



October 17, 2022

New Orleans City Council
1300 Perdido St.
New Orleans, LA 70112

Dear City Councilmembers,

You are being asked to consider an appeal of decisions by the Historic District Landmarks Commission (HDLC) and the Architectural Review Committee (ARC) to deny 100% roof demolition and the prohibited addition of a third floor to a Significant rated building to be used as a new Hotel. Over the last few years, the new owners of this property have gone through the process two times by the ARC and HDLC, with the second time occurring soon after they rescinded an appeal to the City Council, and with little, if any substantive changes. They are asking you to grant them the ability to build penthouses in an HDLC full control district without approved plans. We ask you to DENY their appeal for the following reasons:

1) Historic Creole Architecture- This building is a combination of three party wall buildings, built in the 1830's and 1840's for Julien Adolphe Lacroix, a wealthy, free African American grocer who lived above his store. They were unified in the 1850's, with the traditional covered walkway a demonstration of Creole architecture. The building has maintained the same envelope since at least 1868, per New Orleans Architecture Volume IV: The Creole Faubourgs, and has maintained an active presence as a lynch pin of commerce on Frenchmen. It has housed many businesses, such as groceries, finance companies, and, most recently, Vaso's and Mona's. This building has remained economically viable for almost two hundred years, and it is surely still the case now.

2) Significant Rated Building- Due to the continual preservation of this building's historic condition, the HDLC has rated the property a Significant building, due to it being a Building of Major Architectural Importance. This is not a distinction that is granted lightly. Due to this distinction, HDLC rules state that a rooftop addition is PROHIBITED, not discouraged, or frowned upon. Not only that, but the developer's project would require a 100% roof demolition, when HDLC rules limit that to 50% in full control HDLC districts, much less a Significant building. If this Appeal is granted, you will be ignoring the most basic standards of the HDLC process. Once that is done, we struggle to know how any appeal can be denied for other properties in HDLC controlled areas. Let's not set a dangerous precedent.

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3) Visibility- From the beginning of this pursuit, the developer's architect tried to suggest that they could make these additions by not making them visible from street level. However, this proved impossible, as the pennants they hung to represent the new roofline were clearly visible from Elysian Fields, as well as from the 400 block of Frenchmen. They then changed their mission to limit the visibility, which also failed, as the back of this building is clearly visible from Esplanade, and from Decatur in the French Quarter. Even when the developer tried to veer from the rules regarding a Significant building, they failed to meet the lower standards of "visibility" and "limited visibility".

4) Fairness to other citizens- Normal residents of New Orleans in Historic Districts are required to get HDLC approval (Staff or Commission) for such projects as replacing railings, removing or adding shutters, and replacing windows, among other things. And, obviously, new construction requires approval from the ARC and HDLC. This developer has not received any approval, yet rather than following the rules in place, they and their representative are asking you to let them build almost 2,200 sq ft of penthouses (roughly the equivalent of 2 single shotguns) without meeting the criteria that normal citizens must meet.

5) Nine Criteria- The HDLC and Board of Zoning Adjustments (BZA) follow the Approval Standards of the CZO, as stated in Section 4.6.F. A violation of one of these standards is grounds for denial. There is nothing unique to this building (compared to others in the area), nor would the standards deprive the applicant rights commonly enjoyed by other properties, granting this variance would allow them special privileges, and following the regulations would not be a demonstrable hardship on the developer, as evidence by over 150 years of this building's current structure, and the fact two businesses were operating there until the current owner bought the property. This alone violates standards 1,2,4, and 6. Additionally, granting this appeal would allow large "party decks" at the front of the penthouse suites overlooking Frenchmen Street, contributing to the street scene, as well as creating noise that would carry unobstructed to neighboring houses. It is only reasonable that other properties would ask for the same alterations to their buildings on Frenchmen, as well as in other



HDLC controlled areas. This would change the nature of the locality and be injurious to the neighbors in blocks surrounding Frenchmen This would be a violation of standards 5 and 8.

So far we have totaled six violations of the Nine Criteria, but none of these are the most obvious violation. Even those without knowledge of the area can't deny that granting this Appeal would be a blatant violation of Standard 7: "The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or interested party(s)." What other reason (besides profit) could there be for adding an additional floor to a hotel? As HDLC Chairperson Jennie Cannon West pointed out, they can't claim they need the extra revenue to make the project fiscally successful, because they have already begun interior demolition work on the property, before knowing whether or not they would be granted the third floor penthouse. How can they claim economic need when they started work before they appeared in front of the HDLC? Granting this appeal would allow other applicants to violate the most basic tenets of the HDLC.

We appreciate your careful consideration of our arguments, and urge you to consider the many concerning precedents that will be set if you grant this appeal. Please DENY their appeal.

Sincerely,
Allen Johnson
President