

VIEUX CARRE COMMISSION

Mitchell J. Landrieu
MAYOR

CITY OF NEW ORLEANS

Bryan Block
DIRECTOR

Minutes of the **Vieux Carré Commission** meeting of **Wednesday, October 4, 2017 - 1:30 P.M.**

COMMISSIONERS PRESENT: Nicholas S. Musso, Chairman
Daniel C. Taylor, Vice-Chairman
Leslie S. Stokes, Secretary
Bill Keck
Mamie Gasperecz
Rick Fifield

COMMISSIONERS ABSENT: Adrienne Thomas
Patricia C. Denechaud

STAFF PRESENT: Bryan D. Block, Director; Renée Bourgoigne, Architectural Historian;
Nicholas G. Albrecht, Building Plans Examiner; Erin Vogt, Building Plans
Examiner; Melissa Quigley, Assistant City Attorney

STAFF ABSENT: Erika Gates, Inspector; Tony Whitfield, Inspector;

I. ROLL CALL

Chairman Musso called the meeting to order at approximately 1:30 PM. Mr. Block called the roll and a quorum was established with the presence of five (5) of the nine (9) Commissioners present. [Ms. Stokes and Mr. Keck arrived after the roll was called.]

II. REVIEW OF MINUTES

Mr. Taylor moved to approve the minutes of 09/06/17 as previously circulated. Mr. Fifield seconded the motion, which passed unanimously.

III. CHAIRMAN'S REPORT

Mr. Musso noted the ongoing work on Bourbon St. and that the current work is scheduled to be completed on December 20th. Mr. Musso noted that the next phase of work on the 500-900 blocks was now scheduled to begin after Jazz Fest.

Mr. Musso continued that the next phase of work would be awarded under a bid contract which should insure more qualifications and penalties for delays.

[Ms. Stokes arrived during the Chairman's Report.]

IV. DIRECTOR'S REPORT

Mr. Block presented a report as follows:

Rooftop Addition Subcommittee

- A draft resolution is currently being circulated between committee members
- Should have for VCC review and adoption at the November 1 hearing
- Will include language to be included in amendments to both Design Guidelines as well as CZO

Agency Overview Transition Memorandum

- Currently preparing an exhaustively inclusive document as per CAO request in anticipation of incoming mayoral transition
- To include information pertaining to:
 - Enabling legislation
 - Mission and Vision statements

- Descriptions of major services of department
- Lists of accomplishments and initiatives
- Budget
- Departmental strengths, weaknesses, opportunities and threats
- Provides an excellent snapshot of the VCC today

Proposal to modify the CZO for the inclusion of Vieux Carré zoning districts prohibiting existing required open space from being converted to impermeable paving

- Renee Bourgogne to present the staff report
- Requiring any new construction to have at least 30% permeable open space
- Added to future proposed modifications of DGs
- Tyler Antrup, Urban Water Program Manager, to answer questions

[Mr. Keck arrived during the Director's Report.]

V. OTHER BUSINESS

Discussion of proposed modification to the Comprehensive Zoning Ordinance (CZO) for the inclusion of Vieux Carré zoning prohibiting existing required open space from being converted to impermeable and requiring any new construction to have at least 30% permeable open space.

VI. OLD BUSINESS

907-17 Governor Nicholls St & 1211-15 Dauphine St: 16-12007-VCGEN & 16-16729-VCGEN;

John C. Williams, applicant; 913 Governor Nicholls LLC, owner; Design development review of proposed new construction at 1211-15 Dauphine, in conjunction with a resubdivision with 907-17 Gov. Nicholls, per application & materials received 04/13/16 & 09/19/17, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=587219>

Ms. Vogt read the staff report with Mr. Williams present on behalf of the application. Mr. Taylor moved for **approval** consistent with the staff report. Mr. Fifield seconded the motion. The motion passed unanimously.

301 Decatur St: 17-21624-VCGEN; Karim Zaoui, applicant; Royal Street Investments, LLC, owner; Proposal to replace existing mechanical equipment in conjunction with a proposed change of use from *Restaurant, Specialty* to *Restaurant, Standard*, per application & materials received 07/21/17 & 09/28/17.

NOTE: Application was approved at the 09/06/17 Commission meeting with an agreed upon proviso that the restaurant doors would remain closed. The owner is requesting reconsideration of this proviso to allow for the business to operate with the doors propped open.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=724873>

Mr. Albrecht read the staff report with Mr. Ellis and Ms. Mayeaux present on behalf of the application.

Ms. Poretto, in the audience representing French Quarter Citizens, inquired about what qualifies a business as a fast food restaurant. Mr. Block noted some of the qualifications and that the plans had been modified to eliminate the items in question.

Mr. Musso inquired how the operation would be monitored, and if it were found to be in non-compliance, how would that be enforced. Ms. Quigley responded that as a fast food restaurant is not allowable per the zoning that the enforcement would come from the Department of Safety & Permits.

Ms. Lousteau, in the audience representing VCPORA, stated that she was skeptical about the change in operation, noting that other locations for the same business operate as fast food restaurants.

Ms. Guillot, in the audience representing French Quarter Citizens, inquired as to why the doors of the building need to be open. Mr. Ellis replied that the Fire Marshal is requiring the doors to stay open. Mr. Musso noted that the building does not have the capacity to require that much egress. Mr. Taylor noted that the letter from the Fire Marshal stated that the doors in the open position could serve as egress but noted that the doors could also be modified to serve the same purpose.

Mr. Fifield requested that an engineer's report be prepared stating that the proposed mechanical equipment would be sufficient with the doors open.

There was a brief discussion of the capacity of the restaurant, with the consensus being that it could accommodate between 50 and 100 people.

Mr. Fifield first moved for the commission to reconsider the September 9, 2017 approval. Ms. Gasperecz seconded that motion and the motion passed unanimously.

Mr. Fifield then moved for the matter to be deferred and reconsidered by the Architecture Committee with the applicant returning with an engineer's letter stating the capacity of the proposed mechanical to operate with all the doors open. Ms. Stokes seconded the motion. The motion passed unanimously.

VII. NEW BUSINESS

512 & 516 Conti St: 16-24076-VCGEN & 16-24074-VCGEN Michael Tabb, applicant; 516 Conti LLC, owner; Review of proposed resubdivision application, per application & materials received 07/22/16 & 09/11/17, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=594705>

Ms. Vogt presented the staff report with Messrs. Tabb and Marquette present on behalf of the application. After some discussion regarding density and whether waivers would be required for either resubdivision or cross-easement, Messrs. Musso and Taylor requested that the applicant submit formal letters from Mr. Zachary Smith (Chief Building Official) and Mr. Edward Horan (Zoning Administrator) in regard to the necessity of resubdivision and clarification regarding the allowable density for each approach. Mr. Taylor stated that a cross-easement would be preferable, but that the ultimate goal is to return the buildings to commerce.

Mr. Taylor moved to forward a **negative recommendation** of the resubdivision to the City Planning Commission if cross-easement is a possible alternative. The motion also requested that the applicant submit a formal letter from the Zoning Administrator stating whether or not any waivers would be required for either case. Mr. Fifield seconded the motion, which passed unanimously.

VIII. CHANGE OF USE HEARINGS

618 N Rampart St: 17-22673-VCGEN; Harry Baker Smith Architects, applicant; 616 N Rampart LLC, owner; (*pending change of applicant and owner*) Proposal to renovate building in conjunction with a **change of use** from *vacant* to *commercial/residential*, per previous conceptual approval under permit 15-36628, and application & materials received 07/03/16 & 09/06/17.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=722446>

Ms. Vogt read the staff report with Mr. Barrera present on behalf of the application. Mr. Taylor moved for **approval** consistent with the staff analysis. Ms. Gasperecz seconded the motion. The motion passed unanimously.

301 Chartres St: 17-07566-VCGEN; Joseph Lantz, applicant; 301 Chartres LLC, owner; Proposal to renovate the building, including new mechanical and millwork, in conjunction with **change of use** from *bank* to *restaurant*, per application & materials received 03/07/17 & 09/14/17, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=707183>

Ms. Vogt read the staff report with Mr. Sullivan present on behalf of the application. Mr. Taylor moved for **conceptual approval** of the renovation and change of use consistent with the staff recommendation. Ms. Gasperecz seconded the motion. The motion passed unanimously.

- IX. RATIFICATION** of Architectural Committee and Staff actions since the Wednesday, September 6, 2017 VCC meeting.