Planning Commission
Public Hearing
May 4, 2016

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

Present: Michael Blache, Rebecca Bush, Ren Clark, Dennis Thomas, Scott Quillin, and Nixon Adams

Absent: Simmie Fairley

Also Present: Louisette Kidd, Planning Director; Mayor Donald Villere, Council Members Rick Danielson, Carla Buchholz and Clay Madden; Council Elect Mike Pulaski, Laure' Sica and John Keller; David Cressy, City Attorney and David Bailey, Consultant

The board discussed the updated resolution, ordinance and Development Agreement.

Findings: General:

1. The former Pre-Stressed concrete site still has remnants of its prior uses in the form of derelict structures and other potentially dangerous conditions that have been a source of concern for the people and government of the City of Mandeville as a threat to the health, safety and welfare of the public, and the site for the last 30 plus years has been an eyesore in one of the main gateway entrances to Old Mandeville.
Agreed.

2. On July 1, 2015 Pittman Assets, as the owners of the PreStressed site for the last 30 plus years, has for the first time, submitted an application to the City of Mandeville for a comprehensive redevelopment to put this site back into commerce.
Agreed.

3. The application, including the conceptual Master Plan submitted by the Owner, which regulates the development of the PreStressed Concrete Site, includes new urbanism design principles which are in substantial accord with the requirements of the Traditional Neighborhood Development (TND) and the Special Marina Use Criteria of the CLURO.
Agreed.

4. The redevelopment of this former site of a heavy industrial concrete fabrication operation as responsibly and reasonably as possible is in the best interests of the City and its citizens from economic, aesthetic and other health, welfare and safety considerations.
Agreed.

5. Testimony at public hearings by the developer was given that the marketing study prepared in May 2015, accompanying the "Port Marigny" development, showed an unmet current area demand for the numbers and types of proposed residential and commercial units. This was particularly true with respect to a new hotel, where there are none currently below I-12, and for marina slips for larger boats.
Change developer to owner

6. The residential component of the proposed development is compatible with existing nearby subdivisions and neighborhoods, the closest of which are Mariners Village, New Golden Shores, Hermitage, the Baudot Tract, and the Massena/Hutchinson area. Housing currently available in these areas range from apartments and condos, to affordable/workforce units, to medium to very high priced single family residential dwellings.
Agreed.

7. According to testimony from a city-retained consultant, Mr. David Bailey, the development concept under consideration as Port Marigny is generally consistent with policy consideration set out under Goal 12 of the Comprehensive Land Use Plan, which requires the development of the area to comply with new urbanist design standards and local architectural elements. The Master Plan and Guiding Principles document submitted with the application contains architectural standards that are within the context of the traditional architecture of Mandeville.

Agreed.

Master Plan and Guiding Principles:

1. The proposed Master Plan and Guiding Principles document includes the following in the Table of Contents: A. General B. Design Vision C. Urban Regulating Standards D. Thoroughfare Standards. This document sets forth the conceptual plan for the development proposed as "Port Marigny". During the public hearing process, the plans have been modified in response to concerns expressed by the Planning & Zoning Commissions, City planning staff, consultants and the general public.

Agreed.

2. The CLURO, in Section 8.5 includes mandatory design elements for such things as Land Use Diversity, Residential Density, Housing Diversity, Open Space, Common open space, Connectivity, Setbacks, Parking Design and Location, Open Space and Natural Areas, Lot and Block Standards, Circulation, Parking Requirements, and Architectural Elements. The latest modification dated March 9, 2016, conceptually meets or exceeds the site development criteria required by the City's CLURO for TND development.

Agreed.

3. Densities under CLURO Section 8.5 Traditional Neighborhood Development allow the following residential densities:

a. Detached, single family residential development shall not exceed eight (8) units per acre
- Propose density of 5.2 units per acre with 162 units

b. Attached residential development shall not exceed twenty-four (24) dwellings per acre
- Density proposed is 19 dwelling units per acre with 190 units.

c. Mixed use buildings shall not exceed sixteen (16) dwellings per acre.
- 4.4 acres of Mixed Use development indicating 70 units and 15.9 units per acre.

The maximum density proposed for this development site is under by a considerable margin, where 422 residential units proposed are 136 units below the maximum density allowed. However, the Comprehensive Plan requires that the maximum density be mitigated to recognize the lower density of the surrounding neighborhoods.

Agreed.

4. The Master Plan and Guiding Principles document includes a sheet entitled "Density Plan", that proposes upwards of 130 apartments (attached residential) proposed as rental units. Much of the public input received indicated that fee simple attached dwellings, such as condominium, are more desirable. Condominium is a form of ownership, not use; both condos and apartments are classified as attached residential and can be rented to non-owners. However, requiring them to meet the stricter condominium construction requirements should result in higher quality units and encourage individual resident ownership.

Agreed.

5. The Master Plan and Guiding Principles document includes a sheet entitled "On Street Parking" that proposes parking in the Massena Street right-of-way. Additionally, this document contains a sheet entitled "Urban Regulating/Open Space/Green Space" that proposes a substantial greenbelt between Massena St. and properties facing Massena St. Discussion at public hearings questioned whether or not parking should be provided within the Massena St. ROW leaving the greenbelt intact or removing the greenbelt and providing parking on the private property.

Agreed.

6. The Master Plan and Guiding Principles document includes sheets entitled "On Street Parking, Vehicular Network and Street Types" and "Street Sections". Discussion at public hearings questioned whether or not some streets should be increased in width in order to provide for parking on one side of street, outside of travel lanes. As proposed, the on-street parking is designated as "informal" with vehicles allowed to park "informally" on either side of the street. A wider street would provide for designated, striped parking on one side. The wider street with designated parking may help facilitate ease of access and travel for large and emergency vehicles and provide additional residential visitor parking without compromising the principles of new urbanism and traffic calming.

Agreed.

7. The Master Plan and Guiding Principles document includes sheets entitled "Land Use Diversity" that identifies the area of Civic Uses as 3.3 acres. The primary area proposed for the Civic space is located between the proposed Mixed Use Components of the Master Plan.

Agreed.

8. The Master Plan and Guiding Principles document includes a sheet entitled "Urban Regulating/Open Space/Green Space" that includes the development of the state owned/city lease park space that is proposed to be improved by the Port Marigny Development and that the improvement of this park will provide public opens space on Lake Pontchartrain that will be an asset not only to the Port Marigny Development but to all of the residents of the City of Mandeville.

Change to Public Open Space.

9. The Master Plan and Guiding Principles document includes sheets entitled "Urban Regulating/Open Space/Green Space Required" and "Urban Regulating/Common Open Space Required" and the CLURO under Section 8.5 TND Design Standards requires that at least 20% of the gross area of the TND shall be designated as open space and that at least 75% percent of the open space must be common open space, which may be used for passive or active parks, trails or other purposes. The plans meet the requirements of these standards, but an additional small park near the northern end of the development will provide additional common open space better meeting the intent of the provision.

Agreed.

10. The Master Plan and Guiding Principles document includes sheets entitled "Street Sections" and as proposed, streets and alleys provide adequate access for emergency vehicles as stated by Fire District #4 as per his letter dated March 17, 2016.

Agreed.

Traffic:

1. In April 2015, the owners held a charrette for the community conducted by Architects Southwest, and comments at this charrette, and at the many public meetings held thereafter, were generally supportive of the New Urbanism/TND nature of the proposal, but indicated great concern for the traffic impact the Port Marigny development might have on Monroe Street and other nearby areas.

Agreed.

2. Port Marigny Development submitted a Traffic Impact Analysis (TIA) prepared by Hall Planning and Engineering, Inc. dated June 16, 2015, revised through October 6, 2015 and also an addendum prepared by Hall Planning and Engineering, Inc. dated November 5, 2015, revised through December 16, 2015.

Agreed.

3. In accordance with the collective findings and conclusions reported in the Traffic Impact Analysis (TIA), including a 0%-5% capture rate in lieu of the 30% capture rate initially proposed, the project is estimated to generate traffic during AM and PM peak traffic times at rates shown in the TIA, based on the *Trip Generation Rates and Equations*. The AM Net New Trips are the trips that will likely cause a decline in the level of service (LOS) at the Monroe Street/East Causeway Approach intersection, thereby necessitating implementation of improvements to the street infrastructure. The TIA indicates the total number of AM Net New Trips generated by all Land Uses permitted by the Ordinance is 407 external vehicle trips, composed of 144 entering trips and 263 exiting trips ("Total AM Net New Trips"). The Development Agreement establishes a formula whereby the Developer may not increase the number of Units within the Port Marigny Development beyond the total number of Units quantified within the formula. Additionally, a milestone limit has been established and the present total AM net new trips shall not exceed the Milestone Limit until agreed upon infrastructure improvements have been completed. The Milestone Limit applicable to the development of the Port Marigny Development is one hundred and two (102) Present Total Net New AM Trips.

Agreed.

4. Developer acknowledges and agrees that it will pay its fair share of the costs, fees and expenses for the described improvements, and said improvements shall be engineered, designed and constructed within two years from the date that the Developer records in the public record a final subdivision plat for the first Phase of the Port Marigny Development.

Agreed.

5. During the public hearing process, concerns were expressed regarding safeguards that should be in place, should the trips generated from the Port Marigny Development be greater than those estimated in the TIA using the industry standard outlined in the *Trip Generation Rates and Equations*. The Development Agreement includes safeguard provisions stating if trips generated exceeds 407, the City may withhold approval of further development until an agreement on a plan to accommodate additional trips generated is reached between the City and the developer.

Agreed.

6. The City's Consulting Traffic Engineer, Digital Engineering, Inc. reviewed the submitted TIA and Addendum and offered many comments and proposed revisions to the Planning & Zoning Commissions and staff, which were incorporated into final TIA and Addendum dated 10/6/15 and 12/16/15, respectively and determined that it is in compliance with the CLURO Section 8.4 Traffic Impact Analysis Provisions.

Agreed.

7. The City is also conducting a separate ongoing traffic study of a wider local area that is scheduled to be completed in the next few months and should assure that an optimum long-range solution to the existing and future problems at the Monroe Street/East Causeway intersection is developed in conjunction with improvements made with the Port Marigny development.

Agreed.

8. Actions that would encourage access to the development by north-south streets should not be considered because of concerns about expropriation for right-of-way acquisition in the case of Lambert Street, school traffic in the case of Massena Street, and resident concern and opposition in the case of these and other streets in the area with stable, developed neighborhoods

where significantly increased traffic would change their character. The final traffic study report addressed this concern in that the proposed improvements were located at the Monroe and East Causeway Approach intersection.

Agreed.

9. The Mariners Village connection, as stated in the Comprehensive Plan, was considered by the Traffic Engineers, and it was determined that the proposed improvements at the intersection of Monroe and East Causeway were a better option to relieve traffic congestion. However, the connection between Mariners Village and Port Marigny should still be considered for connectivity during the subdivision process for Port Marigny. To facilitate this in the future, Ord. 15-17 contains a provision for a non-exclusive servitude for passage and for the construction of utilities being granted to Owner over and across the drainage canal for vehicular, bicycle and pedestrian traffic, and utilities.

Agreed.

10. The Public hearing process demonstrated that existing and potential traffic is a concern for everyone. The intersection of East Causeway and Monroe Street is currently a problem. The development may increase traffic, however, through the Development Agreement, the developer will be required to pay for it's pro rata share of improvements needed to address additional traffic, as determined by the developers and city's traffic engineers. The specific method of fixing the existing traffic problem has not been fully determined, but generally deals with the intersection of Monroe and East Causeway.

Change it to owner or developer in this item only. Agreed.

Grading Plan (cut and fill):

1. The plan labeled "The Grading Plan (cut and fill)" prepared by Kelly McHugh and Assoc. for Pittman Assets, LLC dated 9/25/15 rev. 02/15/16 is a conceptual cut and fill plan, not a final grading plan.

Agreed.

2. Concerns were expressed about the amount of fill and terrain alteration in this plan, possible biotic and hydrologic effects, runoff filtration impact, and the environmental considerations in light of the site's history of industrial use. Regarding the last, the owners of the site testified that three Environmental Impact Assessments (EIA) have been performed in the past, but those documents and findings have not been presented to the Commission for discussion, information or consideration. Another EIA at a level and area extents to be determined according to best available science at the time will be required prior to any development of the site, and in accordance with CLURO subdivision regulations.

Change stated from testimony. Agreed.

3. The Drainage Impact Analysis prepared by GEC dated September 28, 2015, submitted in conjunction with the Grading Plan (Cut and Fill), which generally demonstrates water flowing southward from Monroe Street and away from existing streets and adjacent developments, seems logical and achievable based on input from the city engineer and public works department. Additionally, the plans in much more detail will be examined again as project phases go through the subdivision process, which will ensure there is no adverse impact on the development or adjacent properties.

Agreed.

Other:

1. Port Marigny has proposed a Cooperative Endeavor Agreement to facilitate the construction of a park on a parcel of land identified "Park Area" (State Leased property) consisting of 1.575 acres, in accordance with the Master Plan and Guiding Principles document.

Proposed development of this Park Area by Port Marigny and made available to the public is consistent with the City's Comprehensive Plan for the development of the Pre-Stressed Concrete area and consistent with the current State lease with the City that this site should be used as a park and will serve as a public purpose.

Agreed.

2. Mr. Muller, attorney for Port Marigny, stated at the Planning Commission meeting held on April 20, 2016, that financial projections for the Port Marigny Development included an overall market value of $97,264,290. Additionally, the total estimated assessed values for both the residential and commercial is $10,261,340, with estimated revenue to the City of $113,185 and $1,457,036 to the Parish for a total revenue of $1,570,221.

Agreed.

Development Agreement:

1. The purpose of the proposed Development Agreement between the City, Pittman Assets and Port Marigny is to assure the orderly development of Port Marigny and to assure that the City's infrastructure is adequate to accommodate the uses in Port Marigny set forth in the approved Master Plans and documents, as such uses are planned in accordance with the City's Special Use Permit and Subdivision procedures and constructed in accordance with the City's permitting process.

Mr. Cressy said the Development Agreement paralleled the ordinance. The original ordinance contained a procedure which was now included in an Addendum.

BE IT RESOLVED that the Planning & Zoning Commissions recommend to the City Council adoption of Ordinance 15-17 based on the above findings and the following recommendations:

1. The Master Plan and Guiding Principles document includes a sheet entitled "On Street Parking" that proposed parking in the Massena Street right-of-way. Additionally, this document contains a sheet entitled "Urban Regulating/Open Space/Green Space" that proposes a substantial greenbelt between Massena St. and properties facing Massena St. An alternate plan discussed at public meetings, as depicted on "Port Marigny / Massena Street Options" dated 3.30.16, proposed removing the greenbelt and providing parking on the private property. The Commission recommends that parking in the Massena Street right-of-way should not be abandoned, as this would lead to property owners creating parking on their own lots and the partial elimination of a large green belt setback in front of private property currently proposed. However, additional paving of Massena Street within the right-of-way, outside of existing travel lanes should be provided wherever possible to accommodate parking.

Agreed.

2. The Commission recommends that the attached residential (apartments) be constructed in accordance with the construction requirements for Condominiums.

Ms. Scott had spoken with the Building Inspector and the utilities would be specific to the individual units. There were condominium standards in the International Building Code. Agreed.

3. Regarding the sheets entitled "On Street Parking, Vehicular Network and Street Types" and "Street Sections", the Commission recommends that the alternate plan discussed at public meetings, as depicted on "Port Marigny Parking Plan" dated April 2016, to increase the street widths within Port Marigny to eliminate the "informal parking" which will provide for "striped parking" on at least one side of the street in order to provide additional residential visitor parking and to facilitate passage of emergency vehicles be approved.

Agreed.

4. To help offset density towards the northern end of the project, as per the Comprehensive Plan, and to increase public park space and create a more attractive, useable amenity for both

residents and non-residents of Port Marigny, the Commission recommends that the sheets entitled "Urban Regulating/Open Space/Green Space Required" and "Urban Regulating/Common Open Space Required" be amended to add an additional small park near the northern end of the development to provide more public space near the town center as per the sheet entitled "Port Marigny- P&Z Alternate 1, site sketch" dated April 2016.

Agreed.

5. In regard to the sheets entitled "Land Use Diversity" and the proposed Civic Space, an expanded Civic Use area would enhance the proposed development and the Commission recommends that the Master Plan be amended to incorporate the plan presented at the public hearing on March 30, 2016, referenced as "Port Marigny- P&Z Alternate 1, site sketch" dated April 2016, to provide an expanded area of Civic Space.

Agreed.

6. The Grading Plan (cut and fill) prepared by Kelly McHugh and Assoc. for Pittman Assets, LLC dated 9/25/15 rev. 02/15/16 proposes the conceptual volumes and general placement of cut and fill as well as the removal of existing water bodies and vegetation proposed for the site. The Commission recommends that prior to any modification of the site an Environment Impact Assessment be prepared and submitted to the City of Mandeville in accordance with the application requirements for subdivision, and that a final grading plan be submitted for approval by the City Engineer prior to any modification of the site.

Agreed.

7. The Commission recommends that the proposed Cooperative Endeavor Agreement for the development of the Park Area by Port Marigny be approved provided that the park be improved and public access provided in conjunction with the first phase of the subdivision of Port Marigny. Should it not be possible to provide access as part of the first phase, other public amenities should be provided.

It was agreed that other public amenities would be provided and to remove "should".

8. The Commission recommends approval of the Development Agreement based on the recommendation of Special Counsel that it adequately addresses obligations between the applicant and the City and reflects the findings and recommendations of the Planning & Zoning Commissions.

Agreed.

Mr. Quillin moved to adopt Resolution 16-01 with the minor amendments that were discussed and the resolution was read in full, seconded by Ms. Bush.

Mr. Quillin moved in Be It Resolved number 3 last line to change "instead of striped parking" to "formally designated parking". After discussion, Mr. Quillin moved to amend the verbiage to "clearly defined parking", seconded by Mr. Blache. The vote was unanimously approved.

Mr. Cressy said in the last Be It Resolved that following the recommendations there would be attached the memo from David Cressy, Special Counsel, dated May 4, 2016. It was requested to attach the memorandum to the minutes of the meeting. Mr. Blache moved to attach Mr. Cressy's memo as part of the recommendations, seconded by Mr. Quillin and was unanimously approved.

Mr. Clark asked if by approving the resolution was it approval of the ordinance. Mr. Adams said the resolution would be a recommendation of the ordinance, Development Agreement and other documents. It was noted in Section 6, page 10 of the ordinance that the board had named the Fill and Grading Plan a Cut and Fill Plan. There was a discussion about a variance to fill and if there were special difficulties which the past use of the site could be considered a hardship. Mr. Quillin moved to eliminate "and a hardship". Mr.

Cressy said it did not change the sense of the paragraph. Mr. Blache moved to change the verbiage to "present a challenge", seconded by Mr. Quillin. It was discussed to include item 6 ordinance change into the resolution. There was a discussion about the cut and fill sheet not being a final drainage approval. Mr. Clark clarified that the board recommendations were not approving a preliminary drainage plan and Mr. Blache answered that it was an acknowledgement of a need for it. Ms. Scott said Mr. cressy's memo would be amended to include this. The motion was unanimously approved.

Mr. Quillin moved to approve the resolution as amended through the final discussion, seconded by Ms. Bush and was unanimously approved.

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

Lori Spranley, Secretary

Dennis Thomas, Planning Chairman