

Semi-Monthly Zoning Meeting
Tuesday, July 28, 2015

CPC Deadline: 09/11/15
CC Deadline: 10/02/15
Council District: A – Guidry

PRELIMINARY STAFF REPORT

To: City Planning Commission
Zoning Docket: 065/15

Prepared by: Kelly Butler
Date: July 21, 2015

I. GENERAL INFORMATION

Applicant: City Council Motion M-15-214

Request: This is a request by City Council Motion M-15-214 for amendments to Calendar Ordinance No. 30, 637 to amend Article 18, and the Magazine Street Overlay to provide for the Magazine and Maple Street Overlay, to include the addition of all lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Maple Street frontage from Cherokee Street to South Carrollton Avenue, and all lots within the HU-RM1 District on squares with Maple Street frontage, between Lowerline and Cherokee Streets.

Location: The request would modify **Article 18, Section 18.20 Magazine Street Use Restriction Overlay District** of the newly adopted Comprehensive Zoning Ordinance, and would apply to properties within the HU-B1 Historic Urban Neighborhood Business District on properties with frontage on Maple Street from Cherokee Street to South Carrollton Avenue, and within the HU-RM1 District with frontage on Maple Street between Lowerline and Cherokee Streets.

Why is City Planning Commission action required?

The City Planning Commission is required to make a recommendation on all amendments to the text of the Comprehensive Zoning Ordinance prior to City Council action, in accordance with **Article 16, Section 16.2.3.2. Planning Commission Recommendation** of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. What is the reason for the text amendments? What area would be affected by the text amendments?

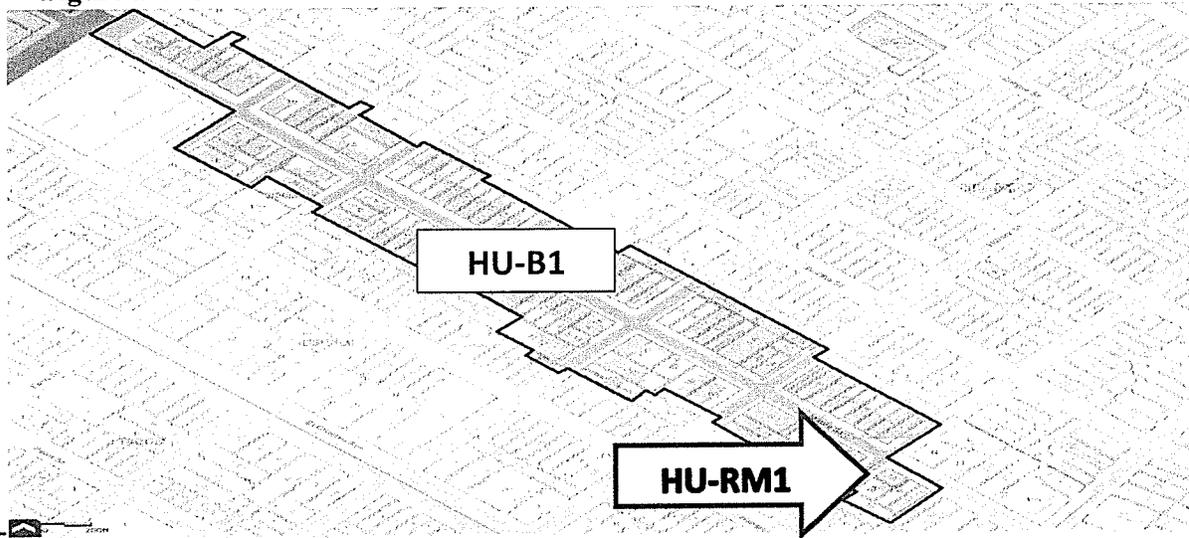
Reasons for text amendment request

In recent years, both before and following Hurricane Katrina, there has been concern among residents of the Maple Street area that some businesses along Maple Street that were permitted to operate as restaurants actually operated illegally as de facto cocktail bars and that the conditions and operations of these businesses negatively impacted their quality of life. Additionally, residents were concerned that, due to the language of the newly adopted CZO, standard restaurants would be permitted to provide alcohol sales by right without any community input. The proposed text amendment, to include the subject area along Maple Street in the Magazine Street Use Restriction Overlay, was initially included as part of Amendment SGG-4 to Ordinance Calendar No. 30,637. Amendment SGG-4 was amended to remove the subject area from the Magazine Street Use Restriction Overlay District upon adoption of the new Comprehensive Zoning Ordinance.

Affected area

The text amendment considered herein would amend the Magazine Street Use Restriction Overlay District and would apply only to those properties within the HU-B1 Historic Urban Neighborhood Business District or the HU-RM1 Multi-Family Residential District that are located on a square with frontage along Maple Street between S. Carrollton Avenue and Lowerline Street.

Figure 1: HU-B1 and HU-RM1 Districts between S. Carrollton Ave and Lowerline Street



B. What is the existing language of the Comprehensive Zoning Ordinance?

In adopting the new Comprehensive Zoning Ordinance, the City Council amended the ordinance to include an overlay district within the Magazine Street corridor area called the Magazine Street Use Restriction Overlay District that is enumerated in **Article 18, Overlay Zoning Districts.**¹ **Article 18, Section 18.2.R, Purpose Statements,** includes the following language:²

“R. Purpose of the Magazine Street Use Restriction Overlay

The purpose of the Magazine Street Use Restriction Overlay is to provide for compatibility and the preservation of certain historic urban neighborhood street corridors and adjacent historic urban residential neighborhoods. The overlay district is intended to supplement those of the base zoning district to provide for the harmony and compatibility of development and re-development over designated areas by special regulations.”

The creation of the Magazine Street Use Restriction Overlay District was motivated by a concern about over saturation of restaurants on Magazine Street. As mentioned above, it was introduced by the Council, but was not reviewed or approved by the City Planning Commission. Currently, the district pertains to lots within the HU-B1 Historic Urban Neighborhood Business District with Magazine Street frontage from Race Street to Philip Street and on all lots within the HU-B1 District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street. It requires a conditional use for standard restaurants, existing standard restaurants that would like to sell alcohol that do not already maintain a conditional use allowing alcohol sales, or any standard restaurant seeking to provide live performances.

1 Amendment SGG-4, as amended, created the *Magazine Street Use Restriction Overlay* in **Article 18, Section 18.20** in the new Comprehensive Zoning Ordinance, Ordinance No. 30,367 M.C.S., which is effective August 12, 2015.

2 Amendment SGG-4, as amended, initially labeled the overlay as “P. Magazine Street Use Restriction Overlay,” in **Article 18, Section 18.2 Purpose Statements** and as “18.18 Magazine Street Use Restriction” In **Article 18, Overlay Zoning Districts**. The amendment included language that allowed for re-numbering in the event that any of the previous sections of **Article 18** were removed or new sections created. The re-numbering of **Article 18** resulted in the *Magazine Street Use Restriction* to be labeled letter “R” in **Section 18.2, Purpose Statements** and to the regulations to be outlined in **Article 18, Section 18.20** of the Comprehensive Zoning Ordinance.

The existing language of the overlay district is as follows:

“18.20. MAGAZINE STREET USE RESTRICTION OVERLAY DISTRICT

A. Applicability

The Magazine & Maple Street Use Restriction Overlay applies to the following sub-districts and areas of applicability:

1. All lots within the HU-B1 Historic Urban Neighborhood Business District on the squares with Magazine Street frontage from Race Street including the riverside downriver corner, to Philip Street, including the riverside, upriver corner; all lots within the HU-B1 District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street.
2. All lots within the HU-B1 Historic Urban Neighborhood Business or HU-MU Historic Urban Mixed Use Districts on squares with Magazine Street frontage between Washington Avenue, including the downriver corners, and Henry Clay Avenue.

B. Use Restrictions

1. When allowed as a permitted use in the base zoning district, the following use requires conditional use approval in accordance with Section 4.3, subject to the use standards of Article 20.3.YY
 - a. Restaurant, Standard
 - b. Alcohol beverage sales in an existing standard restaurant if not already permitted by a conditional use
 - c. Notwithstanding the definition of live entertainment, secondary use, as described in Section 26.6, any live performance in a standard restaurant shall be a conditional use.”

C. What is the proposed language for amendment?

The text amendment would add qualifying language specifically for Maple Street in the Magazine Street Use Restriction Overlay District in **Article 18** of the newly adopted Comprehensive Zoning Ordinance. The existing language is shown below in normal text while the additions are shown below as **underlined, bold** text.

18.2.R. Purpose of the Magazine and Maple Street Use Restriction Overlay District

The purpose of the Magazine and Maple Street Use Restriction Overlay District is to provide for compatibility and the preservation of certain historic urban neighborhood street corridors and adjacent historic urban residential neighborhoods. The overlay district is intended to supplement those of the base zoning district to provide for the harmony and compatibility of development and re-development over designated areas by special regulations.

In addition, the text amendment would include the qualifying language to **Article 18, Section 18.20.A. – *Applicability***, as noted below:

18.20. MAGAZINE AND MAPLE STREET USE RESTRICTION OVERLAY DISTRICT

A. Applicability

The Magazine and Maple Street Use Restriction Overlay applies to the following sub-districts and areas of applicability:

1. All lots within the HU-B1 Historic Urban Neighborhood Business District on the squares with Magazine Street frontage from Race Street including the riverside downriver corner, to Philip Street, including the riverside, upriver corner; all lots within the HU-B1 District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street.
2. All lots within the HU-B1 Historic Urban Neighborhood Business or HU-MU Historic Urban Mixed Use Districts on squares with Magazine Street frontage between Washington Avenue, including the downriver corners, and Henry Clay Avenue.
3. All lots within the HU-B1 Historic Urban Neighborhood Business or HU-RM1 Districts on squares with Maple Street frontage between Lowerline Street and S. Carrollton Avenue.

B. Use Restrictions

1. When allowed as a permitted use in the base zoning district, the following use requires conditional use approval in accordance with Section 4.3, subject to the use standards of Article 20.3.YY
 - a. Restaurant, Standard

- b. Alcohol beverage sales in an existing standard restaurant if not already permitted by a conditional use
- c. Notwithstanding the definition of live entertainment, secondary use, as described in Section 26.6, any live performance in a standard restaurant shall be a conditional use

D. Does the text amendment adequately answer the problem that is being addressed; if not, are other modifications necessary?

Problem to be addressed

The proposed text amendment was initiated in response to concerns that the new Comprehensive Zoning Ordinance would permit alcohol sales in all new and existing standard restaurants for properties located on squares with frontage along Maple Street within the HU-B1 Historic Urban Neighborhood Business District and the HU-RM1 Multi-Family Residential District and that this would be done without resident input. Additionally, the text amendment is intended to address concerns about live entertainment being permitted in standard restaurants.

Staff analysis

The City Planning Commission staff recognizes the reason and concerns that brought about the proposed text amendment. However, the purpose of the new Comprehensive Zoning Ordinance regulations, as they pertain to standard restaurants, is to ensure the responsible operation of restaurants by imposing use standards that include operational factors such as the hours of operation, security, noise abatement, holding bars, and other standards rather than classifying them as conditional uses. These regulations are intended to provide a set of rules that apply to districts throughout the city where standard restaurants are permitted. These regulations are stated in **Article 20, Section 20.3 Use Standards** of the new Comprehensive Zoning Ordinance and are included below and on the following page:

ZZ. Restaurant (All Types)

- 1. A restaurant shall submit a security and operation plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies, with the following added:
 - a. For restaurants with an outdoor component, the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.

- b. All restaurants serving alcoholic beverages shall provide exterior security cameras.
2. A restaurant shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies.
3. If a restaurant contains a brewing or distilling facility on-site, a floor plan indicating the area reserved for brewing or distilling and a description of the facility and capacity. Onsite micro-brewing and micro-distillery facilities are only allowed in standard restaurants.
4. Standard restaurants shall submit a summary of the number and location of places of worship, educational facilities, and parks and playgrounds within three-hundred (300) feet of the proposed location.
5. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.
6. All restaurants that serve alcoholic beverages are limited to the following hours of operation (see also Table 20-2: Restaurant Hours of Operation Regulations). No new customers are permitted after the closing hour, and the restaurant shall be completely shut down, including no staff present on the premises, within two (2) hours of the closing time. Opening hour is for first opening of business to customers. These limitations do not apply to restaurants that serve alcoholic beverages in the Vieux Carré Districts, the CBD Districts, and in the C-1, C-2, C-3, LI, HI, MI, BIP, MU-2, EC, MC, and LS Districts.
 - a. Sunday thru Wednesday: from 6:00 am to 10:00 pm.
 - b. Thursday thru Saturday: from 6:00 am to 12:00 am (midnight).
 - c. Other hours may be approved through the conditional use process

Table 20-2: Restaurant Hours of Operation Regulations					
	Standard or Specialty Restaurants with alcoholic beverage service in the VCC-1, VCC-2, VCE, VCE-1, VCS, VCS-1, CBD-1, CBD-2, CBD-3, CBD-4, CBD-6, CBD-7, C-1, C-2, C-3, LI, HI, MI, BIP, MU-2, EC, MC, and LS Districts	Standard or Specialty Restaurants with alcoholic beverage service in all other base zoning districts	Standard, Specialty, Fast Food, or Carry-Out Restaurants without alcoholic beverage service in non-residential zoning districts	Specialty or Standard Restaurant authorized by an RDO District¹	Specialty Restaurant authorized as a Neighborhood Commercial Establishment²
Hours of Operation Sunday – Wednesday	None	6am – 10pm; other hours may be approved through the conditional use process	None	6am – 10pm; other hours may be approved through the conditional use process	6am – 10pm; other hours may be approved through the conditional use process
Hours of Operation Thursday - Saturday	None	6am – 12am; other hours may be approved through the conditional use process	None	6am – 10pm; other hours may be approved through the conditional use process	6am – 10pm; other hours may be approved through the conditional use process

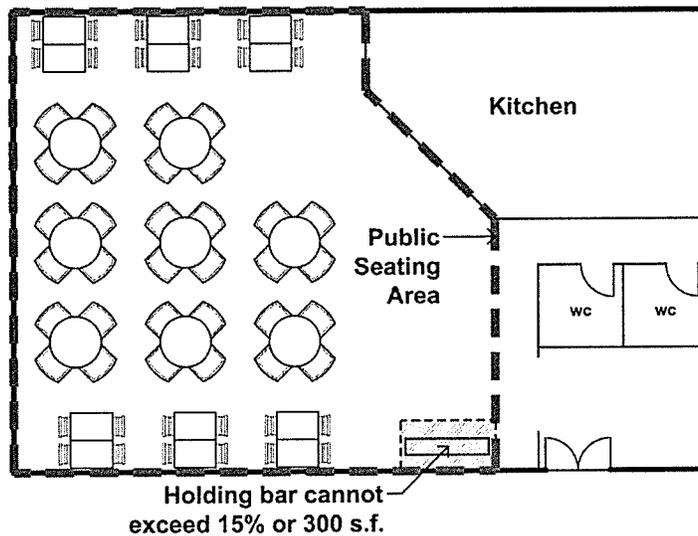
TABLE 20-2 FOOTNOTES

¹ Restaurants in RDO Overlay Districts are not permitted to serve alcoholic beverages. Additional regulations are provided in Article 18.

² Specialty restaurants authorized as Neighborhood Commercial Establishments are not permitted to serve alcoholic beverages. Additional regulations are provided in Section 20.3.MM.

7. Hours of operation shall be posted on or near the restaurant entrance visible to the public.
8. Standard restaurants with live entertainment are also subject to the standards of this Article. Live entertainment is a separate principal use and subject to separate approval.
9. If the restaurant use plans an increase in intensity, such as an expansion of floor area or increase in permitted occupancy, the security and operation plans shall be updated and resubmitted for approval. The revised security and operation plan shall be approved prior to the issuance of any permits.
10. Security and operation plans may be revised by the property owner or person authorized in writing by the owner. New plans shall be resubmitted for approval.
11. Restaurants with drive-through facilities are subject to the standards of this Article. Standard restaurants with live entertainment – secondary uses are also subject to the standards of this Article. Drive-through facilities and live entertainment – secondary uses are considered separate principal uses and subject to separate approval.
12. A holding bar is permitted only for a standard restaurant. The holding bar is an accessory use to the principal use of a standard restaurant. The holding bar is an area of a restaurant where alcoholic beverages are prepared and served at the bar. Holding bars are subject to the following:
 - a. A holding bar cannot exceed fifteen percent (15%) of the floor area of the public seating area of the restaurant, up to a maximum area of three-hundred (300) square feet, including the service area behind the bar. The calculation of the total public seating area shall include the holding bar area in the calculation. If a portion of the holding bar is used to serve non-alcoholic beverages, such as coffee, that area is included as part of the holding bar area. The holding bar area shall be calculated from the back wall to the front of the bar. . (See Figure 20-1: Restaurant Holding Bar.) If the holding bar is not set against a wall, the area shall be calculated from one bar front to another.

FIGURE 20-1: RESTAURANT HOLDING BAR



- b. The holding bar shall only be open to the public while food is being served in the restaurant's dining room.
 - c. Through the conditional use process, the City Council may grant a variance to increase in the square footage of the holding bar area. Such variance cannot exceed twenty-five percent (25%) of the public seating area of the restaurant.
13. There shall be no cover charge to enter a restaurant

In the past, the rules and restrictions on restaurants providing alcohol sales have been excessively burdensome, especially in zoning districts that differentiated between restaurants with and without alcohol sales. The new Comprehensive Zoning Ordinance allows for the sale of alcoholic beverages in standard restaurants as part of its operations, which is included in **Article 26, Section 26.6, Definitions.**³ The new CZO modifies the rules and restrictions for standard restaurants by providing a clear set of standards for those that are located within a district where a standard restaurant is permitted by right.

3 Restaurant, Standard

An establishment where food and/or beverages are prepared to order, served by wait staff, and usually consumed on-premises. A standard restaurant's principal method of operation includes ordering by customers from an individual menu or menu board and the service of food and beverages by a restaurant employee at the same table or counter where the items are consumed. *Standard restaurants may offer alcoholic beverages for sale as incidental to food and non-alcoholic beverage service. Food service and sale of non-alcoholic beverages shall constitute at least fifty percent (50%) or more of the revenue for said establishment (italics are added for emphasis).*

As noted above, these use standards apply to restaurants that sell alcohol and also to those that do not as there is no functional difference between the two. The text amendment would make all standard restaurants in the subject area conditional regardless of whether or not they sold alcohol.

Given this intent by the new CZO to regulate restaurants through use standards, not conditional use permits, is it advisable to regulate them with conditional use permits on Maple Street? No, there is nothing that justifies Maple Street being treated differently from other corridors in the city that permit standard restaurants. This is for three primary reasons:

1. Maple Street has a healthy balance of daytime and nighttime uses that provide for a relatively smooth transition between the mix of restaurant, office and service uses located along the street.
2. Maple Street does not differ significantly in intensity from other corridors in the area, including nearby Oak or Freret Streets. Because of this, there is not justification as to why Maple Street requires a separate set of regulations that would differ from other areas of the city.
3. The staff believes that sale of alcoholic beverages at restaurants when properly enforced and with good management can be no more offensive to properties in the surrounding area than restaurants that do not sell alcohol, as customers are limited to drinking within the restaurant while meals are served.

During the process of adopting the new CZO, the City Planning Commission and its staff engaged in multiple discussions regarding the city-wide adoption of alcohol sales in standard restaurants and its potential impact. It was determined then and is still the position of City Planning Commission staff that the policy of allowing restaurants to serve alcohol would be addressed through use standards designed to address any potential adverse impacts. This was done with the understanding that this would be applied to all standard restaurants and therefore there wasn't a need to carve out specific areas of the city to create special regulations.

In response to suggestions by some that the City should maintain the status quo with respect to such issues (i.e., requiring conditional use permits City-wide), staff suggested that if there are particular neighborhoods where, due to the unique circumstances of the neighborhood (i.e., crime, oversaturation of alcohol-related uses, etc.), alcohol service in restaurants poses a particular concern, special rules could be imposed on those neighborhoods. Such a solution was considered far preferable than returning to the overly-burdensome status quo. While this proposal is intended to create special rules for this commercial corridor, staff maintains its belief that the circumstances of this neighborhood do not merit special rules.

Based upon the discussion above, the staff does not support the text amendment. Therefore, the staff does not recommend the changes to **Article 18** of the Comprehensive Zoning Ordinance.

III. Are the proposed actions supported by or in conflict with the policies and strategies of the *Plan for the 21st Century: New Orleans 2030*?

In accordance with the Home Rule Charter of the City of New Orleans, all land use actions (including amendments to the Comprehensive Zoning Ordinance) shall be consistent with the *Plan for the 21st Century*, commonly known as the Master Plan. An action is considered 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.

“Chapter 14: Land Use Plan” of the Master Plan designates the future land use of the entire subject section of Maple Street for which the text amendment is proposed as “Mixed-Use Low Density.” The goal, range of uses, and development character for that designation are copied below for reference:

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 range of uses in the Mixed-Use Low Density designation allows for businesses to be interspersed with residences; however, the Master Plan does not provide specific recommendations regarding standard restaurants, alcoholic beverage sales, or live performances in the Mixed-Use Medium Density District designation. Therefore, the proposed action is **not in conflict** with the *Plan for the 21st Century: New Orleans 2030*.

IV. SUMMARY

City Council Motion M-15-214 proposes a text amendment that would amend **Article 18, Section 18.2.R – Purpose Statements** and **Article 18, Section 18.20, Magazine Street Use Restriction Overlay District** of the new Comprehensive Zoning Ordinance to provide for the Magazine and Maple Street Overlay District. The amendment would expand the overlay district adopted by the City Council at the same time the new CZO was adopted. The overlay would be expanded to include all lots within the HU-B1 Historic Urban Neighborhood Business District and HU-RM1 Multi-Family Residential District on squares with Maple Street frontage between Lowerline Street and South Carrollton Avenue. The overlay district is proposed by the City Council to address concerns brought about by area residents regarding standard restaurants and their potential impact on residents in the Maple Street neighborhood. In the new CZO standard restaurants are permitted by right to provide alcohol sales, subject to use standards, without having to go through the conditional use process. The use standards are intended to address any potential adverse operational issues and have been deemed a sufficient mechanism to regulate restaurants and alcohol sales. The staff has concluded that although there is a history along Maple Street where some businesses did not adhere to the zoning laws, this does not appear to be the case today. In fact, Maple Street has a good balance of daytime and nighttime uses and does not differ from other corridors in the city where the same use standards would apply. The decision to allow standard restaurants and alcohol sales city-wide was made during the process of adopting the new CZO with the understanding that the use standards would address any adverse impacts that might come about from a standard restaurant locating in any given neighborhood. Therefore, the staff does not believe special regulations for Maple Street are justified and the staff does not support the text amendment.

V. PRELIMINARY STAFF RECOMMENDATION⁴

The staff recommends **denial** of Zoning Docket 065/15. On July 21, 2015 the staff received a request from the Councilmember requesting that this docket be deferred to the August 11, 2015 City Planning Commission Public Hearing to allow business owners on Maple Street more time to review the proposed text amendment.

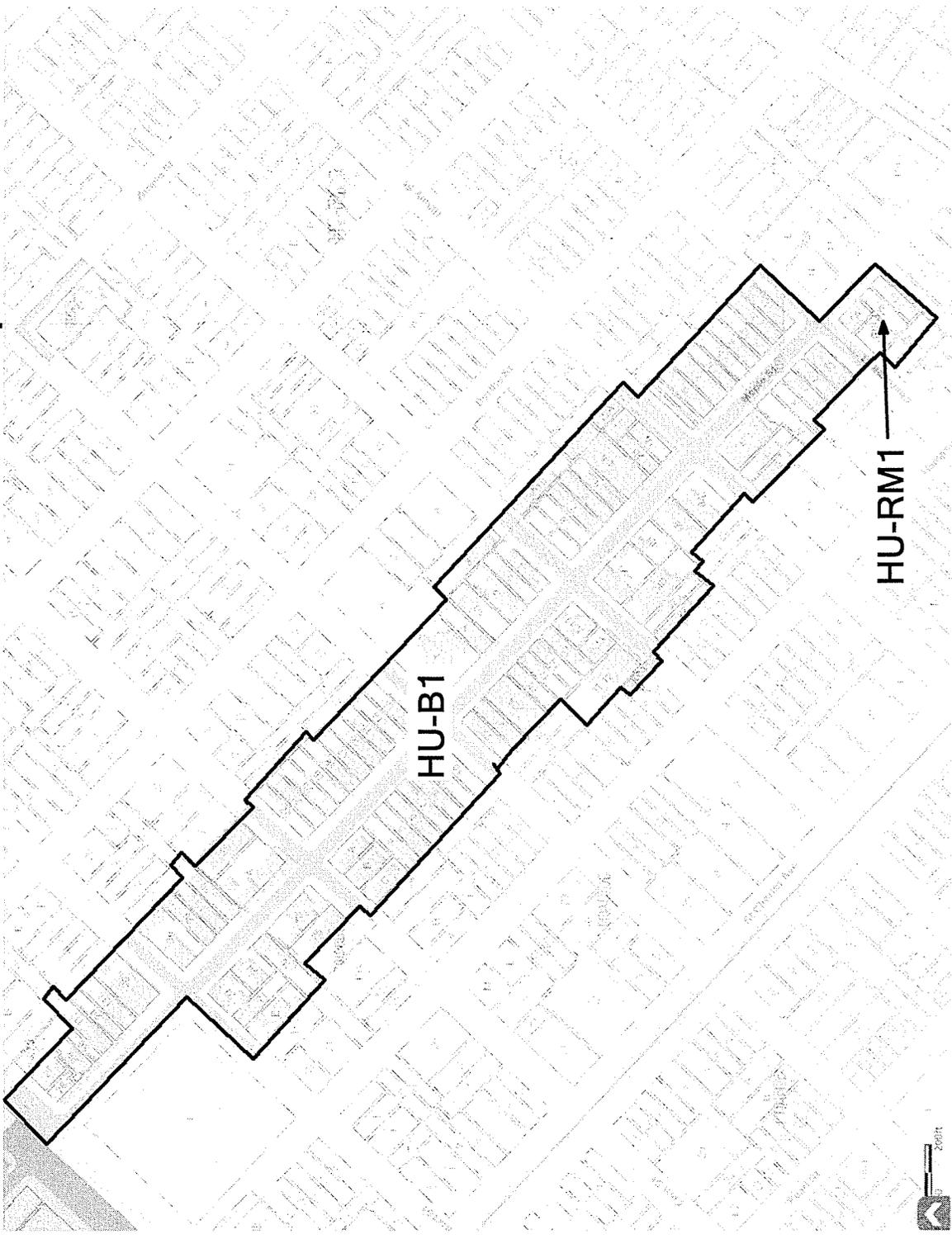
VI. REASONS FOR RECOMMENDATION

1. The new CZO is designed to regulate restaurants through use standards rather than eliminating the excessive burdensome conditional use process. Maple Street should follow this strategy as it is intended.

⁴ Subject to modification by the City Planning Commission

2. The new CZO created a city-wide policy allowing restaurants and alcohol sales that included use standards that the staff believes are deemed sufficient to address any adverse impacts that may be caused by standard restaurants.
3. The staff does not believe that there are special circumstances along Maple Street that justify the imposition of a special set of regulations. This is for three primary reasons:
 1. Maple Street has a healthy balance of daytime and nighttime uses that provide for a relatively smooth transition between the mix of restaurant, office and service uses located along the street.
 2. Maple Street does not differ significantly in intensity from other corridors in the area, including nearby Oak or Freret Streets. Because of this, there isn't justification as to why Maple Street requires a separate set of regulations that would differ from other areas of the city.
 3. The staff believes that sale of alcoholic beverages at restaurants when properly enforced and with good management can be no more offensive to properties in the surrounding area than restaurants that do not sell alcohol, as customers are limited to drinking within the restaurant while meals are served.

HU-B1 and HU-RM1 Districts on Maple Street



MOTION

NO. M-15-214

CITY HALL: June 4, 2015

BY: COUNCILMEMBER *SGB* GUIDRY

SECONDED BY: COUNCILMEMBER CANTRELL

JUN 10 2015 03:13PM

BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct a public hearing to consider the following proposed text amendment to Ordinance 4264 M.C.S., the Comprehensive Zoning Ordinance (CZO), as amended by Calendar number 30,637, adopted by the Council on May 14, 2015, to study, review and make a recommendation relative to amending Article 18, and the Magazine Street Overlay, to provide for the Magazine and Maple Street Overlay, to include the addition of all lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Maple Street frontage from Cherokee Street to South Carrollton Avenue, and all lots within the HU-RM1 District on squares with Maple Street frontage, between Lowerline and Cherokee Streets.

BE IT FURTHER MOVED BY THE CITY COUNCIL OF THE CITY OF NEW ORLEANS, That in the process of reviewing the proposed text and map changes to the Comprehensive Zoning Ordinance for the City of New Orleans, the City Planning Commission and staff are directed and granted the flexibility to make any and all legal and appropriate changes and adjustments deemed necessary in light of public testimony resulting from this review.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION OF THEREOF AND RESULTED AS FOLLOWS:

YEAS: Brossett, Cantrell, Gray, Guidry, Ramsey, Williams - 6

NAYS: 0

ABSENT: Head - 1

AND THE MOTION WAS ADOPTED.

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY
Lera W. Johnson
CLERK OF COUNCIL

AMENDMENT SGG-4 TO ORDINANCE CALENDAR NUMBER 30,637

CITY HALL: May 14, 2015


BY: COUNCILMEMBERS GUIDRY & CANTRELL

1) In Attachment "A", Part VII, Article 18, Section 18.2 "Purpose Statements," on page 18-4, after Section 18.2(O), after the word "streets" insert the following:

"P. Magazine & Maple Street Use Restriction Overlay

The purpose of the Magazine & Maple Street Use Restriction Overlay is to provide for compatibility and the preservation of certain historic urban neighborhood street corridors and adjacent historic urban residential neighborhoods. The overlay district is intended to supplement those of the base zoning district to provide for the harmony and compatibility of development and re-development over designated areas by special regulations."

2) In Attachment "A", Part VII, Article 18, on page 18-38, after Section 18.17, insert an entirely new section that provides as follows:

"18.18 Magazine & Maple Street Use Restriction Overlay

A. Applicability

The Magazine & Maple Street Use Restriction Overlay applies to the following sub-districts and areas of applicability:

- i. All lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Magazine Street frontage from Race Street including the riverside, downriver corner, to Philip Street, including the riverside, upriver corner; all lots within the HU-B1 District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street.
- ii. All lots within the HU-B1 Historic Urban Neighborhood Business or HU-MU Historic Urban Mixed Use Districts on squares with Magazine Street frontage between Washington Avenue, including the downriver corners, and Henry Clay Avenue.
- iii. All lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Maple Street frontage from Cherokee Street to South Carrollton Avenue.

iv. All lots within the HU-RM1 District on squares with Maple Street frontage, between Lowerline and Cherokee Streets.

B. Use Restrictions

1. When allowed as a permitted use in the base zoning district, the following use requires conditional use approval in accordance with Section 4.3, subject to the use standards of Article 20.3.YY

a. Restaurant, Standard

b. Alcohol beverage sales in an existing standard restaurant if not already permitted by a conditional use

c. Notwithstanding the definition of live entertainment, secondary use, as described in Section 26.6, any live performance in a standard restaurant shall be a conditional use."

3) In the event that any of the previous sections of Article 18 are created or removed, re-number accordingly.

SUMMARY

- An Amendment to establish the Magazine & Maple Street Use Restriction Overlay to make a ~~“standard restaurant” a conditional use, as well as to require conditional use approval for~~ alcoholic beverage sales and live entertainment in existing standard restaurants, if not already permitted by a conditional use, in the Magazine Street commercial corridor between Race Street & Henry Clay Avenue, and in the Maple Street commercial corridor between Lowerline Street & South Carrollton Avenue.

AMENDMENT SGG-4 TO ORDINANCE CALENDAR NUMBER 30,637

CITY HALL: May 14, 2015

BY: COUNCILMEMBERS GUIDRY & CANTRELL

1) In Attachment "A", Part VII, Article 18, Section 18.2 "Purpose Statements," on page 18-4, after Section 18.2(O), after the word "streets" insert the following:

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The purpose of the Magazine Street Use Restriction Overlay is to provide for compatibility and the preservation of certain historic urban neighborhood street corridors and adjacent historic urban residential neighborhoods. The overlay district is intended to supplement those of the base zoning district to provide for the harmony and compatibility of development and re-development over designated areas by special regulations."

2) In Attachment "A", Part VII, Article 18, on page 18-38, after Section 18.17, insert an entirely new section that provides as follows:

"18.18 Magazine Street Use Restriction Overlay

A. Applicability

The Magazine Use Restriction Overlay applies to the following sub-districts and areas of applicability:

- i. All lots within the HU-B1 Historic Urban Neighborhood Business District on squares with Magazine Street frontage from Race Street including the riverside, downriver corner, to Philip Street, including the riverside, upriver corner; all lots within the HU-B1 District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street.
- ii. All lots within the HU-B1 Historic Urban Neighborhood Business or HU-MU Historic Urban Mixed Use Districts on squares with Magazine Street frontage between Washington Avenue, including the downriver corners, and Henry Clay Avenue.

B. Use Restrictions

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a. Restaurant, Standard

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c. Notwithstanding the definition of live entertainment, secondary use, as described in Section 26.6, any live performance in a standard restaurant shall be a conditional use.”

3) In the event that any of the previous sections of Article 18 are created or removed, re-number accordingly.

SUMMARY

- An Amendment to establish the Magazine Street Use Restriction Overlay to make a “standard restaurant” a conditional use, as well as to require conditional use approval for alcoholic beverage sales and live entertainment in existing standard restaurants, if not already permitted by a conditional use, in the Magazine Street commercial corridor between Race Street & Henry Clay Avenue

CPCinfo

From: Tommy Milliner <tommymilliner@fastmail.net>
Sent: Thursday, July 09, 2015 4:36 PM
To: CPCinfo
Cc: Keith Hardie
Subject: ZONING DOCKET 065/15
Attachments: 06_09.23 - A.pdf; 06_09.23 - B.pdf; 06_09.23 - C.pdf

Dear Members of the City Planning Commission:

I fully support an amendment to Ordinance No. 30,637 to extend the Magazine Street Overlay to the Maple Street Commercial Corridor.

Maple Street is a unique inner city commercial corridor because of its proximity to the universities and the large student population that lives in the immediate area. This large student population has the potential to attract low quality commercial establishments and bars that generate noise, crowds, excess trash and litter. Because of this potential, special safeguards are needed to prevent ABO restaurants from degenerating, or “morphing” into low quality restaurants that cater to the student population with the resultant noise, crowds and excess trash and litter. The general rules in the new Zoning Code which provide for extended operating hours for restaurants are particularly problematic in the Maple Street Corridor and will almost inevitably lead to a deterioration in the quality of restaurants on Maple Street and the quality of life in the neighborhoods immediately surrounding Maple Street. Consequently, a conditional use process is necessary for ABO restaurants in this particular corridor to ensure that they remain high quality restaurants and not “near bars” which lower the quality of life in the neighborhood.

One of the major issues in the university area is the problems created from the ever-increasing numbers of students in the Maple Street area. As both Loyola and Tulane have increased their enrollment numbers in recent years, there are more students living in the Maple area neighborhoods which are immediately adjacent to the Tulane and Loyola campuses. As the number of students increase, the potential for low quality commercial establishments that cater to high volume/low cost food and drink increases. These high-intensity commercial uses are particularly problematic because of their close proximity to residential neighborhoods.

The Maple Street Corridor, due to its proximity to the universities, has the potential to attract high volume/low cost commercial establishments that generate noise, crowds, excess trash, litter, etc. For example, attached are several photographs showing a “restaurant” on Maple Street in 2006 with open kegs in the front yard and abundant litter. This problem arises particularly with establishments that stay open very late at night and cater to a high volume of relatively young customers.

The problem has been exacerbated because of glitches in the licensing system that allow an establishment to open as a “restaurant” and too easily become a “bar.” For example, Phillips Restaurant, once a sleepy neighborhood restaurant has morphed into a high intensity commercial bar that has expanded into the adjacent residentially zoned lot.

These problems support the proposition that additional safeguards are needed on Maple Street with regard to ABO restaurants. These safeguards might include more limited hours of operation and stricter limitations on “holding bars” than is what is provided in the new Zoning Ordinance. Accordingly, I urge the City Planning Commission to adopt an amendment to Ordinance No. 30,637 to extend the Magazine Street Overlay to the Maple Street Commercial Corridor.

--
Thomas W. Milliner
7721 Plum Street
New Orleans LA 70118
(504) 835-9951 (Voice)
(504) 835-9984 (Fax)







CPCinfo

From: Charlie Atherton <cratherton@gmail.com>
Sent: Tuesday, July 14, 2015 7:21 AM
To: CPCinfo
Subject: Maple Street rezoning

As I understand it, a
new
City Zoning Ordinance (CZO) is to
take effect in mid-August
which
will
allow every standard restaurant in the City to have amplified live music, serve alcohol, and stay open
until
2 AM. This is similar to the
zoning currently in place for
Frenchmen St
which
has resulted in establishments
,
licensed as restaurants
,
operating as bars or nightclubs
and has lead to an
increase in violent incidents in
that
neighborhood

I support
the
concept of a
proposed overlay
,
and the conditional use process, for new restaurants
and
for changes in the operation of existing restaurants
. This
overlay
would require a conditional use permit
for
any restaurant seeking to serve alcohol or have live music
and
would allow
residents

an
opportunity to participate in the permit
granting

process
and
ensure
reasonable limits on hours of operation

,
music, and the
serving of
alcohol

I trust that the Council appreciates my
concern

for
maintaining our
neighborhood
's
quality of life and
will
allow
Maple
Street

to continue
as a place
of
services for area residents rather than
turning
it
into a destination
(
like Frenchmen Street
)

Charles Atherton
8016 St Charles Avenue
New Orleans, LA 70118

CPCinfo

From: Michael Cajski <michael@volumezero.com>
Sent: Tuesday, July 14, 2015 8:45 PM
To: CPCinfo
Subject: Overlay Plan for Maple Street

I support the Overlay Plan for Maple Street.

Michael Cajski, architect
Volume Zero, LLC
architectural design studio
1034 Joliet Street
New Orleans LA 70118-1164
504-864-9909
www.volumezero.com

CPCinfo

From: Mary Monett <srmonett@yahoo.com>
Sent: Wednesday, July 15, 2015 12:23 AM
To: CPCinfo
Subject: Maple Street

My residence is on Burthe Street and I am definitely in support of the overlay.

Mary Monett

CPCinfo

From: Keiffer, Lourdes <lkeiffer@wwltv.com>
Sent: Wednesday, July 15, 2015 9:51 AM
To: CPCinfo
Subject: Maple Street and Magazine Street Overlay

As a 35 year resident of New Orleans I am in total support of Councilmember Guidry's proposal for an overlay for Maple St. and Magazine ST. to create an exception to the City-wide rule, making service of alcohol, late hours, and live music conditional uses on Maple Street and Magazine Street. I believe this is vitally important to the continued revitalization of New Orleans by preserving a good quality of life for its working families and neighborhoods.

Thank you,
Lourdes Keiffer
6333 Tchoupitoulas St
New Orleans, La 70118

CPCinfo

From: Carroll S. Grevemberg <grevy@cox.net>
Sent: Wednesday, July 15, 2015 10:56 AM
To: CPCinfo
Cc: Keith Hardie; Teddy Martin
Subject: Protecting the conditional use process on Maple Street with overlays
Attachments: Conditional UseMay 14-2.docx

Carroll S. Grevemberg

Alice T. Henderson

7433 Maple Street
New Orleans, LA 70118
504-866-5070
grevy@cox.net

July 16, 2015

New Orleans City Planning Commission

Dear City Council,

It is very important for the New Orleans City Planning Commission to protect the Conditional Use Process with the proposed new Comprehensive Zoning Ordinance. Councilmembers Guidry & Cantrell's proposed amendment (SGG-4) should safeguard the residents living in these residential/business areas. Allowing an unbridled decision-making process for new restaurants would jeopardize the delicate balance owners of residential properties have. Conditional Use Process offers protections that attempt to minimize the negative impacts of commercial properties. Residents depend on Conditional Use safeguards to maintain harmony by imposing limits on any new restaurant.

I experience daily the issues of living across the street from a bar restaurant that was allowed to break neighborhood agreements by ever expanding its space and changing its status from a restaurant to a bar without any enforcement. I can't imagine new restaurants evolving on Maple Street with no limits on hours of operation, allowed to have live entertainment and alcohol.

Our neighborhoods are fragile. We must protect them from special interests. The City Planning Commission needs to do the right thing. **Please pass Amendment SGG-4.**

Sincerely,

Carroll Grevemberg
Alice Henderson

CPCinfo

From: David Keiffer <dgk3arch@cox.net>
Sent: Wednesday, July 15, 2015 11:21 AM
To: CPCinfo
Subject: In Support of the Maple St. Overlay

Planning Staff and Commissioners,

Please register my strong support of the Overlay Plan for Maple Street. As a long time resident and active member of MARI I know first hand, better than you, the problems associated with each and every ABO in my neighborhood. Because our homes are within easy walking distance from Tulane and Loyola our neighborhood is different than other areas of the city. The old CZO recognized that difference, the new CZO does not. The basic truth is this- the quality of life of residents in our area is constantly threatened by businesses that have ABO's and target the lucrative student drinkers. In practical terms, in my neighborhood bars print money and the distinction between a restaurant and bar is meaningless. Clearly in this context a property that has secured an ABO is instantly more valuable- to that business owner. But the residents pay the price.

Without the overlay the new CZO will strip our neighborhood of what little power we have to control ABO's in this student rich environment. The Maple St. Overlay merely attempts to retain the residents voice in safeguarding our investment in our neighborhood and at the same time does not diminish in any way the value of existing business properties . Please vote for the Maple Street Overlay.

Thank You

- David Keiffer
7718 Freret St.
dgk3arch@cox.net
225.270.0294

CPCinfo

From: Houck, Oliver A <ohouck@tulane.edu>
Sent: Wednesday, July 15, 2015 4:33 PM
To: CPCinfo
Subject: Maple Street Overlay Plan

Dear CPC, my wife and I have lived in the Maple Street area for 25 years. We moved here from elsewhere in the city because of its quiet, residential nature and harmonious connection to small enterprises not based on alcohol. We had enough of the other before. It drove us away. We have appreciated all efforts to keep the area this way both by the CPC and the neighborhood association. You are our democracy. We count on you. Please do not reduce our authority to protect ourselves.

Thank you.

Lisa and Oliver Houck
909 Burdette Street
NOLA 70118

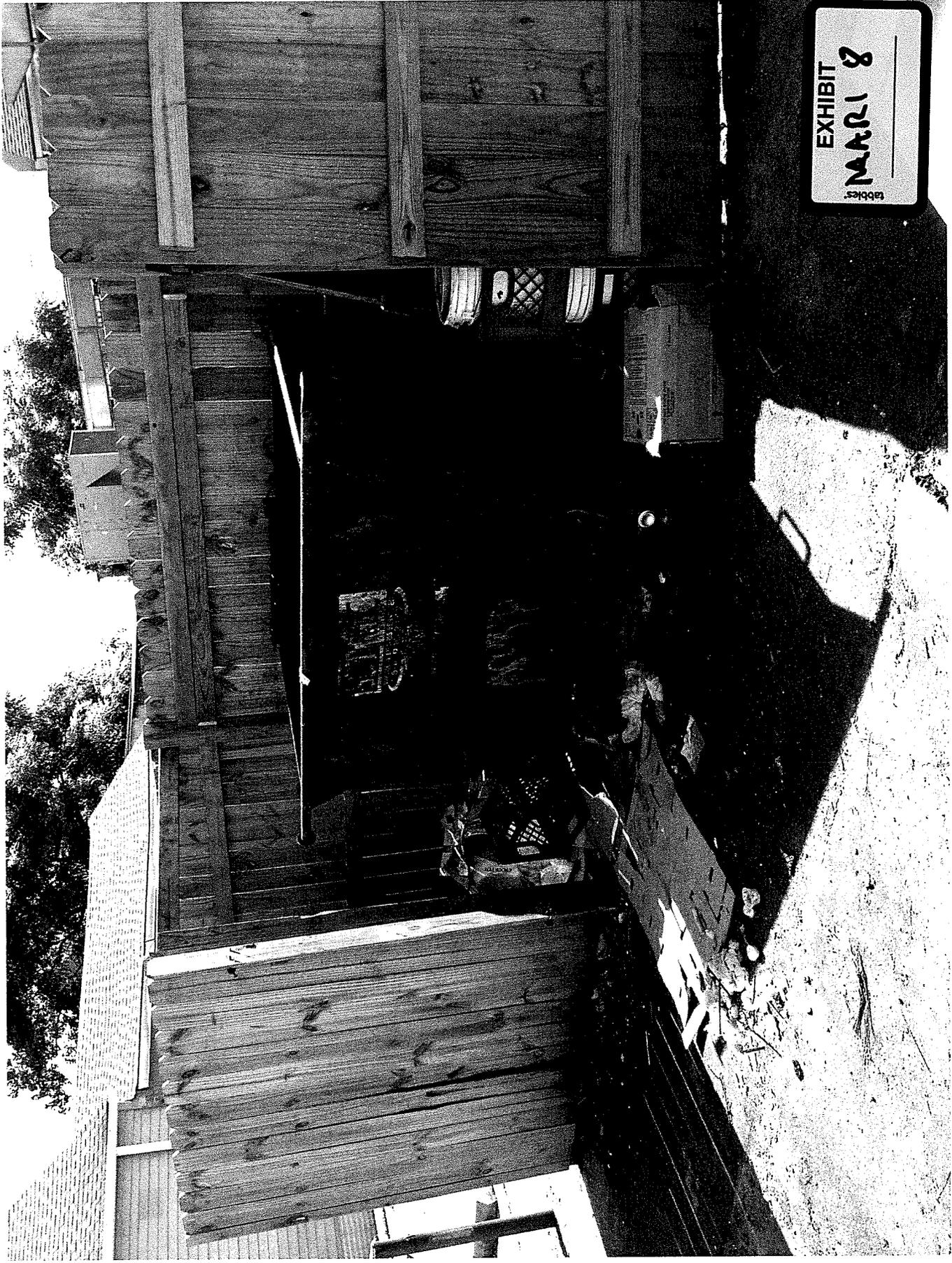
CPCinfo

From: Keith Hardie <keithhardie@yahoo.com>
Sent: Wednesday, July 15, 2015 10:32 PM
To: Carroll S. Grevemberg; CPCinfo
Cc: Teddy Martin
Subject: Re: Protecting the conditional use process on Maple Street with overlays

Thank you Grevy.

Keith Hardie, Jr.
keithhardie@yahoo.com
757 St. Charles, Suite 304
New Orleans, LA 70130
(504) 522-6222
(504) 522-6226 (fax)

From: Carroll S. Grevemberg <grevy@cox.net>
To: cpcinfo@nola.gov
Cc: Keith Hardie <keithhardie@yahoo.com>; Teddy Martin <teddy1233@cox.net>
Sent: Wednesday, July 15, 2015 10:56 AM
Subject: Protecting the conditional use process on Maple Street with overlays



Dumpster on Adams Street near corner of Maple Street
Taken Oct. 2, 2012

Kelly G. Butler

From: Moncef Sbaa <mon7808@gmail.com>
Sent: Monday, July 20, 2015 10:40 AM
To: Kelly G. Butler
Subject: Maple street zoning changes and petition
Attachments: Maple street petition.pdf; ATT00001.txt

From: Jamila's Café, 7808 Maple St, New Orleans, LA 70118

Greetings,

We do love our city, our community and we really enjoy our work. We are a small mom and pop bistro, where we provide fresh and tasty food. It took a lot of sacrifices to build what we have today. Our kids were four and five years old when we started. They helped us and they still do. They even slept on the chairs until we finished work because we couldn't afford a babysitter at the time. We purchased the building in 2008. We put all of our savings and every penny into it, and we still do. To our surprise, this zoning change is hard to believe. Maple street is a peaceful neighborhood. People stroll with babies, pets, and greet one another. Even the pets stop by for a treat and get a bone. It became a tradition. This quality of life is why parents, students, and new people in town choose the universities and buy houses in the area. Many of our community members are shocked to know about this change, which is planning to eliminate cafés, restaurants and bars that are struggling to survive. We are paying high property taxes. We are contributing to schools, various charities, feeding the hungry, and once again, we really enjoy our work. This zoning change will hurt us because our property is the only savings we have in life for retirement. We thought that the planning commission promised us three years ago that the zoning would remain the same because our community enjoys it and it has been in existence since Mayor Huey P. Long. After consulting with our neighbor Mary Anne Casey, who owns Re/Max on Maple Street and is an appraisal expert, the property value can go down by 40%. Ms. Guidry seems to only go with one side, to satisfy the wishes of the Maple Street Association. Everybody on Maple Street tried to comply with safety, noise, service and respect the neighborhood. Even when the garbage trucks don't show up, everyone works together to move the containers out of the way. I'd like to ask Ms. Guidry and the planning commission to please look carefully into this serious matter and help small businesses survive, and work with our neighbors. It takes a village to raise a child. We need the students who graduate and volunteer and teach on the weekend, and we are proud of them. Lastly, I thank you for giving us the opportunity. Please keep it permissive and encourage small businesses. May God bless you and bless our city.

Sincerely yours,
Moncef and Jamila Sbaa
Work: 504-866-4366
Cell: 504-723-7040

P.S. I have attached the petition

PETITION TO DESIGNATE THE MAPLE STREET COMMERCIAL CORRIDOR AS AN
 HU-MU DISTRICT AS ORIGINALLY RECOMMENDED BY THE N.O. PLANNING
 COMMISSION

PETITION TO VOTE AGAINST ANY AMENDMENT TO THE COMPREHENSIVE
 ZONING ORDINANCE MAKING RESTAURANTS A 'CONDITIONAL USE' RATHER
 THAN A 'PERMITTED USE' IN ANY HU-B1 DISTRICT OR HU-MU DISTRICT

The recommendation of the City Planning Commission is to make 'Restaurants' within
 these zones a 'Permissible' Use, NOT a 'Conditional Use' which is proposed by the above
 amendment. To zone out restaurants as a 'Permissible Use' in these corridors would change
 the character of the Freret, Maple, Oak and Magazine corridors and thus the City. The City
 Planning Commission which has the expertise necessary and which is the designated
 authority to author the CZO advocates for Restaurants to be a "Permissible Use". We concur
 with the professional land use planners who were charged with creating the
 Comprehensive Zoning Ordinance, which was written in an effort to provide a transparent
 land use plan and remove zoning from the political arena.

Name	TRELLIS THOMAS	Address	4920 Annunciation St , N.O., LA
Name	SADDY BOURGEOIS	Address	8608 BALTER ST. Metairie, LA.
Name	Donna Angelle	Address	156 Mandy Dr., Avondale, LA
Name	Jocinta Silverman	Address	4120 Fairfield St., Metairie, LA 70002
Name	Kendra Ducey	Address	7835 Maple St NOLA 70118
Name	Tori Landry	Address	8014 Barthe St NOLA 70118
Name	Liz Gorman	Address	7835 Maple St NOLA 70118
Name	Kelly Jones	Address	7835 Maple St NOLA 70118
Name	ETIN BROWN	Address	7835 Maple St. NOLA 70118
Name	Cindy Nebert	Address	809 Jean St NOLA 70115
Name	idea Oshun	Address	7835 Maple St New Orleans LA 70118
Name	Tina Scott	Address	7835 Maple St NOLA 70130
Name	WILLIAM TEBB	Address	7835 MAPLE ST. NOLA, 70118
Name	Shannon Butler	Address	3375 State St. Drive New Orleans, 70121

Name Catharine Nanninger

Address 3375 Stark St. Dr. New Orleans, LA 70118

Name Gary Bizot

Address 6042 Annunciation N.O. 70118

Name Herb Mattaway

Address 4838 Chestnut St. No 70115

Name MARTIN JOHNSON

Address 1037 ELEANORE ST NOLA 70115

Name MILTON SCHEUERMAN

Address 1035 ELEANORE ST. NOLA 70115

Name JUDY JOHNSON

Address 1037 ELEANORE ST. NOLA 70115

Name MARGIE SCHEUERMAN

Address 1035 ELEANORE ST NOLA 70115

Name Timothy T. Huff, Jr

Address 219 S. Alexander St. NOLA 70119

Name Rebecca Eddy Bohn

Address 219 S. Alexander St. NOLA 70119

Name STEVEN SEAN

Address 9 CHATEAU TRIANON DR, KENNER, LA 70065

Name Jacqueline D. Crispino

Address 2206 Killdeer St., N.O., LA 70122

Name Christine Norton

Address 129 S. Alexander St., NO. LA 70119

Name Joseph B. Norton, III

Address 129 S. Alexander St. NOLA 70119

Name Charles Napoli

Address 7444 St. Charles Ave.

Name Chad Sharp

Address 7444 St. Charles Ave #101

Name Ray Scating

Address 1834 Dublin St., NOLA 70118

Name STEVEN R. EVANS

Address 12 TRIANON PLZ NO. CA 70

Name Russell S. Bousard

Address 12 TRIANON PLZ NOLA 70125

Name CARL RICKETS

Address 3002 DESOTO ST NOLA 70119

Name CARLIE SANDOZ

Address 1834 DUBLIN ST NEW ORLEANS 70118

Name [Signature]

Address 3002 Desoto St NOLA 70119

Name [Signature]

Address 755 Magazine St.

Name [Signature]

Address 7725 Maple St NOLA 70118

Name Vincent Pleunbo

Address 7731 Maple St NOLA 70118

Name Kurt Weisen

Address 7725 Maple St NOLA 70118

PETITION TO DESIGNATE THE MAPLE STREET COMMERCIAL CORRIDOR AS AN HU-MU DISTRICT AS ORIGINALLY RECOMMENDED BY THE N.O. PLANNING COMMISSION

PETITION TO VOTE AGAINST ANY AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE MAKING RESTAURANTS A 'CONDITIONAL USE' RATHER THAN A 'PERMITTED USE' IN ANY HU-B1 DISTRICT OR HU-MU DISTRICT

The recommendation of the City Planning Commission is to make 'Restaurants' within these zones a 'Permissible' Use, NOT a 'Conditional Use' which is proposed by the above amendment. To zone out restaurants as a 'Permissible Use' in these corridors would change the character of the Freret, Maple, Oak and Magazine corridors and thus the City. The City Planning Commission which has the expertise necessary and which is the designated authority to author the CZO advocates for Restaurants to be a "Permissible Use". We concur with the professional land use planners who were charged with creating the Comprehensive Zoning Ordinance, which was written in an effort to provide a transparent land use plan and remove zoning from the political arena.

Caroline Jacobs
Name
STEPHANIE CRITER

2022 Jefferson Ave, NOLA 70115
Address
71624 Saint Charles Ave 70118

Nick DiSalvo
Name

71624 St. Charles Avenue 70118
Address

Clementine DiSalvo
Name

71624 Saint Charles Ave 70118
Address

Spencer Ott
Name

570 Audubon St NOLA 70118
Address

Katherine Randall
Name

7830 Hampson 70118
Address

Eloira LeBlanc
Name

2016 Cadiz St 70115
Address

Tony Hall
Name

5500 Prytanis #527 New Orleans 70115
Address

Res W Turk W
Name

13 Cambridge St.
Address

Mary Gendry
Name

7801 Maple St. New Orleans
Address

Mauren Finnegan
Name

5822 State St. Drive New Orleans
Address

Ametia Arthur
Name

8110 Short St NOLA 70118
Address

Michael Arthur
Name

8110 Short St NOLA 70118
Address

Karim Sbaa
Name

4234 Vincennes Pl NOLA 70125
Address

Name Jemila Sbaa

Address 4234 Vincennes bl. NOLA 70125

Name Sandra Miller

Address 618 Short St. Nola 70118

Name JM

Address 618 Short St. Nola 70118

Name Ali Lagomasino

Address 7830 Hampson St. NOLA 70118

Name Allison Horowitz

Address 7817 Maple St. New Orleans, LA 70118

Name Maggie Sewell

Address 7808 Maple St NOLA 70118

Name Susan Johnson

Address 7414 Burthe St. NOLA 70118

Name NANCY MOCK

Address 1231 WEBSTER ST NOLA 70118

Name VICTOR PAPAI

Address '' ''

Name _____

Address _____

Kelly G. Butler

From: Sherif Sakla M.D., J.D. <ssakla@lawmedic.com>
Sent: Monday, July 20, 2015 12:32 PM
To: Kelly G. Butler
Cc: dmilius@aol.com; 'Monsef Sabaa'; 'Ginny Zissis'; 'Olivier Guilliot'; 'Thad Ackil'; 'Robert Bergeron'; 'Mary Ann Casey'; todd@huberslack.com; 'Patricia Donahue'; angelique74@me.com; 'Carol Billet'; kprechter@aol.com; 'Alexander M. Sakla'; 'Stephanie Reuther'; 'Scott N. Nolan'; 'Michelle Reinhardt'; sghallmark@gmail.com; jmw@chehardy.com
Subject: Zoning Docket 065/15
Attachments: Petition.pdf

Dear Ms. Butler,

My name is Sherif Sakla. I am president of the Maple Area Business Association, a property owner, and a business owner in the proposed overlay; I reside at 7524 St. Charles Avenue in close proximity to the Maple Street Area.

I am submitting the attached Petition signed by more than 100 Maple Street Area residents, business owners, and property owners that are opposing the proposal by Councilmember Guidry to place a Conditional Use Overlay on existing restaurants and businesses in the Maple Street Corridor between Lowerline and S. Carrollton (5 blocks). These 5 blocks were the original Main Street for the City of Carrollton for more than 100 years.

It is our belief that the City Planning Commission should stand by its well-researched and considered determination for the Comprehensive Zoning Ordinance's Master Plan. In standing by that determination, the City Planning Commission should not agree to spot zone the Maple Street Corridor and put its businesses and property owners at a disadvantage compared to other business corridors (such as Ferret and Oak) who are similarly situated and in close proximity.

The CZO and Master Plan were intended to take politics out of land use issues in this city, provide uniformity, consistency, and transparency to "eliminate let's make a deal politics" and level the playing field for businesses and potential businesses in this great city. This proposed overlay would end the promise of a new day in New Orleans. We believe that the carefully designed restrictions in the CZO are sufficient to safeguard and guarantee the peaceful coexistence between residential and commercial land use.

Unfortunately, this overlay proposal was drafted specifically by individuals who intend to eliminate restaurants on Maple Street and achieve the intended consequence of keeping business away from Maple Street. It is not unforeseeable that restaurants on Maple Street will face the same fate of Chez Helene Hotel in the French Quarter, and be eliminated by attrition one by one.

It is my understanding that the City Planning Commission will consider this request (Zoning Docket 065/15) at their meeting on Tuesday, July 28, at 1:30pm in Council Chambers. Therefore, we respectfully request that our Petition be made part of the record of that hearing. If this is not the correct date and time for the meeting, then please advise me at your earliest convenience.

Please send me an email acknowledging receipt of our attached Petition. Further, please call me to discuss these issues and our Petition at 504-528-1800 or 504-699-0900.

With my kindest personal regards,

Sincerely,

Sherif K. Sakla
President, Maple Area Business Association

Sherif K. Sakla, M.D., J.D., F.A.C.E.P.
The Sakla Law Firm, APLC
Energy Centre
1100 Poydras Street, Suite 2905
New Orleans, LA 70163
Phone: 504-528-1800
Fax: 504-363-7720
Cell: 504-669-0900
ssakla@lawmedic.com

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PETITION TO DESIGNATE THE MAPLE STREET COMMERCIAL CORRIDOR AS AN
 HU-MU DISTRICT AS ORIGINALLY RECOMMENDED BY THE N.O. PLANNING
 COMMISSION

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 ZONING ORDINANCE MAKING RESTAURANTS A 'CONDITIONAL USE' RATHER
 THAN A 'PERMITTED USE' IN ANY HU-B1 DISTRICT OR HU-MU DISTRICT

The recommendation of the City Planning Commission is to make 'Restaurants' within these zones a 'Permissible' Use, NOT a 'Conditional Use' which is proposed by the above amendment. To zone out restaurants as a 'Permissible Use' in these corridors would change the character of the Freret, Maple, Oak and Magazine corridors and thus the City. The City Planning Commission which has the expertise necessary and which is the designated authority to author the CZO advocates for Restaurants to be a "Permissible Use". We concur with the professional land use planners who were charged with creating the Comprehensive Zoning Ordinance, which was written in an effort to provide a transparent land use plan and remove zoning from the political arena.

Name	Ronald L. Barnett	Address	7623 Maple St. N.O. La. 70118
Name	Ralph Jefferson	Address	922 Hillary St. N.O. La. 70118
Name	Kelvin Williams	Address	7638 Maple St. N.O. La. 70118
Name	Miranda Swain	Address	7638 Maple St.
Name	David Murphy	Address	2613 Hampton St N.O. La. 70118
Name	Linda M. V. Reed	Address	7724 Maple St. N.O. La. 70118
Name	[Signature]	Address	2724 Octave St. N.O. La. 70115
Name	[Signature]	Address	7633/707 Adams St, NOLA 70118
Name	[Signature]	Address	7609 Maple Street, Apt 2, N.O. La 70118
Name	[Signature]	Address	1513 Maple St - N.O. La 70118
Name	Rachel Herschlag	Address	7730 Maple St.
Name	Annabelle Hubert	Address	7732 Maple St.
Name	[Signature]	Address	721 Burdette St.
Name	Rotem Dahan	Address	7718 Maple St.

PETITION TO DESIGNATE THE MAPLE STREET COMMERCIAL CORRIDOR AS AN
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Name	<u>Maria Patti Lopez</u>	Address	<u>4521 Dryades St NOLA 70115</u>
Name	<u>Josephine Cebrowski</u>	Address	<u>76-38 Maple St</u>
Name	<u>Rae W. White</u>	Address	<u>124 Laidram 70123</u>
Name	<u>Colin Ryan</u>	Address	<u>6212 S Touhy St 70125</u>
Name	<u>Patricia Gendron</u>	Address	<u>4804 St. Mary St Metairie LA 70006</u>
Name	<u>Colena Wehe</u>	Address	<u>7820 Maple Street 70118</u>
Name	<u>Nancy Dwyer</u>	Address	<u>7820 Maple St. 70118</u>
Name	<u>Josha Williams</u>	Address	<u>7820 Maple 70118</u>
Name	<u>Kara Kells</u>	Address	<u>7820 Maple 70118</u>
Name	<u>Ulrica Kaitera</u>	Address	<u>7927 Maple 70118</u>
Name	<u>Stella Ballatus</u>	Address	<u>7927 maple 70118</u>
Name	<u>Wirta Dwyer</u>	Address	<u>485 Audubon St 70118</u>
Name	<u>Donna Peirce</u>	Address	<u>8426 Birch St. 70118</u>
Name	<u>Luist Duhon</u>	Address	<u>7927 Maple 70118</u>

Name	<u>Suzanne De La Cordera</u>	Address	<u>7917 Maple St.</u>
Name	<u>Joe Spryng</u>	Address	<u>7917 Maple St</u>
Name	<u>Wanda McArthur</u>	Address	<u>7924 Maple St</u>
Name	<u>Jane S. King</u>	Address	<u>7934 Maple St.</u>
Name	<u>DANA Walter</u>	Address	<u>7934 MAPLE ST</u>
Name	<u>Suzanne D.</u>	Address	<u>7934 Maple St.</u>
Name	<u>Connie P. Fox</u>	Address	<u>7934 Maple St</u>
Name	<u>Charlotte Link</u>	Address	<u>7934 Maple St NOLA 70118</u>
Name	<u>Maria A. Zuiga-Lott</u>	Address	<u>4021 Pitt / 7934 Maple NOLA 70115/8</u>
Name	<u>Barbara Dillon</u>	Address	<u>7934 Maple</u>
Name	<u>Sylvia Roy</u>	Address	<u>1819 Octavia, 70115</u>
Name	<u>Charak Laurent</u>	Address	<u>1105 Juliet St 70118</u>
Name	<u>Caluma Colleen Lora</u>	Address	<u>7933 Maple NOLA 70118</u>
Name	<u>ELIZABETH ALEXIE</u>	Address	<u>7835 MAPLE, NOLA 70118</u>
Name	<u>Debra A. Bell</u>	Address	<u>7835 Maple, NOLA 70118</u>
Name	<u>JADASTIAN</u>	Address	<u>7835 Maple NOLA 70118</u>
Name	<u>James Smith</u>	Address	<u>7801 Maple NOLA 70118</u>
Name	<u>Julia Dailor</u>	Address	<u>7809 Maple St Apt 1 NOLA 70118</u>
Name	<u>Emmy Gastelao</u>	Address	<u>7809 Maple St, Apt 1 NOLA 70118</u>
Name	<u>John A. Camp</u>	Address	<u>7732 Maple St. NOLA 70118</u>
Name	<u>Cammie Vizard</u>	Address	<u>1312 Fern St. NOLA 70118</u>
Name	<u>Pellie Halpin (swap)</u>	Address	<u>7772 MAPLE ST. NOLA 70118</u>
Name		Address	
Name	<u>Robert J. Benjamin</u>	Address	<u>7835 Maple Street New Orleans LA. 70118</u>
Name		Address	

PETITION TO DESIGNATE THE MAPLE STREET COMMERCIAL CORRIDOR AS AN
 HU-MU DISTRICT AS ORIGINALLY RECOMMENDED BY THE N.O. PLANNING
 COMMISSION

PETITION TO VOTE AGAINST ANY AMENDMENT TO THE COMPREHENSIVE
 ZONING ORDINANCE MAKING RESTAURANTS A 'CONDITIONAL USE' RATHER
 THAN A 'PERMITTED USE' IN ANY HU-B1 DISTRICT OR HU-MU DISTRICT

The recommendation of the City Planning Commission is to make 'Restaurants' within these zones a 'Permissible' Use, NOT a 'Conditional Use' which is proposed by the above amendment. To zone out restaurants as a 'Permissible Use' in these corridors would change the character of the Freret, Maple, Oak and Magazine corridors and thus the City. The City Planning Commission which has the expertise necessary and which is the designated authority to author the CZO advocates for Restaurants to be a "Permissible Use". We concur with the professional land use planners who were charged with creating the Comprehensive Zoning Ordinance, which was written in an effort to provide a transparent land use plan and remove zoning from the political arena.

Name <u><i>[Signature]</i></u>	Address <u>7526 St Charles Ave</u>
Name <u>Shannon Adams</u>	Address <u>7526 St Charles Ave</u>
Name <u><i>[Signature]</i></u>	Address <u>715 Webster</u>
Name <u>Gabrielle Stanton</u>	Address <u>715 Webster</u>
Name <u><i>[Signature]</i></u>	Address <u>7904 St. Charles Ave</u>
Name <u>Alex Ry</u>	Address <u>5022 S Liberty St.</u>
Name <u><i>[Signature]</i></u>	Address <u>7420 MAPLE ST.</u>
Name <u>Catherine Glahn</u>	Address <u>7507 Freret St</u>
Name <u><i>[Signature]</i></u>	Address <u>7911 JEANNETTE ST.</u>
Name <u>L. Nelson</u>	Address <u>7911 Jeannette St.</u>
Name <u>D. S. L.</u>	Address <u>7019 St. Charles Ave</u>
Name <u>Carlos Carmona</u>	Address <u>6230 Joliet St. NOVA</u>
Name <u>Skf Kemp</u>	Address <u>ST-MO</u>
Name <u>Jessie Wightkin</u>	Address <u>7000 Lakeshore Dr.</u>
Name <u>JOE BELMI</u>	
Name <u>HOPE BYRD</u>	

Name

John DeSi

Address

7801 ST. CHARLES AVE MO 63108

Name

Address

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Name <u>Marie Simoncaux</u>	Address <u>7718 Hickory St</u>
Name <u>Zoe Sieffert</u>	Address <u>2217 Juliet St</u>
Name <u>Eric Blum</u>	Address <u>1415 Pine St</u>
Name <u>Tracy Read</u>	Address <u>1461 Henry Clay</u>
Name <u>Bardwin Read</u>	Address <u>1461 Henry Clay</u>
Name <u>Joseph Balfus</u>	Address <u>813 Cherokee St.</u>
Name <u>Daniel Casey</u>	Address <u>7801 Pearl St.</u>
Name <u>Matt Oberdorfer</u>	Address <u>838 Lowerline St.</u>
Name <u>Tasha Foster</u>	Address <u>3511 Palmyra</u>
Name <u>Brian Gille</u>	Address <u>1209 Joseph Street</u>
Name <u>Alysia Loshbaugh</u>	Address <u>11216 Pine St.</u>
Name <u>Sandra L. Thomas</u>	Address <u>309 Vinet Avenue</u>
Name <u>Mitchell D. Thomas</u>	Address <u>309 Vinet Avenue</u>
Name <u>Johnathan M. Thomas</u>	Address <u>309 Vinet Avenue</u>

Name
BELLA CARRARA

Address
1003 BROADWAY ST.

Name
Crawford Hodgson

Address
7709 St. Charles Avenue

Name
Michelle Santh

Address
2025 Pine St

Name
Traci Nolan

Address
710 Burdette St

Name
Camila Aramburu

Address
7800 St. Charles ave.

Name
Albert J. Lesora

Address
1106 Adams St. ~~NOVA~~

Name
Chris Pettweis

Address
1119 Dantes St.

Name
Celeste Lay

Address
1119 Dante St.

Name
Cameron McHarg

Address
1036 Burdette St.

Name
Scott Grant

Address
817 Lowerline

Name
Stephanie Shea

Address
1108 Laverline St.

Name
Rebecca Worley

Address
932 Jefferson Ave

Name
Cynthia Ramatchandran

Address
8220 Sycamore Pl.

Name
Jennifer Cook

Address
2827 Octavia St.

Name
Jacob Mubert

Address
6070 South Robertson St.

Name
Cody O'Cam

Address
1060 Lower Line St.

Name

Address

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Name Kellie (Swap)

Address 7722 Maple Street N.O. LA 70118

Name Emma (Swap)

Address 7716 Maple St. N.O., LA 70118

Name Mellie Williams (Angelique)

Address 7725 Maple St.

Name Belinda Dehan

Address 7712 Maple St NO LA 70118

Name Sompong Apipanyakul

Address 729 Burdette St. LA 70118

Name Eloisa LeBlanc

Address 7808 Maple St.

Name STEVEN C. SOBEL

Address 7818 Maple St NO LA 70118

Name ASHLEY ROWLER

Address 7911 Maple St. NO LA 70118

Name STEVE BAKER

Address 8015 Maple St. 70118

Name Quyen Nguyen

Address 7900 Maple St 70118

Name Jay Allen

Address 11503 St. Charles Ave 70118

Name Beverly TRASK

Address 430 Monticello Avenue 70121

Name James Gubob

Address 7623 Maple St - NO LA 70118

Name T.J. Qutob

Address 7623 Maple St. New Orleans LA 70118

Name Bob

Address 44 N. Basins Blvd, NOLA 70124

Name Ernest A. Zeller DM

Address 7608 Maple St. NOLA 70118

Name Marianne B. Collins *Christian Science Reading Room*

Address 7624A Maple St. NOLA 70118

Name _____

Address _____

