

THE COUNCIL City of New Orleans

HELENA MORENO
Councilmember-At-Large

DONNA M. GLAPION
Councilmember -At-Large

JOSEPH I. GIARRUSSO III
Councilmember District A

JAY H. BANKS
Councilmember District B

KRISTIN GISLESON PALMER
Councilmember District C

JARED C. BROSSETT
Councilmember District D

CYNDI NGUYEN
Councilmember District E

COMPLETED AGENDA

Regular Meeting of the City Council
held via video conference
on Thursday, March 25, 2021 at 10:00 A.M.



**PRESIDENT
HELENA MORENO**
Councilmember-At-Large

**VICE PRESIDENT
DONNA M. GLAPION**
Councilmember-At-Large

**ROLL CALL
LORA W. JOHNSON
CLERK OF COUNCIL**

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MEETING ARE AVAILABLE AT**

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PLEASE TURN ALL CELL PHONES AND BEEPERS EITHER OFF OR ON
VIBRATE DURING COUNCIL PROCEEDINGS.

SPECIAL ORDERS OF BUSINESS

All Special Orders are Temporarily Postponed due to the
COVID-19 Pandemic.

CONSENT AGENDA

1. COMMUNICATION - FROM THERESA R. BECHER, COUNCIL RESEARCH
OFFICER, NEW ORLEANS CITY COUNCIL

Brief:

Submitting the recommended agenda items for deferrals for the
March 25, 2021 Regular Council meeting due to the COVID-19
pandemic.

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

2. **COMMUNICATION - FROM ERIN SPEARS - CHIEF OF STAFF & COUNSEL, COUNCIL UTILITIES REGULATORY OFFICE**

Brief:

Submitting the transmittal document for communications related to electric and gas utility matters to be received by the Council of the City of New Orleans at its meeting on **March 25, 2021:**

Communications submitted by Entergy New Orleans, LLC ("ENO")

1. New Orleans Small Cell Design Guidelines, submitted by Jonathan Rhodes, Director, Mayor's Office of Utilities
2. Letter Requesting Management Audit of Entergy New Orleans, LLC ("ENO"), submitted by Energy Future New Orleans
3. Fuel Adjustments for the April Billing Cycle, submitted by ENO
4. Request to Defer Pension Expenses, submitted by ENO
5. Objections to the Advisors' First Set of Requests for Information, submitted by ENO, UD-20-02

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED.**

3. **COMMUNICATION - FROM CYNTHIA DAVIS, DEPARTMENT OF SAFETY AND PERMITS, CITY OF NEW ORLEANS**

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- 2605 N. Villere Street, 21-00709-DEMO - Council District "C"

Annotation:

**ELECTRONICALLY SUBMITTED.
RECEIVED. (Hearing Date Set For 4/8/21).**

4. COMMUNICATION - FROM CYNTHIA DAVIS, DEPARTMENT OF SAFETY AND PERMITS, CITY OF NEW ORLEANS

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- 4215 S. Claiborne Avenue, 20-42954-DEMO - Council District "B"

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (*Hearing Date Set For 4/8/21*).

5. COMMUNICATION - FROM CYNTHIA DAVIS, DEPARTMENT OF SAFETY AND PERMITS, CITY OF NEW ORLEANS

Brief:

Transmitting the application documents for demolition permit requiring City Council review and approval for the following property:

- 4227 S. Claiborne Avenue, 20-42951-DEMO - Council District "B"

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (*Hearing Date Set For 4/8/21*).

6. COMMUNICATION - FROM CRAIG SCOTT, PSG LLC

Brief:

Requesting to appeal the Historic District Landmarks Commission's decision of a \$10,000 fine for the deviation of the certificate of appropriateness for renovation for property located at **6322 Annunciation Street.**

Annotation:

ELECTRONICALLY SUBMITTED.

RECEIVED. (*Hearing Date Set For 4/8/21*).

REPORT NEEDED FROM HDLC.

7. REPORT - OF THE EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION

Brief:

Transmitting Zoning Docket Numbers 14/21 - Cm. Banks, 15/21 - Cm. Gisleson Palmer, 23/21 - Cm. Gisleson Palmer, 24/21 - Cms. All, Cn. Deadline 5/24/21 and Design Review Number ~~9/21~~ ***12/21** - Cm. Banks, Cn. Deadline NONE.

Annotation:

ELECTRONICALLY SUBMITTED.

***CPC Report revised.**

RECEIVED. (*Hearing Date Set For 4/8/21*).

8. CAL. NO. 33,249 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to amend and reordain Articles 10, 12, 15, 18 and 26 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend the definition of "tattoo parlor" and modify the definition of "personal service establishment" to include tattoo parlor, removing tattoo parlor as a separate use, to remove other references to tattoo parlor in the Comprehensive Zoning Ordinance, and make other changes based on consistency, with these text change applying citywide; and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 93/20**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 4/28/21).

(Cn. Deadline 4/22/21).

ADOPTED. ORD. NO. 28627 M.C.S.

9. CAL. NO. 33,250 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit a standard restaurant in an HU-B1 Historic Urban Neighborhood Business District, CPC Character Preservation Corridor Design Overlay District, and the Magazine Street Use Restriction Overlay District, on Square 217, Lot D, in the Sixth Municipal District, bounded by Magazine Street, Louisiana Avenue, Toledano Street, and Camp Street (Municipal Address: **3329 Magazine Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 1/21**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 5/12/21).

(Cn. Deadline 5/6/21).

ADOPTED. ORD. NO. 28628 M.C.S.

10. CAL. NO. 32,251 - BY: COUNCILMEMBER BANKS

Brief:

An Ordinance to establish a conditional use to permit the retail sale of packaged alcoholic beverages in a C-2 General Commercial District, an HUC Historic Urban Corridor Use Restriction Overlay District, and the EC Enhancement Corridor Design Overlay District, on Square 5, Lots 30, 7, 8, E, K, and 12, in the Sixth Municipal District, bounded by South Claiborne Avenue, Delachaise Street, General Taylor Street, and South Derbigny Street (Municipal Addresses: **3701 South Claiborne Avenue and 3000 Delachaise Street**); and otherwise to provide with respect thereto. (**ZONING DOCKET NO. 2/21**)

Annotation:

ELECTRONICALLY SUBMITTED.

(90 Days, Cn. Deadline 5/12/21).

(Cn. Deadline 5/6/21).

ADOPTED. ORD. NO. 28629 M.C.S.

11. CAL. NO. 33,254 - BY: COUNCILMEMBERS GISELSON PALMER, BANKS AND GIARRUSSO

Brief:

An Ordinance to amend and reordain Sections 84-22 and 84-132 of the Code of the City of New Orleans, relative to applicable definitions regarding historic preservation, to establish for properties within the jurisdiction of the New Orleans Historic District and Landmarks Commission (HDLC) and the Central Business District Historic District and Landmarks Commission (CBD-HDLC) a revised definition of demolition, and new definitions for exterior wall, obscuration, and primary façade; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/25/21).

(Referred to the Community Development Committee/Governmental Affairs Committee).

(Governmental Affairs Committee recommended approval).

ADOPTED. ORD. NO. 28631 M.C.S.

12. CAL. NO. 33,255 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021" to appropriate federal grant funds from Intergovernmental Transfers to the Fire Department for the Assistance to Firefighters Grant (AFG), the Fire Prevention and Safety Grant, and the FY19 Port Security Grant (PSGP); and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28632 M.C.S.

13. CAL. NO. 33,256 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate federal grant funds from Intergovernmental Transfers to the Fire Department for the Assistance to Firefighters Grant (AFG), the Fire Prevention and Safety Grant, and the FY19 Port Security Grant (PSGP); and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28633 M.C.S.

14. CAL. NO. 33,257 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to transfer funds within the Department of Parks and Parkways' budget from personal services to other operating towards the purchase of supplies and equipment; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28634 M.C.S.

15. CAL. NO. 33,258 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to transfer funds within the New Orleans Recreation Development Commission's budget from other operating to personal services to properly fund personnel supported by millage funding; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28635 M.C.S.

16. CAL. NO. 33,259 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021" to appropriate grant funds awarded by the Department of Health and Human Services to the Mosquito, Termite and Rodent Control Board for the CDC Environmental Public Health and Emergency Response grant program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28636 M.C.S.

17. CAL. NO. 33,260 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate grant funds awarded by the Department of Health and Human Services to the Mosquito, Termite and Rodent Control Board for the CDC Environmental Public Health and Emergency Response grant program; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28637 M.C.S.

18. CAL. NO. 33,261 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,550 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Revenues for the City of New Orleans for the Year 2021" to appropriate federal grant funds awarded to the Department of Health by the UNITY Safe at Home Rapid Rehousing grant program to provide rapid re-housing case management to homeless individuals and families; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28638 M.C.S.

19. CAL. NO. 33,262 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

An Ordinance to amend Ordinance No. 28,551 M.C.S., as amended, entitled "An Ordinance providing an Operating Budget of Expenditures for the City of New Orleans for the Year 2021" to appropriate federal grant funds awarded to the Department of Health by the UNITY Safe at Home Rapid Rehousing grant program to provide rapid re-housing case management to homeless individuals and families; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

(Budget Committee recommended approval).

ADOPTED. ORD. NO. 28639 M.C.S.

20. MOTION - NO. M-21-99 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving an amendment to the Classified Pay Plan for a new classification in the Department of Public Works for a **Roads and Drainage Maintenance Superintendent** (exempt), effective January 25, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Budget Committee recommended approval).

ADOPTED.

21. MOTION - NO. M-21-100 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Approving an amendment to the Classified Pay Plan for a salary increase for the New Orleans Police Department's **Crime Laboratory Director**, effective February 15, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Budget Committee recommended approval).

ADOPTED.

22. MOTION - NO. M-21-101 - BY: COUNCILMEMBERS BROSSETT, MORENO, GIARRUSSO, NGUYEN AND GISLESON PALMER

Brief:

Authorizing the Council President to sign a contract amendment for a one year extension with Postlethwaite & Netterville and Luther Speight & Co. LLC to perform the annual audits for FY2020 including the Comprehensive Annual Financial Report, the Single Audit, and the Fire and the Police Pension Systems Audits, and the Employees' Retirement System Audit, respectively.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Budget Committee recommended approval).

ADOPTED.

23. MOTION - NO. M-21-103 - BY: COUNCILMEMBER BROSSETT

Brief:

Reappointing Lesli Harris to the Industrial Development Board, effective upon approval by the Council of the City of New Orleans, for a term ending on January 1, 2025.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Governmental Affairs Committee recommended approval).

ADOPTED.

24. MOTION - NO. M-21-104 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

Reappointing Janet Hoeffel, the Quality Assurance Review Advisory Committee for the Independent Police Monitor, for a term ending on March 25, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Governmental Affairs Committee recommended approval).

ADOPTED.

25. MOTION - NO. M-21-105 - BY: COUNCILMEMBER BROSSETT (BY REQUEST)

Brief:

Reappointing Iam Tucker to the Industrial Development Board, effective upon approval by the Council of the City of New Orleans, for a term ending on January 1, 2026.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Governmental Affairs Committee recommended approval).

ADOPTED.

26. MOTION - NO. M-21-106 - BY: COUNCILMEMBER NGUYEN

Brief:

Appointing Eric Jones (vice Eugene Green, Jr.), as a member of the Industrial Development Board, effective upon approval by the Council of the City of New Orleans, for a term ending on January 1, 2025.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Governmental Affairs Committee recommended approval).

ADOPTED.

27. **MOTION - NO. M-21-107 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT AND NGUYEN**

Brief:

Reappointing Harry Blumenthal, as a member of the Quality Assurance Review Advisory Committee for the Office of the Inspector General, for a term ending on March 25, 2022.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

(Governmental Affairs Committee recommended approval).

ADOPTED.

MOTION TO ADOPT CONSENT AGENDA AND REFER OTHER MATTERS TO THE PROPER AGENCY.

YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7

NAYS: 0

ABSENT: 0

AND THE CONSENT AGENDA WAS ADOPTED.

1. EXECUTIVE SESSION

Brief:

PURSUANT TO LOUISIANA REVISED STATUTES 42:16 AND 42:17(A)(2), THE COUNCIL OF THE CITY OF NEW ORLEANS MAY CONVENE IN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE FOLLOWING LITIGATION:

- The City of New Orleans v. 1031 Canal Development, L.L.C., et al., Docket No. 2020-7214, Division C, Section 10, Civil District Court for the Parish of Orleans, State of Louisiana.

Annotation:

ELECTRONICALLY SUBMITTED.

CONTINUED TO THE MEETING OF 4/8/21.

REGULAR AGENDA

LAND USE MATTERS

ALL LAND USE ARE SCHEDULED TO COMMENCE AT 11:00 A.M. OR THEREAFTER.

All public comments on land use items are subject to City Council Rule 10.1B, whereby each land use matter is limited to a maximum public comment period of 20 minutes, with speakers being limited to two minutes, per item.

No ceding of public speaking time is permitted.

1. LEGISLATIVE GROUPING

1a. DEMOLITION REQUEST - OF DANIEL KATTAN, CONTRACTOR ON BEHALF OF THE OWNER, CHARLES MEDNICK

Brief:

Requesting a demolition permit for the following property:

- 1233 Oretha Castle Haley Blvd.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 4/25/21).

(Report and application materials received at the meeting of 3/11/21).

HEARING HELD.

1b. MOTION - NO. M-21-115 - BY: COUNCILMEMBER BANKS

Brief:

Approving the demolition request for the property located at 1233 Oretha Castle Haley Blvd.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

ADOPTED.

2. DEMOLITION REQUEST - OF ROY FARRIS, JR.

Brief:

Requesting a demolition permit for the following properties:

2129-2131 Fourth Street

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 4/25/21).

(Report and application materials received at the meeting of 3/11/21).

CONTINUED TO THE MEETING OF 4/8/21.

3. DEMOLITION REQUEST - OF SEAN KILLEEN, ON BEHALF OF THE OWNER JOSEPH ALUISE

Brief:

Requesting a demolition permit for the following property:

5217 S. Derbigny Street

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 4/25/21).

(Report and application materials received at the meeting of 3/11/21).

CONTINUED TO THE MEETING OF 4/8/21.

4. ZONING DOCKET NO. 3/21 - CITY COUNCIL MOTION NO. M-20-400

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to establish the Algiers Riverfront Overlay District, to ensure that certain uses and designs are compatible with and preserve the character and integrity of Algiers, applying to all lots, except for those zoned Neighborhood Open Space (OS-N), within the following boundaries: the Mississippi River at the Crescent City Connection to Brooklyn Avenue, continuing along Brooklyn Avenue, including Brooklyn Avenue becoming Powder Street, continuing along Power Street to Pelican Avenue, continuing along Pelican Avenue to Bouny Street, continuing along Bouny Street to Delaronde Street, continuing along Delaronde Street to Seguin Street, continuing along Seguin Street to Morgan Street, continuing along Morgan Street until it becomes Patterson Road, continuing along Patterson Road to Hendee Street, and from Hendee Street north to the Mississippi River.

The review of the proposed amendment shall include the following considerations:

1. Regardless of any law to the contrary, the height shall be limited to 40 feet and no more than three stories; and
2. In the MU-1 and MU-2 base zoning districts, the design standards shall be as provided in the HU-MU District.
3. The option of downzoning the base zoning within the entirety of the proposed overlay or any part thereof, in order to achieve limited use and design restrictions. Any downzoning proposal is subject to a maximum base height of forty (40) feet and three (3) stories.
4. The option of amending the existing Riverfront Overlay RIV-2 Algiers Sub-District Standards (Section 18.13.G of the Comprehensive Zoning Code) to eliminate or modify the height limit increase so that only a maximum of five (5) feet beyond the height limit of the underlying zoning district is permitted. The intent of this possible revision is to consider allowing only the minimum height bonus necessary to achieve a view of the river from the upper story or stories of a three-floor development. If no such height bonus is

necessary to achieve this view, the intent is to remove the option of any height bonus under the RIV-2.

5. In conjunction with (5) above, the option of amending the existing Riverfront Overlay RIV-2 Algiers Sub-District Standards (Section 18.13.G of the Comprehensive Zoning Code) to add a possible parking bonus, as a replacement for the current height limit increase or supplement to a reduced height limit increase. The intent of this possible revision is to establish an affordable housing incentive that is more compatible with the neighborhood than the current height limit increase.

All lots, except for the those zoned Neighborhood Open Space(OS-N), within the following boundaries: the Mississippi River at the Crescent City Connection to Brooklyn Avenue, continuing along Brooklyn Avenue, including Brooklyn Avenue becoming Powder Street, continuing along Powder Street to Pelican Avenue, continuing along Pelican Avenue to Bouny Street, continuing along Bouny Street to Delearonde Street, continuing along Delaronde Street to Seguin Street, continuing along Seguin Street to Morgan Street, continuing along Morgan Street until it becomes Patterson Road, continuing along Patterson Road to Hendee Street, and from Hendee Street north to the Mississippi River.

The recommendation of the City Planning Commission being **"Modified Approval"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 4/12/21).

CONTINUED TO THE MEETING OF 4/8/21.

5. LEGISLATIVE GROUPING

5a. ZONING DOCKET NO. 4/21 - CITY COUNCIL MOTION NO. M-20-401

Brief:

Requesting a Text amendment to the Comprehensive Zoning Ordinance to amend Article 5 "Planned Development Standards" and/or the creation of a zoning overlay district known as the "Brown's Dairy Affordable Housing Homeownership District" bounded by Erato Street, Baronne Street, Carondelet Street, and Martin Luther King, Jr. Boulevard, for the purpose of providing additional flexibility in the redevelopment of certain sites, which will allow for the creation of affordable housing homeownership opportunities.

1. The text amendment to Article 5, Planned Development Standards would apply **citywide**.
2. The overlay district would apply to the area bounded by Erato, Baronne, Carondelet Streets, and Martin Luther King, Jr., Boulevard. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Cms. and Cm. Banks, Cn. Deadline 3/29/21).

ON DEADLINE.

WITHDRAWN.

5b. MOTION - NO. M-21-116 - BY: COUNCILMEMBER BANKS

Brief:

Approving the staff recommendations to Article 5 "Planned Development Standards", granting the Affordable Homeownership Planned Development (AHOPD), but denying the request for the Brown's Dairy Affordable Housing Homeownership Overlay District.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

WITHDRAWN.

6. LEGISLATIVE GROUPING

6a. ZONING DOCKET NO. 5/21 - RENEWAL HOMES II, LLC

Brief:

Requesting a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 279, Lot A, in the Fourth Municipal District, bounded by Dryades Street, Toledano Street, Danneel Street, and Harmony Street (Municipal Addresses: **3221-3225 Dryades Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to seven (7) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 3/29/21).

ON DEADLINE.

HEARING HELD.

6b. MOTION - NO. M-21-117 - BY: COUNCILMEMBER BANKS

Brief:

Approving the favorable CPC recommendation, approving the Conditional Use subject to the 7 provisos in the CPC report, with amendments to provisos number six and number seven, and the addition of two (2) provisos, for a total of nine (9) provisos, to read as follows:

6. In accordance with Article 20, Section 20.3.NN of the Comprehensive Zoning Ordinance, the hours of operation shall be limited to between ~~6am through 10pm~~ 8am through 6pm seven days a week.

~~7. In accordance with Article 20, Section 20.3.NN of the Comprehensive Zoning Ordinance, the~~ The neighborhood commercial establishment is limited to office use.

~~i. Art Gallery~~

~~ii. Arts Studio~~

~~iii. Day Care Center, Adult or Child~~

~~iv. Office~~

~~v. Personal Services Establishment~~

~~vi. Restaurant, Specialty~~

~~vii. Retail Goods Establishment~~

8. The developer shall provide two (2) off-street parking spaces for the commercial space.

9. No short-term rentals are permitted at the property.

* * *

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

ADOPTED.

7. ZONING DOCKET NO. 9/21 - TRINITY CHURCH

Brief:

Requesting an Amendment to Ordinance No. 20,902 MCS (Zoning Docket 57/02) and Ordinance No. 24,295 MCS (Zoning Docket 104/10) for a conditional use to permit the expansion of an existing educational facility in an HU-RD1 Historic Urban Two-Family Residential District and an HU-RD2 Historic Urban Two-Family Residential District, on Lot 16-A on Square 203; Lots 13, 14, 15, and 1-A on Square 178; Lot Y-2 on Squares 178 and 171; Lots A, Pt. B or B, B or an undesignated lot, C, D, A, 11 or an undesignated lot, and X-2 on Square 171; and the former Chestnut Street right-of-way between Squares 171 and 178, in the Fourth Municipal District, bounded by Jackson Avenue, Prytania Street, Josephine Street, Chestnut Street, Saint Andrew Street, and Camp Street (Municipal Addresses: **1207, 1227-1329, and 1401-1425 Jackson Avenue; 2112 and 2119-2125 Coliseum Street; 1200-1326 and 1227-1233 Josephine Street; and 2117-2129 Camp Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) waivers and twenty (20) proviso.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/8/21.

8. **ZONING DOCKET NO. 11/21 - NICOLE WEBRE**

Brief:

Requesting a Text amendment to Article 20 of the Comprehensive Zoning Ordinance relative to the virtual sales of vehicles and other articles as deemed necessary by the staff of the City Planning Commission.

First, to amend Use Standards Section 20.3.MM(5) Motor Vehicle Service and Repair, Minor and Major as follows:

"5. The handling of virtual sales of used automobiles may be permitted with the following Conditions:

- a.) The storage of used vehicles for sale on premise is prohibited; and
- b.) Vehicles shall be located off-premise at the vehicle owner's property or at a property zoned and
- c.) The business shall hold a valid license with the Louisiana Used Motor Vehicle Commission.

Second, the City Planning Commission staff shall have the authority to amend the above and make recommendations for additional amendments, **Citywide**.

The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(All Cms., Cn. Deadline 4/26/21).

CONTINUED TO THE MEETING OF 4/8/21.

9. LEGISLATIVE GROUPING

9a. ZONING DOCKET NO. 12/21 - SAM SMITH JR.

Brief:

Requesting a Conditional use to permit a bar and live entertainment (secondary use) in an HU-MU Historic Urban Neighborhood Mixed-Use District, a GC Greenway Corridor Design Overlay District, an EC Enhancement Corridor Design Overlay District, and an AC-1 Arts and Culture Diversity Overlay District, on Square 360, Lot 3-A, in the Second Municipal District, bounded by North Broad Street, Lafitte Street, Toulouse Street, and North White Street (Municipal Addresses: **601-615 North Broad Street, 2701-2707 Lafitte Street, and 2716 Toulouse Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to nine (9) proviso.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Giarrusso, Cn. Deadline 5/10/21)

HEARING HELD.

9b. MOTION - NO. M-21-108 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Approving CPC's favorable recommendation of ZD 12/21, subject to the 9 provisos recommended in the City Planning report.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

ADOPTED.

10. LEGISLATIVE GROUPING

10a. ZONING DOCKET NO. 13/21 - 634 ORANGE STREET, LLC

Brief:

Requesting a Conditional use to permit the retail sale of packaged alcoholic beverages in an MU-2 High Intensity Mixed-Use District, on Square 82, Lot 82-C-1, in the First Municipal District, bounded by Orange Street, Saint Thomas Street, Religious Street, and Richard Street (Municipal Address: **634 Orange Street, Suite A**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to two (2) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/8/21.

10b. MOTION - NO. M-21-118 - BY: COUNCILMEMBER BANKS

Brief:

Approving the Conditional Use subject to two (2) provisos as provided in the City Planning report, with the addition of six (6) provisos, for a total of eight (8) provisos.

* * *

3. Signage advertising the sale of alcoholic beverages shall not be visible from the public right-of-way.

4. 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 and the clearing of all litter from the sidewalks and periodic hosing of the street right-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation. In no case shall trash be stored so that it is visible from the public right-of-way.

5. The sale of alcoholic beverages shall be restricted to those for consumption off premises only.

6. The consumption of alcoholic beverages and loitering in front of the structure or in the adjacent rights-of-way shall be prohibited.

7. The single serve of alcoholic beverages, including but not limited to any alcoholic beverage packaged and sold individually as a single serving, as well as bottles or containers of wine or distilled spirits less than 750 ml shall be prohibited.

8. Hours of operation shall be limited to 7am to 10pm Monday through Sunday.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

CONTINUED TO THE MEETING OF 4/8/21.

11. ZONING DOCKET NO. 16/21 - CITY COUNCIL MOTION M-20-450

Brief:

Requesting a Text amendment to the Comprehensive Zoning Ordinance to consider amendments to the definition of "winery" and to consider the addition of such to use tables in appropriate districts. In the course of review, City Planning Commission staff should consider this use in the context of similar uses such as "breweries" and "distilleries." Staff should also review use tables and provide recommendations to establish consistency among "breweries" and "distilleries" in appropriate zoning districts. Planning staff should review applicable State regulations to guide potential amendments. This text amendment will impact all zoning districts that permit micro-breweries, micro-distilleries, breweries and distilleries either by-right or through conditional use. The recommendation of the City Planning Commission being **"FOR MODIFIED APPROVAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cms. Alls, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/8/21.

12. LEGISLATIVE GROUPING

12a. ZONING DOCKET NO. 18/21 - PLEASANT ZION MISSIONARY BAPTIST CHURCH

Brief:

Requesting an Affordable housing planned development in an HU-RD2 Historic Urban Two-Family Residential District, on Square 441, Lots 24 through 33, bounded by South Johnson Street, Fourth Street, Momus Court, and South Galvez Street (Municipal Addresses: **2701 South Johnson Street and 3400 Fourth Street**). The recommendation of the City Planning Commission being "**FOR APPROVAL**", subject to one (1) exception and eight (8) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

HEARING HELD.

12b. MOTION - NO. M-21-119 - BY: COUNCILMEMBER BANKS

Brief:

Approving the favorable CPC recommendation, approving the Affordable housing planned development, subject to the 1 exception and 7 provisions in the CPC report, with the following amendments to proviso 2:

2b. The development shall contain at least ten percent (10%) of units up to the sixty percent (60%) Area Median Income level, with additional affordability as provided in proviso 2(f).

2f. The obligation to provide and maintain a specified amount of affordable housing in a development shall run with planned development designation containing such site for not less than ninety-nine (99) years, and as follows:

- i. 10% of units, up to the sixty percent (60%) Area Median Income level for not less than ninety-nine (99) years

- ii. 20% of units, up to the sixty percent (60%) Area Median Income level for not less than sixty (60) years
- iii. 30% of units, up to the sixty percent (60%) Area Median Income level for not less than thirty (30) years
- iv. 40% of units, up to the sixty percent (60%) Area Median Income level for not less than ten (10) years

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/23/21).

ADOPTED.

13. ZONING DOCKET NO. 21/21 - KENNETH C. JACKSON, MELANIE A. PAINIA, DOMINIQUE GUSMAN, AND JAMES SPEARS

Brief:

Requesting a Conditional use to permit a hotel with live entertainment (secondary use) in an HU-B1 Historic Urban Neighborhood Business District, the LAS La Salle Street Overlay District, and an EC Enhancement Corridor Design Overlay District, on Square 333, Lots 2 and 3, in the Fourth Municipal District, bounded by La Salle Street, Washington Avenue, Sixth Street, and South Liberty Street (Municipal Addresses: **2836-2842 La Salle Street**). The recommendation of the City Planning Commission being **"FOR APPROVAL"**, subject to one (1) waiver and ten (10) provisos.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Banks, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/8/21.

14. ZONING DOCKET NO. 22/21 - PLATINUM HOLDING GROUP, LLC

Brief:

Requesting a Conditional use to permit a four-family multiple-family residence in an HMR-3 Historic Marigny/Tremé/Bywater Residential District, on Square 364, Lot N, in the Third Municipal District, bounded by Montegut Street, North Rampart Street, Saint Claude Avenue, and Press Street (Municipal Address: **1032 Montegut Street**). The recommendation of the City Planning Commission being **"FOR DENIAL"**.

Annotation:

ELECTRONICALLY SUBMITTED.

(Cm. Gisleson Palmer, Cn. Deadline 5/10/21)

CONTINUED TO THE MEETING OF 4/8/21.

15. CAL. NO. 32,593 - BY: COUNCILMEMBER MORENO

Brief:

An Ordinance to ordain Article IX of Chapter 158 of the Code of the City of New Orleans, relative to energy conservation, to require owners of nonresidential and multi-family buildings to measure and disclose energy efficiency performance; and to provide otherwise with respect thereto.

Annotation:

WITHDRAWN.

16. CAL. NO. 33,147 - BY: COUNCILMEMBERS WILLIAMS AND GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 26-15 of the Code of the City of New Orleans, relative to peer review of structural design and inspection by engineers of record during construction, to specify where such reviews and inspections are required, how and by whom they are to be performed; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Governmental Affairs Committee).

CONTINUED TO THE MEETING OF 4/22/21.

17. CAL. NO. 33,246 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Section 54-153 and to ordain Sections 54-506 and 54-507 of the Code of the City of New Orleans, to create the Vacant Property Protection Program, allowing the owner of a vacant and unimproved parcel of property to authorize the New Orleans Police Department to enter the property to arrest, remove, and detain persons believed to have committed criminal trespass; to establish the criminal offenses of entering premises in violation of an order to vacate and entering premises declared to be a blight and public nuisance; to reserve appropriately Sections 54-508 through 54-524; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/11/21).

CONTINUED TO THE MEETING OF 5/6/21.

18. CAL. NO. 33,247 - BY: COUNCILMEMBER GISLESON PALMER

Brief:

An Ordinance to amend and reordain Sections 26-235 and 26-237 of the Code of the City of New Orleans, to establish monthly reporting requirements for the Department of Code Enforcement, relative to determinations of Order to Vacate and Blight and Public Nuisance; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/11/21).

CONTINUED TO THE MEETING OF 5/6/21.

19. CAL. NO. 33,252 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to authorize the Mayor of the City of New Orleans through a Notarial Act of Donation and Acceptance and Dedication of Streets, to accept the donation of and to dedicate as public portions of former Bienville Street, N. Villere Street, Marais Street, and Treme Street, owned by Housing Authority of New Orleans ("HANO"), located in the Second Municipal District of the City of New Orleans; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement: 6/25/21).

ADOPTED. ORD. NO. 28630 M.C.S.

20. CAL. NO. 33,264 - BY: COUNCILMEMBER GISLESON PALMER (BY REQUEST)

Brief:

An Ordinance to amend and reordain Division 2 of Article XI of Chapter 154 of the Code of the City of New Orleans, to transfer functions of the Department of Safety and Permits to the Department of Public Works; and otherwise to provide with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

ADOPTED. ORD. NO. 28640 M.C.S.

21. CAL. NO. 33,266 - BY: COUNCILMEMBER NGUYEN

Brief:

An Ordinance to temporarily waive certain fees, permit fees, and requirements at the Joe W. Brown Park Victory Track, 5601 Read Blvd, New Orleans, Louisiana 70127 in conjunction with events with the "6th Annual Carver Classic" track meet hosted by George Washington Carver High School to take place March 6th, 2021, from 9:00 a.m. through 4:00 p.m., to specify the duration and boundaries of said waiver; and to provide otherwise with respect thereto.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement Deadline 7/9/21).

Technical Correction needed.

ADOPTED. ORD. NO. 28641 M.C.S.

22. MOTION (LYING OVER) - NO. M-20-326 - BY: COUNCILMEMBER GIARRUSSO

Brief:

Motion directing City Planning Commission to conduct a public hearing on amendments to the Comprehensive Zoning Ordinance of the City of New Orleans (CZO), in Article 4, Section 4.8, relative to the applications and approvals for Zoning Appeals, to clarify the appeals that may be filed concerning decisions of the Director of the Department of Safety and Permits regarding the CZO, and the applicable time limits to appeal these decisions.

Annotation:

ELECTRONICALLY SUBMITTED.

(Referred to the Quality of Life Committee).

WITHDRAWN.

23. MOTION (LYING OVER) - NO. M-21-90 - BY: COUNCILMEMBER MORENO

Brief:

A motion to amend the New Orleans City Council's Rules to add Rule 55 regarding the City Council's Vehicle Policy.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/9/21).

(Suggested hearing date 3/25/21 - This Rule must be advertised prior to Council consideration).

CONTINUED TO THE MEETING OF 4/8/21.

24. LEGISLATIVE GROUPING

**24a. RESOLUTION (LYING OVER) - NO. R-21-92 - BY: COUNCILMEMBERS
GISLESON PALMER AND NGUYEN**

Brief:

A resolution to support federal and global action to address disproportionate health outcomes in communities of color and to take action to preserve our local environment and economy by opposing the construction of Formosa Plastics and any industrial or petrochemical plant that significantly adds to the existing toxic emissions in Cancer Alley.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/9/21).

WITHDRAWN.

**24b. SUBSTITUTE RESOLUTION - NO. R-21-92 - BY: COUNCILMEMBER
GISLESON PALMER**

Brief:

A resolution to support federal and global action to address disproportionate health outcomes in communities of color and to take action to preserve our local environment and economy by opposing the construction of Formosa Plastics and any industrial or petrochemical plant that significantly adds to the existing toxic emissions in Cancer Alley.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

CONTINUED TO THE MEETING OF 4/8/21.

25. MOTION - NO. M-21-102 - BY: COUNCILMEMBER GIARRUSSO

Brief:

A motion directing City Planning Commission to hold a public hearing to consider amending the Comprehensive Zoning Ordinance of the City of New Orleans, and the corresponding zoning base maps of the City of New Orleans; to amend Article

18 - Overlay Districts - to establish a new overlay district named the *University Area Off-Street Parking Overlay*, the intent of which is to require off-street vehicular parking for any increase in the number of existing bedrooms, for all properties located in the area generally bounded by:

Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive, to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Nashville Avenue, turning west on South Claiborne Avenue, connecting to South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello, to Cecil Street.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

26. RESOLUTION - NO. R-21-109 - BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS AND BROSSETT

Brief:

A resolution to establish rulemaking proceedings to establish renewable portfolio standards, with all parties having 30 days to submit comments on (1) the removal of CCS and CCUS technologies on generating resources and beneficial electrification as eligible methods for compliance with the RCPS and (2) the revised tier system.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

27. RESOLUTION - NO. R-21-110 - BY: COUNCILMEMBER BROSSETT

Brief:

A RESOLUTION calling a special election in the Seabrook Neighborhood Improvement and Security District for Saturday, October 9, 2021.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

28. MOTION - NO. M-21-111 - BY: COUNCILMEMBERS BROSSETT, MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON PALMER AND NGUYEN

Brief:

A motion appointing Yulbritton Shy to serve as the Council Fiscal Officer for the City Council.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

29. MOTION - NO. M-21-112 - BY: COUNCILMEMBER NGUYEN

Brief:

A motion directing City Planning Commission to hold a public hearing to consider amending the Comprehensive Zoning Ordinance of the City of New Orleans, to consider text amendments to the use permissions and standards for child care centers in the S-RS and S-RD residential zoning districts, which are currently not permitted by right or via conditional use.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

30. MOTION - NO. M-21-113 - BY: COUNCILMEMBERS GIARRUSSO, BANKS, GISLESON PALMER, BROSSETT, NGUYEN, MORENO AND GLAPION

Brief:

A motion directing City Planning Commission to hold a public hearing to consider amending the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 4 - Applications & Approvals - to modify the Neighborhood Participation Program (NPP) requirements therein, to authorize teleconferencing, virtual, or other remote meeting formats to satisfy NPP requirements during a declared emergency by the Governor or Mayor, when in-person meetings are not an available option.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

31. RESOLUTION - NO. R-21-114 - BY: COUNCILMEMBERS BANKS, MORENO, GLAPION, GISLESON PALMER, BROSSETT AND NGUYEN

Brief:

A resolution urging the New Orleans Police Department to designate clearly marked "Safe Exchange Zones" in public areas at district stations that will offer residents a reasonably safe and public area to conduct legal, private transactions from online marketplaces or internet purchases.

Annotation:

ELECTRONICALLY SUBMITTED.

(Council Rule 34. Postponement continued to 7/23/21).

ADOPTED.

32. ORDINANCES ON FIRST READING

CALENDAR NUMBER 33,271 THRU 33,285

INTRODUCED AND LAID OVER AS REQUIRED BY LAW.

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