orleans, LA 70118
		Frances D Hymel
729 State St		636 State St New Orleans, LA 70118
		Joseph I Constans
713 State St		729 State St New Orleans, LA 70118-7011
		Warren J Jr Greenwood
704 Eleonore St		715 State St New Orleans, LA 70118
		William R Keleher
5918 Magazine St		Et Al 706 Eleonore St New Orleans, LA 70115
The Tennis Shop Of New Orleans		Sugar Grits LLC
6028 Magazine St		1608 East Frisco Dr Laplace, LA 70060
First Line Services Inc		First Line Services Inc
5939 Magazine St		6028 Magazine St P O Box 13218 New Orleans, LA 70185-3218
		Brett S Reagan
721 State St		5939 Magazine St New Orleans, LA 70115
		Holly A Mckenzie
5951 Constance St		721 State St New Orleans, LA 70118
		Paul William D St
5923 Constance St		5951 Constance St New Orleans, LA 70115
		Benjamin Hamawy
818 State St		5923 Constance St New Orleans, LA 70115
		A R Wirth Holdings LLC
5949 Magazine St		6034 Pitt St New Orleans, LA 70118
		Paul M Bel
6001 Magazine St		5949 Magazine St New Orleans, LA 70115
Uptown Shell		Lavigne Baker Petroleum LLC
5940 Magazine St		2307 Gause Blvd East Slidell, LA 70460-4369
Holly's Grooming & Pet Supply		Vieux Nouveau Properties, LLC
6017 Magazine St		C/O William Patrick Schindler 1027 Nashville Ave New Orleans, LA 70115
		Lavignebaker Petroleum LLC
		2307 Gause Blvd East Slidell, LA 70460

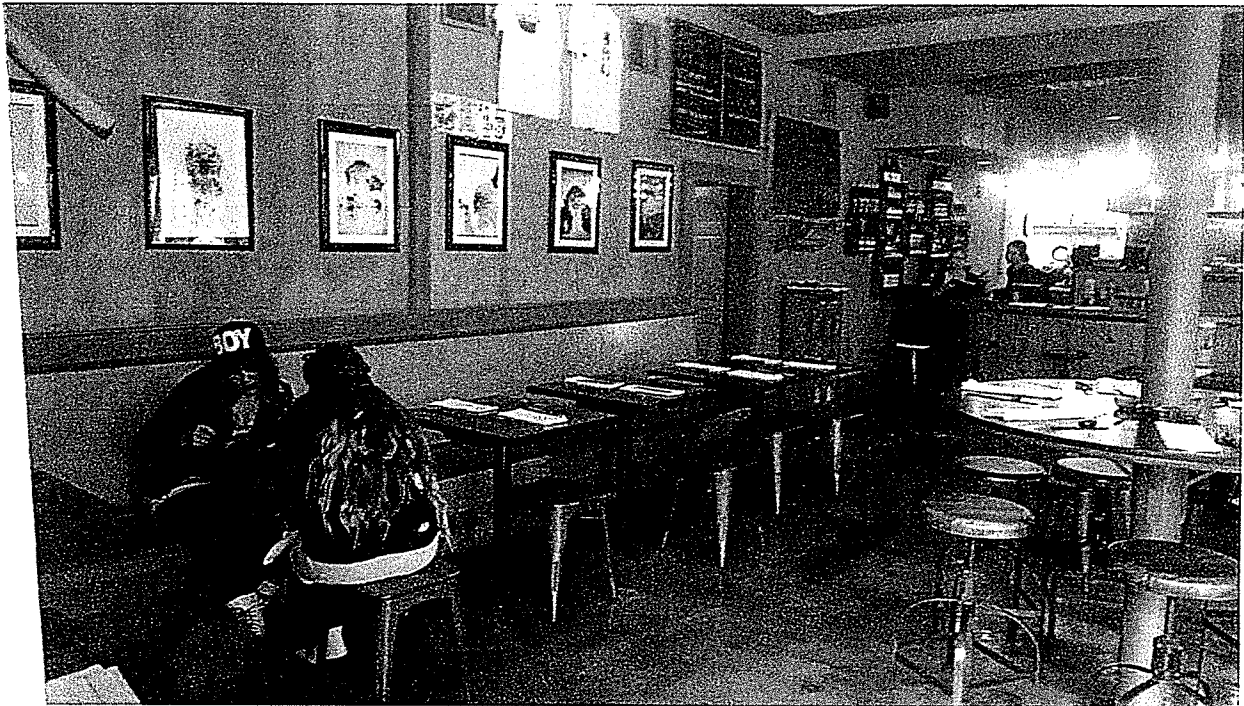
5924 Magazine St	5920 Magazine St, LLC
5943 Constance St	544 Lowerline St New Orleans, LA 70118 Robert L Jr Freeman
5930 Magazine St	5943 Constance St New Orleans, LA 70115 Roberto E Mendez
Taqueria Corona	2420 Lowerline St New Orleans, LA 70125
5940 Magazine St	
6025 Magazine St	Paul M Jones
6019 Constance St	6027 Magazine St New Orleans, LA 70118 Patricia Jackson
6021 Magazine St	Et Al 6019 Constance St New Orleans, LA 70118 Fe And Se Investments LLC
5935 Magazine St	C/O Frank E Schmidt 1137 Jefferson Ave New Orleans, LA 70115
Salon Capri	5935 Magazine LLC
5936 Magazine St 1	C/O Darlene T Bassett 6305 Magazine St New Orleans, LA 70118 Onnig H Dombalagian
5936 Magazine St 2	5936 Magazine St Unit 1 New Orleans, LA 70115 Edward E Jr Walker
5936 Magazine St 3	5936 Magazine St Unit 2 New Orleans, LA 70115 Laura R Ricks
5936 Magazine St 4	5936 Magazine St Unit 3 New Orleans, LA 70115 Marilyn A Tapper
5936 Magazine St 5	5936 Magazine St Unit 4 New Orleans, LA 70115 K Rezal Declr Of Trust Vickie
5936 Magazine St 6	340 E Randolph Street Apt. 2606 Chicago, IL 60601 Am & Aw Properties LLC
5936 Magazine St 7	629 Baronne St New Orleans, LA 70113 Luck Properties LLC
5940 Magazine St 103	1624 Kirby Shreveport, LA 71103 Vieux Nouveau Properties, LLC
Holly's Grooming & Pet Supply	5419 Laurel St New Orleans, LA 70115
5940 Magazine St 201	Robert L Seegers
Holly's Grooming & Pet Supply	1704 Island Dr Monroe, LA 71201
5940 Magazine St 202	Vieux Nouveau Properties, LLC

	Holly's Grooming & Pet Supply	5419 Laurel St New Orleans, LA 70115
	5940 Magazine St 203	Vieux Nouveau Properties, LLC
	Holly's Grooming & Pet Supply	5419 Laurel St New Orleans, LA 70115
	5940 Magazine St 204	Peter A Jr Wilson
	Holly's Grooming & Pet Supply	5940 Magazine St Unit 204 New Orleans, LA 70115
	5940 Magazine St 101	Vieux Nouveau Properties, LLC
	Holly's Grooming & Pet Supply	5419 Laurel St New Orleans, LA 70115
	5940 Magazine St 102	Vieux Nouveau Properties, LLC
	Holly's Grooming & Pet Supply	5419 Laurel St New Orleans, LA 70115

Name	Address1	Address2	City	St	Zip
A R Wirth Holdings LLC	6034 Pitt St		New Orleans	LA	70118
Bloomingdale Palms LLC	C/O William W Messersmith IV	916 Leontine St	New Orleans	LA	70115
Ancona Investments LLC	307 Burdette St		New Orleans	LA	70118
Clement Leon J III	6000 Magazine St		New Orleans	LA	70118
Adams George G Jr	6029 Magazine St		New Orleans	LA	70118
Greenwood Warren J Jr	715 State St		New Orleans	LA	70118
Sandot, Inc	C/O Massimo C Raffignone	724 High St	Houma	LA	70360
Lombardo Jonell T	5917 Constance St		New Orleans	LA	70115
Sugar Grils LLC	1608 East Frisco Dr		Laplace	LA	70060
Protestant Home For The Aged	5919 Magazine St		New Orleans	LA	70115
Hamawy Benjamin	5923 Constance St		New Orleans	LA	70115
Mendez Roberto E	2420 Lowerline St		New Orleans	LA	70125
Schaefer Kenneth L	5931 Constance St		New Orleans	LA	70115
Miller Abigail R	Etal	5937 Constance St	New Orleans	LA	70115
5935 Magazine LLC	C/O Darlene T Bassett	6305 Magazine St	New Orleans	LA	70118
Dombalagian Onnig H	5936 Magazine St Unit 1		New Orleans	LA	70115
Walker Edward E Jr	5936 Magazine St	Unit 2	New Orleans	LA	70115
Ricks Laura R	5936 Magazine St Unit 3		New Orleans	LA	70115
Tapper Marilyn A	5936 Magazine St Unit 4		New Orleans	LA	70115
Vickie K Rezal Decir Of Trust	340 E Randolph Street	Apt. 2606	Chicago	IL	60601
Am & Aw Properties LLC	629 Baronne St		New Orleans	LA	70113
Luck Properties LLC	1624 Kirby		Shreveport	LA	71103
Schafer Timothy G	5938 Camp St		New Orleans	LA	70115-0701
Reagan Brett S	5939 Magazine St		New Orleans	LA	70115
Freeman Robert L Jr	5943 Constance St		New Orleans	LA	70115
Pesses David L	246 Evangeline Dr		Mandeville	LA	70471
Bel Paul M	5949 Magazine St		New Orleans	LA	70115
St Paul William D	5951 Constance St		New Orleans	LA	70115
Dir Ventures LLC	323 Octavia St		New Orleans	LA	70115
Lavigne Baker Petroleum LLC	2307 Gause Blvd East		Slidell	LA	70460-4369
Lavignebaker Petroleum LLC	2307 Gause Blvd East		Slidell	LA	70460
Jackson Patricia	EtAl	6019 Constance St	New Orleans	LA	70118
Girls And Boys Town Of Louisiana Inc	700 Frenchmen St		New Orleans	LA	70116
Fe And Se Investments LLC	C/O Frank E Schmidt	1137 Jefferson Ave	New Orleans	LA	70115
Marrionni Otis P	EtAl C/O Oliver P Carriere Jr	72409 Military Road Hwy 21	Covington	LA	70435

Preston Darren B	6025 Constance St		New Orleans	LA	70118
First Line Services Inc	6028 Magazine St	P O Box 13218	New Orleans	LA	70185-3218
Mc Govern Gerard P	2718 State St		New Orleans	LA	70118
Hymel Frances D	636 State St		New Orleans	LA	70118
Tolar Kenneth L	700 State St		New Orleans	LA	70118
Coogan Marcelle B	Etal	159 Country Club Dr	New Orleans	LA	70124
Kuypers Donatella M	708 State St		New Orleans	LA	70118
Hall David K	712 State St		New Orleans	LA	70118
Maureen Cheryl Haney	718 State St		New Orleans	LA	70118
Mckenzie Holly A	721 State St		New Orleans	LA	70118
King Denise B	Etal	728 State St	New Orleans	LA	70118-7011
Constans Joseph I	729 State St		New Orleans	LA	70118-7011
Lichtenstein David W Jr	C/O Lavignebaker Petroleum,Lic	2307 Gause Blvd. E.	Slidell	LA	70461-4369
Bucaro Andrew G	814 State St		New Orleans	LA	70118
Reece Joseph L	817 State St		New Orleans	LA	70118
Andy Harold S Jr	825 State St		New Orleans	LA	70118
Read Valerie A	Et Al	832 State St	New Orleans	LA	70118
Delong Aaron M	728 Eleonore St		New Orleans	LA	70115
Dtr Property LLC	824 Dakin Street		Jefferson	LA	70121
Salbador Debra A	1775 Mountainside Dr		Blacksburg	VA	24060
Vieux Nouveau Properties, LLC	C/O William Patrick Schindler	1027 Nashville Ave	New Orleans	LA	70115
Rolfson Michael L	3960 Floyd Dr		Baton Rouge	LA	70808
Dtr Ventures, LLC	323 Octavia St		New Orleans	LA	70115
Wright William E Jr	6021 Constance St		New Orleans	LA	70118
Jones Paul M	6027 Magazine St		New Orleans	LA	70118
Swift Merchant Capital, LLC	740 Clouet St		New Orleans	LA	70117
Vieux Nouveau Properties, LLC	5419 Laurel St		New Orleans	LA	70115
Coleman Amanda R	5939 Constance St		New Orleans	LA	70115
Congregation Of St Francis Roman	631 State St		New Orleans	LA	70118
River State, LLC	One Canal Place Ste 1600		New Orleans	LA	70130
Kaufman Carey M	836 State St		New Orleans	LA	70118
D'hemecourt John P Jr	Etal	29 Durel Drive	Covington	LA	70433
Protellant Home For Aged Infirm	5920 Camp St		New Orleans	LA	70115- 0
Gfb III Properties LLC	8424 General Diaz		New Orleans	LA	70124
Seegers Robert L	1704 Island Dr		Monroe	LA	71201
Healy Sharon	Etal	6020 Camp St	New Orleans	LA	70118

Wilson Peter A Jr	5940 Magazine St Unit 204	New Orleans	LA	70115
5920 Magazine St, LLC	544 Lowerline St	New Orleans	LA	70118







Notifications
010-15

Name	Address1	Address2	City	St	Zip
A R Wirth Holdings LLC	6034 Pitt St		New Orleans	LA	70118
Bloomingdale Palms LLC	C/O William W Messersmith IV	916 Leontine St	New Orleans	LA	70115
Ancona Investments LLC	307 Burdette St		New Orleans	LA	70118
Clement Leon J III	6000 Magazine St		New Orleans	LA	70118
Greenwood Warren J Jr	715 State St		New Orleans	LA	70118
Protestant Home For The Aged	5919 Magazine St		New Orleans	LA	70115
Mendez Roberto E	2420 Lowerline St		New Orleans	LA	70125
Schaefer Kenneth L	5931 Constance St		New Orleans	LA	70115
Miller Abigail R	Etal	5937 Constance St	New Orleans	LA	70115
5935 Magazine LLC	C/O Darlene T Bassett	6305 Magazine St	New Orleans	LA	70118
Dombalgian Onnig H	5936 Magazine St Unit 1		New Orleans	LA	70115
Walker Edward E Jr	5936 Magazine St	Unit 2	New Orleans	LA	70115
Ricks Laura R	5936 Magazine St Unit 3		New Orleans	LA	70115
Tapper Marilyn A	5936 Magazine St Unit 4		New Orleans	LA	70115
Vickie K Rezal Declr Of Trust	340 E Randolph Street	Apt. 2606	Chicago	IL	60601
Am & Aw Properties LLC	629 Baronne St		New Orleans	LA	70113
Luck Properties LLC	1624 Kirby		Shreveport	LA	71103
Schafer Timothy G	5938 Camp St		New Orleans	LA	70115-0701
Reagan Brett S	5939 Magazine St		New Orleans	LA	70115
Freeman Robert L Jr	5943 Constance St		New Orleans	LA	70115
Pesses David L	246 Evangeline Dr		Mandeville	LA	70471
Bel Paul M	5949 Magazine St		New Orleans	LA	70115
St Paul William D	5951 Constance St		New Orleans	LA	70115
Drr Ventures LLC	323 Octavia St		New Orleans	LA	70115
Lavigne Baker Petroleum LLC	2307 Gause Blvd East		Slidell	LA	70460-4369
Lavignebaker Petroleum LLC	2307 Gause Blvd East		Slidell	LA	70460
Jackson Patricia	Et Al	6019 Constance St	New Orleans	LA	70118
Fe And Se Investments LLC	C/O Frank E Schmidt	1137 Jefferson Ave	New Orleans	LA	70115
Marinoni Otis P	Et Al C/O Oliver P Carriere Jr	72409 Military Road Hwy 21	Covington	LA	70435
Mc Govern Gerard P	2718 State St		New Orleans	LA	70118
Tolar Kenneth L	700 State St		New Orleans	LA	70118
Coogan Marcelle B	Etal	159 Country Club Dr	New Orleans	LA	70124
Kluypers Donatella M	708 State St		New Orleans	LA	70118

CPCinfo

From: Joseph Constans <joseph.constans@gmail.com>
Sent: Monday, January 05, 2015 4:08 PM
To: CPCinfo; Editha V. Amacker; T. Gordon McLeod; Susan G. Guidry; Susan Ogden; Ogden; David Hall; audubonriverside@gmail.com; dsmi18@lsuhsc.edu
Subject: zoning docket 010/15

Dear City Planning Commission Members:

The CPC is scheduled to consider a request by ANCONA INVESTMENTS to modify the existing use conditional use permit for 735 State Street to allow for sale of high alcoholic content beverages. I am the immediate neighbor to this property (my address is 729 State Street), and I have concerns about this request.

The current conditional use permit allowing ONLY low alcohol beverages was originally negotiated with the former business owner, Reginelli Pizza, specifically to prevent future development of businesses that primarily serve alcohol. Removing the low-alcohol-only restriction will represent a significant concession by the residents, and if the commission chooses to follow staff recommendations to approve this request, I ask that certain provisos be added or continued.

Specifically, I ask that the conditional use permit allow alcohol service only until 10pm. This is Noodle and Pie's current closing time (see <http://noodleandpie.com/>), and thus inclusion of this proviso would not impact its operation. In addition, I ask for a continuation of the provisos 3-9 listed in the current ordinance. Most importantly, I ask for a continuation of the proviso allowing alcohol service only with food (current proviso #3).

Noodle and Pie has been a good neighbor, and I wish them success. Limiting hours of operation until 10p would not impact their business but would help address residents concerns about future business that may operate at this location.

Thank for considering my requests.

Joseph Constans
729 State Street