

ATG Licensing Consultants
A Louisiana Limited Liability Company
1524 Edwards Avenue
Suite 5
Harahan, Louisiana 70123
Telephone: (504) 915-5953

E-Mail: christy@atglicensing.com

October 7, 2025

BY HAND DELIVERY

City of New Orleans
Clerk of Council
1300 Perdido Street
Room
New Orleans, Louisiana 70112

RE: *Request for Extension of Time--Conditional Use*
2GETHER LLC
4730 Freret Street
New Orleans, Louisiana 70115
Zoning Docket Number: 22/23
Ordinance Calendar Number: 34,363

2025 OCT 7 3:52PM

To Whom It May Concern:

In accordance with Article 4, Section 4.3.H of the Comprehensive Zoning Ordinance (CZO) of the City of New Orleans, please allow this letter to serve as a request for an extension of time of one year to submit the final site plan for approval by the City Planning Commission in connection with Conditional Use referenced above. Pursuant to applicable provisions of the CZO, an administrative extension of time until October 19, 2025, was previously granted by the Executive Director of the City Planning Commission (CPC). See attached Letter.

The developer requires additional time to finalize the site plan for final consideration and approval by the CPC, and subsequent recordation. Because of design changes the developer has been making in response to input from the CPC and unexpected changes to their design team, additional time is required.

The Conditional Use Ordinance (Calendar No. 34,363; 29548 M.C.S) was adopted by the City of New Orleans City Council on October 19, 2023, and approved by the Mayor on October 26, 2023. A Certified copy of the Ordinance is attached for your ease of reference.

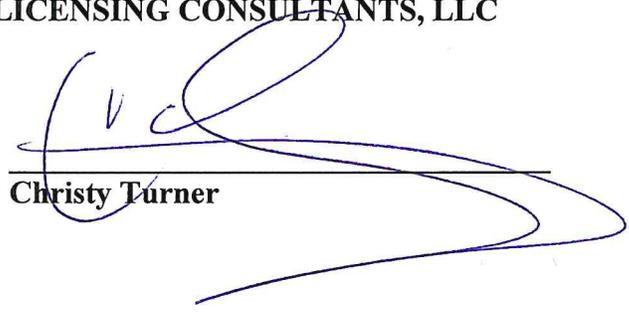
Thank you very much for your consideration of this request.

Should you have any questions or require any other information, please do not hesitate to contact me at (504) 756-3173 or by email at christy@atglicensing.com.

Very truly yours,

ATG LICENSING CONSULTANTS, LLC

BY:



Christy Turner

CITY PLANNING COMMISSION
CITY OF NEW ORLEANS

LATOYA CANTRELL
MAYOR

ROBERT D. RIVERS
EXECUTIVE DIRECTOR

LARRY W. MASSEY, JR.
DEPUTY DIRECTOR

October 8, 2024

2gether, LLC
4730 Freret Street, New Orleans, LA 70115

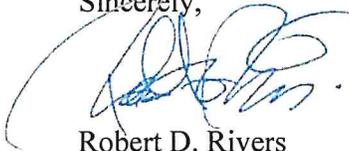
Re: Zoning Docket 022-23, Ordinance No. 29,686 M.C.S.

Dear 2gether, LLC:

As per Article 4, Section 4.3.H(2)(a) of the Comprehensive Zoning Ordinance, the Executive Director of the City Planning Commission may extend the time for expiration of a conditional use approval for a period not to exceed one (1) year upon a showing of good cause by the applicant. We are in receipt of the attached letter dated **October 8, 2024**. The City Planning Commission has no objection to your request for an extension to extend the deadline to record the plans for the above conditional use to **October 19, 2025**.

Please submit your drawings as soon as possible depicting compliance with the approved final ordinance which will allow for the completion of your zoning request. Any additional extension shall require a determination by the City Council in accordance with the procedures set forth in the Comprehensive Zoning Ordinance.

Sincerely,



Robert D. Rivers
Executive Director

RDR/hm



ORDINANCE

(AS AMENDED)

CITY OF NEW ORLEANS

CITY HALL: August 24, 2023

CALENDAR NO. 34,363

NO. 29686 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a standard restaurant over 5,000 square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 581, Lots A and B, in the Sixth Municipal District, bounded by Freret Street, Upperline Street, LaSalle Street, and Valence Street (Municipal Address: 4730 Freret Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 22/23 was initiated by 2gether, LLC and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended denial of a conditional use in its report to the City Council dated June 5, 2023, presented in **Zoning Docket Number 22/23**; and

WHEREAS, the recommendation of the City Planning Commission was overruled, and the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, subject to eight (8) provisos as stated in Motion Number M-23-332 of the Council of the City of New Orleans on July 27, 2023.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That a conditional use to permit a standard restaurant over 5,000 square feet in an

3 HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 581, Lots A and B, in
4 the Sixth Municipal District, bounded by Freret Street, Upperline Street, LaSalle Street, and
5 Valence Street (Municipal Address: 4730 Freret Street) is hereby authorized and approved,
6 subject to the following provisos, as specifically set forth herein:

7 1. The developer must indicate in their final plan compliance with the standards for bulk
8 and yard regulations found in **Article 12, Section 12.3.A.1 (Table 12-2)** of the
9 Comprehensive Zoning Ordinance.

10 2. The developer shall comply with the standards of the building design standards for the
11 Historic Urban Neighborhoods Non-Residential Districts found in **Article 12, Section**
12 **12.3.B**, by modifying the plans with the following changes:

13 a. Combine the mass of the six (6) small buildings into a larger building and shift
14 the building footprint so that the structure is built to the corner of Freret and
15 Upperline Streets,

16 b. Provide a clearly identifiable entry from the sidewalk at the corner,

17 c. Provide a minimum of fifty percent (50%) transparency along Freret Street, and

18 d. Provide a minimum twelve feet (12 ft) ceiling height for ground floor
19 commercial space.

20 3. The plans submitted to the City Planning Commission for final approval shall show that
21 any off-street parking spaces are compliant with the requirements as set forth in **Article**
22 **22, Section 22.8.C** of the Comprehensive Zoning Ordinance.

23 4. The developer shall comply with the standards of **Article 20, Section 20.3.ZZ.12** by
24 providing updated floor plans with a holding bar that does not exceed fifteen percent
25 (15%) of the floor area of the public seating area of the restaurant, up to a maximum

26 area of three hundred (300) square feet, including the service area behind the bar. The
27 developer shall comply with the standards of **Article 20, Section 20.3.ZZ** of the
28 Comprehensive Zoning Ordinance:

29 a. A restaurant shall submit a security and operation plan, to be reviewed by the
30 Director of Safety and Permits, and all other relevant City agencies, with the
31 following added:

32 i. For restaurants with an outdoor component, the plan shall include
33 provisions regarding how the facility will control the sales of alcoholic
34 beverages to ensure consumption on premises.

35 ii All restaurants serving alcoholic beverages shall provide exterior
36 security cameras.

37 b. A restaurant shall submit a noise abatement plan, to be reviewed by the Director
38 of Safety and Permits, and all other relevant City agencies.

39 c. If a restaurant contains a brewing or distilling facility on-site, a floor plan
40 indicating the area reserved for brewing or distilling and a description of the
41 facility and capacity. Onsite micro-brewing and micro-distillery facilities are
42 only allowed in standard restaurants.

43 d. Standard restaurants shall submit a summary of the number and location of
44 places of worship, educational facilities, and parks and playgrounds within three
45 hundred (300) feet of the proposed location.

46 e. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages
47 for consumption off the premises are prohibited.

- 48 f. All restaurants that serve alcoholic beverages are limited to the following hours
49 of operation (see also Table 20-2: Restaurant Hours of Operation Regulations).
50 No new customers are permitted after the closing hour, and the restaurant shall
51 be completely shut down, including no staff present on the premises, within two
52 (2) hours of the closing time. Opening hour is for first opening of business to
53 customers. These limitations do not apply to restaurants that serve alcoholic
54 beverages in the Vieux Carré Districts, the CBD Districts, and in the C-1, C-2,
55 C-3, LI, HI, MI, BIP, MU-2, EC, MC, and LS Districts.
- 56 i. Sunday thru Wednesday: from 6:00 a.m. to 10:00 p.m.
57 ii. Thursday thru Saturday: from 6:00 a.m. to 12:00 a.m. (midnight).
58 iii. Other hours may be approved through the conditional use process.
- 59 g. Hours of operation shall be posted on or near the restaurant entrance visible to
60 the public.
- 61 h. Standard restaurants with live entertainment are also subject to the standards of
62 this Article. Live entertainment is a separate principal use and subject to separate
63 approval.
- 64 i. If the restaurant use plans an increase in intensity, such as an expansion of floor
65 area or increase in permitted occupancy, the security and operation plans shall
66 be updated and resubmitted for approval. The revised security and operation
67 plan shall be approved prior to the issuance of any permits.
- 68 j. Security and operation plans may be revised by the property owner or person
69 authorized in writing by the owner. New plans shall be resubmitted for approval.

70 k. Restaurants with drive-through facilities are subject to the standards of this
71 Article. Standard restaurants with live entertainment – secondary uses are also
72 subject to the standards of this Article. Drive-through facilities and live
73 entertainment – secondary uses are considered separate principal uses and
74 subject to separate approval.

75 l. A holding bar is permitted only for a standard restaurant. The holding bar is an
76 accessory use to the principal use of a standard restaurant. The holding bar is an
77 area of a restaurant where alcoholic beverages are prepared and served at the
78 bar. Holding bars are subject to the following:

79 i. A holding bar cannot exceed fifteen percent (15%) of the floor area of
80 the public seating area of the restaurant, up to a maximum area of three
81 hundred (300) square feet, including the service area behind the bar. The
82 calculation of the total public seating area shall include the holding bar
83 area in the calculation. If a portion of the holding bar is used to serve
84 non-alcoholic beverages, such as coffee, that area is included as part of
85 the holding bar area. The holding bar area shall be calculated from the
86 back wall to the front of the bar. (See Figure 20-1: Restaurant Holding
87 Bar.) If the holding bar is not set against a wall, the area shall be
88 calculated from one bar front to another.

89 ii. The holding bar shall only be open to the public while food is being
90 served in the restaurant's dining room.

91 iii Through the conditional use process, the City Council may grant a
92 variance to increase in the square footage of the holding bar area. Such

93 variance cannot exceed twenty-five percent (25%) of the public seating
94 area of the restaurant.

95 m. There shall be no cover charge to enter a restaurant.

96 5. The plans submitted to the City Planning Commission for final approval shall indicate
97 the presence of a minimum of six (6) vehicle parking spaces, as set forth in **Article 22,**
98 **Section 22.4.A (Table 22-1)** of the Comprehensive Zoning Ordinance. The use of on-
99 street spaces to meet this requirement shall be shown on the plans as set forth in **Article**
100 **22, Section 22.5.B** of the Comprehensive Zoning Ordinance.

101 6. In accordance with **Article 22** of the Comprehensive Zoning Ordinance, the developer
102 shall indicate the installation of a minimum of four (4) short-term bicycle parking spaces
103 on the final plans submitted to the City Planning Commission, subject to the approval
104 of the Department of Public Works for any bicycle parking in the public right-of-way.
105 The design of bicycle parking spaces shall comply with the requirements as set forth in
106 **Article 22, Section 22.9** of the Comprehensive Zoning Ordinance.

107 7. The Department of Safety and Permits shall issue no building permits or licenses for
108 this project until final development plans are approved by the City Planning
109 Commission and recorded with the Office of Conveyances. Failure to complete the
110 conditional use process by properly recording plans within a one-year time period or
111 failure to request an administrative extension as provided for in **Article 4, Section**
112 **4.3.H.2** of the Comprehensive Zoning Ordinance will void the conditional use approval.

113 8. In accordance with **Article 23, Section 23.13.A** of the Comprehensive Zoning
114 Ordinance, the plans submitted to the City Planning Commission for final approval shall

115 indicate the location of the trash receptacle which shall be within an enclosed structure
116 or screened by a seven foot (7') opaque fence with latching gates.

117 9. The developer shall develop and implement a system to secure the entire property to
118 prevent access to the property when the business is not open and operating, by erecting
119 fences, walls, and gates of sufficient height and robustness. Additional security
120 measures shall be employed on an as-needed basis to prevent access to the property
121 when not otherwise open to the public.

122 10. The developer shall strictly comply with the City's noise regulations and shall not adopt
123 policies and procedures to prevent sound from being heard or felt by surrounding
124 neighbors, including providing surrounding neighbors with current management contact
125 information to immediately address any complaints related to excessive sound
126 emanating from the business's premise.

1 **SECTION 2.** Whoever does anything prohibited by this Ordinance or fails to do
2 anything required to be done by this Ordinance shall be guilty of a misdemeanor. Upon
3 conviction of such a misdemeanor, the individual shall be subject to a fine, imprisonment, or
4 both, in accordance with Section 1-13 of the Code of the City of New Orleans. Such a conviction
5 shall be cause for immediate cancellation of the Use and Occupancy Permit for the premises.
6 Alternatively, the individual shall be subject to whatever civil liabilities, penalties, or remedies
7 the law prescribes.

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this
2 conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation
3 have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which
4 impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing
5 or ongoing obligation is based on the City Planning Commission's approval of the final site plan,
6 which shall be submitted within one year of adoption of this Ordinance by the City Council, unless
7 extended as authorized by the Comprehensive Zoning Ordinance. The Executive Director of the
8 City Planning Commission shall verify that the development plan incorporate all conditions set
9 forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved
10 plan shall be recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans,
11 within 30 days of the date of final approval, and evidence of such recordation shall be submitted
12 to the City Planning Commission. No use or occupancy certificates or permits, other than the
13 building permits needed to fulfill the proviso(s), shall be issued until the final approved plan is
14 recorded and evidence of recordation is submitted to the City Planning Commission. If the
15 development plan is not approved and recorded, within the timeframes provided in the
16 Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force

17 or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive
18 Zoning Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2
19 of the Comprehensive Zoning Ordinance, the conditional use will expire, and this Ordinance will
20 be null and void.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS OCTOBER 19, 2023

JP MORRELL
PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON OCTOBER 20, 2023

APPROVED:

DISAPPROVED: OCTOBER 26, 2023

LATOYA CANTRELL

MAYOR

RETURNED BY THE MAYOR ON OCTOBER 26, 2023 AT 4:40 P.M.

LORA W. JOHNSON
CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell - 6

NAYS: 0

ABSENT: Thomas - 1

RECUSED: 0

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY

Lora W. Johnson
CLERK OF COUNCIL

City Planning Commission Meeting
Tuesday, May 23, 2023

CPC Deadline: 06/10/2023
CC Deadline: 60 days from receipt
City Council District: B – Harris

STAFF REPORT

Zoning Docket 022/23

To: City Planning Commission

From: Robert Rivers, Executive Director
Stephen Kroll, Planning Administrator

Prepared by: Haley Delery

Date: May 16, 2023

GENERAL INFORMATION

Applicant: 2gether, LLC

Request: This is a request for a conditional use to permit a standard restaurant over 5,000 square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District.

Property description: Square 581, Lots A and B, in the Sixth Municipal District, bounded by Freret Street, Upperline Street, LaSalle Street, and Valence Street. The municipal address is t.

Municipal address: 4730 Freret Street

Description:

Zoning Docket 022/23 is a request for a conditional use to permit a standard restaurant over 5,000square feet in an HU-MU Historic Urban Neighborhood Mixed-Use District. The site is located along an 8-block mixed-use corridor on Freret Street between Napoleon and Jefferson Avenues. It is a corner property with 83 ft of frontage along Freret Street and 88 ft along Upperline Street with a site area of approximately 7,899 sq ft. The property is currently undeveloped. The applicants propose developing the site with “Bohemia”, a 7,899 sq ft standard restaurant that includes 7 container buildings and an outdoor seating area. “Bohemia” is a concept for a standard restaurant that primarily features an outdoor dining area and includes container buildings for food prep, bar, restroom, and office use. Off-street parking is not proposed. The standard restaurant, although a permitted use in the base zoning district, requires conditional use approval as **Section 12.2.B.1** requires conditional use approval for commercial uses over 5,000 sq ft.

Why is City Planning Commission action required?

Per **Article 12, Section 12.2.B.1**, commercial uses over 5,000 sq ft are deemed conditional uses in the HU-MU Historic Urban Neighborhood Mixed-Use District. The City Planning Commission is required to make a recommendation on all conditional use applications prior to City Council action, in accordance with **Article 4, Section 4.3.D.3 – Action by the City Planning Commission** of the Comprehensive Zoning Ordinance.

ANALYSIS

New infill design should contribute to the characteristics that make the Freret Street mixed-use corridor a vibrant and walkable retail corridor that is compatible with nearby residences. The neighborhood originally developed in the early 20th century as a walking city. Improvements to the city's port and railroad led to an increase in the immigrant population. Thanks to drainage improvements, a community was able to flourish in what was once undeveloped swampy land. By 1930, approximately 3,000 residences were built and Freret Street that bisected the neighborhood became the main street. The 8-block main street extended from Napoleon to Jefferson Avenues - that were lined with larger residences, whereas the inner streets included smaller shotgun and bungalow style structures. The architecture is less ornate than the older parts of the city. The 1909 Sanborn maps show 6 commercial uses and 29 residential uses along Freret Street. Merchants converted some existing residences to accommodate commercial spaces on the ground floor and filled in areas in between using architecture like the residential character. With merchants and their families residing above their business or nearby and being within walking distance to a variety of neighborhood services, the walkable city flourished. However, two factors in the mid-20th century led to the economic decline of the neighborhood – changes in the racial order and the predominance of the automobile that led to people moving away from the city. A streetcar line was established along Freret Street in 1924 and ceased operations in 1946 reflecting the change in transportation and retail patterns. The mid-20th century saw more automobile uses like gas stations and surface parking lots. (Warner, 2001)¹ The decline of the neighborhood, despite efforts for its revitalization, lasted until the earlier part of this century. A renewed understanding of how to create livable walkable self-sustaining communities has created a trend of looking back at historic development patterns of communities like Freret. Now most of the storefronts are re-occupied. And some auto-centric uses, like a former gas station a block away from the subject site was converted into restaurant that has a large outdoor dining area in front the structure. Rouses now occupies a larger structure (formerly Bloomingdales thrift store) that was set back from the street to accommodate parking. The Freret Street Market is held in a surface parking lot near Napoleon. The design standards for the Historic Urban Mixed-Use District intend for new construction to strengthen the historic development pattern. The staff has requested that the applicant modify the height, mass, and density of new infill development to match Freret's neighborhood character. The current layout of the structures breaks the rhythm and fabric of the street by not going to the edge of the sidewalk. The design should hold the corner and frame the intersection of Freret and Upperline Streets, creating an active pedestrian retail zone on all four sides.

Comments related to design

Proposed conditions

Site conditions

“Bohemia” is a proposed standard restaurant that primarily includes outdoor seating space and enclosed space for food prep, bar, restrooms, trash, and office use are contained within 6 separate container buildings. The gross floor area of the restaurant (that occupies the entire site) measures ~7,899 sq ft. The restaurant would provide a total seating for 144, including tables, hammocks, fire pit. The site plan shows 6 container buildings labelled as “Buddha”, “Sandwitch”, “Lea Jane”,

¹Warner, C. (2001). Freret's Century: Growth, Identity, and Loss in a New Orleans Neighborhood. *Louisiana History: The Journal of the Louisiana Historical Association*.

bar, restroom, office, and trash. The 3 buildings for trash, restrooms and office are shown along the interior property line on the LaSalle Street side. The bar is in the middle of the site, setback 60 ft from Freret Street. The 2 food services buildings are along Upperline Street. The site includes trees, permeable paving, raised planters, an arbor, a pergola, hammocks and ping pong tables/games.

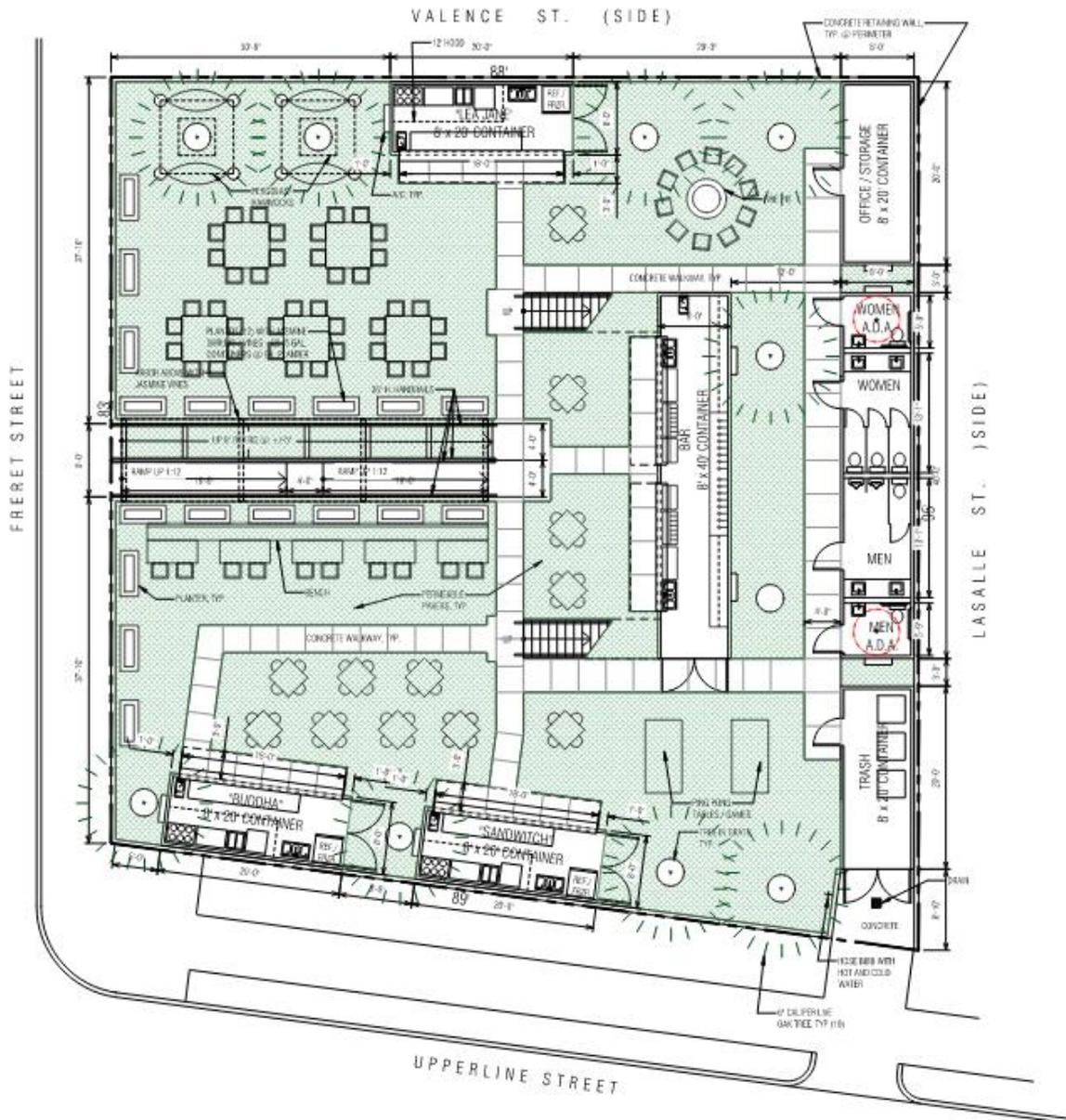


Figure 1: Proposed Site Plan

Building conditions

The building elevations show painted steel container buildings with roof-mounted hood exhaust vent and intakes. The food service containers along Upperline Street include stainless steel awnings and countertop facing the interior of the site. The bar also includes a stainless-steel awning and countertop and includes a rooftop seating area that is accessed by painted steel stairs. The building floor elevations are 3 ft, 1.5 above the curb level. The container are not modified/incorporated within a larger structure, so their sizes are fixed at 8 ft, 6 in. in height, 20 ft

in length and 8 ft in width.

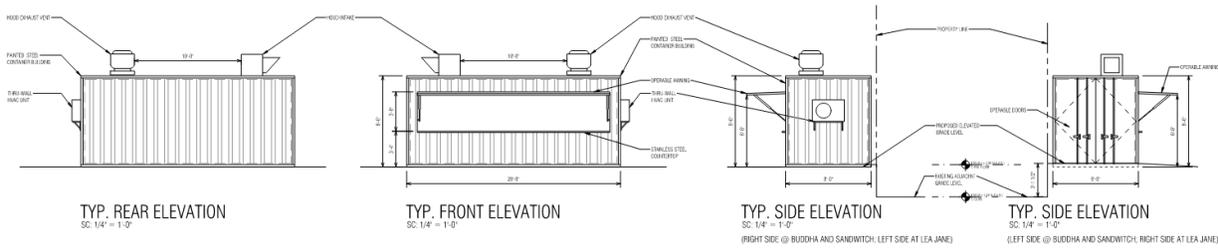


Figure 2: Proposed Elevations

Base zoning district standards

The petitioned site is located within the HU-MU Historic Urban Neighborhood Mixed-Use District and is subject to the requirements of **Article 12, Section 12.3 - Site Design Standards** of the Comprehensive Zoning Ordinance.

Bulk Regulations

In accordance with **Table 12-2 in Article 12, Section 12.3.A.1** of the Comprehensive Zoning Ordinance, there is no minimum lot area nor minimum lot width for non-residential uses. The maximum total floor area for commercial uses is permitted up to five thousand square feet (5,000 ft²); the total proposed floor area is 7,899 sq ft. The maximum building height is forty (40') feet and no more than 3 stories; the proposed structure would be 8 ft, 6 in in height. The minimum permeable open space for the site is ten percent (10%); for a site of 7,899 sq ft, the required amount of minimum permeable open space would be 790 sq ft; the identifiable permeable open space in the submitted plans is approximately 4,523 sq ft, and thus the proposed permeable paving on site is compliant.

Minimum Yard Requirements

In accordance with **Article 12, Section 12.3.A.1 (Table 12-2)** of the Comprehensive Zoning Ordinance, the front yard build-to line for non-residential uses is 0 to 10 ft; one of the proposed structures is built to the Freret Street front property line and is compliant. There are no setbacks for interior side yards nor rear yards, unless they abut a residential district, then it is 3 ft and 15 ft respectively; the site is not abutting any residential districts. Corner side yard requirements for non-residential/mixed uses can be none to a maximum of 5 ft; the applicant is proposing a 12 ft corner side yard. To ensure the plans are in compliance, the staff recommends the following proviso:

- The applicant must indicate in their final plan compliance with the standards for bulk and yard regulations found in **Article 12, Section 12.3.A.1 (Table 12-2)** of the Comprehensive Zoning Ordinance.

Building Design Standards

Proposals in Historic Urban Neighborhoods Non-Residential Districts are subject to twelve (12) Building Design Standards found in **Article 12, Section 12.3.B** of the Comprehensive Zoning Ordinance. Of the seven (7) applicable standards, staff has determined that they are not in compliance with standards a, b, e, and g. The staff recommends the following proviso to bring the proposal into compliance.

- Submit revised plans to the City Planning Commission for review and approval that comply with the building design standards for the Historic Urban Neighborhoods Non-Residential Districts found in **Article 12, Section 12.3.B**, including the following changes:
 - a. Combine the mass of the 6 small buildings into a larger building and shift the building footprint so that the structure is built to the corner of Freret and Upperline Streets,
 - b. Provide a clearly identifiable entry from the sidewalk at the corner,
 - c. Provide a minimum of 50% transparency along Freret Street, and
 - d. Provide a minimum 12 ft ceiling height for ground floor commercial space.
- a. *All buildings shall provide a clearly identifiable entry from the public sidewalk at the front (primary street) elevation.*
 - b. *Structures on a corner lot shall be built to the corner.*
 - e. *The ground floor of newly constructed commercial buildings shall contain a minimum transparency of fifty percent (50%) on the primary street and windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited. Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.*
 - f. *For new construction, ADA accessible ramps and lifts shall compliment the building and be visually unobtrusive, preferably through internalized ramps or sloped walkways.*
 - g. *The first floor of commercial buildings shall be designed with a minimum ceiling height of twelve (12) feet.*
 - h. *Security bars, if installed, shall be on the inside of windows. Roll-up or accordion security grilles are permitted on the ground floor when constructed of a see-through, non-solid material. The Casing shall be painted to match the building and shall not damage or obscure architectural detailing.*
 - i. *The following restrictions apply to building materials:*
 - i. *The following materials are prohibited as the predominant surface finish material on exterior elevations visible from the public right-of-way. However, such materials may be used as part of decorative or detail elements, or as part of the exterior construction, such as a foundation course, that is not used as a predominant surface finish material.*
 - (1) *Exterior insulating finish systems (EIFS, “Dryvit”)*
 - (2) *Stuccato Board*
 - (3) *Vinyl*

Overlay district standards

The site is not in an overlay district that has design standards.

Parking and vehicular use areas

The revised plans show two accessible spaces in the rear of the site that would be accessed from Upperline Street. The spaces do not comply with the requirements of **Article 22, Section 22.8.C** that requires off-street parking for commercial uses to proceed (rather than back out) into traffic. The applicant can either remove the off-street parking spaces or modify them to comply with the requirements **Article 22**. To ensure compliance, the staff recommends the following proviso.

- The plans submitted to the City Planning Commission for final approval shall show that any off-street parking spaces are compliant with the requirements as set forth in **Article**

22, Section 22.8.C of the Comprehensive Zoning Ordinance.

Landscaping

The design requires substantial modifications. New plans shall comply with any landscaping requirements found in **Article 23**.

Use standards

Standard restaurants are subject to the 13 use standards found in **Article 20, Section 20.3.ZZ**. Staff recommends including a proviso that addresses the applicable use standards to ensure compliance. The relevant regulations are below in italics with staff's analysis in regular text.

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.*

The applicant must submit a security and operation plan as part of the permitting and licensing process.

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.*

The applicant must submit a noise abatement plan as part of the permitted and licensing process.

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. On-site micro-brewing and micro-distillery facilities are only allowed in standard restaurants.*

Not applicable.

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.*

The applicant must submit the above-mentioned summary as part of the permitting and licensing process.

5. *Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.*

The applicant does not intend to sell alcoholic beverages for off the premises consumption.

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.*

The applicant shall comply with the hours of operation listed above.

7. Hours of operation shall be posted on or near the restaurant entrance visible to the public.

The applicant shall post the hours of operation 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.

The applicant must obtain separate approval for live entertainment, should live entertainment be proposed at some point.

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.

The applicant must update the security and operation plans if there is an increase in intensity.

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.

The property owner or person authorized by owner may update the security and operation plans.

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.

Not applicable.

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.

- 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.*

The site plans shows a 320 sq ft container building labelled bar. The applicant must update the plans to show the holding bar area does not exceed 300 sq ft.

13. There shall be no cover charge to enter a restaurant.

The applicant shall not charge a cover to enter the restaurant.

Parking requirements

Vehicle Parking

Pursuant to **Article 22, Section 22.5.A.6** of the Comprehensive Zoning Ordinance, uses less than 5,000 square feet in floor area in the HU-MU District are not required to provide off-street parking. Consequently, the approximately 7,899 sq ft proposed restaurant is exempt the first 5,000 sq ft of off-street parking requirements. **Table 22-1** requires 1 off-street parking space for every 500 sq ft of gross floor area. Therefore, the remaining 2,899 sq ft would be required to provide 6 off-street parking spaces. **Article 22, Section 22.5.B** allows on-street spaces to count towards parking requirements in the HU-MU District. It appears that the applicant could provide 6 on-street parking spaces. The spaces are not shown on the current set of plans, so the applicant would need to revise the plans to show the on-street spaces. To ensure compliance, the staff recommends the following proviso:

- The plans submitted to the City Planning Commission for final approval shall indicate the presence of a minimum of 6 vehicle parking spaces, as set forth in **Article 22, Section 22.4.A (Table 22-1)** of the Comprehensive Zoning Ordinance. The use of on-street spaces to meet this requirement shall be shown on the plans as set forth in **Article 22, Section 22.5.B** of the Comprehensive Zoning Ordinance.

Bicycle Parking

Article 22, Section 22.4 (Table 22-1) and 22.6.A of the Comprehensive Zoning Ordinance require restaurants to provide one bicycle space per 2,500 square feet of floor area with a minimum of two spaces provided. As such, 4 spaces are required for this approximately 7,899 sq ft restaurant. The applicant must update the plans to show the required bicycle parking. To ensure compliance, the staff recommends the following proviso:

- In accordance with **Article 22** of the Comprehensive Zoning Ordinance, the applicant shall indicate the installation of a minimum of 4 short-term bicycle parking spaces on the final plans submitted to the City Planning Commission, subject to the approval of the

Department of Public Works for any bicycle parking in the public right-of-way. The design of bicycle parking spaces shall comply with the requirements as set forth in **Article 22, Section 22.9 of the Comprehensive Zoning Ordinance**.

Loading

No off-street loading spaces exist or are proposed for the site. Pursuant to **Article 22, Section 22.7.C**, Historic Urban Neighborhoods are exempt from all off-street loading requirements. Consequently, the applicant is not required to provide any off-street loading spaces.

Anticipated impact on surrounding land uses

Article 12, Section 12.2.B.1 requires conditional use approval for any commercial use that exceeds 5,000 sq ft. This is to protect the character and scale of development in older parts of the city. The proposed use as a standard restaurant measuring a total of 7,899 square feet in area is acceptable at the location, at least in concept. The staff reviewed the proposed design and found that it does not meet many of the site and building design standards found in **Article 12, Table 12-1** and **Section 12.3.B**. The historical development pattern of the Freret Street mixed-use corridor is what makes Freret a vibrant and walkable neighborhood. The proposed design strategy drastically departs from the character of Freret Street in that current layout of the structures breaks the rhythm and fabric of the street by not providing building facades to the edge of the sidewalk. The design should hold the corner and frame the intersection of Freret and Upperline Streets, creating an active pedestrian retail zone on all four sides. The design standards for the Historic Urban Mixed-Use District intend for new construction to strengthen the historic development pattern.

The staff has requested that the applicant modify the height, mass, and density of new infill development to match Freret's neighborhood character. If the suggested design changes are made, it will cause the site to be more compatible with the zoning objectives. It will have a design that better complements Freret Street.

Evaluation of approval standards

The City Planning Commission recommendation and the City Council decision on applications for a conditional use shall, on the basis of all information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The Commission and Council are required to specifically consider the extent to which the proposed use meets the approval standards contained in **Article 4, Section 4.3.F Approval Standards** of the Comprehensive Zoning Ordinance. In this section, the staff evaluates the application using those standards.

The proposed use at the specified location is consistent with the policies embodied in the adopted Master Plan.

This standard is not met, but could be sufficiently met with staff recommended design changes. The Home Rule Charter of the City of New Orleans requires all land use actions to be consistent with the Master Plan. A land use action is consistent with the Plan for the 21st Century, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and

is compatible with the proposed future uses, densities, and intensities designated in the Land Use Element of the Plan. “Chapter 13: Land Use Plan” of the Master Plan designates on the Future Land Use Map (FLUM) of the petitioned site as “Mixed-Use Low Density.” The goal, range of uses, and development character for that designation are copied below.

MIXED-USE LOW DENSITY

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

Range of Uses: Low-density single-family, two-family and multifamily residential and neighborhood business; typically businesses in residential scale buildings interspersed with residences. Uses can be combined horizontally or vertically (ground floor retail required in certain areas). Limited light-industrial uses (small food manufactures, craft and value added industry and passive warehousing and storage) may be allowed in some areas. Agricultural, stormwater management, and supporting public recreational and community facilities are allowed. Transit and transportation facilities are allowed.

Development Character: Height, mass and density of new development varied depending on surrounding neighborhood character. Allow the adaptive reuse of historic and non-residential structures with densities higher than the surrounding neighborhood through the planned development process. Allow higher residential densities when a project is providing significant public benefits such as long-term affordable housing. Incorporate risk reduction and adaptation strategies in the built environment.

A standard restaurant over 5,000 square feet could fit within the allowable range of uses. However, the proposed design does not meet this standard because the proposed design does not match the development character of the Mixed-Use Low Density designation that typically includes commercial uses in residential scale buildings. The Mixed-Use Low Density FLUM designation contemplates development character, height and mass depending on surrounding neighborhood character. The design conflicts with the goals outlines in the Master Plan. As discussed in this report, the design could be made more consistent with the Mixed-Use Low Density designation if the suggested design changes are made.

The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

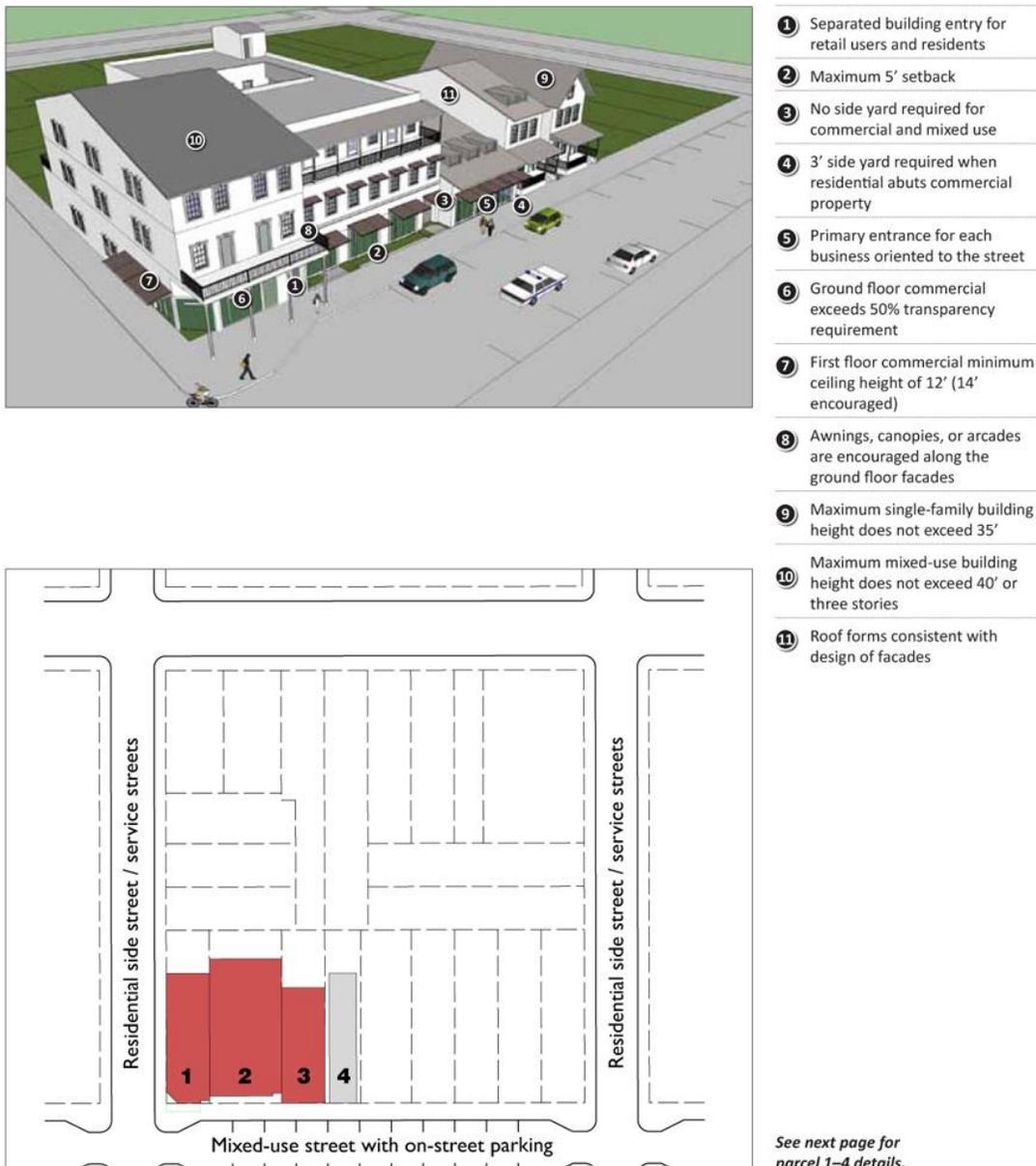
This standard is not met. The proposal is inconsistent with the purpose of the HU-MU Historic Urban Neighborhood Mixed-Use District which is copied below from **Article 12** of the Comprehensive Zoning Ordinance:

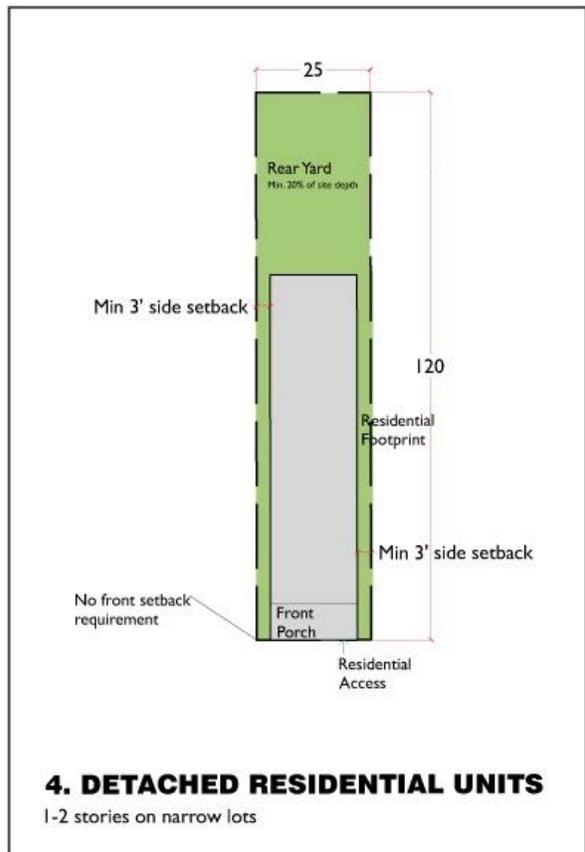
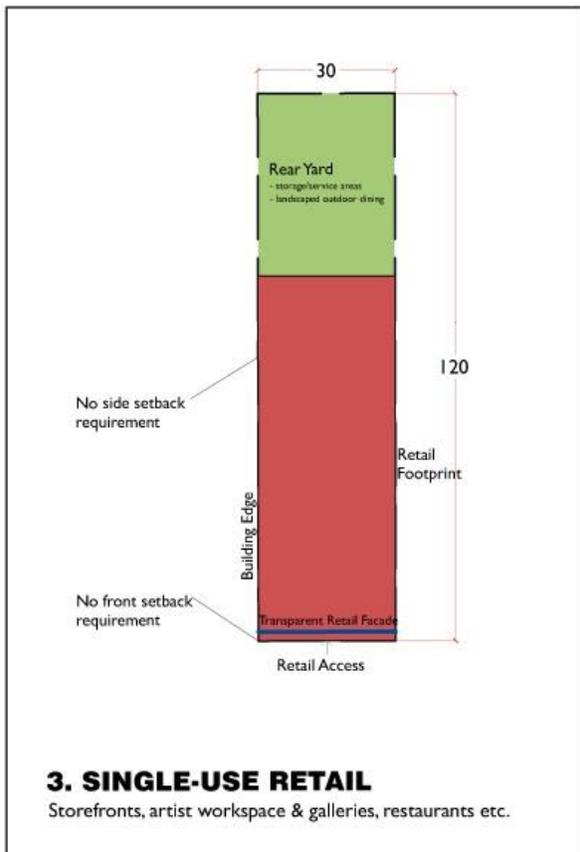
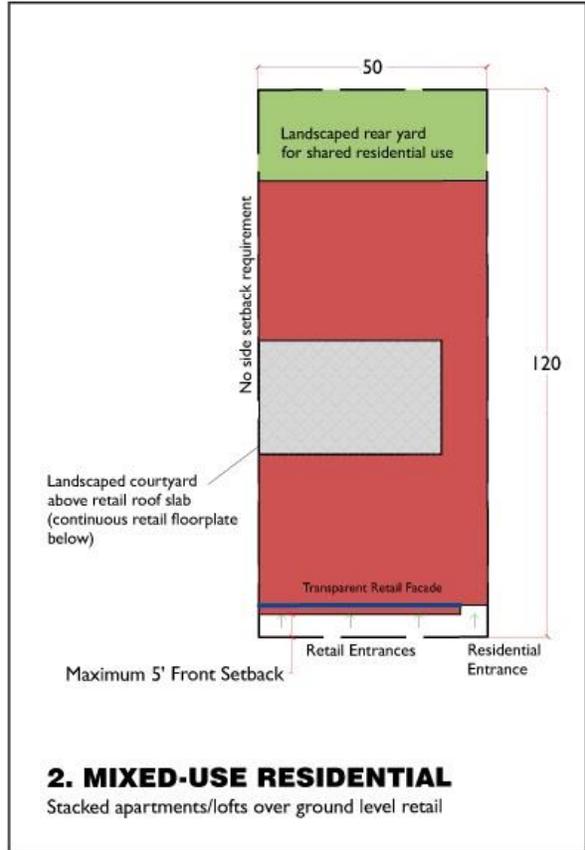
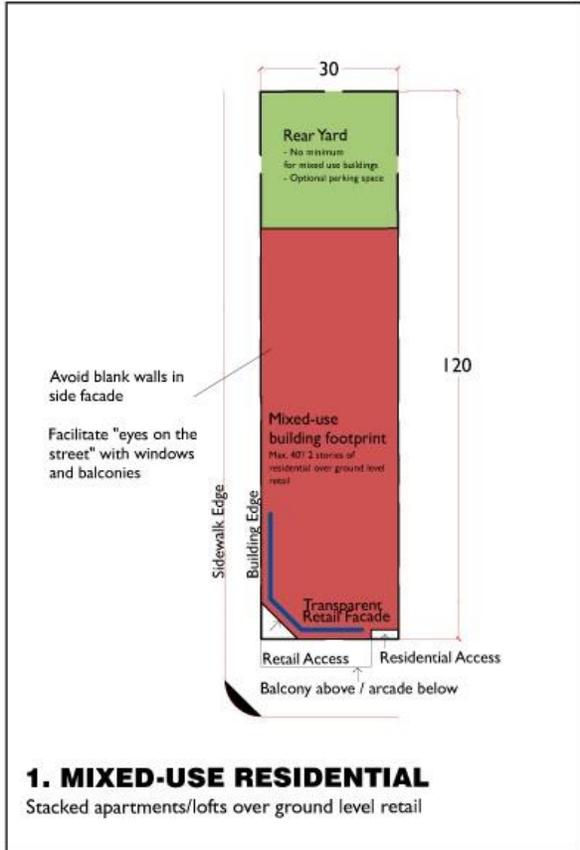
The HU-MU Neighborhood Mixed-Use District is intended for areas of mixed-use development that are close to residential neighborhoods. The district regulations are designed to encourage mixed-use areas that are compatible with adjacent or nearby land uses and pedestrian-oriented in character. In the HU-MU District, active retail and personal service uses along the ground floor with residential uses above are encouraged. A variety of residential dwellings are also allowed. This district also allows higher residential

densities when a project is providing significant public benefits such as long-term affordable housing.

The design fails to address the massing and scale that the regulations of the HU-MU District seek to achieve. The HU-MU District seeks the sort of development illustrated below, which is an image in **Figure 12-2** of the Comprehensive Master Plan that illustrates the district’s design standards. This illustration shows that the HU-MU District is intended to encourage buildings that are positioned to the corner with primary entrances oriented to the street. The architectural features for commercial structures should include tall ground floor ceilings, transparency into ground floor commercial spaces, and elements like awnings and canopies as well as roof forms consistent with the context of the surrounding area. Landscaped outdoor dining would be positioned behind the building.

Figure 3: Figure 12-2: HU-MU District Illustrative and Site Diagram





The proposed use meets all standards specifically applicable to the use as set forth in Article 20 and all environmental performance standards of Section 21.3.

This standard is met. The proposed use for a standard restaurant with over 5,000 sq ft of gross floor area and is subject to the use standards for restaurants contained within **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance. The proposal either meets all of the applicable standards and/or will be addressed by the recommended provisos. The environmental performance standards are listed in **Article 21, Section 21.3**. These standards do not apply due to the nature of the proposed use (vibration, dust and air pollution, regulated materials, fire and explosion hazards), or will be addressed through normal building and permitting requirements.

The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public right-of-way to mitigate development-related adverse impacts.

This standard is not met. The site is presently vacant. The Freret Street corridor has a well-defined character. The proposed design does not strengthen the active retail and urban design character. The proposed design strategy drastically departs from the character of Freret Street in that current layout of the structures breaks the rhythm and fabric of the street by not providing building facades to the edge of the sidewalk. The design should hold the corner and frame the intersection of Freret and Upperline Streets, creating an active pedestrian retail zone on all four sides. While a standard restaurant could be compatible with the wide mix of commercial uses in the area, the design of the proposed use is not compatible. As discussed throughout this report, several significant design changes are needed to remedy these deficiencies.

Any variance of zoning standards meets the approval standards of Section 4.6.F.

This standard is not met. The applicant is requesting variances for yard and building design requirements. Pursuant to **Article 4, Section 4.3.E** of the Comprehensive Zoning Ordinance, waivers granted as a condition to a Conditional Use permit are subject to the approval standards of **Article 4, Section 4.6.F**. The staff's evaluation of compliance with the nine approval standards is below. The staff believes that the requested variances fail to meet standards 1 through 7.

Requested Waivers:

Article 12, Section 12.3.A.1 (Table 12-2) – Corner Side Yard

Permitted: none to a maximum of 5 ft **Provided:** 12 ft **Waiver:** 7 ft

Article 12, Section 12.3.B.a – *All buildings shall provide a clearly identifiable entry from the public sidewalk at the front (primary street) elevation.*

Article 12, Section 12.3.B.b – *Structures on a corner lot shall be built to the corner.*

Article 12, Section 12.3.B.e – *The ground floor of newly constructed commercial buildings shall contain a minimum transparency of fifty percent (50%) on the primary street and windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited.*

Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.

Article 12, Section 12.3.B.g – *The first floor of commercial buildings shall be designed with a minimum ceiling height of twelve (12) feet.*

1. Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same zoning district?

No, the subject property does not have any special circumstances as compared to others in the subject HU-MU District. The site is currently vacant and the applicant is requesting variances to construct a standard restaurant that does not meet the yard and building design standards of the HU-MU District. The Freret Street mixed-use corridor has a well-defined character and the HU-MU District regulations intend for new construction to strengthen the historic development pattern. The proposed design fails to address the massing, scale and density to ensure compatibility with the HU-MU District. There is no need to break this development pattern.

2. Will literal interpretation of the provisions of the ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district?

No, applying the yard and building design requirements would not deprive the applicant of rights commonly enjoyed by other properties in the HU-MU District. The corridor has a well-defined pattern that the HU-MU District regulations are trying to preserve.

3. Do any special conditions and circumstances result from the actions of the applicant or any other person who may have (or had) an interest in the property?

Yes, the design of the standard restaurant is only in the interest of the applicant. The site is currently vacant and the applicant could modify the design to be in compliance. The Freret Street mixed-use corridor has a well-defined character and the HU-MU District regulations intend for new construction to strengthen the historic development pattern. The proposed design fails to address the massing, scale and density to ensure compatibility with the HU-MU District.

4. Will the granting of the variance confer on the applicant any special privilege which is denied by this ordinance to other lands, structures, or buildings in the same district or similarly situated?

Yes, permitting a design that does not comply with the yard and building design requirements would confer on the applicant a special privilege. The proposed site is a vacant lot, and the other 3 corner properties are developed with existing two-story structures that frame the corner. This is typical for the character of the Freret Street mixed-use corridor.

5. Will the variance(s), if granted, alter the essential character of the locality?

Yes, the requested variances would alter the essential character of the Freret Street mixed-use corridor. The Freret Street mixed-use corridor has a well-defined character and the HU-MU District regulations intend for new construction to strengthen the historic development pattern. The proposed design fails to address the massing, scale and density to ensure compatibility with the HU-MU District.

6. Will strict adherence to the property regulations result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience?

No, compliance with the HU-MU District's regulations for yard and building design would not result in a demonstrable hardship. The site is currently vacant and the applicant could modify the design to be in compliance. The Freret Street mixed-use corridor has a well-defined character and the HU-MU District regulations intend for new construction to strengthen the

historic development pattern. The proposed design fails to address the massing, scale and density to ensure compatibility with the HU-MU District.

7. Is the purpose of the variance based exclusively upon a desire to serve the convenience or profit of the property owner, or other interested party(s)?

Yes, the requested variances are only for the convenience and profit of the property owner. There is no site-specific justification. The applicants could modify the design to be in compliance, however their design choices are driving the need for variances.

8. Will the variance be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located?

No, construction of a standard restaurant without a typical structure would not be detrimental to the public welfare or injurious to other property. In another context, the design may be appropriate, however it is not appropriate for this site.

9. Will the variance impair the adequate supply of light and air to adjacent property, substantially increase traffic congestion in the public street, increase the danger of fire, or endanger the public safety?

No. The variances, if granted, would have no such impacts.

The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

This standard is not met and could be sufficiently met by recommended provisos. A standard restaurant over 5,000 square feet could be appropriate, however the way that this one is designed is at odds with its mixed-use environment. Constructing a development that requires variances from setback and building design standards could detract from the vibrant retail environment that is characteristic of the corridor.

STAFF RECOMMENDATION (APRIL 11, 2023 MEETING)

The staff recommends **DEFERRAL** of Zoning Docket 022/23 to the May 9, 2023 City Planning Commission meeting.

CITY PLANNING COMMISSION MEETING (APRIL 11, 2023)

The staff recommended that the Commission defer the matter to the May 9, 2023 meeting to allow the applicant to make the design modifications recommended in this report. Commissioner Brown made a motion for deferral as recommended, which was seconded by Commissioner Alexander and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 022/23 IS HEREBY DEFERRED TO THE MAY 9, 2023 CITY PLANNING COMMISSION MEETING.

YEAS: Alexander, Brown, Flick, Steeg, Witry

NAYS: None

ABSENT: Joshi-Gupta, Lunn, Stewart

STAFF RECOMMENDATION (MAY 9, 2023 MEETING)

The staff has not yet received updated plans from the applicant, so the staff recommends **deferral** to the May 23 City Planning Commission meeting.

CITY PLANNING COMMISSION MEETING (MAY 9, 2023)

The planning administrator noted that the applicant submitted revised plans May 8th. To allow the staff to review the plans and update their recommendation, the staff recommended that the Commission defer the matter to the May 23, 2023. Commissioner Alexander made a motion for deferral as recommended, which was seconded by Commissioner Witry and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 022/23 IS HEREBY DEFERRED TO THE MAY 23, 2023 CITY PLANNING COMMISSION MEETING.

YEAS: Alexander, Brown, Flick, Jordan, Joshi-Gupta, Stewart, Witry

NAYS: None

ABSENT: Lunn, Steeg

FURTHER CONSIDERATION (MAY 23, 2023 MEETING)

The staff met with the applicant and provided guidance on how to modify the design to bring it more in line with the character of the Freret Street mixed use corridor and cause it to meet the design requirements of the Master Plan and zoning ordinance. The applicant submitted revised plans, but the changes do not address the comments. Because the proposal requires substantial modifications, the staff cannot recommend approval at this time.

STAFF RECOMMENDATION (MAY 23, 2023 MEETING)

The staff recommends **DENIAL** of Zoning Docket 022/23.

CITY PLANNING COMMISSION MEETING (MAY 23, 2023)

The staff presented the proposal, stating a recommendation of denial based on the failure of the design to meet the site and building design standards of the HU-MU Historic Urban Neighborhood Mixed-Use District. Chris Young and Billy Blatty spoke in support of the request. The request had been deferred for one month to allow time for the applicant to make the requested changes, however the plans that were submitted did not address the comments. Chris stated that, if possible, they would like another deferral so they could make additional modifications. The staff mentioned that the request is on deadline and that the CPC rules and regulations do not allow for an extension. Ed Pointer spoke in opposition based on the design not meeting the character of the area. During

the applicant's rebuttal, Chris stated that the request received support from the neighborhood engagement process. The Commission stated that since major design changes were required, they would need to have seen the plans so could not recommend approval. Commissioner Steeg made a motion to accept staff's recommendation of denial, which was seconded by Commissioner Witry and adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 022/23 IS HEREBY RECOMMENDED FOR DENIAL. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

YEAS: Flick, Jordan, Joshi-Gupta, Steeg, Stewart, Witry

NAYS: None

ABSENT: Alexander, Brown, Lunn

Should this zoning docket be approved by the City Planning Commission, staff recommends the following provisos to mitigate adverse impacts:

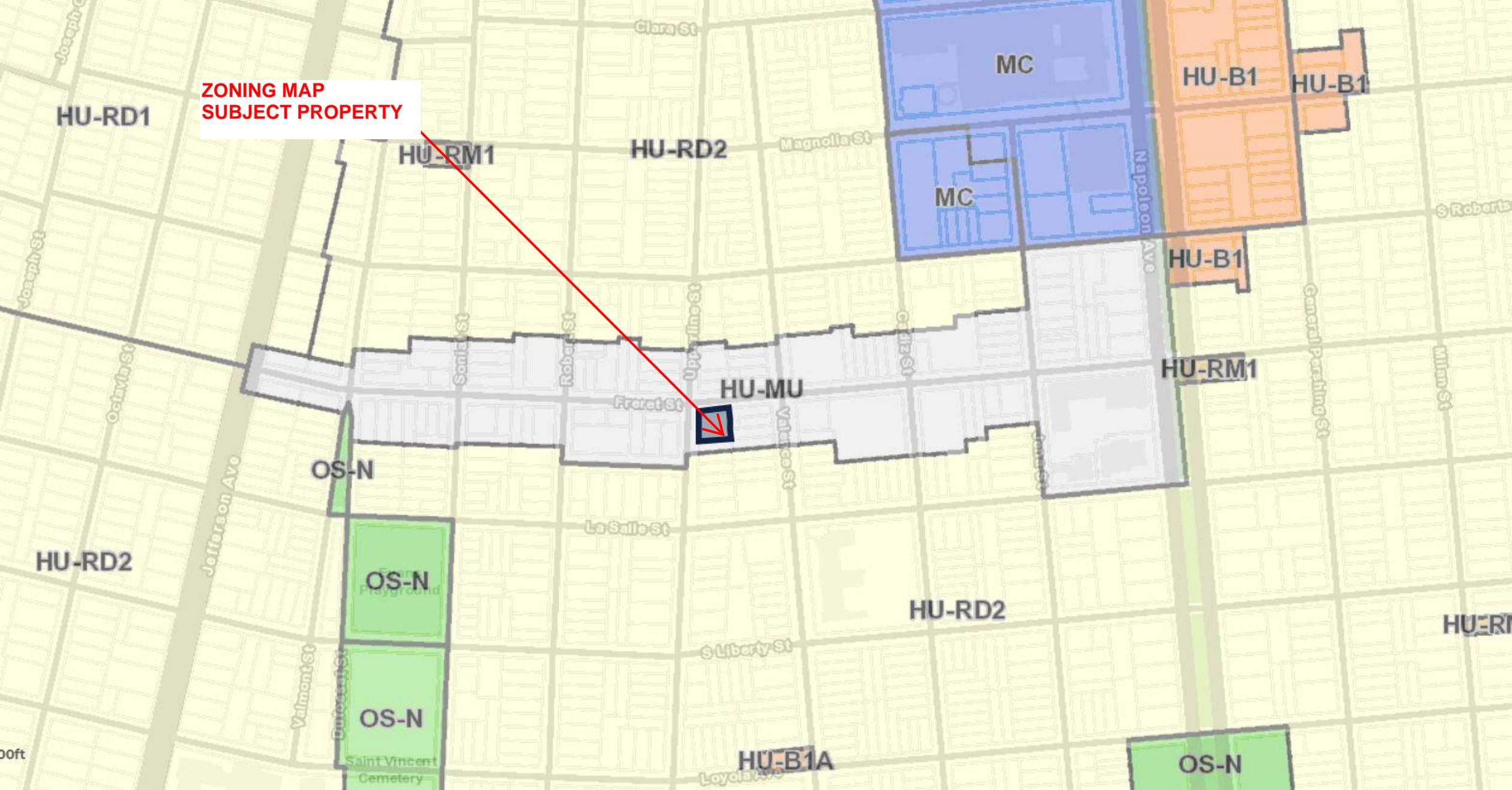
Provisos

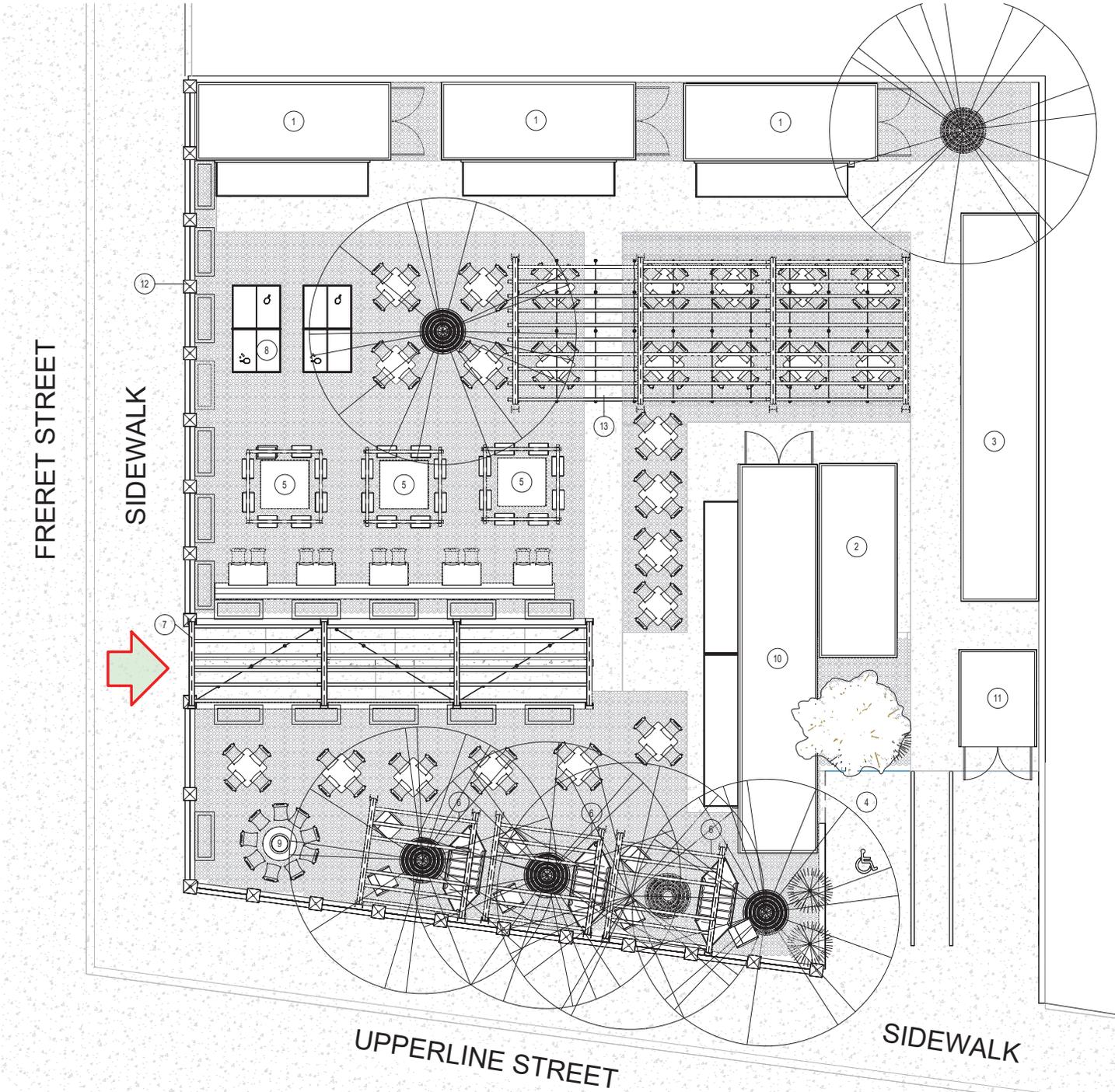
1. The applicant must indicate in their final plan compliance with the standards for bulk and yard regulations found in **Article 12, Section 12.3.A.1 (Table 12-2)** of the Comprehensive Zoning Ordinance.
2. The applicant shall comply with the standards of the building design standards for the Historic Urban Neighborhoods Non-Residential Districts found in **Article 12, Section 12.3.B**, by modifying the plans with the following changes:
 - a. Combine the mass of the 6 small buildings into a larger building and shift the building footprint so that the structure is built to the corner of Freret and Upperline Streets,
 - b. Provide a clearly identifiable entry from the sidewalk at the corner,
 - c. Provide a minimum of 50% transparency along Freret Street, and
 - d. Provide a minimum 12 ft ceiling height for ground floor commercial space.
3. The plans submitted to the City Planning Commission for final approval shall show that any off-street parking spaces are compliant with the requirements as set forth in **Article 22, Section 22.8.C** of the Comprehensive Zoning Ordinance.
4. The applicant shall comply with the standards of **Article 20, Section 20.3.ZZ.12** by providing updated floor plans with a holding bar that does not 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 applicant shall comply with the standards of **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance:
 - a. 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:
 - i. 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.
 - ii All restaurants serving alcoholic beverages shall provide exterior security cameras.
 - b. A restaurant shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies.
 - c. 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. On-site micro-brewing and micro-distillery facilities are only allowed in standard restaurants.
 - d. 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.
 - e. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.

- f. 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.
 - i. Sunday thru Wednesday: from 6:00 am to 10:00 pm.
 - ii. Thursday thru Saturday: from 6:00 am to 12:00 am (midnight).
 - iii. Other hours may be approved through the conditional use process.
- g. Hours of operation shall be posted on or near the restaurant entrance visible to the public.
- h. 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.
- i. 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.
- j. 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.
- k. 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.
- l. 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:
 - i. 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.
 - ii. The holding bar shall only be open to the public while food is being served in the restaurant's dining room.
 - iii. 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.

- m. There shall be no cover charge to enter a restaurant.
- 5. The plans submitted to the City Planning Commission for final approval shall indicate the presence of a minimum of 6 vehicle parking spaces, as set forth in **Article 22, Section 22.4.A (Table 22-1)** of the Comprehensive Zoning Ordinance. The use of on-street spaces to meet this requirement shall be shown on the plans as set forth in **Article 22, Section 22.5.B** of the Comprehensive Zoning Ordinance.
- 6. In accordance with **Article 22** of the Comprehensive Zoning Ordinance, the applicant shall indicate the installation of a minimum of 4 short-term bicycle parking spaces on the final plans submitted to the City Planning Commission, subject to the approval of the Department of Public Works for any bicycle parking in the public right-of-way. The design of bicycle parking spaces shall comply with the requirements as set forth in **Article 22, Section 22.9 of the Comprehensive Zoning Ordinance**.
- 7. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one-year time period or failure to request an administrative extension as provided for in **Article 4, Section 4.3.H.2 of the Comprehensive Zoning Ordinance** will void the conditional use approval.
- 8. In accordance with **Article 23, Section 23.13.A** of the Comprehensive Zoning Ordinance, the plans submitted to the City Planning Commission for final approval shall indicate the location of the trash receptacle which shall be within an enclosed structure or screened by a seven foot (7') opaque fence with latching gates.

**ZONING MAP
SUBJECT PROPERTY**





- 1 8'-0" X 20'-0" KITCHEN CONTAINER
- 2 8'-0" X 20'-0" STORAGE CONTAINER
- 3 8'-0" X 40'-0" RESTROOM CONTAINER
- 4 HANDICAP PARKING SPACE
- 5 TABLE WITH SWINGING SEATS
- 6 HAMMOCKS
- 7 ENTRY TRELLIS WITH RAMP AND STAIRS

- 8 PING PONG TABLES
- 9 FIRE PIT
- 10 8'-0" X 40'-0" BAR CONTAINER
- 11 TRASH AND RECYCLE CONTAINER
- 12 PERIMETER FENCE - BRICK AND IRON
- 13 COVERED SEATING AREA

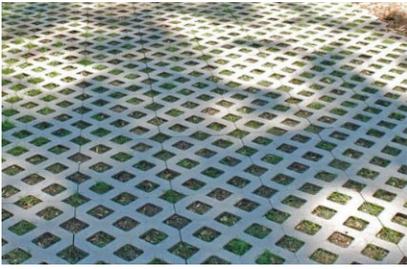


Bohemia Gardens
 4730 Freret Street
 New Orleans

Site Plan

REV. 5/18/2023

PERMEABLE PAVERS



STEEL AND WOOD
TRELLIS ENTRY



WOOD CLAD CONTAINERS



ENTRY RAMP AND STAIR



PLANTER BOXES



BRICK AND IRON
PERIMETWE FENCE



Bohemia Gardens
4730 Freret Street
New Orleans



Bohemia Gardens
4730 Freret Street
New Orleans



Bohemia Gardens
4730 Freret Street
New Orleans

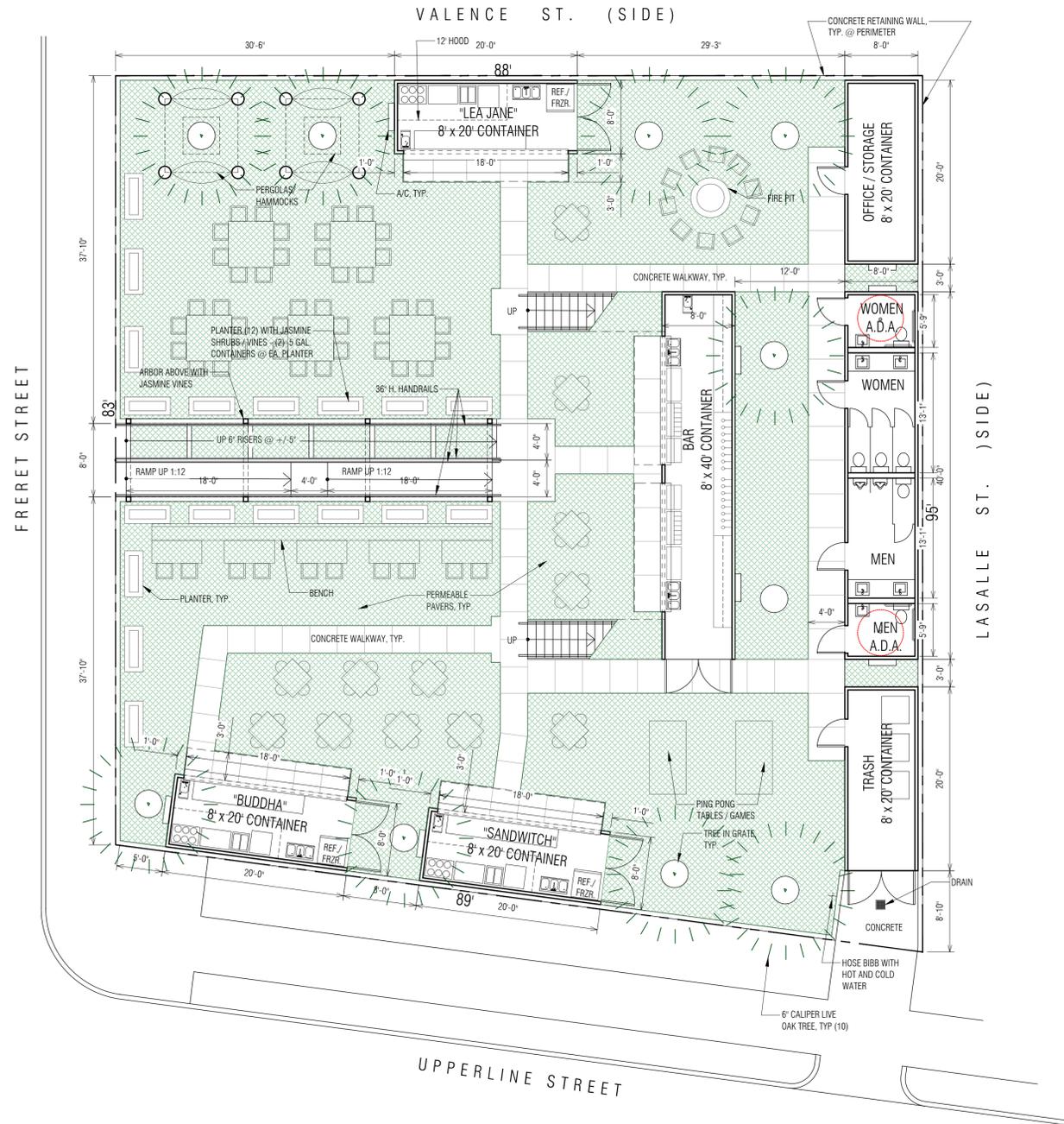


Bohemia Gardens
4730 Freret Street
New Orleans

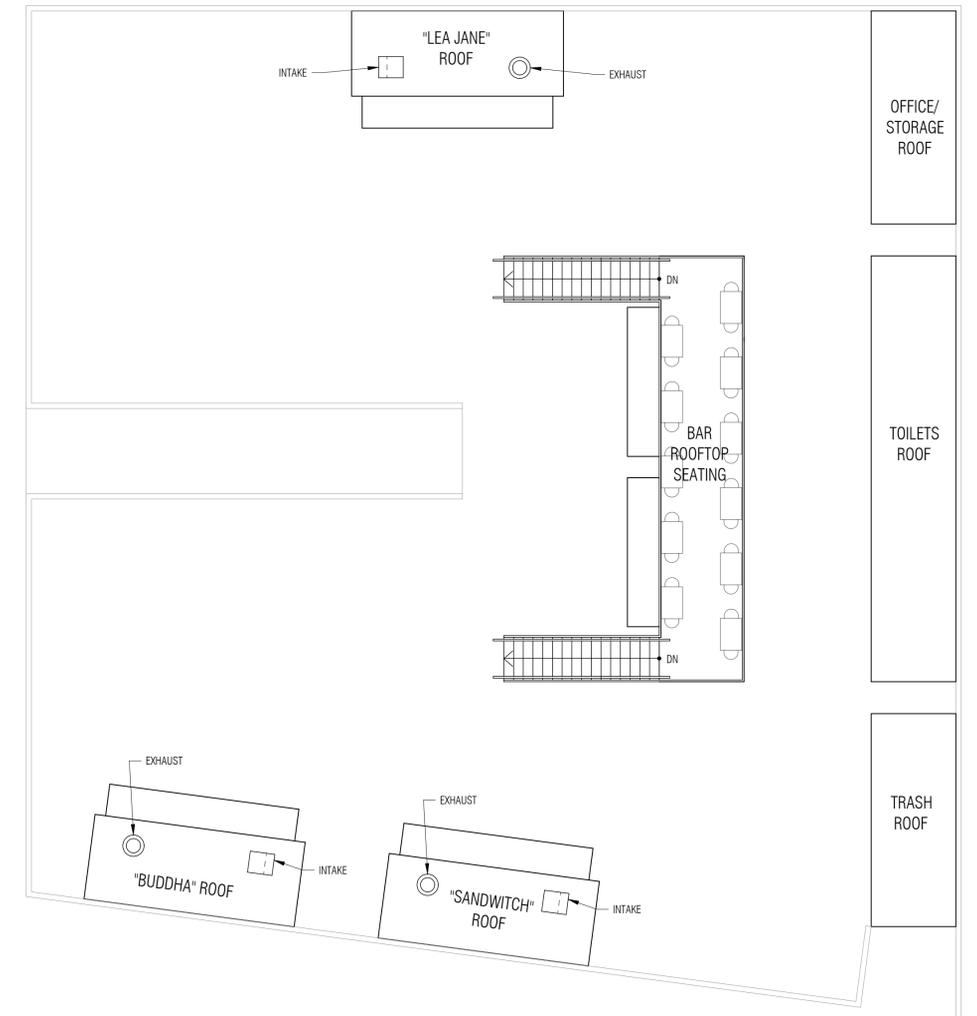


Bohemia Gardens
4730 Freret Street
New Orleans

REV. 5/8/2023



SITE PLAN / FIRST FLOOR PLAN
 SC: 1/8" = 1'-0"



ROOF PLAN
 SC: 1/8" = 1'-0"

PROJECT DATA

1. SITE AREA: 7,899 S.F.
 PERMEABLE AREA REQUIRED: 790 S.F. (10%)
 PERMEABLE ARE PROVIDED: 4,523 S.F. (57%)
2. CITY OF NEW ORLEANS ZONING CLASSIFICATIONHU-MU
3. TOTAL SEATING FOR 144 INCLUDING TABLES, HAMMOCKS AND FIRE PIT

ORIGINAL SUBMISSION

NOTE: DRAWING SCALES INDICATED ARE VALID ONLY IF PRINTED ON 24"x36" SHEETS.

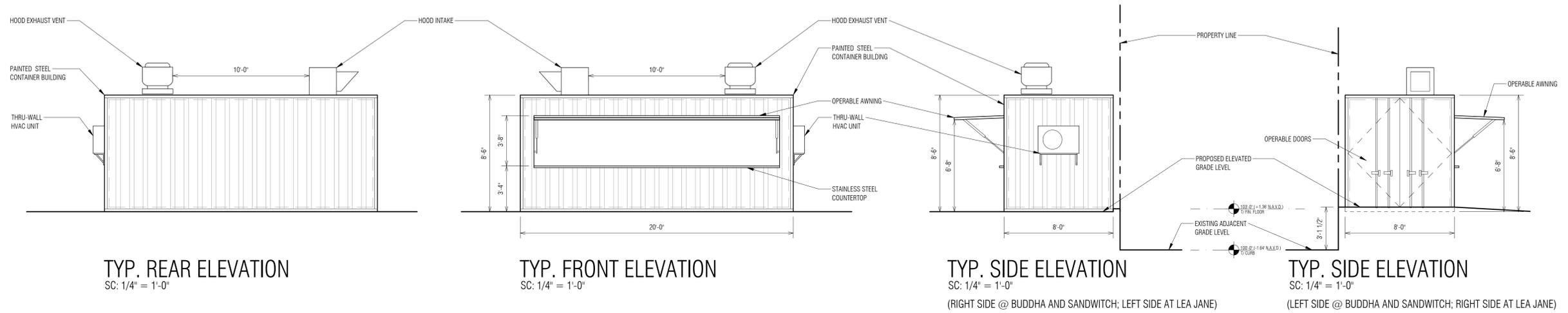
CONDITIONAL USE APPLICATION
BOHEMIA
 4730 Freret Street
 New Orleans, LA 70115

LKHarmon Architects
 A Professional Architectural Corporation
 6238 Argonne Boulevard
 New Orleans Louisiana 70124
 504.486.5870 harmon@lkharmonarchitects.com

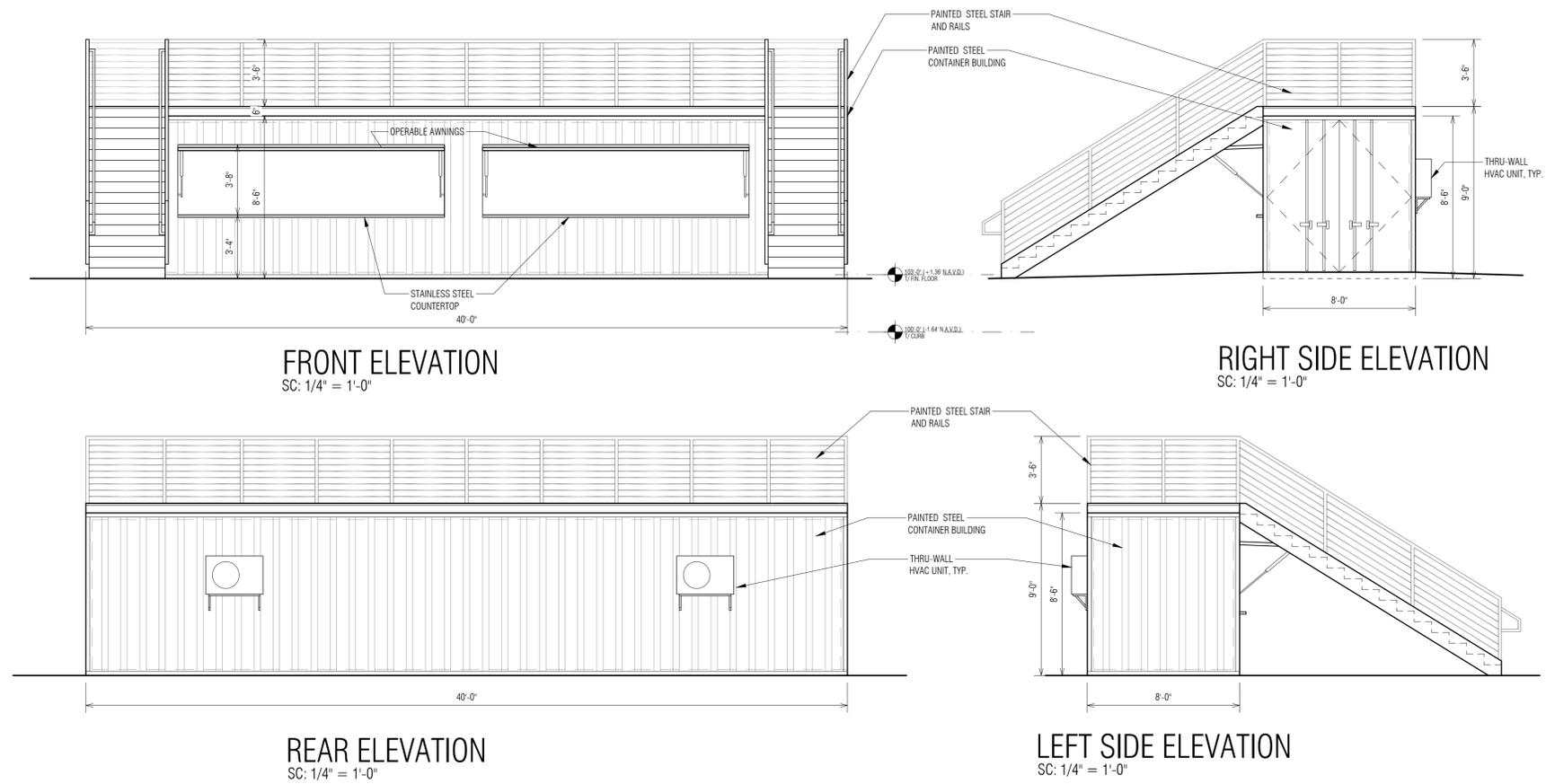
4.22.2022

A1

LKH#5721



TYPICAL ELEVATIONS OF (3) FOOD CONTAINERS



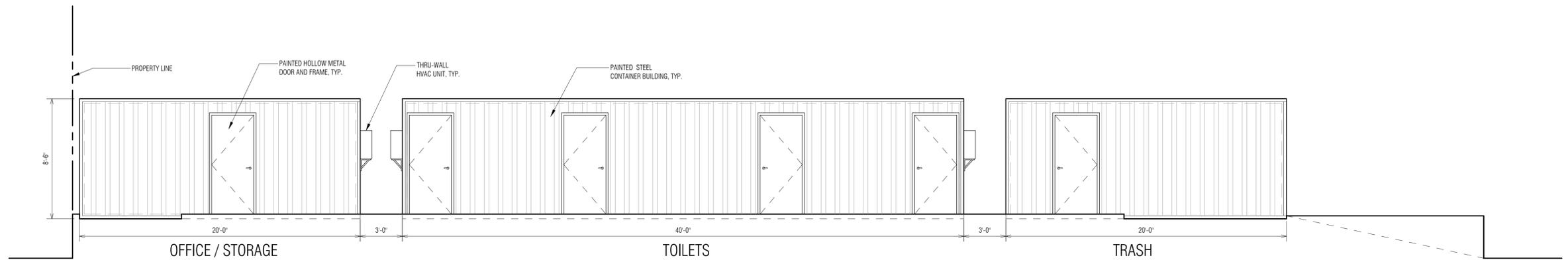
ELEVATIONS OF BAR CONTAINER

ORIGINAL SUBMISSION

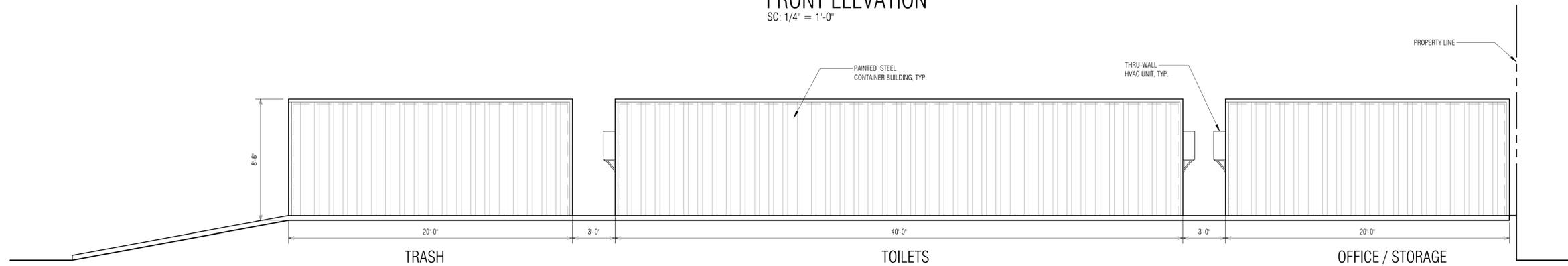
CONDITIONAL USE APPLICATION
BOHEMIA
 4730 Freret Street
 New Orleans, LA 70115

LKHarmon Architects
 A Professional Architectural Corporation
 6238 Argonne Boulevard
 New Orleans Louisiana 70124
 504.486.5870 harmon@lkharmonarchitects.com

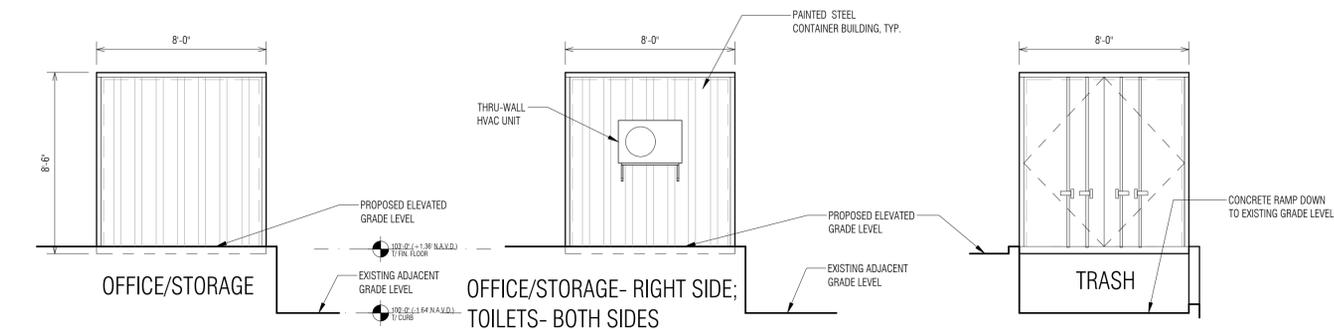
NOTE: DRAWING SCALES INDICATED ARE VALID ONLY IF PRINTED ON 24"x36" SHEETS.
 4.22.2022
A2
 LKH#5721



FRONT ELEVATION
SC: 1/4" = 1'-0"



REAR ELEVATION
SC: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SC: 1/4" = 1'-0"

TYP. SIDE ELEVATION W/ A/C
SC: 1/4" = 1'-0"

RIGHT SIDE ELEVATION
SC: 1/4" = 1'-0"

ELEVATIONS OF TRASH / TOILETS / OFFICE CONTAINERS

ORIGINAL SUBMISSION

CONDITIONAL USE APPLICATION
BOHEMIA
4730 Freret Street
New Orleans, LA 70115

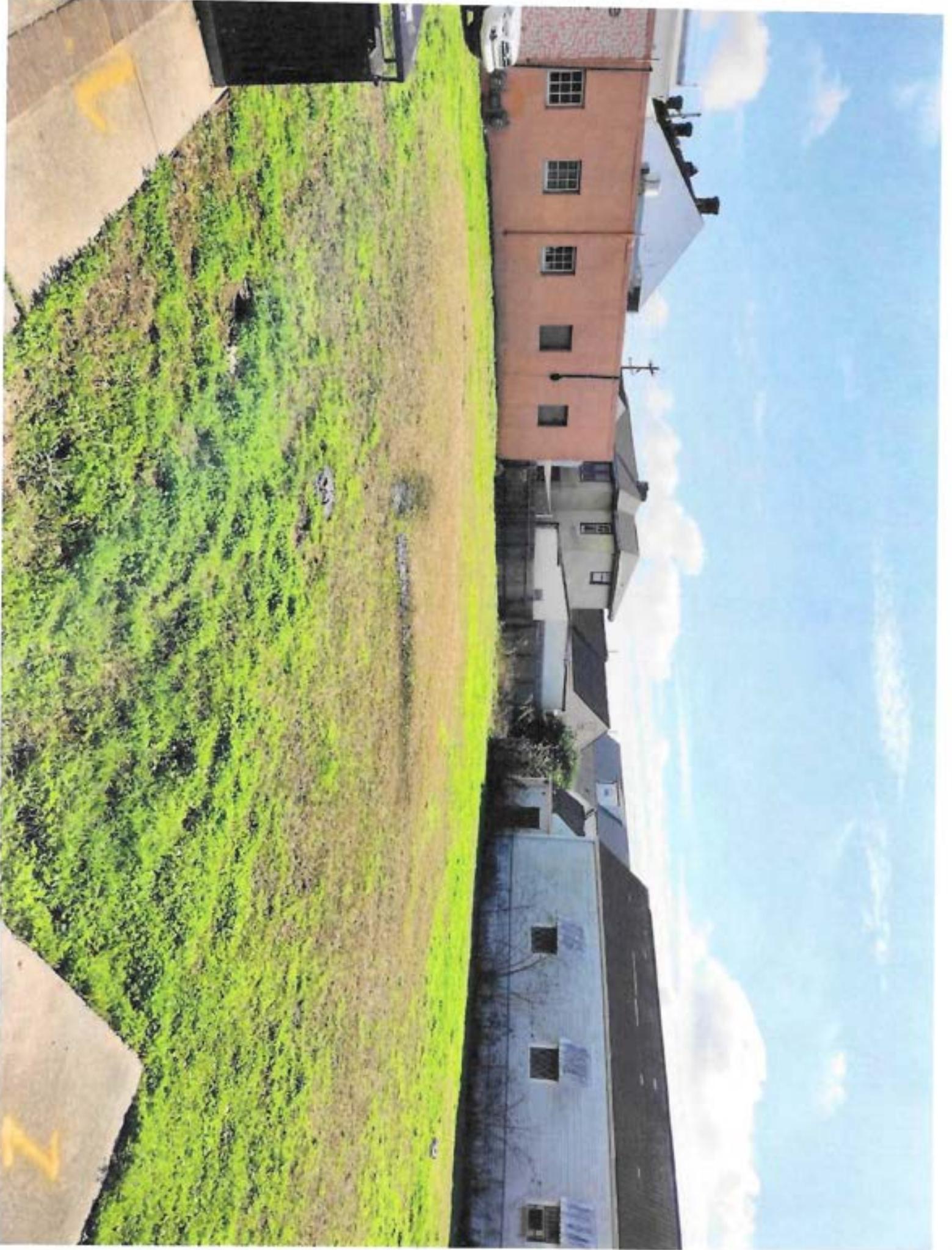
LKHarmon Architects
A Professional Architectural Corporation
6238 Argonne Boulevard
New Orleans Louisiana 70124
504.486.5870 harmon@lkharmonarchitects.com

NOTE: DRAWING SCALES INDICATED ARE VALID ONLY IF PRINTED ON 24"x36" SHEETS.
4.22.2022
A3
LKH#5721



ORIGINAL SUBMISSION









SUMMARY REPORT

NEIGHBORHOOD PARTICIPATION PROGRAM

Date of Report: September 10, 2022

Project Name: 2GETHER, LLC-Proposed Conditional Use to permit a commercial use (standard restaurant) of more than 5,000 square feet.

Overview: This report provides information related to 2GETHER, LLC's (Applicant) implementation of the *Neighborhood Participation Program* (NPP) for property bearing municipal address at 4730 Freret Street, New Orleans, Louisiana 70115 (the "Property"), as required by the City of New Orleans Comprehensive Zoning Ordinance (CZO). The Applicant intends to file an application for a conditional use to permit a commercial use (standard restaurant) of more than five thousand (5,000) square feet of floor area in a *HU-MU Neighborhood Mixed Use* zoning district. The Property is also subject to section 12.2.B.1 of the CZO, which requires conditional use approval for any commercial use of five thousand (5,000) square feet or more. This report provides a summary of contacts with citizens, neighbors, neighborhood associations, councilmembers and other interested parties. Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in sheets, letters, text messages, summaries and other materials are attached.

Contact: Ms. Christy Turner
1524 Edwards Avenue
Suite 5
Harahan, LA 70115
Phone: (504) 756-3173
E-mail: christioneturner@yahoo.com

Summary of Participation by Neighbors

- Letters and/or emails were sent to 228 persons/addresses (provided to 2GETHER, LLC by the City Planning Commission (CPC)) inviting them to a NPP Meeting.
- The one neighborhood association (Freret Milan Neighbors United) provided by the CPC was invited to the meeting and was notified of the NPP Meeting by way of email.
- Councilmember Lesli Harris, Elizabeth Holman, Councilmember Harris' Director of Land Use, and the CPC staff were notified of the NPP Meeting by way of email and First Class Mail.
- One (1) general NPP meeting was conducted on September 10, 2022. The total number of people who participated in the process, including the individuals who attended the meeting, and/or who made contact via other means, is set forth in the table below and the exhibits attached to this Report.

Method of Participation	Number of Participants <i>9/10/22 Meeting</i>
People who attended the NPP Meeting	11

People who participated by e-mail	0
People who participated by calling or texting	1
Other	0

Notices of Meetings and Other Methods of Communication

Notices

1. **August 17, 2022.** Letters inviting neighbors and other interested parties to the September 10, 2022, Neighborhood Participation Program Meeting were mailed via United States Mail to all 228 contacts including businesses, homes, apartments and others on the "300 foot" contact list provided by the CPC. A notice was also emailed to Councilmember Lesli Harris, the Freret Milan Neighbors United neighborhood association and the CPC staff on August 16, 2022.

A list of individual property owners, residents, businesses and tenants provided by CPC is attached as [Exhibit 1](#).

A copy of the letter, which included a Site Plan, inviting neighbors, etc. to the 9/10/22 NPP Meeting and the email sent to Councilmember Harris, Elizabeth Holman, Councilmember Harris' Director of Land Use, the Freret Milan Neighbors United association and CPC staff are attached as [Exhibit 2](#).

Other Methods of Communication

People who participated by text message and telephone:

1. **August 17, 2022.** Samuel M. Berman, a nearby property owner and lessor to nearby businesses contacted us by telephone to express concerns about the proposed development. Chris Young, on behalf of the developer, spoke with Mr. Berman to respond to his questions and listen to his concerns. Mr. Young committed to arranging a meeting with him and the developers. Mr. Young promised to get back with Mr. Berman with proposed dates and times to meet.
2. **August 18-25, 2022.** Mr. Young attempted to contact Mr. Berman numerous times by telephone to coordinate a meeting with him and the developers, as Mr. Berman requested. Mr. Berman never answered the calls.
3. **August 23, 2022.** Mr. Young sent Mr. Berman a text message asking him to call Mr. Young when he had time. Mr. Berman did not respond.

4. **August 25, 2022.** Mr. Young called Mr. Berman again. Mr. Berman responded by text that he could call back that afternoon. Mr. Young sent a reply text that he looked forward to speaking with Mr. Berman. Mr. Berman never did call.

Copy of text message is attached as [Exhibit 3](#).

The NPP Meeting

NPP Meeting: September 10, 2022 – 10:30AM
Cure Bar
4905 Freret Street
New Orleans, LA 70115

Meeting Attendees: 11

Moderator: Chris G. Young
Agent of Developer

Speakers: Peter Gordon
Developer

Katherine Harmon
Architect

A Neighborhood Participation Program Meeting (“NPP Meeting”) was held on September 10, 2022, at Cure Bar, 4905 Freret Street, New Orleans, LA 70115 to provide the citizens, neighbors, neighborhood associations, and other interested parties with information related to the proposed commercial use (standard restaurant) of more than five thousand (5,000) square feet to be located at 4730 Freret Street.

At the NPP Meeting, Mr. Chris G. Young, an agent of the developers, Katherine Harmon, the Architect, and Peter Gordon, one of the developers, gave a brief presentation explaining various features of the proposed development. Copies of a draft site plan, which was also sent with the meeting notice, were distributed. **See Exhibit 2 above.** Excerpts from zoning ordinance related to the proposed project were also distributed. **Attached as [Exhibit 4](#) are copies of the meeting Agenda, City of New Orleans Online Tools and CZO excerpts that were distributed to meeting attendees.**

Following their presentation, meeting attendees were given the opportunity to ask questions and make comments on the proposed development plan. A summary of the questions, concerns, and issues expressed by participants is set forth below.

Meeting attendees were asked to sign up to receive notifications of updates and/or changes to the proposed development plan. **A copy of the sign-in sheet is attached hereto as [Exhibit 5](#).**

The comment card completed and submitted is attached as [Exhibit 6](#).

Concerns, Issues, and Problems Expressed by the Participants

Below is a summary of the concerns, issues, and problems expressed by individuals who participated in the Neighborhood Participation Program on 8/9/16.

1. Summary of questions, concerns and issues raised:

- a. Parking.
- b. Fire Marshal.
- c. Landscaping.
- d. Who are the owners?
- e. Who will be the manager(s)?
- f. Prior to development, will the grass be cut on a regular basis?
- g. What will you do about litter abatement? When will trash be retrieved?
- h. Prior to the development, can trash (wood trailer) be removed from the Property?
- i. Will this development present more competition to existing businesses?
- j. Other than the food and beverage structures, will there be other items/structures for the retail sale of other items?
- k. Will there be bike parking?
- l. How will litter abatement be handled? Will the developer retrieve trash beyond the immediate area?
- m. Will there be Special Events?

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

- a. We intend to provide the required number of parking spaces. The developer also indicated that they will work to provide as many off-street parking spaces as possible. Additionally, the developers believe that many of their customers will be from the immediate surrounding neighborhoods and bicycle transportation will be significant and encouraged by providing secure bicycle parking on the premises.
- b. In response to a meeting attendee's question about Fire Marshal approval, the developers responded that the project will be reviewed and approved by the state Fire Marshal.
- c. **Landscaping.** Lush and extensive landscaping is a principal element of the project. The developers indicated that significant landscaping will be provided and will well beyond what is required by the CZO.
- d. The owners of the property and the proposed business are: William Blatty, Peter Gordon and Andres James, LLC.
- e. **Managers.** The developers agreed to always notify surrounding neighbors with the names and contact information of the managers of the business.
- f. The developers agreed to maintain the grass on the Property prior to the development of the Property.
- g. **Commercial Garbage Collection.** The developers agreed to ensure that commercial garbage collection will be compliant with existing and future

regulations related to the days and times commercial garbage collection can be removed from the premises. They also indicated they are willing to consider specific days and times preferred by surrounding neighbors.

- h. The developers agreed to remove abandoned refuse (wood trailer) on the premises prior to commencing the development of the Property.
- i. Competition. One attendee expressed concern that the development will represent increased competition for surrounding businesses. The developers agree that the development may increase competition but that the increased business will benefit the neighborhood.
- j. The developers do not plan to include any other retail activities on the Property except for possible art vendors or exhibits from time to time.
- k. **Bike Parking.** Since the developers intend to promote bicycle transportation to and from the development, they intend to provide a robust amount of secure bicycle parking.
- l. **Litter Abatement.** The developers plan to conduct daily litter removal canvasses in the immediate surrounding neighborhood. They are also willing to participate in litter abatement programs beyond the area immediately surrounding the Property.
- m. **Special Events.** The developer may conduct a "special event" from time to time and will apply for and obtain any and all requisite permits, etc. in the event they conduct a "special event."

Other Community Outreach

Prior to the NPP meeting conducted on September 10, 2022, the developers met with Councilmember Lesli Harris and Councilmember Harris' Director of Land Use, Elizabeth Holman to discuss the proposed project. One of the developers also met or spoke with a couple of the surrounding business owners and residents prior to the NPP meeting on September 10, 2022.

-END-

EXHIBIT 1

(List of Property Owners, Residents, Businesses, etc. provided by CPC)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

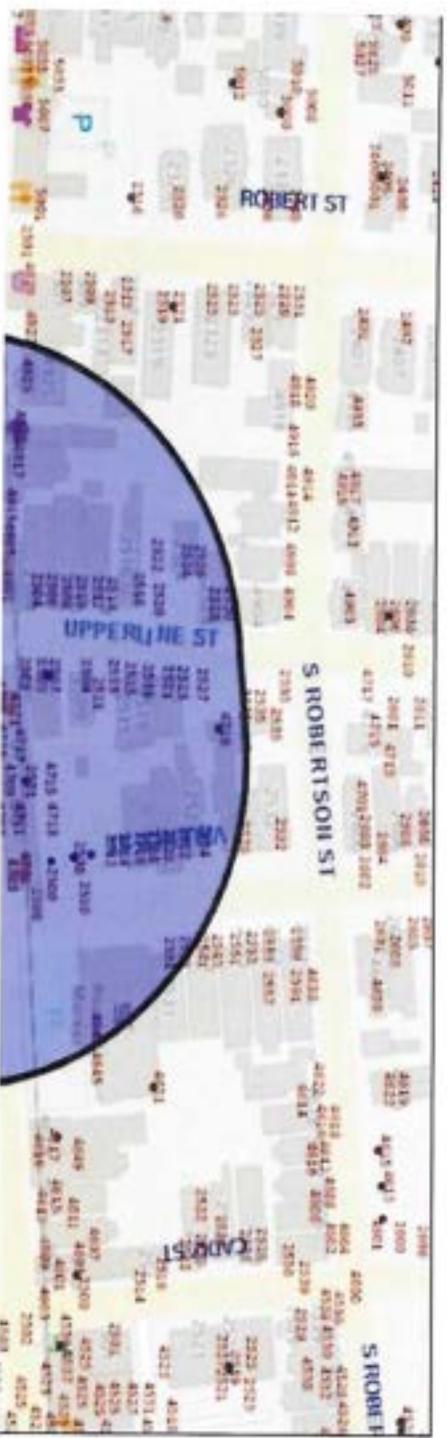
Name	Mailing Address	Mailing City	Mailing St	Mailing Zip
William A Harrison	1 Mariborough Gate Pl	New Orleans	LA	70115
Michael R Primeau	10 Mariborough Gate Pl	New Orleans	LA	70115
Ernest A Tremblay	107 Mulberry Ln	Newtown Square	PA	19073
Jay A Singer Trustee of The Singer	10702 W 158th Terrace	Shawnee Mission	KS	66221
Current Resident	11 Mariborough Gate Pl	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt A	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt B	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt C	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt D	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt E	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt F	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt G	New Orleans	LA	70115
Current Resident	11 Mariborough Gate Pl Apt H	New Orleans	LA	70115
William C Lahey	122 Owsley Ave	Lexington	KY	40502
Robert IV Cyphert	1300 Eagle St	New Orleans	LA	70118
2524 Uppertine LLC	13590 Hwy 1077	Folsom	LA	70437
Lads LLC	14512 Duane Rd	New Orleans	LA	70128
2003 Realty Company LLC	15384 5th St	New Orleans	MS	39505
Bentley Kazemialer LLC	174 Watercolor Way Ste 103 PMB 21	Santa Rosa Beach	FL	32459
Edward J Poirter	1801 Octavia St	New Orleans	LA	70118
Earl C Fortberry	1925 Wildair Dr	New Orleans	LA	70122
Edward J Poirter	2 Marborough Gate Pl	New Orleans	LA	70115
Current Resident	2 Marborough Gate Pl	New Orleans	LA	70115
Redwing Marine Inc	202 Wiga Rd	Belle Chasse	LA	70037
Johnson Gregory W SR	2074 Beck St	New Orleans	LA	70131
Current Resident	2239 Robert St	New Orleans	LA	70115
Current Resident	2319 Robert St	New Orleans	LA	70115
Current Resident	2328 Valence St	New Orleans	LA	70115
Joseph F Maly	2328 Valence St	New Orleans	LA	70115
Current Resident	2330 Valence St	New Orleans	LA	70115
Glennis M Scott	2333 Uppertine St	New Orleans	LA	70115
Current Resident	2334 Valence St	New Orleans	LA	70115
Current Resident	2336 Valence St	New Orleans	LA	70115
Current Resident	2338 Uppertine St	New Orleans	LA	70115
D'artanian J Stovall	2338 Uppertine St	New Orleans	LA	70115
Gwendolyn C Carter	2338 Valence St	New Orleans	LA	70115
Current Resident	2338 Valence St	New Orleans	LA	70115
Current Resident	2400 Uppertine St	New Orleans	LA	70115
John M III Childress	2400 Valence St	New Orleans	LA	70115
Current Resident	2400 Valence St	New Orleans	LA	70115
Joyce Marva Johnson Burton	2401 Uppertine St	New Orleans	LA	70115
Current Resident	2401 Valence St	New Orleans	LA	70115
Brittany Jones	2401 Valence St	New Orleans	LA	70115
Current Resident	2402 Valence St	New Orleans	LA	70115
Current Resident	2403 Uppertine St	New Orleans	LA	70115
Current Resident	2403 Valence St	New Orleans	LA	70115
Current Resident	2404 Valence St	New Orleans	LA	70115
Amanda Kate Simpkins	2404 Valence St	New Orleans	LA	70115

Barbara J Gains	2405 Valence St	New Orleans	LA	70115
Current Resident	2406 Valence St	New Orleans	LA	70115
Current Resident	2407 Upperline St	New Orleans	LA	70115
Current Resident	2407 Valence St	New Orleans	LA	70115
Current Resident	2408 Valence St	New Orleans	LA	70115
Gloria J Bacon	2409 Upperline St	New Orleans	LA	70115
Audrey M Cox	2409 Valence St	New Orleans	LA	70115
Current Resident	2410 Valence St	New Orleans	LA	70115
Current Resident	2411 Upperline St	New Orleans	LA	70115
Current Resident	2411 Valence St	New Orleans	LA	70115
Current Resident	2412 Valence St	New Orleans	LA	70115
Current Resident	2413 Valence St	New Orleans	LA	70115
Heather R Patterson	2414 Valence St	New Orleans	LA	70115
Current Resident	2415 Valence St	New Orleans	LA	70115
Current Resident	2416 Valence St	New Orleans	LA	70115
Cynthia J Ebling	2417 Valence St	New Orleans	LA	70115
Current Resident	2418 Valence St	New Orleans	LA	70115
John A Nelson	2419 Upperline St	New Orleans	LA	70115
Current Resident	2419 Valence St	New Orleans	LA	70115
Current Resident	2420 Valence St	New Orleans	LA	70115
Angela Roudz	2421 Upperline St	New Orleans	LA	70115
Current Resident	2421 Valence St	New Orleans	LA	70115
Ronald C Bailey	2422 Valence St	New Orleans	LA	70115
Current Resident	2423 Upperline St	New Orleans	LA	70115
Nicholas Samuel Jr	2423 Valence St	New Orleans	LA	70115
Current Resident	2424 Valence St	New Orleans	LA	70115
Current Resident	2425 Upperline St	New Orleans	LA	70115
Current Resident	2426 Valence St	New Orleans	LA	70115
Current Resident	2427 Upperline St	New Orleans	LA	70115
Alex S Sr Hulbert	2427 Valence St	New Orleans	LA	70115
Current Resident	2428 Valence St	New Orleans	LA	70115
Current Resident	2429 Upperline St	New Orleans	LA	70115
Annette E Stewart	2430 Upperline St	New Orleans	LA	70115
Current Resident	2430 Valence St	New Orleans	LA	70115
Current Resident	2431 Upperline St	New Orleans	LA	70115
Current Resident	2432 Valence St	New Orleans	LA	70115
Current Resident	2434 Valence St	New Orleans	LA	70115
Current Resident	2436 Valence St	New Orleans	LA	70115
Current Resident	2500 Valence St	New Orleans	LA	70115
In City US LLC	2502 Jefferson AV	New Orleans	LA	70115
Blue Orleans LLC	2502 Jefferson Ave	New Orleans	LA	70115
Current Resident	2503 Upperline St	New Orleans	LA	70115
Current Resident	2504 Upperline St	New Orleans	LA	70115
Emmia N Roberts	2505 Upperline St	New Orleans	LA	70115
Current Resident	2506 Upperline St	New Orleans	LA	70115
Current Resident	2508 Upperline St	New Orleans	LA	70115
Current Resident	2509 Upperline St	New Orleans	LA	70115
Current Resident	2510 Upperline St	New Orleans	LA	70115
Current Resident	2511 Upperline St	New Orleans	LA	70115

Current Resident	2512 Upperville St	New Orleans	LA	70115
Current Resident	2512 Valence St	New Orleans	LA	70115
Current Resident	2513 Upperville St	New Orleans	LA	70115
Current Resident	2514 Upperville St	New Orleans	LA	70115
Current Resident	2514 Valence St	New Orleans	LA	70115
Current Resident	2514 Valence St	New Orleans	LA	70115
Current Resident	2515 Upperville St	New Orleans	LA	70115
Current Resident	2515 Upperville Street	New Orleans	LA	70115
Edward M Brown	2515-Upperville St	New Orleans	LA	70115
Edward M Brown	2516 Upperville St	New Orleans	LA	70115
Current Resident	2516 Valence St	New Orleans	LA	70115
Current Resident	2518 Valence St	New Orleans	LA	70115
Current Resident	2519 Upperville St	New Orleans	LA	70115
Connor L Schratz	2520 Upperville St	New Orleans	LA	70115
Current Resident	2520 Valence St	New Orleans	LA	70115
Current Resident	2520 Valence St	New Orleans	LA	70115
Nicole Cristina Neillburn	2521 Upperville St	New Orleans	LA	70115
Current Resident	2522 Upperville St	New Orleans	LA	70115
Current Resident	2522 Valence St	New Orleans	LA	70115
Current Resident	2523 Upperville St	New Orleans	LA	70115
Current Resident	2524 Upperville St	New Orleans	LA	70115
Current Resident	2524 Valence St	New Orleans	LA	70115
Current Resident	2526 Upperville St	New Orleans	LA	70115
Current Resident	2527 Upperville St	New Orleans	LA	70115
Current Resident	2528 Upperville St	New Orleans	LA	70115
Current Resident	2528 Upperville St	New Orleans	LA	70115
Preya Kaur Jhita	2528 Valence St	New Orleans	LA	70115
Current Resident	2530 Upperville St	New Orleans	LA	70115
Current Resident	2531 Valence St	New Orleans	LA	70115
Current Resident	2531 Valence St	New Orleans	LA	70115
Anne Kelly Rhudy	2532 Valence St	New Orleans	LA	70115
Current Resident	2533 Valence St	New Orleans	LA	70115
Kim D Sherrad	2535 Upperville St	New Orleans	LA	70115
Current Resident	2535 Upperville St Apt 1A	New Orleans	LA	70115
Current Resident	2535 Upperville St Apt 1A	New Orleans	LA	70115
Current Resident	2535 Upperville St Apt 1B	New Orleans	LA	70115
Current Resident	2535 Upperville St Apt 2A	New Orleans	LA	70115
Current Resident	2541 Valence St	New Orleans	LA	70115
Volanda L Davenport	2543 Valence St	New Orleans	LA	70115
PBK Holdings L L C	2613 Orleans Ave	New Orleans	LA	70119
Blue Orleans LLC	2620 Jefferson AV	New Orleans	LA	70115
Blue Orleans LLC	2620 Jefferson Ave	New Orleans	LA	70115
Blue Orleans LLC	2620 Jefferson Ave	New Orleans	LA	70124
Nuevo Leon LLC	2621 Cleveland AV	New Orleans	LA	70119
Morris Kirschman & Co LLC	2715 Carondelet St	New Orleans	LA	70130
4701 Freret LLC	3 Marlborough Gate Pl	New Orleans	LA	70115
Current Resident	318 Edith St	Petaluma	CA	94952
Upperville Property Management Group LLC	3221 Chartres St	New Orleans	LA	70117
Stephen C Agans	3333 Napoleon Ave	New Orleans	LA	70125
Allen J Villanubla	3525 N Causeway Blvd Ste 900	New Orleans	LA	70002
Sun Realty LLC		Metairie	LA	

Bessie S Williams								
The Joseph Simmons Family Trust								
Current Resident	431 Red Maple Dr	New Orleans	LA	70115				
Current Resident	4600 Freret St	Mandeville	LA	70448				
Current Resident	4628 Freret St	New Orleans	LA	70115				
Current Resident	4630 Freret St	New Orleans	LA	70115				
Current Resident	4632 Freret St	New Orleans	LA	70115				
Current Resident	4635 LaSalle St	New Orleans	LA	70115				
Current Resident	4638 Freret St	New Orleans	LA	70115				
Current Resident	4645 Freret St	New Orleans	LA	70115				
Current Resident	4645 Freret St Ste A	New Orleans	LA	70115				
Current Resident	4700 Freret St	New Orleans	LA	70115				
Current Resident	4701 Freret St	New Orleans	LA	70115				
Current Resident	4703 Freret St	New Orleans	LA	70115				
Current Resident	4704 Freret St	New Orleans	LA	70115				
Current Resident	4704 Perrier St	New Orleans	LA	70115				
Current Resident	4705 Freret St	New Orleans	LA	70115				
Current Resident	4707 Freret St	New Orleans	LA	70115				
Current Resident	4709 Freret St	New Orleans	LA	70115				
Current Resident	4710 Freret St	New Orleans	LA	70115				
Current Resident	4711 Freret St	New Orleans	LA	70115				
Current Resident	4712 Freret St	New Orleans	LA	70115				
Current Resident	4713 Freret St	New Orleans	LA	70115				
Current Resident	4714 Freret St	New Orleans	LA	70115				
Current Resident	4715 Freret St	New Orleans	LA	70115				
Current Resident	4716 Freret St	New Orleans	LA	70115				
Current Resident	4717 Freret St	New Orleans	LA	70115				
Current Resident	4719 Freret St	New Orleans	LA	70115				
Current Resident	4720 LaSalle St	New Orleans	LA	70115				
Current Resident	4721 Freret St	New Orleans	LA	70115				
Current Resident	4723 Freret St	New Orleans	LA	70115				
Current Resident	4725 Freret St	New Orleans	LA	70115				
Current Resident	4730 Freret St	New Orleans	LA	70115				
Current Resident	4730 LaSalle St	New Orleans	LA	70115				
Current Resident	4731 LaSalle St	New Orleans	LA	70115				
Current Resident	4900 Freret St	New Orleans	LA	70115				
Current Resident	4901 Freret St	New Orleans	LA	70115				
Current Resident	4904 S Robertson St	New Orleans	LA	70115				
Current Resident	4905 Freret St	New Orleans	LA	70115				
Current Resident	4905 Freret St	New Orleans	LA	70115				
Current Resident	4905 Marborough Gat Pl	New Orleans	LA	70115				
Current Resident	4905 Marborough Gate Pl	New Orleans	LA	70115				
Current Resident	4907 Marborough Gate Pl	New Orleans	LA	70115				
Current Resident	4914 S Robertson St A	New Orleans	LA	70115				
Current Resident	4914 S Robertson St B	New Orleans	LA	70115				
Current Resident	4915 Freret St	New Orleans	LA	70115				
Current Resident	4916 Freret St	New Orleans	LA	70115				
Current Resident	4916 S Robertson St	New Orleans	LA	70115				
Current Resident	4917 Freret St	New Orleans	LA	70115				

Current Resident	4920 Freret St	New Orleans	LA	70115
Current Resident	4921 Freret St	New Orleans	LA	70115
Current Resident	4921 Lassele St	New Orleans	LA	70115
Current Resident	4922 Freret St	New Orleans	LA	70115
Current Resident	4925 Freret St	New Orleans	LA	70115
Current Resident	4925 Lassele St	New Orleans	LA	70115
Current Resident	4927 Freret St	New Orleans	LA	70115
Current Resident	4938 Freret St	New Orleans	LA	70115
Current Resident	5 Marlborough Gate Pl	New Orleans	LA	70115
Thomas Alexander	5000 Freret St	New Orleans	LA	70115
SSJ Investments Limited	5007 Freret St	New Orleans	LA	70115
Brandon Kempf	5036 SW Grayson St	New Orleans	LA	70115
Christopher Michael Collins	5208 Magazine #415	Seattle	WA	98116
Omid LLC	524 Metairie Rd	New Orleans	LA	70115
2Gether LLC	5831 Laurel St	Metairie	LA	70005
Freret Street Landowners Association Inc	5858 Memphis St	New Orleans	LA	70115
Alexander J Dupuy	6 Marlborough Gate Pl	New Orleans	LA	70124
Current Resident	6 Marlborough Gate Pl Apt A	New Orleans	LA	70115
Current Resident	6 Marlborough Gate Pl Apt B	New Orleans	LA	70115
Current Resident	6 Marlborough Gate Pl Apt C	New Orleans	LA	70115
Current Resident	6 Marlborough Gate Pl Apt D	New Orleans	LA	70115
Bdd-Amb 2011 Trust	640 Camp St	New Orleans	LA	70115
Current Resident	7 Marlborough Gate Pl	New Orleans	LA	70130
Marcos Ruiz	7601 Southwest 139th St	Miami	FL	33158
Current Resident	8 Marlborough Gate Pl	New Orleans	LA	70115
Margaret Naomi Carter Irrevocable Trust	8 Marlborough Gate Pl	New Orleans	LA	70115
Jeffrey L White	8838 Woodland Dr	Silver Spring	MD	20910
JCF Property LLC	924 Valmont St Suite 202	New Orleans	LA	70115
Theodora E White	PO Box 871954	New Orleans	LA	70187
Edmond John Kalifey and Joan Katherine K Raus Kalifey	PO Box 97	Marksville	LA	71351
Council District B - Leslie Harris	1300 Perdido Street, Rm 2W10	New Orleans	LA	70112
Freret Milian Neighbors United				



Leslie.Harris@noha.gov
 noahsourcemailist@noha.gov

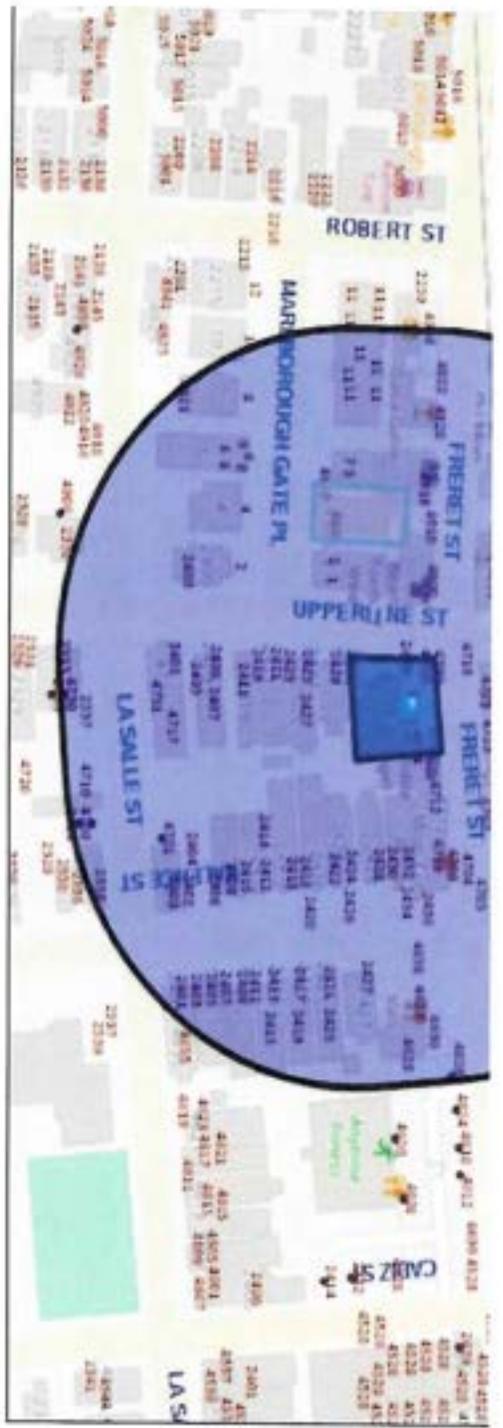


EXHIBIT 2

(Copy of NPP Letter and Email & Attachments)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

2GETHER, LLC
5831 Laurel Street
New Orleans, Louisiana 70115
Telephone: (504) 756-3173
Email: christioneturner@yahoo.com

August 17, 2022

RE: Notice of NPP Meeting—September 10, 2022, 10:30AM
Proposed Conditional Use Permit Application
4730 Freret Street
Proposed Commercial Use of More than 5,000 square feet

Dear Neighbor:

In accordance with the City of New Orleans *Neighborhood Participation Program (NPP) for Land Use Actions*, please allow this letter to serve as the requisite notice to the surrounding community of the proposed application for a conditional use permit, and notice of the date, time and location of the neighborhood meeting to discuss this proposal.

Brief Project Description. We (“Applicant”) propose to apply for a conditional use to permit a commercial use of more than five thousand (5,000) square feet of floor area at the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115 (the “Property”). The Property is currently vacant. The Applicant proposes to develop the Property into a “standard restaurant” with a total gross floor area of approximately 7,899 square feet of which 4,523 square feet will be permeable. **See the enclosed Site Plan and Artist Rendering related to this proposed project.**

The Property is zoned *HU-MU Neighborhood Mixed Use District* where “standard restaurants” are permitted uses. (see Article 12 of the City of New Orleans Comprehensive Zoning Ordinance (“CZO”). However, the Property is also subject to section 12.2.B.1 of the CZO, which requires conditional use approval for any commercial use of five thousand (5,000) square feet or more. In accordance with these CZO regulations, we are seeking conditional use approval for a commercial use (standard restaurant) of more than five thousand (5,000) square feet of total floor area.

Notice of Community Meeting to Discuss/Review Proposal. A neighborhood meeting will be held to discuss/review the proposed conditional use to permit a commercial use (standard restaurant) of more than five thousand (5,000) square feet, as follows:

Saturday, September 10, 2022
10:30AM
4905 Freret Street (Cure Bar across the street from the Property)
New Orleans, Louisiana 70115

Applicant Contact Information. Please contact the following person should you have any questions related to this proposal or the community meeting noted above.

Ms. Christione Turner
1524 Edwards Avenue
Suite 5
Harahan, Louisiana 70123
Telephone: (504) 756-3173
Email: christioneturner@yahoo.com

Estimated Opening Date. The developer proposes to open within a few of months after receiving approval of the Conditional Use request, if such request is approved.

Notice of Changes to the Proposal. Following the neighborhood meeting referenced above, all interested parties will be notified of any changes to the proposed project by way of United States First Class mail or electronic mail. If you would like to receive electronic notification of changes, please provide us with your email address.

Site Plan/Artist Rendering. Enclosed you will find a proposed Site Plan and an Artist Rendering related to this project.

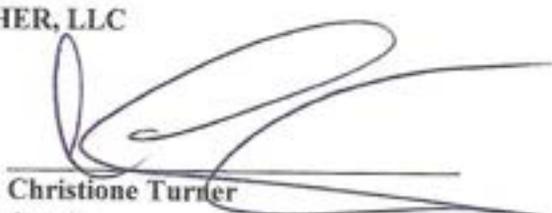
Techniques Used to Notify the Surrounding Neighbors and Associations. Each property owner, resident and neighborhood association (228) within a 600-foot radius of the proposed project (4730 Freret Street) is being notified of this NPP Meeting by way of United States Postal Service, First Class Mail. Additionally, the Councilman for District B, the City of New Orleans City Planning Commission staff and the Freret Milan Neighbors United are being notified by way of email.

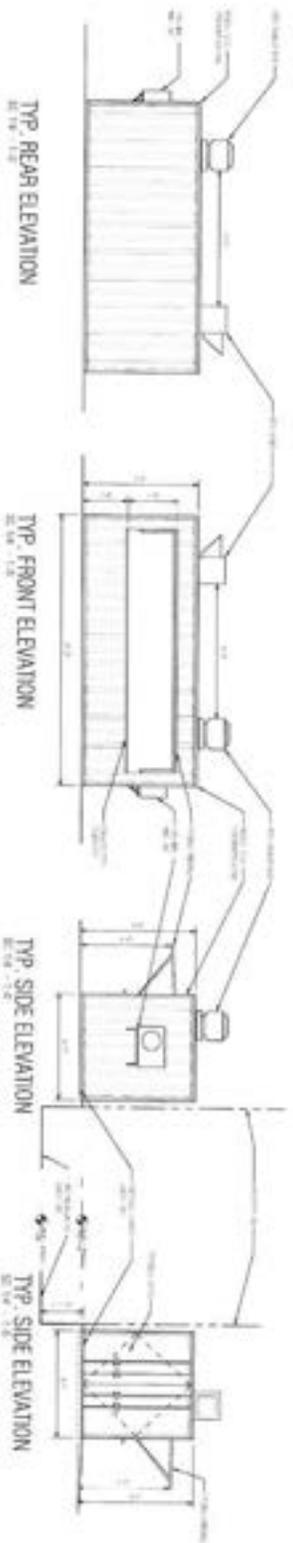
Thank you and we look forward to seeing you on September 10, 2022, at 10:30AM at 4905 Freret Street (Cure Bar across the street from the Property).

Very truly yours,

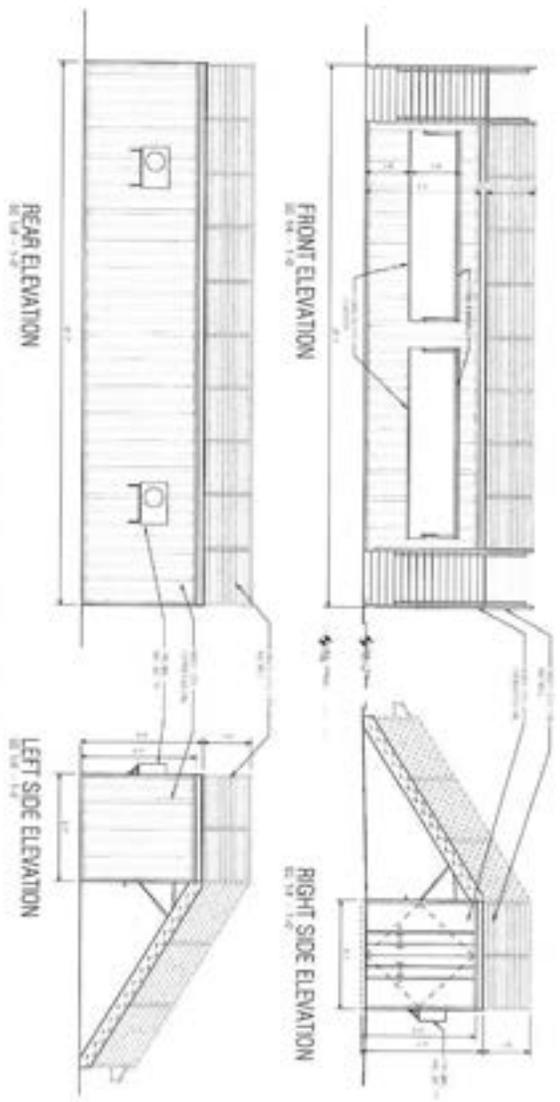
2GETHER, LLC

BY:


Christione Turner
Agent

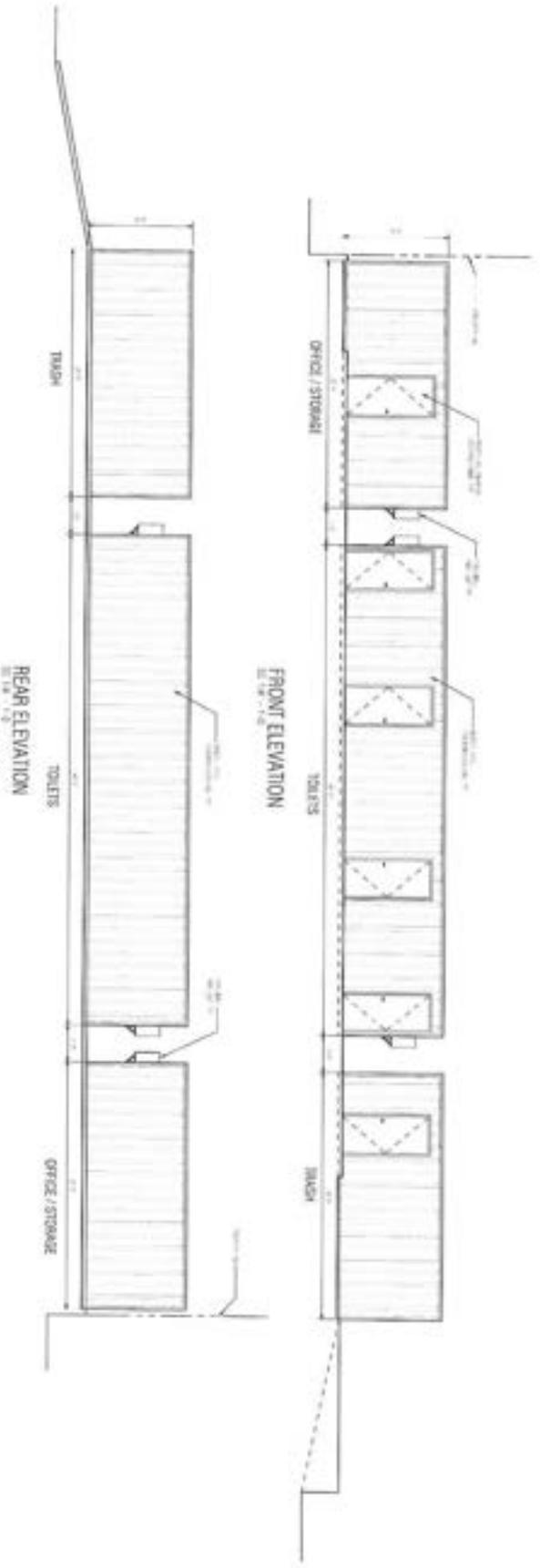


TYPICAL ELEVATIONS OF (3) FOOD CONTAINERS



ELEVATIONS OF BAR CONTAINER

<p>CONDITIONAL USE APPLICATION 4700 Forrest Street BOHEMIA New Orleans, LA 70118</p>		<p>EKBarman Architects a professional architectural corporation 1100 Magazine Street, Suite 1100 New Orleans, Louisiana 70130 Phone: (504) 581-1100 Fax: (504) 581-1101 Website: www.EKBarman.com</p>	<p>1/2" = 1'-0"</p>
<p>1/8" = 1'-0"</p>			<p>A2 (Amended)</p>



ELEVATIONS OF TRASH / TOILETS / OFFICE CONTAINERS

CONDITIONAL USE APPLICATION
 BOHEMIA
 4700 Forest Street
 New Orleans, LA 70118

L&H L&H Harmon Architects
 A Louisiana Professional Corporation
 400 Poydras Street, Suite 2000
 New Orleans, Louisiana 70112
 (504) 581-1111
 www.lharchitects.com

1/28/2016
A.3
 (seal)



Re: 4730 Freret Street--Proposed Conditional Use NPP Meeting Notice

Chris G. Young <cgyoung@msn.com>

Thu 8/18/2022 10:45 AM

To: Valerie Goines <Valerie.Goines@nola.gov>

Thank you!

Chris G. Young

Post Office Box 55297

Metairie, Louisiana 70055 USA

Telephone: (504) 915-5953

EMAIL: CGYOUNG@MSN.COM

From: Valerie Goines <Valerie.Goines@nola.gov>

Sent: Thursday, August 18, 2022 10:39 AM

To: Chris G. Young <CGYOUNG@msn.com>

Subject: RE: 4730 Freret Street--Proposed Conditional Use NPP Meeting Notice

The NPP meeting details can be found here: <https://onestopapp.nola.gov/SummaryContent.aspx?type=Project&id=36263>

Valerie Goines

Principal City Planner | New Orleans City Planning Commission

Office of Business and External Services

1300 Perdido Street, 7th Floor | New Orleans, LA 70112

Office: (504) 658-7006 | Google Voice: (504) 323-4561

valerie.goines@nola.gov

Please be advised that all email correspondence is subject to the state's public records laws.

RESOURCES:

[Application Forms](#)

[Property Viewer](#) (check the zoning of a property)

[Comprehensive Zoning Ordinance](#)

[One Stop App](#)

[Frequently Asked Questions](#)

From: CPCINFO <CPCINFO@nola.gov>

Sent: Wednesday, August 17, 2022 9:38 AM

To: Valerie Goines <Valerie.Goines@nola.gov>

Subject: FW: 4730 Freret Street--Proposed Conditional Use NPP Meeting Notice

Importance: High

From: Chris G. Young <CGYOUNG@msn.com>

Sent: Tuesday, August 16, 2022 5:17 PM

To: CPCINFO <CPCINFO@nola.gov>; Elizabeth D Holman <Elizabeth.Holman@nola.gov>; Lesli Harris <Lesli.Harris@nola.gov>; neighborsunited.listserve@gmail.com; Alison N. Poort <Anpoort@nola.gov>;

Stephen K. Kroll <skroll@nola.gov>

Cc: Chris G. Young <CGYOUNG@msn.com>; Christione Turner <christioneturner@yahoo.com>

Subject: 4730 Freret Street--Proposed Conditional Use NPP Meeting Notice

Importance: High

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

All:

Attached you will find the Neighborhood Participation Program Meeting Notice and related documents in connection with the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115 (the "Property"). The developer proposes a commercial use (standard restaurant) of more than five thousand (5,000) square feet at the Property.

The NPP Meeting is scheduled, as follows:

Saturday, September 10, 2022

10:30 AM

Cure Bar

4905 Freret Street

New Orleans, LA 70115

Thank you!

Chris G. Young

Post Office Box 55297

Metairie, Louisiana 70055 USA

Telephone: (504) 915-5953

EMAIL: CGYOUNG@MSN.COM

EXHIBIT 3

(Copy of Text Message)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

EXHIBIT 4

(Copies of NPP Meeting Agenda, City of New Orleans Online Tools & CZO
Excerpts distributed at NPP Meeting)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

Neighborhood Participation Program Meeting

PROPOSED CONDITIONAL USE TO PERMIT A COMMERCIAL USE OF MORE THAN 5,000 SQUARE FEET
(Standard Restaurant)

September 10, 2022

10:30AM

4905 Freret Street (Cure Bar)
New Orleans 70115

AGENDA

I. WELCOME/INTRODUCTION

- A. Introduce Presenters/Owners
- B. Overview of Space/Facility
- C. Handouts

- 1. City of New Orleans Online Tools/Resources
- 2. Excerpts from the City of New Orleans Comprehensive Zoning Ordinance (CZO) related to use regulations applicable to the property
- 3. NPP Meeting Comment Cards
- 4. Site Plan

II. DESCRIPTION OF THE PROPOSED PROJECT

- A. Description of Project-Proposed Conditional Use to permit Commercial Use (Standard Restaurant) of more than 5,000 Square Feet at 4730 Freret Street
- B. Discuss the CZO sections and regulations that apply
- C. Size of the site and floor area
- D. Discuss how this proposed project will impact and benefit the neighborhood

III. PUBLIC COMMENT

IV. SUMMARY

- A. How neighbor's comments and suggestions will be addressed

V. NEXT STEPS

- A. Filing Application
- B. Future/Ongoing Neighbor Input to the Project
- C. Contact Information:

Ms. Christy Turner
1524 Edwards Avenue
Suite 5
NOLA 70123
EMAIL: christioneturner@yahoo.com
Telephone: (504) 756-3173

-END-

CITY OF NEW ORLEANS ONLINE TOOLS

CITY PLANNING COMMISSION WEBSITE

nola.gov/cpc

The City Planning Commission website hosts a number of important documents and tools. CPC meeting agendas, videos, and staff reports can be viewed on the website as well as regulatory and planning documents such as the Comprehensive Zoning Ordinance and the Master Plan.

COMPREHENSIVE ZONING ORDINANCE

czo.nola.gov

The entire text of the Comprehensive Zoning Ordinance can be viewed on this website.

NOTICEME

noticeme.nola.gov/

NoticeMe is a personalized notification tool that emails citizens to inform them of opportunities for public input on proposed land-use changes. This system that offers a way for interested parties to stay informed for land use proposals in an individually selected area. Once registered, the email address will receive notices of when a public hearing is scheduled and when a report is ready. You will also be notified of the action of the City Planning Commission or Board of Zoning Adjustments.

ONE STOP APP

<http://onestopapp.nola.gov/search.aspx>

The One Stop App pulls up-to-date information directly from the City's official record. This tool is used by homeowners, businesses, licensed professionals, developers, contactors, and other interested citizens to:

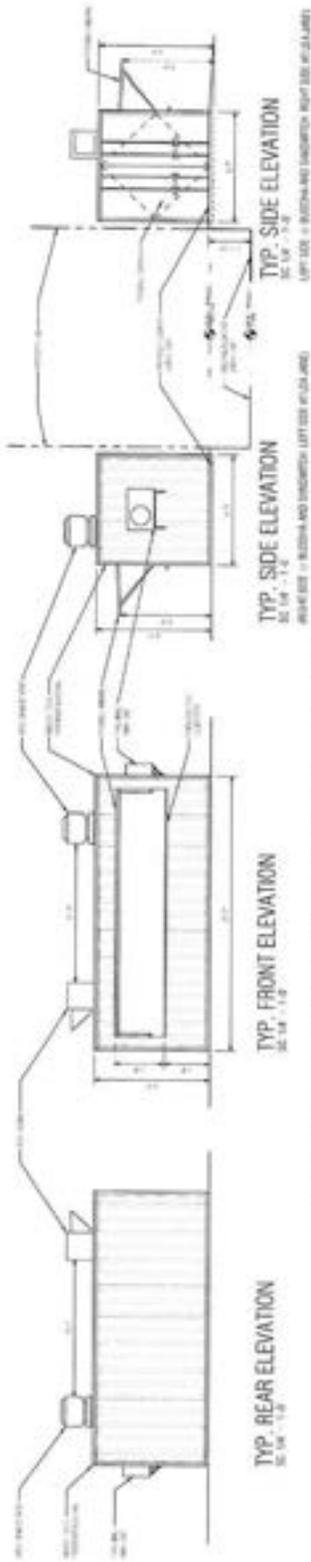
- Find information about a permit, license, planning project, or violation in progress.
- Initiate an application for many types of permits and licenses without coming to City Hall.
- Pay with credit cards for permits and licenses online.
- Research what has been permitted, licensed, or cited at a particular location or during a user defined time frame.

PROPERTY VIEWER

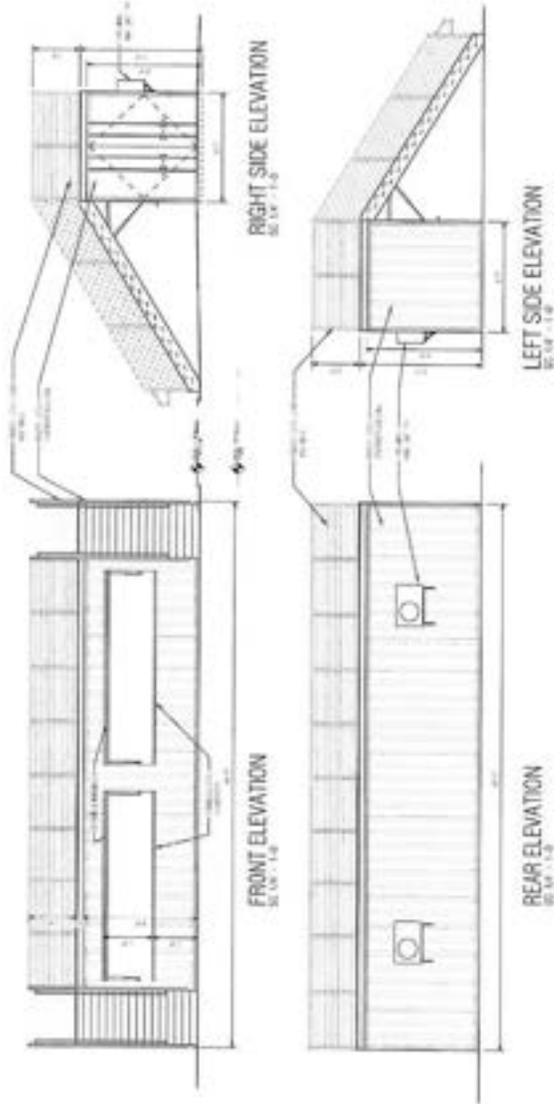
property.nola.gov

The Property Viewer provides zoning and land use information for all properties within the City of New Orleans. The Property Viewer displays "layers" of information that includes the Master Plan Future Land Use Map, zoning districts, and the locations of site-specific zoning actions approved by ordinance which includes Conditional Uses, Exceptional Uses, and Planned Development Districts. Links are provided that can take the viewer to the applicable section of the Comprehensive Zoning Ordinance and Assessor records.

Required NPP Meeting Handout # 1

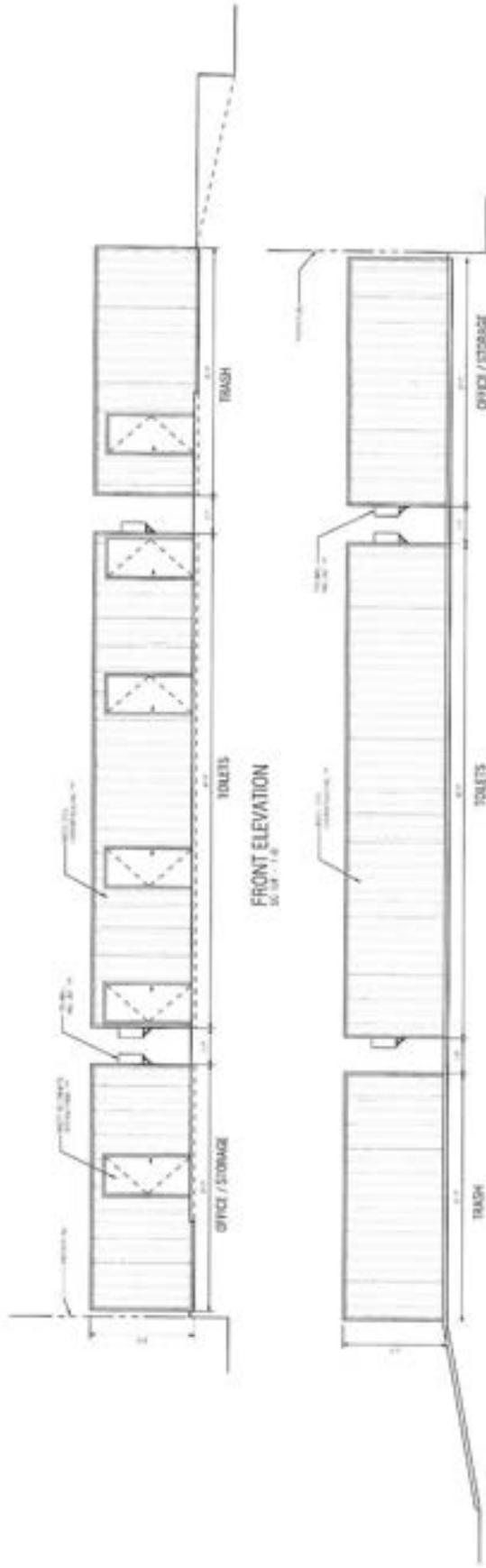


TYPICAL ELEVATIONS OF (3) FOOD CONTAINERS



ELEVATIONS OF BAR CONTAINER

		LKH Harmon Architects a Professional Architectural Corporation 4750 Freret Street New Orleans, LA 70110 (504) 581-1111 www.lkhharmon.com
CONDITIONAL USE APPLICATION BOHEMIA		A2 LKH/07/11



ELEVATIONS OF TRASH / TOILETS / OFFICE CONTAINERS

LKHarmon Architects
 ARCHITECTS
 4750 Freret Street
 New Orleans, LA 70115
 504.581.1234
 www.lkharmon.com

CONDITIONAL USE APPLICATION
 BOHEMIA
 4750 Freret Street
 New Orleans, LA 70115

A3
 LK84202



NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Printed: 9/10/2022 5:48:49 AM

ARTICLE 12 HISTORIC URBAN NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

PURPOSE OF THE HISTORIC URBAN NEIGHBORHOODS

Historic Urban Neighborhoods are those areas of the city that were developed predominantly in the mid to late 19th century. The development pattern of Historic Urban Neighborhoods is characterized by a higher density and pedestrian scale environment with limited accommodation for the automobile. Within Historic Urban Neighborhoods, many of the residential neighborhoods contain traditional corner stores that serve the immediate residents and are in close proximity to commercial clusters of local businesses.

The non-residential districts of the Historic Urban Neighborhoods address the small-scale commercial areas have become integral parts of older neighborhoods. These range from pedestrian-oriented commercial clusters at the intersection of arterial streets, the traditional corner store, and mixed-use corridors. The regulations are intended to control the types of uses allowed and the scale of development to encourage their vitality while maintaining compatibility with nearby residential areas.

CHARACTER OF THE HISTORIC URBAN NEIGHBORHOODS

The character of the non-residential districts of the Historic Urban Neighborhoods is defined by:

- » Commercial uses closely integrated into the residential neighborhoods, including the traditional corner store, small commercial clusters and small mixed-use corridors
- » Commercial structures compatible in scale and design with the majority of buildings in nearby residential areas
- » A pedestrian-oriented environment, with limited or no accommodation for on-site parking, where residents often walk to their destination
- » Commercial uses generally oriented to serve the needs of nearby residents and the neighborhood

12.1 PURPOSE STATEMENTS

12.1.A PURPOSE OF THE HU-B1A NEIGHBORHOOD BUSINESS DISTRICT

The HU-B1A Neighborhood Business District is intended to address an individual parcel or small cluster of parcels in non-residential use that exist within residential areas that have historically served the neighborhood and are located on a corner, including established corner stores. These historic neighborhood business uses are consistent with the character of the surrounding neighborhood and are intended to serve the immediate area with minimal impact on the surrounding residential uses. This district also allows higher residential densities



when a project is providing significant public benefits such as long-term affordable housing.

Adopted by Ord. No. 28,911, §4, January 6, 2022, Zoning Docket 84/21

12.1.B PURPOSE OF THE HU-B1 NEIGHBORHOOD BUSINESS DISTRICT

The HU-B1 Neighborhood Business District is intended for commercial areas that predominantly serve the needs of the nearby residential neighborhoods. The general character of this type of development should be sensitive to and compatible with its residential surroundings. In addition to commercial uses, this district provides for single-family dwellings, two-family dwellings and can accommodate small-scale multi-family dwellings. This district also allows higher residential densities when a project is providing significant public benefits such as long-term affordable housing.

Adopted by Ord. No. 28,911, §4, January 6, 2022, Zoning Docket 84/21



12.1.C PURPOSE OF THE HU-MU NEIGHBORHOOD MIXED-USE DISTRICT

The HU-MU Neighborhood Mixed-Use District is intended for areas of mixed-use development that are close to residential neighborhoods. The district regulations are designed to encourage mixed-use areas that are compatible with adjacent or nearby land uses and pedestrian-oriented in character. In the HU-MU District, active retail and personal service uses along the ground floor with residential uses above are encouraged. A variety of residential dwellings are also allowed. This district also allows higher residential densities when a project is providing significant public benefits such as long-term affordable housing.

Adopted by Ord. No. 28,911, §4, January 6, 2022, Zoning Docket 84/21



12.1.D PURPOSE OF THE HISTORIC URBAN NEIGHBORHOODS NON-RESIDENTIAL MANDATORY INCLUSIONARY ZONING SUB-DISTRICTS

The Historic Urban Neighborhoods Non-Residential Mandatory Inclusionary Zoning Sub-Districts are intended to include mandatory affordable housing requirements, in accordance with Article 28, in districts that allow the development of ten or more dwelling units.

12.2 USES

12.2.A PERMITTED AND CONDITIONAL USES

Only those uses of land listed under Table 12-1: Permitted and Conditional Uses (Table 12-1) as permitted uses or conditional uses are allowed within the Historic Urban Neighborhood Districts. A "P" indicates that a use is permitted within that zoning district. A "C" indicates that a use is a conditional use in that zoning district and would require a conditional use approval as required in Section 4.3 (Conditional Use). No letter (i.e., a blank space) or the absence of the use from the table indicates that use is not permitted within that zoning district.

Table 12-1: Permitted and Conditional Uses
Table 12-1: Permitted and Conditional Uses

USE ¹	DISTRICTS			USE STANDARDS
	HU-B1	AHU-B1	HU-MU	
RESIDENTIAL USE				
Bed and Breakfast – Accessory	P	P	P	Section 20.3.I
Bed and Breakfast – Principal	P	P	P	Section 20.3.I
Day Care Home, Adult – Small	P	P	P	Section 20.3.T
Day Care Home, Adult – Large		P	P	Section 20.3.T
Dwelling, Above the Ground Floor	P	P	P	
Dwelling, Single-Family	P	P	P	
Dwelling, Two-Family	P	P	P	Section 20.3.Y
Dwelling, Townhouse			P	Section 20.3.X
Dwelling, Multi-Family			P	
Dwelling, Established Multi-Family	P,C ⁸	P ⁹		Section 20.3.W
Dwelling, Multi-Family - Limited to 4 Units Maximum	P	P		
Dwelling, Small Multi-Family Affordable	P	P	P	Section 20.3.SSS
Group Home, Small	P	P	P	Section 20.3.GG
Group Home, Large	p ²	p ²	P	Section 20.3.GG
Group Home, Congregate			C	Section 20.3.GG
Home Based Child Care, Small	P	P	P	Section 20.3.T
Home Based Child Care, Large	P	P	P	Section 20.3.T
Permanent Supportive Housing	p ²	p ²	P	Section 20.3.PP
Residential Care Facility	P	P	P	Section 20.3.YY
Short Term Rental, Large	P	P	P	Section 20.3.LLL
Short Term Rental, Small	P	P	P	Section 20.3.LLL
COMMERCIAL USE				
Amusement Facility, Indoor		P	P	Section 20.3.E
Animal Hospital	P	P	P	
Art Gallery	P	P	P	

Table 12-1: Permitted and Conditional Uses

USE ¹	DISTRICTS			USE STANDARDS
	HU-B1A	HU-B1	HU-MU	
Arts Studio	P	P	P	
Bar			C	Section 20.3.G
Car Wash			C	Section 20.3.L
Catering Kitchen	P	P	P	
Child Care Center, Small	P	P	P	Section 20.3.S
Child Care Center, Large	C	P	P	Section 20.3.S
Day Care Center, Adult – Small	P	P	P	Section 20.3.S
Day Care Center, Adult – Large		P	P	Section 20.3.S
Day Care Center, Adult - Commercial		P	P	Section 20.3.S
Drive-Through Facility			C ³	Section 20.3.V
Financial Institution	P	P	P	
Funeral Homes		C	C	
Grocery Store	P	P	P	
Gas Station		C	C	Section 20.3.EE
Health Club		P	P	
Hostel			C	
Hotel/Motel			C	
Live Entertainment – Secondary Use			C	Section 20.3.JJ
Medical/Dental Clinic	P	P	P	
Micro-Brewery			P	
Micro-Distillery			P	
Motor Vehicle Dealership, Small			P	
Motor Vehicle Service and Repair Facility, Small			C	Section 20.3.MM
Office	P	P	P	
Personal Service Establishment	P	P	P	
Pet Day Care Service	P	P	P	Section 20.3.QQ
Public Market		P	P	Section 20.3.TT
Recording Studio			P	
Reception Facility		C	C	Section 20.3.WW
Restaurant, Carry-Out	C	P	P	Section 20.3.ZZ

Table 12-1: Permitted and Conditional Uses

USE ¹	DISTRICTS			USE STANDARDS
	HU-B1	AHU-B1	HU-MU	
Restaurant, Fast Food		C	C	Section 20.3.ZZ
Restaurant, Specialty	P	P	P	Section 20.3.ZZ
Restaurant, Standard	P	P	P	Section 20.3.ZZ
Retail Goods Establishment	P	P	P	
Retail Sales of Packaged Alcoholic Beverages		C ⁴	C	
Short Term Rental, Commercial			P	Section 20.3.LLL
Small Box Variety Store	P	P	P	Section 20.3.NNN
Wine Shop		C	C	Section 20.3.PPP
Winery			P	
INDUSTRIAL USE				
Brewery			P ⁷	
Food Processing			C	
Distillery			P ⁷	
Manufacturing, Artisan			P	
Mardi Gras Den			C	
Mini-Warehouse			C	
Warehouse			C	
INSTITUTIONAL USE				
City Hall	C	C	C	
Community Center	C	P	P	
Convent and Monastery		P	P	
Cultural Facility	C	C	C	Section 20.3.R
Educational Facility, Primary		P	P	Section 20.3.Z
Educational Facility, Secondary		P	P	Section 20.3.Z
Educational Facility, Vocational		P	P	Section 20.3.Z
Government Offices	P	P	P	
Place of Worship		P	P	
Public Works and Safety Facility			C	
Social Club or Lodge	P	P	P	Section 20.3.CCC
OPEN SPACE USE				
Agriculture – No Livestock	P	P	P	Section 20.3.C

Table 12-1: Permitted and Conditional Uses

USE ¹	DISTRICTS			USE STANDARDS
	HU-B1A	HU-B1	HU-MU	
Agriculture – With Livestock	C	C	C	Section 20.3.C
Parks and Playgrounds	P	P	P	
Stormwater Management (Principal Use)	P	P	P	
OTHER				
Parking Lot (Accessory Use)	p ¹⁰	p ¹⁰	p ¹⁰	
Parking Lot (Principal Use)		C	C	Section 20.3.OO
Parking Structure (Principal Use)		C	C	Section 20.3.OO
Planned Development	C	C	C	Article 5
Utilities		p ⁵	p ⁵	Section 20.3.GGG
Wireless Telecommunications Antenna & Facility	C,p ⁶	C,p ⁶	C,p ⁶	Section 20.3.JJJ
Wireless Telecommunications Tower & Facility	C	C	C	Section 20.3.JJJ

TABLE 12-1 FOOTNOTES

¹ The terms in this column ("Use") are defined in Article 26.

² Subject to the use restrictions in Section 12.2.B.2.

³ Subject to the use restrictions in Section 12.2.B.3.

⁴ Subject to the use restrictions in Section 12.2.B.4.

⁵ Electrical Utility Substations and Transmission Lines shall be subject to design review as per Article 4, Section 4.5.B.5 and Table 4.2

⁶ Only wireless telecommunications antennas that comply with the stealth design standards of Section 20.3.JJJ are considered permitted uses.

⁷ Subject to the use restrictions in Section 12.2.B.5.

⁸ Established Multi-Family Dwellings that comply with Section 20.3.W.1 are permitted uses while those that comply with Section 20.3.W.2 are conditional uses.

⁹ Established Multi-Family Dwellings with a documented legal history are permitted uses in this district at any number previously provided.

¹⁰As authorized in Article 22, Section 22.8.B.2.a

Adopted by Jan. 20, 2017, Ord. 27,262 MCS, §1, Zoning Docket 114-16; Ord. No. 27,209, §1, Dec. 7, 2016, Zoning Docket 61/16; Ord. No. 27,375, §3, April 28, 2017, Zoning Docket 118/16; Ord. No. 27,338, §3, March 31, 2017, Zoning Docket 121/16; Ord. No. 27,726, §1, April 11, 2018, Zoning Docket 4/18; Ord. No. 27,707, §1, April 2, 2018, Zoning Docket 001/18; Technical Correction #1, 12-17-18; Ord. 28176, Sept. 5, 2019, ZD 58/19; Ord. No. 28,156 MCS, §6, August 8, 2019, Zoning Docket 026/19 & 027/19; Ord. 28349 MCS, 5-7-20, ZD 122/19; Ord. 28432 MCS, 8-6-20, ZD 38/20; Ord. 28622, 3-11-21, ZD 83/20; Ord. 28714 MCS, 7-1-21, ZD 24/24; Ord. 28696, 6-3-21, ZD 16/21; Ord 28905 MCS, 1-6-22, ZD 83/21; Ord. No. 28,911, §4, January 6, 2022, Zoning Docket 84/21; Ord 29004 MCS 4-21-22, ZD 001/22; Ord 29126, 8-12-22, ZD016/22

12.2.B USE RESTRICTIONS

12.2.B.1 COMMERCIAL USE FLOOR AREA LIMITATION

1. Commercial Use Floor Area Limitation

In the Historic Urban Neighborhood Districts, the floor area of commercial uses is limited as follows:

- a. Commercial uses are permitted uses up to five thousand (5,000) square feet of total floor area, unless conditional use approval is required per Table 12-1 (#table12-1).
- b. Conditional use approval required for any commercial use of five thousand (5,000) square feet of floor area or more with the exception of grocery stores. Grocery stores are permitted by-right up to 10,000 square feet in area.
- c. Any commercial use over ten thousand (10,000) square feet of total floor area is prohibited. This applies only to new construction as of the effective date of this Ordinance. Grocery stores are exempt from this prohibition. Grocery stores over 10,000 square feet in area require conditional use approval. Commercial uses that locate within an existing structure as of the effective date of this Ordinance that are over ten thousand (10,000) square feet of total floor area require conditional use approval.

Adopted by Ord 28805 MCS, 10-21-21, ZD 48/21

12.2.B.2 GROUP HOME AND PERMANENT SUPPORTIVE HOUSING RESTRICTION IN HU-B1A AND HU-B1 DISTRICTS

In the HU-B1A and HU-B1 Districts, Large Group Homes and Supportive Housing uses are only permitted when located above the ground floor.

12.2.B.3 DRIVE-THROUGH FACILITIES IN THE HU-MU DISTRICT

Drive-Through facilities in the HU-MU District are only allowed as conditional uses where they are proposed to be constructed in combination with a retail goods establishment in order to provide or dispense medical or pharmaceutical products.

12.2.B.4 FLOOR AREA MINIMUM FOR RETAIL SALES OF PACKAGED ALCOHOLIC BEVERAGES IN THE HU-B1 DISTRICT

Retail sales of alcoholic beverages in the HU-B1 Districts must be within a business with a minimum of 5,000 square feet of floor area.

12.2.B.5 BREWERIES IN THE HU-MU DISTRICT

Only breweries and distilleries that produce fewer than 12,500 barrels per year are considered permitted uses in the HU-MU District.

Adopted by Ord. 28696 MCS, 6-3-21, ZD 16/21

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Printed: 9/10/2022 5:54:19 AM

18.10 AC-2 ARTS AND CULTURE DIVERSITY OVERLAY DISTRICT

18.10.A APPLICABILITY

The AC-2 Overlay District is intended as an overlay district for base commercial districts to create a commercial environment with additional permissions for live entertainment. An AC-2 Overlay District shall encompass an area zoned commercially with a minimum size of two (2) contiguous blocks. The AC-2 Overlay District applies to the following areas:

- i. All lots in non-residential districts with frontage on Freret Street between Napoleon and Jefferson Avenues.
- ii. All lots in non-residential districts with frontage on Newton Street between Teche Street and Behrman Avenue.
- iii. All lots in non-residential districts with frontage on Teche Street, from Opelousas Avenue to the Jefferson Parish Line.

18.10.B USES

18.10.B.1 PERMITTED USES

In addition to all uses authorized in the base district, the following uses are allowed as permitted uses subject to the use standards of Article 20 and Paragraphs C below.

- a. Art Gallery
- b. Community Center
- c. Cultural Facility
- d. Public Market
- e. Indoor Amusement Facilities up to a maximum of five-thousand (5,000) square feet of gross floor area
- f. Live Entertainment – Secondary Use
- g. Live Performance Venue
- h. Restaurant, Standard, which may sell alcoholic beverages for consumption on premises in conjunction with meals

18.10.B.2 CONDITIONAL USES

In addition to all uses authorized in the base district, the following uses are allowed as conditional uses subject to the use standards of Article 20 and Paragraphs C below.

- a. Bar, limited to two (2) bars per blockface.
- b. Indoor Amusement Facilities above five-thousand (5,000) square feet of gross floor area. However, indoor amusement facilities shall not exceed ten thousand (10,000) square feet of gross floor area.

18.10.C USE STANDARDS

18.10.C.1 LIVE PERFORMANCE VENUE

- a. A Live Performance Venue is limited to plays and musicals.
- b. A Live Performance Venue is permitted to sell alcoholic beverages for consumption on-site only one (1) hour prior to and during performances.
- c. Ticket sales are limited to the number of seats provided for the performance or the lowest rated capacity of the bar.
- d. Standing room only performances are prohibited.

18.10.C.2 LIVE ENTERTAINMENT – SECONDARY USE

- a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit.
- b. All establishments providing live entertainment are subject to a closed doors and windows policy during any performance.
- c. All establishments providing live entertainment are subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.
- d. A bar may provide live entertainment, including a permanent area for dancing, but adult uses and karaoke are prohibited. All bars providing live entertainment shall hold a Class A General ABO Permit and the appropriate Live Entertainment Permit.

18.10.C.3 RESTAURANT

- a. Musical accompaniment for patrons at a restaurant (standard or specialty), in conformance with the following use standards:
 1. During the performance of any musical accompaniment, all doors and windows in the restaurant shall remain closed. Any amplification used in support of a musical accompaniment shall be directed towards the patrons of the restaurant, and not toward any door, window or outdoor space.
 2. No cover charge shall be charged for any performance of any musical accompaniment.
 3. Full restaurant service shall continue during the performance of any musical accompaniment.
 4. No more than ten percent (10%) of a restaurant's seating area may be dedicated to a staging area for any performance of musical accompaniment.

5. Aside from the portion of the restaurant seating area dedicated to the staging of the musical accompaniment, no restaurant seating may be removed or relocated during the performance in order to accommodate an audience and/or dance area.
6. Performance of the musical accompaniment shall not be permitted beyond 10:00 p.m. on Sundays through Wednesdays, or beyond midnight on Thursdays through Saturdays.
7. Musical accompaniment shall only be performed in the interior of a restaurant; outdoor musical accompaniment shall be subject to the general Live Entertainment – Secondary Use regulations, as applicable.

Any musical accompaniment for patrons at a restaurant that is not in conformance with the above standards shall be subject to general Live Entertainment – Secondary Use regulations, as applicable.

- b. A Special Event Permit may temporarily relieve a restaurant from standards of this section. Special Event Permits are limited to no more than ten (10) times a year for a total of thirty (30) days per year. Performances permitted by a Special Event Permit shall be a minimum of fourteen (14) days apart.

18.10.C.4 **BAR**

- a. Hours of operation for bars are restricted to between 10:00 a.m. and 12:00 Midnight on Sunday through Thursday, and between 10:00 a.m. and 2:00 a.m. on Friday and Saturday.
- b. Bars shall mitigate noise to those levels specified in the Noise Ordinance by soundproofing the live entertainment area.

EXHIBIT 5

(Copies of NPP Meeting Sign-in Sheets)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

NPP Meeting Sign-In Sheet

4730 Freret Street

Proposed Conditional Use-Commercial Use of More than 5000 Square Feet

September 10, 2022 at 10:30 AM

4905 Freret Street

New Orleans 70115

Name	Mailing Address	City, State Zip	E-mail Address	Phone Number	Organization
Sam Beiman	4701-25 Freret	NOCA		617-665-882	MBCO
Joe Maly	2322 Valence	"	JoeMaly@bol.com	415-218-3445	
Eli Painter	2 Marlbroy Ct	"	EliPainter@intstax.com	504-232-7848	
Thaddeus (Tom) Kirchner	4913 S Robertson	"	hawkwind811@yahoo.com	708-566-0372	Resident
Kyle Wood	3421 Valence	NOCA 70115	KyleWood@opmi.com	823-379-6304	
Arlene	4725 Freret	NOCA	Arlene@opmi.com	524-913-2573	

NPP Meeting Sign-In Sheet

4730 Freret Street

Proposed Conditional Use-Commercial Use of More than 5000 Square Feet

September 10, 2022 at 10:30 AM

4905 Freret Street

New Orleans 70115

Name	Mailing Address	City, State Zip	E-mail Address	Phone Number	Organization
Peter Boroon	516 Julia St	NOVA 70130	PETERBOROON@NOVA.COM	(303) 842-0786	BOHEMIA
Neil Bodenheimer	4905 Freret St	NOVA 70115	Neale.Curens@nova.com	616 483 1661	Bohemia LLC/cur LLC
V. KETTER PINE HARBOR	7401 S.W. 139 Street 4238 Argyrouse Blvd, NOVA 70124	Miami, FL 33158	Vharmon@ketter.com ketter35@icloud.com	305-302-1489	Kettermen Aradyteads
Marcos & Cecelia Ruiz	7401 S.W. 139 Street Director @ ketter.com	Miami, FL 33158	Director @ ketter.com	305-302-1489	

EXHIBIT 6

(Copy of Comment Card from NPP Meeting)

2GETHER, LLC

Neighborhood Participation Program (NPP) Meeting
September 10, 2022
10:30 AM

Project Address:

4730 Freret Street
New Orleans 70115

NPP Meeting Address:

4905 Freret Street
New Orleans 70115

NPP Meeting Comment Card

Date: _____

Name/Address of Project: Bohemia

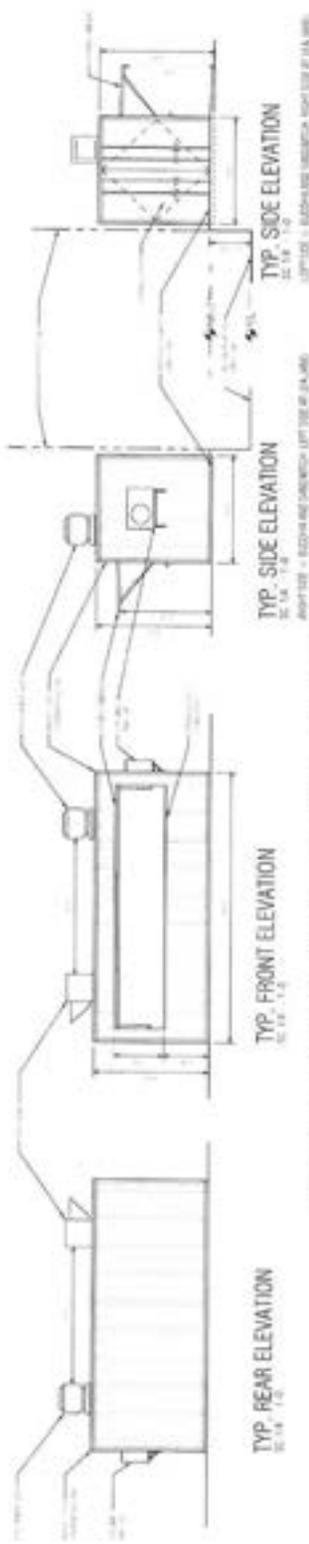
Comment/Question: Parking is going to be hard,
but I am in favor. Benefits out weigh
the parking issues

Contact Information (optional):

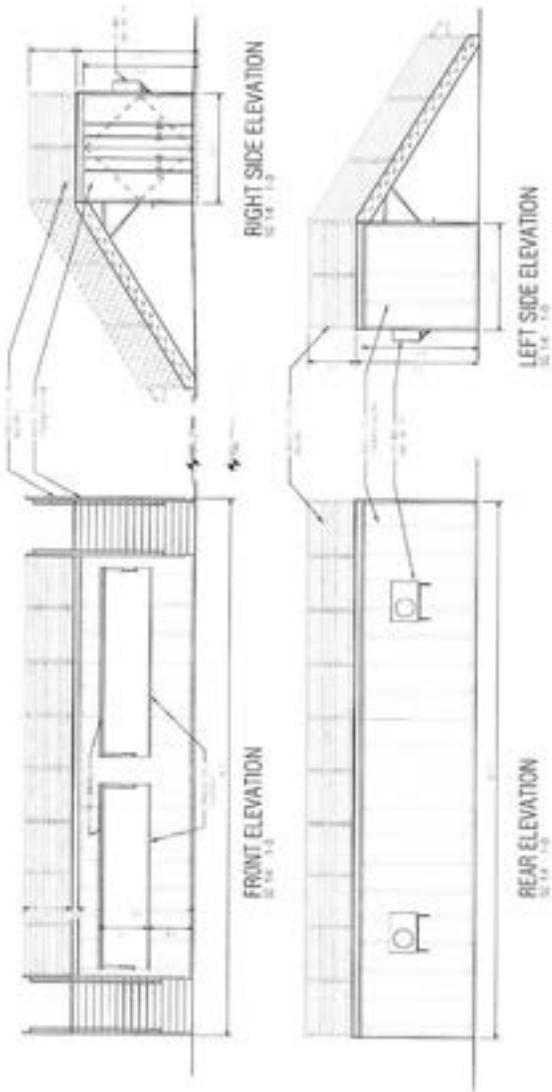
Neal Ballekman
Name email

Neale@curvola.com
Address

11905 Forest St.
NOVA 20115

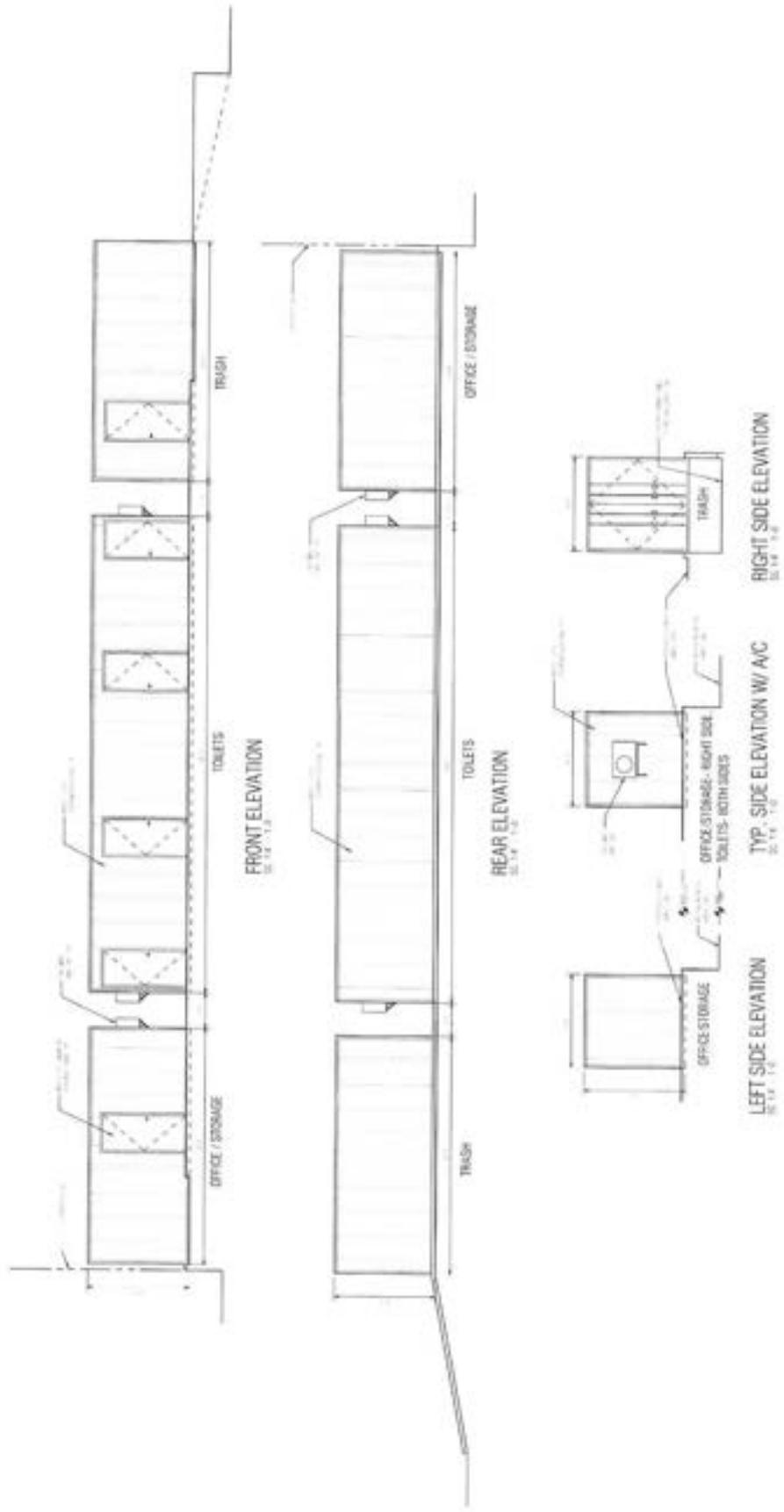


TYPICAL ELEVATIONS OF (3) FOOD CONTAINERS



ELEVATIONS OF BAR CONTAINER

LKHARMON ARCHITECTS LKHARMON Architects Professional Architectural Corporation 4730 Freret Street New Orleans, LA 70115 (504) 581-1111		A2 (00/00/00)
CONDITIONAL USE APPLICATION BOHEMIA 4730 Freret Street New Orleans, LA 70115		2-20-2007



ELEVATIONS OF TRASH / TOILETS / OFFICE CONTAINERS

FOR LUMBER DELIVERIES, CONTACT: 504-585-1111
AKHARON ARCHITECTS
Professional Architectural Firm
 4730 Forest Street
 New Orleans, LA 70115
 504-585-1111
 www.akharon.com

<p>CONDITIONAL USE APPLICATION BOHEMIA</p>	<p>A3</p>
---	------------------



Received by _____
Sign Provided <input type="radio"/> Date _____
Tracking Number _____

LAND-USE REQUEST APPLICATION

Please submit complete applications via email to CPCinfo@nola.gov or in person at 1300 Perdido St., 7th Floor, New Orleans, LA 70112. Incomplete applications will not be accepted and will be returned to the applicant.

Type of application: Text Amendment Zoning Change Conditional Use/Planned Development

Address of Property for which this application is being filed: 4730 Freret Street, New Orleans, LA 70115

APPLICANT INFORMATION

Applicant Identity: Property Owner Agent

Applicant Name ATG Licensing Consultants, LLC

Applicant Address 1524 Edwards Avenue, Suite 5

City Harahan State Louisiana Zip 70123

Applicant Contact Number (504) 915-5953 Email cgyoung@msn.com

PROPERTY OWNER INFORMATION

SAME AS ABOVE

Property Owner Name 2GETHER, LLC

Property Owner Address 5831 Laurel Street

City New Orleans State Louisiana Zip 70115

Property Owner Contact Number (504) 415-1001 Email billy@blattybars.com

SPECIFIC ZONING REQUEST

Request for a conditional use to permit a commercial use (standard restaurant) of more than five thousand square feet of floor area at the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115.

PROPERTY LOCATION

Square Number(s) 581 Lot Number(s) A and B

Bounding Streets Upperline Street Valence Street Lasalle Street

Zoning HU-MU Municipal District 6

Tax Bill Number 614324609 Planning District _____

DESCRIPTION OF PROJECT (Attachments are acceptable)

Request for a conditional use to permit a commercial use (standard restaurant) of more than five thousand (5,000) square feet of floor area at the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115, which is zoned HU-MU (Neighborhood Mixed Use District) where "standard restaurants" are permitted uses. However, the property is also subject to section 12.2.B.1 of the CZO, which requires conditional use approval for any commercial use of five thousand (5,000) square feet or more. The proposed "standard restaurant" is 7,899 square feet. See attached Site Plan.



Received by _____
Sign Provided <input type="radio"/> Date _____
Tracking Number _____

LAND-USE REQUEST APPLICATION

ACKNOWLEDGMENTS

I (we) hereby affirm that ownership and property information presented on this application is current and accurate and, further, that the undersigned meet the requirements of Article 16 of the Comprehensive Zoning Ordinance to submit this application. I (we) acknowledge that inaccurate or incomplete ownership, improper authorization, or property identification will make this application and resulting actions null and void. I (we) the undersigned owner and authorized agent of the area of land described above, hereby submit for your approval the above stated request.

Owner Signature _____ Date _____

Agent Signature _____ Date 12/15/22

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

STATE OF LOUISIANA, PARISH OF ORLEANS

Before me, the undersigned authority, personally appeared the person(s) whose signature are affixed above, all of the full age of the majority, who declared under oath to me, Notary, that they are the owners or authorized agents of the property described above, and that their signatures were executed freely and voluntarily and that they are duly qualified to sign.

Sworn to and subscribed before me this 15th day of December, 2022

My Commission expires AT DEATH



**AUTHORIZATION
TO ACT FOR
2GETHER, LLC**

STATE OF LOUISIANA

PARISH OF ORLEANS

BE IT KNOWN that on December 13, 2022, before me, a Notary Public duly commissioned and qualified in and for aforesaid county and state, and in the presence of the undersigned witnesses, personally came and appeared:

WILLIAM P. BLATTY, whose present mailing address is 5831 Laurel Street, New Orleans, Louisiana 70115; and

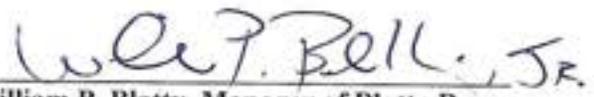
who, after being duly sworn, did acknowledge and declare that he is the authorized Manager of Blatty Bars, LLC, Manager of 2GETHER, LLC; and that 2GETHER, LLC is the owner of the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115; and that 2GETHER, LLC does hereby authorize and empower Christopher G. Young, Christione Turner and ATG Licensing Consultants, LLC to act for and in its name, to do the following:

Prepare and file an application for a Conditional Use to permit a commercial use of more than five thousand (5,000) square feet of floor area at the property bearing municipal address 4730 Freret Street, New Orleans, Louisiana 70115 (the "Property") and any related matters in a *HU-MU Neighborhood Mixed Use Zoning District*, including the authority to execute all application documents, and appear before the City Planning Commission of the City of New Orleans and the New Orleans City Council on behalf of 2GETHER, LLC in connection with the Conditional Use applications.

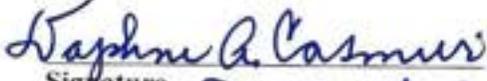
THUS DONE AND SIGNED on the date and date set forth above in the Parish of Orleans, State of Louisiana, the parties hereto having affixed their signatures, together with me, Notary, and the undersigned witnesses, after due reading of the whole.

2GETHER, LLC

BY:


William P. Blatty, Manager of Blatty Bars, LLC, Manager of 2GETHER, LLC

WITNESSES:


Signature
Print Name: DAPHNE A. CASMIER


Signature
Print Name: Maple Graines


NOTARY PUBLIC
Ike Spears #17811

CAM

Crescent Title, LLC
 7835 Maple Street
 New Orleans, LA 70118
 File No.: 215281

CASH SALE

Sale of Property

by:

Freret Development, LLC

to:

2Gether, LLC

*United States of America
 State of Louisiana
 Parish of Orleans*

BE IT KNOWN that on the dates so indicated below and before the undersigned notary(ies) public, duly commissioned and qualified, in and for the Parish of Orleans and State of Louisiana and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

Freret Development, LLC (Tax ID# XX-XXX0554), a limited liability company organized and existing under the Laws of the State of Louisiana, pursuant to Articles of Organization registered with the Secretary of State, represented herein by Andrew S. Jacobs, Manager, pursuant to an Authorization, an original of which is annexed hereto and made a part hereof.
 Mailing Address: 4730 Freret Street, New Orleans, LA 70115

Who declares that it does by these presents, grant, bargain, sell, convey, transfer, assign, setover, abandon and deliver, with all legal warranties as to title only, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have against all preceding owners and vendees, unto,

2Gether, LLC (Tax ID# XX-XXX985), a limited liability company organized and existing under the Laws of the State of Louisiana, pursuant to Articles of Organization registered with the Secretary of State, represented herein by William Blatty, Jr., Agent, pursuant to an Authorization, an original of which is annexed hereto and made a part hereof.
 Mailing Address: 5831 Laurel Street, New Orleans, LA 70115

here present, accepting and purchasing for itself, its successors, heirs, and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property, to-wit:

"Description of Property"

TWO CERTAIN LOTS OF GROUND, together with all of the buildings and improvements thereon and all of the servitudes, rights and appurtenances thereunto belonging or in anywise appertaining, situated in the **SIXTH DISTRICT** of the City of New Orleans, in **SQUARE 581**, bounded by Upperline, Freret, La Salle (formerly Howard) and Valence Streets, said lots are designated by the **LOT LETTERS "A" and "B"** on a plan of survey made by W. J. & G. J. Seghers, Deputy City Surveyors, dated October 30, 1922, and annexed to an act passed before J. L. Loomis, Jr., Notary Public, on January 9, 1923, according to which plan, said lots measure as follows:

LOT "A" forms the corner of Upperline and Freret Streets and measures 45 feet, 3 inches and 2 lines front on Upperline Street, by a depth and front on Freret Street of 83 feet, 8 inches and 1 line, 44 feet, 10 inches and 5 lines in width in the rear, and a depth on the other sideline dividing it from Lot "B" of 89 feet, 7 inches, and 3 lines. LOT "B" measures 43 feet, 8 inches and 6 lines front on Upperline Street, 89 feet, 7 inches and 3 lines on the line dividing it from Lot "A", 43

CHRISTOPHER RICHARDS NORTON
 CLERK OF CIVIL DISTRICT COURT
 FILE # 2021-44654 12/20/2021 09:42:11 AM
 TYPE 5 & P(15)

CINE 701203



feet 4 inches and 2 lines in width in the rear, by 95 feet, 4 inches and 2 lines on the opposite sideline. Said lots of ground are composed of the front and greater portions of Lots designated by the Nos. 7 and 8.

All as more fully shown on a survey made by Gilbert, Kelly and Couturie, Inc., Surveying and Engineering, dated March 8, 1978, resurveyed September 26, 1980, a copy of which is annexed to an act before Louis G. Dutel, Jr. Notary Public, dated July 29, 1981.

As further shown on the survey by Gilbert, Kelly & Couturie, Inc., dated January 25, 2018, a copy of which is recorded as Inst. 2018-08236, CIN 633702.

Being the same property acquired by Freret Development, LLC by act registered as Inst. 2018-08236, CIN 633702, Orleans Parish, Louisiana.

The following is not insured and is offered for informational purposes only: The improvements thereon bear Municipal No. **4730 Freret Street**, New Orleans, LA 70115.

PURCHASER(S) herein declared that all future notices of ad valorem tax bills and special assessments for the above described property presently for the tax year of 2022 bearing Tax Assessment No. **614324609** are to be forwarded to:

2Gether, LLC
5831 Laurel Street, New Orleans, LA 70115

THIS ACT IS MADE, EXECUTED AND ACCEPTED SUBJECT TO THE FOLLOWING:

1. Any and all restrictions, overlaps, overhangs, servitudes and/or easements, rights of ways and outstanding rights of record which might be shown on a current survey of the property.
2. Any and all matters as shown on survey by Gilbert, Kelly & Couturie, Inc. dated January 25, 2018.

THE PARTIES HERETO TAKE COGNIZANCE THAT NO SURVEY ON THE HEREIN DESCRIBED PROPERTY IN CONNECTION WITH THE ACT OF SALE HAS BEEN MADE NOR HAS ONE BEEN PRODUCED OR ATTACHED AND THE PARTIES DO HEREBY RELIEVE AND RELEASE ME, NOTARY, FROM ANY AND ALL LIABILITY, RESPONSIBILITY OR DAMAGE INCLUDING COURT COSTS AND ATTORNEYS FEES IN CONNECTION THEREWITH.

See WAIVER OF WARRANTY and REDHIBITION RIGHTS ADDENDUM attached hereto and made a part hereof.

To have and to hold the above-described property unto the Purchaser itself, its successors, heirs, and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of One Hundred And No/100 Dollars (\$100.00) and Other Valuable Consideration which the Purchaser has well and truly paid, in ready and current money to the Seller who hereby acknowledge the receipt thereof and grant full acquittance and discharge therefore.

All State and City taxes up to and including the taxes due and exigible for the current tax year are paid as per a research of the tax rolls for the year 2021. The 2021 taxes have been prorated to the date of this act of sale. Payment for all future taxes is assumed by purchaser herein.

By reference to the certificates of the Conveyance and Mortgage records in and for the Parish of Orleans, it does not appear that the property herein has been heretofore alienated by the Seller or that it is subject to any unpaid encumbrances whatsoever.

**CERTIFICATE OF AUTHORITY
OF THE MANAGER OF
FRERET DEVELOPMENT, LLC**

The undersigned, being the manager (the "Manager") of Freret Development, LLC (the "Company"), a Louisiana limited liability company whose articles of organization were filed with the Louisiana Secretary of State on October 6, 2014, hereby declares pursuant to La. R.S. 12:1317(C) that, in accordance with provisions of the Operating Agreement of the Company, as amended by that certain First Amendment to the Operating Agreement, including (without limitation) Section 8.2.2, the Manager is authorized to act in the name of and on behalf of the Company to:

1. Sell the immovable property bearing municipal address of 4730 Freret Street, New Orleans, LA 70115, which immovable property is more particularly described below (the "Property"):

TWO CERTAIN LOTS OF GROUND, situated in the Sixth District of the City of New Orleans, in SQUARE 581, bounded by Upperline, Freret, La Salle (formerly Howard) and Valance Streets, said lots are designated by the letters "A" and "B" on a plan of survey made by W. J. & G. J. Seghers, Deputy City Surveyors, dated October 30, 1922, and annexed to an act passed before H. L. Loomis, Jr., Notary Public, on January 9, 1923, according to which plan, said lots measure as follows:

LOT "A" forms the corner of Upperline and Freret Streets and measures 45 feet, 3 inches and 2 lines front on Upperline Street, by a depth and front on Freret Street of 83 feet, 8 inches and 1 line, 44 feet, 10 inches and 5 lines in width in the rear, and a depth on the other sideline dividing it from Lot "B" of 89 feet, 7 inches, and 3 lines. LOT "B" measures 43 feet, 8 inches and 6 lines front on Upperline Street, 89 feet, 7 inches and 3 lines on the line dividing it from Lot "A", 43 feet 4 inches and 2 lines in width in the rear, by 95 feet, 4 inches and 2 lines on the opposite sideline. Said lots of ground are composed of the front and greater portions of Lots designated by the Nos. 7 and 8.

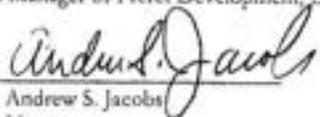
2. Execute and deliver on behalf of the Company such documents and instruments as are required or appropriate and as may be necessary in order to consummate the sale of the Property, including (without limitation) any and all acts of sale, acknowledgments, loan documents, affidavits, mortgages, promissory notes, indemnities, contracts, settlement statements (with prorations and adjustments to the purchase price deemed acceptable to the Manager), commitments, assignments, agreements and instruments as may be necessary in order to consummate the sale of the Property and to obligate the Company to perform any obligations and exercise any and all rights created under or by virtue of the subject documents and instruments; and

3. Cause the Company to take all actions and do all things deemed necessary or appropriate, in the Manager's sole discretion, in furtherance of the matters described herein.

The Manager further certifies that any and all actions heretofore taken in respect of the matters described in this Certificate be, and hereby are, ratified and confirmed by the Company as its act and deed.

The undersigned warrants the correctness of the above information to and further certifies: (i) that the undersigned is and always has been the Manager of the Company since its organization; (ii) that the Operating Agreement of the Company, as amended by that certain First Amendment to the Operating Agreement, is in full force and effect; (iii) that the Manager's authority pursuant to Section 8.2.2 of the Operating Agreement of the Company, as amended, has not been limited, restricted or abrogated in any way by any action of the Company; and (iv) that this Certificate of Authority may be relied up on by any third party in respect of the matters described in this Certificate.

27th **THUS, DONE AND SIGNED** by the undersigned Manager of Freret Development, LLC on this day of October, 2021.

By: 
Name: Andrew S. Jacobs
Title: Manager

PROPERTY ADDRESS: 4730 Freret St, New Orleans, LA 70015

AS IS – WHERE IS WITH WAIVER OF REDHIBITION

Seller has not made and shall make no representation or warranty concerning the condition, or the suitability for any purpose, of the Property including any and all improvements located thereon. The act of sale shall include the following with an acknowledgement by Purchaser that is purchasing subject to this provision:

Purchaser hereby acknowledges and agrees that the Property is being conveyed by Seller to Purchaser "AS IS, WHERE IS", with all faults and without any warranties or representations whatsoever, except as to title, and that Purchaser is relying on its inspection and evaluation of the Property.

Purchaser expressly acknowledges that neither Seller, nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of Seller, makes any warranties, covenants, guarantees or representations whatsoever, express or implied, as to the condition of the Property. Purchaser expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548. Purchaser further declares and acknowledges that Purchaser does hereby waive the warranty of fitness for intended purposes or guarantee against hidden or latent redhibitory vices under Louisiana law, and that warranty imposed by Louisiana Civil Code Articles 2475 and 2520, and any applicable state or federal law and the jurisprudence thereunder. As a material and integral consideration for the execution of this act of sale by Seller, Purchaser waives and releases Seller from any and all claims and or causes of action which Purchaser may have or hereafter may be otherwise entitled to, based on vices or defects in the property herein sold, including all improvements located thereon, whether in the nature of redhibition, reduction of the Purchase Price, concealment, and/or any other theory of law, including but not limited to any rights under Louisiana Civil Code Articles 2520 through 2548. Purchaser acknowledges that Seller was not the manufacturer nor builder of any of the buildings, improvements, other constructions or components parts of the property and Purchaser further assumes the risk as to all vices and defects in the property, including all buildings, improvements, other constructions or component parts of the property located thereon and all movable property, equipment, fixtures, appliances or other goods located on the property, whether those vices or defects are latent and/or not discoverable upon simple inspection, and including those vices or defects, knowledge of which would deter Purchaser from making this purchase. Purchaser further acknowledges that the property is fit for the Purchaser's intended use and particular purpose and that the zoning of the property is suitable for Purchaser's use and purpose.

Purchaser further acknowledges that Purchaser (a) had ample opportunity to fully inspect the property, (b) has inspected the property to the extent Purchaser desired, (c) desires to purchase the property in its present condition, and (d) agrees to purchase the property subject to any physical encroachments on the property or any physical encroachments by improvements located on the property onto adjacent property.

Without limiting the generality of the foregoing and as further consideration for this sale, Purchaser, its assigns and transferees hereby accepts the Property as is, where is, in its existing environmental condition and waives, discharges, releases Seller, its affiliates, predecessors, successors, assigns, agents, partners, officers, employees, directors and insurers from any and all claims and/or causes of action which Purchaser or its assigns or transferees may have or hereafter be otherwise entitled to, whether affecting person and/or property, for (i) any environmental liabilities arising from the Property, including any claims,

11/11/2021

ASJ

demands, causes of action (both public and private), judgments, attorneys' fees, costs, expenses, penalties and fines, imposed or assessed under any federal, state or local environmental law, rule, regulation, or ordinance involving the environment including, but without limitation Article 2315.3 of the Louisiana Civil Code, Statewide Order 29B by Office of Conservations, Department of Natural Resources, State of Louisiana, the Louisiana Abandoned Oilfield Waste State Law (La. R.S. 30:71, et seq.), as amended, the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.) as amended, the Comprehensive Environmental Response, Compensation and Liability Act, (42 U.S.C. '9601, et seq.), the Superfund Amendments and Reauthorization Act of 1986, and the Toxic Substance Control Act (15 U.S.C. '2601, et seq.), as amended and or (ii) the existence of any Hazardous Materials in, on, under or from the Property. "Hazardous Materials" means mold, mildew, and other fungi (including but not limited to aspergillus/penicillium, bipolaris/derschlera, and stachybotrys), lead paint, asbestos, petroleum products and/or any materials defined as "hazardous pollutants", "toxic pollutants", "pollutants", "hazardous substances", "hazardous waste", "Hazardous constituents" or "solid waste" or language of similar import in (a) the Comprehensive Environmental Response, Compensation and Liability Act of 1990, 42 U.S.C. '9601 et seq., (b) the Resource Conservation and Recovery Act, U. S. C. '6901 et seq., (c) the Clean Air Act, 42 U.S.C. '7401 et seq., (d) the Clean Water Act, 33 U.S.C. '1251 et seq., and /or (e) any other federal, state or local environmental statute or ordinance and any regulations promulgated under any of the foregoing, all as amended from time to time, and any regulation, as well as any other substance or substances the presence of which requires investigation or remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or law, or which is or becomes defined as or has the characteristics of a conventional, non-conventional, hazardous, toxic or solid waste, material, substance, pollutant or contaminant under any federal, state or local statute, regulation, rule or ordinance pertaining to human health and for the environment as amended.

Purchaser:
2Gether, LLC

BY: William Blasty, Jr.

William Blasty, Jr.
Agent

Seller:
Freret Development, LLC

BY: Andrew S. Jacobs

Andrew S. Jacobs
Manager

AST

**UNANIMOUS WRITTEN CONSENT
OF THE MEMBERS
2Gether, LLC**

The undersigned, being the only Members of 2Gether, LLC, a Louisiana Limited Liability Company (the "Company"), and as such, having full power and authority to act in the name of and on behalf of the Company, do hereby vote for, consent to, authorize and adopt the following actions:

WHEREAS, William Blatty, Jr. is the sole Member and Manager of Blatty Bars, LLC, having full power and authority to act in the name of and on its behalf;

WHEREAS, Katherine Oshea and Juan Padro are the only Members of Andres James LLC, having full power and authority to act in the name of and on its behalf;

WHEREAS, the Company desires to authorize the purchase and mortgage of the property located at 4730 Freret Street, New Orleans, LA 70115 (the "Property");

WHEREAS, the Company desires to authorize William Blatty, Jr. to execute all documents in connection with said purchase and mortgage of the above referenced property including but not limited to any settlement statement, promissory note, mortgage, act of sale and/or any other documents on behalf of the Company, and

NOW THEREFORE, BE IT RESOLVED, AGREED AND CONSENTED THAT:

Section 1. Authorization for Purchase and Mortgage

The purchase and mortgage of the property is hereby authorized and approved.

Section 2. Authorized Agent

William Blatty, Jr. is hereby authorized to act as Agent for the Company with respect to the above described purchase and mortgage, and to execute all documents in connection therewith, including, but not limited to, any mortgage, settlement statement, promissory note, act of sale and/or other documents having such terms and conditions as he deems appropriate in his sole discretion.

Section 3. Certification

The undersigned confirm and warrant the accuracy of the above information, and that the power and authority of the Members and Agent as provided herein has not been limited, restricted or abrogated in any way by any action of the Company. The undersigned further confirm and warrant that this Authorization may be fully and completely relied upon by Crescent Title, LLC, its title insurance underwriters, and the law firm of Bergeron, Douglass, Frosch & Mack, LLC.

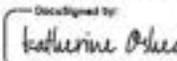
Thus done and signed on the dates so indicated below.

Blatty Bars, LLC, Member


By: William Blatty, Jr., its Sole-Member and Manager

10/25/2021 | 8:10 PM PDT
Date

Andres James LLC, Member


By: Katherine Oshea, Member

10/26/2021 | 3:29 PM PDT
Date


By: Juan Padro, Member

10/26/2021 | 4:18 PM PDT
Date

Thus Done and Passed, in my office in New Orleans, Louisiana in the presence of the competent witnesses, who hereunto sign their names with the undersigned Appearers, and me, Notary, after reading the whole.

WITNESSES:

SIGN [Signature]
 PRINT Jack Eglo
 SIGN [Signature]
 PRINT Leonard Aucin

SELLER:

Freret Development, LLC

BY: [Signature]
 Andrew S. Jacobs, Manager

[Signature]
 Notary Public

CHARLES A. MARTS
 Attorney at Law, Bar #34666
 Notary Public #133876
 Parish of Orleans, State of Louisiana
 My Commission Expires 12/31/2024

Thus Done and Passed, in my office in New Orleans, Louisiana in the presence of the competent witnesses, who hereunto sign their names with the undersigned Appearers, and me, Notary, after reading the whole.

WITNESSES:

SIGN [Signature]
 PRINT Leonard Aucin
 SIGN [Signature]
 PRINT Jack Eglo

PURCHASER:

2Gether, LLC

BY: [Signature]
 William Blatty, Jr., Agent

[Signature]
 Notary Public

CHARLES A. MARTS
 Attorney at Law, Bar #34666
 Notary Public #133806
 Parish of Orleans, State of Louisiana
 My Commission is for Life

Title Ins. Prod.: Crescent Title, LLC
 Address: 7835 Maple Street, New Orleans, LA 70118
 Prod. Lic #: 300974
 Title Ins. Underwriter: Fidelity National Title Insurance Company
 Title Opinion by: Tina Skold Clark
 La Bar Roll #: 4154

1340 Poydras Street, 4th Floor
New Orleans, Louisiana 70112



Land Records Division
Telephone (504) 407-0005

Chelsey Richard Napoleon
Clerk of Court and Ex-Officio Recorder
Parish of Orleans

DOCUMENT RECORDATION INFORMATION

Instrument Number: 2021-44654

Recording Date: 10/29/2021 09:42:11 AM

Document Type: SALE

Addl Titles Doc Types:

Conveyance Instrument Number: 701203

Filed by: CRESCENT TITLE LLC
7835 MAPLE ST

NEW ORLEANS, LA 70118

**THIS PAGE IS RECORDED AS PART OF YOUR DOCUMENT AND
SHOULD BE RETAINED WITH ANY COPIES.**

UNITED STATES OF AMERICA



State of Louisiana

R. Kyle Ardoin
SECRETARY OF STATE

As Secretary of State of the State of Louisiana I do hereby Certify that
the attached document(s) of

2GETHER, LLC

are true and correct and are filed in the Louisiana Secretary of State's Office.

44562399K	ORIGF	8/23/2021	3 page(s)
45253263	22 AR	1/31/2023	1 page(s)

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on,

January 31, 2023



Secretary of State
WEB 44562399K



Certificate ID: 11681634#LJH62

To validate this certificate, visit the following web site, go to **Business Services, Search for Louisiana Business Filings, Validate a Certificate**, then follow the instructions displayed.

www.sos.la.gov

STATE OF LOUISIANA
ARTICLES OF ORGANIZATION

(R.S. 12:1301)

1. The name of this limited liability company is:

2GETHER, LLC

2. This company is formed for the purpose of:

ENGAGING IN ANY LAWFUL ACTIVITY FOR WHICH LIMITED LIABILITY COMPANIES
MAY BE FORMED

3. The duration of this limited liability company is: (may be perpetual):

PERPETUAL

4. The company is:

MANAGER-MANAGED

Other provisions:

The filing of a false public record, with the knowledge of its falsity, is a crime, subjecting the filer to fine or imprisonment or both under R.S. 14:133.

BY TYPING MY NAME BELOW, I HEREBY CERTIFY THAT I AM THE ORGANIZER.

ELECTRONIC SIGNATURE: JONATHAN SCHULTIS (8/21/2021)

TITLE: ATTORNEY

LIMITED LIABILITY COMPANY INITIAL REPORT

(R.S. 12:1305 (E))

The name of this limited liability company is:

2GETHER, LLC

The location and municipal address (not a P.O. Box only) of this limited liability company's registered office:

5831 LAUREL ST.

NEW ORLEANS, LA, 70115

Mailing Address:

5831 LAUREL ST.

NEW ORLEANS, LA, 70115

The full name and municipal address (not a P.O. Box only) of each of this limited liability company's registered agent(s) is/are:

JONATHAN SCHULTIS

101 W. ROBERT E. LEE BLVD. STE 400

NEW ORLEANS, LA, 70124

The name and municipal address (not a P.O. Box only) of the managers or members:

BLATTY BARS, LLC (MANAGER, MEMBER)

5831 LAUREL ST.

NEW ORLEANS, LA, 70115

ANDRES JAMES, LLC (MEMBER)

1977 W. 34TH AVE.
DENVER, CO, 80211

The filing of a false public record, with the knowledge of its falsity, is a crime, subjecting the filer to fine or imprisonment or both under R.S. 14:133.

BY TYPING MY NAME BELOW, I HEREBY CERTIFY THAT I AM THE ORGANIZER.

ELECTRONIC SIGNATURE: JONATHAN SCHULTIS (8/21/2021)

TITLE: ATTORNEY

SECRETARY OF STATE



Agent Affidavit and Acknowledgement of Acceptance

Charter Number: 44562399K

Charter Name: 2GETHER, LLC

The agent / agents listed below accept the appointment of registered agent for and on behalf of the Charter Name above.

Date Responded	Agent(s)
08/23/2021	JONATHAN SCHULTIS

Agent(s) Electronic Signature
JONATHAN SCHULTIS

R. Kyle Ardoin
Secretary of State



LIMITED LIABILITY COMPANY
ANNUAL REPORT
For Period Ending
8/23/2022



Mailing Address Only (INDICATE CHANGES TO THIS ADDRESS IN THIS BOX)

44562399 K
2GETHER, LLC

5831 LAUREL ST.
NEW ORLEANS, LA 70115

(INDICATE CHANGES TO THIS ADDRESS IN THIS BOX)

Registered Office Address in Louisiana (Do not use P. O. Box)
5831 LAUREL ST.
NEW ORLEANS, LA 70115

Federal Tax ID Number

Our records indicate the following registered agents for the company. Indicate any changes or deletions below. All agents must have a Louisiana address. Do not use a P. O. Box. **A**
NEW REGISTERED AGENT REQUIRES A NOTARIZED SIGNATURE.

JONATHAN SCHULTIS
101 W. ROBERT E. LEE BLVD. STE 400 NEW ORLEANS, LA 70124

I hereby accept the appointment of registered agent(s).

Sworn to and subscribed before me on
NOTARY NAME MUST BE TYPED OR PRINTED WITH NOTARY #

New Registered Agent Signature

Notary Signature

Date

This report reflects a maximum of three members/managers for the company. Indicate any changes or deletions below. Include a listing of all names and addresses. Do not use a P. O. Box. If additional space is needed attach an addendum. Officer titles, such as *president* or *secretary* are not acceptable.

BLATTY BARS, LLC
5831 LAUREL ST. NEW ORLEANS, LA 70115
ANDRES JAMES, LLC
1977 W. 34TH AVE. DENVER, CO 80211

Manager, Member

Member

The filing of a false public record, with the knowledge of its falsity, is a crime, subjecting the filer to the fine or imprisonment or both under R.S. 14:133.

SIGN →

To be signed by a manager, member, or agent

Chris G. Young
(SIGNED ELECTRONICALLY)

Agent

Title

Phone

Date

01/31/2023

Signee's address

Email Address

(For Office Use Only)

ON FILE

Enclose filing fee of \$30.00

Return by: 8/23/2022

Make remittance payable to Secretary of State
Do Not Send Cash
Do Not Staple

To: Commercial Division
P. O. Box 94125
Baton Rouge, LA 70804-9125
Phone (225) 925-4704

web site: www.sos.louisiana.gov

DO NOT STAPLE

2

UNSIGNED REPORTS WILL BE RETURNED

**4730 Freret Street
New Orleans, Louisiana 70115**

Legal Description

TWO CERTAIN LOTS OF GROUND, together with all of the buildings and improvements thereon and all of the servitudes, rights and appurtenances thereunto belonging or in anywise appertaining, situated in the **SIXTH DISTRICT** of the City of New Orleans, in **SQUARE 581**, bounded by Upperline, Freret, La Salle (formerly Howard) and Valence Streets, said lots are designated by the **LOT LETTERS "A" and "B"** on a plan of survey made by W. J. & G. J. Seghers, Deputy City Surveyors, dated October 30, 1922, and annexed to an act passed before H. L. Loomis, Jr., Notary Public, on January 9, 1923, according to which plan, said lots measure as follows:

LOT "A" forms the corner of Upperline and Freret Streets and measures 45 feet, 3 inches and 2 lines front on Upperline Street, by a depth and front on Freret Street of 83 feet, 8 inches and 1 line, 44 feet, 10 inches and 5 lines in width in the rear, and a depth on the other sideline dividing it from Lot "B" of 89 feet, 7 inches, and 3 lines. LOT "B" measures 43 feet, 8 inches and 6 lines front on Upperline Street, 89 feet, 7 inches and 3 lines on the line dividing it from Lot "A", 43

feet 4 inches and 2 lines in width in the rear, by 95 feet, 4 inches and 2 lines on the opposite sideline. Said lots of ground are composed of the front and greater portions of Lots designated by the Nos. 7 and 8.

All as more fully shown on a survey made by Gilbert, Kelly and Couturie, Inc., Surveying and Engineering, dated March 8, 1978, resurveyed September 26, 1980, a copy of which is annexed to an act before Louis G. Dutel, Jr, Notary Public, dated July 29, 1981.

As further shown on the survey by Gilbert, Kelly & Couturie, Inc., dated January 25, 2018, a copy of which is recorded as Inst. 2018-08236, CIN 633702.

Being the same property acquired by Freret Development, LLC by act registered as Inst. 2018-08236, CIN 633702, Orleans Parish, Louisiana.

The following is not insured and is offered for informational purposes only: The improvements thereon bear Municipal No. **4730 Freret Street, New Orleans, LA 70115**.

Haley M. Delery

From: Ed Pointer <Ed.Pointer@Intralox.com>
Sent: Friday, May 12, 2023 11:01 AM
To: Stephen K. Kroll
Cc: Haley M. Delery; Sabine E. Lebailleux
Subject: RE: ZD022-23 (4730 Freret St)
Attachments: Desired Design Changes and Provisos to Updated Plans - Ed Pointer (5-12-23).docx

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Haley and Stephen:

Attached is my comments to the updated design plans for the proposed bar/restaurant at 4730 Freret St., expressing my desire for a Staff recommendation of Denial and, if Staff recommends Approval, my proposed Provisos, which, if adopted, I think really can make this outdoor bar/restaurant work and fit well along Freret St and be compatible with the residential neighbors. I would certainly like going there (if the food is good), as we all enjoy supporting Vals' and Dat Dog. But the design and operating provisos are essential.

Please feel free to call me if would like to better understand the thinking behind any of the proposed provisos.

Thanks.

Ed

Edward J. Pointer
Commercial Sales Contracts Manager – Equipment
301 Plantation Road
Harahan, LA 70123
Office: 504-570-2240
Cell: 504-232-9848

From: Stephen K. Kroll <skroll@nola.gov>
Sent: Thursday, May 11, 2023 3:34 PM
To: Ed Pointer <Ed.Pointer@Intralox.com>
Cc: Haley M. Delery <hdelery@nola.gov>; Sabine E. Lebailleux <selebailleux@nola.gov>
Subject: Re: ZD022-23 (4730 Freret St)

Ed,

We may recommend approval subject to a list of design changes that will need to be made to address the design deficiencies. I'd encourage you to give us your comments on these updated plans.

From: Ed Pointer <Ed.Pointer@Intralox.com>
Sent: Thursday, May 11, 2023 3:24 PM
To: Stephen K. Kroll <skroll@nola.gov>

Cc: Haley M. Delery <hdelery@nola.gov>; Sabine E. Lebailleur <selebailleur@nola.gov>

Subject: RE: ZD022-23 (4730 Freret St)

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Stephen and Haley:

Thanks for the updated plans for 4730 Freret St. Since this updated plan still does not meet many of the site and building design standards of the Freret St. HU-MU district and the structures still are not compatible in scale and design with nearby residences as required under HU-MU, I assume that the Staff will have to recommend to CPC denial of the Conditional Use application. I will confirm that when you post your updated Staff Report. So, I won't bother you with my comments to these updated plans, saving them to work with the Councilwoman's office if it finds its way to the City Council.

I regrettably will attend the CPC meeting on May 23 to oppose the application. Might have been a nice project if they would have come up with a better design plan.

Thanks for helping me through this process. We shall see what CPC decides.

Ed

Edward J. Pointer
Commercial Sales Contracts Manager – Equipment
301 Plantation Road
Harahan, LA 70123
Office: 504-570-2240
Cell: 504-232-9848

From: Stephen K. Kroll <skroll@nola.gov>

Sent: Tuesday, May 9, 2023 5:01 PM

To: Ed Pointer <Ed.Pointer@Intralox.com>

Cc: Haley M. Delery <hdelery@nola.gov>; Sabine E. Lebailleur <selebailleur@nola.gov>

Subject: Re: ZD022-23 (4730 Freret St)

Hi Ed,

The updated plans is attached. We just received it yesterday, so we haven't really looked through it yet. The matter has been deferred to the 5/23 CPC meeting, and the Commission will take action then.

From: Ed Pointer <Ed.Pointer@Intralox.com>

Sent: Tuesday, May 9, 2023 4:36 PM

To: Stephen K. Kroll <skroll@nola.gov>

Subject: RE: ZD022-23 (4730 Freret St)

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Stephen:

With Haley out of the office for a while, could I impose on you to send me the amended application for Conditional Use at 4730 Freret St. I believe that I heard today at CPC meeting that the owners have submitted new plans or designs.

Thanks.

Ed

Edward J. Pointer
Commercial Sales Contracts Manager – Equipment
301 Plantation Road
Harahan, LA 70123
Office: 504-570-2240
Cell: 504-232-9848

From: Haley M. Delery <hdelery@nola.gov>
Sent: Monday, March 20, 2023 2:07 PM
To: Stephen K. Kroll <skroll@nola.gov>; Ed Pointer <Ed.Pointer@Intralox.com>
Subject: RE: ZD022-23 (4730 Freret St)

Okay, that works. Ed – do you have Microsoft teams? If so, I can send a meeting invite. If you only have zoom, can you send the meeting link?

From: Stephen K. Kroll <skroll@nola.gov>
Sent: Monday, March 20, 2023 12:12 PM
To: Haley M. Delery <hdelery@nola.gov>; 'Ed Pointer' <Ed.Pointer@Intralox.com>
Subject: Re: ZD022-23 (4730 Freret St)

Let's do Thursday from 10 am to 11 am.

From: Haley M. Delery <hdelery@nola.gov>
Sent: Monday, March 20, 2023 11:41 AM
To: 'Ed Pointer' <Ed.Pointer@Intralox.com>; Stephen K. Kroll <skroll@nola.gov>
Subject: RE: ZD022-23 (4730 Freret St)

Thanks for getting back to me with some times.

Stephen, please let us know what works best for you – today at 3:30, Wed between 9 and 10:30 a.m., or anytime Thursday.

From: Ed Pointer <Ed.Pointer@Intralox.com>
Sent: Monday, March 20, 2023 11:28 AM
To: Haley M. Delery <hdelery@nola.gov>; Stephen K. Kroll <skroll@nola.gov>
Subject: RE: ZD022-23 (4730 Freret St)

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Haley:

I am available this week as follows:

Today – Monday – late afternoon any time from 3:30 – 6:00
Wednesday morning up until 10:30 AM
Thursday – all day any time

Schedule for whenever best for you.

Thanks.

Ed

Edward J. Pointer

Commercial Sales Contracts Manager – Equipment

301 Plantation Road

Harahan, LA 70123

Office: 504-570-2240

Cell: 504-232-9848

From: Haley M. Delery <hdelery@nola.gov>

Sent: Friday, March 17, 2023 9:46 AM

To: Ed Pointer <Ed.Pointer@Intralox.com>; Stephen K. Kroll <skroll@nola.gov>

Subject: RE: ZD022-23 (4730 Freret St)

Hi Ed,

Stephen Kroll in our office and I would be happy to meet with you.

The report is due in one week, so please let us know some of your soonest availabilities and we can schedule a virtual meeting.

Have a good weekend!

Haley

From: Haley M. Delery

Sent: Friday, March 17, 2023 8:48 AM

To: Ed Pointer <Ed.Pointer@Intralox.com>

Subject: RE: ZD022-23 (4730 Freret St)

Correction: All written comments must be received by 5 p.m. on the Monday *eight days prior to the hearing date

From: Haley M. Delery

Sent: Friday, March 17, 2023 8:38 AM

To: Ed Pointer <Ed.Pointer@Intralox.com>

Subject: ZD022-23 (4730 Freret St)

Good morning and thanks for reaching out!

I will check my schedule, but incase I am unavailable please be advised that the process for public comment is to email cpcinfo@nola.gov 15 days in advance of the public meeting. So for ZD022-23 that will be heard at the April 11th meeting, the deadline for comment is Monday, April 3 at 5 p.m. You will also have an opportunity to speak in person at the CPC meeting.

From: Ed Pointer <Ed.Pointer@Intralox.com>

Sent: Thursday, March 16, 2023 4:47 PM

To: Haley M. Delery <hdelery@nola.gov>
Subject: 4730 Freret St. - Conditional Use Application

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Haley:

I understand that you have been assigned the Conditional Use application for a standard restaurant at 4730 Freret St. by 2Gether, LLC. My name is Ed Pointer and I live at 2 Marlborough Gate Place, basically catty-corner to the rear of the proposed site (now a vacant lot) – if not the most impacted by the development, certainly in the top 3 or 4.

I would appreciate an opportunity to meet with you about my thoughts on the application and also general neighborhood thoughts (which I can try to pull together). It is a highly unusual proposed development that I neither firmly support or oppose. I just know that because it is so unusual, it best be done right or it might become a disaster for the neighborhood, both the commercial businesses on Freret and the immediately adjacent residential neighbors. I have experience working with City Planning Dept from both work years ago and personally 4 years ago building our current house, and I am very familiar with the Zoning Code from past work. I think I could efficiently communicate my thoughts with respect to compliance with the Code, and not waste your time with emotional reactions.

Can we schedule a time to meet or talk by phone or Zoom?

And if you would like to know names and contact info of other neighbors, both commercial and residential, that might have strong interest in this application, I will be glad to ask around and send you names and contact info. The neighborhood association is a terrific group, but is not that well-organized at this time, so you may not hear from them. Engaging with some neighbors directly is best way to get feedback on this application.

Look forward to speaking with you.

Thanks.

Ed

Edward J. Pointer
Commercial Sales Contracts Manager – Equipment
301 Plantation Road
Harahan, LA 70123
Office: 504-570-2240
Cell: 504-232-9848

4730 Freret St
Conditional Use Application – Standard Restaurant
Project # ZD022-23; Ref. Code: XPKSPW

Ed Pointer, 2 Marlborough Gate Place - adjacent neighbor to site
May 12, 2023

Desired Staff Recommendation

Since this updated plan still does not meet most of the site and building design standards of the Freret St. HU-MU district and the structures are not even close to compatible in scale and design with nearby residences as required under HU-MU, a Staff recommendation of denial of the Conditional Use application seems compulsory. A denial by Staff, followed by CPC, would then stimulate the owners to go back to the drawing board, develop a plan design that fits along the Freret St. corridor and addresses the residential neighbors' concerns about noise, safety, lights, etc., and re-file a conforming application next time.

As is apparent from both sets of plans now, the owners clearly want to establish another Tchoup Yard or Wrong Iron, not a restaurant, but that type of outdoor bar/restaurant belongs on Tchoupitoulas and Lafitte Greenway under the applicable MU-1 zoning with sufficient land to provide massive parking lots as a buffer transition to residential neighbors, not on historic Freret St. surrounded on 3 sides by mostly owner-occupied single-family residences.

Desired Design Changes and Provisos to Updated Plans in the event Staff recommends Approval

Primary Concern: The residential neighbors' primary concern is noise interfering with enjoyment of our front porches and front and back yards and with our sleep. Most neighbors within a few houses from this site are elderly folks spending lots of time on porches and in yards or families with young children with bedtimes well before 10:00 PM.

Requested Provisos if Staff recommends approval:

DESIGN MODIFICATIONS

SAFETY

- 1) Locking security gate at front entrance on Freret St. (and every other entrance/exit)
- 2) Full height secure wall (same as along Upperline St.) with opaque locking security gates surrounding the handicapped parking space and continuing to the rear property line, and then

continuing along the rear property line to the Valence side property line - creating a continuous secure perimeter around the entire site. [The drawings seem to indicate there is only a 30" wall around the parking space and along rear property line leaving it open to access other than front entrance on Freret St. and unable to secure when operations are closed.]

NOISE

1. The wall along Upperline from the rear property line of this site to front property line of site on Freret should be entirely brick (no iron fencing) and a height of 7' or 8' above the ground level of the restaurant (not the sidewalk), as the restaurant apparently will be filled to elevate above current sidewalk level (plans indicate stairs and ramps at front entrance).
2. Brick / Iron wall and entrance gate along Freret should be a secure 6' high above sidewalk level.
3. Move the 3 Kitchen containers to line up along the Upperline St. side of the property backing up to the solid wall along Upperline. With Kitchen containers along Upperline and Bar, Storage and Restroom containers along or near the rear property line, an excellent 8' high and 8' wide buffer from noise (and light) between the outdoor bar/restaurant to the adjacent homes is constructed. The Humble Bagel building already provides a buffer on the Valence St. side; pointless to put Kitchen containers along that building and does not help the design guidelines to establish buildings along streets. Like the buildings at Val's and Dat Dog create a buffer between the outdoor dining areas along Freret St. and residential neighbors behind them, we need to create a similar building buffer using the containers.

LIGHTS

All lights must be directional lights projecting only onto the restaurant with fixtures that prevent light projecting beyond the perimeter walls. [There is outstanding street lighting in this area; absolutely no need for additional lighting outside of the walls.]

TRASH

Move the area and container over to Freret St next to Humble Bagel. Don't compound already ridiculous amount of trash cans on Upperline from all of the residential units with more from a Freret St. business.

LANDSCAPING

Plant trees / hedges along solid brick wall along Upperline St. in public right of way area between the sidewalk and the wall located on the site property line (it is probably 5' from sidewalk to the property line). Wall being 7' or 8' high will not be overbearing to pedestrians because will be 5' or so from sidewalk, and landscaping will soften it as well.

LIMITED CONDITIONAL USE

The Conditional Use should be expressly limited to this specific application, restaurant design and use, which does not carryover to any subsequent restaurants.

OPERATIONS PROVISOS

- 1) Operating Hours: 7:00 AM – 10:00 PM Sun – Thursd.
7:00 AM – 11:00 PM Fri. & Sat.

No restaurant on Freret St. stays open past 10:00 PM on any night of the week, except for Val's which closes at these hours proposed.

- 2) Lock property secure at all times when not operating food service.
- 3) No speakers projecting any sound (music, sports, movies, etc.)

Same restrictions as already applied by the City to Gasa Gasa's outdoor patio just ½ block away (impacting the same homes as this site), which states: "No amplified music and No DJs". I think "No Speakers" says same thing but is much more clear of the absolute prohibition.

Most restaurants along Freret St. don't play any music. This outdoor restaurant adjacent to single family homes with no building as a buffer (like Val's) certainly doesn't need to play music or anything else.

*Noise is the residential neighbors' **primary concern**. Please allow us to visit on our porches and yards and listen to our own music, not to the music blaring from this outside bar/restaurant, and to go to sleep at the hour of our choosing, not when this business shuts down.*

- 4) Limit alcohol drink service to customers ordering food. No Bar only service.

Haley M. Delery

From: Chris G. Young <CGYOUNG@msn.com>
Sent: Monday, May 8, 2023 1:20 PM
To: Haley M. Delery
Cc: Stephen K. Kroll; Sabine E. Lebailleux
Subject: Re: ZD022-23 (Freret St) - design changes meeting
Attachments: Shipping Container Buildings.pdf

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Thanks, Haley! I am forwarding your comments to the design/architect folks and will get back to you ASAP!

Thanks!

Sent from my iPhone

On May 8, 2023, at 12:40 PM, Haley M. Delery <hdelery@nola.gov> wrote:

Hi Chris,

Thank you for meeting with us and submitting the revised drawings.

Please let us know if you are open to making the following changes:

Modify the plans to comply with the building design standards for the Historic Urban Neighborhoods Non-Residential Districts found in **Article 12, Section 12.3.B**, including the following changes:

1. Combine the mass of the 6 small buildings into a larger building and Shift the building footprint so that the structure is built to the corner of Freret and Upperline Streets,
2. Provide a clearly identifiable entry from the sidewalk at the corner,
3. Provide a minimum of 50% transparency along Freret Street, and
4. Provide a minimum 12 ft ceiling height for ground floor commercial space

Please see the attached document "Shipping Container Buildings". These are examples in New Orleans that integrate shipping containers into the design of the overall building. By using shipping containers as a component of the building, you can still accomplish the design standards such as taller ceiling heights for commercial uses or transparent openings that activate the sidewalk by letting passerbys peer inside. The building footprint could also mimic the surrounding development. The Freret Street mixed-use corridor has a strong development character and the infill development should be consistent in height, mass and density.

Have a good week!
Haley

From: Chris G. Young <cgyoung@msn.com>
Sent: Monday, May 8, 2023 9:53 AM
To: Stephen K. Kroll <skroll@nola.gov>
Cc: Haley M. Delery <hdelery@nola.gov>; Sabine E. Lebailleur <selebailleur@nola.gov>; Chris G. Young <CGYOUNG@msn.com>
Subject: Re: ZD022-23 (Freret St) - design changes meeting

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Hi Stephen:

Please see attached updated Site Plan, which I received Friday. Please let me know if this needs adjustments/more info, etc.

Thanks!

Chris G. Young
Post Office Box 55297
Metairie, Louisiana 70055 USA
Telephone: (504) 915-5953
EMAIL: CGYOUNG@MSN.COM

From: Stephen K. Kroll <skroll@nola.gov>
Sent: Monday, May 8, 2023 9:47 AM
To: Chris G. Young <CGYOUNG@msn.com>
Cc: Haley M. Delery <hdelery@nola.gov>; Sabine E. Lebailleur <selebailleur@nola.gov>
Subject: Re: ZD022-23 (Freret St) - design changes meeting

Hi Chris,

I'm touching base on this to see when you expect an updated design to be complete. This needs to go to CPC on May 23, and we'll need to update the report prior to that meeting.

From: Haley M. Delery <hdelery@nola.gov>
Sent: Monday, April 17, 2023 12:51 PM
To: Stephen K. Kroll <skroll@nola.gov>; Sabine E. Lebailleur <selebailleur@nola.gov>; Chris G. Young <CGYOUNG@msn.com>
Subject: ZD022-23 (Freret St) - design changes meeting
When: Thursday, April 20, 2023 9:30 AM-10:00 AM.
Where: 7W03 Conference Room C

Hi Chris,

Are you available to meet at our office Thursday at 9:30 a.m.?

City Planning Commission #2
Speaker Card

Date: 5/23/23

I would like to speak regarding CPC Docket: 022/23

IN SUPPORT

Name: Billy Natty

Address: 4730 FREROT

I am the applicant for this docket

I'd like to cede my time to: _____

Remarks: _____

City Planning Commission
Speaker Card

2

Date: 5/23/23

I would like to speak regarding CPC Docket: 22/23

IN OPPOSITION

Name: Ed Pointer

Address: 2 Marlborough Gate Place

I'd like to cede my time to: _____

Remarks: _____

City Planning Commission #2
Speaker Card

#2

Date: 5/23/23

I would like to speak regarding CPC Docket: 022/23

IN SUPPORT

Name: Chris Young

Address: 810 ORLEANS

I am the applicant for this docket

I'd like to cede my time to: _____

Remarks: _____

