

The meeting was called to order at 6:05pm by Planning Chairwoman Claire Durio

The secretary called the roll.

Commissioners Present: Nicholas Cressy, Claire Durio, Andrea Fulton, Mike Pierce, Scott Quillin, and Brian Rhinehart

Absent: Karen Gautreaux

Also Present: Cara Bartholomew, Director Planning Department; Lauren Brinkman, Planner; David Parnell, City Attorney; Tina Myers, Secretary

Mr. Quillin moved to adopt the minutes from the February 6 and 27 meetings. Mr. Rhinehart seconded, and all were in favor.

New Business

Resolution 24-02 – A resolution of the Planning and Zoning Commission of the City of Mandeville adopting the Parks and Recreation Master Plan

Mr. Rhinehart moved to adopt the resolution. Mr. Cressy seconded, and the motion passed unanimously.

With all new business for the Planning Commission finished, Ms. Durio moved to the Zoning Commission portion of the meeting.



Alex Weiner, Secretary



Claire Durio, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission portion of the Meeting.

Notification of Filing Case Addendum - 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

SUP24-03-03 – Cayman Sinclair requests a revision to Special Use Approval Z15-08-09 per CLURO Section 4.3.2.11. Amendments to Special Use Permit Approvals, City of Mandeville, Square 2 Lot 2A, B-3 Old Mandeville Business District, 1943 Lakeshore Drive

Ms. Durio said that the only new thing was the two parallel parking spaces vs the five perpendicular. Ms. Bartholomew said that is correct. She added that there were some additional small changes like moving the dumpster location.

Mr. Cressy asked if those were really the only two changes, the parking spaces and the dumpster. Ms. Bartholomew said that was correct and said that the pervious/impervious is not changing but is being established.

Ms. Fulton asked if the change of dumpster location was a new encroachment. Ms. Bartholomew said that the dumpster was located next to a parking space but was being moved a little farther north. One greenspace was swapped for another.

Mr. Cressy said that it was great that something was being done with this building, as it is the most blighted building on the lakefront.

Mr. Rhinehart asked if apartments were upstairs.

Vaughan Sollberger, 235 Girod: The three apartments will remain as they are. With renovations after Katrina, they had to comply with the Fire Marshal for two hour fire separations between commercial and residential, and one hour fire separation between all the residential units. They all seem to be mostly intact, and they have to keep them. No other work is being done. They are planning on re-working some of the brackets to make sure the strength is good.

Mr. Quillin said that on the west side of the property they are asking for encroachment to the lot line, and asked what the reason was for that portion of the deck going all the way to the property line.

Mr. Sollberger said that there is an original door located there to access the hexagonal area, and a ramp is required for ADA accessibility. One of the more efficient ways to install the ramp is to locate it on the perimeter of the porch itself, while also trying to maintain a porch area that is 8' deep between the ramp and the face of the building. The original construction did not survive the flooding, this time they are looking at doing a steel superstructure and concrete deck.

Mr. Rhinehart asked if the handicap accessibility was going to resemble what was previously there. Mr. Sollberger said it would, that was why they used the pre-Ida photos as examples. They have not completed the 3-D renderings yet, but it will all be the same footprint.

Mr. Quillin asked what commercial aspect would be located here. Mr. Sollberger said that it will be a full-service restaurant.

Leonard Rohrbough, 2525 Lakeshore: The ADA ramp will be replaced in the front as it was, the first floor is to be a sit-down restaurant, the second and third floor will be three

apartments is that correct? Mr. Rhinehart said it was. Mr. Rohrbough asked if the two parallel parking spots in the front were going to be the handicapped spaces, or if they would be located in the rear and have to walk around the building?

Mr. Sollberger said the only place for handicapped accessibility would be the two spaces in the front that are parallel along Lakeshore Drive, and they could add the required striping. The previous administration pushed the line out onto the street to try and give the businesses along the lakefront a bit of depth so they can have parking places. It did not work out well, but the handicapped spaces would be in space 11 or 12.

Mr. Rohrbough asked if they were required to have one or two spaces. Mr. Sollberger said they were required to have one space. He did mention that it would be on City property though.

Mr. Rohrbough asked how many parking spaces in the rear are reserved for the apartments. Ms. Bartholomew said that six spaces were required for the tenants, and they had to be onsite. Mr. Rohrbough asked how many for the employees. Ms. Bartholomew said that there would be four spaces left over, but 10 parking spaces were already approved with the previous approval.

Mr. Rohrbough said that for anyone else who wanted to come to the restaurant, it would be a free for all parking on the street. Ms. Bartholomew said that was correct.

V24-03-11 – Modesto Posas requests a variance to CLURO Section 10.8.2.6. Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts, City of Mandeville, Square 83 Lot 30A, B-2 Highway Business District, 2660 Florida Street Ste F

Ms. Durio asked if this would increase the lettering. Ms. Bartholomew said that unless it was conditioned not to add any lettering, the request was for signage.

Mr. Pierce said that this was a variance so anyone who wanted to come later could have a big sign that is not necessarily paint. Ms. Bartholomew said that was correct.

Ms. Durio agreed that the original sign does not show up very well, but she is wondering if there is something they could do that is less painting. Maybe in the half circle or just the bottom edge. She is concerned about increasing signs with the new sign code.

Mr. Cressy said he agrees. He feels that if they paint the entire building a new color it would be a different thing, but this makes a huge sign.

Ms. Fulton said it would be great if they figured out a way to utilize the semicircle and define that as the sign, instead of the entire face of that part of the façade.

Ms. Durio asked if any of the other tenants have commented. Ms. Bartholomew said no.

Mr. Rhinehart asked how far out of line they would be. Ms. Bartholomew said they are allowed 81.25 sqft and this would bring them to 593 sqft. She does not know the current sign square footage.

Ms. Durio said it would be about 500 sqft more than what is allowed.

Modesto Posas, 2660 Florida: They would like to do it because it is the color of the brand and makes people want to come in.

Ms. Durio agreed that the white was hard to see.

Mr. Rhinehart said that unit was the largest one there and was the anchor.

Ms. Durio asked if they would be willing to consider something less than the entire façade.

Ms. Fulton said it would be more palatable if it was less than the full façade.

Mr. Posas said that they did not think the color of the background and the color of the sign would look good together. He added that they are renting the entire unit.

Ms. Fulton said that the challenge is how the sign could be brought into more compliance.

Ms. Durio suggested maybe the circle and the bottom area. She does not know how everyone else feels. Something that does not take up so much space would be easier for the commission.

Ms. Bartholomew said that if the applicant comes into the office tomorrow, they can assist them.

Buck Abbey, 1129 Villere: He has a question about the color of the building. Is there anything in the building or sign code on the use of color on the building. The triad of color looks offensive to his eyes. Other people may not find them offensive, but they disturb him and take the whole color of the shopping center and turn it upside down.

Ms. Bartholomew said they do not regulate color unless it is the color of a brand. They could paint this building whatever they wanted to paint it, but the reason they are here is the brand color is blue and green.

Mr. Abbey asked if the unit next to them could come up with different colors. Ms. Bartholomew said they could not use their brand colors, but if they wanted to use something that was not part of their brand it would have to go to design review.

Ms. Fulton said that Mr. Abbey raises a good point, because the entire background is yellow. Mr. Abbey said that it would be nice if it was something closer to yellow rather than opposite on the color wheel.

V24-03-12 – Brian and Robyn Jackson request a variance to CLURO Section 8.1.1.4. Allowed Setbacks Encroachments, Old Town of Mandeville, Square 48 Lot 12-A-1, R-1 Single Family Residential District, 604 Marigny Avenue

Ms. Durio asked if it would be 8'-4" from the side property line. Ms. Bartholomew said it would be.

Mr. Quillin asked how close to the ditch they will end up, as it looks to be right next to the side of the new addition. Ms. Bartholomew said the ditch was not shown on the site plan, so she does not know.

Vaughan Sollberger, 235 Girod: The swale that is there will have to be moved, and it will be part of the drainage plan when they come for permitting. After designing the addition, they realized there was no room for the mechanical equipment.

Ms. Durio asked if it was in the rear would it encroach into the rear setback. Mr. Sollberger said it would. Ms. Durio said that it would encroach anywhere it was placed. Mr. Sollberger said that was correct.

Mr. Quillin said he would like comment from the next-door neighbor prior to the next meeting.

Ms. Durio asked how close the neighbors were. Mr. Sollberger said their carport is shown on the plans. Ms. Durio said her concern was with the neighbor as well.

Mr. Pierce asked if there would be mechanical equipment on both sides of the structure. Mr. Sollberger said that there would be.

Ms. Duri said that there does not seem to be any room where the existing mechanical equipment is located to add anything. Mr. Quillin added that the generator needs required spacing from the building as well.

Mr. Sollberger said that putting it with the other mechanical equipment would place it kind of in the front yard of a historical house.

Mr. Quillin said that there were no good spots to put the equipment on this property.

Mr. Quillin asked how high the equipment would be located. Mr. Sollberger said it would be about 2' off the ground and added that the existing house is compliant. Ms. Bartholomew said it would probably be about the height of the top of the fascia board.

Leonard Rohrbough, 2525 Lakeshore: Technically under the CLURO would the front of the house be on Livingston? Ms. Bartholomew said that is why variances were gotten at the last case.

V24-03-13 – Johnny Swiger requests a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, City of Mandeville, Square 5 Lot 5A, R-1 Single Family Residential District, 1623 Lakeshore Drive

Mr. Quillin said there was a discrepancy. Ms. Bartholomew said that the drainage plan says the slab height will be 4' and the site plan from John Bonneau shows 4.7', and that can be corrected.

Mr. Cressy asked if the previous variances cited for the slab heights were for garages or homes. Ms. Bartholomew said they were all elevated structures, so it was for the pad under the house. Whether it is for a carport or regular structure it is all the same fill. Typically, people are parking under the house as well.

Mr. Quillin asked if the square footage being requested was known.

Mr. Rhinehart asked if it would affect the pervious area. Ms. Bartholomew said the site was large so it would not. She added that it was 30' x 33'.

Mr. Rhinehart asked if the applicant had responded to the comments from Public Works. Ms. Bartholomew said that they were present at the meeting.

Ms. Durio asked if there was a drainage plan that shows the direction of the drainage for the property. She sees some excerpts but does not see an overall.

Johnny Swiger, 1623 Lakeshore: He has been in the residence for the past year and a half. The photos he submitted show the rainstorm from a few weeks ago and measured about 10 inches. He works about 80hrs a week at Ochsner, and it is hit or miss if he can get home and move his cars. He is trying to enclose the carport and get the variance to avoid this. The property drains to the rear, and the covered walkway in the plans has since been deleted.

Ms. Durio asked if it was wetlands behind the house. Mr. Swiger said it was.

Mr. Quillin said the coastal use permit would be the biggest issue with the City, and asked what kind of hoops there were to jump through.

Ms. Bartholomew said the applicant would apply through St. Tammany Parish Government and they would review and then send the City a letter.

Mr. Quillin said that the only way this project would be approved would be if the coastal use permit was approved. Ms. Bartholomew said that was correct.

Ms. Durio said that the applicant mentioned his neighbors were here and asked if it was the neighbor to the west. Mr. Swiger said his neighbors to the east and west were here. Ms. Bartholomew added that a variance was given for slab height to the neighbor to the east.

Mr. Rhinehart asked if the applicant intended to address the points brought up by Public Works. Ms. Bartholomew said that none of the points seemed unreasonable so the engineer for the applicant would just have a meeting with Cliff Siverd to get everything sorted before the next meeting.

Ms. Durio said they needed to know if the height was proposed to be 4' or 4.7'. Mr. Swiger said he would communicate with Mr. Siverd but it was 4'.

Brian Froeba, 1617 Lakeshore: The 4.7 finished floor elevation on the survey is for the house, not for the slab addition.

Ms. Durio confirmed that this slab would be 4'. Mr. Froeba said that was correct, and added that it would be lower than the slab on his house.

Myron Sheen, 1629 Lakeshore: He has been in this area for 17 years and they flood terribly, and everyone has to move their cars. What Mr. Swiger is asking for is barely anything, and they would probably still have to move cars. This would be a major improvement to the area.

Justin Porte, 219 Foy; 123 Foy; 131 Foy: They are three of the lots to the north so it would drain towards their property. He has been here three generations and the flooding is a systemic problem. If this is allowed he would like a variance immediately for his three lots. He would like a better understanding of what the engineers are going to do with the drainage. He would have an issue with it just going further north. He would love to allow everyone to raise their carports and driveways.

Brian Froeba: He did the drainage plan for the property. This is an existing shed roof so the rain conditions will not change.

Mr. Cressy said that they were putting in concrete. Mr. Froeba said the roof is already shedding outside of the concrete footprint.

Mr. Pierce said that it is not about the shedding. When it floods, any volume that you occupy that has water now is water that goes somewhere else. He appreciates that he has to move his cars as he has to do the same thing, but they are trying to avoid pushing the water somewhere else and causing someone who is not moving their car now to have to move their car.

Ms. Durio asked where the water goes once it drains to the back. Mr. Froeba said it goes to Little Bayou Castine. Ms. Durio asked if it goes to the Lake after. Mr. Froeba said it does.

Mr. Pierce asked if it floods from the bayou to the garage. Mr. Froeba said it does. Mr. Pierce said that it would not drain then as it has already flooded to that point.

Jonathan Sandoz, 141 Foy: He is not against this individual project and feels his pain, but they have to be aware of the cascading effect. If there is a way to drain back to Bayou Castine and not further north, then ok. He does not think it could be approved for one person and not the rest.

Ms. Durio asked if Public Works could look at that from a bigger standpoint. Ms. Bartholomew said that when they look at a drainage plan, they look at it from the

standpoint of no adverse impact on neighboring property.

Ms. Durio asked if they could look at it from the additional standpoint of the people on Foy Street and where the water could go. Ms. Bartholomew said she would have Mr. Siverd at the next meeting. They look at the surface area of the amount that is draining and if the water that would be displaced is negligible.

Mr. Sandoz said looking at this in isolation may be no big deal, but looking at everything in the aggregate is a different impact.

Myron Sheen: The land topography does drain to Bayou Castine. This is a negligible amount of water. It drains away from the house. He does not think it will go to the west side.

Ms. Bartholomew said on the drainage plan it goes from 2.5' to 1.9' on the east side.

Mr. Sheen said that this is a minimal amount of displacement.

Ann Strain, 816 Foy: Is there some way for the water to flow underneath where he needs to park his car.

Mr. Cressy said that no one is objecting to the project in a vacuum, but there is a ripple effect to take into consideration.

Ms. Durio said that if it does drain to the east side and not the Foy side that is helpful to see, if that could be submitted.

Ms. Bartholomew said the same thing was brought up with the variance for Mr. Froeba. Mr. Siverd and Mr. Froeba can get together and discuss it.

Johnny Swiger: He sent a video to Ms. Bartholomew of the rainstorm, and you can see the water going to the east.

Ms. Bartholomew said she would send the video out with the next packets.

Jonathan Sandoz: Everything drains that way but looking at the aggregate the swamp fills with water. This request is negligible, but he is worried about the aggregate effect.

Ms. Bartholomew said they would get the answers from Public Works for the next meeting, and Mr. Siverd will be present as well.

Z24-03-02 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone two lots designated R1-X Single-Family Residential-Existing Small Lots District to O Open Space/Recreation District, Old Town of Mandeville, Square 34 Lots 7A-1 & 7A-2

Mr. Quillin asked if there was any detriment to this rezoning. Ms. Bartholomew said there was not.

Mr. Pierce said the pond was not there. Ms. Bartholomew said it was not, and that the survey was older.

Ms. Bartholomew said that part of the Parks and Recreation Plan was to take these two lots and possibly use this as an outdoor classroom or a stormwater park.

Mr. Rhinehart said he typically has no objection to rezoning to Open Space.

Ms. Durio said that these were all presented as part of the Parks and Recreation Plan and that it is perfect to rezone them to recreational space.

Mr. Pierce said that this property floods a lot so going to Open Space is a good thing.

Mr. Quillin asked if this has already been taken out of commerce and was owned by the City. Ms. Bartholomew said that it was.

Buck Abbey, 1129 Villere: He is here to support this. It is an interesting site and has lots of potential for being a community space. This would be an ideal space for an educational building used by the community.

Ann Strain, 816 Foy: She likes the idea of a garden park. A pond idea with children is an iffy idea.

Z24-03-03 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone a lot designated PD Planned District to O Open Space/Recreation District, Old Golden Shores, Plot 12X Tract C

Ms. Durio said that this is exciting as there was a huge turnout to oppose a proposed commercial development on this site.

Kevin Vogeltanz, 160 Cindy Lou: One of the people here opposing the Oracle development. He agreed that this was exciting and a great idea. An added benefit is the removal of a Planned District as they are terrible and no Planned Districts should exist. Everyone who lives in the area supports this.

Mr. Rhinehart said that he would love to see a floating dock with this turning into a park.

Z24-03-04 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone two squares designated R-1 Single Family Residential & B-1 Neighborhood Business District to O Open Space/Recreation District, Old Town of Mandeville, Section 51 Squares 91 & 92

Mr. Rhinehart said he believed this was sponsored by Jill McGuire. Ms. Bartholomew said that is correct.

Buck Abbey, 1129 Villere: This will be a large component of the declining urban forest. He is proud of the City buying up some of the fast disappearing wild space in the community, and would like to see more. The City is losing all of the available, buildable land and developers will turn their eye to property like this. This is a wonderful purchase.

Mr. Rhinehart said he agreed with those sentiments.

Z24-03-05 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone four parcels designated B-1 Neighborhood Business District to O Open Space/Recreation District, Old Town of Mandeville, Square 57 Parcels A, B, C, & D

Ann Strain, 816 Foy: She lives directly across the street from this property and did not know what it would be used for. Keeping it Open Space would be great. She does not mind the cemetery expanding to this location but likes the idea of keeping it woody.

Ms. Bartholomew said there are no plans for the cemetery right now, but the cemetery is getting full.

Buck Abbey, 1129 Villere: He suggested to Jill McGuire that the City should buy this property. This is more of the urban forest the City has control over. This should be approached as a park design project. He is afraid it will be turned to the engineers and have it look like every other cemetery. There is an opportunity to do an environmental cemetery as part of the urban forest.

Mr. Rhinehart confirmed that the two R-1 Lots were not purchased. Ms. Bartholomew said there were existing homes on the lots.

Mr. Rhinehart asked if the other B-1 Lot was the burned down wedding venue. Ms. Bartholomew said she believed so.

Greg Reardon, 2613 Lakeshore: He confirmed that the City has no plans for this property right now. Ms. Bartholomew said that is correct.

Mr. Reardon asked if there was any easement that the DOTD owns that would prevent the public from accessing Hwy 190. Ms. Bartholomew said she was not aware of anything but had not had a chance to pull the plans yet.

Mr. Reardon said he appreciated the City preserving some of these areas as they are fading and going away.

Mr. Rhinehart asked what the concern about the easement was. Mr. Reardon said he was an inquisitive guy. He owns property next door that fronts on Hwy 190 and Montgomery.

Mr. Abbey said the green area near this property is a fantastic cypress tupelo swamp. It is a drainage ditch for the most part. The four lots next to the swamp would be critical pieces to add on to the swamp and connect to the cemetery expansion. It would be wise for the City to work with the property owners to see if the land could be acquired. He spoke with a gentleman in Hammond who may be interested in selling. He is concerned that people will buy those lots and build homes upon them.

Mr. Rhinehart said there would have to be an easement of some sort to the middle lots as access could not be denied so a legal servitude would come from either Montgomery or Florida in the future, whichever is closer.

Public Comment

Ms. Bartholomew said this was the last chance to decide to go to the APA Conference in Minneapolis as she has to get approval from the council for the out of state travel. Access to the online conference will be available if they cannot go.

Mr. Quillin moved to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 7:30pm



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission