

**MOTION**

**NO. M-21-123**

**CITY HALL: April 8, 2021**

**BY: COUNCILMEMBER GISLESON PALMER**

**SECONDED BY:**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the report and favorable recommendation of the City Planning Commission on **ZONING DOCKET 15/21 – PMAT ALGIERS PLAZA LLC** - Requesting an amendment to Ordinance No. 24,812 MCS (Zoning Docket 120/11), to permit a fast food restaurant with drive-thru facilities in a C-3 Heavy Commercial District, an SC Suburban Corridor Use Restriction Overlay District, and CT Corridor Transformation Design Overlay District located on Square H-D, Lot 1, in the Fifth Municipal District, bounded by General De Gaulle Drive, Holiday Drive, MacArthur Boulevard, and Rue Parc Fontaine (Municipal Addresses: 4110-4150 General De Gaulle Drive and 3008-3070 (except 3014) Holiday Boulevard), be, and the same is hereby upheld and the request is approved, subject to the two waivers and eleven provisos provided in the City Planning report, with amendments to Waiver No. 2, the inclusion of three additional waivers, and amendments to provisos two and four - as provided as follows - for a total of five (5) waivers and eleven (11) provisos:

**“\* \* \***

**Waivers only applicable to the drive through fast-food restaurant (Chick-Fil-A) and Building B:**

**\* \* \***

2. The applicant shall be granted a waiver of Article 24, Section 24.11.F. Wall Sign of the Comprehensive Zoning Ordinance, which allow one wall sign on the front elevation to permit **four (4) wall signs, one per building elevation.**
3. The applicant shall be granted a waiver of Article 15, Section 15.3.B Building Design Standards, Subsection 15.3.B.1.a of the Comprehensive Zoning Ordinance, which requires the primary entrance to be oriented to the street, to allow the primary entrance to be oriented towards “Building B” and the interior of the shopping center.
4. The applicant shall be granted a waiver of Article 15, Section 15.3.B Building Design

Standards, Subsection 15.3.B.1.b of the Comprehensive Zoning Ordinance, which requires the newly constructed building to contain a minimum transparency of fifty percent (50%) on the primary street, to allow for the elevation facing “Building B” and the interior of the shopping center to contain a minimum transparency of fifty percent (50%).

5. The applicant shall be granted a waiver of Article 23, Section 23.6.B Front Landscape Yard of the Comprehensive Zoning Ordinance, which requires a front landscape yard a minimum of ten (10) feet in width along the front lot line, for the portion of the site in front of the newly constructed building and “Building B”, to allow for the existing landscaping buffer to be maintained outside of the property line.

**Provisos only applicable to the drive through fast-food restaurant (Chick-Fil-A) and Building B:**

\* \* \*

2. The applicant shall submit final plans showing compliance with all design standards listed in Article 15, Section 15.3.B of the CZO, **with the exception of any waivers specifically granted herein**. Additionally, design of the fast food restaurant and the “Building B” retail structure shall be complementary to the existing structures along General De Gaulle Drive. This shall be accomplished through the following, subject to the review and approval of City Planning Commission staff:
  - a. The materials and color scheme of the fast food restaurant and “Building B” retail structure shall be consistent with the existing structures facing General De Gaulle Drive.
  - b. Pedestrian walkways shall be provided that connect the fast food restaurant and Building B with each other, as well as the adjacent structures along General De Gaulle Drive. The new pedestrian walkways shall be similar to the existing brick pattern stamped concrete walkways.

\* \* \*

4. The applicant shall submit a landscape plan that complies with Article 23 of the Comprehensive Zoning Ordinance, subject to review and approval of the Department of Parks and Parkways. The landscape plan shall be prepared by a licensed Louisiana landscape architect and indicate the following:
  - a. the genus, species, size, location, quantity, and irrigation of all existing and proposed plant materials within both the common areas and the street rights-of-way

within the site, with applicable remarks and details.

- b. an above ground sun lit parking lot stormwater detention BMP shall be worked into the interior or the perimeter of every parking facility to capture, filter, infiltrate and store the first flush (<1.25”) coming off of the parking surface area pursuant to Article 23, Section 23.7.A.6.
- c. Interior parking lot landscaping, including parking lot islands and/or landscaped areas in accordance with Article 23, Section 23.7.C.
- d. Parkway trees in accordance with Article 23, Section 23.11.

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**BE IT FURTHER MOVED**, That a copy of the report of the City Planning Commission and of this motion be forwarded to the City Attorney’s Office for the preparation of an ordinance to effectuate the request.

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

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE MOTION WAS ADOPTED.**