

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: August 7, 2025

CALENDAR NO. 35,188

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER GIARRUSSO

AN ORDINANCE to establish a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on entirety of Square 234, Pt. Lot A or Lots X and Y, in the Seventh Municipal District, bounded by Hickory Street, Hollygrove Street, Green Street, and Monticello Avenue (Municipal Addresses: 9000-9004 Hickory Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 31/25 was initiated by Coffee & Roses, 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 a conditional use in its report to the City Council dated June 27, 2025, presented in **Zoning Docket Number 31/25;** and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, subject to three (3) provisos, as stated in Motion Number M-25-399 of the Council of the City of New Orleans on July 24, 2025.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,** That
2 a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-
3 Family Residential District, on entirety of Square 234, Pt. Lot A or Lots X and Y, in the Seventh Municipal
4 District, bounded by Hickory Street, Hollygrove Street, Green Street, and Monticello Avenue (Municipal
5 Addresses: 9000-9004 Hickory Street); is hereby authorized and approved, subject to the following provisos,
6 as specifically set forth herein:

7 **PROVISOS:**

- 8 1. The Department of Safety and Permits shall issue no building permits or licenses for this project until
9 final development plans are approved by the City Planning Commission and recorded with the Office
10 of Conveyances. Failure to complete the conditional use process by properly recording plans within
11 one year or failure to request an administrative extension as provided for in **Article 4, Section 4.3.H.2**
12 of the Comprehensive Zoning Ordinance will void the conditional use.
- 13 2. The developer shall comply with the applicable standards of **Article 20, Section 20.3.NN:**
- 14 a. The existing structure is non-residential in its construction and original use.
- 15 b. The existing structure and the proposed use shall be pedestrian-oriented in design, including
16 public entrances oriented to the street and storefront windows along the first floor.
- 17 c. Neighborhood commercial establishments are limited to the first floor of the structure and
18 three-thousand (3,000) square feet in gross floor area.
- 19 d. The following uses are permitted within a neighborhood commercial establishment:
- 20 i. Art Gallery
- 21 ii. Arts Studio
- 22 iii. Day Care Center, Adult or Child
- 23 iv. Office
- 24 v. Personal Services Establishment
- 25 vi. Restaurant, Specialty
- 26 vii. Retail Goods Establishment
- 27 e. The structure is limited to the existing building footprint. No increase in building footprint or
28 intensity of use is permitted.
- 29 f. The principal entrance shall be a direct entry from the street the property abuts.
- 30 g. No off-street parking is required.
- 31 h. Drive-through facilities are prohibited.

- 32 i. Outside storage or display is prohibited. All business, servicing, processing, and storage
33 operations shall be located within the structure.
- 34 j. Any signs are subject to the requirements of the HU-B1A District.
- 35 k. Hours of operation are limited to 6am through 10pm.
- 36 3. The plans submitted to the City Planning Commission for final approval shall indicate the installation
37 of at least 2 short-term bicycle parking spaces, as set forth in **Article 22, Section 22.4.A (Table 22-1)**
38 and **Article 22, Section 22.6** of the Comprehensive Zoning Ordinance. The design of bicycle parking
39 spaces shall comply with the requirements as set forth in **Article 22, Section 22.9** of the
40 Comprehensive Zoning Ordinance. When submitting plans to the City Planning Commission for final
41 approval, the developer shall provide documentation of all required approvals by the Department of
42 Public Works for any bicycle spaces located in the public right-of-way.

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

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this conditional use
2 after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation have been completely fulfilled
3 and complied with; and (2) all proviso(s) listed in Section 1, which impose a continuing or ongoing obligation
4 have begun to be fulfilled. Fulfilment of a continuing or ongoing obligation is based on the City Planning
5 Commission's approval of the final site plan, which shall be submitted within one year of adoption of this
6 Ordinance by the City Council, unless extended as authorized by the Comprehensive Zoning Ordinance. The
7 Executive Director of the City Planning Commission shall verify that the development plan incorporate all
8 conditions set forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved

9 plan shall be recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans, within 30
10 days of the date of final approval, and evidence of such recordation shall be submitted to the City Planning
11 Commission. No use or occupancy certificates or permits, other than the building permits needed to fulfill the
12 proviso(s), shall be issued until the final approved plan is recorded and evidence of recordation is submitted to
13 the City Planning Commission. If the development plan is not approved and recorded, within the timeframes
14 provided in the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal
15 force or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive Zoning
16 Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive
17 Zoning Ordinance, the conditional use will expire, 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** _____

ASSISTANT CLERK OF COUNCIL

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

**MOTION
NO. M-25-399**

CITY HALL: July 24, 2025

BY: COUNCILMEMBER GIARRUSSO

SECONDED BY: COUNCILMEMBER HARRIS

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission's report and **favorable recommendation**, subject to three provisos, for **ZONING DOCKET 31/25 – Coffee & Roses, LLC**, requesting a Conditional Use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on entirety of Square 234, Lot A or Lots X and Y, in the Seventh Municipal District, bounded by Hickory Street, Hollygrove Street, Green Street, and Monticello Avenue (Municipal Addresses: **9000-9004 Hickory Street**), is approved and the request is **granted**, subject to the three provisos contained in the City Planning Commission report.

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 Law Department, which 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, Green, Harris, Moreno, Morrell, Thomas - 6

NAYS: 0

ABSENT: King - 1

RECUSED: 0

AND THE MOTION WAS ADOPTED.

**THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY**



ASSISTANT CLERK OF COUNCIL