

**Planning Commission
Public Hearing
October 21, 2014**

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

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

Absent: None

Also Present: Louissette Kidd, Planning Director and Council Member Rick Danielson

The first case discussed was P14-10-01 Recommendation on Ord. 14-39 - Ordinance No. 14-39, Ordinance for the City Of Mandeville to provide for a moratorium on the issuance of permits for the development and construction of ground floor residential units in the Town Center Zoning District of the City of Mandeville to provide for related matters.

Ms. Kidd presented a revised ordinance from Mr. Blache's request of a moratorium limiting ground floor residential construction.

As reviewing the Town Center criteria under the CLURO amendments there were large parcels of land listed for sale and an application for only townhomes would kill the overall purpose and objective of the Town Center District. The moratorium would be in effect for 12 months. The City Attorney preferred a 12 month time limit. The moratorium could be removed with the adoption of the CLURO amendments. The ordinance limited the moratorium to street frontages which were General Pershing and Woodrow Streets. Mr. Blache asked about Livingston Street and it was answered that it was not located in the Town Center. Mr. Blache then asked about Lafitte Street, which would be included. Ms. Kidd said the moratorium would not affect development facing the alley. Mr. Adams said the purpose was to promote an active streetscape. Ms. Kidd said the moratorium would include Lafitte, Girod and the east side of Carroll Streets.

Ms. Kidd said the ordinance included a provision as an appeal if someone had a vested right. Mr. Adams said the general point was a decision would be made in the next six months. Mr. Clark asked the Shiver Shack owner who was present about his view of the moratorium. He stated he was in support, and he felt what was missing in the Town Center was more businesses. Ms. Kidd said in the B-3 District residents were in close proximity to businesses and there were complaints.

Mr. Adams said Mr. Thomas was concerned about taking property owners rights away for even six months. Mr. Blache said that would destroy the intent. Mr. Thomas said the Town Center had been languishing for years. Ms. Kidd disagreed about the area languishing. Mr. Blache said if the Commission and City Council could come up with ideas to enhance the area for density, then there would be something in that area. Mr. Blache said there were existing businesses on Carroll Street. Ms. Kidd said there was an interest in the Acadian Millwork site. It may appear to be languishing, but there was activity behind the scenes. The City was trying to protect investments in the district.

Mr. Blache moved to recommend adoption of Ordinance 14-39 as revised through September 10, 2014 with a map of the Town Center District, seconded by Mr. Thomas with a caveat that the approval was a deviation from the board Rules and Procedures. The motion passed unanimously.

Mr. Quillin moved to approve the minutes of November 3, 2013, seconded by Ms. Bush and was unanimously approved.

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

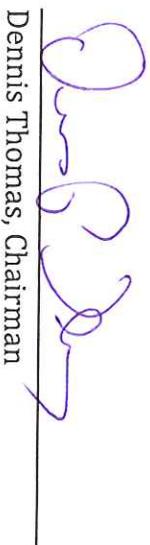
Mr. Thomas moved to approve the minutes of January 1, 2014, seconded by Mr. Quillin and was unanimously approved.

Mr. Thomas asked Ms. Kidd about the status of the live oak tree at the George Cella shopping center. Ms. Kidd said the staff had met with his attorney and was waiting for a compliance plan.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman

**Zoning Commission
Public Hearing
October 21, 2014**

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, Rebecca Bush and Scott Quillin

Absent: None

Also Present: Louissette Kidd, Planning Director and Council Member Rick Danielson

Mr. Quillin moved to approve the minutes of November 3, 2013, seconded by Ms. Bush and was unanimously approved.

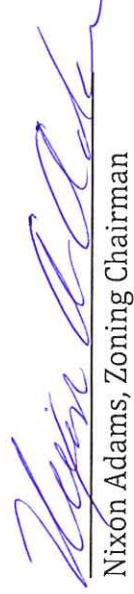
Ms. Bush moved to approve the minutes of December 2, 2013, seconded by Mr. Quillin and was unanimously approved.

Mr. Thomas moved to approve the minutes of January 1, 2014, seconded by Mr. Quillin and was unanimously approved.

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



Lori Spranley, Secretary



Nixon Adams, Zoning Chairman

**Planning Commission
Work Session
October 21, 2014**

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

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

Absent: None

Also Present: Louisette Kidd, Planning Director and Council Member Rick Danielson

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 case discussed was S14-10-01 Crosby Development Corporation requests tentative subdivision approval for a subdivision of a portion of land located in Sections 4 and 44, T8S, R11E into lots 400 through 422, Phase 4B in The Sanctuary, Zoned R-1, Single Family Residential.

Ms. Kidd presented a tentative subdivision request for Phase 4B which was zoned Planned Residential District under Ordinance 07-09 to accommodate the construction of garden homes. The board had granted tentative subdivision approval for 60' lots, but the idea had been abandoned. A rezoning ordinance would be introduced at the November 13th Council meeting. The phase contained 13.6 acres with a proposal of 23 lots extending Oleander Court from Purple Martin to Pintail Trace. The plan included 1.4 acres of green space, 2.2 acres of right-of-way, and 9.9 acres for the construction of single family homes.

Under CLURO 7.5.1.3 the lot size was a minimum of 90' x 120', and phase 4B was proposed to have widths of 101' to 128' and 121' to 185' in depth. There would be both a front yard and side yard setback requirement of 30'. On average these lots were smaller than some of the surrounding lots in the Sanctuary Subdivision, but they exceeded the R-1 criteria. The CLURO required 6% of the entire subdivision to be open space. Ms. Kidd had requested an updated calculation of the open space plan. There were 112 acres of open space and she thought it exceeded the requirement.

The plat should be revised to include a dedication statement for the infrastructure, designation of being located in the Special Flood Hazard zone, areas below the 5' contour be noted on the Site Features map, flood elevation under the FEMA regulations be noted on the plat, and the location of any live oak trees. Phase 4B was located in the AE10 flood zone. The development had requested waivers previously that were granted not to construct sidewalks.

John Crosby, applicant, said this phase lots were smaller than other lots, but were still large. Mr. Adams asked how many house would be constructed in these phases and Mr. Crosby answered 240. He said when there was a build out there would be approximately 400 houses constructed.

Mr. Adams asked if there were any wetlands in this proposed phase. Mr. Crosby answered that the wetlands were permitted under the plan approved in 2007 for the garden homes. They had recently renewed the approval for the Corps permit. The wetlands issue were already mitigated. There were four builders ready

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to build spec homes in the \$600,000 range. Mr. Adams asked about drainage. Ms. Kidd answered that preliminary approval was the start of design.

Mr. Quillin said in reading the comments on plat, there was an indication of a finished floor minimum of 24" or and he asked if that was a concern from a fill standpoint? Mr. Crosby said the subdivision restrictions were stricter than the City requirement. Construction would be based on an elevation of 10', plus the City's 2' freeboard and they were proposing 13'. The requirement for garages was 9.5' in keeping with the City requirements.

Grant Clayton said there was a select realty group, and he felt there was a great demand for the project. He was excited to be using local vendors. He had seen an explosion of construction and sales in other neighborhoods with the same price point. Mr. Adams asked about the client base since had heard in general related to Chevron that they might be about doubling their workforce. Mr. Clayton said it was hard to pinpoint, but many transferees would go with a couple of realty companies. At this time there were not any houses available in the \$550,000 to \$800,000 range in Mandeville and there was a huge demand. Ms. Bush asked if the houses would require pilings. Mr. Clayton said he would defer that question to the Crosbys.

Richard Brown, Sanctuary homeowner, asked at the suggested price point were there any risk to degradation to existing homes and with the setbacks. Mr. Adams said the R-1 zoning district was the most restrictive criteria and the Sanctuary was designed with large lots. Ms. Kidd said the setbacks were larger than the City requirements. Mr. Crosby said there were no improvements allowed in the setback area. Ms. Kidd said the covenants were through the Sanctuary Subdivision and not the City. Mr. Quillin said the setbacks specified was the building envelope, and green space requirements separated the rear lots that would be effectively no cut zones.

Miguel Barreto, Sanctuary homeowner, said he was surprised so few residents were present at the meeting. He said the public notice signs were by this area and none were posted on the main street. Mr. Barreto said the suggested \$600,000 price point homes were back to back with \$1.2M homes. If he owned one of the larger more expensive homes he would be objecting. Mr. Adams said this phase was originally approved with 60' frontages and smaller homes. Mr. Barreto asked if the plan showed future development. Mr. Crosby said there was about another 80 acres to be developed. If this plan was successful, they would do more of the same. He met with all of the owners that backed up to this property and they were happy. Mr. Barreto said his experience was that the Sanctuary did have top notch construction and high standards.

Brett Davis, Sanctuary homeowner and contractor, was behind the development.

Steve Simpson, Sanctuary homeowner, said his home was under construction and was encouraged to see the plan changed from garden homes. He was concerned about the \$600,000 price point. It was relatively high, but some of the homes were pushing \$1M. He agreed there was a need for that type of home.

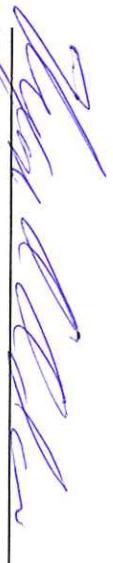
Mr. Clayton said by comparison, the first homes in Natchez Trace were \$165 per square foot, then \$187 per square foot, and were now approaching \$200.

Ms. Bush asked about the pilings, and the cost of construction being different in Sanctuary with a different elevation. Mr. Clayton said two lots were located in the X flood zone. To the rear, the houses would have to elevate and would cost more.

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



Lori Spranley, Secretary



Nixon Adams, Chairman

**Zoning Commission
Work Session
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The meeting was called to order by Chairman Dennis Thomas and the secretary called the roll.

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

Absent: None

Also Present: Louissette Kidd, Planning Director and Council Member Rick Danielson

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 V14-10-01 Mandeville Shelter Care, LLC requests a variance to Section 5.2.3.3 Grading Supplement, Lot Fill, Slope & Drainage and Section 5.2.3.7 Grading Supplement, Driveways to allow the placement of approximately 8" to 12" of additional fill underneath the rear service drive and dumpster pad, Beau Provence, 100 Beau West Drive, zoned B-2

Ms. Kidd presented that the Mandeville Shelter Care had a zoning permit approved for the construction of a memory care facility. There were 40 units in accordance with the plan approved on March 13, 2012. A building permit was issued on April 26th with an approved paving and grading drainage plan prepared by Kelly McHugh. There was an updated plan dated August 25, 2014 that was reviewed for compliance of the 2012 plan. An email dated August 27, 2014 from Andre Monnot stated that the as built plans indicated the paving on the south of side of the development was significantly different from the design and violated the fill ordinance.

The City Administration and Engineer met with the developer and contractor regarding CLURO Section 5.2.3(4), limits of fill to 6" above existing grade. The owner submitted a variance application to the grading supplement to allow the fill placed during construction to remain. As described in the City Engineer's memo, fill amount varied in the area where it was placed. The applicant was set to open at the end of August and had submitted the plan 1-2 weeks prior. After the City and developer met, it was agreed to issue the Certificate of Occupancy provided a security was given to the City. The variance request stayed the enforcement, and the developer had deposited check in the amount of \$50,000 based on the calculation by the City's Engineer on cost of to remove the fill.

The developer also submitted a letter from Kelly McHugh dated September 23, 2014 in summary that the fill under the south drive to the dumpster area did not negatively affect drainage to the adjacent property. Gulf Mechanical had submitted a letter stating that the relocation of the dumpster drain would not function without additional fill.

Ms. Kidd presented that the property was located in flood zone X. The lot was 507' in depth with 3' of fall to the rear. The dumpster pad was moved at the request of Autumn Place homeowners to the back side of the development to the west so it was not on the Beau West Drive frontage. As Mr. Davis was working on the area, he saw problems with the area and did not realize there was a 6" limitation of fill. He brought the fill level to the building and constructed the infrastructure. There was a handicap ramp in this area. The approved plan did not have the fill.

The City was unaware of the change until the as builts were submitted. The areas of violation was to the rear, especially by dumpster of 20+ inches. The buffer area was intact. Ms. Gleason had been to the site and was trying to determine the impact on the trees with the fill. She indicated that two trees were affected, but not substantially enough to have them removed. Removal of the fill would cause more of an impact. At this time, the buffer was landscaped and was compliant.

Paul Mayronne, developer representative, said the reason for the request was the result of an error. In completing the project and moving the dumpster there were issues of joining the dumpster to discharge into the buildings sewer system. It was constructed without the intent of violating the ordinance. The configuration of the property was unique being narrow at 220' and a depth of 500' deep with 3' fall. This was a significant building on the property and would be an asset to the community. The real issue was the location of the dumpster. Had it been construction where it was originally proposed on the southeast portion of the property there would not be an issue. Autumn Place asked to move the dumpster and being a good neighbor agreed. In moving the location, the contractor found out there were problems with the elevation for the connections. The fill decision was made as a field adjustment. It was also pointed out that this was not in a flood hazard area and he felt that was as important issue. He had asked their engineer to verify that there was no adverse impact on drainage of their and the neighboring site. He stated that his clients went above and beyond the requests of the neighbors to the rear and west with regard to draining their sites. They tried to be a good neighbor. They were committed to making it right. He said there was an obvious major impact to the site if the contractor was required to remove the entire back drive and dumpster pad. The request was for consideration not to do that. The developer was open to mitigation if necessary. This was a situation right for a variance.

Mr. Adams said if the drainage plan worked, the board was not accomplishing anything tearing it up. He asked about any tree problems. Ms. Kidd said the live oak tree was in a forested condition and was not a specimen and a gum tree was close to the edge. Ms. Gleason's concern was if repaved there would be an impact on the trees in the buffer. Mr. Adams asked about mitigation. Mr. Mayronne said they were open to suggestions and options, but it did not appear that there was much to do on the site.

Mr. Blache was concerned not about drainage, but the impact on the neighboring properties.

Andre Monnot, City Engineer, concurred that the fill did not negatively impact the drainage. While the fill violated the ordinance, the drainage pattern remained intact. The perimeter was curbed drainage and was directed to the same place. Mr. Adams asked if the impact would be the same on the neighbors and Mr. Monnot agreed it would be the same.

Mr. Quillin said the original 2012 preliminary site plan indicated a pervious calculation near 60% limit without the rear driveway. The as built building was slightly bigger. He requested to review the calculations. Ms. Kidd would provide that information. Mr. Quillin said that must be considered in the variance consideration. Mr. Adams said it appeared to be greener without moving the dumpster. Ms. Kidd said Ms. Gleason would look at the site. There was some live oak mitigation to be completed and bamboo in the front to address. Mr. Adams asked if there was a planting area in the neighborhood. Ms. Kidd said if there was a contribution to the Mitigation Fund there were some small projects where it could be used.

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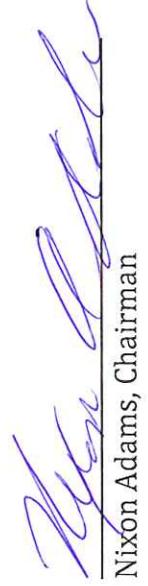
Ms. Kidd said the site was still in compliance with moving the dumpster. Mr. Quillin said it make have changed the impervious coverage. Brett Davis said the change was approved by the staff. Ms. Kidd said the change was approved for the location of the dumpster and the driveway, but not the fill. Mr. Mayronne said the plans approved for construction showed the relocation, but not the fill. In regard to the trees, if additional trees could be planted in the rear buffer, they would be in agreement. If the mitigation fund was more appropriate, they were in agreement.

Clark Heebe, owner, had spoken with the neighbor most closely impacted who said he had no objection. He felt they were a good neighbor and could plant trees on the St. James Condo property.

Mr. Quillin asked about an existing catch basin on the property line. Mr. Davis said the site was taking the neighbor's water and draining it. Mr. Heebe said on the southwest side there was another catch basin and the St. James Condos asked if they would take some water and they agreed. It was working well. The project was overwhelmingly received in the community.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

