

Uptown Triangle Neighborhood Association

*Sheldon Hersh, MD, Editor
Zoning for Dollars is Wrong
www.zoningfordollarsiswrong.org*

March 15, 2004

Councilman Jay Batt
City Hall, Room 2W80
1300 Perdido Street
New Orleans, LA 70112

Re: Requesting your rejection of the Short Street high-rise building

Dear Mr. Batt:

During our telephone conversation in January 2004 I requested that you publicly express your disapproval of a developer's proposal for a spot zoning change to build a 14-story high-rise condo building on Short Street in historic Uptown New Orleans, only 21 feet away from its one- and two-story neighbors. This strategic site is only one block away from the Riverbend area. At that time you stated you did not want to hijack the process and would first await the official opinion of the City Planning Commission (CPC).

Now that the CPC has officially voted to deny this inappropriate, oversized project I am again asking you to disavow this destructive high-rise proposal for my neighborhood. A 14-story, 9-story, or 7-story high-rise building would irreparably harm our neighborhood. In addition to the CPC's vote to deny this project I am enclosing the following documents for your review:

1. Another page of petition signatures opposing this high-rise proposal. In addition to the 1,509 signatures my neighborhood has already submitted to the CPC, these additional fifteen signatures raise the total number of New Orleans citizens who have petitioned against this project to 1,524. Please note that this petition has city-wide support, with zip codes on this latest page ranging from 70113, 70114, 70118, 70119, 70122, 70125, 70126, and 70127.
2. Documentation taken from our web site, www.zoningfordollarsiswrong.org, that property values in areas of Council District A, which do not have high-rises have risen significantly *faster* that property values in areas which do have high-rises. We are rightly concerned that this high-rise proposal will hurt our neighborhood and decrease our property values. This will decrease the amount of taxes the City of New Orleans would receive from our neighborhoods.

3. The amount of economic benefit to the City of New Orleans in property taxes has been overestimated. Destroying the Riverbend for only \$141,000 per year is a poor bargain. This is 80% less than the developer advertised. Please see our Property Tax Impact document.
4. The construction of this building in our century-old neighborhood would harm the health, safety and welfare of our neighbors and violate the Americans with Disabilities Act. Please see my enclosed letter to Councilmember Cynthia Willard-Lewis regarding the impact of a major street construction project on the health, safety and welfare of one disabled citizen in Council District E. The average width of the four streets surrounding the Short Street project is only 24 feet. Closing our streets for even part of the two years it would take to build this high-rise would be an unacceptable health and safety risk for our disabled Short Street neighbor who lives directly across the street from the project.
5. Letters supporting our neighborhood from the Louisiana Landmarks Society, the French Quarter Citizens for Preservation of Residential Quality, Inc., and the Touro Boulogny Association. This issue affects the entire City of New Orleans. I am also enclosing a letter of solidarity from the Presidents of four surrounding neighborhood associations requesting a denial for this zoning request. This letter lists several of the technical and legal arguments against this project.
6. As a direct result of the passion our neighborhood feels for this spot zoning issue we have formed a neighborhood organization, "Zoning for Dollars is Wrong," and created our own web site at www.zoningfordollarsiswrong.org. I am enclosing a Press Release, as seen on Yahoo!, dated February 20, 2004 announcing this milestone. "By communicating with City Hall and informing our neighbors through the internet we will be a voice for Uptown New Orleans." This issue of neighborhood preservation has national importance. We intend to use the power of the internet to focus national attention on this issue by using this appalling project as an example of how poor urban planning could ruin even the most thriving of neighborhoods and cities.
7. A letter from Stephen Villavaso, Land Use and Zoning Expert, reviewing five legal arguments against this proposed project and zoning change. Legal argument number four states that changing the current zoning from RD2 to RM3 is not justified under the "change or mistake" rule because "no change in the neighborhood has occurred in almost 100 years and clearly there was no mistake in the original RD2 zoning." Legal argument number five states "This request for a change in zoning is clearly a 'spot zone' and thus must be summarily denied."
8. A panoramic view of the Riverbend from the levee at Leake Avenue, titled "*No building pierces the canopy of the trees.*" This five foot long panorama and explanatory text confirms Mr. Villavaso's statement that "A zoning classification . . . is not justified under the 'change or mistake' rule."

9. Allowing this spot zone for Leake Avenue will encourage other developers to attempt to build more high-rise buildings along the Leake Avenue corridor. This would lead to the walling off of Leake Avenue and the levee from our neighborhood. Our neighborhoods are committed to stopping this intrusion into our peaceful midst. We will continue this struggle each and every time a zoning change is proposed to build a high-rise building in our 100-year-old neighborhood. This will become a strain on our neighborhoods, on the developers, on the City Planning Commission, and on the City Council.

Please help Uptown New Orleans stay strong and allow our property values to rise. At this time our neighborhoods respectfully ask that you express your public disapproval of this ill-conceived project. Do not allow this illegal, destructive, Miami Beach-style high-rise condo to harm our neighborhoods. Our neighborhood rule is, "Economic development without preservation is desecration." I would be pleased to discuss this with you further.

Thank you.

Sincerely yours,

Sheldon Hersh, MD
Board of Directors and Spokesperson
Uptown Triangle Neighborhood Association

Enclosures.

- A. Additional petition signatures
- B. The effect of high-rises on property values
- C. Property Tax Impact document
- D. Danger to health, safety and welfare of neighbors – letter to Ms. Willard-Lewis
- E. Letter of support from four neighboring association Presidents, along with letters from Louisiana Landmarks Association, French Quarter Citizens for Preservation of Residential Quality, Inc., and Touro Bouligny Association
- F. Press Release for web site, www.zoningfordollarsiswrong.org
- G. Letter from Stephen Villavaso
- H. Panoramic view of the Riverbend

CC: All City Councilmembers

Mayor Nagin
Upper Audubon Association
Maple Area Residents, Inc.
Carrollton/Riverbend Residents Association
Louisiana Landmarks Society
French Quarter Citizens for Preservation of Residential Quality, Inc.
Touro Bouligny Association