

The meeting was called to order at 6:00pm by Planning Chairwoman Claire Durio

The secretary called the roll.

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

Absent: Karen Gautreaux, Nicholas Cressy

Also Present: Cara Bartholomew, Director Planning Department; Rad Dickson, Planner; David Parnell, City Attorney; Clif Siverd, Public Works; Alex Weiner, Secretary

Mr. Quillin moved to adopt the minutes from the April 9 and 23 meetings. Ms. Fulton seconded, and all were in favor.

New Business

R24-05-02 – Jordan Williams requests a variance to CLURO Section 5.2.3.4. Remainder of the City and Section 7.5.9.3. B-2 Site Development Regulations, Dalwill Drive, Section 33 Lot OP1-2-B, B-2 Highway Business District, 201 Dalwill Drive

Mr. Rhinehart asked if the Rouses shopping center was developed before it was annexed into the City. Ms. Bartholomew and Mr. Siverd said that it was done before they were with the City.

Mr. Rhinehart said he suspected it was done with different regulations in place. Ms. Bartholomew said there is some conflicting regulations as there is a limit on the amount of fill you can bring in, and you have to be 12" above the centerline of the street.

Mr. Quillin said he understands the request for fill, the surrounding properties have a higher grade all around. He asked where the driveway would be, and if this would connect to Rouses. Ms. Bartholomew said that the driveway would be on the north side by the property line. She would look into the connection.

Mr. Quillin said that the creation of the flag lot goes against the grain. He understands it from a sale perspective, but it would still be a flag lot.

Ms. Durio asked how the frontage was calculated, was the retention pond area used. Ms. Bartholomew said that the frontage was the darker line. Lot 2 has a frontage of 124.7' and lot 1 has 297'.

Ms. Durio asked if the pervious/impervious and landscape requirements were met. Ms. Bartholomew said they have not been calculated yet. There was a pre-development meeting with the applicant and they understood the requirements.

Ms. Durio said she wondered about visibility of the flag lot from the road.

Alex Williams, 368 Jade Ct, Engineer for the Applicant: Asked for clarification on the visibility question. Ms. Durio said the configuration had one building behind the other and the second building would lack visibility. She also asked where the access would be. Ms. Bartholomew said the driveway was next to the retention pond.

Jordan Williams, 19384 Country Club Ln, Applicant: The back building is a warehouse and office space/corporate headquarters. The reason for the resubdivision is due to taxes and loans. There will not be any signage needed.

Ms. Durio asked if they had the finished floor elevation for the neighboring properties. Ms.

Bartholomew said that the applicant shot everything, natural grade and finished floor elevation.

Mr. Alex Williams said that the paving and finished floor elevation would be in line with the neighboring properties.

Mr. Jordan Williams said they added a retention pond as well to help with flooding.

Mr. Siverd said that the City may want to request an agreement on the retention pond for control or access from the other property before approving the resubdivision.

Mr. Alex Williams said that they were fine with a servitude or whatever was needed for the pond as it benefited both parcels.

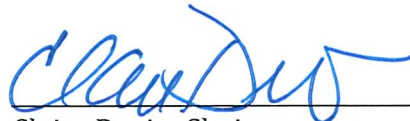
Mr. Jordan Williams said that there would be some sort of servitude in place.

Mr. Quillin requested that the interconnectedness of both sites and the greenbelt requirements for Rouses be provided for next meeting.

With all new business for the Planning Commission completed, 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

SUP24-05-04 – Charlie Rick requests Special Use Approval to allow Administrative and Business Offices per the Table of Permitted Uses, CLURO Section 7.8, Old Town of Mandeville, Square 44 Lot G, TC Town Center District, 2121 General Pershing Street

Ms. Durio asked if this was the dog spa place. Ms. Bartholomew said it was.

Mr. Rhinehart said he had no issue with the office.

Ms. Durio asked if there would be any interior modifications needed to go from residential to commercial. Ms. Bartholomew said the applicant would have to the State Fire Marshal.

Charlie Rick, Applicant: This will be a private office for additional space. He plans on leaving it like it is, but might move the kitchen.

Mr. Pierce said he liked the use and the repurposing of the structure. This was less intrusive than the previous use.

Ms. Durio said she likes to see more activity in the Town Center and that it will not be a burden on the street,

Mr. Rick said that he will not be storing anything at the location.

V24-05-16 – Lynn Mason requests a variance to CLURO Section 9.2.5.7. Live Oak Protection Requirements, Old Mandeville Woods, Square 254 Lot 2A, R-1 Single Family Residential District, 1620 Old Mandeville Lane

Ms. Fulton said that so far no risk has been determined. Ms. Bartholomew said that was per the report.

Ms. Durio asked if there were any other live oaks on the property. Mr. Dickson said that there is one live oak in the front yard, the property is forested. The trenching was by the roots so it could have been affected, but the concern is with the neighbor.

Ms. Durio said the report says to monitor after a wind event, but at that point it could be on the house.

Mr. Dickson said it was hard to say as you cannot see underground.

Ms. Durio asked if there was room to plant, Mr. Dickson said that is, the lot is not small.

Mr. Rhinehart said the replacement would be four trees. Ms. Durio said they would be Class A trees. She added the intent is for them to be large. Ms. Bartholomew added that the commission can modify that as well.

Ms. Durio asked if pictures of the rest of the property.

Ms. Fulton asked if there were any incidents with the neighboring tree conditions.

Mark Alexander, 1630 Old Mandeville Lane: A number of trees fell after the last hurricane.

He googled deaths from tree uprooting and there were 3 so far this year. His kids sleep on that side of the house. It would be too late after a wind event. A level 3 assessment takes into account the target and size. 16 inches is the largest size. Wind and rain make it more likely that it will uproot. His concern is the safety for his kids.

Ms. Durio said that it takes 20 – 50 years to grow a tree to this size. What is the difference between this one and other residential properties. There is additional canopy to buffer this.

Mr. Alexander said that the live oak root system is within 6 inches of the tree. There was damage to 60% – 70% of the roots when cut. The ability to get nutrients is cut in half. Ms. Durio said that was only potentially.

Mr. Dickson said he went out the next day. It was a deep trench that went along the edge. Maybe 1/3 of the tree was hit.

Ms. Durio asked if the trench was in grass. Mr. Dickson said it was in gravel.

Mr. Alexander said there was a 1 ½ in diameter root that was cut, among other smaller roots.

Mr. Quillin said he is more upset about the trenching than anything else. Trenching next to a live oak is not something that is recommended. He asked if the drainage was something installed by the homeowner or neighbor.

Ronnie Marks, 1620 Old Mandeville Lane: The back area floods during rain. It got to where the dogs could not go in/out of the house. They installed a sump pump to drain the water.

Lynn Mason, 1620 Old Mandeville Lane: They are new to the area and this area floods even without a hurricane. They were worried if a hurricane did happen the water would enter the house.

Ms. Durio asked if a shovel or equipment was used. Mr. Marks said that equipment was used. He added that they will do whatever is needed to ease the mind. They want to be good neighbors.

Ms. Fulton asked if during the research on uprooting if the variety of tree was discussed. Mr. Alexander said it was a PowerPoint by emergency responders.

Ms. Fulton asked if it mentioned live oaks, Mr. Alexander said it did not.

Mr. Quillin said the live oaks in the area are old and rarely come down. There is some concern with the cut roots from the trenching but his thoughts lean on the arborist recommendations and the health of the tree. This is a more difficult decision.

Ms. Durio asked if pruning was an option. Mr. Dickson said that if pruning was done it would hurt the tree. Mr. Rhinehart asked even if the cut was made halfway along the branch. Mr. Dickson said that it has to be done by the trunk.

Mr. Alexander said that the City Arborist said the tree was likely impacted. He had another arborist inspect it who said it was likely this tree was less resistant to wind and rain.

Ms. Durio said they are looking for something that says it is unsafe. Any tree could be which is why the reevaluation was suggested.

Mr. Rhinehart asked when the trenching took place. Mr. Dickson said he believed it was January. By June you would see an impact. His recommendation would be to keep an eye on the canopy.

Mr. Rhinehart said the report says to reevaluate every 6 months.

Ms. Durio said she would like to see the rest of the canopy.

Mr. Quillin said he would like to see any other arborist information in writing.

V24-05-17 – Jordan Williams requests a variance to CLURO Section 5.2.3.4. Remainder of the City and Section 7.5.9.3. B-2 Site Development Regulations, Dalwill Drive, Section 33 Lot OP1-2-B, B-2 Highway Business District, 201 Dalwill Drive

This case was heard along with case R24-05-02

Public Comment

Mr. Rhinehart asked if there was an update on the property across the street about their landscape remediation. Ms. Bartholomew said they will look at the submitted landscape plan and compare it to the current condition. Fines will be levied on what is not there and a new plan will be submitted and reviewed for compliance.

Ms. Durio said to have the replacements needed before a CO is issued. Ms. Bartholomew said they do, along with the fines for the removal.

Ms. Durio asked if trees could be planted in the front. Ms. Bartholomew said they would. If it was any different they would have to go before the commission.

Mr. Dickson said it was \$500 per tree removed. There was some confusion over the buffer area, and some of the trees located within had disease.

Mr. Rhinehart asked if this was for one property or all three. Mr. Dickson said this was just for one property. Mr. Dickson said he is working with the applicant on size and location of the replacement trees.

Cynthia Thompson, 17 Heron Lane: She has issues with people asking for forgiveness. A stronger ordinance is needed and \$500 is not enough. Ms. Bartholomew said the struggle is the balance between a homeowner and a developer.

Ms. Durio said commercial properties could have different fines than residential.

Ms. Thompson said that major landscapers should know better. The main issue is lots like the ones along Dalwill being clear cut.

Ms. Durio said it should impact their license.

Mr. Quillin moved to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 6:44pm.



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission