

City Planning Commission Meeting
Tuesday, January 13, 2015

CPC Deadline: 02/27/15
CC Deadline: 03/31/15
Council District: A - Guidry

PRELIMINARY STAFF REPORT

To: City Planning Commission
Zoning Docket: 011/15

Prepared by: Nicholas Kindel
Date: January 6, 2015

I. GENERAL INFORMATION:

Applicant: Shirley G. Stewart

Request: This is a request for a Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District and the LADC Lake Area Design Corridor Overlay District.

Location: The petitioned property is located on Square 276, Lot G, in the Second Municipal District, bounded by Harrison Avenue, Milne Boulevard, Catina Street, and French Street. The municipal address is 228 Harrison Avenue. (PD 5)

Description: The subject site is a rectangular lot that is located on a corner of Harrison Avenue and Milne Boulevard. The lot measure 59 feet in width along Harrison Avenue and 85 feet in depth along Milne Boulevard for a total area of 5,015 square feet. The subject property is currently a vacant lot. Previously, this property was part of the square that was occupied by St. Dominic Catholic School, and it was later developed with a two-family residential dwelling.

The applicant is proposing to convert the existing vacant lot into an eighteen space parking lot. The applicant indicated that this parking lot would be leased to the adjacent El Gato Negro restaurant that is located across Milne Boulevard from the subject property.¹ Vehicles would access the parking lot from a single 23 foot wide two-way curb cut on Harrison Avenue that leads to a central aisle with nine parking spaces on both sides of the aisle. The applicant proposes providing eleven standard spaces, six compact spaces, and one handicapped parking space. The applicant proposes to surround the parking lot with a wood fence and proposes some landscaping in the front of the property at the Harrison Avenue and Milne Boulevard intersection and adjacent to the residence to the rear of the lot. The site

¹ El Gato Negro restaurant was approved for a conditional use permit to sell alcohol beverages in Ordinance No. 23,730 MCS (Zoning Docket 065/09). Last year, the property owner requested an amendment to the original conditional use permit to increase the size of the restaurant (Zoning Docket 051/14). The City Planning Commission recommended denial of this request because the proposed size of the expansion was larger than was allowed and over concerns about parking. The applicant withdrew the request prior to consideration by City Council.

is also located within the *Middle Harrison Avenue Corridor Subdistrict*, which was adopted approximately one year ago.²

Why is City Planning Commission action required?

A parking lot is a conditional use in the LB-1 Lake Area Neighborhood Business District, according to **Article 9A, Section 9A.8.5 Conditional Uses**, and in the Middle Harrison Avenue Corridor Subdistrict, according to **Article 9A, Section 9A.8.8 Conditional Uses** of the Comprehensive Zoning Ordinance. The City Planning Commission is required to make a recommendation on all conditional use applications prior to City Council action, in accordance with **Article 16, Section 16.6.4 Procedures for Conditional Use Permits** of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?

The petitioned site is located within an LB-1 Lake Area Neighborhood Business District generally covering sites fronting on Harrison Avenue between Canal Boulevard to the east and Bellaire Drive to the west. The subject property is part of the Middle Harrison Avenue Corridor Subdistrict, which is between Canal and Pontchartrain Boulevards. There are several examples of small commercial uses within this area, including a number of restaurants, professional offices (optometrist, doctor, dentist, attorney, and accountant), a bank, and personal services establishments. The following uses are in the immediate vicinity of the subject property: an optometrist office (on the Catina Street side), a single family residence (to the rear), a restaurant and residence (across Milne Boulevard), a bank (across Harrison Avenue and Milne Boulevard), and residences and a newly constructed but not yet occupied office/retail building (across Harrison Avenue). Despite these non-residential uses, the district is primarily developed with single- and two-family residential structures, as most properties within the district had been zoned for two-family residential use from 1929 until 2007. These residential structures have significant setbacks and provide off-street parking in driveways or accessory structures.

Adjacent to the eastern edge of the LB-1 Lake Area Neighborhood Business District is an LB-2 Lake Area Neighborhood Business District that generally extends across the properties fronting on Harrison Avenue between Canal Boulevard to the west and Argonne Boulevard to the east. Located within this LB-2 District are several examples of neighborhood businesses including banks, standard restaurants, and a variety of retail oriented uses. Most uses within this district provide off-street parking on accessory parking lots. Off-street parking is also provided on the Harrison Avenue neutral ground.

² See **Article 9A, Section 9A.8.8** which was created by Ordinance No. 25,649 MCS, adopted on January 13, 2014 (ZD 111/13)

Adjacent to the lake- and river-sides of both the LB-1 District in which the subject site is located and the adjacent LB-2 District are large LRS-1 Lakeview Single-Family Residential Districts spanning most of the Lakeview neighborhood. These districts are occupied by a mixture of vacant lots and refurbished single- and two-family dwellings. Off-street parking for these residential uses is uniformly provided in paved driveways.

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

Zoning: 1929 - A Single- and Two-Family Residential District
1953 - B Two-Family Residential District
1970 - RD-2 Two-Family Residential District
2009 - LB-1 Lake Area Neighborhood Business District³

Land Use: 1929 – Public and Semi-Public
1949 – Public and Semi-Public
1999 – Residential – Single/Two Family⁴
2015 – Vacant

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 zoning actions within five blocks of the subject site in the past five years:

Zoning Docket 076/14 was a request for a conditional use to permit the sale of alcoholic beverages for consumption on premises in a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 244 West Harrison Avenue. It was recommended for approval by the City Planning Commission and was subsequently approved by the City Council. *This site is three blocks from the subject site.*

Zoning Docket 051/14 was a request for an Amendment to Ordinance No. 23,730 MCS (Zoning Docket 065/09, which granted a conditional use to permit the sale of alcoholic beverages for consumption on premises in a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District) to permit the expansion of the restaurant. The municipal addresses are 300-316 Harrison Avenue. It was recommended for denial by the City Planning Commission. The applicant withdrew the request prior to the City Council's consideration. *This site is located across Milne Boulevard from the subject site.*

³ In 2007, Ordinance #22,896 M.C.S. (Zoning Docket 62/07) rezoned the site from RD-2 Two-Family Residential District to LB-1 Lake Area Neighborhood Business District as part of the adoption of the Lake Area zoning districts.

⁴ The 1999 Land Use Plan presented a generalized description of existing land use; it was not lot-specific.

Zoning Docket 037/14 was a request for an Amendment to Ordinance No. 25,120 MCS (Zoning Docket 093/12, which granted a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Business District and within the LADC Lake Area Design Corridor Overlay District) to consider modifications to the approved hours of operation. The municipal address is 607 Harrison Avenue. It was recommended for approval by the City Planning Commission and was subsequently approved by the City Council. *This site is three blocks from the subject site.*

Zoning Docket 078/13 was a request for a Conditional Use to permit an accessory parking lot for a main use within 300' of said lot in an LRS-1 Lakeview Single-Family Residential District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 6258 Canal Boulevard. The City Planning Commission vote resulted in no legal majority. The City Council subsequently approved the request. *This site is three blocks from the subject site.*

Zoning Docket 097/12 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 6300 Canal Boulevard. It was recommended for modified approval by the City Planning Commission and was subsequently approved by the City Council. *This site is three blocks from the subject site.*

Zoning Docket 093/12 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 607 Harrison Avenue. It was recommended for approval by the City Planning Commission and was subsequently approved by the City Council. *This site is three blocks from the subject site.*

Zoning Docket 073/12 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 515 Harrison Avenue. It was recommended for approval by the City Planning Commission. The applicant withdrew the request prior to the City Council's consideration. *This site is two block from the subject site.*

Zoning Docket 023/12 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 6300 Canal Boulevard. The request was withdrawn prior to the City Planning Commission final deliberation. The development of the restaurant, without a permit to sell alcoholic beverages, was approved under DR 036/11 as amended. *This site is three blocks from the subject site.*

Zoning Docket 029/10 was a request for a Conditional Use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District. The municipal address is 141 West Harrison Avenue. It was recommended for approval by the City Planning Commission and was subsequently approved by the City Council. *This site is three blocks from the subject site.*

Most of these requests were for conditional uses to permit alcohol sales at a standard restaurant. There was one request for a conditional use to permit a parking lot, and that request received no legal majority of the City Planning Commission and was approved by the City Council.

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

The subject property is a rectangular lot that is 59 feet wide along Harrison Avenue, 85 feet deep along Milne Boulevard, and has a total area of 5,015 square feet. The applicant is proposing to redevelop the vacant property as an eighteen space parking lot that would serve El Gato Negro restaurant which is located across Milne Boulevard. The parking lot would access the street from a single 23 feet wide curb cut on to Harrison Avenue.

Off-Street Parking Design Standards

Article 15, Section 15.2.5 Design Standards establish specific standards for parking lots, which are identified below.

Minimum area

Article 15, Section 15.2.5(1) requires large car parking spaces to measure at least 8 feet 6 inches in width by 18 feet in depth, small car parking spaces (which can constitute no more than 40% of the total number of spaces) to measure at least 7 feet 6 inches in width by 16 feet in depth, and handicap-accessible parking spaces to measure at least 10 feet in width and 18 feet in depth.

The submitted site plan shows that the large car and the small car parking spaces meet the minimum size requirements and the percent of small car spaces. However, the handicapped parking space is only 9 feet wide and does not meet the minimum width requirement of 10 feet. It is necessary that the site plan be revised to indicate compliance in size with the standards of **Article 15, Section 15.2.5(1)**. Therefore, the staff recommends the following proviso:

- The applicant shall revise the site plan to demonstrate compliance with the area requirements enumerated in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.

Handicap-accessible spaces

Article 15, Section 15.2.5(1) also requires that all parking facilities provide at least one handicap-accessible parking space.⁵ The site plan indicates that one handicap-accessible parking space will be provided, which meets this requirement.

Drainage and Maintenance

Article 15, Section 15.2.5(2) requires that parking lots be drained to eliminate standing water and prevent damage to abutting property. The submitted site plan does not indicate any proposed drainage onsite. The proposal does not include the installation of box culverts, the establishment of protective curbing around the site to prevent water run-off onto adjacent properties, nor does it indicate water flow or gradient patterns for the site. Therefore, the staff recommends the following proviso:

- The applicant shall include in the revised site plan a drainage arrangement indicating any retention, dispersion and direction of water flow within and/or away from the proposed off-street parking facility, subject to the review and approval of the staff of the City Planning Commission and the Department of Public Works.

Entrances and Exits

Article 15, Section 15.2.5(4) requires entrances and exits to meet all City standards. The site plan indicates that a single two-way curb cut in the center of the site to provide access to Harrison Avenue. The proposed 23 foot wide curb cut meets the Department of Public Works' requirement that two-way curb cuts measure no more than 24 feet in width. The sidewalks adjacent to the subject property are in poor condition, and the applicant should restore the sidewalks adjacent to the site. The proposed curb cut is located in the vicinity of an existing catch basin. If the catch basin is located within the proposed curb cut, then the applicant should work with the Department of Public Works to redesign the catch basin to allow for the construction of the curb cut. Therefore, staff recommends the following provisos:

- The applicant shall secure the approval of the Department of Public Works for the restoration of all public sidewalks, curbs, and curb cuts adjacent to the site.
- The applicant shall show the location of the proposed catch basin on the site plan. If the catch basin is located in the area of the proposed curb cut, the applicant shall work with the Department of Public Works to redesign and restore the catch basin.

⁵ This section requires one or 3% of the total parking spaces, whichever is greater, be handicap-accessible. In this cases, only one handicap-accessible parking space is required.

Lighting

Article 15, Section 15.2.5(7) requires that parking lots used for night time operations be lighted. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or use of fixtures designed to eliminate direct view of luminaries in fixtures from residential property. As the parking lot will likely be used by customers of a nearby restaurant, it will presumably be used for night time operations. The plans show the location of proposed low light fixtures attached to the proposed fence, but the plans do not show how the lighting will be shielded to eliminate glare on the residential property to the rear. Therefore, the staff recommends the following proviso:

- The applicant shall submit a lighting plan indicating lighting details including but not limited to, fixture type, height and location in accordance with **Article 15, Section 15.2.5**, subject to the review and approval of the City Planning Commission staff. Additionally, all lighting used on site shall be “dark-sky” compliant.

LADC Lake Area Design Corridor Overlay District Design Standards

In addition to the parking lot design requirements in **Article 15, Section 15.2.5 Design Standards**, this proposal is also subject to the design standard for the *LADC Lake Area Design Corridor Overlay District* in **Article 9A, Section 9A.13**.

Vehicular Use Areas

Article 9A, Section 9A.13.6.2.b restricts parking to the rear two thirds (2/3) of site. Driveways may cross the front one third (1/3) of the site with a maximum of two, 24 foot wide driveways. The purpose of this regulation is to require the structure to be built in the front of the site with parking located in the rear. In this case, the applicant is not proposing any structures on the site, and the proposed use is as a parking lot. Since there is no proposed structure, there is no structure to locate the parking behind. Limiting the applicant to parking in only the rear two thirds (2/3) of the site would significantly reduce the number of proposed parking spaces and would move the parking closer to the adjacent residential uses, while not achieve the purpose of the restriction. The staff believes that a waiver of this requirement is warranted and that the provisos for screening and landscaping will help achieve the purpose of this requirement by screening the parking lot from the rights-of-way. Should the application be recommended for approval, it should be subject to the following waiver:

- The applicant shall be granted a waiver of **Article 9A, Section 9A.13.6.2.b – Vehicular Use Area** of the Comprehensive Zoning Ordinance, which restricts parking to the two thirds (2/3) of the rear area of the site to allow for parking in the front one third (1/3) of the site.

Screening

Article 15, Section 15.2.5(8) requires the presence of a six (6) foot screening device along the site's rear and interior side property lines. To meet the screening requirement, it is necessary that the applicant install a new six (6) foot high opaque metal or wooden fence. Therefore, the staff recommends the following proviso:

- A six (6) foot opaque metal or wooden fence shall be installed along the site's interior side (Catina Street side) and rear property lines, subject to review and approval of the City Planning Commission staff.

The site plan shows the installation of a wood fence that would screen the property from the public right-of-way. **Article 9A, Section 9A.13.6.2 Site Development** requires a continuous landscape hedge, masonry wall, earth berm, and/or metal fence at thirty (30) inches in height along the perimeter of any vehicular use area adjacent to the public right-of-way. Since the proposed parking lot is located at a prominent corner, at an intersection of two streets with neutral grounds, the staff recommends enhanced screening and design that would frame the corner. The applicant should provide a masonry wall thirty (30) inches in height topped with a metal picket fence with a minimum overall height of six (6) feet at the property line adjacent to the public right of way.

- The applicant shall provide a masonry wall at a minimum of thirty (30) inches in height topped with a metal picket fence with a minimum overall height of six (6) feet at the property line adjacent to the public right-of-way.

Landscaping

The site plan, as proposed, does not indicate any street trees. The Department of Parks and Parkways recommends planting street trees along both the Harrison Avenue and Milne Boulevard rights-of-way. The staff believes that at least one street tree should be provided in the Harrison Avenue right-of-way and two trees in the Milne Boulevard right-of-way. In addition to plantings in the rights-of-way, the applicant should provide on-site landscaping as well. Replacing a vacant parcel with a parking lot will eliminate landscaping and have the potential to significantly increase stormwater run-off into the public right-of-way and on to adjacent properties. For this reason, the staff believes that the applicant should be required to landscape 10% of the site, or 500 square feet. This landscaping should be located in the corners of the parking lot to help prevent stormwater runoff on adjacent properties and into the right-of-way and make it easier for vehicle to enter and back out of the proposed parking spaces. Therefore, the staff recommends the following proviso:

- A landscape plan shall be submitted to the staff of the City Planning Commission for review and approval, indicating species, location, size, and any other

specifications related to the landscaping. Any plantings within the public right-of-way adjacent to the site shall be subject to the review and approval of the Department of Parks and Parkways.

- a) The landscape plan shall indicate the presence of at least one street tree in the Harrison Avenue right-of-way and two street trees in the Milne Boulevard right-of-way. Landscaping in the public rights-of-way shall be subject to the review and approval of the Department of Parks and Parkways and the City Planning Commission staff.
- b) The applicant shall provide at least 500 square feet of area landscaped with trees, shrubs, and groundcover on the site. The landscaped areas should be located in the corners of the parking lot and each landscaped area shall provide at least one tree. Any trees shall be a minimum caliper of two (2) inches upon installation.

Signage

The applicant has not submitted a proposal for new signage with this application. Any proposed exterior signage shall be subject to the regulations of the LADC Lake Area Design Corridor Overlay District in **Article 9A, Section 9A.13.6 Design Review Standards**. Therefore, the staff recommends the following proviso:

- All proposed signage shall comply with to **Article 9A, Section 9A.13.6 Design Review Standards** of the Comprehensive Zoning Ordinance.

Miscellaneous Standards

Stormwater Management

While stormwater management is not addressed in the Comprehensive Zoning Ordinance, the staff believes it is necessary to adopt stormwater management practices so that the parking lot is designed in a manner that reduces stormwater runoff into the public street and adjacent properties. It is particular important with this site because the applicant is proposing to pave most of a currently vacant and vegetative lot. The staff believes that the applicant shall use a combination of pervious pavement, landscaping, and other stormwater management techniques to prevent runoff from the site into the municipal storm sewer system. Therefore, the staff recommends the following proviso:

- The applicant shall provide a drainage plan to reflect sustainable land use practices through incorporation of pervious pavement and landscape and stormwater management techniques within the proposed facility, subject to the review and approval of the staff of the City Planning Commission. The plans shall indicate, at a minimum, that the slope of the site's impervious surfaces be oriented

toward open landscaping and/or stormwater Best Management Practices (BMPs) in order to delay site runoff into existing Municipal Separate Storm Sewer Systems (MS4) and adjacent properties during major storm events.

Litter Abatement

Drivers using the parking lot may litter as they walk to and from their vehicles. The applicant should submit a litter abatement program letter to the staff to keep on file in case of any violations. The letter should indicate the method of trash storage and removal for the trash receptacle(s) and the site itself. To ensure this litter is appropriately managed, the staff recommends that the site be subject to the following litter abatement provisos:

- The applicant shall indicate the location of a minimum of one (1) litter receptacle on the site plan.
- The applicant shall provide to the City Planning Commission staff 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 all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the business shall be included in this letter to be kept on file in case of any violation.

Other Provisions

Lastly, to ensure the requirements of the conditional use are fulfilled prior to the issuance of building permits by the Department of Safety and Permits, the staff recommends the following standard proviso:

- 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.

E. What is the potential traffic impact? What are the off-street parking and off-street loading requirements? Can the required number of off-street parking spaces be provided on site, or would a waiver be required?

Traffic

Harrison Avenue is a major street with two lanes of travel in each direction separated by a neutral ground. A parking lane is also provided on each side. The site also has frontage on Milne Boulevard, a two lane street divided by a neutral ground with a parking lane provided on each side. The other streets bounding the subject square are both one lane, two-way streets with a parking lane on each side. The proposed parking lot would provide additional parking for the existing El Gato Negro restaurant adjacent to the site. As such, the proposed parking lot would not result in an increase in traffic because it would serve customers at an existing business. The parking lot could result in a decrease in traffic in the immediate vicinity because there would be fewer vehicles driving around searching for on street parking. The proposed parking lot could give the restaurant additional parking spaces that could allow for it to expand.⁶ The additional 18 spaces would give the existing 1,461 square foot restaurant the required parking to potentially expand to the maximum size allowed in the Middle Harrison Avenue Subdistrict of 4,000 square feet. A larger restaurant would result in an increase in traffic in the area. Any request to increase the size of the existing restaurant would require an amendment to the original conditional use ordinance and would require review by the City Planning Commission and approval of the City Council, and traffic impacts would be considered as part of that conditional use amendment.

Off-Street Parking

The Comprehensive Zoning Ordinance does not require non-accessory parking lots to provide a minimum number of parking and loading spaces. The proposed parking lot would provide 18 spaces, including 6 small car spaces and one handicap-accessible space. The design of the parking lot and the off-street parking spaces are included in the Design Review section above. The proposed off-street parking lot would provide parking spaces for the existing restaurant and should help improve any issues with on-street parking in the area. As stated in the previous section, if the applicant wants to use these additional parking spaces to expand the existing restaurant, that would require an amendment to the existing condition use ordinance. The impacts on parking would be reviewed as part of that condition use amendment request. No off-street loading spaces will be provided or are required.

⁶ Zoning Docket 051/14 was a request for El Gato Negro to expand. This request was recommended for denial by the City Planning Commission, and withdrawn prior to City Council action, partially due to a lack of parking.

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

The proposal was considered by the Planning Advisory Committee at its meeting of December 17, 2014. The architect explained the request and stated that the purpose of parking lot was to provide parking for the adjacent restaurant across Milne Boulevard. The architect stated that they are proposing a fence to screen the parking from the adjacent properties and rights-of-way. The Department of Public Works stated that they need to approve the curb cut, modifications to the catch basin, and the proposed onsite drainage. Previous provisos address these concerns. The Department of Parks and Parkways wanted street trees to be planted on both Harrison Avenue and Milne Boulevard. This request was also addressed in a previous proviso. The City Planning Commission made a motion of no objection subject to further review by the City Planning Commission, the Department of Public Works, and the Department of Parks and Parkways. The motion was seconded by the Historic District Landmarks Commission and unanimously approved.

G. What effects or impacts would the proposed conditional use/planned development district have on adjacent properties?

The primary negative impacts of surface parking lots are their visual impact, the potential for an increase in stormwater runoff, and the potential for an increase in traffic. The visual impact of the proposed surface parking lot should be minimized by the proposed provisos. The 6 foot fence proviso should screen the parking lot from the adjacent properties. The proviso for a combined masonry wall and metal decorative fence should screen the parking from the rights-of-way and enhance the design of the proposed parking lot. Landscaping should be installed to provide shade and soften the site's appearance.

In addition, the proposed landscaping will help to contain stormwater runoff by limiting the amount of paving and potentially providing additional storage for stormwater during major rain events. Furthermore, the stormwater management proviso requires pervious paving and other stormwater BMPs to ensure that the parking lot does not contribute to runoff on adjacent properties and onto the streets. Finally, the proposed parking lot will help address on-street parking concerns in the vicinity due to the existing restaurant and should help reduce the number of vehicles circling the neighborhood looking for on-street parking. If the restaurant wants to expand, that would require an amendment to the existing conditional use and traffic and parking concerns would be addressed as part of that review.

III. Are the proposed actions supported by or in conflict with the policies and strategies of the *Plan for the 21st Century*?

A land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Land Use Element of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its

site on the Future Land Use Map. The proposed Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District **is consistent** with the *Plan for the 21st Century*, commonly known as the Master Plan. “Chapter 14: Land Use Plan” of the Master Plan designates the future land use of the petitioned site as “Mixed-Use Low Density.” The goal, range of uses, and development character for that designation are copied below:

MIXED-USE LOW DENSITY

Goal: Increase neighborhood convenience and walkability within and along edges of neighborhoods with low density residential and neighborhood-serving retail/commercial establishments.

Range of Uses: Low-density single-family, two-family and multifamily residential and neighborhood business; typically businesses in residential scale buildings interspersed with residences. Uses can be combined horizontally or vertically (ground floor retail required in certain areas). Limited light-industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

Development Character: Height/mass, and density of new development varied depending on surrounding neighborhood character.

The proposed use of the site as a parking lot would be consistent with the allowed range of uses by providing adequate off-street parking to support the neighborhood businesses in the area. The proposed provisos for landscaping, screening, and stormwater management will ensure that the proposed parking lot is consistent with the surrounding development character of the neighborhood. The staff believes that the parking lot could support an adjacent business and help alleviate the current demand for on-street parking. Through the use of landscaping and stormwater management BMPs, the parking lot could soften the transition to the surrounding residential area. Therefore, the staff believes the request **is consistent** with the Master Plan.

IV. SUMMARY

Zoning Docket 011/15 is a request for a Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District and the LADC Lake Area Design Corridor Overlay District. The site is located on a corner lot measuring 58 feet in width and 85 feet in depth for a total area of approximately 5,015 square feet. The applicant is proposing to redevelop a currently vacant lot into an 18 space parking lot for the El Gato Negro restaurant that is located across Milne Boulevard from the subject property. The proposed parking lot requires a waiver for parking in the front one third (1/3) of the site and could have negative impacts on the visual appearance, increase in stormwater, and increase in traffic, but the staff believes the proposed provisos will mitigate the potential negative externalities associated with this development. Providing these parking spaces could support the off-street parking requirements for the expansion of the adjacent restaurant,

but that would require an amendment to the existing conditional use permit for that site. Finally, the proposed parking lot is consistent with the Master Plan. For these reasons, the staff recommends approving the request.

V. PRELIMINARY STAFF RECOMMENDATION⁷

The staff recommends **APPROVAL** of Zoning Docket 011/15, a request for a Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District and the LADC Lake Area Design Corridor Overlay District, subject to one (1) waiver and thirteen (13) provisos.

Waiver:

1. The applicant shall be granted a waiver of **Article 9A, Section 9A.13.6.2.b – Vehicular Use Area** of the Comprehensive Zoning Ordinance, which restricts parking to the two thirds (2/3) of the rear area of the site to allow for parking in the front one third (1/3) of the 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 revise the site plan to demonstrate compliance with the area requirements enumerated in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance.
3. The applicant shall include in the revised site plan a drainage arrangement indicating any retention, dispersion and direction of water flow within and/or away from the proposed off-street parking facility, subject to the review and approval of the staff of the City Planning Commission and the Department of Public Works.
4. The applicant shall secure the approval of the Department of Public Works for the installation/restoration of all public sidewalks, curbs, and curb cuts adjacent to the site.

⁷ Subject to modification by the City Planning Commission

5. The applicant shall show the location of the proposed catch basin on the site plan. If the catch basin is located in the area of the proposed curb cut, the applicant shall work with the Department of Public Works to redesign and restore the catch basin.
6. The applicant shall submit a lighting plan indicating lighting details including but not limited to, fixture type, height and location in accordance with **Article 15, Section 15.2.5**, subject to the review and approval of the City Planning Commission staff. Additionally, all lighting used on site shall be “dark-sky” compliant.
7. A six (6) foot opaque metal or wooden fence shall be installed along the site’s interior side (Catina Street side) and rear property lines, subject to review and approval of the City Planning Commission staff.
8. The applicant shall provide a masonry wall at a minimum of thirty (30) inches in height topped with a metal picket fence with a minimum overall height of six (6) feet at the property line adjacent to the public right-of-way.
9. A landscape plan shall be submitted to the staff of the City Planning Commission for review and approval, indicating species, location, size, and any other specifications related to the landscaping. Any plantings within the public right-of-way adjacent to the site shall be subject to the review and approval of the Department of Parks and Parkways.
 - a) The landscape plan shall indicate the presence of at least one street tree in the Harrison Avenue right-of-way and two street trees in the Milne Boulevard right-of-way. Landscaping in the public rights-of-way shall be subject to the review and approval of the Department of Parks and Parkways and the City Planning Commission staff.
 - b) The applicant shall provide at least 500 square feet of area landscaped with trees, shrubs, and groundcover on the site. The landscaped areas should be located in the corners of the parking lot and each landscaped area shall provide at least one tree. Any trees shall be a minimum caliper of two (2) inches upon installation.
10. All proposed signage shall comply with to **Article 9A, Section 9A.13.6 *Design Review Standards*** of the Comprehensive Zoning Ordinance.
11. The applicant shall provide a drainage plan to reflect sustainable land use practices through incorporation of pervious pavement and landscape and stormwater management techniques within the proposed facility, subject to the review and approval of the staff of the City Planning Commission. The plans shall indicate, at a minimum, that the slope of the site’s impervious surfaces be oriented

toward open landscaping and/or stormwater Best Management Practices (BMPs) in order to delay site runoff into existing Municipal Separate Storm Sewer Systems (MS4) and adjacent properties during major storm events.

12. The applicant shall indicate the location of a minimum of one (1) litter receptacle on the site plan.
13. The applicant shall provide to the City Planning Commission staff 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 all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the business shall be included in this letter to be kept on file in case of any violation.

VI. REASONS FOR RECOMMENDATION

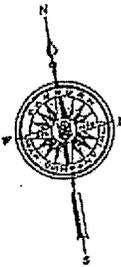
1. The proposal is consistent with the Master Plan.
2. The recommended provisos would minimize any potential adverse impacts of the proposal on other uses nearby.

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.

805

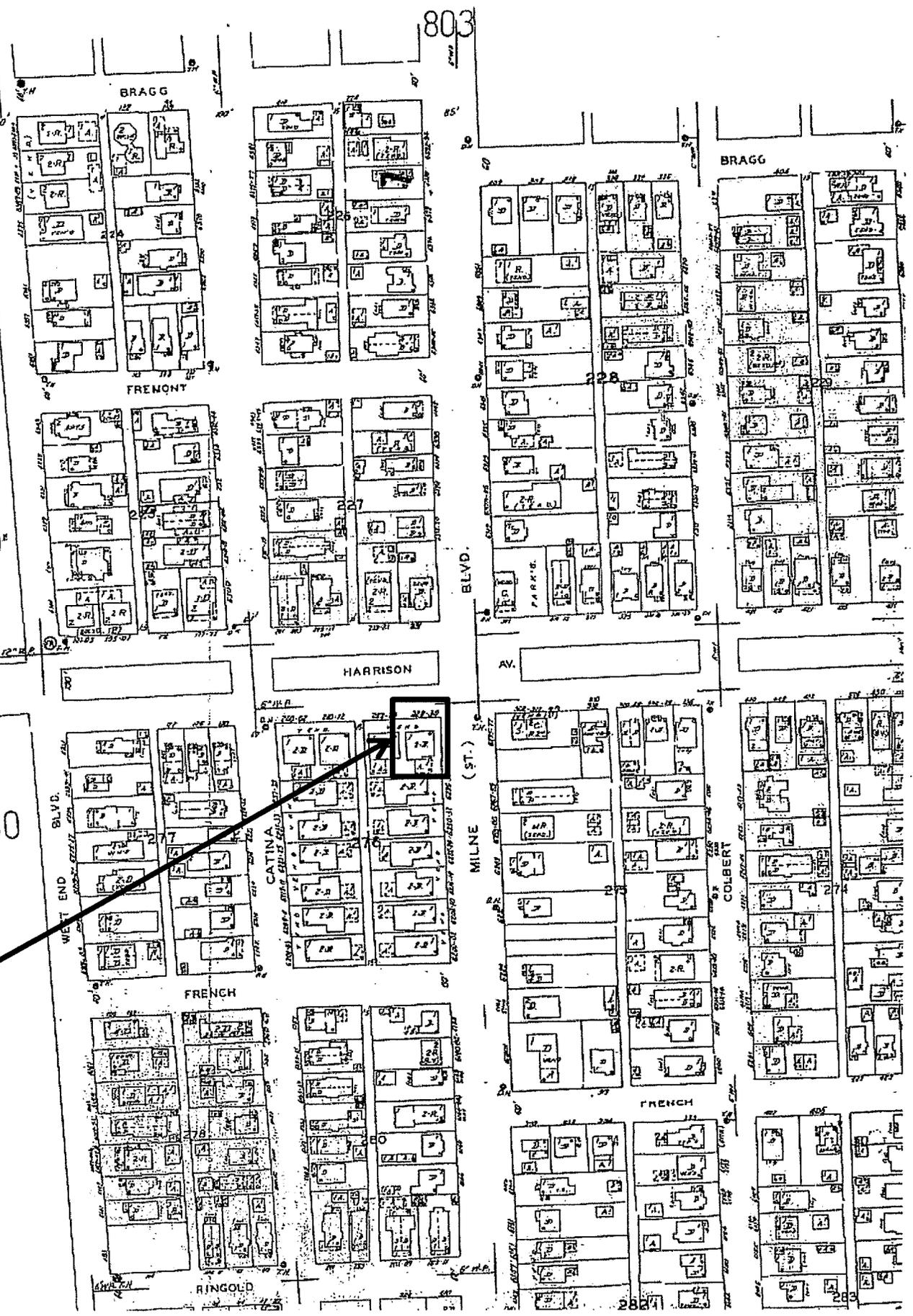
803

829



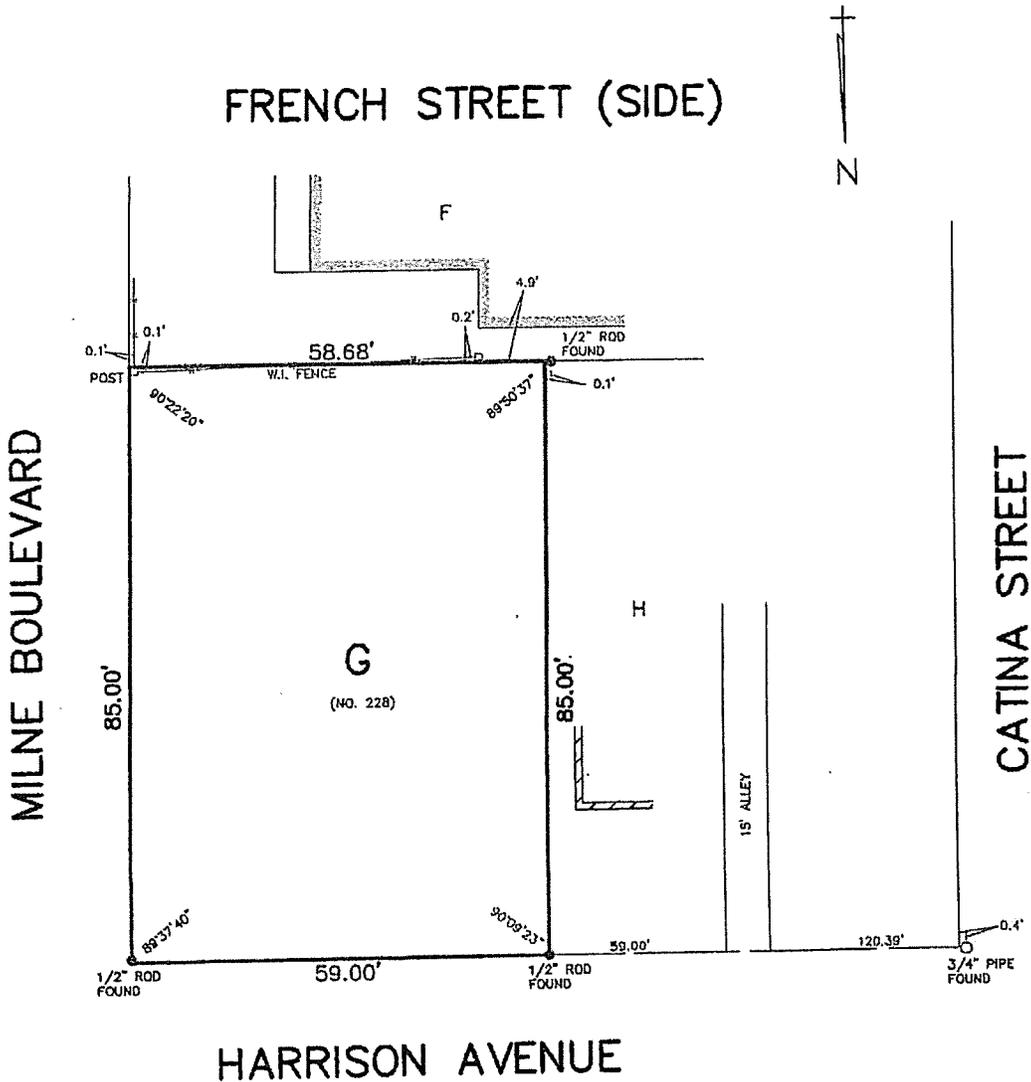
830

ZD001/15

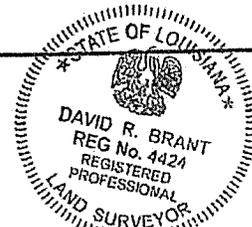


SQUARE 276
LAKEVIEW, SECOND DISTRICT
ORLEANS PARISH, LA.

THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.



SEPTEMBER 24, 2014
SURVEYED IN ACCORDANCE WITH THE LOUISIANA STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS FOR A CLASS C SURVEY, MADE AT THE REQUEST OF HARVEY CANAL LIMITED PARTNERSHIP.

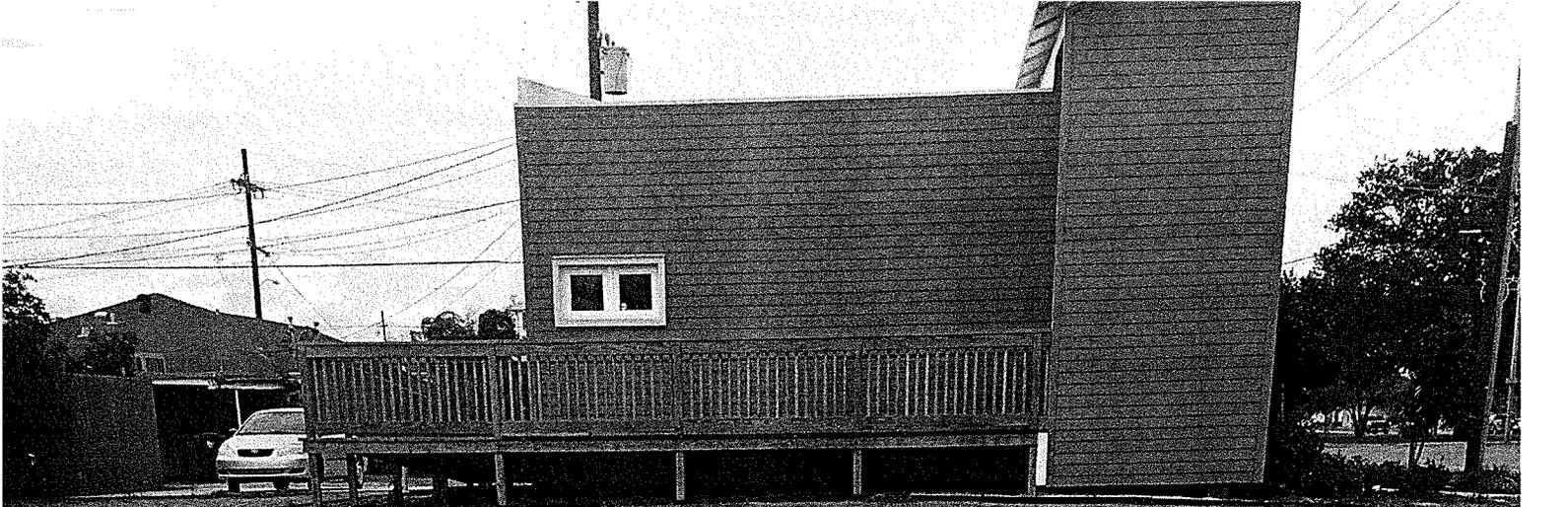


DUFRENE SURVEYING & ENGINEERING INC.
1624 MANHATTAN BOULEVARD, HARVEY, LA 70058
504-368-6390 PH. 504-368-8394 FAX
dufrane@deinc.net

David R. Brant

JOB# 14-000785
SCALE: 1" = 20'

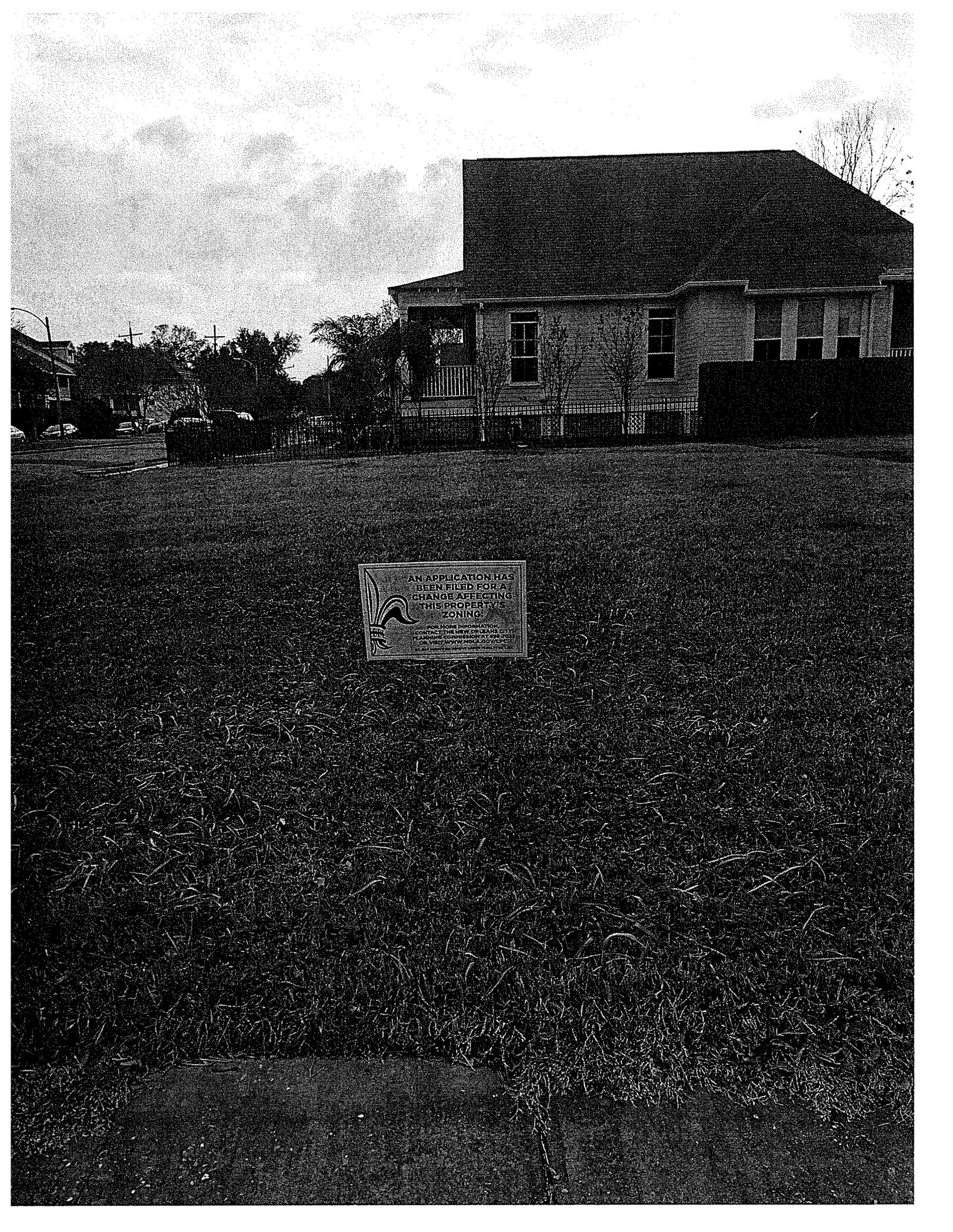
ks second\harvey\00276-115.dwg



**AN APPLICATION HAS
BEEN FILED FOR A
CHANGE AFFECTING
THIS PROPERTY'S
ZONING.**

FOR MORE INFORMATION,
CONTACT THE NEW ORLEANS CITY
PLANNING COMMISSION AT 528-7033
OR VISIT WWW.NOLA.GOV/CPC.

DO NOT REMOVE OR REMOVE UNDER PENALTY OF LAW.



AN APPLICATION HAS
BEEN FILED FOR A
CHANGE AFFECTING
THIS PROPERTY'S
ZONING.

FOR MORE INFORMATION,
CONTACT THE NEW ORLEANS CITY
PLANNING COMMISSION AT 638 DUFF
LA 70112 OR WWW.PLANC.COM

Patrick I Lopez	SQ 275 LOT C HARRISON 40X105	4410	328-HARRISONAV
332 Harrison Av New Orleans, LA 70124		0	
Evan F Trestman	SQ 228 LOT B HARRISON AVE 41X107 311-13 HARRISON AV	4610	313-HARRISONAV
111 Veterans Blvd Ste 1700 Metairie, LA 70005-4946		23100	
Dudley R Major	SQ 227 PT LOTS 11 TO 14 OR 13-A HARRISON AVE 60 X 100	120000	209-HARRISONAV
4460 San Girglo St New Orleans, LA 70129		12000	
Landcraft, LLC	SQ 277 LOT A HARRISON AND CATINA 40X105	4410	130-HARRISONAV
407 Fairway Dr La Place, LA 70068		0	
Nicholas M Fraiche	SQ 276 LOT J HARRISON 60X85	5360	210-HARRISONAV
4912 Orleans Av New Orleans, LA 70119		12880	
Chatz LLC	SQ 275 LOT G HARRISON AND MILNE 55X117	6760	312-HARRISONAV
300 Harrison Ave New Orleans, LA 70124		18900	
Mary C Coleman	SQ 275 LOTS 7 8 MILNE 25X166 EACH	8720	6253-MILNEST
25 Yosemite Dr New Orleans, LA 70114		28800	
John F Powelson	SQ 276 LOT N CATINA 50X115	6040	6223-CATINAST
207 6th St Seal Beach, CA 90740		16200	
Albert C Ryan	SQ 227 LOT 12-A HARRISON & CATINA 30X100	3150	201-HARRISONAV
201 Harrison Ave New Orleans, LA 70124		28400	
301 Harrison Avenue LLC	SQ 228 PT LOTS 23 TO 26 LOT C HARRISON 41 X 107	4610	301-HARRISONAV
994 Topaz St New Orleans, LA 70124		25000	
Ernest N Mipro	SQ 227 PT LOTS 15 TO 19 HARRISON AND MILNE 60 X 125	7880	231-HARRISONAV
231 Harrison Ave New Orleans, LA 70124-0702		39720	
Evan F Trestman	SQ 228 LOT A HARRISON 41X107	4610	319-HARRISONAV
111 Veterans Blvd. Ste 1700 Metairie, LA 70005-4946		0	
Honol A Sequelra	SQ 275 LOTS 12 13 MILNE 25X168 EA	396200	6239-MILNEST
6239 Milne Blvd New Orleans, LA 70124		15120	
Coates Family LLC	SQ 276 LOT A FRENCH AND MILNE 50X111	2780	225-FRENCHST
225 French St New Orleans, LA 70124		6220	
Bettercourt Ann A	SQ 276 LOT C MILNE 50 X 113	5930	6216-MILNEST
6218 Milne Bl, New Orleans, LA 70124		15900	
Natlock Kym E	SQ 275 LOTS 32 33 COLBERT 25X129 EA	6770	6224-COLBERTST
205 Maryland, Kenner, LA 70062		0	
Norma M Doskey	SQ 276 LOT B MILNE 50 X 112	248640	6208-MILNEST
600 324 Sterling Rd Kentilworth, IL 60043		10080	
Geratung Leslie M	SQ 227 LOTS 9 10 CATINA 25 X 120 EA 6317-19 CATINA STREET	6300	6317-CATINAST
6317 Catina St, New Orleans, LA 70124		14400	
Combe Nava B La	SQ 276 LOT E MILNE 50 X 115	255820	6230-MILNEST
204 Coboville Rd Mansura, LA 71350-4266		10350	
Carolyn M Treuting	SQ 276 LOT O CATINA 50 X 114	5990	6217-CATINAST
21 Al 3d Shenandoah St Kenner, LA 70065		16200	
Vignazio J Fontana	SQ 276 LOT M CATINA 50X116	6090	6231-CATINAST
3542 7th St Metairie, LA 70002-1622		16200	
Knecht Joseph S	SQ 276 LOT L CATINA 50 X 117 6237-39 CATINA STREET	6140	6237-CATINAST
6941 Louisville St, New Orleans, LA 70124-3423		16200	
Nicholas Groh	SQ 276 LOT F MILNE 50X116 6236-38 MILNE BL	389000	6236-MILNEST
6236 Milne St New Orleans, LA 70124		10440	
Gus M Jr Palfas	SQ 225 LOT Y PT LOTS 15 TO 18 HARRISON AND CATINA 65 X 100	6830	177-HARRISONAV
407 Milan St New Orleans, LA 70115		0	
Robert J Bernardi	SQ 227 LOT 14-A HARRISON 30X100	3150	203-HARRISONAV
203 Harrison Ave New Orleans, LA 70124		28400	
Michael C Bujol	SQ 276 LOT P CATINA 50 X 113	5930	6209-CATINAST
2305 Metairie Court Metairie, LA 70001		16200	
Thomas A Pohnelly	SQ 276 LOT Q CATINA AND FRENCH 50X112	311100	201-FRENCHST
201 French St New Orleans, LA 70124		5880	
Damien M Abrusley	SQ 275 LOT 14 MILNE 25X168 TOWNHOUSE	4410	6233-MILNEST
6233 Milne St New Orleans, LA 70124		21390	
State Investors Bank	SQ 228 LOTS 21 22 MILNE 25 X 164 EA	8610	6319-MILNEST
4041 Veterans Blvd Metairie, LA 70005		0	
John Scariand	SQ 275 LOT R MILNE 50X117	6140	6275-MILNEST
375 Carr Dr. Sildell, LA 70458		27000	
Jeanne C Knudsen	SQ 275 LOTS 9 10 11 MILNE 25 X 168 EA	15120	6249-MILNEST
6249 Milne Blvd New Orleans, LA 70124		14880	
James D Negroitto	SQ 225 LOT 19 CATINA 25X120 TOWNHOUSE	3150	6316-CATINAST
6316 Catina St New Orleans, LA 70124		21400	
Bruce M Payton	SQ 275 LOT 15 MILNE 25X168 TOWNHOUSE	4410	6231-MILNEST
6231 Milne Blvd New Orleans, LA 70124		11460	
Joseph S Knescht	SQ 276 LOT K HARRISON AND CATINA 61 X 85	5440	200-HARRISONAV
6941 Louisville St New Orleans, LA 70124		15300	
6018 FleurDeLis, LLC	SQ 276 LOT D MILNE 50 X 114 6222-24 MILNE STREET	5990	6224-MILNEST
432 Lowerline St New Orleans, LA 70118		16200	
Waldvogel John A	SQ 275 LOTS 5 6 MILNE 25X166 EACH	8720	6267-MILNEST
600 Nero St, Metairie, LA 70005		16200	
918 Harrison Avenue, LLC	SQ 275 LOT S PT LOTS 1 2 3 4 HARRISON 50X105	590000	318-HARRISONAV
410 Veterans Bl Ste 170 Metairie, LA 70005		5510	
Shirley G Stewart	SQ 276 LOT G HARRISON AND MILNE 59X85	52700	228-HARRISONAV
802 Rue Chartres St Metairie, LA 70001		5270	
Gaetano D Jr Patefnostr	SQ 276 LOT H HARRISON 59X85	5270	222-HARRISONAV
2700 Sharon St #B Kenner, LA 70062		0	
Clement P III Babazon	SQ 227 LOT 17A HARRISON AVE 60 X 125	7880	219-HARRISONAV
573 Kenmore Dr Harahan, LA 70123		15300	

45	Schafer Richard J	126 Harrison Ave		New Orleans	LA	70124
	Knecht Joseph S	6941 Louisville St		New Orleans	LA	70124
	Donnelly Thomas A	201 French St		New Orleans	LA	70124
	Ryan Albert C	201 Harrison Ave		New Orleans	LA	70124
44	Bernardi Robert J	203 Harrison Ave		New Orleans	LA	70124
	Fraiche Nicholas M	4312 Orleans Av		New Orleans	LA	70119
	Barbazon Clement P III	573 Kenmore Dr		Harahan	LA	70123
	Mipro Ernest N	231 Harrison Ave		New Orleans	LA	70124-0702
	991 Harrison Avenue LLC	994 Topaz St		New Orleans	LA	70124
	318 Harrison Avenue, LLC	110 Veterans Bl Ste 170		Metairie	LA	70005
45	Lopez Patrick L	332 Harrison Av		New Orleans	LA	70124
	Doskey Norma M	C/O 324 Sterling Rd		Kenilworth	IL	60043
	Bujol Michael C	2305 Metairie Court		Metairie	LA	70001
	Bettencourt Ann A	6218 Milne Bl		New Orleans	LA	70124
46	Bourlet Richard V	6218 Catina St		New Orleans	LA	70124
	Powelson John F	207 6Th St		Seal Beach	CA	90740
47	Navarro Neil P	Et Al	6224 Catina St	New Orleans	LA	70124
48	Hoppe Caryl R	6230 Colbert St		New Orleans	LA	70124
	Fontana Ignazio T	3512 7Th St		Metairie	LA	70002-1622
	Payton Bruce M	6231 Milne Blvd		New Orleans	LA	70124
49	Sequeira Lionel A	6239 Milne Blvd		New Orleans	LA	70124
50	Michailakis Petro	717 Oakland Dr		Metairie	LA	70005
	Knudsen Jeanne O	6249 Milne Blvd		New Orleans	LA	70124
	Coleman Mary C	25 Yosemite Dr		New Orleans	LA	70114
51	Scurria Salvador III	6260 Colbert St		New Orleans	LA	70124
	Garstung Leslie M	6317 Catina St		New Orleans	LA	70124
52	6948 Fleur De Lis, LLC	1232 Lowerline St		New Orleans	LA	70118
	Abrusley Damien M	6233 Milne St		New Orleans	LA	70124
53	Waldvogel John A	1600 Nero St		Metairie	LA	70005
	Scarlano John	375 Carr Dr.		Slidell	LA	70458
	Mipro Ernest N	231 Harrison Ave.		New Orleans	LA	70124
	Paternostro Gaetano D Jr	Etal	2700 Sharon St #B	Kenner	LA	70062
	Coates Family LLC	225 French St		New Orleans	LA	70124
	Treuting Carolyn M	Et Al	30 Shenandoah St	Kenner	LA	70065
54	Colgan Kirk J	6214 Catina St		New Orleans	LA	70124
	La Combe Nova B	204 Cocoville Rd		Mansura	LA	71350-4266
	Knecht Joseph S	6941 Louisville St		New Orleans	LA	70124-3423
	State Investors Bank	1041 Veterans Blvd		Metairie	LA	70005
	Chata LLC	300 Harrison Ave		New Orleans	LA	70124
	Trestman Evan F	111 Veterans Blvd Ste 1700		Metairie	LA	70005-4946
	Trestman Evan F	111 Veterans Blvd. Ste 1700		Metairie	LA	70005-4946
	Stewart Shirley G	802 Rue Chartres St		Metairie	LA	70001
	Major Dudley R	4460 San Girgio St		New Orleans	LA	70129
	Groh Nicholas	6236 Milne St		New Orleans	LA	70124

41 Organization Name: Florida Boulevard Community Improvement Association
Point of Contact: Zee Mouton
Phone Number: 486-5296
Email: -
Street Address: 5650 Ada Place
City: New Orleans
Zip: 70124

42 Organization Name: Lakeview Civic Improvement Association
Point of Contact: Ray Bergeron
Phone Number: 504-251-5118
Email: zoning.committee@lakeviewcivic.org
Street Address: P.O. Box 24378
City: New Orleans
Zip: 70184

November 4th, 2014

Dear Neighbor:

Our company, Diversified Enterprise of New Orleans LLC, is representing the owner of a vacant lot at:

228 Harrison Avenue, New Orleans LA, 70124.

The owner intends to convert the property into a parking lot of approximately 20 spaces. The zoning for the property is LB-1, Lake Area Neighborhood Business District. A parking lot is a conditional use in the LB-1 district, and as such requires approval from the City Planning Commission.

To convert the property to a parking lot, the owner must submit an application for conditional use to the City Planning Commission. Prior to submitting the application, the owner must inform the neighborhood of their intent.

Because you are a nearby neighbor or otherwise interested in the neighborhood, I am inviting you to a meeting where you can learn more about the parking lot proposal, and present questions, comments, or concerns.

The neighborhood meeting will take place:

Thursday, November 13th, 2014 at 3:00 pm at the following location:

*El Gato Negro
228 Harrison Avenue
New Orleans LA, 70124*

This letter is being delivered through US Mail. At the meeting, I'll provide a sign-in sheet to obtain email addresses, so that I can keep you updated if there are any changes to the plans.

I've enclosed our conceptual parking plan to give you a better idea of what we'd like to do.

I hope to see you at the meeting on November 13th.

If you have any questions or comments, here's how to reach me.

Sincerely,

Walter Antin, RA

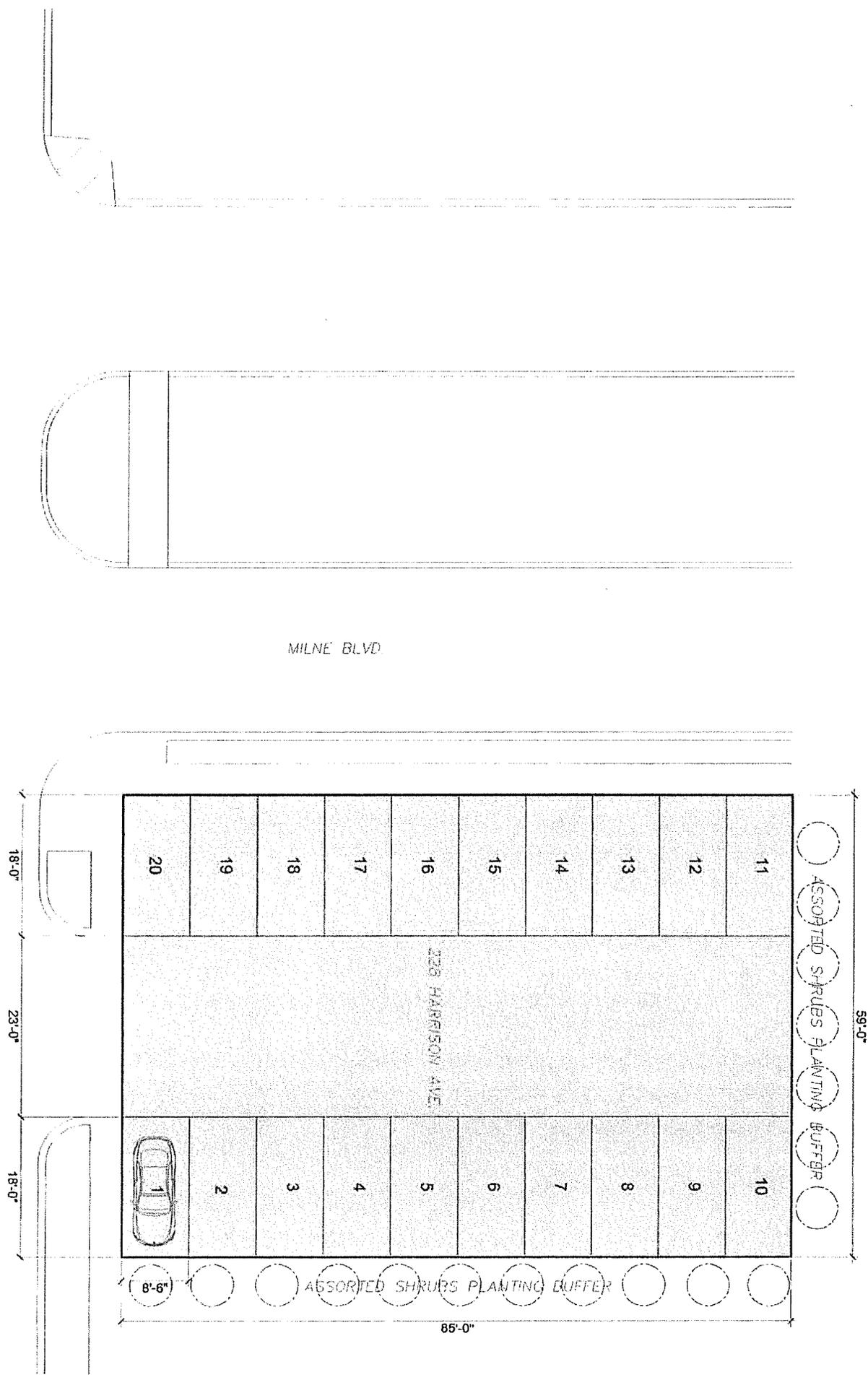
3535 Canal Street

Suite 100

New Orleans LA 70116

walter@deneworleans.com

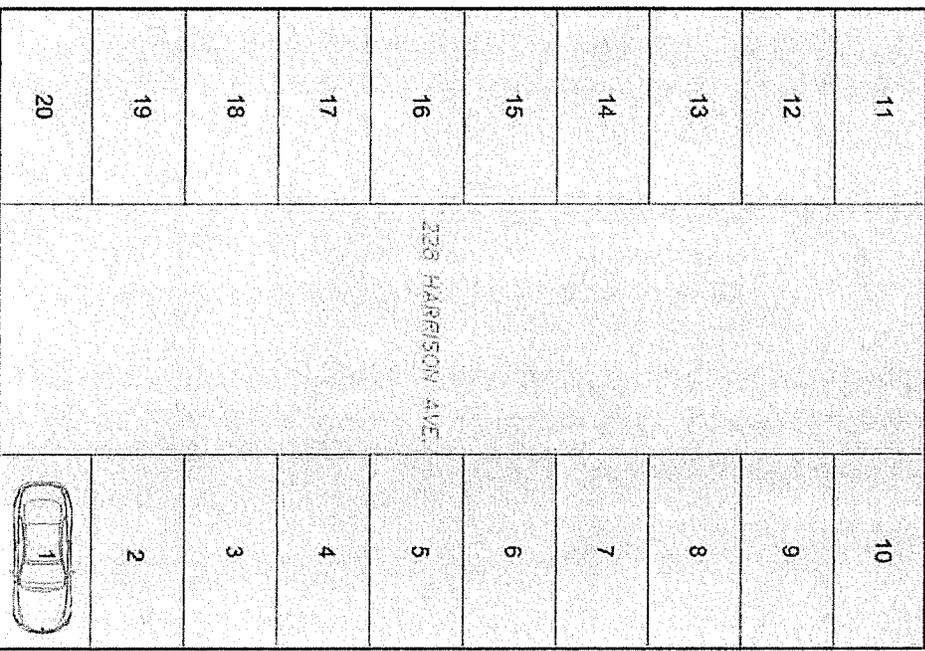
(305) 877-3264



MILNE BLVD.

HARRISON AVE.

ASSORBED SHRUBS PLANTING BUFFER



ASSORBED SHRUBS PLANTING BUFFER

85'-0"

59'-0"

18'-0"

23'-0"

18'-0"

8'-6"

NPP Report

Date of Report: November 13th, 2014

Project Name: 228 Harrison Ave

Overview: This report provides results of the implementation of the Neighborhood Participation Program for property located at 228 Harrison Avenue, New Orleans LA 70124. The applicant intends to file an application to the City Planning Commission to obtain a conditional use zoning allowance for the property to be developed as a parking lot. This report provides a summary of contacts with citizens, neighbors, public agencies, and interested parties.

Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in lists, petitions, letters, summary sheets and other materials are attached.

****Neighborhood comments and concerns will be reflected in future plan modifications.***

Contact:

Walter Antin, RA
3535 Canal Street
Suite 100
New Orleans LA 70116
walter@deneworleans.com
(305) 877-3264

Neighborhood Meetings: The following dates and locations of all meetings where citizens were invited to discuss the applicant's proposal [comments, sign-in lists, and other feedback are attached].

1. November 13th, 2014 – 312 Harrison Avenue, 3:00pm – 4:00pm, 12 people in attendance.
2. November 24th, 2014 – 312 Harrison Avenue, 6:00pm – 7:00pm, 10 people in attendance.

Correspondence and Telephone Calls:

1. November 12th, 2014 : Nick Grohl, neighbor, requests a follow up meeting at a time later in the day at a later date. (via telephone).
2. November 12th, 2014: Mark Uddo, neighbor, requests a follow up second meeting. (via email).

****A follow up neighborhood meeting was scheduled as requested for the date of:***

Results: There were 54 persons/addresses invited to the community meeting. See summary below.

1. Summary of concerns, issues, and problems:
 - A] Is the parking lot for El Gato Negro?
 - B] How long is the lease?
 - C] Will the parking lot have lights, a fence, landscape buffer?
 - D] Who will maintain the parking lot?

2. How concerns, issues, and problems will be addressed:

A] Yes

B] 10 years with a 10 year option and right of first refusal

C] lights: yes, low and attached to interior of perimeter fence to minimize light pollution.

fence: yes, horizontal wood slat at edge of parking surface. Height TBD.

landscape buffer: yes, as visual screen between property line and fence. 30" height minimum.

D] Parking lot and landscape to be maintained and operated by lessee, El Gato Negro

3. Concerns, issues, and problems not addressed and why:

*11 items / concerns submitted on paper by Middle Harrison Avenue group.

Second NPP scheduled for November 24th specifically to discuss submitted items.

NPP SIGN IN

228 HARRISON AVE: 11 13 14

- 1 Linda Newell whodat43 @ cox. net
- 2 Nick Doh nick.groh @ rjtricon.com
- 3 Ray Bergen LCIA-ZONING COMMITTEE
251-5118
- 4 GARY SAVELLE GWSAVELLE@HOTMAIL.COM
- 5 Kathy Maraldo kmaraldo @ bellsouth.net
- 6 John Clement LTC70127@Bellsouth.NET
- 7 Andrew Bacon ABCD400 @ cox. NET
- 8 Debbie Cardwell dcardwell1952 @ gmail.com
- 9 RAY FUENZALIDA RAYF@HARVEYCANAL.COM
- 10 KRIS BOOKER krisbooker504 @ gmail.com
- 11 Caita Lewis Caita.Lewis @ gmail.com
- 12 Theo Galvan LL999LUSW 504 @ yahoo.com

NPP COMMENTS

228 HARRISON AVE: 11 13 14

Attached



walter antin <deneworleans@gmail.com>

Fwd: 228 Harrison ave

Debbie Cardwell <dcardwell1952@gmail.com>

Thu, Nov 13, 2014 at 10:53 AM

To: walter antin <deneworleans@gmail.com>, Cesar Burgos <cburgos@neworleanslawfirm.com>, Robert Daigre <rdaigre@neworleanslawfirm.com>, juan contreras <juanjose1970@gmail.com>, Kris Booker <krisbooker504@gmail.com>, Caila Lewis <caila.lewis@gmail.com>

----- Forwarded message -----

From: **Linda Scariano** <lscariano@charter.net>

Date: Thu, Nov 13, 2014 at 10:38 AM

Subject: 228 Harrison ave

To: "dcardwell1952@gmail.com" <dcardwell1952@gmail.com>

John Scariano & Linda Scariano own the property at 6275-77 Milne blvd.

We have no objection to a parking lot on 228 Harrison. We feel that is a great solution to congestion in the area

Linda & John Scariano

November 4th, 2014

Dear Neighbor:

Our company, Diversified Enterprise of New Orleans LLC, is representing the owner of a vacant lot at:

228 Harrison Avenue, New Orleans LA, 70124.

The owner intends to convert the property into a parking lot of approximately 20 spaces. The zoning for the property is LB-1, Lake Area Neighborhood Business District. A parking lot is a conditional use in the LB-1 district, and as such requires approval from the City Planning Commission.

To convert the property to a parking lot, the owner must submit an application for conditional use to the City Planning Commission. Prior to submitting the application, the owner must inform the neighborhood of their intent.

~~Because you are a nearby neighbor or otherwise interested in the neighborhood, I am inviting you to a meeting where you can learn more about the parking lot proposal, and present questions, comments, or concerns.~~

The neighborhood meeting will take place:

Thursday, November 13th, 2014 at 3:00 pm at the following location:

El Gato Negro
228 Harrison Avenue
New Orleans LA, 70124

This letter is being delivered through US Mail. At the meeting, I'll provide a sign-in sheet to obtain email addresses, so that I can keep you updated if there are any changes to the plans.

I've enclosed our conceptual parking plan to give you a better idea of what we'd like to do.

I hope to see you at the meeting on November 13th.

If you have any questions or comments, here's how to reach me.

Sincerely,

11/13/2014

Walter Antin, RA

3535 Canal Street

Suite 100

New Orleans LA 70116

walter@deneworleans.com

(305) 877-3264

*We are in favor
of the appl. for
cond. use.*

*Robert Major
Dudley Major*

228 Harrison Ave – Questions

Reference : Parking Lot Proposal

Addressed at Meeting

1. Who is the owner of the property?
2. If not owned by El Gato OR owner of El Gato, how long is the lease?
3. If not owned by El Gato OR owner of El Gato, will it be sold to El Gato?
4. Is the parking solely for El Gato restaurant?
5. Will there be a fence around property?
6. The proposed design of 20 spaces at 8.5 x 18 ft requires entire lot size 59 x 85 ft. How will there be a landscape buffer with this layout?
7. What will be the size of the landscape buffer?
8. What type of plants will be used for the landscape buffer? Shrubs, hedges?
9. Who will be responsible for maintaining the plants / landscaping?

Thank you,
Lakeview Residents

NPP (follow up) Report

Date of Report: November 24th, 2014

Project Name: 228 Harrison Ave

This is a record of the follow up meeting to the Neighborhood Participation Meeting of November 13th, 2014

Overview: This report provides results of the implementation of the Neighborhood Participation Program for property located at 228 Harrison Avenue, New Orleans LA 70124. The applicant intends to file an application to the City Planning Commission to obtain a conditional use zoning allowance for the property to be developed as a parking lot. This report provides a summary of contacts with citizens, neighbors, public agencies, and interested parties.

Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in lists, petitions, letters, summary sheets and other materials are attached.

Contact:

Walter Antin, RA
3535 Canal Street
Suite 100
New Orleans LA 70116
walter@deneworleans.com
(305) 877-3264

Neighborhood Meetings: The following dates and locations of all meetings where citizens were invited to discuss the applicant's proposal [comments, sign-in lists, and other feedback are attached].

1. November 13th, 2014 – 312 Harrison Avenue, 3:00pm – 4:00pm, 12 people in attendance.
2. November 24th, 2014 – 312 Harrison Avenue, 6:00pm – 7:00pm, 10 people in attendance.

Correspondence and Telephone Calls:

1. November 12th, 2014 : Nick Grohl, neighbor, requests a follow up meeting at a time later in the day at a later date. (via telephone).
2. November 12th, 2014: Mark Uddo, neighbor, requests a follow up second meeting. (via email).

****A follow up neighborhood meeting was scheduled as requested for the date of:***

Results: There were 54 persons/addresses invited to the community meeting. See summary below.

1. Summary of concerns, issues, and problems:
 - A] How many square feet of space will the restaurant be allowed per each parking space provided?
 - B] Can a proviso be included to reduce the size of the restaurant, should the number of parking spaces be reduced in the future?
 - C] Middle Harrison Avenue group requests that El Gato Negro not be allowed any expansions unless the restaurant agrees to forfeit all previously grandfathered parking spaces (10 spaces).

D] Can it be required that no restaurant employee parking be allowed in the residential district fronting any pre-existing residence in the commercial zone?

E] Will the parking lot employ good design practices and meet all CZO regulations?

2. How concerns, issues, and problems will be addressed:

A] 150 square feet, as per city code.

B] There will be no reduction of spaces from the lot's maximum capacity (18 spaces) during the life of the lease.

C] The restaurant is not willing to consider the forfeit of grandfathered parking spaces; it is not necessary by law.

D] The restaurant's policy is that employees not park in residential district as much as possible. Employees utilize the bank's parking lot across Harrison Avenue after banking hours.

E] The parking lot will meet or exceed all design standards required by all applicable code.

3. Concerns, issues, and problems not addressed and why:

None

NPP (follow up) SIGN IN

228 HARRISON AVE: 11 24 14

1. Mark Uddo
2. Debbie Cardwell
3. Juan Contreas
4. Will Martin
5. Robert Daigre
6. Kelley Easley
7. Carole Bacon
8. Laura Perrin
9. Tony Lee
10. Tyler Gibson

NPP (follow up) COMMENTS

228 HARRISON AVE: 11 24 14

Attached

kathy maraldo

From: John Lyons <johnlyons@providenceeng.com>
Sent: Wednesday, November 12, 2014 8:59 PM
Subject: El Gato Negro

All Middle Harrison Avenue Residents:

There is a meeting on Thursday at 3pm at El Gato Negro called by representatives of El Gato. It appears there could be a proposal for the restaurant to lease the property across Milne Blvd. from the restaurant for approximately 20 cars. As interested residents, I ask that as many of you who can attend please do so.

I suggest you sign up on the attendance sheet, listen to the presentation, ask questions and take notes. I also suggest you do not accept or reject any proposals until a thorough evaluation can be made by the residents of Middle Harrison Avenue as a group.

At first glance, this could be a good thing. But, like anything, the proof is in the details. Such as:

1. Is the restaurant going to purchase the property or just lease it. If it is a lease arrangement, a lease can end at any time and with it the parking provided. A lease situation could be a bad thing unless provisions are added to guarantee the lease cannot be ended.
2. The current plan shows a parking lot of 20 cars. According to recent surveys in Lakeview; a restaurant needs one parking space for each 75 sf of restaurant. So, if the lot has 20 parking spaces; the restaurant should be no larger than (75sf x 20parking spaces) or 1,500 sf.
3. We should require a proviso in any agreement that if parking spaces are reduced in number at any time, for any reason; the restaurant size should be reduced accordingly.
4. We should require that no additions be allowed to the restaurant unless all previous waivers of parking requirements are revoked, and parking is brought up to 1 for every 75 sf of restaurant.
5. We should require that no restaurant employee parking be allowed in the residential district nor in front of any pre-existing residence in the commercial zone.
6. Residents believe we as pre-existing residential district have the right to the same "residential" character neighborhood and quality of life that every other residential property in the typical residential districts in Lakeview enjoy – that is no commercial parking in front of residential properties.
7. Will the parking lot be hard surfaced or limestone?
8. Will the parking layout meet all CZO regulations and good practice design?
9. Will the buffer yards meet all CZO regulations and good practice design?
10. Will the parking lot be open 24/7 or only during restaurant hours of operation.
11. Will the lot be lighted? And will the lights be shaded to prevent glare on the adjacent properties?

You should also insist that residents be allowed to participate in all future meetings on any proposals that are discussed by the restaurant and City officials. That is where in the past "provisos" are discussed and applied to proposal without the knowledge the residents.

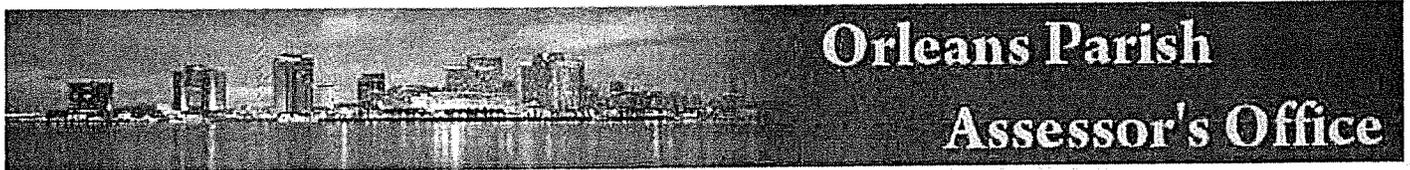
If you are able to attend this meeting, please send me your thoughts by email after the meeting.

Thanks,
John Lyons
johnlyons@providenceeng.com
258-7148

Owner
+
Lessee Response
11-13-14

1. The lease is for a period of 10 years and is transferred to heirs, assigns, etc.
Also, the lot will have conditional use as parking lot attached to the property itself. Can only be changed by going back through the conditional use process. El Gato Negro does have first right of refusal for purchase of property if it comes up for sale, however this would not change the conditional use attachment.
 2. The current zoning requirements for 300 Harrison Avenue requires the restaurant to provide 1 parking space per every 150 square feet of floor space. There is a maximum of 4000 square feet for restaurants at this location. Therefore, maximum floor space would require 27 parking spaces. We currently have 3 compact car spaces plus 10 grandfathered spaces. The lot would provide us with 18 more spaces for a total of 31 spaces. Additionally, we have permission from the bank across Harrison Avenue to use their 10 spaces after 5 PM and on weekends.
 3. The parking lot will remain with 18 spaces according to conditional use and will not change and we have 10 grandfathered spaces. Total is 28 spaces and maximum restaurant size requires only 27 spaces.
 4. As I understand this item, we are being asked to give up our grandfathered spaces. Why should we be asked to give up our previous waivers (i.e. grandfathered spaces) when no one else has been asked or forced to do this.
 5. All of the parking spaces mentioned here are public property. No one should be disallowed the use of public property. However, we do require as a policy for our employees to not park in front of residences.
 6. Again, the parking referred to is public property. However, we do understand the neighbors complaints and have and will continue to discourage parking in front of their homes.
- 7-11. All parking lot construction and maintenance will meet CZO regulations and good practice design. There is only one residence that is adjacent to the proposed lot. We intend to work closely with the owner of that residence to make sure he is not adversely affected.

All of the meetings that are held with city officials in this matter are open to the public.



[Return to Main Search Page](#)

[Orleans Home](#)

Owner and Parcel Information

Owner Name	STEWART SHIRLEY G	Today's Date	December 1, 2014
Mailing Address	802 RUE CHARTRES ST METAIRIE, LA 70001	Municipal District	2
Location Address	228 HARRISON AV	Tax Bill Number	206400130
Property Class	Residential	Special Tax District	2-VIEW Show Special Tax District Map
Subdivision Name		Land Area (sq ft)	5015
Square	276	Lot	G
Book	65	Folio	083
Line	015	Parcel Map	Show Parcel Map
Legal Description	1. SQ 276 LOT G HARRISON AND 2. MILNE 59X85	Assessment Area	HARRISON CANAL Show Assessment Area Map

Assessment Notice

Value Information

[Estimate Taxes](#) [Tax Information](#)

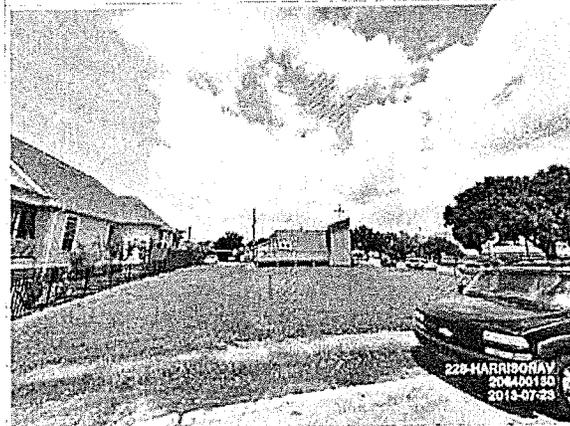
Special Assessment Treatment

Year	Land Value	Building Value	Total Value	Assessed Land Value	Assessed Building Value	Total Assessed Value	Homestead Exemption Value	Taxable Assessment	Age Freeze	Disability Freeze	Assmnt Change	Tax Contract
2015	\$ 100,300	\$ 0	\$ 100,300	\$ 10,030	\$ 0	\$ 10,030	\$ 0	\$ 10,030				
2014	\$ 52,700	\$ 0	\$ 52,700	\$ 5,270	\$ 0	\$ 5,270	\$ 0	\$ 5,270				
2013	\$ 52,700	\$ 0	\$ 52,700	\$ 5,270	\$ 0	\$ 5,270	\$ 0	\$ 5,270				

Sale/Transfer Information

Sale/Transfer Date	Price	Grantor	Grantee	Notarial Archive Number	Instrument Number
05-22-2014	\$ 0	STEWART RUTH C	STEWART SHIRLEY G	201419272	555098
04-27-1988	\$ 95,000		STEWART RUTH C	00751554	000000000

Building Photo [Enlarge/Show All](#)



[Return to Main Search Page](#)

[Orleans Home](#)

The Orleans Parish Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: November 29, 2014

© 2009 by the Orleans Parish Assessor's Office | Website design by [qpublic.net](#)

Nicholas J. Kindel

From: Paul Cramer
Sent: Thursday, December 18, 2014 10:03 AM
To: Nicholas J. Kindel
Subject: FW: El Gato Negro

Please include as attachment to report.

From: Ann Marie Leblanc [<mailto:aleblanc@carawayleblanc.com>]
Sent: Thursday, December 18, 2014 9:04 AM
To: Paul Cramer
Cc: Raymond C Bergeron; Brian Anderson (andersonarchitectllc@gmail.com)
Subject: El Gato Negro

I am writing on behalf of LCIA. Our board has considered the request for a conditional use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District, on Square 276, Lot G, in the 2nd Municipal District, bounded by Harrison Avenue, Milne Boulevard, Catina Street, and French Street with the address of 228 Harrison Avenue. The matter is on CPC's January 13 docket and bears the number 011/15. The LCIA does not object to this project; however, LCIA would like to see a 4 foot maximum height of screening and extensive landscaping on the public side of the street.

Should you have any questions, please do not hesitate to contact me or if after January 1, Brian Anderson, who is our new president and is copied on this email.

Ann Marie LeBlanc
Caraway LeBlanc, L.L.C.

336 Camp Street, Suite 350
New Orleans, Louisiana 70130
(504)566-1912
Fax: (504)566-1915
Email: aleblanc@carawayleblanc.com

CONFIDENTIALITY / PRIVILEGE NOTICE

This transmission and any attachments are intended solely for the addressee. This transmission is covered by the Electronic Communications Privacy Act, 18 U.S.C §§ 2510-2521. The information contained in this transmission is confidential in nature and protected from further use or disclosure under U.S. Pub. L. 106-102, 113; U.S. Stat. 1338 (1999), and may be subject to attorney-client or other legal privilege. Your use or disclosure of this information for any purpose other than that intended by its transmittal is strictly prohibited, and may subject you to fines and/or penalties under federal and state law. If you are not the intended recipient of this transmission, please DESTROY ALL COPIES RECEIVED and confirm destruction to the sender via return transmittal.

Arlen D. Brunson

From: Paul Cramer
Sent: Friday, January 02, 2015 10:42 AM
To: Robert D. Rivers; Arlen D. Brunson; Kelly G. Butler; Nicholas J. Kindel
Subject: FW: City Planning Commission January 13, 2015 Public Hearing Notice

FYI

From: John Lyons [mailto:johnlyons@providenceeng.com]
Sent: Friday, January 02, 2015 10:42 AM
To: Paul Cramer; T. Gordon McLeod
Cc: Chuck Hinnant (chinnant@gmail.com); Craig Condon (cgc@cox.net); Jahnette deBlanc (jdeblanc@cox.net); Kelly Easley (keasley6@cox.net); Steve Farrelly (farrelly.steve@nola.sysco.com)
Subject: RE: City Planning Commission January 13, 2015 Public Hearing Notice

Mr. McLeod & Mr. Cramer:

I ask that Zoning Docket 011-15 be removed from the agenda of the Tuesday, January 13, 2015 City Planning Commission Public Hearing and be rescheduled to at least two weeks after the CPC staff report is available for public review to give residents time to review the CPC staff report and submit written comments. The current process eliminates residents who cannot attend the public hearing from submitting relevant comments as the comments are due before the staff report is available.

I further request that a minimum two week period be provided on all future Zoning Dockets between when the staff reports are available and when written comments have to be submitted.

Thank You,

John P. Lyons

Office: (504) 454-1710

Cell: (504) 258-7148

Fax: (504) 454-1781

Email: johnlyons@providenceeng.com

From: Paul Cramer [mailto:pcramer@nola.gov]
Sent: Monday, December 08, 2014 2:53 PM
To: John Lyons
Subject: RE: City Planning Commission January 13, 2015 Public Hearing Notice

Mr. Lyons – the staff reports on these dockets won't be ready until January 6. Attached is the application for ZD 11-15.

From: John Lyons [mailto:johnlyons@providenceeng.com]
Sent: Monday, December 08, 2014 2:34 PM
To: Paul Cramer
Subject: RE: City Planning Commission January 13, 2015 Public Hearing Notice

Mr. Cramer:

Could you please send me the CPC staff report on **ZONING DOCKET 011/15**?

Thank You,
John P. Lyons
Office: (504) 454-1710
Cell: (504) 258-7148
Fax: (504) 454-1781
Email: johnlyons@providenceeng.com

From: Paul Cramer [<mailto:pcramer@nola.gov>]
Sent: Monday, December 08, 2014 1:06 PM
To: Paul Cramer
Subject: City Planning Commission January 13, 2015 Public Hearing Notice

The deadline for submission of written comments on the dockets listed below is 5pm, Monday, January 5, 2015

CITY PLANNING COMMISSION PUBLIC HEARING NOTICE

TUESDAY, JANUARY 13, 2015

PUBLIC HEARING: 1:30 P.M. CITY COUNCIL CHAMBER (CITY HALL - 1E07)

THE CITY PLANNING COMMISSION IN ACCORDANCE WITH PROVISIONS OF ARTICLE 16 OF THE COMPREHENSIVE ZONING ORDINANCE #4264 M.C.S., AS AMENDED, WILL HOLD A PUBLIC HEARING ON JANUARY 13, 2015 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 001/15 – Request by FARREL A. WEIL, DONNA W. LEVIN, AND LARRIE A. WEIL for a Zoning Change from a VCR-1 Vieux Carré Residential District to a VCC-1 Vieux Carré Commercial District, on Square 91, Lots 23, 24, and D or 22, in the Second Municipal District, bounded by Conti, Burgundy, Dauphine, and Saint Louis Streets. The municipal addresses are 917-923 CONTI STREET. (PD 1B)

ZONING DOCKET 002/15 – Request by PETER D. COLEMAN, INTERNATIONAL PROPERTIES, INC., AND DOWNTOWN STAR, LLC for a Conditional Use to permit a parking garage providing nonaccessory off-street parking spaces in a CBD-1 Central Business District, on Square 262, Lots 23 through 25, 26, 27, 1 through 3 or 28 through 30, and 31, or X & Y, 1, 2, 3, 2, 1, 23 to 25, in the First Municipal District, bounded by O’Keefe Avenue and Perdido, Poydras, and Penn Streets. The municipal addresses are 412 O’KEEFE AVENUE AND 908-940 PERDIDO STREET. (PD 1A)

ZONING DOCKET 003/15 – Request by CITY COUNCIL MOTION NO. M-14-478 for a Text Amendment to Article 2, Section 2.2.17 of the Comprehensive Zoning Ordinance to redefine “Bed and Breakfast Accommodation” as “an owner-occupied residential structure, originally constructed as either a single-family or a two-family structure that is easily converted to a single-family structure or a former institutional or commercial structure that is easily converted into a single-family structure, which provides sleeping rooms for overnight paid occupancy of up to seven (7) nights. Common bathroom facilities may be provided rather than private baths for each room. Proof of owner occupancy shall be established by submission of proof of a homestead exemption. If more than one building is existing on a lot of record or a site (meaning two (2) or more contiguous lots historically acquired together), and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, at least five (5) years prior to the establishment of the bed and breakfast, then it may be included in the operation of the bed and breakfast.

ZONING DOCKET 004/15 – Request by CITY COUNCIL MOTION NO. M-14-477 for a Conditional Use to permit a bed and breakfast historic home in an RD-3 Two-Family Residential District and the rescission of Ordinance No. 19,536 MCS (Zoning Docket 104/99, which granted a conditional use to permit a community center), on Square 322, Lot 13

or 99 and 100, in the Second Municipal District, bounded by Saint Philip, North Dorgenois, Dumaine, and North Rocheblave Streets. The municipal address is 2552 SAINT PHILIP STREET. (PD 4)

ZONING DOCKET 005/15 – Request by 800 BARTHOLOMEW STREET DEVELOPMENT, LLC for a Conditional Use to permit thirteen single-family residences in an LI Light Industrial District, on Square 242, Lots A, C, D, D-2, 8, 9, and 10 (proposed Lots N, O, P, Q, R, S, T, U, V, W, X, Y, and Z), in the Third Municipal District, bounded by Burgundy, Bartholomew, Alvar, and Dauphine Streets. The municipal addresses are 832-840 BARTHOLOMEW STREET AND 831-835 ALVAR STREET. (PD 7)

ZONING DOCKET 006/15 – Request by CITY COUNCIL MOTION NO. M-14-465 for a Zoning Change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 1084, Lot T, in the Third Municipal District, bounded by Mazant, North Galvez, Bartholomew and North Miro Streets. The municipal addresses are 2138 MAZANT STREET AND 4032 NORTH MIRO STREET. (PD 7)

ZONING DOCKET 007/15 – Request by CITY COUNCIL MOTION NO. M-14-516 for the rescission of Ordinance No. 25,972 MCS (Zoning Docket 045/14, which granted a conditional use to permit a neighborhood center in an RD-2 Two-Family Residential District) for the purposes of combining the originally-approved neighborhood center into a larger mixed-use development request, and to consider a request for an RPC Residential Planned Community District overlay to re-authorize the originally approved neighborhood center and to allow the additional development of the site with a residential care center in an RD-2 Two-Family Residential District, on Square 791, Lots A and B (also known as Pt. Square or Lots 1 & 12), in the Sixth Municipal District, bounded by South Broad, General Taylor, South Dorgenois, and General Pershing Streets. The municipal addresses are 3900 GENERAL TAYLOR STREET AND 4222 SOUTH BROAD STREET. (PD 3)

ZONING DOCKET 008/15 – Request by BENA CAPITOL LLC for a Conditional Use to permit a cocktail lounge in an HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District, on Square 5, Lot 22, in the Third Municipal District, bounded by Esplanade Avenue, Chartres, Frenchmen and Decatur Streets. The municipal addresses are 514-516 FRENCHMEN STREET. (PD 7)

ZONING DOCKET 009/15 – Request by RIAD MCDERMOTT, LLC for a Conditional Use to permit a four-family dwelling in an HMR-3 Historic Marigny/Tremé Residential District, on Square 386, Lot 4 or 6, in the Third Municipal District, bounded by Saint Anthony Street, Marais Street, Pauger Street, Henriette Delille Street, and Saint Claude Avenue. The municipal addresses are 1227-1229 SAINT ANTHONY STREET. (PD 4)

ZONING DOCKET 010/15 – Request by ANCONA INVESTMENTS, LLC for an amendment to a Conditional Use Ordinance No. 24,005 MCS (Zoning Docket 024/09, which amended Ordinance No. 20,898 MCS to permit the expansion of an existing restaurant's kitchen in a B-2 Neighborhood Business District) to allow the existing restaurant to sell high alcoholic content beverages, on Square 13, Lot A or Pt. Lots 14 and 15, in the Sixth Municipal District, bounded by Magazine, Eleonore, Constance and State Streets. The municipal addresses are 735-741 STATE STREET. (PD 3)

ZONING DOCKET 011/15 – Request by SHIRLEY G. STEWART for a Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District, on Square 276, Lot G, in the Second Municipal District, bounded by Harrison Avenue, Milne Boulevard, Catina Street, and French Street. The municipal address is 228 HARRISON AVENUE. (PD 5)

THE CITY PLANNING COMMISSION, IN ACCORDANCE WITH ARTICLE 16 OF THE COMPREHENSIVE ZONING ORDINANCE 4264 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. YOU MAY ALSO SUBMIT WRITTEN COMMENTS TO THE

EXECUTIVE DIRECTOR IN ADVANCE BY MAIL (1300 PERDIDO STREET, 7TH FLOOR, NEW ORLEANS, LA 70112) OR EMAIL CPCINFO@NOLA.GOV. ALL WRITTEN COMMENTS MUST BE RECEIVED BY CLOSE OF BUSINESS ON THE MONDAY, EIGHT DAYS PRIOR TO THE HEARING DATE.

December 24, 2014, December 31, 2014, and January 7, 2015

Robert Rivers, Executive Director

Paul Cramer
Planning Administrator
New Orleans City Planning Commission
1300 Perdido Street, # 7W03
New Orleans LA 70112

CPCinfo

From: John Lyons <johnlyons@providenceeng.com>
Sent: Monday, January 05, 2015 8:13 AM
To: CPCinfo
Subject: ZD 011/15
Attachments: 2 MHARG Comments on Zoning Docket 011-15 - 2 Jan 2015 - 2.pdf; 3 City One Stop - Land Use Requests Application 14-6060.pdf; 4 El Gato Nergo Parking Impact Plan-Model.pdf

Please accept my written comments regarding the subject zoning docket.

Thank You,
John P. Lyons
johnlyons@providenceeng.com

Zoning Docket 011/15

Request by Shirley G. Stewart for a Conditional Use to permit a parking lot in an LB-1 Lake Area Neighborhood Business District, on Square 276, Lot G, in the Second Municipal District, bounded by Harrison Avenue, Milne Boulevard, Catina Street, and French Street. The municipal address is 288 HARRISON AVENUE. (PD 5)

Preface

The comments below are on the Land-Use Requests Application available on the City's One Stop Website. Unfortunately, the parking lot plan in the application is not detailed sufficiently to determine if it meets CZO regulations or the needs of the adjacent residential district.

We object to the time schedule commonly used for zoning dockets which purposefully or not has the effect of limiting public comment. The typical time schedule requires written public comments to be submitted before the CPC staff report is made available to the public. We believe the public should be given adequate time to review the staff report and submit comments on that document.

Therefore, we expect that we will have additional written comments to submit after the staff report is released and hope they will be given consideration.

MHARG Comments

Middle Harrison Avenue Residents Group (MHARG) in general supports construction of a parking lot on the property at 288 Harrison Avenue intended to be leased to the El Gato Negro restaurant at 312 Harrison Avenue. Final support will be based on a review of the staff report.

We offer the following comments:

1. Show any yards required (Section 9A.8, table 9A.L and Section 9A.13, paragraph 9A.13.3).
2. Show site landscaping and street tree planting required (Section 9A.13, paragraph 9A.13.6, subparagraph 2,c.)
3. Show compliance with Article 15, paragraph 15.2.5 Design Standards, subparagraphs 1. through 18.
4. Provide handicap parking as required.
5. Allow only one entrance for cars and pedestrians to the parking lot and have that entrance on the Harrison Avenue side.
6. Do not allow any waivers or write any provisos that decrease the protection of the adjacent residential district's quality of life.
7. Provide landscaped buffer yards on the Harrison Avenue and Milne Blvd. sides with a combination of medium height shrubs and small trees.
8. Provide a landscaped buffer yard on the property line abutting the residential district (property) of a sufficient width and with a combination of medium height shrubs and small trees, densely planted to block the view of the parking lot from the raised floor level of the residence to the south of the parking lot.
9. Light the parking lot with minimum height fixtures, with no glare visible from onto any adjacent residential property.
10. Provide an opaque fence around the parking lot of a height that will block the light from vehicle headlights from escaping the parking lot. Pay special attention to vehicles entering the lot and the slope of the entrance ramp.

End of Comments

Middle Harrison Avenue Residents Group

Craig Condon

Chuck Hinnant

Jahnette deBlanc

John Lyons

Kelly Easley

Steve Farrelly



N5

Building/Construction
Related Permit



Date	11-25-14	12	14
Tracking Number	14-6060		

LAND-USE REQUESTS APPLICATION

Applications must be complete and submitted in person. Faxed, emailed or incomplete applications will not be accepted.

Type of application: Text Amendment Zoning Change Conditional Use

Address of Property for which this application is being filed. 228 Harrison Avenue

APPLICANT INFORMATION

Applicant Identity: Property Owner Agent

Applicant Name Walter Antin

Applicant Address 3535 Canal Street

City New Orleans State LA Zip 70119

Applicant Contact Number 305-877-3264 Email deneworleans@gmail.com

PROPERTY OWNER INFORMATION SAME AS ABOVE

Property Owner Name Shirley Garland Stewart

Property Owner Address 802 Rue Chartres

City Metairie State LA Zip 70001

Property Owner Contact Number 504-616-9098 Email RAYF@HARVEYCAVAL.COM

Note: If ownership is joint, each owner must be listed. If ownership is a partnership, the Partnership Agreement must be included. If ownership is a corporation, Articles of Incorporation and a Board Resolution authorizing an individual or agent to sign on behalf or if ownership is a LLC, Articles of Organization and legal documentation authorizing an individual or agent to sign on its behalf must be included. If necessary, submit proof of ownership documents, such as copies of the recorded act of sale, act of exchange, act of donation, cash sale or deed.

SPECIFIC ZONING REQUEST

Allow Conditional Use zoning so owner can build parking lot on vacant parcel.

PROPERTY LOCATION

Square Number(s) 276 Lot Number(s) G

Bounding Streets Harrison Avenue Milne Avenue Catina St + French St

Zoning LB-1 Municipal District 2

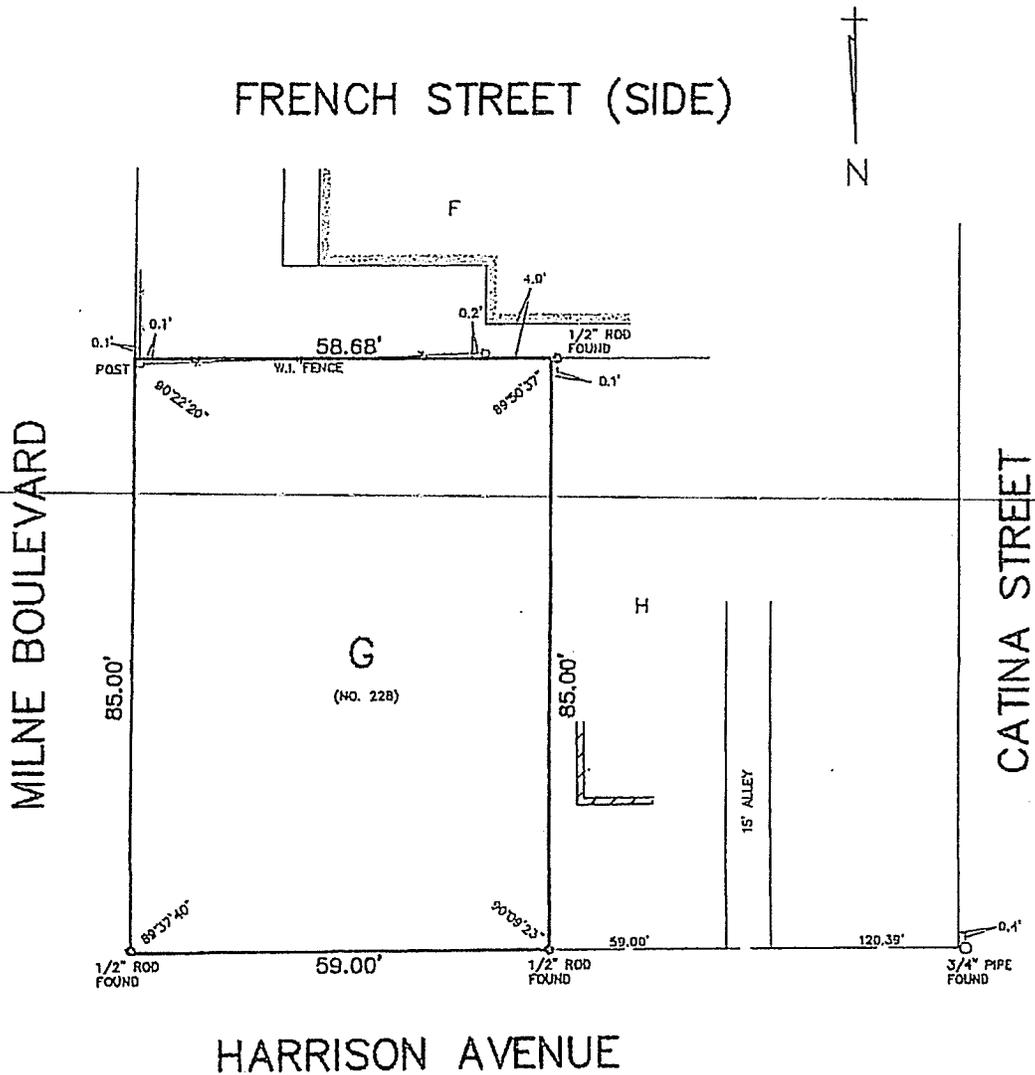
Tax Bill Number 206400130 Planning District 5

DESCRIPTION OF PROJECT (Attachments are acceptable)

Build 18 space parking lot on vacant parcel. Parking lot to meet or exceed all code standards. Parking lot will include lighting, perimeter fence, and landscape surround buffer.

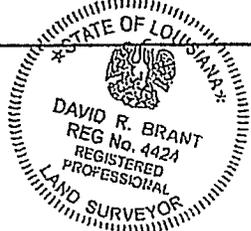
SQUARE 276
 LAKEVIEW, SECOND DISTRICT
 ORLEANS PARISH, LA.

THE SERVICES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVICES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.



SEPTEMBER 24, 2014

SURVEYED IN ACCORDANCE WITH THE LOUISIANA STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS FOR A CLASS C SURVEY, MADE AT THE REQUEST OF HARVEY CANAL LIMITED PARTNERSHIP.



DUFRENE SURVEYING & ENGINEERING INC.
 1624 MAHATTAH BOULEVARD, HARVEY, LA 70058
 504-368-6390 PH. 504-368-6394 FAX
 dufrene@csccinc.com

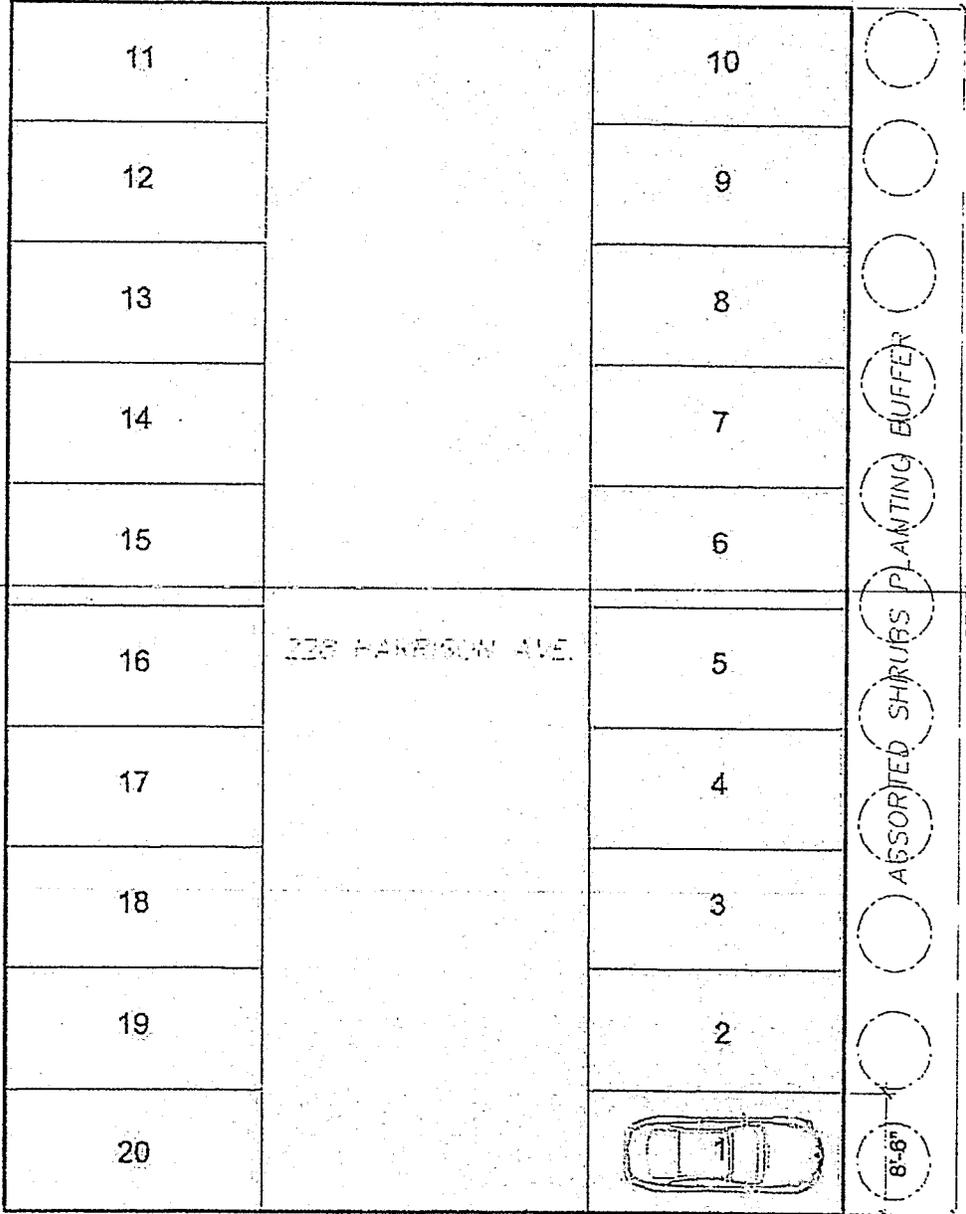
JOB# 14-000785
 SCALE: 1" = 20'

David R. Brant

LS 222nd/Vieuxbrant/2276-110.dwg

59'-0"

ASSORTED SHRUBS PLANTING BUFFER



85'-0"

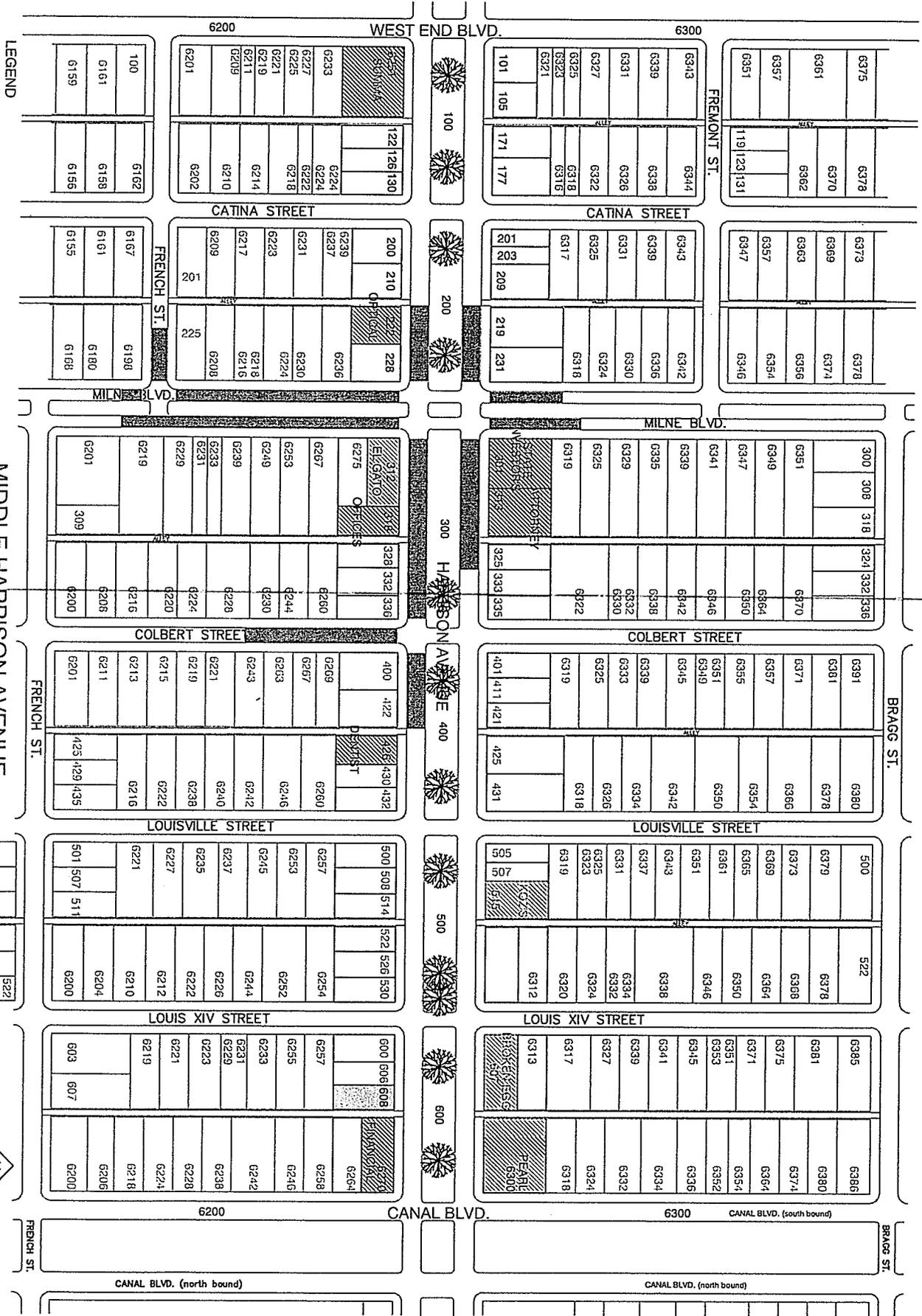
MILNE BLVD

18'-0"

23'-0"

18'-0"

HARRISON AVE



**MIDDLE HARRISON AVENUE
CORRIDOR SUB-DISTRICT
EL GATO NEGRO PARKING IMPACT**
HARRISON AVE. (CANAL BLVD. TO WEST END BLVD.)

MAY 26, 2014



- LEGEND**
- RESTAURANT
 - COMMERCIAL PARKING
 - OTHER

CPCinfo

From: kathy maraldo <kmaraldo@bellsouth.net>
Sent: Monday, January 05, 2015 10:50 AM
To: CPCinfo
Cc: John Lyons
Subject: Zoning Docket 011-15

Dear Sirs:

We agree with all of the suggestions of The Middle Harrison Avenue Committee with regard to the purposed parking lot on Harrison Avenue which will be constructed by The El Gato Negro Restaurant.

We do think that there is another issue to be addressed that is not in the suggestions. The appearance of the parking lot as it fronts Harrison Avenue. It would be both cost effective and esthetically pleasing to plant several trees along Harrison Avenue between the street and sidewalk on each side of the entrance of the parking lot. This is not difficult or expensive and would go a long way to soften the harshness of an exposed parking lot. Please give this suggestion consideration.

Thank you,
Claude and Kathy Maraldo
6254 Louis XIV Street
New Orleans, Louisiana 70124

CPCinfo

From: Judi Farrelly <jfarr1051@gmail.com>
Sent: Monday, January 05, 2015 11:36 AM
To: CPCinfo
Subject: Zoning Docket 011/15

Dear Members of the City Planning Commission:

I am opposed to the creation of a parking lot on the property at 288 Harrison Avenue in Lakeview.

There may be Design Standards in place but they are NOT enforced. If you look at the existing restaurants The Broken Egg Cafe and Lakeview Pearl, there is little to no landscaping visible. There is one bush on the side of the restaurant on Louis XIV Street. This does not provide any buffers to the immediate neighbors nor does it add to the beautification of our residential neighborhood. Any landscaping on these properties is overrun with weeds at all times of the year.

Will the proposed parking lot have a hard surface with adequate drainage? Harrison Avenue floods easily in heavy downpours. Will it be a gravel parking lot such as the unattractive parking lot adjacent to John Jay on the corner of Robert E. Lee and Louisville Street? This one also has yellow pipes and yellow plastic chain links surrounding it. This is an eyesore on a main thoroughfare.

Who will maintain the proposed parking lot? Will it be weed and trash free or yet another unattractive addition to our formerly residential area? Will the lighting be similar to the lighting at Broken Egg which shines into the bedroom of the adjacent neighbor? What will the hours for the use of the parking lot be? Who will enforce any of these issues?

Is the purpose of the parking lot to bring El Gato Negro up to code with the parking for their existing restaurant? They have submitted plans to expand and have enclosed two outdoor seating areas one of which has almost been completed. Presently there are only 3 parking spots (which are too short for most cars) for the entire restaurant. The owners knew the limitations of the business when they purchased the property originally and should be forced to stay within the existing regulations.

Hopefully, the staff report will address and clarify some of these issues.

Judi Farrelly
6246 Louisville Street
New Orleans, La.
70124

jfarr1051@gmail.com

CPCinfo

From: Julie LaCour <jlacour@nocp.org>
Sent: Monday, January 05, 2015 1:16 PM
To: CPCinfo
Subject: Zoning Docket 011/15
Attachments: Julie LaCour.vcf

I am in full support of the comments made by the MHARG Committee in regard to the proposed parking lot.
Julie LaCour
432 Harrison Ave.
NOLA 70124

CPCinfo

From: Carole Bacon <Carole.Bacon@la.gov>
Sent: Monday, January 05, 2015 3:23 PM
To: CPCinfo
Subject: Zoning Docket 011/15 hearing 1/13/15

We are in agreement with the comments of the Middle Harrison Avenue Residents Group (MHARG), particularly #6. Do not allow any waivers or write any provisions that would decrease the neighborhood residents' quality of life.

Carole Bacon
Andrew Bacon
400 Harrison Avenue

CPCinfo

From: Farrelly, Steve 023 <Farrelly.Steve@nola.sysco.com>
Sent: Monday, January 05, 2015 4:50 PM
To: CPCinfo
Subject: zoning change

Dear Planning Commission Members,

This email is to express my opposition to Docket #ZD-001-15 zoning change for the construction of a parking lot to be used by El Gato Negro's Harrison Ave. location. There are not enough details available to approve such a measure. Some of my questions are:

*****Would this parking lot be used to satisfy the current lack of parking spaces that this business has not provided in relation to the number of seats in the restaurant or is this being used to allow them any additional expansion to their operation which they have proposed previously?

*****How long of a lease needs to be provided in such cases? What is the required term of the lease to protect the interests of the residents that will be impacted?

*****What will be the visual appearance such as surface, fencing etc?

*****Where are the entrance and exit points?

*****What would be the type of lighting used?

*****What buffers are provided for nearby residents?

~~*****Who would maintain the parking lot as far as litter etc?~~

I generally feel a parking lot on the prime thoroughfare of Lakeview is in poor taste and will be an unattractive addition to the neighborhood.

Steve Farrelly
6246 Louisville St.
New Orleans, La. 70124