

CITY PLANNING COMMISSION MEETING AGENDA

TUESDAY, OCTOBER 9, 2018
1:30 P.M.

CITY COUNCIL CHAMBER
(CITY HALL 1E07)

PUBLIC HEARING:

THE CITY PLANNING COMMISSION, IN ACCORDANCE WITH PROVISIONS OF ARTICLE 4 OF THE COMPREHENSIVE ZONING ORDINANCE NUMBER 4,264 M.C.S., AS AMENDED, AND IN ACCORDANCE WITH PROVISIONS OF THE REVISED STATUTES OF THE STATE OF LOUISIANA AND THE CITY CHARTER REGARDING PROPERTY DISPOSITIONS AND SUBDIVISIONS, WILL HOLD PUBLIC HEARINGS ON TUESDAY, OCTOBER 9, 2018 ON THE FOLLOWING PROPOSED AMENDMENTS TO THE COMPREHENSIVE ZONING LAW, PROPERTY DISPOSITIONS AND SUBDIVISIONS. THE COMMISSION WILL TAKE ACTION OR MAKE A RECOMMENDATION AT THE CONCLUSION OF EACH PUBLIC HEARING.

A. OLD BUSINESS:

1. **ZONING DOCKET 104/18** – Request by Michael G. Sherman for a text amendment to the Comprehensive Zoning Ordinance to amend Article 21, Section 21.5.C.1 *Exterior Lighting, Non-Residential Uses* to add language to allow for light poles for Industrial Uses to have a limitation of a maximum of thirty (30) feet in height and for any other additions, limitations, and modifications as may be deemed appropriate by the City Planning Commission staff. **(Deferred from the September 11, 2018 City Planning Commission meeting.)** (TM)
2. **ZONING DOCKET 106/18** – Request by McDonald’s Corporation for a text amendment to the Comprehensive Zoning Ordinance to amend Article 18, Section 18.6 *St. Charles Avenue Use Restriction Overlay District* to:
 - Amend Section 18.6.A *Applicability* to modify the existing language to now state that the Saint Charles Avenue Use Restriction Overlay District as applies to
 1. All lots zoned non-residentially fronting on St. Charles Avenue on squares bounded by Jefferson Avenue, Dryades Street, Dufossat Street, Baronne Street,

Robert Street, Carondelet Street, Jackson Avenue, Prytania Street, Amelia Street, Pitt Street, Soniat Street, Dufossat Street, Blanc Place, Valmont Street, Pitt Street, Leontine Street, and Atlanta Street.

2. All lots zoned non-residentially bounded by St. Charles Avenue, Coliseum Street, Pleasant Street and Delachaise Street.

3. All lots zoned non-residentially located on the downriver side of Jackson Avenue inclusive from St. Charles Avenue to Prytania Street inclusive of the downtown corner lot at Jackson Avenue and Prytania Street.

4. All lots zoned residential fronting St. Charles Avenue between Jackson Avenue and Jefferson Avenue.

- Amend Section 18.6.C *Conditional Uses* to permit the “[d]emolition and reconstruction of, the modification to, and/or the expansion of existing Restaurant, Fast Food” through the conditional use process.
- Amend Section 18.6.C *Conditional Uses* to permit the “[d]emolition and reconstruction of, the modification to, and/or the and expansion of existing Drive-Through Facilities, ancillary to a Restaurant, Fast Food” through the conditional use process.
- Add Section 18.6.D *Demolition and Reconstruction of Existing Facilities* to read: “1. Notwithstanding any provisions or restrictions in this Section 18.6 or any other provision of this ordinance to the contrary, any existing and operating Restaurant, Fast Food with existing Drive-Through Facilities, either operating as nonconforming structure or nonconforming use under Article 25 or through a duly approved and active Conditional Use permit, may be demolished and reconstructed provided that it is approved and completed pursuant to the terms and conditions set forth in the Conditional Use process of Section 4.3.”

(Deferred from the September 11, 2018 City Planning Commission meeting. Since that meeting, the application has been revised by the applicant to include the above-described amendment to Section 18.6.A *Applicability*. The application has been re-noticed to reflect the change.) (RB)

3. **ZONING DOCKET 107/18** – Request by McDonald’s Corporation for a conditional use to permit a fast food restaurant with drive-through facilities in an HU-MU Historic Urban Neighborhood Mixed-Use District, the St. Charles Avenue Use Restriction Overlay District, and the CPC Character Preservation Corridor Design Overlay District, on Square 425, Lots 1, 2, 3, 4, 5, 29, 30, part of 31, and part of 33, in the Sixth Municipal District, bounded by Saint Charles Avenue, Louisiana Avenue, Toledano Street, and Carondelet Street. The municipal addresses are 3309-3321 Saint Charles Avenue and 1625 Louisiana Avenue. (PD 3) **(Deferred from the September 11, 2018 City Planning Commission meeting.) (SL)**

B. NEW BUSINESS:

- 4. ZONING DOCKET 112/18** – Request by City Council Motion No. M-18-320 for a text amendment to the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the “Smart Housing Mix Ordinance Study” to specifically provide recommended Comprehensive Zoning Ordinance text amendment to capture three potential mandatory inclusionary zoning initiatives:
- Establish a Mandatory Inclusionary Zoning Overlay District
Amend the Comprehensive Zoning Ordinance to:
 1. Institute a mandatory inclusionary zoning requirement via an overlay district in certain areas of the city whereby disparities in affordable and workforce housing options exist, which requires a mandatory affordable and workforce housing component for all properties:
 - a. seeking a zoning change to permit a higher density zoning classification for development, the minimum threshold and applicability of which will be initially recommended by the City Planning Commission (e.g., - 5 units, 10 units, etc.; regardless of if the development is new construction or rehabilitation, and offered for rent or for sale;
 - b. seeking a zoning change to conform to the Master Plan Future Land Use Map amendments adopted by the Council, offered by Cm. Williams, that permit increased residential density;
 - Create a New Mandatory Inclusionary Base Zoning District
Amend the Comprehensive Zoning Ordinance to institute a new zoning district and correlating map changes for certain areas of the city with disparities in affordable and workforce housing options to require a mandatory affordable and workforce housing component for all applicable developments, the minimum threshold and applicability of which will be initially recommended by the City Planning Commission (e.g., - 5 units, 10 units, etc.; regardless of if the development is new construction or rehabilitation, and offered for rent or for sale;
 - Create a Mandatory Inclusionary Zoning Planned Development Classification
Amend the Comprehensive Zoning Ordinance to create a new Planned Development type that permits flexibility in zoning regulations for projects incorporating affordable and workforce housing components, which is approved via conditional use.
- 5. ZONING DOCKET 113/18** – Request by City Council Motion No. M-18-337 for a text amendment to the Comprehensive Zoning Ordinance to consider adding the following additional use restrictions and use standards to the “Middle Harrison Use Restriction Overlay District” applicable to those lots that front on Harrison Avenue between Canal Boulevard and West End Boulevard:
1. Maximum number of Standard Restaurants shall remain at 5.

2. Allow only one restaurant (of any type) in each 100 block (restaurants facing Canal Boulevard and West End Boulevard would count to that 100 block of Harrison).
 **All 6 restaurants presently operating and all 5 restaurants in the 500 and 600 blocks of Harrison Avenue shall be grandfathered at their present location of operation.
3. Specialty Restaurants shall be a maximum of 1,250 square feet.
4. Specialty/Carryout/Fast Food Restaurants shall not serve alcohol for consumption on premises or be sold as packaged.

Use Standards

- a. No music shall be allowed to be played at a business that is audible outside and/or have external speakers
 - b. Signs advertising the business shall not be allowed as monument signs on front lawns but must be attached to the front of the building to not block sight lines of side streets and alley ways exiting onto Harrison Avenue.
 - c. Restaurants shall not open for business before 7 a.m. or seat new customers after 9 p.m.
 - d. Buildings must have a 5 ft. setback from the sidewalk, with the area landscaped to be used as green space only.
 - e. Deliveries and trash collection before 7 a.m. is prohibited.
6. **ZONING DOCKET 114/18** – Request by City Council Motion No. M-18-338 for an amendment to Ordinance No. 25,641 M.C.S. (Zoning Docket 100/13, which granted a conditional use to permit a community center in an RD-2 Two-Family Residential District) to permit an educational facility in an HU-RD1 Historic Urban Two-Family Residential District, on Square 505, Lots 2, 3, 4, 5 and 6, in the Sixth Municipal District, bounded by Peniston, Danneel, General Taylor, and South Saratoga Streets. The municipal address is 2010 Peniston Street. (PD 2)
 7. **ZONING DOCKET 115/18** – Request by Cal Morris, LLC for a zoning change from an HMR-2 Historic Marigny/Tremé/Bywater Residential District to HMC-1 Historic Marigny/Tremé/Bywater Commercial District, on Square 495, Lot 9, in the Third Municipal District, bounded by Frenchmen Street, Urquhart Street, Marais Street, and Elysian Fields Avenue. The municipal addresses are 1241-1243 Frenchmen Street. (PD 4)
 8. **ZONING DOCKET 116/18** – Request by Church of the Annunciation for a zoning change from an HU-RD2 Historic Urban Two-Family Residential District Residential District to an MU-1 Medium Intensity Mixed-Use District, on Square 692, Lot 1-A-1, in the Sixth Municipal District, bounded by South Claiborne Avenue, Jena Street, Cadiz Street, and South Derbigny Street. The municipal addresses are 4505-4535 South Claiborne Avenue and 3000-3010 Jena Street. (PD 3)
 9. **ZONING DOCKET 117/18** – Request by Arman Z. Rahman for a conditional use

to permit a bed and breakfast (principal) in an HMR-2 Historic Marigny/Tremé/Bywater Residential District and an RDO-2 Residential Diversity Overlay District, on Square 142, Lot A or Pt. A, in the Second Municipal District, bounded by Esplanade Avenue, Henriette Delille Street, Tremé Street, and Barracks Street. The municipal addresses are 1206-1208 Esplanade Avenue and 1325 Henriette Delille Street. (PD 4)

10. **SUBDIVISION DOCKET 099/18** – Request by Diego Rivera and Gladys Bryant to re-subdivide Lots A and B into proposed Lots A-1 and B-1, on Square 2876, Third Municipal District, bounded by Harrison Avenue, Hamburg Street., Senate Street., and Gibson Street. The municipal addresses are 1528 Harrison Avenue and 34363 Hamburg Street. (PD 4) **(RJ)**
11. **SUBDIVISION DOCKET 103/18** – Request by Terrance Dugas to re-subdivide Lots 16 and 17 into proposed Lots 16A and 17A, Square 23, Edgewood, Third Municipal District, bounded by Gladiolus St., Iris St., Jonquil St., and Clematis Ave. The municipal address is 2424 Gladiolus Street. (PD 6) **(TJ)**
12. **DESIGN REVIEW 135/18** – Request by Michael Carbine for an amendment to an approved development plan in accordance with Article 4, Section 4.5.F.2 *Changes Approved by the City Planning Commission* of the Comprehensive Zoning Ordinance, for a property locate don Square 213, Lot A1, in the Fourth Municipal District, bounded by Saint Charles Avenue and First, Second, and Prytania Streets. The municipal addresses are 2400–2416 Saint Charles Avenue. (PD 2) **(LM)**

OTHER MATTERS:

- A. Adoption of the minutes of the September 25, 2018 meeting.
- B. Committee reports.
- C. Announcements.

Robert D. Rivers
Executive Director

RDR/skk