

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: March 12, 2026

CALENDAR NO. 35,389

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to grant a Planned Development for the adaptive reuse of an existing brewery over 10,0000 square feet in floor area as an amusement facility (indoor and outdoor) in a C-1 General Commercial District and an HU-MU Historic Urban Neighborhood Mixed Use District, and the rescission of Ordinance No. 28,218 MCS (Zoning Docket 046/19) and Ordinance No. 28,601 MCS (Zoning Docket 089/20), on Square 482-A, Lots 13-A, and 23, in the First Municipal District, bounded by South Broad Street, Martin Luther King, Jr. Boulevard, Thalia Street, and South Dorgenois Street (Municipal Addresses: 3935-3943 Martin Luther King, Jr. Boulevard, 3940 Thalia Street, and 1400 South Broad Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 4/26 was initiated by Icannotstandthistown, LLC and the City of New Orleans 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 planned development in its report to the City Council dated January 23, 2026, presented in **Zoning Docket Number 4/26**; 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 two (2) exceptions and two (2) provisos, as stated in Motion Number M-26-96 of the Council of the City of New Orleans on February 26, 2026.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That a Planned Development for the adaptive reuse of an existing brewery over 10,0000
3 square feet in floor area as an amusement facility (indoor and outdoor) in a C-1 General Commercial
4 District and an HU-MU Historic Urban Neighborhood Mixed Use District, on Square 482-A, Lots 13-
5 A, and 23, in the First Municipal District, bounded by South Broad Street, Martin Luther King, Jr.
6 Boulevard, Thalia Street, and South Dorgenois Street (Municipal Addresses: 3935-3943 Martin Luther
7 King, Jr. Boulevard, 3940 Thalia Street, and 1400 South Broad Street), is hereby authorized and
8 approved, subject to the following exceptions and provisos, as specifically set forth herein:

9 **EXCEPTIONS:**

- 10 1. The developer shall be granted an exception of **Section 22.4.A. (Table 22-1) Off-Street**
11 **Parking Requirements** of the Comprehensive Zoning Ordinance, which requires 88 parking
12 spaces, to require only 33 parking spaces to be provided.
- 13 2. The developer shall be granted an exception of **Section 15.2.A. (Table 15-1) Permitted and**
14 **Conditional Uses** of the Comprehensive Zoning Ordinance, which allows only Amusement
15 Facility (Indoor) in the C-1 General Commercial District, to permit the proposed combination
16 of Amusement Facility (Indoor) and Amusement Facility (Outdoor).

17 **PROVISOS:**

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

2. In accordance with **Article 20.3.E Amusement Facility, Indoor or Outdoor** the applicant shall submit a noise abatement plan, a security and operation plan and a surrounding area study to be reviewed by the Director of Safety and Permits, and all other relevant City agencies.

SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Ordinance No. 28,218 MCS (Zoning Docket 046/19) and Ordinance No. 28,601 MCS (Zoning Docket 089/20) are hereby rescinded.

SECTION 3. Whoever does anything prohibited by this Ordinance or fails to do anything required to be done by this Ordinance shall be subject to whatever civil liabilities, penalties, or remedies the law prescribes.

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

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

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-26-96

CITY HALL: February 26, 2026

BY: COUNCILMEMBER HARRIS

SECONDED BY: COUNCILMEMBER KING

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 two (2) exceptions and two (2) provisos**, related to **ZONING DOCKET 4/26**, initiated by Icannotstandthistown, LLC and the City of New Orleans, requesting a planned development for the adaptive reuse of an existing brewery over 10,0000 square feet in floor area as an amusement facility (indoor and outdoor) in a C-1 General Commercial District and an HU-MU Historic Urban Neighborhood Mixed Use District and the rescission of Ordinance No. 28,218 MCS (Zoning Docket 046/19) and Ordinance No. 28,601 MCS (Zoning Docket 089/20), on Square 482-A, Lots 13-A, , and 23, in the First Municipal District, bounded by South Broad Street, Martin Luther King, Jr., Boulevard, Thalia Street, and South Dorgenois Street (**Municipal Address(es): 3935-3943 Martin Luther King, Jr. Boulevard, 3940 Thalia Street, and 1400 South Broad Street**), is hereby **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: Green, 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**

Aisha Collier

CLERK OF COUNCIL