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The transcript of the portion of the  
NEW ORLEANS CITY COUNCIL MEETING  
regarding  
ZONING DOCKET NO. 72/15  
ROYAL COSMOPOLITAN, INC.  
said meeting held the 5<sup>th</sup> day of November, 2015.

1 SPEAKER:

2 We have zoning docket 72-15, Royal  
3 Cosmopolitan, LLC, requesting a conditional use to  
4 permit a multiple family, residence hotel in a CBD-3  
5 central business district and an appeal of the  
6 central business district height and floor area  
7 ratio, interim zoning district, Article 18, Section  
8 18.66 of the Comprehensive Zoning Ordinance on  
9 square 66, lot 26, in the Second Municipal District,  
10 bonded by Royal, Canal, Iberville, and Bourbon  
11 Streets, municipal addresses 121 through 125 Royal  
12 Street. The recommendation of the City Planning  
13 Commission being for denial.

14 SPEAKER:

15 Okay, good morning Mr. Rivers.

16 MR. RIVERS:

17 Good morning.

18 SPEAKER:

19 This is a request for a conditional use to permit a  
20 multiple family residence hotel/hotel in a CBD-3  
21 central business district at 121-125 Royal and an  
22 appeal of the central business district height and  
23 floor area ration interim zoning district. This  
24 zoning docket is on deadline, so it must be ruled  
25 upon today or it will result in an administrative

1 denial. You can go ahead and begin, Mr. Rivers.

2 Thank you.

3 MR. RIVERS:

4 Thank you. Zoning docket 72-15 is a request for a  
5 conditional use permit to permit a hotel and  
6 condominium development in a CBD-3 central business  
7 district located at the edge of the French Quarter.

8 The proposal calls for the restoration of the  
9 existing five-story former Cosmopolitan Hotel on  
10 Royal Street, as well as a tower addition at the  
11 rear of the site. The tower would bring the overall  
12 height of the development to approximately twenty-  
13 six stories and two hundred and sixty-eight feet.

14 The approximately 105,000 square foot  
15 development would contain between fifteen and twenty  
16 condominium units, and the units -- and the  
17 remaining units would be used as hotel rooms, not  
18 exceeding one hundred and sixty-two units in total.

19 The proposal, which is considered under the  
20 former comprehensive zoning ordinance would require  
21 a waiver of the central business district height and  
22 floor area ratio IZD to permit the proposed tower  
23 addition, which would exceed the maximum allowable  
24 height of the district by one hundred and ninety-  
25 eight feet.

1           The City Planning Commission recommends denial  
2 of the application. The Commission and its staff is  
3 not opposed to the use of the property as a hotel;  
4 however, the proposed bulk, height, and design of  
5 the specific proposed hotel, particularly the tower  
6 addition, cannot be supported.

7           The proposed tower is excessive, out of scale,  
8 and fundamentally incompatible with its  
9 surroundings. The site is located in a portion of  
10 Canal Street where building height is limited to  
11 seventy feet in order to ensure that the new  
12 construction respects the scale and character of  
13 this historic commercial corridor, comprised  
14 predominantly of four to six-story buildings.

15           The proposed two hundred and sixty-eight foot  
16 tall structure would be a significant deviation from  
17 this development pattern.

18           Further, the waiver of the IZD's height limit  
19 cannot be justified. The request does not fulfill  
20 any of the three standards or waivers contained in  
21 the zoning ordinance. The proposal is inconsistent  
22 with the general intent of the IZD, and so the first  
23 standard is not met.

24           The second standard is not met because the  
25 proposed structure would adversely affect the

1 surrounding historic structures and historic  
2 character of the area as a whole due to its extreme  
3 height.

4 The third standard is not met as there are no  
5 special conditions related to the land, which would  
6 prevent a developer from complying with the maximum  
7 allowable height standard.

8 Finally, the proposal is inconsistent with the  
9 master plan. The mixed use downtown future land use  
10 designation calls for new development to be  
11 appropriate in height and massing near historic  
12 districts. This tower addition does not relate to  
13 the predominant development form of the area and  
14 cannot be deemed appropriate.

15 Based upon these considerations, the Planning  
16 Commission recommends denial of the application.

17 SPEAKER:

18 Thank you. I had some concerns about the height and  
19 design of the building. I have asked the applicant  
20 to work with the City Planning Commission's staff  
21 and other city officials to come up with an  
22 alternative. Having said that, we'll get more into  
23 where the discussions have led, but I am going to  
24 allow the speakers to come up now, fifteen minutes  
25 on each side.

1 Patricia Meadowcroft in opposition and then  
2 Susan Guillot. Is she here? Patricia Meadowcroft?

3 PATRICIA MEADOWCROFT:

4 Good morning, city council members. My name is Pat  
5 Meadowcroft. I'm president of VCPORA, 816 North  
6 Rampart. I'm speaking to you today in opposition of  
7 the 912 Royal Street project.

8 While a revision, and I guess its significant  
9 change to the project for this location, it wasn't  
10 shared until late yesterday, and it still appears  
11 with a hundred and sixty foot tower, two times the  
12 height allowance now being -- is now being proposed.  
13 The objections are the same as the original project.

14 Six Billion (6,000,000,000.00) has been  
15 invested by developers who have lived within the  
16 guidance of our rules. I would think that the same  
17 could be done with this project as well. But  
18 without additional discussion and with -- and  
19 because it's been significantly changed, can we not  
20 consider this as a new project and restart the  
21 process for proper input and vetting?

22 VCPORA is opposed to this project, and I'm sure  
23 other people that are here today will talk to you  
24 about specifics as to why. Thank you very much.

25 SPEAKER:

1 Susan Guillot? Okay. Is it Jenna Burke followed by  
2 Susan Hoffman?

3 JENNA BURKE:

4 Hi, I'm Jenna Burke. I'm at 1235 1/2 7th Street.

5 I'm here today to read a letter from Marcel Wisznia,  
6 an architect and developer in the DDD where there  
7 has been Six Billion Dollars of investment without  
8 these really intense waivers being asked for. So it  
9 can be done and here's his letter.

10 "I write to you today to ask that you not grant  
11 the height and other waivers being requested to  
12 build a two hundred and sixty-eight foot tower in  
13 the 100 block of Royal Street. These waivers are  
14 completely out of keeping with the architectural  
15 integrity of our city's most famous and economically  
16 important neighborhood.

17 Moreover, they are not necessary. I can say  
18 that with authority because I personally developed  
19 several similarly scaled projects in the downtown  
20 development district area that have meant Ninety-  
21 four Million Dollars (\$94,000,000.00) of investment  
22 in our city, and I did it all within the zoning and  
23 limitations put in place by your, our city council,  
24 to guide developments that enhances our city and  
25 culture.

1           The projects include Union Loss at Fourteen  
2 Million Dollars (\$14,000,000.0), Maritime at Thirty-  
3 eight Million Dollars (\$38,000,000.00), and the  
4 Saratoga Building at Forty-two Million Dollars  
5 (\$42,000,000.00).

6           The real estate market has never been stronger  
7 in New Orleans than it is today, and the French  
8 Quarter is at the heart of that. Buildings like the  
9 Royal Cosmopolitan at 121 Royal Street can be put  
10 back into commerce within the existing development  
11 rules and be profitable. And if anyone tells you  
12 differently, he should be required to prove that by  
13 sharing these numbers with you.

14           Granting this grossly excessive waiver would  
15 create an unfair playing field and set a terrible  
16 precedent for future inappropriate buildings.  
17 Please insist that we maintain the high development  
18 standards that have been the generator of interest  
19 and investment in our downtown area.

20           Send this developer back to the drawing board,  
21 and let's get a project here that's worthy of its  
22 location. Sincerely, Marcel Wisznia, Architect, AIA  
23 and Principal at Wisznia Architecture and  
24 Development." Thank y'all.

25 SPEAKER:



1 Susan Hoffman followed by Andrea Bland.

2 SUSAN HOFFMAN:

3 I'm Susan Hoffman. I live at 900 Royal Street.

4 I've been a French Quarter resident for twenty-two  
5 years. I oppose the construction of this oversized  
6 project at the foot of Royal not because I'm a  
7 resident of the French Quarter who might be  
8 inconvenienced but as a resident of the City of New  
9 Orleans concerned about where we might be headed as  
10 a city.

11       What is the vision? What is the goal? Why  
12 would we force this type of project that needs room  
13 for parking, staff, commercial entrances onto a  
14 street that cannot possibly support these  
15 requirements.

16       There are many parts of this city that need  
17 development, and I have to wonder why so often the  
18 development is focused on the French Quarter, which  
19 was developed with great vision by the city founders  
20 and whose subsequent development was, for the most  
21 part, guided by owners and preservationists that  
22 kept it one of the most authentic neighborhoods in  
23 the country and one of the most populous tourist  
24 destinations in the world.

25       I own the Café Amelie in the French Quarter.

1 We have the opportunity to guide visitors who ask  
2 our advice about where to see the real New Orleans.  
3 These people are not asking us to guide them to  
4 places that remind them of their often over-  
5 modernized, overly-developed home towns. They're  
6 asking us for places that are unique to our home  
7 town.

8       So we sent them to Le Musee by the tracks,  
9 Bacchanal's, City Park, Soniat House, Museum for  
10 Free People of Color, Sunday mass at St. Aug's.  
11 They come back overflowing with compliments for our  
12 city and thanking us for these tips.

13       Please remember this when we have to decide  
14 whether to shoe horn this absurdly oversized project  
15 into this fragile, little neighborhood. Imagine us  
16 in the future if we make an unfortunate decision.  
17 Will we cringe every time we pass the perpetual  
18 Royal Street traffic jam caused by allowing a huge  
19 structure with no parking and only one entry?

20       Do we want to be the generation that voted to  
21 ditch the street cars on Canal in the '60s or the  
22 generation that voted to bring them back?

23       Aside from all the negative impact this project  
24 would have on upper Royal Street, just imagine how  
25 many millions of tourists over the years will point

1 to this absurd-looking thing and ask themselves,

2 "Who let that happen?"

3 SPEAKER:

4 Thank you. Andrea?

5 ANDREA ST. PAUL BLAND:

6 Good morning. I'm Andrea St. Paul Bland. I'm  
7 opposed to this project. I oppose it for five  
8 reasons. The historic character of this portion of  
9 the French Quarter will forever be destroyed by the  
10 injection of an over-height building; the  
11 concentration of consumers of city services and  
12 infrastructure and resources will be over-taxed  
13 where the infrastructure is very delicate; the  
14 towering structure would diminish the value of the  
15 property in the French Quarter and directly across  
16 the street at 106 Royal Street, of which I am a  
17 partial owner. That building was purchased in the  
18 1870s by my great-great grandfather, and it has been  
19 in my family ever since and we're very proud of our  
20 heritage here and our neighborhoods.

21 There's no safe way to build on this scale.

22 You know, they'll tell you their pilings and special  
23 drilling things and battens and all kinds of special  
24 new technology that is used in Houston or Baton  
25 Rouge or Arkansas. It's never been used in the

1 French Quarter. I wouldn't trust it. I don't think  
2 you should either.

3 Any developer that cannot feasibly develop an  
4 historic building within the confines of the law and  
5 following the rules with great sensitivity to the  
6 historic neighborhoods should develop elsewhere.

7 So I stand before you as a commercial general  
8 contractor, a commercial developer, and the  
9 Preservationist of the Year for the State of  
10 Louisiana. I'm very, very supportive of historic  
11 rehabilitation and restoration and reuse of historic  
12 structures.

13 Through my company \*\*16:06, I have restored  
14 and placed into commerce six historic buildings in  
15 New Orleans. Three of them were disconnected from  
16 all utilities and blighted.

17 I've been awarded the state's highest honor for  
18 my work, Preservationist of the Year. In every  
19 case, I respected the rules. I followed the rules  
20 for height, boundaries, setbacks, as well as all the  
21 architectural guidelines put out by the experts, the  
22 National Parks Service, the Department of Culture  
23 and Tourism, Office of Preservation, the Historic  
24 District Landmark Commission. These are the  
25 experts. I don't think they've even been consulted

1 on this project.

2       So what I can tell you is that all of my  
3 projects were financially viable. If the owners and  
4 developer of 121 Royal Street cannot create a  
5 financially viable plan that conforms to the rules  
6 and respects the neighborhood, they should sell the  
7 building to a better developer.

8       If the developers have not consulted with any  
9 of these office -- the experts and they're urging  
10 you quick action that will have -- will forever have  
11 far-reaching consequences for the French Quarter,  
12 you should tell them no.

13       And finally, their position on financial  
14 viability demonstrates very poor vision and  
15 management in my opinion. And this confirms my  
16 fierce opposition to this projection. Please give  
17 me views your consideration.

18 SPEAKER:

19 Thank you. I have four cards left, and I think  
20 there are five minutes -- 5:53, five minutes left on  
21 the clock, so, please, be mindful of the other  
22 speakers. Meg Lousteau followed by Sandra Stokes.

23 MEG LOUSTEAU:

24 Good morning, council members. My name is Meg  
25 Lousteau. I'm here on behalf of VCPORA. I think

1 one of the most effective arguments about why you  
2 should not approve today's plan is this document  
3 from the downtown development district is a  
4 spreadsheet showing Six Billion Dollars of  
5 investments in the downtown area over the past few  
6 years. These are both projects that have been  
7 completed and projects that are underway. And these  
8 are projects that were done without asking you or  
9 the City Planning Commission for any kind of special  
10 treatment or waivers.

11 Six Billion Dollars worth or proof that  
12 adaptive reuse and renovations and new constructions  
13 can be done within the confines of the Comprehensive  
14 Zoning Ordinance, which I'm sure you know we just  
15 revised, that you all voted on, that you gave the  
16 force of law, that we gave the force of law as  
17 voters.

18 What we have now is a proposal that was changed  
19 last night, eleventh hour. We're all supposed to  
20 digest some renderings that we received via email  
21 and discuss that, but what I would say to you is  
22 none of it was sent out last night as binding. It  
23 is an architect's rendering. There are some  
24 photographs from some different angles. There are  
25 no details in what was sent out last night. There's

1 no information on the traffic impact analysis.  
2 There's no information on parking. There's no  
3 information on the intensity or any of the other  
4 problems that we raised in our months of discussion  
5 on the previous plan, which is the one that's still  
6 technically on the table.

7       So what you're being asked to vote on today is  
8 a behemoth in the 100 block of Royal Street, and  
9 let's make no mistake about it, it is in the French  
10 Quarter. It is in the National Register District.  
11 It is in the National Historic Landmark. It is in  
12 the boundaries of the French Quarter Management  
13 District. It is -- believe me, if this hotel were  
14 to open, the owner would say it was in the French  
15 Quarter.

16       This is in the French Quarter. We need to  
17 protect it. We need to abide by the rules that you  
18 all voted to put in place. Please respect our  
19 rules. Please make sure that this development  
20 adheres to them.

21       As someone else has stated, the real estate  
22 market in this town has never been stronger. There  
23 is simply no reason to give these kinds of waivers,  
24 and if the justification is there, then the  
25 developer should be required to show the numbers so

1 that he can prove that there is a value, a public  
2 good for us, to give him a waiver that has a value  
3 of millions and millions and millions of dollars.  
4 Thank you.

5 SANDRA STOKES:

6 Thank you for hearing this important issue. I'm  
7 Sandra Stokes. I'm representing the state-wide  
8 group, Foundation for Historical Louisiana, as well  
9 as Louisiana Landmark Society, and I'm also going to  
10 give a few seconds of my time.

11 MARYANN MILLER:

12 Maryann Miller representing Preservation Resource  
13 Center, as you know, our city-wide historic  
14 preservation organization. We're supported by  
15 members, one thousand, eight hundred and forty-two  
16 of which, as of 11:00 a.m., had signed a petition  
17 against this development.

18 If given the chance to review any changes, I  
19 think because we got this strong a response in less  
20 than a week, we would get even more parties signing  
21 onto this petition. And they very much want you to  
22 know their zip codes, which is how we've organized  
23 the petition.

24 SANDRA STOKES:

25 I don't think there's a preservationist in this city



1 that would -- or in this state that would be for  
2 this proposal.

3       According to your staff report, the purpose of  
4 the CBD-3 zoning district is to maintain the scale  
5 and height of the existing development to preserve  
6 and enhance the pedestrian environment, to foster a  
7 sense of historic continuity, to control traffic  
8 generation, and to protect the adjacent Vieux Carre  
9 from tall buildings on its boundaries. This project  
10 goes against all of this.

11       Even with the changes submitted yesterday, it  
12 doesn't change that this is the antithesis of the  
13 exact zoning you're working towards, except now, you  
14 don't know what you're voting on because we don't  
15 know what the end result is going to be.

16       All we know is that they would lower the  
17 towers, and we're now over two times the height  
18 limit, but the height limit is still seventy feet.  
19 This project is not consistent with the land use  
20 designation in the master plan, which has to force  
21 of law. It's not consistent with the master plan's  
22 historic preservation chapter or the goal of  
23 predictable zoning regulation, the right form in the  
24 right place. You've got a brilliant staff report.

25       This project is excessive, out of scale, and

1 fundamentally incompatible with the surroundings,  
2 even with this new iteration that has not been  
3 vetted through the process. Let's not let this one  
4 project break the zoning rules you just approved in  
5 the new CZO and destroy which makes the Vieux Carre  
6 so special. Thank you.

7 SPEAKER:

8 Mavis Early followed by Stephen Caputo, and then I  
9 have Hilary Irvin. We have about three minutes  
10 left. One minute left. Okay, so --

11 MAVIS EARLY:

12 Good morning.

13 SPEAKER:

14 -- we have some in opposition --

15 MAVIS EARLY:

16 Good to see you all.

17 SPEAKER:

18 -- and some not in opposition.

19 MAVIS EARLY:

20 Also, Steve Caputo is here. We're going to try and  
21 do a two-for-one, save some time. I'm Mavis Early.  
22 I'm Executive Director of the Greater New Orleans  
23 Hotel and Lodging Association, and I represent the  
24 interests of the hotel and lodging industry.

25 Our position basically is globally the same

1 that we -- in light of our master plan, strategic  
2 plan, we're in favor of more hotels and more hotel  
3 rooms in this city. We do think that they should be  
4 lawful and appropriate. Such things as  
5 infrastructure, adequate areas for handling,  
6 loading, shipping, receiving, service entrances,  
7 facilities suitable for guest arrival, and  
8 sufficient parking spaces for parking and parking  
9 services.

10 Because of the historic district that the first  
11 100 block off Canal Street and the historic district  
12 of the French Quarter, we oppose variances to  
13 existing height restrictions for this particular  
14 development due to its close proximity to the French  
15 Quarter.

16 We think it would have a negative impact on the  
17 French Quarter, and we think that on-site parking is  
18 imperative also in an already congested area and  
19 would be not only for the traffic patterns and  
20 delivery patterns but also for the safety of  
21 pedestrians. So thank you very much. I'll turn it  
22 -- and I have a letter, and I'd like to hand that  
23 out to you and put it in the record. Thank you.

24 SPEAKER:

25 I don't know if everyone has gotten a letter.

1 SPEAKER:  
2 I got it this morning.  
3 SPEAKER:  
4 I'm not sure I've seen the letter, but I have a  
5 question of them. May I ask?  
6 SPEAKER:  
7 Yes.  
8 MAVIS EARLY:  
9 Happy to answer.  
10 MR.  
11 And trust me, it has nothing to do with this  
12 project, but I'm trying to confirm how many rooms  
13 does the hotel industry think we need in this city?  
14 How many additional rooms over what we have right  
15 now?  
16 MAVIS EARLY:  
17 I don't know that I can tell you a measure of rooms  
18 that we need, and we need -- would like to get to  
19 13.7 --  
20 SPEAKER:  
21 I think it's Steve Perry that said it because it  
22 sounds very familiar, and I'm pretty sure it's Steve  
23 that says they've sort of looked at it and believe  
24 we need "X" thousand more rooms to satisfy some  
25 expected growth in tourism and, you know, and I

1 think that's who it is. It sounds like --

2 SPEAKER:

3 No. Well, it's actually the New Orleans Tourism and  
4 Marketing Corp, which recently unveiled an analysis  
5 by the University of New Orleans. We can get that  
6 to you, but it is an excessive amount. But I won't  
7 quote what I believe until I confirm that. But it  
8 all is tied into the advancements that we're making  
9 in the city, the expansion of the convention center,  
10 and the like. But is it in the pallet.

11 SPEAKER:

12 Will you whisper in my ear what you think it may be?

13 SPEAKER:

14 I will.

15 SPEAKER:

16 Okay, I'll come over.

17 MAVIS EARLY:

18 But we'll get you the real number.

19 SPEAKER:

20 Stephen?

21 STEPHEN CAPUTO:

22 Yeah, I think the real issue -- this is Stephen  
23 Caputo from the Hotel Monteleone. I'm the general  
24 manager there, and I think the real issue is not the  
25 number of hotel rooms that we need in the city.

1 SPEAKER:

2 I can't hear you, I'm sorry, Stephen.

3 STEPHEN CAPUTO:

4 It's not the issue of how many hotel rooms we need  
5 in the --

6 SPEAKER:

7 That wasn't to do with this. Go ahead.

8 SPEAKER:

9 We're trying to get a hotel in New Orleans East.

10 STEPHEN CAPUTO:

11 Oh, I got you. Well, very well. My purpose here  
12 was to make sure that a letter that was sent out to  
13 all the council folks, as well as the mayor office  
14 from Ron Pincus, who is our Vice President, Chief  
15 Operating Officer, was submitted into the record. I  
16 have a copy of that. I'll certainly be happy to  
17 submit that as well.

18 We're not opposed to the hotel development  
19 within the city, but as everyone has mentioned  
20 previously, it needs to be within certain guidelines  
21 and there needs to be a well thought out plan, not  
22 only for the construction aspect of the project, but  
23 also then the future of that project and how do you  
24 manage and run the operation of that project with  
25 little or no service and little or no parking

1 available and the damage that it will cause to the  
2 infrastructure and the congestion within the area.  
3 I appreciate your time. Thank you.

4 SPEAKER:

5 Thanks. Thanks, Stephen. Hilary Irvin.

6 NATHAN CHAPMAN:

7 Good morning.

8 SPEAKER:

9 Good morning.

10 NATHAN CHAPMAN:

11 It's always a good day when tourism and residents  
12 can stand together, so this ought to be an easy one  
13 for you here today. So my name is Nathan Chapman.  
14 I am a business owner and ad agency in the lower  
15 Garden District, and I live in the French Quarter at  
16 715 Ursulines.

17 I was president of VCPORA when Katrina hit, and  
18 afterwards, you'll remember we had all of these  
19 amazing urban planners who --

20 SPEAKER:

21 Nathan, did you have a card?

22 NATHAN CHAPMAN:

23 I think you do.

24 SPEAKER:

25 The time is up. You can go ahead. I don't have a

1 card for you, and the time is up. Go ahead.

2 NATHAN CHAPMAN:

3 After Katrina, we had all of these amazing urban  
4 planners come to New Orleans to try and help us, and  
5 I remember David Dixon was one. He's nationally  
6 acclaimed. And I asked him about Canal Street. I  
7 said, "We always have all these projects, and  
8 they're always wanting these really huge variances.  
9 You know, what's going on here."

10 And he said, "We created this. We in New  
11 Orleans created this." When we give all these  
12 variances, then the people who sell the property,  
13 they factor that into the equation, and they sell it  
14 at a bigger price saying, "You'll probably get a big  
15 variance." And then the developers come to you and  
16 they say, "We have to have the variance because we  
17 paid so much money. We can't make the numbers work  
18 unless we now give what we were promised by somebody  
19 else," and we have to stop.

20 I think when the vote came for the master plan,  
21 this is the kind of thing that we wanted to stop,  
22 you know. We can -- in New Orleans, we love this  
23 city, but sometimes we can be our own worst enemies.

24 So anyway, this is a great opportunity to put  
25 things right. You see tourism and residents



1 standing, so I appreciate very much your careful  
2 attention to this issue and look forward to seeing  
3 what you do with it. Thank you.

4 SPEAKER:

5 Okay. Would you put fifteen minutes on for the  
6 support, and, please, be mindful so we don't run out  
7 of time. Reade Nossman? I'm sorry.

8 SPEAKER:

9 Do you have a PowerPoint to go with it?

10 SPEAKER:

11 Do you have a PowerPoint?

12 READE NOSSMAN:

13 Yes, it's up. All right. Members of the city  
14 council, my name is Reade Nossman. I am an New  
15 Orleanean and licensed architect in the State of  
16 Louisiana living at 4117 State Street Drive. I work  
17 for the McDonnell Group, the building contractor for  
18 Angelo and Regina Farrell and the Royal Cosmopolitan  
19 Hotel.

20 I speak today on their behalf and with the  
21 support of local businesses, residents, and  
22 advocates for this project in excess of six hundred  
23 fifty people. By the conclusion of my presentation,  
24 I hope to assure you that the Royal Cosmopolitan  
25 Hotel is the best possible use for this site and

1 that you can support this project without  
2 reservation.

3 The original building, the Cosmopolitan Hotel,  
4 was erected in 1892 by locally renowned architect,  
5 Thomas Sully. That building is the same five  
6 stories on Royal Street as is present today, and it  
7 will be the very same five stories on Royal should  
8 you favor this project.

9 As mentioned, the building was originally a  
10 well-known and historic hotel, that is, up until its  
11 closing in the 1940s. It has not been a hotel in  
12 over sixty-five years, but it has been a t-shirt  
13 shop. We certainly have no shortage of those in the  
14 CBD and Vieux Carre.

15 A t-shirt shop up until the Farrells assumed  
16 ownership, terminating that tenant's lease in order  
17 to restore this building to its original history.  
18 To restore its prominence as a hotel, they intend to  
19 put this property back into service as its original  
20 and best possible use with your support.

21 I believe we are all familiar with the strategy  
22 of taking on most historic renovations in New  
23 Orleans. The street facade is propped up with  
24 temporary bracing while the entire building behind  
25 it is gutted, demolished, and replaced with new

1 construction.

2       That low standard of preservation is not  
3 acceptable on the project. All the standing  
4 buildings shall be renovated, every window, every  
5 wall, every molding, every stair rail, and every  
6 other detail that once made the Cosmopolitan Hotel a  
7 work of art.

8       This truly preservationist approach is not,  
9 however, without its reluctances. It does cost  
10 more. The dollars and cents do not work without  
11 concession at the rear of the property in the middle  
12 of the block. The building must go vertical.

13       The cost to renovate this beautiful building  
14 must be borne by increased square footage and  
15 height hidden in the center of the block. Please  
16 support putting this property back into service at  
17 its original and best possible use.

18       Since the City Planning Commission's decision,  
19 we have made considerable moves working directly  
20 with city representatives and agencies to address  
21 CPC concerns. I am pleased to say that we have  
22 found a middle ground, and we will work to continue  
23 in that direction.

24       Firstly, concerning the height, we have greatly  
25 reduced the tower from twenty-six stories down to

1 twenty stories. You can see the original elevation  
2 up at the top, and now we're down here at one ninety  
3 feet. This is a total reduction of seventy-eight  
4 feet down to a peak height of one hundred and ninety  
5 feet.

6 For perspective, the Astor Crowne is here at  
7 one sixty-four feet, and across the street is the  
8 Wyndham Hotel at two hundred and five feet, taller  
9 than the Royal Cosmopolitan. We have stepped the  
10 back half of the tower down to a hundred sixty-four  
11 feet in alignment to the Astor Crowne. This  
12 revision fits the Royal Cosmopolitan into the  
13 established context of the buildings around it.

14 Secondly, regarding HDLC and CPC criticisms of  
15 the building's skin, we are open to modification per  
16 administration, CPC, and HDLC collaboration. The  
17 original skin was developed with past collaboration  
18 of the HDLC. Now, responding to their recent  
19 review, we have redeveloped the tower in deference  
20 to their direction. To be clear, this skin can be  
21 further refined or wholly replaced per the city's  
22 wished. We are fully open to exterior  
23 collaboration.

24 Final comments from the CPC that we wish to  
25 address are their traffic and parking concerns. We

1 engaged a third party traffic engineer, who is  
2 otherwise unaffiliated with this project, to analyze  
3 the impact of the Royal Cosmopolitan. His analysis  
4 concludes that there was no significant increase in  
5 delay upon street traffic.

6 Even better news, this analysis was for the  
7 original twenty-six story design. Now that we have  
8 reduced the height, traffic impact shall be  
9 increasingly negligible.

10 For parking, the Wyndham Hotel across the  
11 street has a four hundred car garage, and they are  
12 open to agreement with the Royal Cosmopolitan for  
13 provision of parking. They have also offered to  
14 share their loading and unloading spaces.

15 Between the impact study and the Wyndham's  
16 support, vehicular concerns are more than  
17 accommodated. To add, we do not object to any of  
18 the proposed waivers or provisos in the motion  
19 before city council.

20 I want to step back and revisit the main focus  
21 of concern, and that is the height. Hidden in the  
22 center of the block, the rear addition is eighty-  
23 five feet away from Royal Street. As mentioned, we  
24 have brought the height down to twenty stories. I  
25 have several slides cued up showing accurate

1 representation of the future role of Cosmopolitan  
2 Hotel, the best possible use for this property.

3       In this first photograph, you can see that I am  
4 standing across Royal Street looking up at the  
5 property. You can see on the map, Point B, my  
6 relationship to the building. The building is  
7 located right here in the middle of the block.

8       This is the building as it appears today. This  
9 is the view of the twenty story addition once the  
10 Royal Cosmopolitan Hotel is complete. In case you  
11 do not see a discernable difference from the  
12 previous slide, that is because the tower will not  
13 be visible from this location.

14       Stepping across Canal Street at Point A and  
15 looking back towards the Vieux Carre, you can see  
16 the Astor Crowne to the left, this building right  
17 here. On this second slide, it is clear that the  
18 future Royal Cosmopolitan gives contextual  
19 difference to the height of the Astor Crowne and  
20 then steps up towards the taller Wyndham Hotel  
21 located just off screen to the right. You can see  
22 the Wyndham right here.

23       At the intersections of Iberville and Royal  
24 Street, Point C on the map, I am looking upwards  
25 towards the CBD. The tower addition, as you can

1 see, is set well back from the street front allowing  
2 significant pedestrian view of the sky, and I'm on  
3 slide two. Okay.

4       This next photograph, I am standing outside of  
5 the Hotel Monteleone, Point D, one block away across  
6 Royal Street looking up. This is the building  
7 outline as it appears now. You can see this is the  
8 Royal Cosmopolitan here. This is the hotel in the  
9 future. That gray shadow hidden right there behind  
10 this building, that is the hotel. The addition is  
11 completely masked by the existing fabric of Royal  
12 Street.

13       In this photograph, I'm standing outside of  
14 Galatoire's Restaurant on Bourbon Street, Point E.  
15 The existing building is hidden on the opposite side  
16 of the block. Likewise, none of the new addition is  
17 visible. I've outlined it here, and as you can see,  
18 completely obscured by the existing neighborhood.

19       My final photograph is one of my favorites. I  
20 am five blocks into the Vieux Carre on Royal Street,  
21 one block away from St. Louis Cathedral. This is an  
22 iconic photograph of the Vieux Carre showing up on  
23 online searches, and you can see the Court of the  
24 Two Sisters. The sign is sticking out just right  
25 there.

1           Let's take a look at the Royal Cosmopolitan.  
2 I'm not sure I can be steady. There's a little bit  
3 of gray right there. That dimple of gray, if I  
4 hadn't pointed it out, most would be hard pressed to  
5 identify it. What really stands out, I see St.  
6 Charles at six hundred forty-five feet and fifty-  
7 three stories occupying the entire view down Royal  
8 Street.

9           The impact of the Royal Cosmopolitan doesn't  
10 even register this far back into the Vieux Carre.  
11 Any claims that this project will ruin the views are  
12 unfounded and wholly conjectural.

13           There are a number of individuals and  
14 organizations in support of the Royal Cosmopolitan  
15 Hotel totaling over six hundred fifty residents and  
16 businesses. Members of the city council, the people  
17 of New Orleans support the Royal Cosmopolitan Hotel.  
18 It is unequivocally the original and best possible  
19 use for this property.

20           To close, Angelo and Regina Farrell are going  
21 to renovate this 1892 historic hotel to its original  
22 purpose as envisioned by the famous architect,  
23 Thomas Sully. The front shall be just as it was  
24 over one hundred and twenty years ago.

25           The Farrells are not satisfied with a t-shirt



1 shop or a package liquor store or a bead shop. This  
2 building will be a hotel and restaurant worth of its  
3 history and operating as a fully renovated vision of  
4 the past, welcoming tourists to the historic  
5 character and quality of the Vieux Carre.

6 The brilliance of this renovation does come  
7 with a price, and that price is the twenty story  
8 addition at the rear of the property. But as I have  
9 proven, you will barely know it is there. From  
10 nearly all vantage points, the addition is entirely  
11 invisible or fades into the context of its  
12 surroundings, resulting in no negative impact upon  
13 the CBD or Vieux Carre.

14 This hotel will support a staff of ninety  
15 persons, support the City of New Orleans, the State  
16 of Louisiana with over One Million Dollars  
17 (\$1,000,000.00) of annual taxes and infuse New  
18 Orleans with an upfront capital investment of Twenty  
19 Million Dollars (\$20,000,000.00) for construction of  
20 this project.

21 This proposal is the result of fine tuning and  
22 cooperation with the administration and city  
23 agencies and continues to be subject to their  
24 approval. This hotel has the support of the  
25 community, the businesses, and the residents.

1 Members of the city council, approve the Royal  
2 Cosmopolitan Hotel, which is the original and best  
3 possible use for this property. Thank you.

4 SPEAKER:

5 Thank you. Next up, we have Bryan Drude followed by  
6 Timothy Spratt.

7 BRYAN DRUDE:

8 Good morning.

9 SPEAKER:

10 Good morning.

11 MR. DRUDE:

12 I'm Bryan Drude, and I represent the French Quarter  
13 Advocates and also as a resident of the French  
14 Quarter. This project, what Angelo has done now  
15 with his compromise to bring the tower down and  
16 redesign it goes to show what can happen when a  
17 developer, neighbor groups, resident groups, and  
18 business groups, and our city government can work  
19 together to make such a project come to being.

20 The 100 block of Royal Street is a disgrace to  
21 entering the French -- I mean, to exiting the French  
22 Quarter by pedestrian walking into the French  
23 Quarter and to leaving. And my visit there when he  
24 showed us the building itself and toured the  
25 building, I was personally propositioned by a

1 prostitute, witnessed a drug deal, and also saw lewd  
2 behavior going on within feet of the front of this  
3 building.

4 To put this project into commerce, which also  
5 will generate taxes for the French Quarter and  
6 support the French Quarter task force that protects  
7 us, it's beyond my comprehension to why anyone would  
8 object to it. The thing is also that they're going  
9 to restore a historical landmark hotel back to its  
10 original glory, and that alone should be a  
11 preservationist's hoopla Christmas present.

12 So I ask for the city council to, please, vote  
13 yes so we can generate jobs, taxes, and a much  
14 better block entering the French Quarter. Thank you  
15 very much.

16 SPEAKER:

17 Thank you. Mr. Spratt, and next Hank Smith.

18 TIMOTHY SPRATT:

19 Good morning, council. My name is Tim Spratt. I'm  
20 here on behalf of the French Quarter Business  
21 Association. We're a membership with over two  
22 hundred members in the French Quarter and  
23 surrounding area.

24 Our board reviewed Mr. Farrell's plan, and we  
25 voted unanimously to support it. We think that the

1 project has great merits, and it does a really good  
2 job at addressing the concerns in terms of height  
3 and infrastructure demands, not to mention that we  
4 think that this area of the French Quarter is in  
5 dire need of rehabilitation.

6 And this project is going to inject nearly  
7 Forty Million Dollars (\$40,000,000.00) into  
8 improving and enhancing this area and the strip of  
9 Royal Street that is in desperate need of repair,  
10 not to mention it's going to create one hundred and  
11 five permanent jobs and it's going to increase  
12 property taxes and as well as the city will benefit  
13 from the room sale tax as well.

14 So for these reasons and there's many more, the  
15 French Quarter Business Association asks you to  
16 strongly support this project by Mr. Farrell.

17 SPEAKER:

18 Where do I find a list of the membership of the  
19 FQBA? I tried to find it online and I couldn't.

20 MR. SPRATT:

21 We don't have that publicly on our website, but our  
22 executive director, Brittany Moolah, could send that  
23 to you.

24 SPEAKER:

25 Okay. Thank you.

1 SPEAKER:  
2 Mr. Smith and then Regina Farrell.  
3 HANK SMITH:  
4 My name is Hank Smith, Harry Baker Smith Architects.  
5 I'm here as the architect for the project. We had  
6 been working on this since 2005, and it's been  
7 before the Board before at various stages of  
8 development, and I'm here primarily for technical  
9 questions and to assure the council that we can  
10 construct this building without damaging any  
11 buildings in the vicinity. So thank you.  
12 SPEAKER:  
13 Can you stay up there for a second? I have a couple  
14 of few questions here.  
15 HANK SMITH:  
16 Sure.  
17 SPEAKER:  
18 You've been working on this since 2005?  
19 HANK SMITH:  
20 That's correct.  
21 SPEAKER:  
22 I saw the more recent, I guess, iteration of the  
23 project yesterday with the new design and the new  
24 height. Pretty major changes.  
25 HANK SMITH:

1 This is correct.

2 SPEAKER:

3 I had some concerns about he building itself, the  
4 building process, whether or not pilings would be  
5 used. I believe my chief of staff got that question  
6 answered. The answer is no, correct?

7 HANK SMITH:

8 Say again?

9 SPEAKER:

10 Pilings.

11 HANK SMITH:

12 Yes, there will be pilings.

13 SPEAKER:

14 There will be pilings?

15 HANK SMITH:

16 That's correct.

17 SPEAKER:

18 And have you worked with a structural engineer to  
19 determine what impact those pilings would have on  
20 the adjacent buildings, and I ask this question  
21 because this council recently approved a project on  
22 Tchoupitoulas and the neighbors had concerns about  
23 the structural integrity of their buildings during  
24 the building process and went forward. And within  
25 two or three months of building, there was

1 foundation problems and issues with the neighbors  
2 next door. So I'd like to hear what work has been  
3 done to assure that no damage is going to be done to  
4 the buildings next to it.

5 HANK SMITH:

6 Well, yeah, we intend to use an auger cast piling.  
7 Reade may have some more information since he  
8 represents the contractor, but we're doing several  
9 buildings right now in the French Quarter or  
10 adjacent to it, and an auger cast pile doesn't  
11 create any kind of ground vibrations or soil  
12 disturbances that could hurt the building, but I'll  
13 let Reade answer the question for the contractor.

14 READE NOSSMAN:

15 Right. The kind of piles that we're going to use,  
16 most everyone is familiar with the impact-driven  
17 piles where you hear it going on from a mile away at  
18 least, and, you know, there's a constant vibration  
19 associated with that. The kind of piles we're using  
20 are drilled. They kind of look like big screws, and  
21 you drill them in the ground, so there's no  
22 vibrations created.

23 SPEAKER:

24 In terms of the construction that exists, I mean, of  
25 course, the French Quarter has been here for over

1 three hundred years. The building techniques used  
2 them, I would probably venture to say are greater  
3 than what we use now. Maybe not as technological.  
4 Are there any adjoining walls between the  
5 structures? You understand --

6 HANK SMITH:

7 In the lower portion, yes, there are adjoining  
8 walls, and it's our intention to not interfere with  
9 the existing masonry walls that are stable. The  
10 walls that are unstable we will repoint and repair  
11 so that everything that would occur on -- because a  
12 lot of these property lines are right on the center  
13 of these walls. So anything that would occur that  
14 would be interfering with existing walls would occur  
15 above the plane of those existing walls.

16 SPEAKER:

17 All right. Is there anything in place -- I heard  
18 some conversation today for the first time about  
19 there being a potential for a collaboration with  
20 regards to some of the operational obstacles in  
21 terms of parking, in terms or rubbish, possibly  
22 doing -- having a collaboration with the Wyndham.  
23 I'm not sure if that's formal or not, but has there  
24 been any agreement or meeting of the mind of the  
25 neighbors with regards to if there is damage to



1 their property in the process?

2 HANK SMITH:

3 As the architect, I really can't answer that  
4 question. That would be a question to the owners,  
5 but I'm sure that will be in place.

6 READE NOSSMAN:

7 Standard procedure for the McDonnell Group is a  
8 document of existing conditions in the area.

9 SPEAKER:

10 Speak into the microphone.

11 READE NOSSMAN:

12 Standard procedures for the McDonnell Group are to  
13 document the conditions in the area so that we can  
14 accurately assess any damages that are caused after  
15 construction begins.

16 SPEAKER:

17 Thank you. Thank you.

18 SPEAKER:

19 Regina Farrell.

20 REGINA FARRELL:

21 Hi, I'm Regina Farrell, and I would like to thank  
22 each of you that have spent a lot of time with this  
23 project looking at the various proposals that we  
24 have submitted for your approval.

25 I wanted to let you know that many of you may

1 or may not have been on the council for the period  
2 of time that we've owned this building, but we've  
3 had this property for ten years. When we received  
4 our initial approval was just days before Katrina  
5 hit. I wish we could have moved forward at that  
6 point. I wish Katrina had never happened, and we'd  
7 have this glorious thing behind us already.

8 After Katrina, we were like everybody else,  
9 rebuilding our homes, our lives, our city, and other  
10 projects. And when we realized that more density  
11 was needed so that we could make the project viable  
12 post-Katrina with the addition of the construction  
13 costs and things at that time, we came back and we  
14 were, again, approved for that waiver and given that  
15 height variance.

16 At this point now, it's Angelo and I in this  
17 project. We've been ten years into it with  
18 absolutely no revenue whatsoever. We did not want a  
19 t-shirt shop in there. We did not want something  
20 that was not going to be absolutely a wonderful  
21 asset to that neighborhood.

22 We have worked very hard with the neighbors in  
23 the area when even not having a tenant in the  
24 property. We have contributed to police protection  
25 and everything with the neighbors in there not

1 having someone in that building for our own  
2 interests ourselves.

3       So we're doing everything that we can to have  
4 something -- Angelo, you know, when he was first  
5 presented with this property and the opportunity to  
6 purchase this property, he's been so passionate  
7 about it and he's been so excited and wanted to see  
8 this happen.

9       And we're finally at the point that we can  
10 proceed with your approval, and we are doing  
11 everything within our power to work with all of you  
12 on what we can do to make this happy for everybody,  
13 good for our city, good for the neighborhood, a  
14 financially viable project, and like I said, we've  
15 been ten years in this with absolutely no revenue.

16       So we are not greedy billionaires that are  
17 tweeted out there. We are just people out there who  
18 have worked hard trying to create a great project  
19 for our city. I appreciate every one your time and  
20 consideration, and I ask for you to, please,  
21 consider a vote in favor of this project. Thank  
22 you.

23 SPEAKER:

24 Ma'am, I have a question of this person.

25 SPEAKER:

1 For Ms. Farrell?

2 SPEAKER:

3 Yes. Are you saying that the city council has twice

4 approved this project in --

5 REGINA FARRELL:

6 Yes, sir.

7 SPEAKER:

8 -- some configuration? I assume that went away

9 because you didn't act in a timely manner?

10 REGINA FARRELL:

11 Yes.

12 SPEAKER:

13 On those other occasion, what was the staff report?

14 Did the council --

15 REGINA FARRELL:

16 You mean as to why we didn't --

17 SPEAKER:

18 Well, no, no. Did the council overrule some staff

19 report, or did we have a staff report that was

20 favorable to you on those other occasions; do you

21 know?

22 READE NOSSMAN:

23 I can answer.

24 SPEAKER:

25 Well, let me get this -- our staff's answer to that.

1 Go ahead.

2 READE NOSSMAN:

3 So in each of the former applications that came  
4 before, staff had recommended approval. At the  
5 time, the current master plan didn't exist. The  
6 current zoning ordinance didn't exist. So a lot of  
7 the standards by which we review applications didn't  
8 exist.

9 Under the current regulations, and this is the  
10 old ordinance, but there's an IZD in effect now that  
11 didn't exist at the time. There's a master plan  
12 that the master plan limitations didn't exist at the  
13 time. So there was a different frame work from  
14 which staff was reviewing the project. So under the  
15 current frame work or the frame work that applies to  
16 this one, staff did not feel that it was  
17 supportable.

18 SPEAKER:

19 But we're using what exists at the time of the  
20 application or what exists now, in terms of your  
21 frame work?

22 READE NOSSMAN:

23 So the application -- this application came in  
24 before August 12th, so it was the former CZO. But  
25 when the applications that were approved came in,

1 the IZD, which is they're seeking a waiver of height  
2 and of FAR, which triggers an appeal of the interim  
3 zoning district that existed at the time of the  
4 current application but not at the time of the  
5 former applications.

6       So that's an analysis that we had to do that  
7 wasn't done at the time. There's also a master plan  
8 that was adopted in 2010. Both of the prior  
9 approvals came in after the master plan, so the  
10 guidance that the current master plan provides for  
11 our review wasn't in place at the time, and so it  
12 couldn't be applied at the time.

13 SPEAKER:

14 I'm satisfied with that answer. Do you have a  
15 different answer?

16 REGINA FARRELL:

17 No, I just wanted to say, you know, had we -- had  
18 Katrina never hit and we were able to -- we would  
19 have already had the height variance and the  
20 building would have been built.

21       Then afterwards, when we came back and asked  
22 for additional floors with the consideration of  
23 things that happened afterwards, then we were  
24 granted that.

25       And then the huge economic downturn happened,

1 and we were not able to proceed then. That would  
2 have been another point at which, you know, we would  
3 have, again, had those floors.

4 So now we're not even talking about that. All  
5 we're talking -- let's just talk about where we are  
6 today and where we are today is asking you to  
7 consider we would have, you know, had far more than  
8 what we've asked for. We're working, you know,  
9 within the parameters of what this very recent plan  
10 has been.

11 Understand we've been in this for ten years,  
12 you know. All these other changes have just  
13 recently happened, so we're just asking, you know,  
14 for there to be some happy medium between, you know,  
15 where we were, where we were approved to do, and  
16 we're trying to, you know, get in where we can that  
17 will still make the project viabler, you know.

18 So we can do what we want to do for the city  
19 and for ourselves and for, you know, the French  
20 Quarter. We are -- you know, we have a generation -  
21 -

22 SPEAKER:

23 I understand.

24 REGINA FARRELL:

25 -- here as well, you know. We didn't inherit this

1 property.

2 SPEAKER:

3 I've heard you.

4 REGINA FARRELL:

5 Thank you.

6 SPEAKER:

7 Okay.

8 SPEAKER:

9 Bob Simms and then Joey Difatta and then Tony is it  
10 Stafford?

11 SPEAKER:

12 I ran out of time on the other side and gave them --

13 SPEAKER:

14 We're out of time, so just be mindful and come on.

15 BOB SIMMS:

16 Okay.

17 SPEAKER:

18 Okay. Thank you.

19 BOB SIMMS:

20 Good morning. Bob Simms. I'm a resident of the  
21 French Quarter, and as you all know, I'm very  
22 passionate about the Quarter. First of all, I want  
23 to thank Angelo and his wife for listening to our  
24 concerns in developing a plan, which I believe fits  
25 within the existing building as you saw from the



1 illustrations.

2       And I walk down Royal Street -- and I walk down  
3 Royal Street ten times a day, but I see just a  
4 building on St. Charles. It's a humongous  
5 skyscraper that dominates the view that you see  
6 walking up river.

7       And so this building, you'll not even see it as  
8 the slide showed. Walking down river, it's the  
9 Wyndham and Astor Crowne Plaza, so I think what  
10 they've done is blended that in with what's there  
11 already. So I think we should put the height thing  
12 to one side. It's within sync of the other  
13 buildings.

14       As was also said, this is the second -- well, I  
15 say this is the second worst block in the French  
16 Quarter for crime, and it's a terrible gateway to  
17 the Quarter. We need this building developed and  
18 put back in commerce, and I believe the rest of the  
19 surrounding buildings will also benefit from that,  
20 and we'll have a much better gateway to the Quarter.

21       So as you've done many times in the past, I  
22 would ask you to grant approval with a set of  
23 provisos to address the outstanding issues of  
24 parking and freight zone access and building  
25 specific designs, etcetera. But it's time to move

1 on. We've been doing this for too long. We  
2 shouldn't put this developer through it any longer.  
3 Yes or no, set of provisos, please, approve it.  
4 Thank you.

5 SPEAKER:

6 Joey and then Tony Stafford. Okay, thanks.

7 JOEY DIFATTA:

8 Good morning and thank the council members for  
9 having us here today. Obviously, this is a project  
10 that I look at as a rebuilding and a re-renovation  
11 of the French Quarter area. I understand  
12 technically it's not in the French Quarter, but it  
13 will be a gateway to the French Quarter.

14 I recently purchased several pieces of property  
15 in the Quarter, so I do have a vested interest. I  
16 have 425 Burgundy Street, a building. I have 1113  
17 Bourbon Street, which is a residence.

18 So I'm looking at what's happening here, and I  
19 want to applaud the folks who came technically in  
20 opposition, but I think they're actually for  
21 redevelopment but bringing the other side to the  
22 table and putting this in the middle of the road  
23 where it needs to be.

24 The biggest thing we need to look at at this  
25 point is we're bringing someone back in commerce, a

1 building that's been vacant, a building that  
2 actually didn't generate much revenue. What we're  
3 looking at is a major revenue generator.

4 And I'll give you my background in ten seconds.  
5 I was a former councilman in St. Bernard Parish. I  
6 was chairman of the council for sixteen years, so I  
7 know what it is to balance these issues. I know  
8 your job isn't easy because I've lived it for  
9 sixteen years. I lived it for the three years after  
10 Katrina, so I know what comprehensive zoning is.

11 I know what compromise is, and I ask that y'all  
12 look at the project, look at the compromise that  
13 came from the developer, look at the issues that  
14 were brought forth by the opposition, and they did  
15 find what I consider a middle of the road.

16 So if you would, please, consider this project  
17 for commerce and growth in the French Quarter area.  
18 Thank you.

19 SPEAKER:

20 Okay. Thank you. To address some of the concerns  
21 that my colleagues have expressed, particularly  
22 Council Member Williams, I can require a proviso  
23 with a construction management plan that would be  
24 approved that would address the issues concerning  
25 any pilings and I will monitor it closely.

1 Today, I'm going to ask that we approve the  
2 motion. I'm going to hold the ordinance. I think  
3 we're very close to a compromise, but some work  
4 still needs to be done before we have what I would  
5 call a successful final product.

6 The overall -- overall the reduced waiver does  
7 meet the standards of review for the IZD. The  
8 waiver is clearly consistent with the intent of the  
9 IZD. The explicit purpose of the district is to  
10 encourage taller development where applicable within  
11 the CVD.

12 The staff reported that this development should  
13 not have inappropriate impacts on adjacent  
14 properties, as long as the project complies with the  
15 development's standards of the CZO and the  
16 conditions placed on the use through this process.

17 This particular property has special conditions  
18 and circumstances that are peculiar to the land and  
19 the building, which may not be applicable to other  
20 properties, structures, or buildings in the IZD.

21 The vacant portion of this property is isolated  
22 in the middle of the lot, and it is surrounded by  
23 other buildings. It does not face and there is no  
24 access to any street, except by way of the existing  
25 structure.

1           The existing structure has been vacant for over  
2 ten years. I visited the street. I've been inside  
3 the building. It's a gorgeous building, and the  
4 plans to restore it, I believe, will bring it back  
5 to its former glory. It should be a dream that, you  
6 know, we should all -- we will all be proud of.

7           Putting this building back in commerce will  
8 only improve this block, which is in a very bad  
9 state now. There have been suggestions that the  
10 applicant resubmit this proposal to the City  
11 Planning Commission.

12           Specifically, concerns were raised regarding  
13 the height waiver, aesthetics, parking, traffic, and  
14 garbage removal. Given the circumstances of this  
15 project over time, I don't think it's necessary for  
16 the applicant to go back to the Planning Commission.

17           There are several provisos that I've put in  
18 place regarding, again, traffic, garbage, and  
19 aesthetic review. I've required that they submit a  
20 construction plan for offers and review and for  
21 coordination with the Department of Public Works.

22           I'm also requiring the applicant to submit a  
23 loading and unloading operation plan, which will be  
24 also approved by the Department of Public Works, and  
25 the final design will have to be approved by the

1 CBD, HD, LOC.

2 As I said, I have been working for quite some  
3 time with the city planning staff and other city  
4 officials to reach a compromise on this project.  
5 There will certainly be more opportunities for  
6 public input and hearing during the review process  
7 and other public hearings when the ordinance does  
8 come up for a vote.

9 This morning, I'm going to make a motion to  
10 overrule the City Planning Commission denial and  
11 approve the application with full waivers in fifteen  
12 provisos. I will ask the clerk to read the motion,  
13 but we do have Council Member Cantrell wishing to  
14 speak at this time. Yes.

15 LATOYA CANTRELL:

16 Thank you. I know that there was previous  
17 discussions in regards to plans that were approved  
18 by the council several years ago, but I could not  
19 understand the height in which they were approved.  
20 So were they initially approved by the city at a  
21 height of two hundred and sixty-eight feet?

22 SPEAKER:

23 I don't know the exact -- it was close to but not as  
24 high as what they were current -- what they were  
25 originally asking for this time. I think it was

1 maybe --

2 SPEAKER:

3 I think it was two --

4 SPEAKER:

5 I think it was like two fifty, two sixty, in that  
6 area. Yeah.

7 LATOYA CANTRELL:

8 So the initial approval of the city council was at  
9 two hundred and fifty-nine feet?

10 SPEAKER:

11 I believe so.

12 SPEAKER:

13 In 2005, the council approved an eighty-five foot  
14 waiver for one hundred seventy-three feet, and in  
15 2007, the council approved a height waiver to allow  
16 up to two hundred fifty-nine feet.

17 LATOYA CANTRELL:

18 Okay. Okay. And -- okay. So I just state for the  
19 record I do appreciate the councilwoman's commitment  
20 to holding the ordinance until things have been  
21 worked out. In representing District B, I know  
22 firsthand that a lot of times, we do need additional  
23 time to work through matters that are presented by  
24 the community, as well as business and even the  
25 administration.

1           And so with that in mind, I am going to support  
2 this at the motion phase, but if further concessions  
3 cannot be granted, I cannot commit to support at the  
4 ordinance phase. This project reminds me of very  
5 close -- it reminds me of 400 Canal Street as it  
6 relates to historic preservation but also height.  
7 And I know that that was an issue. We moved forward  
8 with the motion and could not really work it out,  
9 and the applicant at that time withdrew.

10           So I do know that granting more time can either  
11 work this out to move forward or not, but at this  
12 stage of the game and with this being on deadline,  
13 more time is needed, and that is what is being  
14 requested by the council member. So that's pretty  
15 much where I am. Thank you.

16 SPEAKER:

17 Council Member Head.

18 STACY HEAD:

19 I have to say this is some of the most unified  
20 opposition I've ever seen from disparate groups and  
21 individuals who are usually not like-minded who are  
22 opposing this project.

23           Where we are today, and we have a master plan,  
24 think, as Mr. Rivers said quite succinctly, the  
25 proposal that is before us today is in direct



1 conflict with the land use portion of the master  
2 plan that does have the force of law.

3 I ask why did the city go through the process  
4 of developing a master plan through years of  
5 meetings, discussions, and votes when we are only  
6 going to make developer and individual property-  
7 focused decisions? That's the way it was done in  
8 the past.

9 And they're based on the opinions of the  
10 sitting council members and the consultants  
11 involved. If this is a status quo, the developer  
12 just asked the council member -- the developer  
13 should just ask the council members to approve plans  
14 and make these subjective decisions.

15 We really should just eliminate the master  
16 plan. It has no use. Instead, we need to have  
17 council charrettes on a regular basis because our  
18 decisions are paramount, and they are all that  
19 really matters.

20 We do all the negotiating, we do all the  
21 compromising, and we make all of the decisions. I  
22 think that is a more honest way to approach the  
23 future. I was part of the process of developing a  
24 master plan so that we would not have developer and  
25 property centric decisions to be made ad hoc on an

1 every two week by every two week basis.

2 But if we are not going to honor those  
3 decisions and the vote of the people, then we should  
4 shuck it all and be honest with the decision makers  
5 that we are about the decision makers that we are  
6 and hold our own charrettes.

7 Finally, the last minute change or switch  
8 certainly does look better. I have not had time to  
9 evaluate whether or not if it does comport with the  
10 master plan or that it is appropriate for the area.  
11 This is quite common. I do think it is a shame that  
12 it happened so last minute, and it doesn't allow a  
13 thoughtful response. And therefore I'm not taking  
14 it into consideration, other than it does look  
15 better, but I don't really have any more context  
16 than that.

17 SPEAKER:

18 Council Member Gray.

19 JAMES GRAY:

20 I think the whole scheme of everything includes  
21 council participation. I agree with Councilwoman  
22 Head that a modern city runs best if business people  
23 can look at the rules, anticipate what the answer  
24 will be, and make decisions based on that. It is a  
25 bad system if everyone comes to us to talk about

1 every issue. On the other hand, we are part of the  
2 system, and we are here when it is appropriate that  
3 we take a look at our guidelines and decide whether  
4 or not we should or should not do something  
5 different on this particular occasion.

6 And the other side of the argument is if that  
7 goes away, then I'm not quite sure why we deal with  
8 land use jurisdiction, period. We could just get a  
9 well programmed computer and let that be it.

10 But the good thing about what I think is being  
11 offered today is we're not making a final decision  
12 today. We are merely not killing it today, allowing  
13 the conversation to continue. Frankly, Councilwoman  
14 Cantrell I think taught me that process and  
15 instructed me on the use of it. And when I've used  
16 it in my district, half the time I did not approve  
17 the deal at the end because as she said, we were  
18 still talking and the conversation didn't go  
19 anywhere and the project didn't go anywhere.

20 But actually up to now, I have never approved a  
21 deal after a motion, but there's still a few hanging  
22 out there where we might work it out in the future,  
23 and we have not killed those transactions in the  
24 meantime.

25 And with my understanding that all we're doing

1 today is giving us more time to talk and work on the  
2 decision, I'm going to follow the lead of  
3 Councilwoman Ramsey and approve -- vote to approve  
4 the motion with the clear understanding that I think  
5 the city council will always have an obligation to  
6 take a look at all rules and all guidelines and part  
7 of our rules is that we can make decisions about how  
8 they get applied in a particular case.

9       And in this case, we are giving ourselves more  
10 time, or at least I'm going to vote to give us more  
11 time to make that ultimate decision. Thank you.

12 SPEAKER:

13 Council Member Williams.

14 JASON WILLIAMS:

15 The French Quarter has been here in New Orleans for  
16 over three hundred years. I've had the opportunity  
17 to look at this new design, I guess, in less than  
18 twenty-four hours. My office saw the revised plans  
19 yesterday afternoon.

20       And I want to make it very clear that I am very  
21 welcoming of new hotels. I'm open to hotel  
22 possibilities in the Quarter if the zoning provides  
23 it. I'm also open to working with any developer on  
24 making the economics of a development work, even if  
25 that means adding extra height above zoning

1 allowances. I am open to that. We are making every  
2 effort to grow this city and evolve it but preserve  
3 our historical integrity.

4 But I feel uncomfortable trying to make a  
5 decision of this magnitude with the notice that  
6 we're looking at. I heard the architect say that  
7 he's been working on it since 2005, but the new  
8 design has only been around since yesterday. And  
9 I'm sure if I saw it yesterday for the first time  
10 and I get a vote today, I'm sure that the members of  
11 the public who are opposed to it may not have seen  
12 it at all, unless they just saw it today for the  
13 first time.

14 The original neighborhood participation  
15 meetings were essentially about a different project.  
16 I don't think we can deny that when we look at the  
17 differences in the height. I know the new plan  
18 certainly addresses some of the concerns of the  
19 community, but I just cannot imagine that the  
20 community has had an opportunity to work through and  
21 digest and be critical or accepting, because that's  
22 a possibility too, of a new plan.

23 I think the developer in this instance is doing  
24 something that we want other developers to do, which  
25 is preserve the historical integrity of what people

1 will see when they walk by, take into consideration  
2 and listen to the frustrations and concerns of the  
3 community and the height did come down.

4 I think the changes were smart. But I still  
5 have a number of unanswered questions that I tried  
6 to get today that I don't know that it's possible to  
7 get without a structural engineer. The conversation  
8 about the pilings was helpful, but I would really  
9 like to know from a structural engineer if the screw  
10 pilings have been used in the Quarter in any other  
11 places and if they have what the results were of  
12 those uses.

13 I'm deeply concerned about the fragile  
14 structures we're dealing with. What happened on  
15 Tchoupitoulas should be deeply concerning to us all,  
16 the fact that a new construction damaged someone  
17 else's home and business.

18 So I also was very happy to hear that the  
19 developer and their team were working with the  
20 adjacent hotel, the Wyndham, to deal with parking,  
21 which will certainly be an issue, to deal with the  
22 valet process, which will certainly be an issue.  
23 But I just don't know how based upon the  
24 geographical print of the -- of this particular  
25 building can deal with rubbish.

1           There are a number of restaurants and hotels  
2 that are longstanding institutions that use our  
3 municipal sidewalks as their rubbish depository,  
4 which leads to a very unhygienic situation, which  
5 leads to rodents and everything else.

6           So in terms of the process here today, I have  
7 some concerns. I would almost suggest -- and I know  
8 that the big issue here -- one of the big issues  
9 here is that this project is on deadline, which  
10 means it could die.

11          But I also would be very supportive of the  
12 district council member waiving the fees should we  
13 have this developer resubmit his application so that  
14 the community could be involved in this process. I  
15 don't believe that happened here. Working with the  
16 administration was part of it, but also hearing back  
17 from the public after these changes were made I  
18 think could be very, very helpful.

19          I'm deeply torn over this project. I don't  
20 know how to vote.

21 SPEAKER:

22 Council Member Guidry.

23 SUSAN GUIDRY:

24 Thank you. So it's my understanding that there's  
25 been lots of work done in the council member's

1 office and with the administration to try to get  
2 this project to be more acceptable.

3       However, I got to question when the day before  
4 the hearing, you can all of a sudden say, "Well, I  
5 said before that I couldn't do this unless it was  
6 two hundred and sixty-something feet, but now, the  
7 day before the hearing, I can do it at a hundred and  
8 ninety feet."

9       And it, you know, it really gives me pause and  
10 the fact that, again, it was eight o'clock last  
11 night, I think, when we got the letter saying that -  
12 - about the hundred and ninety feet, and it said,  
13 "We'll work with the community or whatever on all  
14 the other concerns they have."

15       So we're coming to the meeting today asking the  
16 city council to vote for something when, you know,  
17 by your own admission last night at eight o'clock,  
18 you didn't have a plan for trash. You didn't have a  
19 plan for parking and a number of other things that  
20 were stated in the letter that you're willing to  
21 work on.

22       I agree that this block needs new like, but I  
23 just can't justify voting for something so  
24 completely out of step with the master plan and with  
25 the zoning ordinance and the IZD. The IZD is



1 something the council puts in to protect an area,  
2 and the master plan is also supposed to provide that  
3 kind of protection.

4 I just haven't seen any kind of economic or  
5 financial analysis that would convince me that  
6 historic tax credits can't be leveraged to make  
7 restoration of this building viable, perhaps with a  
8 modest addition or new construction at the rear.

9 I believe that we need to stand up for the  
10 predictability of the new CZO, which is supposed to  
11 be our vision for the city, as well as the master  
12 plan. And this idea of, you know, moving things  
13 along and holding the ordinance, I don't recall that  
14 being used very often in the past, but it is being  
15 used more often now.

16 When you use it, because it's on deadline, the  
17 matter is on deadline, and there's a good neighbor  
18 agreement that hasn't been finalized, sure. I mean,  
19 that means that the public has seen what the project  
20 is going to be. The public has been able to speak  
21 out on the project. There's just some details that  
22 need to be worked out.

23 This is an entire project that still needs to  
24 be worked out, and now it's going to go out of  
25 public view. Well, first of all, let me say now the

1 council is being asked to vote which is their  
2 statement to the public of what they're approving  
3 and not approving. We're being asked to vote on  
4 something we do not know about.

5 Then it will go into the background where  
6 people will work on it outside of the sight of the  
7 public, and then it will be presented to the public  
8 again. And I don't think that it's a good signal to  
9 the public when the council votes on things that  
10 have been presented to them the day before in a  
11 letter.

12 And I don't think it's a good signal in terms  
13 of -- in terms of the weight we give to the votes  
14 that we do in front of the public, especially in  
15 this situation where we know that we are  
16 disregarding the zoning laws.

17 We know that we've just approved disregarding  
18 the plain realities of the lack of -- the lack of  
19 planning that has occurred, despite how many years  
20 this thing has been in the making.

21 And that we are agreeing to approve a  
22 development before we know what it's going to be,  
23 and I just -- I can't do that. Thank you.

24 SPEAKER:

25 Council Member Guidry, I know you said it goes

1 outside of the public eye, but it sounded to me,  
2 based upon statements by Council Member Cantrell and  
3 Council Member Ramsey that there was going to be a  
4 good deal of work that was going to be happening and  
5 it would be up to them to pull the public in. Is  
6 that --

7 SUSAN GUIDRY:

8 This is -- what I'm talking about in this particular  
9 situation is this whole notion of --

10 SPEAKER:

11 The process of that.

12 SUSAN GUIDRY:

13 -- the process.

14 SPEAKER:

15 Okay.

16 SUSAN GUIDRY:

17 And this may need to go before the HDLC again, so  
18 there may be some more public input. But generally,  
19 this process is troubling to me. Thank you.

20 SPEAKER:

21 Thank you.

22 SPEAKER:

23 I would like to add one more thing. Go ahead if you  
24 don't mind, Councilwoman. Councilman Williams also  
25 suggested that the applicant or that you as the

1 council person could do by motion requesting the CPC  
2 to consider what can be submitted as revised plans.

3 Now, I've done that as well. I've have some --  
4 had a developer withdraw where the work on it a  
5 little more, and then I did by motion request CPC to  
6 look at that.

7 I've done it where I have waived fines -- well,  
8 fees, and then I've done it where I didn't waive the  
9 fees but it did allow them not to have to wait --

10 SPEAKER:

11 Right.

12 SPEAKER:

13 -- a couple of years to come back.

14 SPEAKER:

15 Right.

16 SPEAKER:

17 And so I would ask for that consideration as well.

18 SPEAKER:

19 How far would that place the project back, Council  
20 Member Cantrell, you think? In your recent  
21 experience.

22 LATOYA CANTRELL:

23 Well, if you -- the benefit if do it by motion, the  
24 council person, then there really -- it's according  
25 to your timeline. If it was up to the applicant to

1 then reapply on its own, it could lead up to about  
2 two years.

3 SPEAKER:

4 Thank you.

5 NADINE RAMSEY:

6 I appreciate the comments of all of my colleagues,  
7 and you know, I stated earlier that this will have  
8 to be approved by HDLC. You know, we're going to  
9 have the Department of Public Works involved. There  
10 will certainly be opportunities, and we welcome  
11 public input and hearing.

12 The suggestion, I just want to comment that,  
13 you know, suggestions that the developer held it  
14 until last night to say that, you know, he was  
15 willing to work on compromises. That's not  
16 completely accurate. I've been working with the  
17 staff, the Director of City Planning and the  
18 administration, and the developer over periods of  
19 months.

20 The attorneys up here and everybody up here  
21 knows that when you're negotiating and trying to  
22 reach a compromise, until you can say that you have  
23 an agreement, you can't. And I think it was late  
24 last night when the time came when all of the  
25 parties were able to say, "We are open to discussing

1 this further," and the developer said, "You know,  
2 I'm willing to come down on the height," and the  
3 other side say, "We're willing to continue to talk."

4 Having said that, I'm going to ask the clerk to  
5 read the motion.

6 SPEAKER:

7 Can I just say one thing on that, Council Member  
8 Ramsey?

9 NADINE RAMSEY:

10 Yes, sir.

11 SPEAKER:

12 I didn't mean to suggest the developer was holding  
13 his plans. I think it's very clear based upon all  
14 the changes that were made and the collaborations  
15 that were put in place that he was working up until  
16 the last minute to try to answer some questions that  
17 were out there. My only issue was that in doing  
18 that, the public got it late and that was just --

19 NADINE RAMSEY:

20 And that's why we're not going to vote on an  
21 ordinance. That's why I'm holding it.

22 SPEAKER:

23 Okay.

24 NADINE RAMSEY:

25 Would the clerk, please, read the motion with full

1 waivers and fifteen provisos?

2 SPEAKER:

3 The waivers -- the applicant shall be granted a  
4 waiver to Article 6, Section 6.4.7 of the  
5 Comprehensive Zoning Ordinance to permit a rear  
6 building setback at the lowest residential floor of  
7 area zero feet and in the interior lot building  
8 setback from the lowest residential level with  
9 windows of less than twenty feet.

10       The applicant shall be granted a waiver of the  
11 central business district height and floor area  
12 ratio interim zoning district contained within  
13 Article 18, Section 18.66.31 of the Comprehensive  
14 Zoning Ordinance requiring a maximum height of  
15 seventy feet to permit a maximum height of a hundred  
16 and ninety feet.

17       Number three, the applicant shall be granted a  
18 waiver of Article 15, Section 15.3.2, Table 15.G,  
19 off street loading of the Comprehensive Zoning  
20 Ordinance that requires two off street loading  
21 spaces to prevent no off street loading spaces.

22       Number four, the applicant shall be granted a  
23 waiver of Article 15, Section 15.5.7 of the  
24 Comprehensive Zoning Ordinances requiring a minimum  
25 open space ratio of .07 and not more than twenty

1 percent of the required open space shall be at a  
2 level greater than a hundred twenty feet above grade  
3 level to permit three hundred eight-nine square feet  
4 or .0.56 of the open space to be one hundred twenty  
5 feet above grade level.

6       Proviso: Number one, the applicant shall limit  
7 the height of the proposed tower to a hundred sixty-  
8 four feet within the rear portion of the lot  
9 measured from the rear Bourbon Street side property  
10 line, a distance of twenty-six feet and three inches  
11 toward the Royal Street front property line as set  
12 forth in the Harry Baker Smith Architect's two plan  
13 dated November the 4th, 2015, attached as "Exhibit  
14 A."

15       Number two, all changes to the exterior of the  
16 building and new construction shall require the  
17 approval of the CBD, HDLC Commission -- Landmark  
18 Commission.

19       Number three, the applicant shall secure the  
20 appropriate right to utilize city property in  
21 connection with any and all encroachments in  
22 accordance with the requirement of the Department of  
23 Property Management, Office of Real Estate and  
24 Records.

25       Number four, all signage shall be in compliance



1 with the CBC-3 central business district's signage  
2 resolutions -- regulations and shall require the  
3 approval of the CBD and start District Landmarks  
4 Commission.

5       Number five, the applicant shall submit a  
6 detailed landscape plan prepared by a licensed  
7 Louisiana landscape architect indicating the  
8 following subject to the review and approval of the  
9 staff of the Department of Parks and Parkways. A)  
10 The genus, species, size, location, quantity, and  
11 irrigation of all proposed plant materials within  
12 both the site and the street rights of way adjacent  
13 to the site with applicable remarks and details. B)  
14 The presence of street trees through the planting of  
15 new trees at a maximum interval of thirty feet  
16 within the Tchoupitoulas Street right of way.

17       Number six, all dumpster areas shall be  
18 screened from view from the public rights of way  
19 with an OPEC fence and a masonry wall that is no  
20 less than six feet tall, subject to the review and  
21 approval of the City Planning Commission and the  
22 Historic District Landmarks Commission staff.

23       Number seven, the dumpster area shall have  
24 sufficient access to allow the free movement of  
25 receptacles without the disruption to nearby

1 property owners or damage to nearby structures.

2       Number eight, the applicant shall provide to  
3 the City Planning Commission staff a litter  
4 abatement program letter approved by the Department  
5 of Sanitation, inclusive of the stated location of  
6 trash storage, the type and quantity of trash  
7 receptacle, the frequency of trash pick-up by a  
8 contracted trash removal company, and the clearing  
9 of all litter from the sidewalk and the street  
10 rights of way. The name and phone number of the  
11 owner/operator of the development shall be included  
12 in this letter to be kept on file in case of any  
13 violation.

14       Number nine, the developer shall provide  
15 evidence of a servitude or other agreement provided  
16 for legal access for the purpose of trash removal  
17 from the subject property via Iberville Street if  
18 the applicant intends to use the service alley.

19       Number ten, the site plan shall be revised to  
20 include the locations, height, and details of all  
21 light standards subject to the approval of the staff  
22 of the City Planning Commission. Light standards  
23 shall be limited in height to twenty-five feet and  
24 shall not be directed toward any residential use.

25       Number eleven, a shared passenger zone between

1 the existing hotel on the 100 block of Royal Street  
2 and the proposed hotel shall be established along  
3 the river side of Royal Street, subject to the  
4 approval of the Department of Public Works indicated  
5 by letter or stamp of approval on final development  
6 plans.

7       Number twelve, no additional taxicab stands  
8 beyond those that currently exist shall be permitted  
9 along Bourbon, Iberville, Royal, or Canal Streets  
10 bound in the city's square in which the hotel is  
11 proposed.

12       Number thirteen, tour bus access to the hotel  
13 site shall not be provided via Bourbon Street,  
14 Iberville, or Royal Streets.

15       Number fourteen, the applicant shall submit an  
16 operation plan for the loading and unloading  
17 activities, including potential valet services of  
18 the proposed use and other uses within the vicinity,  
19 which may share designated curbside loading space.  
20 All such plans are subject to the review and  
21 approval of the Department of Public Works.

22       Number fifteen, the applicant shall submit a  
23 construction management plan for review and approval  
24 by the District C council member in consultation  
25 with the Department of Public Works.

1           Those are your provisos and waivers.

2   SPEAKER:

3   Thank you, ma'am. Having read the motion with  
4   waivers and provisos, I make a motion to overrule.  
5   Five yays, two nays. The motion to overrule is  
6   approved. Thank you.

7   SPEAKER:

8   Madam Clerk.

9   SPEAKER:

10   Okay.

11   SPEAKER:

12   I'll let you guess.

13   SPEAKER:

14   The vote was 5-2. I voted yes.

15   SPEAKER:

16   The vote was five yay, two nay.

17   SPEAKER:

18   The voting board is out.

19

20   THE MEETING WAS CONCLUDED AT   P.A.M.

21

22

23

24

25