



6 September 2017

Mr. Robert D. Rivers, Executive Director
City Planning Commission
1300 Perdido Street, 7th Floor
New Orleans, Louisiana 70113

Re: Port NOLA City Master Plan Amendments

Dear Mr. Rivers:

Thank you to you and your staff for meeting with the Port NOLA team this morning. This was a productive meeting and we hope that we have come up with plan for reevaluating our applications to amend the City's Master Plan. I will recap the new information that we discussed and highlights of our conversation here.

PD 11-01: GIWW 30 – Aurora

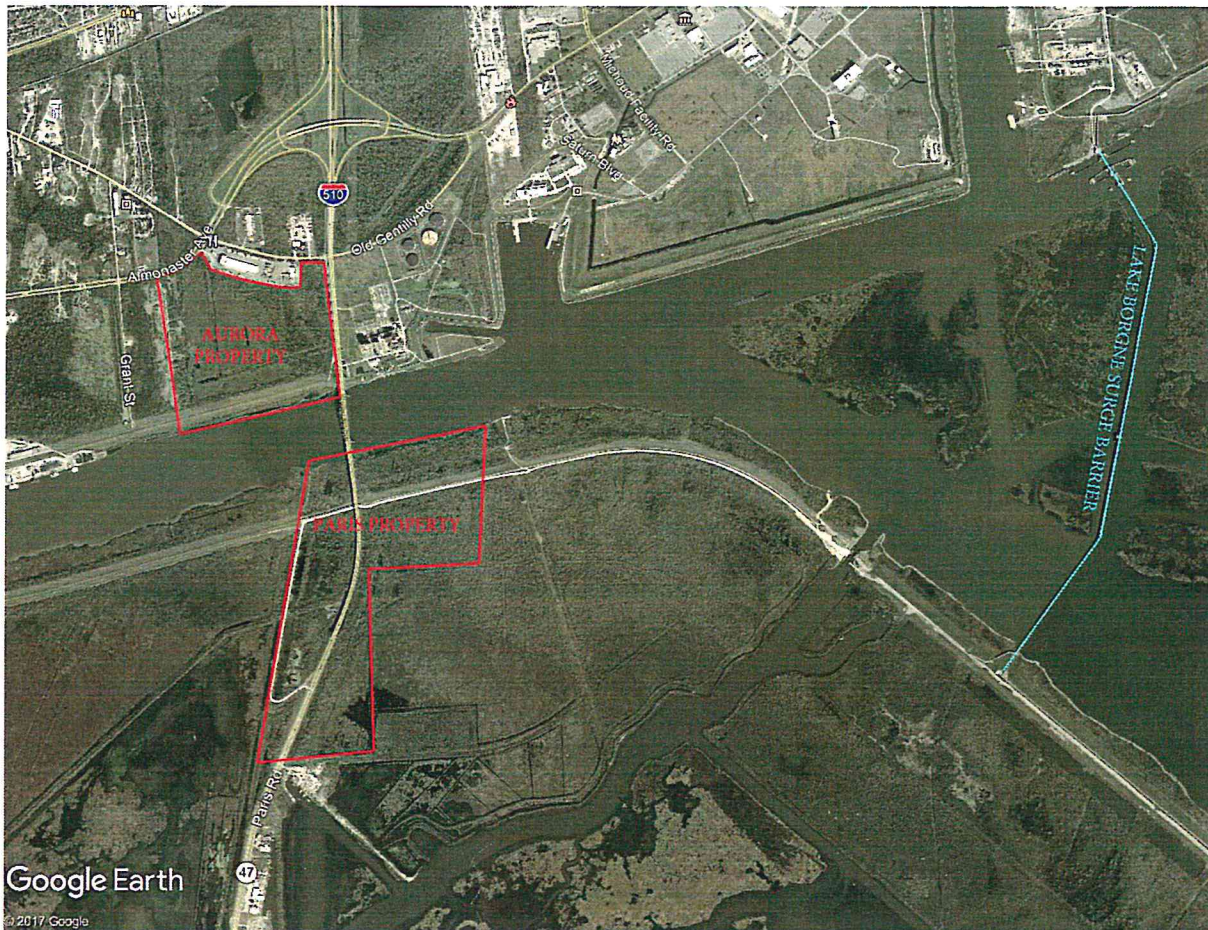
The legislative mandate of Port NOLA is to maximize maritime commerce. In the 7 years since the City's Master Plan was approved, losing potential development investment in this property during the due diligence period of perspective tenants. The uncertainty for developers with the subjective review process in the General Planned Development District zoning is inhibiting development of the Aurora Property. There is a strong vision for economic development at state and local leadership level. A clearly defined zoning with permitted uses and development criteria such as Industrial Land Use and Maritime Zoning will allow for development meeting Port NOLA's legislative mandate and provide a clear entitlements understanding for development interests.

The Aurora Property does not have a Wetness Declaration by the Environmental Protection Agency. When the site is developed Port NOLA will abide by all federal and state environmental regulations related to wetlands. Therefore it is not necessary for the City to add another layer of regulation and hinder the development of this site.

The staff report for PD 11-02 gave two reasons for recommending denial. The first was "*There is no history of industrial use on the subject site*" is inaccurate. The site has been used for dredge spoils. The second reason was "*Industrial development of the entire subject are would be detrimental to the City's storm-surge protection*", however this property is located within the Lake Borgne Surge Barrier and the Orleans Levee District protection system, see Map 1 below. Therefore it cannot provide the protection implied by the Land Use and Zoning designations.

Further, Port NOLA has had meetings and conversations with the two main private mitigation banks in the region, EIP with Chef Menteur Pass Mitigation Bank, and Restoration Systems with Jesuit Bend Mitigation Bank. They have no interest in this property because 1. It is located within the surge barrier and 2. It is further protected by the levee system. Additionally, there is a large surplus of wetlands mitigation credits within our watershed and these companies do not see a market for more.





Map 1 – Lake Borgne Surge Barrier, Aurora Property, Paris Property

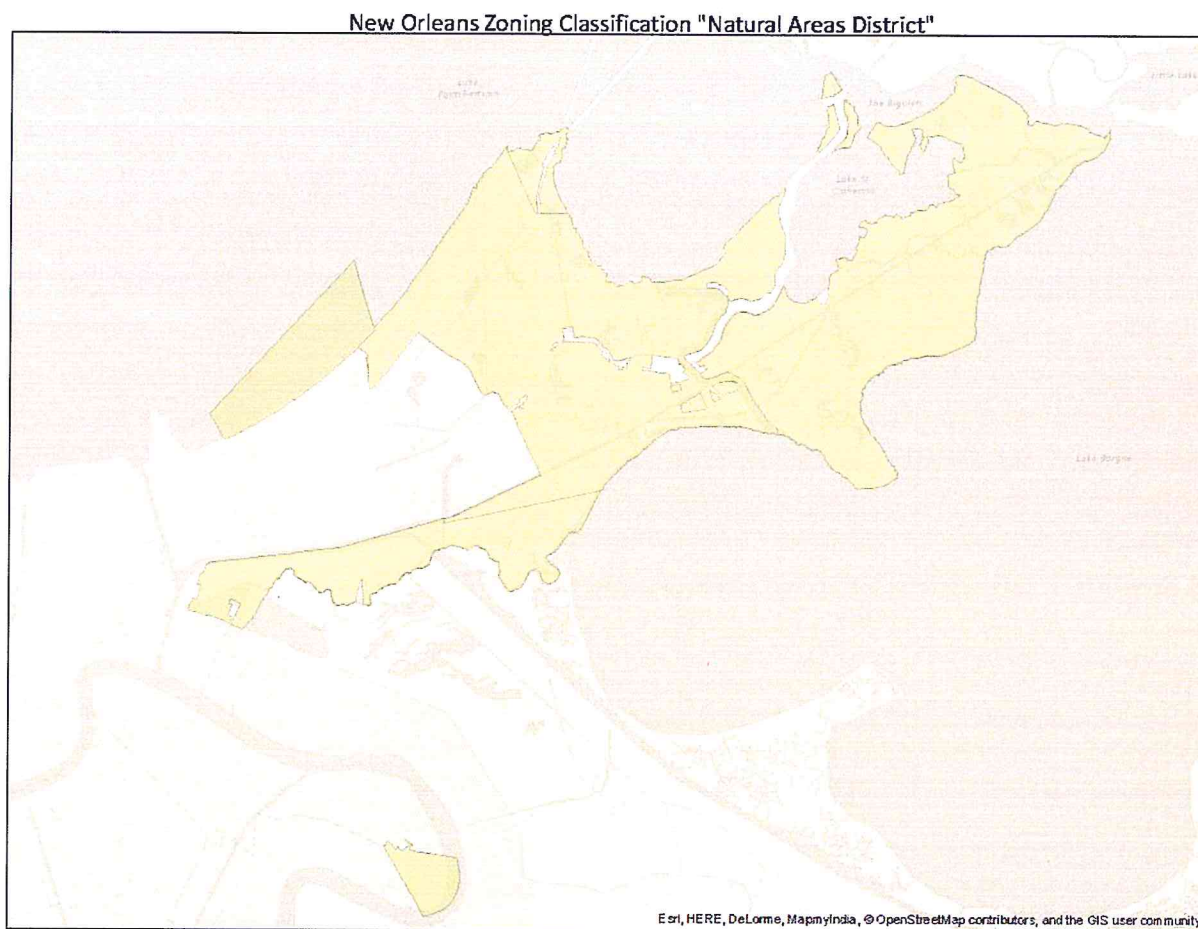
PD 11-02: GIWW 35 – Paris

The existing Land Use and Zoning designations of the Paris Property renders property undevelopable. Twenty-eight other “private” owners, including both city and state government agencies, had their Land Use designation amended by CPC recommendation. Port NOLA should be treated with the same deference for its rights to develop our property.

“City Planning found that a number of sites are designated as “parkland and open space” despite being privately owned. In cases like these, City Planning proposes incorporating the land area into the Future Land Use Map designation of the surrounding area. It is not appropriate to designate privately owned property as parkland, which denies the owner of any development right.” – City Planning Commission 2016 Master Plan FLUM amendment staff reports.

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Almost all other land in the Natural Areas District is owned by the United States Department of Wildlife and Fisheries or a private mitigation, see Map 2 below. Port NOLA has had meetings and conversations with the two main private mitigation banks in the region, EIP with Chef Menteur Pass Mitigation Bank, and Restoration Systems with Jesuit Bend Mitigation Bank. They have no interest in this property because 1. It is located within the surge barrier and 2. It is further protected by the levee system. We have exhausted the effort to sell or lease the property for this use and it currently has little to no value with the Natural Areas land use.



Map 2 – Natural Area Districts Citywide

PD 12-11: WB 20 - Todd Shipyard

The priority for Port NOLA at the former Todd Shipyard is that all Port NOLA controlled batture land be changed to Industrial land use with Maritime Industrial zoning to allow existing tenants and 100 years history of use be a legal permitted use. In 2011 the City Planning Commission Staff Report recommended the following *“Retain a Parkland and Openspace designation along the top of the levee between Merrill St. and the downriver side of the levee crossing Odeon Street.”* and *“Change from Parkland and Openspace to Industrial - the batture (river) side of the levee, starting on the river side of the path along the levee top, for the entire length currently used as wharf area.”* We ask that this recommendation be confirmed and

ratified, see Map 3 below. Port NOLA is committed to keeping the levee top walking path open to the public.

Port NOLA understands that the amendment of the Master Plan Future Land Use Map is the first step to realign land use with the port's legislative mandate. The next step will be to apply for the zoning changes to be consistent with these requests. While the zoning, by rule, extends to the center of the river, the land use does not. At the time of the zoning change application the entire batture controlled by Port NOLA shall be requested to change from Neighborhood Open Space to Maritime Industrial. As there is not currently a land use designation for that area, there will be no consistency issue.

Port NOLA appreciates the City Planning Commission's pragmatic approach to stepping down the land use from the Industrial to the surrounding neighborhood. We have been actively working to identify a developer for the 5.3 acres of the middle of the site, currently designated as Mixed Use Medium Density land use. Port NOLA has met with the City administration about a land swap for the 7.3 acres of MU and OS/N land use. Port NOLA has met with the New Orleans Redevelopment Agency, the Algiers Development District and private developers about being a partner on a development plan. We are hopeful that we will be able to identify a use that is appropriate for this neighborhood.

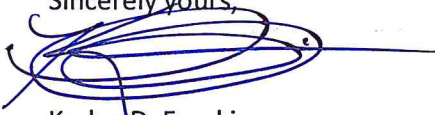
The two acre southernmost portion of the site adjacent to the Donsereaux/Harrison Playground is currently leased to the City as a ball field. Port NOLA has had several conversations with the City Administration and Real Estate Department; both have said that the City does not want to enter a new lease because of lack of funding for maintenance and improvements for the ball field. Port NOLA has met with the Algiers Development District about their interest in maintaining the ball park for the city. While there is interest, they have not committed to that endeavor, as of yet. For that reason, Port NOLA requests that those 2 acres be changed to Mixed Use Medium Density land use. This will allow for Parks and Playgrounds as a permitted use, while keeping the flexibility for Port NOLA to develop it as a productive use if a custodian of the ball field cannot be contracted.



Map 3 – Todd Shipyard Proposed Land Use

Again, thank you for taking the time to meet with us to discuss our three Future Land Use Map amendment applications. It was a productive meeting and we look forward to working with you and your staff to complete this process.

Sincerely yours,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Karley D. Frankic
Port Planner

