

MINUTES
VIEUX CARRÉ COMMISSION
FRIDAY, January 10, 2014 - 1:30 P.M.
City Council Chamber, City Hall - 1300 Perdido Street

PRESENT: E. Ralph Lupin, M.D., Chairman
Nick Musso, Vice-Chairman
Pat Denechaud, Secretary
C.J. Blanda
Jorge A. Henriquez
Alfred "Pio" Lyons
Michael Skinner
Leslie Stokes
Daniel Taylor

STAFF PRESENT: Lary P. Hesdorffer, Director; Gordon McLeod, & Sarah Ripple, Building Plans Examiners, Nicholas G. Albrecht, Building Inspector, Theresa Becher, Assistant City Attorney

OTHERS PRESENT: Betty Norris, Robert Vanlangendonck, Robert Pell, Anthony N. Johnson, Bobby Delaughter, Peter Hurtzen, Joe Piediscallo, Suzette Toledano, Jaacks David, Peter Harteau, Jeff Harding, Brett Oncale, Brett Davis, Sue Klein, Wayne Troyer, Hank Smith, John C. Williams, Lacey Wotring, Hal Stokes, Tracie Ashe, Lisa Shedlock, Meg Lousteau

I. ROLL CALL

Vice-Chairman Musso called the meeting to order at approximately 1:40 PM and requested that the Director call the roll. Mr. Hesdorffer called the roll, noting the presence of a quorum with seven members in attendance, which per the state regulations, also requires five (5) favorable votes to pass any action. Dr. Lupin and Mrs. Denechaud were not present at roll call.

II. CHAIRMAN'S REPORT - Due to Dr. Lupin's absence, no Chairman's report was given.

III. DIRECTOR'S REPORT - In response to the holiday schedule, Mr. Hesdorffer reported that staff had been playing catch-up with little else to report.

IV. REVIEW OF MINUTES from meetings of November 6 & December 4, 2013.

The Director noted that the minutes from December 4, 2013 were in draft form, but that the minutes from the November 6, 2013 meeting were complete. Mr. Taylor then moved, Mr. Blanda seconded, to **approve** the minutes from the VCC meeting of **November 6, 2013**. The motion passed unanimously.

V. OLD BUSINESS

730 Bienville: 730 Rue Bienville LLC, owner; John C. Williams Architects LLC, architect/applicant. Revised proposal to remove existing retractable courtyard cover system and install new system, attached at roof and situated above all levels of courtyard balcony, per application & drawings received 06/25/13 & 11/20/13, respectively.

Mr. McLeod presented the staff report with Mr. Williams & Ms. Wotring in attendance to represent the application. Following the staff presentation, Mr. Musso clarified that this review was for conceptual review only and that the proposal would still require design development and construction document review prior to returning to the Vieux Carre Commission for final approval. With no further discussion, Mr. Lyons moved, Mr. Skinner seconded, to grant **conceptual approval** to the proposal as submitted, consistent with the recommendations of the Architecture Committee with the applicant to return to the Architecture Committee for design development review after further developed drawings are prepared addressing life safety issues and incorporating the requirements of the SFM and recommendations made by the structural engineer of record. The motion carried unanimously.

216-18 Chartres: Jacques J. Toledano, owner; Revival Property NOLA 105, LLC, prospective owner; Robert Pell, architect/applicant. Proposal to demolish rear brown-rated addition, per application & materials received 11/12/13 & 01/02/14, respectively. **[End of 30-day layover period]**

Mr. McLeod made the staff presentation with Mr. Pell present on behalf of the application. Following the staff report, Mr. Musso asked if there were any comments from the architect. Mr.

Pell replied that if the VCC approved, they would move onto the preparation of construction documents. With no further discussion, Mr. Taylor moved, Mr. Lyons seconded, to **approve** the demolition and authorizing staff to issue permits for the demolition as well as the other previously approved exterior modifications in conjunction with the **change of use** from *vacant* to *commercial/residential*. The motion carried unanimously.

VI. CHANGE OF USE HEARINGS

822 N. Rampart: 822 N. Rampart St. LLC, owner; studioWTA, LLC, applicant. Review of conceptual proposal to renovate structure, creating recessed façade balconies, constructing new rooftop deck and other additions including light wells and elevator/stair penthouses, all in conjunction with **change of use** from *vacant* to *residential*, per application & materials received 11/26/13 & 12/20/13, respectively.

Prior to the presentation of the application, Mrs. Stokes recused herself and left the Council Chamber for the duration of this application's discussion.

Mr. McLeod made the staff presentation outlining the general details of the proposed conceptual design, which he noted included two "email letters", one in support and one in opposition to the proposal. Messrs. Troyer and Stokes and Ms. Ashe were at the table to represent the application. Ms. Susan Klein spoke on behalf of French Quarter Citizens and as the co-President of N. Rampart Main Street in support of the proposal to put a long-vacant property into use, including the curb-cut, noting her only reservation was that all zoning regulations are complied with and to prevent any future change to an entertainment use. Mr. Troyer spoke briefly about the proposal, noting that every effort had been made to not impact neighboring properties in any way. Mr. Taylor moved, Mr. Lyons seconded, to grant **conceptual approval** to the proposed exterior modifications in conjunction with the proposed **change of use** from *vacant* to *residential* consistent with the recommendations of the staff and Architecture Committee, with the applicant to return to the Architecture Committee with further developed drawings for design development review.

[Dr. Lupin & Mrs. Denechaud arrived during the discussion period of this application, and prior to the vote.]

Before asking for the vote, Mr. Musso noted the arrival of the other commissioners, and then reiterated that there had been a motion and a second to grant conceptual approval. The motion carried unanimously. Mr. Troyer inquired if the details of the curb-cut could be worked out at staff level in order to proceed with that aspect of the project prior to returning to the Architecture Committee. Mr. Hesdorffer stated that curb-cuts (part of the City's right-of-way) are under the jurisdiction of the Department of Public Works (DPW) and could be permitted separately with the approval of the Commission, so long as the applicant meets DPW standards and specifications. Dr. Lupin moved, Mr. Blanda seconded, to allow the curb-cut to proceed separately with details to be worked out at staff level. The motion carried unanimously.

539 Bienville: Joseph A. Piediscalzo, owner; FASTSIGNS, applicant. Proposal to install signage in conjunction with a **change of use** from *art gallery* to *retail*, per application & materials received 12/05/13.

After the conclusion of the previous matter, and prior to the presentation of this proposal, Mrs. Stokes returned to the meeting.

Ms. Ripple gave the staff report outlining the details for the sign to be installed as the only external alteration to be considered. Mr. Piediscalzo represented the application. No discussion ensued; and Mrs. Denechaud moved, Dr. Lupin seconded, to grant **approval** of the sign installation in conjunction with the proposed **change of use** from *art gallery* to *retail*. The motion passed unanimously.

VII. VIOLATIONS & APPEALS

538 N. Rampart & 540 N. Rampart: Vincent Marcello, Jr., owner/applicant. Proposal to repair roofs on service wings, per application for emergency weatherproofing received 11/21/13, application & drawings received 12/05/13. [**STOP WORK ORDER** issued 11/21/31; **Notice of Violation** sent 11/21/13]

Ms. Ripple gave the staff presentation, with Messrs. Marcello and Smith representing the application. Mr. Musso then recapitulated his understanding of the structures' roofs following the 12/16/13 site visit, concluding with the sentiment that due to the lack of precedence he could not approve a roof with a "low-to-none" slope but was open to a mid-slope roof design. Mr. Hesdorffer commented that an aerial photograph of the area has been located, but staff has yet to analyze it. Dr. Lupin commented that the owner should consider reconstructing the roof type typical to a building of this age and style. Mr. Marcello stated that he is receptive to the

possibility of using a standing seam, low-pitched roof, to which Dr. Lupin commented that a building of this level of historic significance warrants the appropriate historic treatment. Mr. Musso requested another submittal, which would reflect the low-pitched standing seam roof. Mr. Hesdorffer followed with the suggestion to install a more robust yet temporary roofing shield such a roll roofing until a final decision is made. Mr. Taylor moved, Mr. Lyons seconded, to **defer** the matter allowing time for the applicant to work with staff to find a temporary solution, in conjunction with a lifting of the **Stop Work Order**. The motion passed unanimously.

826-28 St. Louis: Darleen Jacobs-Levy, owner; Bobby DeLaughter, applicant. Appeal of Architectural Committee denial to retain Plexiglas installed inside carriageway gate without benefit of permit, per application received 11/18/13. [**Notice of Violation** sent **10/31/13**]

Ms. Ripple presented the staff report on the application. Mr. DeLaughter was in attendance on behalf of the property owner. He submitted an affidavit on behalf of Mrs. Jacobs-Levy, stating that the Plexiglas has been in place since she married her late husband in 1974 and by State law, after two (2) years it would have subsequently “prescribed” making it ineligible to be cited. He also commented that since his employment by Mrs. Jacobs-Levy in January of 2011, he could attest to the fact that the Plexiglas has not been repaired or replaced during that time period. Following this discussion, Dr. Lupin moved, Mrs. Denechaud seconded, to **deny** the appeal to retain the Plexiglas gate backing. The motion passed unanimously.

921 Dauphine: Ed & Margaret Handley, owners; Brett Oncale, applicant. Proposal to demolish existing swimming pool structure and reconstruct new pool, per application & materials received 12/26/13[**STOP WORK ORDER** issued **12/20/13**]

Ms. Ripple gave the staff presentation, and Messrs. Davis and Oncale represented the application. Mr. Musso began by stating his reluctance to lift the Stop Work Order until approval has been obtained from the Architectural Committee for all work performed. Dr. Lupin asked the contractor about the work performed without a permit to which Mr. Oncale confirmed that he thought the swimming pool had originally been some sort of pond, with galvanized plumbing, that had been converted to a pool, that it was leaking, and that the pool had essentially been deconstructed to be repaired and brought into conformity with current standards and codes. Following further discussion, Mr. Taylor moved, Mr. Skinner seconded, to **refer** all of the design issues to the Architectural Committee and to **maintain** the Stop Work Order until the application for the swimming pool, as well as all other changes made without a permit, have been reviewed and gained recommendations from the Committee. Dr. Lupin then recommended that a licensed architect be hired to produce properly prepared and detailed, measured drawings. Mr. Taylor added that a survey should be provided as part of the application to also clarify the property dimensions and the work subject to VCC review. The motion passed unanimously.

VIII. OTHER BUSINESS – presentation of proposed installations in the 300 block of Chartres as part of NBA All-star Game activities (February 13-16, 2014), per request of Adidas’ representatives: David Jaacks, Senior VP, G3K Displays (temporary sky-bridge mid-block); Jeff Harding, Exec. Producer, & Peter Hurteau, Producer, Kamp Grizzly Productions (temporary pavilion occupying parking lot at Chartres & Conti).

Mr. Hesdorffer made a brief introduction to the proposed installations in the 300-block of Chartres Street, including a temporary “sky-bridge” mid-block, two (2) options for a temporary pavilion occupying parking lot at Chartres and Conti, and a temporary retail store at 321 Chartres. Messrs. Jaacks, Hurteau & Harding were present to represent the proposals. Discussion centered primarily on the temporary pavilion & “sky-bridge.” Mr. Taylor and Mr. Musso, and other Commissioners expressed concerns over the installations, especially the “sky-bridge,” including the design and life safety issues presented by the installation. Visuals of the pavilion were shown as part of the power-point presentation. The “sky-bridge” designs were shown as additional hand-outs given to commissioners.

What followed was a discussion about issues of liability, as well as details and design character for both work on public and private property, and the Commission’s history of handling other similar proposals associated with special events proposals that involve temporary installations. The concerns of signage and interruptions to the normal, historic “street scene” were also discussed. Included in the discussion were statements by Messrs. Jaacks, Hurteau & Harding.

Lisa Shedlock, a shop owner in the 300 block of Chartres addressed the Commission about the nature of the proposals, the banner proposals about which she was aware in conjunction with the temporary Adidas pop-up store at 321 Chartres and other the issues of street use, queuing areas, etc., saying that the proposals looked “un-French Quarter” and needed further study. Meg Lousteau, representing VCPORA, echoed concerns similar to Ms. Shedlock’s.

Ultimately, Mr. Taylor moved to **recommend** acceptance of **option 1** for the temporary pavilion design to be erected on the parking lot site at Chartres and Conti, and that the staff and

Architectural Committee be kept apprised of further developments with regard to the proposal and review of final design for the issuance of permits as required, in conjunction with other regulatory agencies. Mr. Blanda seconded the motion which passed unanimously.

Regarding the second proposal, the installation of the “sky-bridge” design, Mr. Taylor moved, Mr. Henriquez seconded, to **recommend approval** for a banner or a “non-structural” installation in lieu of the proposed “sky-bridge” as a promotional element for the NBA All-Star weekend, but not used as overt product advertising or signage. The motion carried unanimously.

IX. SPECIAL ORDER OF BUSINESS

In response to a comment card submitted by Anthony Johnson who wished to address the VCC, and on the advice of Assistant City Attorney Becher, Mr. Taylor moved, Mr. Blanda seconded, to suspend the rules to consider an item not on the agenda. The motion carried unanimously.

Mr. Taylor then moved, Mrs. Denechaud seconded, to allow Mr. Johnson to speak on a non-agenda item, the Habana Outpost project Esplanade and N. Rampart. That motion also carried unanimously.

Mr. Johnson addressed the Commission, speaking about the temporary fence, broken concrete paving and graffiti conditions that exist at the site of the vacant gas station building at 1040 Esplanade. He stated that, per the permit issued for the fence, the allowed time for the temporary fence had long since passed and the permit had likewise expired. He also noted that the site was now being subjected to graffiti tagging, charging the VCC with failing to enforce its own permit requirements by having the fence and graffiti removed. He believed both conditions to qualify as violations and questioned whether the VCC staff and Commissioners were performing their duties to preserve the French Quarter. Mr. Hesdorffer noted that the prolonged period of review for the Habana Outpost project, having taken several additional months more than expected, had suggested to staff that the timeframe for the fence removal could be extended if it also appeared that project construction would commence in the near future. Following the withdrawal of the entire application which had occurred the week before Christmas, he said that the items would be addressed by staff, adding that Architect John Williams had already inquired about replacing the damaged and failing fence with a replacement to secure the site.

X. RATIFICATION of Architectural Committee and Staff actions since the December 4, 2013 meeting of the Vieux Carré Commission.

Mrs. Denechaud moved, Mrs. Stokes seconded, that the actions of the Architectural Committee and Staff since the December 4, 2013 meeting be ratified. The motion passed unanimously.

There being no further business, the meeting was adjourned at approximately 3:45 PM.

APPROVED: _____
Pat Denechaud, Secretary

NOTE: These minutes are a summary of actions taken and are not a verbatim transcription of the meeting.