

**Zoning Commission
Work Session
July 22, 2014**

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

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

Absent: None

Also present: Louise K Kidd, Planning Director; Council Members Rick Danielson and David Ellis; and Mayor Donald Villere

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 first case discussed was Z14-08-04 Karen K. Smith Riecke requests a zoning permit to Section 6.4.9, A & E Wash, a parcel of land situated in Section 42, T7S, R11E, containing approximately 80,686.32 square feet, 1255 West Causeway Approach, zoned PCUD

Ms. Kidd presented a zoning permit to allow a car wash. Mr. Riecke was proposing a self-service car wash on West Causeway across from Mandeville High. The property was annexed under Ordinance 03-13 with a PCUD zoning. The car wash was similar to those on Highways 21 and 22 with limited hours of operation. When the property was annexed, it included conditions that included a list of permitted uses. The site plan, landscape plan and conceptual drainage plan was prepared by Kyle Associates.

The property contained a 200' frontage by 400' containing 80,682 square feet. The proposed development was a 5,000 square building with an office as well as the car wash. Under Section 6.4.9, the required parking was 4 spaces per washing bay and 1:200 of retail floor area. The proposed parking was based on one space per 1:250 and 2 parking spaces. There were 28 proposed self-service vacuum stations and 2 parking spaces. The Landscape Plan was submitted July 17th and updated July 22nd. Under Section 9.2.5.9.2(b) there were indicated areas to be preserved. Trees greater than 6" must be shown on the plan. There was a 30' greenbelt, which was 5' greater than required under the Gateway Overlay District and specimen magnolias in this area. The staff had requested to move the site back to give an additional 5' for the trees and the plan was revised. The 50' buffer to the rear was retained and that shortened the total site. The required 20' buffer on the north side of the site was amended to 15'. The south side had a significant wet area of .19 acres as well as a 40' setback outside of the wetland area. This was now increased to 45' when the site was moved north 5'. The rear area was the only area with a required buffer contiguous with the Fontainebleau Subdivision. The rear buffer was required at 30', and was proposed at 50'. The latest plan included a fence at the rear setback and requested it not be moved.

Ms. Gleason reported that the wetland was a spectacularly beautiful area and should be fully protected from the construction. In discussions with the applicant, the staff had requested a driveway to the north to protect the wetland area. There was a specimen hickory on the edge that was requested to be preserved. Mr. Adams asked about curbing, and it was confirmed that the driveway would be curbed. Ms. Kidd said additionally there would be the maximum protection of silt fencing, a firm barrier and signage to protect the area from encroachment during construction. The lighting was in compliance with the CLURO with full cut off. There was a

question in a meeting with the residents of whether all lights would be on for 24 hours or be reduced in the evenings. There were no comments from the engineer on the conceptual drainage plan dated July 20th.

Mr. Adams said this was not a variance request just a zoning permit that came to the Zoning Commission for review because there were special conditions. The Zoning Commission can require additional site development criteria if reasonable.

Ms. Kidd said they had met with the Homeowners Association's president and the vacuums types and noise was discussed. Mr. Riecke stated they were pneumatic and the motors were located inside of the building and quiet. The dryers were housed inside of the building. Ms. Kidd questioned the noise from the washing and asked for an acoustical analysis on other facilities. There was no music or speakers proposed. Mr. Thomas asked about the hours of operation. Paul Mayronne, representing the owners, said the wash would be open during daylight hours, longer in the summer than in the winter. Mr. Clark asked what would be their closing time now. Mr. Riecke said 7:30 p.m. Ms. Kidd said the board could specify the hours. Ms. Kidd said the City did not allow discharge into the City collection system and the applicant would have a closed system to capture the water. There would be on site attendants if the card meter did not work since there was a concern about horns honking. The homeowners had requested a rendering of the building be submitted and it had been received the day of the meeting. The rendering would be submitted to the Design Review Committee. The staff had also requested a noise study, a rendering of the signage, and a volume of water expected.

Mr. Mayronne said the site contained 1.8 acres and wanted no confusion with this facility with the washing being contained in the interior of the building. Mr. Quillin asked for the closest example. Mr. Mayronne said on Highway 190 by Three Rivers Road. There was also one on Highway 21, Pelican Pointe. There would be two middle of the day employees, and the weekends would have three employees. The owners had taken great care in the design and layout. When the owner had determined the use, they had charged the designer to address the impact on the neighbors and the design so that the impacts were muted or negated in entirety.

The main focus point was the rear property line adjacent to the residences with a 50' no cut area, and no cut meant no cut. This was a treed parcel and the owner wanted to take advantage of that. There would be a 7' wooden fence. They were asking for a consideration of the fence at property line since it would undermine the no cut buffer. There was a request for the fence to be placed on the inside of the buffer preserving both the fence and the buffer. Mr. Mayronne said the rear would remain as it had been the last 20 years. There were 2-3 residential lots backing up to the site. The center lot was vacant and there was a large drainage area through it. That area was not likely to be developed and it would be green against green. It would create a no mans land for the neighbors, but it would be better than clearing the line with equipment. There was also the issue of maintenance for the fence and it would back up into the buffer. Mr. Adams said the fence would be another noise buffer. Mr. Quillin said with the wetland area and the water flowing through a portion of area at the rear of the building, his concern was the fence along the back property line. He did not feel that was the best thing for drainage. Mr. Mayronne said they proposed extending the fence to the edge of the wetlands but not through that area. They would be using the buildable area corner to corner and avoiding the drainage way. Mr. Clark asked if this was Bayou Chinchuba. Mr. Quillin said it was an outflow drainage way from Fontainebleau's ponds onto West Causeway Approach.

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The intent was to leave the wetlands as it was now. They had moved the project over 5' to give more room with the access drive and the edge of the wetlands for more buffer. They were sensitive to the noise and the fence and rear buffer were enlarged to address visibility and noise. The plan was revised to push the car wash building to the front of the property to house the noise from the project. All motors from the wash and vacuum were housed inside of the building. They had a study on similar facilities that stated where the enclosed system at 55' outside of the building had a level of 66 decibels. The point of reference was having a conversation with a dishwasher running. Mr. Mayronne said the blower noise was on the West Causeway Approach side of the building shooting out. Mr. Adams asked about the trees on that side of the property. Mr. Mayronne said the trees were to be preserved and they also proposed significant planting along the front of the tunnel for visibility. The only buffer clearing would be the underbrush in the front 30'. They would preserve the mature healthy trees. The lighting met the code and would not bleed foot-candles across the property line. The owner was not opposed to dimming the lights with a caveat that it would not be a dark site. Other than security, they had no interest in any more light than necessary. Mr. Clark asked what would the height of the light standards. Mr. Mayronne said not 20'.

They had met with the residents and staff, and there was a concern about the runoff from the wash process. The amount of water concern was with any big rain events causing more flooding. The owner had decided to go to a closed system. There would be no discharge from the wash process. It would be captured on the site, tanked, recycled and disposed of off-site as a matter of routine maintenance. Mr. Clark asked if there would be a below ground reservoir. Mr. Kyle said there would be two or three 6,000 gallon tanks. Mr. Clark how far below the ground for the tanks and it was answered 2'. Franklin Kyle, designer, said it would be similar to septic tanks with 4-5' of reinforced concrete coated inside. Mr. Clark was concerned about percolation into the soil and into the wetland. Mr. Mayronne said they would get more data on the coating. Ingredients in the wash process would be biodegradable, part of green type components.

The ingress and egress would be on the east or south side of the site. It would be a right turn in and a right turn out only. It was intended to take advantage of the traffic on West Causeway. Mr. Adams said green on south side of exit, how long before opaque with planting. Mr. Kyle said it was the intent leave as much of the 30' as possible with the concept of native materials. There would be vehicle screening established in one good growing season. Mr. Blache asked for pictures of the rear of the site. Mr. Kyle said it was homogenous front to back.

Mr. Mayronne pointed out that noise was from outdoor speakers, and they were not proposing any with music. As noted, the use was permitted and they were looking at the impacts of the development on the neighbors. They did their best to get in front of the issues in a reasonable and effective manner. This would not be a three story office building looking into neighbor's yard, and it was not a 24 hour operation.

Mr. Thomas asked Ms. Kidd about Carlton Dufrechou's, GNOEC, and letter about discharge into THE ditches requiring multiple permits. Ms. Kidd said that was changed for the car wash. Mr. Thomas said there were five subsurface drains into the ditch. Mr. Mayronne said that was from the runoff from the rain.

Janet Fabre Smith, Fontainebleau's Homeowners Association, said they were not against the development but in favor with compatible development. The ordinance spelled out the philosophy for the development. West Causeway

Approach was an upscale area with light commercial uses and felt a car wash was not compatible in this location. They did not want it to look like Veterans Boulevard or Highway 190. It was about modifications that could be requested to make it as compatible as possible. They did appreciate the modifications that were brought forward. They had not had a chance to review some of the updated revisions. There were seven primary concerns. Noise – they would like to see the studies. The buffer and screening was large for protection, but they wanted to further discuss the fence. Lighting and security was discussed for height and brightness. They would like to have surveillance cameras for loitering. The hours of operation were getting closer to agreement. They would like more specificity on hours, suggesting 7-7, and 10-5 on Sunday. As far as environmental impact, they had seen a formal drainage plan. Signage and aesthetics were large issues.

Mr. Adams said drainage was up to the Causeway Commission. Ms. Kidd said the City Engineer would also review the plan. Mr. Adams said the Design Review Committee was the aesthetic experts.

Trey Lape, attorney for the homeowners, referenced Section 4.3.2.3, Requirements of a Site Plan. The site plan dated July 18th did not indicate a fence. They realized that a PCUD required a fence. They thought a masonry fence would be necessary to abate noise and felt that was appropriate and in line with similar highway developments. He pointed out the Blue Harbor and Wendy's sites. Ms. Kidd said 7' was the highest allowable height by code. Mr. Adams felt 8' would require a masonry fence. Mr. Lape said they had received the drainage plan the day of the meeting which indicated water on the north side would be brought back toward Fontainebleau and then toward wetlands. He thought it would make water more burdensome to the Fontainebleau residents. Mr. Kyle said the water ran from right to left at natural grade. The site drainage was top to bottom near perpendicular to the channel. He would be required to abide by the drainage detention laws of Mandeville.

Matt Erlicher, Fontainebleau resident, echoed the comments. He sked about the underground storage and its life span. What was the replacement cost? He asked because many gas stations were abandoned after their life span. Mr. Kyle said the Highway 22 carwash was not the same standard as this site. Mr. Blache said if the owner was recycling water and filtering it into tanks, what was to preclude that it would go straight into the GNOEC drainage. Mr. Mayronne said that GNOEC would require a pretreated system. In this instance and reviewing the factors, pretreating the West Causeway ditch going into Bayou Chinchuba did not make sense, especially since it was already an impaired waterway. The recycling was more expensive, but it was a better alternative. Mr. Kyle said the discharge limits were the highest that DEQ mandated for Bayou Chinchuba. The closed system would recirculate the water and use less water. Mr. Thomas asked how often it would be emptied. Mr. Riecke said with the grit chamber and grease trap, at least once a year or more as needed. The financial model was once per quarter.

Tammy Smith, 1040 Rue Chinon, backed up to this property. She had concerns of drainage being of the utmost importance, and asked the owner to consider an 8' masonry wall/fence for soundproofing. Mr. Clark asked about her elevations and if she was higher or lower than the proposed site. Ms. Smith said lower. Mr. Adams said the water drained into the ditch along her lot.

Ken Colgan, 1108 Rue Chinon, asked about the noise levels. The blowers/dryers run at different horse powers. Mr. Colgan asked to clarify the decibel levels since he was an architect and knew it was a multiplier. There were silencers that could be added on the blowers and he asked for that consideration.

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Councilman David Ellis, 1100 Rue Chinon, said he had met with Mr. Riecke, Mr. Mayronne and the board members. He felt they had grilled Mr. Riecke in the beginning of the project and saw their concerns were addressed. In general, he wanted responsible growth and that was being addressed.

The next case discussed was V14-08-10 Marigny 3G LLC requests a variance to Section 7.5.1.3, R-1 Site Development Regulations, lot 11, square 9, 1902 Jefferson Street, zoned R-1

Ms. Kidd presented a variance application at 1902 Jefferson Street. Mr. Marino requested to demolish the existing structure and rebuild a new single family residence. The existing setback was 5.8' in the front, 8.4' on Jefferson Street, 20' to the rear and a 25' on side yard. The house had flooded during Hurricanes Katrina and Isaac, but remained occupied. The proposed site plan indicated the new residence front yard would meet the required 25', and the existing 5.8' would become a 16' setback. The request was to line up the front setback with the adjacent house.

The proposal was reviewed at the last Design Review Committee meeting. The plan initially indicated parking one car to the rear and the Design Review Committee had recommended creating a driveway off Jefferson Street with a carport to get two cars in the area. This would require a 10' street side yard setback instead of the required 15' so there would be a deficiency of 5'. All other criteria was met. The owner was trying to keep the yard intact for the adjacent neighbor.

Mr. Adams asked if this property was under the Historic Preservation ordinance. Ms. Kidd said it was not designated in the book, but it would require a certificate of appropriateness. Mr. Quillin asked if there were any existing variances. Ms. Kidd said there was no record of any variances. Mr. Quillin asked about the height issue. Ms. Kidd said the residence would meet the FEMA requirements of bfe plus the City's 2' freeboard. It would be taller than the neighbor's house which was a reason to keep it closer to Jefferson Street.

Mr. Thomas suggested turning the gazebo and moving the house over 4-5' so it would be less of a large façade on Jefferson Street, but would still have the same size for the gazebo. Mr. Adams said that would put it closer to the adjacent neighbor. Mr. Thomas said the house and gazebo roof line would match. Ms. Kidd said the carport must be 5' off the property line. Ms. Kidd said the Design Review Committee would review and comment.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

**Planning Commission
Public Hearing
July 22, 2014**

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

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

Absent: None

Also present: Louisette Kidd, Planning Director; Council Members Rick Danielson and David Ellis; and Mayor Donald Villere

Changing of starting time of regularly scheduled meetings

The board decided to keep the meeting start time at 7:00 p.m.

Proposal of two CLURO amendments – submittal requirements on voting on recommendations and Section 4.3.4.5, Variance Procedures

Mr. Thomas said he was requesting a CLURO change regarding information submittal to the board. Mr. Adams asked if there were any board items to be added to the agenda, to please call the Friday before for the meeting. Any board member could move to open the agenda, but everyone would prefer to know about any items ahead of time.

Mr. Thomas had two concerns. Two or three times a year, the board was provided a document for approval and it was the first time they were looking at it or it was changed and not a final copy. The last CLURO amendments document had irritated him with the strike thrus, being changed in the middle of the meeting and then the board was asked to vote on it. To his amazement, the board voted on the amended documents and passed it. He said if Congressmen voted on something that was not read, the citizens would be amazed. He said it had also happened again at the last meeting. Mr. Adams said ideally that was not the best way to do business; however, sometimes there was a time rush. The board liked to keep on a schedule and keep the meetings lined up with the Council. Mr. Adams asked Mr. Thomas if he would have preferred a delay. Mr. Thomas said yes, and the City Council delayed it. Mayor Villere said if the board had delayed it, the Council might have delayed it also. Mr. Thomas said if there was an emergency, it was not a problem but as a general rule he would not like to do it. Mr. Blache suggested in the instances of time constraints altering the document, but overall he was in agreement with Mr. Thomas. Ms. Kidd said the City Council had deferred the adoption of the dumpster ordinance because they received it the day before the meeting. She said the staff would try to avoid doing it. Ms. Kidd suggested the change would be better located in the Rules of Procedure. Mr. Thomas said in his profession, he would never recommend the purchase without a document for review. Ms. Kidd suggested deferring any changes until the next meeting for the change to be in a formal form. Mr. Blache suggested creating the document as a word document to be seen on the overhead screen for viewing. Mr. Thomas said it went back to the CLURO amendment and having time to digest it. Mr. Blache said the CLURO amendments were discussed for two hours. Mr. Adams said what was adopted was in agreement with the board and Mr. Thomas had been in agreement but had not seen a final document. Mr. Adams said if the document was not what Mr. Thomas wanted, he could have changed it at the Council meeting. Mr. Blache suggested having the document on the overhead screen for review. Mr. Thomas requested to see his requested change in final draft for review at the next meeting. Ms. Kidd said each document was an individual situation. Mr. Clark agreed on the need to see the final form for review, but there was a distinction of the dumpster language and CLURO amendments. Mayor Villere agreed with Mr. Clark that a larger project might need

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more time for review, but the dumpster ordinance was small in nature and relatively simple. Mr. Clark agreed that the change should be included in the Rules of Procedure. The board requested a copy be sent to them.

Second item for change.

Mr. Thomas asked what was the hardship on a variance request. The Planning Conference had said the board must identify the hardship. He asked what the hardship was and either Mr. Adams or Ms. Kidd would answer on behalf of the applicant. He requested adding a line on the application stating what was the hardship by applicant and not accepting the application without the statement.

The Critical and Sensitive Committee was being formed to assist the board on information and recommendations. Ms. Kidd had a list of 8 or 9 names with their qualifications. Mr. Adams suggested choosing all of them. Ms. Kidd presented the names and would forward the board their resumes:

Dr. John Lopez, Lake Pontchartrain Basin Foundation

Dr. deEtte Smythe, Ph.D., Hydrologist with St. Tammany Parish

Paul Carroll, engineer with St. Tammany Parish, also handled their GIS

Dana Brown, Landscape Architect, hosting the Complete Streets Program, and Green Infrastructure

Mark Foster, Old Mandeville Historic Association president, engineer

Ron Lee, homebuilder

Ezra Boyd, Ph.D.

Jay Connor was considering being a board member; he lived and breathed flooding in old Mandeville

Barry Brupbacher, planner, asked to be on the committee

Mr. Adams said the board had expressed a need to form this committee and if they had expressed an interest then name them all. If it was to be limited to 5 or 7 people, the board would have to vote on the members. Mr. Clark agreed if they volunteered to have them all.

Mr. Fairley moved to include all of the applicants on the committee, seconded by Mr. Quillin and was unanimously approved. Mr. Thomas asked who would facilitate their meetings. Ms. Kidd said Mr. Lauer would facilitate the group and it was planned that they would meet on July 30th. There would be a board workshop on August 18th and a Community workshop on August 19th. Ms. Kidd would email the meeting dates to the proposed committee members. It was anticipated to hold 4-5 meetings and be complete by year's end. Mr. Blache asked if the meetings would be open to the public and it was answered yes, it was required to be open.

Mr. Blache asked if the board should discuss the PreStressed site. Mr. Adams said that site must come before the board as a case. Mr. Blache felt the site should be placed as a Priority 1 on the Short Term Work Program. Mr. Adams said the board should not discuss any specifics. Ms. Kidd said Dr. Pittman had received approval from the bank to move forward with a Master Plan. They were discussing a contract with Steve Oubre and she thought they would start a charrette process in September. Mr. Thomas felt the City should be involved with Dr. Pittman. Mayor Villere said that would be the case as soon as there were charrettes. Mr. Thomas said the City and/or board need to know his plan and dialogue now. Ms. Kidd said the property was zoned PCUD and any use can be proposed that followed the CLURO criteria. Mr. Blache was concerned about a 2,000 unit complex. Mr. Adams said the project must show ingress and egress. Ms. Kidd said a Transportation Plan and Traffic Study would dictate what could be constructed. Her understanding was that the charrette process was to help get public input to develop a plan. Mr. Blache

asked how to safeguard the public interest. Ms. Kidd said the plan would be approved by ordinance. Mayor Villere said there had been a dialogue for years and now was the time to identify specifics. He said there had been conversations with Pat Brister and GNOEC about a traffic study for the entire area. Ms. Kidd said Dr. Pittman wanted to hold charrettes to solicit public input. Then he would develop a plan with broad public input to be submitted to the City. This would provide more involvement in the process.

Mr. Quillin moved to adopt the minutes of October 2, 2013, seconded by Ms. Bush and was unanimously approved.

Mr. Fairley moved to adopt the minutes of November 19, 13, seconded by Mr. Thomas and was unanimously approved.

Mr. Clark moved to adopt the minutes of December 10, 2013, seconded by Mr. Quillin and was unanimously approved.

Ms. Bush moved to adopt the minutes of July 8, 2014, seconded by Mr. Thomas and was unanimously approved.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman

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Lori Spranley, Secretary



Dennis Thomas, Chairman

