



# AIA New Orleans

THE AMERICAN INSTITUTE OF ARCHITECTS

January 20, 2017

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*Executive Director*

New Orleans City Planning Commission Office  
Attn: Commission Chair Nolan Marshall III  
CC: Robert D. Rivers, Leslie T. Alley  
1300 Perdido St, 7th Floor, One Stop Shop  
New Orleans, LA 70112

RE: AIA NEW ORLEANS POSITIONS on PROPOSED TEXT AMENDMENTS to the  
NEW ORLEANS MASTER PLAN

Dear Commission Chair Nolan Marshall III,

AIA New Orleans represents over 400 architects licensed as professionals to protect the life, safety and welfare of individuals and communities. As architects, along with licensed planners, we are uniquely trained and experienced to design the urban fabric, plan sites and design buildings. Architects are also the primary professional to implement the design requirements for our buildings as mandated by the New Orleans Comprehensive Zoning Ordinance as framed by the New Orleans Master Plan.

As you prepare your vote on the proposed text amendments to the New Orleans Master Plan, AIA New Orleans offers the following observations for your consideration.

## CHAPTER 5 - HOUSING

### 5.1) Housing Density

Summary: Text amendments proposed by many entities, including the City Planning Commission, would increase housing density, remove density caps, allow multi-family housing in more districts/corridors, or allow "Accessory Dwelling Units" in multiple land use designations.

AIANO position - FOR: Housing remains a pressing concern for residents and developers alike. Providing more housing options for a wider range of ages and incomes that are more accessible to asset-rich (not necessarily income-rich) communities will benefit the city as a whole. We support provisions that allow development of a greater diversity of housing options for all citizens.

## CHAPTER 6 - HISTORIC PRESERVATION

### 6.1) AIA as a stakeholder

Summary: Text amendments proposed by the City Planning Commission (Goal I.C) indicate that the AIANO will play a leading role in enhancing guidelines, teaching New Orleanians about contemporary architecture, and working with teaching entities such as Delgado for developing workforce training of skilled craftspersons.

AIANO position – FOR (conditional): AIANO acknowledges the need for, and benefit of, these actions, and generally support the effort. We welcome the opportunity to work with the City to clearly define roles, responsibilities, and resources available, to provide this service in a manner commensurate with our status as a non-profit membership organization.

## 6.2) Design Training

Summary: Text amendments proposed by Louisiana Landmarks Commission would enhance staffing expertise regarding design, and would require commissioners for IIDLC, VCC, CPC and BZA who are not architects to have formal training on matters of urban design.

AIANO position – FOR: We support training for all commissioners and review staff of these agencies. Furthermore, we strongly encourage the training to include architectural design as well as urban design, and ask that all design training cover both historic and contemporary design. This will benefit a broader range of neighborhood typologies and building types that represents New Orleans more holistically.

## 6.3) "Tout Ensemble" as design criteria

Summary: Text amendments proposed by the Vieux Carre Commission, City Planning Commission and the Louisiana Landmarks Commission would require design review within historic districts to include reviewing the design as to how it relates to the overall neighborhood characteristics, use and occupancy, etc.. This "tout ensemble" requirement would be enforced subjectively and objectively at the discretion of the reviewing body.

AIANO position – AGAINST: The New Orleans Master Plans and Comprehensive Zoning Ordinance were created to provide clear and measurable design requirements evaluated through a transparent review process. However, application of the "tout ensemble" requirement negates these goals as it can never be fully codified or measurable to allow for a predictable and reasonable outcome for any building design. It also does not account for the design requirements of other agencies who enforce current building code standards that did not exist during the historic time period when the historic neighborhoods were originally constructed (i.e. stormwater management requirements, State Fire Marshal life safety requirements, etc.). As a result, building design could be stalled in review, or denied, based on nebulous or capricious design reasons, or for irreconcilable design conflict between old neighborhoods and current building codes. Staff and commissioners already review new work proposed in historic districts. When properly trained in architectural and urban design (see item 6.2 above), this requirement should be a moot point. For these reasons, the AIANO strongly opposes "tout ensemble" considerations for any building review.

## CHAPTER 12 - RESILIENCE

### 12.1) Designing for Resilience

Summary: Text amendments proposed by the Mayor's office includes many options for investing in, and incentivizing, resilient design strategies.

AIANO Position - FOR: Globally, the construction industry is the leading generator of waste materials and carbon emissions, as well as the primary cause of natural environment loss. As a leader in the construction industry, the National Chapter of the AIA is strongly committed to supporting resilience and sustainability in the design of buildings and urban environments to help counter this trend. State and Local chapters of the AIA, and their members, have made similar commitments across the country. AIA New Orleans supports resilient design in buildings and urban environments.

### 12.2) Stormwater management

Summary: Text amendments proposed by the Mayor's office would require clear guidance on Stormwater Management including best practices of residential, commercial and public buildings, and incorporating SM into streets and public rights-of-way with DPW.

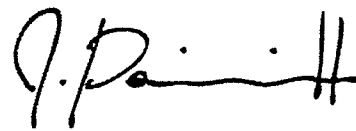
AIANO Position - FOR: AIANO supports clear requirements that apply equally to all buildings, whether privately- or publicly-owned. Furthermore, AIANO requests clarity on all types of stormwater management applications, especially hardship options including fee-in-lieu applications for buildings that are unable to fulfill the requirements due to technical infeasibility (for example an existing historic building that fully occupies their entire site). Furthermore, AIANO gives conditional support for application of these requirements to public rights-of-way provided there are clear design requirements, a transparent review process, and there is no conflict satisfying the design requirements of various city agencies such as Department of Public Works and the Department of Safety and Permits.

In closing, there are a number of excellent opportunities offered in the proposed text amendments for the New Orleans Master Plan. There are also several well-intended proposals that will do more harm than good if approved. AIA New Orleans, and all of the architects it represents, thank you for your consideration of the positions and observations shared with you here. We look forward to working with you, and will gladly provide any assistance or information you may request.

Sincerely,



Jason Richards, AIA  
2017 Board President  
AIA New Orleans



Joel Pominville, Assoc. AIA  
Executive Director  
AIA New Orleans

####

The American Institute of Architects (AIA) was formed in 1857, and the New Orleans chapter was founded in 1909 as its thirteenth chapter overall and only the second chapter in the South. AIA New Orleans has a storied history with many significant accomplishments related to promoting the field, providing professional development opportunities for local architects, supporting economic development by attracting businesses to the city, promoting historic preservation, and influencing local policies and practices related to land use and development.

As of 2015, AIA New Orleans has grown to include over 600 members representing 193 firms or organizations. AIA New Orleans continues to offer high quality professional development for members, peer engagement opportunities that build a strong network and professional community of architects, and public awareness and advocacy activities related to quality design in the built environment.

# Water Collaborative of Greater New Orleans

Comments to the New Orleans City Planning Commission on Master Plan Amendment Submissions, Jan. 2017

## **Vol. 2 Ch. 1 – Office of the Mayor**

We welcome the Mayor's suggestion that resilience be a cornerstone of the Master Plan. The objective of "transform[ing] city systems" to build a New Orleans for the future is particularly relevant to the Master Plan and its use by city agencies. If the plan is to be transformational rather than merely aspirational, however, all agencies and not merely the CPC must integrate the policy goals found in the plan into daily operations and coordinate with sister agencies on cross-cutting goals like resilience and equity.

## **Vol. 2 Ch. 5 – Housing NOLA**

In addition to weatherization and energy efficiency, the scope of assistance to low-income residents referenced in goal 2.A.2 should include household water efficiency and onsite stormwater management whenever practical, as these measures also achieve occupant cost-savings and net energy savings.

We support the inclusion of stormwater management as a legitimate use for undeveloped parcels as proposed in goal 2.A.4.

We concur with the assertion under goal 4.G that "sustainable design principles should ensure that all residents have access to a healthy living environment that efficiently uses resources over time and reduces the potential for flood damage from rainfall events."

The reauthorization of the National Flood Insurance Program referenced in goal 4.G.3 is necessary but not sufficient; the objective of "more affordable" flood insurance should always be paired with the objective of maximizing coverage. It is in the city's best interest to remove barriers to comprehensive coverage so that all homes and businesses are adequately covered in the event of a flood, non-flood storm damage, or other event. This principle (which is perhaps implied, but not articulated) should also be clearly reflected in goal 4.G.4. We concur with the language in goal 4.G.4 calling for the city to pursue an improved rating under the NFIP Community Rating System, which entitles all residents to a discounted flood insurance rate.

## **Vol. 2. Ch. 6 – Office of the Mayor/HDLC**

We support the altered recommendation in goal 3.A to "Develop a 'Resilience Strategies for Historic Commercial Corridors' pattern book," as this concept is compatible with our own recommendations for revisions in this section. We note that a pattern book should adequately explain the principles and best practices reflected in the designs included. This will make it more widely applicable. Similarly, a companion book or appendix on residential neighborhoods would be useful for many residential property owners and developers.

The Water Collaborative would welcome inclusion in the committee described in 3.A.1, which is similar in concept to our own proposal for a public-private advisory committee.

### **Vol. 2. Ch. 6 – Louisiana Landmarks Society**

We support the Louisiana Landmarks proposals for sections 3.C and 3.D, which are similar in concept with our own and compatible with the “pattern book” concept cited above. Each of these related proposals envisions the city as a national model for resilience retrofits that are informed by experts, embraced by community members and made clear to the owners and redevelopers of historic property.

### **Vol. 2. Ch. 7 – ENONAC**

Maps provide by the East New Orleans Neighborhood Advisory Commission’s underscore the fact that New Orleans East lacks lakefront recreational access. Recognizing the complexities of the project, we nevertheless regard Lincoln Beach as a priority site for re-establishing connectivity with Lake Pontchartrain. This objective is also affirmed in comments from the Office of the Mayor.

While ENONAC’s request for park creation and improvement in New Orleans East emphasizes programmed spaces such as ballfields and playgrounds, this subsidence prone area is also well suited to pocket parks following NORA’s “stormwater lot” model, which emphasizes water management, education and passive recreation.

### **Vol. 2. Ch. 7 – NOLA Squared**

We welcome the inclusion of stormwater management and sustainability as criteria in park restoration plans in 7iB-3. The consideration given to low-maintenance plant materials in 7iC-2 should be expanded to preference native plants, which are adapted to local climatic conditions.

### **Vol. 2. Ch. 7 – Sustaining Our Urban Landscape**

We support the suggestion that the city establish a heritage tree designation and explore a compensatory mitigation program for trees lost to development. These proposals are similar in concept to several of our own recommended amendments.

### **Vol. 2. Ch. 7 - Councilmember Cantrell - NOLA Parks for All**

We concur that establishing sub-designations for open space, natural areas and recreational areas can improve the management of public lands within the city. Recognizing that parks provide a range of ecosystem services and social benefits, those responsible for managing our parks should seek to balance these outcomes across the city’s “fleet” of small parks and within its larger park parcels.

We endorse the suggestion that decisions to reprogram public lands in a manner that restricts access to public waterfronts (goal 5) should be subject to heightened scrutiny. This is in keeping with our emphasis on improving the public’s access to and appreciation of the city’s waterfronts and waterways.

### **Vol. 2. Ch. 7 – Office of the Mayor**

While we recognize that not every neutral ground or right-of-way is well suited to green infrastructure, we oppose the removal of the reference to “stormwater management” under goal 2 unless the concept is reintroduced elsewhere. It may be acceptable to decouple the installation of green infrastructure for stormwater management from tree canopy restoration. However, there is a strong case for linking green infrastructure and neutral grounds and rights of way: these linear parcels are the most practical means of intercepting the large volume of runoff generated by city streets.

We support the introduced goal 7.C of “Establish[ing] green infrastructure planting practices and staff resources for green infrastructure in public spaces” through a “comprehensive manual for use by city departments and the general public” and “green infrastructure maintenance team(s) with specialized training to manage and develop green infrastructure elements on public lands.” In addition to those agencies listed, nonprofits like the Water Collaborative and trade associations such as the Water Environment Federation and American Society of Landscape Architects may be able to contribute positively to the manual through creation of a stakeholder advisory group. It is also worth noting that in addition to establishing teams of city staff, the responsible agencies may sometimes determine it cost effective to enter maintenance contracts for green infrastructure with private sector providers.

#### **Vol. 2. Ch. 9 – Office of the Mayor**

We support the suggestion that “environmental and resilient industries” be listed as emerging industries, as this reflects our suggestions. The edited goals 5.A – 5.D constructively spell out the steps needed to realize the city’s aspirations for water sector growth. They rightly synthesize coastal restoration and urban water management, and we particularly welcome goal 5.A.1 “Fully implement the Greater New Orleans Urban Water Plan as recommended in the Resilient New Orleans strategy.” Regarding the timeframe for this goal, it should be understood that it is a near-term priority but will not be completed in five years.

#### **Vol. 2. Ch. 10 – Office of the Mayor**

We support the assertion that “city facilities must set the standard for resilient design, use, and operation,” and concur with the rationale provided.

*Note:* Relatively few edits have been proposed to this chapter by the administration. Consistent with the steps outlined in the “City Planning Commission Universal Amendment Proposals,” we recommend a review of the “fact sheet” data by Sewerage and Water Board. In particular, references to the board’s consent decree with the U.S. EPA, estimated repair costs and available funding in the Capital Improvement Plan appear dated.

#### **Vol. 2. Ch. 11 – Office of the Mayor**

We support the added goal 5.B (as renumbered): “Develop a transportation system that contributes toward a healthier environment for future generations through investments in multi-modal facilities and green infrastructure for stormwater management.” This is imperative because (a) the mostly-paved transportation network is a major contributor of stormwater runoff to the drainage system and (b) the adjacent rights of way and neutral grounds, which provide alternate receiving areas for stormwater, are typically managed in tandem with the transportation network.

For these reasons, more detail is warranted under goal 5.B.3, “Implement stormwater management systems that emphasize green and gray infrastructure solutions.” This could be achieved in part by reference to other passages of the Master Plan dealing with green infrastructure for stormwater management.

#### **Vol. 2 Ch. 11 – Central City Renaissance Alliance**

The proposed strategy, “Fund neighborhood projects to implement low cost redesign solutions for varied purposes – parklets, bike shares and calming traffic,” is compatible with the goal of improved

stormwater management adjacent to roads and sidewalks. For example, replacing painted “no parking” triangles with planting beds can achieve traffic calming at intersections while also reducing runoff. Use of permeable paving options for bike lanes, parking lanes and sidewalks is another such strategy.

#### **Vol. 2 Ch. 11 – Port of New Orleans**

The Port’s proposed revised strategy, “Ensure that the City’s hazard mitigation plan and preparedness and response measures are coordinated with the Port, rail and regional freight planning efforts to efficiently and safely move hazardous materials through the city,” calls attention to an important issue: The potential for an unintended release of toxic materials within neighborhoods or waterways. We support this proposal with the additional observation that in some cases, minimizing (in time or volume) the movement of hazardous materials through our city may be the safest option.

#### **Vol. 2. Ch. 12 & 13 – Office of the Mayor**

This extensive revision appears largely concurrent with our own recommendation that the *Greater New Orleans Urban Water Plan* and *Resilient New Orleans* strategy be incorporated into the next iteration of the Master Plan. We have endorsed many of the strategies and actions presented in this document in our own amendments and comments above.

Goals 3 and 4 emphasize citizen preparedness for climate change and extreme events. However, goal 2 pays minimal attention given to the impact of private lands on stormwater volume and water quality (only addressing private lands through the CZO). This is important, because the *Urban Water Plan* calls for distributed green infrastructure on private, residential lots. Additional actions should be included to drive retrofitting of private property for system-wide benefit. These include exploring the viability of a drainage fee or stormwater utility and creation of low-interest revolving loan funds for qualifying retrofits. This may be what is intended for the grant program referenced in 3.A.1, but if so the phrase “risk reduction measures,” should be augmented with details.

Proposed goal 6.B.2, “Design and implement green infrastructure interventions to improve water quality,” is the only reference to water quality, and it lacks specificity. This omission should be addressed in the final document, and our own amendments provide some language.

We also support the parenthetical call, “For increased usefulness across the Master Plan document, include metric targets for each goal wherever possible.

#### **Vol. 2. Ch. 12 – Sustaining Our Urban Landscape**

We support the policy, also reflected in our own amendments, of identifying and protecting “heritage trees” in concert with the installation of green infrastructure for stormwater management across the built environment.



# NEIGHBORS FIRST FOR BYWATER



Neighbors First for Bywater, LLC

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Robert D. Rivers, Executive Director  
1300 Perdido St., 7<sup>th</sup> Floor  
One Stop Shop  
New Orleans, LA 70112

Date: January 9, 2017

Re: Master Plan Amendments

Dear Mr. Rivers:

The Board of Neighbors First for Bywater (NFB) has discussed the Master Plan amendment process with our membership and concluded to take the following positions (and as described below):

1. We support all of the amendments proposed by the Louisiana Landmarks Society
2. The Master Plan should retain density limits as required by the City Charter
3. The Master Plan should not be amended outside the formal process and interpretation of the Master Plan should be a legal matter as stipulated by the “force of law” provision of the City Charter.
4. The term “tout ensemble” should remain in the description for the Mixed-Use Historic Core future land use category
5. We oppose Councilmember Ramsey’s amendment to include “culture-serving businesses and facilities” in in the description of the Residential Historic Core future land use category

## **Louisiana Landmarks Society Amendments**

We support all of the amendments proposed by the Louisiana Landmarks Society. These amendments were developed by Louisiana’s leading preservation organization with input from

neighborhood organizations from New Orleans' historic neighborhoods and reviewed and revised by the city's most experienced preservation lawyers. These amendments will protect and preserve the integrity of our historic neighborhoods and the cultures that sustain them. Adoption of these amendments will set a national standard for preservation planning.

### **Density Limits**

We are opposed to removing the density limitations from any future land use category's Development Character section in Chapter 14 (Section C) and believe that all residential future land use category descriptions must include density limits. Density limitations are required by the City Charter (Section 5-402.1) which states, "*The Land Use element shall consist of text setting forth land use issues and policies, and a Future Land Use Map setting forth categories of allowable uses and density, for the City.*" The density limitations provide an overall goal for the development character of neighborhoods and thus are essential to the Master Plan.

### **Force of Law**

We are opposed to the CPC amendment to provide the Executive Director the authority to make final decisions on map amendments and final decisions on interpretations of the Future Land Use Map. This would violate the City Charter, Section 5-404.4, which specifies the mandatory review process and schedule as well as public input process in amending the Master Plan. These limitations on amendments to the Master Plan are a safeguard to protect its integrity.

### **Tout Ensemble**

We are opposed to removing the term "tout ensemble" from the description of the Mixed-Use Historic Core future land use category in Chapter 14, Section C. New mixed-use developments can be very large and overwhelm adjacent historic neighborhoods with foreign and oppositional architecture. It is imperative that new mixed-use developments respect the historic character of the surrounding neighborhoods.

### **Culture-serving Businesses and Facilities**

We are opposed to Councilmember Ramsey's text change to the description of the Residential Historic Core future land use category (Chapter 14, Section C) to include "culture-serving businesses and facilities". The proposed amendment does not provide any specific language or justification for the text change nor is clear why this change should be specific to Residential Historic Core neighborhoods. There is no definition for "culture-serving businesses and facilities" in the Master Plan glossary (Volume 2) so there is no way to interpret such text. Future land use descriptions for residential categories describe residential areas, so it is not clear why commercial uses ("businesses") are being inserted here.

Thank you for your consideration of these points in completing the City Planning staff report on the amendments. We look forward to participating in the amendment process and providing more specific input on matters that affect the Historic Core neighborhoods.

Sincerely,  
Julie Jones, President  
Brian Luckett, Treasurer

## Paul Cramer

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**From:** Robert D. Rivers  
**Sent:** Sunday, January 08, 2017 10:19 AM  
**To:** Paul Cramer  
**Subject:** FW: Proposed changes to the Master Plan

**From:** [knittingduck@aol.com](mailto:knittingduck@aol.com) [mailto:[knittingduck@aol.com](mailto:knittingduck@aol.com)]  
**Sent:** Saturday, January 07, 2017 1:22 PM  
**To:** Robert D. Rivers  
**Subject:** Proposed changes to the Master Plan

Dear Mr Rivers:

I am a lifelong resident of New Orleans and have lived in Bywater for 42 years. I would like to share my thoughts on some issues regarding the work that you and your staff are doing regarding the Master Plan.

Before anything is done about Councilperson Ramsey's "cultural services" they must be defined. I fear that this extremely vague term could lead to rampant misuse of property in Bywater and throughout the city. Her voting record supports my fears.

I support the amendments made by the Louisiana Landmarks Society.

Density limits should remain as they are currently.

Historic Core areas should be encouraged to maintain the *toute ensemble* for future development.

Thank you,

Anthony J. Eschmann  
822 Lesseps St.

**Mark M. Gonzalez**

Attorney at Law

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New Orleans, Louisiana 70112

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January 6, 2017

**VIA TELECOPIER AND E-MAIL: (504) 658-7032**

Robert D. Rivers, Executive Director  
CITY PLANNING COMMISSION  
1300 Perdido Street, 7<sup>th</sup> Floor  
New Orleans, Louisiana 70112

**RE: Master Plan Amendments**

Dear Mr. Rivers and City Planning Commission:

Please accept the following as input from a 30+ year resident of New Orleans very concerned about and involved in its well-being:

1. The Master Plan should retain density limits as required by the City Charter;
2. The Master Plan should continue to have the force of law as specified in the City Charter;
3. The term "tout ensemble" isn't a nice sounding meaningless phrase - it helps describe and determine land use designation and should remain in land use designations for Historic Core areas;
4. I support, and you should as well, the very well studied and laid out amendments sent to you by the Louisiana Landmarks Society;
5. You should NOT support Nadine Ramsey's vague and troublesome proposal for "cultural services" in Historic Core areas until it is well defined what in God's name she is talking about - and if they are good for a Historic Core - they should be good city-wide.

Sincerely,



Mark M. Gonzalez  
3106 Dauphine Street

## LOUISIANA LANDMARKS SOCIETY'S COMMENTS ON PROPOSED MASTER PLAN AMENDMENTS

*Submitted January 9, 2017*

Louisiana Landmarks Society appreciates all the work put into the Master Plan Amendments by officials, neighborhood groups, organizations and individuals. There has been a tremendous amount of material submitted and yet the process seems to have been cut short. We question if the process and comment period are adequate. With that said, we submit the following limited comments:

### Chapter 6:

The proposed pdf of Chapter 6 is improperly posted and not fully readable. This does not allow for adequate comments.

1. The new local historic districts, now approved by the City Council, should be added to the list of local historic districts.
2. Louisiana Landmarks Society requests the word "sustainable" be retained throughout the chapter.
3. Deconstruction and salvage should *NOT* be removed from the preservation chapter. We suggest encouraging deconstruction and salvage prior to the demolition of any historic building.
4. Enhancing guidelines for New Construction should always include that designs, whether contemporary or not, be in scale and character with the existing historic neighborhood. Any new design, rehabilitation or renovation should complement and be in context with the "tout ensemble" of the neighborhood.
5. Louisiana Landmarks Society should be identified and consulted as an additional community resource in matters concerning historic and neighborhood preservation.
6. Although Equity and Resilience are admirable goals, their inclusion in Chapter 6 is technically not the correct placement.

### Chapter 14.

1. Louisiana Landmarks Society is opposed to empowering one person, namely the Executive Director of the CPC, to have authority to make final decision on minor map amendments and final decisions on interpretation of the FLUM.
2. Louisiana Landmarks Society strongly objects to the proposal to remove density limitations on all residential land use categories.

3. Objection is made to proposals seeking to allow small multi-family residential as being too broad and inconsistent with existing language to discourage multi-family residential that is out of scale with neighborhoods.
4. Louisiana Landmarks Society discourages the proposal to merge MUL and MUM zoning categories. (4-17 Section C)
5. Objection is made to the proposals that would grow commercial uses, or provide for ill-defined “culture-serving” uses, at the expense of conducive and established neighborhood uses. The interpretation has the potential to be too broad.
6. Louisiana Landmarks Society requests the retention of “tout ensemble” in Chapter 14, and encourages the term to be used more often to define and retain the individual and unique character of each neighborhood in New Orleans.
7. The Land Use chapter is an inappropriate placement for definitions of Equity and Resilience. Vision seems the more logical place.
8. We fully support the proposal to “preserve and expand parks and green space, and protect passive open green space in parks from conversion to intensive and commercial uses.”

#### Community Participation Plan (CPP)

Louisiana Landmarks Society supports the implementation of the CPP including adequately staffing the CPP with professional, independent staff to engage and inform community members, ensure full and accurate information is provided by applicants on their projects, provide information on zoning, facilitate meetings and produce objective reports on Neighborhood Participation Program (NPP) meetings.

#### General Statement:

The mission of Louisiana Landmarks Society is to support historic and neighborhood preservation, and all matters of zoning and planning that have the effect of contributing to and sustaining the *tout ensemble* and the historic character of each neighborhood in the City of New Orleans. Louisiana Landmark Society is a firm believer in and consistently supportive of a broad and inclusive public and neighborhood participation in all civic processes, especially those that directly affect and influence the well-being and quality of life of the residents in the neighborhoods.

Comments on Other's Submissions:

- **HousingNOLA & GNOHA**

While we see natural alignment between housing affordability and historic preservation in a city where overzealous blight remediation and under-regulated short term rentals have reduced residential units in traditional neighborhood, we have significant concerns about the criteria for and abuse of any exemption to HDLC or VCC guidelines on the basis of affordable units. *In particular, promises of new affordable units should never be the basis for demolition of an historic structure that would otherwise be disallowed.* Numerous examples within the city show the potential for the adaptive use of historic structures to provide affordable units. If this addition is included, we request that preservation and neighborhood groups be specified in the "Who" field to indicate an inclusive stakeholder process.

- **MCCNO**

6A. We support the proposed citywide survey to identify arts and cultural venues of historic significance. A thorough review of existing surveys of National Register Districts could serve as the basis for such an inventory.

6B. Attaching a conditional use such as live music performance to a property in perpetuity is not appropriate within residential neighborhoods. Doing so fails to acknowledge the disparate impacts on quality of life—including noise, foot and vehicular traffic, refuse collection, etc.—associated with different venues. At a bare minimum, any non-conforming use attached the parcel rather than owner should be accompanied by provisos to safeguard neighborhood quality of life and community members should be invited to provide input on the decision.

6C. Proposed soundproofing grants should come with the additional provision that any recipients be required to demonstrate that the materials being used are appropriate and compatible with historic building fabric and that historic exterior elements, such as windows, not be impacted.

- **Mayor's Office**

3.A The proposed changes related to a pattern book of "Resilience Strategies for Historic Commercial Corridors" are consistent in theme with the proposed amendment from Greater New Orleans Water Collaborative to "to establish guidelines for appropriate resilience retrofits in historic settings [which] address energy efficiency, on-site water management, elevation and related issues." We endorse these proposals to establish resilience best practices for historic places but emphasize the need for substantial involvement by neighborhood associations and preservation professionals in their development. Similarly, it should be clear that a pattern book requires written explanation of guiding principles to be of maximum value.

3.2 Revise but do not remove language regarding the value of salvage and reuse of historic building materials. This is compatible with both goals 3 and 4. The embedded energy, craftsmanship, and inherent quality of materials—particularly old growth lumber and imported quarried stone when present—found in historic structures within New Orleans is grounds for salvage and reuse. Furthermore, the reuse of building materials, like the reuse of buildings, is inherently place-based economic development. Rather than using NCDC as a vehicle to promote

salvage and reuse, the city could simply pledge to support private sector and nonprofit endeavors in this area.

5. Include VCC alongside HDLC as an agency with preservation duties and public outreach responsibilities.

Louisiana Landmarks Society opposes the proposals to “eliminate all residential unity densities in the Future Land Use Categories” as well as other proposals to increase densities due to the impacts on the scale and character of neighborhoods – particularly those in our historic core.

- **Greater New Orleans Water Collaborative**

See comments under Mayor’s Office above.

- **Holy Cross Neighborhood Association**

The proposed registry of contributing structures “not under city jurisdiction, such as state bridges, federal locks, waterways, docks,” etc. would contribute positively to our understanding of New Orleans development over time. It would be made more robust with the inclusion of historically significant public works managed by City Park and the Sewerage and Water Board. While listed structures may not be subject to local oversight by the HDLC or VCC, local recognition of their significance could help inform future Section 106 proceedings as well as Historic American Engineering Record documentation projects.



**Paul Cramer**

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**From:** CPCinfo  
**Sent:** Tuesday, January 10, 2017 8:33 AM  
**To:** Paul Cramer  
**Subject:** FW: MP Amendment Comment HCNA 010916

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**From:** John Koefler [mailto:johnkoefler@gmail.com]  
**Sent:** Monday, January 09, 2017 4:53 PM  
**To:** CPCinfo  
**Cc:** hcnaboard-@googlegroups.com; Dominique L. Verner  
**Subject:** MP Amendment Comment HCNA 010916

January 9, 2017

City Planning Commission

1300 Perdido St—7<sup>th</sup> Floor

New Orleans, LA 70112

[cpcinfo@nola.gov](mailto:cpcinfo@nola.gov)

Re: Master Plan Amendment Comments of Holy Cross Neighborhood Association

Dear Commissioners and Staff,

We wish to submit the following comments in the MP process today:

1. With respect to our HCNA previously submitted comments that were listed in the summary as Text 06-08 Locks & Bridges, etc and Text 04-23 Zoning and Land use principles—we failed to find them though saw in the summary index.
2. We believe our original amendment requests remain worth incorporating into the MP. The Corps has recently proposed removing the St Claude Bridge and historic IHNC Lock in favor of the barge industry without the least consideration of impacts on the City of New Orleans itself and its neighborhoods and historic future. We feel the City should consider its own stake in these structural assets and make its own assessments, decisions and initiatives toward what is good for the City and its future. You don't know what you have till its gone, the song says. Provisions in the MP can help the City in this respect to look broadly ahead. These structures in question are 100 years old and still functioning, nationally significant maritime and engineering structures built by Goethals and Strauss, famous people. This speaks to the unique need and opportunity we have to reach out to speak for these extraordinary past achievements and move them with our historic web of neighborhoods into the future. If the City sleeps, they disappear.

2. FLUM PD-8-1 5227 Chartres St. The CPC suggests to be consistent that the FLUM should be altered to be consistent with the zoning (business). We suggest that it be unchanged for the following reason: The FLUM has it right, as the neighborhood wants, and was arrived at through broad inclusive planning process

The zoning change was necessitated when The Center for Sustainable Engagement and Development (CSED) was given a residential property and decided to use it as a demonstration recovery house with state of the art insulation, etc, and to have offices there to be available to the public. The neighborhood did not want the zoning change but the city insisted because no one would reside there, (a condition of residential zoning). What was done was a proviso to let the zoning revert to residential when the CSED moved out, and the house would be residential again.

In this circumstance, then, it is the zoning that is out of synch with the community-established FLUM, and the FLUM designation should remain as the stable intent.

3. FLUM PD-8 -9/PD-8-10. We found these on the map but not in the text. We understand that these are private lots designated as Open Space/Park and perhaps should not be. We have no objection to the concept of correcting this record, if this is the case (we couldn't find these either except on the map). But we believe a more open public process is merited for any FLUM change, including these. There are no minor changes to the FLUM in Holy Cross, and no changes we would cede to the planning director to make on our behalf for land use matters.

4. Request No. 14-22 Section A. Land Use Plan and "Force of Law" (Cf #3 preceding).

5. Request No. 14-15 and 14-16, Section C, etc. Future Land Use Category. We do not want to see multi-family capacity come into our historic one and two family zones, without some future public dialogue and assent from the neighborhood. We oppose increasing density through categorical change here without much more public discussion and acceptance. People here in Holy Cross want to live with the doubles and singles they moved in

here to and have invested in. They welcome new neighbors but see allowance of multi-family as an encroachment, and unfair, to do it this way.

6. In the general matter of removing density as a specification in residential zoning categories, this does not seem desirable, useful, or prudent. We know that density has great impact on community and residential areas. We feel this is particularly important for historic neighborhoods of one and two family houses where incongruous structures bring discontinuity and unravel old neighborhoods. Instead of removing limitations on density, we would rather this code be helping historic neighborhoods survive and thrive by giving more protection to the scale and shape of building in these areas of high community value and solid contribution to the tax base. (Cf. Request No. 14-17, Section C, etc., Future Land Use Categories).

7. Density should focus around transportation hubs, not just on high ground. There is a lot of high ground, including along the river neighborhoods, that is unsuitable for high density because of the lack of transportation facilities. MU-1 should be restored to its original purpose and definition, as the zoning category for high-rise buildings on transit lines and highways and at crossroads.

Conversely, building high rise structures away from transit, away from fast roadways and away from solid adequate infrastructure seems a recipe to bring it all to a standstill because of the heavy load on older more remote neighborhoods with aging facilities that are fine for low density but fail with overload, fail for everyone.

8. We do not want to see merging of land use categories MUL and MUM. We feel this would create a category much too awkward and unwieldy. As it is, the large categories of the "consistency table" allow a broad land use category to be arbitrarily assigned a zoning classification that may not be suitable or intended by the community. It is important that the community be involved in the application of the specific zoning from broad land use categories. The selection of MUMD in Future Land Use Element participation becomes meaningless if the variation and range of the zoning in the consistency table is too large and the zoning selection is made by staff. Alone. This selection at least demands more, not less, community participation. This is at the heart of land use decision-making that is supported by the City Charter, and rightfully requested of the staff by citizens of Holy Cross and throughout the City.

9. Re: Port NOLA Site GIWW 35 in PD-11 along Paris Road. The FLUM is requested changed by the Port of New Orleans. This was requested five years ago also but denied until an independent evaluation was made by competent scientific agencies to determine the impacts on Bayou Bienvenue, which passes through this site.

We have no beef with the Port, but we are concerned about the integrity and health of this Bayou and feel the least we can do is check it out and do what is needed to ensure its health and survival. We think the Port necessarily has a conflict of interest here, despite the best intentions. So we feel that before amending the FLUM and zoning, the condition of Bayou Bienvenue should have some priority. So we oppose the change in FLUM here until this has been positively ascertained and a plan is worked out with the Port to do what is necessary. We have confidence in the Port but we are practical and realistic too, and care very much about the bayou that begins now in Lower Nine and goes into Lake Borgne via Port property.

10. Transportation

11. Planning Districts.

Thank you.

Sincerely,

John Koefel

Board chair, HCNA

Holy Cross Neighborhood Association

[johnkoefel@gmail.com](mailto:johnkoefel@gmail.com)

## Paul Cramer

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**From:** CPCinfo  
**Sent:** Tuesday, January 10, 2017 8:34 AM  
**To:** Paul Cramer  
**Subject:** FW: VCPORA/FQC comments on MP amendments

**From:** Meg Lousteau [mailto:meglousteau@gmail.com]  
**Sent:** Monday, January 09, 2017 4:58 PM  
**To:** CPCinfo; Robert D. Rivers; Leslie T. Alley  
**Cc:** VCPORA; susan@frenchquartercitizens.org; Rick Normand  
**Subject:** VCPORA/FQC comments on MP amendments

Dear City Planning staff and commissioners,

Thank you for the tremendous amount of work that has already gone in to the Master Plan amendment process, and for the work that remains to be done. It is quite an undertaking, and there is still much work to be done!

VCPORA and French Quarter Citizens are very familiar with the Master Plan, having worked to get the charter amendment passed, and then working on the plan and process themselves for many years. We were also active participants in the revision of the Comprehensive Zoning Ordinance. We understand how vital it is that both of these documents set clear, fair, and enforceable standards for land use across the city.

In that spirit, we offer comment on four proposed amendments.

### ***Tout ensemble***

The first is a proposal from the City Planning Commission to delete "tout ensemble" from the text regarding Mixed Use-Historic Core. The language of the proposed change reads as follows, and as you can see, "tout ensemble" has been stricken:

Development Character: The density, height, and mass of new development will be consistent with the character and ~~tout ensemble~~ of the surrounding historic neighborhood. Appropriate transitions will be provided to surrounding residential areas.

The term “tout ensemble” is central to protecting the Vieux Carré’s architectural integrity. In fact, it was part of the landmark *City of New Orleans versus Pergament* case decided by the Louisiana Supreme Court. The judges ruled that “The purpose of the ordinance is not only to preserve the old buildings themselves, but to preserve the antiquity of the whole French and Spanish quarter, the *tout ensemble*, so to speak, by defending this relic.” Tout ensemble – which means, literally, “all together” - is now enshrined in the land use lexicon, not just in New Orleans but nation-wide, as a term for preserving the whole of a neighborhood.

Retaining the term in the Master Plan reinforces the importance of *tout ensemble* as a guiding principle for land used and redevelopment in the city’s oldest neighborhood and its main economic driver. We can see no reason to remove it.

### **Culture-serving business and facilities**

CM Ramsey has submitted a proposed amendment that would allow “culture-serving businesses and facilities” in Residential Historic Core neighborhoods (see citation below). The language is vague, and no definition is offered, so it’s difficult to ascertain the potential impact. Whether the proposed amendment intends to encompass bars and nightclubs, or is even broader, it’s possible, even likely, that such a change would mean that residentially-zoned properties could become commercial. The point of zoning is to provide stability and predictability. Allowing potentially incompatible uses, especially in residential areas, could be damaging to neighborhood and residential stability. We would like to better understand the intent and effect of this proposed amendment, and look forward to reading the staff analysis.

<http://www.nola.gov/nola/media/One-Stop-Shop/CPC/Council-District-C-CM-Ramsey-District-C-Text-Ch-6-and-13.pdf>

1.d.

*In Chapter 14, revise RESIDENTIAL HISTORIC CORE category to include culture-serving businesses and facilities.*

### **Removal of time limits for legal non-conforming uses**

Another proposed amendment, submitted by MACCNO (<http://www.nola.gov/nola/media/One-Stop-Shop/CPC/MACCNO-Chps-5-7-text.pdf> - page 9), would change language in Chapter 6 to effectively do away with the concept of legal non-conforming use. The request would allow any parcel that could “show a history of hosting live entertainment should be granted **perpetual** non-conforming status for live entertainment that is tied to location, not business or owner” (bolding ours).

This exemption would be irrespective of how long ago the location had hosted live entertainment, or the justifiable expectations of adjacent property owners who purchased their properties with the understanding that they could rely on the zoning. Furthermore, it would seem difficult, legally, to exempt live entertainment usage alone. Should this amendment pass, we foresee other applicants arguing that it should apply to all commercial usage, which, given the city’s complex history of land use, would open up a can of zoning worms.

We request that the staff and commission stick with the existing 6 month time limit for a parcel with a legal non-conforming use to resume operations, or lose its grandfathered status.

### Authority of CPC Executive Director

Request 14-22, Section A.

This submission, from the City Planning Commission, would give the executive director or his/her designee the authority to make final decisions on minor map amendments, as well as to make final decisions on Future Land Use Map. This would violate the city charter (section 5-404.4), which specifies a mandatory review process and schedule. It also mandates public input in amending the Master Plan. These limitations were designed to safeguard the integrity of the Master Plan, and we believe strongly that they should remain in place.

Kind regards,

Meg Lousteau

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