

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: July 24, 2025

CALENDAR NO. 35,174

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to grant an amendment to Ordinance No. 29,159 MCS (Zoning Docket 046/22) to permit the expansion of the planned development designation that is applied to the National World War II Museum to also include Lots 1, 2, 3, and B on Square 137, in the First Municipal District, bounded by Magazine Street, Constance Street, John Churchill Chase Street, and Poeyfarre Street (Municipal Addresses: 1042-1060 Magazine Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 30/25 was initiated by The National World War II Museum, Inc. and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended approval thereof in its report to the City Council dated June 20, 2025, presented in **Zoning Docket Number 30/25**; and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, subject to three (3) exceptions and four (4) provisos as stated in Motion Number M-25-373 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**
2 **ORDAINS,** That Ordinance No. 29,159 MCS (Zoning Docket 046/22) to permit the

3 expansion of the planned development designation that is applied to the National World War
4 II Museum to also include Lots 1, 2, 3, and B on Square 137, in the First Municipal District,
5 bounded by Magazine Street, Constance Street, John Churchill Chase Street, and Poeyfarre
6 Street (Municipal Addresses: 1042-1060 Magazine Street); is hereby amended, authorized and
7 approved, subject to the following exceptions and provisos, as specifically set forth herein:

8 **EXCEPTIONS:**

- 9 1. This development shall be granted an exception of **Article 17, Section 17.6 Multi-**
10 **Modal/Pedestrian Corridor Standards** of the Comprehensive Zoning Ordinance
11 which requires developments with on sites that have at least fifty (50) feet of frontage
12 along a multi-modal pedestrian corridor, at least twenty-five percent (25%) of the floor
13 area of the ground story of a structure shall be allocated for occupancy by a commercial
14 use authorized in the district and/or the related ancillary.
- 15 2. The development shall be granted an exception of **Article 17, Table 17-2** of the
16 Comprehensive Zoning Ordinance, which requires a minimum building height of at
17 least thirty-six (36) feet and three (3) stories, to permit the proposed number of floors.
- 18 3. The development shall be granted an exception of **Article 17, Section 17.6.D.9**, which
19 prohibits garage doors along the Magazine Street multi-modal pedestrian corridor, to
20 permit the proposed garage entrances.

21 **PROVISOS:**

- 22 1. The CBPCD shall be amended to include Lots 1, 2, 3, and B on Square 137.
- 23 2. In accordance with **Article 23** of the Comprehensive Zoning Ordinance, the applicant
24 shall submit an updated detailed landscape plan prepared by a licensed Louisiana

25 landscape architect, subject to review and approval of the City Planning Commission
26 staff, indicating the following:

27 a) The genus, species, size, location, quantity, and irrigation of all proposed plant
28 materials within both the site and the street right-of-way adjacent to the site,
29 with applicable remarks and details; and

30 b) Any planting within the public right-of-way shall be approved by the
31 Department of Parks and Parkways.

32 3. The developer shall indicate the installation of at least 14 short-term bicycle parking
33 spaces on the final plans submitted to the City Planning Commission, subject to the
34 approval of the Department of Public Works to place bicycle parking in the public
35 right-of- way. The design of bicycle parking spaces shall comply with the
36 requirements as set forth in **Article 22, Section 22.4 (Table 22-1)** and **22.6.A** of the
37 Comprehensive Zoning Ordinance

38 4. The Department of Safety and Permits shall issue no building permits or licenses for
39 this project until final development plans are approved by the City Planning
40 Commission and recorded with the Office of Conveyances. Failure to complete the
41 conditional use process by properly recording plans within a one-year time period or
42 failure to request an administrative extension as provided for in **Article 4, Section**
43 **4.3.H** of the Comprehensive Zoning Ordinance will void the conditional use approval.

1 **SECTION 2.** Whoever does anything prohibited by this Ordinance or fails to do
2 anything required to be done by this Ordinance shall be guilty of a misdemeanor. Upon
3 conviction of such a misdemeanor, the individual shall be subject to a fine, imprisonment, or

4 both, in accordance with Section 1-13 of the Code of the City of New Orleans. Such a
5 conviction shall be cause for immediate cancellation of the Use and Occupancy Permit for the
6 premises. Alternatively, the individual shall be subject to whatever civil liabilities, penalties,
7 or 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,
4 which impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a
5 continuing or ongoing obligation is based on the City Planning Commission's approval of the
6 final site plan, which shall be submitted within one year of adoption of this Ordinance by the
7 City Council, unless extended as authorized by the Comprehensive Zoning Ordinance. The
8 Executive Director of the City Planning Commission shall verify that the development plan
9 incorporate all conditions set forth in this Ordinance and shall sign the plan to indicate final
10 plan approval. The final approved plan shall be recorded in the Office of the Clerk of Civil
11 District Court for the Parish of Orleans, within 30 days of the date of final approval, and
12 evidence of such recordation shall be submitted to the City Planning Commission. No use or
13 occupancy certificates or permits, other than the building permits needed to fulfill the
14 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.

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-25-373

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 4 provisos and 3 waivers, related to **ZONING DOCKET 030/25** related to property located on Lots 1, 2, 3, and B or Lots 4, 3, 2, and B on Square 137, in the First Municipal District, bounded by Magazine Street, Constance Street, John Churchill Chase Street, and Poeyfarre Street, bearing municipal address 1042-60 Magazine Street,, initiated by The National World War II Museum, Inc, requesting an Amendment to Ordinance 29,159 MCS (Zoning Docket 046/22) to permit the expansion of the planned development designation that is applied to the National World War II Museum to also include Lots 1, 2, 3, and B on Square 137, is received and the request 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:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.