

VIEUX CARRE COMMISSION

Mitchell J. Landrieu
MAYOR

CITY OF NEW ORLEANS

Bryan Block
DIRECTOR

Minutes of the **Vieux Carré Commission** meeting of **Wednesday, February 8, 2017 - 1:30 P.M.**

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

COMMISSIONERS ABSENT: Adrienne Thomas
Patricia C. Denechaud

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

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

I. ROLL CALL

Chairman Musso called the meeting to order at approximately 1:30 PM. A quorum was established with the presence of five (5) of the nine (9) seated Commissioners present. **[Commissioners Stokes and Keck would arrive after the Roll Call]**

II. REVIEW OF MINUTES

III. CHAIRMAN'S REPORT

Mr. Musso noted in his Chairman's Report that Ms. Falk would be giving a presentation on street lights in the French Quarter and noted that the VCC has the ability to make statements on these types of issues but that they have no power in this regard.

IV. OTHER BUSINESS

Review of findings of survey of missing and damaged streetlights throughout the French Quarter.

Ms. Falk gave a brief presentation following Mr. Musso's introduction. Ms. Falk noted that a previous survey had been completed in 2010 and that funding was established in 2014. Ms. Falk continued that the number of missing posts was down to three in February 2016 but currently stands at fifteen missing posts. Ms. Falk noted that some posts were removed for construction.

Mr. Musso commented that more than adequate funds reported for streetlight maintenance/replacement. Mr. Musso noted that streetlights are not particularly good at crime prevention but that consistence and uniformity of lighting is more beneficial.

V. DIRECTOR'S REPORT

Mr. Block gave the following Director's Report:

- **411 Bourbon update:** On Wednesday, January 31, 2018, VCC was notified by City legal counsel that the 4th circuit had reversed the trial court's decision in the Vieux Carré Commission Foundation lawsuit regarding the City Council appeal of the deferral of a proposal for a third

floor addition at 411 Bourbon Street. As such, according to our attorney, Melissa Quigley, the Fourth Circuit ruled:

- 1) City ordinances allow the proper appeal of a deferral to the City Council
- 2) The VCC has a duty to “report **promptly** its recommendations” to the Director of Safety and Permits
- 3) La. R.S. 24:746 allows any person aggrieved by a “failure to act” of the VCC to appeal it to the Council.
- 4) There is no longer an injunction prohibiting VCC from approving and permitting plans that are the subject of the litigation.

The Council’s motion was an approval of the February 14, 2016 plans that had been presented to the AC, with details to be worked out at the staff level. They specifically intended for this to not go back to AC or the full commission. As such, I personally began reviewing the current set of drawings Thursday, February 1. There were several areas of discrepancy within that review set so the drawings were red-lined and returned to the architect for revisions, as is typical for proposals of this scale. After some brief back-and-forth with the architect, the final review set was approved and a VCC permit was issued yesterday, Tuesday, February 6, 2018. This approved set of drawings has been forwarded to Safety and Permits and they have been informed that they should proceed with their review.

A writ application for stay and appeal of the order reversing the trial court’s granting of preliminary injunction dated January 31, 2018, was filed with the Supreme Court of Louisiana by the Vieux Carré Commission Foundation yesterday, February 6. Should the stay be granted the permitting process will be put back on hold until such time the court removes it or the merits of the case are decided.

336 Decatur (Margaritaville) update: As the permit issued for foundation and structural work expired on January 28, 2018, with no work having commenced on site other than the demolition of the previously existing brown rated building, Staff contacted the architect on February 2 in order to inform them of the expiration and that their construction fence had deteriorated and needed to be restored. Their representative responded with the requested construction schedule showing the intention to begin work March 5, 2018. VCC will not reissue the permit until their construction fence has been restored. Staff has not been able to issue the full VCC permit for construction as of yet as we are still waiting for final details to be submitted for review. Staff has reached out to the project architect yet again to determine when these details will be presented.

[Let the record show that Ms. Stokes and Mr. Keck arrived after the Director’s report.]

Following the Director’s Report, Mr. Musso requested that the application for 336 Decatur be re-reviewed prior to the permit being renewed or reissued.

VI. OLD BUSINESS

626 Bourbon St: 17-06727-VCGEN; John C. Williams, applicant; Grace T Granger LLC, owner; Proposal to modify door and window openings, lower the floor level to grade, infill arched openings with masonry, and add roof deck, per application & materials received 02/24/17 & 01/16/18. [STOP WORK ORDER posted 09/27/17]

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=706178>

Ms. Vogt read the staff report with Mr. Williams present on behalf of the application. Mr. Taylor moved for approval consistent with the staff analysis and recommendations. Mr. Fifield seconded the motion and the motion passed. Mr. Musso opposed the motion.

VII. NEW BUSINESS

229 Royal St: 17-27261-VCGEN; John C. Williams, applicant; 229 Royal Street LLC, owner; Proposal to restore façade elements & to construct new rooftop pool and deck, per application & materials received 08/08/17 & 01/16/18, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=726961>

Mr. Albrecht read the staff report with Mr. Williams and Mr. Heck present on behalf of the application. Mr. Fifield questioned if the stepped parapet was to remain. Mr. Heck stated that it was a drafting error and that yes the parapet was to remain as existing.

Mr. Taylor moved for approval consistent with the staff report. Ms. Gasperecz seconded the motion and the motion passed with five affirmative votes. Mr. Musso voted in opposition.

533-35 Iberville St, 537 Iberville: 17-34312-VCGEN; Joseph Lantz, applicant; 817 Hickory Avenue LLC, owner; Proposal to construct rooftop addition and modify existing elevations in conjunction with a resubdivision and change of use from vacant to residential (multi-family), per application & materials received 10/10/17 & 01/17/18, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=734071>

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

616-624 Royal St: 17-37709-VCGEN; Jonathan Tate, applicant; M S Rau Antiques LLC, owner; Proposal to renovate buildings, including demolition of small rear addition and the repair or replacement of various millwork, per application & materials received 11/03/17 & 12/27/17, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=737571>

Mr. Albrecht read the staff report with Mr. Tate present on behalf of the application. Mr. Musso commended the applicant on the use of the new water management system and the fact that they worked with the Architecture Committee and fulfilled all of the Committee's desired requirements.

Mr. Taylor moved for approval consistent with the staff report. Ms. Stokes seconded the motion and the motion passed unanimously.

1031 Orleans Ave: 17-42763-VCGEN; Certified Construction Professionals LLC, applicant; 1031 Orleans LLC, owner; Proposal to repair deteriorated millwork and other minor repairs in conjunction with a change of use from residential (single family) to residential (two family), per application & materials received 12/19/17 & 01/04/18, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=742589>

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

VIII. APPEALS AND VIOLATIONS

520 Esplanade Ave: 17-16972-VCGEN; John C. Williams, applicant; Jules L Cahn, J & R Rental Properties L L C, owner; Appeal of Architecture Committee denial of proposal to demolish historic iron fence and construct new iron fence and masonry posts with pedestrian and vehicular gates, per application & materials received 05/15/17 & 02/02/18.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=716612>

Mr. Albrecht read the staff report with Mr. Heck, Mr. Ellis and Ms. Cahn present on behalf of the application. Mr. Fifield stated that he saw no reason the current cast iron fence could not be modified to meet the requirements of the applicant. Mr. Heck replied that their intent was to create a fence where someone could not step on the base and hop over the fence.

Mr. Taylor stated that he could think of a number of ways to alter the design in order for the base not to be used as a foothold to crawl over the fence. He further stated that the idea of the base being used as a step was merely a design challenge that could easily be addressed by the architect. Ms. Cahn stated that she did not want another opportunity at redesigning the fence and that the current design was her final desired design.

Mr. Block asked both Mr. Heck and Ms. Cahn what would become of the historic fence if it were removed and replaced. Mr. Heck replied that it may be donated to the Green Project, or sold to someone with the same fence design. Mr. Taylor recommended including their plans for the historic fence in their current proposal.

Mr. Musso asked Mr. Heck what the actual construction material of the fence would be. Mr. Heck replied that it would be painted steel. Mr. Musso noted that the steel would not last as long as the cast iron. The Commission recommended modifying the proposed material to cast iron in order to increase its longevity. Mr. Taylor moved to defer the fence to give the applicant an opportunity to find a purpose for the existing historic material and to change the material of the proposed new fence.

With regards to the current violation on the property, Mr. Taylor moved to defer the proposed enclosure of the screened in porch.

Mr. Fifield seconded the motions, both of which passed unanimously.

823-827 Dauphine St: 17-30274-VCGEN; Nicole Webre, applicant; Aaa Dauphine House LLC, owner; Proposal to retain wall mounted HVAC equipment constructed in deviation of approved plans, per application & materials received 09/05/17 & 12/05/17.
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=729965>

Mr. Albrecht read the staff report with Ms. Webre present on behalf of the application. Mr. Musso noted that the engineer's reports stated that the racks were stable, but did not address the affect the vibrations might have on the historic masonry wall. Mr. Musso further inquired as to why the units could not be installed in the courtyard at grade level. Ms. Webre replied that the owner was concerned about the visual impairment the HVAC would have to the owner if the units were moved to the courtyard. Mr. Fifield commented that the high mounting of the HVAC on racks was a visual impairment to the general public as the units are highly visible from the street in their current location.

Mr. Taylor moved for the denial of the retention of the wall mounted existing construction and advised the applicant to rework the HVAC system per previously approved plans. Ms. Stokes seconded the motion and the motion passed. Mr. Fifield voted in opposition.

917 Decatur St: 17-35513-VCSGN; Sydney's LLC, applicant; Bopp Enterprises #IV LLC, owner; Proposal to retain neon signs installed in storefront windows, per application received 10/17/17. [Notices of Violation sent 09/29/11, 03/18/14, 01/31/17]
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=735264>

Mr. Albrecht read the staff report with Mr. Patel and Mr. Bopp were present on behalf of the application. Mr. Taylor moved to deny the retention of the neon signs. Ms. Gasperecz seconded the motion and the motion passed unanimously.

IX. RATIFICATION of Architectural Committee and Staff actions since the Wednesday, January 3, 2018 VCC meeting.

Mr. Taylor moved to ratify the Architecture Committee and Staff actions since December 6, 2017. Ms. Gasperecz seconded the motion, which passed unanimously.

With no other business to discuss, Mr. Taylor moved to adjourn the meeting. Mr. Gasperecz seconded the motion, which passed unanimously. The meeting was adjourned at approximately 2:50 pm.