

NOTE: The below minutes are a summary of actions taken. They are not a verbatim transcription of the meeting.

Minutes of the VCC Architectural Committee meeting of Tuesday, May 14, 2024– 1:00 PM.

- Committee Members Present:

Rick Fifield, Stephen Bergeron
- Committee Members Absent:

Cynthia Steward
- Staff Present:

Bryan Block, Director; Renee Bourgogne, Deputy Director; Nick Albrecht, Principal Plans Examiner; Erin Vogt, Principal Plans Examiner
- Staff Absent:

Marguerite Roberts, Senior Inspector; Noah Epstein, Inspector
- Others Present:

Larry Schmidt, Gary Williams, Melvin Rodrigue, Andrea Ford, Patrick Abry, Andrea Ford, Katherine Harmon, Paul Carriere, Jason Labiche, Blake Bergeron, David Hecht

Minutes

Old Business

921-25 Burgundy St: 23-34666-VCGEN; Loretta Harmon, applicant; Cheryl Lynn Kirby, owner;
Review of construction documents for new two-and-a-half story dependency in rear yard, per application & materials received 12/20/2023 & 04/30/2024, respectively.
<https://onestopapp.nola.gov/PrmtView.aspx?ref=1NVLDR>

Ms. Vogt read the staff report with Ms. Harmon and Ms. Kirby present on behalf of the application. Ms. Harmon stated that she would make minor revisions for review at staff level. Ms. Kirby stated that the intent was for the courtyard to be permeable, and that she wanted the planters to be lowered. She added that the non-permeable areas were to prevent water from flowing off the site. Mr. Bergeron asked about the proposed roof vent detail; Ms. Harmon responded that they needed to vent the attic. Mr. Bergeron stated that he did not find it to be obtrusive. Mr. Fifield agreed, stating that a ½” shadow line was discrete.

There was no public comment.

Ms. Harmon asked if they had to return to the Committee with the other items, stating that she preferred not to; Ms. Vogt responded that the Guidelines did require Committee review of the courtyard plans. Mr. Fifield stated that the landscaping could be separated out into a separate permit. Ms. Kirby stated that the pavers would largely be salvaged and reinstalled. Ms. Harmon stated that the courtyard was in a separate permit application; Ms. Vogt responded that the only other application was for a pool, and that that application would be returned for revision as it was incomplete.

Mr. Bergeron moved for **conceptual approval**, with the application to be forwarded to the full Commission. He added that the landscaping would need to return to the Committee for review at a future date. Mr. Fifield seconded the motion, which passed unanimously.

New Business

617 Dauphine St: 24-04876-VCGEN; Lyz Perez, applicant; Grissom & Thompson LLP, owner;
Proposal to install new wood brackets under existing balcony and install composite balcony decking, application & materials received 02/23/2024 & 04/17/2024, respectively.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=PFMTP6#>

This item was deferred at staff's request prior to the meeting.

1113 Chartres St: 24-08252-VCGEN; Annie Irvin, applicant; Foundation Keyes, owner;

Proposal to install new lighting above front porch and at front entry steps, per application & materials received 04/02/2024 & 05/03/2024, respectively.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=L0EA50#>

Mr. Albrecht read the staff report with Mr. Schmidt present. Mr. Schmidt stated that he is aware of the property's importance and is doing everything to maintain the property. He stated that he has safety concerns due to break-ins and vandalism along the property. Mr. Schmidt also stated that people have tripped on the steps and complained about the lighting. Mr. Schmidt said he had meetings about a less intrusive solution, and are proposing 3 light fixtures, one between each column, that are no more intrusive than the security cameras.

The proposal for the staircase was to provide better illumination on the stairs at night. Mr. Fifield had questions about how they were going to run conduits to the lights. Mr. Schmidt said they would run the conduits through the attic and drill a small hole in the ceiling to the fixture. Mr. Fifield asked if they would run the conduits at the bottom of the handrail and Mr. Schmidt said they would have to look at that to see what would be less intrusive. Mr. Schmidt said he was thinking about a wire attached to the back bottom railing and that the stair lighting would be low voltage.

There was no in-person public comment, emailed public comment was acknowledged.

Mr. Bergeron asked if they had considered battery powered lights for when additional lighting was needed. Mr. Schmidt replied that they had but he had concerns about the fixtures falling or being knocked over and becoming a tripping hazard. Mr. Schmidt stated he preferred to have the lights mounted. Mr. Fifield agree. Mr. Fifield stated that some review of the light levels should be done. Mr. Schmidt stated the selected fixtures are adjustable in both the scope or spread of light and for lumen output. Mr. Block stated that some installment details were requested by staff.

Mr. Bergeron made the motion to conceptually approve the lighting as requested with the details to be reviewed by staff including reviewing the lighting after installation to fine tune color temperature and brightness levels. This item would be forwarded to the Commission for final review. Mr. Fifield seconded the motion and the motion passed unanimously.

417 Royal St: 24-07822-VCGEN; Labiche Jason, applicant; New Brennan's Co LLC, owner; Proposal to install additional mechanical equipment, per application & materials received 04/10/2024 & 04/17/2024, respectively.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=UMJZDM>

Ms. Vogt read the staff report with Mr. Labiche present. Mr. Fifield asked if the rail could include a sound attenuation panel, similar to the wall that was already there. Mr. Labiche responded that he was concerned about airflow. He added that the equipment was quiet and would go on a pad where the shed is now. Ms. Vogt stated that she would discuss screening with Mr. Cangelosi, who was also involved with the project, and that the Committee could request that that come back to the ARC or have it handled at staff level. Mr. Fifield stated that he wanted to see it screened, not just a rail.

There was no public comment.

Mr. Fifield stated that the ARC needed to review the full proposal, not just the mechanical equipment. He stated that sound attenuation may be helpful, but at least a screen should be installed. Mr. Bergeron asked if this should be done at staff or ARC. Mr. Labiche asked if they could start on the mechanical before the rail was submitted and approved; Mr. Fifield responded no. Ms. Bourgogne noted that it was needed for code compliance. Mr. Fifield added that a visual barrier was needed as well.

Mr. Bergeron moved for conceptual approval of the equipment, with final review of the screen at staff level. Mr. Fifield responded that he did not want to forward an incomplete proposal to the full Commission, and that it should be revised to include the screen before being scheduled for VCC review. Mr. Bergeron amended his motion, moving for **conceptual approval** of the equipment, with the rail and screen to be reviewed at staff level, to be forwarded to the Commission after a full submittal was received and reviewed by staff. Mr. Fifield seconded the motion, which passed unanimously.

830 Governor Nicholls St: 24-11474-VCGEN; Gary Williams, applicant; Reside Realty Ltd, owner; Proposal to install handrails at front entry, per application & materials received 04/18/2024 & 05/02/2024, respectively.
<https://onestopapp.nola.gov/PrmtView.aspx?ref=8WNV52>

Ms. Vogt read the staff report with Mr. Williams present. Mr. Williams stated that the existing rail had been installed many years ago for a disabled tenant, and that his insurance company had given him 30 days to install a rail on the other side. Mr. Fifield asked if the shutters could only open 90 degrees; Mr. Williams responded yes, but that they did operate. Mr. Bergeron wondered if the insurance company would be ok with replicating the existing one almost exactly but with a post at the end of the top tread to allow the shutter to operate fully. He noted that he was not sure if it would work dimensionally, since it appeared to be less than 30". Mr. Fifield noted that the code did not require pickets and that the design could be improved to be less obtrusive. Mr. Fifield asked if Mr. Williams would be willing to work with staff. Mr. Williams asked if this would need to be on both sides, or only the new one? Mr. Fifield stated that only the new one would be required but that it could be matched if he wanted to do both.

There was no public comment.

Ms. Vogt asked if the dimensions did not work, would the Committee be alright with a design that matched existing; Mr. Fifield responded yes, if the pickets were eliminated. Mr. Bergeron moved for **conceptual approval** of a new rail, with details to be worked out at staff level. Mr. Fifield seconded the motion, which passed unanimously.

209 Bourbon St: 24-12042-VCGEN; New Orleans Equity, LLC, applicant; Royal Equity LLC, owner;
Proposal to install composite balcony decking on two balconies on the Bourbon St. elevation, per application received 04/24/2024.

Mr. Albrecht read the staff report with Mr. Rodrigue present. Mr. Rodrigue stated he is in full agreement with the report. Mr. Rodrigue stated that the balcony was just replaced 5 years ago and gets beat up by the sun. Mr. Rodrigue said that he has looked for different alternatives and asked about proper composites. Mr. Rodrigue said he was able to put it up without altering the purlins. He stated it is a quarter inch longer than recommended, but within the limits of the material.

Mr. Fifield said there is usually a decorative molding between the decking and fascia. Mr. Rodrigue stated that some of the decorative molding deteriorated and that he would replace it to match. Mr. Bergeron agreed.

There was no public comment.

Mr. Bergeron made the motion for the conceptual approval of the composite decking as proposed with no modifications to the existing structure. Also, the purlins and sides of the material need to be painted. Mr. Fifield seconded the motion and the motion passed unanimously.

834 Governor Nicholls St: 24-12128-VCGEN; Sam Staub, applicant; Kevin J O'shaughnessy, owner; Proposal to install copper drip caps over side window openings, per application & materials received 04/25/2024.
<https://onestopapp.nola.gov/PrmtView.aspx?ref=N646HZ>

At the applicant's request, Ms. Vogt read the staff report with no one present on behalf of the application. Mr. Fifield agreed that Option 2 was preferred, with means and methods to be explored to see if the installation would be possible as proposed.

There was no public comment.

Mr. Bergeron moved for **conceptual approval** of option two with final details to be worked out at the staff level. Mr. Fifield seconded the motion, which passed unanimously.

1218 Decatur St: 24-12308-VCGEN; Bruce Blew, applicant; Dao Decatur Enterprises LLC, owner;
Proposal to install composite balcony decking and additional metal supports at gallery and balcony, per application received 04/26/2024.

This item was deferred at staff's request prior to the meeting.

906 Toulouse St: 24-12576-VCGEN; Abry Brothers, Inc., applicant; Zoma LLC, owner;

Proposal to remove and rebuild fire damaged outer wythe of brick at rear wall of rear building, per application & materials received 04/29/2024.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=UM0G65#>

Mr. Albrecht read the staff report with Patrick Abry (general contractor) present on behalf of the application. Mr. Abry stated that he did not have a presentation and was just there to answer questions about the condition of the bricks. Mr. Abry said he has a large stockpile of soft red bricks and they would be a good match for the damaged bricks. Mr. Abry stated that whatever was damaged could be replaced and stuccoed over with VCC approval. Mr. Fifield asked if the wall had been repointed to which Mr. Abry responded and said that it was hard to tell due to the condition. Mr. Abry stated that the fire caused damage and delamination making the prior condition unrecognizable. Mr. Fifield asked Ms. Abry if he had any sense of how many bricks needed to be replaced, Mr. Abry said they were replacing about half of the bricks. Mr. Fifield asked if there was a way to restore the header course and asked if it was a two-wide wall or three. Mr. Abry stated that it was a three-wythe wide wall.

Mr. Bergeron asked about the use of helical ties. Mr. Abry stated that the would be drilled into the wall while the outer wythe was removed and when the outer wythe was rebuilt, the ties would be set in fresh mortar joints.

There was no public comment.

Mr. Bergeron made the motion for conceptual approval of the proposal with all final details to be handled at the staff level. Mr. Fifield seconded the motion and the motion passed unanimously.

Appeals and Violations

1133 Royal St: 23-10888-VCGEN; Miller Byron, applicant; The Sandra Odom Port Revocable Living TR, owner; Proposal to retain wall mounted mini-split condensing unit on service ell installed without benefit of VCC review or approval, per application & materials received 04/09/2024.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=B02EC1#>

This item was deferred to another date due to the property owner or representative not being present.

1026 Saint Louis St: 24-04237-VCGEN; Peer Architects Trapolin, applicant; Patois LLC, owner;

Proposal to modify and retain structure constructed in courtyard without benefit of VCC review or approval, per application & materials received 02/15/2024 & 04/30/2024, respectively.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=3A2Y73#>

Mr. Albrecht read the staff report with Ms. Ford, the architect present. Ms. Ford stated that there was really not space further up the alley and that the staff move back and forth between the building and the alley. Ms. Ford stated that she did not want the structure to feel like part of the building. Mr. Fifield stated he was originally concerned about the shutter operation; however, this proposal gave him the clarity needed. Mr. Bergeron then said that this proposal was not a major preservation issue and could be reversed while helping the building stay in commerce. Ms. Ford noted that there was a question about an air gap between the alley roof and the building. Mr. Fifield stated that he believed keeping the gap would be better. Mr. Bergeron questioned if the gutter would turn the corner of the structure. Ms. Ford responded that it would wrap the roof and stop at the face of the building.

There was no public comment.

Mr. Bergeron made the motion for the conceptual approval of option two with final details to be worked out at the staff level. Mr. Fifield seconded the motion and the motion passed unanimously.

616 Conti St: 24-09814-VCGEN; Terri Dreyer, applicant; Conti Street Holding LLC, owner; Proposal to address demolition by neglect and work without permit violations, including structural repair of roof and masonry courtyard work, per application & materials received 04/05/2024 & 04/30/2024, respectively.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=2Y6VAP>

This item was deferred at the request of the applicant prior to the meeting.

536-40 Chartres St, 540 Toulouse St: 24-11003-VCGEN; Gates Erika, applicant; K & L Investments I L C, owner; Proposal to address work without permit and demolition by neglect violations, including but not limited to

appeals to retain mechanical equipment and unpermitted courtyard service ell enclosure, per application & materials received 04/15/2024 & 05/01/2024. [Notices of Violation sent 08/05/2002, 08/27/2002, 06/30/2003, 03/05/2008, 07/15/2016, 10/02/2017, 12/21/2018, 04/22/2019, 08/30/2019, 07/01/2021, and 07/07/2023.] <https://onestopapp.nola.gov/PrmtView.aspx?ref=4ANVZJ>

This item was deferred at staff's request prior to the meeting.

416 Bourbon St: 24-12854-VCGEN; Loretta Harmon, applicant; 416 Bourbon Street Inc, owner; Proposal to address demolition by neglect and work without permit violations, including appeal to retain unpermitted courtyard infill structure and mechanical equipment installed without benefit of VCC review and approval, per application & materials received 04/30/2024, respectively. [Notices of Violation sent 09/08/2011, 10/24/2011, 11/04/2013, 11/21/2014, 06/21/2016, 05/01/2019, 11/30/2020, 10/18/2021 & 10/16/2023] <https://onestopapp.nola.gov/PrmtView.aspx?ref=MC5D1B>

Ms. Vogt read the staff report with Ms. Harmon and Mr. Carriere present on behalf of the application. Ms. Harmon stated that she was present for Mr. Saxon's exploratory analysis and interior exploratory demolition. She stated that they were relieved to find that the infill structure was not bearing on the courtyard wall. She added that Mr. Saxon was not concerned, and that the report had been produced the same day so there were no photos, but that they would show the structure does not bear on any historic elements.

Mr. Fifield stated that there were other concerns beyond just structural ones and asked why the courtyard wall had been failing. Ms. Harmon said they had not excavated to inspect the foundation, but that Mr. Saxon thought it was fine. Mr. Fifield noted that there were many outstanding issues at the property in addition to the unpermitted infill structure, including significant demolition by neglect and work without permit. Ms. Harmon responded that they were not addressing the front yet, but prioritizing the infill and courtyard. She noted that the courtyard wall had been approved for repointing but that the permit had been rescinded. Ms. Vogt clarified that Safety and Permits had issued a permit to repoint the wall, but the VCC had not; she explained that once DSP had been notified that there was no VCC subpermit and there were major structural concerns for both the wall and infill, that DSP had rescinded their permit. Mr. Carriere stated that they had been addressing life safety concerns first. Ms. Bourgogne asked who owned the wall; Ms. Vogt stated that there were conflicting surveys, and that a new survey should be submitted with this application.

Mr. Fifield noted that even if the courtyard wall was not structural for the infill, there were still major issues. He asked how other departments were addressing their areas of concern; Ms. Harmon stated that they had applied to the VCC as the first step. Mr. Fifield noted that the VCC had already previously denied retention, and asked how this application was any different from previous appeals. Mr. Carriere responded that this was a different architect and an appeal by the tenant, not the owner. He stated that they were taking steps to address the violations. Mr. Fifield stated that he wanted to see the infill demolished, as these were the same issues and same violations that had already been ruled on by the Commission. Ms. Vogt stated that there were no significant differences between this appeal and the previous one from a different applicant. Ms. Bourgogne stated that VCC approval would not be sufficient for retention anyway, as CPC and BBSA also had to review significant deviations from their requirements. Mr. Block agreed that from the VCC's perspective, nothing had changed. He stated that the VCC has consistently denied retention and that it was still illegal infill; the only thing that had possibly changed was that this particular engineer's report stated there were no structural issues.

Mr. Carriere stated that they were going through the necessary channels to bring the property into compliance, but that they at least knew it was safe now. Mr. Fifield stated that that only addressed one issue, not all of them, adding that he felt the recommendation for removal of the infill needed to stand. Ms. Harmon stated that it was not unsafe. Mr. Block responded that it was still not allowed. Ms. Harmon argued that there were many such infills on Bourbon. Mr. Carriere stated that they needed a BZA opinion and would show progress. Mr. Bergeron asked the Committee if BZA approval would change their opinion, since it was still illegal infill prohibited by the Design Guidelines. Mr. Fifield stated that they could submit appeals through other channels but that he did not see how the VCC could approve retention from a preservation perspective. He suggested that the applicants tell their client to figure out how to operate without the infill, exploring other options in case the various regulatory agencies do not allow retention. Mr. Bergeron noted that the previous applicant had been opposed to fixing the issues, and that the new tenant had an opportunity to set things right. He encouraged the applicant to develop things in that direction before continuing the conversation.

There was no public comment.

Mr. Bergeron moved to **defer** this item for 30 days. Mr. Fifield seconded the motion, which passed unanimously.

410 Bourbon St: 24-12858-VCGEN; Loretta Harmon, applicant; 410 Bourbon Street LLC, owner; Appeal to retain work completed in deviation from VCC permit, including but not limited to lighting, cladding, metal rails, and fence, per application & materials received 04/30/2024. [Notices of Violation sent 10/23/2019, 11/30/2020, & 04/20/2021]

Ms. Vogt read the staff report with Ms. Harmon and Mr. Carriere present on behalf of the application. Mr. Carriere stated that the settlement stated that they must follow permits previously issued, and that his client had followed drawings from 2016. Mr. Epstein stated that the 2016 drawings had been rejected by the VCC. Mr. Carriere stated that his client had been instructed by a DSP inspector to correct the work per the 2016 drawings in order to get occupancy based off of that permit. Mr. Block responded that work should only have been performed per a current permit, not an expired one. Ms. Vogt clarified that the settlement agreement had not been finalized until after the most recent permits were issued in 2022, and should have been based on those permits and drawings, adding that they had been revised and renewed multiple times, superseding any 2016 permits that had not been issued by the VCC. Mr. Carriere stated he did not want to discuss the settlement agreement without Dan Macnamara present. Both Ms. Bourgogne and Mr. Block agreed that someone from the legal department should be in attendance, and that staff was recommending deferral. Mr. Fifield said that when this item comes back, the conversation should be about the architectural issues; adding that while input from the Law Department was fine, the Committee would be making decisions based on architectural merit. Mr. Bergeron asked if there was an architect involved in the 2016 permit, or if the architect for the 2021-2024 work was performing construction administration; Ms. Harmon responded that she was not involved in 2016 but that she had been involved in construction administration and the work had been completed per the 2022 permits, and that if she had known, she would have asked her client if “he really wanted to do that.” Mr. Carriere stated that he understood the VCC’s complaints and that he was not sure what a deferral would achieve. Mr. Fifield responded that it would allow for other parties, including the City’s council, to be present. He added that if the appeal was based on hardship, Commission review would be needed.

There was no public comment.

Mr. Bergeron moved for a 30-day **deferral**. Mr. Fifield seconded the motion, which passed unanimously.

Other Business

FOR RECOMMENDATION ONLY:

525 Saint Ann St: 24-12586-VCGEN; Blake Bergeron, applicant; Louisiana State Museum, owner;

Proposal to install new restaurant hood exhaust and create new door opening in courtyard wall, per application & materials received 04/29/2024.

<https://onestopapp.nola.gov/PrmtView.aspx?ref=23DXH1#>

Mr. Albrecht read the staff report with the architect, Mr. Blake Bergeron, and the restaurant owner, Mr. David Hecht present on behalf of the application. Mr. Hecht stated that he was able to secure and lease the adjacent space to open a restaurant 2 years ago. The adjacent space has recently become for rent and this is an opportunity to expand the restaurant, but they would need a back of house connection. The interior of the courtyard is in fair condition. A partial demolition is required on the masonry wall to make the door and hood vent opening and where they plan to add a lintel. Mr. Hecht concluded noting that they were seeking VCC feedback prior to going to the state museum.

Mr. Fifield asked what would happen to the existing kitchen equipment. Mr. Blake said the existing kitchen is very small and will be retained as a service station. Mr. Fifield then asked if they planned on removing anything from the building to which Mr. Blake stated minor furniture but other than that no. Mr. Bergeron asked why this was noted as being for recommendation only and not fully under VCC review. Mr. Block responded that he has an update regarding this situation and recommended that the VCC not push that issue too hard with this application. Mr. Fifield asked how long the typical lease was for these spaces and Mr. Blake said the leases could be 15-20 years long. Mr. Fifield noted some concerns about conjoining the two units – what happens if one or both of the units are abandoned, the issue of putting the duct from one to the other. Mr. Hecht responded that the leases would be concurrent for both units. Mr. Fifield asked if it could be a lease requirement that the door opening be closed, and the duct removed at the end of the lease. Mr. Hecht was agreeable to that condition.

There was no public comment.

Mr. Bergeron stated that the interior is not in the VCC jurisdiction, however, the new interior masonry opening is a structural change, and asked what the staff’s concerns are. Mr. Block stated that an engineer’s report is needed.

Mr. Bergeron asked if this item was a change of use, Mr. Block said it would be verified before going to the Commission.

Mr. Bergeron made the motion to conceptually approve the proposal with all details to be worked out with the staff and the lease to contain a clause of removal once vacated. Mr. Fifield seconded the motion and the motion passed unanimously.

Next AC Date: Tuesday, May 28, 2024

Following the conclusion of the 525 St. Ann proposal, Mr. Block noted that there is currently a bill working its way through the state capitol that would require any work done on a state-owned building would be subject to review by SHPO, VCC, HDLC, or whatever the local regulatory body had jurisdiction and that those reviews would require approval from the local office to move forward.

At approximately 2:56pm Mr. Bergeron moved to adjourn the meeting. Mr. Fifield seconded the motion, which passed unanimously.