

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: July 24, 2025

CALENDAR NO. 35,173

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a warehouse in a HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 140, Lot 7 or 13 and Lot 14, in the First Municipal District, bounded by Erato Street, Constance Street, Magazine Street, and Thalia Street (Municipal Addresses: 1018-1020 Erato Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 29/25 was initiated by 1020 Erato, 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 20, 2025, presented in **Zoning Docket Number 29/25**; and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, subject to one (1) proviso, as stated in Motion Number M-25-372 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 warehouse in a HU-MU Historic Urban Neighborhood Mixed-Use
3 District, on Square 140, Lot 7 or 13 and Lot 14, in the First Municipal District, bounded by Erato Street,
4 Constance Street, Magazine Street, and Thalia Street (Municipal Addresses: 1018-1020 Erato Street); is
5 hereby authorized and approved, subject to the following proviso, as specifically set forth herein:

6 **PROVISO:**

7 1. The Department of Safety and Permits shall issue no building permits or licenses for this project
8 until final development plans are approved by the City Planning Commission and recorded with
9 the Office of Conveyances. Failure to complete the conditional use process by properly recording
10 plans within a one-year time period or failure to request an administrative extension as provided
11 for in **Article 4, Section 4.3.H.2** of the Comprehensive Zoning Ordinance will void the
12 conditional use approval.

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 guilty of a misdemeanor. Upon conviction of such a
3 misdemeanor, the individual shall be subject to a fine, imprisonment, or both, in accordance with Section
4 1-13 of the Code of the City of New Orleans. Such a conviction shall be cause for immediate cancellation
5 of the Use and Occupancy Permit for the premises. Alternatively, the individual shall be subject to
6 whatever civil 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
4 ongoing obligation have begun to be fulfilled. Fulfilment of a continuing or ongoing obligation is based
5 on the City Planning Commission's approval of the final site plan, which shall be submitted within one
6 year of adoption of this Ordinance by the City Council, unless extended as authorized by the
7 Comprehensive Zoning Ordinance. The Executive Director of the City Planning Commission shall
8 verify that the development plan incorporate all conditions set forth in this Ordinance and shall sign the
9 plan to indicate final plan approval. The final approved plan shall be recorded in the Office of the Clerk
10 of Civil District Court for the Parish of Orleans, within 30 days of the date of final approval, and evidence

11 of such recordation shall be submitted to the City Planning Commission. No use or occupancy
12 certificates or permits, other than the building permits needed to fulfill the proviso(s), shall be issued
13 until the final approved plan is recorded and evidence of recordation is submitted to the City Planning
14 Commission. If the development plan is not approved and recorded, within the timeframes provided in
15 the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force or
16 binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive Zoning
17 Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the
18 Comprehensive Zoning Ordinance, the conditional use will expire, and this Ordinance will be null and
19 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-25-372

CITY HALL: July 10, 2025

BY: COUNCILMEMBER HARRIS

SECONDED BY:

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 1 proviso, related to **ZONING DOCKET 029/25** for property located at Square 140, Lot 7 or 13 and 14, in the First Municipal District, bounded by Erato Street, Constance Street, Magazine Street, and Thalia Street, bearing municipal address 1018-1020 Erato Street, initiated by 1020 Erato, LLC, requesting conditional use to permit a warehouse in a HU-MU Historic Urban Neighborhood Mixed-Use 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 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:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.