

**Planning Commission  
Public Hearing  
November 18, 2014**

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

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

Absent: None

Also present: Louissette Kidd, Planning Director; Mayor Donald Villere; and Council Member Rick Danielson

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.

Mr. Quillin moved to table the case until the December 9<sup>th</sup> meeting at the request of the applicant, seconded by Ms. Bush and was unanimously approved.

Mr. Clark moved to adopt the minutes of February 25, 2014, seconded by Mr. Quillin and was unanimously approved.

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

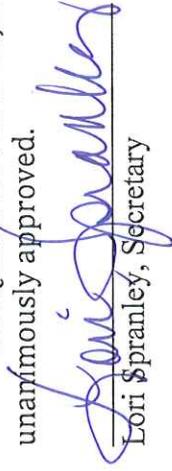
Mr. Fairley moved to adopt the minutes of February 11, 2014, seconded by Mr. Clark and was unanimously approved.

Mr. Quillin moved to adopt the minutes of May 13, 2014, seconded by Mr. Blache and was unanimously approved.

Mr. Thomas moved to adopt the minutes of May 5, 2014, seconded by Ms. Bush and was unanimously approved.

Ms. Bush moved to approve the 2015 meeting dates, seconded by Mr. Quillin and was unanimously approved.

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

  
Lori Spranley, Secretary

  
Dennis Thomas, Chairman

**Zoning Commission  
Public Hearing  
November 18, 2014**

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

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

Absent: None

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

Mr. Adams announced that written notice of decisions regarding zoning variances will be filed in the Board's office the following day of this meeting at which time applicable appeal time will begin to run.

The only 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 stated the variance request to the Grading Supplement for the parking lot fill. The area of change from the plans was to the rear of the site that was noticed on the as-builts that indicated more fill than was approved on the drainage plan. At the last meeting it was discussed that the paving was installed to accommodate the adjacent neighbor on the relocation of the dumpster. The question was whether the side still met the 60% maximum impervious and it was determined to be 58% and in compliance. There was also a question about the live oak tree mitigation and Ms. Gleason had resolved the issue. The drainage outfall with the red clay was also resolved with the Public Works Department.

Paul Mayronne, owner representative, explained at the last meeting that there was an error not done in malice that pertained to the dumpster and sewer elevation tie in. This was not in a flood hazard area and would not impact their or surrounding sites. City Engineer had confirmed this. The applicant regretted the error, but he explained that it was not prudent to disrupt the facility by tearing up the concrete and fill.

Mr. Adams asked if a plan had been approved for landscaping or would they work with the City staff. Mr. Mayronne said they would work with the City staff and asked the board to consider letting them work with the surrounding neighbors since there was not much more space on their site for planting. The St. James complex as in the process of renovation and these owners could take part in that with improvements to help the surrounding area. Mr. Adams asked if there was a dollar amount to be considered. Mr. Mayronne said they had not thought of that at this time, but stated they were committed to working with the neighbors and planting to be suitable to the City. Mr. Mayronne proposed a number for discussion for wanting to work with both St. James and Beau West up to \$2500-3000 for their needs.

Mr. Blache asked how the greenbelt on Highway 22 looked. Ms. Kidd said the greenbelt requirements were met and bamboo would be removed and trees planted in that area. Mr. Mayronne said they would plant additional landscaping after removing the bamboo that would be relocated to the rear buffer.

Mr. Thomas asked how much was the extra cost to install the driveway. It was stated to be about \$30,000. Ms. Kidd said there was an estimate of \$50,000

**Zoning Commission  
Public Hearing  
November 18, 2014  
Page 2**

that was being held as a cash bond if the concrete and fill was required to be removed by the board's decision.

Mr. Adams said \$30,000 was high and \$3,000 was low. Mr. Quillin asked if there were issues with the banked parking spaces and Ms. Kidd said they were fine.

Bob Lacroix, 790 Claire Drive, said he was the second lot and since the project was under construction there was water backing up into his yard. During construction there was a red tint so it had to come from the construction. Mr. Adams said at the last meeting the board was told the drainage was better than before construction. Ms. Kidd said there was a report that the additional fill of the driveway did not have an adverse impact on the drainage project. Mr. Adams said if there was a problem the board might have to look at it again. Mr. Clark asked if the drainage problem was before or after the paving. Mr. Lacroix said it was both before and after the paving. Mr. Clark asked if it was faster now. Mr. Lacroix answered that the water collection was as fast and stayed longer. Mr. Clark said it appeared that it was no more percolation and asked how bad was the effect. Mr. Lacroix said the water would sit in the yard until the sun dried it. Mr. Clark asked if this was a new occurrence. Mr. Lacroix said yes, the water could come across the fence line for 1-2' into the yard with a couple of inches standing for several days. Ms. Kidd said she would like City Engineer to go to Mr. LA Croix's site and review it.

Mr. Thomas moved to approve the variance with a 15% retention of the \$50,000 bond to go into a landscape mitigation fund (\$7,500) and the applicant would work with the City Planner and City Inspector. Mr. Clark said he would like the bond to be fluid until the City Engineer reviewed the neighbor's site in case of drainage mitigation. Mr. Adams said if there was a drainage problem, the applicant must correct it. Mr. Clark said this was an ad hoc response from the neighbor's requests which led back to the fill and paving. Mr. Mayronne said this was a good point, but he assured Mr. Clark of their intent to take part in the meeting with the City Engineer and they recognized the need to be part of a resolution. The project accepted water from Beau West and drained to the front of the property. There was a clogged swale and it was resolved. If there was a drainage problem, they wanted to be part of a resolution. Ms. Bush seconded the original motion made by Mr. Thomas. Mr. Blache said if it was an existing problem, he would want the engineers to come up with some dollar amount for the correction and retain that amount to completion. Mr. Quillin said it was the responsibility of the applicant to resolve it anyway. Mr. Blache said the prudent way was to determine an amount if the drainage amount was caused by the driveway construction. Mr. Mayronne said they wanted to be part of the meeting and the solution and stated if a problem was caused by their site they would have an obligation to address that. He suggested not mixing the drainage with the issue of the Grading Supplement. The fill as per the engineer was not the problem for the drainage problem of the neighbor. The vote was taken and passed unanimously.

Mr. Clark moved to adopt the minutes of February 25, 2014, seconded by Mr. Quillin and was unanimously approved.

Ms. Bush moved to adopt the minutes of April 8, 2014, seconded by Mr. Thomas and was unanimously approved. 2

Mr. Fairley moved to adopt the minutes of February 11, 2014, seconded by Mr. Clark and was unanimously approved.

Mr. Quillin moved to adopt the minutes of May 13, 2014, seconded by Mr. Blache and was unanimously approved.

Mr. Thomas moved to adopt the minutes of May 5, 2014, seconded by Ms. Bush and was unanimously approved.

Ms. Bush moved to approve the 2015 meeting dates, seconded by Mr. Quillin and was unanimously approved.

Mr. Thomas asked about the status of the oak tree at the shopping center on Florida Street. Ms. Kidd said the City was still meeting with their lawyer.

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

  
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Lori Spranley, Secretary

  
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Nixon Adams, Chairman

**Zoning Commission  
Work Session  
November 18, 2014**

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

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

Absent: None

Also present: Louise K Kidd, Planning Director; Mayor Donald Villere; 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 V14-12-11 Sidney Tiblier III requests a variance to Section 7.5.10.3, B-3 Site Development Regulations, specifically to gross lot area/multi-family dwelling unit and minimum side yard setback, a parcel of land in Square 2, 131 Girod Street, and zoned B-3

The applicant had requested to defer the case until December 9<sup>th</sup>.

The next case discussed was Z14-12-05 Recommendation to the City Council regarding Ordinance 14-48 to rezone from PRD, Planned Residential District, to R-1, Single Family Residential District, a parcel of land consisting of 13.661 acres situated in Sections 4 and 44, T8S, R11E, comprising proposing Phase 4B of the Sanctuary Subdivision described in accordance with a tentative subdivision plan prepared by GEC dated August 15, 2014 attached as Exhibit A, hereinafter referred to as Subject Property.

This case was in conjunction with S14-10-01, approval of the tentative subdivision for the Sanctuary Subdivision, Phase 4B and was requested by the applicant to be deferred until the December 9<sup>th</sup> meeting.

The next case discussed was V14-12-12 Jacqueline Vidrine, c/o Think Bigger LLC/John and Amy Crane request a variance to Section 4.2.5, Provisions for Legally Non-Conforming Lots of Record, lot 3, part of lot 2, square 14 (311 Lamarque Street), and lot 1A, square 14 (303 Lamarque Street), zoned R-1

Ms. Kidd presented a request to allow lot 1A and the adjacent lot 3 to remain as two separate development sites. The Cranes own the property located at 303 Lamarque Street on the corner of Lamarque and Jefferson Streets. They have entered into a purchase agreement for 311 Lamarque Street. The property at 303 Lamarque Street indicated the smallest dimension of the property was facing Jefferson Street creating that as the lot frontage. The minimum size for a lot in the R-1 zoning district was 90' x 120'. This site exceeded both the minimum 90' frontage by 22' and the minimum 10,800 square feet by 2,528 square feet; however, the 119' depth was 1' shorter than the 120' required depth.

The adjacent Lot 3 and Portion of Lot 2 known as 311 Lamarque Street had a Legal Description measurement of 63' X 190", which was actually in French Feet. The American Feet measurement was larger at 72.85' x 202.5' or 14,752.125 square feet. This site exceeded both the minimum 120' depth by 82.5' and the minimum 10,800 square feet by 3,952.125 square feet; however, the 72.85' frontage was 17.15' shorter than the 90' required frontage.

The code requirement for a lot width was no less than 85% of the lot width, which would be 76.5', and the lot width at 311 Lamarque Street was 3.5' less than the 85% rule. There were eight other lots on the same block that had dimensions from 52'-75', were all zoned R-1, Single Family Residential, and were improved with existing single family residences. The Cranes would like to purchase 311 Lamarque Street and maintain both lots separately so they could sell one of the properties in the future if desired since both properties contained structures.

The frontage for 303 Lamarque Street was technically on Jefferson Street so Ms. Kidd asked for an opinion from the board since frontages for contiguous lots were typically on the same street. If the board determined it was clear that the frontages were not contiguous and no variance was needed then she could send a letter explaining that.

Mr. Quillin said it would be a statement from the board. Mr. Blache said variances had been granted several times on Lamarque Street for the same issue. Ms. Kidd said the variances were granted to adjacent vacant property, but in this case there were two separate structures. Mr. Blache said it was now in separate ownership. Ms. Kidd said that was correct, but with the deficiencies that would be lost. Mr. Clark said it was language geometry and asked if the language stated "or". Mr. Adams said the issue was being able to sell in the future. Ms. Kidd said the applicant would need a letter on the variance from the board. The board decided that a variance was needed. Mr. Adams said an email had been received from two neighbors across street in support. Mr. Thomas said both properties met two of the three requirements for compliance.

The next case discussed was Z14-12-06 Recommendation to the City Council regarding Ordinance 14-49 to rezone from a portion of Arpent Lots 78 and 79, City of Mandeville, from R-1, Single Family Residential District, to B-2, Highway Business District, as referenced in the resubdivision plat prepared by Kelly McHugh and Associates, Inc. dated September 25, 2003 and recorded in map file number 332ZA, hereinafter referred to as Subject Property.

Ms. Kidd presented the request to rezone a strip of land from R-1, Single Family Residential, to B-2, Highway Business District. The property was purchased in November, 2003 by Kelly McHugh with the R-1 zoning. The property dimension was 15.7' x 309.2'. The strip has been incorporated into the property at 845 Galvez Street, which is improved with an office building and a B-2 zoning. The official resubdivision plat was recorded in 2003 and has now been found to have a typographical error in the distance from the determining point of beginning on East Causeway Approach. The request was to rezone the strip to B-2 to provide a uniform zoning for the property.

Mr. Adams asked would this put a commercial against a residential use. The property to the rear was zoned B-2 already.

Mr. Quillin said would it be one contiguous lot and Ms. Kidd said yes. The staff found the zoning correction with the submission of the Act of Correction. Mr. Quillin asked why there was such a gross error of 60' in the description. Ms. Kidd said she did not know, but Mr. McHugh would be present at the next meeting and could answer that question.

The next case discussed was Z14-12-07 Steve Schwartz, SVS Florida, LLC/Melissa N. Kyle, d/b/a Pelican's Sno Balls requests a zoning permit to Section 6.4.665, Restaurant – Outdoor Fast Food, for a snowball stand, lots 29, 30 and 31, and parts of lots 28,32, 33, and 34, square 51, 1890 Florida Street, zoned B-2

**Zoning Commission  
Work Session  
November 18, 2014  
Page 3**

Ms. Kidd presented a zoning permit request to allow a snowball stand. The stand would be in operation from March through October in accordance with the survey prepared by John Cummings. The property was previously developed as a gas station that was abandoned, and a garden nursery. The proposal included a 14' x 32' building with a covered patio, fenced play area and parking lot. The property would be under lease for two years with an option to purchase.

The snowball stand required a zoning permit under Section 6.4.62, Outdoor Fast Food. Under CLURO Section 7.5.8.3.2, B-1 Site Development Regulations, a minimum building size allowed in this district was 800 square feet, unless the building size was reduced subject to Zoning Permit approval. The applicant was proposing a 448 square foot building, which was 352 square feet deficient and would require approval under the Zoning Permit.

The Landscape plan was dated November 12, 2014. The property was located in the Gateway Overlay District within the Highway 190 Corridor and was subject to additional greenbelt requirements. DOTD had acquired 12' in depth along Florida Street and the remaining 13' of the 25' required greenbelt was shown as greenbelt. Marigny Avenue and Magnolia Street were in compliance for the greenbelt. At the time of permitting this would be reviewed, but the conceptual landscape plan proposed compliance.

Parking requirements were 1:table or 8' of bench. There would be six tables requiring six spaces, and 12 spaces were proposed so the requirements were met. The parking lot was previously developed and there was existing aggregate surfacing. The CLURO allowed loose aggregate up to 8 spaces, and the handicap spaces was indicated to be a hard surface. There was a conceptual drainage plan submitted and Ms. Kidd would have a report on that.

Mr. Adams said this would not be the final development of this property so they would not want to install concrete. Mr. Thomas asked since the stand would only be open March through October how the property would be maintained for the remaining months of the year. Melissa Kyle, applicant, said the property would be maintained. She would have the gate locked on the months that the stand was closed.

Mr. Adams asked about the lot size. Ms. Kidd said it contained 22,554 square feet. Mr. Adams said this use would put vacant land back into commerce. Mr. Thomas asked if the property would be landscaped and maintained. Mr. Quillin asked about the Highway 190 driveways. Ms. Kyle said there was a driveway on Highway 190 that had an existing apron as well as a driveway on Marigny Avenue. Franklin Kyle said the apron on Highway 190 was existing at 40'. Ms. Kidd said the allowed maximum was 35' and it would need to be reduced. Mr. Kyle said the Marigny Avenue driveway would be two-way. Mr. Clark asked what would happen to the existing conditions. Mr. Kyle said there was existing aggregate parking and the existing trees would remain. The site would meet the minimum requirements for landscaping.

The last case discussed was Z14-12-08 McGuire Real Estate Group, LLC requests a zoning permit to Section 6.2.8, Congregate Living – Residential, lots 4, 5, 6, 7, 17, 18, 19 and 20, square 25A, 2129 Lakeshore Drive, zoned B-3.

Ms. Kidd presented that Barrett McGuire, through McGuire Real Estate Group, LLC, had purchased the Rest A While site (Kings Daughters and Sons of Louisiana) located at 2129 Lakeshore Drive, consisting of Lots 4, 5, 6, 7, 17, 18, 19, and 20 in Sq. 25A, in March 2014. The property faced both Lakeshore Drive and

Claiborne Street containing 91,116 square feet. Mr. McGuire was requesting a Zoning Permit to CLURO Section 6.2.8, Congregate Living Residential, to develop 27 congregate living dwelling units located within 5 proposed structures and future light commercial. Under the B-3 zoning district, the use required a zoning permit.

Section 6.2.8: Congregate Living Residential was defined as follows:

The use of a site for three or more dwelling units within one or more buildings in conjunction with a communal kitchen/dining facility and other personal services provided for the convenience of the residents of the site only. Typical uses include congregate housing facilities such as elderly housing and group homes for handicapped and retirement communities with a communal kitchen/dining facility. Congregate living developments may furnish services to their permanent residents similar to those services furnished by hotels, including accessory uses such as home health services, meals, maid and linen services, grocery and drug stores and banking services, provided such uses are located in and accessed from entirely within the facility with no direct entrance from the street nor visibility from the outside of the facility indicating the existence of these services.

Mr. McGuire had submitted a letter dated November 10, 2014 of the use and summarized the following in an email sent out received prior to the letter.

*Our business focus will be on elderly housing / retirement community. The main Rest Awhile building (Frapart Hotel) will serve as the communal kitchen/dining facility and will be for the exclusive use of the living community. A 1200 sq. ft. addition will be constructed to facilitate the kitchen, elevators and rest rooms.*

*The Hadden Cottage, which the Historic Preservation District Commission has allowed to be moved onsite, will be relocated near the current Sophie B. Wright Cottage at the front of the property. Some type of addition will be created that connects the two cottages (currently 800 sq. ft. each) into an overall 4000 sq. ft. footprint. Future use will be some type of light commercial, which will be defined at a later stage.*

*New construction will provide for approximately 27 congregate living units dispersed between 5 new structures. Each of the 5 new structures will have an approximate 5000 sq. ft. first floor footprint. The new construction will follow the Mandeville B3 Design Guidelines, will be traditional in nature, recreate design elements from the historic past and blend into the existing neighborhood.*

*The overall site plan meets all setback requirements, provides all parking onsite and leaves approximately 40% (36,400 sq. ft.) of green space.*

Ms. Kidd presented a historical background from an excerpt from the National Register of Historic Places Registration form, draft copy, not submitted for designation)

The "Rest Awhile" is a complex of three 19<sup>th</sup> century wood frame buildings on a grassy, deep, 156' x 506' lot overlooking Lake Pontchartrain in Mandeville, St. Tammany Parish, Louisiana. They are three on-site survivors of what were once "eight or nine buildings having some thirty to forty [hotel] rooms" in 1899.1 The site is believed to have been used privately from 1850 to 1880, when it became a resort hotel for paying customers and a social center in Mandeville. In 1905, new owners converted the complex into a vacation resort for the poor ("The Rest Awhile"), a function that continued until well after the end of the eligibility period (1962). Today, the buildings consist of 1) an 1880 principal structure originally known as the Frapart

Hotel (2129 Lakeshore Drive, now the principal building of the Rest Awhile complex); 2), an 1850 cottage known as the "Hynes-Blossman-Leggett" Cottage (2113 Lakeshore Drive), originally built as a vacation cottage for a New Orleans businessman and later folded into the Frapart Hotel complex and after that into the Rest Awhile complex; and 3) the 1915 "Sophie Wright Cottage," (2119 Lakeshore Drive), which the present owners, the Order of the King's Daughters and Sons, added to the complex as part of their service to the poor.

The buildings were listed as "significant" in the City's survey of Historic Places. Mr. McGuire had applied for a Certificate of Appropriateness (COA) from the Historic Preservation District Commission in May 2014 to relocate the Hadden Cottage off site. This application was denied on May 21, 2014. In July 2014, Mr. McGuire applied for a COA to allow for the relocation of the Hadden Cottage on-site, with an unspecified location, and this application was approved by the Mandeville Historic Preservation District Commission on August 5, 2014.

CLURO 8.2.1.4, Congregate Living and Community Residential Criteria, and Section 8.2.1.4.1, Requirements for Approval stated:

Congregate housing and community residential uses as defined in Article 6 shall be allowed in the Districts as noted in the Table of Permitted Uses by Zoning District in Article 7.

1. Conditions of Approval - In reviewing a proposed application for congregate housing or community residential housing, the Zoning Board shall determine from a review of a conceptual site plan and the projects program, the following:

- a. That the subject property is suitable for the type of development proposed and the proposed development will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties and the general neighborhood; and that
- b. If title restrictions exist that they are recorded in the Conveyance Records of the St. Tammany Parish restricting the use of the property to that approved by the Zoning Board in accordance with the provisions of this section and such restrictions shall not be amended except with the approval of the Zoning Board.

CLURO Section 8.2.1.4.2, Design Criteria for Congregate Living and Community Residential stated:

1. Area Regulations - Congregate living residential facilities shall be required to be developed in accordance with the following minimum area requirements.
  - a. Minimum Lot Size - 30,000 sq. ft.
  - b. Minimum Land Area Per Unit - 1,500 sq. ft.
  - c. Minimum Unit Area - 325 sq. ft.
  - d. Minimum Building Common Space- 20%
  - e. Maximum Impervious Lot Coverage 35%
  - f. Required Setbacks - Shall be in accordance with the site development standards of the R-3 Residential District.

R-3 Min Yard Setback Reqts: Proposed:	Required
1. Front Yard or required depth of greenbelt, whichever is greater	20'
2. Combined Side Yards - Total	20'
3. Interior Side Yard	10' 10'/10'
4. Street Side Yard	10' N/A

5. Rear yard	20'	Claiborne/20'
6. Between Structures dimensioned	20'	not

2. Parking Regulations -

- a. The development must provide the following minimum parking spaces: 1.5 spaces per unit for the development, .75 spaces per unit shall be paved and .75 spaces per unit shall be shown as set aside in a landscaped parking bank..
  - b. Any documentation indicating an insufficient number of parking spaces, based on the above formula, shall be justification for the Building Inspector to give notice to the Owner and/or Operator of the facility to appear before the Zoning Board at a hearing to show cause why the parking facilities provided should not be increased by a number to be determined by the Board, if at all.
  - c. In the event the Zoning Board requires additional spaces be removed from the previously approved landscaped parking bank and paved, the Owner and/or Operator shall submit documents showing in detail the construction drainage and landscaping of the new spaces for approval.
  - d. The Zoning Board will set a reasonable time schedule for compliance.
3. Affidavit of Conformity - A notarized affidavit of the Owner or Operator of the congregate or community housing facility stating that the facility meets the requirements and restrictions placed on the property by the Zoning Board. A like affidavit shall be submitted annually thereafter to the Mayor or his designee.
  4. Conversion to Multi-family - Any proposed conversion to multi-family use shall be undertaken only in conjunction with the issuance of a zoning permit by the Zoning Board subsequent to a determination by the Zoning Board that the conversion will be in reasonable conformance with the multi-family requirements of the R-3 residential zoning district.

The typical multifamily density requirement was a maximum of 3,000 square feet per unit. In Old Mandeville it was 5,500 square feet, and the congregate living requirement went up to 1,500 square feet of land area per unit. The minimum unit area was 325 square feet. The common space was 20%, and the maximum imperVIOUS ratio under the CLURO was 35%. The ratio was discussed in other cases that were not in the B-3 district, and the board within the last one to two years had interpreted an error that must be corrected and should be 60%. This was the ratio used on a similar congregate living development requiring a zoning permit. It was stated that the required setbacks of the R-3 district for the front yard was 20', which was proposed. The Lakeshore Drive frontage contained an existing building with a setback and Ms. Kidd would check the Claiborne Street side for any servitudes that were not shown on the plan. The total combined side yard setback was 20' and was met; the interior side yard was a 10' requirement and the project was proposed to have 10' and 10'. The CLURO required any structure greater than 6' in height must

have a 10' setback and the project was meeting that. There were no side street side yard setbacks since it was an interior lot.

The parking ratio was 1.5 spaces/unit, of which .75 of spaces per unit was required to be paved and .75 spaces per unit to be shown in a parking bank. The access was on Claiborne Street that would include parking under the buildings. The parking requirement was met, but since the parking was under the building it did not make sense to set aside parking in a parking bank. Since it was elderly housing, not as much parking would be used. There was a process for removing spaces from the parking bank for construction that probably would not be applicable to this project. There was a requirement of an affidavit of conformity to be submitted annually. Any conversion to a multi-family use should be undertaken with a zoning permit subsequent to a determination of the Zoning Board that it would be in reasonable conformity of the R-3 district.

The applicant was proposing five new buildings, A, B, C, D and E and a 1,200 square foot addition to the existing main Rest A While building to serve as a dining facility for the congregate living facility. As stated in a letter dated November 10, 2014, the Hadden Cottage containing 770 square feet and the Sophie Wright Cottage containing 940 square feet were proposed to be tied together with a new addition and possibly used as light retail. In a letter dated November 10<sup>th</sup>, it was stated that the buildings were for a future use to be defined at a later stage. A footprint and the parking lot were shown on the site plan proposing access along Lakeshore Drive and an associated 33 parking spaces serving these buildings were shown on the site plan. There was a need for clarification in the Zoning Permit process although the Hadden Cottage was being moved and it all must be reflected and defined if the board was approving the entire plan. If there were changes to the plan, the plan must be amended. Mr. Adams asked if there was a structure tying the two structures together to be part of this plan. Ms. Kidd said she did not know and would let Mr. McGuire answer that. Ms. Kidd said the application was for congregate living and if the commercial use at the front of the property was not part of the site plan and it would be a future development, Ms. Kidd asked how she should calculate the pervious coverage. She was able to do some rough calculations for compliance, but requested it all be broken down for clarity and compliance. Mr. Quillin asked if there would be two different uses. Ms. Kidd said possibly.

This application was requesting approval of 27 congregate living units in the proposed 5 new buildings of which three buildings would contain five units and two buildings would contain six units. The existing main building (Frapart Hotel) was currently under renovation and will serve as the kitchen/dining facility with a proposed 1,200 square foot new addition.

The congregate living definition under the CLURO stated that Congregate living developments may furnish services to their permanent residents similar to those services furnished by hotels, including accessory uses such as home health services, meals, maid and linen services, grocery and drug stores and banking services, provided such uses are located in and accessed from entirely within the facility with no direct entrance from the street nor visibility from the outside of the facility indicating the existence of these services. By definition, a communal kitchen must be provided and it was being provided. If they provide these services, it must be contained within the facility. It allowed for multiple buildings and you would assume it would be provided within those multiple buildings. If you look at the entire site, then you have a dining facility separated from the units and there should be some discussion about whether this was in close enough proximity for access for communal dining.

Other elements of the site plan included a parking lot with 33 parking spaces as was indicated on the site plan accessed by a driveway from Lakeshore Drive. The notes identified 6,580 square feet proposed to be used for General Retail or light retail. That number may have changed. A portion of the plan had been submitted as light commercial and the site plan was titled Multi Use Development, but the request in the letter was for congregare living. There should be a clarification of what was being requested for site plan approval and have it be consistent with the application.

The Zoning Permit process included the review and approval of specific site plan so it important to be clear on what was being proposed. The following review for zoning permit compliance of the application outlined under Section 4.3.2.2 (7) and 8.4.2.1 and 8.4.2.2 was outlined in a review checklist as with the original application there were missing items. There was an email sent out by Mr. McGuire and Ms. Kidd had requested a letter that was sent dated November 10, 2014. There were no conceptual drainage plans that had now been submitted. Also, a landscape plan with trees to be preserved was submitted but the areas of the greenbelt on Lakeshore Drive and Claiborne Street, provided there were not servitudes, were in compliance. There was a required buffer if adjacent to a residential use and the 10' setback so the buffer could be placed in the 5' and there were some existing trees to be preserved. The conceptual drainage plan was sent to the City Engineer for review.

Review for compliance was outlined below. If the commercial areas were subtracted they were still within the required 30,000 square feet.

	<u>Min. Required:</u>	<u>Proposed:</u>	<u>compliance:</u>
Min. lot size	30,000 sf	91,115.6 sf	+61,115 sf
Min. land area/unit(density)	1 500	27 units	60 allowed (for entire site)
Min. unit area	325 sf	+1000 sf	+600 sf
Min. bldg. common space	20%	not designated on plan (22.25% rev)	
Max. Impervious Lot cov.	35% (60%)	59.53%	.47%

Parking and parking lot design: The CLURO contains special use criteria for Congregate Living in Section 8.2.1.4.2, which states, *The development must provide the following minimum parking spaces: 1.5 spaces per unit for the development, .75 spaces per unit shall be paved and .75 spaces per unit shall be shown as set aside in a landscaped parking bank.*

The site plan proposed the parking to be underneath the proposed five buildings so all of the parking would be provided. They were providing 42 spaces where 41 spaces were required. There was a driveway access and connections under the buildings.

As a note, in March of 2014, the CLURO was amended which included the width of driveways, pervious materials for parking and access from driveways from public streets. The maximum driveway width was 12' and there was no dimension on the plan. That could be increased by the Zoning Permit process by demonstrating the need and being compatible with the area. This was in an effort to keep in the context of Old Mandeville. Additionally, there were no loading areas shown on the plan to show for the retail and dining facility.

In further in reviewing Article 7 under Section 7.5.10.4(2) stated that the Parking spaces shall be located behind the building or in a side yard behind the front building façade. As they enter the driveway, they would park under the building. However, Section 2 stated Parking spaces may be located under the building, provided that the spaces are screened from the street and the entry is from the interior side yard or rear yard of the structure. The entry was not from the side yard but directly from the street. The staff would work through design issues with Mr. McGuire.

In regard to on-street parking, the latest revised plan submitted on November 14, 2014, indicates additional 90 degree angle parking within the street ROW for both Lakeshore Drive and on Claiborne Street. Thirteen on-street 90 degree parking spaces had been proposed on Lakeshore Drive adjacent to the site and eight 90 degree parking spaces had been proposed on Claiborne Street.

The CLURO addressed on street parking by right on Lakeshore Drive and Section 7.5.10.5(4)ii stated that when on-street parallel parking is available in areas where ditches have been culverted and shoulders are adequate for parking (or bays) for non-residential uses may be reduced. The Zoning Commission on some occasions in the past had allowed for 90 degree parking in the street ROW, primarily when it occurred naturally. The code contemplated parallel parking.

The Landscape Plan was revised to show trees to remain and be removed. The plan should be amended to include the required greenbelt and buffers and allow for looking at existing trees to be preserved.

Design Guidelines – the Design Review Consultants had not reviewed the plan for compliance. The CLURO included design regulations in addition to the design guidelines from the March amendments. Ms. Kidd would the address design elements that were regulatory.

*Building Orientation: building entries should face the street on which the building fronts.* The building orientation indicated two buildings on Claiborne Street that would be reviewed to determine if they were considered frontage, but it appeared to be the side of building.

*Porches: Front Entry porches are required.(8' in depth, 60% of front façade).* The porches front entry was required, and there were porches and balconies on interior courtyard, and some porches on the Claiborne Street side and the elevation will be reviewed.

*Scale and Façade: Buildings along other streets in the B-3 District should be broken into building elements that appear to be a collage of individual dwellings that are consistent with the predominant widths of facades of nearby structures.* This was not submitted with the application.

B-3 Site development limits building footprint to 5,000 square feet. Either in the letter or the email there was an indication that the buildings were approximately 5,000 square feet. This would need to be reviewed for size. If the buildings do exceed the 5,000 square feet, the Zoning Commission could approve the larger size if it was determined to be in keeping with the neighborhood.

In summary, there was the congregate living criteria in Article 8 that provided guidelines for review and under Section 4.3.2 there was review and evaluation criteria and findings.

Mr. Adams said he felt the case would be more than two meetings since there were a lot of points for consideration. Much of the discussion was not issues the board often dealt with. Some discussion had taken place with the Historical Preservation District Committee and the Design Review Consultants will hold some review. There were two old buildings to be worked into scheme. There were agencies to decide if it met the use or not.

Mike Piazza, architect, asked if there were any questions and Mr. Adams asked him to speak on the concept and how it would work. Mr. Piazza said the first concern was the site location and its surroundings. There were single family residences, a bar, a coffee shop, a variety of uses. They wanted to be sensitive to the residences. Residences were placed to the back facing the residences in the B-3 zoning district. A comment was made about the width of the driveway. The CLURO also stated a 26' wide requirement with 90 degree parking. The common area would consist of the three existing buildings for dining, on site laundry, a beauty salon and services for the residents. Mr. Adams clarified the three existing buildings and they would be used for services for the residents and not separate retail. Mr. Piazza said it would depend on how the numbers worked out and they were looking at the zoning. There was a lot of design for all of the buildings and units, for the two cottages and how to preserve the look of them but still connect with useable space that made it function.

The general plan of having the historic buildings on the lakefront was a natural thought in keeping the lakefront view. The intent was to pull the common space on the front and the residences to the rear so there was a connection to the neighborhood.

There was a large surplus of parking. In the CLURO, one bedroom units required 2 spaces per unit. Since the buildings had not yet been designed, they were not sure how many bedrooms there would be per unit. They wanted to provide enough parking to cover everything. If the buildings were designed as all efficiencies, they would remove much of the parking. In the common area to the front there was a need for visitor parking for families.

The architectural appearance was a conceptual drawing. Respecting the neighborhood, each building or unit may be different. He considered the idea of constructing two units with one style so the scale met with the scale of houses in the neighborhood. There were larger homes and not cottages in this area. Mr. Adams asked if this would go back to the Historic Preservation District Commission and Ms. Kidd said no. Mr. Piazza said on the existing cottages their thought was to preserve them as much as possible. They would raise them on a platform with a connecting space with minimum contact with the existing cottages. They needed to connect them, but they did not want to butcher them from what they were. That in itself was a design project. The cooking facility with services was being putting in the rear. If there was an on-site manager and maintenance personnel, they would be located in the cottage and common space. The approach of the new living units putting them out to the 10' setback would provide the largest green space possible. There would be gazebos and brick patios beyond the living unit as another common space. Mr. Piazza stated that people who live on the lakefront want to be outside. The units on Claiborne Street had the two end units facing the street, 60% was balcony and the porch was 8' deep. A streetscape met the requirement. As cars came in there would be screening. There would be shutters and wood slats. Styling on the elevation was similar to the adjacent homes. The other concern was the driveways going straight in. They surveyed the entire block and only one building had a screening area and that was workshop with a garage door. They were not adding anything different or

**Zoning Commission  
Work Session  
November 18, 2014  
Page 10**

lesser quality. Immediately adjacent to the left was exactly what the end unit looked like with a garage and shutter. There was sensitivity to the neighborhood.

Mr. Adams said the request was for a zoning permit and the board needed to know what the use was and not knowing what the other buildings use would be or if it was part of the operation was one thing but other retail would require a new zoning permit.

Barrett McGuire, owner, said the plan for the two cottages would be determined by what the living space would demand. He had thoughts to integrate with the surrounding community, and it could be coffee house or there could be a need for site services. He did not know if it was best to leave that out and only permit the congregate living. Mr. Adams said if the front area was chopped off, Ms. Kidd could compute the ratios. Mr. McGuire wanted to make sure there was no bait and switch on the future parking. Mr. Adams suggested phasing the project. Mr. McGuire said he could not put the cottages into use until the board approved the use. Ms. Kidd said the plans were titled Multi-Use development. Mr. McGuire said it would be retitled. Mr. Piazza thought with the dining area it was a multi-use. Ms. Kidd said congregate living included accessory uses that were required under the use of congregate living. If it was the same use, then leave it on the plan. If the site plan changed from what was approved, Mr. McGuire would come back before the board. Ms. Kidd said it needed to be clear on the approval. Mr. McGuire said he would like the overall site plan approved for congregate living and he could eliminate the cottages from the plan at this time. When he determined the use, he could come back before the board. Mr. Adams suggested taking it out for the future use might be the easiest. Ms. Kidd said they needed more conversation. On additional parking, congregate living required 1.5 spaces per unit. Mr. McGuire was in agreement. Mr. Piazza said he could take parking away easier than putting it in. Mr. Adams confirmed the façade facing Claiborne Street. Mr. McGuire said there were three more steps of review on what the façade would look like. He was open to input from everyone. When doing the design side and elevations, they would look for community input. Mr. Piazza said the intent was not to have similar buildings. Mr. Adams said most could not be seen from street. Mr. Piazza said they wanted a vibrant area for those living there.

Mr. Quillin asked about the comments in bold in the case summary, as an example, the perimeter intended for the driveways and how it was facing was not following the design standards. Ms. Kidd said those were incorporated as approved in March. The idea was not to drive down the street and see straight access. There were design criteria in the B-3 zoning district. It was important for the Design Review Consultants to review the project for scale and review in its initial stages. This was five large buildings with context in the area for feedback. Mr. McGuire said he could not spend that money yet for drawings. Ms. Kidd said the idea was to review the conceptual idea and get comments on design issues.

Mr. Adams asked about having room for a sidewalk on Lakeshore Drive. Mr. Piazza said they were proposing to take the sidewalk to the fence so these would be the deepest parking spaces on the lakefront. Mr. Adams asked about smaller driveways being a problem. Mr. Piazza asked about when two people were in the Driveway at one time. Mr. Adams said they would have to take turns. Mr. Piazza said another option was one driveway in the center of the building and turn into both buildings. That plan would lose the front parking spaces and reduce 30% of the courtyard. The delivery truck and someone else in the driveway at the same time was a safety issue. That was a 24' driveway which met the CLURO requirements. Mr. Clark was concerned about the ambulances. Mr. Piazza said the buildings were designed for ambulances and delivery trucks, not the big high tops,

under the buildings. Mr. Clark confirmed the site was for older people? Mr. McGuire said it was not for convalescent people, but a mix of Rouquette Lodge and the Windsor people being an active retirement community. Mr. Clark clarified the concept was for older people and Mr. McGuire was in agreement. Ms. Kidd asked if it was state licensed. Mr. McGuire said \$50 and a state Fire Marshal inspection was required. This was not a site for Alzheimer's patients. Mr. Clark was concerned about the flood zone and asked if some of the residents would have a boat. Mr. McGuire said there were two flood zone lines. Mr. Piazza said it was V zone for the front buildings, and the remainder of the property was AE 12 and AE 11. Mr. McGuire said his wife's grandmother lived at the Windsor and she got around fine. Some residents will drive and some won't. There would not be a staff nurse, but there would be 24 hour staff.

Mr. Clark said he looked at the arrows on the drainage plan. Mr. Piazza said it would be subsurface drainage. Mr. Clark asked if the lake would support that.

David Persons, 132 Carroll Street, confirmed the project was owned by Mr. McGuire and not sold separately. Mr. Adams said they knew now that it was owned by Mr. McGuire. Mr. McGuire stated his business plan was monthly rental and he would be hard pressed to break even if it was sold as units. Mr. Persons asked if there was any other project approaching this density in Old Mandeville. Ms. Kidd said the density in the B-3 district was 5,500 square feet of land area per unit, in the R-2 district was 3,000 square feet of land area per unit, and congregate living was designed for elderly living so there were smaller units so the density went up. This density was 1,500 square feet of land area per unit. There were no other congregate living uses in the B-3 zoning district. Mr. Persons said this was the first one in the B-3 zoning district and was the densest use he could see. Ms. Kidd said from a use standpoint. Mr. Adams said the zoning permit assumed the proposal to be an allowed use at that density and the board could make tweaks for it to be less burdensome on the neighborhood, or the least restricting to accomplish the purpose. Mr. Person was not concerned about the front part and it was a nice design. It appeared to be two separate projects and with the elderly living in the back there was no pathway, covered or not, allowing them to walk to the front for meals. The parking lot separated two areas and appeared to be easy to separate out and sell separately. He asked if the units would have kitchens and it was confirmed that they would. Mr. Persons said that it appeared to have condo written all over it. It appeared to be 27 condos that were being called congregate living. He said that because of the way the project was separated. It did not look like front building (the old hotel) was set up for the elderly to take their meals and go back and forth. It looked to him like a potential for 27 condos and commercial in the front. He did not have a problem with a restaurant and light commercial next to it being located on Lakeshore Drive. He had a problem with the idea of 27 units in an area. He suggested looking at the block and theoretically suggesting that 60 units could fit on the property was absurd. There was nowhere in Old Mandeville where there were 27 units, and we would allow this at this location. He did not feel it fit. He understood the Zoning Permit, but it was not in keeping with the neighborhood. Mr. Adams said formerly there were apartments being built because there was no need for fire walls and the board could not prohibit the conversion of uses. Ms. Kidd said any conversion must come back before the board. Mr. Persons said the overhead use of the houses on each side. There were 7 on each Lafitte and Claiborne Streets and now there would be a 27 unit development. They would look into the neighbor's back yard. They were not set back at all from the neighbors. It appeared denser than anything else in Mandeville. He applauded Mr. McGuire for the lengths he went to make it a nice development and he had heard many good things about it, but he was worried about 27 units. Mr. Adams said the board must operate within the code. Mr. Persons understood that and was concerned about a similar

**Zoning Commission  
Work Session  
November 18, 2014  
Page 12**

development adjacent to his home. The development would change the character of the sub-neighborhood.

Mike Murphy, 130 Lafitte Street, asked about the property lines on the east/west side being 5 to 10' from that property line. Mr. Adams said 10'. Ms. Kidd showed the buildings in proximity to property lines. Mr. Murphy agreed the buildings would be looking down onto his back yard. Mr. McGuire asked Mr. Piazza to change it to 15' and Mr. Piazza said it would squeeze the courtyard. Mr. McGuire said he would definitely look at it.

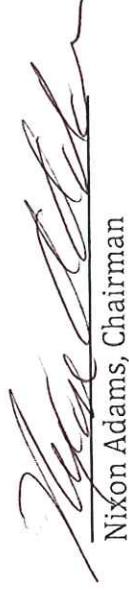
Mr. Adams asked if Mr. McGuire understood what was needed. Mr. McGuire was sure Ms. Kidd would send a list. She would meet and go through the issues.

Bev Tolben, Coffee Street resident, asked about licensing. Mr. McGuire said there were different levels of care for elderly. Levels 1 and 2 were convalescent. The lowest level 3 assumed ambulatory and faculties and live on your own. Assisted living fell under the definition by the state. Ms. Tolben asked because her experience had been with Assisted Living licenses and reimbursement, policies, and long term care plans. Mr. Adams said before a building permit was issued they would need to obtain the licenses. Mr. Clark said it was important to define what congregate really meant. Mr. Adams suggested tweaking the ordinance. Ms. Kidd said the board could request that information as stated in the criteria and report that every year.

Mr. Clark asked Mr. Piazza about the building height, how far would the water be thrown off the roofs off to the side and did the 10' work. Mr. Piazza said it worked everywhere in the City. Mr. Clark said that was his opinion. Mr. Piazza said that depended on the wind speed and direction of the rain. That was not a general statement. If there was no wind, then the rain went straight down. Mr. Clark asked if it was being projected and ejected off the roof onto the neighbor's property? He did not know how big the slopes were. The slope was 7 and 12 to conform with the CLURO. Mr. Clark said 10' was not very far. Mr. Piazza said there were 18" overhangs. Mr. Adams asked when information would be available. Mr. Adams said the case should be put on the agenda for December 9<sup>th</sup> and the board could call a special meeting as necessary.

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

  
Lori Spranley, Secretary

  
Nixon Adams, Chairman

