

Planning Commission
Public Hearing
February 11, 2014

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

Present: Nixon Adams, Simmie Fairley, Ren Clark, Rebecca Bush, Scott Quillin, and Michael Blache

Absent: Dennis Thomas

Also present: Louise K Kidd, Planning Director, Clay Madden, Michael Lauer, David Ellis, and Carla Buchholz

The first case discussed also had a corresponding zoning case and both cases were discussed in conjunction. The planning case discussed was P14-02-01 Recommendation to the City Council regarding Ordinance 14-02, to effect the annexation of a portion of ground on Lover's Lane containing 1.708 acres of land, more or less, situated in Section 38, T7S, R11E, Greensburg Land District, St. Tammany Parish, into the corporate limits of the City of Mandeville and assigning the property for purposes of zoning as B-2, Highway Business District, and providing for other matters in connection therewith. The zoning case discussed was Z14-02-01 Recommendation to the City Council regarding Ordinance 14-02, to effect the annexation of a portion of ground on Lover's Lane containing 1.708 acres of land, more or less, situated in Section 38, T7S, R11E, Greensburg Land District, St. Tammany Parish, into the corporate limits of the City of Mandeville and assigning the property for purposes of zoning as B-2, Highway Business District, and providing for other matters in connection therewith.

Ms. Kidd presented the request for a recommendation on Ordinance 14-02 for the annexation of 1.708 acres with a B-2 zoning designation. The request to annex the vacant property in accordance with survey with the survey prepared by Kelly McHugh. The intent was to construct a medical office building. The ordinance was introduced on January 23rd and the property was located in a Propriety 1 area for annexation approved under the Annexation Growth Plan. The property frontage was located on Lover's Lane, surrounded to the north and west by a mini-storage and to the south was Emeritus Congregate Living. There were no residents on the site. The area was located in District 1. This was located in the triangle and was in keeping with the annexation growth plan.

Council Member Ellis asked if there were any restrictions in the B-2 zoning district. Ms. Kidd said there were restrictions because there were small parcels on West Causeway Approach immediately adjacent to the Fontainebleau Subdivision. Mr. Quillin said the proposed Holiday Inn was adjacent to Fontainebleau, and was proposed to be zoned a Planned District. Mr. Adams said with the surrounding uses, it was difficult not to consider a requested B-2 zoning. The applicant was voluntarily requesting annexation.

Edward Deano, City Attorney, said there would be sales tax sharing but it would work the City would receive the property taxes.

Mr. Quillin moved to recommend adoption of Ordinance 14-02 for the annexation of the property with a B-2 zoning located in District 1, seconded by Mr. Blache and was unanimously approved.

The next case discussed was Adoption of Resolution 14-01, Recommendation to the City Council of proposed changes to the CLURO

Ms. Kidd presented that there had been several public hearings and following the last work session there were only a few items remaining for further discussion.

Mr. Quillin asked if a recommendation by resolution of possible CLURO amendments was the proper action. Ms. Kidd said the resolution would be a recommendation to introduce the ordinance as presented. When the ordinance was introduced, it would be referred back to the Planning Commission for additional public hearings. Over the as several months, the board had been identifying items to be addressed as well as public input to guide on the details.

Mr. Lauer said he had been working on a summary of substantive amendments. There were many amendments that were "clean up" language. Mr. Adams said the resolution contained in the last "be it resolved" to attach all of the changes to the ordinance.

Unresolved issues

Height

- Definition – formula v. absolute
 - Maximum heights
 - Exception for area southwest of West Causeway
- Issue of elevation of accessory structures.
Parking for large scale buildings in B-3.
B-3 sign design standards v. guidelines.

Height

- The CLURO currently measured from grade by formula based on roof type
 - Agreement to the base starting point at the crown of the street in front of the property.
 - Do not want to encourage flat roofs.
 - Creating a problem with elevated structures becoming restricted to one floor of living space?
 - Slope roof gets attic space above 35' limit and extra floor area.
 - Bring down to 35' and elevate 10' only one floor.
 - Recommendation keep formula based approach with tweak.
- For purposes of this provision, if there was more than one habitable floor, the roof would be determined between the highest ridge and the lowest eave, and the height shall be measured at the midpoint between the highest floor and the highest ridge.

Using Mike Waller's Town Center buildings - highest ridge was 45', by formula would be existing at 33', by formula draft would be 41'.

Using Barley Oak – highest ridge 48', by formula 35', and formula draft 37'
2623 Lakeshore Drive – highest ridge 42' by variance, by formula 38'
253 West Beach Parkway – highest ridge 40', by formula 30', formula draft 37'

The question was should the City keep the formula approach or go to highest ridge. Mr. Adams said the board did not want to encourage flat roofs. Mr. Clark asked wouldn't 62" of rain take care of that and that was answered no. Mr. Blache said this would be addressing the second floor and eliminating the loop hole so he felt better keeping the 35' formula with the change in interpretation. Mr. Quillin was concerned about creating non-conforming structures. Mr. Blache asked to allow for it to be legal to be non-conforming. Mr. Lauer said the formula would give greater flexibility for house raising. Mr. Quillin said he was in favor of the formula primarily because it would allow for design creativity. With change to the elevation of the highest habitable floor made sense.

What should the maximum height be?

Old Rail was right at 50' at the tower. It was measured from grade as opposed to the crown of the street, but it gave the scale and range of heights. Mr. Adams said the discussion was 45' to 50'.

Recommendation

Retain 50' as the tallest height if formulas were used.
If the formula was not used, create an exception to address elevated structures.

Mr. Adams asked at 50' if there were any non-conforming structures and it was answered there were none in Old Mandeville. Mr. Clark said but in the end there was an absolute. What was wrong with simplicity? Mr. Quillin said 50' could have more flat roofs. Mr. Clark said that might happen regardless. Mr. Adams said not with the formulas. Mr. Clark said a building could be five stories with a flat roof. Using a 1:12 pitch measuring half the distance of the roof line and peak, the ridge would be at 37'. Mr. Lauer said the B-4 district allowed for a 50' height. The board agreed with 50' in Old Mandeville.

Southwest of West Causeway Approach

- larger lots were common
- larger building footprints were common
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Recommendation was up to 60' by formula to the ridge and still have a 35' height.

Mr. Adams said effectively this was how most houses in Sanctuary were built. Mr. Quillin asked about a minimum lot size. Mr. Lauer said making it for an area was defensible rather than making it to a specific subdivision.

Height exceptions

- Chimneys, spires, cupolas, elevator shafts and similar structures not intended for occupancy.

Architectural features

Recommendation of limit to the maximum ridge height allowed by cure — in Old Mandeville would be 50'.

- Flagpoles
- Hvac, solar and equipment limit to maximum ridge height of structure
- Could have a flat roof with mechanical structure to 50'
- Roofs on structures requiring at least 6' of elevation have a minimum of 7:12 pitch
- Retain current allowing up to 40' by formula

Would this be easier to deal with by variance since it did not happen often? Ms. Kidd said the staff used this provision a fair amount with bfe on the lakefront at 14'. Mr. Clark said with 13' plus 2' freeboard would be 15' and then 35' more. Mr. Lauer said 35' from the crown of the street in front of the house. The peak would still be 50' or 40' by formula. This would allow more room to work with the FEMA requirement.

Before there was no 50' cap. The regulation was originally introduced to facilitate the elevation of the existing structures. Mr. Quillin said many houses had already elevated. Mr. Lauer said with the changes to flood insurance there may be another wave of elevations. Mr. Adams said it could be allowed not by variance but by exceptions with circumstances. Ms. Kidd said this was the existing regulation. Mr. Lauer said the hardship was raising existing structure and the City did not want to decapitate it as well. It would not be applicable to new structures. That was why Mr. Adams was suggesting exceptions if the City eliminated the provision. Mr. Quillin said if written, the exception would apply to new development with no hardship. Mr. Blache said it amend it that it did not apply to new structures. Ms. Kidd said the incentive was to use a 7:12 roof pitch which was historical after the B-3 Area Plan. Mr. Adams said to him the provision applied to existing structure. Ms. Kidd said it would apply to R-1 district as well.

Mr. Blache suggested if it was working to leave it alone. Mr. Adams said the board could discuss it again. Mr. Blache said to still retain 50'.

Accessory structures

- Limited to 14' if located in the required setback area
- Current policy allowed the elevation of an existing structures to meet FEMA requirements without an increase to the setback

Recommendation: revoke current policy and allow only by exception or variance.

If the structure must be elevated, it must be moved to the building envelope. If it could not be moved because of tree importance, an existing building, or setbacks by fire code then the owner could apply for a variance. Mr. Adams said he would like an exception with specific items lined out. Mr. Lauer said the issue could come before the board for consideration, and the board was in agreement.

Large scale buildings in the B-3 district

Prior provisions required parking to be located on the same block or in the existing spaces.

Recommendation: current draft to be modified to require the Zoning Board to find that the provision of required parking was not detrimental to the neighborhood character.

To provide for flexibility, move it to an adjacent block as long as there was a finding that it was not detrimental to the neighborhood character. Large institutional uses could cause a demand for parking and there could be scattered parking lots at the expense of existing homes and structures.

Sign design standards versus guidelines

- Guidelines require discretionary review
- Standards were mandatory
- Some discretion was included for materials, colors, locations of wall signs, and projecting sign proportions.

It was written as standards because permits were usually issued by the staff. There was no committee for review and approval.

- Principles
- Reflect historic character
- Keep sign simple
- Minimum amount of text
- Simple typefaces
- Lighting
- Address materials
- Down light and halo lighting
- A pallet of colors for signs. The question was why anyone would be looking at the colors at all. It was currently written that the Planning Director could modify and accept different colors if they were consistent with the pallet and character of the building.

Mr. Quillin said the residents of Old Mandeville were eclectic and setting colors could make it lose its flavor. Mr. Blache was in agreement that it might take away the uniqueness in Old Mandeville. Mr. Clark said he lived in an area where color was everything. The consensus was to remove the section.

Sign design standards

No changes to the area requirements but increase the flexibility to shift the total area among different types of allowed signs.

Allow one sandwich board sign per lot.

Mr. Lauer was awaiting attorney language for the indemnification of insurance with outdoor dining in the right-of-way.

Label amendments to Table 7.7.

Monument Signs

Twenty percent of the total square footage of freestanding signage was allowed and may be allocated to an attached identification sign.

Mr. Blache asked to address trees in the green space in the B-3 district or was that included in the phase 2 amendments. It was stated that this would be phase 2. Trees under power lines created ugly eyesores when trimmed.

Mr. Clark asked about language prohibiting digital signs in B-3. Mr. Lauer said it was included in prohibited sign in the B-3 design standards under Section 10.5.4.4.3 on pages 32/33.

Mr. Quillin asked about the timing for digital signs. Mr. Lauer said ten seconds was used for urban streets, not being an uncommon number. Mr. Quillin said he remembered a six second number. Mr. Lauer said he saw no sources allowing six seconds. Instead of an absolute brightness there was a difference between ambient lighting and sign brightness, using .3 lumens per square feet. That difference was recommended by signage.

Leonard Rohrbough, 2525 Lakeshore Drive, suggested being careful that that the Council and Board understood the height issues because there would be questions and

concerns. He asked if it was the slab or the crown of the street. Ms. Kidd said it was the average of the grade going from the crown of the street directly in front of the property. Mr. Lauer said crowns of the street were used for measurement. Mr. Rohrbough said visually the board must be careful not to look up at Mt. Everest. Aesthetically he was concerned there would be regret in the future.

Mayor Villere said an example was the old formula being applied and not wanting to see the use of the lower eave and highest peak creating the formula. A 7.12 pitch would encourage historic rooflines. He was in favor of digital signage starting out with eight seconds if that was what the sign industry recommended. It was the consensus of the board to allow digital changes every 8 seconds.

Resolution 14-01

Mr. Adams read the resolution. Mr. Quillin moved to adopt Resolution 14-01, seconded by Ms. Bush and was unanimously approved with the changes discussed.

Mr. Blache moved to approve the minutes of October 16, 2014, seconded by Mr. Quillin and was unanimously approved.

Mr. Clark moved to approve the minutes of August 13, 2014, seconded by Ms. Bush and was unanimously approved.

Mr. Fairley moved to approve the minutes of June 11, 2014, seconded by Ms. Bush and was unanimously approved.

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

Lori Spranley, Secretary

Dennis Thomas, Chairman

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

Present: Nixon Adams, Simmie Fairley, Ren Clark, Rebecca Bush, Scott Quillin, and Michael Blache

Absent: Dennis Thomas

Also present: Louissette Kidd, Planning Director, Clay Madden, Michael Lauer, David Ellis, and Carla Buchholz

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 to which the applicable appeal time will begin to run.

The first case discussed was V14-01-01 Casey Fitzpatrick requests a variance to Section 8.1.3, Supplemental Fence and Wall Regulations, lot 78, Chateau Village Subdivision, 602 Kimberly Ann Drive, zoned R-1

Ms. Kidd presented the location was 602 Kimberly Ann Drive and the applicant requested a variance to the fence height regulations to allow a 6' fence within a street side yard setback. The property located on the corner of Cedarwood Street and Kimberly Ann Drive. The applicant was proposing the placement of a 6' wooden fence located within the side yard setback which was also part of the rear yard setback. The department had received a letter from the Homeowner Association Architectural Committee stating they had of no objection to the fence being placed 7' from the property line. The consent was based on helping to screen a boat, security for the pool and the location of two live oak trees on the property. If the fence was placed closer to the street, the poles would not impact the root system.

Mr. Adams said the fence was in keeping with the character of the neighborhood. Mr. Adams said the covenants were discussed at the work session, but they were not applicable to the board. Ms. Kidd said the staff wanted to make sure there would not be any trouble with visibility. With the existing bushes, they would help screen the area since they were past the location of the fence. Mr. Adams said the bushes would break up the view of the fence. Mr. Fitzpatrick said he was working with the Homeowners Association. Ms. Kidd said it would be a 2' variance in height because 4' height was required in the setback and the variance distances would be 8' for the required 15' setback.

Mr. Quillin said he had requested a measurement of the fence at the subdivision sign. Mr. Fitzpatrick said it was 20'.

Ms. Bush moved to approve an 8' variance in the 15' required setback and allow a 2' variance in height to allow a 6' fence in the setback, seconded by Mr. Fairley and was unanimously approved.

The next case discussed also had a corresponding planning case and both cases were discussed in conjunction. The zoning case discussed was Z14-02-01 Recommendation to the City Council regarding Ordinance 14-02, to effect the annexation of a portion of ground on Lover's Lane containing 1.708 acres of land, more or less, situated in Section 38, T7S, R11E, Greensburg Land District, St. Tammany Parish, into the corporate limits of the City of Mandeville and assigning the property for purposes of zoning as B-2, Highway Business District, and providing for other matters in connection therewith. The planning case discussed was P14-02-01 Recommendation to the City Council regarding Ordinance 14-02, to effect the annexation

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Council Member Ellis asked if there were any restrictions in the B-2 zoning district. Ms. Kidd said there were restrictions because there were small parcels on West Causeway Approach immediately adjacent to the Fontainebleau Subdivision. Mr. Quillin said the proposed Holiday Inn was adjacent to Fontainebleau, and was proposed to be zoned a Planned District. Mr. Adams said with the surrounding uses, it was difficult not to consider a requested B-2 zoning. The applicant was voluntarily requesting annexation.

Edward Deano, City Attorney, said there would be sales tax sharing but it would work the City would receive the property taxes.

Mr. Quillin moved to recommend adoption of Ordinance 14-02 for the annexation of the property with a B-2 zoning located in District 1, seconded by Mr. Blache and was unanimously approved.

The last zoning case discussed was V14-02-02 City of Mandeville requests a variance to Section 8.3.5.2, Specific Standards, (2) Nonresidential Construction, Tyler Thomas Park, 530 Lamarque Street, zoned O.

Ms. Kidd presented a variance request for 2' of freeboard stipulated by the Flood Hazard Prevention ordinance. The request was related to the new restrooms at the Tyler Thomas Park. The lowest floor was elevated at 24" above the base flood area. The park was located in flood one AE E9 and must meet that regulation. The City had imposed a 2' freeboard requirement and if the restroom was made to meet that there would be a hardship that could be avoided. Since the restroom was a public nonresidential nature it required the adherence to ADA and wheelchair regulations. Only a 6' ramp could be easily accomplished. If the restroom was made to meet the 2' minimum freeboard, a 30' ramp would need to be constructed. The amount of fill may put several mature trees in jeopardy. The purpose of the freeboard was to reduce the cost of flood insurance. In this case, the property would not be insured by the City because it was located north of Monroe Street. Since it was not habitable as stated in the purpose of the freeboard, the requirement was not applicable.

Mr. Adams said if there too many variances granted, it could affect the flood rating but he did not feel that would not have an effect in this case. Mr. Clark said it was a significant variance because the City wanted to avoid the effects of fill on vegetation. Mr. Adams said governmental bodies when acting liking homeowners go by the same rules and this was a good precedent going forward.

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Ms. Bush said to increase the amount and steepness of a ramp run could cause a risk of a violation of life safety codes and may require hand rails. The 2' freeboard would require handrails and there were trees that may be in the way.

Mr. Blache moved to allow the waiver of the 2' freeboard requirement, seconded by Ms. Bush and was unanimously approved.

Mr. Blache moved to approve the minutes of October 16, 2014, seconded by Mr. Quillin and was unanimously approved.

Mr. Clark moved to approve the minutes of August 13, 2014, seconded by Ms. Bush and was unanimously approved.

Mr. Fairley moved to approve the minutes of June 11, 2014, seconded by Ms. Bush and was unanimously approved.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

