



City of New Orleans
Mayor LaToya Cantrell

City Planning Commission

Agenda

December 10, 2019

MEETING INFORMATION

LOCATION

City Council Chambers

City Hall (1st Floor)
1300 Perdido Street
New Orleans, Louisiana

TIME

1:30 p.m.

COMMISSIONERS

Kathleen Lunn, Chair
Jonathan Stewart, Vice Chair
Kelly Brown
Lorey Flick
Nolan Marshall, III
Sue Mobley
Robert Steeg
Kyle Wedberg
Katie Witry

The general public cannot speak
with the members personally.

The New Orleans City Planning Commission is a nine member citizen board appointed by the Mayor and approved by the City Council. The Planning Commission provides analysis and recommendations to the City Council on matters dealing with the present and future development of the City, in accordance with the goals and policies of the City's Plan for the 21st Century or the Master Plan. This includes reviewing, approving, and/or recommending to the City Council requests for master plan amendments, map changes, text amendments to the Comprehensive Zoning Ordinance (CZO), appeals and subdivisions. The Planning Commission meets the second and fourth Tuesday of each month (unless otherwise indicated) at 1:30 p.m. in the City Council Chambers.

General Rules of Order

The City Planning Commission has established certain rules governing the procedures to be followed at Public Hearings.

- Before speaking, each person shall give their name, address and state whom he or she is representing.
- Proponents for the proposal will speak first for a period of ten (10) minutes. Each speaker shall be allowed a maximum of two (2) minutes.
- Opponents or other interested parties will speak second for a period of 15 minutes. Each speaker shall be allowed a maximum of two (2) minutes.
- Proponents will be allowed a period of six (6) minutes for a rebuttal. Each speaker shall be allowed a maximum of two (2) minutes. Opponents will not be allowed to rebut.
- No material (written matter, photographs, maps, etc.) will be accepted by the Commission or its staff at any time during this public hearing.
- This procedure shall be followed except at such time when the presiding officer shall, with the approval of the Commission Members present, extend such time.

Appeals

Time limitations may be extended by the presiding officer with the approval of the Commission. As the Commission deems necessary, the case may be acted upon at this meeting or deferred for additional information or review. If the case is deferred, it will be acted on at a subsequent meeting, as provided by law. All proper parliamentary procedures shall be followed, including recognition of speakers, relevance of argument, and absolute prohibition of applause or demonstration. All comments made by proponents and opponents shall be addressed to the chair or a specific member of the commission.

These hearings are recorded and broadcast on public access television. Video may also be available on the City Planning Commission's website at <https://nola.gov/city-planning/>.

Public Hearing

The City Planning Commission, in accordance with the provisions of Article 4 of the Comprehensive Zoning Ordinance, Ordinance No. 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, is holding public hearings on the following proposed amendments to the Comprehensive Zoning Ordinance, 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 108/19** – Request by Jonathan E. Weber for a text amendment to Article 26 of the Comprehensive Zoning Ordinance as specified below, and to provide for any other additions, limitations, and modifications as may be deemed appropriate by the City Planning Commission staff.

The specific amendments to the text are as follows. Proposed language is formatted as underlined text.

Article 26, Section 26.6. Definitions of the Comprehensive Zoning Ordinance

[...]

Fractional Ownership. Fractional ownership is the ownership and use of a dwelling by six (6) or fewer unrelated persons whereby each owner maintains a minimum annual use of sixty (60) days. Properties subject to fractional ownership may not include short term rentals.

[...]

Timeshare Plan. Any plan or program in which the use, occupancy, or possession of one (1) or more condominium units, rooms, or suites of rooms in a timeshare building circulates among various unrelated persons for a specific or discernible period by temporal division of less than a sixty (60) day period in any year for any occupant. A Timeshare Plan does not include Fractional Ownership. Timeshare plans include timeshare ownership plans and timeshare use plans, as follows:

A. Timeshare ownership plan is any arrangement, whether through common ownership, sale or by other means, whereby a person receives an ownership interest in a condominium unit, room, or suite of rooms in a timeshare building.

B. Timeshare use plan is any arrangement, excluding normal hotel operations, whether by membership agreement, lease, rental agreement, license, use agreement, security, or other means, whereby a person receives the right to use but not an ownership interest in a condominium unit, room, or suite of rooms in a timeshare building.

[...] **(EH) (Deferred from the November 12, 2019 City Planning Commission meeting.)**

2. **ZONING DOCKET 110/19** – Request by Le Versailles, LLC d/b/a Pelican Mobile Home Estates for a text amendment to Article 25, Section 25.3.G *Restoration and Expansion of Certain Nonconforming Uses* of the Comprehensive Zoning Ordinance to permit the expansion of an existing, non-conforming mobile home park. The expansion of the mobile home park is proposed to be permitted in the S-RD Suburban Two-Family Residential District provided that the expansion does not exceed 30% of the area currently occupied by mobile homes and provided that there is no expansion of lot area, subject to the following standards:
 1. The use has been maintained without interruption for two (2) years or since the date the use became non-conforming, whichever is less, prior to the application for expansion.
 2. The use is designed, located, and operated so that the public health, safety, and welfare is protected.
 3. The use causes no substantial injury to other property in the neighborhood in which it is located.
 4. Adequate ingress and egress to the property and to the existing and proposed structures is provided with particular consideration for vehicular and pedestrian safety and convenience, traffic flow and control, and access for fire control vehicles.
 5. Off-street parking is able to adequately serve the use of the subject property, with particular attention to ingress and egress, the location and number of spaces.
 6. The location of refuse and service areas are located to ensure safe site circulation and are properly screened.
 7. Adequate landscape, screening, and buffering is provided to minimize the impact of the use on adjacent properties and other properties in the general area.
 8. The heights of existing and proposed structures, including enlargements of existing structures and yard and open space, are compatible with properties in the general area.
 9. The general scale, arrangement, and design of existing and proposed structures, including building material and any exterior features, are compatible with adjacent or nearby land uses.
 10. When the proposed expansion is located in a historic district, the Historic District Landmarks Commission shall review and comment on the application.
 11. The applicant further requests modifications as to process and district permissions as deemed appropriate by the City Planning Commission staff. **(KB) (Deferred from the November 12, 2019 City Planning Commission meeting.)**
3. **ZONING DOCKET 111/19** – Request by Show & Tell of New Orleans, LLC for a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Neighborhood Mixed-Use District and a conditional use to permit an indoor amusement facility over 5,000 square feet in floor area and containing a bar in the proposed HU-MU District, on Square 357, Lot P, in the Sixth Municipal District, bounded by Prytania Street, Leontine Street, Pitt Street, and Jefferson Avenue. The municipal address is 5339 Prytania Street. (PD 3) **(BP) (Deferred from the November 12, 2019 City Planning Commission meeting.)**
4. **ZONING DOCKET 119/19** – Request by CP DLBF, LLC for a conditional use to permit a hotel over ten thousand (10,000) square feet in floor area in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District and an EC Enhancement Corridor Design Overlay District, on the entirety of Square 358 except for an undesignated parcel at the intersection of Congress and North Rampart Streets. The square is in the Third Municipal District and is bounded by North Rampart Street, Saint Claude Avenue, Congress Street, and Gallier Street. The municipal addresses are 3503-3523

North Rampart Street, 3500-3518 Saint Claude Avenue, and 1013-1027 Gallier Street. (PD 7) **(EH)**
(Deferred from the November 12, 2019 City Planning Commission meeting.)

B. New Business

5. **ZONING DOCKET 120/19** – Request by Errol I. Hall and Stella C. Hall for a conditional use to permit a reception facility in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District, an AC-3 Arts and Culture Diversity Overlay District, and an EC Enhancement Corridor Design Overlay District, and the amendment or rescission of Ordinance No. 15,311 MCS (Zoning Docket 022/92) as may be appropriate. The site is located on Square 407, Lots 4, 5, and 6, in the Third Municipal District, bounded by Saint Claude Avenue, Congress Street, Independence Street, and Marais Street. The municipal addresses are 3615-3625 Saint Claude Avenue. (PD 7) **(RJ)**

6. **ZONING DOCKET 122/19** – Request by Catherine James for a text amendment to Articles 12 and 26 of the Comprehensive Zoning Ordinance to amend the definition of “Wine Bar/Wine Shop,” which would be re-named as “Wine Shop,” and to classify “Wine Shop” as a conditional use in the HU-B1 Historic Urban Neighborhood Business District.

The definition of “Wine Shop” is proposed to be:

“Wine Shop. An establishment whose principal business is the retail sale of wine made from grapes, and where the sales of wine made from grapes (for on or off-premises consumption) produces seventy-five (75) percent or more of the gross revenue for said establishment, where seventy-five (75) percent of the shelving and display of retail merchandise consists of wine made from grapes, but where distilled spirits may also be sold for off-premises consumption, where fifty (50) percent or more of the usable space of the establishment is used to display products for retail sale, where on-premise consumption of wine made from grapes (sales of wines by-the-glass, and free wine tastings) is permitted, where the sales of wine for on-premises consumption does not exceed 10% of the overall gross revenue for said establishment, where distilled spirits are not offered for on-premise consumption, where neither live entertainment nor gambling are provided, where package liquor products are not advertised outside nor off the premises in any place visible from the exterior or the premises, and where smoking is prohibited in all indoor areas” **(RB)**

7. **ZONING DOCKET 123/19** – Request by Retif/N.O. East, LLC for an amendment to Ordinance No. 28,198 MCS (Zoning Docket 044/19) to now grant a conditional use to permit the retail sales of packaged alcoholic beverages at 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 (which are proposed to be consolidated into Lot AC), 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) **(WM)**

8. **ZONING DOCKET 124/19** – Request by City Council Motion No. M-19-384 for an amendment to Ordinance No. 27,978 MCS (Zoning Docket 121/18) to authorize a planned development, and any necessary waivers relative thereto, for a multi-family residential development in an S-B2 Suburban Pedestrian-Oriented Corridor Business District, an ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District, on Prairie Lands, Section A, Phase 1 and Phase 2, or Parts 25 and 27, or Parcel

23B and an undesignated lot, bounded by Chef Menteur Highway, Michoud Boulevard, and Alcee Fortier Boulevard. The municipal addresses are 13707-13733 Chef Menteur Highway. (PD 10) **(HD)**

9. **ZONING DOCKET 125/19** – Request by Sidney Besthoff, III, Virginia F. Besthoff, et al., for a conditional use to permit the retail sale of packaged alcoholic beverages in a CBD-2 Historic Commercial and Mixed-Use District, on Square 67, Lot 1 or 12, in the Second Municipal District, bounded by Canal Street, Dauphine Street, Bourbon Street, and Iberville Street. The municipal addresses are 841 Canal Street and 100 Dauphine Street. (PD 1A) **(SL)**
10. **ZONING DOCKET 126/19** – Request by Girod Partners, LLC for a text amendment to Article 17 of the Comprehensive Zoning Ordinance to classify “Wine Bar and Wine Shop’ as a conditional use in the CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District. **(AN)**
11. **ZONING DOCKET 127/19** – Request by Girod Partners, LLC for a conditional use to permit a “Wine Bar and Wine Shop” in the CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District, on Square 218, Lot 7-A, in the First Municipal District, bounded by Girod Street, Carondelet Street, Julia Street, and Saint Charles Avenue. The municipal addresses are 722-726 Girod Street. (PD 1A) **(JC)**
12. **ZONING DOCKET 128/19** – Request by City Council Motion No. M-19-413 for a text amendment to Article 19 of the Comprehensive Zoning Ordinance to establish a new Interim Zoning District to be named the “Middle Harrison Interim Zoning District,” which is to impose the following regulation upon all lots that front on Harrison Avenue between Canal Boulevard and West End Boulevard:
 - a. Any use, or the aggregate of uses, over four thousand (4,000) square feet in gross floor area on one lot is prohibited. **(EH)**
13. **ZONING DOCKET 129/19** – Request by City Council Motion No. M-19-414 for a text amendment to Article 18 of the Comprehensive Zoning Ordinance to add the following additional use restrictions to the “Middle Harrison Use Restriction Overlay District” applicable to those lots that front on Harrison Avenue between Canal Boulevard and West End Boulevard:
 - a. Any use, or the aggregate of uses, over four thousand (4,000) square feet in gross floor area on one lot is prohibited.
 - b. Deliveries and trash collection between 10:00 pm and 7:00 am is prohibited. **(EH)**
14. **ZONING DOCKET 130/19** – Request by City Council Motion No. M-19-416 for a planned development to permit a multi-family residential development in an HU-RD1 Historic Urban Two-Family Residential District, on Square 275, Lot 9B, in the Sixth Municipal District, bounded by Louisiana Avenue, Camp Street, Toledano Street, and Chestnut Street. The municipal address is 1205 Louisiana Avenue. (PD 2) **(LM)**
15. **ZONING DOCKET 131/19** – Request by Marengo Investments, LLC for a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-RM1 Historic Urban Multi-Family Residential District, on Square 585, Lot 34 or Lot 10 and half of Lot 9, in the Sixth Municipal District, bounded by Napoleon Avenue, Freret Street, La Salle Street, and General Pershing Street. The municipal addresses are 2435-2439 Napoleon Avenue and 4330 Freret Street. (PD 2) **(TM)**

- 16. ZONING DOCKET 132/19** – Request by Sisters of Mercy of the Americas South Central Community, Inc. for a conditional use to permit an established two-family dwelling in an HU-RS Historic Urban Single-Family Residential District, on Square 101, Lots 11, 12, and Pt. 13, in the Sixth Municipal District, bounded by Freret Street, Palmer Avenue, State Street, and La Salle Place. The municipal addresses are 6028-6030 Freret Street. (PD 3) **(TM)**
- 17. ZONING DOCKET 133/19** – Request by City Council Motion No. M-19-388 for a text amendment to Article 24 of the Comprehensive Zoning Ordinance to establish new signage regulations for high-rise buildings in the Central Business District. The proposed language is:
- “CBD High-Rise Building, Additional Signage.* In addition to all other permitted signage, any building above thirty (30) stories in a CBD zoning district shall be permitted one (1) additional wall sign per blockface, with a maximum of one-thousand (1,000) square feet per wall sign, to be located at or near the top of the building. Wall signs erected pursuant to this section may project beyond the top of the building by a maximum of twenty percent (20%) of the overall height of the sign.” **(AW)**
- 18. ZONING DOCKET 134/19** – Request by Woodward Holding One, LLC for a text amendment to Article 17 of the Comprehensive Zoning Ordinance to delete Section 17.3.B.4 *Spacing of Restaurants in CBD-5 District* in its entirety. Section 17.3.B.4 limits restaurants to one per blockface, so the proposed deletion of the section would allow for multiple restaurants per blockface. The request also authorizes any other additions, limitations, and modifications as maybe deemed appropriate by City Planning Commission staff. **(SS)**
- 19. ZONING DOCKET 135/19** – Request by Reed’s Real Estate, LLC for a planned development to permit a multi-family residence in an S-B1 Suburban Neighborhood Business District, an EC Enhancement Corridor Design Overlay District, and the Lower Ninth Ward Housing Development Interim Zoning District, as well as the rescission of Ordinance No. 16,355 MCS (Zoning Docket 105/93), Square 700, Lots 12, 13, and 14, in the Third Municipal District, bounded by North Derbigny Street, Tupelo Street, Gordon Street, and North Claiborne Avenue. The municipal address is 6022 North Derbigny Street. (PD 8) **(BP)**
- 20. SUBDIVISION DOCKET 135/19** - Request by Lee A. Stafford to re-subdivide Lots Pt. 9 and 10M into Lots 9A and 10A, Square 248, First Municipal District, bounded by Euterpe Street, Baronne Street, Terpsichore Street and Oretha Castle Haley Boulevard. The municipal addresses are 1829 Euterpe Street and 1831-33 Euterpe Street. (PD 2) **(VG)**
- 21. SUBDIVISION DOCKET 136/19** - Request by Economy Ironworks, Inc. to re-subdivide Lots 1, 4, 5, 6, 7, 63, 62, 61, 60 or 19, 59 or 18, 60, 62, 64, 66, 68 and 27 or 5 into Lot 2A, Square 61, First Municipal District, bounded by Girod Street, South Peters Street, and Commerce Street. The municipal addresses are 311-321 Girod Street, 625-675 South Peters Street, 622-632 Commerce Street. (PD 1a) **(JF)**
- 22. SUBDIVISION DOCKET 143/19** - Request by 420 Julia Property Holder, LLC to re-Lots X, 27, 26, 1, 201, 5, 4, and 3 into Lot SR, Square 123, First Municipal District, bounded by Julia Street, Tchoupitoulas Street, and Constance Street. The municipal addresses are 420 Julia Street, 821 Tchoupitoulas Street, 824 Constance Street (PD 1a) **(JF)**

- 23. SUBDIVISION DOCKET 145/19** - Request by 813 Frenchmen, LLC and Benjamin Jaffe to resubdivide Lots 2 and 21 into Lot X, Square 261, Third Municipal District, bounded by Burgundy Street, Elysian Fields Avenue, Dauphine Street, and Frenchmen Street. The municipal addresses are 809-815 Frenchmen Street and 2105-2107 Dauphine Street. (PD 7) **(RJ)**
- 24. SUBDIVISION DOCKET 146/19** - Request by St. Bernard Baptist Church @ Holy Anointed House of Prayer to resubdivide Lots 1A, 7, and 8 into Lot 1A-2, Square 2875, Third Municipal District, bounded by Senate Street, Duplessis Street, Gibson Street, and Harrison Avenue. The municipal addresses are 1447 and 1459-1461 Senate Street. (PD 4) **(VG)**
- 25. DESIGN REVIEW 187/19** - Request by Hajari Baronne, LLC for the demolition of a three-story structure located in the Central Business District, as required by Section 26-2 of the Municipal Code of Ordinances, on Square 264, Lot A or 2, in the First Municipal District, bounded by Baronne, Union, and Gravier Streets and O’Keefe Avenue. The municipal address is 309 Baronne Street. (PD 1A) **(RB)**
- 26. PROPERTY DISPOSITION 007/19** - Consideration of the disposition of immovable property consisting of the 9100 block of Heaton Street bounded by the New Orleans Country Club, Quince, Hamilton, and Pear Streets, between Square 665 and Parcel NOCC-5, in the 7th Municipal District. (PD 3) **(AW)**
- 27. PROPERTY ACQUISITION 003/19** - Consideration of a pedestrian-only footbridge more or less between Square 394 and Square 401, between St. Louis Street and the Lafitte Greenway, to be constructed on or over part of North Gayoso Street Unconstructed/Property Owned for the Use and Benefit of SWBNO, in the 2nd Municipal District. The pedestrian-only bridge will be unconditionally donated to the City of New Orleans after construction is completed. (PD 4) **(PC)**

C. Other Matters

- a. Adoption of the minutes of the November 12, 2019 meeting.
- b. Committee reports.
- c. Announcements.

Robert D. Rivers
Executive Director

RDR/skk