

**MANDEVILLE CITY COUNCIL
MINUTES FOR THE SPECIAL MEETING OF DECEMBER 17, 2014**

The special meeting of the Mandeville City Council was called to order at 6:00 p.m.

PRESENT: Clay Madden, Rick Danielson, David Ellis, Carla Buchholz, Ernest Burguieres

ALSO: Louisette Kidd, Edward Deano, Ren Clark, Dennis Thomas, Kim Chatelain, Times Picayune; Faimon Roberts, Advocate

1. Discussion of Ordinance No. 14-39

Ordinance No. 14-39, ORDINANCE FOR THE CITY OF MANDEVILLE TO PROVIDE FOR A MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE DEVELOPMENT AND CONSTRUCTION OF GROUND FLOOR RESIDENTIAL UNITS IN THE TOWN CENTER ZONING DISTRICT OF THE CITY OF MANDEVILLE AND TO PROVIDE FOR RELATED MATTERS

Ms. Kidd explained that the purpose of Ordinance No 14-49 was to establish a moratorium for a 12 month period on the issuance of any permits for the construction of ground floor residential development fronting on streets within the Town Center Zoning District. The Ordinance was initiated by the Planning and Zoning Commission and introduced by the City Council on August 28, 2014. The purpose of the moratorium was to ensure that pending amendments to the CLURO related to the Town Center District are not undermined by developments and development approvals obtained or granted prior to completion and adoption. The moratorium also protects the private investments made in reliance on the City's Comprehensive Plan. Public hearings for phase II of the CLURO amendments are expected to begin in the spring of 2015 with final amendments approved in early summer. The concern, last August, was that the largest piece, known as Acadian Millwork and Supply, would be developed and built out as townhomes having a significant impact on the overall objectives of the Town Center. The Town Center District and zoning were established in 2001.

Ms. Kidd read the policies and goals for the Town Center and Trailhead from the City's Comprehensive Plan. One of the Plan's policies encourages mixed use development that incorporates retail, entertainment and service uses at ground level and mix of office, service and residential uses on the upper floors. She added that currently the CLURO does not prohibit ground floor residential in the Town Center. The moratorium was proposed for a period not to exceed one year until such time as amendments are made to the CLURO to address those uses in the Town Center District. Once those amendments are adopted, we would lift the moratorium.

Mr. Dennis Thomas, Planning and Zoning Commission member, stated that he felt that the area has languished and was not in favor of the moratorium. He stated that any hindrance to getting the area jump started would not be moving in the right direction. He added that he thought the time table for the public hearings and CLURO amendments was too long and perhaps another consultant could be more expedient.

Mr. Ren Clark, Planning and Zoning Commission member, agreed with Ms. Kidd in support of the moratorium.

Mr. Deano stated that the moratorium Ordinance was revised through September 10, 2014 to include language to establish criteria for vested rights determination and the appeal process.

Mr. Burguieres stated that the Council received a petition this afternoon. He asked the City Attorney to review the petition, submitted by property owners in the Town Center District, specifically the initiation of an amendment of regulations to remove the 3,000 sq. ft. minimum lot size requirement and the moratorium.

Mr. Denny Perschall, Acadian Millwork & Supply, stated that the main idea was to get something (public or private initiative) started. We need to get rid of some of these zoning regulations that are putting a stop to the entire development.

Ms. Kidd listed the City's accomplishments and development of the Trailhead area from 1996 through 2011.

Mr. Perschall asked - what are we going to do to move forward from here? Mr. Kidd stated that we will go into public hearings in the spring, with our Planning Consultant, to study and revise the regulations for the Town Center as previously discussed. One of the issues we will be looking at is reducing the density requirements.

Mr. Perschall stated that none of the property owners want the moratorium, as indicated on our petition. We want a collaborative partnership with the City that moves forward in an amicable way. Ms. Kidd agreed and added that it was a priority of the Planning and Zoning Commission and the City Council funded the initiative. Mr. Perschall asked what the timeframe would be. Ms. Kidd stated probably February. Mrs. Buchholz clarified that Mr. Perschall did not want to build residential units on his property. Mr. Perschall stated that he did not want to do that and he has obtained a lease on his property which will put it out of commission for five years.

Ms. Tess Dennie, 536 Lafitte Street, spoke against the moratorium because it will delay any kind of progress. A partial solution would be to require a certain percentage of commercial on the bottom floor. The difficulty in leasing commercial or residential in the last few years has hindered progress. People hesitate to invest because there has been such slow progress.

Ms. Kidd emphasized that the moratorium is only for ground floor residential permits. The moratorium does not stop developers from building anything else.

Ms. Ann Marie Fargason, 347 East Street, asked the City to consider buying the Acadian Millwork property to expand the Trailhead for the use as public green space.

Mr. Michael Waller stated that he envisioned a park around the Trailhead property, replacing the light industrial zoning uses. He stated that he bought a half of a block and developed a high density project. He added that a year and a half ago the City stopped him from building. The City had a workshop and everyone liked the project. It was the same project as previously completed. Before the voting meeting, Mr. Waller stated that he received an email indicating that he had a drainage problem. After discussion regarding the three minute time limit for public comment, Mr. Waller stated that after his first project was approved he was denied his next project because his lots were less than 3,000 feet. He added that he was not told that at the workshop; no one knew about the 3,000 minimum limit. The first four lots developed - the minimum lot size was 7,200 feet. And there was a variance on every single one for lot size (a total of five variances). What has happened in fifteen years? The City built a parking lot and stopped my development. No one knew about the

minimum requirement and they did not tell me or the zoning commission until the voting meeting, which forced them to do what they should have done.

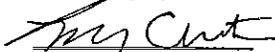
Mr. Rick Dennie, 536 Lafitte Street, stated that the original Trailhead Board was disbanded because of the internal audit of the prior administration which stated that it was too closely tied to the City and not at arm's length. So the Board did not really accomplish anything. He added that he was happy to have a cultural arts director, which OMBA leaders asked for ten years ago.

Mr. Madden stated that he was in favor of development around the Trailhead, similar to Opal Basil type restaurants and cafes that cater to those who use the Tammany Trace. It seems that progress has slowed or leveled out in the last five years. He added that the moratorium is perceived to slow progress at the Trailhead and he agreed with Mr. Perschall and Ms. Dennie. He asked – Why do we need this moratorium now after fifteen years of the same zoning in place. He added that the Harper family and Mr. Perschall do not have plans for high density residential. He stated that he would side with the residents that spoke this evening and the business owners he spoke with. Also the petition needs further consideration by our City Attorney.

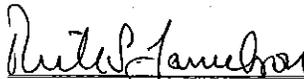
Ms. Kidd stated that the Planning and Zoning Commission made the recommendation to help protect property owners who have made commercial investments in the Town Center. There was a small risk that residential could be built; this was a jester to protect the current commercial investments. We brought it to the table, if the Council does not think it is in the best interest, don't worry about it, pull it off the agenda. Since we went into contract with Michael Lauer, two out of three critical elements have been addressed, so the Town Center will be the next item we address before going into public hearings.

ADJOURNMENT:

The meeting adjourned at 7:00 p.m.



Lorraine Chotin
Council Clerk



Rick S. Danielson
Council Chairman