

**Planning Commission
Public Hearing
January 20, 2015**

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

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

Absent: Scott Quillin

Also present: Louise K Kidd, Planning Director; Mayor Donald Villere; and John Endres

The meeting was informational to discuss the status of the CLURO amendments. There was a meeting scheduled for Thursday, January 29th that would further discussion section changes.

Mr. Lauer said the sign ordinance included new language and reformatting.

Exceptions

This would not be creating anything new, but was listing the exceptions and separating them from the variances as a separate process. Both would imply a hardship. Exception was for the public good.

Zoning permit review criteria and findings

Mr. Lauer will send a draft. There was no clear idea of range of discretion on decisions. The City Attorney was also reviewing this section. It looked at the conditional use. There were many factors to consider including the traffic, scale, odor, noise, and lighting translating it into a zoning permit decision. The board would be discretionary on the impact of the use and not if the use was appropriate.

Marina regulations

There were no glaring gaps, but was more for review. There were no significant changes. Mr. Adams said the PreStressed site would have a marina element and would be different from the other marinas. There were two marina districts. Ms. Kidd said the City had not issued a new marina permit in a long time. Mr. Clark said this would be a reasonable opportunity to put in a marina district regulation of base line quality, monitoring and adherence to standards. Mr. Lauer said it applied to the existing areas. Mr. Thomas asked how could the board enforce the discharging of tanks. Mr. Adams said it would force the marina to have a pump out station. It was reported at the Prieto Marina that it had been used twice. Mr. Thomas said he knew it was going other places. Mr. Lauer said the legal question was who responsible. Mr. Blache asked if it was a maritime question. Mr. Clark said there were questions about living aboard, overstaying your welcome, and water quality. Mr. Adams asked how far away from dock did authority extend. It was decided that question should be answered by the City Attorney. Ms. Kidd thought DEQ regulated that. Mr. Adams said some people had docks in front of their houses, and he asked how to stop that. Mr. Clark said it was in reference to health, safety and welfare, and plagues had started from the misuse of water. The City should provide a baseline quality by the marina owners. Mr. Adams said the Sheriff's Office patrolled the lake. Mr. Thomas said there was a need for regulations if there was a marina at the PreStressed property. Ms. Kidd said DEQ required pumping stations. Mr. Lauer said that could be done through the planned development process. Mr. Thomas said the Yacht Club should have a pumping station. Ms. Kidd said it would be the City's responsibility. Mr. Adams asked if there was a City agreement with Yacht Club. Ms. Kidd thought it was an understanding that they acted as the Harbor Master. They were not equipped to monitor that. Mr. Blache said how the City could make them use it. Mr. Thomas said if it was a Yacht

Club event have the discharge be a part of the fee. Mr. Lauer said authority, standards, zoning standards, and water quality should be investigated.

Town Center District

It was discussed to decrease the minimum lot area from 3,000 to 2,000 square feet to increase the density. The regulations should eliminate the parking requirement for non-residential uses as part of the mixed use development and rely on on-street parking. Ms. Kidd say 50% of on-street parking was allowed by right and the other 50% must be a contribution to the parking mitigation. Mr. Lauer said the City could give credit for 100% of the parking and eliminate parking on non-residential uses. Mr. Lauer said there was an eight space trigger in the B-3 district and that was not applicable in the Town Center. In the B-3 district 100% was allowed within 600' of the site, and these changes were revisiting the Town Center. Ms. Kidd said the incentive for development was residential on site, commercial able to be built to 5' off the property line, being able to count the adjacent spaces and a parking ratio was for shopping center uses at 1:222 or 4.5 per 1,000. That gave more square footage in the Town Center. It allowed for credits for the parking lots. Mr. Adams said the merchants north of Monroe Street wanted more on-street parking.

Requiring alleys

They would be located parallel to Woodrow and General Pershing Streets. This was not codified and did not include any guidelines. Mr. Adams asked about an alley on the other side of Lafitte Street. Ms. Kidd said that area was not resolved. The alleys would be for service to the rear. Mr. Lauer asked if the alley should continue to Carroll Street. It was agreed that the two central blocks made the most sense. Mr. Endres said it was a 30' servitude when there were dual sets of lots. Mr. Adams asked to install a gate at the Lang House.

Mr. Lauer said he heard concerns and asked if there was an option. Mr. Blache said potential growth would make future sense but not now. Ms. Kidd said where Mr. Waller had developed on the corner there was an alley that serviced the rear residential and commercial use. The land behind Shiver Shack narrowed and there was not enough room for an alley. Ms. Kidd suggested looking at the connection and keeping it an option for review. Having an alley north of General Pershing was most important to hide the rear of the restaurants and allow for services.

Residential limitation for buildings facing the square.

Businesses would not be attracted to the area if it was a row of townhomes. Mr. Lauer asked if this limitation was important on all streets in the Town Center or just the Trailhead lots. Mr. Thomas said any structure facing Carroll Street should be solely business and residential should face residential. Mr. Lauer said the agreement was between Lafitte and Carroll Streets to keep the mandate for the ground floor to remain commercial and consider the absorption rate and development that can occur there. It would take time to build commercial activity for the four blocks. Ms. Kidd said since 2008 there was a fair amount of development. Mr. Lauer said townhomes were forever. Mr. Perschall suggested having more commercial space for office space and Mr. Adams was in agreement. Ms. Kidd said townhomes were hard for flexibility and conversion. There was more retail being established along Girod Street, but it was specialty shops. There were some offices in the area.

Mr. Lauer asked about maintaining the limitation on the ground floor of non-residential on General Pershing and Woodrow Streets. Mr. Adams said the City Council would not do a moratorium. Ms. Kidd said the property owners did were

not necessarily opposed. Mr. Perschall said the property owner did not want a moratorium. Ms. Kidd said met with several property owners and they said they did not have a problem with the regulation. Mr. Perschall said he had heard differently. He wanted something to get going and the density decrease would be helpful, but 50% was not enough. Along Magazine Street everyone found a place to park. Mr. Vaughan Sollberger said people were interested in being by the lake. Property owners asked to relieve the restrictions. Mr. Perschall said he liked a mix of uses and Ms. Kidd said that was existing regulation. Mr. Perschall wanted the ability to have residential on the ground floor. Mr. Blache said if residential was allowed to move downstairs there was a possibility to never get a mix. Mr. Thomas suggested creating a ratio. There was a discussion about creating an option to allow a percentage of ground floor residential. There should be a standard to for conversion. Mr. Lauer said the live/work concept allowed that flexibility for the round floor to be office/retail. There would be a need for design standards so it would not become defacto townhomes which could be controlled through a percentage requirement. Mr. Perschall suggested treating it like a PUD for city control and input into the development. He suggested a default of no ground floor residential facing the street, but an alternative design as a PUD to show how it would work. It would be the responsibility of the owner to convince the board that it was workable. Mr. Blache liked having ratios so it was not completely lost. Mr. Perschall suggested restricting the submittals to professional architects and reject home designers. Ms. Kidd said there would be a need for criteria for any rejections.

Sight triangles

No questions.

Sign ordinance

Mr. Lauer said the size of election signs should be consistent in all district with allowing 8 square feet in residential areas. It was discussed to limit the size to 8 square feet in the B-3 zoning district. But, the ordinance could not control content. Mr. Endres asked about the total amount of square footage or the amount allowed for one sign. It was discussed that the citizens could back as many candidates as they wanted. Mayor Villere asked on corner lots if signage would be allowed on each street frontage and should they be v-shaped. Mr. Endres said 60 degree was the criteria for v-shaped signs. Mr. Adams said this should not be restricted to just political signs. There was a time limit on how long the signs could be in place. Mr. Lauer said there could be an increased size of real estate signs. Non election signs could add language to say whatever the homeowner wanted. Election signs were different and the property owner could support a number of people. There was a problem with perpetual real estate signs and it was discussed that they should be placed on the monument sign or the location of the allowed signage.

At this time there was a requirement for a master permit for elections and the City collected \$100 that was reimbursed after the election. The City had been threatened and was not collecting the \$100. Mr. Clark asked about fining the applicant for signs as litter with a violation of \$100 per sign. Mr. Adams said the signage could be viewed as part of the nuisance law. Signage for free speech could be restricted to one sign no larger than 8 square feet. The question was who would be in charge of enforcement. Mr. Endres said candidates should be limited to 8 square foot signs per parcel, but not infringing on the number of signs. Commercial districts still 32 square foot signs.

Vehicle sales

Regulations would be coming.

Event centers

Regulations would be coming.

Critical areas

There would be a meeting the following Thursday to discuss the committee's findings, and there was not a consensus on all of the items. At the last meeting there were several items the commission recommended that the Technical Committee did not agree were drainage related. Ms. Kidd said there were two different ideas and the committee was trying to balance it out.

Fill in critical areas

The recommendations were consistent in requiring pier construction. That would limit the fill and highlight to get positive drainage. Mr. Thomas said according to Ms. Brown it must be chainwalled and filled in.

It was announced there was a meeting scheduled for the next Thursday at 6:30 p.m. and Mr. Lauer would work on the drafts with the staff. The sign ordinance would be reorganized to simplify it.

Mr. Blache asked beyond opinions if there were any other studies to rely on for critical and sensitive areas. Mr. Lauer said there were three issues, critical and sensitive, areas below a certain elevation or upstream inundation. Mr. Clark asked about inundation. The committee could look at the wetland approach to see what was growing. The second issue was foundations and where pier construction would be required. The third issue was filling and where it was allowed would directly be tied to setback issues. Mr. Blache asked what would be the threshold allowed for fill. Mayor Villere said a foundation of pier construction would be 1' higher than the street or even with the street. Mr. Thomas said raised standards for determining what can be done in critical areas was wishy washy and could be argued. Mayor Villere said the setbacks may not allow enough space for a drainage swale from the rear to the front so additional setback for drainage may be needed so it would not silt in. Mr. Blache said the regulations could not allow foundation or slabs and only pier construction on grade in specific areas. Mr. Lauer said other problems would be that people fill in the setback areas eliminating the swale. The issue of height versus setback was discussed. There was concern with a 5' setback and a 20' roof that the water would fall in the neighbor's utility door. Mr. Adams said there were problems with gutters and the maintenance issue with pine needles.

Mr. Thomas asked about a petition presented by Mr. Perschall that he said was given at the December 17th Council meeting. Was given to him tonight. It stated that he was opposed to a moratorium and recommended reducing the density from 3,000 to 2,000 square feet. Ms. Kidd said Mr. Perschall brought the information to the Council Clerk on the date of the Council meeting and was not told that Mr. Thomas' name was on the request. He addressed his petition at the Council meeting. Ms. Kidd had contacted Mr. Perschall about the density reduction being an item in the CLURO amendments.

Mr. Adams said Mr. Madden had called for a resolution to televise the Planning and Zoning meetings. He told Mr. Madden it would be discussed, but it was not binding on the board since they set their own rules of procedure. Mr. Adams asked to gather their thoughts and discuss it at the next Tuesday's meeting.

Mr. Endres commented that the board should consider changing the 5' setback with the requirement of structures being elevated above 6' required 10' side yard setbacks on each side.

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With the discussion complete, the meeting was adjourned.



Lori Spranley, Secretary



Dennis Thomas, Chairman

