

Central Business District Historic District Landmarks Commission
Landmark Designation Report
1031 Canal Street



Meeting Date: July 9, 2025

Property Address: 1031 Canal Street

Owner: 1031 Canal Development LLC
3525 N Causeway Bl Ste #1040
Metairie, La 70002

Builder: None

Construction Date: None

Significance: Exemplifies or reflects the broad cultural, political, and social history of the nation, state, or community and is associated with important events in national, state, or local history.

Nominated by the Council of the City of New Orleans

Nomination Date: January 8, 2025

Maps (Figures 1 – 10)

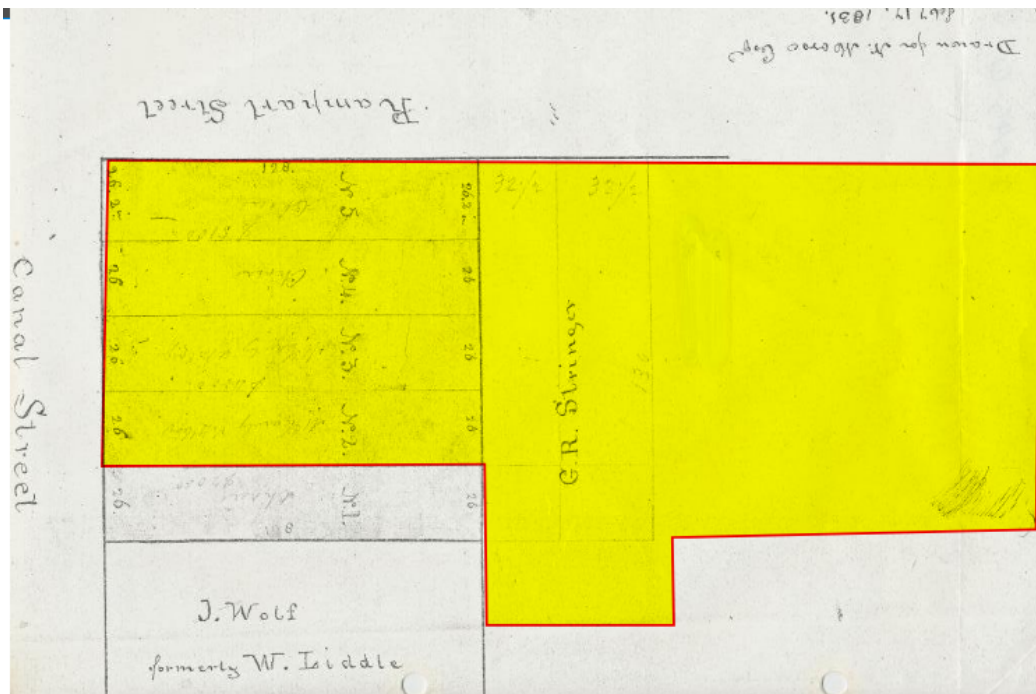


Figure 1. 1027, 1031, 1033-1035 Canal; 100-108 N. Rampart corner Canal (survey), 1831

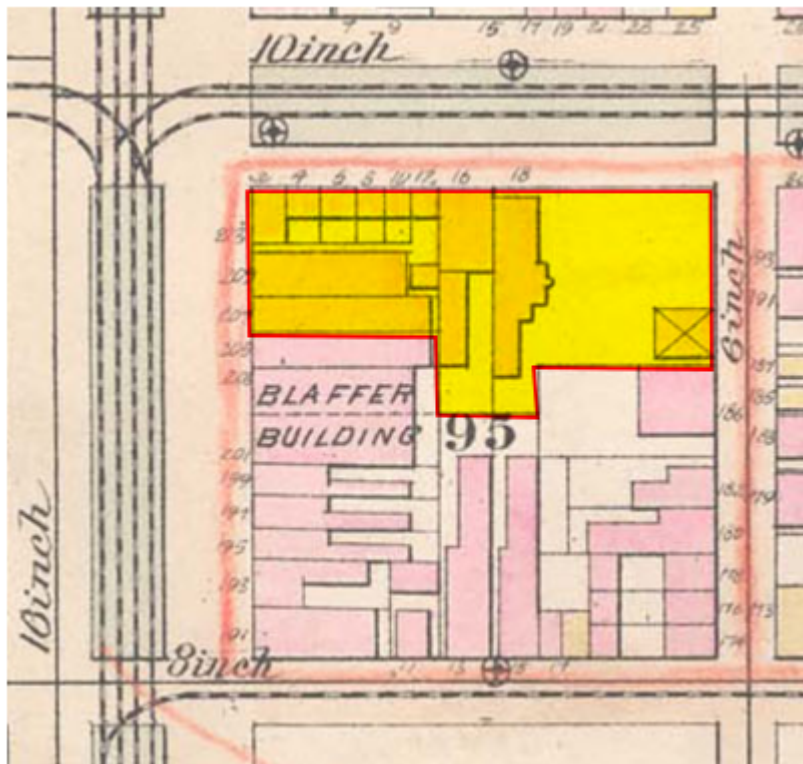


Figure 2. Robinson's Atlas of the City of New Orleans, Louisiana, 1883

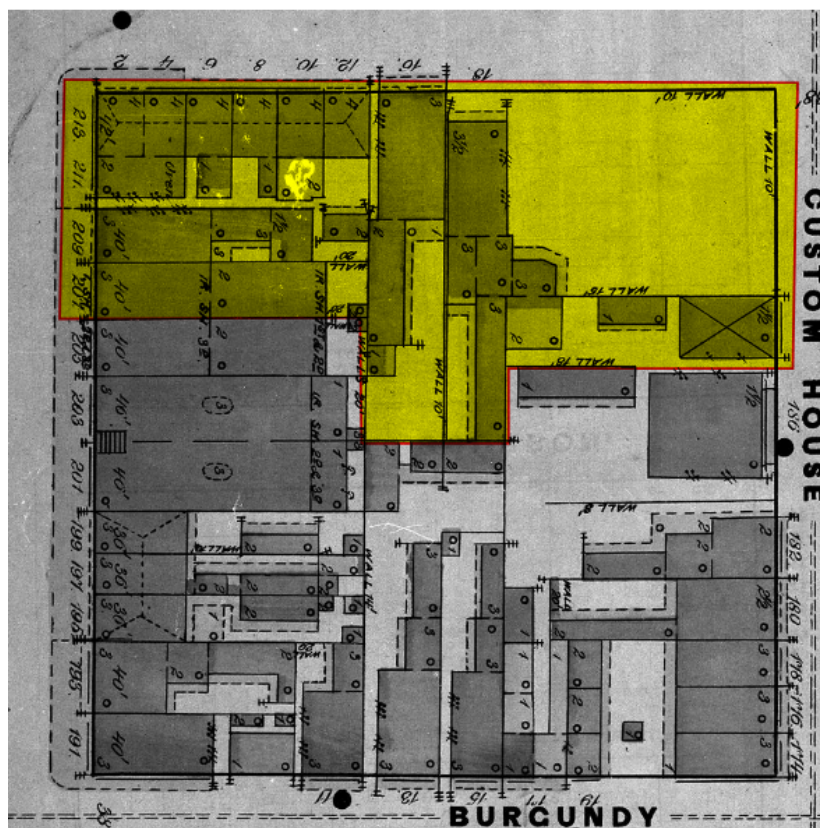


Figure 3. Sanborn Fire Insurance Map, 1876

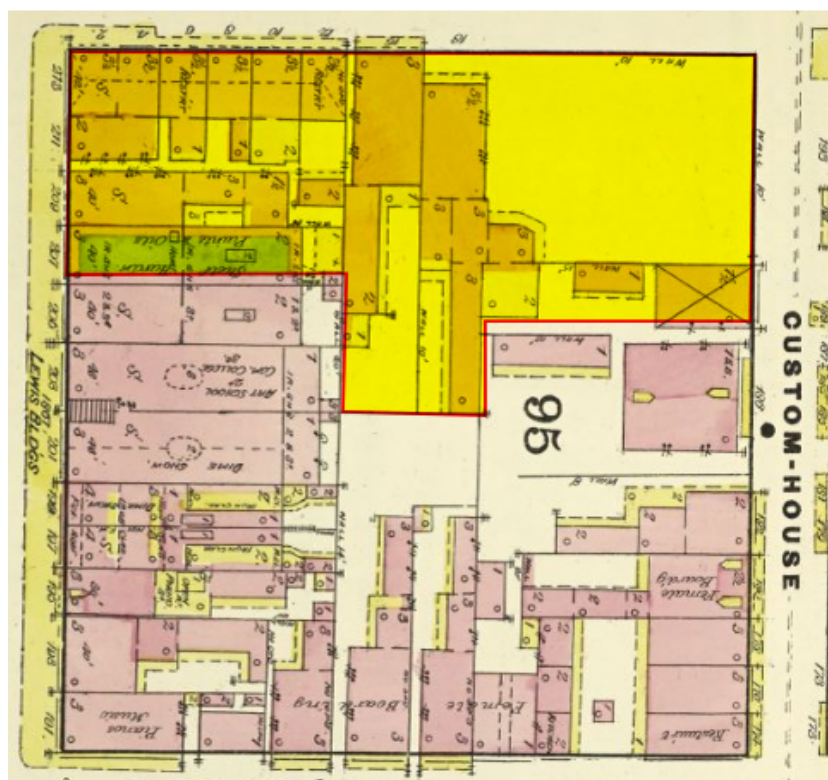


Figure 4. Sanborn Fire Insurance Map, 1885

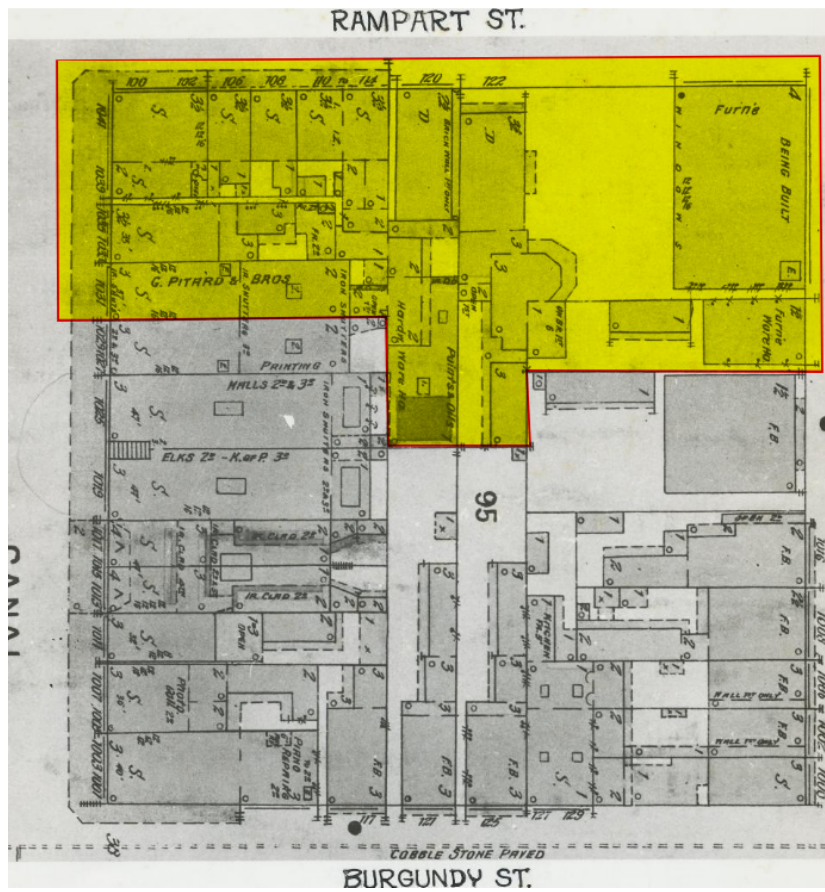


Figure 5. Sanborn Fire Insurance Map, 1896

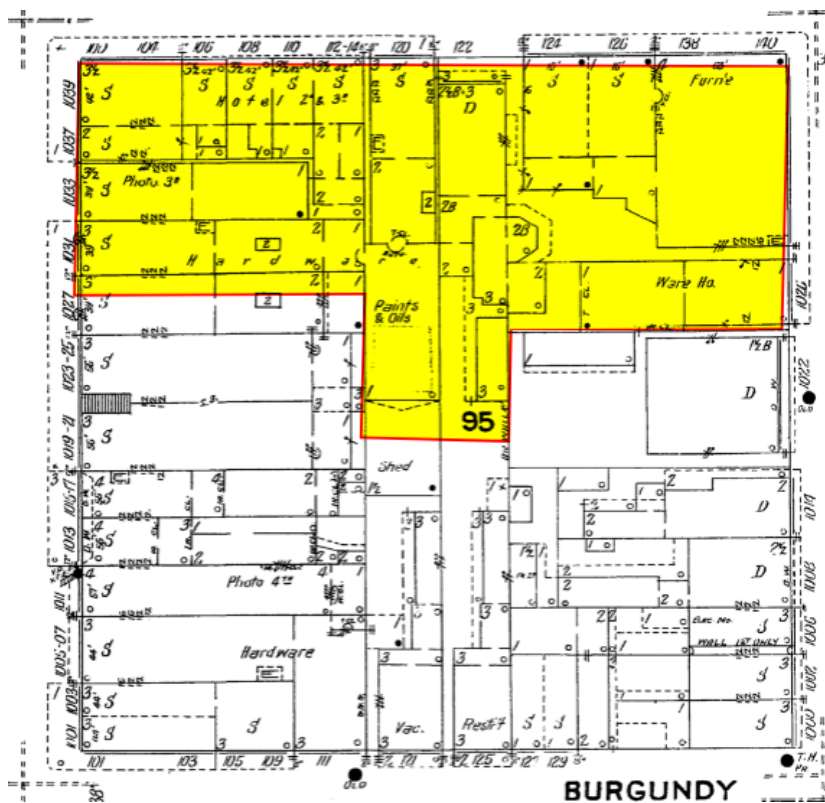


Figure 6. Sanborn Fire Insurance Map, 1908

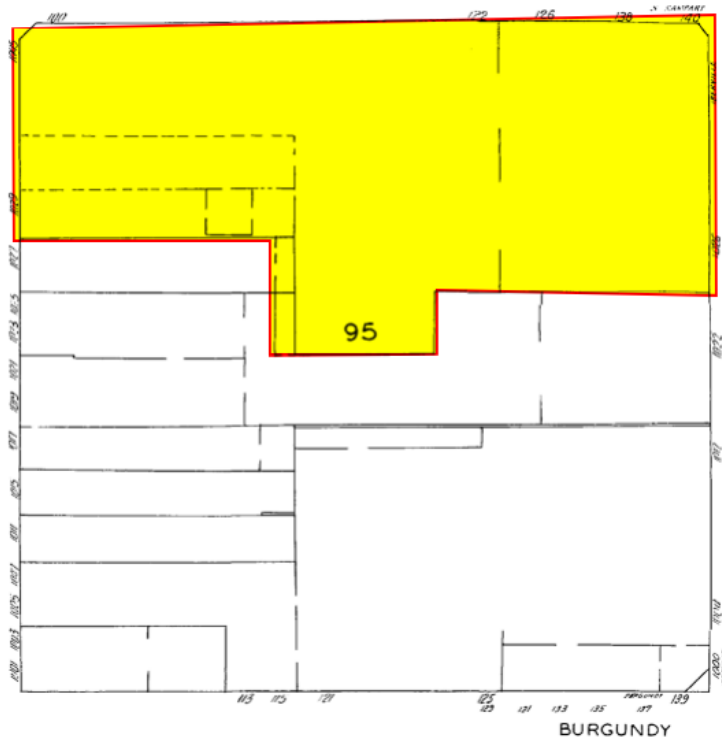


Figure 7. Sanborn Fire Insurance Map, 1940

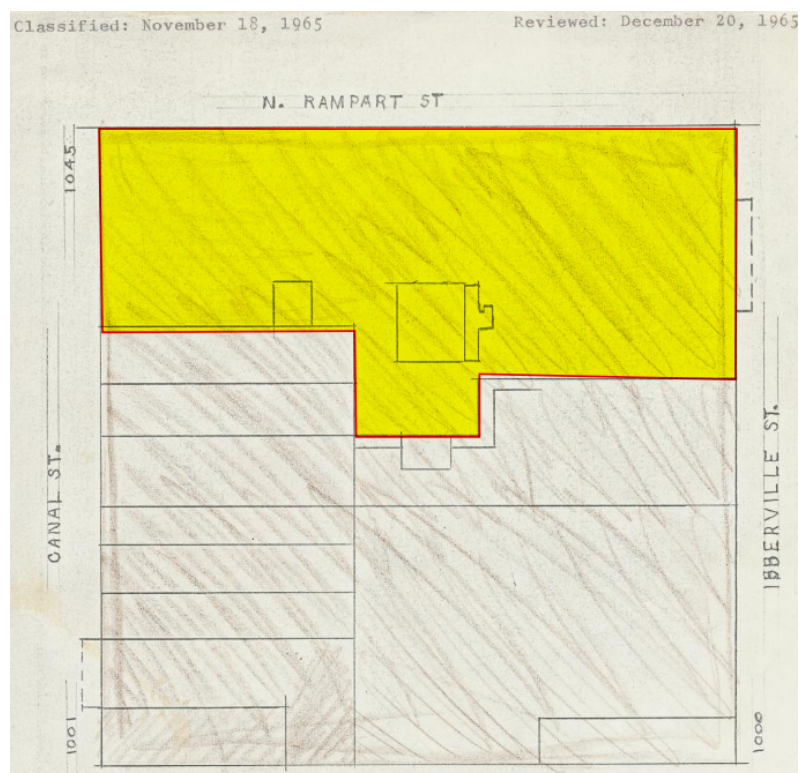
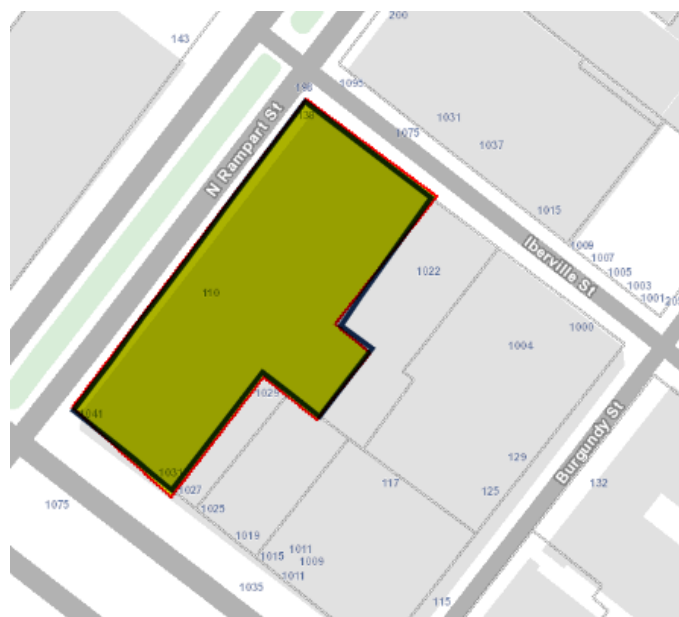
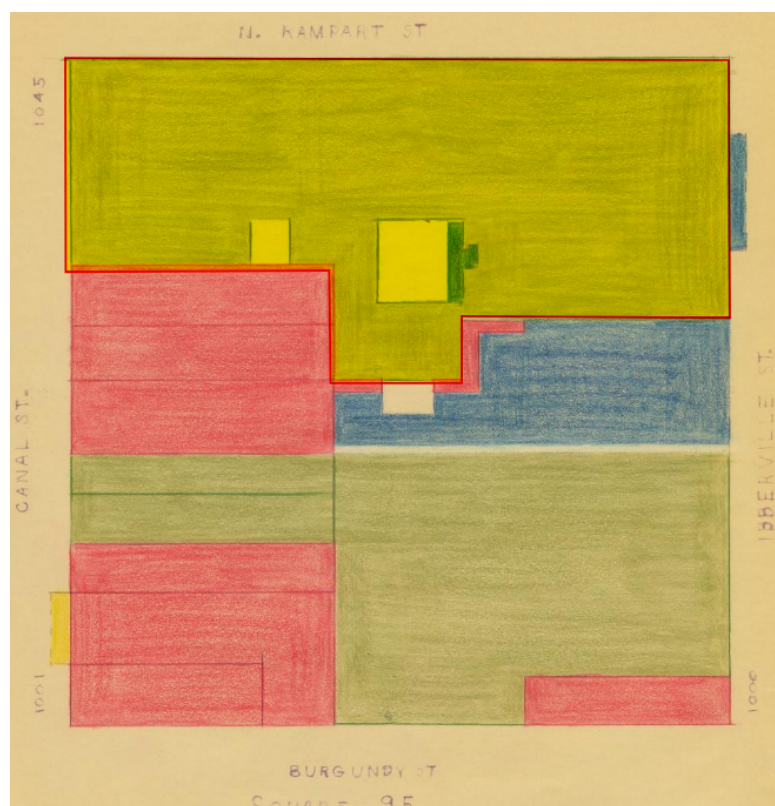


Figure 8. VCS Square 95 architectural ratings color-coded square map, 1965



Historic Building Images (Figures 11 – 18)



Figure 11. 1000 block Canal (north side), 1872



Figure 12. G. Pitard & Bro's Hardware House, 1894



Figure 13. "Down Go the Buildings at Canal and Rampart Str(eet)," 1939

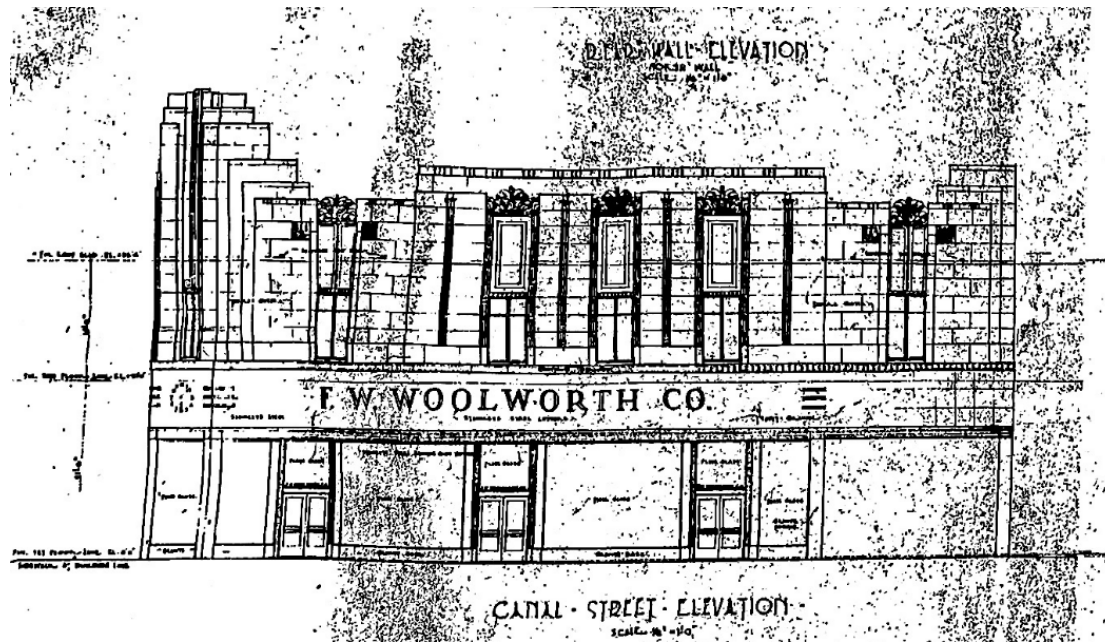


Figure 14.
F.W.
Woolworth
Canal Street
Elevation
(Poor Quality
Original),
Jones,
Roussle, and
Olschner,
1939

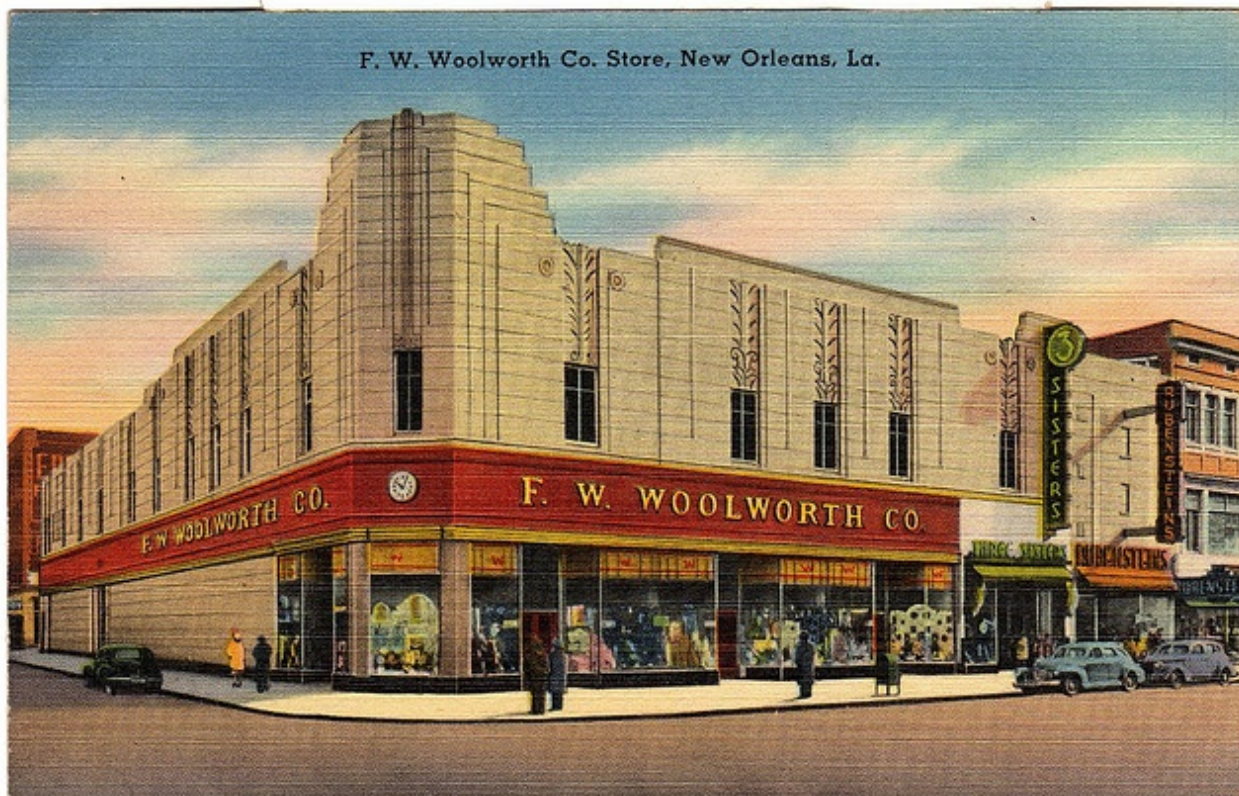


Figure 15. F.W. Woolworth Co., postcard, ca. 1940



Figure 16. F.W. Woolworth Co., ca. 1950's



Figure 17. Canal St. Looking Towards River from Rampart St., 1958



Figure 18. F.W. Woolworth Company Co., pre-1969 (the HNOC has this photo listed as ca. 1970 but the renovation which truncated the tower and encapsulated the façade occurred in 1969)



Figure 19. 100-108, 120 N. Rampart corner (1041) Canal, 2010



Figure 20. "The Old Woolworth's store building is under going (sic) demolition at Canal And S. Rampart Streets in New Orleans," 2014



Figure 21. "1031 Canal Street: Construction Has Started!" Rendering, Dec 27, 2018



Figure 22. General Inspection photo, City of New Orleans Department of Safety and Permits, May 29, 2019



Figure 23. The Hard Rock New Orleans Hotel...partially collapsed Saturday morning" Scott Threlkeld, The Times-Picayune/The New Orleans Advocate, October 13, 2019

General Information

1031 Canal Street is a vacant lot in the Vieux Carre National and Canal Street Local Historic District, located on A-1/036 of Square 95 in Municipal District 2. The lot is bound by Canal Street, Burgundy Street, Iberville Street (late Custom House Street, name changed 1911), and N. Rampart Street. The Louisiana Historic Resource Inventory #36-00011 of 2012, surveyed the 2-story ca. 1939 building, designed by the architectural firm Jones, Roussle, and Olschner, which was present at that time; that structure was demolished in 2014.¹ A multi-story new construction at this site, designed by Harry Baker Smith Architects in conjunction with Heaslip Engineering, was approved under building permit #13-43016-NEWC on July 22, 2015.² At 9:12 am on October 12, 2019, the partially constructed structure collapsed killing three construction workers, Jose Ponce Arreola, Anthony Magrette, and Quinnyon Wimberley, and injuring dozens more.

Site Timeline³

- 1816 - The first survey of this site was by J. Tanesse, referenced in the sale record dated November 18, 1816, between City Corporation and Nathan Morse
- 1836 - Building contract (#11-180) between Greenbury Ridgely Stinger and Edward W. Sewell for “a three story brick dwelling house and three story back building on Canal St. bet. Burgundy and Rampart. 25’ wide and 46’ deep.”
- 1939 – Nine buildings demolished to make way for the new F.W. Woolworth building, designed by Jones, Roussle, and Olschner
- 1948 – Three-story addition designed by Jones and Roessle constructed at the corner of N. Rampart and Iberville Streets
- 1969 – A renovation truncated the tower at the intersection of Canal and N. Rampart Streets, removed all art deco elements, and encapsulated the façade with masonry cladding
- 1997 – Woolworth’s closed
- 2003 – Application submitted for the renovation of the existing building and conceptual approval was granted by the HDLC
- 2004 - Application submitted for the demolition of the building and construction of a new building; applicant requested deferral⁴
- 2007 – Ownership changed to 1031 Canal, L.L.C. Chandra M. Kailas is listed as the registered agent and manager as per the State of Louisiana Secretary of State: Louisiana Business Filings⁵
- 2008 - The Central Business District Architectural Review Committee (CBDARC) conducted a preliminary review of the new proposed design and recommended against the proposal
- 2011 –
 - (March 3) A new design proposal applied for by Harry Baker Smith Architects⁶

¹ (Woolworth's 2012),

² (Building Permit: 1031 Canal Street 2015)

³ A timeline of ownership information is attached as Attachments #1 and #2. Attachment #1 is excerpted from the Collins C. Diboll Vieux Carre Digital Survey. Attachment #2 is excerpted from the City of New Orleans Assessor’s Office.

⁴ The Property Summary Report which was presented at that hearing is attached as Attachment #3

⁵ A timeline of full ownership information is attached as Attachments #1 and #2. Attachment #1 is excerpted from the Collins C. Diboll Vieux Carre Digital Survey. Attachment #2 is excerpted from the City of New Orleans Assessor’s Office.

⁶ The application is attached as Attachment #4

- (March 15) CBDARC reviewed the new design proposal and requested further revisions
- (April 25) CBDARC reviewed the revised design and requested further revisions
- (May 11) CBDARC reviewed the revised design and requested further revisions
- (June 1) The Central Business District Historic District Landmarks Commission (CBDHDL) voted on the demolition of the extant building and the appeal of the CBDARC's recommendations regarding the new construction. The CBDHDL failed to obtain a legal majority from the Commission, resulting in a lack of action taken on the application⁷
- (June 14) The CBDARC reviewed the revised design and requested further revisions
- (July 13) The Central Business District Historic District Landmarks Commission (CBDHDL) voted on the demolition of the extant building and the appeal of the CBDARC's recommendations regarding the new construction. The CBDHDL failed to obtain a legal majority from the Commission, resulting in a lack of action taken on the application⁸
- (July 14) Justin Schmidt, the attorney for the applicant, made an appeal to City Council regarding the CBDHDL's lack of action⁹
- (August 4) City Council, in a 5-2 vote, overruled the CBDHDL's de facto denial of the proposal and approved the demolition of the existing building which allowed for the construction of a multi-story mixed use building¹⁰
- 2013 – An application for a 17-story building designed by Harry Baker Smith Architects in conjunction with Heaslip Engineering submitted under building permit #13-43014-NEWC
- 2014 – Demolition for the existing building approved under building permit #13-42933-DEMO/#14-13048-HDL
- 2015 – New construction Permit #13-43014-NEWC issued by Zach Smith of the Department of Safety and Permits.¹¹
- 2017 –
 - (August 28) Ownership changed to 1615 E. Judge Perez, L.L.C. Chandra M. Kailas is listed as the officer as per the State of Louisiana Secretary of State: Louisiana Business Filings¹²
 - (August 28) Ownership changed to 9900 LFB, LLC, Indira Kailas is listed as the care/of address as per the State of Louisiana Secretary of State: Louisiana Business Filings¹³
 - (December 28) Ownership changed to 1031 Canal, L.L.C. Chandra M. Kailas is listed as the registered agent and manager as per the State of Louisiana Secretary of State: Louisiana Business Filings¹⁴

⁷ The Property Summary Report which was presented at that hearing is attached as Attachment #5.

Minutes from the June 1, 2011 Central Business District Commission meeting attached as Attachment #6

⁸ The Property Summary Report which was presented at that hearing is attached as Attachment #7. Minutes from the July 13, 2011 Central Business District Commission meeting attached as Attachment #8

⁹ Letter from Justin Schmidt to the Clerk of Council is attached as Attachment #9

¹⁰ Motion No. M-11-346 is attached as Attachment #10

¹¹ Building permit #13-43014-NEWC is attached as Attachment #11

¹² A timeline of ownership information is attached as Attachments #1 and #2. Attachment #1 is excerpted from the Collins C. Diboll Vieux Carre Digital Survey. Attachment #2 is excerpted from the City of New Orleans Assessor's Office.

¹³ A timeline of ownership information is attached as Attachments #1 and #2. Attachment #1 is excerpted from the Collins C. Diboll Vieux Carre Digital Survey. Attachment #2 is excerpted from the City of New Orleans Assessor's Office.

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- 2018 –Partnership between Kailas and Hard Rock was announced
- 2019 - (October 12) The partially built 18-story structure collapsed, killing three workers and injuring dozens more
- 2020 –
 - (April 8) The HDLC issued a Certificate of Appropriateness #20-23571-HDLC for demolition of the collapsed structure
 - (April 30) The Department of Safety and Permits issued permit #20-23571-DEMO for demolition of the collapsed structure
- 2025 – (January 8, 2025) The site was nominated for study as a landmark by the Central Business District Historic District Landmarks Commission.

Architectural Significance of the F.W. Woolworth Building¹⁵

The F. W. Woolworth building, located at the corner of N. Rampart and Canal Street, was constructed in 1939 according to designs by the architecture firm of Jones, Roessle & Olschner. The two-story Art Deco style building replaced a group of nine, two and three-story nineteenth century buildings. A three-story addition to Woolworth's was constructed at the corner of Rampart and Iberville Streets in 1948 as per designs by Jones and Roessle. The original drawings and historic photographs demonstrate that the Art Deco building dramatically expressed its presence on the busy city corner through the implementation of a stepped, faceted tower. Fine details including metal casement windows, vegetal patterning above the windows and smooth terra cotta clearly established the Woolworth building as a significant icon of the machine age.

Historical and Social Significance of the F.W. Woolworth Building¹⁶

On September 9, 1960, seven members of the recently formed local chapter of CORE, the Congress of Racial Equality, staged a sit-in at the all-white counter of the Woolworth's at the corner of Canal Street and N. Rampart Streets. The sit-in began at 10:30 in the morning and included five African American and two white participants. A.L. Colson, the Woolworth branch manager, ordered the area barricaded due to the large crowd of spectators that gathered. The CORE members, all students, were refused service including water. The forty uniformed policemen present did not interrupt the sit-in. Eventually, five hours after the sit-in began, all seven of the protestors were arrested and taken to jail on charges of criminal mischief that carried a maximum fine of \$500 and up to a year in jail.

The Woolworth's lunch counter sit-in marked the first protest of such type staged in New Orleans and was followed the next day by picketing by members of the National Youth Council of the NAACP: "Dime store lunch counters were targeted for integration all across the country, the sting being that black patrons were welcome to spend their money in dime stores, and frequently did, but were allowed to eat only in designated areas. In New Orleans, as elsewhere, the method of protest was the sit-in, a notch up the aggression scale from pickets and protests." (Times Picayune, 6/6/1993, A14)

A sit-in at McCrory's lunch counter located down the block from Woolworth's was staged nine days later, September 18, 1960. The five young participants were students, including Oretha Castle Haley, then twenty years old. One white Tulane graduate student named Sydney Goldfinch was arrested and charged with criminal anarchy. Approximately one month later, on October 15, 1960, a second sit-in

¹⁵ This section is from the HDLC report regarding the historical significance of the then extent structure, 2014

¹⁶ This section is from the HDLC report regarding the historical significance of the then extent structure, 2014

was held at the Woolworth's lunch counter. The second demonstration included five students, all African American students, but unlike the first attempt, was quickly dispersed. The lunch counter of Woolworth's has since become a symbol of the New Orleans Civil Rights struggle and the bravery of many young people challenging institutionalized prejudice. After two years of sit-ins, pickets and protests, over forty lunch counters in New Orleans were eventually desegregated, a remarkable achievement considering giant obstacles faced by the participants.

When it came time for the Woolworth's to finally close in 1997, several newspaper articles mentioned the store's pivotal role in New Orleans Civil Rights movement and the memories of those who participated in, as well as witnessed the protests.

Historical and Social Significance of the Collapsed Structure

The cause of the collapse has been under investigation since the incident occurred, including questions surrounding the structural design and engineering, improper construction methods, and overall inadequate safety measures on site. The Occupational Safety and Health Administration (OSHA) issued violations against 11 of the contractors on the project and found that 81 beams "did not meet basic design code."¹⁷ While the grand jury and District Attorney declined to indict anyone on criminal charges in 2023, civil legal proceedings are still underway. 135 lawsuits were filed by the families of the deceased and injured; named in the suits were "the project's developers, 1031 Canal Development, LLC and Kailas Companies, LLC, both of which are owned and run by Mohan Kailas. General contractor Citadel Builders, Harry Baker Smith Architects and Heaslip Engineering."¹⁸ Lawsuits were also filed by defendants against each other, with Citadel Builders suing 1031 Canal and 1031 Canal suing the City of New Orleans.¹⁹ As of October 17, 2024, defendants requested a trial after negotiations "came to a standstill."²⁰

The tragic event has had a lasting impact on the City; in September of 2021, District "C" Councilmember Kristin Gisleson Palmer presented an ordinance (Cal. No. 33,147) which required "independent inspections during the construction of buildings taller than 75 feet" or "for residential buildings over three floors high and commercial buildings there would be a requirement for physical observation."²¹ A sweeping overhaul of the City's Department of Safety and Permits occurred after inspectors were found to be falsifying reports not only in regards to the collapsed structure but to other sites in the City.²²

Beyond the legal and political ramifications, there was also the city-wide psychological toll caused by the fatal collapse of the structure. The city bore witness as rescuers searched for survivors and bodies and cranes dangled precariously from the ruins. The streets surrounding the structure were closed for more than a year and multiple businesses were forced to shut down.²³ The full demolition of the structure took a year and a half.²⁴ The Rampart Streetcar line was closed until May of 2024; the

¹⁷ (Simerman 2020), (Hammer 2021)

¹⁸ (Riegel, Four years ago, the Hard Rock Hotel collapsed. This week, the settlement talks begin. 2023)

¹⁹ (Riegel, Four years ago, the Hard Rock Hotel collapsed. This week, the settlement talks begin. 2023)

²⁰ (Lowrey 2024)

²¹ (Palmer, Councilmember Kristin Palmer Advances Legislation Requiring Independent Safety Inspections of Construction Sites in Response to Hard Rock Hotel Collapse 2021), (Palmer, Structural Peer Review Presentation 2021), The Ordinance (as amended) is attached as Attachment #12

²² (Sledge 2022), (Meyers 2024)

²³ (Riegel, An open wound: 5 years after Hard Rock collapse 2024)

²⁴ (Handley 2024)

sidewalks (as of December 2024) are still unusable.²⁵

All this pales, of course, in comparison to the impact felt by the families of the three men who were killed by the collapse of this building, Jose Ponce Arreola, Anthony Magrette, and Quinnyon Wimberley. The tragedy of this event cannot be overstated. As Frank Wimberly Jr, the brother of Quinnyon Wimberley, stated, “It’s an open wound.”²⁶

Building Description

1031 Canal Street is a vacant lot.

Statement of Significance and Staff Recommendation

The Central Business District Historic District Landmarks Commission evaluates the significance of a structure based on the four criteria as established by Section 84.22 of the City Code, any one of which can make a building eligible for nomination.

Landmark or landmark site means an unimproved parcel of ground (landmark site) or such parcel with improvements or such improvements without grounds (landmark), wheresoever located in the city, subject to the jurisdiction of the historic district landmarks commission, of particular historic, architectural, or cultural significance, which parcel plus its improvements, if any:

- (1) Exemplify or reflect the broad cultural, political, economic, or social history of the nation, state, or community;
- (2) Are identified with historic personages or with important events in national, state, or local history;
- (3) Embody distinguishing characteristics of an architectural type or specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
- (4) Are representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized.

While this property is located in the Canal Street full control Local Historic District and any redevelopment would need to be approved by the Central Business District Historic District Landmarks Commission, the site overwhelmingly meets the criteria for landmark designation. The staff finds that the site meets the qualifications for study as a landmark under the first and second criteria in that it exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, or community and is associated with important events in national, state, or local history. While the Woolworth’s building is now gone, for many New Orleanians, the memory of the protests which happened there are ever present. The lunch counter was, for many years, symbolic of the Civil Rights struggle, not in only in New Orleans, but all over the South, and stood as testament to the bravery of those who were willing to challenge institutionalized racism. The collapse of the Hard Rock Hotel is a more recent tragedy, and it’s hard to say what the effects on the psyche of the City will be moving forward. For now, the current empty lot stands as a silent monument to the senseless deaths of three men, Jose Ponce Arreola, Anthony Magrette, and Quinnyon Wimberley, an uncomfortable and visceral reminder of the horrors of October 12, 2019.

The staff recommends that the site be designated as a local landmark.

²⁵ (Handley 2024)

²⁶ (Riegel, An open wound: 5 years after Hard Rock collapse 2024)

Works Cited

2015. *Building Permit: 1031 Canal Street*. Building Permit, Department of Safety and Permits, City of New Orleans, New Orleans: City of New Orleans.
- Hammer, David. 2021. "Report: Steel beams near top of Hard Rock 'underdesigned'." *Times-Picayune*, October 7: 1.
- Handley, Rachel. 2024. "5 years after Hard Rock collapse, recovery still in progress." *WWLTV.Com*, October 12: <https://www.wwltv.com/article/news/local/orleans/hard-rock-collapse/5-years-after-hard-rock-collapse-recovery-still-in-progress-new-orleans/289-3f3337e2-886e-4e98-b588-d57057d5ca41>.
- Lowrey, Erin. 2024. "Hard Rock Hotel collapse victims request trial as settlement discussions lag." *WDSU*, October 17: <https://www.wdsu.com/article/new-orleans-hard-rock-hotel-collapse-discussions/62641412>.
- Meyers, Ben. 2024. "N.O. Safety and Permits Department gets poor marks." *The Times-Picayune*, April 27: 1.
- Palmer, Kristin Gisleson. 2021. *Councilmember Kristin Palmer Advances Legislation Requiring Independent Safety Inspections of Construction Sites in Response to Hard Rock Hotel Collapse*. News, City of New Orleans, New Orleans: New Orleans City Council. <https://council.nola.gov/news/september-2021/councilmember-kristin-palmer-advances-legislation/>.
- . 2021. "Structural Peer Review Presentation." *Governmental Affairs Committee*. New Orleans: New Orleans City Council.
- Riegel, Stephanie. 2023. "Four years ago, the Hard Rock Hotel collapsed. This week, the settlement talks begin." *NOLA.COM*, August 30: https://www.nola.com/news/business/hard-rock-collapse-case-heads-to-mediation/article_4202c80c-46ba-11ee-b561-63108bb1a451.html.
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- Simerman, John. 2020. "Rift over Hard Rock Hotel demolition drags on; developer rips city in latest court filing." *NOLA.com*, April 21.
- Sledge, Matt. 2022. "Audit; Inspection shortfalls routine at time of Hard Rock collapse." *The Orleans Advocate*, October 20: 1.
2012. *Woolworth's*. Louisiana Historic Resource Inventory, Department of Culture, Recreation, and Tourism, Office of Cultural Development, Baton Rouge: Louisiana Division of Historic Preservation.

Figure Attribution

Cover Image: Author's Own, 2024

Figure 1. 1027, 1031, 1033-1035 Canal; 100-108 N. Rampart corner Canal (survey); Date: 02/17/1831. Negative Number: 2-095-012, Clerk of Civil District Court, Notarial Archives Division, New Orleans LA. Publication may be restricted. Provenance: Annexed to Notarial Act of William Christy, N.P., Feb. 19, 1831

Figure 2. Robinson's Atlas of the City of New Orleans, Louisiana, E. Robinson and R.H. Pidgeon Publisher: New York: E. Robinson, 1883, Orleans Parish Clerk of Civil District Court

Figure 3. Sanborn Fire Insurance Map, New Orleans, April 1876, Negative Detail Number: N-2182D95, Special Collections Division, Tulane University Libraries

Figure 4. Sanborn Fire Insurance Map, New Orleans, 1885 vol. 2, Sheet 39L, State Library of Louisiana

Figure 5. Sanborn Fire Insurance Map, New Orleans, 1896, Negative Number: 2-095-004, Special Collections Division, Tulane University Libraries

Figure 6. Sanborn Fire Insurance Map, New Orleans, 1908 – 1909 vol. 2, 1908, Sheet 117, State Library of Louisiana

Figure 7. Sanborn Fire Insurance Map, New Orleans 1929-1940 vol. 1a, 1940-July 1951, Sheet 6a

Figure 8. VCS Square 95 architectural ratings color-coded square map, 1965, Negative Number: 2-095-002, The Historic New Orleans Collection.

Figure 9. VCS Square 95 bldg. materials color-coded square map, 1965(?), Negative Number: 2-095-003 The Historic New Orleans Collection

Figure 10. City of New Orleans Property Viewer, <https://property.nola.gov/>

Figure 11. 1000 block Canal (north side), Marie Adrien Persac, ca. 1872, Negative Number: 2-095-007, The Historic New Orleans Collection

Provenance: Negative lent by The Historic New Orleans Collection

Figure 12. G. Pitard & Bro.'s. Hardware House, Canal Street (1031 Canal), 1894, Negative Number: N-2127.2, Solari's New Orleans (1894), p. 123

Figure 13. Down Go the Buildings At Canal And Rampart Str[eets]... (100 block N. Rampart), 1939, Negative Number: N-1792, The New Orleans Item, January 4, 1939, p. 1.

Figure 14. F.W. Woolworth Canal Street Elevation (Poor Quality Original), Jones, Roussle, Olschner, 1939, HDLC physical files

Figure 15. F.W. Woolworth, postcard, ca. 1940. <https://www.pinterest.com/pin/143974519309239675/>

Figure 16. F.W. Woolworth Co, ca. 1950's. <https://www.pinterest.com/pin/352688214539199989/>

Figure 17. Canal St. Looking Towards River from Rampart St., Leon Trice, 1958, City Archives, New Orleans Public Library

Figure 18. F.W. Woolworth Company, Charles F. Weber, ca. 1970, The Historic New Orleans Collection

Figure 19. 100-108, 120 N. Rampart corner (1041) Canal, John Watson Riley, 2010, Negative Number: 2_095_nram_100-108_a, The Historic New Orleans Collection

Figure 20. "The Old Woolworth's store building is under going (sic) demolition at Canal And S. Rampart Streets in New Orleans," Matthew Hinton, 2014, Advocate Staff Photo, www.nola.com

Figure 21. "1031 Canal Street: Construction Has Started!" rendering, 1031 Canal.com, captured Dec 27, 2018 <https://web.archive.org/web/20181227124729/http://1031canal.com/>

Figure 22. General Inspection 5-29-2019 20190529_125208_resized_1.jpg, 13-43016-NEWC, Department of Safety and Permits, City of New Orleans, May 29, 2019, Submitted by 210 STATE 07032014, Public Access

Figure 23. "The Hard Rock New Orleans Hotel, which is under construction in downtown New Orleans, partially collapsed Saturday morning..." Scott Threlkeld, The Times-Picayune/The New Orleans Advocate, October 13, 2019

Attachments

Attachment 1. 1031 Canal St., Chain of Title, Collins C. Diboll Vieux Carre Digital Survey

Attachment 2. 1031 Canal St., Report, Orleans Parish Assessor's Office

Attachment 3. Property Summary Report, CBDHDLC, March 2, 2004

Attachment 4. Application to the Central Business District Historic District, Harry Baker Smith Architects, March 3, 2011

Attachment 5. Property Summary Report, CBDHDLC, June 1, 2011

Attachment 6. Minutes of the June 1, 2011 Central Business District Commission meeting

Attachment 7. Property Summary Report, CBDHDLC, July 13, 2011

Attachment 8. Minutes of the July 13, 2011 Central Business District Commission meeting

Attachment 9. Re: 1031 Canal Street, L.L.C.'s Appeal of the Central Business District Historic District Landmarks Commission's July 13, 2011 Vote of No Action for the Proposed Workd Application filed for 1031 Canal Street, New Orleans, Louisiana (the "Property"), Justin B. Schmidt, July 14, 2011

Attachment 10. Motion No. M-11-346, Councilmember Giselson Palmer, August 4, 2011
The Council of the City of New Orleans.

Attachment 11. 13-43016-NEWC Safety and Permits Building Permit, July 22, 20152015. Building Permit: 1031 Canal Street. Building Permit, Department of Safety and Permits, City of New Orleans, New Orleans: City of New Orleans

Attachment 12. Section 122 – Independent Structural Peer Review, Regular Session, October 7, 2021, NO. 28793 Mayor Council Series by Councilmember Glapion

Attachment 1

11/11/24, 4:22 PM

The Collins C. Diboll Vieux Carré Survey: Property Info

Citations (Specific to this address)

Chain of Title



[Home](#)
[Back](#)

1031 Canal St.

Square: 95 **Lot Number:** 11508

Last Update: Wednesday, November 30th 1983

Friday, January 26th 1968

Record Source: COB

Volume: 680

Page: 603

Record Type: sale

Price: \$2000000.00

Authority: Paul M. Lapeyre (Notary)

Authority Date: Not Given

Related Lots: a) 11509, b) 11513, c) 11514, d) 11515, e)

11516

Rel. Lot Notes: a) 1033-1035 Canal

b) Lot E

c) Lot F

d) 120 N. Rampart

e) 138-140 N. Rampart

From: Samuel Zemurray **To:** F. W. Woolworth and Co.

Brief Description: A large portion of ground in Square 95, including lot Nos. 2 (Canal), G, H, E, F, and 2 (N. Rampart) - formerly belonging to John A. Saxton; and, lots 3 and corner of N. Rampart and Iberville. These two lots were formerly owned by Robert S. Eddy, Jr. [26' 0" 0" front on Canal, by 127' 10" 5" deep on a line parallel to N. Rampart 78' from the corner of Canal and N. Rampart. Rectangular lot, adjacent to lot no. 1. Old No. 207 Canal St.]

Friday, October 9th 1936

Record Source: COB

Volume: 488

Page: 348

Record Type: sale

Price: \$700000.00

Authority: E. J. Prinz (Notary)

Authority Date: Not Given

From: Metropolitan Life Insurance Co. **To:** Samuel Zemurray

Brief Description: All of the immovable property formerly owned by John A. Saxton, including Lot 2C.

Monday, January 1st 1923

Record Source: COB

Volume: 461

Page: 88

Record Type: sale

Price: \$460000.00

Authority Date: Not Given

From: John A. Saxton **To:** Metropolitan Life Insurance Co.

Brief Description: Metropolitan Life Insurance Co. vs. John A. Saxton and after all legal delays unto Met. Life Ins. Co. [No date given.]

Monday, December 4th 1922

Record Source: COB

Volume: 358

Page: 319

Record Type: sale

Price: \$1.00

Authority: G. Llambias (Notary)

Authority Date: Not Given

Related Lot: a) 11515

Rel. Lot Note: a) 120 N. Rampart

From: Pitard Saxton Hardware Co. **To:** John Albion Saxton

Brief Description: Sale for \$1 and other considerations. Lots 2C and 2R.

Tuesday, August 27th 1918

Record Source: COB

Volume: 301

Page: 79

Record Type: sale

Price: \$85000.00

Authority: G. Llambias (Notary)

Authority Date: Not Given

Related Lot: a) 11515

Rel. Lot Note: a) 120 N. Rampart

From: G. Maupay **To:** Pitard's Inc.

Brief Description: Sale for \$85,000 in stock. Lots 2C and 2R.

Wednesday, February 23rd 1887

Record Source: COB

Volume: 124

Page: 578

Record Type: sale

Price: \$20000.00

Authority: C. G. Andry (Notary)

Authority Date: Not Given

From: Martha Smith **To:** Gustave Pitard

Brief Description: Lot 2C.

Saturday, June 30th 1866

Record Source: Unknown

Record Type: sale

Price: \$92400.00

11/11/24, 4:22 PM

The Collins C. Diboll Vieux Carré Survey: Property Info

Authority: Pierre C. Cuvellier (Notary)
Authority Date: Not Given
Related Lot: a) 11507
Rel. Lot Note: a) 1027 Canal
From: Mary Longfellow Greenleaf **To:** Thomas Smithfield Dugan

Brief Description: Two lots of ground, designated 1 and 2 (C). "with bldgs. Thereon... consisting of two three story and attic brick dwellings known as Nos. 205 and 07 Canal Tuesday, May 22nd 1866
Record Source: Unknown
Record Type: [sale?]
Authority Date: Not Given
To: Fellman and Johnson **Agent/Single Party Act/Other:** Pierre Evariste Laurans Julia Laurans

Brief Description: Included in act Julia and Pierre Evariste Laurans lot of ground on Rampart (Sq. 95) 21' 4" x 49' 6" in depth with 3 story brick house, containing on ground fire places and 2 rooms with fireplaces in each above story; also a 1 story brick kitchen, privies, and waterworks. Adjudicated to Fellman and Johnson \$4300.
Wednesday, May 14th 1856
Record Source: Court
Record Type: succession
Authority: Pierre C. Cuvellier (Notary)
Authority Date: Not Given
From: Greer B. Duncan Mary Rebecca Duncan **To:** James Greenleaf

Brief Description: 2nd District Court No. 26775.
Saturday, July 30th 1842
Record Source: Unknown
Record Type: sale
Price: \$11500.00
Authority: D. L. McCay (Notary)
Authority Date: Not Given
Related Lot: a) 11507
Rel. Lot Note: a) 1027 Canal
From: William McCawley **To:** Lucius Campbell Duncan

Brief Description: Both lots.
Tuesday, May 3rd 1836
Record Source: Original Act
Volume: 11
Page: 180
Record Type: building contract
Price: \$11650.00
Authority: J. Mossy (Notary)
Authority Date: Tuesday, May 3rd 1836
Agent/Single Party Act/Other: Greenbury Ridgely Stringer Edward W. Sewell

Brief Description: A three story brick dwelling house and three story back building on Canal St. bet. Burgundy and Rampart. 25' wide x 46' deep. Front specifications it is clear basement story with flagged passage through to rear. Specs: N. P. Hand [?] - 4pps. Detailed.
Monday, March 14th 1836
Record Source: Unknown
Record Type: sale
Authority: H. B. Cenas (Notary)
Authority Date: Not Given
From: Nathan Morse **To:** William McCawley

Brief Description: Lot 2 before W. Christy Feb. 19, 1831.
Monday, March 14th 1836
Record Source: Unknown
Record Type: sale
Price: \$6000.00
Authority: H. B. Cenas (Notary)
Authority Date: Not Given
Related Lot: a) 11507
Rel. Lot Note: a) 1027 Canal
From: Thomas Barrett **To:** William McCawley

Brief Description: Lot 1 "bounded on upper side by Wolff (Lot 6) and on the lower side by Lot 2."
Monday, April 15th 1833
Record Source: Unknown
Record Type: [sale?]
Authority: C. Pollock (Notary)
Authority Date: Not Given
From: W. H. Chase **To:** Thomas Bennett
Saturday, February 19th 1831
Record Source: Unknown
Record Type: sale
Price: \$7150.00
Authority: W. Christy (Notary)
Authority Date: Not Given
From: Nathan Morse **To:** W. H. Chase

Brief Description: Lots 1, 4 and 5, as designated on a plan of Feb. 17, 1831 (see plan) are bounded by the Wolff property and the Stringer property "the said lot No. 1 is a part No. 4 and No. 5 are part of lot No. 59, as per plan drawn by J. Tanessee on Oct. 16, 1816... the said lots No. 58 and No. 59 formed a part of the Commons of this City which was Corporation of New Orleans by two acts of Congress. Bldgs. and improvements thereon.
Monday, November 18th 1816
Record Source: Unknown
Record Type: [sale?]
Authority: M. de Armas (Notary)
Authority Date: Not Given
From: City Corporation **To:** Nathan Morse

Attachment 2

11/7/24, 2:36 PM

Beacon - Orleans Parish, LA - Report: 1031-CANALST

Orleans Parish, LA

Summary

Parcel ID	1031-CANALST
Tax Bill Number	206103909
Municipal District	2
Location Address	1031 CANAL ST
Property Class	C - COMMERCIAL
Special Tax District	2-DDD Show Special Tax District Map
Subdivision Name	
Zoning District	Show Viewer (41181577)
Land Area (sq ft)	40448
Building Area (sq ft)	0
Revised Bldg Area (sq ft)	0
Square	95
Book	61
Lot/Folio	A-1/036
Line	009
Legal Description	1. SQ 95 CANAL ST, IBERVILLE ST & N RAMPART ST 2. LOT A-1 103.8-58.11/129.8-32.5X321/127.10-35.7-29.6-128
Assessment Area	CENTRAL BUSINESS DISTRICT COM 22 Show Assessment Area Map
Parcel Map	Show Parcel Map



Owners

1031 CANAL DEVELOPMENT LLC
3525 N CAUSEWAY BL STE 1040
METAIRIE LA 70002

Quick Links

[Estimate Taxes](#)[Tax Information](#)[Historical Property Tax Bills](#)

Valuation

	2025 Certified	2024 Certified	2023 Certified
Land Value	\$4,044,800	\$4,044,800	\$4,044,800
+ Building Value	\$0	\$0	\$0
= Total Value	\$4,044,800	\$4,044,800	\$4,044,800
Assessed Land Value	\$404,480	\$404,480	\$404,480
+ Assessed Building Value	\$0	\$0	\$0
= Total Assessed Value	\$404,480	\$404,480	\$404,480
- Homestead Exemption Value	\$0	\$0	\$0
= Taxable Assessment	\$404,480	\$404,480	\$404,480
Special Assessment Treatment			
Age Freeze			
Disability Freeze			
Assessment Change			
Tax Contract			

Sales

Sale/Transfer Date	Price	Grantor	Grantee	Notarial Archive Number	Instrument Number
12/28/2017	\$0	9900 LFB, LLC	1031 CANAL DEVELOPMENT LLC	201749668	630524
11/13/2017	\$0	9900 LFB, LLC	9900 LFB, LLC	201744766	628733
8/28/2017	\$0	1615 EAST JUDGE PEREZ, LLC	9900 LFB, LLC	201733913	624823
8/28/2017	\$0	1031 CANAL LLC	1615 EAST JUDGE PEREZ, LLC	201734399	624979
6/2/2016	\$1,678,836	1031 CANAL LLC	1031 CANAL LLC	201622577	600286
7/22/2015	\$2,730,787	1031 CANAL, LLC	1031 CANAL LLC	201542912	586657
5/14/2007	\$3,609,375	THOR 1031 CANAL STREET LLC	1031 CANAL, LLC	07-29292	348418
9/21/2004	\$1,725,000		THOR 1031 CANAL STREET LLC	04-48105	000291918
1/26/1968	\$0			11041997	000000000
1/26/1968	\$0			05241978	000000000

Photos

PROPERTY SUMMARY REPORT
MARCH 2, 2004

ADDRESS: 1029-45 Canal Street

OWNER: Sarpy Hixon Development, LLC
5935 Magazine Street
New Orleans, LA 70115

APPLICANT: John C. Williams Architects, LLC
824 Baronne Street
New Orleans, LA 70113

ZONING: CBD-3

USE:
Existing: Vacant
Proposed: Parking & Retail

DETAILED DESCRIPTION OF APPLICATION

Demolition of the Woolworth building (Beginning of 30-day layover period).

ARCHITECTURAL & HISTORICAL DESCRIPTION

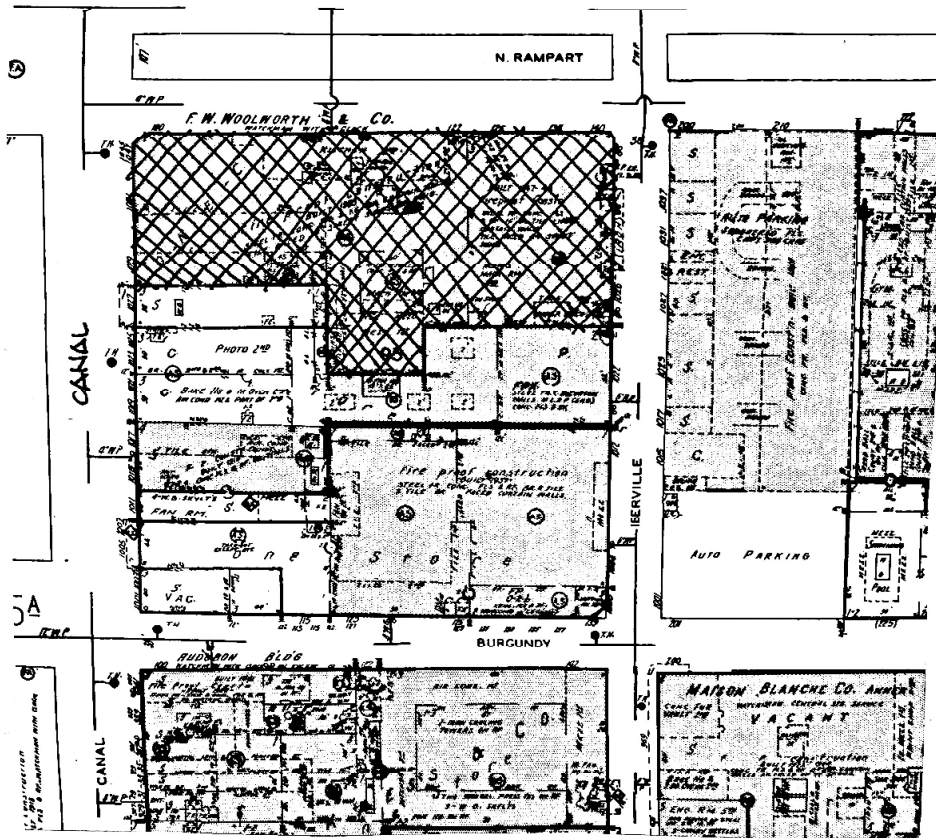
Historic District: Canal Street
Building Rating: Gold

Building Description:

The two-story, Art Deco style Woolworth building was designed by the architectural firm of Jones, Roessle, Olschner in 1939. The second floor of both the Canal Street and Rampart Street elevations was once clad in terra cotta tiles with chevron ornamented panels. These tiles were removed in a 1969 renovation and replaced by a stucco veneer over metal studs. The Canal Street elevation currently consists of a metal storefront system at the ground floor. Above, two roundheaded openings with louvered vents punctuate the facade. The ground floor storefront wraps around the Rampart Street elevation but stops approximately thirty feet in from Canal Street. The remaining ground floor Rampart Street elevation features the original 1939 terra cotta tile. Above, the 1969 stucco veneer includes four round headed openings with louvered vents.

The three story building facing Rampart Street and Iberville Street was added to the Woolworth building in 1948 and was designed by the architectural firm of Jones and Roessle. The Art Deco style building mimics many of the original features of 1029 Canal Street including smooth wall surfaces, vertical panels emphasized by grooves, rectangular windows and faceted edges. The ground floor corner includes a chamfered aluminum and glass entry. The Iberville Street elevation, although altered, retains its paired

rectangular windows at the second and third floors as well as a metal store front at the ground floor elevation.



RULES & REGULATIONS

COMMISSION GUIDELINES

According to the CBD HDLC Ordinance, the Commission shall review all exterior alterations to buildings under the Commission's jurisdiction. The original design shall be used as a basis for the review of all changes or new additions. Any alterations or additions shall not affect the architectural or historical quality of the existing building. That review shall consider the scale, texture, material, and architectural features of new construction. It shall be insured that those additions are compatible and not impair the *toute ensemble* of the neighborhood.

ARC & STAFF RECOMMENDATIONS

Meeting 2/17/04:

At that time, the ARC reviewed slides of the existing building and drawings of the proposed new construction and parking garage. The architect Mr. John Williams stated that the National Park Service decided that there is not enough historic building left at this site, so the building would not receive a tax credit. The application has been changed to demolition and new construction.

The ARC stated that since none of the existing building is proposed for retention, they cannot endorse the proposal to emulate period architecture as per the proposed design. The ARC stated that a contemporary statement at this site would promote the new era of Canal Street. The ARC recommended that the architect develop several schemes and return to the ARC for further design review.

PREVIOUS APPLICATION

Conceptual approval of renovation of building as per drawings received 11/17/03.

COMMISSION ACTION

Meeting of 12/4/03:

At that time, the Commission reviewed slides of the existing building and drawings of the proposed renovation. Mr. John Williams stated that he would like the HDLC to write a letter to the State Office of Historic Preservation to state that this building has historic and cultural significance because the tax credit is in jeopardy. The Commission recommended conceptual approval for the renovation of the building, with the understanding that all signage will be approved under a separate application.

The Commission unanimously agreed and stated that because of its architectural, historical, and cultural significance this building has played in the struggle for Civil Rights and the desegregation of the lunch counters and public facilities, this building is indeed a historic site and as much of its original fabric should be preserved as possible.

ARC & STAFF RECOMMENDATIONS

Meeting of 11/18/03:

At that time, the ARC reviewed slides of the existing buildings and drawings of the proposed renovations. The architect stated that the EIFS system will have real depth and relief in the elevation, and that this design is not to duplicate what was there, but to emulate the spirit of what previously existed. The ARC questioned the use of EIFS, and the architect stated that he is waiting to hear from the National Park Service about the proposed renovation.

The ARC pointed out that the horizontal window muntin on the proposed windows seem

PROPERTY SUMMARY REPORT

1029-45 Canal Street

Page 4

a little higher than what is shown in the historic photographs and drawings. *The ARC recommended conceptual approval for the renovation of the building, with details to be worked out with the ARC and staff.*

NEW ORLEANS HISTORIC DISTRICT LANDMARKS COMMISSION
CENTRAL BUSINESS DISTRICT
APPLICATION

1340 POYDRAS STREET, SUITE 1152
NEW ORLEANS, LA 70112
504-658-7040

Application Type (please check one):

☒ New Construction, Addition, Major Alteration (see box A for application requirements)

☐ Retention ☐ General Repairs ☐ Proposed work that does not meet guidelines ☐ Demolition

Address of Property: 1031 Canal Street, New Orleans, LA 70112

Owner's Name: 1031 Canal LLC email: pkailas@kailasinc.com

Owner's Address: 3525 N. Causeway, 10th Floor, Metairie, LA 70002 504-828-9700
(Street) (City/State) (Zip) (Phone #)

Applicant (If different from owner): Harry Baker Smith Architects II email: central@hbsaii.com

Applicant's Address: 189 Maple Ridge Drive, Metairie, LA 70001 504-885-4477
(Street) (City/State) (Zip) (Phone #)

Detailed description of all proposed exterior work. Please keep in mind that the HDLC regulates everything from roofing color to repairing weatherboards, so please be specific and include everything you can think of. (Drawings and specifications are required for all major work in which the work cannot be clearly and specifically described in writing):

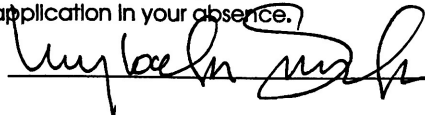
Renovation and additions to existing building to create a twenty story mixed use building that will include retail, office, residential and parking areas.

A. Applications for new construction, additions, or major alterations must be reviewed by the Architectural Review Committee (ARC) prior to the initial public hearing. Completed applications for these types of projects must be submitted and approved 7 days before the date of the meeting (see reverse). **HDLC requires the submission of a site plan, floor plan, context and elevation drawings for all new construction, addition, and major alterations applications. Projects larger than 5000 square feet require submission of a model.**

Public hearings will be held monthly as per the attached schedule (see reverse). Completed applications must be submitted and approved by the HDLC staff 14 days before the date of the meeting. Incomplete applications will not be accepted. Materials submitted after the deadline will not be reviewed at the public hearing and may cause the matter to be rescheduled for the following month.

I, the undersigned assure that the information contained in this application and supplementary materials is true and complete to the best of my knowledge. **Signing of this document constitutes notice of the public hearing.** You and /or a representative are encouraged to attend the hearing to explain your request. The Commission will take action on this application in your absence.

Signature of Applicant:



Date: March 3, 2011

NEW ORLEANS AND CBD HISTORIC DISTRICT LANDMARKS COMMISSION
WWW.NOLA.GOV

Property Summary Report
Meeting Date: 6/1/2011

Property Address: 1031 Canal Street **Zoning:** CBD-3
District: Canal Street **Rating:** Gold

Owner: 1031 Canal LLC
3525 N. Causeway, 10th Floor
Metairie, LA 70002

Applicant: Harry Baker Smith Architects II
189 Maple Ridge Drive
Metairie LA 70001

Detailed Description of Application:

Proposal to demolish existing building. Construction of multi-story mixed use building.

Relevant Guidelines:

Demolition: See section 12 page 24

New Construction: See section 12 page 11

Staff and ARC Recommendations:

Meeting Date: 5/25/11

At that time the ARC made the following recommendations:

The ARC agreed that the revised design is more appropriate in that it now reads as a single composition. However, the ARC agreed that the Canal Street elements (both the vertical glass and horizontal projecting elements) are not successful in that they do not relate to any of the adjacent context. The ARC suggested that you investigate changing materials at a height that corresponds to those of the neighboring buildings. Additionally, the ARC suggested that you consider the "texture" of the existing buildings on the street, avoiding large expanses of smooth reflective glass or monumental groupings of monolithic elements. Visible parking is not appropriate on Canal Street. The ARC noted that the added complexity of the massing of the Burgundy Street side of the building successfully reduced the apparent bulk of the building. These principals might be used to soften the Iberville Street elevation as well. Vehicles should not be allowed to exit the building onto Iberville Street. The ARC agreed that the materials provided made it difficult to evaluate the ground floor conditions of the building. The ARC reiterated their recommendation to bring all storefronts to the property line edge and to protect them with a

horizontal element projecting over the public right of way, as this is typical for buildings along Canal Street. The ARC agreed that showing the building in relationship to both the Maison Blanche and Texaco buildings illustrated the importance of viewing this building as sitting in the middle of upper Canal Street and not solely as forming the end of both the Canal Street and Vieux Carre Historic Districts. While advances have made in the design, the ARC noted that this building is still far in excess of what is allowed by the CZO, and recommended that as you move forward, you should work to find ways to reduce the size of the requested waivers.

Meeting Date: 4/19/11

At that time the ARC made the following recommendations:

The ARC agreed that the elimination of the second floor retail and the mid-building office space were moves in the right direction, however, the ARC noted that despite comments from two previous meetings, the design of the building retained the base/tower form. The ARC agreed that this is not an appropriate form for a building at this location and requested that the building be redesigned as a coherent whole. This will require a consistent structural logic that extends from the ground to the top of the building. The ARC noted that the revised designs were more of a re-skinning than a true redesign.

Of the two options submitted, the "Art Deco" design was preferred, however, any redesign should be consistent in style, scale, form, and detailing. For instance, a 20 story Romanesque style building would not be appropriate, nor would an Art Deco inspired building that is only Art Deco in skin but lacks the monumental stepped massing intrinsic to the style. To this end, the ARC recommended using only precedents of similar height and width as the building that you are proposing to build.

The ARC agreed that the building is still far too large for the site and recommended that you investigate bringing the Canal Street side of the building into scale with the Audubon Building (approximately 120') and stepping it down on the Iberville Street side to better match the lower scale of the Vieux Carre.

Should the redesigned building retain parking at the Canal Street edge of the building, it should not be apparent from the street, with appropriate screening wrapping the corner. The ARC repeated their recommendation that vehicular access be removed from Iberville Street.

Meeting Date: 3/15/11

At that time the ARC made the following recommendations:

- Maintain the historic portion of the building at the corner of Rampart and Iberville Streets.
- Eliminate ground floor covered outdoor spaces, bringing the enclosed portion of the building to property lines.
- The ARC agreed that both the requested height and FAR waivers seemed excessive and suggested that you reevaluate the requested waivers in favor of complying with the provisions of the zoning ordinance that apply to height and bulk. This includes, at a minimum, seeking waivers for the elimination the 2nd floor commercial space if it is not financially viable, and reducing the number of parking spaces to a maximum of the number needed to support the commercial and residential uses.
- Redesign the building as a coherent whole, rather than a base with a tower, bringing the façade of the upper floors to the edge of the building.
- Eliminate vehicular entrances or exits on Iberville Street, ensuring that this elevation of does not read as the back or service side of the building.

Minutes of the June 1, 2011 Central Business District Commission meeting

The Central Business District Historic District Landmarks Commission held its regular meeting on June 1, 2011 at 2:00 P.M. in the City Council Chamber, City Hall, 1300 Perdido Street.

The meeting was called to order at 2:10 p.m., by Mr. Amdal, Chairman

Roll Call:

James R. Amdal, Chairman- Present
Henry Lambert- Present
Hugo Kahn- Absent
Kevin Kelly – Present
Leslie Guthrie – Present
Robert Williams – Absent
Dorian M. Bennett, Vice Chairman – Absent
Keith Twitchell – Present
John G. B. Boyd - Present
Iran Thompson - Present

There were seven members present constituting a quorum.

I. Minutes of the May 4, 2011 meeting.

Mr. Lambert made a motion to approve the minutes. The motion, seconded by Mr. Boyd, passed unanimously.

II. New Business

- a. 843 Camp Street: Particular Council of the New Orleans Society of St. Vincent De Paul, owner; Rusty Wirth, applicant. Proposal to construct storage building on property.

The applicant requested lowering the roof pitch and using asphalt shingle as the roof material. Mr. Perkins noted that the roof will not be visible from the public right of way, so the roof will not be under CBD HDLC jurisdiction. Mr. Perkins noted that lowering the roof pitch would not affect the ARC recommendations.

Jean Bragg who resides at 600 Julia spoke against the proposal stating it is not appropriate in the context of the architecture of the surrounding buildings. Ms. Bragg also noted that the owners do not maintain the existing building well, so she questions their commitment to maintain a new building.

Mr. Lambert made a motion to approve the proposal based on the ARC recommendations. Mr. Twitchell seconded the motion.

Mr. Boyd stated the he made a site visit to the property and in his opinion, it is not well maintained. Mr. Boyd noted that the owner has repeatedly done work without a Certificate of Appropriateness. Mr. Boyd asked staff for recent actions of the owner. Staff noted that a Stop Work was issued on the property, because the owners were replacing the awning on the left side of the building without a Certificate of Appropriateness. A Certificate of Appropriateness was issued for the work to continue because it matched the existing awning. Staff has worked with the owners to correct Demolition by Neglect issues. The only outstanding issue is the treatment of the 4th floor window that covers a shower room. For these reasons, Mr. Boyd stated he will not support the motion. Mr. Thompson noted that he agreed with the statements of Mr. Boyd.

Mr. Lambert stated that is not the role of the Commission to use the review processto punish applicants.

The motion to approve the storage building based on ARC recommendations failed to obtain a legal majority, four to three with Mr. Boyd, Mr. Kelly, Mr. Amdal and Mr. Thompson against resulting in no action being taken on this application.

- b. 1031 Canal Street: 1031 Canal, LLC, owner; Harry Baker Smith Architects II, applicant. Proposal to demolish existing building. Revised proposal for construction of multi-story mixed use building.

Mr. Perkins reviewed the process that the applicant and the ARC have gone through to come to the current design. Mr. Perkins explained that Councilwoman Palmer requested that HDLC review the design before the height limit of the building is established.

The applicant gave a presentation elaborating on his intentions for the proposed building and its economic impact on the city and that it will aid in the revitalization of this portion of Canal Street.

It was noted that the building has 200 parking spaces in excess of what is required for the residents in order to provide parking for retail and the Saenger Theater.

A member of French Quarter Citizens organization stated that the existing design does not meet the guidelines of the HDLC in that it is not visually compatible with the surrounding buildings that have a strong horizontal elements versus the verticality of the proposed building. The other buildings also have decorative detailing that the proposed building lacks. The building is too tall, dense and that the design is not appropriate for this location.

Meg Lousteau of Vieux Carre Property Owners, Residents & Associates Inc. (VCPORA) stated that she supports redevelopment of the site. However within the height limit of the Master Plan that was created to establish stability by providing the same rules for all properties and in order to avoid individual variances. Ms. Lousteau noted that the City Planning Commission Report denied the height variance requested by the applicant.

Ms. Carol Allen stated that her French Quarter organization is not in support of a project that does not comply with the existing zoning ordinances and recommendations of the Master Plan.

A representative from the film industry stated that he is in favor of the project bringing more housing options to the city.

Rod Miller of the New Orleans Business Alliance stated he was in support of the project because of the positive economic benefits it will bring to the city.

Ross Van Cuso stated he was in support of bringing more positive development to the site in order to make the location a safer place to be at night.

Angela O'Byrne of Perez Architecture stated her office is a block away from the site on Burgundy and she is in favor of the proposed high density, height and design.

Hank Smith of Harry Baker Smith Architects stated he supported the project as the project architect.

Todd Higgins from Congregation of Racial Equality stated that the Woolworth Lunch Counter has significant historic importance in the Civil Rights movement and should be preserved. The owner stated that he intends to incorporate the lunch counter into the interior design.

The Developer of the neighboring Krauss development has 80% of the condominiums sold and 100% of the apartments leased. He is in full support of the project in order to further build a healthy community in this area of Canal Street.

Zella May stated that she has had support of the project from New Orleans Athletic Center and many other neighbors on Canal Street.

Mr. Lambert stated that a project like this will never make all parties happy. He stated that a shorter height would make it more sensitive to the site.

Ms. Guthrie made a motion to approve the demolition of the existing building and conceptual approval of the design of the new construction. Mr. Lambert seconded the motion.

Mr. Twitchell stated that it is the Commission responsibility to uphold the guidelines that state that new construction must be compatible with the surrounding buildings in scale, form, materials, fenestration, roof configuration, details and finishes and this is not compatible with the Saenger.

The motion to approve the demolition of the existing building and conceptual approval of the design of the new construction failed to obtain a legal majority five to two with Mr. Twitchell and Mr. Kelly voting against resulting in no action being taken on this application.

- c. 820 Poydras Street: Drury Inn, owner; Williams Architects, applicants. Proposal for design approval of previously approved massing for construction of a new building.

Mr. Twitchell made a motion to approve the proposal. The motion, seconded by Mr. Boyd, passed unanimously.

There being no further business, the meeting was adjourned at 4:00 p.m.

Property Summary Report
Meeting Date: 7/13/2011

Property Address: 1031 Canal Street **Zoning:** CBD-3

District: Canal Street **Rating:** Contributing

Owner: 1031 Canal LLC
3525 N. Causeway, 10th Floor
Metairie, LA 70002

Applicant: Harry Baker Smith Architects II
189 Maple Ridge Drive
Metairie LA 70001

Detailed Description of Application:

Proposal to demolish existing building. Appeal of ARC recommendations regarding proposal for construction of multi-story mixed use building.

Relevant Guidelines Sections:

Section 12, page 5-11

Staff and ARC Recommendations:

As per Section 12, page 23 of the Guidelines, the demolition of all or portions of historic resources within a local Historic District or Landmark site are considered drastic actions, since they alter the character of the area. Once historic resources or buildings that contribute to the heritage of the community are destroyed, it is generally impossible to reproduce their design, texture, materials, details and their special character and interest in the neighborhood. As a result, the HDLC rarely considers the demolition of Significant or Contributing buildings or structures within a local Historic District or on a Landmark site to be an appropriate option.

When reviewing demolition applications at properties located with a Historic District or at a Landmark site, the HDLC uses the following criteria in its evaluations:

- The historic or architectural significance of the building or structure as designated by its "rating";
- The importance of the building or structure to the tout ensemble of the area;
- The alternatives to demolition that have been evaluated and explored by the applicant;
- The special character and aesthetic interest that the building or structure adds to the local Historic District or Landmark site;
- The difficulty or impossibility of reproducing such a building or structure because of its design, texture, material or detail;
- The future utilization of the site; and

- The proposed mitigation measures such as, but not limited to, fencing, landscaping and maintenance contracts.

The Commission strongly encourages the submission of redevelopment plans concurrently with Demolition Applications

As per Section 12, page 5-11 of the Guidelines, two of the common features found in CBD buildings are their construction along the front property line with shared "party walls", and their organization in three parts:

- A ground floor storefront with large display windows or paired doors along the streetscape
- Upper floors with operable windows that appear to be punched through the flat, relatively solid, typically masonry wall surfaces, in regular pattern that does not necessarily align with the storefront openings below
- An ornamental building "top" that can be a cornice, parapet, pediment or other decorative feature that provides a visual termination at the top of the building.

The HDLC requires:

- The preservation of the cohesive ambiance of the local Historic District through compatible, sympathetic construction
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes.
- Maintaining the appropriate historic contextual setting within the surrounding neighborhood
- Use of materials and techniques that are compatible with the surrounding neighborhood.

ARC reviewed the most recent design via e-mail sent on 7/6/11 and made the following recommendations:

- **The building is multiple Building Facades that don't tie together. It needs to be simplified.**
- **It is still too much building, especially along Iberville.**

Previous Commission Actions

Meeting Date: 6/1/11

At that time the Commission took the following action: The motion to approve the demolition of the existing building and conceptual approval of the design of the new construction failed to obtain a legal majority from the Commission resulting in a lack of action taken on this application.

ARC Meetings and Recommendations

Meeting Date: 6/14/11

At that time the ARC made the following recommendations: The ARC agreed that the revised design is more appropriate in that it now reads as a single composition. However, the ARC agreed that the upper story windows should not read as horizontal bands and should create rhythms that relate to the adjacent context and comply with the HDLC guidelines for new construction. Additionally,

the ARC suggested that you consider carrying the design of the Canal Street elevation around the corner to the Rampart Street elevation in order to create a strong, cohesive presence on the corner and both elevations. Vehicles should not be allowed to exit the building onto Iberville Street. The ARC noted that this building is still far in excess of what is allowed by the CZO and recommended that you lower the height to that of the Audubon Buildings at approximately 120'. The ARC suggested that you investigate lowering the front elevation and step the upper floors back. The ARC noted that a street view elevation of all four sides of the building and a model of the building would aid in its review.

Meeting Date: 5/25/11

At that time the ARC made the following recommendations:

The ARC agreed that the revised design is more appropriate in that it now reads as a single composition. However, the ARC agreed that the Canal Street elements (both the vertical glass and horizontal projecting elements) are not successful in that they do not relate to any of the adjacent context. The ARC suggested that you investigate changing materials at a height that corresponds to those of the neighboring buildings. Additionally, the ARC suggested that you consider the "texture" of the existing buildings on the street, avoiding large expanses of smooth reflective glass or monumental groupings of monolithic elements. Visible parking is not appropriate on Canal Street. The ARC noted that the added complexity of the massing of the Burgundy Street side of the building successfully reduced the apparent bulk of the building. These principals might be used to soften the Iberville Street elevation as well. Vehicles should not be allowed to exit the building onto Iberville Street. The ARC agreed that the materials provided made it difficult to evaluate the ground floor conditions of the building. The ARC reiterated their recommendation to bring all storefronts to the property line edge and to protect them with a horizontal element projecting over the public right of way, as this is typical for buildings along Canal Street. The ARC agreed that showing the building in relationship to both the Maison Blanche and Texaco buildings illustrated the importance of viewing this building as sitting in the middle of upper Canal Street and not solely as forming the end of both the Canal Street and Vieux Carre Historic Districts. While advances have made in the design, the ARC noted that this building is still far in excess of what is allowed by the CZO, and recommended that as you move forward, you should work to find ways to reduce the size of the requested waivers.

Meeting Date: 4/19/11

At that time the ARC made the following recommendations:

The ARC agreed that the elimination of the second floor retail and the mid-building office space were moves in the right direction, however, the ARC noted that despite comments from two previous meetings, the design of the building retained the base/tower form. The ARC agreed that this is not an appropriate form for a building at this location and requested that the building be redesigned as a coherent whole. This will require a consistent structural logic that extends from the ground to the top of the building. The ARC noted that the revised designs were more of a re-skinning than a true redesign.

Of the two options submitted, the "Art Deco" design was preferred, however, any redesign should be consistent in style, scale, form, and detailing. For instance, a 20 story Romanesque style building would not be appropriate, nor would an Art Deco inspired building that is only Art Deco in skin but lacks the monumental stepped massing intrinsic to the style. To this end, the ARC recommended using only precedents of similar height and width as the building that you are proposing to build.

The ARC agreed that the building is still far too large for the site and recommended that you investigate bringing the Canal Street side of the building into scale with the Audubon Building (approximately 120') and stepping it down on the Iberville Street side to better match the lower scale of the Vieux Carre.

Should the redesigned building retain parking at the Canal Street edge of the building, it should not be apparent from the street, with appropriate screening wrapping the corner. The ARC repeated their recommendation that vehicular access be removed from Iberville Street.

Meeting Date: 3/15/11

At that time the ARC made the following recommendations:

- Maintain the historic portion of the building at the corner of Rampart and Iberville Streets.
- Eliminate ground floor covered outdoor spaces, bringing the enclosed portion of the building to property lines.
- The ARC agreed that both the requested height and FAR waivers seemed excessive and suggested that you reevaluate the requested waivers in favor of complying with the provisions of the zoning ordinance that apply to height and bulk. This includes, at a minimum, seeking waivers for the elimination the 2nd floor commercial space if it is not financially viable, and reducing the number of parking spaces to a maximum of the number needed to support the commercial and residential uses.

- Redesign the building as a coherent whole, rather than a base with a tower, bringing the façade of the upper floors to the edge of the building.
- Eliminate vehicular entrances or exits on Iberville Street, ensuring that this elevation of does not read as the back or service side of the building.

Minutes of the July 13, 2011 Central Business District Commission meeting

The Central Business District Historic District Landmarks Commission held its regular meeting on July 13, 2011 at 10:00 A.M. in the City Council Chamber, City Hall, 1300 Perdido Street.

The meeting was called to order at 10:05 p.m., by Mr. Amdal, Chairman

Roll Call:

James R. Amdal, Chairman- Present
Henry Lambert- Absent
Hugo Kahn- Present
Kevin Kelly – Present
Leslie Guthrie – Present
Robert Williams – Present
Dorian M. Bennett, Vice Chairman – Present
Keith Twitchell – Present
John G. B. Boyd - Absent
Iran Thompson - Present

There were eight members present constituting a quorum.

I. Minutes of the June 1, 2011 meeting.

Mr. Bennett made a motion to approve the minutes. The motion, seconded by Mr. Williams, passed unanimously.

II. New Business

- a. 201 Magazine Street: 201 Magazine, LLC, owner; Harry Baker Smith Architects II, applicant. Proposal to construct a rooftop addition.

Mr. Twitchell made a motion to approve the proposal based on the ARC recommendations. The motion, seconded by Mr. Williams passed unanimously.

- b. 1031 Canal Street: 1031 Canal, LLC, owner; Harry Baker Smith Architects II, applicant. Appeal of ARC recommendations regarding proposal for construction of multi-story mixed use building.

The property owner Praveen Kailas indicated that he is willing to continue to work with the ARC of the HDLC to refine the design of the building. But the overall size of the building is driven by economics. He stated that the Iberville elevation maintains the height of the existing façade. The height of the Canal Street elevation is 138' which is equal to the Audubon building and the step back goes up to 211'. Mr. Amdal reminded the applicant that despite being governed by the previous HDLC Rules, Policies, and Procedures, the ARC suggested building a three dimensional

physical massing model of the building illustrating its relationship to the adjacent blocks of buildings.

The applicant explained that they had provided a digital 3D model.

The owner stated he plans on having the lunch counter incorporated into a corner restaurant.

The Commission discussed a bond being required as part of the approval of the building. The bond would be sufficient amount to construct a replacement building on the site in order to prevent the site becoming a vacant lot after demolition of the existing building. The Commission also discussed the applicant showing proof of financing prior to demolition. The owner indicated that he would have no objection to waiting until design drawings and funding are in place to demolish the existing building.

Brad Vogle, representing the National Trust for Historic Preservation, stated that the French Quarter is the Crown Jewel of the city and this is a sensitive site. The sight must fit within the surrounding context. The site needs a building with a design that will be worth saving in 100 years.

Ross Mancuso of Canal Now stated his support of the project as proposed.

Pres Kabacoff, developer in New Orleans, stated his support of the project as proposed.

Joey Leone, property owner in the French Quarter, stated his support of the project.

Zella Mae of Canal Now urged the Commission to approve the project.

Sandra Stokes of Foundation for Historic Louisiana spoke against the design stating it is not compatible with the surrounding district.

Michelle Kimball of the Preservation Resource Center spoke against the design in its relationship to the rest of the buildings on Canal Street

Carol Allen of Vieux Carre Property Owners, Residents, Property Owners, Residents & Associates, Inc. spoke against the project.

Sue Streckfus resident of 1021 Royal Street spoke against the project.

Meg Lousteau of Vieux Carre Property Owners, Residents, Property Owners, Residents & Associates, Inc. opposed the project as not being visually compatible with the surrounding context.

Lloyd Huck property owner on South Rampart Street stated his support of the project.

William Borah of Smart Growth Louisiana spoke against the design of the project.

Brian Furness of the French Quarter Citizens group spoke against the project stating it should relate to the Saenger and be consistent with the master plan in massing and height.

Robert Simms, a French Quarter resident, spoke in support of the project.

Leo Watermeyer of 812 N. Rampart Street spoke in favor of developing the site, but the proposed building is not appropriate.

Harry Baker Smith, the project architect, stated that height of the building would be 205' and no higher than the Ritz.

Mr. Williams stated he thought the design could be more harmonious with the surroundings.

Mr. Kahn made a motion to approve the project with further deliberation on improving the design. Mr. Williams seconded the motion.

Mr. Kelly wondered why the owner bought the property knowing the zoning of the site would not allow the height of his project.

Mr. Twitchell stated he did not think the design met the guidelines.

Mr. Kahn withdrew his motion. Mr. Williams seconded the withdrawal.

Mr. Williams made a motion to deny the application. The motion, seconded by Mr. Kelly, failed to obtain a legal majority four to four with Mr. Twitchell, Mr. Kelly, Mr. Amdal, and Mr. Williams voting for the motion and Mr. Bennett, Mr. Kahn, Ms. Guthrie, and Mr. Thompson voting against, resulting in no action being taken on this application.

- c. 638-40 Camp Street: Louis Faust, owner/applicant. Appeal of ARC recommendation regarding removal of original glass block in Camp Street elevation windows and installation of clear, curved, replacement glazing.

Mr. Foust, the property owner, stated that the glass block is keeping his building from being rented as retail space because of the lack of display windows.

Mimi Montague, a resident of the district, supported the project.

Mr. Williams made a motion to deny the application. The motion failed to obtain a second.

Mr. Kelly suggested sending the project to the ARC to find a way to keep part of the original glass block combined with the clear glass. Mr. Faust said he would retain the steel frame to keep the character as close as possible to the original.

Mr. Bennett made a motion to approve the proposal. The motion, seconded by Mr. Thompson, passed eight to one with Mr. Williams voting against.

- d. 1011 Poeyfarre Street: National WWII Museum, owner; Mathes Brierre Architects, applicant. Appeal of ARC recommendation regarding demolition of buildings on Andrew Higgins, Constance and Poeyfarre Streets for surface level parking lot and installation of hollow tube aluminum fence.

Staff noted that the owner is not in compliance with the tree proviso required by the City Planning Commission on the existing surface level parking lot.

Mr. Farnsworth of the WWII Museum, stated that he needed the extra parking because the Museum is going to lose the parking on Camp Street due to the next phase of the museum complex construction. It will only be temporary until the museum hires a developer and designs a building that that will include a 400 car parking facility on the site.

Mr. Kelly asked why he did not comply with the tree proviso on the previously approved surface level parking lot. The owner said he will comply.

Laura Adhikari owner of 1042 Magazine urged the Commission to deny the application. She is adding 25 parking spaces in her lot across from the museum on Magazine Street and has complied with all the regulations including a 3' masonry wall and solid iron picket fence with punched through horizontal members. She also received a letter from Mr. Farnsworth stating he discourages surface level parking lots in the district. She is requesting that the WWII Museum be required to fulfill the same standards as the rest of the property owners in the district.

Mimi Montegue of 920 Poeyfarre Street spoke against the proposal.

Mr. Joseph Feritta of 1039 Constance Street spoke against the project. He thinks the existing warehouses preserve the character of the warehouse district. He values their unique personality. He thinks that the buildings represent the spirit of the Warehouse District. He stated there is plenty of surface level parking in the area.

Mr. Kahn made a motion to deny the proposal. The motion, seconded by Mr. Bennett, passed unanimously.

- e. 863 Camp Street: Stephen Dick, owner; Matthew Dick, applicant. Proposal to remove existing louvered shutters and install replacement batten shutters.

Mr. Williams made a motion to deny the application. The motion, seconded by Mr. Kahn, failed to obtain a legal majority six to two with Mr. Kahn and Mr. Kelly voting against.

The owner clarified that the shutters were already made and that they were custom made of Spanish cedar.

Mr. Kelly made a motion to approve the proposal. The motion, seconded by Mr. Williams, passed unanimously.

III. Other Business

a. Election of Officers

Mr. Twitchell made a motion to approve the existing officers. The motion, seconded by Mr. Kelly, passed unanimously.

b. Demolition By Neglect

- 1200 Canal Street

Dismissed due to new ownership

- 827 Carondelet Street

Mr. Williams made a motion to cite the property for Demolition by Neglect. The motion, seconded by Mr. Kahn, passed seven to one with Mr. Bennett against.

- 521 St. Joseph Street

Staff noted that the applicant had submitted final plans to restore the building and add an addition last week.

Mr. Williams made a motion to defer the item for 30 days. The motion, seconded by Mr. Kelly, passed unanimously.

- 701 Canal Street

Bill Soniat, the owner representative, stated that the project was in the bidding phase. The entire façade will be repaired. But he needs some more time because he needs to coordinate the scaffolding and sidewalk closure as well.

Mr. Williams made a motion to defer the item for 120 days. The motion, seconded by Kahn, passed unanimously.

There being no further business, the meeting was adjourned at 1:10 p.m.

ADAMS AND REESE LLP

July 14, 2011

VIA HAND DELIVERY

Hon. Peggy Lewis, CMC
Clerk of Council
New Orleans City Council
1300 Perdido Street, Room 1E09
New Orleans, LA 70112

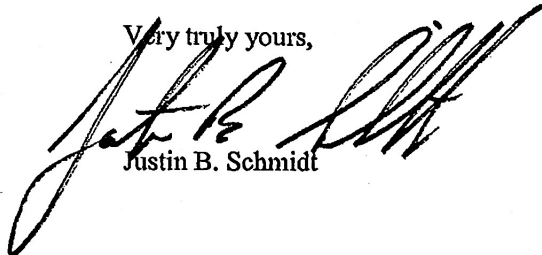
RE: 1031 Canal Street, L.L.C.'s Appeal of the Central Business District Historic District Landmarks Commission's July 13, 2011 Vote of No Action for the Proposed Work Application filed for 1031 Canal Street, New Orleans, Louisiana (the "Property")

Dear Ms. Lewis:

Pursuant to Section 84-134 of the Code of Ordinances for the City of New Orleans, please regard this letter as my clients', written notice of appeal of the Central Business District Historic District Landmarks Commission's (the "CBDHDL") vote of "no action" on my client's proposed work application to demolish an existing building, as well as its vote of "no action" on my client's appeal to reverse the CBDHDL's Architectural Review Committee's recommendation regarding the construction of a multi-story, mixed use building on the Property. I have enclosed herewith a copy of the July 13, 2011 letter of the CBDHDL informing my client of the same.

Thank you for your time and assistance in this matter. I look forward to hearing from your office as to when this appeal will be scheduled to be heard before the City Council. In the interim, should you have any questions, please do not hesitate to contact me directly at 585-0361.

Very truly yours,


Justin B. Schmidt

JBS/laa

Enclosure

cc: Hon. Kristin Gisleson Palmer, Councilmember District "C" (w/enclosure)
Mr. C. Elliott Perkins, Executive Director, Historic District Landmarks Commission (w/enclosure)
Mr. Praveen Kailas (w/enclosure)
Christopher J. Kane (Firm)

Attorneys at Law
Alabama
Florida
Louisiana
Mississippi
Tennessee
Texas
Washington, DC

Justin B. Schmidt
Direct: 504.585.0361
E-Fax: 504.584.9534
justin.schmidt@arlaw.com

Substitute this copy for
one previously issued.

**MOTION
NO. M-11-346**

CITY HALL: August 4, 2011

**BY: COUNCILMEMBER GISLESON PALMER
SECONDED BY: COUNCILMEMBER JOHNSON**

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the request of **JUSTIN SCHMIDT, ADAMS AND REESE LLP, ATTORNEY AT LAW** - Requesting to appeal the Historic District Landmarks Commission's decision of "NO ACTION" on the request to demolish an existing building and allow the construction of a multi-story mixed use building on property located at **1031 Canal Street**, be, and the appeal is hereby granted, subject to the following four (4) conditions:

- 1.) This approval is not to be construed to grant any waivers or variances that are contrary to the current permitted uses and the *Height, Area and Bulk Requirements* of the CBD-3 Central Business Zoning District.
- 2.) Approval to commence with demolition and construction is dependent on the future decision of the City Council with regard to the conditional use (zoning) request on the property located at 1031 Canal Street which will consider various aspects of the proposed construction which are the following, but not limited to, height of the structure, the floor-to-area ratio, floor plans or design of the building; and
- 3.) Review and approval by the staff of the HDLC of the final plans and design shall be required before any permits may be issued.
- 4.) A permit for demolition shall not be issued until the following have occurred; the zoning docket has been approved by the City Council, an ordinance to authorize conditional use has been adopted and the construction plans have been received and approved by the City Planning Commission.

BE IT FURTHER MOVED, That the Clerk of Council shall forward copies of this motion directly to all affected departments.

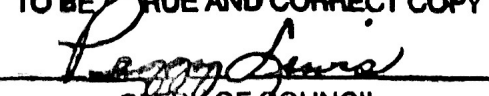
THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:

YEAS: Clarkson, Fielkow, Gisleson Palmer, Head, Hedge-Morrell, Johnson - 6

NAYS: 0

ABSENT: Guidry - 1

AND THE MOTION WAS ADOPTED.

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY

CLERK OF COUNCIL

SAFETY & PERMITS

BUILDING PERMIT

DESCRIPTION OF APPROVED WORK

Construction of 17 story, multi-use building to include retail, parking, and residential units as per HDLC C of A and CPC Zoning Docket 73-11. The Swimming pool is not included.

USE TYPE: Mixed Occupancy

FLOOD ZONE: A1

IMPROVEMENT TYPE: New Construction

ELEVATION REQUIREMENT: +0.70

ZONING: CBD-3

VALUE OF APPROVED WORK: \$ 27,333,533

NOT VALID UNLESS POSTED ON SITE

THIS PERMIT MUST REMAIN PUBLICLY POSTED AT ALL TIMES WHILE WORK IS IN PROGRESS

Verify the authenticity of this permit or find more information about the project by visiting nola.gov/onestop or by scanning this code using a smartphone and searching the permit number in the dark blue oval at the top of the page.



This permit conveys no right to violate any provisions of the New Orleans Amendments to the International Building Code or Comprehensive Zoning Ordinance. This permit conveys no right to occupy any street, alley, or part thereof, either temporarily or permanently. Encroachments on public property must be approved by the appropriate City agency; separate permits must be obtained from other City or State agencies as required by law. This permit is subject to issuance of a final Certificate of Occupancy or Certificate of Completion; otherwise same is null and void. It is unlawful to occupy any building or portion thereof without said certificate.

IT IS UNLAWFUL TO POUR ANY FOUNDATION, CLOSE ANY WALL, OR COVER ANY SPACE WITHOUT PRIOR APPROVAL FROM THE BUILDING INSPECTION DIVISION. FOR INFORMATION OR TO SCHEDULE AN INSPECTION, PLEASE CALL 504-658-7100.

1300 Perdido Street, Room 7W03 • New Orleans • LA • 70112 • (504) 658-7100 • nola.gov/onestop

SOLO EL TRABAJO DESCRITO ANTERIORMENTE PUEDE REALIZARSE LEGALMENTE EN ESTE EDIFICIO

1031 Canal St

13-43016-NEWC

7/22/2015

Applicant: Harry Baker Smith Architects

REGULAR SESSION, OCTOBER 7, 2021

ORDINANCE NUMBERS:

NO. 28793 MAYOR COUNCIL SERIES

THRU

NO. 28799 MAYOR COUNCIL SERIES

ORDINANCE

(AS AMENDED)

CITY OF NEW ORLEANS

CITY HALL: October 1, 2020

CALENDAR NO. 33,147

NO. 28793 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER GLAPION

AN ORDINANCE to amend and reordain Section 26-15 of the Code of the City of New Orleans, relative to peer review of structural design and inspection by engineers of record during construction, to specify where such reviews and inspections are required, how and by whom they are to be performed; and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Section 26-15 of the Code of the City of New Orleans is hereby amended and reordained to read as follows:

“Section 26-15. Same—Amendments.

* * *

CHAPTER 1

* * *

SECTION 122 - INDEPENDENT STRUCTURAL PEER REVIEW

122.1 General. The purpose of this section is to provide for an independent and objective structural review of a project, conducted by an approved structural engineer, to increase the welfare and safety of the public, users and workers with respect to the finished product. The provisions of this section specify where independent structural peer review is required, how and by whom it is to be performed. These provisions shall become effective on the ninetieth day following adoption of this ordinance.

122.2 Definition of Structure. For the purpose of this section, “structure” includes the structural frame; the load supporting parts of floors, roofs, walls, and foundations; and other primary structural items.

122.3 Where required. An independent structural peer review of the structure shall be performed and a report provided for the following buildings:

- a. Buildings greater than 75 feet in height (measured from grade level to the average height of the highest roof surface); or
- b. Buildings where an independent structural peer review is specifically requested by the Building Official.

122.4 Structural Peer Reviewer. The structural peer review shall be performed by a qualified independent structural engineer, to be known as the peer reviewer, who has been retained by or on

behalf of the owner of the property. This peer reviewer shall meet specific qualification requirements, including but not limited to, demonstrable experience in the structural design and/or peer review of structures similar in scope and complexity. The Department of Safety and Permits shall establish a qualification program for peer reviewers and compile a list of such persons from which the property owner shall select. The peer reviewer shall not engage in any activities that may conflict with their objective judgment and integrity, such as having a financial and/or other interest in the design, construction, installation, manufacture or maintenance of structures or components that they are reviewing.

122.5 Scope of Structural Peer Review. The peer reviewer shall review the plans and specifications submitted with the original permit application, and all subsequent revisions thereto, for compliance with the structural and foundation design provisions of the Building Code and all related structural codes and technical standards. At a minimum, the peer reviewer shall perform the following tasks:

- a. Confirm that the design loads conform to this Code;
- b. Confirm that other structural design criteria and design assumptions conform to the applicable codes and are in accordance with generally accepted engineering practice;
- c. Review geotechnical and other engineering investigations that are related to the foundation and structural design and confirm that the design properly incorporates the results and recommendations of the investigations;
- d. Confirm that the structure has a complete load path;
- e. Perform independent calculations for a representative fraction of the systems, members and details to check their adequacy. The number of representative systems, members and details verified shall be sufficient to form a basis for the reviewer's conclusions;
- f. Verify that the design engineer of record complied with the structural integrity provisions of the applicable codes;
- g. Verify that performance-specified structural components (such as certain precast concrete elements) have been appropriately specified and coordinated with the primary building structure;
- h. Review the structural and architectural plans for the building. Confirm that the structural plans are in general conformance with the architectural plans regarding loads and other conditions that may affect the structural design;
- i. Confirm that major mechanical items are accommodated in the structural plans;
- j. Confirm that all items within the definition of "structure" under Section 122.2 are in accordance with the applicable codes; and
- k. Attest to the general completeness of the structural plans and specifications.

122.6 Structural Design Criteria. If the design criteria and design assumptions are not shown on the drawings or in the computations, the structural engineer of record shall provide a statement of these criteria and assumptions for the reviewer. In addition, the structural calculations prepared by the structural engineer of record shall be submitted to the peer reviewer upon his/her request.

122.7 Structural Peer Review Report. The peer reviewer shall submit a report to the Department of Safety and Permits stating whether or not the structural design shown on the plans and specifications generally conforms to the structural and foundational requirements of the applicable codes. The report shall demonstrate, at a minimum, compliance with items (a.) through (k.) of Section 122.5. In addition, the report shall also include the following:

- a. The codes and standards used in the structural design of the project;
- b. The structural design criteria, including loads and performance requirements; and

c. The basis for design criteria that are not specified directly in applicable codes and standards. This should include reports by specialty consultants such as wind reports and geotechnical reports. Generally, the report should confirm that existing conditions at the site have been investigated as appropriate and that the design of the proposed structure is in general conformance with these conditions.

122.8 Phased Submission. If an application is submitted for a permit for the construction of foundations or any other part of a building before the construction documents for the whole building have been submitted, the peer review and report shall be phased. The peer reviewer shall be provided with sufficient information on which to make a peer review of the phased submission, in accordance with this Chapter.

122.9 Response to reviewer recommendations and disputes. The contents of the peer review report shall be presented to the structural engineer of record and the owner of the property before being submitted to the Department of Safety and Permits. The structural engineer of record must respond to any recommendations presented in the report, but is not obligated to agree with them. If the structural engineer of record and the peer reviewer are unable to resolve all differences, the structural engineer of record must document any disagreements for submission to the Department of Safety and Permits. Upon review, the Department may make a decision or may accept a change of the peer reviewer; however, the peer reviewer cannot be changed without the express consent of the Department. If a request is made for a change of the peer reviewer prior to completion of the peer review report, the current peer reviewer shall submit a written letter to the Director of Safety and Permits detailing the circumstances surrounding the withdrawal request and a report of the peer review findings to date.

122.10 Responsibility. The structural engineer of record shall retain sole responsibility for the structural design. The activities and reports of the peer reviewer shall not relieve the structural engineer of record of this responsibility. The peer reviewer's report states his or her opinion regarding the design by the structural engineer of record. The standard of care to which the peer reviewer shall be held in the performance of the peer review and report is that the level of skill and care are consistent with structural peer review services performed by professional engineers licensed in the State of Louisiana for similar types of projects.

122.11 Promulgated rules to effectuate intent. The Department of Safety and Permits shall promulgate regulations needed to effectuate the intent of this section in accordance with Section 2-1000 of the Code of the City of New Orleans and submit such regulations to the City Council for approval no later than ninety days after adoption of this ordinance.

SECTION 123- OBSERVATION BY PROFESSIONALS OF RECORD

123.1 General. The purpose of this section is to provide for periodic physical observation of work by the engineer of record, or a certified third party engineer retained by or on behalf of such engineer, throughout the construction period. These provisions shall become effective on the ninetieth day following adoption of this ordinance.

123.2 Applicability. The provisions of this section shall apply to the new construction of any commercial structure, regardless of size, and to any residential structure taller than three floors.

123.3 Required observations. Wherever the applicable construction codes or city policies require observation or inspection of such projects included in Section 123.2, the engineer of record for that particular function, or a certified third party engineer retained by or on behalf of the engineer of record, shall physically observe the premises and report his or her findings to the Department of Safety and Permits. The Department shall not approve an observation absent a favorable observation by the pertinent engineer. The Department of Safety and Permits shall approve the use

of a third party engineer for such observation, and in any event, the engineer of record shall sign off on an observation conducted by his or her representative. Observations mandated by this section are intended to supplement those observations, inspections, and approvals provided by City inspectors, to ensure that work is completed according to design.

123.4 Promulgated rules to effectuate intent. The Department of Safety and Permits shall promulgate regulations needed to effectuate the intent of this section in accordance with Section 2-1000 of the Code of the City of New Orleans and submit such regulations to the City Council for approval no later than ninety days following adoption of this ordinance.

* * *

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS OCTOBER 7, 2021

HELENA MORENO

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON OCTOBER 8, 2021

APPROVED: OCTOBER 13, 2021

LATOYA CANTRELL

MAYOR

RETURNED BY THE MAYOR ON OCTOBER 13, 2021 AT 3:55 P.M.

LORA W. JOHNSON

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7

NAYS: 0

ABSENT: 0

RECUSED: 0

ORDINANCE

(AS AMENDED)

CITY OF NEW ORLEANS

CITY HALL: June 3, 2021

CALENDAR NO. 33,351

NO. 28794 MAYOR COUNCIL SERIES

BY: COUNCILMEMBERS BROSSETT AND GISLESON PALMER

AN ORDINANCE to amend and reordain Sections 70-415.288 through 70-415.292, in Division 44 of Chapter 70 of the Code of the City of New Orleans; to clarify that the City of New Orleans' Interim Short Term Rental Fund is no longer interim, and to provide that the fund shall be used for Short Term Rental enforcement; and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY amends and reordains Sections 70-415.288 - through Sec. 70-415.292 of Division 44 of Chapter 70, to read as follows:

“CHAPTER 70 - FINANCE

* * *

ARTICLE III. – FUNDS

* * *

DIVISION 44. –Short Term Rental Fund

Sec. 70-415.288. – Fund Created.