

September 2, 2014

Dear Mr. Rivers:

The FMIA wishes to express our appreciation for you and your office for your work. We are writing to offer our comments on the draft CZO, which we believe presents a great opportunity for our neighborhood and city, but needs to be further reviewed and vetted. The FMIA requests the CPC and the city extend the public comment and written review period and allow for additional public meetings on the draft CZO throughout the city, not just at city hall.

In the review of the current and draft zoning by the FMIA board and its membership, one recurrent theme is that the absolute lack of city enforcement of current zoning laws creates a hesitancy to support any increase in intensity, and leads some to advocate for more restrictive zoning. While the FMIA understands many of these enforcement issues are outside the control of the CPC, these issues are completely valid and must be considered. Until such time as the city has improved enforcement, the use of more restrictive zoning to provide a buffer from lack of enforcement will continue to be one of the limited recourses neighborhoods possess to address this issue.

1. Riverfront Overlay in the Faubourg Marigny

While the FMIA thanks the CPC in listening to the overwhelming majority of the neighborhood in maintaining height limits at 50ft, the FMIA feels that this height limit should be consistent in all downriver neighborhoods. As such, the FMIA supports neighborhood organizations such as Neighbors First for Bywater and Holy Cross in opposing height bonuses contained in the Riverfront Overlay or any other height limit increase over 50ft in any portion of the neighborhood. While the FMIA is very much in support of development along riverfront, we feel that the 50 foot high limit serves to best protect the historical integrity of the neighborhood.

3. Zoning in the 2700 Block of Royal Street

The FMIA is opposed to mixed use zoning in the 2700 Block of Royal Street. The FMIA is in support of HMC-1 zoning for the entirety of the block, this is consistent with the current zoning change request by the business owner at 2706 Royal Street and 623 Port Street.

4. RDO in the Faubourg Marigny Triangle

The FMIA supports the CPC's recommendations to extend the RDO to the Marigny Triangle with the definition of "standard restaurant" removed.

5. HMC-1 Zoning in the Marigny Triangle

The FMIA is opposed to the rezoning of the three properties located at 1431 Royal Street, 1913 Royal Street and 734 Touro. As the RDO is being considered to be extended into the triangle, it is sufficient that these three properties would be covered under the RDO. The RDO is better suited in intensity and usage for the Marigny Triangle rather than HMC-1.

6. Extension of Operating Hours in the RDO

The FMIA is opposed to the extension of permitted operating hours in the RDO to 6am-10pm. The FMIA feels that a conditional use request is most appropriate for any extension of operating hours beyond those currently allowed.

7. Elimination of Parking Requirements

The FMIA supports the current draft CZO's elimination of parking requirements for HMC-1 and HMC-2 zoning while maintaining parking requirements for HM-MU (previous HM-LI). While the previous draft eliminated all parking requirements, the FMIA feels the current draft strikes a good balance in order to encourage development while also acknowledging the increasing parking concerns of neighborhood residents.

8. B&B's as a Conditional Use

The FMIA supports the change in the current draft CZO of Bed and Breakfasts as a Permitted Use in residential zoning to a Conditional Use. The proliferation of illegal B&B's is a pressing problem in the Marigny and throughout the city. The FMIA feels that making B&B's a conditional use is consistent with addressing this problem.

Sincerely,
Miles W. Swanson
President, FMIA

c.c. Paul Cramer, Nadine Ramsey