

**Planning Commission
Public Hearing
April 28, 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, Michael Blache, and Rebecca Bush

Absent: None

Also present: Louissette Kidd, Planning Director; Michael Lauer, Consultant; Council Member Rick Danielson, David Ellis, Clay Madden and Ernest Burguières; and Mayor Donald Villere

The first case discussed was Adoption of Resolution 15-01, a Resolution of the Planning Commission of the City of Mandeville recommending changes to the Comprehensive Land Use Regulations Ordinance (CLURO)

Mr. Adams stated Mr. Lauer had updated the changes requested at the last public hearing.

Map Areas

This was part of the Historic District, and it would affect foundation and fill regulations south of Monroe Street where it should be pier or pile, and north of Monroe Street should be on slab and/or fill up to 2'. The map was modified to be Fill SubArea A starting at Galvez Street to Bayou Castain, and Fill SubArea B between Florida and Monroe Streets.

Fill Sub Area A and B

- Placed changes for A in drainage overlay district
- Preexisting over 20,000 square feet to not change the rules of fill under the house, 2' and a chain wall
- Allowed driveways in side and rear yards for rear parking
- Adding language designed to channel water to city's drainage system

The issue of the Town Center District – some buildings were elevated close to or at 2' and do not require pier construction in this district. There were exemptions from the requirement.

- Provide flexibility on the grid for elevations for drainage plans – 25' unless waived or modified.
- R-1 requirement of 1,200 square feet minimum, reduced to 800 square feet because there were detailed requirements on fill, foundations and driveways, a special use permit for residential lots was not required in the Drainage Overlay District

- Clarified construction project signs were on premise signs
- Rules relating to petitions for rezoning as drafted were confusing. Mr. Lauer clarified them under Section 4.3.1.1 by creating two situations.

Mr. Blache asked what would stop citizens petitioning the Council who could choose to act on it or not. It had no effect of law and the Council had the right to look at it or not. Mr. Lauer said a valid petition must be put on the table for discussion. Ms. Scott said the section was dealing with text and map amendments. Text amendments could be a letter to the City Council or to Planning secretary. A map amendment would be if the owner could make a petition or 50% of the ownership of the properties could make a petition. Mr. Blache said the language said may and if the Council had to consider it, why use may. Ms. Scott said it was a petition to rezone and the Council may choose not to introduce an ordinance. It was existing language in one paragraph so they broke it down into sections for understanding.

Mr. Thomas asked about the 800 square foot buildable area in an R-1 district on a 10,800 square foot lot or larger. He understood that size with small frontages, but he asked why reduce the size of a house on a legal conforming lot. That would affect real estate values. Mr. Lauer said it may or may not bring the value down. Ms. Kidd said this could be considered at a future time. The board was in agreement to deferring it for further discussion and other options.

Mr. Lauer said in adjusting the setbacks there were discussions about reducing them across the board or based on height, roof drain or some other factor. That was not included in the draft at this time. Mr. Adams said that would take study. Ms. Scott said the language read that the setback would be 10' when the structure was 6' above grade if elevated. If the structure was less than 6', there would be standard setbacks. For consistency, the proposal was to make all setbacks 10', and that could help with drainage issues. This draft stated no fill within 5' of the property line. If there were non-conforming lots there could be a variance request. The scale had changed with the house elevations. Mr. Clark said the code spoke to the minimum but never the maximum. Mr. Adams suggested putting this on the list for the next set of amendments. Mr. Clark asked about moving off 30% of red clay. Mr. Lauer said the City had no way to measure the content.

Mayor Villere said he favored increasing the setbacks to 10' on both sides. There was much discussion on drainage enforcement. If the drainage was to the front and the swale must be located 5' from the property there was not much area to create it. There was a discussion if no fill within 5' of the property line was approved, it should be restricted to the R-1, R-1X and B-3 zoning districts. Mayor Villere said there could make an exception for 50' wide or less lots. Mr. Adams said he thought engineers would be more involved with drainage. Mr. Blache suggested having a drop drain system. Mr. Clark said if it could go into a ditch.

The last item was board direction on Electronic Message Centers. If the Council decided to amend the board action, there were other suggestions. Within that there could be complete ban and addressing what to do with the existing EMCs. He asked about the requirements of compliance with brightness, animation, frequency, etc. There were smaller signs used for gas prices and stores for various purposes to be considered. Another option would be to limit signs to 400' footage of multi-tenant centers. The CLURO had size regulations and number of signs. Another option was based on the square footage of the floor area in the center. There was some discussion of eliminating EMCs from the historic district, but some of that area was zoned B-2 and fronted on Florida Street. There was a uniformity question of centers facing each other. A second issue of smaller signs and fuel prices, but the regulations could not be content based so it must be based on the size of the sign. Another option could be to larger signs and only allow smaller ones.

Mr. Adams said some people want to ban EMCs completely; however, there were instances where it would eliminate sign clutter with an allowance. The B-4 district contained large shopping centers and the most objection was that the regulations could not enforce everything. He did not want to ban a specific type of technology. He would want to allow fuel prices with a specific size and do not allow any changes more than once a day. Mr. Quillin said changing once a day was against the other signs. Mr. Adams was not against banning them on West Causeway, but allowing them on the Four Corners area. Ms. Bush asked if there were communities where EMCs were not allowed, and Mr. Lauer said there areas where they were banned. Mr. Adams said he would rather have them banned than how they were existing. Mr. Lauer said he lived in a community that banned EMCs. The gas signs were hand changed or not allowed at all. The communities that banned EMCs were restrictive on all signage. With the areas there was not room to put up gas prices.

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Mr. Adams discussed an amortization period. It was safer for a legal point of view for an amortization. The billboard amortization was for seven years. Mr. Lauer said the Jefferson Parish attorney researched it and set a five year period as reasonable. There was an appeals process when the business could provide they were not able to recoup their investment in that amount of time. Mr. Quillin said Jefferson Parish had recently eliminated animation from their ordinance. It was suggested that the board express their concern and have an exception process. Mr. Clark said the City Council would have to make the final decision. Mr. Blache agreed with Mr. Adams not to completely ban EMCs, but there must be a better way to control it. Mr. Adams would like to limit the signage to premise identification. Mr. Lauer said public service advertisement could not be limited. Mr. Clark suggested letting the Council decide. Mr. Lauer said the biggest change was limiting to the frontage along arterial corridors like Highways 190 and 22, and North and West Causeway.

Council Member Burguieres had received comments in his district that they did not want these signs. This was a Dark Skies community. Now there was an opportunity to ban more signs and amortize them out. EMCs did not fit with the ambience of our town. Mr. Adams said in most of the hearings on signage, the board did not hear much on this topic. If banned, there must be an amortization period and five years might be too long. Mr. Adams did not think the businesses would run away if banned.

Council Member Ellis said he felt strongly on this topic based on feedback. On this meeting date he had received three calls and emails asking for it to be banned. He was proud of the City and did not want see EMCs. He understood safety on one of the shopping centers and hoped to find another way. Mr. Adams said he specifically spoke of the center by putting a minimum sized letter for readability and that would limit the amount of businesses on the sign. The tenant's names would be on the storefront. It had evolved into small signs of all tenants that were difficult to read. Mr. Blache said scoreboards at high schools were animated and should it be an exemption. Mr. Lauer said those were defined as incidental signs because it was not facing a highway. There was text mandating a 9" font size along the arterial highways. Mr. Quillin said that would force some centers to make a change. He was in favor of EMCs for the purpose to get information in time increments but would be able to read who was in the center versus small tenant signs. Mr. Adams suggested every premise on a major road must have an address on it.

Mr. Blache asked about the Causeway signs. Mr. Lauer said that sign was listed under exempt signs providing public information provided by a public agency. Mr. Quillin said Section 10.5.3.5, Monument Signs, was measured from natural grade and now there would be a measurement of roof height from the crown of the road so there were two different measurement methods. Mr. Lauer said the board could grant an exemption when the sign was lower than the crown of the road. Ms. Scott said where installed 5' from the property line would slope up and the City did not want the signs built up 10' when there was an opportunity to be placed at grade consistent to the top of the road. She would like to handle them on a case by case basis unless there were numerous cases. Mr. Quillin said signs were for people in cars on the road. Mr. Adams asked for a trial recommendation, action on feedback from the constituents with an amortization period of five years based on Mr. Lauer's recommendation. Mr. Lauer asked about an exemption for the smaller signs. The board was in consensus not to allow exemptions. Ms. Scott said with options they wanted to try to have an alternate draft within the amendments.

In reference to setbacks, Mr. Burguieres asked the board to remember in Old Mandeville most of the property was already built out. The substandard lots were

being considered and it would be a variance procedure. Mr. Adams said an exception would be better than a variance. Mr. Burguieres said a variance required a hardship. Mr. Adams said lot size was the hardship. Mr. Burguieres agreed with Mayor Villere to make the setbacks as large as possible. A drainage study was still on the horizon. The consensus was for larger setbacks with the variance process.

It was decided to move forward with an increase in the side setback to 10' in the R-1, R-1X and B-3 zoning districts, eliminate EMCS in all districts, provide a five year amortization period for EMCS with an appeals process and remove any ambiguity.

Mr. Clark asked what did the grading supplement accomplish. Mr. Lauer said the modifications had created three areas: drainage overlay below 6' msl cannot build on a slab, can put a slab under non habitable structures but not higher than 6" above natural grade. The yard may be graded or have water to flow to the drainage system but allow no fill outside of the soffit of the building, allow 6" of fill or to the highest point of the slab under the building. Mr. Clark said there should be no change to the terrain outside of the footprint.

Mr. Blache moved to adopt Resolution 15-01, seconded by Mr. Thomas. Mr. Quillin asked for a friendly amendment to eliminate the restrictions for the EMCS as discussed at this meeting, seconded by Mr. Blache. The amendment failed 3-4 with Ms. Bush and Messrs. Clark, Adams, and Thomas voting against.

The motion to adopt Resolution 15-01 passed 6-1 with Mr. Quillin voting against.

Mr. Burguieres asked for the submittal to the Council review when all of the revisions were. Mr. Lauer said the revisions should be complete by Friday. Ms. Scott said she would distribute it upon receipt to be placed on the May 14th agenda.

Public Comment - None

Ms. Bush moved to approve the July 1st minutes, seconded by Mr. Quillin and was unanimously approved.

Mr. Fairley moved to approve the July 22nd minutes, seconded by Mr. Adams and was unanimously approved.

Mr. Quillin moved to approve the August 12th minutes, seconded by Ms. Bush and was unanimously approved.

Mr. Clark moved to approve the April 14th minutes, seconded by Ms. Fairley and was unanimously approved.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman

**Zoning Commission
Public Hearing
April 28, 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, Michael Blache, and Rebecca Bush

Absent: None

Also present: Louisette Kidd, Planning Director; Michael Lauer, Consultant; Council Member Rick Danielson, David Ellis, Clay Madden and Ernest Burguieres; and Mayor Donald Villere

Ms. Bush moved to approve the July 1st minutes, seconded by Mr. Quillin and was unanimously approved.

Mr. Fairley moved to approve the July 22nd minutes, seconded by Mr. Adams and was unanimously approved.

Mr. Quillin moved to approve the August 12th minutes, seconded by Ms. Bush and was unanimously approved.

Mr. Clark moved to approve the April 14th minutes, seconded by Ms. Fairley and was unanimously approved.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

**Zoning Commission
Work Session
April 28, 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, Michael Blache, and Rebecca Bush

Absent: None

Also present: Louisette Kidd, Planning Director, and Mayor Donald Villere

Mr. Adams 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 V15-05-06 Tommy Cousin requests a variance to Section 7.5.1.3, R-1 Site Development Regulations, lot 10, square 7, 1715 Claiborne Street, zoned R-1

Ms. Scott presented a variance request for an encroachment into the rear yard of 64 square feet. The property was located at 1715 Claiborne Street and was zoned R-1. A building permit was issued under number 14-1928 in June, 2014. The building code provided for a single access. The original plans included a set of rear stairs and Mr. Cousin was advised of the encroachment. He did not want to redesign the project to meet the setbacks and removed the stairs. At this time, he was requesting the installation of the second access that would be elevated 9' above grade. The stairs measured 4' x 16' into the rear yard setback.

Mr. Blache asked about the rear property. Mr. Cousins said there was an L shaped lot to his rear. Mr. Adams asked about bringing the stairs under the house. Mr. Cousins said the back porch was built. He was concerned about a case of fire. Mr. Adams said there had been a chance to do this initially. Mr. Cousins said he had been delaying the process and forgot to submit the variance request. The stairs would make the porch too small.

Barbara Adler, 1735 Claiborne Street, was represented by Jane Escheleman 270 Lafayette Street who spoke against allowing the variance due to a design oversight. The house seemed too large for the lot and requested the board not allow the encroachment since the stairs could be added under the house. This was not a hardship. Ms. Adler said it was new construction and she did not understand why it was not included in the plan.

Mr. Blache asked again about dropping the stairs through the porch. Mr. Cousins did not want to give up the space on the porch. They liked a back patio and going up and down the stairs would be difficult.

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



Lori Spranley, Secretary



Nixon Adams, Chairman