

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

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); is hereby authorized and approved, subject to the following exceptions and provisos, as specifically set forth herein:

EXCEPTIONS:

1. The developer shall be granted an exception to the requirements of **Article 11, Section 11.3.A** of the Comprehensive Zoning Ordinance, providing 422 square feet per dwelling unit for a total lot area of 11,820 square feet.
2. The developer shall be granted an exception to the requirements of **Article 11, Section 11.3.A** of the Comprehensive Zoning Ordinance, providing a front yard setback waiver of 5 feet.
3. This development shall be granted an exception of **Article 22, Section 22.15** and **Article 5, Section 5.10** of the Comprehensive Zoning Ordinance to permit a reduced number of off-street parking due to the public benefit component providing affordable housing units.
4. This development shall be granted an exception of **Article 22, Section 22.8.C.3** of the Comprehensive Zoning Ordinance to permit a two-way traffic aisle providing an aisle width waiver of 4 feet.
5. The developer shall be granted an exception to the requirements of **Article 5, Section 5.10.B.4** and **Article 5, Section 5.10.B.5** of the Comprehensive Zoning Ordinance, 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

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

- c. building foundation planting; and
- d. any planting of trees in the public right-of-way is subject to the approval of the Department of Parks and Parkways.

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

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

- a. Affordable housing units shall be either rental affordable housing or homeownership affordable housing.
- b. The development shall contain twenty-five percent (25%) of units up to the sixty percent (60%) Area Median Income level.
- c. The affordable housing units shall be comparable to the market-rate housing units in terms floor area and exterior finishes. Interior finishes or appliances may be different as long as functionality and longevity are retained.
- d. The bedroom mix (i.e. the number of bedrooms) of the affordable housing units shall be proportional to the market-rate housing units.
- e. The obligation to provide and maintain a specified amount of affordable housing in a development shall run with planned development designation containing such site for not less than ninety-nine (99) years.

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

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

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

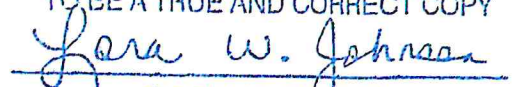
NAYS: 0

ABSENT: Green - 1

RECUSED: 0

AND THE MOTION WAS ADOPTED.

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY


CLERK OF COUNCIL