

**Planning Commission/Zoning Board
Public Hearing
April 23, 2013**

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

Present: Michael Blache, Ren Clark, Simmie Fairley, Nixon Adams, Dennis Thomas, and Rebecca Bush

Absent: Scott Quillin

Also present: Louissette Kidd, Planning Director

Mr. Adams announced the meeting was being held for the board to further discuss committee reports and move forward. Information gathered from the APA Conference would also be discussed.

Short Term Work Program – Committee Reports

Ms. Kidd presented the Comprehensive Plan included an annual update of the strategic five year plan. A memo addressed to the Mayor and City Council was forwarded in June, 2012 and the board created four committees. The committees met through the summer and fall and their findings were distributed in December, 2012. The information was forwarded to the City Council for inclusion in their June budget cycle. The cover memo included the recommendations of each committee. The memo identified CLURO amendments, which included the hiring of a consultant to help write the language. There was a \$15,000 budget item for the consultant. In regards to signage, Washington University had a group that put together model ordinances for digital signage. Any signage language must be legally defensible.

Mr. Adams said there were three major programs sent to the City Council. The first program was the annexations in the Priority 1 area on the west side of the City. The second program was a Transportation Plan and the board discussed it as far as possible and sent the information to the City Council. Ms. Kidd said the City Council addressed some of the information. The third program was the Critical and Sensitive Areas. On this program, there was a need to forward information to the City Council. Ms. Kidd said information in a different format was forwarded to the City Council. She suggested that all of the committees should meet, review their report and implementation items, and review their priority levels. Then the board should decide if the programs could be completed in house or with a consultant. Mr. Adams said the height ordinance was related to these issues.

Mr. Adams said he and Mr. Blache attended great presentations at the APA conference on parking. Sacramento completed a parking study and found the parking was not located where people needed it, there was too much parking, people did not use the off street parking, and presented recommendations that no business with less than 6,400 square feet required off street parking. In review, Mandeville may need a different number than 6,400 square feet. Sacramento was comprised of a large downtown, neighborhood commercial areas like Old Mandeville, suburban and rural areas.

Mr. Clark said there had been discussions about parking for small businesses. Mr. Adams said the board had discussed 2,000 square feet. The point made across the United States was that everyone had the same parking requirements for different uses from a 1960s or 70s document that was not working. There were a 4:1 ratio of cars in the U.S. and that was more parking than needed. Small businesses found that parking was 1 – 1.5 times more than the business needed. There could be 3,000 square feet of parking for 2,000 square feet of business and the board did not want that ratio. Mr. Clark referenced the parking on Magazine Street and how it worked. Mr. Adams said there were parking meters and different costs on different streets. That would not be useful for Mandeville. Mr. Blache said once a building was constructed, a need was created for more parking. There were alternatives, such as walkable areas, biking, car pool and transportation

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systems. Mr. Adams said there was a shifting of cost from the car to the business so we would want to depend on cars less and less.

The AARP sponsored a survey on senior walkable streets and bike paths. A representative from New Orleans gave the presentation.

The next APA conference would be held in Atlanta. Mr. Adams said he wished some of the Council Members had been in attendance. Mr. Clark said Vicki Arroya gave a talk on global trends, stationarity, the means of time series does not vary, the need to turn to experts and there were no experts, and macro planning issues. He thought the City Council could have benefited from it. Technology Education and Design also presented seminars.

The keynote speaker spoke on changes demographically. Mr. Thomas said the decline of industrial cities and why, the exporting of jobs, cities gaining population tie to patents granted, and the Silicone Valley consistently gaining population were also topics presented.

Mr. Clark said of the 50 greatest cities New Orleans had more than twice the park space per human. The next city with park space was Boston. Mr. Blache said a presentation was about rules as Commissioners and he learned that when meetings were being conducted, information should not to be shared before the meeting. Mr. Adams said it was suggested not to distribute packets before the meetings so ideally the board would hear all of the information for the first time at the meeting. Ms. Kidd said that had been discussed and she could submit a staff report to discuss the applications but not to include any recommendations. Mr. Adams said the board members should not look at cases by themselves, and it was suggested to take a bus with all members of the board. Mr. Blache said any information should be presented in front of the applicant and the City Attorney. If a board member saw something at the site that was prejudicial, it might not give the applicant the ability to defend their case. Mr. Adams said if there was a 15 minute presentation, the board should provide rebuttal for the same amount of time, and then the applicant could provide a rebuttal.

Ms. Kidd said she had heard the argument that the board should receive the information at the same time so there was no contact with the public to form any opinions. Mr. Adams said the board tried to give due process, allowed the public to speak at meetings, and the board should not change the process.

Ms. Kidd suggested holding additional committee meetings, a review in relation to the Short Term Work Program, and at the next meeting place a case on the agenda for formal discussion and recommendations. Mr. Adams said the information should be sent to the City Council. Ms. Kidd said if there were items needing further discussed with the City Council, the board should do it. The past year was spent digging into the CLURO with specific items, and the board should move forward with the implementation. Mr. Adams said there was \$15,000 in the budget and requested a consultant to create the correct form for the City's ordinances.

The priority issues were a Master Open Space Plan, the sign ordinance, digital signage, parking in the B-3 district, annexations, and a Transportation report.

Mike Waller, 2090 Woodrow Street, asked what was the purpose of the commission, to protect what. Mr. Adams said the purpose went back to the tradition of planning in this country. The main reason commissions was created was because when the Constitution was created there was federal and state power and no power for municipalities. That was now seen through the 10th Amendment through the states. Toward the end of the 19th century there were so many abuses in towns with the elected officials.

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Mr. Waller asked what was Mandeville trying to protect. Mr. Adams said it was well spelled out in the Comprehensive Plan. Mr. Clark said health, safety and welfare. Mr. Waller said not what the rule book said. The board had stated the book was adopted in the 1960s. Mr. Waller asked what we want to protect in Mandeville. Mr. Adams said the character and quality of life. Mr. Waller asked what was that. Ms. Kidd said the natural environment and the historic environment. Mr. Adams said it was the Traditional Neighborhood District look and a mix of residences and businesses together.

Mr. Waller said he came to Mandeville 13 years ago and Mandeville was old urbanism and not new urbanism. Mr. Adams said everyone wanted to copy it. Mr. Waller said the word New Urbanism popped up from the issue of why people wanted to be in specific places. It was started by looking at small towns in the south about what was so nice and what appealed to people's senses. New Urbanism and how to recreate it. Mandeville needed to renovate it, and keep the trees. That was why he came to Mandeville. When he first developed in places like Florida and Baton Rouge, he went to the Planning Commission with a property that contained trees and a pond. He wanted to develop a New Orleans type Garden District with a little urbanism based on the appeal of the land. He was told he could not do it according to the rules, but the commission trusted him and requested him to set up a subdivision waiver and private maintenance. There was one piece at the end and he left it unsubdivided for future townhomes since he knew by instinct there was a market. They created lots and sidewalks with restrictions that would appeal to the people. In Mandeville, it was already here in Old Mandeville. He would improve the street lights and sidewalks and leave everything else alone. He became a designer and took risks with his own money and if it did not work he had lost his investment. Mr. Adams said that Mr. Waller must like no parking requirements. Mr. Waller said he learned the quality of living in the whole country was created by small businesses taking a risk, and most fail but that was how capitalism worked. His solution to the B-3 parking problem would be to have no parking rules. Mandeville was started by Marigny as a resort community and evolved by itself. A large majority of people wanted to live here, and the property value reflected it. In his opinion, and he did not pay much attention to the parking when he first moved here, was to restrict the number of parking places but the entrepreneur must figure out where the patrons will park.

Mr. Adams said if the City eliminated the parking requirements for almost all small businesses, it would eliminate parking requirements for almost all of Old Mandeville. The board must be careful because there were some large parking uses in Old Mandeville. Mr. Waller said if the board left the parking alone, market will force people to pay attention. The lender will ask the question about parking and it will be harder to get the money. The market will force what will happen and Mr. Waller thought what would happen, for example Nuvolari's, they would all be forced to evolve into little Nuvolari's with an upscale menu to charge more money and over time Mandeville would have that. There would not be any big restaurants. They would locate on the highway. Mr. Adams agreed with Mr. Waller and asked other than parking in Old Mandeville what would he like.

Mr. Waller asked about the 90' rule. Mandeville had small lots with small houses, especially now when it was valuable to live here. One of his clients had lost his home in Hurricane Katrina. He owned two 50' lots and Mr. Waller had suggested giving one of the lots away to someone in his family. The client was concerned about the "McMansion" across the street. Mr. Adams confirmed Mr. Waller was referencing the contiguous lot law. Mr. Waller said the "McMansions" will overshadow the small houses. The elevated homes that would be required could park underneath so there would not be a need for a garage. He thought the 90' rule would destroy the character of Mandeville.

Mr. Adams said the APA conference held a session on non-conforming rules. It was called a Community or Character Preservation District that went back to the previous

rules when the land was first subdivided. Those lasted forever. If they were 35' or 60' lots, they could be built on and not be considered non-conforming. Mr. Waller said that was in the Constitution. The property value was changed with the contiguous lot law. Someone will be file a lawsuit with the economy rebound, and the regulation will be thrown out. He would ask that the rule be changed the other way. Mr. Clark asked if there was a 120' lot, would Mr. Waller suggest it be resubdivided. Mr. Waller asked if there were any 120' lots in all of Mandeville and he stated that he doubted it. Mr. Adams said there were some whole squares, but they were not located in Old Mandeville. Mr. Waller said his point was to look at what was here. It was Old Urbanism that only needed to be protected. New Urbanism was about reproducing Old Urbanism. When there was a piece of land from scratch, rules were written and there was a form based code. That was not building within "x" and "x" feet and controlling the form of architecture so it would not be too high or too wide.

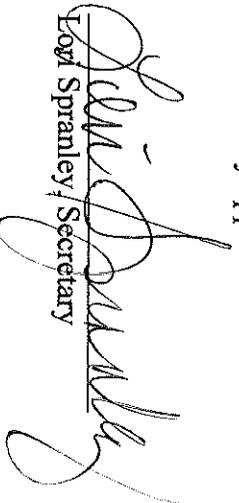
Mr. Waller said Mandeville had all of this. He always wanted the creation of a Historic District and was angry about how it was done because everything was give and take. All houses should be protected. Mr. Adams said the City tried to create a Historic District 30 years ago. Mr. Waller said in the 13 years he lived in Mandeville, he had seen many old houses lost. It was about proportion and scale.

Mr. Waller said the only parking the City should be involved in was its parks, like a Town Center. He did not like the Park and Ride because there was a bike trail and he thought the four surrounding blocks should be a park. It would be like a public square, green. The zoning on the other lots in the front made perfect sense. It would be the only place to have density, mixed use with some older folks with money living upstairs for quiet but to be able to see the activity on the weekends. It went back to the past with 2-3 story buildings around the town square that was more rural so you could walk to places.

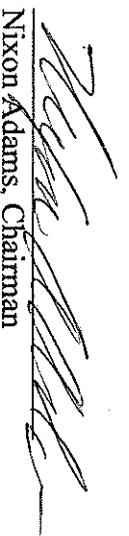
His first thoughts on the planning thing on the lakelfront was it was good because people would go the restaurants and they were tired of parking in the back because that was a market reality. He suggested what should happen in the marketplace was there were not any rules. Let the businesses get together to buy land and make a parking lot where it was really needed and the City would not spend the money to do that. The parking should be located where there were public events like the Trailhead as an example. A quality of living comes out of it. The businesses should figure out the parking. Most small businesses fail because they do not figure it out. Many of the businesses had closed and people left town. Mr. Waller was not leaving because he was too old to start again so he was fighting it because he did not have any other choice. The taxes were too high and nothing was happening. The board, made up of citizens and not elected, usually made common sense decisions. Mr. Burguieres puts the information out to the citizens and asked what everyone thought and wanted.

Mr. Clark asked if anything not rural was considered urban. The word urban and free market scared him because free market was let them do what they want and then suddenly there would be no trees left. By 1920 every tree in Mandeville was cut in the name of the free market and failed. Mr. Waller said the trees were cut to build the Victorian houses in the nation. Mr. Clark said more board feet was cut out of Louisiana than the rest of the nation.

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



Eoin Spranley, Secretary



Nixon Adams, Chairman