

**Planning Commission
Public Hearing
January 29, 2015**

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, Council Member David Ellis and Mayor Donald Villere, Dana Brown and Barry Brupbacher, Ezra Boyd and Council Member Carla Buchholz and Ernest Burguieres

Mr. Adams presented this work session would be for a discussion with the Critical and Sensitive Committee findings and no vote would be taken.

Mr. Lauer presented that there were strong backgrounds in storm water. Mr. Adams said the committee came out of the Short Term Work Program annual review. The board had asked for expert help and was well pleased with their work and recommendations. Mr. Adams asked what as the next process. Mr. Lauer said the objective was to present the findings, comments, discussions with the board and to discuss preliminary recommendations fitting into the amendments. He anticipated that the next drafts would be of a full range of items for staff review. He would return to the board at the beginning of March with the work session comments and would public hearings in April.

The closed system established a fixed volume. There could be an overflow with more volume.

There would be a map of the critical areas moving upstream along the riparian areas to encompass the wet areas and where it was subject to inundation. This was defined as the 5' contour.

Many regulations were good for intent and were supported by the community. The staff problem was subjective and unclear about how to define what could be done. The CLURO now stated that there would be no new buildable areas created through the subdivision process. No clearing was allowed without City approval and the developer needed to provide better guidance through the zoning permit process. This would minimize the reduction of landscaping. By not allowing fill within the critical areas there would be positive drainage. No net fill must be clearly defined. Mr. Adams asked was that a last option and it was answered in agreement.

In reviewing a request for development of an existing lot, the perimeter around the buildable area must be defined. Mr. Thomas asked who would define the area. Mr. Lauer said the board approval of a zoning permit in a critical area and the need to identify what areas were to be cleared to establish the limits of construction.

It was discussed on existing lots not to allow slabs or impervious surfaces in critical areas. A house or building can extend over but it must be constructed on piers or pilings. Mayor Villere said the foundation was more than piers or pilings; it could be chain walls or something more extensive for cottage type construction. Mr. Thomas asked if it would require a chain wall by code. Mr. Brupbacher said there should be a geotechnical report and then let the owner do it. Ms. Brown said she was trying to imagine a condition where the owner would not drive pilings. Mr. Adams said the board could not go against an engineer's report. Mr. Lauer said a good clarification of a chain wall was that it did not have to be above grade. Mr. Clark said the City should avoid a 3' high chain wall filled that would be displacing

the water with nowhere else to go. Council Member Burguieres said there were existing elevated structures that had no benefit of pilings. A chain wall did not need to be above grade to maintain flow. It may cost money, but it could be done.

Mr. Lauer said the construction must comply with the building code and engineering requirements to encroach onto critical areas. Mr. Adams said Mandeville should be a Complete Streets Community and asked how to weave it in. Mr. Lauer suggested how to address the street drainage system instead of closed culverts and using swales. The options were going to be necessary to place sidewalks where wanted. Ms. Brown said there was a need to strengthen the character, provide for more biking and walking and continue that way.

Mr. Blache asked about the criteria used and if the result identified specific areas. Mr. Lauer said there was no map yet, the findings of 5' was a good place to start, the critical areas extended up drainage ways to protect free flowing drainage ways, go up the floodplain, and including inundation. An environment that that will help that drainage way functions was a long term goal. There would be mapping over the next month and would be reviewed at the next work session. Mr. Clark asked about 5' above what. Ms. Brown said the contour. Mr. Clark said there was new vertical datum and in Mandeville the height of the lake was up 1/2". Ms. Brown said it was defining what was important; it was above sea level and above a certain datum. Primarily Lidar and quad maps were used. We must use what you have or map it. Mr. Clark said Mr. Lauer's question was how to define the critical and sensitive, based solely on elevations and slews, existing vegetation, and where they were they being used.

Ms. Brown said the upper drainage way functions were performing; there was flood control, habitat, and ecological services. It was critical going up the waterways. It was asked how to define what was critical. Mr. Adams said it was primarily in Old Mandeville for the regulations, but there were wetlands on the west side. Mr. Lauer said it would be citywide. Mr. Lauer said fill foundations were focused on Old Mandeville. Mr. Blache asked if they all tied together and was not isolated to Old Mandeville. Mr. Adams said Old Mandeville had small infill lots. Mr. Blache said there was building retention and pond presentation. Mr. Lauer said the committee said from a perspective of the City Engineer it was implemented and there was a finished drainage plan. It was time to go back and look at it again for the next step. This was beyond the scope of eh committee and the CLURO amendments. Mr. Clark asked if a moratorium was indicated.

Assumptions seawall crested fill irrelevant, seek common level.

There were problems with fill too close to the property line. Erosion and subsidence made it ineffective. Ms. Brown said the seawall crested water in the town, and if it was rain there was more water. The peak times reduced the capacity of areas to hold water, so there would be reduced capacity of green space to intercept water, and there would be an impact. It was a cumulative issue.

The committee felt the water had a high impact in Old Mandeville of fill being limited. Mr. Brupbacher said the up region of the watershed came down and spread out. The fill would not matter but it was a dynamic condition with the lake, and the hydrology of the watershed. Mr. Lauer said surge events were less than breaching the seawall. Ms. Brown said it was all connected, and there was caution thinking in an isolated way with a dynamic system. The best practices were slower flow so it could infiltrate when it could. Mr. Lauer said displacement was building on Ms. Brown's comments, displacement with V zones, combined events, surge and rainfall.

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The day's discussion said it was considered as nuisance flooding, but with the water rising when would it transition to a significant problem for the community.

Mr. Burguieres said cresting was with hurricane events. Most of the time it was non-crested events. Mr. Lauer said that was consistent with what he heard. Mr. Brupbacher said fill affected localized drainage in Old Mandeville. Mr. Thomas said it was happening block after block with the infill. Mr. Clark said the homeowners and City was losing thousands of dollars of landscaping and gardens and it was more than nuisance flooding.

Mr. Lauer said it was divided on fill under the homes being limited by the impact of water absorption. There was the presumption that water would not rise and the soil under homes was not displacing, and that muck did not affect the water underground. There were technical reports about absorption and movement through most of the soils in Old Mandeville, but it varied on the transmission capacity. Muck and fill can create a small dam under the house causing a delay of drainage causing ponding. Groundwater infiltrating soil and water flowed with the terrain. Mr. Thomas asked about muck and fill. He was elevated with piers and a chain wall with a slab under a house was completely impervious or red clay, top soil or limestone. Ms. Brown said filling behind a chain wall did not matter if it was displacing the water. If it was below grade there would be absorption. Mr. Burguieres said older houses had no chain walls, just pilings, and water flowed into the ground and migrated horizontally. There was a need of support for the pilings, but not a square box as a dam under the building codes. Ms. Brown said the building code was clear that exterior walls of a structure required continuous concrete footings. The interior walls were allowed if the engineer agreed to use spot footing. Mr. Lauer asked if there could be openings. Ms. Brown said then it would not be contiguous. Ms. Brown said there could be holes if designed that way, but she did not know how to accomplish that. Continuous footing served as resisting settlement in a vertical way, and pilings with storm surges was resisting lateral movement of the pilings. Ms. Brown said many were connected at the top and footings were 12" into the grade.

The committee was considering the extent of development, the opportunities for development, and piers and pilings throughout portions of Old Mandeville was more of an aesthetic issue than drainage. There was disagreement through the committee on this.

Mr. Thomas said a slab did not allow pervious penetration. If there were pilings with a chain wall below grade there could be some pervious soil. Mr. Lauer said if it was a clean slate there would be a greater impact than the amount of the exiting development. Mr. Lauer said the committee's assumption was a net effect of allowing to continue would not have as much of a drainage impact. Ms. Brown said there would be a drainage impact, but the greater impact was aesthetic.

Ms. Kidd said to clarify everyone understood the impact. The discussions with the engineers was strong, the perspective impact could design for it and solve the drainage issues. Mr. Brupbacher said people designed houses for the ability to park cars underneath it and uses the surface for storage. This will affect how people can build in Old Mandeville. There would be some resistance from the property owners who would construe that it would not be as much value with crushed limestone instead of a slab. Mr. Quillin said at grade/natural grade versus elevated made a large difference. The elevation concerned him, and did not want to create more problems. Ms. Kidd said the code was 2' of fill under the slab and could elevate the house from there. With the regulation adopted, the biggest discussion

was vehicles up from the grade from storm events and not breaching the seawall, but several feet of inundation to be out of harm's way.

Mayor Villere said everyone agreed not needing 2' slab above grade and it will displace water and cause more problems. A regular rainfall event amount of infiltration was not significant when looking at the whole area of the water moving. It was a matter of finding a happy medium. There could be set parameters for absorption and moving water away. Ms. Kidd said the challenge was with 2' being a 3:1 slope outside of the slab. The setback of 5 or 10' was taken up for swales and vegetation.

The commission took the observations from the committee for preliminary findings and discussed the approach for feedback. An area could be designated for limited the pilings and keeping subsurface at grade. Limiting fill in those areas for positive drainage should be away from the house and get the water to the conveyance system. Mr. Thomas said to limit the fill for positive drainage. If there was a lot in the swamp, it was asked how much fill would be needed, and where does that calculation or regulation come in. Mr. Lauer said the swamp was a critical area. Rather than getting drainage at the surface, it was suggested to look at other options like French drains. Mr. Adams said fill should be a last resort. Mr. Blache asked if a viable option was drop drains. Ms. Brown said it would be less sustainable, but a French Drain was better. It could be a pervious pipe. Mr. Brupbacher said it all converted into what was the cost.

Mr. Brupbacher said the City could have someone draw up an acceptable way to do this. Gravity front to back had a specific slope. The City should provide options for new builders or homeowners. Mayor Villere said during construction swales silt over and cause problems. It was suggested to look at the regulations for construction time and maintaining a positive drainage. Mr. Quillin said silt fences and hay bales should be installed. Ms. Brown said it required and must be submitted. Ms. Brown said the CLURO only required this for subdivision development. Ms. Brown said it was a requirement on development over 1 acre. Ms. Brown said a year ago DEQ did a sweep and fines were issued.

Leonard Rohrbough, 2525 Lakeshore Drive, said he was elevating his house. With 2.5" of rain it turned his yard into a quagmire and the next two yards were the highest natural grounds on the lakefront. With equipment driving over the ground, three trucks got stuck. He was against mounding regardless of the size of the lot. He had a problem where he flooded with his neighbor having a higher lot. The corner of his house had sunk ½" over the years. He must install a continuous chain wall 24" deep, a drain basin and trench drain for a distance of 116' to a catch basin on the southwest corner. A French drain should be required, especially for smaller lots. Mr. Adams he asked to get a sense if anyone wanted to speak in favor of fill and no one was in favor. Mr. Clark said the difference of what was laid and what was being brought in. The fill affected the percolation and was not good for Old Mandeville south of Monroe Street.

Mr. Lauer asked whether to allow slabs at some point upstream and includes all of Old Mandeville in the prohibition of slab at grade foundations or would north of Monroe Street be appropriate. Mr. Clark said Harrison Country's critical areas included AE, V and VE zones. Old Mandeville was mostly in the AE and V zones below Monroe Street. Ms. Brown's question was should it be allowed in an X or Shaded X zone. Mr. Clark said elevation of 2' allowed 45,000 gallons of water to be displaced. Mr. Adams still the City needed water away from the foundation. Mr. Brupbacher said the lowest AE zone was 9', and by City code must be 2' above the

flood plan or a minimum of 12'. We would be forcing 11'. Ms. Brown suggested elevating the 2' on piers.

Ms. Brown asked at what point was the building not being required to be elevated. It was stated the businesses on Florida Street. They must be 1' above for positive drainage. Mr. Lauer said at a previous meeting it was discussed if the structure was not elevated a certain point slab at grade was acceptable, and the board had been in agreement. Ms. Brown said she was speaking residential centric. When you have commercial construction, ADA compliance must also be reviewed. If the City required pier construction then could fill be used to get to the building height mandating lifts for handicap patrons. Mr. Blache said there was pier construction ramps. Old Mandeville structures had been built on piers for a reason over the years. The areas most affected were compounded by fill and slabs. Ms. Brown asked if the board was saying if the house was elevated there could be a slab with no fill and build higher on the piers. Mr. Brupbacher said the review should be on the whole site and not the building. Parking lots must drain and connect to the City system. Everyone would want some comfort that the structure was higher than the parking lot with rainfall. Ms. Brown suggested excavating the site, not being able to add more fill, and it would become a net fill requirement. She asked as an acceptable alternative, would slab on grade become acceptable. Mr. Burguieres said that type of construction would work on Florida Street. He was talking about Girod Street and bringing an aesthetic component.

Mr. Lauer said the discussion was about taller structures having greater setbacks. Ms. Kidd said the code allowed for 35' by formula, but the context of Old Mandeville was one to one half story in height. Today there were two story buildings on the full buildable area. The scale was changing and now there was an elevation requirement. The other concern was rain runoff from the houses. Mr. Blache said the options were drainage or setback changes. Ms. Kidd said most of the lots in the B-3 district were 60' x 120' and the other residential districts were mostly 90' x 120'.

Mr. Thomas said there was a formula for higher houses requiring a larger setback. This could only apply to new construction or redeveloped properties. Mayor Villere said some old homes were straight up and near the property line and may need to mitigation drainage from rainfall. Mr. Blache asked how it was handled in New Orleans. Ms. Brown said the discussion in a committee meeting was that some jurisdictions used a mathematical formula. The City now allowed 2' of fill under the house, a slope at 3:1, and a full 2' of fill setback increased from 5' to 11'. Mr. Lauer said that would be moot if no fill was allowed. Mr. Clark said everyone must be careful with no net fill in Old Mandeville. There was always moving water in ways we do not understand. No net fill was easy to understand but would create a debate. Ms. Kidd said the Parish had a no net fill ordinance, and contractors were digging holes, making ant hills and building on top of that. We would want to build at natural grade as much as possible. Mr. Brupbacher said a true survey of the lot would be needed to understand the drainage. Mr. Clark was in agreement.

Mr. Lauer asked if the board concurred with Mr. Thomas' suggestion of higher roofs requiring a greater setback and the requirement of mitigation of the water off the roof. If the structure could not meet the setback should there be a different mitigation of the water off the roof with possibly a gutter system. This must be granted by exception.

Future plans

Mr. Lauer said the he would have drafts for the staff by February for review. The critical area map and drainage recommendation would be forward to the Tech Committee for comment. There would be another work session in mid-March which would include discussions on signage and the Town Center. The public hearing would be scheduled for April.

Mr. Adams said the moratorium would be on the agenda for the next meeting. He asked for a Complete Streets review for the community.

Mr. Brupbacher suggested a Landscape Architect's view for language being crafted in guidance with the drawings.

Mr. Clark asked Mr. Lauer to clarify on number 2 in the memo of both and or.

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


Leri Spranley, Secretary


Dennis Thomas, Chairman