

**Planning Commission  
Public Hearing  
January 22, 2019**

The meeting was called to order by Planning Chairwoman Rebecca Bush and the secretary called the roll.

Present: Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush, Jeff Lahasky and Bill Sones

Absent: Nixon Adams

Also Present: Louise Scott, Director, Planning Department; Paul Harrison, City Attorney; and Council Member Laura' Sica

The first cases discussed were corresponding planning and zoning cases that were discussed in conjunction. The Planning case discussed was P19-01-01 Recommendation to the City Council regarding Ordinance 18-41 to effect the annexation of a portion of ground situated on La. Highway 22 being lot 39B-1 of the commercial portion of Beau Chene Subdivision into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as a B-2 Highway Business District and providing for other matters in connection therewith. The zoning case discussed was Z19-01-01 Recommendation to the City Council regarding Ordinance 18-41 to effect the annexation of a portion of ground situated on La. Highway 22 being lot 39B-2 of the commercial portion of Beau Chene Subdivision into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as a B-2 Highway Business District and providing for other matters in connection therewith

Ms. Scott presented a recommendation on annexation of Ordinance 18-41. The case was discussed at the work session that the property was identified as a target area for annexation and was listed as a Priority 1 area where the City would receive 80% of the sales tax and it would be listed in City Council District 1.

Ms. Bush moved to recommend approval of the annexation with a B-2 zoning, seconded by Mr. Lahasky and was unanimously approved.

The next cases discussed were corresponding planning and zoning cases that were discussed in conjunction. The Planning case discussed was P19-01-02 Recommendation to the City Council regarding Ordinance 18-39 to effect the annexation of certain immovable properties situated in Section 36, T7S, R10E, Parish of St. Tammany, State of Louisiana, containing approximately 285 acres into the corporate limits of the City of Mandeville; designating and assigning the properties for purposes of zoning O, Open Space District and for other matters in connect therewith. The zoning case discussed was Z19-01-02 Recommendation to the City Council regarding Ordinance 18-39 to effect the annexation of certain immovable properties situated in Section 36, T7s, R10E, Parish of St. Tammany, State of Louisiana, containing approximately 285 acres into the corporate limits of the City of Mandeville; designating and assigning the properties for purposes of zoning O, Open Space District and for other matters in connect therewith.

Ms. Scott presented this case was discussed at the work session for the annexation of 285 acres of City owned property with a zoning designation of Open Space. The City purchased the property from The Trust for Public Land in February, 2007. This was in the target area for annexation as Priority 1. The adjacent property was zoned Open space and this would be consistent zoning.

Mr. Blache requested that public input be contained to the discussion of the annexation and not wetland assimilation or critical areas.

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Mr. Clark asked for himself, he offered a rider to the recommendation that related to a peer review. When the discussions came of how to be put this property to use whether it be a camp grounds for the Girl Scouts, mitigation or assimilation, he would like the City Council to have at its disposal more science to review. He asked for a peer review to have more than one opinion on uses downstream. Mr. Fairley clarified that the request was to have someone checking data. Mr. Clark stated that the "elephant in the room" on this issue was that there would be a proposal for the use of the land for a specific use. When that was proposed there would be one block of science being offered and there were other blocks of science that was peer review to be put up against that just for people to look at. It was incumbent on the commission and the City Council to have an opportunity for peer review of the findings. Mr. Blache said it was his understanding that the property was already in use as a wetland assimilation. Mr. Clark said there was growing scientific concern and he thought that the City Council should be alerted that it would not be a bad idea.

Mr. Harrison said there were no problems legally making that recommendation and he did not think it had anything to do with the annexation and zoning of the property, but it could be a finding. Mr. Clark said Mr. Blache had said the future was now and as he was reading an article from a scientist at MIT said the future was what we made it and you could design the future. He thought we needed to be careful how the future was designed to allow other science to have something to say. It was his thought because he had a conversation with a colleague, who was a Ph.D. soil chemist about what happened with over-fertilization in farming, but farming was just plants. Ms. Scott asked if the peer review was how it related to. Mr. Clark said he wanted the door open for more than one piece of science and opinion to be part of the discussion going forward. Ms. Scott asked if that related to any use of the property or particularly the wetland assimilation. Mr. Clark said any use, but the elephant in the room was the wetland assimilation and that was where the science would come from. Ms. Scott wanted to make the recommendation clear for the City Council that you were recommending additional review for consideration of wetland assimilation on the site.

Mr. Clark moved to recommend the annexation and zoning inclusive of the recommendation for peer review of the uses, seconded by Mr. Fairley, and was unanimously approved.


Adoption of the minutes of August 28, 2018 were deferred until the next meeting.

Ms. Bush moved to adopt Resolution 19-01, seconded by Mr. Sones and was unanimously approved.

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



Lori Spranley, Secretary



Rebecca Bush, Chairwoman  
Planning Commission

**Zoning Commission  
Public Hearing  
January 22, 2019**

The meeting was called to order by Zoning Chairman Michael Blache and the secretary called the roll.

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Absent: Nixon Adams

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Mr. Clark moved to recommend the annexation and zoning inclusive of the recommendation for peer review of the uses, seconded by Mr. Fairley, and was unanimously approved.

The next case discussed was V19-01-04 Aimeeco, LLC requests a variance to Section 9.2.5.5, Landscape Requirements in Districts other than Low Density Residential, Plot G, Lot 12, Poitevent Tract, 3980 Florida Street (Ext), zoned B-2

Ms. Scott presented the office building was located at 3980 Florida Street constructed in 2004 containing two office spaces. Aimeeco Computer Solutions has maintained an office in the building since construction. At this time, the applicant was requesting to provide an additional five parking spaces in the front of the site in accordance with the parking and site plan dated December 11, 2018. There was an existing 50' Cleco servitude located across the front of the lot and the entire length of Florida Street. The CLURO allowed for a reduction in the required greenbelt when there was a utility servitude, but it still required that the greenbelt be placed behind the utility servitude. The applicant was requesting a variance to allow the required greenbelt be placed at the property line in the existing servitude. There was an existing driveway accessing the building with parking in the front and rear of the building. The building currently met the required parking. Cleco would allow planting in the servitude provided it was of a certain species not interfering with the power lines. Additional parking

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spaces would help lease the vacant office space. The greenbelt met today's requirements, but the parking spaces would require the removal of the existing trees and there would be replanting required.

Mr. Blache asked if the pervious/impervious coverage was still compliant. Ms. Scott stated the site was still compliant. Mr. Blache said the servitude had provided a problem to all of the businesses. Ms. Scott said the three trees were 4" so the replacement required was one 2" tree for every 4" of tree removed and there was an agreement for replacement on the site.

Mr. Clark asked if it was new surface and it was answered yes. Mr. Blache said the hardship was the placement of the Cleco servitude. Mr. Clark asked if the servitude was in place when the property was purchased and it was answered yes.

Paul Mayronne, Jones Fussell, said to re-emphasize that the only variance requested was the location of the greenbelt. The hardship was the existence of an unusually wide servitude of 50'. On the current plan, they were losing three trees but the applicant was also proposing three Class A, 5 Class B trees and shrubs. There would be a net gain of shrubs after the expansion. There was a discussion with Cleco about the type of trees for planting. The servitude was established in the 1950s; and the document contemplated planting in the servitude which was an ongoing discussion. Looking down Florida Street Extension there were plantings within the servitude particularly at the point by Dr. Boudreaux's office. They were working with Cleco and would meet the City requirements.

Mr. Lahasky moved to approve variance to allow the greenbelt in the utility servitude. Mr. Clark said the 50' servitude was in place before purchase so the hardship was discovered later. He asked why it was not an exception. Ms. Scott said the servitude presented a hardship because it was 50'; however, they had been able to comply. Mr. Clark asked why not considered it an exception. Ms. Scott said the servitude created the physical hardship on the site. Mr. Sones agreed it was a wide servitude and it should be 10'. Mr. Mayronne said most streets were 10' servitudes and it was in existence from the 1950s and the rule was not planting in the servitude with the combination of the two being beyond their control. Mr. Clark said there was adequate parking at this time. Ms. Bush seconded the motion with the motion passing 5-1 with Mr. Clark voting against the case.

The last case discussed was V19-01-05 Premier Center, LLC/Jill Acquisition LLC requests a variance to Article 10, sign Codes, 3424 Highway 190, zoned B-2

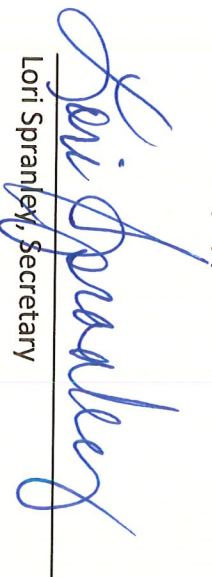
Ms. Scott presented there was an existing 14 square foot on the front of the building. This was a request for a second sign on the St. Joseph Street façade without an entrance for 15 square feet for a total of the two signs being 15 square feet less than allowed on the frontage. The original building side location was no longer visible with the tree growth so the request was to place the sign toward the rear of the building. In 2015, the CLURO was amended to only allow signage where there was an entrance. In some cases there were unfinished facades where signs were requested to be installed. This building had public frontage on every side so the building side façade was the same standard of finish. Before the CLURO was amended, the signage only needed to be 30' apart and the request would meet that criteria.

Mr. Blache said he was of the opinion that the total sign size was less than the size allowed on the frontage. He saw no problem and considered this as a corner property.

Mr. Bush said she felt the reason for the variance was disingenuous of the purpose that they needed to have signage on the building side to draw foot traffic visibility. Dawn Ricks, Sign Works, said the language was off key with foot traffic. J. Jill was trying to get additional traffic, was a tasteful sign and the sign would be similar to the front signage.

Mr. Lahasky asked if it should be an exception. Ms. Scott said it could be. Mr. Lahasky moved to approve the exception for the additional signage, seconded by Mr. Fairley and was unanimously approved.

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

  
Lori Spranley, Secretary

  
Michael Blache, Chairman  
Zoning Commission

**Zoning Commission  
Work Session  
January 22, 2019**

The meeting was called to order by Zoning Chairman Michael Blache and the secretary called the roll.

Present: Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush, Jeff Lahasky and Bill Sones

Absent: Nixon Adams

Also Present: Louise Scott, Director, Planning Department; Paul Harrison, City Attorney; and Council Member Laura' Sica

Mr. Blache announced that written notice of decisions regarding zoning variances will be filed in the Board's office the following day of this meeting at which time applicable appeal time will begin to run.

The only case discussed was Z19-02-03

Ms. Scott presented that the City Council, at their meeting held on January 10, 2019, introduced Ordinance 19-01 to rezone the site identified as the "Pottery Hill" site from R-1, Single family Residential and PM-1, Marina District Waterfront Lots to O, Open Space/Recreation zoning District.

The City of Mandeville purchased what was identified as the Pottery Hill Site on July 9, 2007 under Ordinance 07-28 in part for "preserving an extremely significant, pre-historic site. Following the purchase of the property, the City contracted with SURA, Inc., an archaeological consulting firm to conduct Phase II, where prehistoric artifacts found qualified a portion of the site for the National Register of Historic Places. Prior to Phase II, Phase I had been conducted for a private party, the finding of which were the impetus for the City purchasing property - fieldwork revealed that prehistoric materials, including ceramics, were evenly distributed over the site.

The site also included a large, specimen live oak, measuring 72" diameter which was shown on a tree survey prepared by Randall Brown & Associates in 2005. The live oak was located in the unimproved Monroe Street Right of Way. This tree was registered with the Live Oak Society under the name "Castain Oak". Kathy Franke, adjacent resident, stated the name was later changed to "Pottery Oak".

The site also contained a significant area of jurisdictional wetlands as depicted on the plan prepared by DEI Cooper Engineering, Inc. dated July 29, 2005 indicating that the area south of Monroe Street was wetland (~55,263 sf), significant portion of unimproved Monroe Street and a portion of lots 10-34 (even). Lots 6, 8, and a portion of 10 were part of Bayou Castain and were under water.

At their January 10, 2019 meeting, the City Council adopted Ordinance 18-40 that included the entirety of the "Pottery Hill Site" on the City's Historic Resources Survey with a designation as a "Landmark" site. This Historic Preservation District Commission voted unanimously to recommend adoption of Ordinance 18-40 and included in their recommendation the following. *Consistent with the definition of landmark site, classifying this site with Landmark status, exemplifies the prehistoric culture and provides a snapshot of the Tchefuncte culture living beside the bayou.*

The stated purpose of the O Open Space/Recreation Zoning District was as follows:

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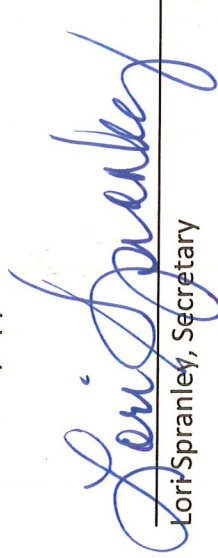
She had been present at the Historic Preservation District Commission hearing regarding the assignment of this property as a "Landmark" designation.

Several years ago, she had attended the Old Mandeville Historic Commission's lecture about this site that had been presented by the person who had prepared the report. There were discussions at prior meetings that the City had neglected the site and it might be better off sold to a private owner to extend his rear yard or other development and it would be better maintained. She disagreed with that statement. The City had acquired the property to take it out of commerce, and it had benefited by the benign "neglect". The Parks and Parkways Commission had installed a barrier so people could not drive on the site. It was well known in the community to walk down the slope to launch small boats. When it was purchased there had been talk of a boardwalk for citizens to walk out for a better view of the site. In general, less done to the site the better. It was open space, in a floodplain, and had an incredible historic value to the community. There were people who remembered picking up arrowheads on the site. It was culturally valuable and she endorsed the zoning change on the site.

Stephen Howden, 713 Colbert Street, spoke in favor of the rezoning. There was no City open space east of Jackson Avenue. It was a beautiful spot with historical significance. They walked the area and felt the rope was a hindrance to easily getting to the water and looking at the view. He had been dismayed that someone had squatted on the property and had cleared a part of the land to make it look like a portion of their rear yard. They had piled up the brush to make it look like a wall and the brush had not been removed. He stated he was in favor of the zoning change.

Emma Vilmoreck stated she was in favor of the zoning change. She studied Marine Biology at the University of Southern Mississippi, was the Youth Coordinator for Lacombe Heritage Center, and was the Project Manager for the Nature Learning Program. With the Nature Learning Program, she would take kids into natural environments teaching biology and why where we lived was so unique and a special place. This was a location she was looking forward to bringing her group to during the summer. It was a unique and special place that we need to preserve. She stated a Cherokee proverb that "we do not inherit the land from our ancestors, but we borrow it from our children."

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

  
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Lori Spranley, Secretary

  
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Michael Blache, Chairman  
Zoning Commission

