

**Planning Commission
Public Hearing
July 14, 2015**

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

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

Absent: Dennis Thomas and Scott Quillin

Also present: Louissette Scott, Planning Director

Resolution 15-02, Short Term Work Program

Ms. Scott presented that Resolution 15-02 which specifically identified the Priority 1 tasks. Mr. Clark asked in reading Legislative Act 33:106, was there an imperative to come up with a plan for open space or was it an option. Mr. Adams said the board may consider it with a list of factors that was not all inclusive. Mr. Clark asked that the board may consider, and does the board need to consider and should we. Mr. Adams said the board should not consider subways or airports so it read may. Mr. Adams said the map should accurately reflect how the City was when the plan started. Mr. Clark asked if the board did what it was supposed to do for a plan for open space, green space, etc. He asked if a plan existed that did justice to the town and Ms. Scott answered no. Mr. Adams said there was a recommendation of private citizens to have a certain percentage of open space. The recommendation was arrived at by a study 25 years ago. Ms. Scott said in dealing with the Comprehensive Plan it set out goals and policies of who we want to be. The CLURO Cluro addressed development of private property. In discussing maintaining green space dealing with development, it was identified how much area of the City at that point was green and it was 6-8% and the City wanted to maintain that. From the private side, it was determined to be 6% and criteria was set up. From a public open space standpoint of city owned green space and the public realm there was no master plan identifying how much we want, how the existing area was to be used, but the City did not have direction or guidance.

Mr. Clark asked if there were articles that could be addressing that direction. Ms. Scott said under task #4. Mr. Clark said we need to do that. He asked should anything else be broken out until completed task 4. Mr. Clark said the public could express their opinions, but there were bodies creating ordinances and doing it in the absence of a plan that the board must have. Mr. Adams said there should be different zoning for different uses of open space. Ms. Scott said the question was special events in certain areas. The Comprehensive Plan included language that stated in either goal 6 or 12 that an area should be identified for locating special events. Ordinance 15-12 should be discussed with the entire community, and that had not been done. Mr. Adams said we had discussed this for years. Ms. Scott said it was a priority on the Short Term Work Program but was a lower and now it was #1. Mr. Clark asked how would that affect the decision making process. Ms. Scott said the Council would budget money for a consultant. If it a critical #1 then the board should express that to the City Council for funding and was included in the budget request. Mr. Adams said it should be send to the Planning Commission for a study. Mr. Clark felt it was important for the Council to understand there was a requirement for a plan and it at best was an idea as opposed to a plan. Decisions were being made absent a plan. Mr. Clark said it was time to acknowledge growth and the expanded use of the land. Mr. Adams had talked about monuments to celebrate our history.

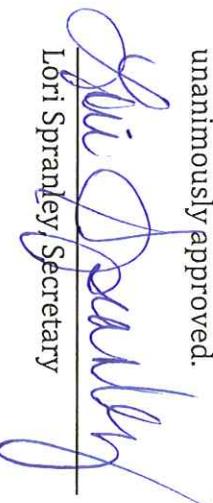
Ms. Scott said there was an amendment to task 1, also to be the subdivision regulations. Under number 14, the CLURO amendments should be added to update the subdivision regulations. That was a clarification.

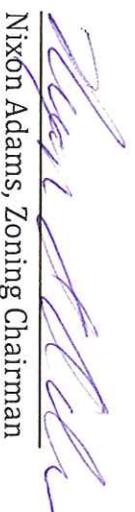
Mr. Quillin had forwarded a comment of his concern about the Historic Preservation District design guidelines. Based on an earlier conversation, there were guidelines that were broad and not specific enough for applicants. By further developing the design guidelines the City was not attempting to encroach into the ordinance for style. It would be more details on proportion, scale, and materials that were elements of architecture as opposed to a style. It would be further clarification of technical details. Mr. Adams said the board was the guardian of the CLURO. Ms. Scott said the Historic Preservation District Commission was enabled through state legislation with some authority. The ordinance was set up with a commission and consultants for the district administrator which was Ms. Scott. There could be tweaks for more of role of the board. Mr. Blache said there was such a difficulty getting the district established so the board should be careful. Ms. Scott the design guidelines would not change the ordinance, but was intended to offer guidance on windows, shutters, etc. Mr. Blache said it was about perception. Mr. Adams said it was a weak ordinance. Ms. Scott said it was an incentive based district for allowable tax credits. If there was demolition request, it would give the community an opportunity to move it first. There were few circumstances that would allow the board to deny a demolition. As long as it was reasonable there was authority to follow the regulations.

Mr. Adams asked why there was no task number 6. Ms. Scott said the tasks should be renumbered.

Ms. Bush moved to approve Resolution 15-02. Mr. Clark asked for a friendly amendment to move task 4 to task 1. Ms. Scott said the tasks were supposed to remain the same, but it could be moved. Ms. Bush agreed with the amendment and Mr. Fairley seconded the amendment which was unanimously approved. Mr. Clark moved to adopt Resolution 15-02 as amended, seconded by Mr. Fairley and was unanimously approved.

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


Lori Spranley, Secretary


Nixon Adams, Zoning Chairman

**Planning Commission
Work Session
July 14, 2015**

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

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

Absent: Dennis Thomas and Scott Quillin

Also present: Louise Scott, Planning Director

Mr. Adams 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.

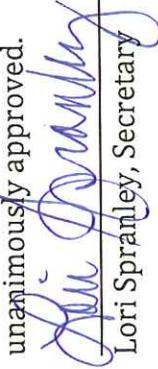
The only case discussed was P15-07-06 Recommendation to the City Council regarding Ordinance 15-17, an ordinance of the City Council of the City of Mandeville with respect to Arpent Lots 14, 15, 16, 17, 18, 20, 21, a portion of Arpent Lot 19, (not including the subdivided lots designated as lots 1-14, inclusive, forming the southwest corner of Kleber Street and Monroe Street), Parcels A and B, and a portion of Kleber Street, located in Sections 46 & 47-T8S-R11E, City of Mandeville, St. Tammany Parish, Louisiana, more particularly described on the plat and survey prepared by Kelly J. McHugh & Associates, Inc., Civil Engineers & Land Surveyors, dated 12/03/13, revised through June 30, 2015, Dwg. No. 13-136-bs, containing 76.648 acres (the "Prestressed Concrete Site"); amending the official zoning map and Comprehensive Land Use Regulation Ordinance (CLURO) of the City to classify the former Prestressed Concrete Site as a Planned Combined Use District ("PCUD"); approving the Site Plan, Master Plan and Guiding Principles prepared by Architects Southwest, Inc., dated June 25, 2015, entitled "Port Marigny TND" (collectively the "Master Plan"); requiring that the Master Plan and its provisions, together with the Restrictive Covenants, be covenants running with the land; approving the development of the PCUD in accordance with the Master Plan and accompanying submittals; revoking certain construction, drainage and sewerage servitude(s) and granting a servitude of passage and for utilities; granting variances as needed to give full effect to the master plan; establishing procedures for administering the master plan; and providing for other matters in connection therewith.

Mr. Adams announced that the City Council requested deferment until the July 28th meeting. Ms. Scott said the City Council expected to have a consultant hired at that time.

Mr. Clark asked about the 120 day deadline. Ms. Scott said the time began from the time the application was submitted for action. Mr. Clark asked about the timeline with extenuating circumstances. Ms. Scott said she thought the ordinance could be reintroduced if the case was ongoing. If the case was still in public hearings, she would discuss the issue with the City Attorney. The applicant in their letter to defer had acknowledged that the City would like to have a consultant on board and was agreeable. Mr. Adams said the board had held special meetings and had not held up a case. There will be special meetings to be scheduled. Ms. Scott said there were other methods to continue the process.

The board was in agreement to defer until the July 28th work session.

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


Lori Spranley, Secretary


Nixon Adams, Zoning Chairman

**Zoning Commission
Work Session
July 14, 2015**

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

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

Absent: Dennis Thomas and Scott Quillin

Also present: Louisette Scott, Planning Director

The only case discussed was V15-06-10 Ray Seamon requests a variance to Section 8.1.3(1d), Supplemental Fence and Wall Regulations, lot 35A, Lakeside Village, 225 Rue Esplanade, zoned PRD.

Ms. Scott presented a variance request for a fence height. The applicant was requesting to construct a privacy wall higher than 4' on a corner in Lakeside Village. The CLURO stated that no fence or wall could be constructed exceeding 4' in a side or front yard. There was a patio area located on a side street in the side yard setback. Pictures were shown that a 6' fence was constructed in a previous phase across the street and the applicant wanted to continue the same appearance. The CLURO was amended in 2008 restricting fences in a rear side or rear yard fronting on a street to 4' so it did not obstruct the air or the open space. The 6' fence was in keeping with the character of the development.

Mr. Adams said the hardship was the changing of the regulations from one phase to another. Ms. Scott said with a Planned Residential District, the buildable area was established prior to the 2008 regulation and this was an unanticipated consequence was to the private open space that was the pattern in the development. A 4' fence on a street did not create privacy on the street. There was another person present who would have a similar situation.

Ray Seamon, applicant, said they wanted to remain in Mandeville. The designed the plans and assumed they could have a 6' privacy fence in keeping with the other units constructed. The garden homes provided a small patio that was the only yard so it was considered a part of the living space. All of the living space led out to the patio. Their patio would have a bar and a barbecue. There were other houses with larger fences along more of the property and closer to the street. He had received a letter from the president of the homeowner's association of no objection to the fence.

Mr. Adams asked if there would be more requests were there a way to handle all of the requests at one time without a variance procedure. Mr. Blache asked if this could be handled through the exception process. Ms. Bush asked how many other cases would be presented to the board.

Kathy Crosby, 1223 Rue Degas, said the subdivision was resubdivided from townhomes to small single family homes. They were trying to keep the look of the neighborhood with the single family homes. Mr. Adams asked if the request could be granted through the exception process. Ms. Scott it would be an interpretation. A variance for this request could not be granted across all other properties. Ms. Bush said the smaller units on Rue Renoir faced an alleyway. Ms. Crosby said she and the Seamon's were on a corner. The other three garden homes already constructed had privacy fences installed. Mr. Adams asked if the fences were constructed in the same position. Ms. Crosby said the fences were located on the side of the houses. Mr. Seamon said the ordinance pertained to side lots on the street. Ms. Crosby said the misunderstanding was when the plans were submitted that it would affect traffic and visibility, but across the street there was an existing 6' fence. Ms. Scott

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said the code stated not to allow a fence higher than 4' on the street side setback as well as the front yard. The development was providing required private open space. Mr. Seamon said there would be three houses affected.

Ms. Bush said it would appear strange not to be 6'. Mr. Adams to make an interpretation that if other homes would be affected the board would make an interpretation of what that subdivision needed. Ms. Scott said if it was more part of the structure to consider it as a total square footage of the setback. Mr. Seamon said they were within the build pad. Ms. Scott said the fence was within the property line but within the setback. Mr. Clark said it was about 2' in height and not the position, and the perception of their right to privacy. Ms. Bush said it would match the construction across the street. Mr. Blache said he was more comfortable with an exception than a variance. Mr. Adams said it would only be applicable to three lots. Ms. Scott said the planned district was governed by its own ordinance and was granted as a part of the site approval. Mr. Blache asked for a recommendation from the City Attorney on the best way to handle the request. The board was not in objection and would work it out. Ms. Scott said under the original amendment, the request might be able to stand and not be affected by any future changes of the CLURO.

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



Lori Spranley, Secretary



Nixon Adams, Chairman

