

**Planning Commission
Public Hearing
February 24, 2015**

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

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

Absent: Rebecca Bush

Also present: Louise K Kidd, Planning Director; Council Member Ernest Burguieres; and Laurie Pennison, Asst. City Attorney

The first case discussed was R15-02-01 Succession of Martha Blackman, Independent Executor K. Vaughan Sollberger, requests a resubdivision of lots 14A and 14B into lots 14-A1, 14-A2, 14-A3, 14-A4, and 14-A5, square 14, bounded by Jefferson, Foy and Madison Streets, zoned R-1.

The applicant had requested to table the case.

Mr. Blache moved to table the case, seconded by Mr. Quillin and was unanimously approved.

The next case discussed was P15-02-01 Recommendation to the City Council regarding Ordinance 15-01, to enact a twelve month moratorium on adding outside fill to the foundation or base of a structure in the Old Mandeville Historic District of the City of Mandeville and to provide for related matters

Ms. Kidd presented that Ordinance 15-01 was for a 12 month moratorium on the language on the allowance of any outside fill for construction. At the last meeting it was discussed administratively to further clarify the language. The staff was working on CLURO amendments dealing specifically with critical and sensitive issues. The recommendations were to address the fill ordinance in the grading and drainage section. At this time, 24" of fill was allowed under the roof shed and driveways. A certain amount of fill allowed was based on the drainage plans to get the water to the drainage system. No net fill was complicated when there were lots with low areas and everyone must work through them to accomplish positive drainage. Other issues were soils, areas that require red clay and structure fill for pier. These were the reasons for the committee and a public hearing would be held on March 25th. The moratorium could be for 12 months or until the new language was adopted. There were many strong opinions on both sides.

Mr. Blache asked to handle it administratively. Ms. Kidd said that was the board was reviewing regulations because clarification was needed. Ms. Pennison said the draft was open and ambiguous. Old Mandeville needed to be constructed on a slab or piers with need fill and the moratorium would prohibit that. The moratorium would force owners to seek a variance for hardship or there would be a large cost difference with pilings. There were southshore lawsuits from pile driving. The goal was to reduce fill for drainage, but there were pockets of areas where there was slab subsidence because there was not enough organic matter removed. Ms. Kidd said the intent was to keep construction at grade.

Mr. Burguieres said the old construction techniques under piers. Ms. Kidd mentioned clay which was acceptable. Mr. Burguieres said we did not want piles of red clay. Ms. Pennison said the language should be tightened. Mr. Burguieres recommended administratively reworking it. Ms. Pennison said there should be a clear ordinance and she would work with Mr. Burguieres to present new language at the next meeting.

Mr. Blache asked when were the next public hearings being held and it was answered March 25th and April 15th. Mr. Blache said the ordinance would be adopted by May or June. Mr. Thomas wanted a moratorium with stipulations. He presented as an example the property on Claiborne Street that was approved by the engineer. Mr. Thomas said the lot was filled in 2005 and Ms. Kidd said she did not know about the previous fill. Ms. Pennison said if the requirement was at grade there was a need to be compliant with the building codes which required some foundation to push water away. Mr. Lynn Mitchell said there should be a crown. There were existing dwellings within 5' of the property line and have some watershed from the neighboring roofs. Some existing properties were draining into vacant land. Ponding under a house was irresponsible which could rot the floor joists. Landscaping around it obstructed air movement. Basic pier construction needed water to come out from under it. Air conditioning units were now so efficient they could cause condensation under the floors and they could start buckling. Historically these were not problems. No fill was not the solution. Drainage plans must be submitted for building permits. The best solution was to look at the plans, and have them reviewed by the City Engineer for impact to both the proposed construction and to the adjacent property. The idea of no fill was irresponsible.

Paul Harrison said 15 years ago he was retained by the City of Covington for their fill ordinance and it was successful. Mr. Mitchell felt that no net fill was like too much fill. There was a discussion that no fill could create homes on poor foundations. St. Tammany's fill ordinance was successful. Mr. Adams said the Parish's ordinance did not always work with hills of fill. Mr. Harrison said it could be circumvented through drainage plans and no one was checking the plans. Mr. Harrison said the drainage plans should be heavily reviewed. Another alternative would be ponds. Mr. Clark said that was the expression of no net fill. There was 800 barrels of water being redistributed by every party pad and no control. The purpose of a moratorium was to force the City to get serious and place it into the Council's hands. Mr. Harrison had no problem with the moratorium. Mr. Adams said no net fill worked if done right. Mr. Harrison said the legal issue was a nightmare. The civil code said no watershed but damages were difficult because it was in the eye of the beholder. Mr. Clark asked about the cost for a suit, and Mr. Harrison said as a practical matter that was hard to answer because you cannot control both sides. Mr. Clark said the cost of the incorrect assessment of the terrain could result on plain folks with damages that were unaffordable. Mr. Harrison said there was small claims court.

Ms. Pennison said if there was no enforcement of the ordinances then that was an issue unique to the parish but it would not affect the City if they carefully reviewed the plans and tweaked the zero net fill.

Edward Greene, 434 Girod Street, was concerned about rehabbing old historic homes. Many lots were not kept up. He asked if the historic homes could bring in sand to absorb the water or would they be stuck to keeping water under the house. Ms. Pennison said there would be subsidence and no fill would not allow that correction and could be causing other issues. Mr. Adams said in New Golden Shores there was water locked in rear yards, but with drop drains the drainage worked. He suggested considering that as part of the code.

Mayor Villere said Mr. Adams brought up a good point. The problem in construction was an 8 yard load of red clay being delivered. Engineering wise we were not looking at how much fill was needed to stabilize the soil. Drainage plans were not necessarily monitored on a continuous basis through the project and the City should change that. Initially there was an engineer review, but it should be

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maintained and monitored during project to hold the contractor responsible for drainage to the end to prevent swales silted over. Another consideration could be the larger the structure, the greater the setback to provide an area for drainage.

Butch Shelton, property owner of Relacher Place behind Wendy's, said many drainage plan were just arrows. He wanted to get it right and if he had to wait for the permit that was fine. He did not want to do piling construction because the vibration could send shock waves through the old houses. His biggest issue was that water should not drain onto a neighbor's property. He said drainage was the issue and with aesthetic the house could be on piers and dressed up. He suggested putting teeth into the ordinance. He had poured a slab under four units with footings around it and it was trapping water under it even with sand. From that he now pours a 2-4" thick slab. On grade with puddled water there were buckled wood floors. Mr. Clark asked about draining under the house with a French drain. Mr. Shelton said he would have to tunnel under it. He suggested making the contractors be responsible for a ditch inside of the property line since 5' on a roofed house was not enough setback to handle the water. He said a moratorium would be a problem with the builders.

Mr. Mitchell said everyone was making it oversimplified. There were many types of soils and strata, and things change. He thought the problem was instigated by FEMA with pilings or continuous chainwalls.

Nancy Clark, 420 Carroll Street, said as one of those living in the flood area, putting the drains to the road brought water in. Carroll Street was higher than the properties because of the asphalt. She said her home was built on old bricks and was stable for 100 years, but found the fill around them was removing their sponge. Their issue was flooding and it appeared that it was forcing more water on the old house lots.

Mr. Burguieres said the older houses were remarkable. He had no puddling under his house. The drainage plans did not show what happened when water went into the dirt. The natural flow should not be interrupted. The City forced drainage to the street. There had been an article in the Times Picayune about subsidence which was about culverting. He suggested hiring someone like David Waggoner.

Mr. Adams said a recommendation with the existing wording could not be administered. He hoped that the Critical and Sensitive Committee had looked at the language. Ms. Pennison said the language would be a moratorium on building. She would provide a revision in two weeks. Mr. Burguieres agreed to work on any changes with Ms. Pennison, but he did not want any more orange ant hills.

Mr. Quillin moved to table the case, seconded by Mr. Blache and was approved 5-1 with Mr. Clark voting against.

Adoption of the minutes was deferred until the next meeting.

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


Lori Spranley, Secretary


Dennis Thomas, Chairman

**Planning Commission
Work Session
February 24, 2015**

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

Present: Nixon Adams, Simmie Fairley, Ren Clark, Dennis Thomas, Scott Quilin and Michael Blache

Absent: Rebecca Bush

Also present: Louise K Kidd, Planning Director; Council Member Ernest Burguieres; and Laurie Pennison, Asst. City Attorney

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 only case discussed was P15-03-02 Recommendation to the Mayor and City Council regarding on street parking spaces on 500 and 600 block of Girod Street

Ms. Kidd said property owner input was requested from Monroe Street to the Trace on the proposed on-street parking spaces. Parking on the south side of Girod Street north of Monroe Street contained on street parking as part of an enhancement grant. The north side of Girod Street contained parking at the Trailhead and the City would keep the landscaping on Girod Street. However, additional businesses had occupied buildings. There was a petition from some of the property owners, but the City wanted to allow everyone to have input.

Mayor Villere stated that the City Council had set money aside for six parking spaces for the area and if the recommendation was in favor of installing the parking spaces, the request was for location suggestions.

Mr. Adams asked if there was a loss of landscaping how much and could it be moved to private property. Ms. Kidd said the design would be similar to the south side of the street. The existing sidewalks would remain and there would be some separation between the sidewalk and the parking. The parking was proposed from Monroe to Livingston Streets.

Mr. Blache said it had been agreed on the state owned property to construct parking as a mirror image of Monroe Street to the lake from Monroe Street to the Trailhead but that was not installed. Ms. Kidd said did not remember the specifics, but it was not built that way. Mr. Blache said they were that there was not enough businesses.

Mr. Adams said along Livingston Street there were many open ditches for 8-10 parking spaces. He sked to look at that area if there was a parking problem.

Donna Plaia, 611 Girod Street, loved Old Mandeville and she had built her building to conform with the ambience of the historic area. Businesses invest their time and money. Businesses expected some support from the government. Business were asking for nothing more than what was construction in the 100-400 blocks and provide greater access to the businesses.

There was a letter Marilyn Stamm, 623 Girod Street, and were in support of the parking. Mr. Clark asked if absence of parking affected the business. Ms. Plaia said her business had been on Girod Street for seven years and she did notice the affect on the 500 and 600 blocks with more businesses moving in. She wanted to

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bring people down, but keep the ambience. Mr. Thomas asked how the construction of the bays would affect the business. She asked to determine the best time of the year. Mr. Adams asked about her off street parking. Ms. Plaia said she had constructed seven spaces and one wheelchair access. One side of the 500 block was all commercial. Across the street a café would be opening.

Ed Greene, 434 Girod Street, said in perspective of the last 10 years this had become a primary development for Old Town with more development along the Trace, more activities at the Trailhead, Mardi Paws and several events to access walking ability. Trailhead parking overflowed in front of people's houses which was not appealing. It would be beneficial to have access to more parking as the City continued to have events and a Trailhead expansion. It would adversely affect a few constituents, but it was the betterment of many. There was a need for safer parking to get out of the car to walk to a location. It would be a positive thing.

Tess Dennie, 536 Lafitte Street, worked with Donna Plaia and Kerri Blache on numerous occasions about parking and other issues in Old Mandeville. She used Mardi Paws as an example of when the parking lot across the street was full and people parked in front of her house. She was half a block from the Trace and the market was becoming more popular. She felt with that type of positive growth there was a need for more parking.

Gibb Farrish asked for a u shaped driveway in front of his in-laws property. They liked their 100' green zone of frontage between two parking spaces. He said everyone drove from Highway 190 to Monroe Street and he did not know if it was tax payer's dollars and asked what was the cost benefit analysis. He asked to reserve his right of access because he would eventually convert from residential to a commercial use.

Sarah Federer, 510 Girod Street, renovated her building and would be thrilled with more on street parking.

Mr. Adams asked for specific locations for the next meeting. Mayor Villere asked about a proposed site plan for Ms. Federer's proposed driveway so on street parking could be planned around it.

Daniel Hamway, Rusty Pelican, said he had requested additional parking that was denied. He was in favor of parking, and the more the better.

Paul Harrison, 532 Girod Street, said it was his office and he was in favor of additional parking. People were attracted to Girod Street, and parking south of Monroe Street was done well. Parking could help all of the neighbors and not negatively impact the residences.

Kerri Blache, said she had bought her building and opened her business in 2002 with the understanding that the parking would be a mirror image of the south side of Monroe Street and it did not happen. As a resident on Girod Street, it was a dangerous situation. She had witnessed moms and strollers go around cars in driveways blocking sidewalks and this could be avoided with parking bays. She would like to see as many spaces added as possible.

Rebecca Rohrbough, 2525 Lakeshore Drive, asked if there was any recommendation to include a statement to encourage the Mayor and City Council to seek or acquire any available lots for internal parking. She asked to use her tax dollars for parking in the B-3 district.

Mr. Quillin said the drawings were in the 600 block, and he asked to look at the 500 block.

Mr. Blache said he has spoken with Ms. Kidd about city email addresses since he was beginning to receive emails from citizens. Mr. Adams said the board could not be contacted.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman