

**Planning Commission
Work Session
October 15, 2014**

The meeting was called to order by Acting Chairman Michael Blache and the secretary called the roll.

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

Absent: Scott Quillin and Nixon Adams

Also Present: Louissette Kidd, Planning Director; Michael Lauer, Planning Works; and Council Members Ernest Burguieres and David Ellis

Mr. Lauer provided an update on the Critical and Sensitive Area Committee's findings. The committee held four meetings and discussed many issues. Their recommendations were based on the best judgment from a drainage standpoint. They understood aesthetic issues. The committee was comprised of people with technical background, but not the result of detailed studies. Their conclusions were based on their experience with the area.

Summary:

- defined as drainage overlay with the 5' contour,
- areas of inundation.

Desired outcome:

- minimize risks from flooding,
- minimize public cost,
- preserve/enhance capacity,
- preserve community character, and
- preserve/enhance environmental benefits.

Discussion:

- value to open drainage systems that was lost through use of culverts,
- moving forward with policies and plans to look at options for retaining ditches and reopening culverts,
- designs with filled ditches but still convey water.

Recommendations: drainage impacts and aesthetic issues may trump drainage impacts

Critical areas maps: prepare a map based on the 5' contour and riparian areas along the drainage corridors.

Regulations:

- no substantive changes other than map,
- no new buildable area in critical areas no clearing of vegetation,
- no fill

For existing lots with an insufficient buildable area, the owner could apply for a zoning permit with limited criteria of the minimal building encroachment, minimal disturbance of vegetation, and no net fill of critical areas /minimal grading. The fill would not be piling it up somewhere else after digging a hole. There might be some fill offset by removal. The requirement of mucking out for the foundation would be that there would be not changes in the topography.

Mr. Lauer asked as he was drafting the text what other criteria should be applied to the zoning permit. Mr. Clark said the 5' contour should be raised to 6' since the lake had risen 6" because of south shore development. Hydrographs meant that the level of the lake was never 0 according to scientists. Nuisance flooding was the displacement of water. When construction brought in fill, it displaced several acre

inches of water, and in Mandeville it did not spread out uniformly but to the lowest places.

Fill and foundation assumptions:

- fill largely irrelevant when the seawall was crested,
- location of fill too close to the property line made it more difficult to maintain effective lot drainage.
- Swales carrying water was difficult to keep up with and
- It was the responsibility of the private property owner.

Leonard Rohrbough, 2525 Lakeshore Drive, stated he had two swales going through 2/3rd of his property. It was a never ending battle to maintain them and they mostly did not work. He felt the solution should be less fill. Mr. Clark said fill was erosion because of the increase of the velocity of the water.

Assumptions:

Water displacement may impact -

- velocity and volume of water in V zones,
 - height of water for combined events in some areas,
 - fill under homes had limited impact on water absorption during events may affect the duration of ponding,
 - soils had greater water transmission capacity and less extensibility than stated in prior meeting,
 - because of the level of a build out, additional fill would have limited impact on displacement,
 - some disagreed that a ponding effect could interrupt subsurface drainage of water.
- It was concluded that the overall increase in flood level was minimal.

The historic development pattern was not to build out the whole building envelope, but was concept was changing now. Increasing the setback would reduce the building area to maintain the character. Development was built on the assumptions of experience of clays mixed in soils, having flex, muck out the existing soils and clay being more stable. Elevated slabs affect the character of development and drainage patterns on smaller lots, piers and pylons were more consistent with historic character.

The question of foundations and elevations was that it was more important to have a structure at grade for character or to provide a convenience of elevation for a garage. The committee discussion was if there was no drainage issue facing nuisance flooding and wanting to get cars out of way, do you allow 2' of fill.

• **Fill recommendations**

- No net fill in the V zones (governed by FEMA),
- balance fill, elevation and setbacks so fill is contained within building setbacks, eaves, and 3' of property lines.
- Deal with maintenance issue of fill by increasing setbacks so all fill from the building is in the building pad or within the eaves.
- If elevated to meet setback, shift it back further for side slope at 3:1.
- From regulations come up with calculations and increase minimum setback.
- Discussion was from drainage standpoint and could work with some limited fill but kept back from property line further than now.

• **V zones**

- prohibit fill under homes except to avoid ponding,

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- prohibit muck and fill,
- allow breakaway slab at grade under house.
- Staff defined at grade - take grade and put a 2' x 6' form to get 5'5" of slab and with grass close to grade.
- **Outside V zones**
- Changes to fill and foundation requirement are primarily aesthetic and drainage could work.

Mr. Blache said there was always an effect, and how the board could conclude the best way to regulate this not knowing all of the information. Mr. Lauer said the response was that the bottom end of the watershed was critical to get the water off of the lot to the City's drainage system. This worked in most situations. Mr. Blache said absent the City's ability to provide a drainage plan, it appeared to be throwing darts. The water would get to the drainage and then what, there was no complete plan. Mr. Lauer said a plan was largely executed. The City would need to create a new plan for the next step, along with the impacts of the surges and the City was dealing with them over time. There was a realization of the water levels increase, increased flood events, and elevation would be essential. Mr. Clark said an elevation from grade was compounding the problem with a mound. The City was getting more water and faster, and those properties not on a mound would receive more water.

A citizen living on Girod Street said it was left to the individual owners to question what was the responsibility of the City agency to the citizens. Mr. Lauer said as referenced by Mr. Blache, the historical drainage approach was to get the water through the closed system and it worked in some areas, but there was more water and valleys and the low spots reduced the entire system's ability to accommodate water and cause a backup. There were two missions - to determine the City's next drainage plan and the Commission was looking at this meeting the need to amend the regulations to address fill, foundation and critical areas, and how to modify the existing regulations for drainage concerns and aesthetic and historic character issues.

- **Foundations**
- at grade,
- elevated slab,
- pier/pylon construction,
- increased setbacks,
- reducing building coverage.

Mr. Blache said there was a house on Marigny/Livingston Streets that anyone could see the clear differential in height and runoff. Mr. Lauer said it may require pier construction in Old Mandeville. Mr. Blache said pier construction worked, but the board could not make it a blanket requirement. Ms. Kidd said a lot of the area was at elevation AE EL12 and to follow that line. Mr. Clark said it was hard to find 8' natural grade. Ms. Kidd said it was in the area above Monroe Street. Mr. Clark said the question was if the City would be allowing the elevation of the slab and then have a driveway to park under the building. Prior to the 1970s, the area was pier or grade elevation.

Mr. Lauer asked if that was a consensus. Mr. Blache said that was a natural solution for the problem. Mr. Clark said it was unambiguous. Mr. Rohrbough said some houses required a chain wall. Mr. Thomas said residents would want a chain wall to prevent settling. Ms. Kidd said the owner could construct a chain wall at

grade. Mr. Lauer said the staff interpretation at grade was to construct a 2' x 6' at 5'5". Mr. Thomas said it would be raising it by 2'. Ms. Kidd said that allowed now. Mr. Thomas said the most economical way was to remove the soil and put in clay. Mr. Clark said the foundation construction was being driven by the contractors.

Mr. Lauer said in drafting the language, the board should look in the AE zones requirement for pier construction. Ms. Kidd said they would be looking at the flood zones for elevation. Mr. Clark said to make it as unambiguous as possible for enforcement.

Mr. Lauer suggested increased setbacks. Mr. Thomas said with a 40' height, gabled roof and 3-5' side yard, how would you not expect water in the neighbor's yard. Ms. Kidd said there was a requirement if the house was elevated 6' above grade than there was a required 10' setback, but the board had granted variances to this requirement. Mr. Thomas said water would go to the neighbor and it was an issue of how high a slab should be and at what slope. Mr. Lauer said if the regulations limited the height of the ground floor at grade, the driveway would not be an issue. It sounded like the board should look at the setbacks. Mr. Thomas asked about the formula for height of the house. Mr. Lauer asked about the maximum building coverage. Ms. Kidd said there was a maximum pervious coverage by district, and they were looking at including the driveways in that calculation.

Julianne Menn, 509 Girod Street, asked if a report of the data collected could be posted on line informing for the citizens review. Mr. Lauer said a memo would be drafted and provided to the committees. Ms. Kidd said she would send the information to Ms. Menn. Mr. Lauer said this was the first time the information was presented to the Planning Commission.

Mr. Lauer summarized that he would prepare a draft in the next month, send it to the committee for comments for technical aspects, and bring back all of the regulations discussed for board review in January. He affirmed that the critical area definition with a refinement of 6' contour instead of 5'. He would look at the setback requirements based on lot size and building height, building coverage definitions, and scale and proportion in relation to the lot size. Mr. Blache height and the type of foundation were both issues. The second issue was if the height of the house and slope of the roof will send water into the neighbor's yard. Mr. Blache said he did not want it to be the same issue and it must be separate. Mr. Clark said drainage and fill issues were linked. He felt the tree canopy was being blown down and was affected by soil moisture. Mr. Lauer said with a 6' contour there would be areas that would not be designated as critical. Mr. Thomas said he had been on the board for 8-9 years and some of the problems he saw was created by the board granting variances. Lakeshore Drive properties were subdivided and the board did not enforce the regulations. Mr. Clark was in agreement.

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



Lori Spranley, Secretary

Michael Blache, Acting Chairman