

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: March 26, 2026

CALENDAR NO. 35,396

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 506, Lots 13 and 14, in the First Municipal District, bounded by Erato Street, South Gayoso Street, South Salcedo Street, and Thalia Street (Municipal Address: 4200 Erato Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 13/26 was initiated by PJS Investments, 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 February 23, 2026, presented in **Zoning Docket Number 13/26**; 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-26-103 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 neighborhood commercial establishment in an HU-
3 RD2 Historic Urban Two-Family Residential District, on Square 506, Lots 13 and 14, in the First
4 Municipal District, bounded by Erato Street, South Gayoso Street, South Salcedo Street, and Thalia
5 Street (Municipal Address: 4200 Erato Street); is hereby authorized and approved, subject to the
6 following provisos, as specifically set forth herein:

7 **PROVISOS:**

- 8 1. The Department of Safety and Permits shall issue no building permits or licenses for this
9 project until final development plans are approved by the City Planning Commission and
10 recorded with the Office of Conveyances. Failure to complete the conditional use process by

11 properly recording plans within one year or failure to request an administrative extension as
12 provided for in **Article 4, Section 4.3.H.2** of the Comprehensive Zoning Ordinance will void
13 the conditional use.

14 2. The developer shall comply with the applicable standards of **Article 20, Section 20.3.NN**:

- 15 a. The existing structure is non-residential in its construction and original use.
- 16 b. The existing structure and the proposed use shall be pedestrian-oriented in design,
17 including public entrances oriented to the street and storefront windows along the first
18 floor.
- 19 c. Neighborhood commercial establishments are limited to the first floor of the structure
20 and three-thousand (3,000) square feet in gross floor area.
- 21 d. The following uses are permitted within a neighborhood commercial establishment:
 - 22 i. Art Galley
 - 23 ii. Arts Studio
 - 24 iii. Day Care Center, Adult or Child
 - 25 iv. Office
 - 26 v. Personal Services Establishment
 - 27 vi. Restaurant, Specialty
 - 28 vii. Retail Goods Establishment
- 29 e. The structure is limited to the existing building footprint. No increase in building
30 footprint or intensity of use is permitted.
- 31 f. The principal entrance shall be a direct entry from the street the property abuts.
- 32 g. No off-street parking is required.
- 33 h. Drive-through facilities are prohibited.

- 34 i. Outside storage or display is prohibited. All business, servicing, processing, and
35 storage operations shall be located within the structure.
- 36 j. Any signs are subject to the requirements of the HU-B1A District.
- 37 k. Hours of operation are limited to 6am through 10pm
- 38 3. The plans submitted to the City Planning Commission for final approval shall indicate the
39 installation of at least 2 short-term bicycle parking spaces, as set forth in **Article 22, Section**
40 **22.4.A (Table 22-1)** and **Article 22, Section 22.6** of the Comprehensive Zoning Ordinance.
41 The design of bicycle parking spaces shall comply with the requirements as set forth in **Article**
42 **22, Section 22.9** of the Comprehensive Zoning Ordinance. When submitting plans to the City
43 Planning Commission for final approval, the developer shall provide documentation of all
44 required approvals by the Department of Public Works for any bicycle spaces located in the
45 public right-of-way.

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-26-103**

CITY HALL: March 12, 2026

BY: COUNCILMEMBER HARRIS

SECONDED BY: COUNCILMEMBER HUGHES

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 13/26**, initiated by PJS Investments LLC, requesting consideration of a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 506, Lots 13 and 14, in the First Municipal District, bounded by Erato Street, South Gayoso Street, South Salcedo Street, and Thalia Street (**Municipal Address: 4200 Erato 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: Green, Harris, Hughes, King, McCarron, Morrell - 6
NAYS: 0
ABSENT: Willard - 1

AND THE MOTION WAS ADOPTED.

h:\clerk_of_council\docs\joycelyn\council\motions-resolutions\2026\march 12\m-103.docx

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

Aisha Collier

CLERK OF COUNCIL