

**City Planning Commission Meeting**  
**Tuesday, March 10, 2015**

**CPC Deadline:** 04/24/15  
**CC Deadline:** 05/22/15  
**Council District:** C  
**Councilmember:** Ramsey

### **PRELIMINARY STAFF REPORT**

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**To:** City Planning Commission  
**Zoning Docket:** 023/15

**Prepared By:** Editha Amacker  
**Date:** March 2, 2015

#### **I. GENERAL INFORMATION**

**Applicant:** City Council Motion M-15-34

**Request:** This is a request for an amendment to Ordinance No. 25,555 MCS (Zoning Docket 084/13) to grant a Conditional Use to permit a fast food restaurant in a B-2 Neighborhood Business District and UC Urban Corridor District overlay and to consider setback waivers that were inadvertently omitted from Ordinance No. 25,555 MCS.

**Location:** The petitioned property is located on Square 207, Parcels A & B or Lot A-1, in the Fifth Municipal District, bounded by Behrman Place, Holiday Drive, and General DeGaulle Drive. The municipal address is 3901 General DeGaulle Drive. (PD 12)

**Description:** The subject site is a vacant parcel at the corner of General DeGaulle and Holiday Drives in Algiers. The irregular-shaped parcel measures approximately 20,500 square feet. The site has approximately one-hundred seventy feet (170') of frontage along General DeGaulle Drive and approximately two-hundred fifteen (215') of frontage along Holiday Drive. The applicant proposes to construct a 3,590 square foot strip shopping center which will include a 1,415 square foot fast food restaurant. Thirty-one (31) parking spaces are proposed. The parking lot will be accessed via curb cuts on Holiday and General DeGaulle Drives.

The applicant proposes to open a fast food restaurant in a new structure which will include an additional retail space. The conditional use was not closed within one year of approval of the final ordinance and the applicant is requesting a waiver to permit parking within twenty feet (20') of the street right-of-way.

#### **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. The conditional use must be re-ordained and the amendment must be authorized as set forth in **Article 16, Section 16.6**

of the Comprehensive Zoning Ordinance. Fast food restaurants are a conditional use in the B-2 Neighborhood Business District, by reference to **Article 5, Section 5.4.5(4) Conditional Uses** of the Comprehensive Zoning Ordinance and in the UC Urban Corridor District according to **Article 10, Section 10.1.7 Conditional Uses** 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*

The site is located within a large B-2 Neighborhood Business District. It is across Holiday Drive from a C-1 General Commercial District. There is a B-1 Neighborhood Business District across General DeGaulle Drive from the site. The subject site and commercial properties along General DeGaulle Drive are within a UC Urban Corridor District.

#### *Land Use*

The petitioned site is located at the intersection of General DeGaulle and Holiday Drives. It is across Holiday Drive from a drug store and a grocery store. It is adjacent to a bank on General DeGaulle Drive. There is an electrical substation behind the site, within the interior of the square. The Algiers Plaza shopping center is across General DeGaulle Drive from the site. The Algiers Regional Library is located on Holiday Drive, next to the Algiers Plaza Shopping Center.

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

#### **Zoning and Land Use History:**

##### *Zoning History*

1929 - 'L' Unrestricted District  
1953 - 'A' Single-Family District  
1970 - B-2 Neighborhood Business District  
Current – B-2 Neighborhood Business District

##### *Land Use*

1929 –Vacant  
1949 –Vacant  
1999 –Commercial<sup>1</sup>

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

**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 84/13** was a request for a conditional use to permit a fast food restaurant in a B-2 Neighborhood Business District and the UC Urban Corridor District. The City Planning Commission recommended approval of the request and removed portion of a proviso related to screening the loading zone and added a waiver of the associated standard. The request was subsequently approved by the City Council with an additional waiver to permit a courtyard. *This is the subject site.*

*The staff recommendation included fourteen provisos and no waivers. At the City Planning Commission hearing on August 27, 2013, the Commissioners removed reference to screening of the dumpster area and added a waiver of the associated standard. At the City Council meeting on September 26, 2013, the City Council members add an additional waiver to allow an outdoor seating area in front of the General De Gaulle Drive right-of-way. The City Council members also added three provisos to require bicycle parking, to ensure maintenance of the courtyard seating area, and to require that the landscape plans include maintenance and water irrigation and lighting to the courtyard area. The landscape plans must be reviewed by the District C City Councilmember prior to submission to City Planning Commission staff. The waivers and provisos from the Ordinance 25,555 MCS are listed below.*

*Waivers:*

1. The developer shall be granted a waiver of Article 10, Section 10.1.11 (1)(c) Site Requirements to allow a permeable surface or courtyard pavers to be installed for an outdoor courtyard seating area along yard setback area between the building and the sidewalk along General DeGaulle.
2. The applicant shall be granted a waiver of Article 10, Section 10.1.11 (4e) of the Comprehensive Zoning Ordinance to permit no screening of the off-street loading area.

*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 submit two sets of detailed site plans (including but not limited to existing landscaping, dumpster location, proposed off-street parking, curbs and curb cuts), floor plans and elevations (including proposed signage and exterior lighting) of the site subject to final approval by CPC staff.

3. The applicant shall submit drawings for repair of sidewalks and curbs for review and approval by the Department of Public Works prior to final approval by CPC staff.

4. The dumpster area shall be screened from view by an opaque wooden or masonry fence that is at least six (6) feet tall.

5. 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 litter pickup by a contracted trash removal company, and the clearing of all litter from the sidewalks and the street right-of-way. The name and phone number of the owner/operator of the restaurant shall be included in this letter to be kept on file in case of any violation. In no case shall litter be stored so that it is visible from the public right-of-way.

6. The applicant shall submit a revised site plan showing landscaping between the sidewalks and the building or parking areas which conform to Article 10, Section 10.1.11.1 Special Site Requirements of the Comprehensive Zoning Ordinance.

7. Any proposed site lighting must conform to Article 10, Section 10.1.11.4 Overall Landscaping and Design Standards of the Comprehensive Zoning Ordinance.

8. The applicant shall save on-site oak trees located along the southwestern edge of the site subject to the review and approval of the Department of Parks and Parkways.

9. The applicant shall submit a revised site plan showing a pedestrian connection between the building and the public sidewalks.

10. The applicant shall submit revised plans which will include details of all signage of the site which shall conform to Article 5, Section 5.6.6 Permitted Signs for the B-2 Neighborhood Business District, Article 10, Section 10.1.8 Permitted Attached Identification Signs and Article 10, Section 10.1.9 Permitted Detached Identification Signs for the UC Urban Corridor District, and Article 12, General Sign Regulations of the Comprehensive Zoning Ordinance.

11. Revised site plans shall indicate that all of the parking spaces meet the design standards in Article 15, Section 15.2.5 of the Comprehensive Zoning Ordinance.

12. The applicant shall provide revised site plans which indicate a loading space that meets the standards in Article 15, Section 15.3.4 of the Comprehensive Zoning Ordinance. Access to the loading space shall not be obstructed by parking spaces or any other site elements.

13. The revised site plans shall indicate an off-street loading area in compliance with Article 10, Section 10.1.11.4c of the Comprehensive Zoning Ordinance.

14. Any new or modified curbs cuts must be approved by the Department of Public Works and the Louisiana Department of Transportation and Development.

15. The applicant shall provide at least 5 bike parking spaces which shall be included in the final site plan to be approved by the staff of City Planning.

16. An outdoor court yard area shall be constructed and maintained along General DeGaulle by the main entrance.

17. Prior to the City Planning staff's approval of the final landscaping and lighting plan, plans shall be submitted to District "C" councilmember for review and approval to then be forwarded to City Planning staff. A maintenance and watering/irrigation plan shall be incorporated in the landscaping plans to insure that the trees, shrubs and greenery are maintained and healthy. Also, an outdoor landscape lighting plan shall be included with emphasis on the courtyard seating area and up-lights in the trees to be planted in and around the site.

**Zoning Docket 52-13** was a request for an amendment to Ordinance No. 24,812 MCS (ZD 120/11, a Conditional Use to permit a development exceeding 10,000 square feet of floor area and exceeding one acre in site area) to permit additional attached signage, in a C-1 General Commercial District and within the UC Urban Corridor District. The City Planning Commission recommended modified approval of the request. The request had not been considered by the City Council at the time of this report. *The location is cater corner to the petitioned site.*

**Zoning Docket 120/11** was a request for an amendment to Ordinance No. 23,578 MCS (Zoning Docket 4/09, a conditional use to permit a development exceeding 10,000 square feet of floor area and exceeding one acre in site area) to permit the renovation of existing retail buildings and the construction of new retail buildings at the site, in a C-1 General Commercial District and within the UC Urban Corridor District. The municipal address is 4100 and 4110 General DeGaulle Drive and 3010 Holiday Drive. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The location is cater corner to the petitioned site.*

**Zoning Docket 082/11** was a request for an amendment to Ordinance No. 20,062 M.C.S. (Z.D. 99/00, a conditional use to permit an automobile service center in a B-2 Neighborhood Business District and within the UC Urban Corridor Overlay District) to permit a medical clinic having between 2,500 and 5,000 square feet of floor area in a B-2 Neighborhood Business District within the UC Urban Corridor Overlay District. The municipal address is 3801 General DeGaulle Drive. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The location is approximately two blocks from the petitioned site.*

**Zoning Docket 083/10** was a request for an amendment to Ordinance No. 23,964 M.C.S. (ZD 124/09, a conditional use to permit a library in a C-1 General Commercial District within the UC Urban Corridor Overlay District), to permit a reduction in the number of required parking and loading spaces. The municipal address is 3014 Holiday Drive. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The location is approximately two blocks from the petitioned site.*

**Zoning Docket 124/09** was a request for a conditional use to permit a library in a C-1 General Commercial District within the UC Urban Corridor Overlay District. The municipal address is 3014 Holiday Drive. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The location is approximately two blocks from the petitioned site.*

**Zoning Docket 004/09** was a request for an amendment to Ordinance No. 23,115 M.C.S. (Zoning Docket 25/08, a conditional use to permit a development over 10,000 square feet of floor area and exceeding one acre in site area) to expand the site area of the conditional use and to permit the addition of floor area to a drug store for use as a clinic in a C-1 General Commercial District and the UC Urban Corridor District. The municipal addresses are 4100 and 4110 General DeGaulle Drive and 3008 and 3010 Holiday Drive. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *The location is cater corner to the petitioned site.*

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

In 2013, the reference for the UC Urban Corridor District in the Comprehensive Zoning Ordinance changed from Section 10.1 to Section 10.1A<sup>2</sup>. Therefore, all of the waivers and provisos that refer to the UC Urban Corridor District standards must be changed accordingly.

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<sup>2</sup> Zoning Docket 61/13 was a request by City Council Motion to amend and reordain the text of Article 10. Overlay Zoning Districts, Miscellaneous Zoning Districts, Planning Development Districts and Design Review Districts of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend and existing design standards in Section 10.1 "UC Corridor District", Section 10.2 "Eastern New Orleans Renaissance Corridor District" and Section 10.3 "Highway Urban Corridor District" in Eastern New Orleans. The City Planning Commission recommended approval of the changes and it was approved by the City Council October 10, 2013. Ordinance 25,526 MCS was approved by the Mayor on October 15, 2013.

The subject site is on a single lot on the corner of Holiday Drive and General DeGaulle Drive in Square 207 on Lot A-1. The lot is triangular in shape and measures approximately one-hundred and seventy feet (170') along General DeGaulle Drive and approximately two-hundred and fifteen feet (215') along Holiday Drive. The lot measures approximately 20,500 square feet. The applicant proposes to construct a trapezium shaped building with an area of 3,590 square feet. The structure is a single story building with the primary materials being stucco, wood and storefront glazing. The overall design of the building is appropriate for this commercial corridor. The structure will include two separate tenant spaces. One of the tenant spaces measures 2,175 square feet and the other unit measures 1,415 square feet. The smaller of the tenant spaces is the subject of this conditional use for a fast food restaurant.

- The applicant shall submit two sets of detailed site plans (including but not limited to existing landscaping, dumpster location, proposed off-street parking, curbs and curb cuts), floor plans and elevations (including proposed signage and exterior lighting) of the site subject to final approval by CPC staff.
- The applicant shall submit drawings for repair of sidewalks and curbs for review and approval by the Department of Public Works prior to final approval by CPC staff.

#### *Trash Storage and Litter Abatement*

The submitted site plan indicates the location of a dumpster or trash containers. However, the method of screening is not indicated. If this conditional use is approved, the staff recommends the following:

- The dumpster area shall be screened from view by an opaque wooden or masonry fence that is at least six (6) feet tall.
- 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 by a contracted trash removal company, and the clearing of all litter from the sidewalks and the street right-of-way. The name and phone number of the owner/operator of the restaurant 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.

### *Landscaping & Lighting*

The submitted site plans indicate the presence of landscaping onsite. The applicant proposes street trees along Holiday and General DeGaulle Drives. Staff believes additional trees between the proposed building/parking areas and the sidewalks would be appropriate. This area must be landscaped with a combination of trees, grass, and shrubs.

There is no direct pedestrian connection between the building and the public sidewalk system. Staff believes that this type of connection is necessary and should also be landscaped. No lighting is shown in the parking areas on the site plan. Any proposed lighting shall be approved by City Planning Commission staff.

A representative from the Department of Parks and Parkways asked that on-site oak trees located along the southwestern edge of the site be retained if possible and requested a tree protection plan for the trees that will be saved.

- The applicant shall submit a revised site plan showing landscaping between the sidewalks and the building or parking areas which conform to **Article 10, Section 10.1A.11.1 *Special Site Requirements*** of the Comprehensive Zoning Ordinance.
- Any proposed site lighting must conform to **Article 10, Section 10.1A.11.4 *Overall Landscaping and Design Standards*** of the Comprehensive Zoning Ordinance.
- The applicant shall save on-site oak trees located along the southwestern edge of the site, subject to the review and approval of the Department of Parks and Parkways.
- The applicant shall submit a revised site plan showing a pedestrian connection between the building and the public sidewalks.

Subsequent to the staff design review, the applicant proposed including an outdoor seating area on the General DeGaulle Drive side of building. This proposal was reviewed by the District C City Councilmember and the applicant was granted a waiver of UC Urban Corridor District standards to allow a permeable surface or courtyard pavers to be installed for an outdoor courtyard seating area. Two of the additional provisos addressed maintenance of the courtyard seating area, the addition of trees and shrubs for the courtyard area, uplighting for the trees, a landscape plan with a water/irrigation plan, and a landscape lighting plan. The staff agrees with the Councilmember's requirements for the courtyard seating area. The waiver and associated provisos follow:



- The developer shall be granted a waiver of Article 10, Section 10.1A.11 (1)(c) Site Requirements to allow a permeable surface or courtyard pavers to be installed for an outdoor courtyard seating area along yard setback area between the building and the sidewalk along General DeGaulle.
- An outdoor court yard area shall be constructed and maintained along General DeGaulle by the main entrance.
- Prior to the City Planning staff's approval of the final landscaping and lighting plan, plans shall be submitted to District "C" councilmember for review and approval to then be forwarded to City Planning staff. A maintenance and watering/irrigation plan shall be incorporated in the landscaping plans to insure that the trees, shrubs and greenery are maintained and healthy. Also, an outdoor landscape lighting plan shall be included with emphasis on the courtyard seating area and up-lights in the trees to be planted in and around the site.

### *Signage*

Signage is shown on the elevations submitted and include (2) thirty one square foot signs, one on each frontage. The size and quantity of signage shown is appropriate based on the length and number of frontages. A detached sign is shown on the site plan but no details regarding its size and materials are indicated.

- The applicant shall submit revised plans which will include details of all signage of the site which shall conform to **Article 5, Section 5.6.6 Permitted Signs** for the B-2 Neighborhood Business District, **Article 10, Section 10.1A.8 Permitted Attached Identification Signs** and **Article 10, Section 10.1A.9 Permitted Detached Identification Signs for the UC Urban Corridor District**, and **Article 12, General Sign Regulations of the Comprehensive Zoning Ordinance**.

- 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*

General DeGaulle and Holiday Drives are major streets according to the *Plan for the 21<sup>st</sup> Century Existing Major Streets Plan*. General DeGaulle Drive, which is part of Louisiana Highway 428, is a two-way roadway with six lanes of traffic, divided by the Algiers Outfall Canal. Holiday Drive is a two-way thoroughfare with four lanes of traffic and a wide neutral ground. Holiday Drive merges with Behrman Place approximately one block from the petitioned site. The traffic light is located in the neutral ground in front of the petitioned site. There is heavy traffic throughout the day around the intersection of General DeGaulle and

Holiday Drives. There is a bus route on Holiday Drive with a stop directly in front of the subject site. The fast food restaurant will primarily use take-out and delivery service. The proposed use will have minimal adverse impact on adjacent properties which are primarily commercial uses.

### *Off-Street Parking*

The site plan shows thirty-one off-street parking spaces, accessed via two curb cuts – one onto Holiday Drive and the other onto General DeGaulle Drive. Two of the spaces are designated as handicapped-accessible. The proposed parking spaces are eight feet six inches (8'6") in width and eighteen feet (18') in depth and two handicapped-accessible spaces are shown adjacent to the proposed building. To ensure compliance with the design standards in **Article 15, Section 15.2.5** of the Comprehensive Zoning Ordinance, staff recommends the following.

- Revised site plans shall indicate off-street parking spaces which meet the design standards in **Article 15, Section 15.2.5** of the Comprehensive Zoning Ordinance.

The tenant space for the proposed fast food restaurant will be 1,385 square feet and the courtyard seating occupies 323 square feet. Twelve (12) off-street parking spaces are required for the proposed fast food restaurant according to **Article 15, Section 15.2.1 Table 15.A** of the Comprehensive Zoning Ordinance. The proposed retail space is 2,175 square feet. It will require eleven (11) off-street parking spaces. The plans include twenty-eight (28) spaces. There is adequate off-street parking available for the proposed uses.

The City Council Motion requests consideration of a waiver to permit parking in the required setback on the Holiday Drive side of the site. There are thirteen (13) parking spaces in the required setback adjacent to Holiday Drive. There is no on-street parking along either street frontage and the parking spaces are necessary to meet the parking requirements. Therefore staff recommends the following waiver:

- The applicant shall be granted a waiver of **Article 10, Section 10.1A.11 (1)(c)** which prohibits parking or pavement in the twenty foot setback from the street right-of-way, to permit parking within the setback area on the Holiday Drive side of the subject site.

### *Loading*

One (1) off-street loading space is required for the site<sup>3</sup>. The site plans does not show a designated loading space. It is anticipated that a fast food restaurant will

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<sup>3</sup> According to **Article 15, Section 15.3.2 Table 15.G** and **Article 15.3.3** of the Comprehensive Zoning Ordinance, for a mixed-use building, off-street loading shall be provided as if the entire building were used for that use in the building for which the most spaces are required. The prospective use of the other tenant

receive deliveries on a regular basis; therefore a loading space will be necessary. There is a dumpster enclosure which is blocked by the adjacent parking spaces. If this area is to be used as a loading space, then three (3) of the adjacent parking spaces must be removed to provide access to the loading space. There are enough parking spaces on the site to accommodate the requirements for an off-street loading space<sup>4</sup>. The loading space must meet the design standards in **Article 15, Section 15.3.4** of the Comprehensive Zoning Ordinance.

- The applicant shall provide revised site plans which indicate a loading space that meets the standards in **Article 15, Section 15.3.4** of the Comprehensive Zoning Ordinance. Access to the loading space shall not be obstructed by parking spaces or any other site elements.

It was noted in the previous report that for the UC Urban Corridor District, the loading area must be screened within fencing. At the City Planning Commission meeting, the Commissioners agreed to the applicant's request for a waiver of this requirement. The applicant indicated that the loading space would not be viewable from the right-of-way. The proposed structure will block the view of the loading area from General DeGaulle Drive. The current plans include landscaping with trees that will provide partial screening from Holiday Drive. At the public hearing, CPC staff agreed with the request. The following waiver was granted and the reference to the requirement in UC Urban Corridor District was removed from the proviso about the loading space.

The loading area must be configured in such a way that service trucks will not block the passage of other vehicles within the site.

- The revised site plans shall indicate an off-street loading area in compliance with **Article 10, Section 10.1.11.4c** of the Comprehensive Zoning Ordinance.

**F. Are there any comments from other agencies, departments or committees?**

The first request was considered by the Planning Advisory Committee at its July 24, 2013 meeting. Donna Accardo appeared on behalf of the applicant and explained the proposal to build a strip shopping center which will include a Pizza Hut restaurant. The representative from the Department of Parks and Parkways requested that the applicant to consider retaining an existing live oak tree on the site. The representative from the Department of Public Works noted that the proposed driveways must be located a certain distance from the signal light at the intersection of General DeGaulle Drive and Holiday Drive. The committee

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space is unknown, therefore the off-street loading requirement is based on restaurant use for the entire building.

<sup>4</sup> Restaurants have a high parking requirement compared to other uses. If the entire building were used by the fast food restaurant, it would require twenty-five (25) parking spaces. Thirty-one (31) are proposed for the site. So, losing three (3) spaces for the loading space would not limit use of the remaining tenant space.

passed a motion of no objection subject to further review by the City Planning Commission, the Department of Parks and Parkways, and the Department of Public Works.

- Any new or modified curbs cuts must approved by the Department of Public Works and the Louisiana Department of Transportation and Development.

The proposed curb cuts are located away from the traffic light which is on the neutral ground in the middle of Holiday Drive. There is a walk sign at the corner with the subject site. Other comments from the committee members have been addressed elsewhere in the report.

This request was considered by the Planning Advisory Committee at its February 11, 2015 meeting. The architect appeared on behalf of the applicant. The representative from the Sewerage and Water Board indicated that the trees must be at least 5' from house connections and the main water line. The committee passed a motion of no objection subject to further review by the City Planning Commission.

Typically, this request by the Sewerage and Water Board would be addressed through a tree planting permit to plant trees in the public right-of-way. However, in this case, the public right-of-way is very narrow and tree plantings near the right-of-way could be very close to existing utilities. The architect should include notations on the plans indicating the location of house connections and the main water line and a 5' buffer. Therefore staff recommends the following:

- The revised site plans shall include the location of house connections and the main water line, as well as a five foot (5') buffer within which no trees shall be planted.

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

The proposed fast food restaurant will be located on a commercial corridor at a major intersection in Algiers. There will be minimal impact on traffic and parking in the area. There is adequate off-street parking proposed for commercial uses on the site. The Design Review section has addressed landscaping, trash storage, litter abatement, site design, and operational standards.

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

The proposal is **consistent with** the *Future Land Use Map* within the *Plan for the 21<sup>st</sup> Century: New Orleans 2030 (the Master Plan)*, which categorizes the land as **General Commercial**. The goal, range of uses and development character for this designation is copied below:

## GENERAL COMMERCIAL

**Goal:** Increase the availability of retail services and amenities (and increase retail tax base) within the City of New Orleans, especially in areas that are currently underserved by retail, with existing and new medium- and large-scale commercial establishments and shopping centers.

**Range of Uses:** Larger commercial structures including shopping and entertainment centers typically anchored by large supermarkets, department stores or big-box style establishments with supportive chain retail and surface or structured parking.

**Development Character:** Structures oriented to the street where possible to encourage both pedestrian and automobile traffic. Sites are limited to accessible locations along major city roadways or highways with minimal negative impact on surrounding residential areas, often in proximity to transit.

The General Commercial designation is intended to provide for relatively intense commercial activity. Fast food restaurants may be considered supportive chain retail as described in the range of uses. Considering the location on a major arterial as well as the General Commercial designation, the proposed use is **consistent with** the Master Plan.

## IV. SUMMARY

This is a request to amend and reordain a conditional use that expired and the applicant needed a waiver to permit parking in the required setback area adjacent to Holiday Drive. The staff recommends the requested waiver in order to maintain the required parking for the proposed fast food restaurant and retail store. Waivers and provisos that were added by the City Planning Commission and the City Council were incorporated into this request. The request is consistent with the Plan for the 21<sup>st</sup> Century: New Orleans 2030 Plan which designates the site General Commercial.

## V. PRELIMINARY STAFF RECOMMENDATION<sup>5</sup>

The staff recommends **Approval** of Zoning Docket 023/15, subject to three waivers and eighteen (18) provisos.

### WAIVERS:

1. The developer shall be granted a waiver of **Article 10, Section 10.1A.11 (1)(c) Site Requirements** to allow a permeable surface or courtyard pavers to be installed

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<sup>5</sup> Subject to modification by the City Planning Commission

for an outdoor courtyard seating area along yard setback area between the building and the sidewalk along General DeGaulle Drive.

2. The applicant shall be granted a waiver of **Article 10, Section 10.1A.11 (4e)** of the Comprehensive Zoning Ordinance to permit no screening of the off-street loading area.

3. The applicant shall be granted a waiver of **Article 10, Section 10.1A.11 (1)(c)** which prohibits parking or pavement in the twenty foot setback from the street right-of-way, to permit parking within the setback area on the Holiday Drive side of the subject 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 submit two sets of detailed site plans (including but not limited to existing landscaping, dumpster location, proposed off-street parking, curbs and curb cuts), floor plans and elevations (including proposed signage and exterior lighting) of the site subject to final approval by CPC staff.

3. The applicant shall submit drawings for repair of sidewalks and curbs for review and approval by the Department of Public Works prior to final approval by CPC staff.

4. The dumpster area shall be screened from view by an opaque wooden or masonry fence that is at least six (6) feet tall.

5. 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 litter pickup by a contracted trash removal company, and the clearing of all litter from the sidewalks and the street right-of-way. The name and phone number of the owner/operator of the restaurant shall be included in this letter to be kept on file in case of any violation. In no case shall litter be stored so that it is visible from the public right-of-way.

6. The applicant shall submit a revised site plan showing landscaping between the sidewalks and the building or parking areas which conform to Article 10, Section 10.1A.11.1 Special Site Requirements of the Comprehensive Zoning Ordinance.

7. Any proposed site lighting must conform to Article 10, Section 10.1A.11.4 Overall Landscaping and Design Standards of the Comprehensive Zoning Ordinance.
8. The applicant shall save on-site oak trees located along the southwestern edge of the site subject to the review and approval of the Department of Parks and Parkways.
9. The applicant shall submit a revised site plan showing a pedestrian connection between the building and the public sidewalks.
10. The applicant shall submit revised plans which will include details of all signage of the site which shall conform to Article 5, Section 5.6.6 Permitted Signs for the B-2 Neighborhood Business District, Article 10, Section 10.1A.8 Permitted Attached Identification Signs and Article 10, Section 10.1A.9 Permitted Detached Identification Signs for the UC Urban Corridor District, and Article 12, General Sign Regulations of the Comprehensive Zoning Ordinance.
11. Revised site plans shall indicate that all of the parking spaces meet the design standards in Article 15, Section 15.2.5 of the Comprehensive Zoning Ordinance.
12. The applicant shall provide revised site plans which indicate a loading space that meets the standards in Article 15, Section 15.3.4 of the Comprehensive Zoning Ordinance. Access to the loading space shall not be obstructed by parking spaces or any other site elements.
13. The revised site plans shall indicate an off-street loading area in compliance with Article 10, Section 10.1A.11.4c of the Comprehensive Zoning Ordinance.
14. Any new or modified curbs cuts must be approved by the Department of Public Works and the Louisiana Department of Transportation and Development.
15. The applicant shall provide at least 5 bike parking spaces which shall be included in the final site plan to be approved by the staff of City Planning.
16. An outdoor court yard area shall be constructed and maintained along General DeGaulle by the main entrance.
17. Prior to the City Planning staff's approval of the final landscaping and lighting plan, plans shall be submitted to District "C" councilmember for review and approval to then be forwarded to City Planning staff. A maintenance and watering/irrigation plan shall be incorporated in the landscaping plans to insure that the trees, shrubs and greenery are maintained and healthy. Also, an outdoor landscape lighting plan shall be included with emphasis on the courtyard seating area and up-lights in the trees to be planted in and around the site.

18. The revised site plans shall include the location of house connections and the main water line, as well as a five foot (5') buffer within which no trees shall be planted.

**VI. REASONS FOR RECOMMENDATION**

1. The proposal will add commercial uses along an existing commercial corridor at a major intersection.
2. The request will have minimal impact on parking and traffic in the area.
3. The request is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030 Land Use Plan*.

**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.



1.21.15 12:55

**MOTION**

**M-15-34**

**CITY HALL: January 22, 2015**

**BY: COUNCILMEMBER RAMSEY** *MMR*

**SECONDED BY:**

**BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to conduct a public hearing to consider a request to amend and re-ordain Ordinance No. 25,555 M.C.S. (Z.D. 84/13) to permit the establishment of a Conditional Use for a fast food restaurant in a B-2 Neighborhood Business District and within the UC Urban Corridor District, and to consider setback waivers that were inadvertently omitted from Ordinance No. 25,555 M.C.S., on Square 207, Parcels A & B or Lot A-1, in the Fifth Municipal District, generally bounded by Behrman Place, Holiday and General DeGaulle Drives (Municipal Address: 3901 General DeGaulle Drive).

**THE FORGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION OF THEREOF AND RESULTED AS FOLLOWS:**

**YEAS:**

**NAYS:**

**ABSENT:**



# CITY OF NEW ORLEANS PROPERTY VIEWER



SEARCH



MEASURE



LAYERS



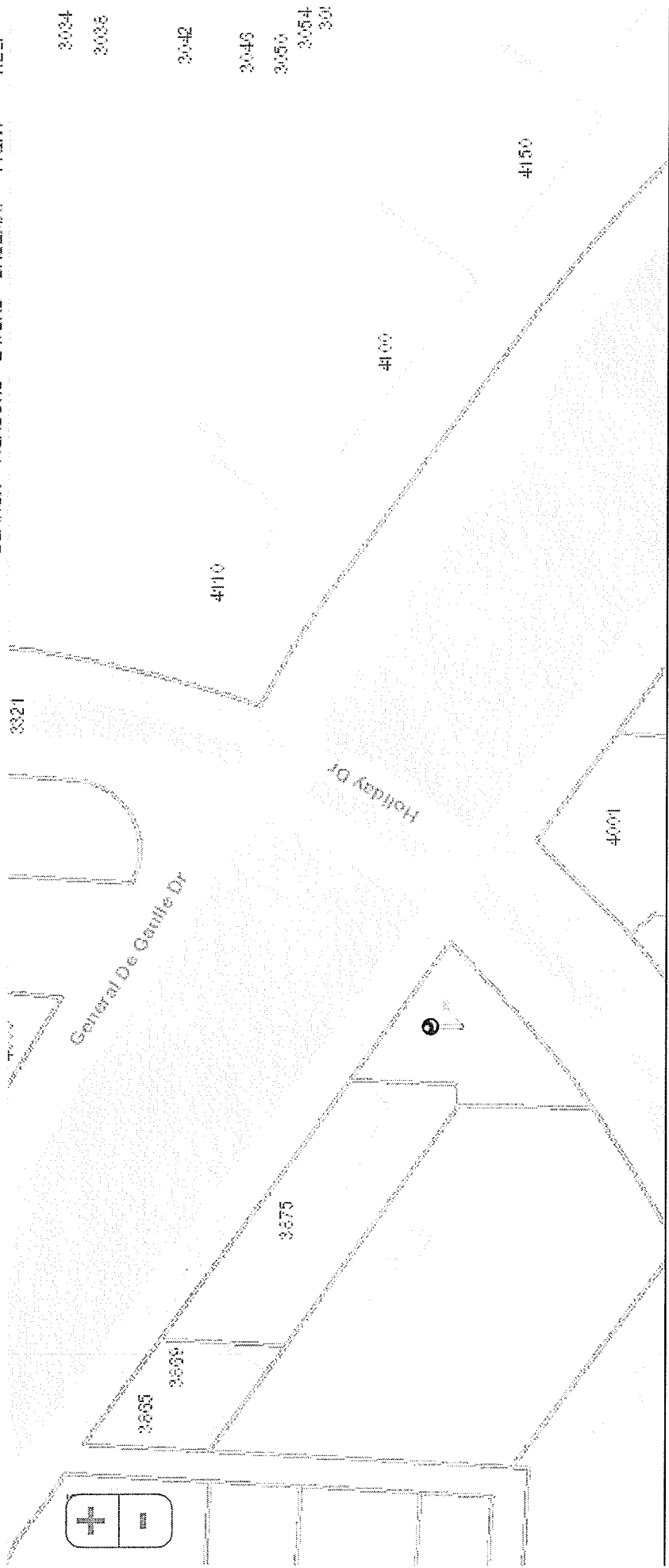
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PRINT



HELP



## PROPERTY INFORMATION

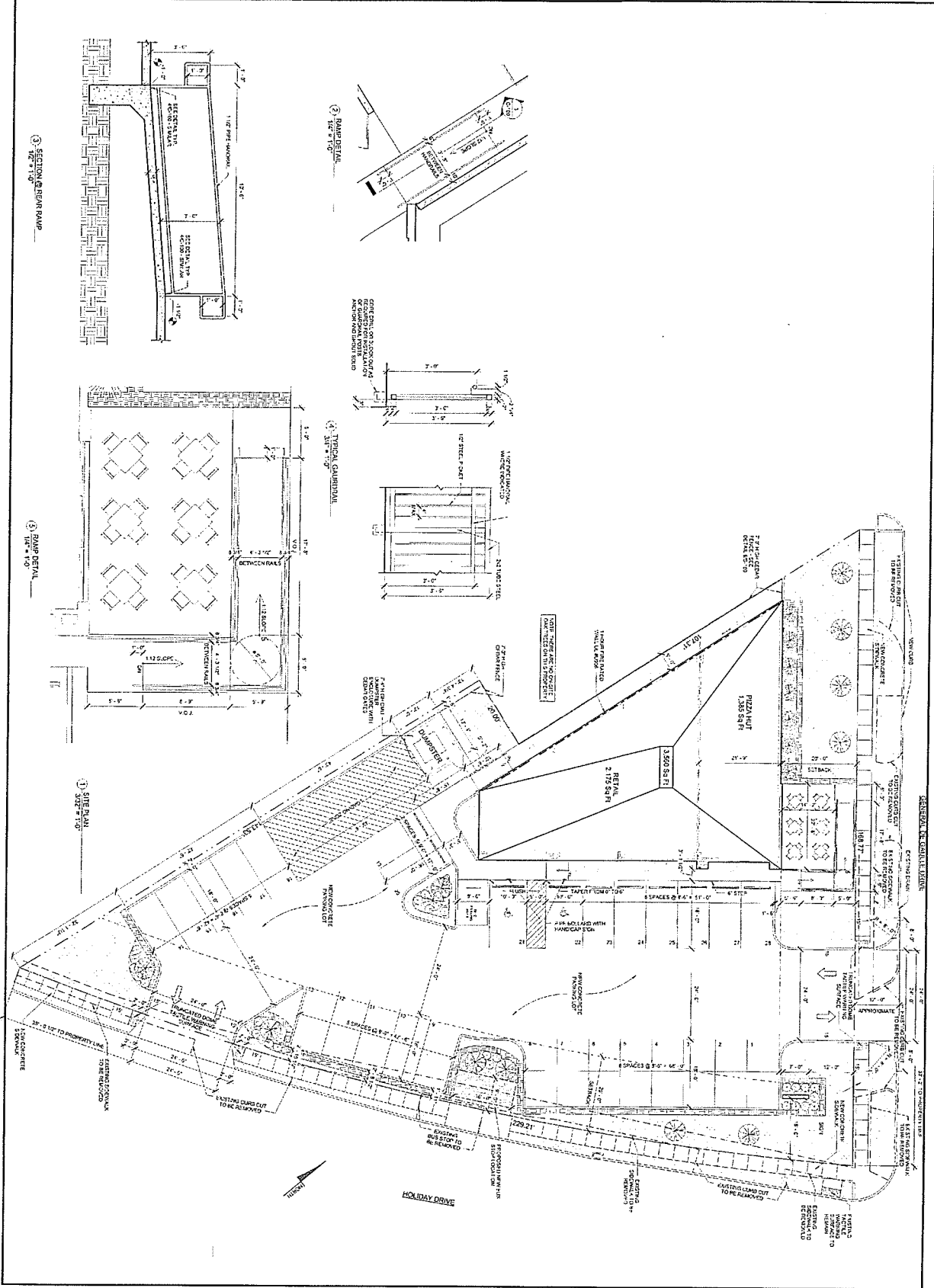
Site Address: 3901 GENERAL DE GAULLE DR, LA, 70114  
 First Owner Name: HRR GEN DEGAULLE I LLC  
 Mailing Address: 296 HIGHLAND BL  
 Mailing City: NATCHEZ  
 Mailing State: MS  
 Mailing Zip 5: 39120

## ZONING

Zoning District: B-2  
 Zoning Description: Neighborhood Business District  
 DRAFT Zoning: C-3  
 DRAFT Zoning Description: Heavy Commercial District  
 Future Land Use: MUH  
 Future Land Use Description: Mixed-Use High Density  
 Last Updated: Thu Dec 19 2013

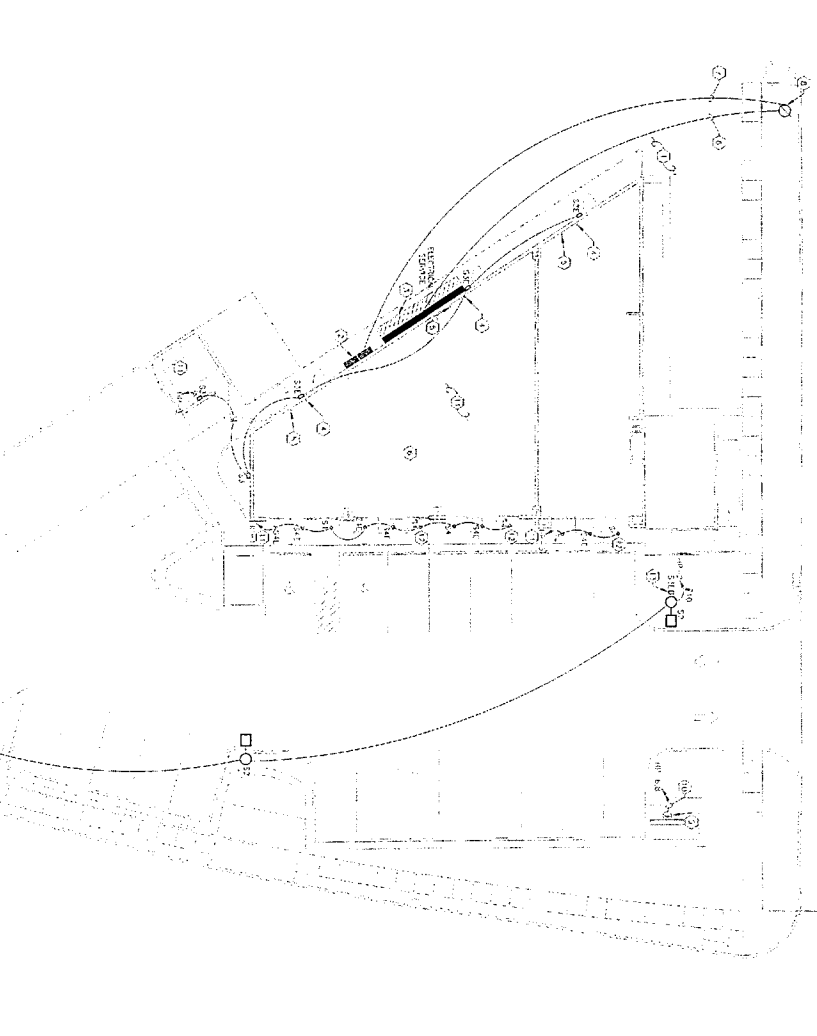
Property Description: ALLUVIAL LAND & PURCHASE CO - PARCELS A & B  
OR LOT A-1- TRIANGLE BOUNDED BY HOLIDAY DR- GEN DE GAULLE DR -





<p><b>C-100</b></p>	<p>PROJECT NUMBER 13129</p>	<p>DATE 03.28.14</p>	<p>PROJECT NAME 13129</p>	<p><b>SITE PLAN</b></p>	<p><b>NEW STRIP CENTER WITH PIZZA HUT TENANT BUILD-OUT AND WHITE BOX</b></p>	<p>3501 General De Gaule Drive, New Orleans, LA 70114</p>		<p><b>GARRITY ACCARDO ARCHITECTS</b> A PROFESSIONAL CORPORATION</p> <p>2401 WHITNEY AVENUE GRETTA LOUISIANA 70066 PHONE 504-366-4475 FAX 504-268-4259 www.garrytaccardo.com</p>
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- ELECTRICAL KEY NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).
  2. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).
  3. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).
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  10. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).



**ELECTRICAL SCHEDULE**

NO.	DESCRIPTION	QUANTITY
1	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
2	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
3	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
4	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
5	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
6	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
7	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
8	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
9	400V 3PH 4W 3T 3000KVA TRANSFORMER	1
10	400V 3PH 4W 3T 3000KVA TRANSFORMER	1

**ELECTRICAL LEGEND**

1	400V 3PH 4W 3T 3000KVA TRANSFORMER
2	400V 3PH 4W 3T 3000KVA TRANSFORMER
3	400V 3PH 4W 3T 3000KVA TRANSFORMER
4	400V 3PH 4W 3T 3000KVA TRANSFORMER
5	400V 3PH 4W 3T 3000KVA TRANSFORMER
6	400V 3PH 4W 3T 3000KVA TRANSFORMER
7	400V 3PH 4W 3T 3000KVA TRANSFORMER
8	400V 3PH 4W 3T 3000KVA TRANSFORMER
9	400V 3PH 4W 3T 3000KVA TRANSFORMER
10	400V 3PH 4W 3T 3000KVA TRANSFORMER

- GENERAL ELECTRICAL NOTES:**
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**SLAKE**  
 13108  
 03/07/14  
 E-100

**ELECTRICAL SITE PLAN**  
 3501 General De Cade Drive, New Orleans, LA 70114

**New Strip Center with Pizza Hut Tenant Build-Out and White Box**

**GARRITY ACCARDO ARCHITECTS**  
 2401 WHITNEY AVENUE  
 GREYTA LOUISIANA 70066  
 PHONE 504-388-4475 FAX 504-368-4299  
 www.garrityaccardo.com

SYMBOL	DESCRIPTION
(E20)	BRICKWORK
(E21)	CONCRETE
(E22)	WOOD
(E23)	GLASS
(E24)	STEEL
(E25)	ROOFING
(E26)	LANDSCAPE
(E27)	MECHANICAL
(E28)	ELECTRICAL
(E29)	PLUMBING
(E30)	PAINT
(E31)	FINISH
(E32)	FOUNDATION
(E33)	STRUCTURE
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(E35)	ELECTRICAL
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(E197)	PLUMBING
(E198)	PAINT
(E199)	FINISH
(E200)	FOUNDATION

**EXTENSION MATERIAL LEGEND**

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

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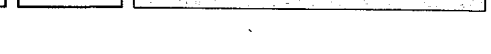
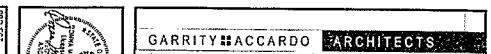
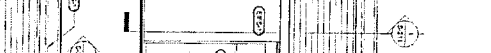
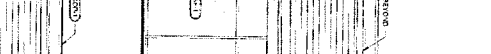
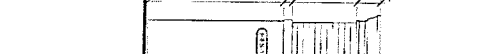
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PROJECT: New Strip Center with Pizza Hut Tenant Build-Out and White Box

3901 Genest Du Gaulle Drive, New Orleans, LA 70114

GARRITY ACCARDO ARCHITECTS  
A PROFESSIONAL CORPORATION

2401 WHITNEY AVENUE  
GREINA LOUISIANA 70056  
PHONE 504-368-4475 FAX 504-368-4259  
WWW.GARRITYACCARDO.COM

DATE: 03.28.14

PROJECT NUMBER: 1312

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CROSS  
STREET  
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SIGNAL

