

**CITY PLANNING COMMISSION PUBLIC HEARING NOTICE**

**TUESDAY, APRIL 23, 2019**

**PUBLIC HEARING: 1:30 P.M.**

**CITY COUNCIL CHAMBER  
(CITY HALL - 1E07)**

**THE CITY PLANNING COMMISSION IN ACCORDANCE WITH PROVISIONS OF ARTICLE 4 OF THE COMPREHENSIVE ZONING ORDINANCE 4,264 M.C.S., AS AMENDED, WILL HOLD A PUBLIC HEARING ON APRIL 23, 2019 IN THE CITY COUNCIL CHAMBER (CITY HALL - 1E07) ON THE FOLLOWING PROPOSED AMENDMENTS TO THE COMPREHENSIVE ZONING LAW OF THE CITY OF NEW ORLEANS.**

**ZONING DOCKET 041/19** – Request by City Council Motion M-19-73 for a text amendment to the Comprehensive Zoning Ordinance to amend Article 18, including Sections 18.13.B.3 “RIV-3 Bywater Sub-District”, 18.13.H.2 “Building Heights”, 18.13.H.4 “Density Bonus and Height Limit Increase”, 18.13.I.2 “Building Heights”, and 18.13.I.4 “Density Bonus and Height Limit Increase”, to be modified as follows:

**18.13.B.3 - RIV-3 Bywater Sub-District**

The RIV-3 Bywater Sub-District applies to all lots, excluding those developed with single-family or two-family dwellings, in the area bounded by the Mississippi River, the Inner Harbor Navigation Canal, a line extending from the centerline of Chartres Street between Poland Avenue and the center of the Inner Harbor Navigation Canal, Chartres Street, Montegut Street, Dauphine Street, the center line of Homer Plessy Way, and a line from Homer Plessy Way to the Mississippi River.

**18.13.H.2 - Building Heights**

- a. Stepbacks
  - i. Properties with street frontage located along Chartres Street between Press Street and Desire Street are permitted a maximum building height of forty (40) feet with a maximum of three (3) stories along that street frontage. Any additional height above forty (40) feet shall be setback from the front property line at Chartres Street at a minimum distance of two (2) feet for every one (1) foot above forty (40) feet.
  - ii. A property that qualifies for the density bonus and height limit increase of Article 18, Section 18.13.H.4 may extend the height of the building up to seventy-five (75) feet and 6 stories, but the additional height shall be setback from the Chartres Street frontage a minimum distance of two (2) feet for every one (1) foot in height.
  - iii. Development sites with more than one-hundred (100) feet of frontage along Chartres Street may increase a portion (up to thirty-five percent (35%) of its primary street frontage) of their building height, to a maximum of fifty-five (55) feet with a maximum four (4) stories.

- b. Flat roofed structures should provide an adequately-sized parapet in order to mitigate the sight of rooftop equipment.
- c. Where provided as accessory flat roof features, open spaces located on roofs shall be excluded from the calculation of building height and gross floor area in accordance with Section 21.6.O.

#### **18.13.H.4 – Density Bonus and Height Limit Increase**

Eligible projects incorporating the following elements may qualify for consideration of an increase in height and/or density. Qualifying developments shall be entitled to the following: (i) an increase in the height limit up to two (2) stories, up to a maximum height of seventy-five (75) feet, (ii) an increase of an additional 1.0 FAR above the maximum FAR permitted in the underlying zoning district, and (iii) the elimination of any Minimum Lot Area per dwelling unit requirement applicable in an underlying zoning district.

To be eligible for consideration, developments must include all of the following:

- a. At least ten percent (10%) of dwelling units shall be reserved as affordable for households with incomes equal to or below eighty percent (80%) of area median income (AMI), with at least half of such affordable dwelling units containing two (2) or more bedrooms. The development shall maintain the reserved affordable dwelling units for a period of at least fifty (50) years. The affordable dwelling units shall be located within the same structure as the market-rate dwelling units in the development, shall be comparable to market-rate dwelling units in the development in terms of exterior design and finishes, and shall not be concentrated in any one area of the development.
- b. All applications requesting a development bonus for providing affordable housing shall include an Affordable Housing Impact Statement (AHIS) with the application. The AHIS shall provide the following information:
  - i. The number of units added at the Area Medium Income Levels (AMI) at or below 80%, 50%, and 30%.
  - ii. The number of units removed at the Area Medium Income Levels at or below 80%, 50%, and 30%.
  - iii. The bedroom mix of the units to be added or removed (1, 2, 3, 4, etc. bedrooms).
  - iv. The total number of units added and total number of units removed.

#### **18.13.I.2 – Building Heights**

- a. Stepbacks
  - i. Properties with street frontage located along Decatur Street between Elysian Fields Avenue and Saint Ferdinand Street, and street frontage on Chartres Street between Saint Ferdinand and Press Street, are permitted a maximum building height of forty (40) feet with a maximum of three (3) stories along the Decatur Street or Chartres Street frontage. Any additional height above forty (40) feet shall be setback from the front property line at Decatur Street or Chartres Street at a minimum distance of fifty (50) feet.
  - ii. A property that qualifies for the density bonus and height limit increase of Article 18, Section 18.13.I.4 may extend the height of the

building up to seventy-five (75) feet and 6 stories, but the additional height shall be setback a minimum distance of fifty (50) feet from the Decatur Street or Chartres Street frontage. The sixth story of all buildings in this sub district shall also be setback from all public right of ways a minimum of one (1) foot for every one (1) foot in height.

- iii. Development sites with more than one-hundred (100) feet of frontage along Decatur Street or Chartres Street may increase a portion (up to thirty-five percent (35%) of its primary street frontage) of their building height, to a maximum of fifty-five (55) feet with a maximum four (4) stories.
- b. Flat roofed structures should provide an adequately-sized parapet in order to mitigate the sight of rooftop equipment.
- c. Where provided as accessory flat roof features, open spaces located on roofs shall be excluded from the calculation of building height and gross floor area in accordance with Section 21.6.O.

#### **18.13.I.4 – Density Bonus and Height Limit Increase**

Eligible projects incorporating the following elements may qualify for consideration of an increase in height and/or density. Qualifying developments shall be entitled to the following: (i) an increase in the height limit up to two (2) stories, up to a maximum height of seventy-five (75) feet, (ii) an increase of an additional 1.0 FAR above the maximum FAR permitted in the underlying zoning district, and (iii) the elimination of any Minimum Lot Area per dwelling unit requirement applicable in an underlying zoning district.

To be eligible for consideration, developments must include all of the following:

- a. At least ten percent (10%) of dwelling units shall be reserved as affordable for households with incomes equal to or below eighty percent (80%) of area median income (AMI), with at least half of such affordable dwelling units containing two (2) or more bedrooms. The development shall maintain the reserved affordable dwelling units for a period of at least fifty (50) years. The affordable dwelling units shall be located within the same structure as the market-rate dwelling units in the development, shall be comparable to market-rate dwelling units in the development in terms of exterior design and finishes, and shall not be concentrated in any one area of the development.
- b. All applications requesting a development bonus for providing affordable housing shall include an Affordable Housing Impact Statement (AHIS) with the application. The AHIS shall provide the following information:
  - i. The number of units added at the Area Medium Income Levels (AMI) at or below 80%, 50%, and 30%.
  - ii. The number of units removed at the Area Medium Income Levels at or below 80%, 50%, and 30%.
  - iii. The bedroom mix of the units to be added or removed (1, 2, 3, 4, etc. bedrooms).
  - iv. The total number of units added and total number of units removed.

**ZONING DOCKET 042/19** – Request by City Council Motion No. M-19-74 for a zoning change from an S-RS Suburban Single-Family Residential District to an S-RD Suburban Two-Family Residential District, on Square J-2, Lot 20, Victory Plaza Annex, in the Fifth Municipal District, bounded by Jo Ann Place, Lawrence Street, Southlawn Boulevard, and Magellan Street. The municipal addresses are 1612-1614 Jo Ann Place. (PD 12)

**ZONING DOCKET 043/19** – Request by 1600 Louisa, LLC for a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District and an EC Enhancement Corridor Design Overlay District, on Square 733, portion of Lots 4 and 5, in the Third Municipal District, bounded by Louisa Street, North Claiborne Avenue, Clouet Street, and North Derbigny Street. The municipal addresses are 1600-1602 Louisa Street. (PD 7)

**ZONING DOCKET 044/19** – Request by Retif/N.O. East, LLC for a conditional use to permit a gas station in a MU-1 Medium Intensity Mixed-Use District and an EC Enhancement Corridor Design Overlay District, on Square 121, Lots A and C, in the Second Municipal District, bounded by North Rampart Street, Saint Louis Street, Basin Street, and Conti Street. The municipal addresses are 421-447 North Rampart Street and 1180 Saint Louis Street. (PD 1B)

**ZONING DOCKET 045/19** – Request by Broad Strokes, LLC for a text amendment to the Comprehensive Zoning Ordinance to:

1. Amend the definition of “live entertainment – secondary use” in Section 26.6 of the Comprehensive Zoning Ordinance to allow live entertainment – secondary use to be part of a micro-brewery.
2. Amend the use standards for live entertainment - secondary use in Section 20.3.JJ of the Comprehensive Zoning Ordinance to allow live entertainment – secondary use to be part of a micro-brewery.
3. Amend the definition of “micro-brewery” in Section 26.6 of the Comprehensive Zoning Ordinance to allow micro-breweries to contain multiple on-site tasting rooms.
4. Any other corresponding changes to the Comprehensive Zoning Ordinance which may be needed.

**ZONING DOCKET 046/19** – Request by Broad Strokes, LLC for conditional uses to permit a micro-brewery and bar with live entertainment (secondary use) in a C-1 General Commercial District, an HU-MU Historic Urban Neighborhood Mixed-Use District, an EC Enhancement Corridor Design Overlay District, and a Residential District Preservation Interim Zoning District, on Square 482-A (also known as Square 482), Lots 9, 10, 11, 12, and 13, and part of Lot 23, in the First Municipal District, bounded by Thalia Street, South Broad Street, Martin Luther King, Jr. Boulevard, and South Dorgenois Street. The municipal addresses are 3940 Thalia Street and 3935-3943 Martin Luther King, Jr. Boulevard. (PD 4)

THE CITY PLANNING COMMISSION, IN ACCORDANCE WITH ARTICLE 4 OF THE COMPREHENSIVE ZONING ORDINANCE 4,264 MCS AS AMENDED, WILL HEAR PROPONENTS AND OPPONENTS TO THE ABOVE PROPOSED CHANGES

TO THE COMPREHENSIVE ZONING LAW OF THE CITY OF NEW ORLEANS. ALL INTERESTED PARTIES ARE ENCOURAGED TO ATTEND AND ALL RELEVANT COMMENTS CONCERNING THE PROPOSED CHANGES ARE ENCOURAGED. THE CPC HAS ESTABLISHED PUBLIC HEARING RULES WITHIN ITS ADMINISTRATIVE RULES, POLICIES, & PROCEDURES, WHICH ARE AVAILABLE ON THE CPC WEBSITE: [WWW.NOLA.GOV/CPC](http://WWW.NOLA.GOV/CPC). YOU MAY ALSO SUBMIT WRITTEN COMMENTS TO THE EXECUTIVE DIRECTOR IN ADVANCE BY MAIL (1300 PERDIDO STREET, 7<sup>TH</sup> FLOOR, NEW ORLEANS, LA 70112) OR EMAIL [CPCINFO@NOLA.GOV](mailto:CPCINFO@NOLA.GOV). ALL WRITTEN COMMENTS MUST BE RECEIVED BY CLOSE OF BUSINESS ON THE MONDAY, EIGHT DAYS PRIOR TO THE HEARING DATE.

April 3, April 10, and April 17, 2019

Robert Rivers, Executive Director

RDR/skk