

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: January 27, 2026**

**CALENDAR NO. 35,330**

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

**BY: COUNCILMEMBER MCCARRON**

**AN ORDINANCE** to grant an amendment to Ordinance No. 28,097 MCS (Zoning Docket 032/19) for a conditional use to permit the operation of a previously constructed drive-through facility in an HU-MU Historic Urban Neighborhood Mixed-Use District, on an undesignated portion of ground on Square 617, in the Second Municipal District, bounded by City Park Avenue, North Anthony Street, North Bernadotte Street, Saint Louis Street, and Toulouse Street (Municipal Address: 512 City Park Avenue); and otherwise to provide with respect thereto.

**WHEREAS, Zoning Docket Number 61/25** was initiated by Park Place Shopping Center, 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 amendment in its report to the City Council dated December 9, 2025, presented in **Zoning Docket Number 61/25**; 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 seven (7) provisos, as stated in Motion Number M-26-5 of the Council of the City of New Orleans on January 8, 2026.

1           **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**  
2           **ORDAINS,** That Ordinance No. 28,097 MCS (Zoning Docket 032/19) for a conditional use to permit  
3           the operation of a previously constructed drive-through facility in an HU-MU Historic Urban

4 Neighborhood Mixed-Use District, on an undesignated portion of ground on Square 617, in the Second  
5 Municipal District, bounded by City Park Avenue, North Anthony Street, North Bernadotte Street,  
6 Saint Louis Street, and Toulouse Street (Municipal Address: 512 City Park Avenue); is hereby  
7 amended, authorized and approved, subject to the following provisos, as specifically set forth herein:

8 **PROVISOS:**

9 *Provisos for Office Space (ZD 032-19)*

- 10 1. The conditional use shall only apply to the office space totaling over 5,000 square feet, as  
11 shown on the submitted plans.
- 12 2. All signage shall conform to the requirements of **Article 24** of the Comprehensive Zoning  
13 Ordinance, subject to the review and approval of the City Planning Commission.
- 14 3. In accordance with **Article 23, Section 23.13.A** of the Comprehensive Zoning Ordinance, the  
15 plans submitted to the City Planning Commission for final approval shall indicate the location  
16 of the trash receptacle which may be within an enclosed structure or screened by a seven foot  
17 (7') opaque fence with latching gates. At no time, excepting trash collection days, shall trash  
18 be stored as to be visible from the public rights-of-way.
- 19 4. The Department of Safety and Permits shall issue no Building Permits or licenses specifically  
20 related to the proposed commercial use that is to be over 5,000 square feet in floor area until  
21 final development plans are approved by the City Planning Commission and recorded with the  
22 Office of Conveyances. Failure to complete the conditional use process by properly recording  
23 plans within one year or failure to request an administrative extension as provided for in **Article**  
24 **4, Section 4.3.H.2** of the Comprehensive Zoning Ordinance will void the conditional use.
- 25 5. The plans submitted to the City Planning Commission for final approval shall indicate the  
26 installation of at least 2 short-term bicycle parking spaces, as set forth in **Article 22, Section**

27           **22.6 (Table 22-1)** of the Comprehensive Zoning Ordinance. The design of bicycle parking  
28           spaces shall comply with the requirements as set forth in **Article 22, Section 22.9** of the  
29           Comprehensive Zoning Ordinance.

30    ***Provisos for Fast Food (ZD 061-25)***

31    6.       In accordance with **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance, the  
32       developer shall meet the following standards:

- 33       a.       A restaurant shall submit a security and operation plan, to be reviewed by the Director  
34           of Safety and Permits, and all other relevant City agencies.
- 35       b.       A restaurant shall submit a noise abatement plan, to be reviewed by the Director of  
36           Safety and Permits, and all other relevant City agencies.

37    7.       In accordance with **Article 20, Section 20.3.V** of the Comprehensive Zoning Ordinance, the  
38       developer shall meet the following standards:

- 39       a.       The volume on all intercom menu displays shall be maintained at a level so as not to  
40           be audible in adjoining residential districts. The volume on all intercom menu displays  
41           shall comply with all local noise regulations.
- 42       b.       The operator of the drive-through facility shall provide adequate on-site outdoor waste  
43           receptacles and provide daily litter clean-up of the facility and along the rights-of-way  
44           abutting the property.
- 45       c.       The submission of a Traffic Plan is required. The Traffic Plan shall include the  
46           following components: circulation routes for motor vehicles, bicycle and pedestrian  
47           transportation modes; ingress and egress locations for each transportation mode; curb  
48           side usage; locations and capacity of all off-street parking and loading spaces; traffic  
49           control plan during peak hours; crosswalk striping, ADA compliance and curbside bus

50 and car passenger pick-up locations. The Traffic Plan shall be approved by the City  
51 Planning Commission staff and the Department of Public Works.

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  
3 have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which  
4 impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing  
5 or ongoing obligation is based on the City Planning Commission's approval of the final site plan,  
6 which shall be submitted within one year of adoption of this Ordinance by the City Council, unless  
7 extended as authorized by the Comprehensive Zoning Ordinance. The Executive Director of the  
8 City Planning Commission shall verify that the development plan incorporate all conditions set  
9 forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved  
10 plan shall be recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans,  
11 within 30 days of the date of final approval, and evidence of such recordation shall be submitted  
12 to the City Planning Commission. No use or occupancy certificates or permits, other than the  
13 building permits needed to fulfill the proviso(s), shall be issued until the final approved plan is  
14 recorded and evidence of recordation is submitted to the City Planning Commission. If the  
15 development plan is not approved and recorded, within the timeframes provided in the  
16 Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force  
17 or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive

18 Zoning Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2  
19 of the Comprehensive Zoning Ordinance, the conditional use will expire, and this Ordinance will  
20 be null and void. The preceding deadlines may be extended via motion in accordance with the  
21 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-26-5**

**CITY HALL: January 8, 2026**

**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 seven provisos, for **ZONING DOCKET 61/25 – Park Place Shopping Center, LLC**, requesting an amendment to Ordinance No. 28,097 MCS (Zoning Docket 32/19) for a Conditional Use to permit the operation of a previously constructed drive-through facility in an HU-MU Historic Urban Neighborhood Mixed-Use District, on an undesignated portion of ground on Square 617, in the Second Municipal District, bounded by City Park Avenue, North Anthony Street, North Bernadotte Street, Saint Louis Street, and Toulouse Street (Municipal Addresses: **512 City Park Avenue**), is approved and the request is **granted** subject to the seven provisos within the City Planning Commission report.

**BE IT FURTHER MOVED**, That the Clerk of Council shall 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 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: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7**

**NAYS: 0**

**ABSENT: 0**

**RECUSED: 0**

**AND THE MOTION WAS ADOPTED.**

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THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Kera W. Johnson*  
CLERK OF COUNCIL