

**Planning Commission
Work Session
July 13, 2021
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The meeting was called to order at 6:30pm by Zoning Chairman Nixon Adams.

The secretary called the roll.

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

Absent: Karen Gautreaux

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

Minutes:

Mr. Clark motioned to table the minutes until the next meeting when Ms. Gautreaux would be present. Mr. Adams seconded and it was unanimously approved.

Mr. Adams adjourned the Planning Commission Meeting.



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:

SU21-06-04 – Chris Donner is requesting a Special Use approval to Section 6.4.9, A&E Wash, to allow the construction of a car wash facility at 1255 West Causeway Approach, currently zoned PCUD (Ordinance 03-13).

Rhonda Alleman, 1413 Rue Bayonne: Read the coalition letter into the record.

Janet Smith, 1164 Rue Chinon: Said that the development is not compatible with the surrounding area, had a video play of people who lived close to a carwash share their experience.

Deanna Sparkman, 1408 Ridgeway: Approached by the residents of Fontainebleau to share her story of living by a carwash, and she said its very loud.

John Liggio, Woodstone: Visited a Pit Stop carwash in Slidell and sat 50ft away from it and just listened and said that its very loud.

Jason Zuckerman, 1354 Villere, Council at Large: Expressed the complaints from constituents that are against the carwash

-Mr. Adams said he heard what he was saying, but replied that even if everyone in the room said that they were against the carwash, the commission must focus on compatibility issues

Clay Madden, 224 Live Oak: Said that he disagreed with what Mr. Adams said, that there needs to be some human element and the Commission is that element

-Mr. Clark said that it is a question of compatibility with respect to the comprehensive plan, and that the Commission is in charge of interpreting the plan.

-Mr. Adams said that if the people do not want a carwash, then there needs to be an examination of the ordinances that allow a carwash to be built, and to change them if necessary

Mr. Clark said that the construction of the carwash would eviscerate the tree canopy and add lots of impermeable surfaces, so he says that its not compatible with the surrounding area.

Rebecca Bush, 7 Finch Lane: Asked the commission to deny the carwash based on the regulations in the CLLURO concerning noise and compatibility

Mr. Rhinehart read CLURO Section 4.3.2.8 and said that the carwash would change the nature of West Causeway Approach and impact the surrounding neighborhood, school and park. He also agreed with the comment made by Mr. Clark at the previous meeting concerning any leakage from the storage tanks entering the Chincuba watershed.

Mr. Rhinehart motioned to not approve, Mr. Adams seconded, and it was passed unanimously

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New Business

V21-07-17 – Brad del Rio requests a variance to CLURO Section 8.1.1.4 Allowed Setback Encroachments and Section 5.2.3.2 Drainage Overlay District and Fill Sub-Area A, Sq. 77, R-1, Single-Family Residential District, 1331 Madison St
(APPLICANT REQUESTED TO WITHDRAW REQUEST FOR FILL)

Mr. Adams asked if the property would lose any trees, and if the surrounding properties would need variances like this one

-Ms. Bartholomew replied that yes, the other properties would need variances, as the property is low, and backs up to little Bayou Castine watershed

Juliane Amedee, 415 Atalin: Said that there are not a lot of trees left on the lot as the applicant had cut them all down

Mr. Adams asked if they had a landscaping plan in place, Ms. Bartholomew replied that there was a compliance agreement in place and they were working with Catherine, the City Arborist.

Jake Rose, lives around the corner: Said that he is concerned about trust with the applicant. There have been two stop work orders posted on the property that have been ignored, so he is wondering if they would actually encroach 5ft into the setback, or if they would do more. He was curious as to who would check that they actually were in compliance with what was granted.

Earnest Burguieres, 241 Wilkinson St: Said that a variance was for a hardship that you could not get around. He said that is not the case here, as the hardship is caused by the design of the house.

-Ms. Bartholomew clarified that it was an exception not a variance. Mr. Adams said that exceptions need to benefit the city, and asked what benefit was gained by granting the exception.

Brad and Dawn del Rio, 222 Lafitte: They said that they designed the house in order to not impact the wetlands behind the house, and to avoid any flooding that would occur given the location of the lot.

Mr. Adams asked if the landscape plan would have extra trees, Brad said that they would plant 16 on the lot and 4 on the lakefront.

Brad said that the plans they drew up is done in an effort to build on the higher part of the land, and to plant good quality trees. He stated that the stairs look better on the front and are out of the way of their driveway if they can extend into the setback. Brad also pointed out that there were other properties that had their level raised above sea level, citing the Ambrose property as being 5.5ft above sea level, the house on the corner being 6.8ft above sea level, and the properties at the marina to the east were 4.9ft above sea level.

Mr. Clark wants their surveyor to provide the latitude and longitude of the points on their survey to Ms. Bartholomew and the planning department, so they can get a sense of how the lot behaves with elevation and slope.

Mr. Rhinehart clarified that the amount of fill allowed in Drainage Area A was limited to 6inches, Ms. Bartholomew replied that was correct, however the request for fill was withdrawn, so no fill would be coming in.

Mr. Pierce asked if the variance was granted, would that be limited to only the stairs, or would anything be able to go into the setback. Ms. Bartholomew replied that they could

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condition it to only the stairs or for the entire house.

Charles Guinchard, 635 Carroll: Asked what the difference between a variance and an exception was. Mr. Adams replied that a variance needs a hardship that you cannot get around, that is not monetary, and an exception needs to benefit the city somehow.

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 thinks that this is grounds for an exception so they can fit in with the neighboring properties.

Tracy Womack, 1230 Villere: Stated that the neighbors are not opposed to their request, and that she can get letters from them to get it in writing.

Mr. Pierce clarified that they could have made four lots instead of five if they had used the current size setbacks, Ms. Bartholomew replied that the lot meets the minimum size, and the setbacks are based on the minimum frontage, and the old setbacks were 10ft no matter what the size of the lot was. The larger setbacks were to help mitigate larger elevated structures that would be closer to the property line, but this lot is not in a flood zone, so they do not have to be elevated.

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.

Nothing was needed and no comments were made so the commission moved on to the next case

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 asked why the Historic District Preservation Commission is not going to look at this case before Planning and Zoning does. Ms. Bartholomew replied that the Historic District Commission did not want to give the exterior an approval if they needed a variance, but that Mr. Adams can condition their approval based on an approval from the Historic District Commission.

Paul Dimitrios, Architect: Said the consensus of the project was to replace the trees with specimens that were in good health, rather than transplant trees that could potentially fail. Blake Levern, their arborist: Said that they met with Catherine, the city arborist and Malcolm, the city consulting arborist, and the plan of the applicant was to remove all of the trees that had defects and to replace them with healthy specimens.

Mr. Adams asked if there was a guarantee on the specimen trees, Mr Levern replied that yes there was a guarantee of one year.

Mr. Clark stated that the microbiome would be changing by introducing foreign trees and soil. There would also be an increase in the impervious surface area. Mr. Levern replied that they have great success with transplanting trees, and the trees they would use would be native specimen live oaks.

Elie Khoury, 2627 Lakeshore: Said that there are two lots, with one having never been developed. They also set their house closer to their current home to have a larger setback

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to help preserve a larger oak. The old house is small, with plenty of footprint to move the transplanted trees into. They also would be removing the driveway on Lakeshore and would not have any concrete on Lakeshore at all, the entrance would be on Carondelet. There would only be landscaping on the Lakeshore side, and they planned a big budget for landscaping.

Mr. Adams asked if they would replace any dying tree, what would they replace it with. Mr. Levern replied they would replace it with the best of the best, and would replace trees with in kind trees. He also stated that the arborist was in favor of their idea of removing the driveway as that would increase the success rate of a large tree in the front, close to the current driveway.

Mr. Clark asked for an impervious area coverage, and for the GPS points be given to Ms. Bartholomew and the Planning Department.

Mr. Rhinehart asked if there was a slab under the raised part of the house. Mr. Khoury replied there was, Mr. Dimitrios said that there will be some parts of pervious area and the trees on site were tagged if they wanted to look at them.

Mr. Khoury said the style of the new house would be Creole/Acadian

V21-07-21 – Doug King 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.

Michelle Boudreaux, 277 West: Applicant, she said that she is trying to avoid flooding issues from the lake and supplied pictures of other above ground pools. She was also wondering what the definition of Impervious vs Pervious was. Mr. Adams replied that pervious allows water to flow through it and impervious does not.

Mr. Rhinehart asked what the maximum allowed height in the CLURO. Ms. Bartholomew replied with 6inches.

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

The meeting was adjourned at 8:15pm.



Alex Weiner, Secretary



Nixon Adams, Chairman
Zoning Commission