

VIEUX CARRE COMMISSION

LaToya Cantrell  
MAYOR

CITY OF NEW ORLEANS

Bryan Block  
DIRECTOR

Minutes of the **Vieux Carré Commission** meeting of **Wednesday, February 6, 2019, 1:30 P.M.**

**COMMISSIONERS PRESENT:** Nicholas S. Musso, Chairman  
Daniel Taylor  
Rick Fifield  
Bill Keck  
Adrienne Thomas  
Mamie Gasperecz  
Angela King

**COMMISSIONERS ABSENT:** Patricia C. Denechaud

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

**STAFF ABSENT:** Marguerite Roberts, 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 six (6) of the nine (9) seated Commissioners present. **[Mr. Keck arrived during the discussion of 730 Esplanade.]**

**II. REVIEW OF MINUTES**

Mr. Taylor moved, Mr. Fifield seconded, that the minutes of the Vieux Carré Commission meeting of January 9th, 2019 be approved as previously circulated. The motion passed unanimously.

**III. CHAIRMAN'S REPORT**

Discussion of the installation of new cell phone towers in the district.

Chairman Musso stated his concern that cell phone equipment nodes are being installed that have only been tentatively approved for numbers and general locations within the proposed blocks, not for specific placement locations. He was also concerned that Safety and Permits does not issue coordinating permits and that these are only permitted by Department of Public Works. Director Block and Ms. Melissa Quigley, reiterated that VCC jurisdiction only extends to work on private property. As this is work on the public right-of-way, applicants are only required to seek a non-binding recommendation from the VCC. These installations were reviewed by the VCC Architectural Committee at its July 7, 2018 public meeting. Although VCC had made recommendations at that time that all specific locations should be further reviewed by VCC, this could only be provided as a non-binding recommendation. As such, DPW was not remiss in issuing permits for these installations as the review requirement had already been met.

Mr. Musso expressed further concern that some locations of the current installation are in close proximity to existing historic buildings and architectural elements such as galleries and balconies. VCC would have preferred these locations to have been slightly modified so as not to be in such close proximity. It was his opinion that this would not have a detrimental effect on the effectiveness of the cell equipment. VCC requests better interaction with vendors before DPW issues permits for additional locations. This is in hopes of better integration of equipment with other elements on the street, such as signage, to prevent the streetscape from being

further cluttered with items outside VCC jurisdiction. Staff is to seek a full inventory of existing cell equipment with location information if available.

Mr. Block added that the current installation is not the complete set that was reviewed by the AC in July. Staff is providing additional recommendations to the vendor about specific locations reflecting the concerns mentioned above. Although the current vendor does not anticipate additional proposals, this installation should inform future reviews of proposals from other vendors. Mr. Musso would prefer that nodes be required to share equipment with multiple vendors. This matter should be discussed with City Council.

Commissioner Fifield stated that as the VCC only serves currently in an advisory capacity, what would be involved in extending full control to the commission for such commercial uses of public space? As the VCC is charged with protecting the *tout ensemble* of the district, and as this has the potential of having a grave detrimental impact, could this trigger a review of jurisdictional issues? Ms. Quigley stated that this would require a change to The State Constitution, State Law and City Code to which Mr. Fifield requested that the City Attorney's office investigate how to instigate such a change.

Ms. Quigley further recommended that VCC concerns be forwarded to the groups who negotiate these types of contracts so they can be addressed at the front end. Commissioner Taylor recommended that cell phone guidelines be provided to potential vendors to which Mr. Block stated that this had occurred. But without force of law the vendor can, and did, choose to disregard the guidelines provided. Mr. Musso and Mr. Fifield queried whether the cell equipment being installed is designed for every day cell loads or are they designed to accommodate large crowds during major events such as Mardi Gras and French Quarter Festival. Commissioner Gasperecz wanted information about how cell nodes respond to required fire lane clearances. Ms. Quigley reassured that this would be required as part of DPW review and approval.

Mr. Fifield stated that there is currently an internal conflict in that those reviewing for permits have a financial interest in the installation. Staff stated that they will attempt to obtain and provide DPW review criteria for the next VCC hearing.

#### **IV. DIRECTOR'S REPORT**

Staff has been working with the Police and Justice Foundation regarding their SafeCam program which works to integrate private security cameras into the police surveillance system. In our on-going effort to encourage property owners within the French Quarter to appropriately install security cameras we have streamlined the permitting process. Similar to the VCC Paint permit there is now a VCC Security Camera permit. This can be easily applied for on-line by accessing [www.nola.gov/onestop](http://www.nola.gov/onestop) and selecting this application. The information on how to link security cameras to the SafeCam system is included.

#### **V. OTHER BUSINESS**

**730 Esplanade Ave; 729-733 Barracks**: 730 Esplanade LLC, owner; Staff recommended proposal to lower rating of buildings from "blue" to "pink" due to significant alterations to historic building fabric all completed without VCC permits.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=788056>

Mr. Albrecht read the staff report with Ms. Harmon present on behalf of the application. Mr. Fifield expressed concern over a change in the level of VCC review if the color rating of the building was changed. He stated that this might set a precedent for others to willfully deface buildings in order to obtain a downgrade in rating thereby allowing less oversight by VCC staff. Mr. Musso stated that the commission could keep the current rating but downgrade if the changes were detrimental. Mr. Block stated that staff could prepare a report stating the potential implications of a rating downgrade. Ms. Harmon stated that she and the owner did not find the alterations to be detrimental to the overall architectural significance of the building and

that they had in fact corrected the three items the commission deemed most offensive. Ms. Gasperecz asked about the location of the historic fountain. Ms. Harmon stated that she would inquire as to its whereabouts, but she was sure the owner still had it in his possession. Mr. Block stated that the downgrade was not a punitive measure by staff, just simply part of the guidelines. Mr. Fifield stated that the criteria was not only architectural but also historical in nature. He further inquired as to how/ why this building was given a blue rating. Mr. Fifield moved for a deferral in order for staff to determine the historical basis of the blue rating and to make a recommendation based on their findings. Mr. Taylor seconded the motion and the motion passed unanimously.

## VI. NEW BUSINESS

**512 Conti & 516 Conti St: 16-24076-VCGEN & 16-24074-VCGEN;** Walter J. Baudier, III, applicant; 512 Conti LLC, owner; Proposal to install new pool in rear courtyard, per application & materials received 07/22/16 & 01/16/19, respectively.

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

Ms. Vogt read the staff report. There was no one present on behalf of the application. With no discussion necessary, Mr. Taylor moved for **conceptual approval** consistent with the staff report. Ms. Gasperecz seconded the motion and the motion passed unanimously.

**626 Bourbon St: 17-06727-VCGEN;** John C Williams, applicant; Grace T Granger LLC, owner; Proposal to convert the existing front balcony to a gallery, per application & materials received 02/24/17 & 01/08/19, respectively.

<https://onestopapp.nola.gov/Redirect.aspx?SearchString=17-06727-VCGEN>

Ms. Vogt read the staff report with Messrs. Williams and Hemb present on behalf of the application. With no discussion necessary, Mr. Taylor moved for **conceptual approval** consistent with the staff report. Ms. Thomas seconded the motion and the motion passed unanimously.

**1005-09 St. Philip Street: 18-01001-VCGEN;** John C. Williams, applicant; Balentine Carbondale Holdings LLC, owner; Proposal to add a second floor to the rear kitchen building, per application & materials received 01/22/18 & 01/22/19, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=744603>

Ms. Vogt read the staff report with Mr. Williams on behalf of the application. Mr. Block informed the Commission that numerous emails and letters were sent to staff regarding the proposal and that a copy was attached to the property report provided to each commissioner. Mr. Taylor asked the applicant if he was still tweaking the design. Mr. Fifield stated the position of the stair had to be changed.

Public comment started with Ms. Edmondson. She stated that she thought the rear building was typical for the district and that she supported the design as long as it followed the VCC guidelines. Mr. Jacobs, the owner of the adjacent property, stated that he feared the loss of historic fabric and that the new proposed structure would change the face of the block. He further stated that he appreciated the reduction in massing but that there were still issues with the new stair and new balcony that presented problems of privacy. The owner of the adjacent property, stated that she too feared the erosion of historic fabric over time, little by little. She further stated that she thought that the new stair would violate the current CZO as new construction must be set back from the rear property line. She asked for a deferral due to the vagueness of the proposal.

Mr. Fifield asked the applicant if they would revise the stair per staff recommendations. Ms. Balentine, the property owner, stated that they would. Mr. Taylor moved for **conceptual approval** with the applicant to return to the Architecture Committee. Ms. Gasperecz seconded

the motion and the motion passed unanimously.

**713 St Louis St: 18-36081-VCGEN**; Harvey Burns, applicant; Roy F Guste, owner; Proposal to enclose the rear, second floor balcony with a window wall system, and to install millwork in historic openings, per application & materials received 10/30/18 & 01/28/19, respectively.  
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=783437>

Ms. Vogt read the staff report with Mr. Burns present on behalf of the application. With no discussion necessary, Mr. Taylor moved for **conceptual approval** consistent with the staff report but added that the VCC would maintain jurisdiction over the newly enclosed space. Ms. Gasperecz seconded the motion and the motion passed unanimously.

**VII. RATIFICATION** of Architectural Committee and Staff actions since the Wednesday, January 9, 2019 VCC meeting.

Mr. Taylor moved to ratify the Architecture Committee and Staff actions since the January 9, 2019. Mr. Fifield seconded the motion, and the motion passed unanimously.

With no other business to discuss, Mr. Taylor moved to adjourn the meeting. Mr. Fifield seconded the motion, and the motion passed unanimously. The meeting was adjourned at approximately 2:27 pm.