

**City Planning Commission Meeting**  
**Tuesday, March 10, 2015**

**CPC Deadline: 04/10/15**  
**CC Deadline: 05/08/15**  
**Council District: B - Cantrell**

**PRELIMINARY STAFF REPORT**

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**To:** City Planning Commission  
**Zoning Docket:** 020/15

**Prepared by:** Stephen Kroll  
**Date:** March 3, 2015

**I. GENERAL INFORMATION**

**Applicant:** City Council Motion No. M-15-22

**Request:** This is a request for a conditional use to permit a hotel and parking garage in the CBD-3 Central Business District with waivers of the applicable height and floor area ratio requirements of the Central Business District Height and Floor Area Ratio Interim Zoning District.

**Location:** The petitioned property is located on Square 133, Lots 1, 13, 14, 15, 16, 17, 18, and 19, in the Third Municipal District, bounded by Canal, Tchoupitoulas, Common, and Magazine Streets. The municipal addresses are 103-111 Tchoupitoulas Street and 408-422 Canal Street. The site is located within the Canal Street Local Historic District. (PD 1A)

**Description:** This report considers a proposal for a hotel/parking garage development, which is to occupy a site located at the intersection of Canal and Tchoupitoulas Streets. The site, which is formed by multiple contiguous lots, has frontage on Canal Street, Tchoupitoulas Street, and Common Street. It has 194 feet, 8 inches of frontage on Canal Street, 98 feet, 10 inches of frontage on Tchoupitoulas Street, and 226 feet, 5 inches of frontage on Common Street. The site has an area of 24,343 square feet (0.56 acres).

The site is developed with six structures, all of which face Canal Street or Tchoupitoulas Street. These include 422 Canal Street, a five-story commercial structure constructed in the 1860s and expanded in the 1880s, the ground floor of which is now occupied by a retail store selling souvenirs and other products oriented towards tourists; a single-story metal structure facing Canal Street which is identified as a “tourist information center” and which sells tickets for various tours and museums; 400 Canal Street/103 Tchoupitoulas Street, a mid-to-late 20<sup>th</sup> century single-story commercial structure at the intersection of Canal and Tchoupitoulas Streets which is occupied by a retail store selling food and general merchandise; and a row of three four-story commercial structures (105, 109, and 111 Tchoupitoulas Street) dating from the 1840s, the ground floors of which are now occupied by a restaurant, a cocktail lounge, and a massage parlor. The center of the site is undeveloped and paved for use as a surface parking lot.

The developer proposes for the site to be redeveloped with a hotel operating under the Residence Inn and Springhill Suites by Marriott brands. The hotel would occupy the entirety of the site and would involve the demolition of the existing structures, although the façades of 105, 109, and 111 Tchoupitoulas Street would be retained and incorporated into the base of the new structure. The structure is to contain 20 stories, measuring 232 feet in height at the top of its roof's parapet wall and 250 feet at its highest point, the peak of crystalline geometric form angled toward the intersection of Canal and Tchoupitoulas Streets. The structure's first and second floors would be occupied by the hotel's lobby, dining and bar areas, meeting rooms, and service areas. The third through fifth floors would be parking levels providing a total of 164 accessory parking spaces. The sixth through nineteenth floors would contain a total of 378 guest rooms and a swimming pool. The twentieth floor would contain three hospitality suites and various common/event areas, including a ballroom, a club room, and a bar and lounge area. There would be a total of 381 guest rooms occupying 227,600 square feet of floor area and 44,350 square feet of public/back of house areas. Including all guest rooms, public/back of house areas, parking levels, and all other areas, the building would have a total floor area of approximately 390,000 square feet.

This hotel/parking garage proposal can be allowed only if authorized as a conditional use with a waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's height limit. The site is located within the CBD-3 Central Business District which applies to the site, which allows hotels only as conditional uses, necessitating the granting of a conditional use. The site is also located within the Central Business District Height and Floor Area Ratio Interim Zoning District, which limits the height of new structures at this site to 70 feet. As such, the structure's proposed height of 250 feet at its highest point requires a waiver of that height limit.

### **Why is City Planning Commission action required?**

**Article 6, Section 6.4.5** *Conditional Uses* of the Comprehensive Zoning Ordinance states that hotels and parking garages are conditional uses in the CBD-3 Central Business District. The City Planning Commission is required to make a recommendation on all conditional use applications prior to City Council action, in accordance with **Article 16, Section 16.6.4** *Procedures for Conditional Use Permits* of the Comprehensive Zoning Ordinance.

**Article 18, Section 18.65** *Central Business District Height and Floor Area Ratio Interim Zoning District* of the Comprehensive Zoning Ordinance, as proposed, requires that all appeals of the regulations of the interim zoning district be acted upon in accordance with the provisions of **Article 16, Section 16.4.5(3)** *Appeals* of the Comprehensive Zoning Ordinance. For any appeal to be decided by the City Council, the City Planning Commission shall make a recommendation to the City Council in the manner provided in

**Article 16, Section 16.9.5** *Review and Recommendation by City Planning Commission.*  
The City Council shall consider the appeal in accordance with the procedure provided in **Article 16, Section 16.9.6** *Review and Decision by City Council.*

## **II. ANALYSIS**

### **A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?**

#### *Zoning*

The site is located along the portion of Canal Street that serves as the boundary between the Central Business District and the Vieux Carré. Historically the city's downtown commercial core and now a center of tourism-related activity, this portion of Canal Street is largely within the CBD-3 Central Business District, which runs along Canal Street from Tchoupitoulas Street/North Peters Street to South Saratoga Street/Crozat Street. Only a few properties along Canal Street are not within this CBD-3 District, including properties along Canal Street between the Mississippi River and Tchoupitoulas Street/North Peters Street, which are within a CBD-2 Central Business District that extends along much of the riverfront; the block of Canal Street between Magazine and Camp Streets, which is within a CBD-1 Central Business District that covers the interior core of the Central Business District; and a parcel located mid-block on Canal Street between Camp Street and Saint Charles Avenue, which is also within that CBD-1 District.

Upriver of the CBD-3 District in which the site is located are a variety of CBD Central Business Districts that cover the entirety of the Central Business District, including the CBD-1 and CBD-2 Districts mentioned above. These various CBD Districts have use and development standards that vary somewhat based on the characteristics of different portions of the Central Business District, but for the most part they are oriented towards promoting development consistent with the character of those different portions of the Central Business District, including taller, intense office development along the Poydras Street corridor, hotel and entertainment venues along Convention Center Boulevard, and smaller-scale, lower-intensity commercial and residential uses in more historic portions of the Central Business District, including the area around Lafayette Square. Downriver of the CBD-3 District are the various Vieux Carré Districts that extend through the Vieux Carré. These zoning districts generally promote entertainment and other commercial uses along the edges of the Vieux Carré, including North Rampart Street and along the riverfront, as well as within the interior areas of the Vieux Carré that experience the most tourist traffic, including along Bourbon and Decatur Streets. In those portions of the Vieux Carré that are primarily residential in character, the zoning districts generally reflect that, as they are oriented toward residential land use.

### *Development and land use description*

Along this portion of Canal Street, development can be classified into two groups: smaller historic structures and larger recent structures. The first group of smaller historic structures includes those buildings which most predominate along Canal Street and which are thought of as giving the street its distinctive character. These buildings generally date from the mid 19<sup>th</sup> century to the early 20<sup>th</sup> century, stand four to six stories in height, and usually occupy the entireties of relatively small parcels, which generally measure between about 20 feet and 40 feet in width. These buildings include a range of architectural styles, including Greek Revival, Italianate, Beaux Arts, and Art Deco. Most buildings retain their original façades, although some are characterized by mid-20<sup>th</sup> century replacement façades. Most structures have ground floor commercial units that are occupied by various retail uses serving both tourists and locals, including gift shops, shoe stores, and pharmacies, as well as restaurants. Examples of such buildings on the site include the buildings at 422 Canal Street and 105-111 Tchoupitoulas Street. Examples of such buildings in the immediate vicinity of the site include the Sanlin buildings, a series of buildings constructed in the 1840s and covered by a 1960s metal façade. The Sanlin buildings stretch from the edge of the subject site to Magazine Street. Also nearby are the circa 1848 five-story Montgomery-Katz-Gordon Building, at the intersection of Canal Street and Magazine Street, and the circa 1821 Pinson-Piseta Building, the oldest remaining building on Canal Street, which is at Canal Street's intersection with Decatur Street.

This first group of historic structures also includes a limited number of prominent structures which are distinctive for being larger than the structures described above in site size and/or height. The nearest example of such a building is the U.S. Custom House, a massive four-story masonry structure completed in 1881, which occupies the full square directly across Canal Street from the site and which is now occupied by an Audubon Institute museum. Other examples of larger historic structures include the circa 1908 Maison Blanche Building, now occupied by the Ritz Carlton Hotel and the Astor Crowne Plaza Hotel, which are located more distantly from the site.

The second group of buildings found along Canal Street are larger structures dating from the late 20<sup>th</sup> century, many of which are high-rise towers which soar above their smaller historic neighbors and which occupy most or all of their squares. These include the Canal Place complex, which is located diagonally across Canal Street from the site at the intersection of Canal and North Peters Streets. Constructed in the late 1970s/early 1980s, Canal Place is a massive development containing a shopping mall, an office tower, and a hotel, the Westin. Also near the site are a pair of hotel towers facing each other in the next block of Canal Street between Magazine/Decatur Street and Camp/Chartres Street. These include the circa 1972 Marriott, a 42-story, two-tower structure that occupies virtually the entirety of its square. Across from it is the Sheraton, a 48-story structure completed in 1982, which occupies most of its square. Neighboring the site is the 17-story DoubleTree hotel, which was completed in 1973 and is across Tchoupitoulas Street from the site. The hotel occupies a triangular square extending back from Canal Street to

Gravier Street. The development's mass is situated at the rear of the square, with the hotel near Gravier Street, while the point at Canal Street is developed with a single-story ice cream parlor.

*Immediately surrounding land uses*

The site's location at the five-point intersection of Canal Street, Tchoupitoulas Street, and North/South Peters Street is essentially the gateway to the historic portion of Canal Street, with the examples of the distinctive, smaller-scale, historic buildings along Canal Street to the lake-side of the intersection and recent, larger-scale developments along Canal Street to the river-side of the intersection. To the river-side of the intersection are the DoubleTree site; the Canal Place complex; the Harrah's casino, which was built in the late 1990s and occupies a large site stretching from Canal to Poydras Streets; and, along the riverfront, the circa 1967, 33-story World Trade Center, which is to be redeveloped for hotel use with a possible residential component; the early 1990s, low-rise Aquarium of the Americas; and the 1980s, low-rise Outlet Collection at the Riverwalk. These late-20<sup>th</sup> century developments are oriented primarily to visitors of the city, though some also serve local residents.

The portion of Canal Street characterized by largely-intact, small-scale buildings begins with this site on the lake-side of the intersection. In the immediately vicinity of the site, these include the structures on the site, the neighboring Sanlin building and a circa 1883 ten-story structure (originally constructed with eight floors) located at the intersection of Magazine and Common Streets, which is now used as a hotel. The U.S. Custom House is directly across Canal Street from the site. To the site's rear, opposite Common Street, is a five-story late 19<sup>th</sup> or early 20<sup>th</sup> century building used as a multiple-family residence; a row of three 19<sup>th</sup> century commercial-style structures, which appear to now be used as residences; and a four-story 19<sup>th</sup> century structure used as a hotel.

**B. What is the zoning and land use history of the site?**

*Zoning:*

1929 – 'J' Industrial District  
1953 – 'J' Light Industrial District  
1970 – CBD-3 Central Business District

*Land Use:*

1929 – Industrial/commercial  
1949 – Light industrial/commercial  
1999 – Commercial<sup>1</sup>

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<sup>1</sup>The 1999 Land Use Plan provides land use information that is generalized and not lot-specific.

**C. Have there been any recent zoning changes or conditional uses in the area? If so, do these changes indicate any particular pattern or trend?**

In the past five years, there have been the following requests for zoning actions (including applications for zoning changes, conditional uses, and planned development districts) for properties located within a 1,750 foot (approximately five blocks) radius of the subject site:

**Zoning Docket 115/14** was a request for a conditional use to permit a hotel in a VCS-1 Vieux Carré Service District. The municipal address is 111 Iberville Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located within two (2) blocks of the subject site.*

**Zoning Docket 063/14** was a request for a conditional use to permit the sale of alcoholic beverages for off-premises consumption in a retail store in a CBD-1 Central Business District. The municipal addresses are 127-129 Carondelet Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

**Zoning Docket 023/14** was a request for a conditional use to permit the sale of alcoholic beverages for off-premises consumption in a retail establishment with a floor area of less than 25,000 square feet in a CBD-3 Central Business District. The municipal addresses are 801-807 Canal Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

**Zoning Docket 013/14** was a request for a conditional use to permit a cocktail lounge in a CBD-1 Central Business District. The municipal address is 330 Carondelet Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately five (5) blocks from the subject site.*

**Zoning Docket 121/13** was a request for a conditional use to permit a supper club in a VCE-1 Vieux Carré Entertainment District. The municipal addresses are 233-235 North Peters Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately two (2) blocks from the subject site.*

**Zoning Docket 089/13** was a request for an amendment to Ordinance No. 16,314 MCS (ZD 113/93, which granted a conditional use to permit a parking garage) to permit an amusement place in a CBD-8 Central Business District and within the Downtown Design Review District. The municipal address is 601 Convention Center Boulevard. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately five (5) blocks from the subject site.*

**Zoning Docket 128/12** was a request for an amendment to Central Business Planned Community District (CBPCD) Ordinance No. 8,611 MCS, as amended, to permit the expansion of an existing hotel in a CBD-2 Central Business District. The municipal address is 317 Poydras Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately three (3) blocks from the subject site.*

**Zoning Docket 123/12** was request for an amendment to Ordinance No. 15,423 MCS, as amended by Ordinance No. 17,700 MCS, which permitted the expansion of an existing nightclub in a VCE-1 Vieux Carré Entertainment District, to permit the expansion of an existing nightclub into a ground floor retail space. The municipal addresses are 227-229 Decatur Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately two (2) blocks from the subject site.*

**Zoning Docket 026/12** was a request for a conditional use to permit a fast food restaurant in a CBD-1 Central Business District. The municipal address is 132 Carondelet Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

**Zoning Docket 048/11** was a request for a conditional use to permit an amusement place in a CBD-3 Central Business District. The municipal address is 109 Tchoupitoulas Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This property is one of the existing structures on the subject site.*

**Zoning Docket 001/11** was a request for a conditional use to permit a cocktail lounge in a CBD-8 Central Business District. The municipal address is 711-731 Tchoupitoulas Street and 407 Notre Dame Street. The City Planning Commission recommended denial of the request, which was subsequently approved by the City Council. *This site is located approximately five (5) blocks from the subject site.*

**Zoning Docket 003/10** was a request for a conditional use to permit a non-accessory parking garage in a VCC-2 Vieux Carré Commercial District. The municipal addresses are 227 Chartres Street and 612-14 Bienville Street. It was recommended for denial by the City Planning Commission, but subsequently approved by the City Council. *This site is located approximately four (4) blocks from the subject site.*

These recent zoning actions are reflective of the wide range of land uses that characterize the Central Business District and the Vieux Carré but are not particularly relevant to this application.

In addition to these requests, there have been the following appeals of the Central Business District Height and Floor Area Ratio Interim Zoning District:

**Design Review 166/14** was an appeal of the Central Business District Height and Floor Area Ratio Interim Zoning District to permit the conversion of an existing hotel into eighteen (18) condominiums with retail at the ground floor in a CBD-7 Central Business District. The appeal requested a waiver of the five-story and 65 foot height limit to allow a six-story, 65 foot tall structure. The municipal addresses are 749-51 St. Charles Avenue. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council.

**Design Review 149/14** was an appeal of the Central Business District Height and Floor Area Ratio Interim Zoning District to permit the construction of a multiple-family residence in a CBD-8 Central Business District. The appeal requested a waiver of the five-story and 65 foot height limit to allow a six-story, 65 foot tall structure. The municipal address is 611 Commerce Street. The City Planning Commission recommended denial of the request, which was subsequently approved by the City Council.

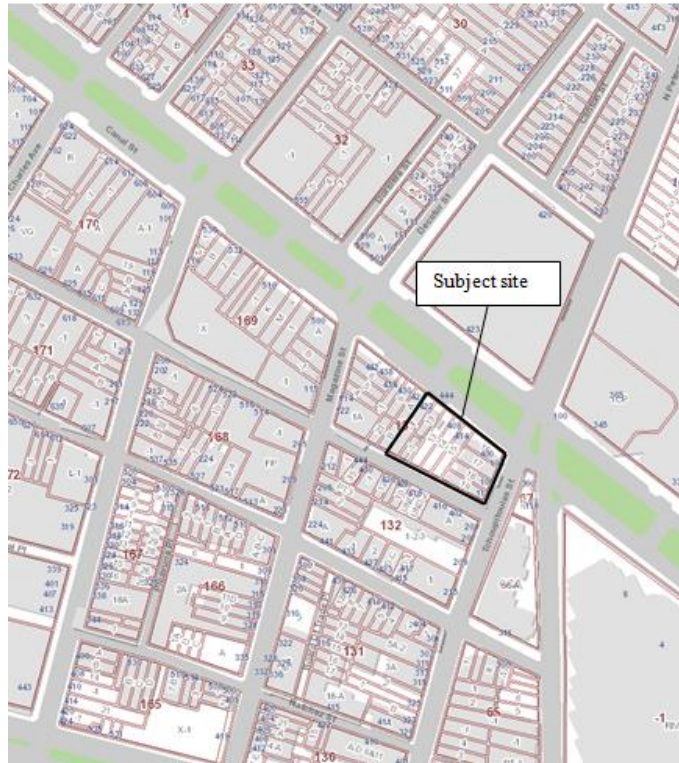
**Design Review 148/14** was an appeal of the Central Business District Height and Floor Area Ratio Interim Zoning District to permit the construction of a new hotel in a CBD-7 Central Business District. The appeal requested a waiver of the five-story and 65 foot height limit to allow an eight-story, 85 foot tall structure. The municipal address is 744 St. Charles Avenue. The City Planning Commission recommended denial of the request, which has not yet been considered by the City Council.

These recent appeal requests indicate that there is some precedent for deviation from the Interim Zoning District, but only to allow a greater number of floors than is permitted by right, not to allow a greater overall building height. These appeals have not set a precedent for the extreme building height waiver requested for this development.



**D. What are the comments related to site and building design?**

The site is located at the five-point intersection of Canal Street, Tchoupitoulas Street, and North/South Peters Street. It is a wedge-shaped parcel occupying just over half of its square. The parcel has 194 feet, 8 inches of frontage on Canal Street, 98 feet, 10 inches of frontage on Tchoupitoulas Street, and 226 feet, 5 inches of frontage on Common Street. It has an area of 24,343 square feet (0.56 acres).



The site is developed with seven structures, all of which face Canal Street or Tchoupitoulas Street. These include 422 Canal Street, four-story commercial structure constructed in the 1860s and expanded in the 1880s by noted architect James Freret. The structure's ground floor of which is now occupied by a retail store called Jazz Gumbo, which sells souvenirs and other products oriented towards tourists. The second structure on the site is a single-story metal structure facing Canal Street which is identified as a "tourist information center" and which sells tickets for various tours and museums. At the intersection of Canal and Tchoupitoulas Streets is 400 Canal Street/103 Tchoupitoulas Street, a mid-to-late 20<sup>th</sup> century single-story commercial structure which is occupied by a retail store selling food and general merchandise; and a row of three four-story commercial structures (105, 109, and 111 Tchoupitoulas Street) dating from the 1840s, the ground floors of which are now occupied by a restaurant called Geisha, a cocktail lounge called Kubi's, and a massage parlor.

Site history

The square on which the site is located was once part of the vacant land known as "the Commons surrounding the Vieux Carré, which was held publicly until 1840. In 1840, the square was subdivided into lots, which were auctioned to a variety of buyers that were reflective of the city's economic and racial diversity. The square was mostly developed within a year of its subdivision. The large majority of the buildings erected were four story, three bay, Classical Style masonry structures with granite pillars at the ground floor. These "Storehouse" buildings were being erected throughout the American Sector above Canal Street to house New Orleans' intense economic expansion. In contrast to the

Creole architectural styles and types prevalent in the Vieux Carré, these buildings are resolutely American in their expression. The continuity of their form, character, siting, and materials created a unified, handsome streetscape worthy of what was, at the time, America's third largest city.

The buildings developed on the square are significant in that they are the "old growth" of New Orleans' architectural legacy. They are the first buildings developed on this site and have remained standing to this day. They reflect the economic, architectural and cultural trends that dominated the city in the 1840's, a time considered by many to be the Golden era of New Orleans. Their design reflects the prevailing architectural style of the day, conveying the cosmopolitan image of the city. Located directly across from the U.S. Customs House, these buildings were at the very epicenter of commerce.

#### Individual building history highlights

**422 Canal Street.** This structure was originally a four story Classical style store house. However, in 1880, noted New Orleans architect James Freret redesigned the front elevation, adding a fifth floor.

**105 Tchoupitoulas Street.** Julien Colvis and Joseph Dimas, two African-American businessmen purchased this lot at the auction of 1840. They contracted with Siddle and Stewart, established builders in the city, and erected this four-story, Classical-style Storehouse structure.

**109 Tchoupitoulas Street.** Paul Tulane, well known businessman and New Orleans philanthropist purchased this property at the 1840 auction. He soon contracted to build the building that remains today.

**111 Tchoupitoulas Street.** This building was erected by Austin Woolfolk in 1840. This building originally featured a canopy at the ground floor supported by elaborate cast iron brackets. These brackets remained on the building until 2003 when they were removed by the owner and placed in storage<sup>2</sup>.

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<sup>2</sup> These site and building histories were provided by the Historic District Landmarks Commission.



Photo of the corner of Canal and Tchoupitoulas Streets, 1956. Charles Frank.

*Development proposal*

The developer proposes to redevelop the parcel with a hotel, which would operate under the Residence Inn and Springhill Suites by Marriott brands. The hotel would occupy the entirety of the site and would require the demolition of the existing structures, although the façades of 105, 109, and 111 Tchoupoitoulas Street would be retained and incorporated into the base of the new structure. The structure would stand 20 stories, measuring 232 feet in height at the top of its roof's parapet wall and 250 feet at its highest point, the peak of a crystalline geometric form angled toward the intersection of Canal and Tchoupitoulas Streets. The hotel's first and second floors would contain its lobby, dining and bar areas, meeting rooms, and service areas. The third through fifth floors would be parking levels providing a total of 164 parking spaces (54 on the third floor, 58 on the fourth, and 52 on the fifth). The sixth through nineteenth floors would contain a total of 378 guest rooms and a swimming pool. The twentieth floor would contain three hospitality suites and various common/event areas, including a ballroom, a club room, and a bar and lounge area. There would be a total of 381 guest rooms occupying 227,600 square feet of floor area (including 210 guest rooms for the Springhill Suites component and 171 guest rooms for the Residence Inn component). Additionally, there would be 44,350 square feet of public/back of house areas. Including all guest rooms, public/back of house areas, parking levels, and all other areas, the building would have a total floor area of approximately 390,000 square feet.

The structure's bottom five floors are to cover virtually the entire site, while the upper floors are to be contained within a C-shaped tower which would open toward Common Street. At the ground level, the structure will measure about 179 feet along Canal Street, 97 feet, 6 inches along Tchoupitoulas Street, 225 feet, 8 inches along Common Street, and 134 feet, 8 inches along the Magazine Street-side property line. The dimensions vary slightly on upper levels, in general being about 180 feet along Canal Street, ranging between 83 and 92 feet along Tchoupitoulas Street, about 210 feet along Common Street, and about 120 feet along the Magazine Street-side property lines. The structure would have virtually no setbacks along its lower five floors and modest setbacks on the sixth through twentieth floors.

The structure is to be contemporary in design and includes a five-story base with a fifteen-story, C-shaped tower extending from the base. The five-story base aligns in height with the neighboring Sanlin buildings, as well as 105, 109, and 111 Tchoupitoulas Street, which are to be demolished except for their facades. Along Tchoupitoulas Street, the facades of 105, 109, and 111 Tchoupitoulas Street are to be incorporated into the base. Along Canal Street, the base is to be characterized by series of vertical windows. New balconies will extend outward over Canal and Tchoupitoulas Streets at the second floor.

The C-shaped tower, which includes the sixth through twentieth floors, is divided into bays featuring rows of multi-story vertical windows. At the intersection of Canal and Tchoupitoulas Streets, these give way to a crystalline geometric form which runs the height of the structure, peaking at a height of 250 feet.

#### *Comments regarding the demolition of existing structures*

As the site is within the Canal Street Local Historic District, the demolition in whole or part of the existing structures at the site must be approved by the Historic District Landmarks Commission. While the City Planning Commission staff will defer to the Historic District Landmarks Commission on the appropriateness of demolition, the staff is concerned that demolition of the historic buildings in particular is not consistent with the CBD-3 District's purpose of preserving and enhancing this portion of Canal Street and with the general historic preservation objectives contained in the Master Plan, as discussed below.

Should the conditional use request be approved to allow the hotel/parking garage development, it should be subject to the following requirement:

- The developer shall secure the approval of the Historic District Landmarks Commission for the complete or partial demolition of the existing structures on the site.

*Comments regarding the structure's height, bulk, and mass*

The proposed structure is to have a height that ranges from 232 feet to 250 feet at its highest point, setbacks that range between zero and 8 feet, and a floor area ratio (the total floor area of the building divided by the area of the parcel) of 16.0. The building's open space ratio (the total open space on the site divided by the floor area of the building) is not shown on the submitted plans.

The building is subject to the height and floor area ratio requirements imposed by the Central Business District Height and Floor Area Ratio Interim Zoning District and the setback and open space ratio regulations contained in **Article 6, Section 6.4.7** and **Table 6.D** of the Comprehensive Zoning Ordinance. The Central Business District Height and Floor Area Ratio Interim Zoning District limits building height at this location to 70 feet. A waiver of that requirement would be needed to allow the proposed structure.

The Central Business District Height and Floor Area Ratio Interim Zoning District does not set forth a floor area ratio limitation. Rather, the height limit has the effect of also limiting the floor area ratio of any development. As such, should the height waiver be granted, the proposed floor area ratio would be allowed.

The structure is required to have no setbacks except along the Magazine Street-side property line, where it is required to have a 20 foot setback beginning at the lowest floor with hotel rooms and windows, which is the sixth floor. At this building's sixth floor, the setback from the Magazine Street-side property line varies from zero to eight feet and from the seventh through twentieth floors would be eight feet. As this would be substandard of the 20 foot requirement, the waiver of that requirement would be needed to allow the proposed structure.

The structure is required to have an open space ratio of 0.07. The open space ratio is not shown on the submitted plans and so it is not clear if the proposal is compliant with that requirement. A waiver would be necessary for any deficiencies of that requirement.

The staff would also like to note that the draft Comprehensive Zoning Ordinance proposes the same height and floor area ratio requirements that are included in the Central Business District Height and Floor Area Ratio Interim Zoning District. Additionally, it proposes no setback and open space ratio requirements. While this draft zoning ordinance has not yet been adopted and is not in effect, it indicates how the Central Business District Height and Floor area Ratio Interim Zoning District is intended to act as a "bridge" to the draft zoning ordinance.

The table below contains the proposed building's height, bulk, and area, as well as the requirements now in effect (contained in the Central Business District Height and Floor Area Ratio Interim Zoning District and the Comprehensive Zoning Ordinance) and the regulations proposed by the Draft Comprehensive Zoning Ordinance.

<b>Requirements relative to building height, bulk, and area</b>			
	<b>Proposed</b>	<b>Regulations now in effect<sup>3</sup></b>	<b>Regulations in the Draft CZO<sup>4</sup></b>
<b>Max height</b>	250'	70'	70'
<b>Max floor area ratio</b>	16.0	None (controlled by height restriction)	None (controlled by height restriction)
<b>Min. setbacks from streets</b>	0' (floors 1-5) 0'-5' (floor 6) 5'-8' (floors 7-20)	None required	0'
<b>Min setbacks from Magazine Street-side property line</b>	0' (floors 1-6) 8' (floors 7-20)	20' (at lowest floor with hotel rooms and windows)	0'
<b>Min open space ratio</b>	Not specified on plans	0.07	None

Request for waiver of the height requirement

As the 70 foot height limit is imposed by the Central Business District Height and Floor Area Ratio Interim Zoning District, appeals for waivers of that height limit must be considered in the manner required by that Interim Zoning District. Appeals of this Interim Zoning District are to be considered by the City Planning Commission, which makes a recommendation to the City Council, which determines whether to grant the appeal, in accordance with **Article 16, Section 16.4.5** of the Comprehensive Zoning Ordinance. The City Planning Commission, in making its recommendation, and the City Council, in rendering its decision, are to apply the following three standards:

- The granting of the waiver is not inconsistent with the general intent of the interim zoning district.
- Harmony and compatibility with adjacent land uses would not be adversely affected.
- Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the interim zoning district.

<sup>3</sup> The current height and floor area regulations are imposed by the Central Business District Height and Floor Area Ratio Interim Zoning District. The current setback and open space ratio regulations are contained in **Article 6, Section 6.4.7** and **Table 6.D** of the Comprehensive Zoning Ordinance.

<sup>4</sup> The most recent version of the draft Comprehensive Zoning Ordinance, which has not been adopted and is not in effect, includes the site within the CBD-2 Central Business District. The regulations for properties in the CBD-2 Central Business District are contained in **Article 17, Section 17.4** and **Table 17-2** of the draft Comprehensive Zoning Ordinance.

Additionally, **Article 18, Section 18.66.4** of the Comprehensive Zoning Ordinance, as proposed, requires the City Planning Commission to seek the advice of the Executive Director of the Historic District Landmarks Commission with respect to the site plan and building elevations for developments for which an appeal of the Interim Zoning District is made.

Compliance with standards in Article 16, Section 16.4.5 of the Comprehensive Zoning Ordinance:

The staff finds that the request for a waiver of the height limit does not satisfy the three standards in **Article 16, Section 16.4.5** of the Comprehensive Zoning Ordinance and should therefore be denied. Each standard is addressed below:

**Standard A: Would the granting of the waiver be consistent or inconsistent with the general intent of the Central Business District Height and Floor Area Ratio Interim Zoning District?**

The granting of a waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's 70 foot height limit to allow the proposed structure would be *inconsistent* with the general intent of the Interim Zoning District. As stated in **Article 18, Section 18.66.1** of the Comprehensive Zoning Ordinance, the purpose of the Interim Zoning District is as follows:

“The purpose of the Central Business District Height and Floor Area Interim Zoning District (IZD) is to institute a clear set of building height and floor area ratio (FAR) requirements that *respect that character and scale of historic downtown neighborhoods and encourage taller development where appropriate* within the Central Business District.” (italics added for emphasis)

Based on that overall purpose of having building heights that are appropriate for their contexts, the Interim Zoning District divides the Central Business District into 11 sub-districts. In those sub-districts that have historic, low-rise building stocks, such as along Canal Street, in Picayune Place, and near Lafayette Square, it is appropriate for new structures to be lower-rise buildings that are consistent in scale with the historic building stock. Buildings which are much taller and out-of-scale with the surrounding historic building stock are not appropriate in those areas. Based on this, those sub-districts impose lower height limits. In contrast, in those sub-districts that are characterized by contemporary skyscrapers, such as those along Poydras Street and Loyola Avenue, it is sensible for similarly tall new buildings to be allowed, and so those sub-districts have much greater height limits and, in some places, no height limits.

This site is located along a stretch of Canal Street that is distinctive for its historic four-to-six story buildings. By imposing a 70 foot height limit for new structures, the Interim Zoning District definitely, indisputably intends for new structures to be similar in height to those historic structures. The proposed 20-story structure would be dramatically taller



than the surrounding historic structures and in no way would respect the character and scale of the neighboring historic structures. As such, the granting of the waiver would be inconsistent with the intent of the Interim Zoning District.

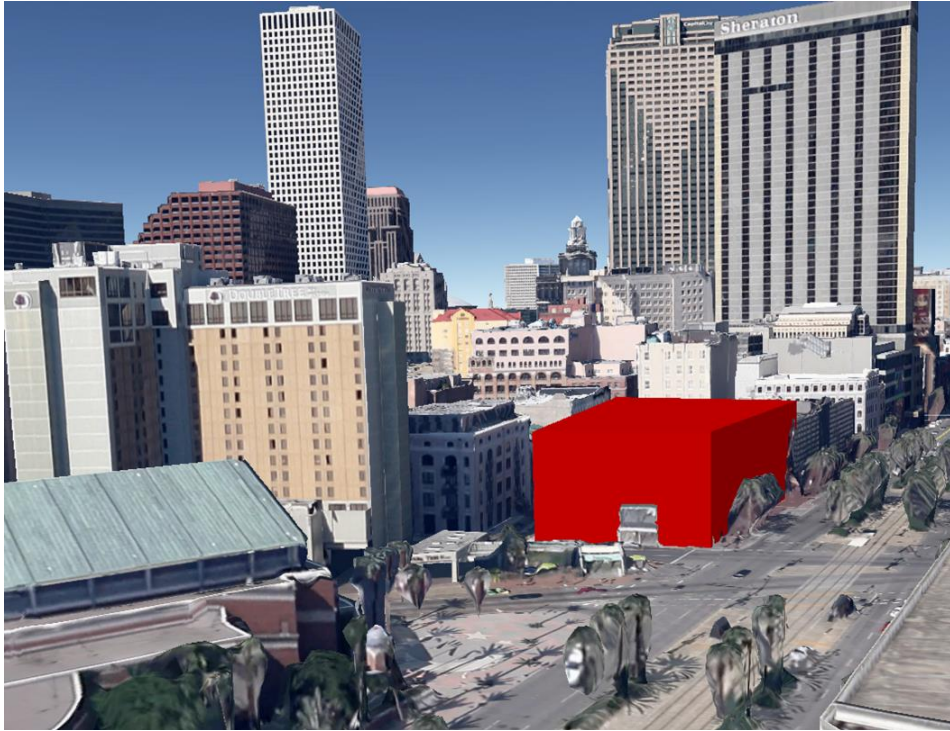
**Standard B: Would the granting of the waiver adversely affect the harmony and compatibility with adjacent land uses?**

Yes, the granting of the waiver to allow the 20-story, 250 foot tall building would adversely affect the site's harmony and compatibility with adjacent land uses. The historic buildings that currently exist at the site are characteristic of this historic portion of Canal Street and are similar in height to the surrounding historic building stock, including the adjacent Sanlin buildings, the U.S. Customs House, which is located across Canal Street, and the low-rise historic structures located across Common Street from the site. Replacing these historic structures, which are completely appropriate for the site, with the proposed structure, which is completely inappropriate for the site in terms of its height, would adversely affect the site's harmony and compatibility with surrounding properties.

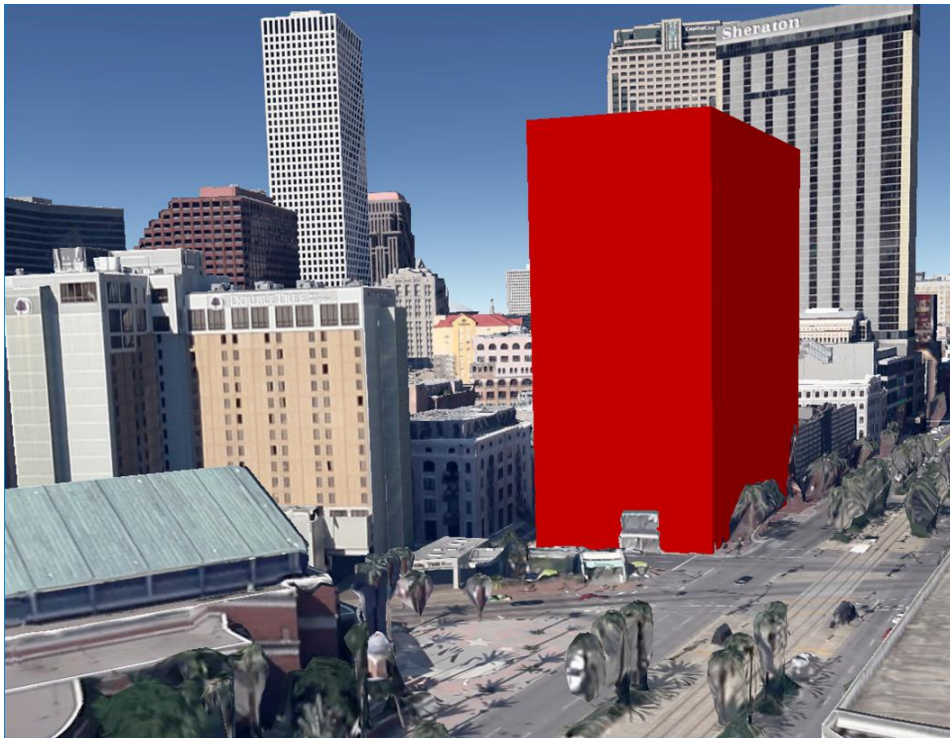
Because the new structure is so tremendously out-of-scale with the historic building stock that defines this portion of Canal Street and the neighboring portions of the Vieux Carré, it would transform the character of the area to its detriment. The Canal Street streetscape would be substantially altered, as its appearance would be transformed, as would the qualitative experience of walking down the street as a pedestrian. Furthermore, it would affect the quality of life for occupants of the surrounding historic buildings, as the building would block views from those properties and cast greater shadows than do the existing buildings or any new building which might be constructed at the site in the future in accordance with the height requirement.

To illustrate the fact that the proposed hotel would be extremely out-of-scale with the surrounding historic development, the staff has included the below height and massing models showing the height and massing of the proposed hotel development as compared to the height and mass of a structure meeting the 70 foot height limit. These models show that the proposed structure would dwarf its historic neighbors, adversely affecting those structures and changing the area's character as a result.

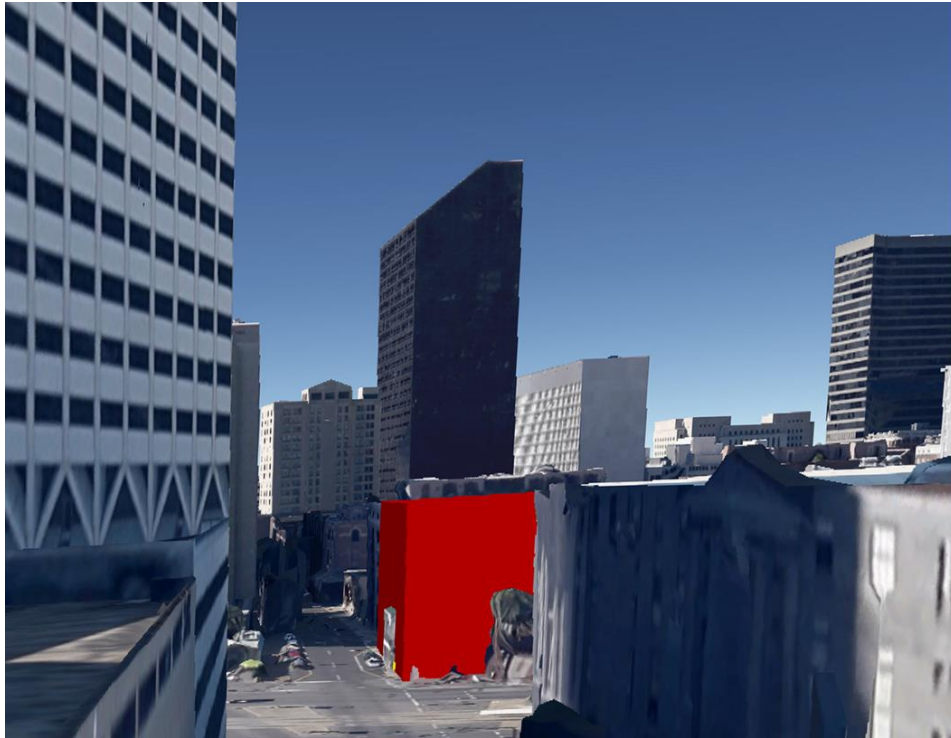




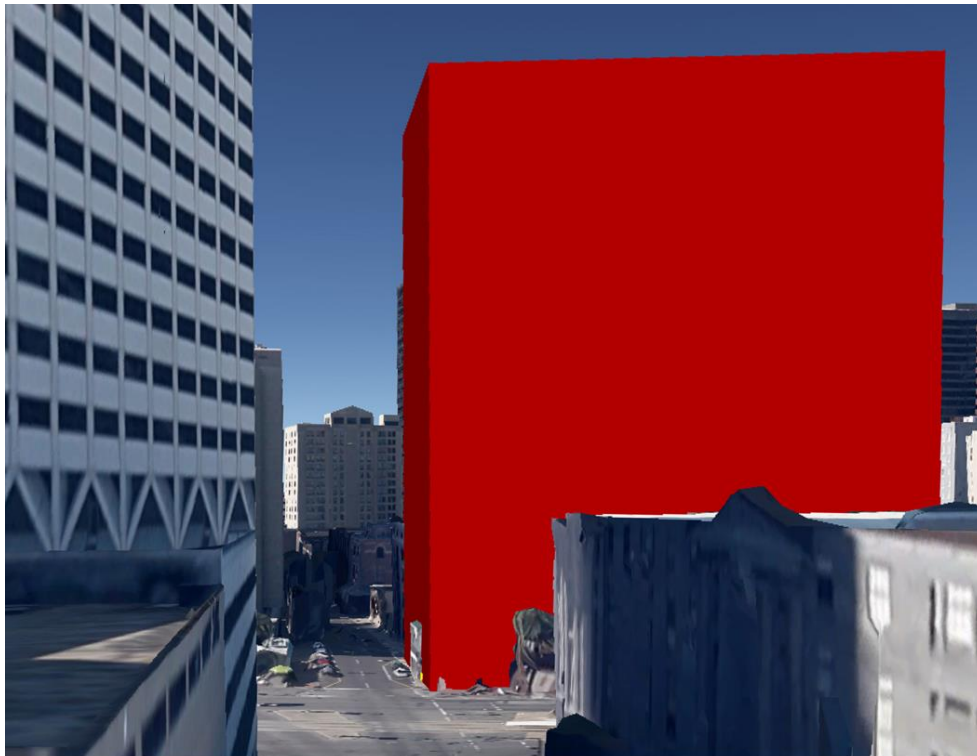
Height and massing of a structure meeting the 70 foot height requirement, as viewed looking down Canal Street in a lake-bound direction.



Height and massing of a 250 foot tall structure, as viewed looking down Canal Street in lake bound direction.



**Height and massing of a structure meeting the 70 foot height requirement, as viewed looking down Tchoupitoulas Street from North Peters Street.**



**Height and massing of a 250 tall structure, as viewed looking down Canal Street in lake bound direction.**

A counter argument may be that although the proposed hotel would be extremely out-of-scale with the surrounding historic development, there is precedent for tall structures, such as the Canal Place Complex and the Marriott and Sheraton hotels in the 500 block of Canal Street. The existence of those structures does not justify allowing the proposed hotel for two reasons.

First, the low height limits imposed along Canal Street by the Interim Zoning District (as well as by the underlying CBD-8 District, which has an 85 foot height limit that is superseded by the Interim Zoning District) were presumably developed at least partially in response to the construction of these large hotel towers, which were built in the 1970s and 1980s. Those towers have been criticized as being out-of-scale for Canal Street and as having a detrimental impact on the historic character of Canal Street, and so the current height limit was developed with an intent of not allowing additional out-of-scale towers to be built and further erode the historic character of Canal Street. Allowing this proposed hotel development would undermine this effort to prevent additional out-of-scale towers along Canal Street.

Second, although the Canal Place Complex, Marriott, and Sheraton are tall towers, they have less of a visual impact on Canal Street than the proposed hotel tower would. The proposed hotel would have a visual impact along Canal Street that is unprecedented by these existing developments.

The reason the tower would have a greater visual impact on Canal Street than those other towers is that its C-shaped tower is oriented parallel to Canal Street. Compared to the more slender Sheraton, Marriott, and Canal Place towers, which are oriented perpendicular to Canal Street, and therefore are narrower and less visible from Canal Street, the proposed tower would be atypically wide along Canal Street and more visually obtrusive. To illustrate, see the height and massing below, which shows the view of the proposed hotel from the opposite side of Canal Street in comparison to those other three towers, as viewed from the opposite side of Canal Street.





**Hotel height and massing as viewed from the opposite side of Canal Street. (Top left: Marriott at 555 Canal Street; top right: Sheraton at 555 Canal Street; bottom left: Canal Place at 333 Canal Street; bottom right: massing model of proposed hotel)**

The need to orient the tower parallel to Canal Street results from the site's shallow depth, which does not allow it to be oriented perpendicular to Canal Street. This site measures only 98 feet, 10 inches in depth as measured along Tchoupitoulas Street and only 135 feet, 7 inches in depth as measured along the Magazine Street-side property line. In contrast, the Canal Place complex's site across the intersection of Tchoupitoulas/North Peters Street from the site is approximately 330 feet in depth, as measured along North Peters Street. The Sheraton site at 500 Canal Street is 230 feet in depth, as measured along Camp Street. The Marriott site at 555 Canal Street is approximately 330 feet in depth, as measured along Chartres and Dorsiere Streets. This site is significantly shallower than the other three, forcing its tower to be oriented parallel to Canal Street in a way that makes it much more visually impactful on Canal Street. Due to this unprecedented visual impact, the proposed hotel development would certainly adversely impact nearby smaller structures and would alter the overall character of the area.

**Standard C: Are there special conditions and circumstances which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the interim zoning district?**

No, there are no special circumstances that are peculiar to the property and not applicable to other properties in the Interim Zoning District which justify a waiver of the height requirement. There is nothing inherent to this particular property which prevents a new structure or structures which comply with the 70 foot height limit from being developed at the property. The request for a waiver simply results from the developer's desire to not comply with the height limit rather than any special conditions relative to the property which prevent compliance with the height limit.

This analysis shows that the request does not fulfil any of the standards for waivers in **Article 16, Section 16.4.5** of the Comprehensive Zoning Ordinance and should therefore be denied.

Advice of the Director of the Historic District Landmarks Commission

The City Planning Commission staff has also sought the advice of the Executive Director of the Historic District Landmarks Commission with respect to the site plan and building elevations, as required by **Article 18, Section 18.66.4** of the Comprehensive Zoning Ordinance, as proposed.

The Director of the Historic District Landmarks Commission's comments<sup>5</sup> are as follows. These show that the Executive Director of the HDLC objects not only to the building's height, but also has extensive objections relative to the site plan, the building's massing, design, and the demolition of historically significant structures.

**Generally:**

1. The HDLC does not support the demolition of the 4 historically significant structures on the site.
2. The HDLC does not consider the retention only of façades, while demolishing the buildings, an acceptable form of preservation and considers such action to be the demolition of the historic buildings.
3. The design of the proposed infill construction does not meet the guidelines of the HDLC for New Construction.
4. The height and massing of the structure are too large and will negatively impact the historic district.

**Overall Form and Massing:**

1. The 5' setback of levels 6-20 is not sufficient to allow the historic structures below to read as anything more than vestigial façades. The HDLC does not consider the

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<sup>5</sup> E-mail from Elliott Perkins, Executive Director of the Historic District Landmarks Commission, to Robert Rivers, Executive Director of the City Planning Commission, February 20, 2015.

- retention of façades without buildings an appropriate approach toward historic preservation.
2. The 5' setback is not sufficient to establish a sense of building height at the historic 4-story level, with a taller building rising from behind it. This reads as a very tall building with the lower floors decorated with salvaged building materials.
  3. The orientation of the C-shaped building plan with the continuous wall facing Canal Street creates an inappropriately wide tower element facing Canal street. This wide tower is atypical and is more disruptive to the scale of the historic district than the slender towers of the Sheraton or Marriott.

**Canal Street Elevation:**

1. The continuous horizontal façade at the lower levels is not in keeping with the rhythm of 30' buildings set next to each other that is typical to Canal Street.
2. The busy vertical texture of the façade in front of the parking levels lacks architectural elements that reflect the human scale making this portion of the building read as solid and lifeless.
3. The recessed corner entry beneath the faceted glass structure above is oppressive, low, and uninviting.
4. The recessed corner seems to celebrate the missing building at the corner of Canal Street and Tchoupitoulas Street rather than repair the condition through the construction of appropriately scaled infill.
5. The vertical division of the upper floor façades effectively reflects the rhythm of 30' buildings set next to each other that is typical to Canal Street.
6. The varying heights and widths of the openings in the upper floors make the elevation chaotic and largely undermine the successfully contextual vertical division of the façade.
7. The use of a recessed glass top to this façade leaves the upper portion of the brown elements unresolved and inappropriately thin, making these elements look like superficial façades perhaps meant to advance the concept of façades disconnected from buildings, a concept the HDLC does not support.

**Tchoupitoulas Street Elevation:**

1. The peeling away of the façade adjacent to the faceted glass element reinforces the appearance that the building is constructed out of thin façade making the building read like a screened parking garage that houses people rather than like a substantial building of quality construction. This peeling away gives the building a ruined quality.

**Common Street Elevation:**

1. The lack of elevation drawings of this façade makes the design and its effect on the neighboring properties impossible to adequately assess.
2. The single perspective view provided is taken from a position half way down the building, making the building appear smaller than it actually will be perceived by the public on the street.
3. The portions of the historic façade adjacent to the drive appear to be open with flower

- boxes set at ground level. As these openings open directly into the loading dock and trash storage, this open design seems to work against the efforts made to contain these elements within the building.
4. As the kitchen is unlikely to exhaust onto Tchoupitoulas Street, Common Street will likely be the location for this equipment.
  5. Due to the programmatic requirements of the interior, Common Street becomes nothing more than a service alley, devoid of human activity, with restaurant exhaust, parking access, service deliveries, and large sections of wall with uninhabited vehicle ramps behind them.

**Faceted Corner Element:**

This element serves no architectural purpose apart from being a gratuitous form that does not establish any connection to, relationship with, or context within with the rest of the building elevation. It denigrates whatever design coherence the overall elevation might otherwise have achieved.

**Site Plan/1st Floor Plan:**

1. While the shared loading/parking access on Common Street appears to address neighbor's concerns regarding the unpleasant nature of service entrances for hotels, as it is designed it will not effectively function toward that end and will further exacerbate already difficult traffic conditions. The required S-turn that trucks must complete in reverse does not appear feasible and will result in Common Street being blocked for extended periods of time. Additionally, the required U-turn for vehicles exiting the parking garage appears overly tight.
2. The recessed corner condition at Canal and Tchoupitoulas Street is atypical of urban structures.
3. The location of the door perpendicular to Canal Street is inappropriate.
4. The use of the blue outlined sections of wall seems to indicate that the front wall of the historic structure that currently fronts on Canal Street is to be retained; however, this does not appear to be the case in the renderings or elevations.

**2nd Floor Plan:**

1. This plan does not match the elevations or renderings of the building. This plan shows a wrap-around gallery and large recessed spaces fronting Canal Street. The elevations and renderings show discreet galleries with individual door/window openings at Canal Street.
2. The PDR spaces cannot be accessed from the interior of the building. These appear to be vestigial spaces labeled in order to suggest use rather than actively programmed spaces.
3. The ramped balcony on Canal Street that changes elevation by 2' is inappropriate.
4. The use of the blue outlined sections of wall seems to indicate that the front wall of the historic structure that currently fronts on Canal Street is to be retained; however, this does not appear to be the case in the renderings or elevations.

**Parking Levels:**

1. Dedicating levels 3-5 to parking creates a dead zone in the building that further reinforces the lack of activity in upper floors fronting Canal Street. This condition negatively affects the street as a whole and creates a problem that the City has been working to undo for decades.
2. The use of the blue outlined sections of wall seems to indicate that the front wall of the historic structure that currently fronts on Canal Street is to be retained; however, this does not appear to be the case in the renderings or elevations.

Based on this analysis, which shows that the request for a height waiver fails to fulfill the standards for waivers in **Article 16, Section 16.4.5** of the Comprehensive Zoning Ordinance and is also not supported by the Executive Director of the Historic District Landmarks Commission, the waiver request should be denied. Should the conditional use request be approved to allow the hotel/parking garage development, it should be subject to the following requirement:

- The development shall conform to the seventy (70) foot height limit imposed by the Central Business District Height and Floor Area Ratio Interim Zoning District

Waivers of setback and open space ratio requirements

As mentioned above, the hotel structure is required to have a twenty foot setback along the Magazine Street-side property line beginning at the sixth floor. As proposed, the hotel would have a setback from the Magazine Street-side property line that would vary from zero to eight feet. From the seventh through twentieth floors, the setback would be eight feet. While it may be acceptable or even desirable for a lower-rise structure to not have the required 20 foot setback, it is not desirable in this case due to the proposed structure's extreme height and bulk. In combination with that extreme height and bulk, that setback waiver would contribute to the structure being excessively massive in a way that overwhelms surrounding properties. Rather, the staff believes that greater setbacks at the upper levels of the structure on all sides are advisable because the greater setbacks would cause the building to have a sense of height at the historic 4-story level, with a taller building rising from behind, as noted by the HDLC staff. Should the conditional use request be approved to allow the hotel/parking garage development, it should be required to comply with the Magazine Street-side setback requirement.

As noted above, the development is required to have an open space ratio of 0.07. The open space ratio is not shown on the submitted plans and so it is not clear if the proposal is compliant with that requirement. There are no special circumstances that justify a waiver of this requirement and so, should the conditional use be approved, the development should be required to meet the 0.07 open space ratio requirement.



- The development shall have a twenty (20) foot setback from the Magazine Street-side property line beginning at the lowest floor with hotel rooms and windows, as required by **Article 6, Section 6.4.7** and **Table 6.D** of the Comprehensive Zoning Ordinance.
- As required by **Article 6, Section 6.4.7** and **Table 6.D** of the Comprehensive Zoning Ordinance, the development shall have an open space ratio of at least 0.07, as calculated in accordance with **Article 15, Section 15.5.7(6)** of the Comprehensive Zoning Ordinance.

Furthermore, due to the site's location in the Canal Street Local Historic District, the development should be re-designed to satisfy the requirement of the Historic District Landmarks Commission, should the development be approved.

- The applicant shall secure a Certificate of Appropriateness from the Historic District Landmarks Commission for the development.

*Site design*

Modifications to the public rights-of-way

The structure is to occupy the entire site, having no setbacks at its ground level except for a small recessed area at the intersection of Canal and Tchoupitoulas Streets. A second floor balcony is to extend over the adjacent Canal and Tchoupitoulas Street sidewalks. The developer also proposes modifications to the public rights-of-way surrounding the site, including the narrowing of the fairly recently renovated Canal Street sidewalk to accommodate a new, approximately 145 foot long on-street passenger zone. This passenger zone is intended for use for valet parking and would presumably be used by taxis and other vehicles picking-up and dropping-off at the site. The installation of this passenger zone could result in the removal or relocation of existing street trees and lighting standards, depending on the exact location and dimensions of the on-street passenger zone.

In addition to the installation of this passenger-zone, a new 26 foot, 2 inch wide two-way curb cut is proposed for Common Street. This curb cut would lead to the parking garage entrance/exit and the off-street loading areas in the structure's ground floor. The curb cut appears to be in approximately the same location of an existing curb cut which leads to the surface parking lot in the center of the site.

These modifications to the public rights-of-way surrounding the site, as well as any other changes to curbs, curb cuts, and sidewalks, require the approval of the Department of Public Works and the Downtown Development District. It should be noted that the 26 foot, 2 inch curb cut proposed for Common Streets exceeds the Department of Public

Works normal requirement that two-way curb cuts measure no more than 24 feet in width, so it may be necessary for that curb cut to be narrowed.

- The applicant shall secure the approval of the Department of Public Works and the Downtown Development District for any modifications to the public rights-of-way adjacent to the site, including the installation of on-street passenger zones, new curb cuts, and any other modifications to adjacent to the site.

The proposed encroachments of new balconies over the Canal Street and Tchoupitoulas Street rights-of-way can be authorized only if the Department of Property Management allows for such encroachments.

- The applicant shall secure the appropriate rights to utilize City property in connection with any and all encroachments in accordance with the requirements of the Department of Property Management, Office of Real Estate and Records.

### Landscaping

The site plan indicates no landscaping of the site. Since the building is to occupy virtually the entire site, the only significant opportunities for landscaping at the site are within the public rights-of-way adjacent to it. As noted above, the proposed sidewalk modifications could result in the removal of existing street trees on Canal Street, so it will be necessary for the development to coordinate this with the Department of Parks and Parkways. The applicant should coordinate with the Department of Parks and Parkways regarding the protection of existing street trees which are not to be removed, as well as the installation of new street trees on the perimeter of the site along Canal, Tchoupitoulas, and Common Streets where it is deemed appropriate by the Department of Parks and Parkways.

- The applicant shall submit a landscape plan prepared by a licensed Louisiana landscape architect. This landscape plan shall be It shall indicate the following:
  - a) Any proposed on-site landscaping, subject to the review and approval of the City Planning Commission staff.
  - b) Any proposed landscaping of the public rights-of-way adjacent to the site, including the removal of any existing trees, the protection of existing trees, and the planting of new trees, subject to the review and approval of the City Planning Commission staff, the Department of Parks and Parkways, and the Downtown Development District.
  - c) The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the site and the street rights-of-way adjacent to the site, with applicable remarks, size of planting areas, and details.

### Parking levels

The floor plan does not specify the dimensions of the parking spaces on the structure's third, fourth, and fifth floors. In accordance with **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance, standard off-street parking spaces must be at least 8 feet, 6 inches in width and 18 feet in depth; compact off-street parking spaces must be at least 7 feet, 6 inches in width and 16 feet in depth and cannot be more than 40% of the total number of parking spaces. Handicap-accessible off-street parking spaces must be at least 10 feet in width and 18 feet in depth and must constitute 3% of the total number of parking spaces.

- The site plan shall be modified to indicate compliance with parking space design standards in **Article 15, Section 15.2.5(1)** of the Comprehensive Zoning Ordinance by showing the number and dimensions of standard, compact, and handicap-accessible off-street parking spaces.

### Signage

The submitted plans include building renderings showing signage but not any formal signage plans showing the exact number, size, types, and locations of signs proposed for the development. Should the request be approved, it is necessary that the development's signage conform to the requirements of the CBD-3 District and the Design Guidelines of the Historic District Landmarks Commission.

- The applicant shall submit a signage plan which complies with standards of **Article 6, Section 6.4.6** of the Comprehensive Zoning Ordinance, subject to the review and approval of the Historic District Landmarks Commission, prior to the issuance of a certificate of use and occupancy by the Department of Safety and Permits.

- E. What is the potential traffic impact? What are the off-street parking and off-street loading requirements? Can the required number of off-street parking spaces be provided on site, or would a waiver be required?**

#### *Description of street system*

The site is located at the intersection of Canal and Tchoupitoulas Streets on the edge of the Central Business District. Canal Street, which functions as the symbolic boundary between the Central Business District and the Vieux Carré and is the city's historic retail core, is a broad right-of-way containing three vehicular travel lanes and a parking lane in each direction, a landscaped neutral ground used by streetcars, and wide, landscaped sidewalks. Canal Street experiences heavy volumes of vehicular and pedestrian traffic throughout daytime and evening hours, including high levels of tourist traffic. Tchoupitoulas Street is a one-way street which has two vehicular travel lanes and a

parking lane on each side. It runs from Canal Street in an uptown-bound direction carrying traffic traveling through and out of the Central Business District. It carries significant volumes of traffic at most times. The third street on which the site fronts, Common Street, is a relatively low-capacity one-way street with one vehicular travel lane and a parking lane on one side. Due to its low-capacity, it carries relatively low volumes of traffic, including mostly local traffic traveling to nearby destinations or looking for on-street parking. The other streets in the vicinity of the site on the Central Business District side of Canal Street include a mix of two-lane streets similar to Tchoupitoulas Street, such as South Peters and Magazine Streets, which carry larger volumes of traffic traveling through the area, and one-lane streets similar to Common Street, such as Gravier Street, which carry lower volumes of primarily local traffic.

The streets in the vicinity of the site on the Vieux Carré side of Canal Street include North Peters Street, a two-way, four lane street that carries much of the traffic traveling through the Vieux Carré near the riverfront. At Canal Street, North Peters Street diverges into Tchoupitoulas and South Peters Street. Aside from North Peters Street, most nearby streets in the Vieux Carré side of Canal Street are narrow, single-lane streets with parking lanes on each side which are used primarily by local traffic traveling within the interior of the Vieux Carré.

#### *Potential traffic and circulation impacts*

The development of such a large hotel containing multiple levels of off-street parking spaces would certainly cause a significant increase in the volume of traffic in the immediate vicinity of the site at all times. This traffic would be distributed between Canal Street, Tchoupitoulas Street, and North Peters Street, with vehicles traveling to the site from different directions using different streets. Vehicles dropping-off passengers at the site, including taxis, are intended to use Canal Street, dropping off passengers in a proposed passenger zone adjacent to the site along Canal Street. In addition to using the proposed Canal Street passenger zone, it is likely that vehicles dropping-off at the site, particularly those approaching the site from North Peters Street, would also drop-off passengers on Tchoupitoulas Street adjacent to the building, even though no passenger zone is proposed for Tchoupitoulas Street.

Vehicles parking at the hotel in its garage would approach the site from Canal Street, where they would be dropped off for valet service. The valet would then turn the vehicles onto Common Street to access the parking garage from a new curb cut proposed for Common Street. Vehicles exiting the parking garage via valet service would use this same curb cut, making a right turn onto Common Street and returning to the front of the hotel on Canal Street. Loading activities would also occur along Common Street, with large delivery vehicles backing into an interior loading area using the same curb cut used by vehicles entering and exiting the parking garage. Due to this portion of Common Street being used by vehicles entering and exiting the parking garage and by loading vehicles, Common Street would function essentially as a service drive for the hotel.

To measure any potential increase in traffic, the developer commissioned a traffic impact analysis. This traffic impact analysis was prepared by ITS Regional, LLC, a civil engineering firm which provides traffic, transportation, and infrastructure design services, and is dated February, 2014. In preparing the traffic impact analysis, the consultant performed manual traffic counts at four intersections near the site (Canal Street at South Peters Street/Tchoupitoulas Street, Canal Street at Decatur Street/Magazine Street, Common Street at Tchoupitoulas Street, and Common Street) and projected traffic volumes for streets in the vicinity of the site. The traffic impact analysis projected that the hotel development would contribute approximately 198 net new morning peak-hour trips and 224 net new evening peak-hour trips. It concluded that the intersections considered in the study are expected to operate within acceptable level-of-service thresholds, that there would be no significant increase in delay at the study intersections, and that the existing roadway network is expected to adequately accommodate the development and natural growth of the area<sup>6</sup>.

The staff is concerned that the traffic impact analysis focuses primarily on levels of services at intersections but does not address traffic conditions adjacent to the site between intersections. In fact, because of the relatively small size of the site for a development of this size and the locations and design of the passenger/valet areas and loading areas, the staff expects that there would in fact be significant traffic congestion on the perimeter of the site.

The first potential source of traffic congestion is the use of Canal Street as a passenger drop-off zone. This passenger drop-off zone would be created through a reduction in the width of the Canal Street sidewalk, which was relatively recently and nicely repaved. It is proposed to be about 145 feet in length, making it capable of accommodating at most 8 vehicles at once. The staff is concerned that because of the large size of the hotel, this drop-off zone would be insufficient to accommodate on-street passenger drop-off activities. It is likely that taxis and other vehicles dropping-off at the hotel would also double-park in the right vehicular lane, as occurs regularly at other hotels on Canal Street which also have on-street passenger zones.

The second potential source of traffic congestion is the possible use of Tchoupitoulas Street as a passenger drop-off zone even though it is not intended as such. Although an on-street passenger drop-off zone is not proposed for Tchoupitoulas Street, there is also a potential that vehicles traveling to the site from North Peters Street would park or double-park on Tchoupitoulas Street to drop-off passengers out of convenience, rather than circling the square and parking on Canal Street. This potential double-parking on Canal and Tchoupitoulas Streets, combined with the increase in the overall number of vehicles accessing the site, could cause a significant level of traffic congestion on the perimeter of the site that may not be accounted for in the traffic impact analysis.

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<sup>6</sup> “Traffic Impact Analysis for Proposed Hotel Development (400 Block of Canal Street),” prepared by ITS Regional, LLC for Mathes Brierre Architects, February, 2014.

A third potential source of traffic congestion results from the design of the garage entry/exit point and off-street loading point on Common Street. Vehicles entering and exiting the parking garage (which would be handled by valet) will do so from a 26 foot, 2 inch wide new curb cut on Common Street. That curb cut will also be used by delivery vehicles accessing the building's service/receiving bay. Delivery vehicles would back into that bay from Common Street, temporarily blocking the curb cut in the process and preventing vehicles from entering and exiting the parking garage. Alternatively, delivery vehicles would park on-street on Common Street, unloading from Common Street, and blocking Common Street in the process. All this activity occurring at one point along Common Street will almost inevitably lead to intermittent congestion on Common Street. It may at first appear that these sources of traffic congestion could be addressed through simple redesigns to the sizes and locations of passenger drop-off zones, parking garage entrances and exits, and loading areas. However, the staff believes these problems are inherent to the development due to the size of this parcel, which is relatively small for a development of this size. Due to this small parcel size for such a large development, there is limited ground-level space and therefore limited room for on-site passenger and loading areas, which would allow vehicular activities to be accommodated on site, rather than on-street. The staff therefore believes that there is limited ability for the site's ground floor to be redesigned in such a way as to reduce the likelihood of traffic congestion on the perimeter of the site.

To make the point that this site is relatively small for a large hotel development of this size and therefore unsuited to accommodate the vehicular activity associated with such a large hotel development, it is helpful to compare this site to nearby large hotel sites. This site is only about a half-acre in area. It is only 98 feet, 10 inches in depth as measured along Tchoupitoulas Street and only 135 feet, 7 inches in depth as measured along the Magazine Street-side property line.

In contrast, the Canal Place development's site across the intersection of Tchoupitoulas/North Peters Street from the site is approximately seven times the size of this site. The Canal Place site is about 3.5 acres, compared to the approximately half-acre subject site. The Canal Place site is approximately 330 feet in depth, as measured along North Peters Street, 400 feet in width, as measured along Canal Street, and 540 feet in width, as measured along Iberville Street. This large site area provides ample room for off-street parking and loading activities for the offices, retail stores, and Westin Hotel that are contained within that development.

The site of the Sheraton at 500 Canal Street is approximately 1.5 acres, about three times the size of the subject site. It is approximately 270 feet in width, as measured along Canal Street, 375 feet in width, as measured along Common Street, and 230 feet in depth, as measured along Camp Street. This large site area allows for large off-street passenger drop-off areas accessible from Canal Street and off-street loading areas accessible from Common Street.

The site of the Marriott at 555 Canal Street is approximately 2 acres, about four times the size of the subject site. It is approximately 260 feet in width as measured along Canal Street and Iberville Street and 330 feet in depth as measured along Chartres and Dorsiere Streets. This large site area allows for large off-street passenger drop-off areas accessible from Canal Street and off-street loading areas accessible from Iberville Street<sup>7</sup>.

In contrast, because the subject site is relatively small for a hotel of this size, most of its ground floor area is dedicated toward lobby, restaurant, service, and back-of-house space with relatively little space for passenger drop-off and pick-up and loading. That pick-up, drop-off, and loading activity is displaced onto the adjacent streets, increasing the likelihood of traffic congestion on those streets. The staff is concerned that the traffic impact analysis does not adequately address these potential parking issues related to site design. The staff believes it is necessary for the Department of Public Works to review and approve the traffic impact analysis and determine if it effectively considers all issues related to traffic of the site, including not only levels-of-service at nearby intersections but also how vehicles would access and use the site and the streets adjacent to the site and the potential for such use to cause congestion on those adjacent streets. Furthermore, should this development be approved, the staff believes it is necessary for the developer to work with the staffs of the Department of Public Works and the City Planning Commission to extensively re-design the on- and off-street passenger, loading, and valet areas so that a greater proportion of the vehicular activity associated with the site occurs on-site rather than on the adjacent public streets.

- The developer shall secure the review and approval of the traffic impact analysis for the site as it relates to the levels-of-service at nearby intersections, the locations, size, and use of on-street passenger zones, the number, widths, and locations, of curb cuts, and other issues deemed appropriate by the Department of Public Works.
- The developer shall redesign the ground level on- and off-street passenger, loading, and valet areas so that the vehicular activity associated with the site occurs primarily on-site and not on the adjacent public streets, subject to the review and approval of the City Planning Commission staff and the Department of Public Works.

#### *Parking requirement*

The applicant proposes for the hotel development to provide 164 accessory off-street parking spaces, which are to be distributed between the building's third, fourth, and fifth floors. As noted above, these parking levels are to be entered and exited via a new curb cut at the rear of the development along Common Street. In the CBD-3 District,

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<sup>7</sup> The dimensions of these sites were estimated using the measurement tools on the Orleans Parish Assessor's Office's website.

accessory off-street parking spaces are neither required nor allowed, in accordance with **Article 15, Section 15.2.7(2)** of the Comprehensive Zoning Ordinance.

Despite this normal prohibition on accessory parking spaces, the CBD-3 District does allow accessory parking spaces in parking garages authorized as conditional uses, in accordance with **Article 6, Section 6.4.5** of the Comprehensive Zoning Ordinance. The proposal includes a request for a conditional use to allow the three-story, 164 space parking garage component of this development.

*Loading requirement*

The developer proposes for off-street loading/unloading to occur in a ground floor service/receiving area accessible from the proposed new curb cut along Common Street. This service/receiving area would be approximately 24 feet in width by 36 feet in depth, large enough to accommodate two loading spaces meeting the minimum size requirements of **Article 15, Section 15.3.4** of the Comprehensive Zoning Ordinance, depending on the exact size of the service/receiving area.

The proposed hotel, which is to have a floor area of approximately 390,000 square feet, is required to provide 4 off-street loading spaces, in accordance with **Article 15, Section 15.3.1** and **Table 15.G** of the Comprehensive Zoning Ordinance. There are no special circumstances unique to this site which justify a waiver of this requirement. In fact, as discussed above, there is a need for a greater proportion of the hotel's vehicular activity to be accommodated on-site, and so it would be advisable for the hotel to comply with this requirement. As such, the staff recommends that the proposal, if approved, comply with this loading requirement. It should be noted that if the hotel is redesigned and its overall floor area reduced, such as through the elimination of off-street parking levels, there would be a corresponding decrease in the off-street loading requirement.

- All off-street loading spaces required by **Article 15, Section 15.3.1** and **Table 15.G** of the Comprehensive Zoning Ordinance shall be provided. All off-street loading spaces shall comply with the minimum size requirements contained in **Article 15, Section 15.3.4** of the Comprehensive Zoning Ordinance.

**F. Are there any comments from other agencies, departments or committees?**

*Historic District Landmarks Commission staff*

The proposal has been reviewed at the staff level by the Historic District Landmarks Commission. Comments made by the Executive Director of the Historic District Landmarks Commission are included in Section D of this report.



*HDLC's Architectural Review Committee*

The proposal was considered by the Historic District Landmarks Commission's Architectural Review Committee on Tuesday, March 3, 2015. The developer presented revised plans which differ modestly in design from the plans reviewed in this report. The revised plans included revisions to materials, including the incorporation of granite at the structure's base with metal panels above; a simplification of the crystalline element at the corner of Canal and Tchoupitoulas Streets; and revisions to the treatment of the canopy proposed for Canal Street. The Committee passed a motion recommending denial of the proposal.

The revised plans presented to the Architectural Review Committee were received by the City Planning Commission staff on March 3, 2015, after this staff report was completed and after the deadline to submit documents. The revised plans are therefore not attached to this report. The relatively minor design changes do not substantively change the application. The staff continues to object to the proposal for the reasons expressed in this report.

*Planning Advisory Committee*

The proposal is scheduled to be considered by the Planning Advisory Committee at its meeting on Wednesday, March 4, 2015. The development plans for the property were not submitted to the City Planning Commission staff in time for the proposal to be considered at an earlier meeting.

**G. What effects or impacts would the proposed conditional use have on adjacent properties?**

The hotel/parking garage proposal is fundamentally inconsistent with the purpose of the zoning district in which it is located, the CBD-3 District, due to the structure's height and mass and because it would require the demolition of several historically significant structures. This fundamental inconsistency would cause it to significantly and irreversibly alter the character of the Canal Street corridor and the immediately surrounding portions of the Central Business District and the Vieux Carré.

The purpose of the CBD-3 District, as expressed in **Article 6, Section 6.4.1** of the Comprehensive Zoning Ordinance, is:

*“The district is intended to preserve and enhance that portion of Canal Street lying within the Central Business District by requiring retail consumer and service establishments on the lower floors as a condition for new development, to maintain the scale and height of existing development, to preserve and enhance the pedestrian environment, to foster a sense of historic continuity, to control traffic generation and to protect the adjacent Vieux Carré from tall buildings on*

*its boundaries* and from excessive concentrations of vehicles, activities and noise.” (italics added for emphasis)

The proposal certainly fails to meet the italicized objectives. The proposal does not “preserve and enhance” this portion of Canal Street by “maintaining the scale and height of existing development,” “foster[ing] a sense of historic continuity” and does not “protect the adjacent Vieux Carré from tall buildings on its boundaries”. It fails to preserve this portion of Canal Street and does not foster a sense of historic continuity because it calls for the complete destruction of a significant building in 422 Canal Street and calls for the destruction of virtually all of 105, 109, and 111 Tchoupitoulas Street. Only the façades of those buildings are proposed to be retained and they would be incorporated into the new building in an insensitive, ineffective manner that does not truly preserve them in any significant, meaningful way.

The proposal does not maintain the scale and height of existing development or protect the Vieux Carré from tall buildings on its boundaries because the existing historic four- and five-story buildings, which are typical of the scale of most of Canal Street’s historic building stock, would be replaced by a massive 20-story structure that is certainly not consistent with and in no way complements the historic building stock within the immediately surrounding portions of both the Central Business District and the Vieux Carré.

The only buildings along Canal Street this hotel development would be comparable to are more recent developments such as the Canal Place complex, the Sheraton, and the Marriott, which are noteworthy for being out-of-scale with the remainder of Canal Street, so much so that the current height limit was presumably created at least in part in reaction to those structures. Further, the proposed structure would appear more massive from Canal Street than those structures. The shallow depth of this site results in the C-shaped tower being oriented parallel to Canal Street, rather than perpendicular to it, as is the case with the other structures. As shown in the renderings above, this orientation causes the tower to appear more massive from Canal Street than those other structures.

It should be noted that this inconsistency with the purpose of the CBD-3 District is fundamentally due to the size of the new structure, the complete demolition of one historic structure, and the demolition of all but the façades of another three structures. This inconsistency cannot be remedied or mitigated through minor changes to the building’s design. Any building of this extreme size, regardless of its design, will be inconsistent with the purpose of the CBD-3 District and so the development proposal would need to be completely rethought from the ground up to address these issues.

Because this hotel proposal is so fundamentally inconsistent with the role and purpose of the CBD-3 District, if built, it would completely alter the character of the surrounding area to its detriment. The area’s historic character would be permanently transformed through the demolition of important buildings and the construction of this out-of-scale hotel. Not only would the building’s height and mass change the quality and appearance

of the area, it would also alter the views from surrounding properties, cast greater shadows, and result in a greater degrees of vehicular traffic and loading activity than would be expected if the site were redeveloped in a manner consistent with the CBD-3 District and the 70 foot height limit. Due to this proposal's inconsistency with the purpose of the CBD-3 District and the associated impacts on surrounding properties, the proposal should be denied.

All of this is not to say that this development would not be appropriate in another location. There are other properties in nearby portions of the Central Business District where a structure of this height would be appropriate. For example, three blocks away from this site at the intersection of Tchoupitoulas and Poydras Streets and adjacent to Piazza d'Italia, there is a surface parking lot stretching the length of the block of Tchoupitoulas between Poydras Street and Lafayette Square. This large, underutilized site would be a good candidate for a hotel such as this. Under the Interim Zoning District, on the part of the site nearest Poydras Street, the building would have no height restriction and would be subject only to a 14.0 floor area ratio requirement. On the part of that site nearest Lafayette Street, the building would be subject to a 125 foot and ten-story height limit. Further, since that site is much larger than the subject site, the developer would likely be able to construct a hotel with a greater number of rooms per floor than is currently proposed, so a lower overall height may be more desirable at that site by the developer.

Another site where this hotel or a similar hotel would be better located is along Poydras Street between Magazine and Camp Streets, two and one-half blocks from the subject site. This site was once proposed for development with a Trump Tower. That site has no height limit and is subject only to the 14.0 floor area ratio requirement.

There are other sites throughout the Central Business District which also allow for much taller structures under the Interim Zoning District than does the subject site. Properties in those areas are intended for tall structures such as the proposed hotel, which could be developed without requiring significant height waivers. Developing this hotel in one of those more appropriate locations would allow the city to gain the economic benefits of the hotel without compromising the character of the surrounding area.

**III. Is the proposed action supported by or in conflict with the policies and strategies of the *Plan for the 21<sup>st</sup> Century*?**

Article V, Chapter 4, Section 5-404 of the Home Rule Charter of the City of New Orleans requires all land use actions to be consistent with the Master Plan. A land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Land Use Element of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its site on the future land use map.

The Master Plan’s future land use map (“Chapter 14: Land Use Plan” of the Master Plan) designates this site for **Mixed-Use Downtown** future land use. The goal, range of uses and development character for the Mixed-Use Downtown designation is copied below:

### **MIXED-USE DOWNTOWN**

Goal: Support and encourage a vibrant, 24-hour live-work-play environment in the Central Business District, and provide areas to support a high density office corridor.

Range of Uses: High density office, multifamily residential, hotel, government, institutional entertainment and retail uses. No new heavy or light industrial uses allowed.

Development Character: The scale of new development will vary depending on location within the CBD and will be determined by appropriate height and massing, particularly near historic districts.

This proposal for a 20-story, 250 foot tall hotel/parking garage is **not consistent** with the Mixed-Use Downtown future land use designation. While the concept of a hotel is allowable under the Master Plan, this particular hotel is not allowable by the Master Plan. The hotel would dramatically exceed the 70 foot height limit and would tower over nearby historic structures, include the very historic structures that give Canal Street its distinctive character, and therefore cannot be said to be appropriate in height for its location. Furthermore, it is to be extremely massive, with a C-shaped tower running parallel to Canal Street, creating a wall along Canal Street. In combination with the development’s extreme height, this massing is similarly not appropriate for this location.

In addition to not being consistent with the Land Use Element of the Master Plan, the staff believes it is also not consistent with other aspects of the Master Plan. The proposal, which calls for the complete demolition of 422 Canal Street and the demolition of all of 105, 109, and 111 Tchoupitoulas Street except for their façades, is also **not consistent** with the Master Plan’s historic preservation objectives, in the staff’s view. The Master Plan notes the high importance of historic preservation to the city, noting that the city’s identity and reputation is strongly linked to its rich heritage, including its architectural heritage. In addition to being important individually for their particular architectural and historic characteristics, historic structures collectively created environments that appeal to residents of all walks of life and enhance the city’s livability and global attractiveness. Many residents prefer living and working in walkable, historic environments, and so protecting “character-giving” historic assets is critical in giving the city a global competitive economic edge<sup>8</sup>.

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<sup>8</sup>The importance of historic preservation and various historic preservation strategies are discussed in Volume 2, Chapter 6 and Volume 3, Chapter 6 of the Master Plan.

The preservation of the historic buildings at this site is important not only because of their individual histories and architectural characteristics, but also because these buildings, along with the Custom House across Canal Street from the site, are the nearest historic buildings on Canal Street to the river and therefore serve as an entryway to the historic Canal Street corridor. The demolition of these structures (even if some façades are retained) to allow for a hotel that is completely out of scale for the historic Canal Street corridor would irreversibly alter the character of the corridor, not preserve it. Therefore, the staff believes that the proposal is not consistent with the Master Plan's goals of preserving the city's character-giving historic assets.

The staff believes the proposal, which requires a waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's height limit, is not consistent with the Master Plan's goal of having predictable zoning regulations. The Master Plan notes that an objective of the forthcoming new zoning ordinance is that it be "predictable, understandable, and enforceable."<sup>9</sup> The Master Plan notes the importance of having a zoning ordinance that, specifically in the Central Business District, encourages "the right form in the right place" with clear and predictable rules so that every building "enhances the quality of place and quality of life for downtown residents, workers, and visitors."<sup>10</sup> Further, the Master Plan encourages a new zoning ordinance that "clarif[ies] the administrative provisions to create a consistent, predictable and understandable process for Ordinance users whether they are developer, City staff person or interested resident".<sup>11</sup>

The staff believes that a waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's 70 foot height limit to allow this 250 foot tall proposed hotel is **not consistent** with the Master Plan's intent for there to be predictable, understandable, and enforceable rules imposed by a new zoning ordinance. Although the Central Business District Height and Floor Area Ratio Interim Zoning District is not a new zoning ordinance, it was created to serve as a "bridge" to the new draft Comprehensive Zoning Ordinance by providing "predictable height requirements for new buildings in the Central Business District that are consistent with the proposed Draft Comprehensive Zoning Ordinance."<sup>12</sup> Therefore, the staff believes such a substantial

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<sup>9</sup> See Volume 2, Chapter 14, page 14.28 of the Master Plan.

<sup>10</sup> See the discussion of "Central Business District zoning principles" contained in Volume 2, Chapter 14, page 14.30 of the Master Plan.

<sup>11</sup> See Volume 2, Chapter 14, page 14.35 of the Master Plan.

<sup>12</sup> See pages 1 and 2 of the City Planning Commission staff report for Zoning Docket 120/14, which considered the establishment of the Central Business District Height and Floor Area Ratio Interim Zoning District. See also the purpose statement contained on page 2 of the calendar ordinance for the Central Business District Height and Floor Area Ratio Interim Zoning District (Calendar No. 30,575, dated February 5, 2015), which states that "[t]he purpose of the Central Business District Height and Floor Area Interim Zoning District (IZD) is to institute a clear set of building height and floor area ratio (FAR) requirements that respect the character and scale of historic downtown neighborhoods and encourage taller development where appropriate within the Central Business District."

waiver of the interim zoning district's height limit would undermine the Master Plan's intent of creating predictable, enforceable zoning regulations that encourage "the right form in the right place".

#### **IV. SUMMARY**

Zoning Docket 020/15 considers a proposal for a hotel/parking garage development, which is to occupy an approximately half-acre site located at the intersection of Canal and Tchoupitoulas Streets in the CBD-3 Central Business District. The site is developed with six structures facing Canal Street or Tchoupitoulas Street. These include four mid-to-late 19<sup>th</sup> century commercial structures at 422 Canal Street and 105, 109, and 111 Tchoupitoulas Street and two mid-to-late 20<sup>th</sup> century structures. The center of the site functions as a surface parking lot.

The site's developer proposes a new hotel/parking garage development. The structure would occupy the entirety of the site and would involve the demolition of all existing structures, although the façades of 105, 109, and 111 Tchoupitoulas Street would be retained and incorporated into the base of the new structure. The structure is to stand 20 stories tall, measuring 232 feet in height at the top of its roof's parapet wall and 250 feet at its highest point. The structure's first and second floors would contain the hotel's lobby, dining and bar areas, meeting rooms, and service areas. The third through fifth floors would be parking levels providing a total of 164 accessory parking spaces. The sixth through nineteenth floors would contain a total of 378 guest rooms and a swimming pool. The twentieth floor would contain three hospitality suites and various common/event areas, including a ballroom, a club room, and a bar and lounge area. The hotel is to have a total of 381 guest rooms occupying 227,600 square feet of floor area and 44,350 square feet of public/back of house areas. The structure is to have a total floor area of approximately 390,000 square feet, including all guest rooms, public/back of house areas, parking levels, and all other areas.

In the CBD-3 Central Business District, hotels and parking garages are allowed only as conditional uses, and so this report considers a request for those conditional uses. Additionally, the site is located in the Central Business District Height and Floor Area Ratio Interim Zoning District, which limits the height of new structures at this site to 70 feet. As such, the structure's proposed height of 250 feet requires a waiver of that height limit.

The staff does not support the proposal for several reasons. The foremost reason is that this development is fundamentally too large for this site, which is at the gateway to the historic center of the Canal Street corridor. The Interim Zoning District imposes a 70 foot height limit in order to ensure that new development is consistent in scale with the four-to-six story historic structures that give Canal Street its distinctive character. This structure, which would so severely depart from that height limit, is completely out of scale for the Canal Street corridor and would totally undermine the Interim Zoning District's purpose of promoting new development which meshes and complements its

historic surroundings. In fact, this tower would likely have a greater visual impact on the Canal Street corridor than other nearby towers, specifically the Canal Place complex and Sheraton and Marriott hotels, because unlike those other towers, this tower would be oriented parallel to Canal Street. This orientation would cause the tower to appear more massive from Canal Street than would those other, more slender towers, which are oriented perpendicular to Canal Street. As such, the proposed structure could have an unprecedented impact on its surroundings, changing the historic character of Canal Street and adversely affecting the area as a whole.

This excessive, out-of-scale height and building mass is combined with a design proposal that calls for complete demolition of a historically significant structure in 422 Canal Street, the demolition of the entireties of three other historically significant structures, 105, 109, and 111 Tchoupitoulas Street, except for their facades, and which would ineffectively incorporate those facades into the new structure. If this structure is to be developed despite its completely inappropriate height, it would be necessary for its design to be completely rethought to better preserve the existing historic buildings and incorporate them into the new structure, and to improve the building's overall design, the site plan, and the floor plans, as recommended by the staff of the Historic District Landmarks Commission.

In addition to these issues, the staff objects to the proposal because it conflicts with the Master Plan. It conflicts with the Master Plan's land use element because the structure's extreme, out-of-scale height does not comply with the site's Mixed-Use Downtown future land use designation, which requires that new development be appropriate height and massing, particularly in historic contexts. The proposal is also not consistent with the Master Plan's historic preservation element, which emphasizes the importance of historic structures in giving the city its character. Finally, granting the extreme height waiver requested to allow this excessively tall structure would not be consistent with the Master Plan's goal of having predictable zoning regulations that encourage "the right form in the right place". Rather, this building, while appropriate for other nearby locations in the Central Business District, is certainly not the right form for this location.

## V. **PRELIMINARY STAFF RECOMMENDATION**<sup>13</sup>

The CPC staff recommends **denial** of Zoning Docket 020/15.

## VI. **REASONS FOR RECOMMENDATION**

1. The proposed development is fundamentally too tall and massive for its site. The site is located in a portion of Canal Street where building height is limited to 70 feet to ensure that new buildings respect the scale and character of the historic building stock, which generally ranges from four- to six-floors in height. This 250

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<sup>13</sup> Subject to modification by the City Planning Commission

foot tall structure would dwarf surrounding structures, altering the historic character of this part of Canal Street and the adjacent portions of the Central Business District and Vieux Carré to its detriment.

2. The waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's 70 foot height limit to allow this 250 foot tall structure cannot be justified. The request does not fulfill any of the three standards for waivers of Interim Zoning Districts, as contained in **Article 16, Section 16.4.5** of the Comprehensive Zoning Ordinance. The proposal is inconsistent with the general intent of the Interim Zoning District, and so the first standard is not met. The second standard is not met because the proposed structure would adversely affect surrounding historic structures and the historic character of the area as a whole due to its extreme height. The third standard is not met, as there are no special conditions particular to the site which prevent a structure meeting the 70 foot height limit from being constructed.
3. In addition to being much taller and out-of-scale with the historic four- to six-story structures that give this portion of Canal Street its distinctive character, the proposed tower would also likely be more impactful on the streetscape than the few existing towers in the vicinity of the site, including the Canal Place complex, the Marriott hotel, and the Sheraton hotel. Due to the site's shallow depth, the proposed C-shaped tower would be oriented parallel to Canal Street, creating a wall along Canal Street. As a result, the tower would appear more massive from Canal Street than would those three other towers, which are oriented perpendicular to Canal Street and appear more slender from Canal Street.
4. The proposal conflicts with the Master Plan. It conflicts with the Master Plan's land use element because the structure's out-of-scale height does not comply with the site's Mixed-Use Downtown future land use designation, which requires that new development be appropriate in height and massing for their surroundings, particularly in historic contexts. The hotel development would tower over nearby historic structures, include the very historic structures that give Canal Street its distinctive character, and therefore cannot be said to be appropriate in height for its location.

The proposal is also not consistent with the Master Plan's historic preservation element, which emphasizes the importance of historic structures in giving the city its character. The demolition of historically significant structures to allow for a hotel that is completely out of scale for the historic Canal Street corridor would irreversibly alter the character of the corridor, not preserve it.

Finally, the proposal is not consistent with the Master Plan's goal of having predictable zoning regulations. Granting a waiver of the Central Business District Height and Floor Area Ratio Interim Zoning District's 70 foot height limit to allow this 250 foot tall proposed hotel would undermine the Master Plan's intent



of creating predictable, enforceable zoning regulations that encourage “the right form in the right place”.

## **VII. CITY PLANNING COMMISSION MEETING (FEBRUARY 24, 2015)**

The Principal City Planner noted that the staff received development plans for the site on February 10, 2015, which did not allow sufficient time for the staff to review the application and make a recommendation to the City Planning Commission for its February 24, 2015 meeting. Additionally, the office of Councilmember LaToya Cantrell has requested that the City Planning Commission defer its consideration of the application until its March 10, meeting. Based on this, the staff recommended the deferral of the application.

Commissioner Wedberg made a motion to defer the application to the March 10, 2015 City Planning Commission meeting. Commissioner Steeg seconded the motion, which was adopted.

### **Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 020/15 IS HEREBY DEFERRED TO THE MARCH 10, 2015 CITY PLANNING COMMISSION MEETING.

YEAS: Brown, Bryan, Duplessis, Hughes, Marshall, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Mitchell

## **VIII. FURTHER CONSIDERATION**

Since the February 24, 2015 City Planning Commission meeting, the staff has completed its review of the request and recommends **denial** of the application for the reasons stated in this report.