

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: July 24, 2025**

**CALENDAR NO. 35,171**

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

**BY: COUNCILMEMBER GIARRUSSO**

**AN ORDINANCE** to establish a conditional use to permit a hotel in an HU-MU Historic Urban Neighborhood Mixed-Use District, on the entirety of Square 151, the front portions of Lots 22 and 23, in the Seventh Municipal District, bounded by South Carrollton Avenue, Oak Street, Dublin Street, and Plum Street (Municipal Address: 1200 South Carrollton Avenue); and otherwise to provide with respect thereto.

**WHEREAS, Zoning Docket Number 24/25** was initiated by The Whitney on Carrollton, 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 May 16, 2025, presented in **Zoning Docket Number 24/25**; and

**WHEREAS,** the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, subject to six (6) provisos, as stated in Motion Number M-25-381 of the Council of the City of New Orleans on July 10, 2025.

1           **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,**

2           That a conditional use to permit a hotel in an HU-MU Historic Urban Neighborhood Mixed-Use District,  
3           on the entirety of Square 151, the front portions of Lots 22 and 23, in the Seventh Municipal District,  
4           bounded by South Carrollton Avenue, Oak Street, Dublin Street, and Plum Street (Municipal Address: 1200  
5           South Carrollton Avenue); is hereby authorized and approved, subject to the following provisos, as  
6           specifically set forth herein:

7           **PROVISOS:**

- 8 1. The plans submitted to the City Planning Commission for final approval shall indicate the presence  
9 of the minimum required vehicle parking spaces, as set forth in **Article 22, Section 22.4.A (Table**  
10 **22-1)** of the Comprehensive Zoning Ordinance, and as determined by the Department of Safety and  
11 Permits.
- 12 2. As required by **Article 22, Section 22.4** of the Comprehensive Zoning Ordinance, the developer  
13 shall provide the minimum required off-street vehicular parking spaces. In accordance with **Article**  
14 **22, Section 22.8.B.2** of the Comprehensive Zoning Ordinance, the off-street parking spaces shall  
15 be located either on-site or on a separate lot that is within three-hundred (300) feet of the site and  
16 in a non-residential zoning district. For any off-site parking spaces, a recorded parking covenant or  
17 agreement shall be filed with the Department of Safety and Permits and the Office of Conveyances.  
18 Such encumbrance shall be valid for the total period that the use for which the parking is needed  
19 are in existence. If the off-site parking is no longer available, the use has one-hundred eighty (180)  
20 days from that date to accommodate all required off-street parking or to apply for a variance. If the  
21 use is unable to accommodate the parking or fails to apply for a variance, then the certificate of  
22 occupancy will be revoked. The certificate of occupancy may be reinstated when the required  
23 parking is provided, a variance is approved, or a new parking agreement is filed with the  
24 Department of Safety and Permits and the Office of Conveyances.
- 25 3. As required by the Customary Lodging Services Staffing Interim Zoning District and any  
26 subsequent legislation, the hotel shall provide at least one on-site, on-duty staff member who is  
27 physically present at all times and capable of immediately assisting guests, overseeing operations  
28 of the facility, addressing to safety and security matters, and responding to emergencies.
- 29 4. The Department of Safety and Permits shall issue no building permits or licenses for this project  
30 until final development plans are approved by the City Planning Commission and recorded with  
31 the Office of Conveyances. Failure to complete the conditional use process by properly recording  
32 plans within a one year time period or failure to request an administrative extension as provided for

33 in **Article 4, Section 4.3.H** of the Comprehensive Zoning Ordinance will void the conditional use  
34 approval.

35 5. The plans submitted to the City Planning Commission for final approval shall indicate the main  
36 point of entry to the hotel lobby being located along South Carrollton Avenue and not along Oak  
37 Street.

38 6. The plans submitted to the City Planning Commission for final approval shall be labeled according  
39 to the intended use. Specifically, floor plans and site plans shall not reference "residential" or  
40 "apartment unit" if the intent is to be a commercial hotel.

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

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

12 permits needed to fulfill the proviso(s), shall be issued until the final approved plan is recorded and evidence  
13 of recordation is submitted to the City Planning Commission. If the development plan is not approved and  
14 recorded, within the timeframes provided in the Comprehensive Zoning Ordinance, then this Ordinance  
15 shall be null and void with no legal force or binding effect. Furthermore, if the requirements of Section  
16 4.3.H.1 of the Comprehensive Zoning Ordinance are not satisfied within the timeframe allotted by Sections  
17 4.3.H.1 and 4.3.H.2 of the Comprehensive Zoning Ordinance, the conditional use will expire, and this  
18 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-25-381**

**CITY HALL: July 10, 2025**

**BY: COUNCILMEMBER GIARRUSSO**

**SECONDED BY:**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the City Planning Commission's report and **favorable recommendation**, subject to eight provisos, for **ZONING DOCKET 24/25 – The Whitney on Carrollton, LLC**, requesting a Conditional Use to permit a hotel in an HU-MU Historic Urban Neighborhood Mixed-Use District, on entirety of Square 151, the front portion of Lots 22 and 23, in the Seventh Municipal District, bounded by South Carrollton Avenue, Oak Street, Dublin Street, and Plum Street (Municipal Addresses: **1200 South Carrollton Avenue**), is approved and the request is **granted**, subject to the following **six provisos**:

1. The plans submitted to the City Planning Commission for final approval shall indicate the presence of the minimum required vehicle parking spaces, as set forth in Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance, and as determined by the Department of Safety and Permits.
2. As required by Article 22, Section 22.4 of the Comprehensive Zoning Ordinance, the applicant shall provide the minimum required off-street vehicular parking spaces. In accordance with Article 22, Section 22.8.B.2 of the Comprehensive Zoning Ordinance, the off-street parking spaces shall be located either on-

site or on a separate lot that is within three-hundred (300) feet of the site and in a nonresidential zoning district. For any off-site parking spaces, a recorded parking covenant or agreement shall be filed with the Department of Safety and Permits and the Office of Conveyances. Such encumbrance shall be valid for the total period that the use for which the parking is needed are in existence. If the off-site parking is no longer available, the use has one-hundred eighty (180) days from that date to accommodate all required off-street parking or to apply for a variance. If the use is unable to accommodate the parking or fails to apply for a variance, then the certificate of occupancy will be revoked. The certificate of occupancy may be reinstated when the required parking is provided, a variance is approved, or a new parking agreement is filed with the Department of Safety and Permits and the Office of Conveyances.

3. As required by the Customary Lodging Services Staffing Interim Zoning District and any subsequent legislation, the hotel shall provide at least one on-site, on-duty staff member who is physically present at all times and capable of immediately assisting guests, overseeing operations of the facility, addressing to safety and security matters, and responding to emergencies.
4. 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 4.3H of the Comprehensive Zoning Ordinance will void the conditional use approval.

5. The plans submitted to the City Planning Commission for final approval shall indicate the main point of entry to the hotel lobby being located along South Carrollton Avenue and not along Oak Street.
6. The plans submitted to the City Planning Commission for final approval shall be labeled according to the intended use. Specifically, floor plans and site plans shall not reference “residential” or “apartment unit” if the intent is to be a commercial hotel.

**BE IT FURTHER MOVED,** That the Clerk of Council shall forward copies of this motion and the report of the City Planning Commission to the Law Department, which is directed to prepare an ordinance to effectuate this motion and is granted the 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:**

**NAYS:**

**ABSENT:**

**RECUSED:**

**AND THE MOTION WAS ADOPTED.**