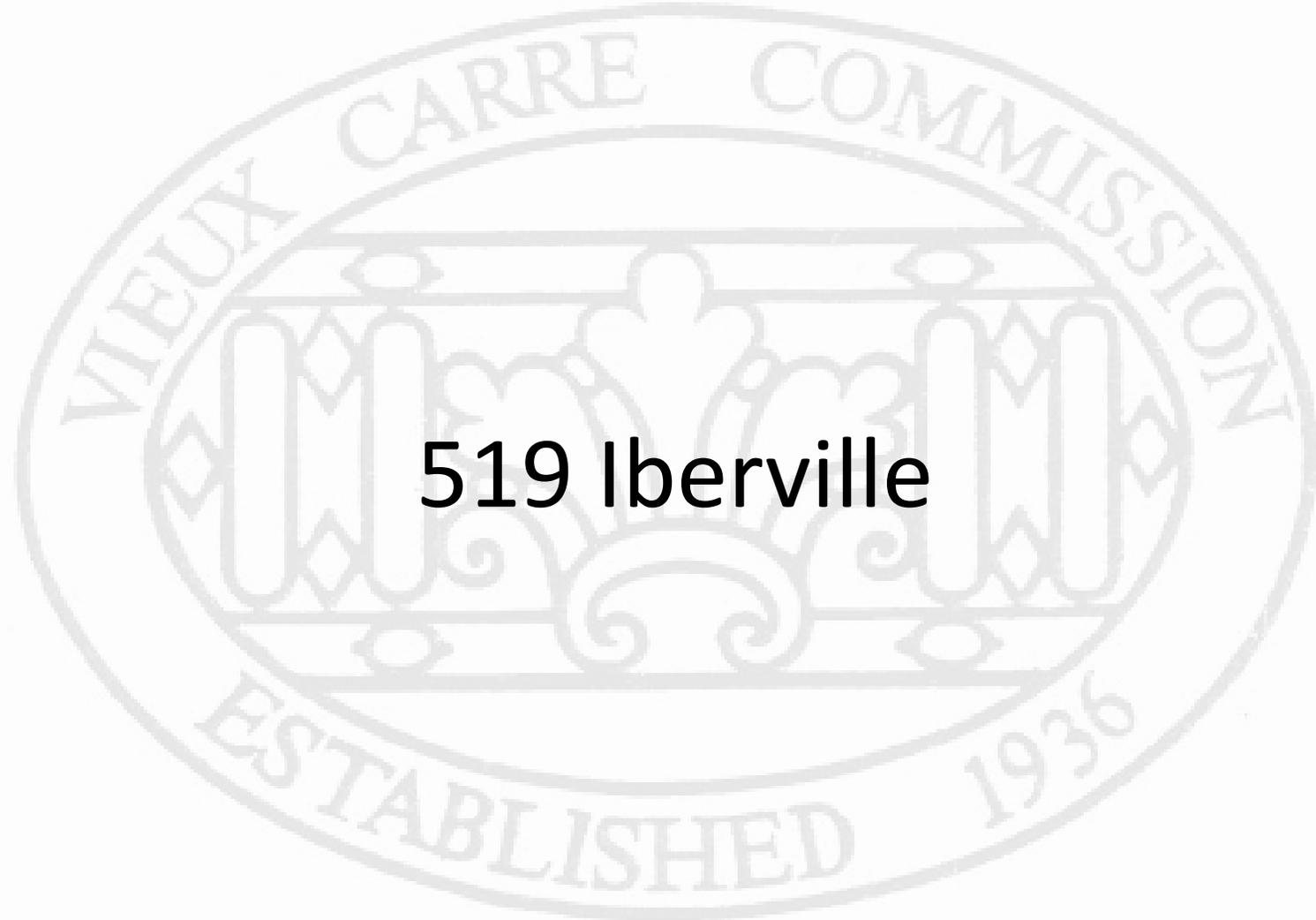


**Vieux Carré  
Commission Meeting**

**Wednesday, January 19, 2022**



**New Business**



**519 Iberville**



- 1. The historic character of the Vieux Carré shall not be injuriously affected.*
- 2. Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.*
- 3. Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.*
- 4. The value of the Vieux Carré as a place of unique interest and character shall not be impaired.*

With the proviso that a condo board consent letter must be submitted prior to final approval and permit, staff recommends **conceptual approval** of the new construction and mechanical equipment, with a **positive recommendation** for the **change of use** from *vacant* to *restaurant* to be forwarded to the Department of Safety and Permits.

**VIEUX CARRÉ COMMISSION ACTION:**

01/19/2022



# Appeals and Violations



619 Royal

ADDRESS:	619-21 Royal	APPLICANT:	Trapolin Peer Architects
OWNER:	619 Royal Street LLC	SQUARE:	61
ZONING:	VCC-2	LOT SIZE:	4,186.5 sq. ft.
USE:	Unknown	OPEN SPACE:	
DENSITY:		REQUIRED:	1255 sq. ft.
ALLOWED:	6 units	EXISTING:	Unknown
EXISTING:	Unknown	PROPOSED:	Unknown
PROPOSED:	Unknown		

### **ARCHITECTURAL/HISTORICAL DESCRIPTION OF PROPERTY:**

Main building & service ell: **Green**, of local architectural and/or historic significance.

This brick 3-story masonry Creole style building with carriageway, as well as the adjoining twin building at 619-21 Royal, was built by General Jean Labatut, c. 1795. Beginning as a 1-story building, a second floor was added for the General in 1821 by builders Pinson and Pizetta. Then a third floor was added later in the 19th century.

**Vieux Carré Commission Meeting of** **01/19/2022**

**DESCRIPTION OF APPLICATION:** 01/19/2022  
**Permit #20-30797-VCGEN** **Lead Staff: Erin Vogt**

Appeal of Committee denial to reconstruct rear building using wood frame and masonry veneer construction, per application & materials received 06/09/2020 & 12/15/2021, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 01/19/2022

During Committee review of other items on 10/12/2021, it was discovered that the rear building, which had been approved for reconstruction due long-standing demolition by neglect, vegetation growth, and soil conditions resulting in foundation failure, was being rebuilt using a different construction method than previously existed. The previous Royal-side wall was three wythes of masonry thick; the applicant began reconstruction using a 2x6 stud wall with brick veneer, reusing masonry taken from the interior of the building since the bricks that made up this wall were heavily deteriorated.

The Design Guidelines state that *“the approach, style and type of compatible new construction or an addition will vary at each site depending on the specific context. The approach for an addition or new secondary building is guided by the architectural and historical importance of the property as identified by its color rating [Green, in this case – of local architectural and/or historic importance]. Recognizing that what might be appropriate at one property is not appropriate at another, the VCC does not mandate specific design ‘solutions’ for new construction or an addition. However, when determining the appropriateness of a new construction or addition, the VCC is guided by The Secretary of the Interior’s Standards and the general design principles,”* which are listed on **VCC DG: 14-4**. Generally, these standards and best practices encourage buildings to be ‘of their time,’ not presenting a false history of when they were constructed. The veneer reconstruction at 619 Royal has been approved by the National Park Service and State Historic Preservation Office, and the project is not at risk of losing their tax credits.

The Guidelines do not prohibit the use of veneer construction; whether it is found approvable or not has been left to the discretion of the Committee. When making a recommendation to the Committee regarding new construction, staff has raised concerns about veneer when it is either a) unconvincing, or b) negatively affects other aspects of the design, such as the depth and reveal of millwork. Since the thickness of this wall is being maintained, the risk of millwork appearing “surface mounted” does not appear to be a concern.

The applicant submitted the following cover letter regarding their appeal of the Committee’s decision:

We are submitting this letter as an appeal to the Architectural Committee’s decision to deny the reconstruction of a multi-wythe wall on the site of 619 Royal with wood construction and masonry veneer. While we have taken the Committee’s concerns and position into consideration on this matter of building a true masonry wall versus a brick veneer wall. We feel that our proposed direction addresses the unique issues for this property, maintains an exterior façade that is consistent with the original wall’s appearance and contributes to the servants’ quarters overall historic character. At the time of denial, Committee and Staff did feel that the overall outward appearance of the proposed wall to be consistent with what was original however could not rule on the alternative reconstruction based on challenges of the existing conditions presented to the Committee. We understand this concern and their position but hope to provide evidence that will aid the Commission in considering this approach.

### Condition of the existing rear wall

The existing wall was deteriorated due to vegetation, water intrusion and extensive settlement due to poor foundations. This settlement can still be seen along the length of the property which was an indication of the lack of proper footings and compromised soils along the 619 and 623 Royal properties. In addition, three out of the four openings within the wall were missing doors/windows and showed a great deal of deterioration of the existing frames. The door and window frames were constructed similar to the adjacent servants' quarters which are load bearing wood frames versus masonry or steel lintels.

### Building/Property Hardship

619 Royal Street is a Green rated, 3-story masonry creole style building with carriageway and 2-story servants' quarters and courtyard. Due to the building's vacancy and neglect, the building has required major repair from water/vegetation intrusion and structural settling when purchased by the current owner. We have included images of the extent of settlement that has been observed not just at the rear wall but along the entire site of 619 Royal. Along the carriage way / property line we believe there to be some sort of fault line or soil issue that has caused extreme settling over time. It is extremely visible on the upper floors of the townhouse, the neighboring building and across the street particularly at their openings. Careful structural stabilization and reinforcement has been done to maintain the structural and historical integrity of the building, especially along the line of the carriageway. Since

the rear wall is also along this line, we have carefully deliberated its rebuilding and are mostly concerned with the longevity of the wall and the site as a whole.

### Veneer Masonry Wall Approach

Due to the settlement concerns it was determined that a new modern concrete footing should be incorporated as the wall was rebuilt. Based on consultation with the Structural Engineer a brick veneer with a stud wall backing is a suitable long lasting wall assembly that can be used in place of a load bearing masonry wall. Utilizing contemporary construction techniques are generally an acceptable approach in renovation projects as long as they are not visible. The team determined the advantages of using the veneer wall included the following:

- Lessening the load on the existing compromised soils
- Incorporating existing salvaged bricks for the outer masonry veneer to tooth into the adjacent masonry wall while providing adjustable brick ties anchored to the plywood/stud walls would allow the walls to move independently given that the new wall is on a contemporary footing and the old masonry walls are on corbelled brick footings.
- Incorporating a 2 x 6 stud wall behind the veneer would provide a 11 ¼" wall assembly (existing masonry walls measured 9"-10" thick) that will provide more depth and shadow line for the new openings.

In conclusion we feel that from the exterior the wall and openings will maintain a consistent look and feel of the existing wall and will not affect the defining historic character of the servants' quarter or the property as a whole. I hope that you consider these points as you review our submission for this rear masonry wall.

Considering the following:

- The VCC Design Guidelines do not mandate historic construction methods,
- The extenuating soil conditions observable on the site and concerns with adding extra weight from masonry construction,
- That the contemporary construction will also help distinguish the history of this portion of the building in that it was reconstructed as per preservation best practices, and
- This construction method has been approved by SHPO/NPS,

Staff recommends **approval** of the appeal to utilize the proposed masonry veneer construction.

**VIEUX CARRÉ COMMISSION ACTION:**

01/19/2022

**Architecture Committee Meeting of** **12/21/2021**

**DESCRIPTION OF APPLICATION:** 12/21/2021  
**Permit #20-30797-VCGEN** **Lead Staff: Erin Vogt**

Proposal to reconstruct rear building with masonry construction, per application & materials received 06/09/2020 & 12/15/2021, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 12/21/2021

The applicant submitted the following cover letter along with revised drawings for a wood frame wall with masonry veneer:

As part of our submission for the December 21, 2021 ARC meeting we feel that, based on the Committee's previous comments and concerns on the hybrid masonry wall system, that a masonry veneer with wood stud walls proposed at the November 9, 2021 meeting is an appropriate approach to rebuild the existing wall. We feel that this direction still maintains an exterior façade that is consistent with the original wall's appearance and contributes to the servants' quarters overall historic character. We hope that the ARC will consider the new masonry wall based on these factors:

Condition of the existing rear wall

The existing wall was deteriorated due to vegetation, water intrusion and extensive settlement due to poor foundations. This settlement can still be seen along the length of the property which was an indication of the lack of proper footings and compromised soils along the 619 and 623 Royal properties. In addition, three out of the four openings were missing doors/windows and showed a great deal of deterioration of the existing frames. The frames were constructed similar to the adjacent servants' quarters which are load bearing wood frames versus masonry or steel lintels.

Veneer Masonry Wall Approach

Due to the settlement concerns it was determined that a new modern concrete footing should be incorporated as the wall was rebuilt. Based on consultation with our Structural Engineer a brick veneer with a stud wall backing is a suitable long lasting wall assembly that can be used in place of a load bearing masonry wall. Utilizing contemporary construction techniques is generally an acceptable approach in renovation projects as long as they are not visible. The team determined the advantages of using the veneer wall included the following:

- Lessening the load on the existing compromised soils
- Incorporating existing salvaged bricks for the outer masonry veneer to tooth into the adjacent masonry wall while providing adjustable brick ties anchored to the plywood/stud walls would allow the walls to move independently given that the new wall is on a contemporary footing and the old masonry walls are on corbelled brick footings.
- Incorporating a 2 x 6 stud wall behind the veneer would provide a 11 ¼" wall assembly (existing masonry walls measured 9"-10" thick) that will provide more depth and shadow line for the new openings.

In conclusion we feel that from the exterior the wall and openings will maintain a consistent look and feel of the existing wall and will not affect the defining historic character of the servants' quarter or the property as a whole. I hope that you consider these points as you review our submission for this rear masonry wall.

If you have any questions or need anything further from us, please call us at (504) 523-2772.

Sincerely,



Gabriel Viridure, AIA  
Associate

Staff seeks the guidance of the Committee regarding the approvability of the proposed wall assembly.

The applicant has also submitted elevations as requested by the Committee. While the portion of the masonry wall between the first-floor openings is markedly narrower than the previously existing conditions, it does appear consistent with the elevations reviewed and approved by the Committee and stamped by staff.

Staff notes that the elimination of the balcony at the rear building will create a conflict between the service ell rail and the shutter at opening B19. Staff requests a revised elevation of the service ell showing how the balcony rail and columns will terminate as they meet the back building, as this detail will need to be studied.

#### **ARCHITECTURAL COMMITTEE ACTION:**

12/21/2021

Ms. Vogt presented the staff report with Ms. Viridure present on behalf of the application. Ms. Viridure stated that the letter outlined their position, and she hoped the Committee would consider the proposal. She added that they would look at the balcony rail termination issue raised by staff. Mr. Fifield asked if they were applying to use tax credits for this project and if they had received approval from NPS/SHPO; Ms. Viridure responded that they were, and she believed the stud wall detail was part of their Part Two package. Ms. DiMaggio stated that the most pressing question was whether this wall assembly would have been found approvable before the scope of the permit was exceeded. Mr. Bergeron added that it was a question about whether historic construction method would be required for reconstruction of a historic building. Mr. Fifield noted the soil concerns, stating that he noticed the poor conditions were very poor when the Committee members visited the site. He added that this could avoid setting a precedent, particularly since the foundation had been designed larger than typical due to these engineering concerns. He also noted that the larger opening had a splayed jack arch, not a soldier course as shown in the drawings. With no further discussion, the Committee moved on to the next item on the agenda.

#### **Public Comment:**

##### **Nikki Szalwinski, FQ Citizens**

We remain concerned and confused as to why there has never been a stop work order issued for the demolition done without permit. While we acknowledge that the applicant is now proposing to rebuild the wing, they are not replacing exactly what was there. Rather they are proposing new construction started without permit in place of the historic structure. Construction that is not the same type or techniques as what was illegally removed.

Municipal code

##### **Sec. 166-21. - Stopping work commenced without permit.**

**The director of the Vieux Carré Commission shall promptly stop any work attempted to be done without or contrary to a permit issued under this chapter and shall promptly prosecute any person responsible for such a violation of this chapter or engaged in such violation. Any officer or authorized agent of the commission shall exercise concurrent or independent powers with the director in prosecuting violations of this chapter and stopping any work attempted to be done without or contrary to the permits required by this chapter.**

The section lost was approximately 20 feet long by two stories tall and visible through the carriageway gates. This is the same size as numerous dependencies in the district used as condos and apartments today. This is not an insubstantial loss and should be subject to the same process as others over the years.

We also wonder why the compromised soil cannot be corrected by adding MORE SOIL, and tamping so that the structure can be rebuilt the same as it stood for 150 years. After all it did not collapse on its own.

Please deny this proposal and require construction in kind.

#### **Discussion and Motion:**

Mr. Block clarified that a STOP WORK ORDER was issued for the rear building, but work was allowed to continue on the rest of the property due to the scope of the renovation. He added that he did not find it worthwhile just to be punitive, but the SWO could be forwarded to the Commission if the applicants were not cooperative or deviated further from the stamped materials.

Mr. Bergeron stated that he was struggling with the proposal but that he did understand the subsurface issues. Ms. DiMaggio added that it was a complex issue, and the reconstruction would have the same outward appearance. She noted that the argument for installing a lighter weight wall assembly given

the soil conditions was compelling. She did share Mr. Bergeron's concern that it was not a true masonry wall and lamented that this conversation has not been had before work was undertaken. Mr. Fifield asked how approval would affect precedent; Mr. Block responded that it would not since VCC applications were reviewed on a case-by-case basis and these were extreme circumstances where the applicant had to demonstrate the benefits of this type of construction at this particular site. Ms. DiMaggio stated that all three Committee members had seen the site in person, and she remembered the rear building was barely standing and was alarmingly deteriorated.

Ms. DiMaggio moved to approve the wall assembly as proposed, noting the soil conditions and subsidence, with the jack arch to be revised and final review and approval to be completed at the staff level. Mr. Bergeron commented that the new foundation was substantial and he was concerned that other applicants might propose alternative methods that were not historic reconstructions. Mr. Fifield asked if he was unwilling to second the motion, which he said he was. Mr. Fifield asked staff if Commission review would be required for reconstruction; Mr. Block responded yes. Mr. Fifield stated that he was uncomfortable with approval without a hardship established at the Commission level. The motion died for lack of a second.

Mr. Bergeron moved to **deny** the proposed wood frame and brick veneer construction. Ms. DiMaggio seconded the motion, which passed unanimously. Mr. Block informed the applicant that the decision could be appealed to the full Commission and they would have 30 days from written notice to notify staff of intention to appeal.



**208 Bienville**  
**Deferred at the**  
**Applicant's Request**



**600 Ursulines**

ADDRESS:	600 Ursulines\1039-43 Chartres		
OWNER:	Butterfields Butter LLC	APPLICANT:	C-Mack Enterprises LLC
ZONING:	VCR-2	SQUARE:	49
USE:	Residential	LOT SIZE:	2,797.75 sq. ft.
DENSITY-		OPEN SPACE-	
ALLOWED:	4 Units	REQUIRED:	559.4 sq. ft.
EXISTING:	1 Unit	EXISTING:	620 sq. ft.
PROPOSED:	No Change	PROPOSED:	No Change

**ARCHITECTURAL/HISTORICAL DESCRIPTION:**

Rating: Green: Of Local Architectural or Historical Importance.

This classic early double Creole cottage was constructed c. 1825 for the Ursuline Nuns. This cottage and the two neighboring ones were owned by the Order until 1870. A 1984 renovation added a new dormer to the front (Chartres St.) facade and refurbished the patio area.

**Vieux Carré Commission Meeting of** **01/19/2022**

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**DESCRIPTION OF APPLICATION:** 01/19/2022  
**Permit # 21-21747-VCGEN** **Lead Staff: Nick Albrecht**

Appeal of Architecture Committee denial of proposal to install 1” thick brick tiles on top of existing concrete courtyard, per application & materials received 07/30/2021 & 11/18/2021, respectively.

**STAFF ANALYSIS & RECOMMENDATION:** 01/19/2022

Staff issued a permit back in August for the renovation of the existing swimming pool including the application of new pool plaster, new water line tile, and new coping. At that time the applicant noted that they would likely be pursuing the installation of new brick paving in the courtyard in the near future. Staff noted that the existing concrete paving was only slightly below the door thresholds, particularly on the rear building, and asked how additional paving might interact with these openings. The applicant responded that they propose to cut the bricks to 1” thickness, leaving the original face intact. At only 1” thick the new paving would work fine with the existing thresholds.

Staff finds this technique atypical and may fall into the category of materials pretending to be something they are not, a concept that is generally discouraged by the Guidelines. (VCC DG: 14-10) A preferred treatment would be to remove the concrete from the courtyard and to install new full-size bricks on a bed of gravel and sand. This would be a more typical installation, would not interfere with the existing door thresholds, and would increase the permeability of the site.

The Committee agreed that this was an atypical installation and denied the proposal at the 12/07/2021 meeting. The applicant is appealing that denial, noting that the owner does not want to remove the existing concrete. The applicant also stated that once installed there should not be a visible difference between a full-sized brick and the proposed brick tiles. Finally, the applicant stated that he would not propose this option if he felt water entry to the building was a possibility.

Staff still has some concerns regarding this atypical material use as well as possible drainage issues. However, staff understands that fully removing the concrete and starting over is a significantly larger undertaking financially and the Commission may consider this an issue of hardship, provided concerns over drainage are adequately addressed.

**VIEUX CARRÉ COMMISSION ACTION:** 01/19/2022

**Architecture Committee Meeting of****12/07/2021****DESCRIPTION OF APPLICATION:**  
**Permit # 21-21747-VCGEN**

12/07/2021

**Lead Staff: Nick Albrecht**

Proposal to install 1” thick brick tiles on top of existing concrete courtyard, per application & materials received 07/30/2021 & 11/18/2021, respectively.

**STAFF ANALYSIS & RECOMMENDATION:**

12/07/2021

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Staff finds this technique atypical and may fall into the category of materials pretending to be something they are not, a concept that is generally discouraged by the Guidelines. (VCC DG: 14-10) A preferred treatment would be to remove the concrete from the courtyard and to install new full-size bricks on a bed of gravel and sand. This would be a more typical installation, would not interfere with the existing door thresholds, and would increase the permeability of the site.

Staff requests commentary from the Committee regarding the proposed use of the 1” brick tiles on top of the existing concrete.

**ARCHITECTURAL COMMITTEE ACTION:**

12/07/2021

Mr. Albrecht read the staff report with Mr. Atkinson present on behalf of the application. The applicant explained that the currently concrete was sound and had subsurface drainage, so they wanted to use reclaimed brick on top in order to be less invasive. Mr. Atkinson noted that there is currently approximately 3” of clearance between the existing concrete and the threshold. He went on to say that they would use the VCC mortar mix with the new brick. Mr. Bergeron asked how the new brick would interact with the new pool coping. The applicant stated that the new coping was set higher in anticipation of the new paving. Mr. Fifield asked how thick the bed would be. The applicant stated about 1" but it might vary. Ms. DiMaggio asked if this would allow for subsurface draining. Mr. Fifield asked how they would keep water out of the building. The applicant stated that the courtyard currently sloped to the center and there was still about 2" at the doors. He went on to say that they were just trying to improve the aesthetics. With nothing else to discuss, the Committee moved on to the next agenda item.

**There was no Public Comment.**

**Discussion and Motion:** Ms. DiMaggio moved to deny the proposed use of 1” thick brick tiles on top of the existing concrete courtyard. Mr. Bergeron seconded the motion, which passed unanimously.