

**Planning Commission
Public Hearing
March 25, 2015**

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

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

Absent: Scott Quillin

Also Present: Louise K Kidd, Planning Director; Consultant Michael Lauer

Mr. Adams announced that the meeting was held to discuss the proposed CLURO amendments.

Signs

- Construction signs and projects signs were combined and defined together.
- There was a new definition for incidental signs that can be seen or read from the public right-of-way.
- Monument signs had a new definition. There had been a problem with the construction of pole signs with a skirt being considered a monument sign.
- Window signs were redefined. Table 10.5.1 was newly created and window signs must be 5' from the window.
- Table 10.5.2 provided for a maximum size of incidental signs which did not count against the sign area.
- Temporary real estate signs were changed in the Town Center to match the residential districts and increased the sign to 8 square feet. Non-residential and multi-use districts signs must be contained in the monument sign, be a wall sign or be posted in a window. These apply to For Lease signage.
- Vehicle signs were not allowed in front of the building.
- Window signs must be made of a temporary material and excluded adhesive lettering from being allowed and must located on the inside of the windows and must not exclude 50% of the window or 25% of all of the windows.
- Electronic Message Centers to allowed in Institutional, B-1, B-2 and B-4 districts along the West and East Causeway, Highway 22 and 190. There was a requirement for a 4" border along the edge and they would not have to be retrofitted if already permitted. The initial draft was a requirement of any changeable message would have auto-dimming and now there was a maximum brightness.
- Monument signs would be limited to 50 square feet with a height measured from grade with the provision that if the street was over 4' higher than the sign then the Zoning Commission could grant an exception. There was a concern about visibility signage. Along arterial streets there should be 9" lettering. At least 400' of frontage for a second monument sign on multi-tenant centers to provide greater visibility.
- Election signs were 32 square feet and it was reduced to 8 square feet per sign face in residential districts and retains 32 square feet in commercial districts. In lieu of a permit, there would be a certification and acknowledgement of the rules about the timing of posting and removal of signage.

Janet Favre Smith, Fontainebleau Subdivision Homeowners Association, said there was a large group of residents that did not feel the Electronic Message Centers were appropriate for Mandeville. The detail of the language was designed to cut down on light pollution. There were height and landscape restrictions to create an aesthetic. She felt the EMC prohibition should be prohibited in all of the City. She was concerned about a negative affect with EMCs on West Causeway. She was concerned about code enforcement. They did not enhance the brand of most businesses. They were appropriate in some commercial areas for gas stations and convenience stores.

Tess Dennie, real estate agent, said it sounded like EMCs were allowed on the north side of Florida Street but not on the south side. Ms. Kidd clarified that they were not allowed in the B-3 zoning district. Ms. Dennie asked about real estate signs already installed because the larger signs were more stable. Mr. Lauer said there was no amortization on currently installed signs.

Jerry Coogan, 525 Kimberly Ann Drive, asked Mr. Lauer why there would be a 4" border which would reduce the size of the sign. Mr. Lauer said the border created a closure of the frame. Mr. Coogan said the signs had identification elements and a backlit message that was in a frame sealing the electronics. It would take away square footage from the allowable signage. He also said that there were more residents than just the Fontainebleau Subdivision and the request for public service announcements on the signage posted without charge. They would also post emergency messages and they had not received any complaints. He would like to measure the amount of complaints with the amount of residents. Mr. Adams said the existing regulations obtained a large public input prior to approval and opinions may have changed.

Mr. Matthews, Fontainebleau Subdivision resident, said the recent sign installed on the Service Road was very bright and almost blinding but it seemed to have been toned down. It was not the aesthetics that he associated with Mandeville. Mr. Coogan said the auto-dimming was broken and a new mechanism was installed.

Town Center

Mr. Lauer presented changes to the prohibition of ground floor residential development facing the street. Early comments were suggested to allow the opportunity of ground floor residents if they were designed to be able to convert back to commercial uses and located on the west side and not facing Lafitte Street. The purpose was to allow townhomes. However, after receiving comments it was suggested there should be an option to evaluate it on a case by case basis.

The lot area per dwelling unit was recommended to decrease from 3,000 to 2,000 square feet and create a more appropriate density. The B-3 zoning district was 5,000 square feet.

There were several adjustments to the Town Center parking on-street was relieving the culvert requirement to allow for more on-street parking. There would be some exceptions, full credit for on-street parking adjacent to the site. As in the B-3 district, there should be two spaces per lot but not require more than 8 spaces additional spaces would not be required for residential uses. There was an option for the Zoning Commission to grant an exception to reduce the parking with a mitigation fee, determination that the parking was not needed and did not create enough parking demand, or an agreement for parking sharing within 600' of the site.

Outdoor storage would be prohibited except for business sidewalk displays.

There was feedback on alleys which may be difficult to create. It was suggested that the Zoning Commission be allowed to grant alternative designs for rear access for parking and trash pickup.

Mr. Adams said the largest discussion was the reduction from 3,000 to 2,000 square feet.

Drainage Overlay District

Mr. Lauer said there was input with the Technical Committee and provided guidance on fill. It was defined as areas subject to inundation, and now meant under 5' of elevation. There was the Drainage Overlay District and within the Historic District there was discussion about requiring pier or piling construction. It had been determined that there were some places where slab construction made sense. There were areas following the 4' contour, areas at 6' contour and there was not a good 5' contour at this time. It was divided north and south of Monroe Street. In the Historic District, the primary focus was fill and foundations. There was concern about hydrology and vegetation in the critical areas. If there was an existing lot coming into the Drainage Overlay District it could be developed but restricted amounts of fill and disturbance.

SubArea A would retain the natural drainage with no fill. Fill should be allowed in limited amounts to achieve positive drainage and away from the building. It would allow 6" at the crown for the water to flow out from underneath. There would be a limitation on driveways and elevations not create any dams and falling onto the neighbor's property. Restricted to 10' from the side property lines and allowed only 6" of fill.

SubArea B was north of Monroe Street and would allow 2' of fill with a slab on top of it. Beyond that pier construction would be required.

Finished floor for attached garages would be no more than 1' above grade. Where there was fill it would be required to taper down to the natural grade. The current maintenance of areas was problematic. SubArea A would be 5' from the side and rear property line and 1' above grade.

The Remainder of the City language must be modified. Should the garages be allowed to exceed above natural grade and now allowed 32" on smaller lot. Should the fill for driveways be required to return to grade on the side setbacks. Garages were now allowed to be elevated 32" and on a small lot that increase would require a significant amount of fill. This excluded lots over 20,000 square feet.

John Crosby said it was not about the 24" or 32" and they were in agreement with the proposal with the ability to keep the enclosed space to 9.5' to prevent nuisance flooding on lots greater than 20,000 square feet. With the 15' setback from the property line, it allowed for sloping. The City was recognizing smaller lots in Old Mandeville and larger lots in other parts of the City.

Paul Harrison, 522 Girod Street, said in his practice he saw litigation on fill. He thought it was a worthy goal of balance. He comments would be on focusing on what the City wanted to do if someone met the regulations and still flooded the neighbors. He suggested putting in an attorney fee regulation and allowing a remedy to the neighbor. His second suggestion would be to have a penalty provision where evidence can be shown of flooding onto the neighbor. He also suggested being aware of the definition of natural grade. Mr. Lauer said he had not seen that in an ordinance. Mr. Harrison said the penalty provision allowed the neighbor to at least get their attorney's fees back which is often the prohibitive factor of the citizen. There should be a legal opinion on this.

General

- Zoning Permits was renamed to Special Use Permits and was consistent with normal planning practices of discretionary approval. It was distinguished between appeals, exceptions and variances.
- Within the exceptions there was a new exception for monument signs.
- There was an administrative permit that was not used and did not affect the process. If a development permit was denied, the administrative permit allowed for an appeal to the Zoning Commission. That was eliminated.

- Clarified distinguished setbacks and building lines.
- Using Planning Director instead of City Planner.
- Defined criteria relating to approval criteria in the ordinance.
- The term development included use.
- Parapet signs were prohibited but many were constructed that way because there was no definition of the extension of the front façade which was a roof sign.
- Kept the term Zoning Permit to validate existing permits.
- Within the approval process there was no distinction between zoning amendment and zoning map amendment.
- Zoning Permit requirement was changed for best practices.
- Reduction of two years to one year for expiration of approval if not action was taken. There could be a one year extension by the Planning Director.
- Reorganized procedures for variances.
- Exception process was the same as the variance process with the exception that an exception did not require a hardship but the criteria was narrower.
- Home Occupation permits were moved to the end of the section.

Leonard Rohrbough asked about a notification process if there was a one year expiration on a permit.

- Special Event Centers were defined and applied the same criteria as the B-3 district regulations if it was located within 100' of a residential district. Should indoor/outdoor seating have the same criteria as restaurants. Restaurants require the maximum amount of parking. An option was to provide documentation of the operation. The board's consensus was that it should be handled the same way as a restaurant.
- Administrative permits were removed from the table.
- Site triangle provisions were adjusted.
- Newly established auto sales must comply with parking and landscaping provisions and would not be just a change of use on an existing commercial use. The board's consensus was an amortization of existing sites for compliance with specific guidance.

Mr. Lauer said he would present at the next meeting a threshold for requiring a permit for fill on the delivery of dirt. The marina standards were still appropriate.

The next step was to review the updated drafts and meet on April 15th.

Richard Muller provided an update on the PreStressed site. Steve Oubre, Southwest Architects was hired to design the project. There would be charrettes held on April 7-13, 2015 to gather public input.

Mr. Thomas moved to adjourn the meeting, seconded by Mr. Adams and was unanimously approved.



Lori Spranley, Secretary



Dennis Thomas, Chairman