

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

PRESENT: Nicholas S. Musso, Chairman
Daniel C. Taylor, Vice-Chairman
Leslie S. Stokes, Secretary
C.J. Blanda
Patricia C. Denechaud
Jorge A. Henriquez
Michael A. Skinner

STAFF PRESENT: Lary P. Hesdorffer, Director; Sarah Ripple, Building Plans Examiner; Nicholas G. Albrecht, Building Inspector; Melissa Quigley, Assistant City Attorney.

OTHERS PRESENT: Patricia Burdine, Richard Choate, Vincent Currenti, Toni DiMaggio, Carol Gniady, Anthony Johnson, Meg Lousteau, Myles Martin, Patricia Meadowcroft, Robert Ripley, Sonny Shields, Robert Vanlangendonck, John C. Williams, Edmond Wolff.

I. ROLL CALL

Chairman Musso called the meeting to order at approximately 1:45 PM and requested that the Assistant City Attorney, Ms. Quigley, outline the dynamics for the public hearing. She did so noting specifically the procedures for speakers to submit comment cards in order to guarantee their opportunities to address the Commission. She also explained the nature of the VCC's Change of Use Hearings, noting that the Commission does not regulate use, but instead focuses on the physical alterations that are related to a proposed new use and occupancy. She further informed the public that each speaker would be limited to two (2) minutes in which to make comments, unless they are given another speaker's time). Finally, she asked that all speakers keep their comments germane to the topic and areas of VCC jurisdiction and that each speaker exhibit proper decorum in the meeting to follow.

Next, the membership roll was called. Mr. Hesdorffer noted the presence of a quorum with all seven (7) seated Commissioners in attendance. He further stated that with Mr. Lyons' resignation in September, the minimum needed to do business is now four members. He added that for any motion to pass, at least four (4) positive votes have to be cast.

II. REVIEW OF MINUTES from Vieux Carré Commission meeting of September 3, 2014

Mr. Blanda moved, Ms. Denechaud seconded, to accept the minutes of the meeting of September 3, 2014 as submitted. The motion passed unanimously.

III. CHAIRMAN'S REPORT – Discussion of no-action vote taken re: 631 Decatur at meeting of 09/03/14

Mr. Musso referred to the non-conclusive vote taken for 631 Decatur on September 3, 2014 and noted that it would be readdressed at the end of the meeting under "Other Business", adding that because of the length of the agenda, the meeting would proceed to the review of applications.

IV. OLD BUSINESS

417 Royal: New Brennans Co., LLC, owner; John C. Williams Architects, LLC, applicant. Proposed plan revision to install wall-mounted canopy resulting in slight reduction of open space (0.4%), per revised materials received 08/19/14 & 08/29/14, respectively.

Ms. Ripple presented the staff report on the proposal, outlining the details and describing the slight reduction in open space (from 28.3% to 27.9%) which the VCC could support in the applicant's appeal to the Board of Zoning Adjustments for an open space waiver. She also noted that the Architectural Committee has recommended **approval** of the proposal.

Without further discussion, Ms. Denechaud moved to support the recommendation of the Architectural Committee to **approve** the proposal. Mr. Blanda seconded the motion which passed unanimously.

1036 & 1040 Esplanade: Esplanade Nola, LLC, owner; Myles Martin (Rozas Ward Architects), applicant. Continued review of proposed designs to renovate structures, in conjunction with a proposed **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 09/16/14.

Ms. Ripple presented the Property Summary Report for the project on both parcels, outlining specific areas of analysis, including materials not yet submitted as well as staff/Architecture Committee comments and observations about occupant loads, signage, fencing, lighting, mechanical equipment, and points for consideration in Section 8.1 of the CZO.

Following the staff presentation, Mr. Musso reiterated points for which the Architectural Committee had requested more detail of the architects. He then entertained discussion by Commissioners. Mr. Blanda inquired why the proposal was coming back before the full VCC but prior to the entirety of the design having been completed. Mr. Musso explained the stages of Architectural Committee review (conceptual, design development, and final construction documents) and the Committee's desire to keep the VCC fully engaged in the understanding of the design and its evolution. Further comments were offered by Mr. Taylor, Ms. Denechaud and Mr. Henriquez about the review procedure/deferral and questions by Mr. Skinner about how the two buildings are to be linked, but all agreed that they would prefer holding off on VCC review until final design development has been reached.

Comments and questions were offered by the following members of the audience, indicating objections to or favor with the proposal and/or the day's proceedings: Robert Vanlangendonck, Sonny Shields, Robert Ripley, Anthony Johnson, Carol Gniady (French Quarter Citizens), Patricia Meadowcroft, and Meg Lousteau (VCPORA).

Following the previous speakers, Mr. Taylor moved to defer action on the project until such time as the Architectural Committee has completed its review of design development before referring the project to the VCC for review. The motion was seconded by Mr. Skinner, and passed unanimously.

V. NEW BUSINESS

533 Iberville: 817 Hickory Avenue, LLC, owner; Nathan Garnache (SCNZ Architects, LLC), applicant. Proposal to renovate six-story structure, in conjunction with change of use from *vacant* to *residential*, per application & revised conceptual plans received 08/07/14 & 09/02/14, respectively.

Ms. Ripple gave the staff report outlining the entirety of the rehab project. Mr. Blanda questioned the acceptability of the rear stair and gallery arrangement as approvable fire escapes. Mr. Choate responded that while the rear stairs are considered as one of the two required means of emergency egress, they are not technically considered "fire escapes" but rather functional exterior stairs that provide vertical access to the multi-level galleries on the rear elevation.

Mrs. Bernstein (210-12 Chartres) explained that she objected to the design since the addition will block half of the light that comes to the rear of her building from the Decatur side elevation. She further asked by what means might her concerns be considered or adopted since her rear access to sunlight will be affected and the plans have not been adjusted since she voiced her objections.

Mr. Hesdorffer explained that he was not aware of any provisions in local codes that would afford protection of access to sunlight from Mrs. Bernstein's property since building and zoning codes do allow construction up to and on the property lines in the French Quarter so long as the other provisions in the building code and zoning are met, such as open space.

Following further discussion with Mr. Choate, Mr. Blanda moved to **disapprove** the proposal with the exterior metal stair that provided access to each level of the proposed rear porch/gallery addition. The motion died for lack of a second.

Mr. Taylor, responding that in consideration of Mr. Blanda's comments, he believed the project was worthy and therefore moved to grant **conceptual approval** and for the Architectural Committee to give further review to these issues as the remaining details are reviewed later. Ms. Denechaud seconded the motion. Following a brief discussion about alternative stairs, fire escapes, ladders and sprinkler systems as required or allowed, the vote was called. The motion passed with Taylor, Denechaud, Henriquez, Stokes and Skinner in favor and Mr. Blanda opposed.

537 Dumaine: The Saussy Eight, LLC, owner; Toni DiMaggio (studioWTA), applicant. Proposal to alter ground-floor millwork, install HVAC equipment, and demolish rear additions, per application & materials received 06/17/14 & 09/09/14. [**Notice of Violation sent 09/19/14**]

Following Ms. Ripple's presentation of the staff report, Mr. Blanda moved to accept the recommendation of the Architectural Committee to grant **conceptual approval** of the complete proposal. Mr. Taylor offered an amendment to include the specific **approval** of the completed demolition portion as described. With Mr. Blanda's acceptance of the amendment, Mrs. Stokes seconded them motion which passed unanimously.

629 St Peter: 629 St Peter, LLC, owner; Kristine Shull, applicant. Proposal to make repairs and minor

replacements throughout property, including demolition of second story, addition and installation of rooftop platform and HVAC equipment, per online application & drawings received 09/09/14.

Ms. Ripple gave the staff report, outlining the details of the overall rehabilitation project as well as the rear additions for which demolition is requested, and the Architectural Committee's recommendation to grant **conceptual approval** and to allow the 30-day layover to begin.

[Mr. Taylor left the meeting during the staff presentation.]

Mr. Blanda moved to **approve** the Architectural Committee recommendations for **conceptual approval** and to commence with the 30-day layover. Ms. Denechaud seconded the motion which passed with Blanda, Denechaud, Stokes, Skinner and Henriquez all voting in favor.

VI. APPEALS & VIOLATIONS

510 Wilkinson: Edmond Wolff, et al., owners; Kevin Johnson, applicant. Appeal of Architectural Committee recommendations re: proposed dormer addition for new elevator penthouse, per application & revised materials received 04/01/14 & 08/28/14, respectively.

The staff report was presented by Ms. Ripple. Mr. Musso further explained the discussions and lengthy consideration given by the Architectural Committee, noting the inappropriateness of the addition of either one or two dormers, adding that the number as well as the location would be improper for the building as well as being in conflict with the structure's twin next door which also has single dormers centered on both front and rear roof slopes. It was also clear in the plans, that when the building was completely renovated around 2000-01, that would have been the time opportunity to install an elevator as part of the overall plan. Unfortunately, design decisions made then make the proposal more difficult later.

Mr. Wolff also spoke explaining that he had chosen the rear location in order to avoid the complications presented by the existing floor plan arrangements and that the addition of a dormer-looking penthouse for the elevator was his only option. He also noted that he had even tried selling his unit but found that without the elevator, he was unsuccessful selling.

Mr. Skinner moved, Ms. Denechaud seconded, to uphold the Architectural Committee **denial** of the application to install a dormer(s) to house an elevator penthouse on the real roof slope. The motion passed with Messrs. Blanda, Skinner, and Henriquez and Mesdames Denechaud and Stokes, all voting in favor. Following the vote, Chairman Musso urged Mr. Wolff to give further study to the use of smaller residential elevators and finding a way to avoid the unfortunate scenario of an "added dormer".

923 Barracks: Earl L Larrieu, applicant/owner; Archi-Dinamica Architects, LLC, architect. Proposal to reconstruct cottage structure, deconstructed without benefit of VCC review or permit, as well as proposed modifications to existing structures, per application & materials received 05/06/14 & 08/19/14, respectively. [**STOP WORK ORDER** placed **04/16/14**; **Notice of Violation** sent **04/21/14**]

Ms. Ripple gave the staff presentation with Mr. Arriaga & Mrs. Larrieu representing the application. Mr. Musso commended the architect and owners for working diligently to address each of the Committee's concerns and commented that the proposal had undergone intensive review over the course of a few months. Mr. Blanda noted his sympathies to the concern for vagrants on the front porch and supposed it may make more sense to bring the garden wall to the property line.

Robert Vanlangendonk spoke from the audience and recommended the installation of wrought iron in front of the masonry wall and porch.

Requiring no further discussion, Mr. Henriquez moved, Mrs. Denechaud seconded, to **conceptually approve** the proposal with the applicant to begin work on a comprehensive set of architectural/construction plans to be reviewed by the Committee before returning to the Commission for removal of the STOP WORK ORDER.

912 Orleans: Michael J. & Patricia K. Burdine, owners; L.K. Harmon, architect/applicant. Appeal of Architecture Committee **denial** to install fourth (4) light fixture as part of façade lighting scheme, per materials received 05/06/14. [**Notice of Violation** received **04/05/14**]

Ms. Ripple presented the staff report outlining the application as originally proposed and including some revisions in the proposal, made by the applicant, to meet the criteria set forth in the VCC's Lighting Guidelines. Understanding the joint intent of the parties to have the proposed lighting installed that will conform to the policy and fall within the acceptable ranges of color, temperature and intensity, the Chairman questioned whether any appeal is necessary. Mrs. Burdine acknowledged that she is comfortable with the revised details. Mr. Blanda moved, Ms. Stokes seconded, to accept the staff

recommendations for the applicant's revised lighting proposal, thereby making the appeal unnecessary. The motion passed unanimously. The Chairman then requested that the applicant contact Mr. Albrecht after installation is complete so that readings can be taken. Mrs. Burdine agreed and added that she will be revisiting staff with sample fixtures for review before making final purchase and installation.

1117-19 Bourbon: Rychner, LLC, owner; Vincent Currenti, applicant. Proposal to continue construction commenced without benefit of VCC review or permit, per application & revised materials received 05/27/14 & 08/28/14. [**STOP WORK ORDER** issued **05/16/14**]

Ms. Ripple gave the staff presentation with Mr. Currenti representing the application. Mr. Musso noted the only remaining concern is the damage that may occur when the Portland cement mortar is removed from the masonry walls; consequently, he requested that the contractor contact the VCC Building Inspector when removal of the mortar begins to review the work. Requiring no further discussion, Mrs. Denechaud moved, Mr. Blanda seconded, to **approve** the proposal and to lift the STOP WORK ORDER.

1200-02 Burgundy: Patrick Tucker, et al., owner/applicant. Proposal to paint to match existing and repoint masonry, per application received 08/15/14. [**STOP WORK ORDER** posted **08/14/14**]

Following Ms. Ripple's presentation of the staff report, Mr. Blanda moved, Ms. Denechaud seconded, to approve the Architectural Committee's recommendation to have the STOP WORK ORDER lifted and to allow the corrective work to be undertaken following VCC guidelines and permit. The motion passed unanimously.

1223 Royal: 1223 Royal, LLC, owner; Lacey Wotring (John C. Williams Architects, LLC), applicant. Retroactive review of a completed 128 square foot addition, constructed without benefit of permits, per application & materials received 08/26/14. [**Notice of Violation** received **07/11/14**]

Ms. Ripple presented the staff report on the application outlining the details of the addition that had been constructed without permits and the Architectural Committee's recommendation to allow its retention while requiring certain revisions in finishes and materials and correcting the drainage problems that caused the unauthorized building to be discovered. Following a brief discussion, Ms. Denechaud moved to **approve** the Architectural Committee's recommendation to **allow the retention** of the structure while also requiring alterations regarding finishes, materials and drainage. Mr. Skinner seconded the motion which passed unanimously.

VII. OTHER BUSINESS

RECONSIDERATION of 631 Decatur (Upper Pontalba Bldg.): City of New Orleans, owner; The Fudgery, Inc., tenant; John C. Williams Architects, LLC, applicant. Revised proposal to install venting system on rear courtyard elevation, per application & drawings received 06/03/14, 06/17/14, & 08/19/14, respectively.

Mr. Musso briefly noted concern regarding the proposal's previous review considering it concluded with a vote of no action. Mrs. Stokes moved, Mr. Henriquez seconded, to rescind the vote on the application from the September 9, 2014, Commission meeting. The motion passed unanimously. Mr. Musso reviewed the application, noting the proposed use as a confectionary and the proposed installation of an exhaust vent within the interior courtyard. Mr. Williams, representing the application, noted that part of the approval previously considered was that the exhaust vent must be removed upon departure of The Fudgery as the tenant.

Mr. Skinner moved, Mrs. Stokes seconded, to suspend the rules; the motion passed unanimously. Then Mrs. Stokes moved, Mr. Skinner seconded, to add 631 Decatur to the agenda, which also passed unanimously.

Mr. Vanlangendonk, resident of the French Quarter, noted his concern regarding the proposal was the use, that the proposed tenant includes singing for customers as part of the business plan and the open door condition of the ground floor would allow that noise to permeate into the streets. Mr. Musso explained that the subject of use is not within the jurisdiction of the VCC, rather the City Planning Commission establishes the regulations and the Zoning Administrator enforces them.

Mr. Skinner moved, Mrs. Stokes seconded, to approve the installation of the ventilation system; the motion passed unanimously. Mr. Skinner then moved to reinstate the rules, Mrs. Stokes seconded, and the motion passed unanimously.

VIII. RATIFICATION of Architectural Committee and Staff actions since the Vieux Carré Commission meeting of September 3, 2014

Mrs. Denechaud moved, Mrs. Stokes seconded, to ratify the actions taken by the Architectural Committee and Staff since the Vieux Carré Commission meeting of September 3, 2014. The motion passed unanimously.

With no other business to be considered, Mr. Skinner moved for adjournment. Without objection, the meeting was adjourned at approximately 4:15 PM.

APPROVED: _____
Leslie Stokes, Secretary

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