

VIEUX CARRÉ COMMISSION
CITY OF NEW ORLEANS

AGENDA
WEDNESDAY, May 27, 2020
1:00 PM via WebEx conference call due to COVID-19 outbreak

Minutes of the Vieux Carré Commission meeting of Wednesday, May 27, 2020 – 1:00 pm.

COMMISSIONERS PRESENT: Mamie Gasperecz, Chairperson
Priscilla Lawrence, Secretary
Rick Fifield
Bill Keck
Toni DiMaggio
Steven Bergeron
Keely Thibodeaux
Rodney Villarreal

COMMISSIONERS ABSENT: Angela King

STAFF PRESENT: Bryan Block, Director; Renée Bourgogne, Senior Architectural Historian;
Nicholas Albrecht, Senior Building Plans Examiner; Erin Vogt, Senior Building
Plans Examiner Anthony Whitfield, Inspector; Melissa Quigley, VCC Legal
Representation

STAFF ABSENT: Marguerite Roberts, Inspector

OTHERS PRESENT: Josh Hartley, DPW; Austin Kittok, 600 block of Conti; Kurt Werling, 340
Chartres; Nikki Szalwinski, FQC; Calla Bardwell, 311 N Peters; John Williams,
311 N Peters; Robert Cangelosi, 1113 Chartres; Joey Carlson, 538 & 540 N.
Rampart; Bryan Gille, 937 Decatur

ROLL CALL Mr. Block called roll. Ms. Gasperecz, Ms. Lawrence, Mr. Fifield, Ms. DiMaggio, Mr. Bergeron, Ms. Thibodeaux, and Mr. Villarreal were present at roll call. With seven members present and only five needed for a quorum, Ms. Gasperecz called the meeting to order at approximately 1pm.

REVIEW OF MINUTES Mr. Fifield made the motion to accept the January 2020 minutes as distributed by staff prior to the hearing. Ms. DiMaggio seconded the motion and the motion passed unanimously. Mr. Fifield then made the motion to accept the April 2020 minutes. Mr. Bergeron seconded the motion and the motion passed unanimously.

CHAIRPERSON'S REPORT Ms. Gasperecz thanked all the Commissioners for attending the meeting and commended staff on still conducting such excellent work under the current crisis conditions. She then turned the floor over to Mr. Block for an explanation of how today's virtual meeting would be handled and what the protocol would be for public opinion.

DIRECTOR'S REPORT Mr. Block started the Director's Report by informing the Commission of the proposal by Verizon to install approximately 120 new 5g poles within the district. He went on to say that VCC was working with the Utilities office to come up with a proposal to present to the SHPO as part of the Section 106 process, and that a joint public meeting would be taking place soon. The time and date will be announced when scheduling is finalized. He then asked Ms. Gasperecz to poll the Commission following the Director's Report in order to set up a Committee of no more than 4 Commissioners to assist in the process.

The next item Mr. Block discussed in the Director's Report is the recent proliferation of sidewalk dining. The VCC staff supports this temporary measure to help restart this element of the economy of the Quarter. Mr. Block assured the Commission that as these new items arise in the post-Covid 19 era, he will send out email blasts to all Commissioners keeping them abreast of

plans in the French Quarter as the city continues to reopen. He went on to say that he had sent out Phase One flyers to all Commissioners with information as to what was allowed and what was not during Phase One.

The last thing Mr. Block addressed was the return to the previously adopted ARC and VCC schedule. He stated that the VCC will return to the regularly scheduled format and time in June but will still hold meetings via teleconference for the foreseeable future.

At this point Mr. Block turned the floor over to Ms. Gasperecz for the cell tower committee formation. Ms. Gasperecz polled the group and asked who would be interested in joining, assuming availability. Ms. Thibodeaux, Mr. Keck and Ms. King (absent) declined. Mr. Fifield, Ms. Lawrence, Mr. Bergeron, Ms. DiMaggio, Mr. Villareal, and Ms. Gasperecz all said they could be available. Ms. Gasperecz suggested the group pick four and then call a vote. The group selected Mr. Fifield, Ms. Lawrence, Mr. Bergeron and Mr. Villarreal. Ms. DiMaggio made the motion to formalize the group. Mr. Fifield seconded the motion and the motion passed unanimously.

At this point Mr. Block explained the format for today's meeting. He stated that each plans examiner would read their respective reports and the commissioners could ask questions at that time but would not make motions or vote until after the recess and public comment portion of the meeting. Once the reports were read, staff would ask the public to send an email during the 30-minute recess. After the recess public comment would be read aloud by staff and motions would be heard.

OTHER BUSINESS

600 Block of Conti Street: Review of proposed bollard installation for non-binding recommendation to the Department of Public Works.

Ms. Vogt read the staff report with Mr. Hartley and Mr. Kittok present on behalf of the proposal. After the report was read Ms. Gasperecz asked if there were any questions on the part of the Commission. Ms. Lawrence asked if the bollard design was the type where the top ball would easily pop off if someone kicked it. Mr. Kittok stated that the top ball was held in place with a set screw and he was not aware of any problems with this particular bollard model. Ms. Lawrence stated that she was in favor of the proposal if this flaw is not a concern. Ms. Gasperecz asked if this type of bollard could be seen anywhere else in the French Quarter. Mr. Kittok stated that it had not been installed anywhere in the Quarter, but they were installed around Lafayette Square. Mr. Villarreal asked Mr. Kittok if there was a way to design the bollard as one piece without the screw. Mr. Kittok stated that he was unsure but could ask the manufacturer if it could be welded. Satisfied, Ms. Gasperecz moved on to the next item.

NEW BUSINESS

937 Decatur St: 20-21682-VCGEN; Darin Pierce, applicant; 937 Decatur LLC, owner; Proposal to modify Decatur St. elevation including installing new transom windows, installing new copper awning, and modifying upper floor windows, per application & materials received 02/20/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=832433>

[Mr. Keck arrived prior to the presentation of the staff report]

Mr. Albrecht read the staff report. There was no one present on behalf of the application. Ms. Gasperecz asked if there were any questions or comments from the Commission. Mr. Bergeron wanted to ask the applicant if they had done any exploratory demolition on the interior to investigate if there might be any structural issues with the proposal. Mr. Albrecht stated that to his knowledge the applicant had not done this yet. Ms. Gasperecz asked staff what type of business currently occupied the space. Mr. Albrecht stated that he believed it was some type of souvenir shop, but that they might be converting it into a restaurant. Ms. Gasperecz thanked staff and asked Mr. Block if the Commission could still vote even if the applicant was not present. Mr. Block stated that they could after the public comment portion of the meeting. Satisfied, Ms. Gasperecz moved on to the next agenda item.

1113 Chartres St: 20-24399-VCGEN; Robert Cangelosi, Jr, applicant; Keyes Foundation, owner; Proposal to reconstruct rear balcony including replacing existing turned columns, replacing existing railing elements, and slightly modifying existing skirt board, per application & materials received 04/27/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=841710>

Mr. Albrecht read the staff report with Mr. Cangelosi present on behalf of the application. Ms. Gasperecz asked if there were any questions from the Commission. Ms. Lawrence asked if the stairs would be rebuilt back to their previous location. Mr. Cangelosi stated that they were. He went on to say that they were using NCIS filming money to redo them. Ms. Lawrence stated that she was confused by the drawing. Mr. Cangelosi stated that they were being reattached but that they had to get the porch and balcony fixed first. Mr. Fifield thanked the applicant for the careful restoration of the proposed work. Ms. Lawrence and Ms. Gasperecz concurred. With no other comments or questions Ms. Gasperecz moved on to the next agenda item.

538 N Rampart St: 20-25024-VCGEN; Joey Carlson, applicant; 538 N Rampart LLC, owner; Proposal to install new rooftop HVAC equipment, per application & materials received 03/04/2020 & 05/12/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=839039>

538 and 540 N Rampart were heard as one agenda item. Mr. Albrecht read the staff report with Mr. Carlson present on behalf of the application. Ms. Gasperecz asked if there were any questions. Mr. Villarreal asked the applicant where the units were located previously. Mr. Carlson stated that they were on a lower roof. Mr. Villarreal stated that his concern was that everyone would want to follow suit and the roofscape would be severely altered. Mr. Block stated that staff had visited the site and done an extensive walk through of the surrounding neighborhood and ascertained that the proposed locations would be minimally visible. Ms. Gasperecz asked if the Commission had any other questions. Ms. Lawrence asked the applicant what the alternate locations for the lower units would be. Mr. Carlson stated that on 538 they would be in the courtyard and that on 540 they would be located on the flat roof above the 1st floor behind the parapet. Ms. Lawrence expressed enthusiasm over these new locations. With no other comments or questions, Ms. Gasperecz moved on to the next agenda item.

540 N Rampart St: 20-25022-VCGEN; Joey Carlson, applicant; Vincent J Jr Marcello, owner; Proposal to install new rooftop HVAC equipment, per application & materials received 03/04/2020 & 05/12/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=839037>

See 538 N Rampart.

340 Chartres St: 20-26023-VCGEN; Werling Kurt, applicant; Mercier Realty & Inv Co, owner; Proposal to demolish infill structure, in conjunction with staff recommended proposal to lower building rating from "yellow" to "brown," per application & materials received 04/21/2020. **[Will require 30-day layover period and additional review]**

<https://onestopapp.nola.gov/Redirect.aspx?SearchString=20-26023-VCGEN>

Ms. Vogt read the staff report with Mr. Werling present on behalf of the application. Ms. Gasperecz asked the Commission if they had any comments or questions. Ms. Lawrence asked staff when the 30-day layover period would begin. Ms. Vogt responded that it would begin now, but that the proposal would not come back to the full Commission for further review until the additional materials had been submitted and reviewed by staff and the Architecture Committee. She went on to say that at that point it would return to the full Commission if the Committee was satisfied with the submitted documents. Ms. Lawrence stated that she was worried about collapse in the interim. Mr. Block stated that the potential was that it would return in 30 days as there was ample time to submit the necessary materials. Ms. DiMaggio stated that the 30-day layover would also give time to notify the surrounding building owners. Mr. Block stated that staff believed the applicant was eager to move on the demolition and that there would be no delay from the VCC. Ms. Gasperecz stated that clearly time was of the essence, particularly with hurricane season approaching. With no other comments or questions the Commission moved on the next item.

APPEALS AND VIOLATIONS

311 N. Peters; 308 Decatur St: 19-15606-VCGEN; C Williams John, applicant; Soconomo LLC, owner; Appeal of Architecture Committee denial of proposal to retain storefront windows and display platforms installed without benefit of VCC review or approval, per application & materials received 05/14/19. **[Notice of Violation sent 01/24/19]**<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=805850>

Mr. Albrecht read the staff report with Mr. Williams present on behalf of the application. Ms. Gasperecz asked if there were any questions. Mr. Williams stated that at the last ARC meeting the Committee recommended removing the glass and fixing the doors shut. He went on to describe how the doors came to look as they do today. In 2014 they did a full renovation and applied for an interior permit. The application was never sent to the VCC because Safety and Permits determined there was no exterior work, so no need for VCC review. He went on to say that currently the client would like to keep the doors functional- leave them open when the business is open and close them when the business is closed- but that they were willing to remove the glass. Ms. Gasperecz thanked the applicant for his explanation. Mr. Fifield asked staff to respond to the changes. Mr. Block stated that while staff understood the need for a storefront, the idea of simply removing the glass and having an open display area would be highly unusual. He went on to say that it was an either-or situation. Remove the display or close the doors. Mr. Fifield thanked Mr. Block for his explanation. He went on to say that this would create a bad precedent. Mr. Williams then asked the Commission would it be ok to remove the display/ bulkhead and then keep the doors open. Mr. Fifield stated that he could not answer that at this time. Mr. Villarreal asked why the application originally went to S&P before VCC. Mr. Block explained that that was part of the ONE STOP system. Mr. Villarreal asked the applicant if he ever considered going to VCC directly. Mr. Williams stated that he had spoken to the then director Mr. Hesdorfer and that Mr. Hesdorfer had told him that since S&P had permitted the storefront it was ok. Mr. Williams went on to say that the storefront worked for the previous tenant but that it might not for the next one. He stated that he just wanted his client to have the option of opening and closing the doors during business hours. Mr. Block stated that if the doors were shut, it would be considered interior, but if they were open, it was a bad precedent. Ms. Lawrence stated that if the doors swung in there would be no problem. Mr. Block reminded the Commission that this was in fact how the original permit was written. Ms. Lawrence stated that the fact that the doors swung out was really inappropriate. She then asked the applicant if the Commission approved/ would be ok with the doors swinging in would that work for the client. Mr. Williams stated that he would be happy to ask. He went on to say that that was the design in the very first permit. Mr. Block concurred. Ms. Lawrence stated that having the doors swinging in would be a much better solution than the storefront. With no other questions, Ms. Gasperecz moved on the recess and public comment portion of the meeting.

30-MINUTE RECESS 2:06 PM

Mr. Fifield made the motion for a 30-minute recess. Ms. Lawrence seconded the motion and the motion passed unanimously.

During the recess, public comments were submitted to VCC staff at VCC@nola.gov. The comments were read to the Commissioners prior to the vote for each item. Prior to the hearing, staff requested that the length of public comment be limited to what could be read within two minutes. All of the emails received by staff were read by Mr. Block in their entirety.

MEETING RECONVENED approximately 2:36 pm

Mr. Block called the roll. Present: Mamie Gasperecz, Priscilla Lawrence, Rick Fifield, Bill Keck, Toni DiMaggio, Steven Bergeron, Keely Thibodeaux and Rodney Villarreal. Absent: Angela King

Ms. Gasperecz called the meeting back to order. Public comment was then heard for each property and motions were rendered.

OTHER BUSINESS

600 Block of Conti Street: Review of proposed bollard installation for non-binding recommendation to the Department of Public Works.

No Public Comment

Motion:

Ms. DiMaggio made the motion for a non-binding recommendation to the Dept. of Public Works in favor of the proposal, with a request to incorporate the comments made by the Commission during the meeting [in regard to the durability of the installed bollards and potential modifications which could extend their good condition]. Mr. Fifield seconded the motion and the motion passed unanimously.

NEW BUSINESS

937 Decatur St: 20-21682-VCGEN; Darin Pierce, applicant; 937 Decatur LLC, owner; Proposal to modify Decatur St. elevation including installing new transom windows, installing new copper awning, and modifying upper floor windows, per application & materials received 02/20/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=832433>

Public Comment:**Nikki Szalwinski, FQ Citizens**

FQ Citizens would like to see applicant explore the building facade/structure to see what may remain behind any layers added during later renovations so that the building can hopefully be returned to close to its original state. The stucco band around the second floor windows is unusual and there seems to be a question if its original. Based on digital survey the third floor windows had this same banding added (or possibly restored) rather recently. If these lower windows are not original and banding is removed it seems logical that the third floor should also have this detail eliminated so as to recapture the original design as closely as possible.

Commission Discussion:

Mr. Gile was now present on behalf of the application. Mr. Gile stated that the windows were probably doors that led to a balcony that wrapped around. He went on to say that the building had been heavily altered and that his clients would be open to shutters. Mr. Fifield stated that he agreed with the architect that the building was in fact heavily altered and this would not be a restoration. Mr. Gile stated that they wanted to get more light into the space, but that he wasn't sure this could be accomplished structurally however, he was willing to try. Ms. Gasperecz asked if there were any more questions.

Motion:

Ms. DiMaggio made the motion to approve the modifications to the elevation per the application and materials received, with final details to be worked out at staff level. Ms. Lawrence seconded the motion and the motion passed unanimously.

1113 Chartres St: 20-24399-VCGEN; Robert Cangelosi, Jr, applicant; Keyes Foundation, owner; Proposal to reconstruct rear balcony including replacing existing turned columns, replacing existing railing elements, and slightly modifying existing skirt board, per application & materials received 04/27/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=841710>

No Public Comment**Motion:**

Mr. Fifield made the motion for approval based on Staff and AC recommendation with all final details to be worked at staff level. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

538 N Rampart St: 20-25024-VCGEN; Joey Carlson, applicant; 538 N Rampart LLC, owner; Proposal to install new rooftop HVAC equipment, per application & materials received 03/04/2020 & 05/12/2020.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=839039>

Public Comment**Susan Klein, neighbor**

Good Afternoon,
I agree with staff that HVAC units should not be on exterior balconies or galleries. I would prefer if rooftop units were as far to the North Rampart side as possible, as my bedroom and my neighbors homes are closest to the Burgundy and Toulouse side of these buildings. I am very pleased these buildings are being renovated.

Thank you in advance for accepting my comments.

Commission Discussion:

Mr. Villareal again asked staff if this was ok and for staff to explain their decision. Mr. Block stated that staff was comfortable with the proposal because the building was tall and the HVAC equipment would be minimally visible. Mr. Villareal asked if there was not an alternate location. Mr. Block stated that he believed the upper floors were the only location. M. Fifield stated that he would like to see the applicant return to the ARC with the guard rail, rack and screening and condenser placement. Mr. Keck asked if the screen was for visual. Mr. Fifield stated that he was unsure as they had not seen a firm proposal.

Motion:

Mr. Fifield made the motion for approval by the Commission based on Staff and AC recommendation with final placement of condenser units, guardrails and screen design to be reviewed and approved by the Architecture Committee. Ms. DiMaggio seconded the motion and the motion passed unanimously.

540 N Rampart St: 20-25022-VCGEN; Joey Carlson, applicant; Vincent J Jr Marcello, owner; Proposal to install new rooftop HVAC equipment, per application & materials received 03/04/2020 & 05/12/2020. <https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=839037>

See 538 N Rampart

340 Chartres St: 20-26023-VCGEN; Werling Kurt, applicant; Mercier Realty & Inv Co, owner; Proposal to demolish infill structure, in conjunction with staff recommended proposal to lower building rating from “yellow” to “brown,” per application & materials received 04/21/2020. **[Will require 30-day layover period and additional review]**

<https://onestopapp.nola.gov/Redirect.aspx?SearchString=20-26023-VCGEN>

Public Comment:

Nikki Szalwinski, FQ Citizens

This property has been owned by Mercier family since 1870 and Mercier Realty since 1905. Sanborn maps show a 4 story building in that configuration since 1876. This same owner has allowed this structure to sit vacant all these years without maintenance or renovation so that now it isn't compliant with current code. This situation is to an extent of the owners' own making. While we are sympathetic to their issues we oppose waiving the requirement for a redevelopment plan. Since this demolition request is not in its first round the owners have had ample opportunity to develop one. Since a development plan is part of getting a demolition permit all requests should be treated the same and this one should not get special treatment. Further we would like to see some of the historic components being saved and reused as part of the plan. The idea that the VCC staff supports its demo without a plan and is agreeing to lowering the color rating when the applicant has owned this building this long is disturbing.

Erin Holmes, VCPORA

Per the VCC guidelines, *the VCC requires the submission of redevelopment plans concurrently with the demolition application and requires conceptual approval of the proposed redevelopment project prior to the issuance of a demolition permit.* In 2016, the VCC deferred a similar request for demolition and requested that applicants return with a redevelopment proposal of the entire parcel. Have they ever explored redevelopment plans?

This opportunity still exists, particularly as this parcel has remained underutilized for decades. Surface parking lots detract from the historic context of the Vieux Carre and pose security threats for both residents, employees, and visitors. Despite that a new building could not be constructed in the small footprint of the existing structure, the full property is a significant corner lot and should be prioritized for appropriate infill.

Motion:

Ms. Gasperecz asked the applicant if any efforts had been made towards a redevelopment plan for the site. Mr. Werling stated that it had been explored several times over the last six years, but there had been no interest in a lease to build on the site. He stated that the owners did not wish to sell the property, which he said had been vacant since at least the 1960s, possibly since the fire that destroyed the corner building. Mr. Block added that staff had recommended the Commission waive the Design Guidelines requirement for future development plans in conjunction with the demolition, but a future building could be constructed at the corner of the site. Mr. Werling stated that no one approached had been interested in pursuing this, as it was found cost prohibitive and the owner is not willing to sell the

property. Ms. Lawrence stated that she was heartened by the owner's willingness to allow for construction on the site and that it could always be proposed at some point in future. Mr. Villarreal stated that property owners have a responsibility to maintain their buildings but are not required to sell. Mr. Block stated that the issue at hand was that this building is a remnant that is potentially causing damage to surrounding buildings, has been judged to be in danger of collapse, does not contribute to the district, and is not developable due to egress and other code compliance issues. He reiterated that the condition of the building is regrettable, but that staff is in support of the demolition.

Mr. Fifield made the motion to begin the 30 day layover period, during which time the applicant would provide the following materials for staff and Architecture Committee review prior to Commission action: demolition plans, updated engineers report, a current survey of the property, details of fencing for the entire site, and confirmation that the demolition will not compromise adjacent structures. This motion adopts the staff recommendation that the Guideline requirement redevelopment plans be waived. Ms. Lawrence seconded the motion and the motion passed unanimously. After the motion passed, Ms. Vogt asked if Mr. Fifield had intentionally excluded the downgrade of the building rating from the motion. Mr. Fifield responded that he had, and clarified that downgrading the building was not included.

APPEALS AND VIOLATIONS

311 N. Peters; 308 Decatur St: 19-15606-VCGEN; C Williams John, applicant; Soconomo LLC, owner; Appeal of Architecture Committee denial of proposal to retain storefront windows and display platforms installed without benefit of VCC review or approval, per application & materials received 05/14/19. **[Notice of Violation sent 01/24/19]**

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=805850>

Public Comment:

Nikki Szalwinski, FQ Citizens

The 2015 renovation was carried out by the same architect representing the application today who is well-schooled in the VCC and S&P process. The fact that a permit was issued for interior work and they added this configuration only 2 weeks after VCC approval without the architect being aware seems odd since he does know the process and should have informed his clients of the proper protocol. While there was reference made to conferencing with the former director, Mr. Hesdorffer [sic] is not here to clarify so it seems more appropriate to follow the written documentation on file. Given that numerous buildings have this same type of door type allowing this unapproved configuration to stand sets a terrible precedent. Further the doors open over the sidewalk encroaching on the public right of way which is atypical and should require approval from the Department of Public Works as well as an air rights lease. FQC opposes this retention and encourages the applicant to instead restore the openings to the original configuration and require future tenants and owners to work within this design to suit future commerce within.

Commission Discussion:

Mr. Williams stated that the owners did have an air rights lease and that they were unsure as to what they needed or wanted regarding the doors. He went on to say that they were asking to leave the doors shut and come back later when they had a tenant. Ms. Gasperecz asked the applicant if this meant they would suspend all work and come back later. Mr. Williams stated yes. Mr. Block stated that in that case a deferral would be in order. Mr. Villarreal asked if the matter would come back before the full Commission. Mr. Block stated that it would first go to ARC then full Commission. Ms. Lawrence stated that she would like to encourage the owner not to modify the building for a tenant but to find a tenant for the building.

Motion:

Ms. DiMaggio made the motion to defer the appeal to retain the storefront windows and display platforms installed without benefit of VCC review or approval [while the space is unoccupied, with the condition that the folding doors be kept closed at all times.] Mr. Bergeron seconded the motion and the motion passed unanimously.

Mr. Fifield moved to **ratify** the Architectural Committee and Staff actions since the Wednesday, December 4, 2019 meeting. Ms. DiMaggio seconded the motion, which passed unanimously.

With no other business to discuss, Mr. Fifield moved to adjourn the meeting. Ms. Lawrence seconded the motion, which passed unanimously. The meeting was adjourned at approximately 3:22 pm.