**Planning Commission**
**Public Hearing**
**January 29, 2013**

The meeting was called to order by Planning Chairman Dennis Thomas and the secretary called the roll.

Present: Nixon Adams, Dennis Thomas, Simmie Fairley, Ren Clark, Scott Quillin and Michael Blache.

Also present were Council Members Ernest Burguieres, Mayor Donald Villere, and Design Review Committee Member Lynn Mitchell

Absent: none

The first case discussed was P12-12-06 Recommendation to the City Council regarding Ordinance 12-32 to amend the Mandeville Code of Ordinance of the City of Mandeville to establish Chapter 7 thereto, to create a City of Mandeville Historic Preservation District, to provide for the establishment of the Historic Preservation District Commission, to grant the power thereto, define the boundaries of the district and to provide for related matters

Mr. Adams said the board had held several meetings and had received several letters. At the last meeting, he had requested the board members forward any changes. Ms. Kidd said the numerous comments from the last meeting were summarized into the latest revisions. Language was included that stated any members appointed to the commission must be voting age of 18 years old. It was previously stated that no member of the Planning and Zoning Commission or any other commission or advisory group could be a member of the commission. Action could only be taken by a majority vote of the entire membership. Under the applicability section, landmarks will be included. There was a discussion about detached structures and how they would be treated. No detached structures were identified, but a revision added language to clarify what was excluded unless specifically identified in the survey. The structure itself must also be identified.

Standards for preservation and rehabilitation: the standards were removed and replaced with language stating the Department of the Interior standards was used as referenced in the ordinance.

There was a discussion regarding Appeals and under state law the governing body was the appeal authority. Mandeville, through the state law, allowed the Zoning Board of Appeals to be the appeal board for the Planning Commission and then action through the 22nd Judicial Court. The City Council was not part of the appeal process. The board requested to have the same appeal process.

Mr. Adams stated emails had been received and distributed to the board. Public comment had been taken at previous meetings and Mr. Adams requested public comment contain new information.

Guy Stacy, 500 Garden Avenue, felt what was overlooked was how hard the Study Committee had worked to develop a plan that was not overburdening to the property owner. The public thinks that was the case, but it was not the intent. The committee tried not to create extra layers of bureaucracy. He reiterated the concern about having the City Council involved in the appeal process. Most issues were regarding land uses so the Zoning Board should be the appeals body.

Gerard Braud, 2621 Lakeshore Drive, read from his statement that there was a clear distinctions between nostalgic emotions for historic homes, by well-meaning individuals and their overreaching attempt to control the lives, property and commerce of their neighbors. The statement is attached and made a part of the minutes.

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road to preservation without being a superhighway. Mr. Adams said Mr. Braud had made valid suggestions and the board had looked at them. The board did not want really historic structures destroyed. Mr. Braud commended that the Study Committee was a good group of people who had worked hard, and the Old Mandeville Historic Association had also worked hard. He suggested taking a baby step and understand the issues by asking the properties owners who wanted to join. He was not interested in a pretty map, but a heart of a place and houses that were designated by choice. He commended that the new construction was already being reviewed by the Design Review Committee and they were doing a great job. Mr. Adams said that Design Review applied in the B-3 District and commercial corridors, but not the residential district.

Mayor Donald Villere thanked the board for hearing the case and the Historic District Study Committee for performing the same type of discussions. The board was modifying the state ordinance into a more simplistic form and placing importance where it should be. He felt the ordinance was not too onerous, and was creating value to Old Mandeville. The Historic Preservation District was one of those things that was good for the community. He encouraged the board to move forward with a recommendation to the City Council for approval.

Mr. Adams said he would like as little government as possible, but the Supreme Court was moving steadily for health, safety, and welfare to be inclusive of aesthetics. Approximately four or five years ago, it was agreed to back up local government's control of land use to accomplish community purposes. It was clear that they expected local government would look at land uses and raise the community to the highest level.

Mr. Adams said he thought the ordinance allowed what was wanted by the community. There were three or four levels of appeal. The guts of the ordinance were not to lose houses. Mr. Braud said he did not feel losing a house superseded the rights of the use of the land. Mr. Adams said once the structure was lost, it was lost.

Mr. Thomas asked about the makeup of the Committee and thought that three members had to be domiciled in the district. The ordinance would be revised to read that three members must be domiciled in the district.

Mr. Blache asked about enforcement not being defined other than by the appeal process. He suggested there was a need for penalties. Ms. Kidd said it was outlined in the Code of Ordinances. Ms. Bush said there were enforcement provisions within the statutes.

Mr. Clark observed that participation in the township level was being missed in America. The ordinance was recruiting five more people into running the town was the basis of what the country was great for. Adding people on the level of where was the town were going was super American. Mr. Braud disagreed.

Mr. Fairley said he liked the participation of the public.

Mr. Quillin asked about the qualifications under number 3, because of the current Design Review Committee were they included. Ms. Kidd said they were consultants to the City and not a formal committee. Mr. Quillin said they were advisory and he would not want some good local people not to participate. Ms. Kidd said they would be on one or the other committees.

Ms. Bush said on the appeal process that the appeal went to the governing body, which was the City Council. The governing body was the body to creating the ordinance. At some point there was the constraint by power to form the committee. Mr. Adams said revised statute 33 said the same thing that all appeals go to the City Council. There was a special local provision in Mandeville giving that power to the Planning and Zoning Commission. Ms. Bush said in reading the statutes, it was her opinion that the appeal board was the City Council. Ms. Kidd said it was the recommendation of the City Attorney to add the language and recommended adopting it by resolution making a request to set up the Zoning Board of Adjustments. Ms. Bush said she was addressing the comments from the citizens.

Mr. Thomas said he owned a historic house and when he was gone, he would like it to be preserved for the future. An ordinance would perpetuate that. The house was renovated in 1950s, and he spent money to unrenovate it.

Mr. Adams said the board's bible was the Comprehensive Plan, which was taken from extensive public hearings. One of the policies was to have a Historic District so the board was positive to the creation.

Mr. Thomas moved to recommend approval of Ordinance 12-32 including the amendment of 1/22/13, seconded by Mr. Clark, and the motion was unanimously approved.

Mr. Blache moved to approve a resolution to pass along the information regarding the appeal power to the Zoning Board of Adjustments as recommended by the City Attorney, seconded by Mr. Quillin and was unanimously approved. This issue could be further discussed at the City Council meeting.

Mr. Quillin moved to adjourn the meeting, seconded by Ms. Bush and was unanimously approved.

Lori Spranley, Secretary

Dennis Thomas, Chairman

**Zoning Board**
**Public Hearing**
**January 29, 2013**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Dennis Thomas, Simmie Fairley, Ren Clark, Scott Quillin and Michael Blache.

Also present were Council Members Ernest Burguieres, Mayor Donald Villere, and Design Review Committee Member Lynn Mitchell

Absent: none

Mr. Adams announced that written notice of decisions regarding zoning variances will be filed in the Board's office the following day of this meeting at which time applicable appeal time will begin to run.

The first case discussed was V12-09-12 Emerald Properties, LLC/United Way of Southeast Louisiana LA request a variance to Article 10, Sign Codes, 800 N. Causeway Boulevard, zoned B-2

Ms. Kidd presented the case was first discussed in August regarding United Way's request for signage on the building. In 2003, a sign package was approved by a variance stipulating that signage would be channel letters. The original signage contained the logo for Prudential Gardner Realtors. Since that time, Prudential was no longer affiliated with Gardner Realtors and the signage was modified without a permit. The revised signage contained the Gardner Realtors name and logo and was within the size restrictions. United Way proposed a box sign where channel letters were required.

The Zoning Board had requested Mr. Markovich submit a revised sign package. No new sign package had been received, but through the Design Review Committee renderings were being reviewed and discussions were being held on how a new sign package could be approached.

It was determined that the proposed box sign did not meet the variance requirements. The staff had worked with United Way about a one unit sign with reversed channel letters. The sign would be a white Lexan panel to the rear with the letters cut out of the panel. The logo would be individually cut out. At night there was the appearance of channel lettering. The Design Review Committee would prefer true channel letters, but if the board approved the design it would be of a higher standard than channel letters.

Mr. Blache said it appeared to be a hodge podge of a changing sign package. He would prefer to see Mr. Markovich to submit a complete package.

Mr. Adams liked the appearance if Gardner Realtors was the same type of signage. Mr. Blache said there would be no unity to the package.

Lynn Mitchell said the proposal was backlit reverse channel letters. The problem that the Design Review Committee discussed was not the letters or logo, but the lexan it was mounted on. At night, the illumination would be nice.

Martin Bruno, part of United Way's Leadership council, stated that the Lexan panel was clear plastic. There had been a meeting with Ms. Kidd that the sign would be designed to look like the location in Alexandria, Virginia. Mr. Adams asked if Gardner Realtors would be cooperative about changing their signage to match. Shirleen Carter said they would not change the sign. Mr. Bruno said the proposal

was a change from the original sign submittal and it was a nice looking sign. They were trying to meet the United Way and the City requirements.

Jamie Burchfield, United Way, said the letters protruded off the side of the wall. The Lexan panel allowed the logo to appear within required guidelines. Ms. Burchfield said the letters could be grey, blue or white. The blue might be similar to the Gardner verbiage. Mr. Mitchell asked if the Lexan panel could be same as lettering. It was decided that the signage would be blue letters with the translucent Lexan panel.

Ms. Kidd said with the translucent background, the proposal met the sign package and may not need a variance.

Mr. Thomas moved to remove the item from the agenda, seconded by Mr. Quillin and was unanimously approved.

Mr. Quillin moved to adopt Resolution 12-02 with the changes on page 3, item 7; second ethics was attended 12/21/12 for Ms. Bush and change 2011 to 2012 for Mr. Quillin, seconded by Mr. Thomas and was unanimously approved...

Ms. Kidd reminded the board of the Executive Session scheduled for Wednesday, February 6th at 6:30 p.m. Mayor Villere and the City Council were invited.

Mr. Quillin moved to adjourn the meeting, seconded by Ms. Bush and was unanimously approved.

Lori Spranley, Secretary

Nixon Adams, Chairman