

**Planning Commission
Public Hearing
March 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, Dennis Thomas, Scott Quillin, and Michael Blache

Absent: None

Also present: Louise Kidd, Planning Director, Michael Lauer, Consultant; Council Members Clay Madden, Ernest Burguières, Rick Danielson, and Mayor Villere

The first case discussed was P14-02-02 Recommendation to the City Council regarding Ordinance 14-03 AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE REGULATIONS ORDINANCE, INCLUDING SECTIONS 2.5.2 QUALIFICATIONS AND DUTIES OF THE PLANNING DIRECTOR, 4.3.1.1 ET SEQ METHODS OF INITIATION OF AMENDMENT, ELIMINATION OF REFERENCES TO THE COMMUNITY APPEARANCE COMMISSION, 6.3 AND 6.4 LAND USE DEFINITIONS, 7.5.10 ET SEQ OLD MANDEVILLE BUSINESS DISTRICT 8.1 ET SEQ SUPPLEMENTAL REGULATIONS, 8.2.3 OUTDOOR DINING, 9.1 ET PARKING AND LANDSCAPING REQUIREMENTS, AND ARTICLE 10 SIGNS; AMENDING THE B-3 DESIGN REGULATIONS AND GUIDELINES AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

Ms. Kidd presented that the Short Term Work Program had identified items for CLURO amendments outlined in Ordinance 14-03. There were two public input meetings held in October, and the Planning Commission had held work sessions in November and February on the input received. Based on the work session these regulations in the proposed ordinance, the board was addressing changes defined as Phase 1. The amendment was a cleanup of language for consistency and substantial amendments for electronic signs, and B-3 regulations related to parking, design, and signage. Mr. Lauer had put together a summary of the revisions. At the last meeting, which was a public hearing, there were additional comments that were included in the new summary. Since the last meeting, the staff had met with the City Council and there were additional comments and clarifications to be discussed by Mr. Lauer. This was the sixth public hearing on the changes.

Mr. Lauer presented the latest update to the amendments. He proposed to discuss the most current set of amendments.

- Modification of the definition of height in Chapter 3 to match Chapter 8.
- Within the parking mitigation section there was much discussion and the mitigation option would remain but references to culverting ditches would be deleted.
- Within the B-3 District, there was a reference to the B-3 Design Guidelines authorizing the Planning Director to grant exceptions to the B-3 Design Guidelines and was recommending this deletion. The primary concern was when there were exceptions, there was a clear criteria.
- As drafting the exceptions to height, there were questions and drawings were added for review. A comparison of existing and proposed were shown.
 - The first example assumed the average grade was the same as the crown of the street and no difference of middle of the highest ridge and eave, no significant change.
 - The second example showed concerned of current language of highest ridge and lowest eave. The new language reflected the highest roof element.

- The third example presented an option of measuring midpoint between highest ridge and in existing language said lowest eave. Under the proposed regulations that would go to highest top plate. Difference of highest top plate and ridge and take midpoint and gave a more consistent and easier interpretation of measuring the height. Mr. Adams asked if there were different interpretations of top plate and Mr. Lauer felt it was standard. Ms. Kidd said there would be a drawing and illustrations for interpretation.
- Clarification of the exceptions
 - Cap of 50' for the highest architectural feature, retaining 7:12 pitch
 - Steeple pitched roof exception
 - Flagpoles and fire towers exceeding the maximum height by zoning permit, request deletion
 - Mechanical equipment, keep existing provision but limit to 50' cap
- Section 8.1.10.1, add regulations to implement Dark Skies principles. Clarified purpose statement that Mandeville valued Dark Skies.
- Discussion suggestion of reduction of footprint of large scale building from 5,000 to 3,000 square feet. That would retain ability to have larger footprint by special exception.
- Include graphics for height and Mr. Lauer will modify the shown graphics
- Include the description of commercial vehicle limitations – discussed class A, B and C licenses

Mr. Adams said the board would vote on a recommendation to the City Council including public comment.

Mr. Thomas said he was seeing changes for the first time. He had not seen a complete document. Ms. Kidd said the ordinance was introduced and it was not changed to what was introduced, but amendments to the final copy. Mr. Adams said the board would be voting on the amendments and then the ordinance. Mr. Blache said he understood Mr. Thomas' request and could agree with that. Mr. Quillin asked if this was the last step. Ms. Kidd said the Planning Commission would make recommendations on any proposed amendments and on the introduced ordinances for approval by the city Council on Thursday. Mr. Adams said the changes were the requests from the last meeting and Mr. Lauer could not make any changes without board approval. It could be a recommendation with the following changes as discussed.

Mr. Clark said since he was not present at the last meeting, he asked about the section with the statement on the corner lot along Girod or Lafitte Streets there could not be attached houses. Why only Girod and Lafitte Streets? Ms. Kidd said that was existing language and added "attached housing" to clarify townhomes or attached housing. That was in place from 2007 in the B-3Area Plan. Mr. Clark asked to clarify that a vacant lot for the construction of condos, but was located 120' from the lakfront, can he lease a back corner to Google and be considered a mixed use building. Mr. Lauer said if the administrator would say that was an accessory use. There were no specified mixes and no minimum element. It would be a judgment call of accessory or an integral part. Mr. Clark asked where in the language. Mr. Lauer said under the general authority of the Planning Director to make the interpretation. Mr. Clark said Ms. Kidd could determine it based on her interpretation. Ms. Kidd said after a review land use regulations. Mr. Clark said specifically 120' from Lakeshore Drive. Ms. Kidd said she would look for a commercial as well as residential. Mr. Clark was asking for an assurance that it could not be finessed. Mr. Adams said almost any commercial use in the B-3 district required a zoning permit and anything Ms. Kidd did was appealable. Mr. Clark said language: was everything. Mr. Lauer said the definition of mixed use required at least 10%. Mr. Clark asked 10% of the area, and Mr. Lauer answered yes. Mr. Adams said most uses required a zoning permit. Mr. Clark said unless it was part of a mixed use development, no new townhouse, condominium, etc. could be established within 120' of Lake Street or

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on Girod or Lafitte Streets. He was questioning whether finessing could be done to build a large attached housing development 120' from Lakeshore Drive if 10% was leased for a commercial use. It was not a mixed use, but it could be finessed. Ms. Kidd said that could be reviewed, it was not one of the amendments.

Mr. Thomas said under Section 7.5.10.10.2, he asked the City Attorney was to address the issue of insurance and liability and to provide any changes. Ms. Kidd said Mr. Deano was comfortable with the language as written. It could be asked that the City Council include minimum insurance numbers as part of the board's recommendation. Mr. Thomas was concerned about restaurants being told different insurance requirements. He wanted a formula or standardization. Ms. Kidd said because of the conditional use process, at that time it could be reviewed and it must be approved by the City Council. Ms. Bush was not only amount, but indemnity and defense provisions. She agreed for it to be dealt with on a case by case basis so it would not be so restrictive to be anti-business. Mr. Adams said it would depend on what the right-of-way looked like at that point. Mr. Thomas would like to see something consistent before the restaurant's opening.

Mr. Adams said there was recommendation that the board put together over the last five meetings. This meeting was a tweak requested by the board members. He felt the board should move forward. The board could add language.

Mr. Blache suggested having language to state a consistent treatment of established coverage of indemnity be included. He also asked why change the 5,000 to 3,000 square feet and what was the reasoning. Mr. Adams said the small scale of development in the B-3 district for one floor. Mr. Clark said some parts of the City were amendable to large scale. The Historic District was never mentioned in this and the size fluctuation between B-3 and commercial areas to the north and west. Mr. Lauer said it was only applicable in the B-3 district. Mr. Lauer said way height was measured would not allow a five story building. The Barley Oak was 5,000 square feet in size as a perspective and was 48' to the ridge. The measured height with the roof pitch was 35' in height. Mr. Blache asked about the height of Old Rail Brew. Mr. Blache asked asking about defining vehicle types. Mr. Quillin suggested examples rather than specifics. Mr. Lauer did not have the footprint for the Old Rail Brew so he could not provide that information.

Mr. Adams said there were design standard in the Town Center District. Mr. Lauer said this was not applicable in the Town Center District. Mr. Clark asked if references to the TND were gone. Mr. Lauer said TND was not applicable to the B-3 district. It appeared because of the elimination referencing the CAC and renaming the Design Consultants where terms popped up for cleanup.

Mr. Adams read information from Jerry Coogan listing 72 locations where the moving message signs were allowed dealing with the light ordinance. There was a memo from Council Member Buchholz supporting the ordinance and did not want it to conflict with Mandeville being a Dark Skies community. Mr. Adams said there could be a recommendation was to put a statement that the intent of sign control regulation was to be consistent with the dark skies and that was in the lighting section.

Wen Venable, 241 Wilkinson Street, said on Page 5, Public Notices, noticed that the signs were not big enough, and 10 days was not sufficient notice. When she lived in Old Metairie, there was a provision of plain English on the notice and the owner must pay to notify the neighbors within certain blocks. She said the website notification was greatly improved. Page 11, section f, Other Special Requirements, dumpsters, screening, and wanted to define weather events, when and who would be responsible. Ms. Kidd said this would be reviewed under a separate ordinance. Mr. Lauer said that language was not changes and it would be added to the next list.

change regularly in Old Mandeville and the B-3 area and it was designed to be that way. Language separating commercial versus residential would be against the original regulations.

Ms. Rohrbough commented that this process had been going on for months. If there were interested people, they should have attended. There were many changes at each meeting that came from the discussions. She heard some resistance to take the next step at this meeting. She suggested that was short sighted. There had been a lot of time and effort to get to this point. The vast majority of the ordinance was administrative clean up and corrections. It cost the City money bringing Mr. Lauer back even if the ordinance was approved section by section. The board was in agreement. Mr. Blache asked if there were issues and items that were overlooked, wouldn't they be included in the second phase to readdress them, and the answer was yes.

Cindy Touchstone, 124 Lafite Street, said it was a good point on the larger buildings being located on larger property. She suggested using a percentage on the property. Mr. Adams said even with a large property, it would be a large look. Ms. Kidd said there were exceptions and the board could review the site for a larger setback to help with the scale.

Mr. Adams liked the Barley Oak building as well as the Old Rail Brew looked fine. He could see where there may be Bed and Breakfasts that were needed that could be more than 3,000 square feet and good in design. Mr. Clark asked said would the board want the 5,000 square feet to be the template? Mr. Adams said 5,000 square feet could look nice.

Council Member Burguieres, 241 Wilkinson Street, said the board should consider reducing the size and becoming a template did not help with scale issues. People buy several small lots and build large houses out of scale for the neighborhood. Going lower you must have people make a case for the exception process. He was in favor of the reduction in Old Mandeville and could agree with the larger square footage outside of historic district. It could drive more residents out. Mr. Blache said historically there were buildings with more than 5,000 square feet on the lakefront. There was a theater and a hotel. It was not out of scale of historical buildings. Old Mandeville did go back and forth with change. Mr. Blache said the idea of a small scale hotel or bed and breakfast. Mr. Adams said there could be an exception.

Mr. Burguieres said in his business you need to read a document few times for a context. He suggested putting the adoption off to the next meeting and adopt it as one document. He objected to the ordinance being placed put on the City Council agenda before there was a recommendations. Mr. Blache said it was a hard road to this point and items could be readdressed. He only had a few specific issues and the board had been digesting it piece by piece for several months. Mr. Adams said if anyone was uncomfortable except for a few changes tonight, then don't vote to send it forward.

Zella Walker, 326 Adair Street, said she understood it was a long public hearing time. The last chance that the public could see had gone through substantial changes. There was little chance for the public to see it before Thursday. She was a little confused about what was proposed and what was eliminated. It would give a peace to the public to review the ordinance more comprehensively as a final copy with an opportunity to come back. She came to the meeting thinking the 5,000 square foot limit was a good idea and still did with the idea that one could do something larger with an exception. She agreed with Barley Oak and Old Rail Brew being compatible where they were located. Fortunate Barley Oak had the condos for scale. If either Barley Oak or Old Rail Brew was located on Adair Street or on Dupre Street and even in the commercial areas, it might be overpowering. To limit what we were doing to that size made sense for compatibility. The trend was to get

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bigger, and she agreed with a Bed & Breakfast or boutique hotel was a good idea in the right place.

Height – top plate. Mr. Lauer reformatted what had been presented due to questions. One question was to revise the language based on the top plate. Instead of between the ceiling of the highest floor and the highest ridge would be between the top plate. It was on page 3, 3.3.91A, as the definition to make it consistent. The other issue on height was maintaining the existing blanket exception for flagpoles, fire towers, water towers, etc. subject to a zoning permit. That was an existing condition. Mr. Quillin said it was subject to a zoning permit and must appear before the board. Mr. Thomas said Mr. Lauer would include examples, and Mr. Lauer said they would be placed in the ordinance. Mr. Adams said there was a reference to treat all businesses equally.

Mr. Adams said the board had heard rooms full of public and used hand voting machines. The last draft included all changes from discussions. He would like to move forward. Mr. Coogan had spoken about revisiting the moving message signs. Mr. Clark said the City Council could change that when they voted. Mr. Clark said he understood why Mr. Thomas wanted to see one document that was not received 20 minutes before the meeting. He suggested to the City Council members to get the document from Mr. Lauer and take a week and read it. Mr. Adams said the City Council had received the same document as the board.

Ms. Walker asked about multi-story parking garages and had it been removed. Ms. Kidd said there was a land use classification created and amended the Table of Permitted Uses to not be allowed in I, O, B-1. In B-2, B-3 and B-3 would be allowed with a conditional use. Ms. Walker asked where was the City going with this and where would this be needed. Mr. Thomas said there was one existing on North Causeway Boulevard. Mr. Lauer said the primary concern was there was no distinction with set parking. So not to allow by right, it became a conditional use. Ms. Walker said the board was trying to give definition to. She would like to eliminate the idea of multi-story parking garages. Mr. Adams said if some great thing came along in the future and the garage could fit in, the City Council could change the ordinance to change the regulation. She felt this was not needed in Old Mandeville. She thought a 5,000 square foot building on her street should be limited.

Mr. Lauer read the changes to:

- Section 3.3.91, definition of height, parallel to other provisions in chapter 8.
- Page 12, parking reductions by exception was on Page 4 of the handout, Section 7.5.10.5, change was to delete person receiving exception agreed to provide public improvements that mitigate parking reduction within 60' of where the proposed use is located.
- Section 7.5.10.6.2, delete paragraph g, eliminate Planning Director's exceptions.
- Section 8.1.1.9, renumbering
- Maximum height – establish top plate
- Exception to height provisions, reworded same provisions.
- Section 8.1.10.1 inserted a sentence. Mr. Clark asked to reference the Dark Skies principles. Mr. Lauer said that was easily sourced. Mr. Quillin said he had no objection to the Dark Skies, but felt it was a good statement with no teeth. Mr. Adams said there was a Dark Skies ordinance in existence. Mr. Lauer said it was a purpose statement. Should there be a challenge to the lighting provisions, it would be good to go back to the purpose.
- Change the provisions of the maximum size of large scale buildings.

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Mr. Clark moved to recommend the changes presented by Mr. Lauer, recommend 3,000 square feet with the exception to 5,000 square feet, with a suggestion to the City Council spend the time to read the ordinance and amendments before voting or delay it, seconded by Mr. Fairley. The motion passed 5-2 with Messrs. Thomas and Quillin voting against.

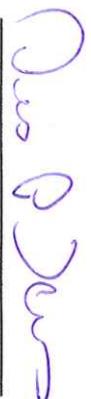
Mr. Quillin moved to adopt the minutes of June 25 and July 30, 2014, seconded by Mr. Thomas and was unanimously approved.

Mr. Fairley moved to defer adoption of the June 4, July 23, August 27, 2013 and February 25, 2014 minutes, seconded by Mr. Blache and was unanimously approved.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley, and was unanimously approved.



Lori Spratley, Secretary



Dennis Thomas, Chairman

**Zoning Board
Public Hearing
March 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, Dennis Thomas, Scott Quillin, and Michael Blache

Absent: None

Also present: Louise Kidd, Planning Director, Michael Lauer, Consultant; Council Members Clay Madden, Ernest Burguières, Rick Danielson, and Mayor Villere

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Mr. Fairley moved to defer adoption of the June 4, July 23, August 27, 2013 and February 25, 2014 minutes, seconded by Mr. Blache and was unanimously approved.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley, and was unanimously approved.


Lori Spranley, Secretary


Nixon Adams, Chairman

**Planning Commission
Work Session
March 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, Dennis; Thomas, Scott Quillin, and Michael Blache

Absent: None

Also present: Louise Kidd, Planning Director, Michael Lauer, Consultant; Council Members Clay Madden, Ernest Burguieres, Rick Danielson, and Mayor Villere

Mr. Thomas announced that any additional information determined to be needed by the Commission in order to make a decision regarding a case shall be required to be submitted to the Planning Department by the end of business on the Friday following the meeting at which the additional information was requested or the case will automatically be tabled at the next meeting.

The first two cases discussed were P14-03-03 Recommendation to the City Council regarding Ordinance 14-05 to amend the Planned combined Use District created under Ordinance 00-25, and amended under Ordinance 01-19, 09-04, and 04-11, Lakeside Village Phase 1 as depicted on the final plan by Gulf Engineers & Consultants dated November 19, 2013; approving the Site Development Criteria and Design Criteria; waiving certain requirements regarding the contents of said site plan; and providing for other matters in connection therewith, and R14-03-01 Lakeside Village Development, LLC requests a resubdivision of lots 32-57 into lots 32A-40A, Block C and lots 41A-45A, Block D, Lakeside Village Subdivision, Phase 1, zoned PCUD.

Ms. Kidd presented that Lakeside Village was originally developed in 2000 as a Planned Residential District for townhome dwelling units. The plan was later amended and partially developed. The applicant was requesting to resubdivide lots 32-45 into lots 32A -45A for the purpose of single family residential. The amendment would reduce the number of lots from 57 to 45. Lot 43A contained the community center and common area, and lot 43B contained the pond and park and pathways. One of the criteria in the earlier ordinance was that the individual lots were not less than 50% pervious and the subdivision prorated the share of common area. The pond area was considered common and included in the calculation for the R-1 use. The subdivision was created as a cluster development. The original ordinance referred to townhome and single family in the title, but the language was not included in the body. The ordinance addressed the uses of the existing and proposed lots, as well as clarified and delineated the uses. The ordinance would specify lots 32A-45A would be specifically developed for single family residential so the developer could not build townhomes without changing the ordinance.

The setback lines would govern the development on the plat. The original ordinance included site development criteria adapted for townhomes, and was being modified to reflect single family development. Ms. Bush asked about the size of the townhomes and the cottages.

Harry Crosby, developer, said the new cottages would be 2,000 to 2,200 square feet, and the lots facing the lake would be 3,000 to 3,500 square feet. The property to the east of the club house was abandoned and part of the green space. There would be the same alley configuration with off street parking.

Mr. Quillin asked how many units presently exist. Mr. Crosby said 31 townhomes were developed, which allowed for 14 homes. Mr. Crosby said they

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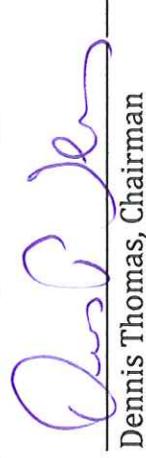
were cutting the density in half. The lot sizes ranged from 71' on the corners down to 41' with the average of 50' - 70' frontage by 100' depth. Mr. Crosby said they recognized the change of the market, and many people requested a downstairs master bedroom. Mr. Adams agreed that the new lots would be reducing the density. Mr. Crosby said it would be changing the impact on traffic and drainage.

Mr. Adams asked about the land to the south. That property was donated to the City as open space. Mr. Thomas said there was an area not developed across the street. Ms. Kidd said a permit for new building additions had been issued.

Mr. Fairley reminded Mr. Crosby that there was a existing football field that made noise.

Mr. Blache moved to adjourn the meeting, seconded by Mr. Fairley, and was unanimously approved.


Lori Spranley, Secretary


Dennis Thomas, Chairman

