

VIEUX CARRE COMMISSION

LaToya Cantrell  
MAYOR

CITY OF NEW ORLEANS

Bryan Block  
DIRECTOR

Notice of Public Meeting

WEDNESDAY, APRIL 21<sup>ST</sup>, 2021

1:00 PM, **Zoom Conference Call**

(312) 626-6799, Meeting ID: 951 3227 8545, Passcode: 063151

<https://zoom.us/j/95132278545?pwd=b2ZyWnpQeklWQUFva0l3aGlwQzdxUT09>

Minutes of the Vieux Carré Commission meeting of Wednesday, April 21<sup>st</sup>, 2021– 1:00 pm.

**COMMISSIONERS PRESENT:** Mamie Gasperecz, Chairperson  
Rick Fifield  
Toni DiMaggio  
Stephen Bergeron  
William Reeves  
Keely Thibodeaux  
Rodney Villarreal  
Angela King [arrived during review of 808 Royal]

**COMMISSIONERS ABSENT:** None

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

**STAFF ABSENT:** Anthony Whitfield, Inspector; Marguerite Roberts, Inspector

**OTHERS PRESENT:** Julia Scheuermann, John Williams, Elizabeth Mire, Calla Bardwell, Mark Hash,  
Hank Smith, William Goliwas, Ryan Thiele, Brook Tesler, Erin Holmes, Nikki  
Szalwinski

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**ROLL CALL** Mr. Block called roll. Ms. Gasperecz, Mr. Fifield, Ms. DiMaggio, Mr. Bergeron, Dr. Reeves, Ms. Thibodeaux, and Mr. Villarreal were present. [Ms. King arrived during the presentation of 808 Royal]

**REVIEW OF MINUTES** Ms. Gasperecz stated that staff requested deferral of the minutes and ratification due to increased workload; these items will be submitted for review prior to the May meeting.

**CHAIRPERSON'S REPORT** Ms. Gasperecz noted the increased size of recent meeting agendas and took the opportunity to thank the Architectural Committee and VCC staff.

**DIRECTOR'S REPORT** Mr. Block announced that the VCC staff had moved back into City Hall following vaccination. He stated that meetings with staff would still be by appointment only for the immediate future.

**Mr. Block explained the format for today's meeting. He stated that each plans examiner would read their respective reports and the floor would be opened for public comment prior to motions by the Commission. Any public comment received by email would be read into the record.**

**I. OLD BUSINESS**

**808 Royal St: 16-02803-VCGEN;** C Williams John, applicant; N I C E Investments LLC, owner;

Proposal to construct new four-story building on site of previously collapsed three-story building, per application & materials received 06/09/15 & 03/30/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=573243>

Mr. Albrecht read the staff report with Mr. Lara present on behalf of the application. Mr. Lara stated that they had addressed a few of the items brought up at last weeks ARC meeting ie. the stairs, the extra roof hatch and the entrance to the stairs. Ms. Gasperecz asked why the windows were detailed as metal

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instead of wood. Mr. Lara explained that the owner had another building in the French Quarter and the maintenance on the wood widows was expensive and time consuming. Ms. Gasperecz asked what type of metal would be used. Mr. Lara stated that he would have to look back at the drawings, but the project would go back to the ARC so they could discuss that there. Ms. Gasperecz asked if the curb cut was for parking. Mr. Lara stated yes, for the garage access. Ms. Gasperecz asked if there were any other questions. Mr. Block stated that there was some concern regarding the IZD. He went on to say that the application was put in prior to the IZD taking effect. Ms. Quigley stated that the applicant was working off a permit that was filed prior to the IZD taking effect and that there was no legal reason why the previous permit would not be valid. Ms. Thibodeaux asked if the Commission could get that in writing. She went on to say that Ms. Quigley did not seem very sure of her answer. In response Ms. Quigley stated that she was just stating the law, not a legal opinion. Ms. Thibodeaux stated that Ms. Quigley's response the second time sounded more affirmative. With nothing left to discuss the Commission moved on to the next agenda item.

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## II. NEW BUSINESS

**500 St Peter St: 21-04902-VCGEN**; Blake Kidder, applicant; The City Of New Orleans, owner; For Recommendation Only: Conceptual review of proposal to renovate courtyards, including restoration of exterior balconies and alteration of non-historic windows and wall materials, per application & materials received 02/23/2021 & 03/29/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=873778>

Ms. Vogt read the staff report. There was no one present on behalf of the application. Mr. Fifield stated that the applicant had worked very closely with staff and the ARC to make this proposal adhere to high preservation standards and the ARC was forwarding a positive recommendation. Ms. Gasperecz asked what the use was; Ms. Vogt responded that it would remain commercial on the first floor with apartments on the floors above. With nothing left to discuss, the Commission moved on to the next agenda item.

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**615 Toulouse St: 21-06765-VCGEN**; C Williams John, applicant; 615 Toulouse Owner LLC, owner; Proposal to install new rear door and install mechanical equipment, in conjunction with renovation, per application & materials received 03/09/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=875672>

Ms. Vogt read the staff report with Ms. Mire present on behalf of the application. Ms. Mire stated that the rear exit was required by the fire marshal for life safety. She also explained that the existing downspout and mechanical equipment would remain, but the planter would be altered. She added that the door would only be used during emergencies. With no further discussion needed, the Commission moved on to the next agenda item.

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**813 Barracks St: 21-06790-VCGEN**; C Williams John, applicant; Richard M Wilkinson, owner; Proposal to add new window to rear elevation, per application & materials received 03/09/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=875698>

Ms. Vogt read the staff report with Ms. Bardwell present on behalf of the application. Ms. Bardwell stated that they would gladly move the window to be centered on the bay unless exploratory demolition indicates something different. Ms. Gasperecz asked if the shutters would overlap; Ms. Vogt stated that staff had the same concern and the drawings presented to the Commission did not reflect changes requested during Committee review. She explained that the shutters would not overlap once the window location was revised. With nothing left to discuss, the Commission moved on to the next agenda item.

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**1 Canal St: 21-08971-VCGEN**; Architects Edr, applicant; Aquarium Of The Americas, owner; For Recommendation Only: Conceptual review of proposal to construct new main entrance lobby and modify curtain wall, per application & materials received 03/30/2021 & 04/06/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=878908>

Ms. Vogt read the staff report with Mr. Hash present on behalf of the application. Ms. Gasperecz asked the Commission if they had any comments or questions; hearing none, she spoke favorably of the decision

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to move the insectarium to the aquarium. With no discussion needed, the Commission moved on to the next item on the agenda.

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**931 St Louis St: 21-09414-VCGEN**; Michael Reid, applicant; William Anderson Mudd, owner;  
Proposal to construct new 9' by 11' gazebo in rear yard, per application & materials received 04/05/2021.  
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=879546>

Mr. Albrecht read the staff report with Mr. Reid present on behalf of the application. Mr. Reid gave the same presentation from the ARC meeting on April 13, 2021. Mr. Gasperecz asked the Commission if they had any comments or questions. Ms. King asked if they were reviewing the pool and the gazebo. Mr. Reid responded "just gazebo." Ms. King asked if the brick was existing. Mr. Reid responded no, but it would match the existing in the driveway. Ms. King asked if it was a permeable surface. Mr. Reid explained that it would be on a bed of sand. With nothing left to discuss, the Commission moved on to the next agenda item.

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### III. CHANGE OF USE HEARINGS

**327 Exchange Pl: 21-07644-VCGEN**; Maple Ridge Architects, applicant; Chartres Properties LLC, owner;  
Proposal to install new mechanical equipment, including hood vent, in conjunction with a **change of use** from *vacant* to *restaurant*, per application & materials received 03/24/2021.  
<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=877561>

Ms. Vogt read the staff report with Mr. Smith present on behalf of the application. Mr. Smith stated that they accepted the staff report and were ready to move forward. Ms. Gasperecz asked if there were any comments or questions from the Commissioners. Ms. Gasperecz then asked if there was a tenant already signed up for the space. Mr. Smith stated that the owner would be the tenant. Ms. Gasperecz then asked what was currently on the second floor. Mr. Smith stated that it had been apartment. With nothing left to discuss the Commissioners moved on to the next agenda item.

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### IV. APPEALS AND VIOLATIONS

**928 St Ann St: 19-07502-VCGEN**; William Goliwas, applicant; Aura LLC, owner; Appeal to retain HVAC equipment and plumbing installed in deviation from permitted materials, per application received 05/29/2019 & permit issued 09/05/2019. **[STOP WORK ORDER posted 02/25/2021]**

Ms. Vogt read the staff report with Mr. Goliwas present on behalf of the application. Mr. Goliwas stated that they would be happy to work with staff on options and that they were aware they need to lower the units and relocate to a rack at grade. He hoped they could retain the PVC, offering to paint it so it does not deteriorate. Ms. King asked if the plan was to pull the units off the wall and reinstall in the same location; Mr. Goliwas responded yes, per the approved plans. Ms. King asked if the desire was for the PVC pipe to remain behind the units after they were reinstalled; Mr. Goliwas responded yes. Ms. King asked if the pipe was for drainage, and if it was shown on the plans; Mr. Goliwas responded that it was a subterranean conduit for condenser lines running from the service ell. For clarification, Ms. King asked if the PVC was approved. There was no response.

Ms. DiMaggio stated that if the applicant was willing to complete the HVAC per the permitted materials and work with staff on the final screening plan, she could accept a pipe in this location as long as the material changed. Mr. Block suggested final approval of the pipe material to be handled at staff level. Ms. Bourgogne asked if anyone else was concerned about the integrity of the wall, considering the through-bolts. Ms. Gasperecz stated that she was, and that she would like a structural engineer to inspect the conditions prior to permit. With nothing else to discuss, the Commission moved on to the next agenda item.

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**914-916 St Ann St: 21-09419-VCGEN**; Ryan Thiele, applicant; Hai P Cao, Bryan P Nelson, Bryan P Nelson, owner; Appeal to install synthetic slate roof system begun without benefit of VCC review and approval, per application & materials received 04/05/2021. **[STOP WORK ORDER posted 04/05/2021]**

Ms. Vogt read the staff report with Mr. Thiele present on behalf of the application. Mr. Thiele stated that

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it was never their intention to start work without a permit and that initially he thought that the owner had obtained the permit. He went on to say that in the meantime he ordered the EcoStar system, which he thought was allowable. Mr. Thiele then stated that it sounded like staff was concerned that the system might curl and fail, but that they did not know for sure that it would. As for the SWO posted on 4/22/2021, Mr. Thiele stated that water was pouring into the building and that they were not installing shingles on the entire roof, just around the chimneys to abate the water intrusion. Ms. Gasperecz told Mr. Thiele that the dialogue should start with staff and that permission was always needed. Ms. Bourgoigne asked the applicant why he did not just call VCC staff. Mr. Thiele stated that again he made a “bad move.” Ms. Bourgoigne then asked, “so if we didn’t stop you yesterday, you would have just kept on going?” Mr. Thiele stated that he was “just trying to stop the problem,” and that he found EcoStar to be a superior product. Ms. Gasperecz instructed the applicant that he could not just continue with work in bad faith and that a stop work order would make everything take twice as long. Mr. Bergeron asked the applicant what the material was before. Mr. Thiele responded that he was unsure, but the material was “very brittle.” Ms. Bourgoigne stated Fire Free. Ms. Vogt stated that the permit record was confusing, and she was not entirely sure what work was actually done, but the last approved material was Fire Free.

Ms. Gasperecz asked if there were any other comments or questions. Mr. Bergeron asked staff if they had any experience with this product. Ms. Vogt stated that it had been approved on yellow or lower rated buildings but that there had not been a survey conducted specifically for different brands of synthetic shingles, but that they failed in a visibly obvious way. Ms. DiMaggio noted that Mr. Thiele had mentioned that they had considered a slate roof before selecting EcoStar and asked if EcoStar was cheaper, i.e.. what were the pros and cons of each material? Mr. Thiele stated that the system cost about \$20,000. Ms. DiMaggio asked the applicant if this product cost more than slate, why choose this one. Mr. Thiele stated that the cost was about the same but that the copper and labor required for slate made it more expensive. Ms. Gasperecz asked, “so it came down to price?” Mr. Thiele responded no that he had used this product before on other historic buildings, so he thought it was a good product and approvable in the Quarter. Ms. Gasperecz stated that staff was always available to answer questions. Mr. Thiele asked if the Commission would be willing to test EcoStar, stating that it had been researched and did not curl. Ms. Gasperecz stated that it was not allowed for a building of this significance, and Ms. Bourgoigne noted that it would set an unfortunate precedent. Mr. Block stated that, while staff was always looking for more sustainable products, it would not be appropriate in this case. With nothing left to discuss, the Commission moved on to the next agenda item.

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**415 Burgundy St: 21-10762-VCGEN;** Michael Winters, Jr, applicant; 415 Burgundy LLC, owner;

Appeal of Architecture Committee denial to omit stucco from reconstructed masonry wall at the rear of the property, per application & materials received 12/01/2020 & 02/25/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=866091>

Mr. Albrecht read the staff report with Mr. Winters present on behalf of the application. Mr. Winters stated that they just wanted to save money and that adding the stucco would be an extra 4-5,000 dollars. Ms. Gasperecz asked if there were any questions. Mr. Winters stated that the wall would not be anchored in to either of the side walls. With nothing left to discuss, the Commission went to a 30-minute recess for public comment. The time was approximately 2:11 PM.

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## I. OLD BUSINESS

**808 Royal St: 16-02803-VCGEN;** C Williams John, applicant; N I C E Investments LLC, owner;

Proposal to construct new four-story building on site of previously collapsed three-story building, per application & materials received 06/09/15 & 03/30/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=573243>

### Public Comment:

Although there have been multiple design changes to the proposed structure known as the Hemb Residence at 808-810 Royal, it still has multiple faults that do not make it architecturally similar to either the other buildings on the block or within the Lower French Quarter itself. Most notable are the overall height (building and extensions above the parapet wall), the flat surface on the fourth floor, the curb cut where there never was one and the fact that they are wanting to use a roll up door of which is there not a single example in a residence within the Lower French Quarter as they are truly historically out of time

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context.

The proposed structure height is 48' 10" (see Drawing A 301, A302 and A 303). This excludes the 21" of railing that are proposed on the upper mechanical deck AND excludes the 44" of additional height ABOVE the railing of the mechanical devices that will be installed on the roof. Consequently, the total building height will be 55' 1". Although A300 shows that there are other buildings approximately that high in the area, that is a fabrication as it relates to Royal. That height is for a commercial building (hotel) that fronts on St. Ann. This side (river) of Royal is all residences and none are close to the proposed height of 808 Royal. Additionally, the building that it is replacing was only a three story building that had a gabled upper floor. I am not sure how a flat faced fourth floor with clerestory windows AND a parapet wall can begin to get by the Architectural Committee when the entire premise is to keep the buildings in the Quarter historically accurate. No one is allowed to change a balcony to a gallery extension unless there are old pictures to prove the historical authenticity of the gallery. The same proof should be required of a new build that is proposing to be a taller building with more floors and no gabbling, sloping, or dormers as the original building was built with. The entirety of the upper portion monstrosity is to hide the fact that the owners are desirous of a pool on the roof. If that is their desire then it should fit in three floors with dramatically less total building height or the building should be built outside the French Quarter.

I would wager that there was never a curb cut at 808 Royal either. The building that fell down was constructed right along the sidewalk with no set backs and furthermore no place to park either a carriage (1800s) or car (2000s). To allow a 15' curb cut (Drawing A100) to be made so that the owners can park a car inside the building is just not historically correct. Regardless of their desire, and the roll up door (A111) that would be the only one of its kind in a residence in the French Quarter, to park a car in the residence the two architectural requests that are necessary to accommodate such an out of street character design is mind boggling.

The proposed building is being built for the betterment of the owners and not for the continued historical accuracy of Royal Street and the French Quarter. The owners are asking for many variations from the norm, and once granted then precedence could be used against the Vieux Carre Commission and potentially ruin the future architectural fabric of the Quarter which has been held so dear by so many for so long. I enjoy being a multiple building owner in the Quarter and wish to see it continue to be a world class architectural destination that is universally enjoyed by so many. It does not need to have the needs of one building owner lay the future foundation for a more permanent break from history. Please do not approve the plans for the Hemb House as they are too out of character for Our Quarter.

Best Regards,

Pescador Partners, Ltd.  
830 Royal Owner  
630 St. Ann Owner  
Harvey H. Mueller, II  
General Partner

After 808 Royal partially collapsed it was fully demolished in 2015. The new construction application filed in June 2015 and subsequently permitted expired due to inactivity according to One Stop as of this moment. According to CZO article 25.3.D

#### DESTRUCTION OF STRUCTURES CONTAINING A NONCONFORMING USE

1. Structures containing a legally nonconforming use that are in whole or in part destroyed by force majeure or acts of public enemy may be restored and the use continued, provided that the restoration is accomplished with no increase in cubical content, no increase in floor area, no increase in the number of dwelling units over the building existing immediately prior to damage, and no intensification of the non-conforming use.
2. Application for a restoration permit shall be made within one (1) year of the destruction. Restoration shall be completed within one (1) year from the date of the issuance of the restoration permit unless an extension is approved by the Board of Zoning Adjustments. Requests for extensions shall be submitted to the Board of Zoning Adjustments prior to the expiration date on the building permit. The applicant must be able to demonstrate that unforeseen circumstances beyond their control caused the inability to complete restoration within the one (1) year. In no event shall the Board of Zoning Adjustments extension be greater than one (1) year.

Since the initial permit expired and it is now 6 years since it was filed this lot has lost its non-conforming status and should now have to comply with all open space requirements, setbacks and height restrictions.

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The density is so much greater than anything in the immediate area and this iteration with modern components will not only overpower the historic structures adjacent. Additionally the attaching this modern structure to historic buildings adds concern as to its impact.

Please deny this conceptual approval and require a proposal that complies with the current CZO articles and requirements.

Nikki Szalwinski  
FQ Citizens

**Discussion and Motion:**

Ms. DiMaggio stated that at the ARC they were only considering the previous changes for conceptual approval which allowed for more review. She went on to ask how closely they would be held to the proposed massing for conceptual approval, would they be able to develop the massing after conceptual approval? Mr. Block stated that the concept is what would be approved and that the Commission could conceptually approve with the proposal to return to the ARC. For clarification Ms. DiMaggio asked if the size and height could be adjusted at ARC. Mr. Block responded yes. He went on to say that with regards to the CZO, the proposal was sent to the zoning administration and they gave VCC staff a letter saying the proposal could proceed from lot line to lot line. He then directed any further questions regarding this matter to be proposed to the zoning administration and advised that any decision here could be appealed. Mr. Villarreal asked if this matter would eventually return to the full Commission for review. Mr. Block responded that that was up to the Commission, they could vote for approval, conceptual approval or return it to the ARC. Mr. Villarreal stated that there seemed to be a lot of unresolved issues and that he was hesitant to vote without more details. Mr. Reeves stated that the building was simply too tall. Mr. Villarreal stated that the previous building was only 3 stories. Mr. Bergeron asked if zoning allowed this height, did the VCC have any right to comment. Mr. Block stated that you could build to 50' by right and the VCC would not comment.

Dr. Reeves made the motion to defer in order for the applicant to return to the ARC for massing and other details. Mr. Villarreal seconded the motion. All voted yes with exception of Ms. DiMaggio, who voted in opposition of the motion.

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**II. NEW BUSINESS**

**500 St Peter St: 21-04902-VCGEN;** Blake Kidder, applicant; The City Of New Orleans, owner; For Recommendation Only: Conceptual review of proposal to renovate courtyards, including restoration of exterior balconies and alteration of non-historic windows and wall materials, per application & materials received 02/23/2021 & 03/29/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=873778>

**No Public Comment**

**Discussion and Motion:**

Ms. Vogt noted that Ms. Scheuermann had joined the call and could answer any questions they had for the applicant. Ms. Gasperecz asked Ms. Scheuermann if she had anything to add. Ms. Scheuermann asked if they were bound to use wood siding if that was the Commission's decision; Mr. Block stated that it was only a recommendation, since the property is City owned. Ms. Scheuermann noted that the BBSA gave them approval to install custom windows with impact film instead of requiring impact rated windows. Dr. Reeves noted that the City should be commended for undertaking this scope of work for one of the most significant buildings in the Quarter.

Mr. Fifield moved to **recommend approval** of the courtyard renovation. Ms. King seconded the motion, which passed unanimously.

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**615 Toulouse St: 21-06765-VCGEN;** C Williams John, applicant; 615 Toulouse Owner LLC, owner; Proposal to install new rear door and install mechanical equipment, in conjunction with renovation, per application & materials received 03/09/2021.

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<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=875672>

**Public Comment:**

**Beth Rosen Murov**

Our family owns the property next-door, where the new exit will be. We are completely on board with the concept and happy to accommodate our new neighbors. We would prefer a flat door rather than a panel door so that it would be less obtrusive.

**Nikki Szalwinski**

**FQ Citizens**

We do not believe that this building's configuration should be altered to fit a use particularly when the affected properties are under different ownership. It is unclear as to whether legal agreements are even in place either. While we sympathize with the proprietor we also wonder if all alternatives have been explored. Perhaps a small business floor plan would aid in compliance without this alteration.

**Discussion and Motion:**

Mr. Villarreal asked what the legal procedure was for utilizing another property for egress; Ms. Quigley explained that servitudes between the property owners would be kept on file. Mr. Villarreal stated that this prospect made him uncomfortable; Ms. Bourgogne stated that this arrangement was not uncommon in the dense environment of the French Quarter. Ms. Vogt added that all paperwork regarding servitudes must be submitted to staff prior to permit, and further review of the proposed work would be required at the Committee level.

Ms. King moved to **conceptually approve** the scope of work, with the application to return to the Committee after further development. Mr. Fifield seconded the motion, which passed unanimously.

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**813 Barracks St: 21-06790-VCGEN;** C Williams John, applicant; Richard M Wilkinson, owner; Proposal to add new window to rear elevation, per application & materials received 03/09/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=875698>

**No Public Comment**

**Discussion and Motion:**

Dr. Reeves moved to **approve** the addition of a new window, per Committee recommendation and provisos for detailing and placement. Ms. DiMaggio seconded the motion, which passed unanimously.

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**1 Canal St: 21-08971-VCGEN;** Architects Edr, applicant; Aquarium Of The Americas, owner; For Recommendation Only: Conceptual review of proposal to construct new main entrance lobby and modify curtain wall, per application & materials received 03/30/2021 & 04/06/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=878908>

**No Public Comment**

**Discussion and Motion:**

Dr. Reeves moved to **recommend approval** of the proposed work. Mr. Fifield seconded the motion, which passed unanimously.

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**931 St Louis St: 21-09414-VCGEN;** Michael Reid, applicant; William Anderson Mudd, owner;

Proposal to construct new 9' by 11' gazebo in rear yard, per application & materials received 04/05/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=879546>

**Public Comment:**

There was no public comment.

**Discussion and Motion:**

Ms. King made the motion for approval of the new gazebo with details at the staff level. Mr. Fifield asked her to amend her motion to return the proposal to the Architecture Committee. Ms. King amended her motion. Mr. Fifield seconded the motion and the motion passed unanimously.

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**III. CHANGE OF USE HEARINGS**

**327 Exchange Pl: 21-07644-VCGEN**; Maple Ridge Architects, applicant; Chartres Properties LLC, owner; Proposal to install new mechanical equipment, including hood vent, in conjunction with a **change of use** from *vacant* to *restaurant*, per application & materials received 03/24/2021.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=877561>

**Public Comment:**

We are concerned about a change of use to restaurant necessitating additional mechanical equipment where there is no open space and are concerned fire egress could be an issue for a two floor restaurant. While we sympathize with the existing structure layout there are the businesses that could locate here with less need for out of compliance equipment. The building is better suited to soothing that does not require a kitchen

CZO article 21.6.T.5 states:

Any roof-mounted mechanical equipment shall be set back at least six (6) feet from any wall of the building to permit safe access to the roof and shall not be visible from the public right-of-way.

This location is at common wall on the LOT LINE. The article explicitly refers to lot lines and as such this proposal requires a variance to use this location.

Nikki Szalwinski  
FQ Citizens

**Discussion and Motion:**

Ms. Gasperecz asked the applicant if the State Fire Marshal would inspect the property and plans; Mr. Smith responded that they had already reviewed it, noting that the mechanical equipment was against a rated wall and hidden in a well. Dr. Reeves asked for clarification on which properties in the Quarter could become a restaurant; Mr. Block responded that they must comply with the CZO, which this does.

Mr. Fifield made the motion to **approve** the work and to **recommend approval** of the change of use. Ms. King seconded the motion and the motion passed unanimously.

**IV. APPEALS AND VIOLATIONS**

**928 St Ann St: 19-07502-VCGEN**; William Goliwas, applicant; Aura LLC, owner; Appeal to retain HVAC equipment and plumbing installed in deviation from permitted materials, per application received 05/29/2019 & permit issued 09/05/2019. **[STOP WORK ORDER posted 02/25/2021]**

**Public Comment:**

Please deny retention of these wall mounted units which have introduce a moisture intrusion pint into this historic and very tall building. The current location next to outward opening doors is intrusive and appears to impinge on the iteration of the doors as well. While we realize this is additional expense we remind the commission that this same applicant has also built an 11 foot tall fence only inches from its neighbor. This is just one more element effecting the future preservation of the area.

The mechanical at the rear of the property line does not comply with the CZO that requires a 5 foot setback from LOT lines and no variance was ever obtained. Given the extensive space in this courtyard the HVAC can easily be placed in compliance with CZO and design guidelines. The units on the main building could easily be placed in the driveway and screened from view of the public right of way with plantings. We also note that this property is owned by an out of state LLC and is an investment property and should be held to the same standard as resident property owners.

Please deny retention and require compliance with the design guidelines and CZO which bases mechanical equipment placement on proximity to lot lines.

Nikki Szalwinski  
FQ Citizens

**Discussion and Motion:**

Ms. DiMaggio if the applicant was no longer appealing to retain, or if the motion should still be in

response to the stated appeal; Mr. Block answered that the motion could be crafted to deny retention of the current conditions and allow the applicant to work with staff or comply with stamped plans. Ms. Gaspercz noted that she wanted an engineer to inspect the wall to make sure it is not compromised.

Ms. DiMaggio moved to **deny** retention of the HVAC units as installed, with the applicant to work with staff to comply with the approved plans; with an engineer to verify that the wall is not compromised; and repair the masonry. She also moved to **conceptually approve** retention of a pipe in the location where the PVC pipe exists, with a change in material to be worked out between staff and the applicant. Mr. Bergeron seconded the motion, which passed unanimously.

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**914-916 St Ann St: 21-09419-VCGEN**; Ryan Thiele, applicant; Hai P Cao, Bryan P Nelson, Bryan P Nelson, owner; Appeal to install synthetic slate roof system begun without benefit of VCC review and approval, per application & materials received 04/05/2021. [**STOP WORK ORDER posted 04/05/2021**]

**Public Comment:**

**Ryan Thiele, roofer/applicant**

Please understand we are in a dire situation due to water intrusion and proactive steps need to be taken to mitigate further interior damage.

There is currently \$20,000 of Ecostar product on site, of which \$8000 has already been installed.

Material supplies are in short supply due to Covid and Slate is not readily available in stock.

The Ecostar lead time was 3 months. We simply don't have the luxury to return the Ecostar product for a massive loss and then wait months till Summer for real Slate to arrive.

In good Faith I'm asking for myself as well as the Property owner if we can proceed with finishing this job and deal with the repercussions as they may be dealt.

In closing, perhaps the committee can use the Ecostar roof at 914 St. Ann as a model for future evaluation and determination of a viable alternative to the previously discontinued Fire Free.

This is a less than ideal situation but there must be a way to collectively come to a conclusion that is beneficial to all parties.

**Discussion and Motion:**

Dr. Reeves asked staff if they felt the owner was operating in good faith; Ms. Vogt stated that staff had only spoken with the roofer. Dr. Reeves asked if we were sure the owner was aware that the work was being done and was involved in the process; Mr. Thiele stated that he would have the owners get in touch. Mr. Block asked if the application was submitted before or after the SWO was posted; Ms. Bourgogne responded that it was submitted after, and Ms. Vogt added that the roofer was the applicant of record. Mr. Fifield stated that he was concerned about how long the roof would be left exposed and asked if the applicant would work on waterproofing it; Mr. Block stated that staff would work with the applicant on tarping the roof.

Mr. Villarreal moved to **deny** retention and installation of the EcoStar roof system, consistent with staff and Committee recommendations. Mr. Fifield seconded the motion, which passed unanimously.

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**415 Burgundy St: 21-10762-VCGEN**; Michael Winters, Jr, applicant; 415 Burgundy LLC, owner; Appeal of Architecture Committee denial to omit stucco from reconstructed masonry wall at the rear of the property, per application & materials received 12/01/2020 & 02/25/2021, respectively.

<https://onestopapp.nola.gov/Documents.aspx?ObjLabel=Permit&ID=866091>

**Public Comment:**

There was no public comment.

**Discussion and Motion:**

Mr. Reeves moved to accept the staff's recommendation to require the stucco application on the reconstructed masonry wall. Mr. Villareal seconded the motion and the motion passed unanimously.

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**V. RATIFICATION** of Architectural Committee and Staff actions since the Wednesday, March 17, 2021 VCC meeting.

Mr. Fifield moved to defer ratification at staff's request, to be ratified at the 05/19/2021 meeting. Mr. Villarreal seconded the motion, which passed unanimously.

Mr. Bergeron moved to defer review of the minutes until 05/19/2021 meeting at staff's request. Ms. DiMaggio seconded the motion, which passed unanimously.

Ms. King made the motion for adjournment. Mr. Bergeron seconded the motion and the motion passed unanimously. The meeting was adjourned at approximately 3:43 pm.