

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: December 1, 2025**

**CALENDAR NO. 35,319**

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBER HARRIS**

**AN ORDINANCE** to grant an Affordable Housing Planned Development in an HU-RD2 Historic Urban Two-Family Residential District, on Square 439, Lots 3, 4, and S or 20-21, in the Fourth Municipal District, bounded by Washington Avenue, South Johnson Street, South Prieur Street, and Toledano Street (Municipal Address: 3308 Washington Avenue); and otherwise to provide with respect thereto.

**WHEREAS, Zoning Docket Number 45/25** was initiated by Eshel Properties, LLC and referred to the City Planning Commission; and

**WHEREAS,** the City Planning Commission held a public hearing on this zoning petition and recommended approval of the requested affordable housing planned development in its report to the City Council dated October 20, 2025, presented in **Zoning Docket Number 45/25**; and

**WHEREAS,** the changes were deemed necessary and in the best interest of the City of New Orleans and the request was approved by the City Council, subject to five (5) exceptions and five (5) provisos, as stated in Motion Number M-25-563 of the Council of the City of New Orleans on November 6, 2025.

1           **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**  
2           **ORDAINS,** That an Affordable Housing Planned Development in an HU-RD2 Historic Urban

3 Two-Family Residential District, on Square 439, Lots 3, 4, and S or 20-21, in the Fourth  
4 Municipal District, bounded by Washington Avenue, South Johnson Street, South Prieur  
5 Street, and Toledano Street (Municipal Address: 3308 Washington Avenue); is hereby  
6 authorized and approved, subject to the following exceptions and provisos, as specifically set  
7 forth herein:

8 **EXCEPTIONS:**

- 9 1. The developer shall be granted an exception to the requirements of **Article 11, Section**  
10 **11.3.A** of the Comprehensive Zoning Ordinance, providing 422 square feet per  
11 dwelling unit for a total lot area of 11,820 square feet.
- 12 2. The developer shall be granted an exception to the requirements of **Article 11, Section**  
13 **11.3.A** of the Comprehensive Zoning Ordinance, providing a front yard setback waiver  
14 of 5 feet.
- 15 3. This development shall be granted an exception of **Article 22, Section 22.15** and  
16 **Article 5, Section 5.10** of the Comprehensive Zoning Ordinance to permit a reduced  
17 number of off-street parking due to the public benefit component providing affordable  
18 housing units.
- 19 4. This development shall be granted an exception of **Article 22, Section 22.8.C.3** of the  
20 Comprehensive Zoning Ordinance to permit a two-way traffic aisle providing an aisle  
21 width waiver of 4 feet.
- 22 5. The developer shall be granted an exception to the requirements of **Article 5, Section**  
23 **5.10.B.4** and **Article 5, Section 5.10.B.5** of the Comprehensive Zoning Ordinance,  
24 allowing the new affordable units to be concentrated within the new structure.

25 **PROVISOS:**

- 26 1. The Department of Safety and Permits shall issue no building permits or licenses for  
27 this project until final development plans are approved by the City Planning  
28 Commission and recorded with Clerk of Civil District Court's Land Records Division.  
29 Failure to complete the planned development process by properly recording plans  
30 within one year or failure to request an administrative extension as provided for in  
31 **Article 4, Section 4.4.I.2** of the Comprehensive Zoning Ordinance will void the  
32 planned development approval.
- 33 2. The developer shall secure the approval of the Department of Public Works for any  
34 improvements to the adjacent public right-of-way, including sidewalks, curbing, and  
35 curb cuts, and any other modifications to the surrounding public rights-of-way. When  
36 submitting plans to the City Planning Commission for final approval, the developer  
37 shall provide documentation of all required approvals by the Department of Public  
38 Works.
- 39 3. The plans submitted to the City Planning Commission for final approval shall include  
40 a landscaping plan that complies with **Article 23, Section 23.3.B** of the  
41 Comprehensive Zoning Ordinance. The landscape plan shall be prepared by a licensed  
42 Louisiana landscape architect. This landscape plan shall indicate the following:
- 43 a. the genus, species, size, location, quantity, and irrigation of all existing and  
44 proposed plant materials within both the common areas and the street rights-  
45 of-way within the site, with applicable remarks and details;
- 46 b. compliance with all applicable landscape regulations in **Article 23** and  
47 elsewhere in the Comprehensive Zoning Ordinance including parking lot

48 landscaping in **Article 23, Section 23.7** and buffer yard landscaping in **Article**  
49 **23, Section 23.8**;

50 c. building foundation planting; and

51 d. any planting of trees in the public right-of-way is subject to the approval of the  
52 Department of Parks and Parkways.

53 4. The developer shall provide details on the final site plan identifying the location, type,  
54 and screening of all trash receptacles, and shall demonstrate an adequate removal plan  
55 that ensures safe and efficient access for sanitation services.

56 5. The development shall be in accordance with, and submit evidence of, all affordable  
57 housing requirements outlined in **Article 5, Section 5.10** of the Comprehensive  
58 Zoning Ordinance, except as specifically waived herein, including:

59 a. Affordable housing units shall be either rental affordable housing or  
60 homeownership affordable housing.

61 b. The development shall contain twenty-five percent (25%) of units up to the  
62 sixty percent (60%) Area Median Income level.

63 c. The affordable housing units shall be comparable to the market-rate housing  
64 units in terms floor area and exterior finishes. Interior finishes or appliances  
65 may be different as long as functionality and longevity are retained.

66 d. The bedroom mix (i.e. the number of bedrooms) of the affordable housing units  
67 shall be proportional to the market-rate housing units.

68 e. The obligation to provide and maintain a specified amount of affordable  
69 housing in a development shall run with planned development designation  
70 containing such site for not less than ninety-nine (99) years.

71 f. The residents of the affordable housing units shall have access to the same  
72 amenities as the residents of the market-rate housing units.

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  
5 conviction shall be cause for immediate cancellation of the Use and Occupancy Permit for the  
6 premises. Alternatively, the individual shall be subject to whatever civil liabilities, penalties,  
7 or remedies the law prescribes.

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this  
2 affordable housing planned development after: (1) all proviso(s) listed in Section 1, which  
3 impose a one-time obligation have been completely fulfilled and complied with; and (2) all  
4 proviso(s) listed in Section 1, which impose a continuing or ongoing obligation have begun  
5 to be fulfilled. Fulfilment of a continuing or ongoing obligation is based on the City Planning  
6 Commission's approval of the final site plan, which shall be submitted within one year of the  
7 effective date of this Ordinance, unless extended as authorized by the Comprehensive Zoning  
8 Ordinance. The Executive Director of the City Planning Commission shall verify that the  
9 development plan incorporate all conditions set forth in this Ordinance and shall sign the plan  
10 to indicate final plan approval. The final approved plan shall be recorded in the Office of the  
11 Clerk of Civil District Court for the Parish of Orleans, within 30 days of the date of final  
12 approval, and evidence of such recordation shall be submitted to the City Planning  
13 Commission. No use or occupancy certificates or permits, other than the building permits  
14 needed to fulfill the proviso(s), shall be issued until the final approved plan is recorded and

15 evidence of recordation is submitted to the City Planning Commission. If the development  
16 plan is not approved and recorded, within the timeframes provided in the Comprehensive  
17 Zoning Ordinance, then this Ordinance shall be null and void with no legal force or binding  
18 effect. Furthermore, if the requirements of Section 4.4.I.1 of the Comprehensive Zoning  
19 Ordinance are not satisfied within the timeframe allotted by Sections 4.4.I.1 and 4.4.I.2 of the  
20 Comprehensive Zoning Ordinance, the affordable housing planned development will expire,  
21 and this Ordinance will be null and void.

**ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF THE COUNCIL**

**DELIVERED TO THE MAYOR ON** \_\_\_\_\_

**APPROVED:**  
**DISAPPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**RETURNED BY THE MAYOR ON** \_\_\_\_\_ **AT** \_\_\_\_\_

\_\_\_\_\_  
**CLERK OF COUNCIL**

**ROLL CALL VOTE:**  
**YEAS:**  
**NAYS:**  
**ABSENT:**  
**RECUSED:**

**MOTION**

**NO. M-25-563**

**CITY HALL: November 6, 2025**

**BY: COUNCILMEMBER HARRIS**

**SECONDED BY: COUNCILMEMBER MORRELL**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission's report and recommendation of **approval** subject to five (5) exceptions and five (5) provisos, related to **ZONING DOCKET 045/25** for property located at Square 439, Lots 3, 4, and S or 20-21, in the Fourth Municipal District, bounded by Washington Avenue, South Johnson Street, South Prieur Street, and Toledano Street, bearing municipal address 3308 Washington Avenue, initiated by Eshel Properties, LLC, requesting an Affordable Housing Planning Development to permit the expansion of a multi-family residential development in an HU-RD2 Historic Urban Two-Family Residential District, is hereby received and the request is **APPROVED.**

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the Clerk of Council is directed to forward copies of this motion to the Council Land Use Officer, who is directed to prepare an ordinance to effectuate this motion and is granted flexibility to make any changes necessary to achieve the will of the Council as set forth in this motion.

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

**YEAS: Giarrusso, Harris, King, Moreno, Morrell, Thomas - 6**

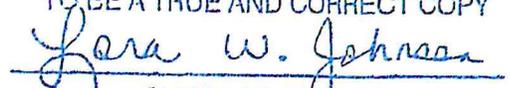
**NAYS: 0**

**ABSENT: Green - 1**

**RECUSED: 0**

**AND THE MOTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY



CLERK OF COUNCIL