

**Planning Commission
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The meeting was called to order at 6:30pm by Planning Chairwoman Karen Gautreaux.

The secretary called the roll.

Commissioners Present: Karen Gautreaux, Nixon Adams, Simmie Fairley, Brian Rhinehart, Ren Clark, and Mike Pierce.

Absent: None


Also Present: Cara Bartholomew, Director Planning Department; Lauren Brinkman, Planner; Elizabeth Sconzert, City Attorney; Whitney Stewart, City Attorney; Alex Weiner, Secretary

Minutes:

Mr. Rhinehart motioned to adopt the minutes from the June 8 and June 22 meetings, Mr. Fairley seconded and it was unanimously approved.



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

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Nixon Adams, Zoning Commission Chairman, commenced the Zoning Commission Meeting.

Mr. Adams said 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.

New Business:

Ms. Gautreaux motioned to remove V21-07-17 from the agenda, as the applicant had requested to withdraw the case, Mr. Fairley seconded, and all were in favor

V21-07-18 – Jonathan Garrett & Tracy Womack requests a variance to CLURO Section 7.5.1.3 R-1 Site Development Regulations, Sq. 84, Lot A2, R-1, Single-Family Residential District, 1230 Villere St.

Mr. Adams reiterated that there was a lot of discussion at the last session, and that this exception was to make it compatible with houses already built next to it. Mr. Adams also asked if there had been any neighbor input, and Ms. Bartholomew replied that there had not been any.

Mr. Rhinehart restated that the house adjacent to the property had 10ft setbacks, and the lot was legal conforming before the change.

Mr. Rhinehart motioned to approve as submitted, and Ms. Gautreaux seconded. It was approved with a vote of 4-2, with Mr. Clark and Mr. Pierce voting against.

V21-07-19 – Catherine Deano requests a variance to CLURO Section 8.1.1.4 Allowed Setback Encroachments, Sq. 38, Lot 2, R-1, Single-Family Residential District, 2400 Livingston St.

Mr. Rhinehart clarified that it was an incursion of only about 3½ ft.

Ms. Gautreaux motioned to approve as submitted, Mr. Fairley seconded, and it was a unanimous approval.

V21-07-20 – Elie Khoury requests a variance to CLURO Section 9.2.5.7 Live Oak Protection Requirements, Sq. 89, Lots 3-A-1 & 3-A-2, R-1, Single-Family Residential District, 2627 Lakeshore Dr.

Mr. Adams mentioned that the point of the Live Oak ordinance was two-fold, to protect the trees themselves and to protect the urban canopy. Mr. Adams mentioned that he would like to have a landscape architect to review plans in the future to assure that the canopy will be provided and a guarantee to replace any trees that may die.

Ms. Bartholomew clarified that the request was to transplant two trees, remove six trees, and preserve three trees, all of which would be live oaks.

Mr. Adams said that the recommendation for transplanting trees is to do it over two growing seasons, Ms. Bartholomew mentioned that only one of the trees being transplanted is in the footprint.

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Mr. Clark mentioned that he has seen Live Oaks transplanted and die, and that transplant is a loose term.

Mr. Adams said that they added lots of good size Oaks in the park, and that he wants big trees that are container grown.

Ms. Gautreaux apologized for missing the last meeting, so she was not able to participate in the discussion and asked why the footprint of the house was on top of the trees, and why not just adjust the footprint.

Paul Dimitrios, Architect on the project: Got up to address MS. Gautreaux's question saying that the stairs were adjusted to preserve the tree in the footprint. He went on to say that he is concerned about the tree being damaged during construction and wants to transplant it

Mr. Adams asked if the project was time sensitive as he wants to get a landscape architect to look at the property. Mr. Dimitrios replied that the owner is looking for an agreement as the decision from Planning and Zoning is holding up the process to move forward with the Historic District Commission. He went on to say that if the removal and replacement are approved the can work with making a favorable landscape plan.

Mr. Adams expressed concern that the trees would die from the transplanting
-Mr. Dimitrios replied that he did not think that the owner would have a problem with conditioning any tree death to be replaced with a tree in kind or with a 4" caliper tree.

Frank Thibodeaux, consulting arborist for the owner: Stated that the trees being removed are of a small caliper with wounds and defects. He agreed with Mr. Adams that transplanting survival rates are not good, and he said the best option would be to have field grown trees that had root pruning and agreed with doing it over a two-year period.

Mr. Dimitrios mentioned that they are proposing to replace the trees with trees that have a 4" caliper, when the requirement was 2". He also said that they are willing to go up to a 6" caliper but believes that a 4" caliper will be better for survival.

Mr. Thibodeaux spoke again saying that they can oversize the root ball to increase the odds of the tree surviving. He went on to say that the usual requirements were 10inches of soil for each inch of caliper, but they could double the requirements to increase survivability. They would give a 4" caliper an 80" root ball.

Mr. Adams asked if they would accept the condition of a landscape architect to inspect the property, Mr. Dimitrios replied that it should not be a problem.

Mr. Pierce asked what would happen to the four trees to be planted in the right of way if Public Works did not approve of them, he was also concerned about the location of powerlines and asked if this was a good spot for the trees. Ms. Bartholomew replied that if they were not approved then they would have to be moved onto the site and clarified that the powerlines were located on the other side of the driveway, and that if the location was suitable for the trees would be part of the review conducted by Public Works.

Becky Rohrbough, 2525 Lakeshore Dr: Mentioned how there is flooding on West Beach Parkway, and it moves down Carondelet and onto Lakeshore Dr. Said that there are culverts and open drains on Carondelet and agrees that a treescape there would look lovely but had concerns about what would happen if they planted something of that size onto the culverts. They need to know what is underground. She said that the house could have been better sighted, she said that if the lots were separated, and the new construction proposed as a sperate residence then that would be a better outcome for the property.

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Mr. Adams asked if Parks and Parkways would look at the trees in the right of way, Ms. Bartholomew replied that they might look at them, but public works would definitely look at them.

Charles Guincharch, 635 Carroll St: Suggested that a site visit might help with their decision. Mr. Adams replied that the commission cannot meet as a group outside of the meeting time but said that he would assume that the commissioners would pass by the site to look it over.

Catherine, 1270 Villere St: Concerned about birds hitting the glass, and wants the guidelines followed

Mr. Rhinehart said that looking at the Live Oak Protection requirements, would the property be better off after the transplant and removal or is it better now. Will the city be better off after as opposed to now, and with regards to the flooding issues that were brought up, the old trees have survived, how will the new trees fare, with being at a disadvantage from being transplanted.

Mr. Clark mentioned how the function of the land would be dramatically changed.

Mr. Dimitrios said that they are preserving the trees in the front by removing the driveway to help the tree live, and that they are trying to help the trees. He went on to say that the trees they are removing are small, with nothing over a 7" caliper and believes that the quality of the trees will improve with the new trees they bring in.

Mr. Clark asked if Mr. Adams is concerned and wants to get another set of eyes to look at the property and see if it benefits the community.

-Mr. Adams said that he thinks something will be done with the property, he wants someone to say that it will look better.

Mr. Clark said that some more time might benefit everyone as they have someone look at the site. Mr. Adams replied that he thinks they should look at every vacant lot

Ms. Sconzert advised the commission to refine their motion to define who is looking at the site.

Mr. Dimitrios had a question on what the landscape architect would look at, since they have not submitted a full landscape plan yet. He asked if they would review the site plan with tree locations.

Ms. Bartholomew asked if the Commission was expecting the architect to review a landscape plan or to just review the proposal to remove and replace six trees.

Mr. Rhinehart said that the architect could look at the site and say if there could be a positive landscape plan put in place or if there was no way to make a positive plan

Mr. Clark made a motion to table the case for two weeks until the next meeting to have a landscape architect come in with the necessary skill set to look at the function and how the site will look and see if it would be a better value and benefit to the community and have public works give input on the structure of the culvert and drains. Mr. Fairley seconded and all were in favor

V21-07-21 – Michelle Boudreaux requests a variance to CLURO Section 5.2.3.2 Drainage Overlay District and Fill Sub-Area A, Sq. 5, Lot 16, R-1, Single-Family Residential District, 277 West St.

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Mr. Clark said that expertise and more informed eyes could look and see if it will have any effect on the neighbors.

Michelle Boudreaux, Applicant: stated that their property flooded just from the rain last week, with the lake not even rising. They said that there has been no issues from the neighbors, they just want to limit the pool chemicals getting into the water which is why they are raising the sides.

Mr. Clark asked how long they have lived there and if there has been more than two feet of water multiple times. Ms. Boudreaux replied they had been there for about 20 years and yes there were instances of the water being higher than two feet.

Mr. Rhinehart reiterated that the pool had a proposed elevation of 24 inches and the grade is limited to 6 inches. Ms. Bartholomew replied that fill is any earth or concrete so this would be fill

Ms. Boudreaux said they were trying to minimize everyday flooding, like with what happened last week.

Mr. Clark wants another look to see if it creates a problem for the community, and said he is concerned about setting a precedent for the West side of town.

Mr. Clark asked if you could just buy an above ground pool and place it down. Ms. Brinkman stated that per FEMA regulation if there was an enclosure with more than two walls with no area for water to flow through in a flood zone, then it would have to be elevated to base flood elevation plus two feet.

Mr. Clark asked if this would negatively affect the city CRS rating, Ms. Brinkman replied that it would not as the city does not get rated on fill.

Ms. Gautreaux said that from the city perspective if there would be any impact and wondered who would look at it. Ms. Bartholomew replied that it would be Digital Engineering, the city engineer.

Mr. Fairley asked if it was approved as an exception who would show that it provided a benefit, Ms. Bartholomew replied that would be the applicant who needed to prove that it was a benefit.

Ms. Gautreaux made a motion to table until the next meeting, pending additional information on if it would have an adverse impact on the neighborhood, with the city engineer being present at the next meeting. Mr. Rhinehart seconded, and all were in favor.

Mr. Clark motioned to adjourn the meeting, Mr. Rhinehart seconded, all were in favor.

The meeting was adjourned at 7:47pm.



Alex Weiner, Secretary



Nixon Adams, Chairman
Zoning Commission