

**Planning Commission
Public Hearing
March 30, 2016**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

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

Absent: Dennis Thomas

Also Present: Louise Kidd, Planning Director; David Cressy, Asst. City Attorney; and Council Members Buchholz, Burguieres, Danielson, Madden; Council Member Elect Laure' Sica and Mike Pulaski

The case discussed was P15-07-06 Recommendation to the City Council regarding Ordinance 15-17, an ordinance of the City Council of the City of Mandeville with respect to Arpent Lots 14, 15, 16, 17, 18, 20, 21, a portion of Arpent Lot 19, (not including the subdivided lots designated as lots 1-14, inclusive, forming the southwest corner of Kleber Street and Monroe Street), Parcels A and B, and a portion of Kleber Street, located in Sections 46 & 47-T8S-R11E, City of Mandeville, St. Tammany Parish, Louisiana, more particularly described on the plat and survey prepared by Kelly J. McHugh & Associates, Inc., Civil Engineers & Land Surveyors, dated 12/03/13, revised through June 30, 2015, Dwg. No. 13-136-bs, containing 76.648 acres (the "Prestressed Concrete Site"); amending the official zoning map and Comprehensive Land Use Regulation Ordinance (CLURO) of the City to classify the former Prestressed Concrete Site as a Planned Combined Use District ("PCUD"); approving the Site Plan, Master Plan and Guiding Principles prepared by Architects Southwest, Inc., dated June 25, 2015, entitled "Port Marigny TND" (collectively the "Master Plan"); requiring that the Master Plan and its provisions, together with the Restrictive Covenants, be covenants running with the land; approving the development of the pcud in accordance with the Master Plan and accompanying submittals; revoking certain construction, drainage and sewerage servitude(s) and granting a servitude of passage and for utilities; granting variances as needed to give full effect to the master plan; establishing procedures for administering the master plan; and providing for other matters in connection therewith, and consideration of adoption of Development Agreement for Port Marigny

Ms. Scott presented that board input was requested prior to the changes of any plans. Architects Southwest was responding to comments from the board and the public. The Development Agreement would then be discussed by section as well as the ordinance.

Lauren Boring, Architects Southwest, said there were parking questions at the last meeting and she had broken up parking into sectors for the presentation. The urban sector required 920 spaces, and they were providing 1,052 spaces with off and on street parking.

The neighborhood sector provided on street parking outside of the residential lots, and they were providing 321 spaces. The total overflow parking for the project was 453 spaces. Alley parking had three parking spaces provided for single family detached sites. There were comments about the width of the street, and the size was increased by 2' with the smallest pavement width being 24'. Informal parking would have one side of the street designated for parking. There had been another comment about greenspace on Massena and Monroe Streets and a slide was presented showing the common green space with both passive and active uses. Other concerns were about the design for a more formal open space and they would provide a formal park space and a potential to redesign a mixed use block. There were Massena Street concerns about parking and it was critical for the lots to have parking in the front of the property. A suggestion was to plant a green area or replace it with a slip lane. Mr. Quillin said that would be adding a parking lane on Massena Street and asked what was the difference. The 8' area would be located within the right-of-way providing a green area outside of the right-of-way. Mr. Quillin asked how wide would Massena Street have been. Ms. Scott said the City right-of-way was 53.3', with an average

of 18-20' being the paved width so the 8' would be added to that. Ms. Boring said it appeared to be 24' and then 8' outside of that. Mr. Blache said the tradeoff was eliminating the green space, and it would have to be provided in another location. Mr. Quillin said this would lose the undulation of the various setbacks. The green space made more sense, but he would defer to the City Engineer. Ms. Boring said they were offering an alternative from the discussions at the last meeting. These houses would be alley loaded and the overflow or guest parking would be located in the front. The total internal parking for the entire development was 1,900 spaces. Ms. Scott said the City requirement was two parking spaces per unit which was being met.

Mr. Adams stated depending on the feedback provided on a new final plan that would be provided to the board, the next meeting would be the board's voting meeting. Mr. Quillin asked if the slide depicting a green area would be a pocket park. Ms. Boring said it was a 1.5 acre site and they would see how it affected the other numbers. Ms. Scott said common open space was open to all of the people all of the time. Mr. Quillin said a centrally located park would be a better benefit.

Mr. Adams said the changes appeared to improve the ratios. Mr. Blache was in agreement with Mr. Quillin about Massena Street and would prefer the green space and the central common space was essential. Mr. Adams asked if the CLURO regulations would still be met with the proposed changes. There was a discussion that Fire District 4 had reviewed the plans at 22' and was in agreement at that width so adding 2' would be better.

Mr. Muller said there were questions about apartments versus condominiums. The practical side was that it was difficult to put together a proposal for condos at this scale without having rentals. The proposed solution would be to include in the restrictive covenant requirements that apartments would be built to condo specifications with the intent to sell them as the market allowed.

Mr. Cressy presented that Exhibit K, Development Agreement, was filed with the application and the agreement for review was the same format with changes provided in the public hearings. Mr. Adams asked what would happen 4-5 years later if the developer did not follow the master plan. Mr. Cressy said there was a compliance provision in the revised statutes and the Development Agreement called for an annual review. Mr. Muller said Section 10 provided for an annual review by the Public Works Director with a report to the Mayor. If there was an unfavorable review, the City would notify the developer of a public hearing of the violation and the City Council could grant the modification or issue a cease and desist order. Mr. Adams said the Master Plan and Guiding Principles was part of the agreement so the City could stop the process. Mr. Muller said the residents could also stop the process. There would be a subdivision certification prior to the issuance of a building permit. There was a discussion that there were teeth in the agreement with the Master Plan for the City to stop the project and there must be a certification.

Section 3 discussed the entitlements and land uses allowed from the conceptual plan. Some of the uses went directly to subdivision approval and the remainder through a Special Use process. Ms. Scott said a Traditional Neighborhood District was a special use permit for all non-residential uses.

Section 4 discussed traffic and a main consideration was the load and how it affected the level of service through the public meetings. There could be up to 407 AM trips generated. There could be 102 trips before the two turn lanes on East Causeway would be required to be built. Street improvements provided for the developer to construct a left turn and the City to construct a right turn lane. That could change because of the consideration of a substantial deposit from the developer to resolve the traffic problems. The funds would be from the developer to have the improvements constructed prior to moving forward.

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Mr. Clark asked about trip generation and was it a one size fit all. Mr. Adams said no internal capture was developed. There were provisions for checking the trips. Mr. Cressy said during construction the City would have to verify the construction on the ground.

Section 5 was obligations of the City. It had been discussed about the City's responsibility for the right turn lane going south.

Section 6 was milestone limits of 102 trip count.

Section 7 was financial arrangements of \$300,000 for off-site improvements.

The remainder of the agreement was default and remedies.

Sections 10 and 12 was regarding compliance.

There was a discussion after the Development Agreement was signed that any the current CLURO regulations would apply to the development. This was a procedure for a Conditional Use and Special Use Permit requirements that would be applicable. The development would still have to be guided by changes in the CLURO as a community and would have to be taken into consideration in this project.

Mr. Cressy had reviewed the revised ordinance. Sunset Point was leased from the State to the City as well as the point with the large slab of bridge. There were outdated servitudes for construction and sewer that was no longer needed by the City. Mr. DeGeneres was concerned about drainage off Kleber Street being accommodated. There would be a revocation of the two servitudes and one over the 50' canal on the west side for the development for passage.

Section 8 was the development covenants. The lease provided a Cooperative Endeavor Agreement and could not be assigned without State approval. The Pittman's wanted to be assigned the point known as the park for public use. The developer will accept all liability under the lease. There was a discussion that the State had indicated if the City was in agreement then they would also be in agreement. There was liability being a state park and the developer would indemnify the City. The property would still be subject to being a park with the same review procedure. Mr. Quillin asked if it would revert back to the City if it was not used as a park. Mr. Muller said the request to have Port Marigny make it a park area and give up the liability.

Mr. Adams stated this would be the last public input meeting.

Dr. Oliver Whitney, 678 Hutchinson Street, said the three reasons for an ordinance was for safety, use of land and resolving neighbors' complaints. The Zoning Commission needed to evaluate the total program relative to the three reasons. As presented, it would meet the written code but components of the project would be a problem to the residents. He felt approval would not meet the reasons for ordinances.

Brian Rhinehart, 712 Carondelet Street, asked if the turn lanes and milestone would be in place until the project was completed. Mr. Cressy said 102 vehicle counts were allowed until the improvements were constructed. Mr. Rhinehart was concerned about beginning the construction of the turn lanes, the ½ year until completion and development taking 7 years with no constraints of an oops. Mr. Cressy said the turn lanes were necessary now and they would be an improvement. Mr. Adams said there were trip lines. Mr. Cressy said there would be monitoring for compliance. Mr. Quillin said the traffic count was limited by am trips. Mr. Rhinehart said if the actuals were more than projected there was no recourse. Mr. Cressy said the entitlements would be incremental. Mr. Rhinehart pointed out an error of the internal capture rate having been agreed to be 5%, but page 11 Section 4 bumped it

up to 25%. Mr. Quillin said it was about calculated versus actuals. Mr. Rhinehart thought that was a large cushion. Ms. Scott said the amount was recommended by David Bailey, City's Consultant, for actual counts above the projections to have a requirement for the developer to come back before the board. Mr. Muller said this was a new provision that was not discussed. Ms. Scott said it was an effort to capture actual counts.

Bev Tobbein, 444 Coffee Street, had ongoing concerns about traffic. The counts did not fit anyone's life style. Retirees were not sitting home and were out and about. She thought the counts were too low.

Brett Perry, 480 Chase Court East, asked if the increase was left in the document, what impact would it have on the Traffic Impact Analysis. It would make the new maximum 488 trips. Another question was the improved turns at East Causeway Approach. The Traffic Impact Analysis recognized the peak am trips were the worst case traffic. He thought the problem was west on Monroe Street. Mr. Adams said the lights would be adjusted. Mr. Quillin said with all times being equal, if the light was changed because there was not as much southbound traffic it would distribute westbound off Monroe Street to get more traffic through. Mr. Perry said the Development Plan was specific to the turn lanes. Mr. Adams said when it was discussed in detail, the exit from Monroe Street was a larger time span.

Mr. Cressy said the City could find other solutions. Mr. Adams said without any turn lanes at this time, traffic would back up on East Causeway Approach to an unacceptable level. Mr. Perry asked if the original Development Agreement required all elements to go through the subdivision process and if the new version for neighborhood elements removed City Council approval. Ms. Scott said the agreement included that single family residential lots would be created through the subdivision process. The commercial areas would be approved through the Special Use Permits process. Mr. Perry asked about the Master Green space identified at Monroe and Massena Streets being double counted on the density map. Ms. Scott said the project could count it as green space for density.

Ken Hohlbaugh, Marilyn Drive, said the residences in New Golden Shores had more than two cars, and many had a boat and a trailer. Ms. Scott said it had been presented that there would be a minimum of two parking spaces with additional overflow in the alley. Mr. Hohlbaugh was concerned about traffic and Mr. Cressy said after much discussion it was agreed to create turn lanes on Causeway.

Mr. Clark asked for a clarification of the parking space numbers. He came up with a total of 2,424 parking spaces. The 453 overflow spaces were the remainder of what was left over.

Mike Pulaski, 305 Mariners Island, asked if part of the project was sold would that person agree to comply with the Development Agreement. Mr. Muller answered that they must comply. Mr. Pulaski asked if the agreement could be voided by bankruptcy court. Mr. Muller said in financing the lender would subordinate the mortgage to the restrictive covenants.

Rebecca Rohrbough, 2525 Lakeshore Drive, addressed Section 4 since there was so much concern about traffic. She said it amazed her that people thought the solution to an existing solution was not to build Port Marigny. She expected the City to solve that traffic problem with or without Port Marigny. The project should not be held responsible for a problems they did not make. Mr. Adams said the City Council had allocated money for a citywide master traffic study and this will tie into that. Ms. Rohrbough thought a traffic circle would be a helpful solution to the traffic. She suggested using the traffic information and come up with a reasonable number of units to be approved in phase 1 and then measure the level of service on Monroe Street.

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Charles Tassin, 2432 Monroe Street, said the prescriptive measures for traffic dealt with the wrong streets. The traffic issue was Monroe Street and suggested an empirical study. Most of the people would be commuters and they had suffered for years. He thought the scope of the project did not fit the demeanor of the neighborhood being too dense.

John Keller, 2875 Villere Street, stated in his observations on Monroe Street between 7:00 and 7:45 a.m. there was more traffic turning right on North Causeway or moving to West Causeway going to the high school. It seemed that traffic backed up more on the right lane than in the left lane going to the Causeway.

Charles Goodwin, 2075 Lakeshore Drive, asked the board to visualize the nicest subdivisions with 200 apartments and a hotel and it seemed to be a step backward. At prior meetings he had asked Mr. Oubre if the project would be financially feasible without the hotel and he had answered yes. He asked about the sense of removing the hotel from the project. The apartments would be a turn off since it would be transient without the same vested interest. Ms. Boring said if the hotel was removed it would be replaced by another use.

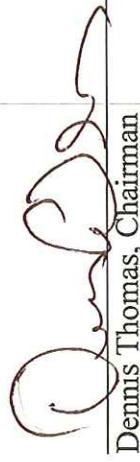
Mr. Quillin moved to hold the next meeting on April 20th, seconded by Mr. Blache and was unanimously approved.

Mr. Quillin moved to adjourn the meeting, seconded by Mr. Fairley and was

unanimously approved.



Lori Spranley, Secretary



Dennis Thomas, Chairman

