

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: March 26, 2026

CALENDAR NO. 35,395

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a standard restaurant in an HU-B1 Historic Urban Neighborhood Business District, CPC Character Preservation Corridor Design Overlay District, and the Magazine Street Use Restriction Overlay District, on Square 217, Lot D, in the Sixth Municipal District, bounded by Magazine Street, Louisiana Avenue, Camp Street, and Toledano Street (Municipal Address: 3329 Magazine Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 9/26 was initiated by Grace 9999, 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 conditional use in its report to the City Council dated January 23, 2026, presented in **Zoning Docket Number 9/26**; 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 three (3) provisos, as stated in Motion Number M-26-102 of the Council of the City of New Orleans on March 12, 2026.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That a conditional use to permit a standard restaurant in an HU-B1 Historic Urban
3 Neighborhood Business District, CPC Character Preservation Corridor Design Overlay District, and
4 the Magazine Street Use Restriction Overlay District, on Square 217, Lot D, in the Sixth Municipal
5 District, bounded by Magazine Street, Louisiana Avenue, Camp Street, and Toledano Street
6 (Municipal Address: 3329 Magazine Street); is hereby authorized and approved, subject to the
7 following provisos, as specifically set forth herein:

8 **PROVISOS:**

- 9 1. In accordance with **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance, the
10 use shall be in accordance with the following use standards:
- 11 a. The restaurant shall submit a security and operation plan, to be reviewed by the
12 Director of Safety and Permits, and all other relevant City agencies, with the following
13 added:
- 14 i. For restaurants with an outdoor component, the plan shall include provisions
15 regarding how the facility will control the sales of alcoholic beverages to ensure
16 consumption on-premises.
- 17 ii. All restaurants serving alcoholic beverages shall provide exterior security
18 cameras.
- 19 b. The restaurant shall submit a noise abatement plan, to be reviewed by the Director of
20 Safety and Permits, and all other relevant City agencies.
- 21 c. If the restaurant contains a brewing or distilling facility on-site, a floor plan indicating
22 the area reserved for brewing or distilling and a description of the facility and capacity.
23 On-site micro-brewing and micro-distillery facilities are only allowed in standard
24 restaurants.
- 25 d. The standard restaurant shall submit a summary of the number and location of places
26 of worship, educational facilities, and parks and playgrounds within three-hundred
27 (300) feet of the proposed location.
- 28 e. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for
29 consumption off the premises are prohibited.
- 30 f. The restaurant is limited to the following hours of operation. No new customers are
31 permitted after the closing hour, and the restaurant shall be completely shut down,
32 including no staff present on the premises, within two (2) hours of the closing time.
33 Opening hour is for first opening of business to customers.
- 34 i. Sunday thru Wednesday: from 6:00 am to 10:00 pm.
- 35 ii. Thursday thru Saturday: from 6:00 am to 12:00 am (midnight).
- 36 g. Hours of operation shall be posted on or near the restaurant entrance visible to the
37 public.
- 38 h. Live entertainment is a separate principal use and subject to separate approval.

- 39 i. If the restaurant use plans an increase in intensity, such as an expansion of floor area
40 or increase in permitted occupancy, the security and operation plans shall be updated
41 and resubmitted for approval. The revised security and operation plan shall be
42 approved prior to the issuance of any permits.
- 43 j. Security and operation plans may be revised by the property owner or person
44 authorized in writing by the owner. New plans shall be resubmitted for approval.
- 45 k. A holding bar is permitted. The holding bar is an accessory use to the principal use of
46 the standard restaurant. The holding bar is an area of the restaurant where alcoholic
47 beverages are prepared and served at the bar. Holding bars are subject to the following:
- 48 i. A holding bar cannot exceed fifteen percent (15%) of the floor area of the
49 public seating area of the restaurant, up to a maximum area of threehundred
50 (300) square feet, including the service area behind the bar. The calculation of
51 the total public seating area shall include the holding bar area in the calculation.
52 If a portion of the holding bar is used to serve non-alcoholic beverages, such
53 as coffee, that area is included as part of the holding bar area. The holding bar
54 area shall be calculated from the back wall to the front of the bar. If the holding
55 bar is not set against a wall, the area shall be calculated from one bar front to
56 another.
- 57 ii. The holding bar should be only open to the public while food is being served
58 in the restaurant dining room.
- 59 l. There shall be no cover charge to enter the restaurant.
- 60 2. The Department of Safety and Permits shall issue no building permits or licenses for this
61 project until final development plans are approved by the City Planning Commission and

62 recorded with the Office of Conveyances. Failure to complete the conditional use process by
63 properly recording plans within one year or failure to request an administrative extension as
64 provided for in **Article 4, Section 4.3.H.2** of the Comprehensive Zoning Ordinance will void
65 the conditional use.

66 3. The restaurant shall operate in accordance with the definition of a Standard Restaurant as
67 defined in **Article 26, Section 26.6** of the Comprehensive Zoning Ordinance.

1 **SECTION 2.** Whoever does anything prohibited by this Ordinance or fails to do anything
2 required to be done by this Ordinance shall be subject to whatever civil liabilities, penalties, or
3 remedies 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 have
3 been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which impose
4 a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing or ongoing
5 obligation is based on the City Planning Commission's approval of the final site plan, which shall be
6 submitted within one year of adoption of this Ordinance by the City Council, unless extended as
7 authorized by the Comprehensive Zoning Ordinance. The Executive Director of the City Planning
8 Commission shall verify that the development plan incorporate all conditions set forth in this
9 Ordinance and shall sign the plan to indicate final plan approval. The final approved plan shall be
10 recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans, within 30 days of
11 the date of final approval, and evidence of such recordation shall be submitted to the City Planning
12 Commission. No use or occupancy certificates or permits, other than the building permits needed to
13 fulfill the proviso(s), shall be issued until the final approved plan is recorded and evidence of
14 recordation is submitted to the City Planning Commission. If the development plan is not approved

15 and recorded, within the timeframes provided in the Comprehensive Zoning Ordinance, then this
16 Ordinance shall be null and void with no legal force or binding effect. Furthermore, if the
17 requirements of Section 4.3.H.1 of the Comprehensive Zoning Ordinance are not satisfied within the
18 timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive Zoning Ordinance, the
19 conditional use will expire, and this Ordinance will be null and void. The preceding deadlines may
20 be extended via motion in accordance with the Comprehensive Zoning Ordinance.

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-26-102

CITY HALL: March 12, 2026

BY: COUNCILMEMBER HARRIS

SECONDED BY: COUNCILMEMBER MCCARRON

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 three (3) provisos**, related to **ZONING DOCKET 9/26** , initiated by 2915 Grace 9999, LLC., requesting consideration of a conditional use to permit a standard restaurant in an HU-B1 Historic Urban Neighborhood Business District, CPC Character Preservation Corridor Design Overlay District, and the Magazine Street Use Restriction Overlay District, on Square 217, Lot D in the Sixth Municipal District and bounded by Magazine Street, Louisiana Avenue, Camp Street, and Toledano (**Municipal Address: 3329 Magazine Street**), has been received and the request is hereby **APPROVED** subject to the three recommended provisos.


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: King, Harris, Hughes, King, McCarron, Morrell, Willard - 7
NAYS: 0
ABSENT: 0
AND THE MOTION WAS ADOPTED.

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

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CLERK OF COUNCIL